

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of Determining)
Compliance with Section 6.3) DOCKET NO. A69-222, M74-4
of the Land Use Commission's)
Regulation Concerning the) C. BREWER AND COMPANY,
Boundary Amendment of C. Brewer) LIMITED
and Company, Limited)
_____)

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

4/9/84

Date

by


Executive Officer

ORDER DETERMINING THAT C. BREWER AND COMPANY, LIMITED
HAS PROCEEDED TO DEVELOP ITS LANDS AT WAIHEE, MAUI IN
ACCORDANCE WITH SECTION 6-3 OF THE LUC REGULATIONS AND
THAT NO ACTION TO INITIATE A RECLASSIFICATION IS REQUIRED

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The Land Use Commission (hereinafter referred to as Commission) initiated this proceeding on August 10, 1983, by the issuance of an order to show cause why Commission should not reclassify the subject properties for failure to comply with Section 6-3, Performance Time of the State Land Use Regulations. The Commission on October 4, 1983 having considered a Land Use Commission Staff Memorandum, oral and written testimony and exhibits from Oliver Dukelow, President of the Waihee Community Association, Paul Sato, attorney representing C. Brewer and Company, Limited (hereinafter referred to as C. Brewer), Roland Herberg and Charles Street representatives of C. Brewer, and Bert Sakata, a resident of Waihee, Maui, found the following facts:

1. By letter of March 21, 1983, Oliver Dukelow, President of the Waihee Community Association requested that the Commission consider reclassifying certain lands from the Urban

to the Agricultural District that were approved by the Commission under Docket No. A69-222 - C. Brewer and Company, Limited and M74-4.

2. At its meeting on August 10, 1983 the Commission conducted a hearing to determine whether C. Brewer made substantial progress in the development of the lands reclassified to Urban under Docket No. A69-222 and M74-4.

3. In Docket No. A69-222, C. Brewer petitioned the Commission to reclassify two separate areas totaling approximately 435 acres of land from the Agricultural to the Urban District at Waiehu and Waihee, Maui in 1969. The property at Waiehu contained approximately 180 acres and the property at Waihee contained approximately 255 acres. The 180-acre site at Waiehu was approved and the request for 255 acres at Waihee was denied.

4. The 180 acres reclassified by the Commission included Tax Map Key 3-2-13: Portion 1 and 3-3-01: Portion of 16.

5. C. Brewer proposed to develop single-family and multi-family residential units on the property.

6. Presently, two-thirds of the 180 acres have been developed into residential use. The remaining one-third is planned for residential use and the developers are applying for a Shoreline Management Area Permit with the County of Maui.

7. Under the procedures of the 1974 Land Use District Review, C. Brewer advised the Commission that it was interested in reclassifying approximately 236 acres of land from the Agricultural to the Urban District at Waihee, Maui. The LUC incorporated this request as part of its statewide review of

the land use district boundaries and reclassified approximately 64 of the 236 acres of land under Docket No. M74-4. The reclassification was made in two separate areas, one containing 30 acres (Waihee Village extension) and the other 34 acres (Hilltop residential).

8. The 64 acres reclassified by the Commission in 1974 include Tax Map Key 3-2-10: Portion 1.

9. C. Brewer proposed that approximately 130 houselots, a neighborhood store and other commercial services and open space be developed on the Waihee village extension site. Single family residential lots and homes were proposed for the Hilltop residential site.

10. Between the year 1969 and 1974, the Commission reclassified approximately 412 acres of land from the Agricultural to the Urban District at Waihee and Waiehu under Docket No. A69-222 and M74-4.

11. Of the total 412 acres reclassified, Petitioner has developed 260 acres into houselots; and the Petitioner has constructed 290 homes and 26 industrial buildings on the lots.

12. The County has granted subdivision or preliminary subdivision plan approval for an additional 88 acres.

13. Although the subject 64 acres is not yet developed, it is part of a larger overall development program by C. Brewer for the Waihee-Waiehu region of Maui. C. Brewer has been proceeding and is continuing to develop its urban designated lands in the area.

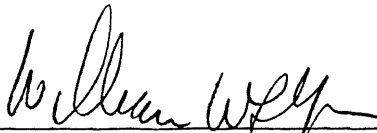
14. The County of Maui is considering adoption of a Community Development Plan for Waihee.

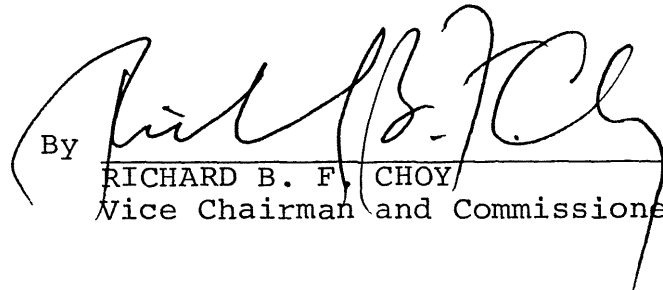
The Commission has determined that C. Brewer has made substantial progress to develop the subject properties pursuant to Section 6-3 of the Commission's regulation; and

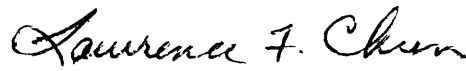
HEREBY ORDERS that there is no cause to initiate a reclassification of the property.


Dated at Honolulu, Hawaii, this 6th day of April, 1984 upon motion duly adopted by the Land Use Commission on the 4th day of October, 1983.

LAND USE COMMISSION
STATE OF HAWAII

By 
WILLIAM W. L. YUEN
Chairman and Commissioner

By 
RICHARD B. F. CHOY
Vice Chairman and Commissioner

By 
LAWRENCE F. CHUN
Commissioner

By 
EVERETT L. CUSKADEN
Commissioner

By *Shinsei Miyasato*
SHINSEI MIYASATO
Commissioner

By *Winona E. Rubin*
WINONA E. RUBIN
Commissioner

By *T. Tacbian*
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By *Robert S. Tamaye*
ROBERT S. TAMAYE
Commissioner

By *Frederick P. Whittemore*
FREDERICK P. WHITTEMORE
Commissioner