

MICHAEL P. VICTORINO  
Mayor  
MICHELE CHOUTEAU MCLEAN, AICP  
Director  
JORDAN E. HART  
Deputy Director



**DEPARTMENT OF PLANNING**  
COUNTY OF MAUI  
ONE MAIN PLAZA  
2200 MAIN STREET, SUITE 315  
WAILUKU, MAUI, HAWAII 96793

April 30, 2020

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

**APPROVED FOR TRANSMITTAL**

*Michael P. Victorino* 4/30/20  
Mayor Date

For Transmittal to:

Honorable Tamara Paltin, Chair  
Planning and Sustainable Land Use Committee  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair Paltin and Members:

**SUBJECT: DISTRICT BOUNDARY AMENDMENT, COMMUNITY PLAN AMENDMENT, AND CHANGE IN ZONING FOR THE PROPOSED PAIA COURTYARD PROJECT AT 120 BALDWIN AVENUE (PAIA) (PSLU-8)**

The Department of Planning (Department) is transmitting for your review and action revised bills for an ordinance for a Change of Zoning (CIZ) and District Boundary Amendment (DBA) applications filed by Paia 2020, LLC (Applicant). The proposed Community Plan Amendment (CPA) has been withdrawn by the Applicant. This item was reviewed by the Committee in 2017 and deferred for additional information. Subsequent to that Committee meeting, the Applicant had discussions with the community and decided to withdraw the Community Plan Amendment and only pursue land use designations to align with the community plan designations.

As Council approval is required for the CIZ and DBA, the Department respectfully transmits the subject revised bills for an ordinance to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT AND TO PUBLIC/QUASI PUBLIC FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII, TAX MAP KEY (2) 2-5-005:063 (POR.)"; and,

Honorable Michael P. Victorino, Mayor  
For Transmittal to:  
Honorable Tamara Paltin, Chair  
April 30, 2020  
Page 2

2. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII, TAX MAP KEY (2) 2-5-005:063 (POR.);"

As noted in the attached graphic, the proposed change in zoning to B-CT County Town Business District is for an approximately 1.1-acre portion of the subject property (Area A) and is intended for business use. The proposed change in zoning to Public/Quasi Public is for an approximately 2.9-acre portion of the subject property (Area B) and is intended to be donated to the County for use as a public parking lot. The remaining 5-acre portion of the subject property (Area C) will retain its agricultural designations and is not intended for any use or development at this time. Area D is already entitled and is not part of the subject applications.

Thank you for your attention to this matter. Should you have any questions, please transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



MICHELE MCLEAN, AICP  
Planning Director

Attachments (3)

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)  
Kurt F. Wollenhaupt, Staff Planner (PDF)  
Henry Spencer (PDF)

MCM:KFW:rma

K:\WP\_DOCS\Planning\Cpa\2013\0003\_PaiaCourtyardProject\Revisions 2019 &  
Maps\RevisedCouncilTransmittalPaiaCourtyardMay2020.doc

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

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE TO CHANGE ZONING  
FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT  
AND TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT PAIA, MAUI,  
HAWAII, TAX MAP KEY (2) 2-5-005:063 (POR.)

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

SECTION 1. Pursuant to Chapters 19.15 and 19.510, Maui County Code, a change in zoning from Interim District to B-CT Country Town Business District is hereby granted for the certain real property situated at Paia, Maui, Hawaii, and identified for real property tax purposes as a portion of tax map key (2) 2-5-005:063, containing an area of 1.10 acres, more or less, and more particularly described as "Area A" in Exhibit "A", attached hereto and made a part hereof, and on Land Zoning Map No. L-1527, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. Pursuant to Chapters 19.15 and 19.510, Maui County Code, a change in zoning from Interim District to Public/Quasi-Public (Conditional Zoning) is hereby granted for that certain real property situated at Paia, Maui, Hawaii, and identified for real property tax purposes as a portion of tax map key (2) 2-5-005:063, containing an area of 2.93 acres, more or less, and more particularly described as "Area B" in Exhibit "A", attached hereto and made a part hereof, and on Land Zoning Map No. L-1527, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:

/s/Michael J. Hopper

MICHAEL J. HOPPER  
Deputy Corporation Counsel  
County of Maui  
2020-0328  
2020-04-29 Ord Paia Courtyard CIZ

EXHIBIT "A"

AREA A

LOT A-1-A

## PAIA POST OFFICE SUBDIVISION

AT HAMAKUAPOKO AND HALIIMAILE, MAKAWAO, MAUI, HAWAII

BEING A PORTION OF THE LAND DEEDED BY THE

BOARD OF EDUCATION TO THE TRUSTEES OF OAHU COLLEGE,

DATED: JANUARY 30, 1860 RECORDED IN LIBER 12,

PAGE 403 AND ROYAL PATENT 7512

Beginning at the West corner of this Area, being also the West corner of Lot A-1-A, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU NENE 2" being 5,493.68 feet North and 5,823.42 feet East and running by azimuths measured clockwise from True South:

- [illegible]

5. 335° 47' 50" 296.22 feet along Lot A-1-D (Roadway Widening Lot) to the point of beginning and containing an area of 1.102 Acre.



R. T. TANAKA ENGINEERS, INC.

A handwritten signature in dark ink, appearing to read "Kirk T. Tanaka", written over a horizontal line.

Kirk T. Tanaka  
Licensed Professional Land Surveyor  
Certificate No. 7223

License Expires: April 30, 2018  
871 Kolu Street, Suite 201  
Wailuku, Hawaii 96793

February 14, 2017

AREA B

LOT A-1-A

PAIA POST OFFICE SUBDIVISION

AT HAMAKUAPOKO AND HALIIMAILE, MAKAWAO, MAUI, HAWAII

BEING A PORTION OF THE LAND DEEDED BY THE  
BOARD OF EDUCATION TO THE TRUSTEES OF OAHU COLLEGE,

DATED: JANUARY 30, 1860 RECORDED IN LIBER 12,

PAGE 403 AND ROYAL PATENT 7512

Beginning at the Northwest corner of this Area, being also the Northeast corner of Area C, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU NENE 2" being 5,926.58 feet North and 5,307.35 feet East and running by azimuths measured clockwise from True South:

1.    276° 00'                    116.65 feet along Lots 35 and 36, Tavares Tract;
2.    287° 00'                    81.77 feet along Lot 36, Tavares Tract and Area D;
3.    37° 25'                    23.18 feet along Area D;
4.    274° 29'                    43.64 feet along Area D;
5.    335° 47' 50"                461.90 feet along Area A;
6.    65° 48'                    277.21 feet along Lot A-2 and Area C;

7. 164° 53'

614.10 feet along Area C to the point of beginning and containing an area of 2.933 Acre.



871 Kolu Street, Suite 201  
Wailuku, Hawaii 96793

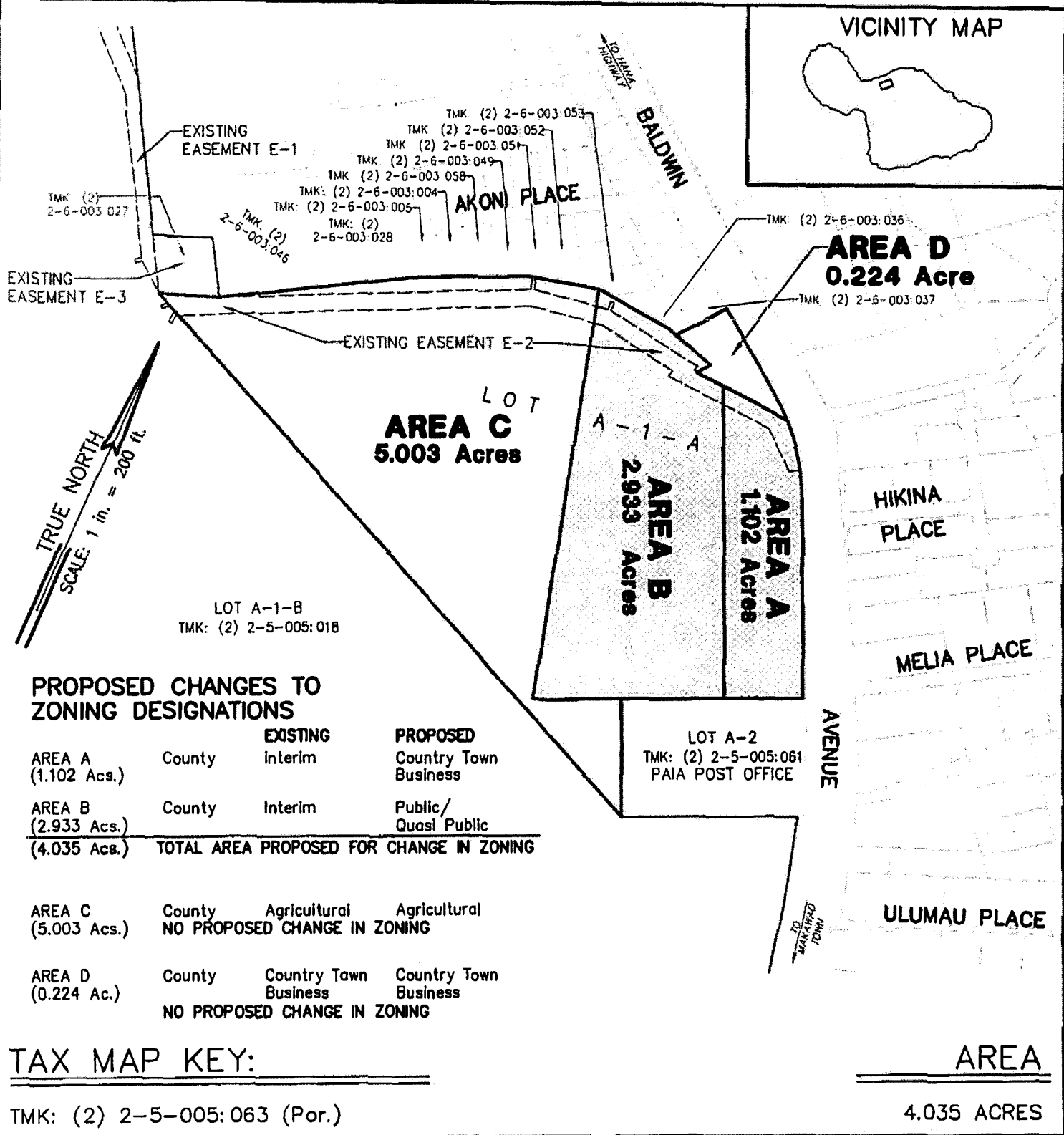
February 14, 2017

R. T. TANAKA ENGINEERS, INC.

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Kirk T. Tanaka  
Licensed Professional Land Surveyor  
Certificate No. 7223  
License Expires: April 30, 2018





## LAND ZONING MAP NO.1527

CHANGE IN ZONING - PAIA, MAKAWAO, MAUI, HAWAII

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

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE  
DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN  
FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII  
TAX MAP KEY (2) 2-5-005:063 (POR.)

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

SECTION 1. Pursuant to Section 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District classification is reclassified from Agricultural to Urban for that certain real property situated at Paia, Maui, Hawaii, and identified for real property tax purposes as a portion of tax map key (2) 2-5-005:063, comprising approximately 1.10 acres, and more particularly described as "Area A" in Exhibit "A", attached hereto and made a part hereof, and on District Boundary Amendment Map No. DB-718, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. Pursuant to Section 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District classification is reclassified from Agricultural to Urban for that certain real property situated at Paia, Maui, Hawaii, and identified for real property tax purposes as a portion of tax map key (2) 2-5-005:063, comprising approximately 2.93 acres, and more particularly described as "Area B" in Exhibit "A", attached hereto and made a part hereof, and on District Boundary Amendment Map No. DB-718, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:

/s/Michael J. Hopper

MICHAEL J. HOPPER  
Deputy Corporation Counsel  
County of Maui  
2020-0328  
2020-04-29 Ord Paia Courtyard DBA

# EXHBIT "A"

## AREA A

### LOT A-1-A

#### PAIA POST OFFICE SUBDIVISION

AT HAMAKUAPOKO AND HALIIMAILE, MAKAWAO, MAUI, HAWAII

BEING A PORTION OF THE LAND DEEDED BY THE  
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DATED: JANUARY 30, 1860 RECORDED IN LIBER 12,

PAGE 403 AND ROYAL PATENT 7512

Beginning at the West corner of this Area, being also the West corner of Lot A-1-A, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU NENE 2" being 5,493.68 feet North and 5,823.42 feet East and running by azimuths measured clockwise from True South:

1.     65° 48'                   113.00 feet along Lot A-2;
2.     155° 47' 50"           461.90 feet along Area B;
3.     274° 29'               104.85 feet along Area D;
4.     Thence, along Baldwin Avenue on a curve to the right with a  
  radius of 327.10 feet, the radial  
  azimuth to the point of curve  
  being 225° 08' 50" and the radial  
  azimuth to the point of tangent  
  being 245° 47' 50", the chord  
  azimuth and distance being:  

325° 28' 20"           117.25 feet;

5. 335° 47' 50" 296.22 feet along Lot A-1-D (Roadway Widening Lot) to the point of beginning and containing an area of 1.102 Acre.



R. T. TANAKA ENGINEERS, INC.

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Certificate No. 7223

License Expires: April 30, 2018  
871 Kolu Street, Suite 201  
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February 14, 2017

AREA B

LOT A-1-A

PAIA POST OFFICE SUBDIVISION

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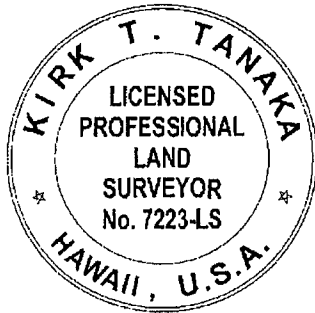
PAGE 403 AND ROYAL PATENT 7512

Beginning at the Northwest corner of this Area, being also the Northeast corner of Area C, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU NENE 2" being 5,926.58 feet North and 5,307.35 feet East and running by azimuths measured clockwise from True South:

1.    276° 00'                    116.65 feet along Lots 35 and 36, Tavares Tract;
2.    287° 00'                    81.77 feet along Lot 36, Tavares Tract and Area D;
3.    37° 25'                    23.18 feet along Area D;
4.    274° 29'                    43.64 feet along Area D;
5.    335° 47' 50"                461.90 feet along Area A;
6.    65° 48'                    277.21 feet along Lot A-2 and Area C;

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614.10 feet along Area C to the point of  
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February 14, 2017

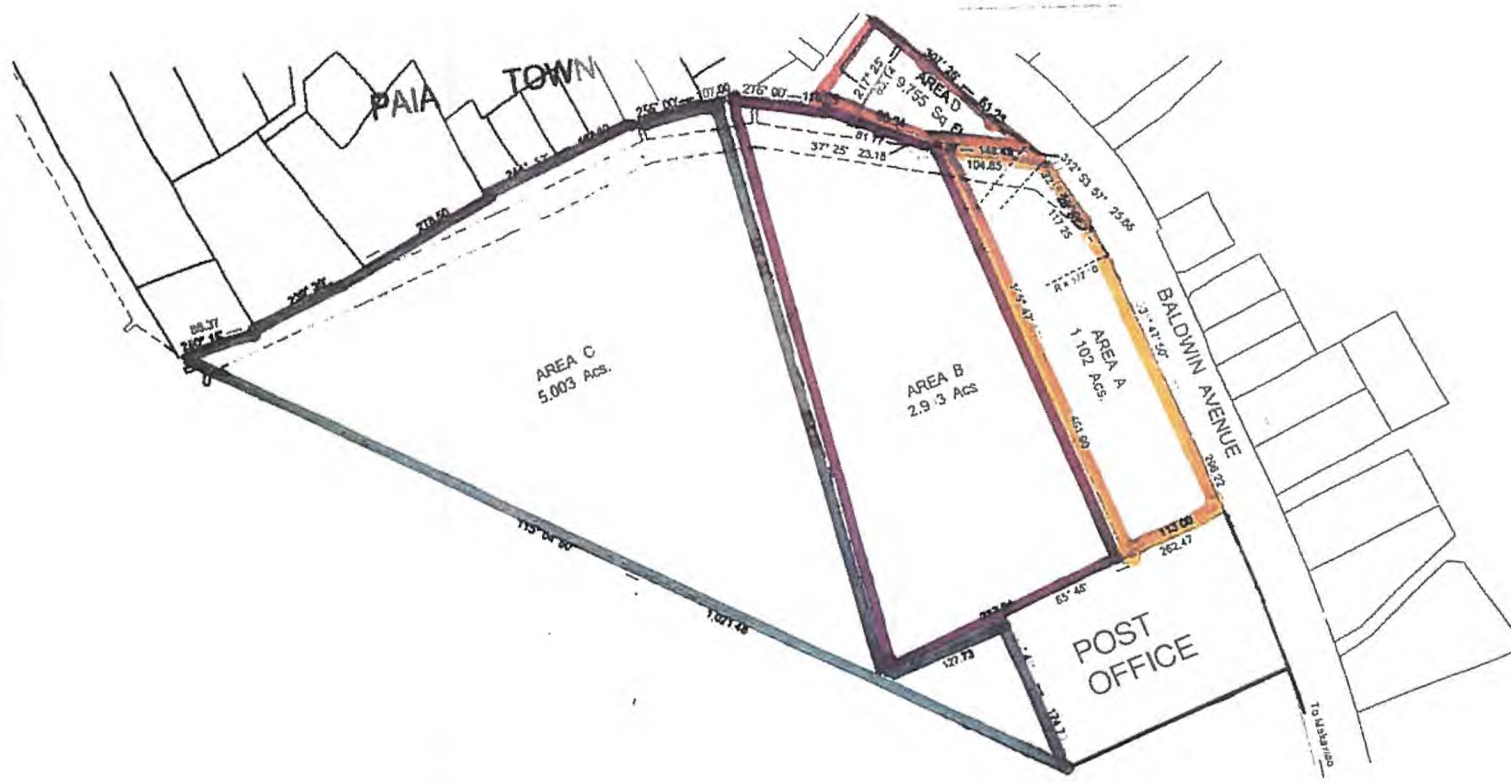
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CHANGE IN ZONING – PAIA, MAKAWAO, MAUI, HAWAII





THRU NORTH  
SCALE 1" = 500'

# EXISTING COMMUNITY PLAN DESIGNATIONS

AREA A : BUSINESS / COMMERCIAL (B)

AREA B : PUBLIC / QUASI-PUBLIC (P)

AREA C : AGRICULTURE (AG)

AREA D : BUSINESS / COMMERCIAL (B)

PAIA 2020

TMK No. (2) 2-5-005:063

9.038 Acs.