

A69-222 - C. BREWER & CO. (M74-3-6) - EXHIBITS

PETITIONER

Mr. Chairman and Members of the Hawaii State Land Use Commission:

Regarding the matter of Docket #M74-4:

Testimony by R. L. Herberg, Senior Vice President, C. Brewer and Company, Limited

When you consider the question of whether the owner has made substantial progress in the development of the subject properties, it will be helpful to your understanding to look at it from two perspectives: From the general context of the overall situation, and from the specifics of each situation.

First, looking at the broader context: Exhibit I shows all the areas which the Land Use Commission redistricted from Agriculture to Urban in the 1969 and 1974 Boundary Reviews.

This is a total of 412 acres. Of this, 260 acres have been developed into lots with 290 houses and 26 industrial buildings on them. Approximately 88 acres have final subdivision or preliminary subdivision plans approved on them. This is 85% of the urban district land. The remaining 15% or 64 acres are in the planning stage. This map clearly shows that this company is not sitting on any significant amount of undeveloped Urban District land. In fact, the unsold inventory will not last nearly as long as it will take to bring any other land to a usable stage.

Over the years this has involved: planning, engineering, rezoning, working through other developers, joint venturing, and our own development, water source development, utility line extensions, financing, marketing, leasing and clearing 450 acres of land from A&B for cane to replace that taken out by the above action, increasing our organization, etc.

In the broad context substantial development progress has taken place and existing urban land has been highly utilized.

A look at the specifics will show the 64 acres (Waihee M74-4) is farthest behind in development, for very valid reasons and nevertheless has been

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Brewer's Exh A

subjected to considerable good faith effort toward development.

In 1969 and in 1974 essentially the same lands in Waihee were considered for redistricting from Agriculture to Urban. In 1974 this consisted of 236 acres as shown on Exhibit II. In May 1975 the order granting 64 acres and denying 172 acres was signed.

At the time of the Boundary Review the program for the 236 acres was to include up to 40 acres of low to moderate priced housing on a portion of land encircled by the existing Waihee Village and the balance of the proposed urban. This was in response to expressed community desire. Based on this need for this type housing it was intended to start with that segment first.

Additional development at Waihee will require certain offsite front end development costs for sewer, water and drainage in particular. These costs would have to be allocated against an adequate number of dwelling units having a mixture of prices so that the higher priced units could absorb more of the cost and make the lower priced units feasible.

The result of the redistricting granted was that the 64 acres included 30 acres where lower priced housing should be located and 34 acres of higher priced housing location. This changed the ratio of lower priced housing units (130) to higher priced units (90) from 25% in the proposed plan to 60% in the grant. With that ratio it was evident that the high front end offsite costs could not be sufficiently allocated away from the low priced units and the planned program of including lower priced units could not be achieved.

This predicament precipitated considerable analysis and study: A variety of preliminary maps were prepared and costed out. Several offsite cost reduction alternatives were studied. While it was concluded that higher priced housing was feasible in that quantity (but not location), low priced housing was not.

This led to two decisions: 1) To not rush into any questionable preemptive developmental action, but to seek general plan amendment for Waihee based on a program involving more (a critical minimum) lands and a community consensus, and then to petition for boundary reclassification; 2) To proceed with our non-problematical redistricted lands as promptly as possible. So we revised our development sequence and allocated our resources accordingly.

During this period the decision was made to close the Wailuku Mill and to convert part of the plantation to macadamias in order to reduce the cost of sugar. This introduced a new set of planning facts to be evaluated at Waihee.

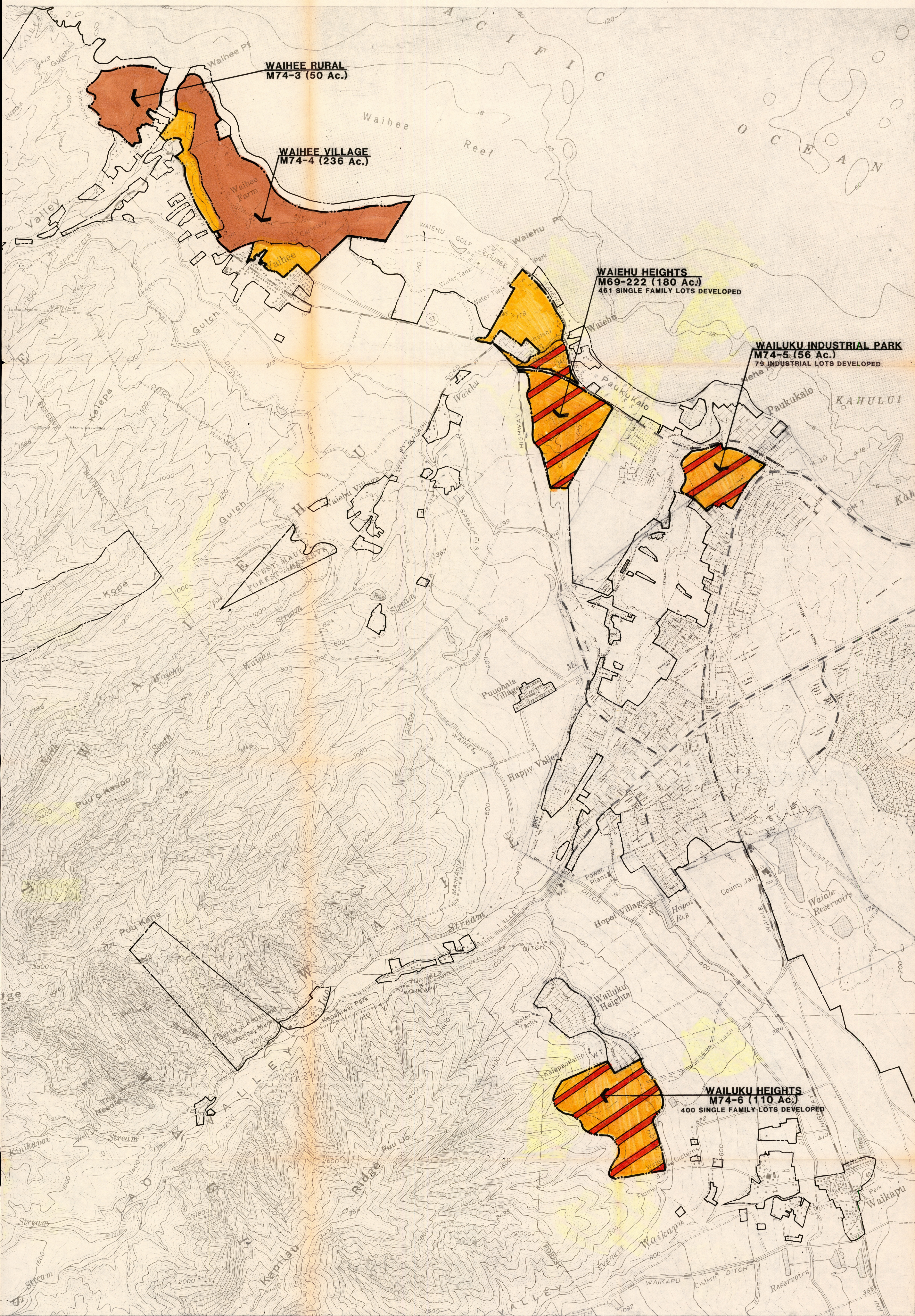
As we were planning a process of community action directed at General Plan Amendment for Waihee, we were informed by the County that they wanted to hold all such actions so as to be part of Community Development Plan process to be started in 1980 and completed in 1981.

Waihee planning toward development has been part of that process ever since. This has involved our land planners, engineering studies, ecological studies, budgeting and/or beginning some improvements anticipatory to further development coordination with the County planning consultant and planning department, coordination and informational meetings with Wailuku Sugar Bargaining Unit employees, and the Waihee Community Association, and other public hearings.

In other words, the Waihee area development progress is currently in the best procedural process available and is likely to be that way for some time yet. And further, that there is no benefit in upsetting that process by any action of this commission at this time.

In summary, I hope that looked at in general and in detail, and given the normal and special circumstances involved, you will be able to conclude that this company has managed its redistricted lands responsibly and diligently.


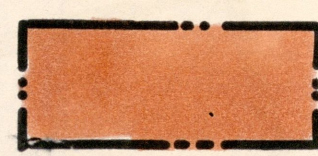

Exhibit A-I
Exhibit A-II

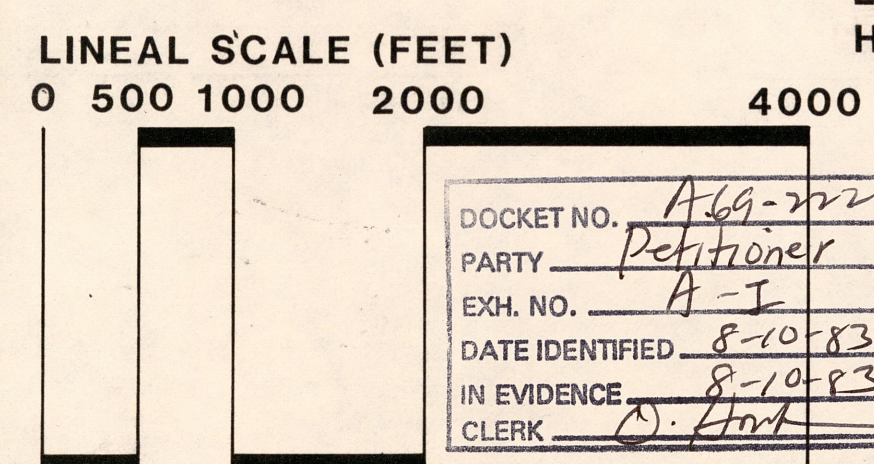
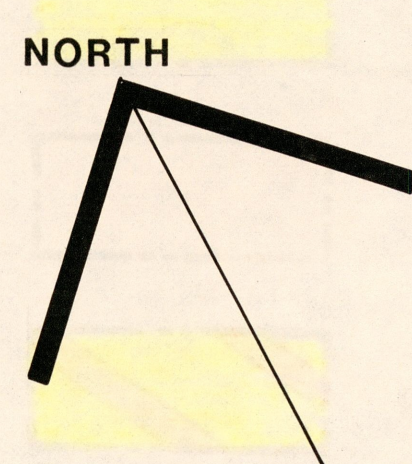
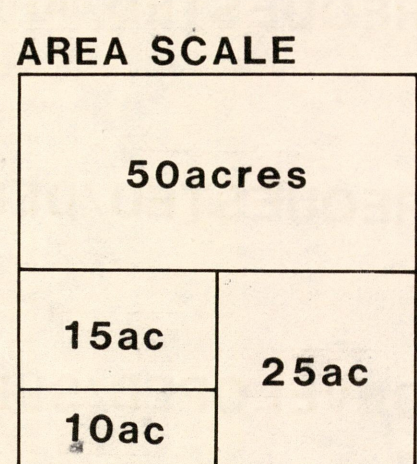


C. BREWER - S.L.U.C. ACTIONS
1969 & 1974

WAILUKU, MAUI

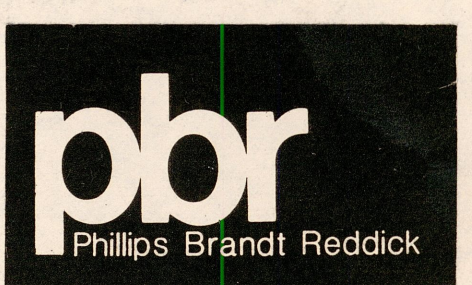
EXHIBIT I

-  REQUESTED/APPROVED
-  REQUESTED/DENIED
-  DEVELOPED/SUBDIVIDED



PREPARED FOR:
C. BREWER AND COMPANY,
LIMITED
HONOLULU, HAWAII

AUGUST, 1983





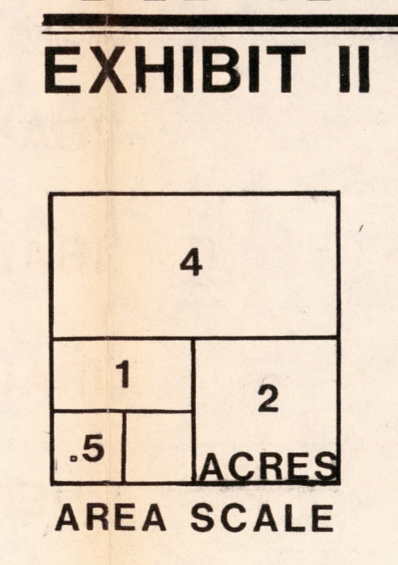
- NOTES:
1. SCALE: 1" = 400'
 2. CONTOUR INTERVAL: 10'
 3. VERTICAL DATUM: MEAN SEA LEVEL
 4. ORIGIN OF COORDINATES: HAWAIIAN PLANE COORDINATE SYSTEM, ZONE II
 5. COMPILED BY PHOTOGRAMMETRIC METHODS FROM PHOTOGRAPHY TAKEN JANUARY 6, 1977 AT AN ALTITUDE OF 15,000' ABOVE MEAN TERRAIN.
 6. ALL CONTOURS IN AREAS WHERE THE HEIGHT OF THE VEGETATION EXCEEDS FIVE FEET ARE TO BE INTERPRETED AS FORM LINES ONLY AND AS SUCH MAY BE SUBSTANDARD.

STATE LAND USE DISTRICTS

- 1974 SLUC PETITIONS**
- URBAN: REQUESTED/DENIED
 - URBAN: REQUESTED/APPROVED
 - RURAL: REQUESTED/DENIED
 - OTHER OWNERS

- EXISTING DISTRICTS**
- U URBAN
 - R RURAL
 - A AGRICULTURE
 - C CONSERVATION

WAIHEE VILLAGE

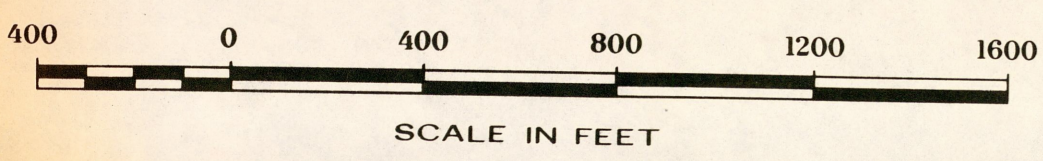


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 PARTY *Reddick*
 EXH. NO. *A-11*
 DATE IDENTIFIED *8-10-83*
 IN EVIDENCE *8-10-83*
 CLERK *D. Amick*

PREPARED FOR:
 C. BREWER AND COMPANY
 LIMITED
 HONOLULU, HAWAII

PREPARED BY:
 PHILLIPS BRANDT REDDICK
 HONOLULU, HAWAII
 August 1983

Brewer's Exhibit



MR. DUKELOW

STATEMENT OF OLIVER R. DUKELOW
PRESIDENT, WAIHEE COMMUNITY ASSOCIATION

In 1969, C. Brewer & Co. requested that land around the Waihee Dairy area be reclassified from agriculture to an urban designation. The Land Use Commission denied its request.

In 1974, again, C. Brewer & Co., through a Boundary Review process, requested that 236 acres be reclassified from agriculture to urban. The Land Use Commission granted C. Brewer & Co. 64 acres of the 236 acres to be given the urban designation. The 64 acres was the land located on the sandhill area of Waihee. It also included some 30 acres on the main road to the golf course area.

Since 1974, nothing has been done to develop these areas in question. Plans have been submitted to the Land Use Commission and the County Planning Department by C. Brewer, but nothing else has been done in 9 years. During this period, the land has been in agricultural use.

The Community has been the victim "after the fact". Prior to 1974 and even after 1974, never did C. Brewer work with the community. Only until 1982, when things got out of proportion, did C. Brewer (Hawaiiana Investment Co.) come to the Community, and even then, on a "hazy" basis.

In 1982, at a Citizens Advisory Committee meeting for the Maui County General Plan, the Waihee Community Association presented its Waihee Community Plan, which called for all lands

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in the Waihee region to be classified back to agricultural lands. The Citizens Advisory Committee accepted the Community's Plan. The present County Plan calls for the Waihee area to be Open Space.

One of the parcels of land in question is rated "B, Prime Ag Land". The other is rated "E", (the sand dune area). "E" means land suitable for cattle grazing, which is what is being done there now. To begin with, the Community never had any input from the start when the land in question was reclassified.

Secondly, the Community never saw the plans that Hawaiiana Investment Co. sent to the Land Use Commission and the County Planning Department.

Thirdly, the Community feels that if this sand dune area was developed, it would certainly not benefit the Community because of the remoteness of the area and the high expense of infra-structure the development would incur (sewage treatment plant, roads, etc.), the cost of which would be tacked on to the property. This, of course, would put the area in question out of reach financially for Waihee residents. Because of the high cost of the lots, property taxes would increase, creating a burden for many retired residents of Waihee who have fixed incomes.

Fourth, there is really no need for development of this kind. The Waihee Community is opposed to development of this kind because the Community does not benefit from this type of development. It actually defeats the purpose of good planning.

Any time a company can come to a Community and tell the Community that it has scratched all of its plans and is now willing to work with the Community and has shown no sincerity in its efforts, then a Community has no recourse but to organize and make a plan of their own. The use of the land reclassified to urban by the Land Use Commission remains the same as originally classified, which is agriculture. The two (2) wells which were dug in Waihee Valley are still capped and ready for use, and Realtor George Ezaki still owns a lot of land in Waihee Valley and is asking exuberant prices for the land.

We need a plan that will benefit both Hawaiiana Investment Co. and the Waihee Community. The Community feels that converting the land in question back to agriculture would insure the Community that the major land owner is willing to keep the land in some form of agriculture. It would also give the Community a better working relationship with Hawaiiana Investment Co. in the future.

The continued existence of the Waihee Community as an agricultural region can only be accomplished through careful planning in an economic aspect. Job security would be a major concern of our community. When this is accomplished, then, and only then, can we hope to work with Hawaiiana Investment Co. in developing Waihee.

WAIHEE COMMUNITY ASSOCIATION

JANET GOO, Secretary
RR 1, BOX 124
WAILUKU, HAWAII 96793

OLIVER R. DUKELOW, President
720 Kealii Drive
Wailuku, Hawaii 96793

August 9, 1983

TO: STATE LAND USE COMMISSION

We, the undersigned, residents of Waihee, County of Maui, State of Hawaii, because of the inconvenient time and place of the Land Use Commission meeting to be held on Wednesday, August 10, 1983, at 4:00 p.m., at Wailea, Maui, Hawaii, do hereby agree that the parcels of land owned by Hawaiiana Investment Co. that were re-classified from agriculture to urban be put back to the original designation (agriculture).

We further believe that our community would like to remain as an agricultural community.

DOCKET NO.	<u>A69-m</u>
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CLERK	<u>O. Duke</u>

17

Name

Address

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RR#1 Box 87 Waihee

Lawrence Basbas

RR#1 Box 87 Waihee

Julia Basbas

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Dale Hano Jr.

RR#1 Box 45 Waihee

Blakie Kaholokula

RR#1 Box 45 Waihee

Robert K Houpo

Waihee

Kuuiipo Basbas

Waihee

Lynn Kaman

605 Kalakaua Str. Wai.

Robyn Kahae

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Aryt Roth

RR#1 Box 39 Waihee

Leinani McKee

P.O. BOX 505 Wailuku Waihee

Anita Roth

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725 Kili St. Haiku

Kathy Galarita

RR 1 Box 38 Waihee

Mar Galarita

P.R. 1 - Box 38 Wailuku

Virginia Kahae

" " 37 "

Elsie M. Swanson

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Anna P. McKee

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Henrietta Apo

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Ethel Fukushima

RR 1 Box 60 Wailuku

Kenneth Dekone

P.O. Box 638 Wailuku

Hanayo Yamamoto

RR 1, Box 90 Wailuku

Tohiko Furumoto

RR 1 Box 60 Wailuku

Emelia de Aguiar

Waihee RR 1 Box 61 Wailuku

Oliver Schubert

Kahakulua, Maui

WAIHEE COMMUNITY ASSOCIATION

OLIVER R. DUKELOW, President
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Name	Address
1. <u>Alan Pinto</u>	<u>RR1 box 83-A Waihee Maui 96793</u>
2. <u>Dave Kuna</u>	<u>RR1 box 42, Waihee Maui 96793</u>
3. <u>Steven Kaka</u>	<u>RR1 box 35, Waihee Maui 96793</u>
4. <u>Thomas Sotokis</u>	<u>RR 1 box 54, Waihee, Maui 96793</u>
5. <u>Danell Sattler</u>	<u>RR 1 Box 105, Waihee, Maui 96793</u>
6. <u>Robert Sotokis</u>	<u>RR1 Box 54, 2625 Kukuini St. Waihee Maui 96793</u>
7. <u>Jessie Houpe</u>	<u>RR1 Box 85 Waihee Maui HI 96793</u>
8. <u>Walter E. Morgan</u>	<u>RR#1 Box 66 Wailuku Maui 96793</u>
9. <u>Alfred Awamoti</u>	<u>Waihee</u>
10. <u>K. Sela Saut</u>	<u>RR#1 Box 38 Waihee</u>
11. <u>Clayton R. Gomez</u>	<u>RR#1 Box 203 Waihee</u>
12. <u>Shel Ann Jones</u>	<u>RR#1 Box 203 Waihee</u>
13. <u>Chad Jerry Jones</u>	<u>"</u>
14. <u>Jack Ronald Jones</u>	<u>"</u>
15. <u>Melissa Jasmine Jones</u>	<u>"</u>

Name

Address

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Bibat Sabutelor	RR #202 76 Waiehu
Lani Auli	"
Christine Mendes	RR1 BOX 82A Waikuku 96793
David Mendes	RR1 Box 82A Waikuku 96793
Charla H. Mendes	" " " " "
Ernest R. Mendes III	" " " " "
Ernest R. Mendes Jr	" " " " "
Frederick Balendi	RR1 Box 83 A " "
Lini Kaama	R.R.1 Box 80 Waikuku 96793
MASON Souza	" " " " "
Sonia Kaama	" " " " "
Joy Kaama	" " " " "
Koy Kaama	Waiehu
Rose Kaama	" Waiehu
Ben Pacheco	" Waiehu
Roy Kaama JR	" " " " "
Merlene hegsay	Waikuku
Linda hegsay	Waikuku
David hegsay	Waikuku
Daniel hegsay	Waikuku
Kanani Kahalohol	Waiehu
John Kahalohol, Jr.	Waiehu
John Kahalohol, Sr.	RR Waiehu
Mama Matala	Waiehu
Chui Shadid	"
Capricia Cabading	Waiehu
John	Waiehu

Name

Address

Kou FRETAS

WAZHEE VALLEY

Mella Sotostupp

Waikae

William B. Freiler

WAZHEE VALLEY

KAULANA FRETAS

WAZHEE VALLEY

NAHINU FRETAS

WAZHEE VALLEY

Arabella Freitas

Waikae Valley

Annalouse Kahalika

Waikae Valley

Mary Kalusa

" "

Herbert Kalusa

" "

Kenneth Kahl

" "

L. Lounelle Medeiros

Waikae

James A. Medeiros Jr.

Waikae

Monica R. Medeiros

Waikae

Lorelei K. Medeiros

Waikae

Arthur Bernards

Waikae

Kane O. Bernards

Waikae

Alan Chan

Waikae

Uma Jones

Waikae

Esther Mae Malina

Waikae

Joseph Malina

Waikae

Stephen Malina Jr.

KAHALUI

Harriet Houso

Waikae

Robert D. Houso

Waikae

Han K. Anakalea

Waikae

Terri Anakalea

Waikae

John Hanou

Waikae

Craig Heloe Santos

Waikae

Buddy Lalorita

Waikae