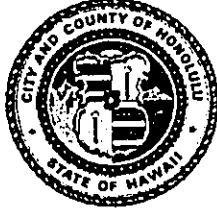


DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432



JEREMY HARRIS  
MAYOR

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DIRECTOR

LORETTA K.C. CHEE  
DEPUTY DIRECTOR

95/SMA-032(DT)

October 18, 1995

The Honorable Gary Gill, Director  
Office of Environmental Quality Control  
State of Hawaii  
220 S. King Street, 4th Floor  
Honolulu, Hawaii 96813

OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

95 OCT 19 P2:38

RECEIVED

Dear Mr. Gill:

**SPECIAL MANAGEMENT AREA ORDINANCE**  
**CHAPTER 25, ROH**  
**Environmental Assessment/Determination**  
**Negative Declaration**

Recorded Owners: Kathleen W.A. Sullivan Irrevocable Trust,  
Maureen J. Sullivan Irrevocable Trust,  
Colleen Sullivan Irrevocable Trust and  
Patrick Joseph Sullivan Irrevocable Trust

Applicant : Foodland Supermarkets, Ltd.  
Agent : Sueda & Associates, Inc.  
Location : 59-716 and 59-720 Kamehameha Highway,  
Pupukea, Oahu

Tax Map Key : 5-9-11: 16 and 35  
Request : Special Management Area Use Permit  
Proposal : To construct improvements to an existing  
supermarket and an additional parking  
area

Determination : A Negative Declaration Is Issued

Attached and incorporated by reference is the Final Environmental Assessment (FEA) prepared by the applicant for the project. Based on the significance criteria outlined in Chapter 200, State Administrative Rules, we have determined that preparation of an Environmental Impact Statement is not required.

145

1995-11-08-0A-*FEA - Pupukea Foodland Renovations and Parking Addition*

NOV 8 1995

ENVIRONMENTAL ASSESSMENT

**FILE COPY**

**RENOVATIONS & PARKING ADDITION AT  
PUPUKEA FOODLAND  
Pupukea, Oahu, Hawaii**

**Tax Map Key 5-9-11: 16,35**

**October 1995**

OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

95 OCT 19 P2:38

RECEIVED

Prepared for:

Sueda & Associates, Inc.  
905 Makahiki Way - Mauka Suite  
Honolulu, Hawaii 96826

Prepared by:

Wil Chee - Planning, Inc.  
1585 Kapiolani Boulevard, Suite 818  
Honolulu, Hawaii 96814

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# ENVIRONMENTAL ASSESSMENT

'95 OCT 2 PM 2 58

## BACKGROUND

DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

The subject of this environmental assessment is the proposed renovation and addition to Pupukea Foodland supermarket. The project consists of two parcels of land. The first (TMK 5-9-11:16) is the site of the existing commercial facility and parking lot. Based on Land Use Ordinance (LUO) requirements, the additional square footage generated by the proposed renovation would require additional parking. To accommodate the new parking requirement, an adjacent second parcel, (TMK 5-9-11:35) has been joined to the existing Foodland parcel through an agreement by the owners of the properties (April 8, 1994). This action was taken per Section 4.40-21 of the LUO which states that "...if an owner or owners of adjacent lots believe that joint development of their property would result in more efficient use of their land, they may apply for a Conditional Use Permit to allow such development and to treat said lots as one (1) for zoning purposes." After the agreement was made and filed at the Bureau of Conveyances, a Conditional Use Permit for joint development was granted by DLU on April 16, 1994.

Ordinarily, because the project site lies within the Special Management Area (SMA), a major SMA permit would be required for the project. But, since a Shoreline Management Permit had already been granted to the original Foodland development on May 11, 1977, the applicants requested that the subject project be considered a completion of the original Shoreline Management Permit, thus negating the need for a new SMA permit application. In a letter dated November 4, 1994, DLU approved the modification request to the original SMP. However, the letter also stated that because TMK 5-9-11:35 was not part of the original SMP, a separate SMP application must be submitted for development of the additional parcel.

Thus, the SMA permit application is technically only required for the additional parking. But in order to keep the entire project in perspective, information on renovation of the existing building is also provided in this document. This environmental assessment has been prepared as a requirement of the SMA permit process.

## 1.0 GENERAL INFORMATION

### 1.1 Applicant

Foodland Supermarkets, Ltd.  
3536 Harding Avenue  
Honolulu, Hawaii 96816  
Phone: 732-0791

### 1.2 Recorded Fee Owner

Kathleen W.A. Sullivan Irrevocable Trust  
Maureen J. Sullivan Irrevocable Trust  
Colleen Sullivan Irrevocable Trust  
Patrick Joseph Sullivan Irrevocable Trust  
3536 Harding Avenue  
Honolulu, Hawaii 96816  
Phone: 732-0791

**1.3 Agent**

Sueda & Associates, Inc.  
905 Makahiki Way - Mauka Suite  
Honolulu, Hawaii 96826  
Phone: 949-6644

**1.4 Tax Map Key**

TMK 5-9-11: 16, 35

**1.5 Lot Area**

TMK 5-9-11:16	58,260 SF	existing Foodland and parking
TMK 5-9-11:35	11,250 SF	parking addition
Total	69,510 SF	combined area

**1.6 Agencies Consulted**

**1.6.1 City & County of Honolulu**

Building Department  
Fire Department  
Department of Land Utilization  
Department of Public Works, Division of Engineering  
Department of Transportation Services  
Board of Water Supply

**1.6.2 State of Hawaii**

Health Department  
Department of Land and Natural Resources, Historic Preservation Division  
Department of Transportation

**1.6.3 Others**

Hawaiian Electric Co., Inc.  
GTE Hawaiian Tel  
Pupukea Foodland

**2.0 DESCRIPTION OF THE PROPOSED ACTION**

**2.1 General Description**

**2.1.1 Description of Proposed Project**

The subject project is the renovation and addition to Pupukea Foodland which was opened in the late 1970's. The project involves interior renovations to an existing masonry and wood framed commercial building including a first floor and upper floor addition. These changes will result in the expansion of Foodland's product line with the addition of a Bakery, a Deli, and a Fresh Seafood section. The project also includes civil, sitework, demolition, structural, mechanical, electrical and landscape work.



### 2.1.2 Relation of the Parcel to the SMA

All of TMK 5-9-11:35 (additional parking) lies within the SMA. Most of TMK 5-9-11:16 (supermarket building and parking) lies within the SMA; however, a 20,000 SF portion on the eastern end of the parcel is outside the SMA line.

### 2.1.3 Location

The project site is located on the northwestern coast of the island of Oahu in an area known as the North Shore. It lies between the two nearest towns of Haleiwa to the west and Laie to the east. Pupukea is within the Koolauloa Judicial District and is approximately 25 miles distant from Honolulu. The street address of the project is 59-720 Kamehameha Highway. The project site lies in the northeastern quadrant of the intersection formed by Kamehameha Highway and Pupukea Road. (See Figures 1, 2, and 3.)

### 2.1.4 Land Use Approvals

#### Land Use Approvals Granted:

- May 11, 1977, SHORELINE MANAGEMENT PERMIT granted by the City Council of the City & County of Honolulu (City Council Committee Report No. 973, 76/SMA-209), for the original development. The subject project is an addition to the original development.
- February 8, 1978, ORDINANCE NO. 78-11, TO REZONE A PORTION OF R-6 RESIDENTIAL DISTRICT SITUATED AT PUPUKEA, KOOLAULO, OAHU, HAWAII, TO B-1 NEIGHBORHOOD BUSINESS DISTRICT NO. R-313. (BILL NO. 132, 1977). This document authorized change of zoning from R-6 to B-1, thus allowing conditional use of the property for a supermarket.
- April 16, 1994, CONDITIONAL USE PERMIT granted by the Department of Land Utilization, City & County of Honolulu, File no.: 94/CUP1-14.

#### Land Use Approvals Required:

- Filing by DLU of a "negative declaration" based on this Environmental Assessment at the Office of Environmental Quality Control (OEQC), or preparation and acceptance of an Environmental Impact Statement (EIS) if required, Department of Land Utilization, City & County of Honolulu.
- Major Special Management Area Use Permit (SMP), Department of Land Utilization, City & County of Honolulu.
- Building and Sign Permits, granted by the Building Department, City & County of Honolulu.

## 2.2 **Technical Characteristics**

### 2.2.1 Use Characteristics

The Pupukea Foodland site is and will continue to be used for commercial purposes.

### 2.2.2 Physical Characteristics

The project consists of an existing building of 20,505 SF. The proposed renovations will add an additional 7,423 SF to the existing structure bringing the total floor area to 27,928 SF. The remainder of the existing lot is devoted to open grade-level parking. An adjoining 11,250 SF lot will be added to the development to accommodate the additional parking requirement. The expanded building is mostly one story but includes a second story 918 SF addition to be used for employee rest rooms, electrical room, manager's office, and employee break room. Maximum permissible building height for B-1 zoning is 40'. Actual maximum height is approximately 25'. The existing parking lot has 68 stalls. With 25 additional stalls required for the renovations, the total parking stall count will be 93. See Figures 4, 5 and 6 for a graphic depiction of the project. The shaded portions of Figure 4 indicate the areas that are being added to the existing facilities.

The Gardco parking light fixture specified for the project is a poletop, 400 watt, high pressure sodium luminaire. Wattage and light source are similar to the existing fixtures but improved photometrics allow the Gardco fixture to illuminate the enlarged parking area to I.E.S. recommended levels. The luminaire's sharp cutoff characteristic will minimize light spill on adjacent properties. The I.E.S. illuminance recommendations are given to provide for the safe movement of traffic and satisfactory vision for pedestrians. They are the lowest acceptable levels consistent with the visual task involved and the need to discourage vandalism while at the same time meeting energy constraints.

### 2.2.3 Construction Characteristics

In addition to modification of the existing structure, construction will include demolition, removal, relocation, clearing, earthwork, soil treatment for vegetation control, basaltic termite barrier, drainage, new chain link fence, asphaltic concrete paving, pavement markings, piped utility alterations, landscape irrigation, and landscaping.

### 2.2.4 Utility Requirements

Water, electrical, and phone services already exist on site. The renovations and additions are not expected to make an appreciable increase in the use of these utilities. The store also has an existing propane storage tank for an emergency power generator which is supplied by a private company.

### 2.2.5 Liquid Waste Disposal [municipal sewer system, septic tanks, or injection wells]

There is no municipal sewer system available in the area. Foodland has installed a septic tank and leaching field on the vacant lot which is to be converted to additional parking. All necessary approvals and permits were obtained from the Department of Health and the Department of Waste Water Management prior to installation of the system. The project's mechanical engineers have determined that the dual uses of TMK 5-9-11:35 for septic system and parking are compatible. The placement of parking area over a leaching field will not reduce the drainage capacity of the underlying soils. Adjustments will be made to all cleanouts, manholes, and distribution box covers to new finish grades. Approvals have been obtained from the relevant government agencies during the building permit process.

### 2.2.6 Solid Waste Disposal

Solid waste is disposed of by a private refuse company.

### 2.2.7 Access to Site & Traffic

The site is located on Kamehameha Highway, the major coastal roadway which connects Pupukea to all parts of the island. Secondary vehicular access is also available from Pupukea Road. Public transportation is provided by "The Bus" system of the City & County of Honolulu. Stops are located along Kamehameha Highway. Since the renovation involves an expansion of the product line rather than the generation of new clientele for Foodland, parking is not expected to increase to a degree that creates a negative impact to the community. The circulation pattern is improved by the new parking layout, and the additional entrance to the new lot will make ingress and egress easier.

The project's engineers have completed routing of the plans through the Department of Public Works, Department of Transportation Services and The state Department of Transportation. During the departmental reviews, traffic mitigation measures, specifically addition of a left turn lane and reconfiguration of the intersection of Pupukea Road and Kamehameha Highway, were not required.

### 2.2.8 Landscaping

Parcel 5-9-11:35 which will accommodate the parking addition contains a variety of existing planting and vegetation. The lot houses a septic tank and leaching field which handle liquid waste disposal for the existing Foodland facilities. The center of the lot is covered with short grasses and weeds. Jack-in-the-box, milo (*Thespesia populnea*), kou (*Cordia subcordata*), coconut (*Cocos nucifera*), crotons (*Codiaeum variegatum*), christmas berry (*Schinus terebinthifolius*), mango (*Mangifera*), pothos vine, haole koa, mock orange, rainbow shower (*Cassia hybrida*), geiger or kou haole (*Cordia sebestena*) and ficus benjamina can be found along the perimeter of the site. There are no rare or endangered species of planting on the site. Plans call for the removal of all existing vegetation except for jack-in-the-box trees along Kamehameha Highway and Pupukea Road. New planting in the parking lot will include rainbow shower trees interspersed at regular intervals between the parking stalls, red hibiscus (*Hibiscus rosa-sinensis*) along the perimeter walls, and pink coromandel asystasia and wedelia for ground cover.

## **2.3 Economic and Social Characteristics**

### 2.3.1 Economic Characteristics

Renovations to Foodland and the construction of additional on-site parking are estimated to cost \$2,000,000. Construction time is expected to be a minimum of twelve months. Construction will commence as soon as all necessary government permits and approvals have been obtained.

### 2.3.2 Social Characteristics

Pupukea Foodland is the only full-service market on the northern coast of Oahu between Haleiwa and Laie. As such, it provides an essential service to both local residents and visitors.

## **2.4 Environmental Characteristics**

### 2.4.1 Soils

A soils investigation was completed at the project site by Soils International Geotechnical Consultants (April 23, 1994). Their findings indicate that soils are suitable to support the proposed project.

#### 2.4.2 Topography

From Kamehameha Highway facing west, the on-site topography slopes gradually upward in the mauka direction for about 150 to 200 feet. Site elevations start at approximately 30' MSL at Kamehameha Highway and increase to 37.9' at the finish floor level of the building.

#### 2.4.3 Surface Runoff, Drainage, and Erosion Hazard

Surface runoff and drainage for the project will be handled through connection to the state storm drainage system along Kamehameha Highway, and the city's storm drainage system along Pupukea Road. Approvals for drain connections to both State and County Drainage Systems have been obtained. Once completed, paving of parking surfaces and the building foundation will prevent any potential for erosion hazard on the site.

#### 2.4.4 Hazards

The federal Flood Insurance Rate Map (FIRM) for the area indicates that the site is in Zone X (areas of 500-year flood). The Foodland site itself is not within a Tsunami hazard area, however surrounding properties to the south, west and east are hazard areas, particularly the coastal area makai of Kamehameha Highway.

### 3.0 **AFFECTED ENVIRONMENT**

#### 3.1 **Surrounding Area**

##### 3.1.1 Description of Surrounding Area

The area surrounding the project site can be roughly divided into two geographic types. The coastal lands to the west of Kamehameha Highway consist of rock and sand beaches, beach front homes, and public recreation areas. Vegetation is sparse and the terrain is generally rocky. The lands mauka of Kamehameha Highway where Foodland is located include relatively level lands sloping toward the mountains which contain residences, small farms, and lots devoted to agriculture. Just behind the site, the terrain rises in steep cliffs which level off to a broad plateau. These headlands then slope upward towards the Koolau Mountain Range. The two best known natural landmarks near the project site are Waimea Bay to the southwest and Sunset Beach to the northeast. The North Shore region is well known for its scenic beauty and rural life style.

##### 3.1.2 Description of Subject Site in relation to Surrounding Area

The project site slopes gradually upward towards the west from Kamehameha Highway and the shoreline. Beyond the site near the first bend in Pupukea Road, steep cliffs rise to approximately 200' MSL, then the topography straightens into a sloping plateau. On the plateau are found two large lot subdivisions, Pupukea Highlands and Sunset Hills. Beyond these areas are State Conservation District lands which rise into the Koolau Mountain Range.

##### 3.1.3 Existing Surrounding Land Uses

The Foodland commercial property is surrounded on three sides by single family dwellings and small farms. Directly across Kamehameha Highway from the site is the Sunset Beach Fire Station and Pupukea Beach Park.

#### 3.1.4 General Plan Designation

The project site is designated Commercial on the General Plan.

#### 3.1.5 Development Plan Designation

The project site is designated Commercial on the Development Plan.

#### 3.1.6 Zoning

The project site is zoned B-1 Neighborhood Business District. The beach area across Kamehameha Highway is zoned P-2 General Preservation District. Adjoining properties to the north of the site are zoned B-1. Other adjoining properties to the north and east are zoned Country, and land to the south is zoned R-5 and AG-2 General Agricultural District.

### 3.2 **Project Site in Relation to:**

#### 3.2.1 Publicly owned or used Beaches, Parks and Recreation Areas

Pupukea Foodland lies directly across from Pupukea Beach Park, a major recreation area on the North Shore which encompasses Sunset Beach and Shark's Cove, a popular scuba diving spot. Waimea Beach Park, another important recreation area lies about a half mile south of Pupukea. Located on the mauka side of the main coastal roadway, Kamehameha Highway, the project will not block access to publicly owned or used beaches, recreation areas, and natural reserves.

#### 3.2.2 Rare, Threatened or Endangered Species and their Habitats

The project site does not contain any rare, threatened or endangered species. With the exception of the beach area across Kamehameha Highway, the site is not adjacent to any preservation lands which contain such species. The project will not have a negative impact on the beach areas.

#### 3.2.3 Wildlife and Wildlife Preserves

Not applicable.

#### 3.2.4 Wetlands, Lagoons, Tidal Lands and Submerged Lands

Not applicable.

#### 3.2.5 Fisheries and Fishing Grounds

Not applicable.

### 3.3 **Historic, Cultural, and Archaeological Resources**

According to the state Department of Land and Natural Resources, Historic Preservation Division, there are no known historic, cultural, or archaeological resources on the subject site. The site was previously in residential use, and any significant remains would have been obliterated.

### 3.4 Views

The project site is on the mauka side of the major coastal highway and will have no impact on views from the highway to the shoreline. The low horizontal massing of the two-story structure which houses Foodland will not obstruct ocean views from residential areas mauka of the site which are at higher elevations.

### 3.5 Quality of Receiving Waters and Ground Water

A soils investigation was completed at the project site by Soils International Geotechnical Consultants (April 23, 1994). Their investigation indicates that there are no well defined drainage channels, surface water bodies, or potable ground water resources on the site.

## 4.0 PROJECT IMPACTS

### 4.1 Positive Impacts

4.1.1 Although there are several small "mom and pop" stores in the vicinity, the nearest full-service markets are in Haleiwa, ten miles to the southwest of Pupukea, and in Laie approximately 20 miles to the west. Pupukea Foodland provides a critical service to the surrounding community through its full-service market which meets most demands for food and sundries. The decision to expand Pupukea Foodland was based on frequent requests by local residents for a Bakery, Deli and Fresh Seafood section. Provision of these services in Pupukea enhances quality of life by making essential commodities convenient to the residents. In addition, the scenic attractions of the North Shore and the proximity of Pupukea Beach Park make this area a frequent stopping point for tourists and recreationists. Thus, having Foodland in this location is also a great convenience for visitors.

4.1.2 The store provides increased employment opportunities to residents of the area. Approximately 90% of Pupukea Foodland's employees live on the North Shore.

4.1.3 Building of additional store space and parking will benefit the construction industry in the short-term.

4.1.4 Traffic may benefit with a larger parking area. The additional lot will provide ease of ingress and egress, and the new parking layout will improve the existing circulation pattern.

### 4.2 Negative Impacts

4.2.1 Construction Impacts. Negative impacts are expected due to construction activity. These will be short-term in nature and will last only for the duration of the construction period. The likely negative impacts would affect air quality and noise quality. Construction vehicle activity will increase automotive pollutant concentrations in the vicinity of the project site as well as on traffic routes from the vehicles' home base. On-site stationary and mobile construction equipment will contribute to excess exhaust emissions. Fugitive dust emissions are likely to increase during the construction period. Construction related noise will also constitute a negative impact and, in the short-run, construction activity will increase the amount of traffic to and from the site. Short-term soil erosion may become a problem during construction.

4.2.2 Social Impact. Concerns have been voiced from Pupukea residents to Councilmember Rene Mansho regarding Pupukea Foodland. These residents have observed undesirable characters on the premises who panhandle and disturb the customers. They feel that it is unsafe for their children to patronize Pupukea Foodland; instead, these families travel to the Laie Foodland to do their shopping.

4.2.3 Truck Delivery. Foodland management does not anticipate any increase in truck traffic as a result of the proposed expansion and renovation. However, they do expect that the volume of products being delivered will increase, and as a result delivery hours may be somewhat longer than they are currently.

## 5.0 MITIGATION MEASURES

### 5.1 Air Quality

Measures to control equipment and dust emissions are required according to the Department of Health's Public Health Regulations on Air Pollution Control (State of Hawaii). Equipment emissions can be minimized by proper maintenance of all vehicles and equipment. Dust emissions can be minimized by strict adherence to State air pollution control standards.

### 5.2 Noise Quality

Audible construction noise will probably be unavoidable during the entire project construction period. Adverse impacts from construction noise, however, are not expected to be in the "public health and welfare" category due to the temporary nature of work and the administrative controls available for its regulation. The contractor will be required to obtain a noise permit if noise levels are expected to exceed allowable levels as specified in the State Department of Health's Public Health Regulations, Title 11, Chapter 43. The contractor is responsible for properly maintaining construction equipment to minimize noise levels. All internal combustion engines will be required to have mufflers or other noise suppression devices in proper working order. Heavy vehicles required for construction must comply with the State Department of Health's regulations for vehicular noise control.

### 5.3 Social Problems

It has become a common phenomenon in modern society that commercial activity areas such as malls, supermarkets and fast-food outlets have become informal gathering places, particularly for youth and young adults. This is true for Pupukea Foodland since it is the only commercial establishment of any size in the North Shore region. This phenomena is not necessarily negative unless anti-social behavior is exhibited. Management at Pupukea Foodland feels that these negative incidents are not as frequent as the complaints from a few residents would indicate. This is borne out by the fact that business at Foodland has not decreased since complaints of anti-social behavior on the premises were first made. Most Long-time customers in the neighborhood are still loyal to Foodland and their positive input to management was the direct cause for Foodland's decision to expand the Pupukea facility.

Nevertheless, as soon as negative comments were received, store management took immediate action to guard against such occurrences. Plain clothes undercover security guards were added to the existing security staff. A complete tour of the premises and parking facilities is made each hour and any significant occurrences are noted in a log book. Negative occurrences such as abusive behavior or consumption of alcoholic beverages are dealt with immediately by security and management. Special vigilance is taken between the hours of 6PM to 11PM when the market is busiest. Management is committed to monitoring the situation and employing the most effective means to discourage anti-social behavior.

The proposed project will add a Bakery, Deli, and Seafood department to the existing facilities, but Foodland management does not plan to expand their liquor department as a result of the renovation, nor do they expect a dramatic increase in liquor sales.

#### **5.4 Erosion**

In order to mitigate erosion during the construction of the project, the Contractor will be responsible for screening off the lower area of the site from Kamehameha Highway using a silt fence. This will prevent the runoff from carrying away dirt and debris from the site. Additionally, the contractor will be controlling airborne dust by frequently wetting down the site. After completion of the project, the site will be paved and landscaped, thereby reducing erosion from entering the storm water system.

#### **5.5 Truck Delivery**

Foodland management will carefully monitor the delivery situation to ensure that there is little impact on the neighborhood. In addition, they are negotiating with a neighboring property owner to acquire additional land that may enable Foodland to have a more efficient delivery area outside the store's property.

#### **6.0 DETERMINATION**

The proposed action is not expected to cause significantly adverse impacts to the environment. The project constitutes the renovation and expansion of an existing use that has not exhibited any negative environmental impacts in the past. Therefore, it has been determined that a negative declaration for its construction should be filed.

#### **7.0 FINDING AND REASONS SUPPORTING THE DETERMINATION**

- 7.1 The expansion and renovation of Pupukea Foodland will not involve an irrevocable commitment to loss or destruction of any natural or cultural resources.
- 7.2 The project does not conflict with any County or State environmental or planning policies.
- 7.3 The project does not adversely affect the economic and social welfare of the City & County of Honolulu or the State of Hawaii.
- 7.4 The project will not generate secondary impacts on population or public facilities.
- 7.5 The project will not cause a substantial degradation of environmental quality.

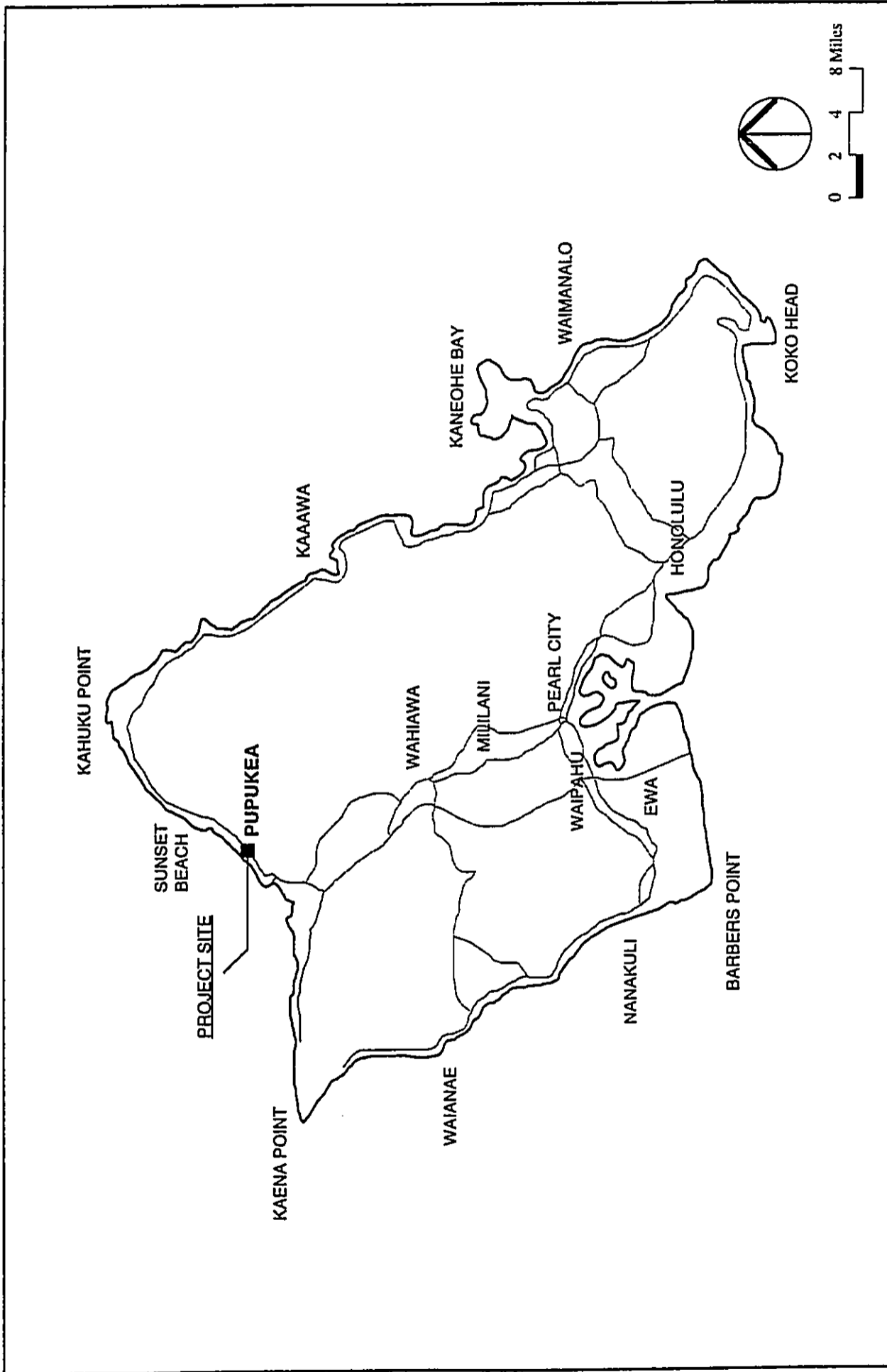


7.6 The project will not affect any rare, threatened or endangered species of flora or fauna. No endangered flora or fauna are known to exist on the proposed site.

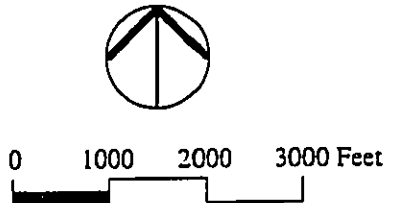
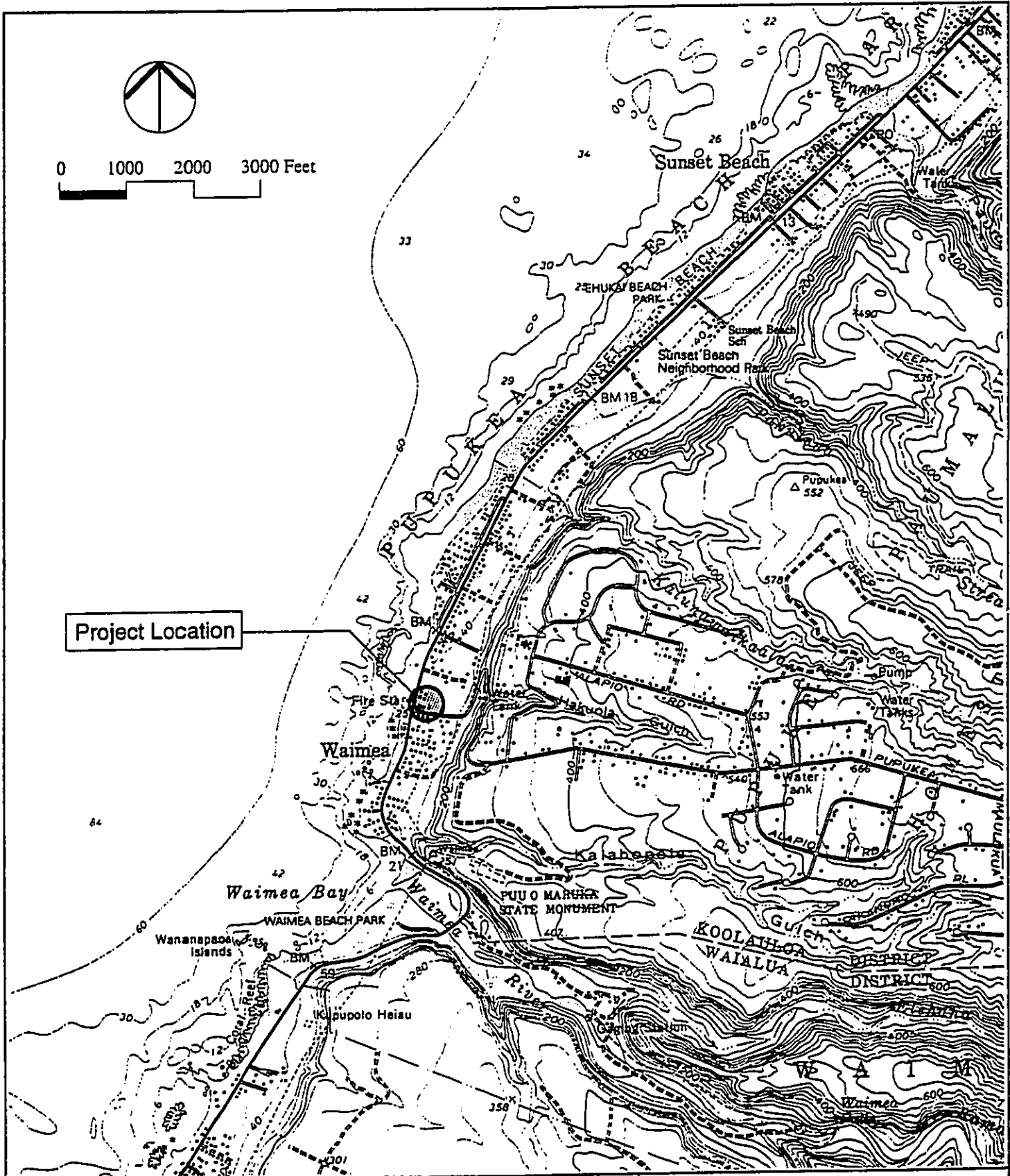
7.7 The project will not adversely affect air or water quality, or the ambient noise environment of the area except in the short-run during construction.

For the reasons cited above, the proposed project will not have any significant negative environmental effect in the context of Chapter 343, Hawaii Revised Statutes and section 11-200-12 of the State Administrative Rules.

**FIGURES**

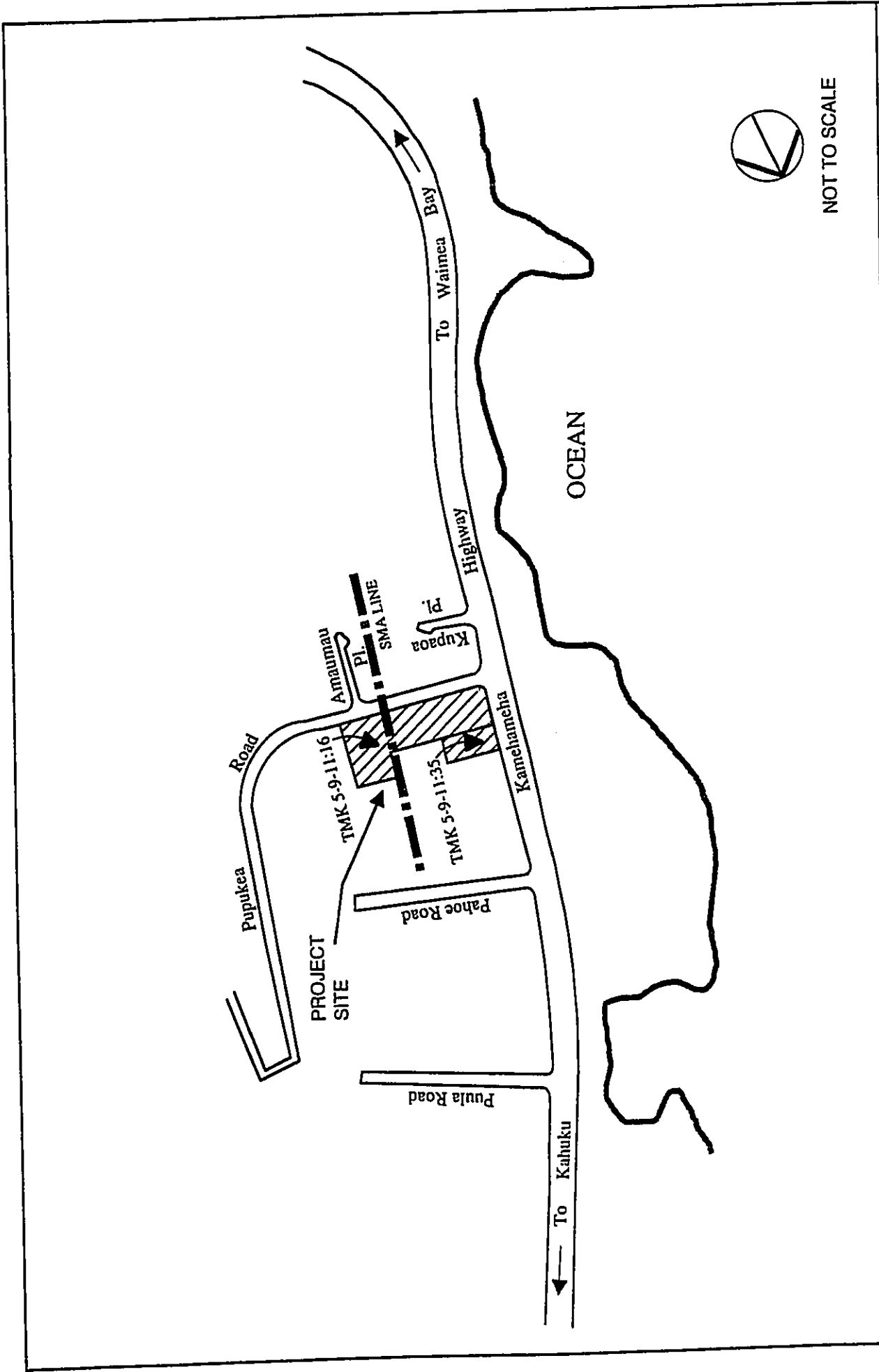


Prepared for: <b>Sueda &amp; Associates, Inc.</b>  Prepared by: <b>Wil Chee - Planning, Inc.</b> Honolulu, Hawaii	<b>Figure 1</b>  <b>ISLAND MAP</b>	<b>ENVIRONMENTAL ASSESSMENT</b> Renovations and Parking Addition at <b>Pupukea Foodland</b> Pupukea, Oahu, Hawaii TMK 5-9-11:16.35
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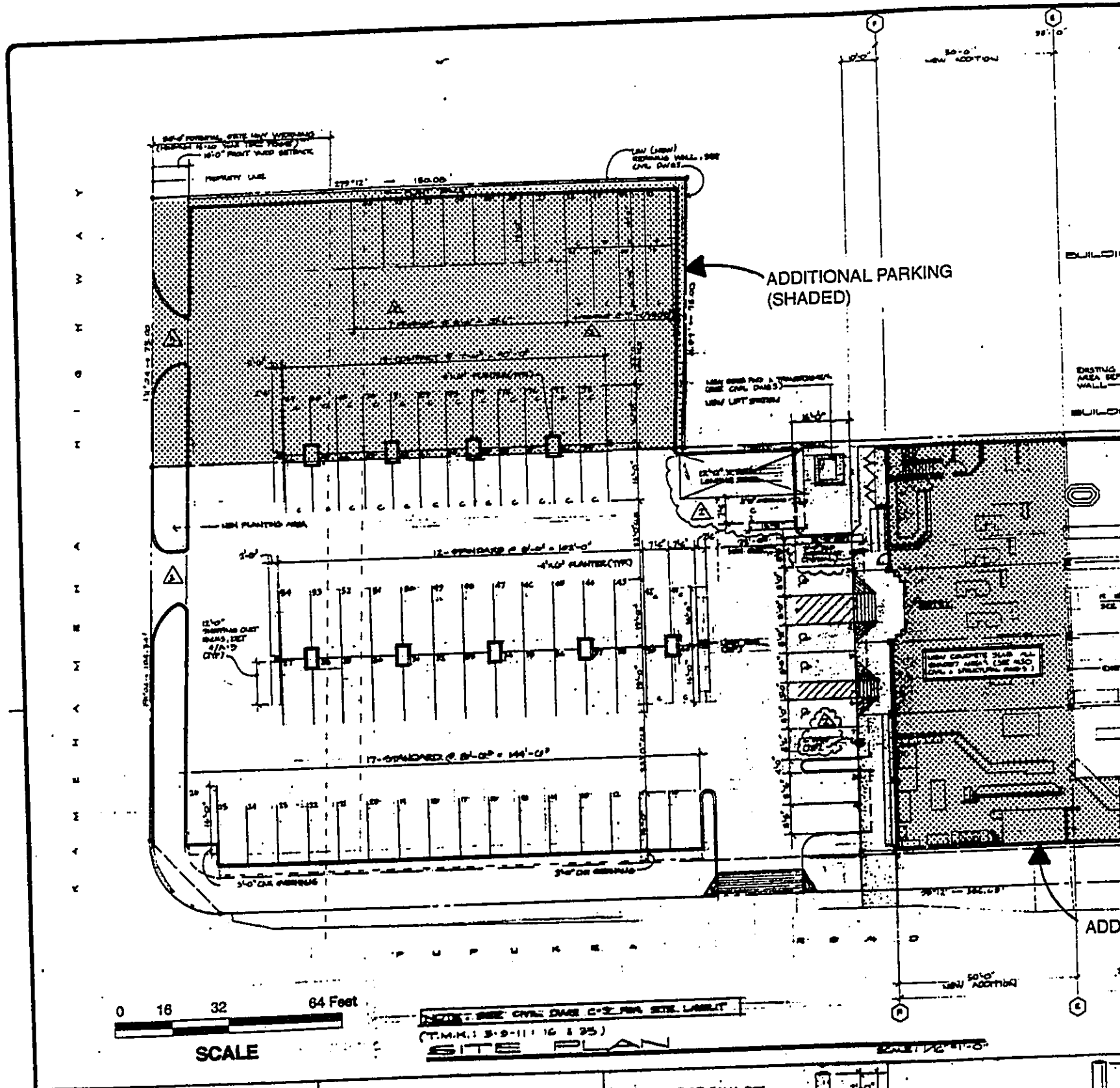


Project Location

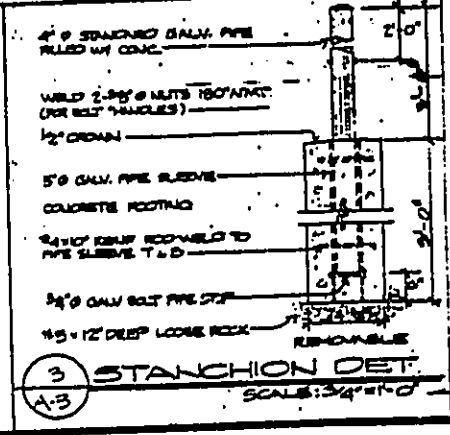
<p>Prepared for: Sueda &amp; Associates, Inc.</p> <p>Prepared by: Wil Chee - Planning, Inc. Honolulu, Hawaii</p>	<p>Figure 2 VICINITY MAP</p>	<p>ENVIRONMENTAL ASSESSMENT Renovations and Parking Addition at Pupukea Foodland Pupukea, Oahu, Hawaii TMK 5-9-11:16.35</p>
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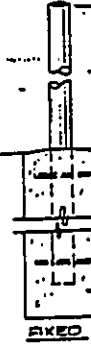
Prepared for: Sueda & Associates, Inc.	Figure 3 LOCATION MAP	ENVIRONMENTAL ASSESSMENT Renovations and Parking Addition at Pupukea Foodland Pupukea, Oahu, Hawaii TMK 5-9-11:16, 35
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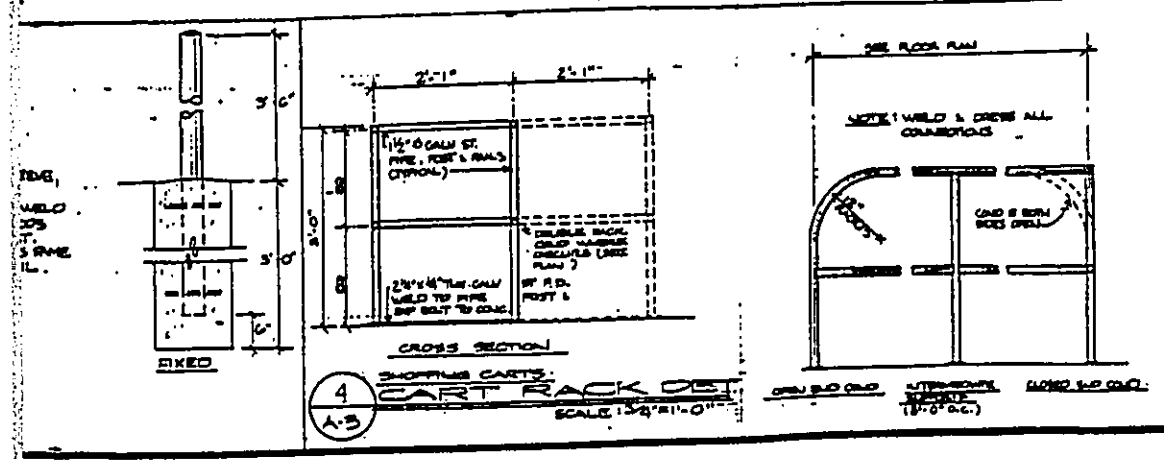
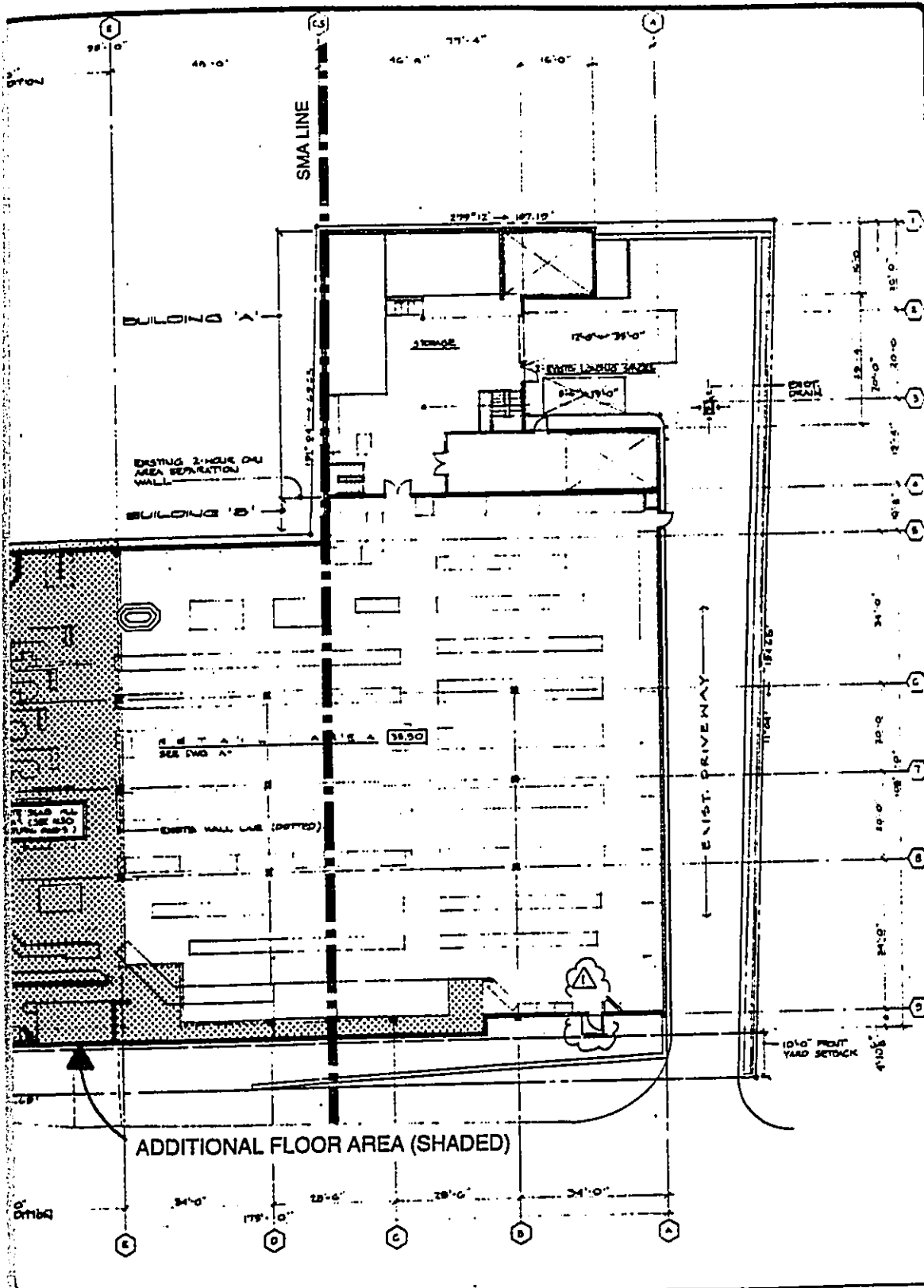


NOTES: SEE CIVIL DRAWING C-2 FOR SITE LABELS  
 (T.M.N. 5-9-11 16 & 25)  
**SITE PLAN**

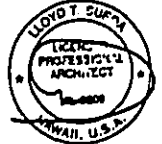


NOTE: DELETE PIPE SLEEVES, WELDED MITS, LOOSE ROCK, & WELD 3/4" REBAR EDGES DIRECTLY TO FOOT. ALL OTHER ITEMS SAME AS BELOW DETAIL.





**SUEDA & ASSOCIATES, INC.**  
 ARCHITECTURE PLANNING INTERIORS  
 905 MAKAHIKI WAY, MAUKA SUITE  
 HONOLULU, HAWAII 96826 • (808) 949-6644



THE WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY SUPERVISION. I AM A MEMBER OF THE BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS OF THE STATE OF HAWAII.

**GENERAL NOTES**

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SCENE BEFORE PROCEEDING WITH THE WORK AND NOTIFY ARCHITECT OF ANY DISCREPANCIES FOR RESOLUTION.

95 OCT 2 PM 2 59  
 DEPT OF LAND UTILIZATION  
 CITY & COUNTY OF HONOLULU

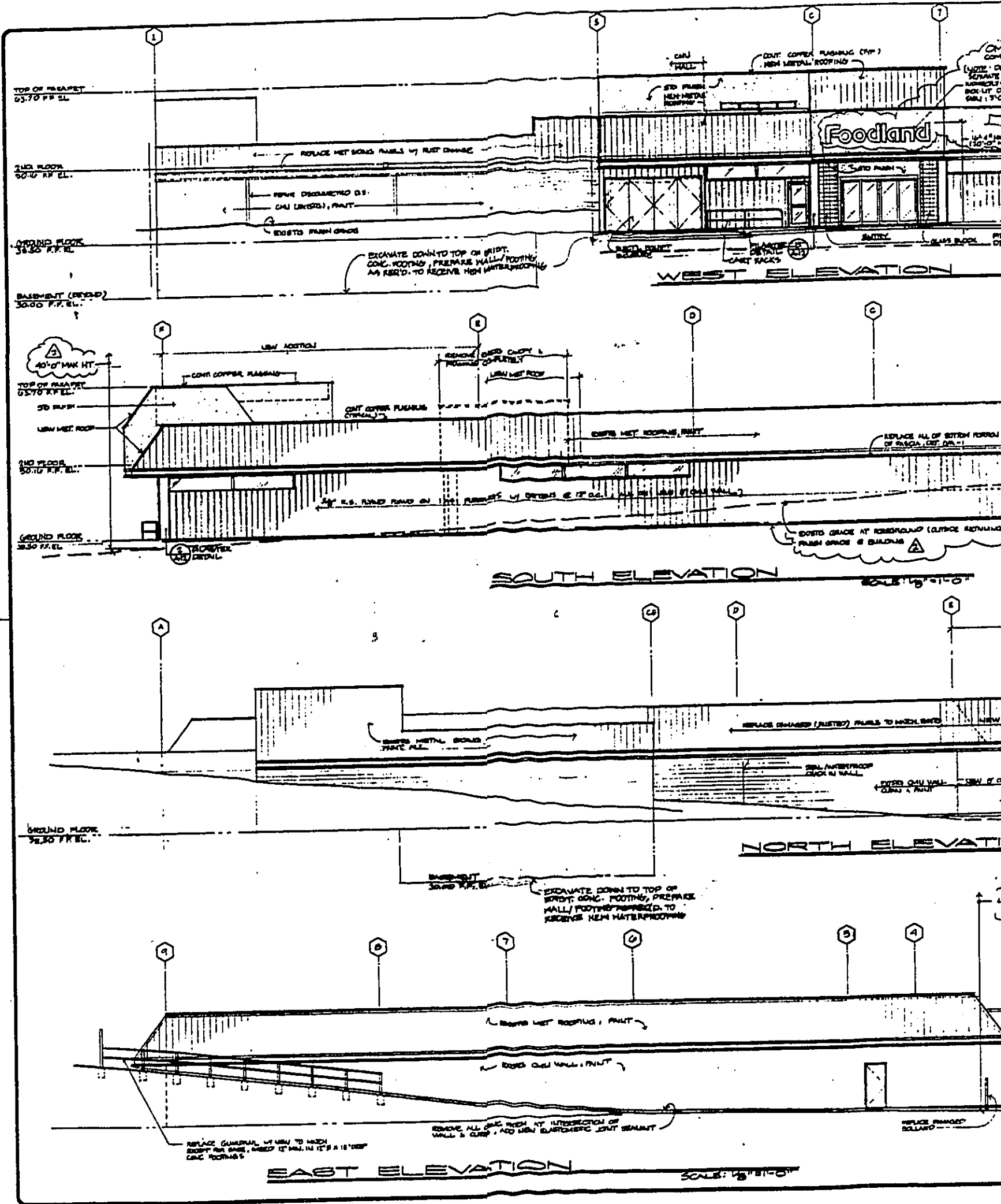
REVISION MARK	DATE	DESCRIPTION
△	1/30/94	• DET COMMENTS
△	6/06/94	• DLI COMMENTS
△	7/07/94	• BLDG DEPT COMMENTS

**PROPOSED RENOVATIONS for:**  
**POPUKEA FOODLAND**  
 59-720 KAMAEHAMEHA HWY.  
 POPUKEA, OAHU, HAWAII  
 T.M.K.: 5-9-11: 16 & 35

**Figure 4**

**SITE/FLOOR PLAN**

JOB NO. 9577	DRAWING NO.
DRAWN	<b>A-3</b>
CHECKED MM	SHEET 13 OF 15
DATE 01/94	



TOP OF CHIMNEY  
03.70 F.F. EL.

2ND FLOOR  
00.10 F.F. EL.

GROUND FLOOR  
-1.30 F.F. EL.

BASEMENT (RECYCLD)  
-3.00 F.F. EL.

40'0" MAX HT.

TOP OF CHIMNEY  
03.70 F.F. EL.

5D BRUSH

NEW MET ROOF

2ND FLOOR  
00.10 F.F. EL.

GROUND FLOOR  
-1.30 F.F. EL.

GROUND FLOOR  
-1.30 F.F. EL.

BASEMENT  
-3.00 F.F. EL.

REPLACE GUARDRAIL W/ NEW TO MATCH EXIST FOR BASE, MIN 12" MIN. IN 12" x 18" DEEP CONC FOOTINGS

**EAST ELEVATION**

SCALE: 1/8" = 1'-0"

**Foodland**

**WEST ELEVATION**

**SOUTH ELEVATION**

**NORTH ELEVATION**

EXCAVATE DOWN TO TOP OF EXIST. CONC. FOOTING, PREPARE WALL/FOOTING REINFORCED TO RECEIVE NEW WATERPROOFING

EXCAVATE DOWN TO TOP OF EXIST. CONC. FOOTING, PREPARE WALL/FOOTING REINFORCED TO RECEIVE NEW WATERPROOFING

REMOVE ALL CONC WHEN AT INTERSECTION OF WALL & CURB, ADD NEW BARRIER JOINT SEALANT

EXIST GRACE AT REBORNDG (OUTSIDE REBORNDG) PUNCH GRADE @ BUILDING

REPLACE DAMAGED (JUSTED) FRAMES TO MATCH EXIST

REPLACE FINISHED BOLLARD

REPLACE MET SOLID PANELS W/ RUST DRANGE

REMOVE DIAMETERED O.S. CHU LININGS, PAINT

EXIST PUNCH GRADE

NEW ADDITION

CONT. COPPER FLASHING

REMOVE EXIST CHIMNEY & REINFORCE W/ CONCRETE

NEW MET ROOF

EXIST MET ROOFING, REPT

REPLACE ALL OF BOTTOM PORTION OF BRICK, CONT. O.S.

4" R.S. FLANGES RAN ON 1" R.S. FURROWS W/ SPACERS @ 12" O.C. IN 1" R.S. WALL

DETAIL

DETAIL

REMOVE METAL SOLID PANELS

SEAL WATERPROOF EACH IN WALL

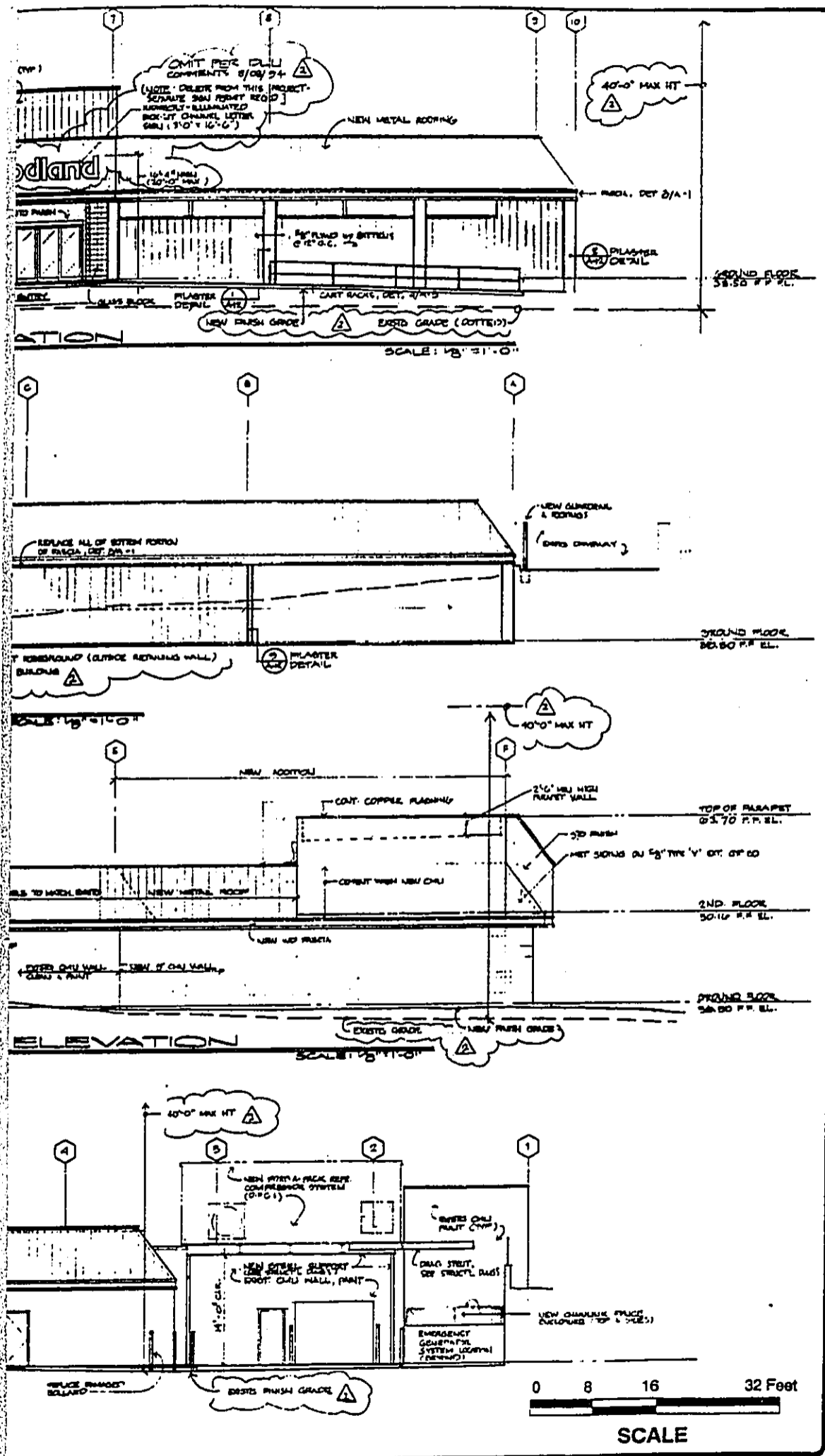
REMOVE CHU WALL - O.S. & PAINT

REMOVE MET ROOFING, PAINT

REMOVE CHU WALL, PAINT

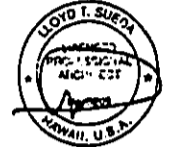
REPLACE FINISHED BOLLARD





**SUEDA & ASSOCIATES, INC.**

ARCHITECTURE PLANNING INTERIORS  
905 MAKAHIKI WAY, MAUKA SUITE  
HONOLULU, HAWAII 96826 • (808) 949-6644



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY SUPERVISION. SUPERVISION OF CONSTRUCTION AS DEMAND BY SECTION 106 OF THE PLANS AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, AND SURVEYORS OF THE STATE OF HAWAII.

**GENERAL NOTES**

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE BEFORE PROCEEDING WITH THE WORK AND NOTIFY ARCHITECT OF ANY DISCREPANCIES FOR RESOLUTION.

'95 OCT 2 PM 2 59  
 DEPT OF LAND UTILIZATION  
 CITY & COUNTY OF HONOLULU

REVISION MARK	DATE	DESCRIPTION	PROJECT
△	8/08/24	DLI COMMENTS	

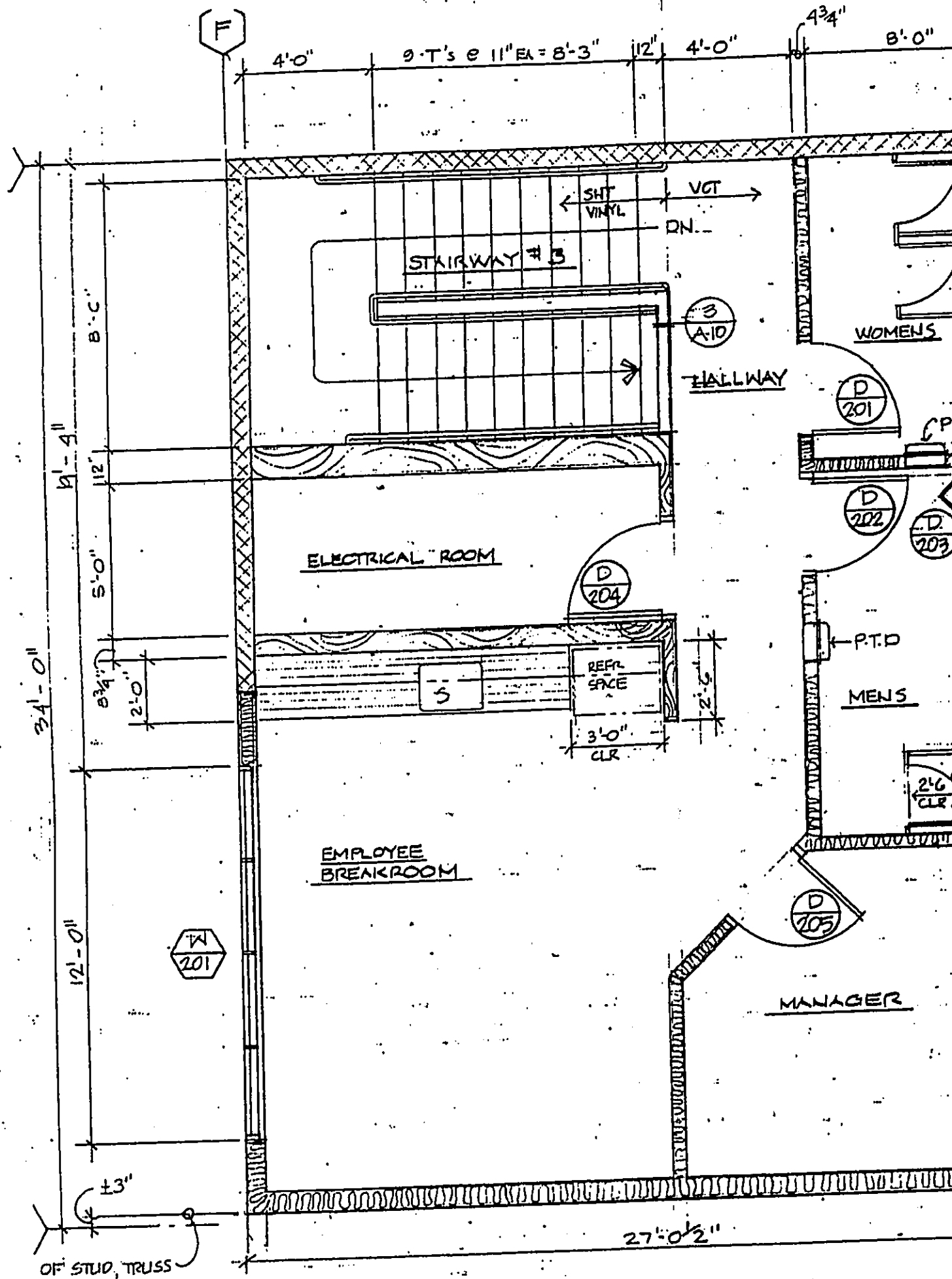
*PROPOSED RENOVATIONS for:*  
**POPUKEA FOODLAND**

59-720 KALEIAPAMEA HWY.  
POPUKEA, OAHU, HAWAII  
T.M.E.: 5-9-11: 16 & 35

**Figure 5**

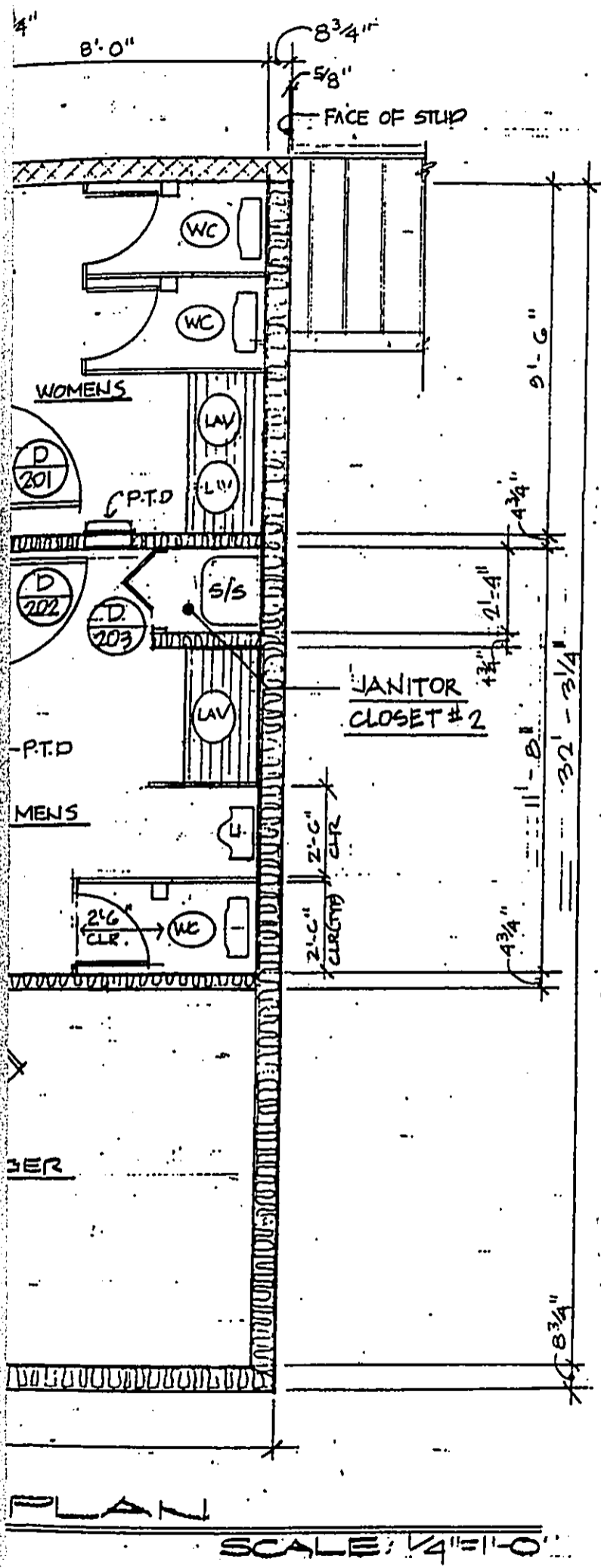
**EXTERIOR ELEVATIONS**

JOB NO. 45736	DRAWING NO.
DRAWN	<b>A-9</b>
CHECKED MM	
DATE 1/14	SHEET 20 OF 75



3  
A-B

SECOND FLOOR PLAN



**SUEDA & ASSOCIATES, INC.**

ARCHITECTURE PLANNING INTERIORS  
905 MAKAHIKI WAY, MALUKA SUITE  
HONOLULU, HAWAII 96825 • (808) 949-6644



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY SUPERVISOR SUPERVISION OF CONSTRUCTION AS DEFINED BY SECTION 1.04 OF THE HAWAII REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, AND SURVEYORS OF THE STATE OF HAWAII.

**GENERAL NOTES**

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SOURCE BEFORE PROCEEDING WITH THE WORK AND NOTIFY ARCHITECT OF ANY DISCREPANCIES FOR RESOLUTION.

'95 OCT 2 PM 2 59  
DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

REVISION MARK	DATE	DESCRIPTION
		PROJECT

PROPOSED RENOVATIONS for:  
**PUPUKA HIGHLAND**  
59-720 KAMEHALAHEA HWY.  
PUPUKA, OAHU, HAWAII  
P.M.A.: 5-9-11: 16 & 35

Figure 6

**SECOND FLOOR PLAN**

JOB NO. 95756	DRAWING NO.
DRAWN	
CHECKED M/M	
DATE 1/10/94	SHEET 20 OF 75

**APPENDIX - A**

**Background Correspondence & Documents**

# SHORELINE MANAGEMENT

## AREA

FILE 76/SMA-209

Reference File

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GEOFFREY  
PATERSON  
AND  
ASSOCIATES  
2110 K STREET  
HONOLULU, HAWAII  
96813  
PH: 535-0007  
ARCHITECTS, PLANNING, INTERIORS, GRAPHICS

Mr. Gary Noda  
Dept. of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu Hawaii 96813

December 23, 1976

Dear Mr. Noda:  
Zoning Change - 76/Z-32, Pupukea  
Rainbow Underwriters, Inc.

We enclose the Request for Assessment form under Ord. 4529 as requested by you in your letter of October 3, 1976. Following our discussion on the telephone I believe that the enclosed information is sufficient for your purposes.

Please call me if you should have any questions regarding the project.

Very truly yours,

Geoffrey G. Paterson AIA

City & County of Honolulu  
Department of Land Utilization

REQUEST FOR ASSESSMENT  
Under the Provisions of Section 5, Ordinance No. 4529  
Interim Shoreline Protection Ordinance.

1. REQUEST

Assessment of the development of the property herein described is requested under Section 5 of Ordinance No. 4529.

Note: To assure accurate and efficient assessment of the proposed development, it is urged that the information submitted with this form be as complete and detailed as necessary to clearly describe the development. Fill out all blank spaces, submit the required narrative material and plans on separate sheets, and sign the form.

If you are not the recorded owner of the property and/or if you are filing as an authorized agent, supply the information for both the recorded owner and yourself, and a letter authorizing you to act as agent.)

Recorded Owner: Reinbow Underwriter Inc. Authorized Agent: GEORGE S. PATTERSON A.I.A.  
Name: Reinbow Underwriter Inc. Name: GEORGE S. PATTERSON A.I.A.  
Mailing Address: 2419 Kepikahi Blvd. Mailing Address: 745 Fern St. #207  
Honolulu, HI 96814 Honolulu 96813  
Phone Number: 732-0791 Phone Number: 536-0667

2. PROPERTY

a. Street Address: 59-720 Kam. Highway b. Tax map key: 5-9-11 pgs 16  
c. Lot size: 58,260 sq ft d. Present use of property and/or buildings: Frame building general grocery store.

e. Zoning District: R-6

3. PROPOSED DEVELOPMENT

The following information is hereby submitted: See attached sheet.

- (1) A scale plan of the property showing property lines, existing development and contours and, if the property lies on the shoreline, a shoreline survey certified by the State Surveyor.
- (2) A description of the proposed development in terms of (a) what is it you propose to develop, and (b) what do you seek to accomplish by developing in the manner proposed.
- (3) A description of the technical, economic, social and environmental characteristics of the proposed development and their effect on the coastal zone.
- (4) An estimate of the total cost or fair market value of the proposed development.

The following data as checked is submitted to further clarify the development proposal:

- (1) Location of proposed improvements.
- (2) Building dimensions and setbacks from property line.
- (3) Parking layout, dimensions and total number of stalls.
- (4) Existing street, street names and diagram showing vehicular and pedestrian access to the proposed project and to any adjacent beach areas.
- (5) Contours at suitable vertical intervals of the finished conditions to be achieved by any proposed grading to be shown by contours, spot elevations or other means. Elevations shall be marked on the site plan.
- (6) Description of existing and proposed view corridors and planes from the nearest public right-of-way makai through the development.
- (7) Building elevations and sections with dimensions including building heights meeting the appropriate district height requirements.
- (8) Building sizes, appearance and form with sketches and perspective.
- (9) Specifications or actual sample of exterior finish, texture, material and color for exterior, roof, and all exterior finishes.
- (10) Any special provisions which are necessary for the disposal of sewage and for accommodating surface drainage from the development. Final Drawings will be prepared by Civil Engineer to conform to all sewage & drainage requirements.

4. SIGNATURE  
George S. Patterson A.I.A.  
or Authorized Agent  
Date: 12/21/76

Recorded Owner: \_\_\_\_\_  
Date: \_\_\_\_\_

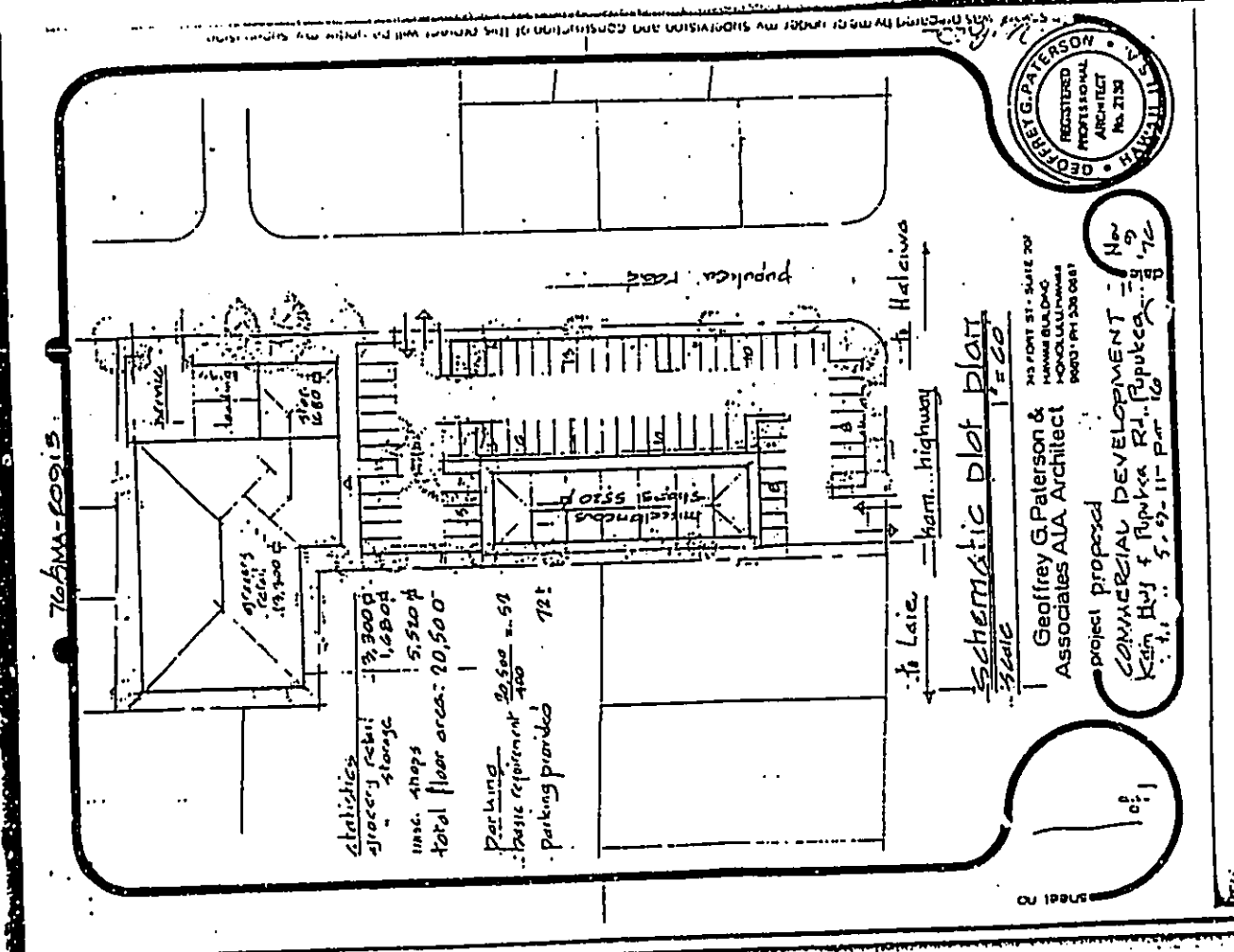
**GEOFFREY  
 PATERSON  
 AND  
 ASSOCIATES**  
 43 FORT STREET  
 HONOLULU, HAWAII  
 PH: 535-0000  
 ARCHITECTS, PLANNING, INTERIORS, GRAPHICS

Zoning Change 7672-32 Pupukey  
 Rainbow Underwriters, Inc.

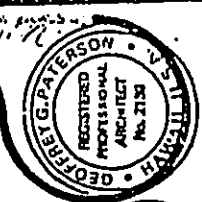
Attachment to Request for Assessment under Ord. 4529

Proposed Development:

1. Schematic Plot Plan is attached. Property is not on the shoreline side of the highway.
2. (a) Proposed development will consist of approximately 20,000 sq. ft. of commercial retail development to serve the neighboring community and travelers on the highway. The main building will be a general store selling groceries and liquor, while the smaller building will contain service shops and a fast food establishment.  
 (b) The present dilapidated building will be demolished to make way for the new development which will expand the present limited sales area to better serve the community.
3. The proposed buildings will be one story high, and of a "rustic" rural architectural character in keeping with the existing country environment. Basic construction materials will be masonry walls with textured plaster or redwood finishes, exposed glulam trusses with wood sheathing and soffits. Roofing material will be monier concrete tiles or cedar shingles. Landscaping will be designed by a qualified landscape architect, and it will include a sprinkler system. Retaining walls will be masonry rock and plastered masonry. Since the property is across the highway from the shoreline it should not create any adverse effect on the coastal zone.
4. The total cost of improvements on the property are estimated to be in excess of Five Hundred thousand Dollars.



Statistics  
 Grocery store 3,300 sq. ft.  
 misc. shops 1,680 sq. ft.  
 Total floor area: 20,500 sq. ft.  
 Parking  
 Basic requirement 20,500 / 400 = 51  
 Parking provided 72



Geoffrey G. Paterson &  
 Associates AIA Architect  
 Project proposed  
 COMMERCIAL DEVELOPMENT - No. 2  
 Kaim. Hwy & Pupukey Rt., Pupukey - 8/12  
 5-29-11 - P. 16

Schematic Plot Plan  
 Scale 1/8" = 1'-0"

2 of 1

76/54A-299 (CH)

JANUARY 27 1977

Mr. Donald Bremner, Acting Chairman  
Environmental Quality Commission  
State of Hawaii  
550 Halekauwila Street, Room 301  
Honolulu, Hawaii 96814

Dear Mr. Bremner:

May we request that the following Special Management Area (Interim Shoreline Protection Ordinance) determination be published at your earliest convenience in the "EQC Bulletin":

EIS NEGATIVE DECLARATION  
ORDINANCE NO. 4529 (INTERIM  
SHORELINE PROTECTION)

Commercial Complex, Pupukua  
Rainbow Underwriters, Inc.  
Dept. of Land Utilization  
City & County of Honolulu

CONTACT

Geoffrey G. Paterson & Associates  
745 Fort Street, Suite 207  
Honolulu, Hawaii 96813

If you should have any questions or wish additional information on the above, please contact Mr. Carl Smith of our staff at 523-4077.

Very truly yours,

GEORGE S. HORIGUCHI  
Director of Land Utilization

GSM:ey  
Encl.  
cc: Geoffrey G. Paterson & Associates

76/54A-299 (GN)

JANUARY 27 1977

Geoffrey G. Paterson & Associates  
745 Fort Street, Suite 207  
Honolulu, Hawaii 96813

Gentlemen:

Shoreline Management Permit  
Commercial Complex  
Tax Map Key 5-9-11: 16, Pupukua

We have reviewed your proposal and find that it lies within the Special Management Area established by Ordinance No. 4529. We find that your proposed project has a fair market value in excess of \$25,000.

By reasons explained in the Negative Declaration attached hereto, it has been determined that the project will have no significant effects on the coastal zone.

Therefore, a Shoreline Management Permit application form is attached for your submission as noted under the provisions of Ordinance No. 4529.

If you should have any questions or wish additional information, please contact Mr. Carl Smith of our staff at 523-4077.

Very truly yours,

GEORGE S. HORIGUCHI  
Director of Land Utilization

GSM:ey  
Encl.



182/PM-325

**GEOFFREY  
PATERSON  
AND  
ASSOCIATES**  
245 FORT STREET  
SUITE 207  
HONOLULU, HAWAII  
96813  
PH: (808) 536-0667  
ARCHITECTS, PLANNING, INTERIORS, GRAPHICS

RECEIVED

1977 FEB 8 PM 2 29

DEPT. OF  
LAND UTILIZATION  
& CONSERVATION

February 7, 1977

Mr. Carl Smith  
Department of Land Utilization  
City & County of Honolulu  
650 S. King St.  
Honolulu, Hawaii 96813

Re: Commercial Complex, Pupukea  
T.M.K. 5-9-11 par. 16

Dear Mr. Smith:

We enclose a duly completed Shoreline Management Permit application as requested in Mr. Horiguchi's letter of January 27, 1977.

We trust this information will enable you to proceed with the rezoning process for the property.

Very Truly Yours,

*Geoffrey Paterson*  
Geoffrey Paterson

GP:bs

City and County of Honolulu, Department of Land Utilization  
APPLICATION FOR SPECIAL MANAGEMENT PERMIT

Permit Number \_\_\_\_\_  
Expiration Date \_\_\_\_\_

1. APPLICANT

Application for development of the property herein described is hereby made pursuant to the provisions of Section 7 of Ordinance No. 4529, for a special management permit within the Special Management Area.

(To insure the accurate and efficient processing of this application and to avoid errors and delay, supply all the required information. Fill out all blank spaces clearly, concisely, and completely, and sign the application.)

If you are not the recorded owner of the property, you are considered the authorized agent of the recorded owner. If you are filing as an authorized agent, supply the information for both the recorded owner and yourself, and a letter authorizing you to act as agent.)

Recorded Owner \_\_\_\_\_ Authorized Agent \_\_\_\_\_

Name: RAINBOW UNDERWRITERS, INC. Name: GEOFFREY PATERSON, AIA

Mailing Address: 2919 KAPOLAHAI BLVD. Mailing Address: 745 FORT ST., SUITE 207

HONOLULU, HAWAII 96814 HONOLULU, HAWAII 96813

Phone Number: 712-0791 Phone Number: 536-0667

2. PROPERTY

a. Street Address: 59-720 KAHIMU. b. Tax map key: 5-9-11- PAR 16

c. Lot size: 58,260 d. Present use of property and/or buildings: FRAME STRUCTURE GENERAL STORE, TWO DWELLINGS

3. PROPOSED DEVELOPMENT

Outline concisely the type of development proposed: APPROXIMATELY

20,000 SQUARE FEET OF COMMERCIAL RETAIL SPACE SELLING GROCERIES, LIQUOR, FAST FOODS,

AND SERVICE ESTABLISHMENTS. ONE STORY STRUCTURE WILL BE OF RUSTIC ARCHITECTURAL

DESIGN IN KEEPING WITH THE RURAL NEIGHBORHOOD.

4. DRAWINGS AND DOCUMENTS

a. Submit accurate scale drawing showing dimensions and shape of the lot; sizes, uses, and locations of existing and proposed buildings; open areas; driveways; pedestrian walks; off-street parking and loading areas; landscaped areas; fencing; and walls.

6. Submit a copy of either the negative declaration issued under Section 5-8-(3)-(d) of Ordinance No. 4529 or a completed and accepted Environmental Impact Statement required under Section 5-8-3-e of the Ordinance.

SIGNATURE

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ or \_\_\_\_\_  
Recorded Owner \_\_\_\_\_ Authorized Agent  
FEBRUARY 4, 1977 FEBRUARY 4, 1977  
Date Date

DEPARTMENT OF LAND UTILIZATION USE

- A. This application is filed complete with the following:  Site plan
- Accepted EIS  Negative Declaration  Authorization of agent
- B. Application is returned for corrections: \_\_\_\_\_
- C. Action/Date: \_\_\_\_\_  
Public Hearing \_\_\_\_\_ City Council

76/SMA-109 (GN)

CERTIFIED MAIL

FEBRUARY 14 1977

Geoffrey C. Patterson & Associates  
745 Fort Street, Suite 207  
Honolulu, Hawaii 96813

Gentlemen:

Shoreline Management Permit  
Council District No. 2  
Application Date: February 8, 1977

Applicant : Rainbow Underwriters Inc.  
Agent : Geoffrey C. Patterson, AIA  
Location : Pupukea  
Tax Map Key: 5-9-11: 16  
Request : to demolish existing structures and  
replace with a neighborhood-type  
shopping complex

This will acknowledge receipt of the above application for a  
Shoreline Management Area permit.

A Department of Land Utilization public hearing must be set no less  
than twenty-one (21) nor more than ninety (90) calendar days after  
February 8, 1977. Prior to scheduling of the public hearing,  
submission of the required filing and processing fee of \$100 will  
be necessary.

If you should have any questions or wish additional information on  
this matter, please contact Mr. Carl Smith of our staff at 523-1077.

Very truly yours,

GEORGE S. MORIGUCHI  
Director of Land Utilization

GSM:ey  
cc: City Council  
bcc: OLU Administration

148062

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**  
 614 SOUTH KING STREET  
 HONOLULU, HAWAII 96813

FEB 14 1977

RECEIVED



1977 FEB 23 PM 2 26  
 76/5245-209 (CH)

FEBRUARY 14, 1977  
 DEPT OF LAND UTILIZATION  
 C & C HONOLULU  
 CERTIFIED MAIL

Geoffrey G. Patterson & Associates  
 745 Fort Street, Suite 207  
 Honolulu, Hawaii 96813

Gentlemen:

Shoreline Management Permit  
 Council District No. 2  
 Application Date: February 8, 1977

Applicant : Rainbow Underwriters Inc.  
 Agent : Geoffrey G. Patterson, AIA  
 Location : Pupukea  
 Tax Map Key: 5-9-11: 16  
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 Shoreline Management Area permit.

A Department of Land Utilization public hearing must be set no less  
 than twenty-one (21) nor more than ninety (90) calendar days after  
 February 8, 1977. Prior to scheduling of the public hearing,  
 submission of the required filing and processing fee of \$100 will  
 be necessary.

If you should have any questions or wish additional information on  
 this matter, please contact Mr. Carl Smith of our staff at 523-4077.

Very truly yours,

*George S. Moriguchi*  
 GEORGE S. MORIGUCHI  
 Director of Land Utilization

GSM:ey  
 cc: City Council

*Make check to Director of Finance*

GEORFFREY G. PATTERSON & ASSOCIATES, A.I.A.  
 745 FORT STREET, SUITE 207 - HONOLULU, HAWAII 96813 - PHONE 526-0657

MESSAGE

TO : George S. Moriguchi  
 Director, Land Utilization  
 City & County of Honolulu  
 650 S. King St.  
 Honolulu, Hawaii 96813

DATE : February 22, 1977

Dear Mr. Moriguchi,

Enclosed please find a check for \$100  
 for the required filing fee. For  
 Pupukea Permit, as requested in your  
 letter of February 14, 1977.

Very truly yours,  
 Geoffrey G. Patterson, AIA  
 GGP:bs

RECEIVED

1977 FEB 23 PM 2 26

DEPT OF  
 LAND UTILIZATION  
 C & C HONOLULU

76/SMA-209 (C-1)

March 21, 1977

Geoffrey G. Patterson & Associates  
745 Fort Street, Suite 207  
Honolulu, Hawaii 96813

Gentlemen:

Request : Shoreline Management Permit  
Applicant : Rainbow Underwriters Inc.  
Agent (if any) : Geoffrey G. Patterson, AIA  
Location : Pupukea  
Tax Map Key : 5-9-11: 16  
Lot Size :

This is to notify you that a public hearing on the above application has been scheduled for Thursday, April 14, 1977, at 11:00 a.m. at the Maialua Recreation Center, 67-180 Goodale Avenue.

Please feel free to contact Mr. Gary Noda staff at 523-4236 or 523-4077 if you have any questions or wish additional information.

Sincerely yours,

*George S. Horiguchi*  
GEORGE S. HORIGUCHI  
Director

RECEIVED  
DATE: 3/23/77  
RECEIPT No. 4516  
Public Hearing Notice

OFFICIAL RECEIPT  
DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

No. 4516

Received from Rainbow Underwriters Inc.

For One hundred and no. 100

Public hearing

DATE Feb 23 1977

TIME 5-9-11:16

AMOUNT 100.00

DATE 03/16/77

NO. 76/SMA-209

UNIT DOLLARS

BY Elmer T. Quinn

DEPARTMENT OF LAND UTILIZATION

Department of Land Utilization  
January 27, 1977  
76/SMA-209 (M)

(ORDINANCE NO. 4529 (INTERIM SHORELINE PROTECTION))  
ENVIRONMENTAL IMPACT STATEMENT ASSESSMENT/DETERMINATION:

Approving Agency: Department of Land Utilization  
Applicant: Rainbo, Underwriters Inc.  
Agent: Geoffrey G. Paterson, AIA  
Project Location: Pupukea  
Tax Map Key: 5-9-11: 16  
Request: SMA Assessment  
File Number: 76/SMA-209  
Determination: EIS Not Required

A. Proposed Action

The applicant proposes to demolish existing buildings and then construct a small neighborhood-type shopping complex. Seventy-five percent of the property is within the Shoreline Management Area (see Exhibits A-C).

1. Technical Characteristics

- a. The proposed site is approximately 1.3 acres.
- b. The development would consist of about 20,000 square feet of commercial retail area.
- c. There would be two structures:
  - (1) Main building: General grocery store
  - (2) Smaller building: Several service shops and a fast food establishment
- d. Parking for 72 cars would be provided.

2. Economic Characteristics

The total cost of this development has been estimated to be in excess of \$500,000.

3. Social Characteristics

The proposed commercial development would serve the present neighboring community and the numerous travelers on the highway.

4. Environmental Characteristics

The project site has an old existing structure used as a general store and two single-family dwellings. The store is situated near the makai side, adjacent to Kamehameha Highway. The other dwellings are at the mauka end of the property enclosed in densely vegetated surroundings.

B. Affected Environment

The subject property, Tax Map Key 5-9-11: 16 is situated at 59-720 Kamehameha Highway in Pupukea. It is in an R-6 Residential District and designated for residential use on the Oahu General Plan.

1. Major Impacts

None

2. Mitigation Measures

Not applicable

3. Areas Requiring Further Study

None

4. Reasons Supporting Determination

- a. There are no major impacts which would significantly affect the coastal zone.
- b. The proposed development would be beyond the 40-foot shoreline setback area.
- c. The project would be structurally compatible and beneficial to the surrounding community.

Note: The above items support only a finding that effects of the proposed action would not be significant enough (defined in Chapter 205A, HRS) to warrant preparation of a full disclosure document such as an environmental impact statement is intended to be.

5. Agencies Consulted

Department of Land Utilization, Land Use Controls.

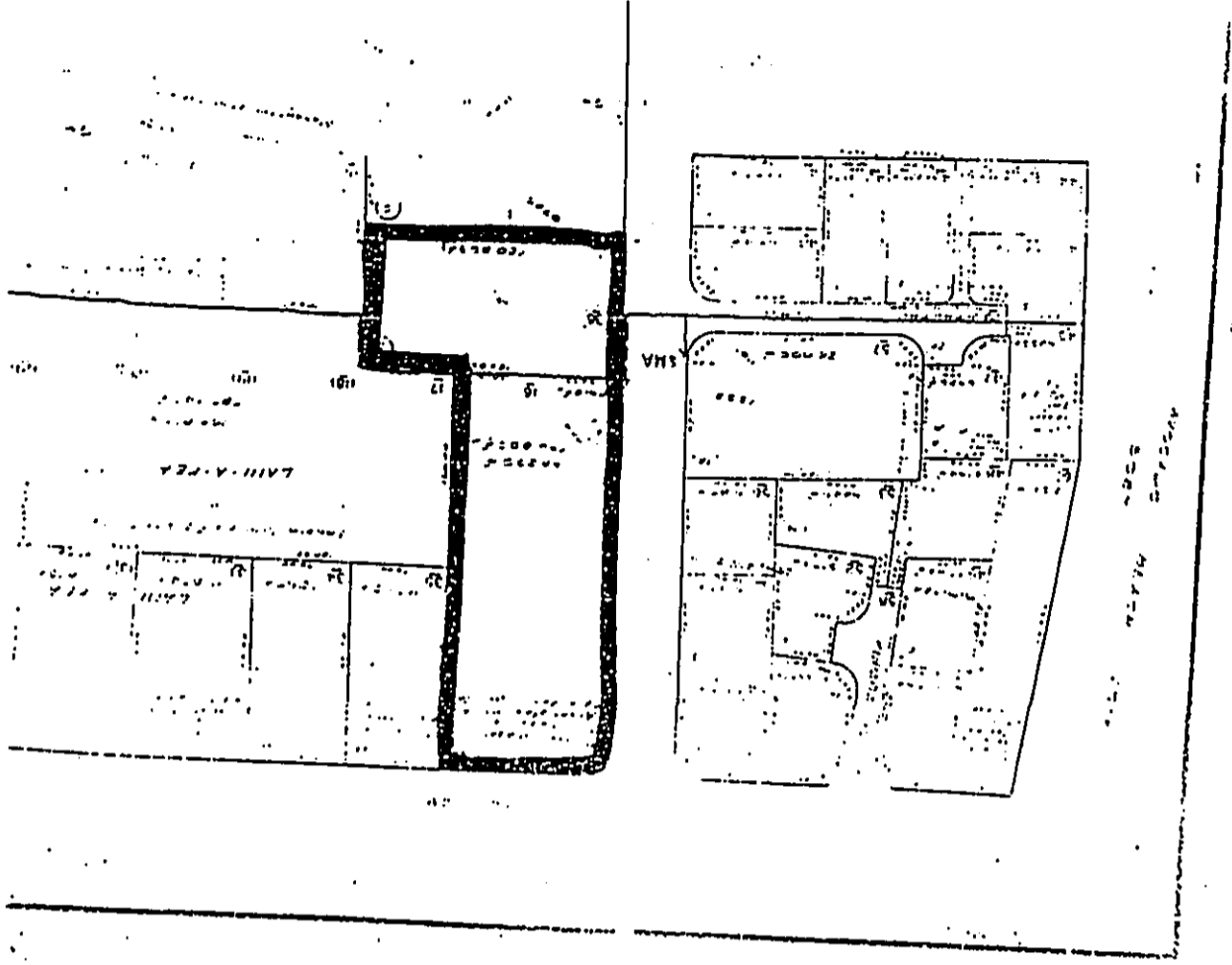
6. Suggested Agencies to be Consulted in Preparation of EIS

Not applicable

APPROVED  
*George S. Horiguchi*  
GEORGE S. HORIGUCHI  
Director of Land Utilization

GSM:ey

Attach: Exhibits A, B, C



These public hearings were held at 11:00 a.m. in Maialua Recreation Center.

APPLICANT: RAINBOW UNDERWRITERS, INC.  
AGENT: GEOFFREY G. PATTERSON, AIA (76/SMA-209)  
LOCATION: PUPUKA  
TAX MAP KEY: 5-9-11: 16  
REQUEST: TO DEMOLISH EXISTING STRUCTURES AND REPLACE WITH A NEIGHBORHOOD-TYPE SHOPPING COMPLEX

The Public Hearing Officer read the notice of public hearing which was published, in accordance to law, in the Sunday Star-Bulletin and Advertiser of March 20, 1977.

He called upon the Staff Planner to describe the proposal.

Staff Planner:

The proposed project is located on the mauka-lale corner of Kamehameha Highway and Pupukea Road in Pupukea. The land area is approximately 1.3 acres. The parcel is presently being used for commercial purposes with the existing general store in a non-conforming use. The general store will be demolished to make way for the proposed development. There is also a single-family dwelling and a small nursery on the side of the store.

The applicant proposes to construct a shopping complex consisting of two structures; one being a general store with fast food service and various other retail shops. It also includes a parking facility to hold 72 cars.

There will be no obstruction of access to beaches or recreational areas, no intrusion in recreational or wildlife preserves, and there will be no public solid or liquid treatment facility as far as sewage is concerned. The feasibility of treatment plants will have to be reviewed by the State Department of Health for approval.

I have two people registered to speak on this application. The first speaker is Joanne Schreier

Testimony is attached.

The second speaker is Robertts G. Leinau.

Testimony is attached.

Is there anyone else who would like to testify on this application?

I am the architect for Rainbow Underwriters, Inc. and I would like to answer both the questions and comments on what the other two persons have raised. First of all, I think most people in Hawaii are aware of all the good things that Mr. Sullivan has done in the islands. He is one of the largest benefactors in the islands and almost a legend for what he has done for St. Francis Hospital and for many charitable organizations. He was the first person to bring the supermarkets to Hawaii. Everybody before was at the mercy of the "Big Five." He is in competition with Safeway and other markets and his markets are successful and therefore, we have to assume that he is doing something right.

Public Hearing Officer:

Joanne Schreier:

Public Hearing Officer:

Robertts Leinau:

Public Hearing Officer:

(Geoffrey Patterson:

Department of Land Utilization  
City and County of Honolulu  
Minutes  
April 14, 1977

PUBLIC HEARING  
SHORELINE MANAGEMENT PERMIT

The Department of Land Utilization of the City and County of Honolulu, held public hearings on Thursday, April 14, 1977, starting at 11:00 a.m. in Maialua Recreation Center. These hearings were held in compliance with Ordinance No. 4529, as amended.

Present: Carl Smith, Public Hearing Officer  
Gary Hoda, Staff Planner

The Public Hearing Officer made the following opening remarks:

"Ladies and gentlemen. My name is Carl Smith. I am conducting the public hearing today in accordance with the Interim Shoreline Protection Ordinance 4529, as amended, to hear testimony on the items which were advertised on March 20, 1977, in the Honolulu Star-Bulletin and Honolulu Advertiser.

The items for hearing are applications for special management permits for development within the Special Management Area created by the Interim Shoreline Protection Ordinance 4529. This ordinance was enacted by City Council as mandated by State Law, Chapter 205A.

All developments within the SMA are reviewed by City Council to insure that:

- (1) Adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas, and natural reserves is provided to the extent consistent with sound conservation principles;
- (2) Adequate and properly located public recreation areas and wildlife preserves are reserved;
- (3) Provisions are made for solid and liquid waste treatment, disposition, and management which will minimize adverse effects upon special management area resources; and
- (4) Alterations to existing land forms and vegetation, except crops, and construction of structures shall cause minimum adverse effect to water resources and scenic and recreational amenities and minimum danger of floods, landslides, erosion, siltation, or failure in the event of earthquake.

Persons giving testimony today should confine their comments to the same criteria.

Persons giving testimony will be given three minutes for verbal presentation. An additional three minutes will be given when all others have spoken.

Any questions which I might ask will not count as part of the three minutes allotted to each speaker.

Public Hearing Officer:

I would like to caution you at this point. We are not here to talk about Mr. Sullivan or Mr. Moran or anything else. We are discussing a Shoreline Management Permit based on the four criteria.

Geoffrey Patterson:

The project would be for the community. We have had many letters from people saying that there isn't a decent store in that area. I know that the existing store is old and perhaps it isn't the best environment for groceries. Regarding the surface runoff, the depth will be minimal and will be designed in a first class manner. There will be no more sewage coming from that than if you were to put two or three houses on the property. Regarding the concrete block brought up by both speakers, we want to do a building that would fit in with the environment. It will be useful for the people coming down from the hill and for people driving to and from North Shore to buy more things with a wider selection to choose from.

Roberts Meinau:

Are you willing to come to a community meeting and discuss your plans?

Geoffrey Patterson:

Yes, I will. All we have at the moment is a plot plan. I will be very happy to work with the community on any problems so we may simplify them.

Public Hearing Officer:

Again, I would like to say we are considering a Shoreline Permit. A Shoreline Permit is precedent to a rezoning action which must occur prior to the development actually going in. From what I have been hearing, many of the objections are far more germane to a rezoning action than they are to a Shoreline Permit. If a public meeting is requested by the Sunset Beach Community Association or any other organization, we are historically very amenable to coming out and meeting with the public. This meeting would be held in relation to the rezoning, which is a far broader question than this rather limited Shoreline Permit that we are discussing today. Does anyone else wish to testify on this application?

Colonel Franklin:

I live two miles up the hill of the intersection where the construction will be. Since I heard that this project was going to come up for discussion, I went around and talked to some of the neighbors, 27 families altogether. They are all in favor of having a shopping center for their convenience, because people living out there are eight to ten miles from the shopping center grounds in Haleiwa and also the Post Office. They think that it's a great idea that a shopping center is proposed. There is one concern and that is the present traffic hazard. It is very dangerous to come down the hill and try to turn either right or left, particularly when someone is parked right in front of that old store in such a way that you cannot see the car coming from the other direction. We have signs up that set the speed limit in that area, but those signs are ignored. There is just not enough police. We can't blame them because they're doing the best they can. There is a traffic count of 500 to 700 cars an hour going by there. On the side of Waiwaea Bay, there are some trees that block the view of the person waiting

to get into the traffic pattern to turn either left or right. Again, I'd like to say that a lot of people up on the hill think it's a great idea for a shopping complex. We also need a Post Office substation.

Public Hearing Officer:

Is there any other testimony on this application? Seeing none, I will close the public hearing.



Testimony from the Sunset Beach Community Association (S.B.C.A.)  
RE: Rainbow Underwriters, Inc. (76/504-299)

This project is of particular importance to the residents of the Sunset Beach/Pupuke area. The building to be demolished is the old Millal Store, which is part of our heritage out here. The store was built in 1909 and was used as a Post Office, Train Depot, Bus Stop, and Concert Store. Mr. Sullivan of Foodland and McDonalds (Hamburger King) is associated with this project (i.e. he owns the land). I have phoned his office every working day for two weeks leaving both my work and home phone numbers with a request that he call me day or night. Several months ago I asked for information on what his plans were and was told that "...I am pursuing my own pleasure" Mr. Sullivan apparently has very little regard for the community which he is trying to move in on. The community does not appreciate his apparent disregard and has voted to oppose the project as we now vaguely understand it... for the following reasons:

- (1) Aesthetics: To replace an historic landmark with a couple of concrete buildings is not going to improve or enrich our small community. The area in question is presently VERY aesthetically pleasing.
- (2) There is all the parking water run-off going to go? In the summer thousands of divers utilize the unique coral formations between Haines Bay and Ke Iki Rd.. Run-off and/or sewage could possibly have adverse effects on one of the islands finest and most popular diving areas.
- (3) Do we need these new structures to the extent that residential zoning (H-6) must be changed to accommodate Mr. Sullivan. To believe not. The Millal Store is grandfather cloused.

In regards to the planned shopping center at the intersection of Hwy 1 and Pupuke Rd. I support the development of a shopping center and support:

1. that the center be held in the name of the community and also their opinions
2. a shopping complex at that location will create far more traffic circulation on the only road Pupuke residents have to use and coming from their homes
3. the complex shown in application figure now has the highest prices of the three in the area. The Pupuke Food City chain have the highest prices of any chain franchise on the island therefore causing not in the best interest of the people.
4. a hollow title complex would not be aesthetically pleasing nor keeping with the rural atmosphere of the community.

*J. Schreier*  
Jonnie Schreier  
99-179 Kiviana Rd.  
Pupuke

1480821

1480862

Department of Land Utilization  
76/SMA-209 (LC)  
April 20, 1977

DIRECTOR'S REPORT

I. Location

The parcel of land involved in the request for zone change is located on the northeast corner of Kamehameha Highway and Pupukea Road in Pupukea. The land area is 1.3 acres. (Exhibit A)

II. Existing Land Use

The parcel is presently being used for commercial purposes. The existing general store is a nonconforming use. The structure will be demolished to make way for the proposed new development if the request for B-2 Community Business District is approved by the City Council. (Exhibits B-1 and B-2)

Single family dwellings and small farms surrounding the parcel on three sides; the Pupukea Fire Station is directly across the street on Kamehameha Highway.

III. Applicant's Proposal

The applicant requests a Shoreline Management Permit in order to proceed with a zone change request from R-6 Residential District to B-2 Community Business District. Specific proposals for development (under B-2 zoning) include a general store and retail and service shops including a fast food establishment. Total commercial floor area, in two one-story structures, is about 20,000 square feet. Parking accommodations for about 72 cars will also be provided. (Exhibit C)

IV. Environmental Assessment

The Department of Land Utilization assessed the environmental aspects of the proposed project and issued a Negative Declaration on January 27, 1977.

V. Public Hearing and Testimony

The public hearing was held on April 14, 1977, at the Waialua Recreation Center. General concerns expressed by the community regarding the Shoreline Management Permit were as follows:

76/SMA-209 (LC)

APR 21 1977

Honorable Marilyn Bornhorst, Chairman  
and Members of the City Council  
City and County of Honolulu  
Honolulu, Hawaii

Cancellation:

Application for a Shoreline Management Permit

Project : Zone Change Request  
Applicant :  
Land Owner : Rainbow Underwriters, Inc.  
Location : Pupukea--Corner of Kamehameha  
Highway and Pupukea Road  
Tax Map Key : 5-9-11:16

Transmitted herewith for your consideration are (1) Director's Report, including a recommendation on the above and (2) the transcripts of the public hearing on the above. The application was accepted on February 8, 1977, and the public hearing was held on April 14, 1977.

The recommendation of the Director of Land Utilization is based on an analysis of the proposed project in terms of the policies and guidelines of Ordinance No. 4529. The information used in the analysis was derived from both the environmental assessment of the project and the testimony presented at the public hearing.

Sincerely,

*George S. Hodel*  
George S. Hodel  
Director of Land Utilization

Enclosure  
cc: Frank P. Paei, Mayor  
PUPUKEA:

WILLIAM A. SHARPLES  
Managing Director

76/SMA-209 (LC)

- A. They questioned the adequacy of sewage disposal facilities for the proposed commercial use.
- B. They were concerned that paving the parcel to accommodate parking facilities would increase surface runoff which could adversely affect diving spots in the area.
- C. They expressed their interest in preserving the rural character of the area in the design and scope of the proposal.

A copy of the public hearing minutes and written testimony are attached for reference. (Exhibit D)

#### VI. Analysis

The development proposal has been reviewed in light of the review guidelines in Section 4 of Ordinance No. 4529.

- A. Access  
The parcel, situated mauka of the shoreline, would not interfere with any recreation areas or natural reserves.
- B. Public Recreation Areas and Wildlife Preserves  
The parcel has no existing or potential use as a public recreation area or wildlife preserve.
- C. Solid and Liquid Waste Disposal  
There are no specific proposals for trash disposal. Refuse collection would either be done by a private sanitation firm or by municipal service. Public sewerage facilities are not available at this time. Sewerage disposal could become a potential problem. Alternative means for sewerage disposal must be considered once the project proceeds to the zoning stage. This proposal is still subject to review as a request for R-2 Community District zoning. The adequacy or inadequacy of sewerage facilities can be resolved prior to the granting of the zoning.
- D. Alteration to Existing Land Forms and Vegetation  
The applicant has not submitted any specific proposals for grading; however, based on existing topography which slopes gradually towards the mountains for about 150 to 200 feet, grading should be minimal.

The property is not within a flood hazard area, according to studies prepared by the Army Corps of Engineers.

Excessive surface runoff is not anticipated; however, storm water drainage will be reviewed, both at the time of zoning and building permit.

As a result of this review, the following policies established in Section 3 of Ordinance No. 4529 appear pertinent:

"Maintain the undeveloped portion of the special management area of Oahu where needed for recreation, scenic, educational and scientific uses...."

The proposed project is not defined as one of the above uses, but the affected property would not have any significant value for one of these uses. On the other hand, the rural, scenic character of the area should be given consideration in the design of the structures.

"Encourage the definition and development of operational criteria and standards for the special management area."

The question of sewerage disposal has been discussed with the Department of Health and will be reviewed further during the zoning process.

"Carry out a program of intergovernmental and private/public interaction and coordination on special management area planning and management."

In addition to consultation with the above agencies, the Department of Land Utilization referred to studies done by the Army Corps of Engineers with respect to flood hazard.

"Encourage citizen participation in the planning process...."

The public hearing for a Shoreline Management Permit fulfills the intent of this policy.

#### VII. Conclusion

It is concluded that this proposal meets the tests required under Ordinance No. 4529. There are some questions on liquid waste disposal and surface runoff. However, the permit can be conditioned to meet the requirements of the State Department of Health and the City Department of Public Works.



SEP 87 '94 09:35 CALVIN KIM & ASSOC 888 531-7427

Mr. Tatsuo Harano, Chief  
Land Transportation Facilities Division  
Department of Transportation  
State of Hawaii  
869 Puuhohoei Street  
Honolulu, Hawaii 96819

Dear Mr. Harano:

Subject: Ingress and Egress Driveway for  
Tax Map Key 5-9-11.16 in Pupukea

Transmitted herewith is a revised site plan for a commercial shopping center currently being developed by our client on the corner of Kanehahua Highway and Pupukea Road in Pupukea.

According to our records, the Department of Transportation approved by letter dated October 25, 1977 a right-of-way, ingress only driveway from Kanehahua Highway. Due to subsequent modifications to the site plan, the ingress only which worked well under the original site plan design does not work as well under the revised layout. Therefore, we wish to revise the access driveway along Kanehahua Highway by incorporating a right turn egress movement along with retaining the ingress movement as per the attached plan. We believe this revised plan will improve the general circulation of traffic between this shopping center and the Kanehahua Highway.

Inasmuch as construction is progressing on this project, we would appreciate your early consideration for approval of the revised access. If you have questions or wish additional information, please contact us at 521-3657.

Thank you for your kind consideration of this request.

Very truly yours,

Tosh Hosoda

Chief  
Attachments

SEP 87 '94 09:35 CALVIN KIM & ASSOC 888 531-7427

RECEIVED  
STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
JACK M. SOMA  
J.B. MOONWICK  
SEP 29 1994

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
1775 KALANOA WAY  
HONOLULU, HAWAII 96813

October 2, 1979

HNY 2-53471

Mr. Tosh Hosoda  
Wanket, Smith & Hosoda  
Davies Pacific Center, Suite 921  
841 Bishop Street  
Honolulu, Hawaii 96813

Dear Mr. Hosoda:

Subject: Ingress and Egress Driveway for  
TMK: 5-9-11.16 in Pupukea

In reference to your letter of September 10, 1979, concerning the above-captioned subject, please be informed that Scheme B of your revised access plan is acceptable. We advise, however, that any construction within the State right-of-way will require a permit from the Highways Division.

Sincerely,

TETSUO HARANO  
Chief  
Highways Division

SEP 07 '94 09:34 CALVIN KIM & ASSOC 888 531-7427

CLARENCE A. JANTONIS  
CHIEF



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
408 PUNCHBOUL STREET  
HONOLULU, HAWAII 96813

October 24, 1979

Calvin Kim & Associates, Inc.  
328 Fort Street Mall, Suite 201  
Honolulu, HI 96813

Attention Mr. Conrad T. Shiroma  
Gentlemen:

Subject: Proposed Market and Shops for Foodland Supermarket, Ltd., TME 5-9-11: 16, Kanehamaha Highway at Pupukea Road ID No. O-79-64 (Old ID No. O-78-70)

We are enclosing the approved tracing (Sht. 6-1A). We are approving the plans received with your letter of October 11, 1979, subject to the following conditions:

1. In lieu of depressed curb, provide for standard concrete curbs at the locations shown in pencil;
2. In lieu of "One-Way" sign, install "No Right Turn" sign at the location shown in pencil;
3. Sht. C-5 - revision to the traffic control plan as shown in pencil; and
4. On Shts. C-5 and C-6, revise the reference date of the Manual on Uniform Traffic Control Devices for Streets and Highways from 1971 to 1978.

Please submit three copies of the approved plans for our files. You may have your contractor obtain a permit from our Oahu District Engineer at 727 Kikoi Street after you submit the approved plans.

Very truly yours,

*Clarence A. Jantonis*  
CLARENCE A. JANTONIS  
Chief  
Highways Division

Enclosure

P. 2/3

FRANCIS H. SHIROMA, P.E.  
DIRECTOR

DEPUTY DIRECTOR

JAMES R. CANNIS  
DEPUTY DIRECTOR  
JAMES E. SUKOTO  
DEPUTY DIRECTOR  
JAMES K. SONG  
DEPUTY DIRECTOR  
JAMES B. MCCORMICK  
DEPUTY DIRECTOR  
19 MEVY MEVY RD.  
HWY-CM 2-53823

SEP 07 '94 09:35 CALVIN KIM & ASSOC 888 531-7427

P. 3/3

CALVIN KIM & ASSOCIATES, INC.  
ATTORNEYS  
SUITE 201 FORT STREET MALL  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 531-7427

October 11, 1979

Highways Division  
Department of Transportation  
State of Hawaii  
869 Punchbowl Street  
Honolulu, Hawaii 96813

Subject: Proposed Market and Shops for Foodland Supermarket, Ltd.  
Tax Map Key 5-9-11:16  
Kanehamaha Highway at Pupukea Road  
I.D. No. O-78-70  
Ref. Letter HWY 2-53471

Gentlemen:

We are transmitting to you the following items for the subject project:

1. Tracing sheet C-1A - Revised Parking Plan with new exit to Kanehamaha Highway
2. Two sets of approved construction plans

Your approval of the Revised Parking Plan is requested.

Very truly yours,

*Conrad T. Shiroma*  
Conrad T. Shiroma

CTS:jy

Encl.

CERTIFIED COPY

I hereby certify that this is a true copy from the records of the Bureau of Conveyances.

*[Signature]*  
Director, Bureau of Conveyances  
Honolulu, Hawaii

8-1019  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED  
MAY 04, 1994 11:00 AM  
Doc No(s) 94-072623

/s/ S. FURUKAWA  
REGISTRAR OF CONVEYANCES

LAND COURT SYSTEM  
Return by Mail ( ) Pickup ( ) To:  
Suzanne [unclear]  
POB [unclear]  
Honolulu, Hawaii 96826

AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

THIS INSTRUMENT, made this 24th day of February 1994, by Maurice J. Sullivan, Joanna L. Sullivan, and Kathleen Sullivan Mo, Trustees of the Kathleen M. A. Sullivan Irrevocable Trust dated September 3, 1975; Maurice J. Sullivan, Joanna L. Sullivan and N. Jenaal Sullivan Wall, Trustees of the Maurice J. Sullivan Irrevocable Trust dated March 16, 1977; Maurice J. Sullivan, Joanna L. Sullivan and Colleen Sullivan, Trustees of the Colleen Sullivan Irrevocable Trust dated November 27, 1979; Maurice J. Sullivan, Joanna L. Sullivan and Patrick Joseph Sullivan, Trustees of the Patrick Joseph Sullivan Irrevocable Trust dated May 23, 1981, Owners of that certain parcels of land described in Exhibit "A" & "B", attached hereto and made a part hereof, being hereinafter collectively referred to as "Declarants."

W I L L I N E S S E E I N

WHEREAS, Section 4.40-21 of the Land Use Ordinance (LUO) provides that if an owner or owners of adjacent lots believe that joint development of their property would result in more efficient use of their land, they may apply for a Conditional Use Permit to allow such development and to treat said lots as one (1) for zoning purposes; and

WHEREAS, LUO Section 4.40-21 requires an applicant for a Conditional Use Permit to submit to the City and County of Honolulu ("City") an agreement binding himself and his successors in title to maintain a proposed development so that conformity with applicable zoning regulations will be assured; and

WHEREAS, Declarants propose to develop all those parcels of land described in Exhibits "A" and "B", attached hereto, in accordance with the zoning regulations, in the belief that said proposed development would result in a more efficient use of said parcels; and

WHEREAS, Declarants desire to avail themselves of the benefits of LUO Section 4.40-21, and hereby make application for the issuance of a Conditional Use Permit pursuant thereto.

NOW, THEREFORE, Declarants hereby covenant and make the following Declarations:

1. This Agreement is made pursuant to and in compliance with the provisions of LUO Section 4.40-21, relating to joint development of two (2) or more adjacent lots, the terms of which Section shall be effective when the Director of Land Utilization of the City and County of Honolulu approves development of those parcels of land described in Exhibits "A" and "B", and issues a Conditional Use Permit therefor.

DMV  
TRA  
AND  
MAY

2. Declarants agree to develop in accord with all other provisions of the zoning regulations.
3. Declarants agree to file copies of this Agreement and the attachments referred to herein each time the Declarants or their successors, or permitted assigns or agents, files an application for a building permit for any structure within the real property which is the subject of this agreement.
4. Declarants agree that all of said parcels of land described in Exhibits "A" and "B" shall at all times remain an integral part of said development.
5. Failure to develop substantially in accordance with said Agreement and the zoning regulations shall constitute grounds for the City to revoke or suspend any building permits issued hereunder.
6. Failure to maintain the development in accordance with this Agreement shall constitute grounds for the City to revoke or suspend the Conditional Use Permit issued pursuant to this agreement.
7. This Agreement shall not terminate, extinguish, nor cancel without the express written approval of the Director of Land Utilization of the City and County of Honolulu, State of Hawaii.
8. The City and County of Honolulu, State of Hawaii, shall have the right to enforce this Agreement and the conditions contained herein by appropriate action at law or suit in equity against Declarants and any persons claiming an interest in such property.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this Agreement shall run with the land and shall bind, inure to the benefit of, and constitute notice to the respective successors, grantees, assigns, mortgagees, lienors, and any other person who claims an interest in such property, of the parties hereto.

**DECLARANTS:**

KATHLEEN W. A. SULLIVAN  
IRREVOCABLE TRUST

HAUREM J. SULLIVAN  
IRREVOCABLE TRUST

COLLEEN SULLIVAN IRREVOCABLE  
TRUST

PATRICK JOSEPH SULLIVAN  
IRREVOCABLE TRUST

BY *Maurice J. Sullivan*  
Maurice J. Sullivan,  
Trustee

BY *Joanna L. Sullivan*  
Joanna L. Sullivan,  
Trustee

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) ss.

On this 8<sup>th</sup> day of April, 1994,  
before me personally appeared MAURICE J. SULLIVAN and JOHANNA L. SULLIVAN to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

*Lynda A. Stear*  
Notary Public, State of Hawaii  
My Commission expires: 1/29/95



EXHIBIT "A"

PARCEL FIRST:

All of that certain parcel of land (portion of the land described in and covered by Land Patent Grant No. 12,299 issued to the Avocado Co., Ltd.) being Lot 3, situated, lying and being on the northerly side of Pupukaa Homestead Road at Pupukaa, in the District of Koolauloa, City and County of Honolulu, State of Hawaii, and more particularly described as follows:

Beginning at the South corner of this parcel of land, being also the Southwest corner of Lot 3, and on the northerly side of Pupukaa Homestead Road, the corner station "PUPUKAA" being 2,183.22 feet South and 3,188.66 feet West, and running by azimuths measured clockwise from true South:

1. 99° 12' 77.65 feet along the Northerly side of Pupukaa Homestead Road;
2. 240° 05' 102.81 feet along Grant 5196 to Leslie Cooper Clark (Lot 3), Revised, of Lanai-A-Kaa Tract;
3. 11° 04' 64.98 feet along remainder of Grant 5196 to Leslie Cooper Clark (Lot 3), Revised, of Lanai-A-Kaa Tract;

PARCEL SECOND:

All of that certain parcel of land (portions of the land described in and covered by Land Patent Grant No. 5196 to Leslie Cooper Clark (Lot 3), Revised, of Lanai-A-Kaa Tract, and Land Patent Grant No. 12,299 to Avocado Co., Ltd., and Grant 5196 to Leslie Cooper Clark (Lot 3), Revised, of Lanai-A-Kaa Tract, being Lot 3, situated, lying on the northerly side of Pupukaa Homestead Road at Pupukaa, in the District of Koolauloa, City and County of Honolulu, and more particularly described as follows:

Beginning at the Southwest corner of this parcel of land, being also the South corner of Lot 3, and on the northerly side of Pupukaa Homestead Road, the corner station "PUPUKAA" being 2,183.22 feet South and 3,188.66 feet West, and running by azimuths measured clockwise from true South:

1. 191° 04' 194.65 feet along remainder of Grant 12,299, Parcel 3 to Hawaiian Avocado Co., Ltd. and Grant 5196 to Leslie Cooper Clark (Lot A and Lot B) (Revised) and 149 of Lanai-A-Kaa Tract);
2. 279° 12' 107.19 feet along remainder of Grant 5196 to Leslie Cooper Clark (Lot 149 of Lanai-A-Kaa Tract and Lot 106 of Lanai-A-Kaa Farm Lot);
3. 11° 04' 194.65 feet along remainder of Grant 5196 to Leslie Cooper Clark, Grant 12,299, Parcel 3 to Hawaiian Avocado Co., Ltd. and Grant 5196 to Leslie Cooper Clark (Lot C);
4. 99° 12' 107.19 feet along the northerly side of Pupukaa Homestead Road to the corner station "PUPUKAA" being 2,183.22 feet South and 3,188.66 feet West, and containing an area of 2,318 square feet, or thereabouts.

PARCEL THIRD:

All of that certain parcel of land (portion of the land described in and covered by Land Patent Grant No. 5196 to Leslie Cooper Clark (Lot 3), Revised, of Lanai-A-Kaa Tract, and Land Patent Grant No. 12,299 to Avocado Co., Ltd., and Grant 5196 to Leslie Cooper Clark (Lot 3), Revised, of Lanai-A-Kaa Tract, being Lot 3, situated, lying on the northerly side of Pupukaa Homestead Road at Pupukaa, in the District of Koolauloa, City and County of Honolulu, and more particularly described as follows:

Beginning at the Northwest corner of this parcel of land, being also the Southwest corner of Lot 4, of Lanai-A-Kaa Tract, and on the northerly side of Kaaheha Highway, the coordinates of which to the Government Survey Triangulation Station "PUPUKAA" being 2,183.22 feet South and 3,188.66 feet West, and running by azimuths measured clockwise from true South:

1. 279° 12' 100.16 feet along remainder of Grant 5196 to Leslie Cooper Clark (Lots 41 and 419 of Lanai-A-Kaa Tract);
2. 11° 04' 60.10 feet along remainder of Grant 5196 to Leslie Cooper Clark (Lot 3);
3. 60° 05' 102.81 feet along Grant 12,299, Parcel 3 to Leslie Cooper Clark (Lot A);

THK 5-9-11-35

EXHIBIT 'B'

- 4. 99° 12' 201.85 feet along the northerly side of Landa, Kamehaha Highway, on a curve to the right with a radius of 10,000 feet, chord azimuth and distance being:
- 5. 145° 08' 28.74 feet
- 6. 191° 04' 104.34 feet along the easterly side of Kamehaha Highway to the point of beginning and containing an area of 37,887 square feet.

SUBJECT TO THAT CERTAIN UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL LEASING DATED JANUARY 17, 1978 AND RECORDED IN SAID BUREAU OF CONVEYANCES IN LIBER 14884 AT PAGE 423.

All of that certain parcel of land (portion of the land described in and conveyed by Land Patent Grant Number 1181 to Laila Cooper Clark), situate, lying and being on the southeasterly side of Kamehaha Highway at Pihaihi, in the District of Kona, City and County of Hawaii, state of Hawaii, being LOT NUMBER FORTY-FOUR (44) of the "LAILA-KOA TRACT", (the Map thereof not being recorded) and was bounded and described in per survey of R. H. Towell, Registered Professional Surveyor, dated December 11, 1931, as-wit:

Beginning at the southwest corner of this parcel of land, being also the Northwest corner of Lot 43 of Laila-Koa Tract, and on the southeasterly side of Kamehaha Highway, the coordinates of which referred to Government Survey Triangulation Station 577702A being 3,117.81 feet South and 3,419.82 feet East, and running by azimuths measured clockwise from true South:

- 1. 191° 04' 76.00 feet along the southeasterly side of Kamehaha Highway;
- 2. 319° 12' 139.89 feet along remainder of Grant 1181 to Laila Cooper Clark (Lot 45 of Laila-Koa Tract);
- 3. 11° 04' 74.00 feet along remainder of Grant 1181 to Laila Cooper Clark (Lot 108 of Laila-Koa Tract);
- 4. 99° 12' 110.08 feet along remainder of Grant 1181 to Laila Cooper Clark (Lot 43 of Laila-Koa Tract) to the point of beginning.

Containing an area of 11,219 square feet, or thereabouts.

TMK S-9-11-35

EXHIBIT "B"

All of that certain parcel of land portion of the land described in and covered by Land Patent Grant Number 5198 to Lealie Cooper Clark), situate, lying and being on the southerly side of Kamehameha Highway at Papalea, in the District of Koolahou, City and County of Honolulu, State of Hawaii, being LOT NUMBER FORTY-FOUR (44) of the "LANI-A-KAA TRACT", (the Map thereof not being recorded) and that bounded and described as per survey of R. M. Towell, Registered Professional Surveyor, dated December 31, 1931, to-wit:

Beginning at the Southwest corner of this parcel of land, being also the Northwest corner of Lot 43 of Lani-A-Kaa Tract, and on the southerly side of Kamehameha Highway, the conditions of which referred to Government Survey Triangulation Station "YUFUKA" being 3,112.81 feet South and 9,431.83 feet West, and running by azimuths measured clockwise from true South:

1. 191° 04' 75.00 feet along the southerly side of Kamehameha Highway;
2. 219° 12' 136.03 feet along remainder of Grant 5198 to Lealie Cooper Clark (Lot 45 of Lani-A-Kaa Tract);
3. 11° 04' 71.00 feet along remainder of Grant 5198 to Lealie Cooper Clark (Lot 119 of Lani-A-Kaa Tract);
4. 89° 12' 139.03 feet along remainder of Grant 5198 to Lealie Cooper Clark (Lot 43 of Lani-A-Kaa Tract) to the point of beginning.  
Containing an area of 11,219 square feet, or thereabouts.

RECORDER'S MEMO: Legibility of Writing, Typing or Printing UNSATISFACTORY in this Document when received.



**W I L H E S S E I H**

WHEREAS, Section 4.40-21 of the Land Use Ordinance (LUO)

provides that if an owner or owners of adjacent lots believe that joint development of their property would result in more efficient use of their land, they may apply for a Conditional Use Permit to allow such development and to treat said lots as one (1) for zoning purposes; and

WHEREAS, LUO Section 4.40-21 requires an applicant for a Conditional Use Permit to submit to the City and County of Honolulu ("City") an agreement binding himself and his successors in title to maintain a proposed development so that conformity with applicable zoning regulations will be assured; and

WHEREAS, Declarants proposes to develop all those parcels of land described in Exhibits "A" and "B", attached hereto, in accordance with the zoning regulations, in the belief that said proposed development would result in a more efficient use of said parcels; and

WHEREAS, Declarants desires to avail themselves of the benefits of LUO Section 4.40-21, and hereby make application for the issuance of a Conditional Use Permit pursuant thereto.

NOW, THEREFORE, Declarants hereby covenant and make the following Declarations:

1. This Agreement is made pursuant to and in compliance with the provisions of LUO Section 4.40-21, relating to joint development of two (2) or more adjacent lots, the terms of which Section shall be effective when the Director of Land Utilization of the City and County of Honolulu approves development of those parcels of land described in Exhibits "A" and "B", and issues a Conditional Use Permit therefor.

2. Declarants agree to develop in accord with all other provisions of the zoning regulations.

3. Declarants agree to file copies of this Agreement and the attachments referred to herein each time the Declarants or their successors, or permitted assigns or agents, files an application for a building permit for any structure within the real property which is the subject of this agreement.

4. Declarants agree that all of said parcels of land described in Exhibits "A" and "B" shall at all times remain an integral part of said development.

5. Failure to develop substantially in accordance with said Agreement and the zoning regulations shall constitute grounds for the City to revoke or suspend any building permits issued hereunder.

6. Failure to maintain the development in accordance with this Agreement shall constitute grounds for the City to revoke or suspend the Conditional Use Permit issued pursuant to this agreement.

7. This Agreement shall not terminate, extinguish, nor cancel without the express written approval of the Director of Land Utilization of the City and County of Honolulu, State of Hawaii.

8. The City and County of Honolulu, State of Hawaii, shall have the right to enforce this Agreement and the conditions contained herein by appropriate action at law or suit in equity against Declarants and any persons claiming an interest in such property.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this Agreement shall run with the land and shall bind, inure to the benefit of, and constitute notice to the respective successors, grantees, assignees, mortgagees, lienors, and any other person who claims an interest in such property, of the parties hereto.

DECLARANTS:

KATHLEEN M. A. SULLIVAN  
IRREVOCABLE TRUST

MAUREEN J. SULLIVAN  
IRREVOCABLE TRUST

COLLEEN SULLIVAN IRREVOCABLE  
TRUST

PATRICK JOSEPH SULLIVAN  
IRREVOCABLE TRUST

BY

*Maurice J. Sullivan*  
Maurice J. Sullivan,  
Trustee

By

*Joanna L. Sullivan*  
Joanna L. Sullivan,  
Trustee

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU ) ss.

On this 8<sup>th</sup> day of April  
before me personally appeared MAURICE J. SULLIVAN and JOANNA L. SULLIVAN to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

*Leola A. Peabo*  
Leola A. Peabo  
Notary Public, State of Hawaii

My Commission expires: 1/29/95

TKK 5-9-11-16

PANEL FIRST:

All of that certain parcel of land (portion of the land described in and covered by Lead Patent Grant No. 12,199 issued to Leslie Avocado Co., Grant No. 12,199, situated, lying and being on the Northwesterly side of Pupukea Road and being on the Northwesterly side of Pupukea City and County of Honolulu, State of Hawaii, and more particularly described as follows:

Beginning at the South corner of this parcel of land, being also the Southwest corner of Lot 3, and on the Northwesterly side of Pupukea Homestead Road, the coordinates of which referred to Government Survey Triangulation Station "PUPUKA" being 3,231 feet South and 5,388 feet East West, and running by azimuths measured clockwise from true South:

1. 99° 12' 77.65 feet along the Northwesterly side of Pupukea Homestead Road;
2. 240° 05' 101.81 feet along Grant 3186 to Leslie Cooper Clark (Lot 4), Revised, of Lani-A-ka Tract);
3. 11° 04' 64.90 feet along remainder of Grant 12,299, Parcel 8 of Avocado Co., Ltd., the point of beginning and containing an area of 2,318 square feet, or thereabouts.

PANEL SECOND:

All of that certain parcel of land (portions of the land described in and covered by Lead Patent Grant No. 5186 to Leslie Cooper Clark, Land Patent Grant No. 12,199 to Leslie Avocado Co., Ltd. and Land Patent Grant No. 12,299 to Grant 3186 to Theodore Swanson) being Lot 3, situated, lying and being on the Northwesterly side of Pupukea Homestead Road at Pupukea, in the District of Koolaloa, City and County of Honolulu, State of Hawaii, and more particularly described as follows:

Beginning at the Southwest corner of this parcel of land, being also the South corner of Lot A, and on the Northwesterly side of Pupukea Homestead Road, the coordinates of which referred to Government Survey Triangulation Station "PUPUKA" being 3,183.31 feet South and 5,388.66 feet East West, and running by azimuths measured clockwise from true South:



1. 191° 04' 194.65 feet along remainder of Grant 12,299, Parcel 8 to Hawaiian Avocado Co., Ltd. and Grant 3186 to Leslie Cooper Clark (Lots A and Lots 4) (Revised) and 149 of Lani-A-Sea Tract);
2. 279° 12' 107.19 feet along remainder of Grant 3186 to Leslie Cooper Clark (Lot 4 of Lani-A-Sea Tract and Lot 106 of Lani-A-Kaa Farm Lots);
3. 11° 04' 194.65 feet along remainder of Grant 3186 to Leslie Cooper Clark, Avocado Co., Ltd. to Hawaiian Avocado Co., Ltd. and Grant 3186 to Theodore Sumann (Lot C);
4. 99° 13' 107.19 feet along the Northerly side of Pupukaa Komasteads road to the point of beginning and containing an area of 10,851 square feet, or thereabouts.

PARCEL THIRD:

All of that certain parcel of land (portion of the land described in and covered by said Patent Grant No. 5186 to L. C. Clark) being Lot 4 (Revised) of the "LANI-A-KAA TRACT" (the map thereof not being recorded), situated, lying and being on the East side of Kauhahaha Highway, lying in the District of Koolauloa, City and County of Honolulu, State of Hawaii, and more particularly described as follows:

Beginning at the Northwest corner of this parcel of land, being also the Southwest corner of Lot 4, of Lani-A-Sea Tract, and on the Easterly side of Kauhahaha Highway, the coordinates of which referred to Government Survey Triangulation Station "TUPUKAA" being 1,117.68 feet North and 3,660.36 feet West, and running by azimuths measured clockwise from true South:

1. 279° 13' 300.16 feet along remainder of Grant 3186 to Leslie Cooper Clark (Lots 4 and 149 of Lani-A-Sea Tract);
2. 11° 04' 60.10 feet along remainder of Grant 3186 to Leslie Cooper Clark (Lot 3);
3. 60° 03' 107.41 feet along Grant 12,299, Parcel 8 to Leslie Cooper Clark (Lot A);

4. 99° 12' 201.85 feet along the Northerly side of Pupukaa Komasteads road to the right with a radius of 100.00 feet, chord azimuth and distance being:
5. 145° 08' 28.76 feet;
6. 191° 01' 104.34 feet along the Easterly side of Kauhahaha Highway to the point of beginning and containing an area of 34,699 square feet.

SUBJECT TO that certain Unilateral Agreement and Declaration for Conditional Zoning dated January 19, 1978 and recorded in said Bureau of Conveyances in Liber 17684 at Page 421.

TRK 5-9-11-35

EXHIBIT "B"

ALL of that certain parcel of land (portion of the land described in and covered by Land Patent Grant Number 1111 to Leslie Cooper Clark), situated, lying and being on the southeasterly side of Kamehameha Highway at Papeete, in the District of Honolulu, City and County of Honolulu, State of Hawaii, being LOT NUMBER FORTY-FOUR (44) of the "LAHI-A-KA TRACT", (the Map thereof not being recorded) and was bounded and described in per survey of E. M. Towell, Registered Professional Surveyor, dated December 21, 1931, as-wit:

Beginning at the Southwest corner of this parcel of land, being also the Northwest corner of Lot 43 of Lahi-A-Ka Tract, and on the southeasterly side of Kamehameha Highway, the course of which referred to Government Survey Triangulation Station "YUPUNEA" being 3,111.22 feet South and 3,453.22 feet West, and running by azimuths measured clockwise from true South:

1. 181° 01' 76.00 feet along the southeasterly side of Kamehameha Highway;
2. 210° 12' 150.01 feet along remainder of Grant 1111 to Leslie Cooper Clark (Lot 45 of Lahi-A-Ka Tract);
3. 11° 01' 76.00 feet along remainder of Grant 1111 to Leslie Cooper Clark - (Lot 119 of Lahi-A-Ka Tract);
4. 99° 12' 150.01 feet along remainder of Grant 1111 to Leslie Cooper Clark (Lot 43 of Lahi-A-Ka Tract) to the point of beginning.

Containing an area of 11,459 square feet, or thereabouts.





RECEIVED MAR 16 1994

DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

430 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • PHONE 532-4432



FRANK J. JARA  
DIRECTOR

DONALD A. CLEGG  
DIRECTOR  
LORETTA K. CHEE  
DEPUTY DIRECTOR

ACCEPTANCE NOTICE

Name : MAURICE J. SULLIVAN, ET AL  
Location : 59-716 and 59-720 Kamehameha Highway -  
Pupukea  
Tax Map Key: 5-9-11: 16 and 35  
Received : March 4, 1994 File No. 94/CUPI-14  
Request : CONDITIONAL USE PERMIT (Typed)  
JOINT DEVELOPMENT

NOTE: APPLICANT MUST SUBMIT 2 ADDITIONAL  
COPIES OF JOINT DEVELOPMENT AGREEMENT.

The above application has been reviewed and accepted as meeting the basic filing requirements. As we review your application, we may request additional information to establish a clearer understanding of your proposal.

THIS ACCEPTANCE NOTICE DOES NOT CONSTITUTE APPROVAL OF YOUR REQUEST. YOU WILL BE NOTIFIED IN WRITING WHEN FINAL ACTION IS TAKEN.

If you have any questions, please call JAMES MORISATO at 523-4861 and refer to the above File No.

*James Morisato*  
For DONALD A. CLEGG  
Director of Land Utilization

Date 3-14-94

Note: If you have appointed an agent to represent you, all future correspondence will be with the agent. If you should change agents, please notify the Department of Land Utilization immediately.



SENT BY: 6-28-94 : 9:31AM :FOODLAND SUPER MKT/2- 808 9496707:# 2/ 4 6-28-94 : 9:32AM :FOODLAND SUPER MKT/2- 808 9496707:# 3/ 4

**CITY AND COUNTY OF HONOLULU**

DEPARTMENT OF LAND UTILIZATION  
 400 SOUTH KING STREET  
 HONOLULU, HAWAII 96813 • PHONE 535-4433



DONALD A. CLEGG  
 DIRECTOR  
 LAND UTILIZATION  
 DEPARTMENT

CERTIFIED MAIL  
 P. 888 829 872  
 RETURN RECEIPT REQ.

June 22, 1994

Patrick J. Sullivan Trust  
 c/o Foodland Supermarket, Ltd.  
 P.O. Box 22099  
 Honolulu, Hawaii 96823

Gentlemen:

ORDINANCE: 78-11  
 DLU File No. 76/E-032  
 TAX MAP KEY: S-9-011; 016

Annual reporting on compliance with conditions of above noted Zone Change Ordinance (i.e. Unilateral Agreement) is required by City Council.

Please provide an updated report which addresses the current status of each declaration associated with the above zone change. Specifically, on an item-by-item basis, indicate whether the status of each condition is: met; partially met; on-going; inactive; or not met. Documentation for verification should be attached if available.

We request that your response be submitted to us within 45 days of the date of this letter. If you are no longer associated with this zone change, please inform us immediately and provide information on who the current owner/developer is. Your reply should be mailed to:

Department of Land Utilization  
 Attn: Monitoring and Compliance Branch  
 650 South King Street, 7th Floor  
 Honolulu, Hawaii 96813

Patrick J. Sullivan Trust  
 Page 2

The attached instruction sheet is provided to assist you with your reporting. Please direct any questions to our Monitoring and Compliance Branch, at 527-5873.

Very truly yours,

*Donald A. Clegg*  
 Donald A. Clegg, Director

Department of Land Utilization

DAC:ra  
 ua76z32.jmf

Attachment: Instruction Sheet



# ORDINANCE

ORDINANCE NO. 78-11 (SD) 78-11:3  
BILL NO. 132 (1977)  
(DRAFT NO. 1)

FILE NUMBER: 78-11

TRK: 8-9-11: 16

REFERENCE FILE: 76/8-32

DESCRIPTION: A BILL FOR AN ORDINANCE TO REZONE A PORTION OF R-6 RESIDENTIAL DISTRICT SITUATED AT PUPUKA, KOOLAULOA, OAHU, HAWAII, TO B-1 NEIGHBORHOOD BUSINESS DISTRICT NO. R-311. (BILL NO. 132, 1977)

A BILL FOR AN ORDINANCE TO REZONE A PORTION OF R-6 RESIDENTIAL DISTRICT SITUATED AT PUPUKA, KOOLAULOA, OAHU, HAWAII, TO B-1 NEIGHBORHOOD BUSINESS DISTRICT NO. R-311.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. A portion of R-6 Residential District situated on the northeasterly side of the intersection of Kamehameha Highway and Pupukea Homestead Road at Pupukea, Koolauloa, Oahu, Hawaii, hereinafter described, is hereby rezone to B-1 Neighborhood Business District No. R-311. The boundaries of said B-1 Neighborhood Business District No. R-311 shall be described as follows:

Being the whole of Lot 43 of Lani-A-Kea Tract and Lots A and B of Lani-A-Kea Farm Lots situated on the northeasterly side of the intersection of Kamehameha Highway and Pupukea Homestead Road at Pupukea, Koolauloa, Oahu, Hawaii, and covered by Tax Map Key: 5-9-11: 16.

Beginning at a point on the easterly side of Kamehameha Highway and approximately 125 feet northerly of Pupukea Homestead Road the coordinates of said point of beginning referred to as "Point of Beginning" are as follows: Commencing at the intersection of said Kamehameha Highway and Pupukea Homestead Road at Pupukea, Koolauloa, Oahu, Hawaii, and running by azimuths measured clockwise from true South:

1. 279° 12' 300.16 feet along Lot 44 and 149 of Lani-A-Kea Tract;
2. 191° 04' 69.65 feet along Lot 149 of Lani-A-Kea Tract;
3. 279° 12' 107.19 feet along Lots 149 of Lani-A-Kea Tract and Lot 106 of Lani-A-Kea Farm Lots;
4. 11° 04' 194.65 feet along Lot C of Lani-A-Kea Farm Lots;
5. 99° 12' 386.69 feet along the northerly side of Pupukea Homestead Road;

Thence on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

6. 149° 08' 28.74 feet along the northerly side of Pupukea Homestead Road;
7. 191° 04' 104.24 feet along the easterly side of Kamehameha Highway to the point of beginning and containing an area of 58,260 square feet more or less;

AND IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed in this Declaration shall run with the land and shall bind and constitute notice to all subsequent lessees, grantees, assignees, mortgagees, lienors and any other persons who claim an interest in the land, and the City and County of Honolulu of the State of Hawaii shall have the right to enforce this Declaration by appropriate action at law or suit in equity against all such persons, provided that Declarant or its successors and assigns may at any time file a petition for removal of the conditions and termination of this Unilateral Agreement, such petition to be processed in the same manner as petitions for zone changes.

IN WITNESS WHEREOF, the undersigned has executed this Declaration the day and year first above written.

RAINBOW UNDERWRITERS, INC.

By [Signature]  
Its President

DECLARANT

STATE OF HAWAII  
CITY AND COUNTY OF HONOLULU

SS.

On this 19th day of January, 1978, before me appeared [Signature] who is personally known to me, and by me sworn, did say that she is the [Signature] of RAINBOW UNDERWRITERS, INC. That said corporation has no seal; that said instrument was signed in behalf of said corporation by authority of its Board of Directors and that said officer acknowledged the instrument to be the free act and deed of said corporation.

[Signature]  
Notary Public First Circuit,  
State of Hawaii.

My Commission expires: 9-18-78

AND IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed in this Declaration shall run with the land and shall bind and constitute notice to all subsequent lessees, grantees, assignees, mortgagees, lienors and any other persons who claim an interest in the land, and the City and County of Honolulu of the State of Hawaii shall have the right to enforce this Declaration by appropriate action at law or suit in equity against all such persons, provided that Declarant or its successors and assigns may at any time file a petition for removal of the conditions and termination of this Unilateral Agreement, such petition to be processed in the same manner as petitions for zone changes.

IN WITNESS WHEREOF, the undersigned has executed this Declaration the day and year first above written.

RAINBOW UNDERWRITERS, INC.

By [Signature]  
Its President

DECLARANT

STATE OF HAWAII  
CITY AND COUNTY OF HONOLULU

SS.

On this 19th day of January, 1978, before me appeared [Signature] who is personally known to me, and by me sworn, did say that she is the [Signature] of RAINBOW UNDERWRITERS, INC. That said corporation has no seal; that said instrument was signed in behalf of said corporation by authority of its Board of Directors and that said officer acknowledged the instrument to be the free act and deed of said corporation.

[Signature]  
Notary Public First Circuit,  
State of Hawaii.

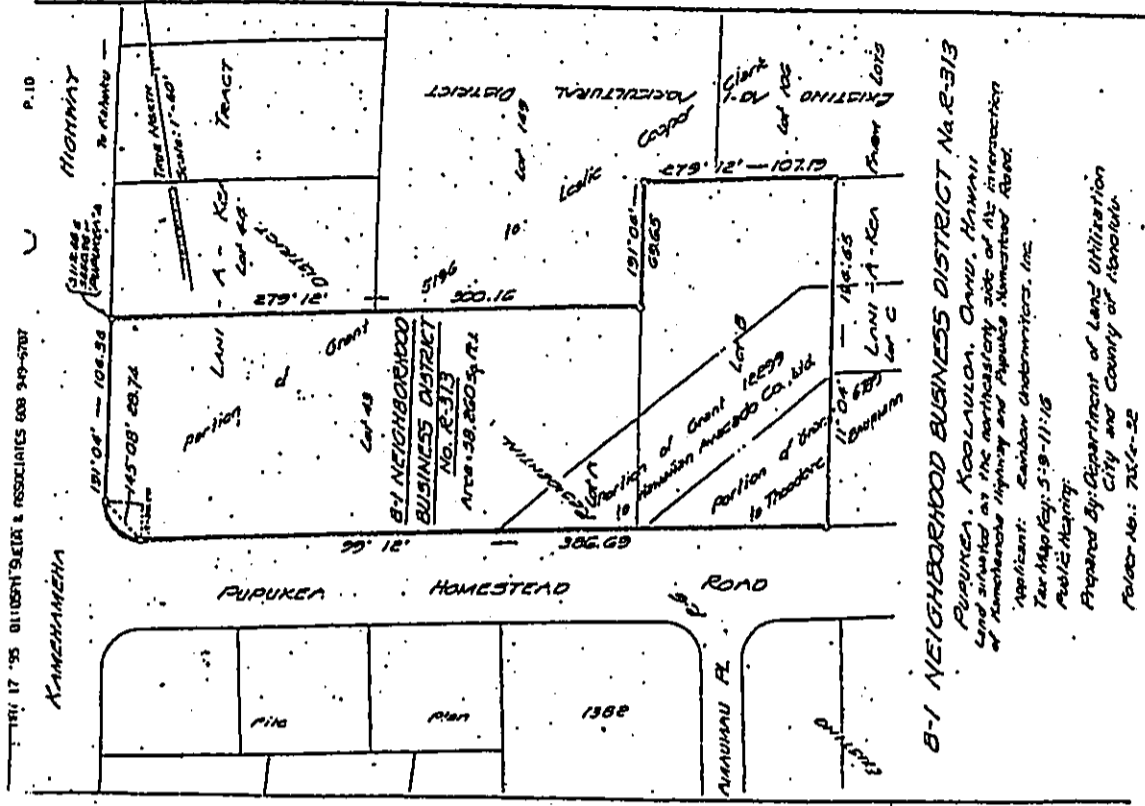
My Commission expires: 9-18-78

**EXHIBIT "A"**

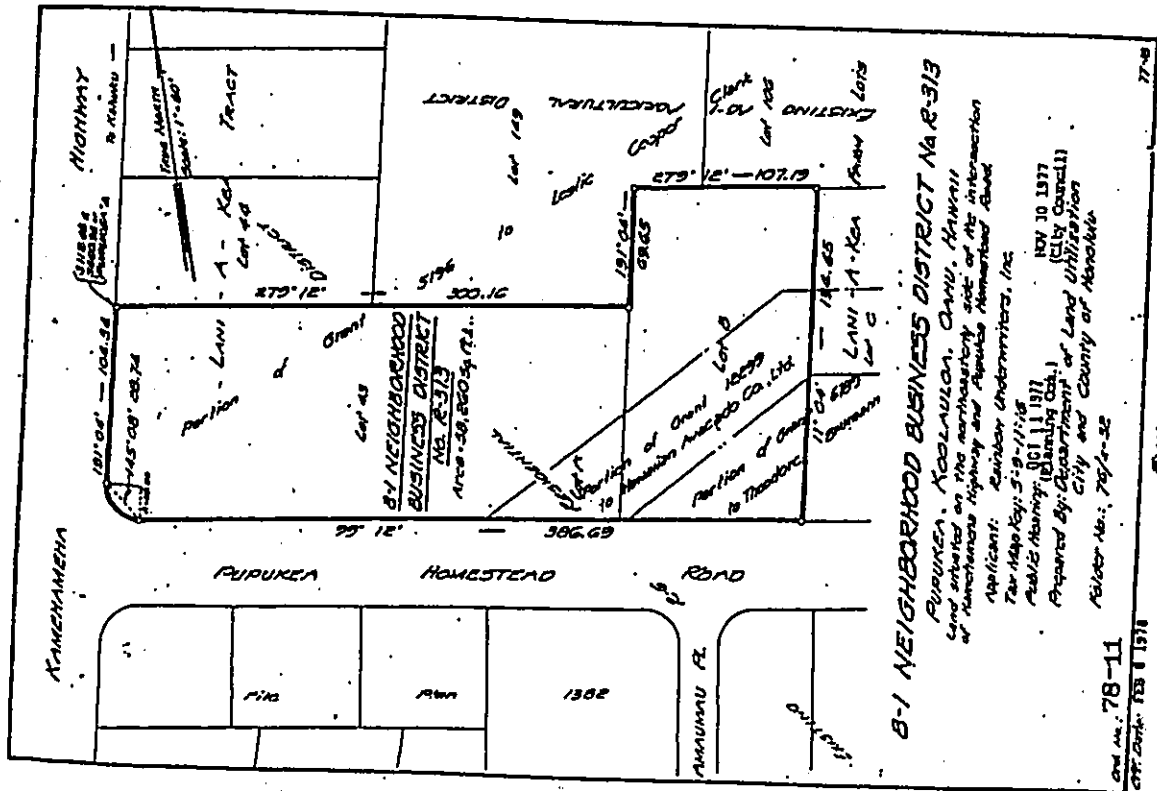
LOT 43 of Lani-A-Kea Tract and Lots A and B of the intersection of Kamehameha Highway and Pupukea Homestead Road at Pupukea, Koolauloa, Oahu, Hawaii, and covered by Tax Map Key: 5-3-11; 16.

Beginning at a point on the easterly side of Kamehameha Highway and approximately 125 feet northerly of Pupukea Homestead Road the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUPUKEA" being 3,112.66 feet South and 5,660.96 feet West and running by azimuths measured clockwise from true South:

- |   |      |     |        |   |
|---|------|-----|--------|---|
| 1.  | 279° | 12' | 300.16 | feet along Lots 44 and 149 of Lani-A-Kea Tract;   |
| 2.  | 191° | 04' | 69.65  | feet along Lot 149 of Lani-A-Kea Tract;   |
| 3.  | 279° | 12' | 107.19 | feet along Lots 149 of Lani-A-Kea Farm Lots;  |
| 4.  | 11°  | 04' | 194.65 | feet along Lot C of Lani-A-Kea Farm Lots;   |
| 5.  | 99°  | 13' | 386.69 | feet along the northerly side of Pupukea Homestead Road;  |
| Thence on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: |      |     |        |   |
| 6.  | 145° | 08' | 28.74  | feet along the northerly side of Pupukea Homestead Road;  |
| 7.  | 191° | 04' | 104.34 | feet along the easterly side of Kamehameha Highway to the point of beginning and containing an area of 58,260 square feet more or less. |



**B-1 NEIGHBORHOOD BUSINESS DISTRICT No. R-313**  
 PUPUKEA, KOOLAULOA, OAHU, HAWAII  
 Land situated at the northwesterly side of the intersection of Kamehameha Highway and Pupukea Homestead Road.  
 Applicant: Swinton Underwriters, Inc.  
 Tax Map Key: 5-3-11-16  
 Public Hearing:  
 Prepared By: Department of Land Utilization  
 City and County of Honolulu  
 Order No.: 755-22

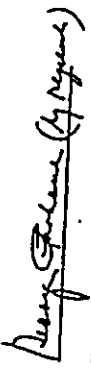


City and County of Honolulu  
OFF. DATE: FEB 1 1978


as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.


SECTION II. A Unilateral Agreement marked Exhibit "B" and by reference incorporated herein and made a part hereof.

SECTION III. This ordinance shall take effect upon its approval.

INTRODUCED BY:  
  
 Councilman

DATE OF INTRODUCTION:  
 NOVEMBER 16, 1977  
 Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:  
  
 Deputy Corporation Counsel

Approved this 2th day of FEBRUARY, 1978.  
  
 FRANK T. HAYS Mayor  
 City and County of Honolulu



Sueda & Associates, Inc./Architects and Planners

Lloyd T. Sueda, AIA  
Michael F. Wong, AIA Associate  
Byron T. Inarado, AIA Associate  
Robert S. Nitta, AIA Associate

Department of Land Utilization  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813

Attn: Monitoring and Compliance Branch

Re: **FOODLAND PUPUKEA:**  
Ordinance No. 78-11, DLU File No. 76Z-032, T.M.E.:5-9-11-016  
Annual Report on Compliance with Zoning Change Ordinance Conditions

DRAFT

To whom it may concern:

The attached is a brief response to the conditions set forth as part of the approved zoning change (approved 2/08/78):

Condition 1: Condition completely met as construction plans were revised and approved by DLU and a building permit issued (No. 118386).

Condition 2: Vehicular ingress and egress was allowed along both Pupukoa Homestead Road and Kamehameha Highway, and was approved by the Department of Transportation and Department of Transportation Services #1578, 1201/78, and 1072/79.

Condition 3 & 4: Unable to determine improvements shown on plan prepared by Austin, Tetsuami & Associates, Inc., dated 1/27/77 as they can find no records of this plan. To the best of our knowledge, Condition 3 has been met, as evidenced by earlier approvals by the applicable County and State agencies under building permit No. 118386. Condition 4 has not been addressed yet as there are no present plans to rezone and develop lands between Pupukoa Homestead Road, Kamehameha Highway and Palooa Road.

Should you have any questions, please do not hesitate to call me.

Sincerely,  
SUEDA & ASSOCIATES, INC.

Lloyd T. Sueda  
President

cc: Foodland (Roll Fry)

LTS:ceel100594.02



DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

490 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • PHONE 533-4133



REC'D MAIL ROOM  
MAY 10 1994

DONALD A. CLEGG  
DIRECTOR  
LORETTA A.C. CHEE  
DEPUTY DIRECTOR  
94-05415 (UT)  
76/SHN-209

Mr. Lloyd T. Sueda :  
Page 2  
November 4, 1994

Approval of the above-described modifications to 76/SHN-209 does not certify compliance with other zoning code requirements and approval from other governmental agencies. They are subject to separate review and approval.

If you have any questions concerning this letter, please contact Dana Teramoto of our staff at 523-4648.

Very truly yours,

*Donald Clegg*

DONALD A. CLEGG  
Director of Land Utilization

DAC:st  
10/28/94

November 4, 1994

Mr. Lloyd T. Sueda  
Sueda & Associates, Inc.  
905 Hahakiki Way, Hauka Suite  
Honolulu, Hawaii 96826-2869

Dear Mr. Sueda:

Modification To Special Management Area Use Permit (SMP)  
Addition To The Existing Foodland Supermarket  
59-720 Kamehameha Highway, Pupukea, Oahu  
Tax Map Key (THK): 5-9-11: 16

In response to your letter dated August 2, 1994, we hereby APPROVE your modification request to the SMP granted under City Council Committee Report NO. 973 (76/SHN-209) for a concrete pad, transformer and an addition to the above-described location. The applicant also proposes to replace an existing sewer lift station in a different location, with no increase in size.

The proposed modification to 76/SHN-209 is to add approximately 1,980 square feet of floor area, which will be allowed under the Land Use Ordinance. This SMP concerned the impacts of the development of two structures with a total floor area of 20,000 square feet. The applicant built 14,980 square feet, and now proposes a total floor area of 21,980 square feet.

We have determined that the proposals will not have an adverse impact on coastal resources as stated in Chapter 25, ROH, and will not change the existing use of the project site.

Per our staff's telephone conversation with Michael Wong of your firm, we understand that additional parking will be provided on parcel 35 (adjacent to parcel 16). A Conditional Use Permit Type 1, file no. 94/CUPL-14, for the joint development of THKs 5-9-11: 16 and 35 was approved with conditions on April 16, 1994.

Please be advised that you will be required to apply for an SMP for the proposed parking lot on parcel 35.



Sueda & Associates, Inc. / Architects and Planners

Lloyd I. Sueda, AIA  
Michael R. Wong, AIA Associate  
Byron T. Isumoto, AIA Associate  
Robert S. Nitro, AIA Associate

December 27, 1994

City & County of Honolulu  
Department of Land Utilization  
650 S. King Street  
Honolulu, Hawaii 96813

Re: Foodland - Pupukea  
Parking Resolution

Foodland originally took out a Building Permit in (1978) for two building with a parking requirement of 59 cars. Foodland, however, did not build the second building, yet proceeded to pave that area and add additional parking stalls, which brought the count up to the present 68 cars, 9 more than the permit & 16 more than what was required for a Market (1 to 400 sq.ft.) in 1978. In 1978, the State had a 13'-0" State Street widening setback. See Exhibit 1.

Today, the State has a 50'-0" street widening setback, of which they have allowed the land owner to use for parking. Foodland had a similar situation in Hauula Shopping Center, where we had a 25'-0" street widening set which we were also allowed to use for parking. Both City Map, ROAD WIDENING MAP - NS-2 & Development Plan Public Facility North Shore Map, do not show any setback requirements. The chance of the State widening all of Kamehameha Highway on the North Shore is almost never. See attached Exhibit 2 & 3.

We are proposing to add to the existing market, using part of the existing parking area. We also have Ownership of the adjacent property that we propose to use for required parking.

This then became our present problem. We would like to use the legal permitted parking count of 59 cars, as our basic parking requirement (51) and add an additional 25 cars for the new proposed square foot addition of 7,413 at 1 to 300 sq.ft. making the total parking requirement of 84 cars. We also feel that we should be allowed to use the State setback area for our original 59 cars. SEE SKETCH A. If that is approved we will then be providing 75 cars in the original lot and additional 30 cars in the new lot giving us a total parking count of 105 cars - 21 cars more than the code requirement.

December 27, 1994  
Page 2

And if we use the State setback for our parking count, we would have a total of 117 cars until the State decides to widen Kam Highway. See Sketch "C".

And if the State does take the 50' setback we would have a new parking count of 81 cars. See sketch "B", still 5 more cars than what the code requires.

This parking study has become quite complicated with all the different assumption & combinations. Please call and I would be glad to explain and discuss this matter with staff.

Foodland would like to start construction on this project, however, we first need to resolve this problem.

Thank you.

Very truly yours,

SUEDA & ASSOCIATES, INC.

Lloyd I. Sueda

LTS:dm

Enclosures



Sueda & Associates, Inc./ Architects and Planners

Lloyd T. Sueda, AIA  
Michael R. Wong, AIA Associate  
Byron T. Ferrudo, AIA Associate  
Robert S. Niffo, AIA Associate

January 13, 1995

State of Hawaii  
Department of Transportation  
Construction & Maintenance  
869 Punchbowl St., Room 203  
Honolulu, Hawaii 96813

Attn: Sterling Morikawa/Asst. Chief -  
Construction & Maintenance  
Robert Itagaki

Re: Pupukea Foodland - Access along Kamehameha Highway

Gentlemen:

It is our understanding that your department's review is a very lengthy process and may take several months to review/approve. We will have most of our approvals to start building construction by the end of January 1995, with the exception of DOT.

We are presently processing the building permit application for the renovation of Foodland Supermarket. We respectfully request your approval of this permit utilizing the existing egress and ingress driveways during the building construction. Per our discussion, we will revise the plans, and obtain your approval for the revised access driveways to our site along Kamehameha Highway while building construction is in progress. The driveway revisions will be per your recommendation (DOT letter to Imata & Associates, Inc. dated October 7, 1994).

Please let me know if this is acceptable or if you may have other requirements.

Sincerely,

SUEDA & ASSOCIATES, INC.

Lloyd T. Sueda, AIA

APPROVED BY:  
Haurice J. Sullivan, Owner

*M. J. Sullivan*  
Foodland Supermarkets, Ltd.

11395LS.HW

Date: 1-13-95

DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

430 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • PHONE 522-4032



JAN 30 1995  
RECEIVED

Patrick T. Onishi  
Permit Director

LEONITA L. CHOI  
Permit Director

94-09142(OP)

January 27, 1995

Mr. Lloyd T. Sueda  
Sueda & Associates, Inc.  
905 Makahiki Way, Mauka Suite  
Honolulu, Hawaii 96826

Dear Mr. Sueda:

59-716 & 59-720 Kamehameha Highway  
(Pupukea Foodland)  
TKS: 5-9-011: 016 & 035

This responds to your request dated December 27, 1994 for an interpretation concerning off-street parking requirements for the planned expansion of a grocery store located on the above properties. Specifically, you want to know: (1) what the minimum required off-street parking for the expanded building will be, and (2) whether or not you can use those portions of the lot for parking which one day may be affected by a 50-foot road widening of Kamehameha Highway.

We have determined that the minimum required off-street parking for the proposed project is 93 stalls, and you may use those portions of the lot which could one day be used to widen Kamehameha Highway for the required parking. The following explains our decision.

1. Minimum Parking Requirements:

Your client plans to add 7,423 square feet of floor area to an existing building with 20,505 square feet of existing floor area and used as a grocery store (Foodland). An adjacent lot has been acquired to provide additional off-street parking for the expansion; joint development of the two zoning lots was approved under Permit No. 94/CUP1-014, dated April 16, 1994.

A building permit for the establishment was issued in 1978 for two buildings, which required 59 off-street parking spaces for the two buildings under standards contained in the Comprehensive Zoning Code (CZC); i.e., one stall per 400 square feet of floor area. However, only one building was ultimately built, and that portion of the lot which was to

Mr. Lloyd T. Sueda  
Page 2  
January 27, 1995

have been the location of the second building was used for parking. These circumstances resulted in 68 existing off-street parking spaces being provided on the lot.

The building expansion will: (a) remove 16 of the existing parking spaces and (b) yet requires 25 additional parking spaces based on floor area under current Land Use Ordinance (LZO) standards; i.e., one stall per 300 square feet of floor area. Therefore, the minimum required off-street parking for the establishment under the expansion plan is as follows:

Parking stalls remaining on-site after construction	52
Required parking stalls for the additional floor area (7,423 sf)	25
Replacement parking stalls for those lost due to construction	16
<b>MINIMUM REQUIRED OFF-STREET PARKING</b>	<b>21</b>

Please note that existing on-site parking must be replaced even though the minimum number of parking spaces required was less when the building permit for the existing floor area was issued. The surplus, existing off-street parking for the existing floor area (based on CZC standards) brings the lot closer to full compliance with regard to the LZO parking standards; i.e., under LZO standards the existing floor area would require 69 off-street parking spaces. Therefore, reducing the existing parking spaces would increase the nonconformity, which we cannot permit.

2. Road Widening Setback:

We understand that the State of Hawaii Department of Transportation, Highways Division (SDOT) requested that a 50-foot road widening setback from Kamehameha Highway be shown on your project's plan. In discussing the situation with the SDOT, they explained to us that the road widening with the recommended in an "advance planning study". However, the road widening is not shown on any adopted street right-of-way map, and SDOT does not envision the project moving ahead for at least 15 to 20 years.

Mr. Lloyd T. Sueda  
Page 3  
January 27, 1995

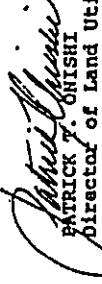
Therefore, the potential road widening does not constitute a "street setback line" as defined by the LDO. Accordingly, those portions of the two lots on the highway-side of the proposed road widening line may be used for the required parking.

For the sake of clarity, we recommend that the road widening line be re-labeled on the building permit plans to read "Potential 50-foot State road widening (minimum 15-20 year timeframe)", or something similar.

Please note that the new parking lot areas must conform to LDO parking lot landscaping standards. Proposed improvements designed to comply with these standards, along with the proposed arrangement of parking spaces, must be shown on any plans submitted for the building permit.

I hope this clarifies the situation for you. Please contact Jamie Peirson of our staff at 527-5754 if you have any questions.

Very truly yours,

  
PATRICK T. ONISHI  
Director of Land Utilization

PTO:fm  
cc: State Dept. of Transportation,  
Highways Division

sentfeedback.lhe



DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

140 SOUTH KING STREET  
 HONOLULU, HAWAII 96813 - PHONE 933-4321



PATRICK T. ONISHI  
 DIRECTOR  
 LAND UTILIZATION  
 95-00861(JM)

LAST COMMENTS FROM DLJ

CITY AND COUNTY OF HONOLULU  
 DEPARTMENT OF LAND UTILIZATION  
 PLANS REVIEW BRANCH

Date: March 6, 1995

PLANS CHECKER: L. KAUER  
 PROJECT: FOODLAND - PUPUNEA  
 TAX MAP KEY: S-9-011:016 & 035  
 PLANS BY: LLOYD SUEDA

ZONING DISTRICT: B-1  
 76/2-32 77/2-25 94/CUPI-14 76/SPA-209

February 21, 1995

FEB 23 1995  
 RECEIVED

Mr. Michael R. Wong  
 Sueda & Associates, Inc.  
 905 Kakahiki Way, Mauka Suite  
 Honolulu, Hawaii 96826-2869

Dear Mr. Wong:

Conditional Use Permit No. 94/CUPI-14  
 Joint Development - LUO Section 21-4.40-21  
 Maurice J. Sullivan, et al.  
 59-716 and 59-720 Kamehameha Highway - Pupukea  
 Tax Map Key S-9-11: 16 and 15

The executed joint development agreement, recorded in the Bureau of Conveyances of the State of Hawaii, as Document No. 94-072823, on May 4, 1994, meets Condition 2 of the above Conditional Use Permit. You may now process the building/sign permits.

If you have any questions, please contact James Morisato of our staff at 523-4861.

Very truly yours,

*Patrick T. Onishi*  
 PATRICK T. ONISHI  
 Director of Land Utilization

PTO:nt  
 194CUP14.ntt

Applicant's  
 Responses

DLJ COMMENTS

1. Correct LUO data on Sheet A-2.
  2. Omit "compact" notation from space #87.
  3. For the handicap spaces to count toward the required standard size spaces, it shall not obstruct the 8'-6" x 19'-0" space. If the handicap sign is located in access aisle, it shall be placed 6" in, to allow for the 8'-6" width of the space.
  4. The applicant must apply for an SHP for the adjacent parking lot with CMU wall and fence and for the additional CMU wall on the Site Grading & Drainage Plan shown on sheet C-5 (circled in red pencil).
  5. The building permit application must be signed off by DFW, as it is stipulated in Committee Report No. 973, dated May 11, 1977 by the City Council. One of the conditions of this report stated, "Grading and drainage proposals must be reviewed and approved by the Department of Public Works."
  6. Submit an extra copy of Sheet A-3 (Site/Parking Plan) with revisions.
- All corrections must be done in black ink, with full signature & date at all corrections, unless new prints are made. (If major corrections/revisions are made, or if plans are illegible, new prints will be required.)
- Includes comment sheet and voided sheets (if any), along with corrected plans and building permit Application when resubmitting for further review.

- Confirm handicap parking room space # 87 (On A-3)  
 - Show notes to be C's on notes of #40  
 - Handicapped stall width (On C-5)

Per DLJ's letter of reply to PMS&A SMA Application (ATTACHED)

DATA: COMPLETE / SUBMIT TRAFFIC PLAN REQUESTED BY DFW TODAY 4/12/95

- SHP A-3 [extra copy] with comments to be generated

SENT BY:

5- 3-95 : 9:17AM :FOODLAND SUPER MKT/1-

808 9496707:3 4



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813 - 5086

SENT BY:

5- 3-95 : 9:17AM :FOODLAND SUPER MKT/1-

808 9496707:3 4

RENE MANSHO  
COUNCIL MEMBER AND CHAIR  
OF COMMITTEE ON TRANSPORTATION  
(808) 541-1001

April 17, 1995

Mayor Jeremy Harris  
City & County of Honolulu  
530 South King Street, 3rd Floor  
Honolulu, Hawaii 96813

Dear Mayor Harris,

SUBJECT: North Shore Community Concerns

I received concerns from residents who are worried about the quality of life on the North Shore. The following list of requests need your attention:

1. Conduct a comprehensive site inspection of dwellings from the Anahulu Bridge to Turtle Bay Hotel. Allegations of many illegal units/add-ons/rentals.
2. Conduct a comprehensive site inspection in Issuing citations and removing illegal sales operations along Kamehameha Highway from Anahulu Bridge to Turtle Bay Hilton Hotel. Allegations of illegal sales of surfboards on the roadside, trinkets, tourist souvenirs, and a snack shop with huge tiki statue across from Sunset Beach.

Residents feel that there is an increase in transients, "undesirable" activities, and a hodge podge of structures that continue to devalue the beauty of the North Shore.

Hardworking families with children are not happy with the worsening conditions and worry that they won't ever allow their children to go to the Pupukea Foodland Market because of the panhandlers, loiterers, and "disgusting sights". Thus, they have to cut of their way to the Lale Foodland Market.

Your assistance is needed immediately to address the concerns of our residents. Thank you for giving this matter your utmost priority.

Sincerely,

RENE MANSHO  
Councilmember, District I

RM:ch  
cc: North Shore Neighborhood Board No. 27  
Randy Fujiki, Building Department  
Russell Miyake, Finance Department  
Major William Bennett, HPD  
Governor Benjamin Cayetano

SENT BY:

5-3-95 : 9:16AM :FOODLAND SUPER MKT/1-

808 9496707:2 2/ 4



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813 - 3065

RENE MANSHO  
COUNCILMEMBER AND CLERK  
OF THE COMMITTEE ON TRANSPORTATION  
(808) 537-2001

April 28, 1995

Mr. Maurice Sullivan  
Foodland Super Market, Ltd.  
3536 Harding Avenue  
Honolulu, Hawaii 96816

Dear Mr. Sullivan, *Mansho*

SUBJECT: Pupukea Foodland Super Market

I received several concerns from the Pupukea residents who are worried about the quality of life in the North Shore area.

The families feel there is a need to alerting the Pupukea Foodland employees of the undesirable characters who are on your super market premises panhandling or disturbing the customers. The Sunset Beach families feel it is unsafe for their children to patronize your super market; instead, the families travel to your Laie Foodland to do their food shopping.

I am certain that your Pupukea Foodland manager is aware of this situation and is trying to take action in order to reassure the area consumers to feel comfortable in shopping in a safe atmosphere.

I have enclosed a copy of a letter that I addressed to our Mayor in hopes that this situation can be addressed.

If you have any questions regarding this matter, please feel free to contact me or my legislative aide, Cookie Harris, at 527-5711.

Sincerely,

RENE MANSHO  
Councilmember, District I

RH:ch  
encl



APPLICATION INDEX NO. **94-6-577**  
 BUILDING DEPARTMENT CITY AND COUNTY OF HONOLULU  
 BUILDING PERMIT APPLICATION

Permit No.

APPLICANT FILL IN AREA BELOW Company: <b>Foodland Supermarkets, Ltd.</b> 353C Hooakua Ave. 59-720 Kaulaunahua Ave. Honolulu, Hawaii 96813 Architect: <b>Lloyd T. Sueda</b> 905 Makahiki Way Honolulu, Hawaii 96826-2869 Contractor: <b>Michael R. Worio</b> 242-6644 619/94		FOR BUILDING DEPARTMENT USE Occurrence Group: <b>B</b> Date: <b>9/11/94</b> Permit Fee: <b>1,331</b>	
PROJECT ADDRESS: <b>57 LF of 84 LF, A.C. CURBING DRIVEWAY</b> PROJECT VALUE: <b>\$1,000,000.00</b> PROJECT TYPE: <b>CONSTRUCTION</b> PROJECT CLASSIFICATION: <b>REPAIRS</b> PROJECT CODE: <b>03</b>		SPECIAL INSPECTION CODE: <b>COEDMAD</b> ZONING AND LUD DATA: <b>NO</b> RETAINING WALL: <b>NO</b> SIGNATURE: <b>[Signature]</b>	
NATURE OF WORK: 1. <input type="checkbox"/> New Work 2. <input type="checkbox"/> Alteration 3. <input type="checkbox"/> Repair 4. <input type="checkbox"/> Other		WORK WILL: ADD: <input type="checkbox"/> Total Rooms: <input type="checkbox"/> Total Area: <input type="checkbox"/> DELETE: <input type="checkbox"/> Total Rooms: <input type="checkbox"/> Total Area: <input type="checkbox"/>	
SEWAGE DISPOSAL: <input type="checkbox"/> New <input checked="" type="checkbox"/> Existing <input type="checkbox"/> Not Applicable METHOD: <input type="checkbox"/> 1. Private Sewage Treatment Plant <input type="checkbox"/> 2. At-Risk Unit <input checked="" type="checkbox"/> 3. Other (Specify)		APPROVAL OF OTHER AGENCIES (ROUTE AS INDICATED): CITY AND COUNTY: <input checked="" type="checkbox"/> LAND UTILIZATION: <input checked="" type="checkbox"/> DIV. OF ENGINEERING: <input checked="" type="checkbox"/> FIRE DEPT.: <input checked="" type="checkbox"/> TRANSPORTATION: <input checked="" type="checkbox"/> DIV. OF WATER SUPPLY: <input checked="" type="checkbox"/> STATE OF HAWAII: <input checked="" type="checkbox"/> HEALTH DEPT.: <input checked="" type="checkbox"/> LAND & NATURAL RESOURCES: <input checked="" type="checkbox"/> LAND USE COMMISSION: <input checked="" type="checkbox"/> HIGHWAYS DIVISION: <input checked="" type="checkbox"/> DIV. OF INDUSTRIAL SAFETY: <input checked="" type="checkbox"/>	
SIGNATURE: <b>Michael R. Worio</b> DATE: <b>6/19/94</b> PROJECT NO.: <b>242-6644</b>		NOTES TO APPLICANT: <b>FOR BUILDING DEPARTMENT USE</b> THIS PERMIT IS VALID FOR 180 DAYS FROM THE DATE OF ISSUANCE. IF WORK IS NOT STARTED WITHIN 180 DAYS, THIS PERMIT WILL BE DEEMED VOID. A FEE OF \$100 WILL BE CHARGED FOR THE REISSUANCE OF THIS PERMIT.	

DEPARTMENT OF LAND UTILIZATION  
 CITY AND COUNTY OF HONOLULU



RECEIVED  
 MAY - 1 1995

April 28, 1995

Mr. Lloyd T. Sueda  
 Sueda & Associates, Inc.  
 905 Makahiki Way, Mauka Suite  
 Honolulu, Hawaii 96826-2869

Dear Mr. Sueda:

Special Management Area Review  
 Parking Lot Addition to Foodland Supermarket  
 59-716 Kamehameha Highway, Pupukea, Oahu  
 TAX MAP KEY: 5-9-11: 35

We have reviewed the above-described project and have determined that a major Special Management Area Use Permit (SMP) will be required. We have enclosed a DLU Master Application Form and a DLU Content Guide for preparing an Environmental Assessment.

If you have any questions regarding this letter, please contact Dana Taramoto of our staff at 523-4648.

Very truly yours,

*Patrick T. Onishi*  
 PATRICK T. ONISHI  
 Director of Land Utilization

PTO:am  
 Enclosures  
 flind:djc

Permittee is hereby given to do above work according to conditions hereon and according to ordinances and laws of City and County of Honolulu and State of Hawaii.  
 This building shall not be occupied until a certificate of occupancy has been issued.  
 OFFICE COPY



**NORTH SHORE NEIGHBORHOOD BOARD NO. 27**

PA. 001 001 - 001 001 001 001

**MINUTES OF REGULAR MEETING  
MAY 23, 1985**

**JOHN KALLI SURF CENTER**

**MEMBERS PRESENT:** James Awai, John Hirota (arrived late), Jake Ng, Dan Gora, Marilee Lyons, Warren Scoville, Batsay Essoyan, Ken Newfield (arrived late).

**MEMBERS ABSENT:** Carola Collins, Almase Kumura, Walter Tonsi, Meryl Anderson, Sue Fujioka, Bob Linau, Phyllis Shipman.

**QUEST:** Byron Tauruda, Major Darwin Carpenter (The Salvation Army), Sydney Peller, Bonnie Mercelle, David Tobin, Jack Gray, Garen Horgen (The Salvation Army), Xavier Merth, George Awa, Junete Timbreza, Romulo Timbreza, Senator Robert Bunda, Cooke Harris (Councilmember Rene Manaho's staff), Aileen Stewart (Representative Alex Santiago staff), Danette Rayford, Johnny Rayford, E. Ulu, LTC. Larry Hyatt, Roy Hill, Y. Takata, Ron Hill (Hanapa's Club), C. Takata, Peter Miner, Pat Lee (Obayashi Hawaii Corp), Jason McKenzie, Henry Peraso, Calaste Cerezo, Gerald Hagino (Mayor's representative), Councilmember Rene Manaho, Peter Cole, Rex Quidilla (Neighborhood Commission staff).

**CALL TO ORDER:** Chair James Awai called the meeting to order at 7:20 p.m. A quorum was not present.

**HONOLULU POLICE DEPARTMENT:** No report.

**HONOLULU FIRE DEPARTMENT:** Captain Brian Emmons, who was recently promoted last month, reported the following: Nine medical emergencies and five fires and noted that the fire station will receive defibrators.

Boardmembers Ken Newfield and John Hirota arrived at 7:25. A quorum was present.

**APPROVAL OF THE APRIL 26, 1985 REGULAR MEETING MINUTES:** The minutes were unanimously approved by the board.

**TREASURER'S REPORT:** Treasurer Dan Gora reported the following for April 1985: Operating Account expenditures were \$47,877, leaving a balance of \$891,38. The Capital Account remains unchanged at \$1297.

**PRESENTATIONS**

**FAMILY DISASTER PLANNING - Danette K. Rayford, Chairwoman, Oahu County Volunteer Organization Active In Disaster (VOAD):** Rayford explained that she is visiting neighborhood boards to raise awareness of the need for families and communities to develop a disaster plan to better care for themselves during natural disasters. Rayford cites the problems experienced by the Waianae coast community in the aftermath of Hurricane Iniki. Rayford encouraged parents to find out if their children's school has a disaster plan, and if not, to form one.



Oahu's Neighborhood Board System - Established 1975

**NORTH SHORE NEIGHBORHOOD BOARD NO. 27  
REGULAR MEETING MINUTES  
MAY 23, 1986  
PAGE 2**

Literature developed by the American Red Cross and the Federal Emergency Management Agency was distributed to the board.

**HOME LAND SALVATION ARMY PROPOSED PROJECT AT CROZIER PARK - GLEN HORGAN:** Horgan explained that the camp, located on Ohio Street, will construct new buildings to replace old, termite ridden building on the camp grounds. Horgan explained that all efforts to minimize present or future impacts of the camp will be addressed. Horgan noted Home Land's facilities are open for community use.

Several neighbors of Home Land voiced their concerns regarding campfire smoke and night time noise from campers and delivery trucks. Horgan commented that he has notified nearby residents of the renovations and has received good responses, but as per the board's request, will continue to confer with residents in advising areas for more input. Horgan assured the board that the Salvation Army wants to be proactive in addressing community concerns.

Since this meeting is the last for the current board, Chair James Awai recommended that the Salvation Army continue to work on this issue with the board's incoming representatives of that area.

**EUPUKA FOODLAND AND MARKET EXPANSION BY SUEDE AND ASSOCIATES:** A representative of Suede and Associates informed the board that the Pupukea Foodland supermarket will expand. The supermarket, which currently occupies 20,000 square feet, will be expanded by 7,000 square feet. The improvements will include a bakery, deli, fresh seafood and video sections. The expansion will also include more parking spaces, improved staff amenities and restrooms that comply with the American Disabilities Act requirements. Foodland will remain open during the renovations.

Other concerns raised by the board: Loitering and drinking in parking lots, traffic problems for cars entering and exiting the supermarket.

Foodland representatives will return in about two months for a formal presentation.

**UNFINISHED BUSINESS: None.**

**NEW BUSINESS**

**DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR MOKULEIA SEAWALL PROJECT AT 88-701 CROZIER DRIVE:** Chair Awai commented that he has received many calls regarding the seawall project on Crozier Drive. Representatives of the project explained that the property owners are seeking a variance for the seawall, which has already been built. The wall was built in order to stop further erosion of the property. According to the representatives, adjacent properties have seawalls. Neighbors have written a letter supporting the seawall. According to the representatives, if the variance is not approved, the property is left with two options, both of which will not

SUNSET BEACH COMMUNITY ASSOCIATION

GENERAL MEETING - JULY 19, 1995 - MINUTES

Meeting began at 7:47 p.m. Chip Hartman presiding as Larry McElheny is out of town.

Minutes from May 17, 1995 meeting circulated.

No report from treasurer.

1) Foodland Expansion: Charlotte Canaday, (manager of Pupukea Foodland Store), Lloyd Sueda of Sueda & Associates, Inc. (architecture firm), and Maurice Sullivan (Foodland owner) presented plans of expansion. The Pupukea Foodland is within the Shoreline Management Area. Expansion plans include 11,000 square feet added to existing property and an additional 7000 square feet of retail space, which will extend 40 feet into existing parking lot towards the ocean. Current parking lot will expand from 68 parking stalls to 93 parking stalls. A bakery, deli, meat counter, expanded video selection and public toilet for store patrons will be added. An upstairs business office will be added.

The 50 foot set back requirement from the highway has been waived by the DOT and a 10 foot set back approved, due to no immediate plans of widening Kamehameha Hwy.

The number of delivery trucks will not increase, however the time needed to unload these trucks may increase. Currently delivery trucks block traffic traveling on Pupukea Road during deliveries.

Commentary: Bob Lineau - Left hand turn lane needed from Kamehameha Highway onto Pupukea Road because of dangerous traffic congestion and confusion due to proximity of Foodland's driveway to Pupukea Road. Discussion ensued.

Ken Heyfield - North Shore Neighborhood Board supported expansion plans as presented due to adequate parking provided, few residential lots abutting site, and no need for zoning changes. However, a strong recommendation was made to solve the inconvenience of traffic stoppage on Pupukea Road during delivery periods by making further efforts to purchase the adjacent land parcel on the Kahuku side of the Foodland property, and accommodating the trucks in that area, rather than inconveniencing the residents of the community by blocking Pupukea Road. Discussion ensued.

Mariassa Bellini - The current delivery truck system is a major inconvenience to Pupukea residents who are prevented from traveling to work, school, etc., in a timely fashion. With the impending development Obayashi lands, traffic congestion on Pupukea Road is expected to worsen.

significantly. She urges an alternate delivery site be used that will not block public traffic. Several community members expressed their support of this solution. Discussion ensued.

Charlotte Canaday - Strategies for improved security of the Foodland parking lot include periodic use of undercover security guards on Friday, Saturday and Sundays. Foodland manager on duty is to patrol the parking lot on an hourly basis. The new business office will have windows facing the parking lot and increased lighting. Community members voiced some opposition of increased lighting. Commentary was made in support of the proposed tree planting in the parking lot, despite the trees' possible negative impact on security procedures. Discussion ensued.

2) Ke Ala Pupukea Bike Path Update: Jean Merlet reports the \$7000 from the Hawaii Community Foundation needs to be spent. It is intended for bike path enhancement, such as bike racks and benches. She is looking for someone to organize the purchase and installation of these items. So far 340 trees, 300 bushes and over 1800 hours of accounted for volunteer labor have gone into the project (many unaccounted volunteer hours were noted, too). Construction should be done by the end of August, except for the new bridge by Sunset Beach. More volunteers are needed to weed particular areas. Broken asphalt needs to be marked so repairs can be made before contractor is paid. Gidget is expecting delivery of more plants in August from the City nursery. Ron Durran, from the Mayor's office has gotten calls from the community regarding safety concerns. Discussion ensued.

Chip Hartman reports that he has received some phone calls with complaints of decreased parking. The City and County's position is that Ke Ala Pupukea is to be considered a linear park; some public parking can be accommodated, but not at the expense of the park's integrity. Chip has referred callers to Dept. of Parks and has encouraged people to wait until the park's completion, then to evaluate the parallel parking potential. Other calls have expressed concern for path users' safety at the points where cars turn onto the frontage roads. Discussion ensued.

No new business.

Motion made, seconded, and carried to accept March 1995 minutes.

Motion made, seconded, and carried to adjourn meeting.

Meeting adjourned at 9:00 p.m.

Recorded by Sue Cortés

**APPENDIX - B**

**Response to Review Comments on the  
Draft Environmental Assessment**

FAX 02 'SE 05:50PM SLEIN & ASSOCIATES 888 949-6707

P.2

DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

630 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 525-4422



JEREMY HARRIS  
MANAGER

PATRICK T. ORISHI  
DIRECTOR

LORETTA K.L. CHOI  
PROPERTY MANAGER

95/SMA-032 (JT)

July 28, 1995

JUL 31 1995  
RECEIVED

Mr. Lloyd Sueda,  
Sueda & Associates, Inc.,  
905 Makahiki Way, Hauka Suite  
Honolulu, Hawaii 96826

Dear Mr. Sueda:

Project Name : Pupukea Foodland Improvements  
File No. : 95/SMA-32(JT)  
Tax Map Key : 5-9-11: 16 and 35

We are forwarding copies of all comments we have received relating to the Draft Environmental Assessment (DEA) of the above-referenced project.

In accordance with the provisions of Chapter 343, HRS, you must respond in writing to these and any other comment which were received during the 30-day comment period which began with publication of a notice of availability of the DEA in the OREGON BULLETIN on June 23, 1995. The final Environmental Assessment must include these comments and response, as well as revised text, if appropriate.

If you have any questions, please contact Joan Takano of our staff at 527-5030.

Very truly yours,

PATRICK T. ORISHI  
Director of Land Utilization

PTO:am  
Enclosures

01/17/95/jht

CHARLES A. CATTANO  
DIRECTOR



STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

201 SOUTH KING STREET  
FOURTH FLOOR  
HONOLULU, HAWAII 96813  
TELEPHONE: 535-2000  
FACSIMILE: 535-2004

July 18, 1995

Mr. Patrick T. Onishi, Director  
Department of Land Utilization  
650 South King Street  
Honolulu, Hawaii 96813

Attention: Joan Takano

Dear Mr. Onishi:

Subject: Draft Environmental Assessment for the Pupukea Foodland  
Renovations and Parking Addition

Thank you for the opportunity to review the subject document. We have the following comments.

1. What is the maximum permissible height at the proposed site and how high is the proposed second story addition?
2. We believe that due to heavy traffic volumes along Kamehameha Highway during the weekends, the left turn movements into and out of Pupukea Road may be operating at a poor level of service. Improvements such as signalization and dedicated left turn lanes may be needed presently or in the future. These improvements would require some additional right-of-way. Please contact the State Department of Transportation and the City and County of Honolulu Department of Transportation Services regarding the traffic situation at the intersection of Kamehameha Highway and Pupukea Road.
3. Please consult with the adjacent owners regarding this project.

If you have any questions, please call Jayan Thirugnanam at 586-4185. Thank you.

Sincerely,

Gary Gill  
Director

C: Hil Chee - Planning, Inc.

29 September 1995

RESPONSE TO REVIEW COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT  
FOR RENOVATIONS & PARKING ADDITION AT PUPUKEA FOODLAND.

COMMENTS FROM: Office of Environmental Quality Control  
State of Hawaii

DATE OF COMMENTS: 18 July 1995

ITEM RESPONSE

1. Maximum permissible height in a B-1 Neighborhood Business District is 40'-0". Maximum height for the proposed addition is approximately 25'-2" from the finish floor line of the ground floor to the top of the roof parapet above the second floor.  
"Item 1. Letters from Mr. Gary Gill concerning the reconfiguration of the left turn onto Pupukea Road and Mr. Alex Ho concerning frontage improvements along Pupukea Road and Kamehameha Highway. We have completed routing of the plans through the Dept. of Public Works, Dept. of Transportation Services and the State Dept. of Transportation and have received approvals from all of these agencies. The approvals included drain connections to both State and County Drainage Systems. During the review, addition of a left-turn lane and reconfiguration of the intersection of Pupukea Road and Kamehameha Highway was not a requirement. There is, however, a 50' setback along Kamehameha Highway that will remain." (Letter from Imaia & Associates, Inc., civil engineers, dated 3 August 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)
2. Copies of the Draft Environmental Assessment and accompanying letters requesting their comments were mailed to the adjacent property owners on 14 August 1995. As of 22 September 1995, no comments have been returned concerning the proposed project. (See letters to MSC Associates/et al., Susan I. Niimi Trust/et al., Yoshikawa Masayoshi T/et al., and Kahuku General Plumbing & Supply attached.)
- 3.

14 August 1995

Yoshikawa Masayoshi Tr. / Et al.  
59-079 Pahoe Road  
Haleiwa, HI 96712

Subject: PARKING ADDITION AT PUPUKEA FOODLAND

Dear Sirs:

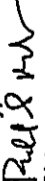
Foodland Supermarkets, Ltd. proposes to construct parking improvements to the existing Foodland Supermarket on the corner of Kamehameha Highway and Pupukea Road. The parking area will be expanded to include the abutting parcel (TMK 5-9-11:35) along Kamehameha Highway, located just north of the current supermarket site.

The proposed action lies within the Special Management Area (SMA) and, therefore, requires a Special Management Permit (SMP). One of the initial steps in the SMP application process is the preparation of an Environmental Assessment (EA). Our firm, Will Chee - Planning, Inc. (WCP), has been retained by Foodland's architects, Sueda & Associates, Inc., to prepare the EA. A "Draft EA" has been completed and attached for your reference. After comments have been received by all concerned persons and government agencies, a final EA will be filed and will include written responses to all comments received.

Your property, TMK 5-9-11:11 at 59-79 Pahoe Road, is adjacent to the subject project. The State of Hawaii's Office of Environmental Quality Control (OEQC) requires that we notify you of the proposed action and elicit your comments. We would appreciate receiving your comments in writing at your earliest possible convenience. Should you have any questions about the proposed project, feel free to call me at 955-6088. If we do not hear from you within 30 days of receipt of this letter, we shall assume that you have no comments concerning the subject project.

Thank you very much for your time and cooperation in this matter.

Sincerely,

  
Richard S. McGerrow  
Planner

Enclosure



WIL CHEE - PLANNING, INC.  
Lead Site Planners and  
Environmental Consultants

Ala Moana Pacific Center  
1445 Kapiolani Boulevard  
Suite 708  
Honolulu, Hawaii 96815  
Phone 800-955-6088  
Fax 800-912-1851

14 August 1995

Kahuku General Plumbing & Supply  
59-634 Kamehameha Highway  
Haleiwa, HI 96712

Subject: PARKING ADDITION AT PUPUKEA FOODLAND

Dear Sirs:

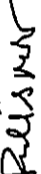
Foodland Supermarkets, Ltd. proposes to construct parking improvements to the existing Foodland Supermarket on the corner of Kamehameha Highway and Pupukea Road. The parking area will be expanded to include the abutting parcel (TMK 5-9-11:35) along Kamehameha Highway, located just north of the current supermarket site.

The proposed action lies within the Special Management Area (SMA) and, therefore, requires a Special Management Permit (SMP). One of the initial steps in the SMP application process is the preparation of an Environmental Assessment (EA). Our firm, Will Chee - Planning, Inc. (WCP), has been retained by Foodland's architects, Sueda & Associates, Inc., to prepare the EA. A "Draft EA" has been completed and attached for your reference. After comments have been received by all concerned persons and government agencies, a final EA will be filed and will include written responses to all comments received.

Your property, TMK 5-9-11:15 at 59-71 Pahoe Road, is adjacent to the subject project. The State of Hawaii's Office of Environmental Quality Control (OEQC) requires that we notify you of the proposed action and elicit your comments. We would appreciate receiving your comments in writing at your earliest possible convenience. Should you have any questions about the proposed project, feel free to call me at 955-6088. If we do not hear from you within 30 days of receipt of this letter, we shall assume that you have no comments concerning the subject project.

Thank you very much for your time and cooperation in this matter.

Sincerely,

  
Richard S. McGerrow  
Planner

Enclosure



WIL CHEE - PLANNING, INC.  
Lead Site Planners and  
Environmental Consultants

Ala Moana Pacific Center  
1445 Kapiolani Boulevard  
Suite 708  
Honolulu, Hawaii 96815  
Phone 800-955-6088  
Fax 800-912-1851



14 August 1995

MSC Associates / et al.  
Susan I. Nijimi Trust / et al.  
59-712 Kamehameha Highway  
Haleiwa, HI 96712

Subject: PARKING ADDITION AT PUPUKEA FOODLAND

Dear Sirs:

Foodland Supermarkets, Ltd. proposes to construct parking improvements to the existing Foodland Supermarket on the corner of Kamehameha Highway and Pupukea Road. The parking area will be expanded to include the abutting parcel (TMK 5-9-11:35) along Kamehameha Highway, located just north of the current supermarket site.

The proposed action lies within the Special Management Area (SMA) and, therefore, requires a Special Management Permit (SMP). One of the initial steps in the SMP application process is the preparation of an Environmental Assessment (EA). Our firm, Wil Chee - Planning, Inc. (WCP), has been retained by Foodland's architects, Sueda & Associates, Inc., to prepare the EA. A "Draft EA" has been completed and attached for your reference. After comments have been received by all concerned persons and government agencies, a final EA will be filed and will include written responses to all comments received.

Your properties, TMK 5-9-11:17 at 59-63 Pahoe Road and TMK 5-9-11:34 at 59-712 Kamehameha Highway, are adjacent to the subject project. The State of Hawaii's Office of Environmental Quality Control (OEQC) requires that we notify you of the proposed action and elicit your comments. We would appreciate receiving your comments in writing at your earliest possible convenience. Should you have any questions about the proposed project, feel free to call me at 955-6088. If we do not hear from you within 30 days of receipt of this letter, we shall assume that you have no comments to offer concerning the subject project.

Thank you very much for your time and cooperation in this matter.

Sincerely,

Richard S. McGerrow  
Planner

Enclosure

WIL CHEE - PLANNING, INC.  
Lead Site Planners and  
Environmental Consultants

Ala Moana Pacific Center  
1535 Kapiolani Boulevard  
Suite 711  
Honolulu, Hawaii 96814  
Phone 955-6088  
Fax 955-1051





1435 02 '95 09:56:41 SLEI4 1 RESOURCES 609 949-6707

BENJAMIN J. CAYSTANO  
Governor of Hawaii



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

P.O. Box 631  
Honolulu, Hawaii 96809

P. 7 903.

Chairperson  
MICHAEL D. WILSON  
Board of Land and Natural Resources

Deputy Director  
OHLEBAT COLO/JAAGARAN

Agreements Development  
Aquatic Resources  
Bunding and Ocean Use/Leasing  
Bureau of Conservation  
Conservation and Environmental Affairs  
County and Wildlife  
Hawaii Programs  
Land Management  
State Parks  
Water and Land Development

ref: OCEA/DH  
file no. 95-65

The Honorable Patrick T. Onishi, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu, Hawaii 96813

Dear Mr. Onishi,

Subject: Draft Environmental Assessment for Pupukea Foodland Improvements

Thank you for submitting the subject document for our review. We have no comments to offer you at this time.

Aloha,

*Michael D. Wilson*  
Michael D. Wilson, Chairperson

JUN 23 1995

95 JUN 28 AM 7 55  
DEPT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

HAS OE '55 GOSWAMI SLEIGH & ASSOCIATES 868 545-6787

P. 35-03705

DEPARTMENT OF PARKS AND RECREATION  
CITY AND COUNTY OF HONOLULU  
410 SOUTH KING STREET  
HONOLULU, HAWAII 96813



JERRY HARRIS  
MAYOR

DONA L. HANAÏKE  
ALPHA K.C. AN  
SPORTS DIRECTOR

June 21, 1995

REPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

'95 JUN 21 AM 9 27

TO: PATRICK T. ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: DONA L. HANAÏKE, DIRECTOR

SUBJECT: ENVIRONMENTAL ASSESSMENT, CHAPTER 25, ROH  
PROJECTS WITHIN THE SPECIAL MANAGEMENT AREA  
POPUKEA WOODLAND IMPROVEMENTS  
59-716 AND 59-720 KAHAMAEHA HIGHWAY  
POPUKEA, OAHU, HAWAII  
TAX MAP KEY 5-9-11: 16 & 35  
PROJ. REF. NO. 95/SMA-032 (JT)

We have reviewed the environmental assessment for the above-described project and have no comment to offer at the present time.

Thank you for the opportunity to review this project.

If you have any questions, please contact Lester Lai of our Advance Planning Branch at extension 4696.

For DONA L. HANAÏKE  
Director

DLH:el

KAMUELA PRICE  
POST OFFICE BOX 419  
HALEIWA, HAWAII 96712  
TELEPHONE (808) 834-1111

'95 JUL 24 PM 3 45  
DEPT OF LAND UTILIZATION  
OFFICE OF THE DIRECTOR

Joan Takano  
July 24, 1995  
Page two

Joan Takano  
City & County of Honolulu  
Dept. of Land Utilization  
650 S. King St., Seventh Floor  
Honolulu, HI 96813

1. The effect of truck traffic for a larger establishment will have on our adjacent Pupukea properties.

2. The effect septic tanks and a leach field may have on the Pupukea whale preserve and marine sanctuary located opposite the market's entrance on the makai side of Kam Highway. A septic field should not be allowed in such close proximity to the Pupukea Marine Preserve. No development should be allowed until a proper sewage system is provided.

3. The effect the security lighting system Foodland proposes to install in their parking lot.

4. The effect of expanded liquor sales on the use and enjoyment of public parks and private property in the neighborhood. In a letter of April 17th relating to the environmental assessment draft, councilwoman Rene Mancho stated, "panhandlers, loiterers and disgusting sights were causing family oriented people to drive all the way to Foodland's Late market to make their purchases. Living directly across the street, we can testify that Foodland's management does a respectable job of policing their parking lot. The real point is that Sunset Beach being a recreational area, means Foodland's customers often purchase liquor and then retreat across Kam Highway to Pupukea Park to enjoy their beverages. Then late at night, after Foodland closes, particularly when it rains, some of the homeless among these people wander over to our corner property and break into cars parked there to get out of the rain and sleep it off. We fear an expansion of the Foodland market will tend to increase this social problem.

It is the position of the Church of Hawaii Nei, its membership and ministry, unless Foodland can find a way to mitigate these socio-economic and environmental problems that we are entitled to present our concerns at an SMP public hearing.

Thank you for your attention to this matter.

Very truly yours,

*Kamuela Price*  
Kamuela Price

cc: Foodland Supermarkets, Limited  
Sueda and Associates, Inc.

Re: Pupukea Foodland Improvements  
Draft Environmental Assessment  
TRM: 5-9-11:16 and 36

Dear Ms. Takano:

My son Doctor Nui Loa Price, a.k.a., Maul Loa, and myself Kamuela Price, are the ministers of the Church of Hawaii Nei. We, along with the Church, are the owners of the two residential properties directly across Pupukea Road from the Pupukea Foodland store. Currently these properties, 59-051 Pupukea Road and 59-059 Pupukea Road, are being utilized for residential purpose and home occupation office for church weddings.

While the church has always maintained a very friendly relationship with Foodland's management, on several occasions, we have approached their administration regarding the noise and access nuisance caused by their delivery trucks. As a matter of record hearing rumors of their expansion plans, we offered to sell them at appraisal value our property at 59-059 Pupukea Road, directly across from the market's entrance.

Quite by accident we learned of Foodland's Pupukea Draft Environmental Assessment, dated June 23, 1995, stating their intention to proceed with a seven thousand foot addition to the front of their Pupukea market. In the true sense, this is not renovation, but expansion of their facility quite different from the SMP approved way back in 1977. This new building plan, most certainly will aggravate the already intolerable condition of their trucks utilizing Pupukea Road for their delivery.

In any event, we hereby request an SMA permit hearing to better determine the significance of the effect this proposed market expansion will have on the surrounding environment and in particular our Pupukea properties located directly across the street. Our inquiries would include but not be limited to four areas:

29 September 1995

RESPONSE TO REVIEW COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT  
FOR RENOVATIONS & PARKING ADDITION AT PUPUKEA FOODLAND.

COMMENTS FROM: Kamuela Price

DATE OF COMMENTS: 24 July 1995

ITEM RESPONSE

Page 2

1.

"We do not anticipate any increase in truck traffic as a result of the proposed expansion and renovation of our store. We do expect that the volume of products being delivered to our store will increase and as a result delivery hours may be somewhat longer than they are currently. However, we will carefully monitor the delivery situation to ensure that there is little impact on the neighborhood.

In addition, we are in negotiations with the Nijimi family, owners of property adjacent to our store, to acquire additional land that may enable us to have a more efficient delivery area outside of our store." (Letter from Foodland Super Market, Ltd., dated 21 September 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)

2.

"Letters from Mr. Gregory Pai and Mr. Kamuela Price regarding the septic system. The placement of a parking area over a leaching field will not reduce the drainage capacity of the underlying soils. With regard to Mr. Kamuela Price's letter, the existing supermarket is presently being served by a septic system and leaching field." (Letter from Inaia & Associates, Inc., civil engineers, dated 3 August 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)

3.

"The Gardco parking light fixture specified is a poletop, 400 watt, high pressure sodium luminaire. Wattage and light source are similar to the existing fixtures but improved photometrics allow the Gardco fixture to illuminate the enlarged parking area to I.E.S. recommended levels. The luminaire's sharp cutoff characteristic will minimize light spill on adjacent properties. The I.E.S. illuminance recommendations are given to provide for the safe movement of traffic and satisfactory vision for pedestrians. They are the lowest acceptable levels consistent with the visual task involved and the need to discourage vandalism while at the same time meeting energy constraints." (Letter from Ronald N.S. Ho & Associates, Inc., electrical engineers, dated 22 September 1995, in response to this comment. The letter is provided at the end of this appendix.)

29 September 1995

RESPONSE TO REVIEW COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT  
FOR RENOVATIONS & PARKING ADDITION AT PUPUKEA FOODLAND.

COMMENTS FROM: Kamuela Price

DATE OF COMMENTS: 24 July 1995

ITEM RESPONSE

4.

"We do not plan to expand our liquor department as a result of the renovation and do not expect a dramatic increase in our liquor sales to result. We have stepped up policing and monitoring of our parking lot during the evening hours due to community concerns about loiterers in the parking lot and are currently looking at ways we can close off the parking lot at night.

I hope the above comments address the concerns raised by Mr. Price. Our primary objective in expanding and renovating our store is to provide more products and services to our customers that we are currently unable to offer due to the size of our store. We have had numerous positive comments about the proposed renovation and are confident that it would be well received by the community." (Letter from Foodland Super Market, Ltd., dated 21 September 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)

Page 2

DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF HONOLULU

100 SOUTH KING STREET  
HONOLULU, HAWAII 96813



RECEIVED  
DATE

KENNETH E. SPRAGUE  
DIRECTOR AND CHIEF ENGINEER  
JULY 5 1995  
JULIENNE J. HARRINGTON  
SECRETARY  
ENV 95-186

July 5, 1995

JUL 10 1995  
DEPT. OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

MEMORANDUM:

TO: PATRICK T. ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: KENNETH E. SPRAGUE  
DIRECTOR AND CHIEF ENGINEER

SUBJECT: ENVIRONMENTAL ASSESSMENT (EA)  
PUPUKEA FOODLAND IMPROVEMENTS  
TAX MAP KEY: 5-2-11: 16 AND 15

We have reviewed the subject EA and have the following comments:

1. Frontage improvements along Pupukea Road and Kamehameha Highway may be required.
  2. In section 2.4.3 "Surface Runoff, Drainage and Erosion Hazards," the EA should address requirement for a license to connect to municipal separate storm sewer system (MS4) if such connection is being contemplated. Also, the EA should describe best management practices (BMPs) to mitigate erosion during construction.
- Should you have any questions, please contact Mr. Alex Ho, Environmental Engineer, at Local 4150.

29 September 1995

RESPONSE TO REVIEW COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR RENOVATIONS & PARKING ADDITION AT PUPUKEA FOODLAND.

COMMENTS FROM: Department of Public Works  
City & County of Honolulu

DATE OF COMMENTS: 5 July 1995

ITEM RESPONSE

1. "Item 1. Letters from Mr. Gary Gill concerning the reconfiguration of the left turn onto Pupukea Road and Mr. Alex Ho concerning frontage improvements along Pupukea Road and Kamehameha Highway. We have completed routing of the plans through the Dept. of Public Works, Dept. of Transportation Services and the State Dept. of Transportation and have received approvals from all of these agencies. The approvals included drain connections to both State and County Drainage Systems. During the review, addition of a left turn lane and reconfiguration of the intersection of Pupukea Road and Kamehameha Highway was not a requirement. There is, however, a 50' setback along Kamehameha Highway that will remain." (Letter from Imaia & Associates, Inc., civil engineers, dated 3 August 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)
- 2a. Connection to municipal storm sewer system. "Item 1... We have completed routing of the plans through the Dept. of Public Works, Dept. of Transportation Services and the State Dept. of Transportation and have received approvals from all of these agencies. The approvals included drain connections to both State and County Drainage Systems." (Letter from Imaia & Associates, Inc., civil engineers, dated 3 August 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)
- 2b. Erosion. "In order to mitigate erosion during the construction of the project, the Contractor will be responsible for screening off lower area of the site from Kamehameha Highway using a silt fence. This will prevent the runoff from carrying away dirt and debris from the site. Additionally, the contractor will be controlling airborne dust by frequently wetting down the site. After completion of the project, the site will be paved and landscaped thereby reducing erosion from entering the storm water system." (Letter from Imaia & Associates, Inc., civil engineers, dated 26 September 1995, in response to this comment. The letter is provided at the end of this appendix.)



# OFFICE OF STATE PLANNING

Office of the Governor

1000 ALA MOANA DRIVE, SUITE 1000, HONOLULU, HAWAII 96813-1000  
TELEPHONE: 521-6100, 521-6101  
FAX: 521-6102

ROSEMARY J. LUCIFORAK, Director  
FAX: 521-6102  
Planning Division 521-6101

Ref. No. C-1293

June 30, 1995

'95 JUL 14 AM 10 27  
DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

The Honorable Patrick T. Onishi  
Director  
Department of Land Utilization  
City and County of Honolulu  
630 South King Street  
Honolulu, Hawaii 96813

Dear Mr. Onishi:

Subject: Environmental Assessment for the Pupukea Foodland Improvements in Support of a Special Management Area Permit

We have reviewed the Environmental Assessment (EA) for the Pupukea Foodland improvements and have the following comments to offer.

Ground and near shore water contamination is an important concern to the Coastal Zone Management Program (CZM).

Waste water from a septic system is cleaned by filtering the liquid through layers of earth and using the natural processes to break down the remaining nutrients and bacteria. The project proposes to place an impermeable parking lot over the leach field of a septic system. The impermeable surface of a parking lot may interfere or hinder the effectiveness of the leach field and cause effluent to enter and contaminate near shore and ground water. The close proximity of the ocean to the development heightens this concern. We recommend that the applicant verify that the leach field will continue to function properly if covered with the impermeable parking lot.

If you have any questions, please contact our CZM program at 587-2876.

Sincerely,

Gregory G.Y. Pai, Ph.D.  
Director

29 September 1995  
RESPONSE TO REVIEW COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR RENOVATIONS & PARKING ADDITION AT PUPUKEA FOODLAND.

COMMENTS FROM: Office of State Planning  
Office of the Governor  
State of Hawaii

DATE OF COMMENTS: 30 June 1995

ITEM RESPONSE

3rd paragraph "Item 2. Letters from Mr. Gregory Pai and Mr. Kamuela Price regarding the septic system. The placement of a parking area over a leaching field will not reduce the drainage capacity of the underlying soils." (Letter from Imata & Associates, Inc., civil engineers, dated 3 August 1995, in response to this and other comments. The full letter is provided at the end of this appendix.)

1405 02 '55 0915741 SLEIGH & ASSOCIATES 688 945-6787

P-95-04103

DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU

PLANS DIVISION  
1115 KAPALANU BOULEVARD, SUITE 1104  
HONOLULU, HAWAII 96812



'65 JUL 13 AM 7 49  
DEPT. OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

CHARLES O. SWANSON  
DIRECTOR

PL95.1.178  
TZ-2928

July 12, 1995

MEMORANDUM

TO: PATRICK ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: CHARLES O. SWANSON, DIRECTOR

SUBJECT: PUPUKA FOODLAND IMPROVEMENTS  
ENVIRONMENTAL ASSESSMENT (EA)  
TAX MAP KEY: S-9-11: 16 AND 35

This is in response to your memorandum dated June 9, 1995 requesting our comments on the subject environmental assessment. Based on our review, we have no objections or comments to offer at this time.

Should you have any questions, please call Lance Hatanabe of my staff at local 4199.

CHARLES O. SWANSON



**Imata & Associates, Inc.**  
civil engineers • land surveyors

August 3, 1995

Sueda and Associates  
905 Mahanui Way, Maunaloa  
Honolulu, Hawaii 96816

Dear Mr. Mike Wong

Re: PUPUKEA FOODLAND  
COMMENTS ON ENVIRONMENTAL ASSESSMENT

We have reviewed the letters recently faxed to us by your office and have the following comments with regard to items stated in the letters:

Item 1. Letters from Mr. Gary Gill concerning the reconfiguration of the left turn onto Pupukea Road and Mr. Alex Ho concerning drainage improvements along Pupukea Road and Kamehameha Highway. We have completed reviewing of the plan through the Dept. of Public Works, Dept. of Transportation Services and the State Dept. of Transportation and have received approvals from all of these agencies. The approvals included drain connections to both State and County Drainage Systems. During the review, addition of a left turn lane and reconfiguration of the intersection of Pupukea Road and Kamehameha Highway was not a requirement. There is however, a 50' setback along Kamehameha Highway that will remain.

Item 2. Letters from Mr. Gregory Pal and Mr. Kamuela Price regarding the septic system. The placement of a parking area over a leaching field will not reduce the drainage capacity of the underlying soils. With regard to Mr. Kamuela Price's letter, the existing supermarket is presently being served by a septic system and leaching field.

Please call if you have any questions with regard to this matter.

Sincerely Yours,  
Imata & Associates, Inc.

David Imau





**Imata & Associates,  
Inc.**

September 26, 1995

Sueda and Associates  
905 Makahiki Way, Mauka Suite  
Honolulu, Hawaii 96826

Dear Mr. Mike Wong

Re: FUFUKEA FOODLAND  
BEST MANAGEMENT PRACTICES

In order to mitigate erosion during the construction of the project, the Contractor will be responsible for screening off lower area of the site from Kanehama Highway using a silt fence. This will prevent the runoff from carrying away dirt and debris from the site. Additionally, the contractor will be controlling airborne dust by frequently watering down the site. After completion of the project, the site will be paved and landscaped and thereby reducing erosion from entering the stormwater system.

Please call if you have any questions with regard to this matter.

Sincerely Yours,  
Imata & Associates, Inc.

David Imata

1750 KALAKAUA AVE. SUITE 115 HONOLULU, HAWAII 96813 TEL (808) 844-4308 FAX (808) 864-3973



**RONALD N. S. HO & ASSOCIATES, INC. electrical engineers**  
 Ronald N. S. Ho, P.E.      Gary I. Pinesent, P.E.      Andrew I. Luybeck, P.E.

0001/001

11/11/95

Fa 93218

**DATE:** September 22, 1995  
**TO:** Sieda & Assoc.  
**ATTENTION:** Mike Wong  
**FROM:** Jonathan Lung +  
**PROJECT:** Pupukea Foodland

The Gardco parking light fixture specified is a poletop, 400 watt, high pressure sodium luminaire. Waiver and light source are similar to the existing fixtures but improved photometrics allow the Gardco fixture to illuminate the enlarged parking area to I.E.S. recommended levels. The luminaire's sharp cutoff characteristics will minimize light spill on adjacent properties. The I.E.S. illuminance recommendations are given to provide for the safe movement of traffic and satisfactory vision for pedestrians. They are the lowest acceptable levels consistent with the visual task involved and the need to discourage vandalism while at the same time meeting energy constraints.

memo

Postnet Fax Note	7871	09/22/95	14:15
To:	Mike Wong	From:	Jonathan Lung
Company:	SIEDA & ASSOC.	Phone:	
Fax:		Time:	4:15 PM



September 21, 1995

Ms. Joan Takano  
City & County of Honolulu  
Department of Land Utilization  
650 S. King Street  
Seventh Floor  
Honolulu, HI 96813

Re: Pupukea Foodland Renovation

Dear Ms. Takano:

The following comments are in response to the July 24, 1995 letter that you received from Kamuela Price regarding the proposed renovation of our Pupukea store:

1. Truck Traffic

We do not anticipate any increase in truck traffic as a result of the proposed expansion and renovation of our store. We do expect that the volume of products being delivered to our store will increase and as a result delivery hours may be somewhat longer than they are currently. However, we will carefully monitor the delivery situation to ensure that there is little impact on the neighborhood.

In addition, we are in negotiations with the Niimi family, owners of property adjacent to our store, to acquire additional land that may enable us to have a more efficient delivery area outside of our store.

2. Septic tanks and leach field

We do not anticipate any changes in the current septic tank and leach field as a result of the renovation. The sewage system we have should be considered "proper" in that necessary approvals from the Department of Health and the Department of Waste Water Management were obtained prior to the installation of the system.

3. Security Lighting System

The security lighting will be enhanced and increased as a result of the renovation. We expect the increased illumination that will result will improve the security of the parking area around our store.

4. Expanded liquor sales

We do not plan to expand our liquor department as a result of the renovation and do not expect a dramatic increase in our liquor sales to result. We have stepped up policing and monitoring of our parking lot during the evening hours due to community concerns about loiterers in the parking lot and are currently looking at ways we can close off the parking lot at night.

I hope the above comments address the concerns raised by Mr. Price. Our primary objective in expanding and renovating our store is to provide more products and services to our customers that we are currently unable to offer due to the size of our store. We have had numerous positive comments about the proposed renovation and are confident that it would be well received by the community.

Sincerely,

Rolf Fey  
Director of Store Development