

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
 PIONEER MILL COMPANY, LTD.,)
)
 For the Reclassification of)
 Certain Lands Situated at)
 Lahaina, Island of Maui)
 _____)

DOCKET NO. A75-401

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
 PIONEER MILL COMPANY, LTD.,)
) DOCKET NO. A75-401
 For the Reclassification of)
 Certain Lands Situated at)
 Lahaina, Island of Maui)
 _____)

DECISION AND ORDER

This matter, a proceeding initiated by Pioneer Mill Company, Ltd., pursuant to Section 205-4 of the Hawaii Revised Statutes, to consider a Petition to reclassify from Agricultural to Urban certain lands situated at Lahaina, Maui, Hawaii, and amend District Boundaries, was heard by the Commission at Kahului, Maui, on January 15, 1976. Pioneer Mill Company, Ltd., the Maui County Planning Department and the Department of Planning and Economic Development, State of Hawaii, were admitted as parties. The Commission having duly considered the record in this Docket, the Petitioner's Proposed Findings of Fact and Conclusions of Law, and the comments of the Department of Planning and Economic Development and Maui County Planning Department thereto, now makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The subject property is owned in fee simple by Petitioner, and consists of a portion of Parcels 01 and 10, identified by Tax Map Key No. 4-5-15 and comprising a total land area of approximately 65.0 acres. The subject property is bounded on the north, for the most part, by the northerly bank of Kahoma Stream and the southerly bank of Kanaha Stream; on the east (i.e. mauka boundary) by the Lahainaluna School site; on the south by a narrow parcel of land (Tax Map Key No. 4-16-18) owned by B. P. Bishop Estate which adjoins Lahainaluna Road; and on the west (i.e. makai boundary) by the existing Kelaweia Mauka II residential subdivision.

2. The subject property is within the Agricultural land use District, and, along its mauka and makai boundaries, borders upon and is contiguous to the Urban land use District.

3. The subject property is also within the Agricultural use zone District established by the County of Maui (hereinafter "County").

4. The County's General Plan for the District of Lahaina designates the subject property for Residential Duplex (residential) and park uses.

5. The topography of the subject property ranges from an 8% to 12% slope, and the soils of said property are classified by the USDA Soil Conservation

Service as Wainee very stony silty clay, 3-7% slopes; and Wainee very stony silty clay 7-15% slopes. The Land Study Bureau classifies the area as "B" land good for agricultural activities.

6. A portion of the subject property, approximately 42.0 acres, is under sugarcane cultivation. The remaining area of approximately 23.0 acres is within the Kahoma Stream bed or is untillable land. To replace the loss of approximately 42 acres to cane cultivation by development of the subject property, Petitioner will put 46 new acres into cane production in 1976, and another 15 acres will come into production when substandard Puukolii Plantation Camp housing is phased out.

7. In accordance with the County General Plan, aforesaid, and subject to appropriate zoning changes conforming to said General Plan, the proposed development of the subject property will involve a subdivision thereof into approximately 201 lots, as follows: 1 lot of 3.7 acres, more or less, for park use; 109 lots for single-family residential use; and 91 lots for duplex residential use (2 duplex units per lot). Lot sizes will vary, with the minimum lot size being 6,000 square feet and the overall average lot size being 7,500 square feet. A total of approximately 291 dwelling units are to be constructed in the subdivision, in four phases, over a seven-year period. The first phase of construction will consist

of approximately 88 dwelling units, of which 20 will be single-family units and 68 will be duplex units. Unit and lot packages will be sold in fee simple within a price range addressed to the low and moderate income market, and will probably qualify for VA, FHA and FHLA lending programs. Thirty-seven thousand, five hundred dollars (\$37,500) is the ceiling to qualify for the Farmer's Home Loan program (FHLA) and Petitioner intends to sell these units within that ceiling.

8. Based upon County standards, the total water requirement for the proposed development is 213,885 gallons per day. Domestic water in sufficient quantity is available now to accommodate the first phase of construction. Upon completion of on-going County water projects in progress, there will be ample water to accommodate the entire development. These water projects include the following: (i) a pump, which is being installed in one of two existing wells in the Kanaha Valley area above the proposed development, to generate 500,000 gallons per day; (ii) a one-million gallon storage tank to be built in the area; and (iii) transmission lines down to Dickenson Street in close proximity to the subject property.

9. Depending on flow measurements of existing sewerage, and subject to the concurrence of the County, it is possible that the first phase of the development could be accommodated by the existing

Lahaina sewage system, although the entire development must depend upon completion of the proposed expansion of the Lahaina sewer system to be initiated soon by the County. That system will extend from a point mauka of the subject property, along Lahainaluna Road, to and along Dickenson Street, to and along Honoapiilani Highway, to a sewer treatment plant at Honokawai having a capacity of 4.5 million gallons per day. The system will include transmission lines, interceptors, force mains, sewer pumping stations and the treatment plant. The call for bids to construct the system is scheduled for publication in the week following the hearing upon the petition herein, with bid opening scheduled for late March, 1976. Upon award of bid, the system is expected to be completed within 24 months from scheduled commencement of construction on July 1, 1976.

10. In close proximity to the subject property, all within a two-mile radius, are Lahaina town, police and fire protection, Lahainaluna High School, and a proposed elementary school to be built on a site directly mauka of said property.

11. There are no historical sites within the subject property. The development of the property will not be adverse to scenic views, as it would be an extension of an existing subdivision. Recreation for the area will be enhanced by the creation of the community park.

12. The proposed housing project, during the period of its development, will provide new employment for those in the construction trades.

13. Housing need and demand are indicated by the large number of hotel employees working in the Lahaina District, including the Kaanapali resort area. There are approximately 900 such employees, of which about 70% live in Lahaina and 30% live in places as far away as Maalaea and Kihei. A large number of these employees are renting homes in Lahaina, Maalaea and Kihei, and have inquired of their union housing coordinator, Mr. Don Rickard, as to when the proposed housing project can be started. In addition, there are approximately 475 sugar industry employees living in the Lahaina District and in plantation camps such as Puukolii Plantation Camp, Pioneer Plantation Camp at Olowalu, and the plantation camps at Kapunakea and Wainee. There are approximately 137 houses in these camps which are in dilapidated condition and/or are rat-infested, and are therefore considered substandard. The possibility of Typhus in these camps has been investigated by the Board of Health. It is Petitioner's plan to phase out such plantation housing and encourage relocation to the proposed development on the subject property. Apart from occupants of those substandard houses, there are approximately 120 sugar industry employees who are looking for homes to purchase in the project. Petitioner intends to

sell to Amfac employees on a preferential basis with perhaps one-third of the units selling to them. Others who are not employees in the hotel and sugar industries have also indicated their interest in purchasing homes in the project.

14. The subject property is not within the shoreline setback area established pursuant to HRS, Ch. 205, Part II, or the coastal (special) management area established pursuant to HRS, Ch. 205A, Part II, nor does the proposed development require any amendment of the County General Plan affecting said property.

15. Although the development will not be fully completed for seven years, with construction of the 291 units to proceed in four phases, approximately 2.25 million dollars of on-site improvement for the entire 53-acre development and three of the phases will be completed within five years of the date of boundary amendment. The development will be substantially completed within five years.

16. Reclassification will not substantially impair actual or potential agricultural production in the vicinity of such lands and reclassification is reasonably necessary to accommodate Urban growth in Lahaina.

CONCLUSIONS OF LAW

Reclassification of the subject property, approximately 65 acres situated at Lahaina, Island of

Maui, from Agricultural to Urban and amendment of the District Boundaries accordingly to permit the proposed development is reasonable, not violative of § 205-2, HRS, the interim policies and criteria established pursuant to § 205-16.1, HRS, particularly subsection (5) thereof which provides a preference for petitions which will provide needed housing accessible to existing employment centers, and with the State Land Use District Regulations. Incremental districting pursuant to Rule 6-2 of the State Land Use District Regulations is not appropriate in that the proposed development will be substantially completed within five years as required by Rule 6-3 of the State Land Use District Regulations.

ORDER

IT IS HEREBY ORDERED:

That the property which is the subject of the Petition in this Docket No. A75-401, approximately 65 acres situated at Lahaina, Island of Maui, a portion of Parcels 01 and 10 identified by Tax Map Key No. 4-5-15, shall be and hereby is reclassified from Agricultural to Urban and the District Boundaries are amended accordingly.

Done at Honolulu, Hawaii, this 14th day of April, 1976, by Motion passed by the Commission on March 29, 1976.

CERTIFICATE OF SERVICE

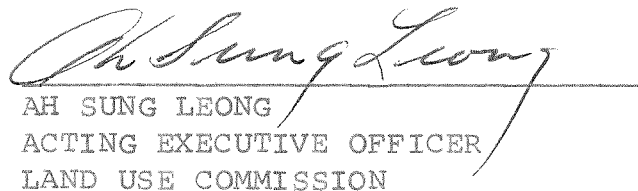
I hereby certify that a copy of the Land Use Commission's Decision and Order for Docket A75-401 was personally served on this 14th day of April, 1976 to:

Mr. Hideto Kono, Director
Department of Planning & Economic Development
Kamamalu Building
Honolulu, Hawaii 96813;

and served by certified mail on this 14th day of April to:

Mr. Tosh Ishikawa
Planning Director
Maui Planning Department
200 South High Street
Wailuku, Maui 96793

Mr. Francis Izumi
Izumi and Tanaka
888 Mililani Street, 7th Floor
Honolulu, Hawaii 96813


AH SUNG LEONG
ACTING EXECUTIVE OFFICER
LAND USE COMMISSION