

# REQUEST FOR LEGAL SERVICES

RECEIVED

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CORPORATION COUNSEL

Date: May 16, 2019

From: Tamara Paltin, Chair  
Planning and Sustainable Land Use Committee

2019 MAY 20 AM 10: 55

2019 MAY 16 AM 9: 40

TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: David Galazin, Esq.

OFFICE OF THE  
COUNTY COUNCIL

Subject: **CHANGE IN ZONING FOR 266 DICKENSON STREET APARTMENTS (LAHAINA)**  
(PSLU-19)

Background Data: Please revise the proposed bill in accordance with the attached marked-up copy and approve it as to form and legality. A signed hard copy is requested with your response.

Work Requested: ☒ [X] FOR APPROVAL AS TO FORM AND LEGALITY

☐ [ ] OTHER:

Requestor's signature <u>Tamara A. Paltin</u> Tamara Paltin	Contact Person <u>James Krueger</u> (Telephone Extension: 7761)
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☐ [ ] ROUTINE (WITHIN 15 WORKING DAYS)  
☐ [ ] PRIORITY (WITHIN 10 WORKING DAYS)

☐ [ ] RUSH (WITHIN 5 WORKING DAYS)  
☐ [ ] URGENT (WITHIN 3 WORKING DAYS)

☐ [ ] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): Monday, May 20, 2019

REASON: For the Committee to consider at its meeting of May 21, 2019.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>DAG</u>	ASSIGNMENT NO. <u>2019-0101</u>	BY: <u>WMA</u>
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TO REQUESTOR: ☒ [X] APPROVED ☐ [ ] DISAPPROVED ☐ [ ] OTHER (SEE COMMENTS BELOW)  
☐ [ ] RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):

DEPARTMENT OF THE CORPORATION COUNSEL

Date 5.20.19

By DOG-f

(Rev. 7/03)

pslu:ltr:019acc01:jgk

Attachment

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2019)


A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM D-2 TWO-FAMILY DISTRICT AND R-2 RESIDENTIAL DISTRICT TO A-2 APARTMENT DISTRICT FOR PROPERTY IDENTIFIED AS TAX MAP KEYS (2) 4-6-011:011 AND (2) 4-6-011:028 AND LOCATED AT THE CORNER OF HONOAPIILANI HIGHWAY AND 266 DICKENSON STREET, LAHAINA, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.12 and 19.510, Maui County Code, a change in zoning from D-2 Two-Family District and R-2 Residential District to A-2 Apartment District is hereby granted for those certain parcels of land situated at Lahaina, Maui, Hawaii, and identified for real property tax purposes as tax map keys (2) 4-6-011:011 and (2) 4-6-011:028, collectively comprising 10,597 square feet, more or less, as more particularly described in Exhibit "A," attached hereto and made a part hereof, and depicted in Land Zoning Map No. L-873, which is attached hereto as Exhibit "B."

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:

  
\_\_\_\_\_  
DAVID A. GALAZIN  
Deputy Corporation Counsel  
County of Maui  
2019-0101/2018-1195  
PSLU-19 2019-05-16 Ord CIZ 266 Dickenson Street

## LAND DESCRIPTION

Tax Map Key (2) 4-6-011:011 and 028

Land situated at the southwest side of the intersection of Honoapiilani Highway (F.A.P. No. F-030-1 (1)) and Dickenson Street at Lahaina, Island and County of Maui, State of Hawaii.

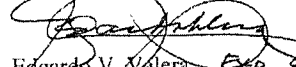
Being portion of Royal Patent 5702, Land Commission Award 5524-B, Apana 1 to Peke and Royal Patent 4475, Land Commission Award 7713, Apana 1 to Victoria Kamamalu.

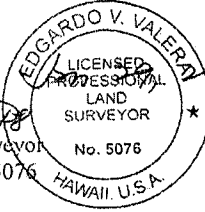
Beginning at a found Gear Spike at the westernmost corner of this parcel of land, the northernmost corner of Lot B of Arcangel Subdivision and along the south side of Dickenson Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAINA" being 7,468.10.4 feet South and 2,571.86 feet West and running by azimuths measured clockwise from true South (meridian of said "LAINA"),

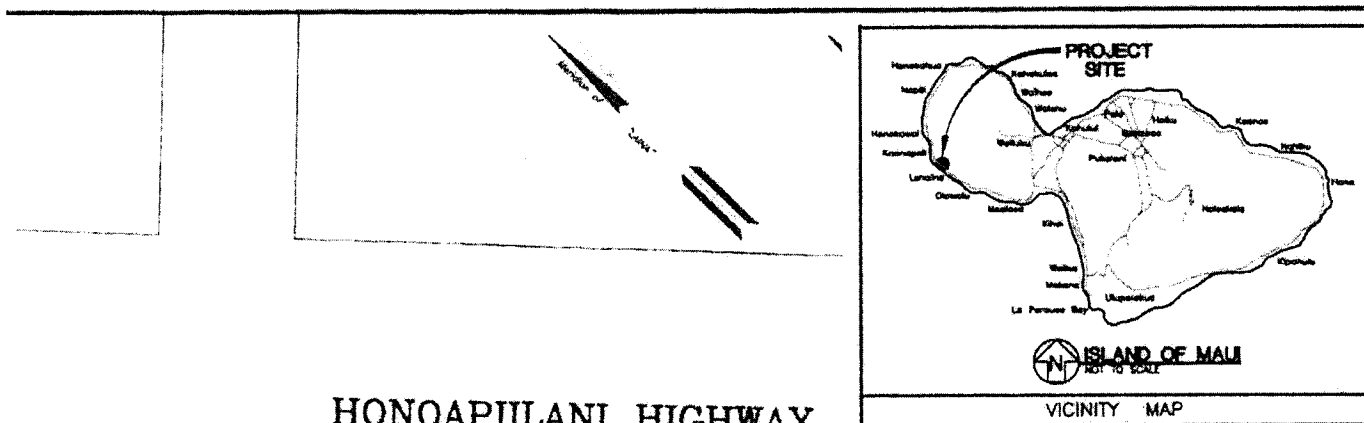
1.      226° 15'                      108.14 feet along the south side of Dickenson Street to a ½ inch pipe; thence,
2.      316° 59'                      100.00 feet along west side of Honoapiilani Highway (F.A.P. No. F-030-1 (1)) to a ½ inch pipe; thence,
3.      46° 15'                        102.53 feet along Aina Nalu-Condo Master, TMK: (2) 4-6-011:008 to a ½ inch pipe; thence,
4.      136° 15'                      27.77 feet along Lot B of Arcangel Subdivision to a ½ inch pipe; thence,
5.      45° 32'                        3.43 feet along the same to a ½ inch pipe; thence,
6.      135° 32'                      72.27 feet along the same to the point of beginning and containing an area of 10,597 square feet, more or less.

Note: This metes and bounds description has been prepared for the change in Zoning, from D-2 Two Family and R-2 Residential District to A-2 Apartment purposes only.

This work was prepared by me  
or under my direct supervision.  
VALERA INC.

  
Edgardo V. Valera *Exp 4/18*  
Licensed Professional Land Surveyor  
State of Hawaii Certificate No. 5076  
End of description.  
8229 Zoning Paunau





# HONOAPIILANI HIGHWAY

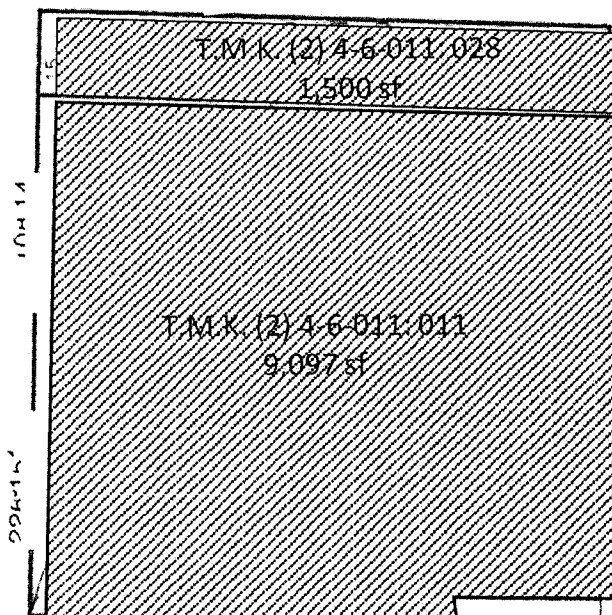
F.A.P. No. F-030-1 (1)

TO NAPIILI

TO WAILUKU

DICKENSON STREET

to Front Street



T.M.K. : (2) 4-6-011 : 008  
Aina Nalu-Condo Master  
owners

LOT B  
T.M.K. : (2) 4-6-011 : 027  
Yoshiko Masui  
owner

T T.M.K (2) 4-6-011: 011  
T T.M.K (2) 4-6-011: 028

Area: 9,097 SQ. FT.  
Area: 1,500 SQ. FT.

## LAND ZONING MAP NO.L-873

### CHANGE IN ZONING-LAHAINA, MAUI, HAWAII

FROM D-2 TWO-FAMILY AND R-2 RESIDENTIAL TO A-2 APARTMENT

EXHIBIT "B"