

HANNIBAL TAVARES
Mayor



CHRISTOPHER L. HART
Planning Director

JOHN E. MIN
Deputy Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT RECEIVED

250 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

90 DEC 13 P1:26

December 7, 1990
REC. OF ENVIRONMENTAL QUALITY CONTROL

Bruce Anderson, Ph.D.
Office of Environmental Quality Control
465 S. King St., #104
Honolulu, Hawaii 96813-2910

Dear Dr. Anderson:

RE: Environmental Assessment for a proposed Community
Plan Amendment at Maui TMK 3-4-8:37
90/EA-011

At its December 4, 1990 meeting the Maui Planning Commission reviewed the above request and determined that the project will not have any significant impact on the environment and that an environmental impact statement is not required. Further, the attached Director's Report was adopted as the Negative Declaration.

If additional clarification is required, please contact Mr. Rory Frampton of my office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Christopher L. Hart".

CHRISTOPHER L. HART
Planning Director

encl.

cc: Mr. and Mrs. Robert Horcajo

1990-12-23-MA-FEA

Horcajo Community Plan Area FILE COPY
BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter Of The Application Of))	DOCKET NO. 90/EA-011
*Mr. and Mrs. Robert Horcajo)	Mr. Robert Horcajo
)	Mrs. Tamara Horcajo
To Obtain An Environmental Impact)	
Statement (E.I.S.) Assessment and)	
Determination for the proposed)	
Community Plan amendment at)	
TMK 3-4-8:37, Wailuku, Maui,)	
<u>Hawaii</u>)	

* MAUI PLANNING DIRECTOR'S REPORT
AMENDED 12/4/90

DEPARTMENT OF PLANNING
COUNTY OF MAUI
250 S. HIGH STREET
WAILUKU, MAUI, HI 96793

Environmental Assessment/Determination

BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter Of The Application Of))	
Mr. and Mrs. Robert Horcajo)	DOCKET NO. 90/EA-011
)	Mr. Robert Horcajo
To Obtain An Environmental Impact)	Mrs. Tamara Horcajo
Statement (E.I.S.) Assessment and)	
Determination for the proposed)	
Community Plan amendment at)	
TMK 3-4-8:37, Wailuku, Maui,)	
<u>Hawaii</u>)	

APPROVING AGENCY

Maui Planning Commission
250 S. High Street
Wailuku, Maui, Hawaii 96793

Telephone No.: (808) 243-7735

Contact Person: Mr. Christopher L. Hart
Director

THE APPLICANT

Mr. and Mrs. Robert Horcajo
2 Waa Place
Paia, Maui, Hawaii 96779

Telephone No.: 244-4000 (bus.) 579-8686 (res.)

THE APPLICATION

This matter arises from an application for an Environmental Impact Statement (E.I.S.) Assessment filed on September 11, 1990. The application was filed pursuant to Chapter 343, Hawaii Revised Statutes; and Hawaii Administrative Rules, Title 11, Department of

Health, Chapter 200 Environmental Impact Statement Rules of the State of Hawaii; by Mr. and Mrs. Robert Horcajo ("Applicant"); on approximately 11,123 sq. ft. of land in the Wailuku District, Island of Maui and County of Maui, identified as Maui Tax Map Key No. 3-4-8:37 ("Property").

PURPOSE OF THE APPLICATION

The applicant initially proposed to convert three existing residential dwellings into commercial usage (office space). The applicant has since revised his proposal so that only one of the dwellings would be converted to office space. This action would involve amending a portion of the property's Community Plan designation from Single Family to Service Business/Residential (SB/R). Pursuant to Chapter 200 Environmental Impact Statement Rules of the State of Hawaii the proposed request involves an amendment to an existing county plan and therefore, an Environmental Assessment is required.

APPLICABLE REGULATIONS

Chapter 343, Hawaii Revised Statutes, establishes certain classes of action which subject an applicant to an E.I.S. requirement, provided that approval of an agency will be required and that the agency finds that the proposed action may have significant environmental effects. The categories are as follows:

The five geographical designations are:

- (1) The use of state or county lands;
- (2) Any use within any land classified as conservation district by the state land use commission under Chapter 205, HRS;
- (3) Any use within the shoreline area as defined in

Section 205-31, HRS;

(4) Any use within any historic site as designated in the national register or Hawaii register; and

(5) Any use within the Waikiki-Diamond Head area of Oahu;

The two administrative categories are:

(1) Any amendment to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation (actions initiated by a county which proposes a new county general plan or amendments to any existing county general plan are excepted); and

(2) The use of state or county funds, other than funds to be used for feasibility or planning studies for possible future programs or projects which the agency has not approved, adopted, or funded, or funds to be used for the acquisition of unimproved real property; provided that the agency shall consider environmental factors and available alternatives in its feasibility or planning studies.

Standards for reviewing an Environmental Impact Statement (E.I.S.) Assessment are found in the Hawaii Administrative Rules, Title 11, Department of Health, Chapter 200 Environmental Impact Statement Rules, Subchapter 6, Determination of Significance, SS 11-200-12 Significance Criteria.

In determining whether an action may have a significant effect on the environment, the agency shall consider every phase of a proposed action, the expected consequences, both primary and secondary, and the cumulative as well as the short and long-term effects of the action. In most instances, an action shall be determined to have a significant effect on the environment if it:

(1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;

(2) Curtails the range of beneficial uses of the environment;

(3) Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in Chapter 344, Hawaii Revised Statutes, and any revisions thereof and amendments thereto, court decision or executive orders;

(4) Substantially affects the economic or social welfare of the community or State;

(5) Substantially affects public health;

(6) Involves substantial secondary impacts, such as population changes or effects on public facilities;

(7) Involves a substantial degradation of environmental quality;

(8) Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;

(9) Substantially affects a rare, threatened or endangered species, or its habitat;

(10) Detrimentally affects air or water quality or ambient noise levels; or

(11) Affects an environmentally sensitive area such as a flood plain, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.

GENERAL DESCRIPTION

Description of the Property

1. The Property which is approximately 11,123 sq. ft. is located in Wailuku on South Church Street at Maui Tax Map Key No. 3-4-8:37, Wailuku, Maui, Hawaii (See attached Map, Exhibit 1).
2. Land Use Designations --
 - a. State Land Use District - Urban
 - b. Wailuku-Kahului Community Plan - Single Family
 - c. County Zoning - R-1 Residential District
3. Surrounding Uses --
 - North -- Ueoka Building (office building)
 - East -- South Church Street, a county road and single family residential dwellings at TMK 3-4-8:56 and TMK 2-4-8:26
 - South -- Two Single Family Residential dwelling at TMK 3-4-8:56
 - West -- Konahau Road, a private road, and across the road, a private parking lot
4. The site currently has three existing buildings, each approximately 700 sq. ft. in size, which are used as

residential dwellings (See Exhibit 2). Each wooden building is single story and approximately 21'x33'. The site slopes generally in a west to east direction, with an average slope of about three (3) percent. There are no low points or ponding areas present on the site.

Existing Services

1. Water & Sewers -- Water and sewer services are currently available and in use.
2. Drainage -- At present, runoff sheet flows in a west to east direction off the property. This runoff then flows along Church Street, in a South direction.
3. Roadways, Curbs, Gutters and Sidewalks -- There are no curbs, gutters or sidewalks along Church Street. Church Street is a county right of way, the paved portion is approximately eleven feet in width. The County pavement width requirement for minor streets in urban areas is 28 feet.
4. Electrical and Telephone -- Electrical and telephone services are currently available and in use.

CONSULTED AGENCIES

Department of Public Works
Department of Water Supply

AFFECTED ENVIRONMENT

LAND USE

1. According to the Wailuku-Kahului Community Plan the parcel is designated for single family use as is all interior lots bounded by South Market, Wells and Ka'ohu Streets (except for TMK: 3-4-8:26). Frontage properties along the Waikapu side of Wells Street as well as TMK: 3-4-8:26 are designated Business/Commercial. Frontage properties on the Waihe'e side of Ka'ohu Street and on the Mauka side of South Market Street are designated as Service Business/Single Family Residential.¹ Thus, the Community Plan establishes a land use pattern whereby commercial or business uses front or have direct access to Ka'ohu, South Market or Wells Streets, while

¹ This category includes "a mixture of single family and duplex dwellings with small scale service and neighborhood orientated businesses which are established in previously utilized residential dwellings or other existing structures. The business uses should be compatible with the physical character of the residential neighborhood."

interior parcels are maintained for residential uses.

2. The Community Plan designated residential areas within Wailuku-Kahului to reflect and maintain the existing use pattern at the time of plan adoption. It was stated that these established residential communities should remain as such.
3. The proposed Community Plan amendment would result in an expansion of business or commercial uses into a single family neighborhood. The impact of this intrusion would be heightened if all traffic from the project would have to exit through the residential neighborhood along South Church Street which is a one way street and is sub-standard. The applicant's revised proposal would diminish the effects of the intrusion into the neighborhood by designating only the northern most portion of the parcel SB/R.

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

1. There are no known archaeological sites in the project area. The existing buildings are plantation cottages more than fifty years old, but have been moved to their present location. The applicant has stated that the existing buildings would remain.

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

1. Water -- There is currently one (1) water meter for each of the three (3) dwellings on-site. The proposed project would involve removal of the kitchen and clothes washing facilities and virtually no use of bathing facilities. Water use in the remaining two dwellings would not be altered. Thus, water use and demand would not be impacted significantly.
2. Sewers -- Sewer use by the project as proposed would not increase significantly, if at all. A fee may be imposed to cover costs to expand or improve a wastewater treatment facility to accommodate any additional sewage flows.
3. Drainage -- There will be a net increase of approximately 0.05 cfs of on-site surface runoff volume that will be generated by the project site after development. This excess run-off is considered insignificant but will be handled on-site via gravel lined pits.
4. Roadways, Curbs, Gutters and Sidewalks -- South Church Street is sub-standard in terms of pavement width. There are no curbs, gutters or sidewalks along South Church Street. Conversion of the three residential dwellings into office space would have resulted in an increase in traffic along this road. The applicant's revised proposal has reduced the total amount of office space by two-thirds, thus, reducing the net

increase in traffic flow. Furthermore, the applicant is proposing to have all traffic exit through Konahau Lane. The reduction of office space and revised traffic circulation plan would lessen the traffic impacts to South Church Street and the adjacent neighborhood.

It should be pointed out, however, that the ownership of Konahau Lane is disputed along with whether or not the applicant will have use of the road. Approval of the Community Plan amendment should not be considered until traffic circulation has been determined.

5. Electrical and Telephone, Parks, Schools, Solid Waste and other Public Services would not be significantly impacted.

SOCIO-ECONOMIC IMPACTS

1. The applicant's initial proposal would have resulted in a loss of three dwelling units for residential purposes. The revised proposal would result in a conversion of one residential unit to office space. The impact of the loss of the housing units is lessened with the revised proposal, however, given Maui's acute housing shortage, and existence of other parcels designated and/or zoned for commercial use in the Wailuku area, the applicant should demonstrate that there exists a critical shortage of office space to justify the proposed Community Plan amendment. This issue would be more appropriately considered at the time of the Community Plan amendment request.

ENVIRONMENTAL IMPACTS

1. There would be no significant impacts on wetlands, flora, fauna, dune ecosystems, stream ecosystems, marine ecosystems, natural features, open space, or view corridors.

COMPLIANCE WITH OTHER GOVERNMENTAL STATUTES, ORDINANCES AND RULES

1. In addition to a Community Plan amendment, the applicant proposes to apply for a conditional use permit to operate a real estate office in a residential zone. The applicant justifies this procedure due to the fact that SB/R zoning has yet to be adopted by the county. The proposal would also require a building permit for proposed interior alterations as well as a certificate of occupancy.

MITIGATION MEASURES

Appropriate mitigation measures to limit the impacts of the project on the environment have been proposed by the applicant and can be more specifically documented in greater detail during the subsequent Community Plan Amendment.

CONCLUSION OF LAW

It is hereby determined that with the incorporation of necessary mitigation measures the proposed project will not have a significant adverse impact on the environment as defined by Chapter 343, Hawaii Revised Statutes, and the Environmental Impact Statement Rules of the Department of Health, State of Hawaii; and that an environmental impact statement is not required for the proposed project.

This determination, however, does not in any way constitute an endorsement of the proposed Community Plan amendment by the Planning Department.

DATED: This 30th day of October, 1990; Wailuku, Maui, Hawaii.


CHRISTOPHER L. HART
Planning Director

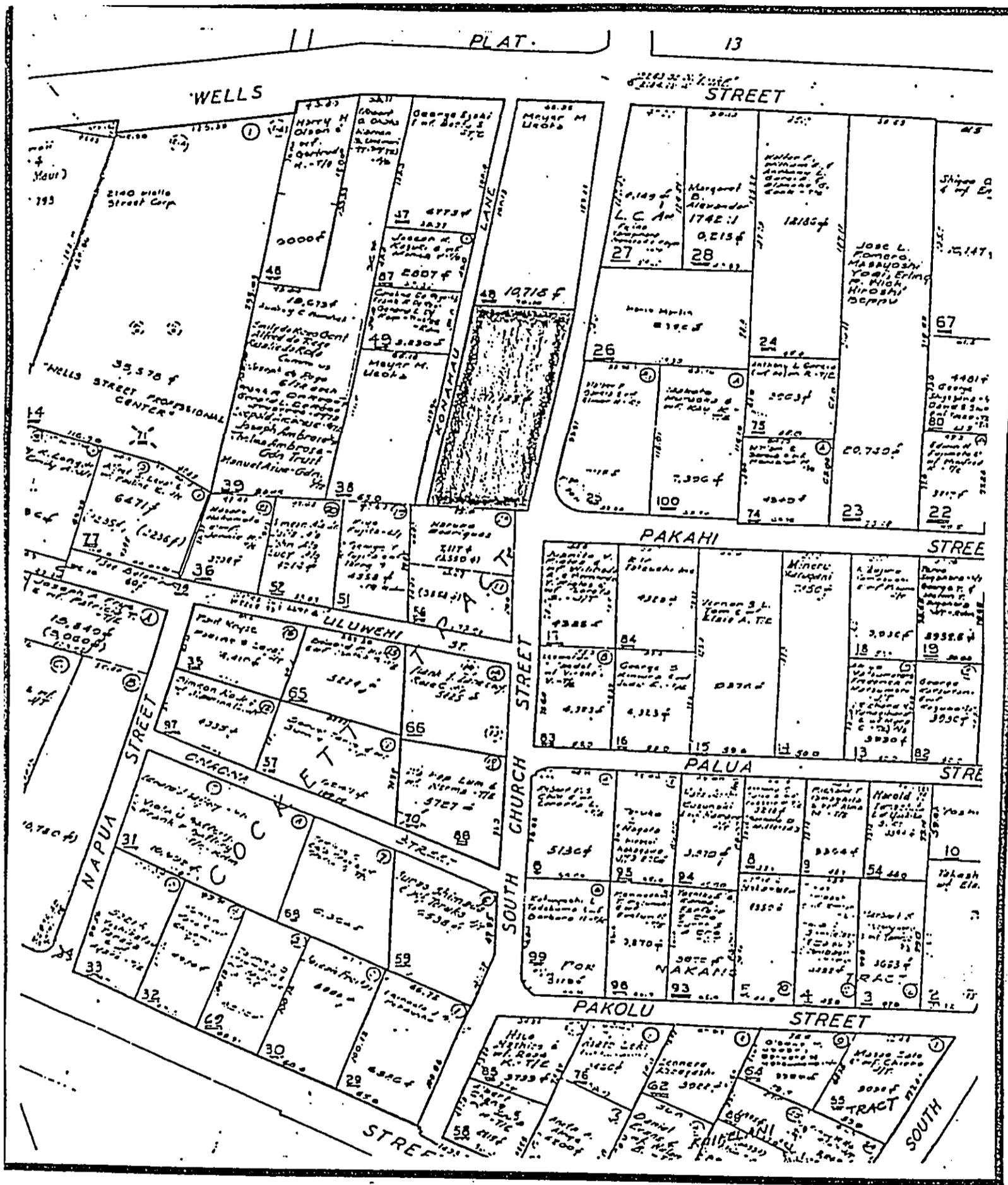


EXHIBIT 1



RECEIVED
OCT 30 1990

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
P.O. BOX 1109
WAILUKU, MAUI, HAWAII 96793-7109

October 29, 1990

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

Dear Mr. Hart:

Re: Environmental Assessment for Amendment to Community Plan
TMK 3-4-08:37, Wailuku, Maui

The environmental assessment should be amended to include the water demand of the specific project, and the maximum water demand, which could result in amending the community plan.

Sincerely,

Rae M. Shikuma
Director

"By Water All Things Find Life"

HANNIBAL TAVARES
Mayor
ALVIN FUKUNAGA
Director



AARON SHINMOTO, P.E.
Land Use and Codes Administration
EASSIE MILLER, P.E.
Wastewater Reclamation Division
FRED ARAKI, P.E.
Engineering Division
BRIAN HASHIRO, P.E.
Solid Waste Division
GEORGE KAYA
Highways Division

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

October 30, 1990

MEMO TO: Christopher Hart, Planning Director
F R O M: Alvin K. Fukunaga, Director of Public Works
SUBJECT: Application for Environmental Assessment for Amendment to
Community Plan for Proposed Offices at 157 Church Street,
Wailuku, TMK: 3-4-08:37

We have reviewed the above request and offer the following comments:

1. That the existing road does not meet County standards based on roads located in urban zoning.
2. That the applicant provide construction costs of the proposed work and the replacement value of the existing structures before work is started in order for the department to determine if roadway improvements will be requested per Chapter 46 of the 1985 Uniform Building Codes, as amended.
3. That a final detailed drainage and erosion control plan including, but not limited to, hydrologic and hydraulic calculations, and scheme for controlling erosion and disposal of runoff water, be submitted for our review and approval. The plan shall provide verification that the grading and runoff water generated by the project will not have an adverse effect on the adjacent and downstream properties.
4. That at least four (4) paved parking spaces and one loading space be provided. In addition, appropriate landscaping and fencing shall be provided per the County's Off-Street Parking and Loading Ordinance.
5. That a traffic study be submitted to address impact to Church Street and its intersection with Wells Street and Kaohu Street. Church Street is a narrow one-way street (i.e. approximately 20 - 25 feet wide) servicing substandard residential lots. This development may pose adverse traffic impacts to the neighborhood.

Christopher Hart, Planning Director
TMK: 3-4-08:37
October 30, 1990
Page 2

6. That sewer calculations be submitted. A fee may be imposed to cover costs to expand or improve a wastewater treatment facility to accommodate the additional sewage flows. The developer is requested to contact the Wastewater Reclamation Division for additional information.

AS:sn

cc: Engineering Division
Wastewater Reclamation Division

WAYNE I. ARAKAKI, ENGINEER
P.O. BOX 884
WAILUKU, HAWAII 96793

November 30, 1990

RECEIVED
NOV 30 11 31 AM '90
COUNTY OF MAUI

Department of Water Supply
County of Maui
P.O. Box 1109
Wailuku, Hawaii 96793

Gentlemen:

RE: Domestic Water Usage for T.M.K. 3-4-08:37
at 157 Church Street
Mr. and Mrs. Robert L. Horcajo- Owner c/o Kama'aina Properties
55-A North Church Street, Wailuku, Hawaii 96793

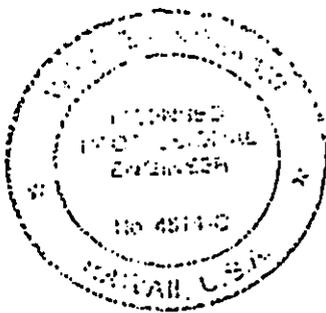
This property has three existing dwellings, approximately 732 square feet each in size. Two will remain in residential use and one is to be converted into a real estate office. Also, there is one(1) 5/8" water meter for each dwelling.

The domestic water usage for the proposed real estate office is as follows:

<u>FIXTURE TYPE</u>	<u>AMOUNT</u>	<u>TOTAL FIXTURE UNIT</u>
Bathtub	2	2
Lavatory	1	1
Water Closet	1	3
		<u>6</u>

DEMAND IS LESS THAN 10 G.P.M.

The existing 5/8" meter will be adequate to meet the typical water usage.



Sincerely,

Wayne I. Arakaki 11/30/90
Wayne I. Arakaki, P.E.

