

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
MSM & ASSOCIATES, INC., a)
Colorado corporation)
)
To Amend the District Boundary)
of Certain Lands Situate at)
Oneula, Ewa, Oahu, Hawaii)
_____)

DOCKET NO. A79-469

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A79-469
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MSM & ASSOCIATES, INC., a)	FINDINGS OF FACT,
Colorado corporation)	CONCLUSIONS OF LAW,
)	DECISION AND ORDER
To Amend the District Boundary of)	
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Ewa, Oahu, Hawaii)	
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FINDINGS OF FACT, CONCLUSIONS OF LAW,
DECISION AND ORDER

Pursuant to Chapter 205, Hawaii Revised Statutes (HRS), and the Rules of Practice and Procedure of the State Land Use Commission, a petition to amend the Land Use District Boundary of certain lands (hereinafter referred to as "subject property") situated at Oneula, Ewa, Oahu, Hawaii, from the Agricultural to the Urban Land Use District was filed on December 7, 1979, by MSM & ASSOCIATES, INC. (hereinafter "MSM" or "Petitioner"). The State Land Use Commission (hereinafter "Commission") having heard and examined the testimony and evidence presented during the hearings held on May 6 and 7, July 8, 9, and 10, in Honolulu, Oahu, hereby makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

PROCEDURAL MATTERS

1. The petition was filed on December 7, 1979, by MSM & ASSOCIATES, INC., a Colorado corporation authorized to do business in the State of Hawaii. The petition requested that approximately 181⁺ acres of lands situated within the Agricultural District at Oneula, Ewa, Oahu, Hawaii, be reclassified into an Urban District.

2. Notice of the hearing, scheduled for May 6, 1980, at 9:00 a.m., Conference Rooms 322 A and B, New State Building, Honolulu, Hawaii, was published in the Honolulu Star-Bulletin on April 3, 1980.

3. Pursuant to Section 205-4(e)(1), Hawaii Revised Statutes, the Department of Planning and Economic Development, State of Hawaii (DPED), and the Department of General Planning, City and County of Honolulu (DGP), were, by operation of law, parties to the proceeding.

4. A Petition to Intervene by Life of the Land and Harold Y. Nakasone were filed on March 4, 1980, and April 18, 1980, respectively. A Motion in Opposition to the Intervention by Life of the Land was filed by Petitioner on March 18, 1980. Life of the Land and Mr. Nakasone withdrew their petitions to intervene on May 6, 1980, and the withdrawals were approved by the Commission on said date.

5. The hearing date of May 6, 1980, began within the period mandated by Section 205-4(b), Hawaii Revised Statutes.

6. A prehearing conference on MSM's Petition was held on April 24, 1980, at Honolulu, Hawaii, in the DPED

conference room and was attended by counsel representing MSM, DPED and DGP who submitted and exchanged exhibits and lists of witnesses for the proceeding.

7. The public witnesses allowed to testify or to submit their written testimony were:

CDR DAVIDSON LUETHRING
United States Navy

MR. DAVID PARSONS
Ewa Beach Community Association

MR. CHARLES BEAMER, CHAIRMAN
Ewa Neighborhood Board No. 23

MR. TAKESHI UYESUGI
Business Representative
Hawaii Building and Construction Trades Council

MR. ELROY CHUN
Executive Vice President
Building Industry Association of Hawaii

MS. ELOISE YAMASHITA TUNGPALAN
Chairperson
Pearl City Neighborhood Board No. 21

DESCRIPTION OF SUBJECT PROPERTY

8. The current fee owner of subject property is the Estate of James Campbell. MSM has entered into an agreement with the Estate of James Campbell to acquire (in fee) and develop 707.6 acres of Oneula, Ewa in a manner consistent with the objectives outlined in the Ewa Marina Community Master Plan Report previously submitted to this Commission in 1974. The Planning for this project also included another 398.3 acres adjoining the 707.6 acres, which MSM also has rights to develop. The total development will consist of approximately 1,100 acres (also known as the Planning Area). In 1974, the Commission approved the redistricting from Agricultural District to Urban District of approximately 320 acres at Oneula, Ewa, for

the Ewa Marina project. The subject property is centrally located within the Planning Area. MSM will develop the properties and sell certain parcels to developers who in turn will construct and sell residential units in fee simple. MSM will retain commercial development rights.

9. The subject property proposed for redistricting to an urban district is comprised of 181⁺ acres, Tax Map Key 9-1-12, Parcels 07, 08, 09, 11, 12, 13, 16, 17, and a portion of Parcel 05. The subject property is located at Oneula, Ewa Beach, Oahu, and is 24 miles from downtown Honolulu; approximately four miles west (Ewa) of Pearl Harbor; and about 2.5 miles south (Makai) of Ewa Village. Ewa Beach Town is contiguous to the project site and abuts the proposed marina development in the East. An elementary school, a high school, Ewa Beach shopping center, and a large residential area, zoned R-6, are contiguous to the proposed Ewa Marina development and the subject property within. The Barbers Point Naval Air Station ("BPNAS") is situated to the northwest of the proposed marina development. There are canefields mauka of the proposed development.

10. The names of the owner and the lessees who have an interest in the property are listed below. All of the leases are terminated or will have terminated by mid-1980.

Estate of James Campbell 828 Fort Street Mall Suite 500 Honolulu, Hawaii 96813	fee owner
Clarence W. Y. Chun 1116 Kaumailuna Place Honolulu, Hawaii 96817	*T/C lease

*T/C means "Tenant in Common."

James W. S. Chun c/o Clarence Chun 1116 Kaumailuna Place Honolulu, Hawaii 96817	T/C
Thomas W. H. Chun c/o Clarence Chun 1116 Kaumailuna Place Honolulu, Hawaii 96817	T/C
Mr. and Mrs. Takashi Hirata 99-126 Kealakaha Street Aiea, Hawaii 96701	Lease
H. C. Kang 1112 Ala Lilikoi Street Honolulu, Hawaii 96818	Lease
Clarence B. C. Kim P. O. Box 1 Ewa Beach, Hawaii 96706	Lease
Plan Inc. 41-520 Hihimanu Waimanalo, Hawaii 96795	Lease
Mr. and Mrs. Shigeo Matsumoto 94-696 Lea Place Mililani, Oahu, Hawaii 96789	T/C lease
Jenso Takara c/o Mr. Shigeo Matsumoto 94-696 Lea Place Mililani, Oahu, Hawaii 96789	T/C
Robert M. Ishizaki c/o Mr. Shigeo Matsumoto 94-696 Lea Place Mililani, Oahu, Hawaii 96789	T/C
Harold Nakasone 91-336 Papipi Road Ewa Beach, Hawaii 96706	Lease

11. The topography and geology of the Honouliuli Plain or Ewa Plain is characterized by a gentle slope from the foot of the mountains to the sea. The central area of the Ewa Plain extends from sea level to an elevation of 100 feet about three to five miles inland. The subject property is basically flat

rising gently from sea level to an elevation of 20+ feet at its mauka boundary. The slope towards the ocean slopes very gently at a gradient of about one foot in 260 feet and the slope is inconsistent and forms many low pockets which collect normal water runoff.

12. The State Department of Agriculture classifies approximately 85⁺ acres of the subject property as "Other Important Agricultural Land" or land other than "Prime" or "Unique" agricultural land that is also of statewide or local importance for agricultural uses.

The Land Study Bureau, according to LSB Bulletin 11, dated December, 1972, classifies the soil in the subject area as follows: B-77 - 85 acres, E-115 - 84 acres, and Urban - 12 acres. Type B-77 soil is described as non-stony, moderately deep, well drained, man-made soil, good for machine tillability with an Overall Productivity Rating of "B." The area is suitable for sugar cane production. Type E-115 soil is described as rocky, shallow, non-expanding, well drained, and not suitable for machine tillability. It has the lowest productivity rating of "E."

The soil in the subject area and vicinity is also described by the U. S. Soil Conservation Service under their broad and fine classification. In the broad classification, the soils in the subject area belong to the "Lualualei-fill land ewa association." Its characteristics are described as "Deep, nearly level to moderately sloping, well drained soils that have a fine texture or moderately textured subsoil or underlying material, and areas of fill land on coastal plains." In

the finer soil classification by the U. S. Soils Conservation Service, the subject property is divided with approximately 96 acres classified CR or Coral Outcrop with the balance classified as Fd, Fill land. The CR land is described as follows: Coral outcrop consists of coral or cemented calcareous sand on the island of Oahu. The coral reefs formed in shallow ocean water during the time the ocean stand was at a higher level. Small areas of coral outcrop are exposed on the ocean shore, on the coastal plains, and at the foot of the uplands. Elevations range from sea level to approximately 100 feet. The annual rainfall amounts to 18 to 40 inches. Coral outcrop is geographically associated with Jaucas, Keaau, and Mokuleia soils. Coral outcrop makes up about 80 to 90 percent of the acreage. The remaining 10 to 20 percent consists of a thin layer of friable, red soil material in cracks, crevices, and depressions within the coral outcrop. This soil material is similar to that of the Mamala series. This land type is used for military installations, quarries, and urban development. Vegetation is sparse. It consists of Kiawe, koa haole, and fingergrass.

The Fd land is described as follows: Fill land type consists mostly of areas filled with bagasse and slurry from sugar mills. A few areas are filled with material from dredging and from soil excavations. Generally, these materials are dumped and spread over marshes, low-lying areas along the coastal flats, coral sand, coral limestone, or areas shallow to bedrock. This land type is used mostly for the production of sugar cane. The CR designated soils have a capability classification of VIIIs, described as having very severe limitations that restrict their

use for wildlife habitat or recreation. These are areas of cinderland, outcrops or coastal beaches. Lands designated Fd are not in a capability classification according to the U. S. Department of Agriculture, Soils Conservation Service.

An investigation of the soil conditions by Geo-Labs Hawaii for MSM in February, 1979, showed that the undeveloped parts of the subject property consisted generally of a thin layer, normally less than 12 inches thick, of weathered native soil, and that 12 to 24 inches of topsoil covers existing sugar cane fields. The surface soils are underlain by coral/algal reef rock which crops out in several places in the southern part of the property.

13. The subject property has a relatively dry climate and has trade winds from the northeast. Annual precipitation ranges from 15 to 20 inches. The subject property has good drainage and is reasonably free from floods or tsunamis. There is no evidence now of any significant watershed through the property. Most of the water and related sedimentation is being absorbed in the agricultural area mauka of the subject property or is channeled to the sea via an extension of the Kaloi Gulch. The man-made drainage channel just west of the Oneula Beach Park running in a north-northeasterly direction was designated to channel runoff from the Kaloi Gulch to the sea. The mouth of the channel is separated from the sea by a buildup of sand indicating flood waters rarely reach the sea. Drainage on the project site will be handled by a collection system of basins designated to drop sedimentation and pollutants, then discharged into the marina.

14. The subject property, aside from the acreage which has sugar cane growing, has kiawe thicket vegetation. Commonly found plants in this group include kiawe trees, haole koa, asystasia, bristly foxtail, acryanthes, guinea grass, lion's ear, and spiny amaranth. There is presently no known presence of any rare or endangered plant species.

The common mammals found in the subject property are feral dogs, feral cats, mongoose, mice, and rats. A variety of bird life such as barred doves, spotted doves, cardinals, sparrows, myna birds, and few migrating birds are present also. According to the United States Fish and Wildlife Service, no endangered bird species have been observed in the area.

PROPOSAL FOR RECLASSIFICATION

15. The developer of the subject property is MSM & ASSOCIATES, INC. MSM has agreed to purchase 707/6 acres in fee from the owner, the Estate of James Campbell. Included in the Planning Area, is the subject property of 181[±] acres. The subject property which is centrally located within the Planning Area is within the Agricultural District. A portion of the remainder of the Planning Area is in the Urban District. The Trustees of the Estate of James Campbell, being the fee owner of the subject property, have consented to the proposed reclassification.

16. Petitioner proposes to develop a community to be known as the Ewa Marina Community within the Planning Area. The subject property is an integral party of the marina community and it is not possible from the stand point of

developer economics, marina design, installation of infrastructure to proceed without the inclusion of subject property.

17. MSM's role in the proposed development is to serve as the land developer for the Ewa Marina program. In this role it will acquire the property; provide basic infrastructure including roads, utilities, marina and related amenity systems, and sell finished parcels to builders; the builders will be required to conform to the master plan within their respective parcels.

18. Over one-half of subject property (96 acres) is uncultivated at the present time. It is comprised of seven (7) leaseholds ranging in size from three to thirty acres. Where the land has been utilized, it supports low-intensity agricultural activities including forty acres for egg production and poultry production. All of the seven leases within the subject property will terminate by mid-1980. The mauka half of the property (85⁺ acres) is in cane production.

19. The first phase of the overall marina project envisions approximately 4,848 residential units to be constructed and sold in fee simple; of this total, approximately 1,038 units or twenty-one percent (21%) would be developed on the subject property. The proposed land use for subject property is as follows:

<u>Use Category</u>	<u>181-Acre Subject Property</u>
Residential	
Low	47.5
Low-Medium	47.9
Medium	42.1
High	-
Subtotal	<u>137.5</u>
Commercial	-
Marina/Lake System	32.3
Roads	8.1
Other	<u>3.1</u>
TOTAL	181.0

20. As the Master Developer, MSM is responsible for the design and construction of the backbone infra-structural system, including primary roads, utilities, and amenities. The development plan is for the most part based on economics which demand that a certain degree of development and cash flow be generated to offset significant front-end costs channeled into non-revenue producing marina amenities. However, there will not be a distinct stopping or starting point after getting underway. The work will proceed in accordance with approved detail development plans and these plans will be updated annually to keep pace with the market demand. It is the developer's objective to provide a continuous marketable inventory of the several residential parcels being developed. To accomplish this objective, it is Petitioner's intention, as soon as all necessary permits are obtained, to construct all of the offshore and on-shore channels for the entire Planning Area immediately. It is estimated that the dredging will be accomplished in eighteen months. The Planning Area, including subject property, has been parcelized into nine parcels. A number of the parcels will be sold while the dredging work is being undertaken. This will allow the developer of said parcels the lead time necessary to present their plans to MSM.

21. Petitioner's plan also include public commercial facilities and a public marina. This commercial enterprise to be known as the Ewa Marina Village, will be an eight-acre development by MSM to provide restaurants, retail space, office space for both municipal and private industry, marina oriented

commercial enterprises, a motel/hotel facility; yacht clubs; and space for civic and community functions. The marina facilities will have approximately 1,500 slips for both private and public use and will include boat storage basins and commercial shoreside support for boaters.

22. At today's dollars, it is estimated that the range of prices for the residential units to be sold in fee simple will be approximately \$50,000 to \$300,000. The unit price ranges, in 1979 dollars, are as follows:

<u>Unit Type</u>	<u>Oceanfront/ Marinafront</u>	<u>Off-water</u>	<u>Affordable</u>
Single-family Detached	\$150,000 300,000	\$ 80,000 130,000	\$ -0-
Townhouses	\$100,000 200,000	\$ 60,000 120,000	\$ 50,000 70,000
Medium Density/ High Density	\$ 80,000 180,000	\$ 60,000 160,000	\$ 50,000 70,000

MSM will first make every attempt to obtain federal, state or county funds which are available to selectively set aside ten percent (10%) of the proposed units for "affordable" housing. The affordable units cost in 1979 dollars may range between \$50,000 and \$70,000. Petitioner is willing to make a commitment of ten percent (10%) of the total residential units in the Planning Area as "affordable" units.

23. Since the marina design is only conceptual, impacts on the shoreline area cannot be determined at this time. The entrance to the marina is designed to prevent sand drift away from existing beaches. The breakwaters are located at the western boundary of the littoral drift system governing said movement along Oneula Beach. As no sand is transported from

this area further west, the breakwaters will not serve to hinder the flow of sand by filling in one and depleting another. Any sand trapped by these jetties would be on the east side. As a result, they would provide a definite barrier to any residual littoral drift and would have an overall favorable impact on the beach to the east.

The waterway system is the key element in the plan. There are 88.5 acres of water in Phase 1, the PLANNING AREA, of the marina and an additional 22 acres in Phase 2, or a total of 110.5 acres in the 1,100-acre total development. The subject property has thirty-two acres for use as a marina. The general form of the marina complex consists of a central commercial group which juts out into the channel, with the 500-slip berthing areas located in adjacent basins. This commercial complex is recreation oriented and is complemented by the Ewa Fishing Village on the other side of the main channel adjacent to the entrance channel.

From the 400-foot wide entrance channel, the primary waterway winds towards the east parallel to the shore near the center of the property. This channel is a minimum of 200 feet wide. This main waterway turns northerly with a 200-foot wide segment which terminates at the lagoon area. This lagoon acts as a flood control decelerator and sedimentation trap as well as being a significant recreational and visual amenity in its own right. Most of the frontage of the waterway system is envisaged as a public esplanade and constitutes an integral part of the pedestrian open space system. It provides access to approximately 1,500 boat slips that are located in clusters along

the channels and to the related onshore residential development. Branching off easterly and westerly from the main channel are a series of short cul-de-sac waterways which break up the land mass and provide extra boat-berthing frontage as well as an island/peninsula-like feeling of water oriented seclusion.

The first phase of the marina has in its channel configuration approximately 25,000 feet of frontage, or approximately six miles of land fronting the waterway system. Boat storage within the configuration will be limited, however, to approximately 500 slips centered around the primary commercial center and approximately 1,000 more positioned in clusters strategically located in the channel system. These clusters will serve local adjacent residents, as well as boat owners outside the community. These clusters will be maintained by a commercial marina operator and both the land and waterside facilities will be designed to meet the latest regulatory standards.

There will be two major public launching areas; one located adjacent to Oneula Beach Park for easy access to park users, the other located adjacent to the 500 slip center on the west side of the main commercial complex. The park launching area will consist of a ramp and related parking. The Commercial Center will have a ramp and appropriate hoist equipment. Both locations will be in close proximity to related marine commercial shops and chandlery facilities.

The configuration of the marina waterways requires subject property to be included in the Ewa Marina development.

24. MSM, Inc., will serve as land developer for the Ewa Marina program. In this role it will perform the following

functions: acquire the property; provide basic infrastructure including roads, utilities, marina and related amenity systems; and sell finished parcels to builders. The anticipated development costs for the land developer, measured in 1979 constant dollars, are estimated on a preliminary basis as follows:

Land Acquisition	\$15.2 million
Infrastructure:	
Roads, Utilities	19.4 million
Amenity Systems	15.6 million
Design & Engineering	2.8 million
Fees/Processing	3.4 million
Program Management	2.5 million
Property Taxes	<u>1.5 million</u>
Subtotal	\$60.4 million
Contingency	<u>5.2 million</u>
TOTAL	\$65.6 million

25. The following tables (Ewa Marina Community, Land Use Summary -- Planning Area; Ewa Marina Community, Net Residential Density, Planning Area; Ewa Marina Community, Residential Densities by Parcel -- Planning Area; Subject Property, Land Use, Residential Units/Density), summarize the land utilization for the Planning Area, and the subject property, net residential density and residential density by parcels. The subject property's land utilization, and residential units/density are also shown.

EWA MARINA COMMUNITY
LAND USE SUMMARY -- PLANNING AREA

PARCEL	A	B	C	D	E	F	G	H	I	TOTALS
Residential	49.2	44.1	12.7	68.6	63.7	44.1	52.6	64.6	123.5	523.1
Commercial		8.0	13.1		5.0					26.1
Marina		31.5	20.6	7.9		4.2	13.3			77.5
Schools									10.0	10.0
Streets	6.7	1.9	6.4	4.1	5.7	3.1	8.9	6.2		43.0
Parks	1.3	2.4	.6		1.9	2.2	3.9			12.3
Lake/Lagoon					5.9				5.2	11.1
Utilities	.5	.5							3.5	4.5
TOTALS	57.7	88.4	53.4	80.6	82.2	53.6	78.7	70.8	142.2	707.6

EWA MARINA COMMUNITY
NET RESIDENTIAL DENSITY
PLANNING AREA

PARCEL NUMBER	TOTAL RESIDENTIAL UNITS	ACRES	NET DWELLING UNITS/ACRE
A	344	49.2	7.0
B	595	44.1	13.5
C	446	12.7	35.1
D	1,031	68.6	15.0
E	489	63.7	7.7
F	381	44.1	8.6
G	375	52.6	7.1
H	467	64.6	7.2
I	720	123.5	5.8
TOTAL	4,848	523.1	AVG. 9.3

EWA MARINA COMMUNITY
RESIDENTIAL DENSITIES BY PARCEL -- PLANNING AREA

PARCEL NUMBER	PDH-6		PDH-10		PDH-15		PDH-40		TOTAL	
	ACRES	UNITS	ACRES	UNITS	ACRES	UNITS	ACRES	UNITS	ACRES	UNITS
A			49.2	344					49.2	344
B			8.9	62	29.1	319	6.1	214	44.1	595
C							12.7	446	12.7	446
D	22.9	114			28.3	310	17.4	607	68.6	1,031
E	17.1	85	19.5	214	27.1	190			63.7	489
F	17.2	86	26.9	295					44.1	381
G	34.0	170			18.6	205			52.6	375
H	26.3	132	21.7	152	16.6	183			64.6	467
I	71.8	358	51.7	362					123.5	720
TOTAL	189.3	945	177.9	1,429	119.7	1,207	36.2	1,267	523.1	4,848

S U B J E C T P R O P E R T Y

LAND USE

Residential	137.48 AC
Marina	31.84 AC
Roads	8.09 AC
Parks	3.11 AC
Lagoon	.48 AC
TOTAL	181.00 AC
Average/Gross Density	5.7 AC
Average/Net Density	7.5 AC

RESIDENTIAL UNITS/DENSITY

PDH-6/AC	47.45 AC	238 U
PDH-10/AC	47.89 AC	336 U
PDH-15/AC	42.14 AC	464 U
TOTALS	137.48 AC	1,038 U

26. Since the initial presentation of the master plan for Ewa Marina Community to the Land Use Commission--1974, there have been a number of revisions in the basic concepts guiding the proposed development. These considerations are the consequence of a number of important changes in the status of the land, including:

*Change in Acquisition Status. Originally the property was to remain in Campbell Estate ownership; under the present plan the property is to be acquired and sold in fee.

*Change in Developer and Development Approach. The original approach called for delaying the construction of the marina until such time as the property generated sufficient revenues to offset infrastructure costs. The new development approach calls for construction of the marina in the first phase -- with concomitant heavy capital/financing commitments at that time.

*Changes in Timing of Utility Systems and Improved Access. Originally development plans called for provision of interim sewage treatment facilities and delays in phasing of better units until improvements were made on Fort Weaver Road. With the development of Honouliuli Sewage Treatment facility and probable near-term improvements in access, heightened emphasis can be placed on development of beachfront and marina areas in the early stages of development.

The changes in these basic development parameters led to the current master plan revision and further required that

the subject property be part of the initial development increment. The major reasons for this inclusion were as follows:

(a) The basic approach to development of the property has changed with respect to parcelization and phasing. Originally, access, utility availability and project financing constraints dictated that development be initiated at the edge of Fort Weaver Road, with construction of the marina deferred to development years four and five. The revised approach calls for construction of the marina in the beginning of the program during development years one and two. This allows establishment of the waterfront character of the property in the beginning and opens the entire property to a large number of builders at multiple sites.

The 181-acre subject property is now part of the earliest phasing. A total of 32 acres would be utilized for the marina in development year two; the balance of the 181 acres would be utilized for marina residential units during development years two through five. Given the land areas previously classified as Urban, it would be very difficult, if not impossible, to design a satisfactory marina and flood control system for Ewa Marina without substantial development in the 181-acre subject property. The current zoning pattern thus precludes logical development of the marina, in effect prohibiting that very facility which is the major generator of the overall character and value to the Ewa Marina Community.

CONFORMANCE WITH STATE AND COUNTY GENERAL PLANS

27. The subject property is within the Agricultural District as shown on State Land Use District Boundary Map Nos. 0-6 and 0-10. The subject property is surrounded by Urban designated lands excepting for a very small portion which abuts the Oneula Beach Park in the makai BPNAS corner (southwest). Under existing land use classification, 526.6 acres of the area surrounding the subject property are presently districted Urban and approximately 186 acres of the 526.6 acres are zoned R-6 by the City and County of Honolulu (hereinafter "County").

The R-6 zoning designation permits "concentrated urban residential development on minimum sized lots." The remaining 181⁺ acres located within the Planning Area is presently designated Agriculture under said Land Use District Boundary Map. The proposed marina development is contiguous to lands within the Urban Land Use District.

In January 1977, the County Council amended its General Plan by designating the Ewa-Makakilo District as a secondary urban center. County Council's Resolution No. 238, dated January 19, 1977. The underlying purpose of the amendment was to encourage the gradual development of the Ewa-Makakilo district to relieve the development pressures in the urban fringe and rural areas.

28. The development of the 181 acres subject property is within the Agricultural District as shown on Land Use District Boundary Map Nos. 0-6 and 0-10. The current general plan designation is two secondary urban center, but the land use map indicates agriculture. The proposed reclassification is in conformance with the State General Plan for the following reasons:

Overall Theme and State Goals

Section 226-3(1) Individual and family self-sufficiency - the rights of people to maintain as much self-reliance as possible.

Section 226-3(2) Social and economic mobility - rights of individuals to choose and to have opportunities for choice available.

Section 226-3(3) Community or social well-being - health social, economic, and physical environments.

Section 226-4(1) A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of needs and expectations of Hawaii's present and future generations.

Section 226-4(2) A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.

Section 226-4(3) Physical, social, and economic well-being, for individuals and families in Hawaii, that nourishes a sense of community responsibility, of caring and of participation in community life.

The subject property, as an integral part of the overall proposed Ewa Marina Community Master Plan, is a planned physical environment designed as a unique setting for the Hawaiian way of life. The entire community is interlaced with a circulation greenbelt system and related marina waterways. The housing opportunities present a choice of life styles in low to medium densities in a recreational setting. The built-in

amenities offer a variety of healthful cohesive social element within the community. All residential lands will be offered in fee.

Objectives and Policies for Population

Section 226-5(b)(1) Manage population growth statewide in a manner that provides increased opportunities for Hawaii's people to pursue their physical, social, and economic aspirations while recognizing the unique needs of each county.

Development of the subject property directs population into the number two growth area and into a unique environment complete with physical and social opportunities.

Objectives and Policies for the Physical Environment --

Land, Air and Water Quality

Section 226-13(b)(7) Encourage urban developments in close proximity to existing services and facilities.

The subject property is contiguous to existing development at Ewa Beach along Papipi Road. Services and facilities are existant in the immediate area. The primary access, Fort Weaver Road, is scheduled for widening to four lanes from Farrington Highway to Papipi Road. The Honouliuli Waste-water Treatment Plant is under construction. Both improvements will be completed prior to the final sale of units within the subject area. Expansion of the water supply capability will be required and water sources storage and transmission capabilities are being worked out now between the Campbell Estate, the Board of Water Supply, and the various developers. All other utilities such as electricity and telephone which have not been discussed will be made available as needed.

Objectives and Policies for Facility Systems -

Solid & Liquid Wastes

Section 226-15(b)(1) Encourage the adequate development of sewer systems that complement planned growth.

The Honouliuli Wastewater Treatment Plant collector system has been designed to handle the capacities to be generated by the subject area. The on-site sewer system will be designated to meet the standards of all agencies having jurisdiction over the development.

Objective and Policies for Facility Systems - Water

Section 226-16(b)(1) Relate growth activities to existing and potential water supply.

Campbell Estate is working with the City's Board of Water Supply and the State Land and Natural Resources Department to supply the water needs generated by the proposed development. These sources will be made available as needed by the Estate at the developer's expense. The Campbell Estate has assured Petitioner that water will be made available for the subject property.

Objective and Policies for Socio-Cultural Advancement - Leisure

Section 226-23(b)(2) Provide a wide range of activities and facilities to fulfill the recreation needs of all diverse and special groups.

Section 226-23(b)(5) Ensure opportunities for everyone to use and enjoy Hawaii's recreational resources.

As an integral part of the proposed Ewa Marina Community, the subject property includes approximately 32 acres

of recreational waterways along with internal greenbelt systems for bicycle and pedestrian use and approximately three acres of parks. Residents and home owners within the subject property, as well as others throughout the region, will have the opportunity to utilize various forms of water-oriented recreation equipment within the protected marina waterways and will have direct access to the sea.

The greenbelt systems will include recreational amenities such as tot lots, tennis courts, ball fields, etc., as well as areas for passive recreational use located to take advantage of natural and created scenic vistas.

Economic Implementing Actions

Section 226-103(f)(1) Promote a consistent and stable level of construction activity.

The subject property will provide a significant number of job opportunities within the construction industry throughout the development period of approximately five years.

Population Growth and Distribution Implementing Actions

Section 226-104(a)(4) Seek to provide for adequate housing to meet the needs of Hawaii's people without encouraging an additional influx of people.

Section 226-104(b)(2) Plan the development and availability of land and water resources in a coordinated manner so as to provide for the desired level of growth in each geographical area.

The subject property is planned as a permanent resident community offering a complete cross section of housing opportunities, in fee, for the people of Hawaii. The rate of

development will be related to demand for the housing offered. It is the builder's intention to have a variety of units available at all times offering the people a choice from "affordable" to more expensive and from low to high density opportunities.

29. Development of the subject area conforms with the following objectives and policies of the General Plan of the City and County of Honolulu, dated January 18, 1977.

(a) Population

Objective C - To establish a pattern of population distribution that will allow the people of Oahu to live and work in harmony.

Policy 2 - Encourage the gradual development of Ewa to relieve developmental pressures in the urban-fringe and rural areas.

- Development of the subject property, as an integral part of the continuous proposed Ewa Marina Community will provide for approximately 1,040 residential units with an average gross density of 5.7 units per acre. All units to be sold in fee at an absorption rate equal to the market.

(b) Economic Activity

Objective G - Orderly economic growth on Oahu.

Policy 1 - Direct economic activity primarily to Honolulu, Aiea, and Pearl City; and secondarily, to Ewa.

- The development program for the subject property will generate approximately 2,080 jobs for the construction industry over the build out period

of approximately five years, or approximately 416 construction jobs per year over the same period. As an integral part of the overall proposed Ewa Marina development program, a summary of new employment opportunities directly attributable to the program is outlined below.

- The construction of the proposed Ewa Marina program is projected to create a total of 9,900 new construction industry jobs. Annually this amounts to an average of 1,100 new jobs.
- Most of the construction employment, about 8,730 jobs, would be generated by housing construction alone. Housing construction would provide almost 1,000 new jobs each year. Other construction activities -- infrastructure, commercial, boat slips and schools -- would generate a total of 1,170 new construction jobs, or 130 jobs per year.
- Upon completion of the construction phase, 790 new permanent jobs would be created by the activities located within the proposed Ewa Marina development. Nearly all of the new employment, about 760 jobs, would be generated by private sector enterprises. Public sector employment would be minimal, about thirty jobs, most of which are related to the proposed elementary school.

(c) Housing

Objective A - To provide fee simple attractive housing for all the people of Oahu.

Policy 2 - Make full use of State and Federal programs to provide financial assistance to low- and moderate-income homebuyers.

- The overall proposed Ewa Marina development, of which the subject area is an integral part, is programmed to provide approximately ten percent affordable housing where government subsistence programs are available. The developer intends to provide the land "at cost" and with appropriate subsidy programs, the resultant housing will be made available at the lowest possible cost.

Objective C - To provide the people of Oahu with a choice of living environments which are reasonably close to employment, recreation, and commercial centers and which are adequately served by public utilities.

Policy 1 - Encourage residential developments that offer a variety of homes to people of different income levels and to families of various sizes.

Policy 2 - Distribute low- and moderate-income housing throughout the island.

Policy 3 - Encourage residential development in areas where existing roads, utilities, and other community facilities are not being used to capacity.

- The proposed Ewa Marina Community is programmed to offer a complete variety of housing from low density, approximately six units per acre,

to high density of approximately forty units per acre, and from low cost to high cost. The subject property includes residential densities of six units per acre, ten units per acre, and fifteen units per acre, and will offer a complete cross section of housing from low cost subsidized units to higher cost waterfront units.

- The subject property is contiguous, in part, to the existing residential area at Ewa Beach and is located within easy access to the employment centers of Waipahu, Pearl City, Campbell Industrial Park, and the adjacent military establishments. The subject property is located approximately 24 miles from the Honolulu Central Business District.

(d) Transportation & Utilities

Objective A - To create a transportation system which will enable people and goods to move safely, efficiently, and at a reasonable cost; serve all people, including the poor, the elderly, and the physically handicapped; and offer a variety of attractive and convenient modes of travel.

Policy 1(c) - Bikeways -- for recreational activities and trips to work, schools, shopping centers, and community facilities.

Policy 1(d) - Pedestrian walkways -- for getting around and for trips to schools, parks and shopping centers.

- The subject property as an integral part of the proposed Ewa Marina Community will offer a complete internal circulation system via greenbelts with bicycle and pedestrian pathways. All recreational, commercial, and educational facilities will be accessible to all residential units via this greenbelt system. Grade separation for bicycle and pedestrian and motor traffic will be provided at key locations on the major traffic arteries.

Objective C - To maintain a high level of service for all utilities.

Policy 2 - Provide improvements to utilities in existing neighborhoods to reduce substandard conditions.

- Development of subject property will require the developer to assist in the upgrading of water supply to this area.

Objective D - To maintain transportation and utility systems which will help Oahu continue to be a desirable place to live and visit.

Policy 2 - Use the transportation and utility systems as a means of guiding growth and the pattern of land use on Oahu.

Policy 5 - Require the installation of underground utility lines wherever possible.

- The transportation and utility systems in the Ewa area are being upgraded with the addition of the Honouliuli Wastewater Treatment Plant

and its collector system and the widening of Fort Weaver Road from Farrington Highway to Papipi Road. Both of these improvements are scheduled for completion prior to availability of the first residential units in the subject area.

- All on-site utility systems in the subject property will be placed underground.

(e) Physical Development & Urban Design

Objective A - To coordinate changes in the physical environment of Oahu to ensure that all new developments are timely, well-designed, and appropriate for the areas in which they will be located.

Policy 4 - Require new developments to provide or pay the cost of all essential community services, including roads, utilities, schools, parks, and emergency facilities.

Policy 5 - Encourage the clustering of developments to reduce the cost of providing utilities and other public services.

- The developer of the subject property will pay the cost of essential community services including on-site roads, utilities, parks, and emergency facilities.
- Subject property is seen in its entirety as a P.D.H. community where developments will be clustered to reduce costs and maintain open space.

Objective C - To develop Ewa as the secondary urban center.

Policy 2 - Encourage the development of Ewa as a Major residential, retail, and office center.

- The subject property is an integral part of the proposed Ewa Marina Community which is a complete community including residential, commercial, and recreational elements directly in the path of planned growth on Oahu -- 526 acres of the project area are currently zoned Urban.

Objective D - To create and maintain attractive, meaningful, and stimulating environments throughout Oahu.

Policy 3 - Encourage distinctive community identities for both new and existing districts and neighborhoods.

Policy 4 - Require the consideration of urban-design principles in all development projects.

Policy 5 - Promote public and private programs to beautify the urban and rural environments.

- The subject property is an integral part of the proposed Ewa Marina Community which is a unique, recreation-oriented community with its housing elements interlaced with the marina waterways system and related greenbelt circulation systems. The marina waterways enhance the living environment for the residents and offer visual and physical access to the entire community.

- The highest urban design principles will be employed throughout the development.
- The entire environment will be beautified with these greenbelt and marina systems, and the primary on-site access road will include a landscaped divider.

(f) Culture and Recreation

Objective B - To provide a wide range of recreational facilities and services that are readily available to all residents of Oahu.

Policy 1 - Provide recreational facilities and services that are suitable for the different and varied neighborhoods of Oahu.

Policy 5 - Promote water-oriented recreational activities.

Policy 6 - Require all new developments to provide their residents with adequate recreation space.

Policy 8 - Encourage private development of community recreational facilities.

- The subject property includes approximately 32 acres of marina waterway system as part of the proposed Ewa Marina Community. This marina is a public facility accessible at several locations.
- The subject property includes approximately three acres of pocket parks related to the marina waterway and available to the public.
- The waterway system will be used for wet storage of boats and for all water-related recreational activities.

NEED FOR GROWTH AND DEVELOPMENT

The projected demand for housing in the City and County of Honolulu is provided in Table I, infra based upon the previously derived projections of population in households and the 1970-1978 overall housing absorption rate. By 1995 the total housing requirement for Oahu is projected to reach 297.7 thousand units, a net increase of 81.7 thousand units over the current 1978 inventory. After allowance is made for replacement of obsolete units and a modest vacancy rate, the total building requirement for the 17-year period is 96.1 thousand units. This demand is distributed by time period as follows:

<u>New Housing Demand</u>		
<u>Period</u>	<u>Total</u>	<u>Average Annual</u>
1978-1980	8,500	4,250
1980-1985	32,800	6,560
1985-1990	27,500	5,500
1990-1995	27,300	5,460

The housing market on Oahu has witnessed significant recent changes in overall composition of housing unit types as a result of significant increases in the supply of condominium units. Three major changes are very evident: (1) the emergence of single-family attached housing--also known as townhouses, row houses, cluster units, and common wall development--as a significant share of new housing supply; (2) the proliferation of high-rise condominium units to the point where they represent the largest single component of new housing supply being development in the Oahu market; and (3) the single-family detached unit, while perhaps still the most popular form of housing in

terms of overall market preference, continues to decline as a share of total market supply due to its increasingly high price and to other constraints which have been placed on its development.

Given the continuation of a strong demand for housing on Oahu from permanent residents as well as second home buyers, the historical performances of other major development programs and the relative lack of competitive ocean front and environmental amenity-oriented developments in the present and foreseeable near future, it appears reasonable that Ewa Marina should be able to achieve a market penetration of approximately 500 to 550 units per year. The major advantages favoring this absorption rate are as follows:

- Ocean frontage and marina channels offer superior view amenities which are capturable through good design and marketable to residential home buyers.
- The marina development provides a superior recreational opportunity, particularly for boat owners who wish to store their boat near their residence.
- The development program is sufficiently large to permit a variety of housing types and price ranges, from exclusive single-family detached units to high density condominiums. Moreover, ten percent of the units will be moderate cost or "affordable" housing.

TABLE I

PROJECTED DEMAND FOR NEW HOUSING
CITY AND COUNTY OF HONOLULU
1978-1995

	<u>1978</u>	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1995</u>
Total Population in Households	681,200	692,900	740,900	780,400	819,400
Potential Occupied Dwelling Units	216,000	222,900	251,300	274,600	297,700
	<u>1978-79</u>	<u>1980-84</u>	<u>1985-89</u>	<u>1990-94</u>	
Incremental Demand for New Housing, Based Upon Growth/ Household Formation Factors	6,900	28,400	23,300	23,100	
Plus: Allowance for Vacancy	200	900	700	700	
Plus: Replacement of Obsolete Units	<u>1,400</u>	<u>3,500</u>	<u>3,500</u>	<u>3,500</u>	
Total Increase in Housing Demand by Period	8,500	32,800	27,500	27,300	
Annual Requirement by Period					
1978-80	4,250				
1980-85		6,560			
1985-90			5,500		
1990-95				5,460	

31. The total estimated demand for wet storage as expressed by boat registrations, dealer inventories and documented boats in the State of Hawaii is currently 4,443 berths/moorings; on Oahu, 3,186 berths/moorings. For Oahu the increase in demand has been growing at the rate of 150 units per year over the last six years. By contrast, the total number of registered boats moored on water has increased by only 114 since 1974, a strong indication that facility supply has lagged well behind growth in facility demand.

As of 1979 there were a total of 2,088 slips and moorings available for occupancy, of which over 80 percent or 1,605 are slips. This inventory includes: 1,283 berths and moorings in State harbors; 564 slips and moorings in privately-owned marinas; and 241 slips and moorings in military-owned facilities.

The larger and most popular marina on Oahu is the Ala Wai facility which has nearly one-third of Oahu's wet storage inventory with 663 berths and 20 moorings. As of February, 1979, the Ala Wai had a waiting list of 995 applications (the total of all State harbors on Oahu was 1,055), though this list was more than double in length two years before when no fee was charged for the application. Despite its popularity this marina, like the others in the inventory, lacks the full complement of repair services, chandlery shops and other facilities which characterize a "full service" marina as found in California.

Discussions with State officials and private operators indicate that a total of 1,200 to 1,700 slips may be developed

over the next ten years, these additions to facility supply include a new State harbor under construction at Waianae with a total of 300 slips; a reorganization and expansion of Keehi lagoon, also being developed currently by the State; expansion of the privately-owned La Mariana facility by 84 slips; further State plans to expand Haleiwa and Heeia Kea facilities with at least 282 slips; and finally, the West Beach development program is projecting total development of between 500 and 1,000 slips.

Given its relative location with respect to the major population center of Honolulu and to reasonably good ocean sailing conditions, the Ewa Marina development is in an excellent position to capture a substantial share of the projected increases in slip demand between 1979 and 1990. Accordingly, it is reasonable to size the Ewa Marina program to capture 1,500 slips or 40 percent of the total projected net increase in slip demand over the next eleven years. Of this number, approximately 1,000 slips should be considered as serving a region-wide demand from all over Oahu; the remaining 500 slips should be integrated as part of the residential development.

An important consideration in the development of the marina is that it be a "full service" facility, thus providing necessary space for the following activities; cranes for taking boats off the water; fuel docks; repair facilities; boat dealerships; off-water storage areas; and chandlery/marine supply establishments.

RESOURCES OF THE AREA

Social and Economic Resources

32. The creation of Ewa Marina will generate a number of important social and economic impacts on the regional and local community. The major impact will be in the form of enhanced recreational activities in the form of a full service marina and enhancement of the oceanfront in and around Oneula Beach Park. These facilities will serve the western half of the Oahu region.

The proposed development should establish an enhanced socioeconomic character for the Ewa area, leading to a general upgrading of housing and commercial activities throughout the existing community. Second, the expanding population base will now be able to support a wider range of local services, including shopping, medical, and other personal requirements. This expanded support base will also provide opportunities for local employment, and reduce Ewa's dependence on other areas for satisfaction of daily needs. Finally, the planned mix of housing for Ewa Marina should appeal to a diverse population, thus expanding the range of cultural tastes and preferences in the community.

During the build-out period, Ewa Marina should provide the equivalent of 1,100 construction jobs per year, or a total of 9,900 employment man-years. Permanent employment within the development is projected at 790 full-time jobs. The subject property should generate approximately 420 jobs per year for five years.

Agricultural Resources

33. The agricultural impact of this project will be the removal of 85 acres of the subject property from cane production. The loss of the 85 acres will not affect Oahu Sugar Company's operations because of the sugar cane acreage on subject property has a high cost per ton due to its isolation, hauling problems, distance to the mill and low yield of the acreage. The nine farmers whose leases will terminate in 1980, will, if a request is made, be assisted in relocation.

Natural Resources

34. Environmental Concerns. The natural resources of the subject property have been described in paragraphs 12 through 15 above. The project will have some impact on local topography. Excavation for the marina will yield significant cubic yardage of dense coral material. Some of this material will be used to build up lower lying areas closer to the coast, as well as for building up areas within the development to create a more interesting topography.

35. Hydrology includes the characteristics of surface flows of water or drainage, as well as sub-surface flow and percolation. Currently, surface flows on the site include

random sheet flow, some directed agricultural irrigation, and flow in an existing man-made drainage channel just west of Oneula Beach Park. This channel runs in a north-northeasterly direction and was designated to channel excessive runoff from the Kaloi Gulch to the sea.

The mouth of the channel is separated from the sea by a build up of sand which indicates that flood waters rarely reach the sea. To avoid any tendency toward flooding of low lying areas during storms, runoff from Kaloi Gulch is to be collected and integrated into the Ewa Marina via a sizeable lagoon designed as a deceleration, settling and filtration pond.

It is not anticipated that development of the subject area will have any negative impact on drainage. Development will not be occurring on the permeable soils to the north, and drainage patterns to the sea via the Kaloi Gulch will remain unchanged with the exception of the settling lagoon at the marina. This should facilitate rather than retard drainage flows.

Excavations made to create a small-boat marina and waterways in the subject area will provide a channel and a network of waterways that will allow salt water to extend some distance inland from the beach. Salt water in the inland waterways will range from less than six feet to about twelve feet in depth. Excavations for the marina and waterway system will extend below the water table and will provide additional surface area for intrusion of salt water into the cap rock aquifer. The dredging for the proposed marina will not significantly affect the amount of sea water contamination in the project area because:

(1) Exploratory borings have revealed tidal affects as far as 2,800 feet landward of the beach, suggesting that the deeper, more extensively dredged parts of the proposed waterways would be in areas already affected by sea water and additional sea water intrusion will be limited.

(2) The coastal caprock is not permeable enough to transmit large quantities of water for a significant distance.

(3) The proposed marina is quite small in relation to the entire beach area naturally available for intrusion of sea water.

(4) Present groundwater levels, which appear to be quite stable, are slightly above sea level. This indicates there should be a tendency for groundwater to move seaward rather than the reverse.

In addition, there is no problem anticipated concerning intrusion into the basal water aquifer due to construction. Caprock in the area of the proposed Ewa Marina Community is over 1,000 feet thick, which precludes penetration into the fresh water aquifer.

36. It is anticipated that the development will have a minimal adverse impact on terrestrial vegetation. While the proposed development will necessarily cause removal

of much of the existing natural vegetation, current information does not suggest the presence of any rare or endangered plant species.

37. A variety of wild and domestic animals and migratory birds have been observed in the area. The disturbance of existing natural vegetation could adversely impact a natural habitat causing dislocation of wildlife. According to the U. S. Fish and Wildlife Service, none of the animals observed in the area of the project site is considered to be an endangered species.

38. There are three areas of potentially sensitive noise generation relative to the project. All noise of environmental concern generated by development of the subject area will emanate from construction, automobiles, or boats:

(a) An initial short term noise generation will occur during the construction period. Heavy-duty construction vehicles and equipment will be the primary source of this noise. However, this noise generation is not expected to have any significant impact on the area because (1) the nearest concentration of residences to heavy construction is about 0.5 miles to the east along Papipi Road, with extensive vegetation separating the construction area from the residences; (2) the trade winds predominate, which should attenuate the sound at a distance; and (3) construction activities will abide by Chapter 44B of the Public Health Regulations - "Community Noise Control for Oahu," developed by the State Department of Health.

(b) Fort Weaver Road is currently the only prime route for automobile ingress and egress from the Ewa Beach Area. The road is scheduled for widening from its current two-lane capacity to a full 108-foot divided highway. This widening is scheduled to occur by October, 1981, from the intersection of Fort Weaver Road and Papipi Road to the Farrington Highway.

The build-out of the subject property will create an insignificant increase in automobile noise. The subject property contributed to this source of noise, with the new highway constructed, noise should be minimal and without any significant intensity of noise pollution.

(c) Potential noise and air pollution generated by combustion engines in boats within the marina will require the establishment of water traffic regulations such as speed limits, hours of operation, and some constraints on location and use of boats with large displacement engines. Shoreline greenbelts and related landscape will act as a buffer to noise generated by water-related activity.

39. Air quality is monitored by the State at Barbers Point on the grounds of the Campbell Industrial Park and in Pearl City at the sewage treatment facility.

Particulate matter, sulphur oxides, and nitrogen dioxide are measured at these two stations, carbon monoxide, photo-chemical oxidant and hydrocarbons are not. Measurements for the three pollutants listed above were well within both the Federal and the more stringent State Air Quality Control Guidelines.

Available measurements indicate that present air quality in the Ewa Beach area is substantially better than the State of Hawaii Air Quality Standards allow and that in recent years only suspended particulate matter has been measured in concentrations in excess of allowable limits. This has not happened more than once per year, however, and thus cannot be considered to be a significant problem.

There are no anticipated negative impacts on air quality for particulate matter, sulphur oxides and nitrogen, most of which result from industrial activity or combinations of solid matter. The Ewa Marina Community is not expected to generate these pollutants, nor is the Campbell Industrial Development expected to impact the project. Existing air quality standards present no problems and the easterly winds necessary to carry any pollutants from the industrial and toward the project occur only three percent of the time on any annual basis.

Any fugitive dust during construction of the project can be controlled by frequent wetting down. The anticipated long-range development schedule will also help prevent negative impact on particulate matter due to the project.

40. The Navy's 1976 AICUZ (Air Installation Compatible Use Zone) study for Barbers Point Naval Air Station indicated that the subject property was impacted by Noise Zone 2. This noise zone pattern, represented by a large hook, emanates from Runway #4/22 right day and night departure. The noise imprint is for the most part the result of fleet land carrier practice landings and takeoffs at night. The practice occurs about two to three times per year. Currently, this is the only runway

equipped with lights and all night landings and takeoffs must fly this pattern. One night operation is given a rating of seventeen day operations.

The 1976 AICUZ study recommended that Runway #11/29 be lighted also, which would allow approximately 85 percent to 90 percent of all night operations to takeoff on Runway 11, directly out to sea. The result would be a very significant decrease in the Noise Zone 2 impact on the subject property.

The Navy has taken the recommendation of the AICUZ consulting engineers, CH2M Hill, and has installed the lighting on the main Runway #11/29. However, there is no lighting for the taxiways and no installation of arresting gear, and center line approach lights which are required for night operations. If NASBP operational procedures were to utilize Runway #11/29 in keeping with the stated AICUZ goal "to minimize the adverse effects of aircraft noise and accident potential on land surrounding the station," the AICUZ engineers suggested that the noise contours over the subject area "will not be sufficient enough to record." With completion of runway improvements currently underway at NASBP, the subject property need not be adversely impacted by noise from base operations. Further, the study indicated that the wind factors for Runway 11 were favorable most of the time. The Mayor of the City and County of Honolulu has asked the cooperation of the Navy for the completion of the Runway 11/29 improvements so that the noise levels can be significantly reduced in the Ewa area.

41. Any intrusion of a noise imprint into subject property can be attenuated to levels that are acceptable by

utilizing standard techniques in the construction of homes such as roof construction, acoustical ceilings, double wall construction, orientation of buildings, installation of carpets and draperies, grade separations.

42. With approximately 92.3 percent of the subject property out of the 55 Ldn noise contour, the noise impact from the Honolulu International Airport will not significantly impact the subject property. Those structures to be constructed within the 60-65 Ldn contour can be designed with sound attenuation measures in mind. With sound attenuation measures, the interior noise level recommended by the Environmental Protection Agency and the Department of Housing and Urban Development of 45 Ldn can be achieved.

43. The noise contours of subject property, based on the State Department of Transportation's (DOT) consultant's study for the Honolulu International Airport on forecast of operations through the year 2000 showed the major portion of the subject property to be below the 55 Ldn contour and a small portion to be within the 55-60 Ldn contour. The DOT does not object to residential development under the 60 Ldn noise value.

44. One of the primary objections of the U. S. Navy in introducing a concentrated residential development close to its air base is that the increase in the number of residents adjacent to the airbase will, in their opinion, increase the number of complaints and reduce the operational efficiency of the airbase by being required to provide more personnel to answer the complaints.

45. MSM intends to provide notice to prospective purchasers of homes in the Ewa Marina project of the fact that

the Ewa Marina community is situated adjacent to a naval airbase and is within the noise contours of the Honolulu International Airport.

Historic Resources

46. It is the developer's intent to authorize additional surveys and testing to determine the project's specific impacts on historical resources. The preliminary investigation revealed that the subject property may be an extension of the Barber's Point archaeological complex. All State and Federal regulations will be maintained in the handling of these natural resources. After further site evaluation, if some sites determined significant are in critical locations relative to the Master Plan, they will be considered for test excavation and salvage. Those sites determined significant and not in critical locations will be protected and worked into the community open space and greenbelt systems. Appropriate management systems will be established in keeping with the values placed on those historical resources.

Scenic Resources

47. There are at present only a few temporary dwelling units within subject property. A good portion of the site is used as a dumping ground for domestic waste--car bodies, refrigerators, furniture, and debris. Urban development of the subject property would have a positive scenic impact on the area. The proposed marina community would be a drastic and welcome change from the depressed environment present today.

Recreational Resources

48. Recreational users on the subject property are non-existent. Existing recreational uses within the Planning Area are mostly water-oriented.

PUBLIC SERVICES AND FACILITIES

Roadway and Highway Services

49. Currently, access to Ewa Beach is via two-lane Fort Weaver Road. The road is scheduled for widening to a four-lane highway. The design phase is completed, funds for Phases I and II have been allocated, and construction is underway and widening of Fort Weaver Road past the subject property is scheduled to be completed in October, 1981, according to the State Department of Transportation. The subject property is also accessible directly from Papipi Road, however, future additional access is planned via the primary interior circulation system for Ewa Marina Community.

50. Traffic generated by development of approximately 1,000 units within the subject property is estimated to be approximately 8,000 vehicle trips per day. Based on Department of Transportation traffic data, Fort Weaver Road, the primary off-side feeder, when realignment and widening is completed, will be capable of handling all traffic generated by the subject property, as well as the projected 40,000 daily trips

generated by the Ewa Marina Planning Area of 707 acres through 1991. The Department of Transportation's projection that the Fort Weaver Road would not be able to accommodate the trips to be generated by the 707-acre development was based on a twenty-year projection through 1998. Petitioner's projection was based on a twelve-year projection through 1991 with a new north-south access to be constructed in 1992.

All proposed on-site roadways and their connections to existing streets will be designed to handle the loads generated, and will be constructed by the Master Developer to applicable City and County, State and Federal Standards.

Water Services and Facilities

51. Off-Site: When the Ewa/Makakilo region was designated the secondary urban center in the 1977 General Plan, the Board of Water Supply began working toward the development of a water master plan for the area, identifying the improvements and new facilities that would be required to satisfy the needs of the increasing population. The improvements proposed include the development of new water sources, the drilling of new wells, etc., and the construction of the necessary storage facilities and transmission lines. The costs of these improvements are expected to be shared by the Board of Water Supply with the various developers.

The Campbell Estate has assured the Petitioner that water sources will be made available when and as necessary to facilitate the development program.

52. On-Site: The on-site water supply requirements generated when the subject property is completed will be approximately .520 MGD and when the 707.6 acre area is completed will be approximately 3.8 MGD. The requirement will materialize as units are completed and occupied over a five-year period after permits and authorizations to proceed are available.

Within the subject property, a complete water distribution system meeting the standards and requirements of the Board of Water supply will be constructed by the developer. After construction, the entire on-site water system will be dedicated to the Board of Water Supply.

Sewer Services and Facilities

53. All sewage generated by this project will be processed by the Honouliuli Wastewater Treatment Plant, presently under construction, and expected to be serviceable in 1981. The plant is approximately one mile mauka of the subject area. At present, the ocean outfall and landside sewer line serving the area are in place.

Existing plans of the City Division of Wastewater Management call for the installation of Pohakupuna sewer system including a 24-inch main line to the end of Papipi Road via Pohakupuna Road. The system will flow to the Ewa Sewer Pump Station thence up the Fort Weaver Road force main to the lateral line serving the Plant. This 24-inch line can handle the capacity of sewage generated within the subject property. The City Division of Wastewater Management initially scheduled this line for completion in October, 1981, and the related Ewa Sewer Pump Station and related force main were scheduled for completion in June, 1982, but the schedule has been revised.

All on-site sewage collection and distribution systems will be constructed by the developer to City and County Standards.

The Honouliuli Sewage Treatment Plant together with an expansion of the proposed 24-inch sewage main line to a 27-inch line, and an expansion of the sewer pumping station would be able to serve fifty percent of the 707-acre project area.

Flood Control and Drainage Facilities

54. The subject area is an integral part of the overall Ewa Marina Community Flood Control System. It is located within the Kaloi Gulch flood plain. There is no evidence of any significant watershed through the subject property. Most of the water and related sedimentation is being absorbed in the agricultural area mauka of the site or is channeled to the sea via an extension of the Kaloi Gulch.

Drainage on-site will be handled by a collection system designed to trap sedimentation and pollutants, then discharged into the marina. The entire collection system will be designated to handle storms with a recurrence interval of one hundred years six-hour duration storm and will consist of underground pipes, catch basins, inlets, and other appurtenances.

Electrical and Other Utilities

55. Electric. Electric power as required will be provided by the Hawaiian Electric Company. The needs of future developments in the Honouliuli region are handled on an ad hoc basis, the only stipulation being that sufficient advance warning

is given so that the utility entity can program for the expansion of facilities as required to accommodate new developments. Street lighting, telephone and electric systems are to be underground in accordance with the applicable City Ordinances.

The total costs of the street lighting system and the cost of maintenance, including all energy costs from the time the first home in the subdivision is occupied up to the date of dedication and acceptance of the subdivision's roadways, is the responsibility of the developer.

The electric manholes and duct system are also the developer's responsibility. Electric service for the subject property is to be served from the existing substation located on Fort Weaver Road near Hanakahi Street. Hawaiian Electric Company (HECO) intends to run overhead power lines along Fort Weaver Road to the point of entry into the subdivision.

56. Gas. Gas as required will be provided by GASCO. Gasco, Inc., a Pacific Resources, Inc., company, is currently providing gas service to the Ewa Beach area. The existing gas system is presently termed a rural utility system. The main source of supply is from two 2,000 balloon LPG tanks in a holder station located just east of the elementary school, north of Papipi Road in Ewa Beach. The gas is propane with a heating value of 2,620 BTU per cubic foot per hour.

Gas mains two inches in diameter run from the gas holding station down Papipi and Fort Weaver Roads. It will be possible to connect to this system where these roads abut the Planning Area. Gas mains will be required to serve the subject property and will be placed with the other utilities

within the major and secondary road systems throughout the project. Storage facilities will be the responsibility of Gasco, Inc., as required.

57. Communications. Telephone service as required will be provided by the Hawaii Telephone Company, a subsidiary of General Telephone and Electronics Corporation. The cost of the telephone manholes and duct system is to be borne by the developer, but the installation will be at no cost to the developer.

58. Fire Protection. Fire protection services are provided by the City and County of Honolulu Fire Department for all non-military areas on the Island of Oahu. The subject area will be served by the existing Ewa Beach Fire Station No. 24, located in Ewa Beach at the intersection of Pohakupuna and Fort Weaver Roads. The entire area of the project property lies within a hypothetical two-mile service radius of the station, which satisfies the service location standards desirable for highly urbanized areas. Also available under a mutual assistance pact is a fire protection company operated by the United States Navy at Barbers Point Air Station.

John A. Ferreira, Battalion Chief, indicated that the present facility at Ewa Beach is adequate to provide fire protection to the subject property.

59. Police Protection. The Ewa Beach community is currently served by the Pearl City Precinct, which operates two 24-hour patrols -- Beats 326 and 327 -- in the area. These two patrol areas effectively divide the Ewa community at Fort Weaver Road.

60. Emergency Medical Assistance. Emergency medical services are provided by the City and County of Honolulu Department of Health. A total of twelve ambulance units are stationed at strategic points throughout Oahu; the ambulance responding to Ewa Beach is located at the fire station in Waipahu. Acting Director of the Health Department, John H. McDonald, indicated that Ewa Marina can be adequately served under the existing system of ambulance deployment without placing undue stress on the overall level of service.

Twenty-four-hour emergency hospital facilities are available at Pearlridge, a distance of about seven miles, and at Wahiawa General Hospital, twelve miles from Ewa Beach. At the present time, within this twelve-mile radius, there are a total of seven clinics and sixty physicians.

61. School Facilities. Public education is under the direction of the State of Hawaii Department of Education. The basic system consists of three tiers of schools: Elementary, offering grades one through six; Intermediate, grades seven and eight; and High, grades nine through twelve.

School enrollment projections for the development program in the subject property indicated that no additional facilities will be required. The relatively small increase in school age population is due to the anticipated nature of the Ewa Marina Community. The density and market range of the project suggests a high percentage of small family units of mature families where children are over high school age.

The Ewa Beach community is presently served by a complex of schools located adjacent to the site at the

intersection of Fort Weaver and Papipi Roads. Existing facilities include the following: Ewa Beach Elementary School; Ilima Intermediate School; and Campbell High School. Enrollment at these schools has generally been declining in recent years, particularly in the upper grade levels. As a consequence, it is very likely that the subject property-generated elementary, intermediate and high school students can be adequately served by existing facilities.

Due to the overall size of the Ewa Marina Community project, however, it is anticipated that some impact at the elementary school level is likely to occur near the completion of the Project Area, Increment I. An appropriate school and park site of ten acres has been programmed for this need.

62. The City and County bus system currently provides hourly service from Ewa Beach to all major employment centers and downtown Honolulu. It is anticipated that the bus system will be further expanded and schedules improved on an incremental basis along with the phased development of the subject property.

SCATTERIZATION AND CONTIGUITY OF DEVELOPMENT

63. Scattered development for the subject property is avoided and precluded because the subject property is surrounded by urban lands. The surrounding urban lands to the east of subject property are contiguous to the existing Ewa Beach Community, elementary and high schools and business district. One hundred eighty acres of land to the southwest of subject property, which area is along the shorewaters, is

presently zoned by the City and County as R-6 and can be developed into intensive minimum lot size residential development. The southeastern portion of subject property is contiguous to a developed R-6 residential district and an Apartment District.

PREFERENCE FOR DEVELOPMENT

64. The subject property together with the total project will provide employment of approximately 11,000 jobs in the construction industry per year for about nine years or 9,900 jobs. There would be approximately 790 permanent jobs from activities to be located within the Ewa Marina Community. The housing to be constructed on subject property is near the employment centers of BPNAS, Campbell Industrial Park, Waipahu, Pearl City, Pearlridge, Pearl Harbor and the Waianae Coast. The Ewa Community Association, Ewa and Pearl City neighborhood boards supported the proposed development. MSM has indicated above that it will provide ten percent of affordable units in the Ewa Marina Community.

CONFORMANCE WITH DISTRICT REGULATIONS AND GUIDELINES

65. The subject property is adjacent to an existing residential area and will be self-contained and characterized by "city like" concentrations of people and will not present a significant change in the community character of the area. In fact, the Ewa Marina Community would add to the scenic enhancement of the area and add a new dimension to the recreational activities for the area and the region.

66. The economic feasibility of the proposed project has been demonstrated by the Petitioner through an analysis of the residential demand, marina demand, marketing studies, and appraisals of the marina properties after development. The Petitioner's summary of significant financial transactions show sufficient financial stability and resources to undertake the development.

67. Basic services such as roads, bus transportation, sewers, water, sanitation, schools, parks, police and fire protection, power, gas and communications are available or will be made available to the subject property.

68. The Petitioner has an additional option to purchase the remaining 389 acres of lands of the Planning Area adjacent to the subject property for future expansion of the proposed development.

69. The topography of the subject property lands are basically flat with good drainage and reasonably free from the dangers of floods and tsunamis. The said conditions are stable for development and the proposed development should suffer no adverse environmental effects.

70. The existing General Plan of the City and County of Honolulu treats the Ewa-Makakilo area as a secondary urban center.

INCREMENTAL DISTRICTING

71. The Developer has represented that the development of subject property for residential marina construction will be substantially completed within five years after all necessary approvals are obtained.

RULING OF PROPOSED FINDINGS OF FACT

Any of the proposed findings of fact submitted by the Petitioner or the other parties not already ruled upon by the Land Use Commission by adoption herein, or rejected by clearly contrary findings of fact herein, are hereby denied and rejected.

CONCLUSIONS OF LAW RELATING TO PROCEDURAL MATTERS

1. MSM's Petition For Boundary Amendment From Agricultural To Urban was properly filed and served on all parties.

2. The Notice of Hearing on the Petition was properly served and published in accordance with Section 205-4, Hawaii Revised Statutes.

CONCLUSIONS OF LAW

Pursuant to Chapter 205, Hawaii Revised Statutes, and the Rules of Practice and Procedure, and State Land Use District Regulations of the Land Use Commission, the Commission concludes that the proposed boundary amendment conforms to the standards established for the Urban Land Use District by the State Land Use District Regulations and is consistent with Section 205-2, Hawaii Revised Statutes, and with State Land Use District Regulation 6-1.

ORDER

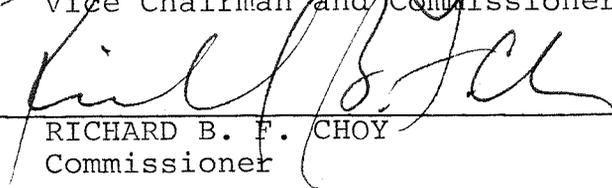
IT IS HEREBY ORDERED that the subject property which is the subject of the Petition of MSM and Associates, Inc., in Docket No. A79-469, consisting of 181⁺ acres, situated at Oneula, Ewa, Oahu, Hawaii, and being also indentified as portions of Oahu Tax Map Key 9-1-12, Parcels 07, 08, 09, 11, 12, 13, 16, 17, and a portion of Parcel 05, and more particularly described in Exhibit A which is attached hereto and incorporated by reference hereon, shall be and is hereby reclassified from the Agricultural District to the Urban District and the State Land Use District Boundaries are hereby amended accordingly.

DONE at Honolulu, Hawaii, this 14th day of May, 1981, by motion passed by the Land Use Commission, State of Hawaii, on December 9, 1980.

LAND USE COMMISSION
STATE OF HAWAII

By 
C. W. DUKE
Chairman and Commissioner

By 
SHINICHI NAKAGAWA
Vice Chairman and Commissioner

By 
RICHARD B. F. CHOY
Commissioner

By 
SHINSEI MIYASATO
Commissioner

By 
MITSUO OURA
Commissioner

By 
GEORGE PASCUA
Commissioner

By 
EDWARD K. YANAI
Commissioner

A79-469 MSM & ASSOCIATES, INC.



Exhibit "A"

Dwg. No. 2502
 Source: CL App. 1009 I.T.M.B.
 By: D.S.C. & H.N. 10/20/64

PARCEL 12
 (Mr. Chao Kang
 & Mrs. Ruth K. '16
 (Donald N. Tanaka
 & Mrs. Toshiko T-'76)'45)16

Parcel 16 (Shigeo Matsumoto
 & Mrs. Takayo -'76 3/11
 Junzo Takara
 Robert M. Ishiyaki 3/11)16

NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current. Refer to Administrative Directive 24-68 (Rev. 1) dated November 21, 1968, as amended by RFP Procedure 4-76, dated July 2, 1976.

Note: All lots owned by James Campbell Trust Est unless otherwise noted.

Parcels Dropped: 4, 24

FOR HONOLULU EWA, OAHU

SUBJECT TO CHANGE

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FIRST DIVISION		
ZONE	SEC.	PLAT
9	1	12
CONTAINING PARCELS		
SCALE: 1 in = 600 FT.		

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
MSM & ASSOCIATES, INC., a) DOCKET NO. A79-469
Colorado corporation)
)
To Amend the District Boundary)
of Certain Lands Situate at)
Oneula, Ewa, Oahu, Hawaii)
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use Commission's Decision and Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

HIDETO KONO, Director
Department of Planning and Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

ANNETTE CHOCK, Deputy Attorney General
Department of Attorney General
Capital Investment Building
Penthouse, 850 Richards Street
Honolulu, Hawaii 96813

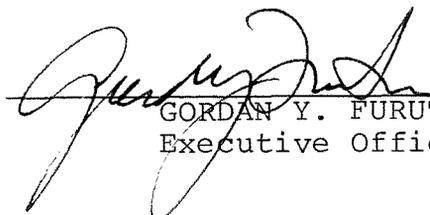
WILLARD T. CHOW, Chief Planning Officer
Department of General Planning
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

JANE HOWELL, Deputy Corporation Counsel
Department of Corporation Counsel
City and County of Honolulu
3rd Floor, City Hall
Honolulu, Hawaii 96813

HARRY S. Y. KIM, Attorney for Petitioner
850 Richards Street, Suite 400
Honolulu, Hawaii 96813

WALTER K. TAGAWA
33 South King Street, #410
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 20th day of May, 1981.



GORDAN Y. FURUTANI
Executive Officer