

MEMORANDUM

October 28, 1980

TO: Maui Planning Commission

FROM: Planning Department Staff

SUBJECT: MR. MAC LOWSON of Dyck and Lowson, Inc., Real Estate Brokers, requesting a change in zoning from R-2 Residential to Hotel Special (Napili Bay Civic Improvement District) which is similar to H-1 Hotel (2 story maximum height).

RECOMMENDATION:

Pursuant to Section 8-1.21 of the Permanent Ordinances of the County of Maui, 1971, staff hereby recommends approval of the subject request for change in zoning from R-2 Residential District to Hotel Special (Napili Bay Civic Improvement District) for the following reasons:

1. The Napili area of West Maui is in the final stages of transition from a rural single-family residential environment to a low density (2 story) hotel/condominium visitor destination area.
2. Even though the transition of land use from single-family residential to multiple-unit hotel-condominium along Hui Road "F" has preceded the infrastructural development of the road, and the remaining residences have been subjected to the resultant impacts of construction activities and increased residential traffic within the neighborhood, the applicant, together with certain other adjacent landowners, has entered into a "Memorandum of Agreement" to improve Hui Road "F" by providing 28 ft. of asphalt pavement with curbs and gutters for the total mauka-makai length as a potential mitigating measure.
3. The State Department of Transportation, Highways Division, has completed the 2nd increment of Phase I (Kahana to Napilihau) of the upper alignment of Honoapiilani Highway.
4. The subject parcel is identified as Hotel Special (Napili Bay Civic Improvement District) on the General Plan for Lahaina and West Maui dated April, 1968, and the proposed request for change in zoning is consistent. The following evaluation of existing and proposed multiple unit projects along Hui Road "F" are identified:

Number of units which are existing or proposed for construction on Hui Road "F":

Existing: Napili Sands - 132 units
Pineapple Terrace - 44 units
Kipa Apartments - 9-unit apartment - 9 units

Proposed: Dale McGowan Duplex Project - 24 units
Kipa Apartments - 30 units

Total: Existing and Proposed - 239 units.
5. Architecturally, the proposed project complies with the requirements of the Napili Bay Civic Improvement District.
6. The subject site is located within the Special Management Area, and, therefore, will be subject to restrictive conditions designed to mitigate potential environmental impacts.
7. Full compliance with all Federal, State and County requirements must be rendered due to the project site being located within the Special Management Area boundary.

PLANNING COMMISSION
Shiro Hokama, Chairman
Charles Ota, Vice Chairman
Patrick Kawano
Marvin Romme
Harlow Wright
Rojelio Tacdol
Wesley Wong
Wayne Uemae, Ex-officio
Tatsumi Imada, Ex-Officio



Elmer Cravalho
Mayor
Tosh Ishikawa
Planning Director
Yoshikazu "Zuke" Matsui
Deputy Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT

200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

November 3, 1977

Mr. Mac Lowson
Dyck & Lowson, Inc.
P.O. Box 998
Lahaina, Maui 96761

Dear Mr. Lowson:

Pursuant to the provisions of Section 8-1.21 of the Permanent Ordinances of the County of Maui 1971, the Maui Planning Commission, at its regular meeting on October 25, 1977, conducted a public hearing relative to your request for a change in zoning for real property from R-2 Residential to Hotel Special (Napili Bay Civic Improvement District) on the Lahaina side of Hui Road "F" at TMK 4-3-02:16, Napili, Maui.

Following a period of public testimony and deliberation the Commission voted unanimously to recommend denial of the proposed change in zoning based on the Analysis defined in the attached staff report dated October 25, 1977, and for the following reasons:

1. Significant public opposition to the project relative to its environmental impact on existing single-family residential uses.
2. Existing traffic congestion along Hui Road "F" as a result of increased residential units and an inadequacy of offstreet parking.
3. The inadequate intersection of Hui Road "F" and Honoapiilani Highway.
4. The substandard condition of Hui Road "F" relative to right-of-way and pavement width and the lack of curbs, gutters and sidewalks.
5. Lack of access to a higher speed arterial highway, in order to effectively dissipate the increased traffic congestion from the existing Honoapiilani Highway.

If additional clarification is required, please contact this office.

Yours very truly,

TOSH ISHIKAWA
Planning Director

cc LUCA, Corp. Counsel

MAUI PLANNING COMMISSION
PUBLIC HEARING
October 25, 1977

The public hearing on the following request was called to order by Shiro Hokama on Tuesday, October 25, 1977, in Room 614, 6th Floor, County Building, Wailuku, Maui.

A. PUBLIC HEARING

2. MR. MAC LOWSON of Dyck & Lowson, Inc., Real Estate Brokers, requesting a change in zoning from R-2 Residential District to Hotel Special (Napili Bay Civic Improvement District) which is similar to H-1 Hotel (2 story maximum height). The parcel is located on the Lahaina side of Hui Road "F" at TMK 4-3-02:16, Napili, Maui. Parcel area: 38,899 sq. ft. (77/CIZ-7).

Mr. Ishikawa read the notice of public hearing.

Mr. Hart explained the request from the staff report.

Mr. Hokama: Any questions from members of the Commission.

Mr. Ota: I have several questions. One is, why is the applicant asking for a H-1 zoning, in a sense from the presentation that Chris made this development is more rental unit than a hotel. That's my first question. Perhaps the application should be for apartment rather than hotel.

Mr. Hart: The general plan designation for the property is Napili Bay Civic Improvement District which is essentially H-1 Hotel. The only difference is that plans for the project has to be submitted to the NBCID Advisory Committee. That's really the only difference. This proposal is not in this case to develop a hotel per se. He is proposing a hotel condominium which will be rented. This is permitted under the ordinance. You can develop an apartment type project.

Mr. Ota: The second question. Maybe it is premature but in your report you have mentioned that the road is 30 ft. right of way, 16 ft. paved, no curbing no gutter, no nothing. Obviously, it doesn't meet the minimum standard even for a residential area, compared to Wailuku. The other thing I am concerned about is we operating on two different standard, say compared with this particular area or Lahaina in general compared to Kihei. We have had a number of application in Kihei area where all of the offsite improvement were we had required I think a couple of weeks ago, or had asked that they provide off -- setbacks, sidewalks, etc. Now, I can't understand is here you have the Napili Bay Civic Improvement District. The very vehicle that can initiate these kinds of improvements that obviously this "F" Road will require. This is not the first application that we have had since I've been on this Commission and yet we are still accepting applications. Of course, the applicant has the right. Obviously, I don't know what's their staff recommendation. From my tone obviously I am not for this project from your staff report because of the substandard public facilities on this particular area and the question I am trying to lead to is - is the Napili District Improvement under a variance. Which you are the dog and here is the master over here. Are you folks aware of this problem.

Mr. Hart: The Napili Bay Civic Improvement District was set up for a purpose. It was really to control the architectural character. It is not an improvement district per se in accordance with the improvement district ordinance was only adopted about 2½ years ago.

Mr. Ota: And yet, I think previous presentation by the district or recommendation doesn't necessarily have taken only the architectural aspects. The - more the meat of their recommendation was more the utilities and land use etc. Now, at this stage you telling me their existence is purely the architectural aspect.

Transcript, October 25, 1977
Mr. Mac Lowson

Mr. Hart: They could initiate to undertake improvements but they haven't.

Mr. Ishikawa: I think it is good to clarify that some of the projects in the past were projects that was already zoned for this particular district. This request is to have the present zoning upgraded - the Napili Bay District zoning. There is a slight difference in terms of commitment and I think it is proper that when the property is requested for upzoning, particularly, I think the Commission should be very careful in considering all of the various elements that's involved in terms of public utilities, services and infrastructure because once the zoning is granted I think the commitment in general has been made as to the use of that land. But Chris, I have a question now. In terms of properties along Hui Road "F", how many of these are developed and how many are not developed in terms of today.

Mr. Hart: The ones that are multiple unit.

Mr. Ishikawa: No. Developed or used in some form or another. Is it all being used?

Mr. Hart: I don't have an inventory.

Mr. Ishikawa: I notice you have on your map there the various approvals or is that SMA approval?

Mr. Hart: This is the Pineapple Terrace Project and there is a subdivision for about six or seven lots. Napili Sands. Across the street there is duplex, just below that there is an approval of 24 duplexes. They haven't been constructed yet. I didn't do an inventory of existing residential.

Mr. Ishikawa: The reason I raise this question is because, as I understand the Hui Road "F" situation is relatively congested because of the narrow right of way and substandard pavement width along with other improvements and I just wonder whether at this time additional development should be approved. By that I mean based on the zoning change. I think there is some problem.

Mr. Ota:may be I am premature but do we have any recommendation from the Napili District for the zoning change.

Mr. Hart: No we don't. What actually happened is the zoning - the Napili Bay Civic Improvement District Advisory Committee was created by ordinance to review the actual architectural character ... once there is zoning.

Mr. Ota: So as far as zoning your committee has -

Mr. Hart: No they haven't met to discuss the matter.

Mr. Ishikawa: I think the procedure is once the zoning is granted for the project proposed then it is referred to this advisory committee for recommendation. Chris, could you read the letters that were submitted this afternoon as far as the others if it is not in the agenda. May be you can summarize these.

Mr. Hart: We received an initial letter from the two owners of the project supporting the change in zoning, simply stating that.

Mr. Ishikawa: Could we get their names so that the commission is aware.

Mr. Hart gave the names of the five letters in favor of the request. Mr. Hart also stated that there was a petition with sixteen signatures protesting the change in zoning. There was one letter of protest received from John and Elizabeth Akaka.

Mr. Hokama: Any further questions on the staff report.

Mr. Ota: From your staff report, I take it that there are three developments in that area along Hui Road "F". The rest of the land -- there are a number of residential homes on that.

Mr. Hart: That is correct.

Mr. Ota: All of the land are built up?

Mr. Hart: Well ultimately the whole area along Hui Road "F" is general planned for H-1 hotel. Right now there is development existing in Napili Sands, which is 132 units. Another development which is called Pineapple Terrace which is existing is 44 units. Immediately across the street there are duplexes....the lower one is a proposed 24 unit duplex project. It is approved. It hasn't been constructed. Totally there are existing 183 units.

Mr. Ota: The reason I am asking here....from what you have read off I assume Hui "F" Road is utilized - will be utilized - eventually built up into multi-unit development rather than single family. I imagine the price has been established to such type of improvements. The important thing at this stage, like I say, I haven't had chance to hear all the testimonies but somewhere along the way the Board or somebody would have to take a stand purely from being fair to present landowners - being fair more particularly to future purchaser of parcels here. I think a number of these parcels are up for grabs to the highest taker. Obviously, if roads are substandard, there are existing certain multi units. It is an easy thing to sell to an uninformed guy - look it is \$10 a square foot you can put a 120 unit apartment, which obviously there is a demand in Lahaina area and yet, because of substandard road in this particular area, like I said earlier it is not even up to a residential standard on this side compared to what we are imposing on people who want to develop in the Kihei area. We are asking them sidewalk, setback, etc. I think once we dispose this case, I think this board or council or somebody got to take a firm stand on this area, because I think it is not fair for the uninformed buyer. Not fair to the present residential people there. Like I say I am disappointed with the use of the improvement district which I thought was the proper vehicle to bring this Hui "F" Road up to County standard.

Mr. Wright: That water line going up Hui Road "F", I see 8 in. diameter waterline. Is that the one on highway down there or this 8 in. line go up there?

Mr. Hart: It goes up the road.

Mr. Hokama: Any others. Is the applicant here wish to add any further comments.

Mr. Mac Lowson read his prepared statement, a copy of which is attached hereto and made a part hereof.

Mr. Hokama: Any comments or questions to the applicant.

Mr. Ishikawa: Your pineapple terrace project is completed and it is occupied fully right now?

Mr. Lowson: Right.

Mr. Ishikawa: What is your rental for that project?

Mr. Lowson: One bedroom is \$350.00.

Mr. Ishikawa: What is the rental for Napili Sands?

Mr. Lowson: It is about \$325 to \$350 plus utilities. My rates already include it.

Mr. Ishikawa: I would assume these would be reasonable rental for low income and working families.

Mr. Lowson: All there is available.

Mr. Ishikawa: So you hope to do your project in a similar range.

Mr. Lowson: I will be building two and three bedroom apartments. More like \$450 to \$500 including utilities.

Mr. Ishikawa: Obviously you did some marketing studies to justify these as rental that the working family can afford.

Mr. Lowson: They afford it all over Lahaina. Really, there is nothing relatively new that's any cheaper or will be cheaper shortly and we can't afford to build anything unless you charge the price.

Mr. Ishikawa: I think we understand the problem and the Commission is also sympathetic. One more question. Did the people that contacted you from the Hotel agree to provide the rental units to their workers.

Mr. Lowson: They know the rates that they're asking. I can't at this time make any agreements with them because I have no zoning and no project.

Mr. Ishikawa: Well assuming if the zoning were granted that they would have worked out kind of arrangements so that the employee, if he could not afford your \$500 rent some other means would be arranged so he could live there.

Mr. Lowson: Karl Rathgeb, Dudley Child, Jack Millar, they are all very enthused about it. They understand the rates and they were very happy.

Mr. Ishikawa: They haven't made no commitment to you. I might want to comment Mr. Chairman that this is an area that the Commission, I think we discussed this prior in terms for the need for employee housing and I think it comes out so clearly this afternoon that, that need must be met and in many respects, Mr. Lowson is trying to fulfill a need which should have been filled and should be filled by the developers of major resort areas, particularly the hotel areas and I hope the Commission would be well aware of this need when we review future projects.

Mr. Ota: Mr. Chairman, I have one question. In the McGowan unit - is this in the same area?

Mr. Hart: It is right across the street.

Mr. Ota: And this Board had approved that already.

Mr. Hart: Yes.

Mr. Ota: When was that?

Mr. Hart: About 8 months ago. One important factor should be brought out that the zoning was granted, I am not sure of the date but several years ago. At least six years ago.

Mr. Ota: This particular parcel had the zoning already.

Mr. Hart: That's correct.

Mr. Ota: I don't know whether other people are aware of it but if this project goes through it certainly would compound the situation or problem on Hui "F" Road because here they are going to build 24 units - a total of 207 units on that 16 ft. road. They propose to setback. They are

Mr. Mac Lowson

going to pave seven feet.

Mr. Hart: They are going to dedicate and there was other roadway improvements that were included.

Mr. Ota: Well the right of way is still 30 feet right now. With that additional seven if you get it from both sides you will have 44 feet. Is that standard residential.

Mr. Hart: It is not standard but adequate.

Mr. Ota: ...now this unit is going to be built very shortly?.

Mr. Hart: I am not sure of the construction date.

Mr. Ota: Oh I see, but the problem is in this particular unit with the number is that the zoning was granted years ago.

Mr. Matsui: Mr. Chairman. Another thing is, Charley, they going to build duplex instead of apartment. So your density is way way below.

Mr. Ota: Well the point is --

Mr. Matsui: And yet it was zoned so he can go all the way but he saw the congestion on that road.

Mr. Ota: My point is if we are going to have 207 more units with 16 ft. road, obviously it will compound the situation.

Mr. Matsui: So this body -- you cannot do anything when it is already zoned. This not zoning. It is coming for a zoning change. It is a different problem.

Mr. Hokama: Anyone else who wish to speak in favor of the application. If not, anyone here who wish to speak against the application.

Mrs. Tiro: We are the one that wrote this petition. You read it already.

Mrs. John Burnside: The Pineapple Terrace that Mr. Lowson built is a good looking building. We didn't even know it was going to be built. Those of us that are residents there, Hui Road "F" is a private road. We bought our land many a long years ago. We did build after 1960 because we understood that it was going to be a residential area and maintained as residential. Napili Sands, unfortunately is a badly run condominium. They rent out units to a couple and first thing you know they are 16 young people living there. All hours of the day and night we have automobiles racing, motorcycles racing. When I say racing I mean 45 to 60 miles an hour on up Hui Road "F" regardless of children, cats, dogs anything else or older human beings. To continue the development there in Napili, we are faced with all of the condominiums along the oceanside. Wall to wall. All of us that have bought there, we no longer have any view of ocean or anything else. Nothing but condominiums and then to put to our backs and have us walled in on both sides with condominiums. I agree two story high is as high as some of the rest of them but it still is going to be a condominium. There is no assurance in the world that that 35 cars isn't going to wind up being a 100 to 150 young people. They are forced to with the kind of rents they have to pay to double up, triple up, quardle - again we are going to have the same problem of more noise, more accidents. We have an average 2 to 3 accidents every week right there at the corner of Hui Road and the highway, and it just is not conducive in that area to be condominium building. I recognize the need. I know we need homes and residences on the island for people but 42 or even 100 residences aren't going to help the thousands that need it. We certainly don't need to take a nice area such as Napili, where it is a high priced residential

area and turn it into a type of development such as Napili Sands. I don't think anything can stop the kind of rent they have to pay.

Mr. Mark Milner: I have no objections to what Mr. Lowson is trying to do. I think he is a friend of mine. He has been in the past. Maybe after what I say he won't be any longer. I recognize the need for things that - but I wish that you would consider the problems under which we are living under. As Mrs. Burnside has said, we on Hui Road "F" are very much concerned about the traffic on the road and hazardous there. Many different ways there have been hazards. You recently had them put a two foot wide roadway pavement, increasing the width of the pavement on the Napili side. When we have rain there, the roadway is like a river. Water runs into the roadway, even from the installations from the top of the road so it is like a river coming down there. When that water runs into the main highway the traffic hazard is terrible. Well, this weekend was a pretty good example. On Friday night we were awoken at 1:30 in the morning when a car came down there filled with people and when they got down to the road they jammed on their brakes and started fighting and started screaming and using the worst profanity that you would want to hear until my wife and I both got up and called the police and they arrested them. That was about 1:30 in the morning and you wouldn't believe the profanity and you could hear it all over the neighborhood. On Saturday night a car coming along from the Napili area towards Lahaina just as it passed Hui Road "F" a Volkswagon came scooting along side of him, forced him of the road on the other side, he ran into a telephone pole and both he and his wife were sent to the hospital. Those go on all the time. Now, we realize that there is going to be development in the area, but let me point out that when your 701 plan was arranged ...when all of your projections were made. Those projections show that there was going to be a connection at the upper end of the road to the new highway which was projected across there. Then when these properties were upgraded, it was anticipated that much of the traffic would come from that way. Now, all during the time from the Napili Sands in 1970 I appeared before the Planning Commission and objected to the Maui Sands. I talked to them about it...in 1970 it was already in. I objected to it then. I objected two or three times for this Board here to see of the hazard it could have and please if you are going to allow anything else you are going to have to put the road in on the upper end. I talked to the highway department about it and they the State, is not going to put in the connecting road. They'll build the highway and they'll build the entrance...but any connection to that would have to be made by the County. And the County has nothing in their Capital Improvement budget for next year or is it planned for. Now, this says they are going to connect up to Napili now. That's possible but you go across a gulch there. My letter to the Commission in 1970 did not object to your improvements on that as long as you furnish the facilities and the road and the connections and the things that would accommodate us. Now, if you are going to approve or allow this, we the property owners in the area are going to have to insist that you do something about the road there or we are going to have death on junctions down there. It's going to be really hazardous.

Mr. Hokama: Thank you. Any other against the application. If not, I declare the public hearing closed. The Commission will take the comments under advisement.

JEAN A. UEMAE
Private Secretary

DYCK & LOWSON, INC.

975 Limahana Place

REAL ESTATE BROKERS

Phone 661-8771

October 25, 1977

Planning Commission
County of Maui
Wailuku, Maui, HI

Re: Tax Map Key 4-3-2-63 Zoning Request

Gentlemen of the Planning Commission:

Introduction:

Thank you for this opportunity to present to you my comments regarding the zoning change for the 38,000 square foot parcel located on Hui Road F in Napili. I also acknowledge the comments and presence of my very nice neighbors and fellow landowners on Hui Road F and can understand the reasons for their objections to my zoning request. However, I do have a difference of opinion and would like to present my comments in favor of the zoning change.

Background and Outlook:

I arrived in Lahaina a little over ten years ago, from Honolulu where I was born and grew up, and watched from when I was very young to the present many changes in the composition of the island on which I lived. After I came to Maui I was in a position to watch even closer the development process and zoning changes that go along with it, and have concluded that if a person is to do a development it should be within the needs and general plan of the community. Consequently, my partner and myself make it a rule that we do not ask for variances or zoning changes that are not according to the general plan. I am here today to ask you for a zoning change that is from R-2 to Napili Bay Civic Improvement District, just as the general plan indicates the property to be. Also, I have come to the conclusion, after what experience I have had, that I want to do something for the community as a small businessman. I don't mean to say that I am giving anybody anything gratis, for I am a businessman and I do expect a profit. However I also would like to do that which the community needs. The granting of my zoning request will enable me to build twenty apartment units for the working people of Maui. Specifically, for those of Lahaina where housing is an extreme problem daily.

Lack of Housing:

The working people of Lahaina have a problem of where to live. If you look in the paper, there is rarely any notice of an apartment available to rent. From my first hand experience of operating Hui apartments for the last two years, numerous other individual rental apartments for the past five years, many studies which we have conducted for ourselves and more recently our forty four unit apartment building (Pineapple Terrace), the vacancy factor is zero at anytime of the year. If the present tenant notifies the management that he wants to leave his apartment, that apartment is filled within two or three days of the notification and there is no vacancy time at all. Within the immediate area of Hui Road F, extending from the South at Kahana Sunset to the North at Kapalua, there are presently existing or under construction 1,224 condominium and/or hotel units. Assuming that each hotel unit generates one job, there would be approximately 1,200 jobs within this small area. Within that same area there are 185 long term rental units (as opposed to transient hotel units). Assuming an average occupancy of two people per apartment and that both of them work, that means the local area provides housing for 370 workers whereas there is a present need in excess of 1,200 workers, a discrepancy of 854 people or 427 units. On the general plan, the only area that is likely to be used for medium to low cost housing for hotel workers within this area is Hui Road F itself and a small area mauka of Honoapiilani Highway across from the Napili Kai Beach Club, which is at this time a residential area for single family homes. The future holds only further increases in needs for housing. Kapalua, which now has an employment of approximately one hundred people expects to have an employment of three hundred fifty to three hundred eighty five by mid 1978, less than nine months from now. Moving further out in distance, additional units will be built in 1978 by the Sheraton Maui (seventy three), by the Hyatt Regency (seven hundred fifty) and there are further unannounced plans at Kaanapali as well as more condominium hotel units being built in the Honokowai to Napili area. Clearly the housing need is becoming more acute rapidly. I have been approached by two hotels to rent them a bulk number of units so that they may better guaranty their employees a place to live. We are making a request to build twenty low rise, long term, apartment rental units for the working people. We are not talking about high priced condominium units. There is no possibility of building inexpensive residential homes in an area where the land cost alone generates a lot cost on the open market of \$50,000.00 up, whereas my cost per unit is approximately \$7,000.00 per unit for the proposed rental project.

Planning Commission
October 25, 1977
Page Five

Staff Analysis cont:

Hook up of Hui Road F to the new highway will not decrease traffic primarily because of two reasons. The first is that I expect the majority of those people living on Hui Road F will be traveling down Hui Road F to their places of employment and not up the highway to Lahaina. Secondly, hooking up Hui Road F brings it into more play as a feeder road from Napili to the highway, therefore it will increase congestion.

No Alternative:

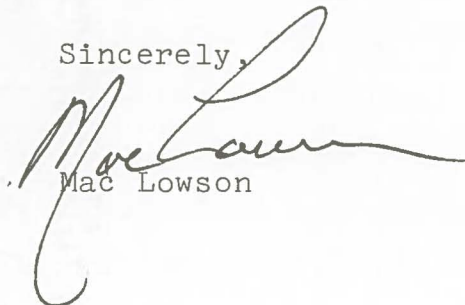
There is, for me, no alternative. Deny the zoning and you will be saying I cannot use the property for an indefinite period of time. The minimum size lot in zoning is 10,000 square feet. My straight acquisition cost is \$50,000.00 per lot before you take into account the cost of roads, curbs, gutters, water lines, electricity, interest and even a small amount of profit. \$50,000.00 lots or \$60,000.00 to \$65,000.00 lots are not for the working people. The property is too small for a P.U.D. since that requires three acres. In other words, by denying the zoning I will be told that there is no economic use of the property for an indefinite period of time.

Conclusion:

I feel that I have shown there is an acute need for housing on West Maui and especially Napili. There is support through letters from hotel managers. We know what will happen in the future. The problem will increase. I am a small businessman who is trying to make his living in a way beneficial to our community. What I see is a need and a legitimate way to satisfy it within the general plan.

Thank you for your time. I appreciate the chance to give you my comments.

Sincerely,



Mac Lowson

ML:ja

MEMORANDUM

October 25, 1977

TO: Maui Planning Commission

FROM: Planning Staff

SUBJECT: MR. MAC LOWSON of Dyck and Lowson, Inc., Real Estate Brokers, requesting a change in zoning from R-2 Residential to Hotel Special (Napili Bay Civic Improvement District).

RECOMMENDATION:

Pursuant to Section 8-1.21 Change in Zoning of the Permanent Ordinances of the County of Maui 1971, it is hereby proposed that the Maui Planning Commission recommend denial of the subject request based on the Analysis of Request defined in the Staff Report dated October 25, 1977, and for the following reasons:

1. Significant public opposition to the project relative to its environmental impact on existing single-family residential uses.
2. Existing traffic congestion along Hui Road "F" as a result of increased residential units and an inadequacy of offstreet parking.
3. The inadequate intersection of Hui Road "F" and Honoapiilani Highway.
4. The substandard condition of Hui Road "F" relative to right-of-way and pavement width and the lack of curbs, gutters and sidewalks.
5. Lack of access to a higher speed arterial highway, in order to effectively dissipate the increased traffic congestion from the existing Honoapiilani Highway.

October 25, 1977

STAFF REPORT

TO: Maui Planning Commission
FROM: Planning Staff
SUBJECT: Mr. Mac Lowson of Dyck and Lowson, Inc., Real Estate Brokers, requesting a change in zoning from R-2 Residential to Hotel Special (Napili Bay Civic Improvement District) which is similar to H-1 Hotel (2-story maximum height).

A. SITE INFORMATION:

1. Location: Mauka of Honoapiilani Highway along the Lahaina side of Hui Road "F" approximately 500 feet from the intersection just makai of the Napili Sands Apartment Condominium at TMK 4-3-02:60, Napili, Maui.
2. Lot Area: 38,899 sq. ft.
3. Land Use Designation:
 - a. State - Urban
 - b. Lahaina General Plan - Hotel Special (Napili Bay Civic Improvement District) similar to H-1 Hotel (2-story maximum height).
 - c. Zoning (Map No. 9, Kaanapali to Napili) - R-2 Residential (7,500 sq. ft. minimum lot size)
4. Physical Characteristics: The site is rectangular in shape with approximately 180 feet of frontage along Hui Road "F" and an average lot depth of 215 feet. The residential site contains existing vegetation with a moderate slope from mauka to makai and towards Hui Road "F".

B. AVAILABLE SERVICES

1. Roads - Hui Road "F"
 - a. Right-of-way - 30 feet (The applicant is proposing definition of a seven ft. wide road widening strip)
 - b. Pavement Width - 16 feet.
 - c. There are no curbs, gutters or pedestrian sidewalks along Hui Road "F".
2. Electric and Telephone - Over head lines are existing.
3. Sewer - None
4. Water - An 8 in. diameter line is existing.

C. SURROUNDING LAND USES

1. Mauka Boundary - Existing Napili Sands Apartment condominium
2. Makai Boundary - Existing single family residential
3. Kapalua Boundary - Hui Road "F" parcels being utilized for duplex and single family residential.
4. Lahaina Boundary - Existing Gulch and Napilihau residential complex.

D. PROPOSED USE OF THE SITE: The applicant is proposing construction of two, two-story woodframe buildings containing a total of twenty-two units with onsite parking for thirty five automobiles. The architectural

character will be similar to that of the existing Pineapple Terrace project, by the applicant, which is located above the subject site on Hui Road "F" and consists of hip roofs with large overhangs and perimeter lanais and circulation space.

E. PROJECT REVIEW - (Comments by County Departments)

1. Department of Water Supply - (Comments attached)
2. Department of Public Works - (Comments attached)

F. ANALYSIS OF REQUEST

1. The transition of land use from single family residential to multiple-unit hotel-condominium in the Napili area has preceded the infrastructural development of roads and sidewalks, and the remaining residences have been subjected to the resultant impacts of construction activities and increased residential traffic within the neighborhood.

2. The General Plan for the Lahaina District indicates that traffic from Hui Road "F" will have access to the realigned Honoapiilani Highway at an unspecified location. (Indications, at this time, are that said access will occur mauka of Napilihau).

It should be noted that discussions with representatives of the Maui District Office of the State Department of Transportation Highways Division indicate the following projected time periods for completion of the realigned highway:

- a. 2nd increment of Phase I (Kahana to Napilihau - two years.
- b. Phase II (Napilihau thru Kapalua) - project in design phase; no projected date of completion.

It should also be noted that the State Department of Transportation is taking no responsibility for construction of a Hui Road "F" access to the realigned highway.

3. The applicant seeks to establish the obvious need for moderate-priced rental units in the West Maui Resort Destination area; however, as the premise is evaluated, the following should be considered.

- a. Number of units which are existing or approved for construction on Hui Road "F":

Napili Sands - 132 units
Pineapple Terrace - 44 units
Jack Huddleston 7-unit apartment - 7 units

Proposed -

Dale McGowan 24-unit duplex-24 units
TOTAL 207 units

- b. The inadequacy of Hui Road "F" relative to the following:
 - Intersection at the lower Honoapiilani Highway
 - Substandard width of the right-of-way and pavement and lack of curbs, gutters and sidewalks.
 - Lack of access to a higher speed arterial highway.

G. LETTERS OF APPROVAL AND PROTEST

1. Approval - one
2. Protest - two plus a petition containing sixteen signatures.

H. CONCLUSION - This concludes the staff report.



DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI

P. O. BOX 1109
WAILUKU, MAUI, HAWAII 96793

SEP 29 8 35 AM '77

September 26, 1977

Mr. Chris Hart
Planning Department
County of Maui
Wailuku, HI 96793

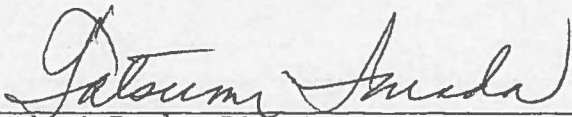
Dear Mr. Hart,

SUBJECT: CHANGE OF ZONING, TMK 4-3-2:60, NAPILI, MAUI

Our requirements for approval of building permit application are as follows:

1. Payment of water storage assessment.
2. Construct 8-inch minimum offsite waterline and install fire hydrant.
3. Comply with Department of Water Supply Rules and Regulations.

Sincerely,



Tatsumi Imada, Director

KS/tm

ELMER F. CRAVALHO
Mayor

WAYNE UEMAE
Director of Public Works

FELIX PASCUAL
Deputy Director of Public Works



OCT 18 11 42 AM '77

DIVISIONS
Engineering
Highway Construction
and Maintenance
Land Use and
Codes Enforcement
Sewers

Choi

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

October 12, 1977


TO: Toshio Ishikawa, Planning Director

FROM: Wayne Uemae, Director of Public Works

SUBJECT: Request for Change in Zoning from R-2 Residential to Hotel Special (Napili Bay Civic Improvement District) similar to Hotel H-1 (2 stories maximum) on the Lahaina side of Hui Road "F" at TMK: 4-3-02:16, Napili, Maui.

We have reviewed the subject request and wish to make the following comments:

1. That the Parking Ordinance requires two 12' x 35' loading space.
2. We recommend that Hui Road "F" be improved to County standards.


WAYNE UEMAE, Director
Department of Public Works

Eraserable Bond

NAPILI KAI, LTD.

24 October 1977

NAPILI BAY
MAUI 96761

PLEASE REPLY TO:

Planning Commission
County of Maui
Wailuku, HI 96793

Re: Napili Terrace Apartments - Hui Road "F"

Gentlemen:

We wish to go on record as being in support of a change of zoning from Residential to Napili Bay Civic Improvement District zoning.

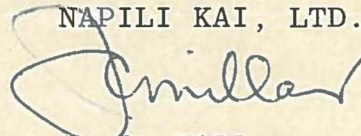
The project, as it is presently conceived, lends itself to employee housing which is drastically needed in this area.

In accordance with Mayor Cravalho's announced policy that the resorts accept responsibility for employee housing, we are negotiating with Mr. Lawson for some bulk rentals in this project.

Your favourable consideration of a change in zoning would be appreciated.

Yours very truly,

NAPILI KAI, LTD.



J. C. Millar
President

JCM:ldr

InterIsland

RESORTS

EXECUTIVE OFFICES • 2222 KALAKAUA AVE • PO BOX 8539 • HONOLULU, HAWAII 96815 • PHONE 922-1636 • CABLE: RESORTS

October 24, 1977

Mr. Toshi Ishikawa
Planning Director
County of Maui
Planning Department
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Ishikawa:

On behalf of InterIsland Resorts, Ltd. I support the development of additional housing for the permanent occupancy of the working people of Lahaina. As you know, one of a hotel's personnel problems is adequate and available housing.

At the request of Mac Lawson and Peter Dyck, who are developing a twenty unit two and three bedroom apartment house on Hui Road F, Napili, I am writing you in support of their proposed development.

Housing for hotel employees is a problem on West Maui which only additional facilities can ease. I hope that the Planning Commission and the County Council will give their support to these much needed housing units.

Very truly yours,



Glenn Lovejoy
Vice President Operations

GL:ds



Napili Shores

R.R. 1, BOX 920, NAPILI BAY, MAUI, HAWAII 96761

(808) 669-8074

OCT 24 9 08 AM '77
DEPT. OF PLANNING
COUNTY OF MAUI

Delivered
By Mrs. Lowson
RECEIVED

October 17, 1977.

To Whom it May Concern

I have been informed by Dyck & Lowson, Inc. of plans to erect a 20 unit apartment building on Hui Road F in Napili. I have also been informed that Dyck & Lowson need a zoning change from residential to Napili Bay Civic Improvement District.

Napili Shores is a 152 unit condominium complex which functions as a transient hotel. Due to the lack of housing for employees, we find it extremely difficult to hire and retain employees.

I feel that an apartment building like the one proposed would be of great help to alleviate the existing housing shortage to some extent.

Napili Shores Resort

Horst G. Frank
Managing Agent

HGF/dpa

cc/file



Kaanapali Beach · Lahaina, Maui, Hawaii 96761 · Telephone (808) 661-0021

RECEIVED
A LUXURY RESORT
OCT 20 10 22 AM '77

DEPT. OF PLANNING
COUNTY OF MAUI

October 17, 1977

Toshio Ishikawa
Director
Maui County Planning Department
200 South High Street
Wailuku, Maui, HI 96793

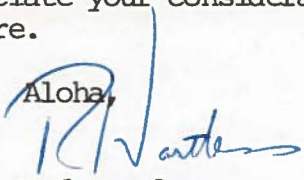
Dear Mr, Ishikawa,

It has been brought to my attention there will be a hearing on a proposal to build a 20 unit apartment building on Hui Road F in West Maui. It is my understanding this apartment building will be built by Mac Lowson and Peter Dyke of Dyke and Lowson Realty in Lahaina. It is my further understanding the units will be geared for middle to lower income rentals well suited for hotel employee type housing.

As General Manager of the Maui Eldorado employing some 50 employees and formerly the General Manager of Sheraton Maui employing some 365 employees I am well acquainted with the critical shortage of this type of housing and rentals on West Maui. As you are no doubt aware the Maui Chapter of the Hawaii Hotel Association has been quite vocal about this problem over the past 3 - 4 years. I feel quite certain you will have the full support of our members for the construction and development of any such employee type housing near the Lahaina area. The General Plan, now under draft, will place strong emphasis on development of housing and rentals throughout this end of the Island.

I know your department is thoroughly aware of the critical shortage of employee type housing and we greatly appreciate your consideration of this project and other similar ones in the future.

Aloha,


Rod Hartless
General Manager

RH/maw



A LUXURY RESORT

Kaanapali Beach · Lahaina, Maui, Hawaii 96761 · Telephone (808) 661-0021

October 17, 1977

Toshio Ishikawa
Director
Maui County Planning Department
200 South High Street
Wailuku, Maui, HI 96793

Dear Mr, Ishikawa,

It has been brought to my attention there will be a hearing on a proposal to build a 20 unit apartment building on Hui Road F in West Maui. It is my understanding this apartment building will be built by Mac Lowson and Peter Dyke of Dyke and Lowson Realty in Lahaina. It is my further understanding the units will be geared for middle to lower income rentals well suited for hotel employee type housing.

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I know your department is thoroughly aware of the critical shortage of employee type housing and we greatly appreciate your consideration of this project and other similar ones in the future.

Aloha,

Rod Hartless
General Manager

RH/maw

bcc: Mac Lowson & Peter Dyke ✓
Dyke & Lowson Realty

Chris

August 19, 1977

RECEIVED

AUG 22 1977

Mr. Toshi Ishikawa, Planning Director
County of Maui
200 S. High St.
Wailuku, Maui Hi. 96793

DEPT. OF PLANNING
COUNTY OF MAUI

Dear Sir:

May I ask that the property be rezoned as requested in the rezoning application submitted by Peter Z. Dyke and James M. Lowson.

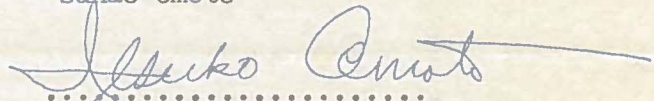
Re: Zoning Change Application
TMK.- 4 - 3 - 02 - 06
Prop. owners.. Sunao and Itsuko Omoto

Thank you for your attention.

Sincerely,



.....
Sunao Omoto



.....
Itsuko Omoto

9409 - 5th Ave.
Inglewood, Calif. 90305

PETITION:

TO: MAUI COUNTY PLANNING COMMISSION

SEP 8 9 53 AM '77

SEP 8 9 53 AM '77

WE, THE UNDERSIGNED, ALL RESIDENTS OR PROPERTY OWNERS IN THE AREA AFFECTED BY THE APPLICATION FOR CHANGE IN ZONING FROM:

PETER Z. DYCK & JAMES M. LOWSON
P.O. BOX 998
LAHAINA, MAUI 96761

FOR A HOTEL TO BE BUILT ON HUI ROAD F, NAPILI, TAX KEY 4-3-2-60.

WANT IT TO BE KNOWN THAT WE, EACH AND ALL OF US, DO STRENUOUSLY OPPOSE THE PROPOSED CHANGE FROM RESIDENTIAL TO HOTEL USE.

ALREADY IT IS EXTREMELY DIFFICULT TO NAVIGATE THE ROAD BECAUSE APARTMENT BUILDERS HAVE FAILED TO PROVIDE SUFFICIENT PARKING FACILITIES FOR THEIR RENTERS. THIS PRESENTS A SERIOUS SAFETY HAZARD TO WE WHO LIVE IN THE AREA AND MUST DRIVE TO AND FROM WORK. ALSO, TO OUR CHILDREN WHO MUST WALK ALONG THE EDGE OF THE ROAD BECAUSE THERE IS NO PEDESTRIAN WALKWAY.

ADDITIONALLY, WE WHO HAVE OWNED PROPERTY AND LIVE IN THIS AREA PURCHASED OUR PROPERTY BECAUSE IT WAS RESIDENTIAL. TO COMMERCIALIZE THIS RESIDENTIAL ZONE ADDS BURDEN TO OUR WATER SUPPLY, SEWAGE SOON WILL BE A PROBLEM IF MORE EFFLUENT IS Poured INTO OUR SUBSOIL. ALREADY IT IS DIFFICULT TO GET CESSPOOL PUMPING SERVICES WHEN WE INDIVIDUALLY NEED THEM BECAUSE HOTELS AND CONDOMINIUM PROPERTIES NEED THE SERVICE SO FREQUENTLY.

ANOTHER APARTMENT BUILDING OR HOTEL DEFEATS THE COUNTY'S PRIOR PROMISE TO ALL PROPERTY OWNERS AND RESIDENTS ALONG HUI ROAD F.

WE OPPOSE THE CHANGE IN ZONING FROM RESIDENTIAL TO HOTEL. WE WANT THE ENTIRE AREA TO REMAIN RESIDENTIAL.

SIGNATURE:

ADDRESS:

<u>Jose Luis Tiro</u>	<u>Napili Hui F. Road #141</u>
<u>Wilhelmina Tiro</u>	<u>Napili Hui F. Road #141</u>
<u>Mr & Mrs Harry P. Peli</u>	<u>" " "</u>
<u>Mrs & Mrs Melquiades Bergabal</u>	
<u>Mr & Mrs Keny Okumura</u>	
<u>Mr & Mrs Yoshio Michimoto</u>	

CONTINUED ON PAGE TWO.....

16

PETITION:

TO: MAUI COUNTY PLANNING COMMISSION

SEP 8 9 55 AM '77

WE, THE UNDERSIGNED, ALL RESIDENTS OR PROPERTY OWNERS IN THE AREA AFFECTED BY THE APPLICATION FOR CHANGE IN ZONING FROM:

PETER Z. DYCK & JAMES M. LOWSON
P.O. BOX 998
LAHAINA, MAUI 96761

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ANOTHER APARTMENT BUILDING OR HOTEL DEFEATS THE COUNTY'S PRIOR PROMISE TO ALL PROPERTY OWNERS AND RESIDENTS ALONG HUI ROAD F.

WE OPPOSE THE CHANGE IN ZONING FROM RESIDENTIAL TO HOTEL. WE WANT THE ENTIRE AREA TO REMAIN RESIDENTIAL.

SIGNATURE:

ADDRESS:

Josefa Tiro Napili Hui F. Road #141
Wilhelmina Tiro Napili Hui F. Road #141
Mr & Mrs Harry Perle " " "
Mr & Mrs Melquiades Berzabal
Mr. + Mrs Ken Okumura
Mr + Mrs Yukio Machimoto

CONTINUED ON PAGE TWO.....

PETITION TO OPPOSE CHANGE IN ZONING ON HUI ROAD F, NAPILI, MAUI

SIGNATURE:

ADDRESS:

Mrs. Agapito Carlos RR #1 Box 151 Hui Road F Napili
 Mr + Mrs Shouchi Okimoto RR 1 66 Hui Road F Napili
 Mr + Mrs Shigeyuki Nakamura RR 1 Hui Rd Napili
 Mr + Mrs Chigene S. Shimomura RR1 Box 375 Napili
 Mrs. Patricia C. Burnside RR 1-192 "
 John B. Burnside " "
 Mr + Mrs Byron Walters - 24 Malakani Pl. Kahani
 Mr + Mrs Tom Hight 184 Malakani Pl. Kahani NAPILI
 Mrs M. Hob 184 Malakani Pl. Kahani
 Mrs. Paul Mungo 194 Malakani Kahani

AUG 29 9 30 AM '77

RECEIVED

AUG 26 1977

DEPT. OF PLANNING
COUNTY OF MAUI

Honolulu, Hawaii
August 25, 1977

Maui Planning Commission
Wailuku, Hawaii 96793

Dear sirs;

We are in receipt of an application for change in zoning from Peter Z. Dyck and James M. Lawson, P. O. Box 998, Lahaina, Hawaii 96761. The property in question is Tax Map Key 4-3-02-60 located at Hui Road F in Napili and the request is for change in Zone from Residential to Hotel.

As property owners within a radius of 500 feet of the subject property, we are objecting to the General Plan designation and recommend that the granting of such a change be denied. We feel that the road is not adequately wide enough, water shortage is imminent and parking will be a problem.

Very truly yours,

John E. K. Akaka
John E. K. Akaka
Elizabeth M. Akaka
Elizabeth M. Akaka

Tax Map Key: 4-3-02-15 1.32 ac

APPLICATION FOR CHANGE IN ZONING

(Please print or type)

I. Applicant - Name: Peter Z. Dyck & James M. Lowson

Applicant's Signature *Peter Z. Dyck*

Address: P.O. Box 998

Lahaina, Maui, HI 96761

Telephone: (Bus.) 661-8771 (Res.) 661-3787

RECEIVED

AUG 23 1977

DEPT. OF PLANNING
COUNTY OF MAUI

II. Description of Property

Tax Map Key: 4-3-2-60 Area of Property: 38,899 sq. ft.

Location: Hui Road F - Napili

State LUC Designation: Residential

General Plan Designation: Hotel (Napili Bay Civic Improvement District)

Zoning Change Request from: Residential to as above " "

III. Ownership - Owner: Peter Z. Dyck & James M. Lowson

Owner's Signature: *Peter Z. Dyck*

Applicant's interest, if not owner: N/A
(If lessee, must be for at least another 5 years from date of application.)

IV. Request

1. Briefly describe the request: We request the zoning be changed to the use recommended by the Planners of Maui County as shown in the General Plan.

2. Applicant's reason(s) for requesting a change in zoning: To provide much needed housing for the young working people of Maui.

V. Notification

All property owners/lessees within 500 feet of the subject property must be notified in writing of the proposed change. These notices should be sent by certified mail, and the receipts submitted to this office as evidence of notification. Also submit a list by tax map of those persons so notified. The list of property owners/lessees should be compiled from the latest records of the State Department of Taxation. (Letter of Notification form attached.)

We object to this rezoning - we bought & built in this area because of the residential zoning and are already inundated with condominiums. The so called housing for "young people" will mean more hippies, more old cars & motor cycles on