SPECIAL PERMIT

Petition Received MAR 30 1977

Maps APR 13 1977

Action Span 3/30/77 — 5/14/77

Action Date 5/4/77

Recordation 5/26/77

SP77-259 - MASATSU & EUNICE M. KAWAMOTO (HI.)

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII
SEP 13 11 55 AM '82

September 9, 1982

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Dear Mr. Kawamoto:

Special Permit No. 77-259 (LUC 358)
Commerical Beef Products Facility
Tax Map Key: 5-5-13: Portion of 22

This is to confirm your telephone conversion with staff planner Brian Nishimura on September 8, 1982, regarding compliance with condition no. 1 of the above-described permit.

As discussed, you will have 60 calendar days from the receipt of our letter dated September 2, 1982, to either complete construction of the proposed facility or apply for a time extension to condition no. 1 of the above-described permit. If no action is taken on either alternative within the time alloted, we will initiate action to nullify the permit.

Should your understanding of the above-described conversation differ in any way, please notify this office immediately.

Should you have any questions regarding this matter, please contact Brian Nishimura or Keith Kato of this office at 961-8288.

Sincerely,

Sidney M Fuke

Sidney Fuke
Planning Director

BN:vhn

cc: Planning Commission
✓Land Use Commission
Kona Services Office

bcc: PA 1368 (via Masa/William)

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII
SEP 7 10 03 AM '82

September 2, 1982

CERTIFIED MAIL

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, Hawaii 96719

Dear Mr. Kawamoto:

Special Permit No. 77-259 (LUC 358)
Commercial Beef Products Facility
Tax Map Key: 5-5-13:Portion of 22

This is in regards to the above-described Special Permit which required the completion of the proposed commercial facility before or on April 18, 1982.

Four (4) months have lapsed since said expiration date; and in checking with the Building Division of the Department of Public Works, as of this date, said facility have not been completed. Therefore, we would appreciate hearing from you within two (2) weeks from the date of receipt of this letter as to your intention to comply with Condition No. 1. If no action is taken to comply within the time allotted, we shall have no alternative but to recommend to the Planning Commission that the Special Permit be nullified.

Should you have any questions, please feel free to contact Brian Nishimura or Keith Kato of our office at 961-8288.

Sincerely,

for Duane Kanuha

SIDNEY FUKE
Director

AK:y

cc: Planning Commission
State Land Use Commission
Kona Services Office

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII
FEB 1 11 14 AM '82

January 28, 1982

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, Hawaii 96719

Dear Mr. Kawamoto:

Special Permit No. 77-259 (LUC 358)
Commercial Beef Products Facility
Tax Map Key: 5-5-13:Portion of 22

In reviewing our files, we find that the above-described Special Permit was approved in 1977 and subsequently received two time extensions to complete construction.

Please be informed that the April 18, 1982 expiration date, to fulfill the complete construction requirement as stipulated in Condition No. 1, is soon approaching. If an extension of the Special Permit is desired, you must apply for and secure a time extension request from the Planning Commission. A letter stating the length of time extension desired, the explicit reasons for the extension, and enclosing a $100.00 filing fee must be submitted to this office not less than sixty (60) days prior to said expiration date. Please be advised that two time extensions have already been granted to comply with Condition No. 1.

Should you have any questions, please feel free to contact this office at 961-8288.

Sincerely,

Sidney M Fuke

SIDNEY FUKE
Director

AK:y
cc: State Land Use Commission
Planning Commission
Kona Services Office

LAND USE COMMISSION
STATE OF HAWAII
FEB 1 11 13 AM '82

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII
DEC 14 11 05

December 8, 1981

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, Hawaii 96719

Dear Mr. Kawamoto:

Deletion of Condition No. 2
Special Permit No. 77-259 (LUC 358)
TMK: 5-5-13:Portion of 22

The Planning Commission at its duly held public hearing on December 3, 1981, considered the Planning Director's request to delete Condition No. 2 of Special Permit No. 77-259 (LUC 358).

Please be advised that the Commission voted to approve the request. The Commission determined that the amount of traffic anticipated to be generated by the proposed facility would not require any additional improvements to the roadway.

Regarding the potential dust problem, it was determined that the Department of Agriculture, Meat Inspection Branch, has jurisdiction of the matter. It was further determined that:

1. The Department of Agriculture does not have a specific requirement that requires an access road to be paved;

2. The Department of Agriculture is concerned about dust problems and does have the authority to impose control requirements, including paving, if deemed necessary; and,

3. Plans for a meat cutting facility will have to be reviewed by the Department of Agriculture and it will not be allowed to operate without the Department's stamp of approval.

In view of the above, the Commission approved the request to delete Condition No. 2 of Special Permit No. 77-259 (LUC 358).

Should you have any questions regarding this matter, please contact the Planning Department at 961-8288.

Sincerely,

BERT H. NAKANO
Chairman, Planning Commission

lgv

cc: State Land Use Commission
Department of Agriculture
Department of Public Works
Department of Water Supply
Kona Services Office

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF HAWAII

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

April 20, 1981

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, Hawaii 96719

LAND USE COMMISSION
STATE OF HAWAII
APR 24 9 54 AM '81

Dear Mr. Kawamoto:

Time Extension to Condition No. 1
of Special Permit No. 77-259 (LUC No. 358)
Tax Map Key 5-5-13:Portion of 22 (1.0 acre)

The Planning Commission at its duly held public hearing on April 15, 1981, considered your request for a time extension to comply with Condition No. 1 of Special Permit No. 77-259 which allowed the construction of a commercial beef products facility at Kaauhuhu Homesteads, 2nd Series, North Kohala, Hawaii.

The Commission voted to approve a time extension until April 18, 1982, to fulfill the second part of Condition No. 1 of Special Permit No. 77-259. The Commission felt that the petitioner has made a sincere effort in fulfilling the conditions of the Special Permit. A building permit was secured for the construction of the proposed facility within a one (1) year period as conditioned in the permit. The land preparation activities, including grading and the staking out of the building location have been completed. Further, the necessary construction materials have already been purchased and delivered to the project site. Although a one year time extension has already been granted, it is determined that the granting of the request would be a reasonable one, especially since certain investments have already been made to fulfill the conditions of the Special Permit.

Also, the Commission further recommended that the request be approved subject to the condition that all other applicable conditions as spelled out in the Special Permit be complied with.

Should any of the conditions of the Special Permit not be met, the Special Permit may be deemed null and void by the Planning Commission.

Should you have any question, please feel free to contact the Planning Department at 961-8288.

Sincerely,

BERT H. NAKANO
CHAIRMAN, PLANNING COMMISSION

lgv

cc: State Land Use Commission
Building Division, Public Works
Kona Services Office

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII
FEB 22 10 51 AM '80

February 20, 1980

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, Hawaii 96719

Dear Mr. Kawamoto:

Time Extension to Special Permit No. 77-259
Tax Map Key 5-5-13:Portion of 22

The Planning Commission at its duly held public hearing on February 13, 1980, considered your request for a time extension to Special Permit No. 77-259 which allowed the construction of a commercial beef products facility at Kaahuhu Homesteads, 2nd Series, North Kohala, Hawaii.

The Commission voted to approve your request for a time extension until April 18, 1981, to fulfill the second part of Condition No. 1 of Special Permit No. 77-259. The Commission felt that the petitioner has made a sincere effort in fulfilling the conditions of the Special Permit. A building permit was secured for the construction of the proposed facility within a one (1) year period as conditioned in the permit. The land preparation activities, including grading and the staking out of the building location, have been completed. Further, the necessary construction materials have already been purchased and delivered to the project site. Because the deadline to complete the construction of the proposed facility is only about two (2) months away, it is determined that the granting of the request would be a reasonable one, expecially since certain investments have already been made to fulfill the conditions of the Special Permit.

The Commission further recommended that the request be approved subject to the condition that all other applicable conditions as spelled out in the Special Permit be complied with.

Should any of the conditions of the Special Permit not be met, the Special Permit may be deemed null and void by the Planning Commission.

Should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,

William J. Paris Jr.

WILLIAM J. PARIS, JR.
CHAIRMAN, PLANNING COMMISSION

lgv

cc Building Division, Public Works
Kona Services Office
Land Use Commission

May 23, 1977

Mr. & Mrs. Masatsu Kawamoto
P. O. Box 103
Hawi, Hawaii 96719

Dear Mr. & Mrs. Kawamoto:

The original of the attached letter is on file in the office of the Hawaii Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy

May 23, 1977

HAWAII PLANNING COMMISSION
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on May 4, 1977, the Land Use Commission voted to approve a Special Permit request by Masatsu and Eunice M. Kawamoto, Hawaii (SP77-259) to allow the construction of a commercial beef products facility to be established within the State Land Use Agricultural District at Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii, Tax Map Key 5-5-13: portion of 22; subject to the conditions imposed by the Hawaii Planning Commission.

A copy of the staff memorandum is enclosed for your information.

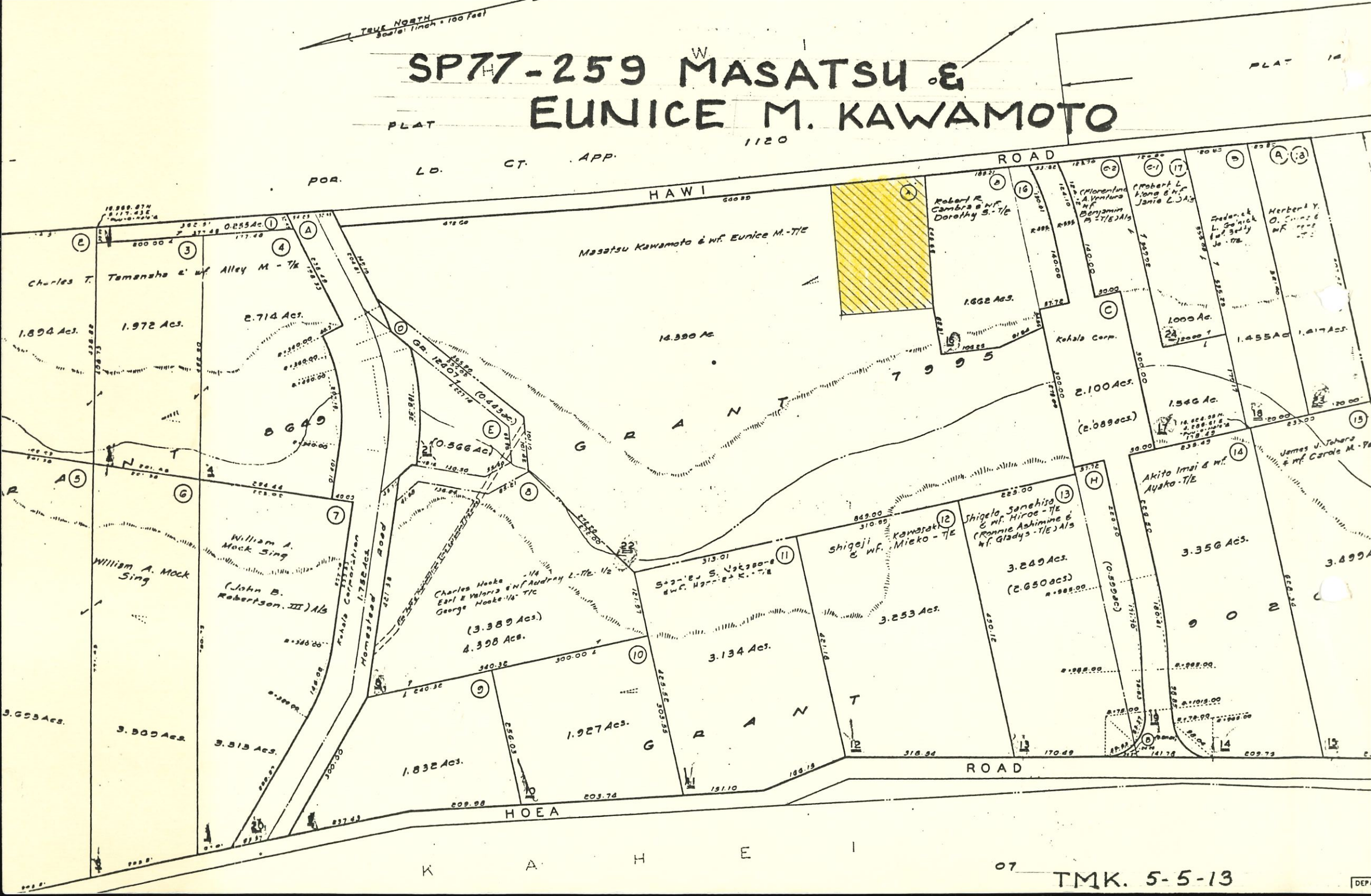
Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encls.

cc: Masatsu and Eunice Kawamoto
Dept. of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Dept. of Planning & Economic Development
Office of Environmental Quality Control
Division of Land Management, Dept. of Land and Natural Resources

SP77-259 MASATSU & EUNICE M. KAWAMOTO



STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kailua United Methodist Church
Kailua, Hawaii

Approved
AUG 16 1977

May 4, 1977 - 9:30 a.m.

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Colette Machado
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

ACTION

SP77-259 - MASATSU & EUNICE M. KAWAMOTO
Application for a Special Permit to allow the construction of a building for storage/processing and commercial sale of beef products at Ka'auhuhu Homesteads, North Kohala, Hawaii

Mr. Gordan Furutani, Executive Officer, pointed out the subject parcel on the maps and summarized the staff report, and enumerated the conditions which had been imposed by the Hawaii County Planning Commission.

Commissioner Oura moved to approve the Special Permit, subject to the conditons imposed by the Hawaii County Planning Commission, which was seconded by Commissioner Carras and unanimously carried.

SP77-260 - RICHARD SMART DBA PARKER RANCH
Application for a Special Permit to allow the continued operation of 5 existing quarry sites at Hamakua, Hawaii

Mr. Furutani oriented the Commission to the parcel under petition with the aid of the posted maps, and summarized the staff report and read the conditions which had been imposed by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

SP77-259
ITEM MASATSU & EUNICE M. KAWAMOTO
Kailua United Methodist Church
PLACE 1110 Kailua Road
Kailua, Oahu

DATE May 4, 1977
TIME 9:30 a.m.

	NAME	YES	NO	ABSTAIN	ABSENT
	DUKE, CHARLES	X			
	WHITESELL, CAROL	X			
M	OURA, MITSUO	X			
	MACHADO, COLETTE	X			
	MIYASATO, SHINSEI	X			
	SAKAHASHI, STANLEY	X			
S	CARRAS, JAMES	X			
	YANAI, EDWARD	X			
	TANGEN, EDDIE	X			

Comments:

I move that we approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission May 4, 1977
9:30 a.m.

FROM: Staff

SUBJECT: SP77-259 - Masatsu and Eunice Kawamoto

The petitioner, Masatsu Kawamoto, is requesting a Special Permit to allow the construction of a commercial beef products facility upon approximately one (1) acre of land situated within the State Land Use Agricultural District at Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii, Tax Map Key 5-5-13: portion of 22. Activities of this facility are to include the storage, processing, and commercial sale of beef products.

The subject area is a portion of a 14.3-acre parcel located along the west side of the lower Hawi Road (Cambra Road), approximately 3,400 feet north of the Hawi-Niulii Road and Hawi Road intersection.

In support of the request, the petitioner has stated the following:

"The site requested for constructing a Storage, Processing and Commercial Sales of Beef Products has all the required utilities such as Water, Electricity and Roads. The present Chilling and Cutting Facilities is below Board of Health Standards. There is no indication of future improvements. This will mean that residents of this community will be out of Storage and Cutting Facilities. It will create an extreme hardship on individuals who are raising beef for their home consumptions. If the application for the Special Permit is granted to us, we will work closely with the Board of Health Department as to meet all of their standards for the public welfare.

"The proposed building will be located on a 14.3-acre parcel, neighbors are far enough away, so we do not feel that it will have any adverse affect on them.

"All utilities and roads are located right along side our lot. The fire hydrant is about 250 feet away. We therefore feel that we would not unreasonably burden the County to provide it.

"Our proposed use will not alter or change the character of the land. The remainder of the land will be used for pasture.

"We feel that it will make the highest and best usage of the land as far as the welfare of the public is concerned.

As we previously explained that soon the people of Kohala will not have a cutting and storage facility as the old one does not meet standards."

The General Plan Land Use Pattern Allocation Guide Map designates the subject area as Intensive Agriculture. The County Zoning designation is Agricultural 20-acres (A-20a).

Pertinent comments from governmental agencies:

1. Department of Water Supply:

   "We have no adverse comments or objections to the applicant's Special Permit request for a storage/processing/commercial sales building for beef products. However, the applicant should be made aware that the Department of Water Supply reserves the right to limit the amount of consumption by the proposed use. Consumption limitations are dependent upon water availability and operational and other constraints relative to our Hawi Water System. For your information there is a 4-inch waterline along the Hawi Road."

2. Department of Agriculture:

   "In addition to meeting the standards of the Department of Health, the applicant should submit a structural drawing of the proposed building to the Meat Inspection Branch of this Department for approval."

3. Department of Research and Development:

   The Department of Research and Development recommended approval of the request provided that the operation not create any hardship on neighbors, such as offensive odors, noise, etc.

4. Fire Department:

   The Fire Department stated that a fire station and fire hydrants are respectively located 4 and .2 miles away from the subject property.

5. Department of Public Works:

   The Department of Public Works has recommended that the petitioner extend the existing pavement of Hawi Road to the driveway of the proposed building.

   The minimum width of the pavement should be eighteen (18) feet.

All other cooperating agencies, including the U. S. Soil Conservation Service, Hawaii Electric Light Company, and Hawaii County Police Department had no comments on or objections to the subject request.

At the public hearing held by the Hawaii County Planning Commission on February 14, 1977, the only person to testify on this permit request was the applicant.

The County Planning Commission staff recommended that this Special Permit request be given favorable consideration based on the following findings:

"1. That the proposed use will not be contrary to the objectives sought to be accomplished by State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people. The North Kohala area, in which the proposed use is to be located, is presently faced with a unique situation. After the closing of the Kohala Sugar Company, several of the small individual landowners in the area converted their sugar cane lands to grazing. These individuals who are raising cattles would require a facility as proposed to accommodate their immediate and future needs. Although there presently is such a facility in North Kohala, it is deemed to be inadequate and may be forced to shut down as it does not meet some of the requirements of the State Department of Health. As such, it is felt that the granting of this request in its particular location would be of great benefit to the ranchers as well as residents of the area. The proposed facility is intended to overcome various problems presently confronting the cattle raisers or ranchers in the area. With the establishment of this facility, benefits will accrue to the ranchers in terms of proximity to cutting and storage facility, cost of processing, as well as an alternate market should they desire to sell their beef products. In light of such factors, it is further determined that the proposed use will be a positive benefit and support to agriculture in the region. As such, the proposed facility, in essence, would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening existing and future agricultural activities in the region. The granting of this particular request would also complement the Economic goals of the County of Hawaii General Plan which state that "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." The granting of the request would also be in the direction of achieving the courses of action for North Kohala which stated that "The County shall aid the expansion of diversified agriculture in the district by providing direct and indirect assistance"; "The County shall work closely with the people of the district and with industry to plan alternative uses for the lands affected by the termination of sugar operations"; and that "The County shall encourage and assist the expansion of the cattle industry and support facilities.

Furthermore, although the introduction of the proposed use will somewhat alter the essential character of the land presently classified B or Good by the Land Study Bureau, it is determined that such a change will make the highest and best use of the land involved for the welfare of the general public. As stated earlier, the proposed facility is directly related to agricultural activities in the area; namely, the cattle industry. It is further felt that the granting of the proposed use at its particular location will not have an adverse input on the overall agricultural activity of the remainder of the lot nor for the entire North Kohala area.

"2. That the proposed facility will only be 800 square feet in size (20'x40') and will be situated on a portion of the 14.3-acre lot. According to the plans submitted along with the application, the building will be constructed fifty (50) feet from the front property line along Hawi Road (also known as Cambra Road) and about thirty (30) feet from the adjacent property to the south on which a single-family dwelling is situated on. This dwelling, however, is situated within the south side of the property, a great distance from the area under consideration. The other adjacent properties as well as the remaining 13+ acres of the subject lot are either used for grazing or are vacant. In light of the above, it is determined that the proposed use will not adversely affect the surrounding properties and their improvements.

"3. That all essential utilities and facilities are available for the development of the area for the proposed use. As such, the establishment of the building for storage, processing, and commercial sales of beef products at its proposed location will not unreasonably burden public agencies to provide roads and other similar infrastructures."

On March 14, 1977, the Planning Commission voted to approve the Special Permit subject to the following conditions:

"1. That construction of the proposed facility shall commence within one (1) year from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

"2. That the petitioner or his authorized representative shall extend the existing pavement of Hawi Road (also known as Cambra Road) at a minimum width of eighteen (18) feet to the driveway of the proposed building, meeting with the approval of the Chief Engineer.

"3. That the rules and regulations of the State Departments of Health and Agriculture and the County of Hawaii Department of Water Supply shall be complied with.

"4. That no slaughtering shall be conducted on the premises.

"5. That all other applicable rules and regulations, including the Plan Approval process shall be complied with."

The Planning Commission further stated that: "Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void."

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

April 19, 1977

Mr. Sidney Fuke
Acting Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petitions
✓ SP77-259 Masatsu & Eunice M. Kawamoto
SP77-260 Richard Smart dba Parker Ranch
SP71-122 Signal Properties, Inc.

will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

April 19, 1977

MR. & MRS. MASATSU KAWAMOTO
P. O. Box 103
Hawi, Hawaii 96719

Dear Mr. & Mrs. Kawamoto:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petition

SP77-259 - MASATSU & EUNICE M. KAWAMOTO

will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME, & PLACE

May 4, 1977 - 9:30 a.m.
Kailua United Methodist Church
1110 Kailua Road
Kailua, Hawaii

A G E N D A

I. ACTION

1. SP77-259 - Masatsu & Eunice M. Kawamoto
To allow the construction of a building for storage/processing and commercial sale of beef products on one (1) acre of land situated within the State Land Use Agricultural District at Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii.

2. SP77-260 - Richard Smart dba Parker Ranch
To allow the continued operation of five (5) existing quarry sites on Parker Ranch lands situated within the State Land Use Agricultural District in the Hamakua, North Kohala, and South Kohala Districts of Hawaii.

3. SP71-122 - Signal Properties, Inc.
To allow an extension of time condition for a rock quarry located at Puako, South Kohala, Hawaii.

II. CONTINUED HEARING

A76-420 - Department of Planning & Economic Development
(Kawainui Marsh)
To reclassify approximately 250 acres, more or less, from the Urban District to the Conservation District at Kawainui Marsh, Kailua, Oahu.

III. MISCELLANEOUS

1. Adoption of Minutes

2. Meeting Schedule

*A copy of this agenda was mailed to all persons and organizations on the attached mailing list. 4/19/77

1. All Islands 2. Hawaii 3. Oahu

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

COUNTY OF
HAWAII

LAND USE COMMISSION
STATE OF HAWAII
MAR 30 10 23 AM '77

March 15, 1977

SP77-259

Mr. Gordan Furutani
Executive Officer
Land Use Commission
190 S. King St., Suite 1795
Honolulu, HI 96813

Re: Special Permit Application
Petitioner: Masatsu Kawamoto

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the decision and findings of the County Planning Commission on the above application.

The special permit request was to allow the construction of a building for storage/processing and commercial sale of beef products on approximately one (1) acre of land situated within the State Land Use Agricultural District. The property involved is located along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road-Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii, Tax Map Key 5-5-13:portion of 22.

The Planning Commission at a duly advertised public hearing held on February 14, 1977 in the Cafetorium of the Waimea Elementary and Intermediate School, Waimea, South Kohala, Hawaii, discussed the subject request. The Commission on March 14, 1977, voted to recommend the approval of the special permit to the Land Use Commission as it was found:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people. The North Kohala area, in which the proposed use is to be located,

is presently faced with a unique situation. After the closing of the Kohala Sugar Company, several of the small individual landowners in the area converted their sugar cane lands to grazing. These individuals who are raising cattles would require a facility as proposed to accommodate their immediate and future needs. Although there presently is such a facility in North Kohala, it is deemed to be inadequate and may be forced to shut down as it does not meet some of the requirements of the State Department of Health. As such, it is felt that the granting of this request in its particular location would be of great benefit to the ranchers as well as residents of the area. The proposed facility is intended to overcome various problems presently confronting the cattle raisers or ranchers in the area. With the establishment of this facility, benefits will accrue to the ranchers in terms of proximity to cutting and storage facility, cost of processing, as well as an alternate market should they desire to sell their beef products. In light of such factors, it is further determined that the proposed use will be a positive benefit and support to agriculture in the region. As such, the proposed facility, in essence, would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening existing and future agricultural activities in the region. The granting of this particular request would also complement the Economic goals of the County of Hawaii General Plan which state that "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." The granting of the request would also be in the direction of achieving the courses of action for North Kohala which stated that "The County shall aid the expansion of diversified agriculture in the district by providing direct and indirect assistance"; "The County shall work closely with the people of the district and with industry to plan alternative uses for the lands affected by the termination of sugar operations"; and that "The County shall encourage and assist the expansion of the cattle industry and support facilities."

Furthermore, although the introduction of the proposed use will somewhat alter the essential character of the land presently classified B or Good by the Land Study Bureau, it is determined that such a change will make the highest and best use of the land involved for the welfare of the general public. As stated earlier, the proposed facility is directly related to agricultural activities in the area; namely, the cattle industry. It is further felt that the granting of the proposed use at its particular location will not have an

adverse input on the overall agricultural activity of the remainder of the lot nor for the entire North Kohala area.

2. That the proposed facility will only be 800 square feet in size (20' x 40') and will be situated on a portion of the 14.3-acre lot. According to the plans submitted along with the application, the building will be constructed fifty (50) feet from the front property line along Hawi Road (also known as Cambra Road) and about thirty (30) feet from the adjacent property to the south on which a single-family dwelling is situated on. This dwelling, however, is situated within the south side of the property, a great distance from the area under consideration. The other adjacent properties as well as the remaining 13+ acres of the subject lot are either used for grazing or are vacant. In light of the above, it is determined that the proposed use will not adversely affect the surrounding properties and their improvements.

3. That all essential utilities and facilities are available for the development of the area for the proposed use. As such, the establishment of the building for storage, processing, and commercial sales of beef products at its proposed location will not unreasonably burden public agencies to provide roads and other similar infrastructures.

At this time, it should be pointed out that since the subject property is classified B by the Land Study Bureau, according to Act 199 which was enacted into law in 1976 by the Hawaii State Legislature, the area cannot be subdivided unless it is used for some form of agricultural activity.

The favorable recommendation was also subject to the following conditions:

1. That construction of the proposed facility shall commence within one (1) year from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

2. That the petitioner or his authorized representative shall extend the existing pavement of Hawi Road (also known as Cambra Road) at a minimum width of eighteen (18) feet to the driveway of the proposed building meeting with the approval of the Chief Engineer.

3. That the rules and regulations of the State Departments of Health and Agriculture and the County of Hawaii Department of Water Supply shall be complied with.

4. That no slaughtering shall be conducted on the premises.

5. That all other applicable rules and regulations, including the Plan Approval process shall be complied with.

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

Enclosed are copies of the Exhibits from the subject docket.

Lorraine R. Jitchaku

(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

lat

Enclosures

cc Masatsu Kawamoto
Land Use Division, DPED

LIST OF EXHIBITS - MASATSU KAWAMOTO

A. Application form

A-1. Applicant's reasons

A-2. Applicant's site plan

A-3. Applicant's property map

B. Departmental acknowledgement letter (11/23/76)

C. Applicant's letter received (1/3/77)

C-1. Applicant's additional reasons

C-2. Applicant's Building layout

D. Letter to applicant (1/4/77)

E. Letter to agencies (11/24/76)

E-1. Soil Conservation Service (11/29/76)

F. HELCO (12/1/76)

G. Fire Department (12/2/76)

H. Public Works (12/7/76)

I. Police Department (12/8/76)

J. Agriculture (12/10/76)

K. Water Supply (12/14/76)

L. Research & Development (12/22/76)

M. Public Hearing notice

N. Public hearing notice in Hawaii Tribune Herald

O. List of surrounding property owners

P. Map for surrounding property owners

Q.

R. Letter to surrounding property owners (1/26/77)

S. Letter to applicant (1/27/77)

T. Minutes (2/14/77)

U. Public Hearing transcript (2/14/77)

V. Letter to applicant (2/15/77)

W. Letter to applicant (2/28/77)

X. Staff background

Y. Staff recommendation

Z. Location map - presentation (Please return)

AA. Building layout - presentation (Please return)

BB. Voting sheet

CC. Minutes (3/14/77)

DD. Letter to applicant (3/15/77)

LUC

APPLICATION FOR SPECIAL PERMIT

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: MASATSU AND EUNICE M. KAWAMOTO

APPLICANT'S SIGNATURE: _____

ADDRESS: P.O.BOX 103

HAWI, HAWAII 96719

TELEPHONE: 889-5409

TAX MAP KEY: 5-5-13-22 AREA: 14.390 ACRES
(Size of Parcel)

OWNER: MASATSU AND EUNICE M. KAWAMOTO

OWNER'S SIGNATURE: _____

APPLICANT'S INTEREST, IF NOT OWNER: _____

REQUESTED USE: STORAGING, PROCESSING AND COMMERCIAL SALES OF BEEF PRODUCTS PRODUCED ON THE PREMISES AS WELL AS FROM OTHER FARMS.

APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: *(Please attach)*

NOTE: The applicant must show that:

(a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
(b) the desired use shall not adversely affect surrounding properties;
(c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
(d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
(e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
(f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
(g) the proposed use will make the highest and best use of the land involved for the public welfare.

THIS APPLICATION MUST BE ACCOMPANIED BY:

(a) 16 copies of the completed application form with attachments.
(b) 16 copies of a location map.
(c) 16 copies of a site plan with existing and proposed uses.
(d) any additional information.
(e) $100.00 processing fee.

For Official Use:

Date received _____
120th day _____
Public Hearing date _____
Action date _____
To Land Use Commission _____

EXHIBIT A

P.D. 3 2/75

Masatsu Kawamoto

REASON FOR REQUESTING SPECIAL PERMIT

The site requested for constructing a Storage, Processing and Commercial Sales of Beef Products has all the required utilities such as Water, Electricity and Roads.

The present Chilling and Cutting Facilities is below Board of Health Sta ndards. There is no indication of future improvements. This will mean that residents of this community will be out of Storage and Cutting Facilities. It will create an extreme hardship on individuals who are raising beef for their home consumptions.

If the application for the special permit is granted to us, we will work closely with the Board of Health Department as to meet all of their standards for the Public welfare.

EXHIBIT A-1

Hawi Road

Masatsu Kawamoto & wf. Eunice M. T/E

14.390 acres

.05

.30

Robert R. Combra & wife Dorothy S. T/E

1.662 acres

EXHIBIT A-2

EXHIBIT A-3

(please return)

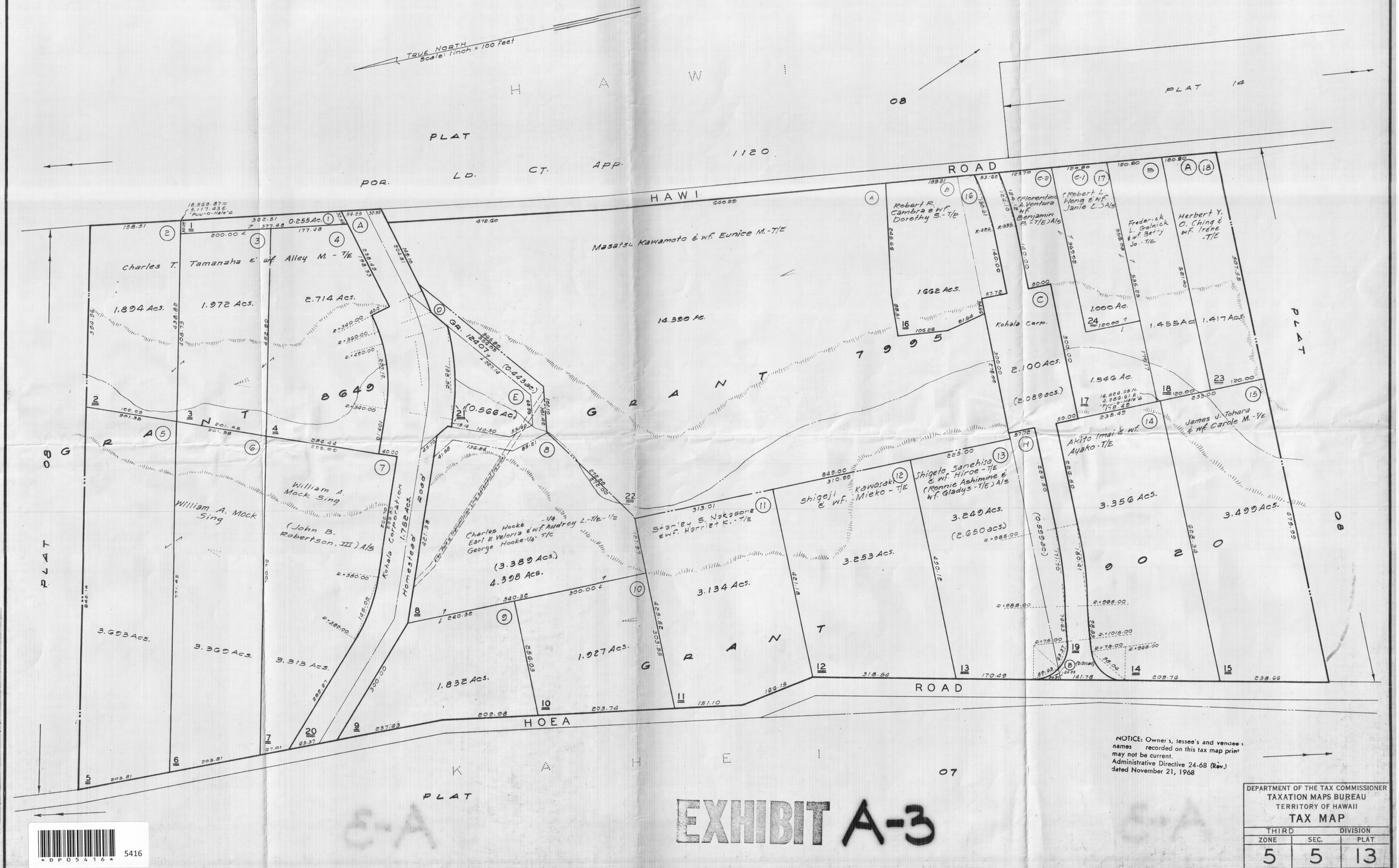

TRUE NORTH
Scale: 1 inch = 100 feet
H A W I
PLAT 14
PLAT
08
1120
POR. LD. CT. APP.
HAWI ROAD
Masatsu Kawamoto & wf. Eunice M. - T/E
Charles T. Tamanaha & wf. Alley M. - T/E
1.894 Acs.
1.972 Acs.
2.714 Acs.
0.255 Ac.
8649
14.390 Ac.
7995
GRANT
Robert R. Cambra & wf. Dorothy S. - T/E
1.662 Acs.
Kohala Corp.
2.100 Acs.
(2.080 acs.)
Robert L. Wong & wf. Janie L. Als
1.000 Ac.
1.546 Ac.
Frederick L. Galnick & wf. Betty Jo - T/E
1.455 Ac.
Herbert Y. O. Ching & wf. Irene - T/E
1.417 Acs.
James J. Tohara & wf. Carole M. - T/E
Akito Imai & wf. Ayako - T/E
3.356 Acs.
3.499 Acs.
9020
Shigeji & wf. Kawasaki Mieko - T/E
3.253 Acs.
Shigeto Sanehisa & wf. Hiroe - T/E (Ronnie Ashimine & wf. Gladys - T/E) Als
3.249 Acs.
(2.650 acs.)
Stanley S. Nakasone & wf. Harriet K. - T/E
3.134 Acs.
Charles Hooke 1/4 & wf. Audrey L. - T/E - 1/2
Earl & Valoria & wf. Hooke - 1/4
George Hooke - 1/4 - T/E
(3.389 Acs.)
4.398 Acs.
1.927 Acs.
1.832 Acs.
Kohala Corporation 1.752 Acs.
Homestead Road
William A. Mock Sing
(John B. Robertson, III) Als
3.693 Acs.
3.369 Acs.
3.313 Acs.
GR. 12407
(0.443 ac.)
(0.566 Ac.)
HOEA ROAD
K A H E I
07
PLAT
NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current.
Administrative Directive 24-68 (Rev.) dated November 21, 1968
DEPARTMENT OF THE TAX COMMISSIONER
TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
THIRD DIVISION
ZONE 5 SEC. 5 PLAT 13
CONTAINING PARCELS
SCALE: 1 IN. = 100 FT.
DWG. NO: 70
SOURCE: Subdivision Map by A. Tego & T.M.B.
BY: RK/Bong DATE: 7/7/83
5416
KAAUHUHU HOMESTEADS, 2ND SERIES, NORTH KOHALA, HAWAII
SUBJECT TO CHANGE
OCT 12 1976

EXHIBIT A-3

November 23, 1976

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Re: Special Permit - Building for storage/processing & commercial sales of beef products
TMK: 5-5-13:22

This is to acknowledge receipt of the above-mentioned special permit application on November 15, 1976.

However, prior to our scheduling this matter for a public hearing, we would require the following information:

1. Approximately how large an area (in square feet or acres) will the proposed use utilize.

2. Will the proposed area be subdivided out from the 14.3-acre parcel.

3. How large will the building be. What are its dimensions.

4. Submit 16 copies of the layout of the building, showing the areas that will be utilized for storage, processing, and sales.

5. Elaborate on your reasons with reference to the seven criteria listed on the attached application.

The County Planning Commission will conduct a public hearing on this request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission will then act on the application, not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter. Should the Planning Commission recommend favorably on the request, it will be forwarded to the State Land Use Commission for final action.

The Planning Commission may deny the request if it deems that the proposed use does not meet with the special permit guidelines. In such a circumstance, its decision will be considered final. However, in accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a Planning Commission denial may be appealed to the circuit court of the circuit in which the land is situated; in this case, the Third Circuit Court.

EXHIBIT B

NOV 24 1976

We would appreciate your submission of the above-requested information within two (2) weeks. Then the time and place of the public hearing will be determined and you shall be notified accordingly.

Should any questions arise in the meantime, please contact either Norman Hayashi or Ilima Piianaia of this office, at 961-8288.

Sidney M Fuke

for RAYMOND SUEFUJI
Director

NH:rfd
Enclosure

COUNTY OF HAWAII
PLANNING DEPARTMENT
Hilo, Hawaii

RECEIPT Date Novem 24 19 76 3095

Received From Eunice M. Kawamoto

Address

One hundred and no/100 Dollars $ 100.00

For Special Permit - Maxton Kawamoto

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	100	—
BALANCE DUE			MONEY ORDER		

By Laurie Viveiros

8K808 Rediform

Mm

Rec'd 1/3/77

P.O.Box 103
Hawi, Hawaii 96719

Planning Department

Raymond Suefuji, Director
25 Aupuni Street
Hilo, Hawaii 96720

Re: Special Permit- Building for Storage/processing and commercial sales of beef Products.
TMK: 5-5-13-22

Thank you for your letter of November 23, 1976.

Approximately, the proposed area will roughly utilize an acre. It will be subdivided out of the 14.3 acre parcel.

The Building will be 20ft.x 40 ft.

Enclosed are 16 copies of the layout of the building, which shows the areas that will be utilized for storage, processing and sales.

Also enclosed are 16 copies of the reasons for requesting Special permit.

Will be glad to answer any more questions, if above is not sufficient.

Thank you.

Masatsu Kawamoto

Masatsu Kawamoto

EXHIBIT C

EUNICE AND MASATSU KAWAMOTO

APPLICANT'S REASONS FOR REQUESTING SPECIAL PERMIT

The proposed building will be located on a 14.3 acre parcel, neighbors are far enough away, so we do not feel that it will have an adverse affect on them.

All utilities and roads are located right alongside of our lot. The Fire hydrant located about 250 feet away. We therefore feel that we would not unreasonably burden the County to provide it.

Our proposed use will not alter or change the character of the land. The remainder of the land will be used for pasture.

We feel that it will make the highest and best usage of the land as far as the welfare of the public is concerned. As we previously explained that soon the people of Kohala will not have a cutting and storage facility as the old one does not meet standards.

EXHIBIT C-1

Masatsu and Eunice Kawamoto

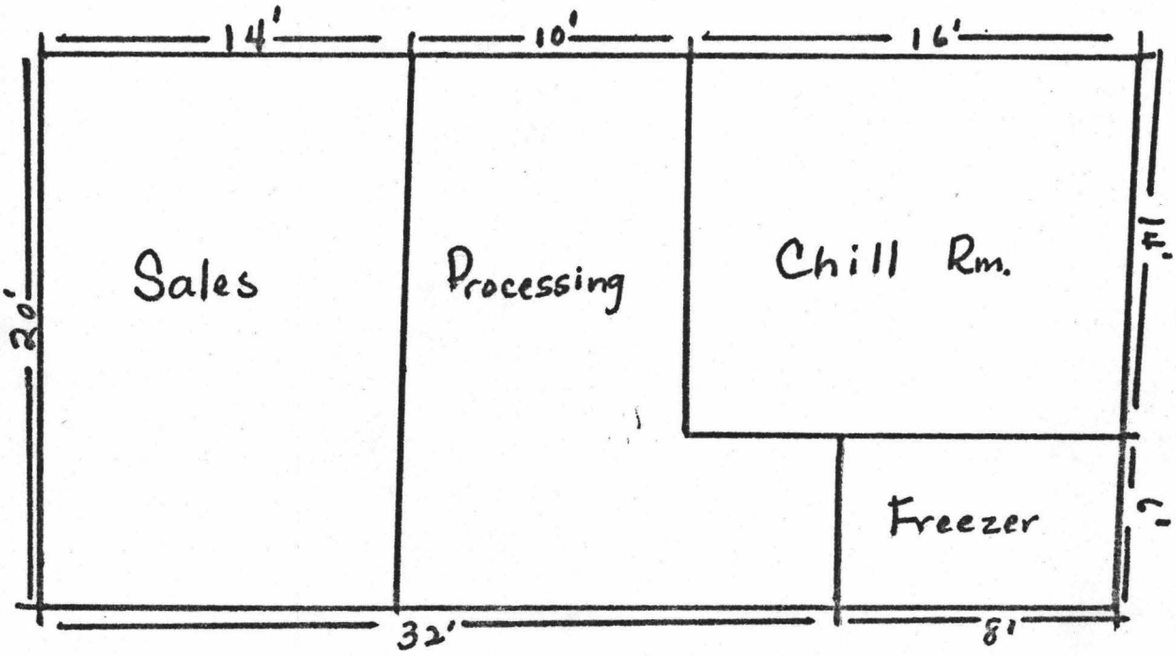


EXHIBIT C-2

January 4, 1977

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Re: Special Permit - Building for
Storage/Processing & Commercial Sale
of Beef Products
TMK: 5-5-13:Portion of 22

This is to acknowledge receipt on January 3, 1977 of the additional information requested of you in our letter of November 23, 1976.

With the submission of the additional information, we are now able to complete our review of the Special Permit request. We will inform you as to the time and place of the public hearing on this application as soon as they have been determined.
Should you have any questions in the meantime, please feel free to contact Norman Hayashi or Ilima Piianaia of this office.

Sidney M Fuke
for RAYMOND SUEFUJI
Director

NH:rfd

EXHIBIT D

JAN 5 - 1977

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW, DWS, Highways, Health, R&D, Police, Fire, Soil Conserv., Dept. of Ag., Helco, Virginia-staff

Date: November 24, 1976

From: Planning Director

Subject: SPECIAL PERMIT
Masatsu Kawamoto
Building for storage/processing/commercial sales of beef products
TMK: 5-5-13:22

May we have your comments within two (2) weeks from the above date for the Special Permit filed by Masatsu Kawamoto.

Raymond Suefuji

Raymond Suefuji
Director

lgv

atch

EXHIBIT E

NOV 24 1976

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
P.O. Box 1089
Kamuela, Hi. 96743

November 29, 1976

To: Planning Department
County of Hawaii
25 Aupuni St.
Hilo, Hi. 96720

Subject: Special Permit Review
Masatsu Kawamoto
building for storage/processing/commercial sales
of beef products
TMK: 5-5-13:22

We have no comments that would restrict this proposal from a land use resource point.

Sincerely,

Ned Pennington
District Conservationist

EXHIBIT E-1

HAWAII ELECTRIC LIGHT COMPANY, INC.
P. O. BOX 1027 HILO, HAWAII-96720

December 1, 1976

County of Hawaii
Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Director

Subject: SPECIAL PERMIT
Masatsu Kawamoto
Building for storage/processing/commercial sales of beef products
TMK: 5-5-13:22

Gentlemen:

We have no comments to the above application as per your memorandum of November 24, 1976.

Very truly yours,

Jitsuo Niwao, Manager
Engineering Department

JN:bk

EXHIBIT F

HAWAII COUNTY FIRE DEPARTMENT

TO: Planning

DATE: December 2, 1976

FROM: Fire

SUBJECT: Special Permit
Masatsu Kawamoto
Building for storage/processing/commercial sales of beef products
TMK: 5-5-13:22

Fire station located about 4 miles distant. Fire hydrants located .2 miles from proposed building.

Terrick W Kohashi
Fire Inspector

HFD-30
11/29/74 - 1M

EXHIBIT G

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

Date December 7, 1976

MEMORANDUM

TO: Planning Department

FROM: Chief Engineer

SUBJECT: Application for Special Permit
Applicant: Masatsu Kawamoto
Location: Kaauhuhu Homesteads 2nd Series, North Kohala, Hawaii
TMK: 5-5-13:22

We have reviewed the subject application and our comments are as follows:

The Cambra Road which fronts this property is paved in only the residential area. The applicant should extend the 18-foot pavement to the driveway of his proposed building.

for EDWARD HARADA, Chief Engineer

EXHIBIT H

POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720

OUR REFERENCE

YOUR REFERENCE

GUY A. PAUL

CHIEF OF POLICE

December 8, 1976

TO : RAYMOND SUEFUJI, PLANNING DIRECTOR

FROM : GUY A. PAUL, CHIEF OF POLICE

SUBJECT: SPECIAL PERMIT
MASATSU KAWAMOTO - Building for storage/processing/commercial sales of beef products
TMK: 5-5-13:22

The special permit application submitted by Masatsu Kawamoto has been reviewed and from the police standpoint, we can foresee no adverse effects from the requested land use.

GUY A. PAUL
CHIEF OF POLICE

GI/RLP/k

EXHIBIT I

GEORGE R. ARIYOSHI
GOVERNOR

JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

December 10, 1976

MEMORANDUM

To: Mr. Raymond Suefuji, Director
Hawaii County Department of Planning

Subject: Special Permit
Masatsu Kawamoto
Building for storage/processing/commercial sales of beef products
TMK: 5-5-13:22

The Department of Agriculture has reviewed the subject special permit application for construction of a storage, processing and commercial sales of beef products building.

In addition to meeting the standards of the Department of Health, the applicant should submit a structural drawing of the proposed building to the Meat Inspection Branch of this Department for approval.

Thank you for the opportunity to comment.

John Farias Jr.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT J

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820 • HILO, HAWAII 96720 • 25 AUPUNI STREET

December 14, 1976

TO: Planning Department

FROM: Department of Water Supply

SUBJECT: SPECIAL PERMIT - MASATSU KAWAMOTO
TMK: 5-5-13:22

We have no adverse comments or objections to the applicant's special permit request for a storage/processing/commercial sales building for beef products.

However, the applicant should be made aware that the Department of Water Supply reserves the right to limit the amount of consumption by the proposed use. Consumption limitations are dependent upon water availability and operational and other constraints relative to our Hawi Water System.

For your information, there is a 4-inch waterline along the Hawi Road.

Akira Fujimoto
Manager

QA

cc: Masatsu Kawamoto

... Water brings progress...

EXHIBIT K

DEPARTMENT OF RESEARCH AND DEVELOPMENT

COUNTY OF HAWAII

HERBERT T. MATAYOSHI, Mayor

CLARENCE W. GARCIA, Director

December 22, 1976

MEMORANDUM

TO: Planning Department

FROM: Director

SUBJECT: SPECIAL PERMIT
Masatsu Kawamoto
Building for storage/processing/commercial sales of beef products
TMK: 5-5-13:22

Recommend approval provided that this operation will not create any hardship on neighbors such as offensive odors, noise, etc.

Clarence W. Garcia

CLARENCE W. GARCIA

YW:ef-129

EXHIBIT L

• 25 AUPUNI STREET • HILO, HAWAII 96720 • TELEPHONE (808) 961-8366

PUBLIC HEARINGS

PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of pubic hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Waimea School Cafetorium, Waimea, South Kohala, Hawaii

DATE: Monday, February 14, 1977

TIME: 4:00 p.m. (Items 1 & 2)
7:00 p.m. (Item 3)

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. PETITIONER: MASATSU KAWAMOTO

LOCATION: Along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road - Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala.

TMK: 5-5-13:portion of 22

PURPOSE: Special Permit request to allow the construction of a building for Storage/ Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District.

EXHIBIT A

2. PETITIONER: RICHARD SMART dba PARKER RANCH

LOCATION: SITE 1 is located along the mauka or south side of the old Mamalahoa Highway approximately 3 1/2 miles Honoka'a side of the old Mamalahoa Highway-Hawaii Belt Highway junction, Kapa'aula, Hamakua, TMK: 4-7-07:portion of 11. This site is about ten (10) acres in size and presently operated by Al Lirou. SITE NO. 2 is located on the mauka side of the Mahukona-Hawi Road, slightly over two (2) miles Kawaihae side of Hawi Village, Honipu, North Kohala, TMK: 5-6-01:portion of 51. This site is about 6 (six) acres in size and presently operated by the County of Hawaii. SITE NO. 3 is located along the west side of Saddle Road, approximately 4,00 feet from the Saddle Road-Mamalahoa Highway junction, Waikoloa, South Kohala, TMK: 6-7-01:portion of 3. This site is about thirty (30) acres in size and presently operated by Allied Aggregates. SITE NO. 4 is located approximately 3.3 miles southeast or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01: portion of 25. This site is about thirty (30) acres in size and presently operated by Shield

Pacific, Ltd. SITE NO. 5 is located approximately 2.2 miles southeast or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01:portion of 25. This site is about five (5) acres in size and presently operated by Pacific Concrete and Rock Co., Ltd.

PURPOSE: Special Permit request to allow the continued operation of five (5) existing quarry sites on Parker Ranch lands situated within the State Land Use Agricultural District.

3. PETITIONER: BOISE CASCADE HOME AND LAND CORPORATION

LOCATION: Makai of the Queen Ka'ahumanu Highway, from the highway to the shoreline, in the land divisions of Anaeho'omalu and Waikoloa, South Kohala.

TMK: 6-8-01:26 and portion of 5 and and 6-9-07: 1 to 30

PURPOSE:

a. Change of Zone request in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for the adjustment and reconfiguration of various existing zoning boundaries.

b. Planned Unit Development (PUD) Permit request to allow the construction of six-story hotels on hotel site no. 12 and site nos. 9 and 10. The proposed hotel on site no. 12 will initially contain 350 rooms, but will be designed to allow

for future expansion from 350 to over 400 rooms. The proposed hotel on site nos. 9 and 10 will have approximately 525 rooms. Also requested is to allow up to one-half of the required parking stalls for the proposed hotels to be located off-site at a central hotel parking area. A relief from the required number of on-site loading spaces is also requested.

c. Partial Planned Unit Development (PUD) Permit request to allow the construction of future hotels on four (4) other sites (hotel site nos. 4, 8, 14 and 28x) at heights of six-stories in lieu of the maximum allowable of three (3) stories and forty-five (45) feet. Also requested is to allow up to one-half of the required parking stalls for these future hotels to be located off-site at a central hotel parking area.

d. Planned Development Permit (PDP) request to allow the ultimate construction of 3,000 hotel units and approximately 3,430 condominium units.

e. Special Permit request to allow the establishment of a temporary construction and maintenance yard on 7.09 acres of land situated within the State Land Use Agricultural District.

f. Special Permit request to allow the establishment of a Waste-Water Reclamation Plant (STP) on 17.6 acres of land situated within the State Land Use Agricultural District. The proposed use will be located mauka of the Queen Ka'ahumanu Highway.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION
LORRAINE R. JITCHAKU, Chairman
by RAYMOND H. SUEFUJI
Planning Director

(Hawaii Tribune-Herald: February 4 and 11, 1977)

PUBLIC HEARINGS

PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Waimea School Cafetorium, Waimea, South Kohala, Hawaii
DATE: Monday, February 14, 1977
TIME: 4:00 p.m. (Item 1 & 2)
7:00 p.m. (Item 3)

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. PETITIONER: MASATSU KAWAMOTO
LOCATION: Along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road-Hawi Road intersection, Ka'auhuhu Homesteads, 2nd North Kohala.

TMK: 5-5-13:portion of 22
PURPOSE: Special Permit request to allow the construction of a building for Storage/Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District.

2. PETITIONER: RICHARD SMART dba PARKER RANCH
LOCATION: SITE 1 is located along the mauka or south side of the old Mamalahoa Highway approximately 3½ miles Honoka'a side of the old Mamalahoa Highway-Hawaii Belt Highway junction, Kapa'aula, Hamakua, TMK: 4-7-07:portion of 11. This site is about ten (10) acres in size and presently operated by Al Lirou. SITE NO. 2 is located on the mauka side of the Mahukona-Hawi Road, slightly over two (2) miles Kawaihae side of Hawi Village, Honipu, North Kohala, TMK: 5-6-01:portion of 51. This site is about 6 (six) acres in size and presently operated by the County of Hawaii. SITE NO. 3 is located along the west side of Saddle Road, approximately 4,00 feet from the Saddle Road-Mamalahoa Highway junction, Waikoloa, South Kohala, TMK: 6-7-01: portion of 3. This site is about thirty (30) acres in size and presently operated by Allied Aggregates. SITE NO. 4 is located approximately 3.3 miles southwest or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01: portion of 25. This site is about thirty (30) acres in size and presently operated by Shield Pacific, Ltd. SITE NO. 5 is located approximately 2.2 miles southwest or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01: portion of 25. This site is about five (5) acres in size and presently operated by Pacific Concrete and Rock Co., Ltd.

PURPOSE: Special Permit request to allow the continued operation of five (5) existing quarry sites on Parker Ranch lands situated within the State Land Use Agricultural District.

3. PETITIONER: BOISE CASCADE HOME AND LAND CORPORATION
LOCATION: Makai of the Queen Ka'ahumanu Highway from the highway to the shoreline, in the land divisions of Anaeho'omalu and Waikoloa, South Kohala.

TMK: 6-8-01:26 and portion of 5 and 6-9-07: 1 to 30
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a. Change of Zone request in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for the adjustment and reconfiguration of various existing zoning boundaries.
b. Planned Unit Development (PUD) Permit requeat to allow the construction of six-story hotels on hotel site no. 12 and site nos. 9 and 10. The proposed hotel on site no. 12 will initially contain 350 rooms, but will be designed to allow for future expansion from 350 to over 400 rooms. The proposed hotel on site nos. 9 and 10 will have approximately 525 rooms. Also requested is to allow up to one-half of the required parking stalls for the proposed hotels to be located off-site at a central hotel parking area. A relief from the required number of on-site loading spaces is also requested.
c. Partial Planned Unit Development (PUD) Permit request to allow the construction of future hotels on four (4) other sites (hotel site nos. 4, 8, 14 and 28x) at heights of six-stories in lieu of the maximum allowable of three (3) stories and forty-five (45) feet. Also requested is to allow up to one-half of the required parking stalls for these future hotels to be located off-site at a central hotel parking area.
d. Planned Development Permit (PDP) request to allow the ultimate construction of 3,000 hotel units and approximately 3,430 condominium units.
e. Special Permit request to allow the establishment of a temporary construction and maintenance yard on 7.09 acres of land situated within the State Land Use Agricultural District.
F. Special Permit request to allow the Establishment of a Waste-Water Reclamation Plant (STP) on 17.6 acres of land situated within the State Land Use Agricultural District. The proposed use will be located mauka of the Queen Ka'ahumanu Highway.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION
LORRAINE R. JITCHAKU, Chairman
by RAYMOND H. SUEFUJI
Planning Director

(147 — Hawaii Tribune-Herald: February 4, 11, 1977.)

EXHIBIT N

SPECIAL PERMIT
STORAGE/PROCESSING BLDG. & COMMERCIAL
SALE OF BEEF PRODUCTS
MASATSU KAWAMOTO.
5-5-13: 22

5-5-13: 8 — HOOK, Charles ETAL
404 Piikoi St.
Hon. HI 96815
and
VELORIA, Earl E. ETAL
P.O. Box 191
Kapaau, HI 96755

11 — Nakasone, Stanley S.
Ashimine, Ronnie
c/o. Ashimine, Ronnie
6791 Hawaii Kai Dr
Hon. 96825

12 — Kawasaki, Shigeji
P.O. BOX 26
HAWI 96719

13 — Sanehisa, Shigeto
40 Bank St. HI
Kohala BR.
Kohala 96755

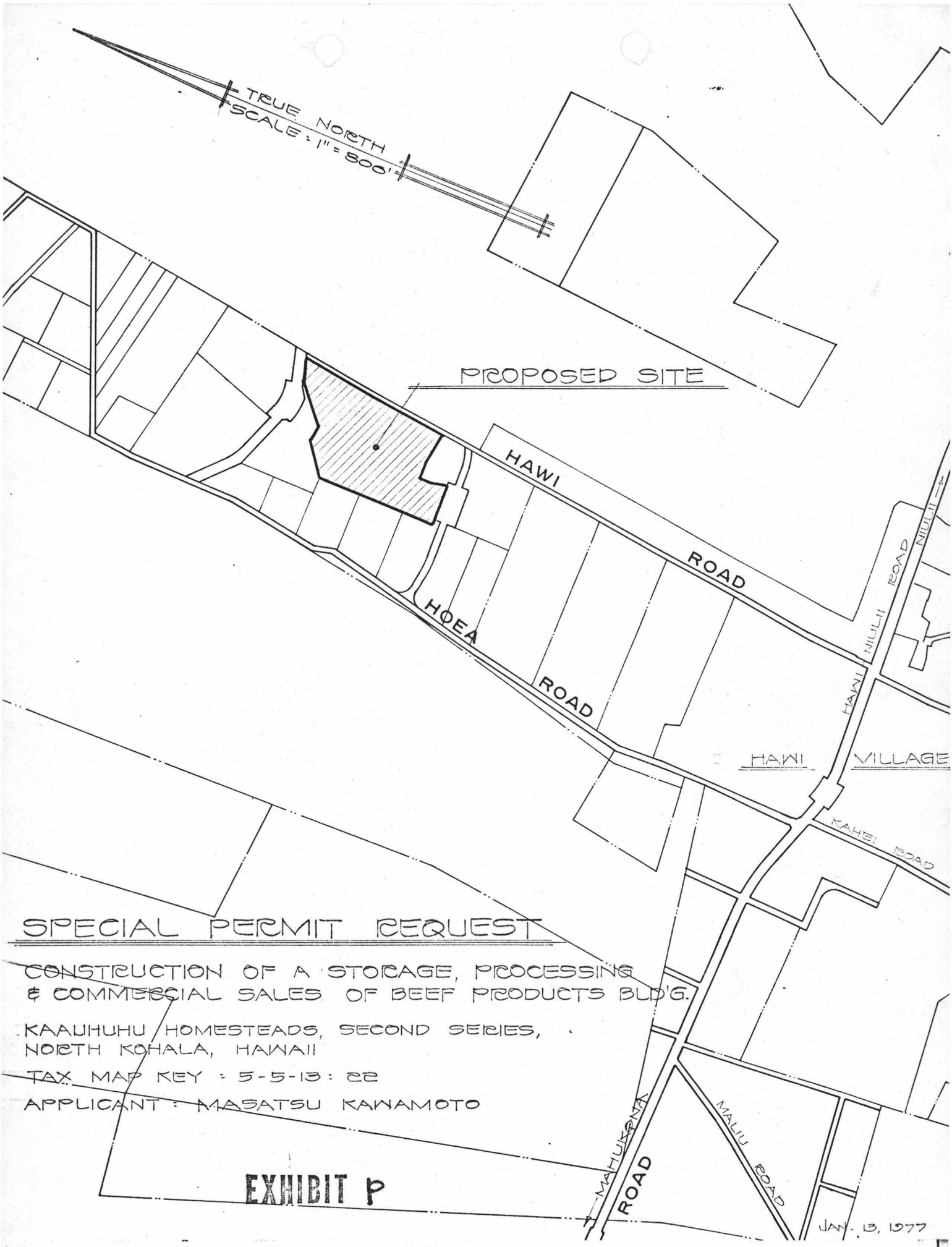
16 — Cambra, Robert R.
P.O. Box 191
Hawi HI 96719

19 & 20 — Kohala Corp.
Castle & Cooke Ltd
P.O. Box 7990
Hon. 96802

20 — Same as 19

5-5-08: 13 — Same as 19 + 20 Kohala Corp.

EXHIBIT O



SPECIAL PERMIT REQUEST

CONSTRUCTION OF A STORAGE, PROCESSING & COMMERCIAL SALES OF BEEF PRODUCTS BLD'G.

KAAUHUHU HOMESTEADS, SECOND SERIES, NORTH KOHALA, HAWAII

TAX MAP KEY: 5-5-13: 22

APPLICANT: MASATSU KAWAMOTO

EXHIBIT P

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF HAWAII

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

January 26, 1977

Dear Property Owner: (TMK:

Re: Special Permit Application
Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii
Tax Map Key 5-5-13:portion of 22

You are hereby notified that a request for a special permit to allow the construction of a building for Storage/Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District has been submitted by Masatsu Kawamoto.

The proposed development is to be located along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road-Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii.

A public hearing on the subject among others will be held beginning at 4:00 p.m. on Monday, February 14, 1977 at the State Department of Education, Kona Annex (former Kailua School), North Kona, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Raymond Suefuji
Director

lat

Enclosure

EXHIBIT R

January 27, 1977

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Re: Notice of a Public Hearing
Special Permit Application
Tax Map Key 5-5-13:portion of 22

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 4:00 p.m. February 14, 1977 at the Waimea School Cafetorium, Waimea, S. Kohala, Hawaii.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the hearing notice is enclosed for your information.

Raymond Suefuji
Director

lat:ml

Enclosure

cc State Land Use Commission
Land Use Division, DPED

EXHIBIT S

FEB 1 1977

2uc

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
February 14, 1977

The Planning Commission met in regular session at 11:08 a.m. at the State Department of Education - Kona Annex (former Kailua School), Kailua, North Kona, with Chairman Jitchaku presiding.

PRESENT: Lorraine R. Jitchaku
Scott H. Asai
Shigeru Fujimoto
J. Walsh Hanley
Arthur W. Martin
William F. Mielcke
Haruo Murakami
Charles H. Sakamoto, Jr.

ABSENT: Akira Fujimoto, Ex-officio Member

Sidney M. Fuke, Deputy Planning Director
Norman K. Hayashi, Planner
Ilima A. Piianaia, Planner

David Murakami, representing Ex-officio Member Edward Harada

and about 14 people in attendance at 11:00 a.m., about 9 people at 4:00 p.m. and about 60 people at 7:00 p.m.

EXHIBIT T

processing plant. They will be making fresh nonpasteurized natural juices with no additives. The products are geared for the health store outlets. He explained the type of small commercial machinery they will be using for their processing plant. He mentioned that the property has a 45-year lease and it has about 30 more years to run. He invited the Commissioners to see his operation.

There were two adjacent property owners who testified against the request because of possible noise problem and noxious odor.

Deputy Planning Director suggested that the public hearing be continued subject to confirmation by Bishop Estate.

Mr. Martin moved to continue with the public hearing pending receipt of a letter from Bishop Estate to allow the proposed use; seconded by Mr. Mielcke; carried with seven ayes and one no vote.

RECESS — Chairman called for a recess at 12:40 p.m. until the next scheduled public hearings at 4:00 p.m. to be conducted at the Waimea School Cafetorium, Waimea, South Kohala.

****

RECONVENED FOR PUBLIC HEARINGS — Meeting was reconvened at 4:00 p.m. to continue with the following public hearings.

All those testifying were duly sworn in.

LAND USE COMMISSION SPECIAL PERMIT
MASATSU KAWAMOTO
KA'AUHUHU, NORTH KOHALA

A duly advertised public hearing was held for a Special Permit request to allow the construction of a building for Storage/Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District. The property involved is located along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road-Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala, TMK: 5-5-13:portion of 22.

Staff presented background information on file.

Mr. Masatsu Kawamoto stated that he will plan to have one employee when he begins his business. He explained that his business will accommodate people of Kohala mainly who raise their own cattle for home consumption. There will be no other meat cutting facilities in the area after the old one is discontinued. He will not slaughter cattle in his operation; but only for processing and storage of frozen packaged meats for easy handling. He mentioned that he is presently supplying meat to Kona. As time goes on, he may expand his operation.

Mr. Murakami moved to close the public hearing; seconded by Mr. Fujimoto; carried.

No action was taken on the Special Permit in accordance with the SLUC's regulation since decisions on such petitions cannot be made earlier than 15 days after the close of the public hearing.

LAND USE COMMISSION
SPECIAL PERMIT
RICHARD SMART dba
PARKER RANCH
KAPA'AULA, HAMAKUA
HONIPU, NORTH KOHALA
WAIKOLOA, SOUTH KOHALA

A duly advertised public hearing was held for a Special Permit request to allow the continued operation of five (5) existing quarry sites on Parker Ranch lands situated within the State Land Use Agricultural District. SITE NO. 1 is located along the mauka or south side of the old Mamalahoa Highway, approximately 3 1/2 miles Honoka'a side of the old Mamalahoa Highway-Hawaii Belt Highway junction, Kapa'aula, Hamakua, TMK: 4-7-07:portion of 11. This site is about ten (10) acres in size and presently operated by Al Lirou. SITE NO. 2 is located on the mauka side of the Mahukona-Hawi Road, slightly over two (2) miles Kawaihae side of Hawi Village, Honipu, North Kohala, TMK: 5-6-01:portion of 51. This site is about six (6) acres in size and presently operated by the County of Hawaii. SITE NO. 3 is located along the west side of Saddle Road, approximately 4,000 feet from the Saddle Road-Mamalahoa Highway junction, Waikoloa, South Kohala, TMK: 6-7-01:portion of 3. This site is about thirty (30) acres in size and presently operated by the Allied Aggregates. SITE NO. 4 is located approximately 3.3 miles southeast or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01:portion of 25. This site is about thirty (30) acres in size and presently operated by Shield Pacific, Ltd. SITE NO. 5 is located approximately 2.2 miles southeast or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01:portion of 25. This site is about five (5) acres in size and presently operated by Pacific Concrete and Rock Co., Ltd.

Staff presented background information on file. Staff explained that operation of the nonconforming quarries may be continued provided that there is no lateral expansion of the existing sites. However, since there may be expansion of the sites, the petitioner decided to apply for the Special Permit request.

Attorney Robert Carlsmith, representing the petitioner, explained that he was informed by the staff to take this course of action in filing for the nonconforming uses presently existing. He pointed out that Sites 3, 4, and 5 are located within a rather large parcels. He mentioned that Site No. 2 in Kohala quarried by the County does not qualify as a nonconforming use because it began around 1970.

Mr. Al Lirou, operator of quarry Site No. 1, stated that the hazardous condition of the fill stockpiled on the side of Mamalahoa Highway will be corrected.

Mr. Carlsmith read a letter dated January 19, 1977 from Parker Ranch and addressed to the Planning Department regarding Site No. 3 operated by Allied Aggregates. It pertained to the quarry area encompassing approximately 60 acres rather than an underestimated 30 acres. He requested that the application be amended as such.

Mr. James Kuwaye of Allied Aggregates clarified that their project would require a larger area to supply the users with the materials. They intend to quarry for the next five years.

Mr. Murakami moved to close the public hearing; seconded by Mr. Fujimoto; carried.

Luc

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
February 14, 1977

A regularly advertised public hearing, on the application of Masatsu Kawamoto, was called to order at 4:02 p.m. in the Cafetorium of the Waimea Elementary & Intermediate School, Waimea, South Kohala, by Chairman Jitchaku.

PRESENT: Lorraine R. Jitchaku
Scott H. Asai
Shigeru Fujimoto
J. Walsh Hanley
Arthur W. Martin
William F. Mielcke
Haruo Murakami
Charles H. Sakamoto, Jr.

ABSENT: Akira Fujimoto, Ex-officio Member

Sidney M. Fuke, Deputy Planning Director
Norman K. Hayashi, Planner
Ilima A. Piianaia, Planner

David Murakami, representing Ex-officio Member Edward Harada

and about 9 people in attendance

CHAIRMAN: Public hearing on item 1. Public hearing on the application of Masatsu Kawamoto for a Special Permit request to allow the construction of a building for Storage/Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District. The property involved is located along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road-Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala, TMK: 5-5-13: portion of 22. Staff.

HAYASHI: (Staff presented background information on file.)

CHAIRMAN: Thank you, Norman. Are there any Commissioners here that wish to question the staff's report? Commissioner Martin.

MARTIN: Madam Chairman, from the looks on the map, is that a residential house right next to the property adjoining?

HAYASHI: That is correct. As indicated in the background report, that is the dwelling which is situated adjacent to the south of this property.

MARTIN: This is not owned by the same people?

HAYASHI: No.

CHAIRMAN: Are there any other questions of the staff's report? If not, the Chair would like to call on the applicant, Mr. Kawamoto or Mrs. Kawamoto or a representative of the Kawamotos, please.

EXHIBIT 4

CHAIRMAN: Mr. Kawamoto, I'd like to swear you in at this time. Will you raise your right hand, please. Will you swear to tell the truth and nothing but the truth now before the Hawaii County Planning Commission on your application.

TESTIFIER: I do.

CHAIRMAN: Thank you. Will you please state your name, please.

MASATSU KAWAMOTO: I'm Masatsu Kawamoto from Kohala.

CHAIRMAN: Do any of the Commissioners wish to question the.... or have any questions of Mr. Kawamoto and his application? Commissioner Mielcke.

MIELCKE: Mr. Kawamoto, if the application goes through, how many people would you be employing to your operation?

KAWAMOTO: Well, to begin with, I have in mind to definitely employ one at the start to begin with. You see the phase one process of this, mainly is to accommodate the people of Kohala, like on this home use consumption first. Like, what I'm driving at is, most of the people in Kohala since the phase out of this sugar cane, they had some few parcels in sugar cane and whatnot; and rather than, since common sense will tell you, they cannot continue on sugar because there's no mill there; they converted all their sugar lands into pasture lands now. So, there's several back yard ranching, you know, where they raise few heads. And, the main purpose of them raising, like you or I or anyone else, is you wanna consume that for your own use. Now, if we don't have these facilities, you gonna have your animals slaughtered or whatnot, how you gonna cut? You have no cutting facilities. That's what the purpose of this building is to accommodate the people and us. So, that's the reason, like I figured most of the people are going out to work. What they usually normally do now at the present time is they having their meat cut during the afternoon hours and during the weekends. So, on that basis, I figured I have one man at the present time.

CHAIRMAN: Commissioner Murakami.

MURAKAMI: Mr. Kawamoto, are you the legal owner of this full 14.3 acres that's ....

KAWAMOTO: Yes, I am.

CHAIRMAN: Mr. Kawamoto, I have a question for you. There were several conditions or recommendations by the agencies that was read into staff's report. And, one was the Public Works. The Department of Public Works recommended that there's a portion that is unpaved which came to about 400 feet that they recommend that you extend the pavement to your driveway of the building. You have any comments in regards to that?

KAWAMOTO: No. Well, if ah..... I tried and I know that pavement extends a little in. You know, there's a driveway going into the other lot over there, to the residence there, but it extends a little further down. But, if the Public Works requires; then, I have to pave a little more. I guess, I have to just do that.

CHAIRMAN: Thank you. Commissioner Asai.

ASAI: So, Mr. Kawamoto, in your opinion you feel this kind of business is really necessary in Kohala right now?

KAWAMOTO: Yes, I do.

ASAI: How much will you be investing on this type of business?

KAWAMOTO: Well, now that the beam and everything coming up, I had a rough estimate Asai. I figured about in all within, with the chilling box and cutting facilities, I figure about forty to fifty thousand.

ASAI: Thank you.

CHAIRMAN: Commissioner Martin.

MARTIN: Madam Chairman, the Water Department was concerned about the availability of water in there. You have any idea how.... Is there a waterline which goes to the property? I take it, there's not.

KAWAMOTO: Yes. At present, I have that lot in pasture. I have a meter there. It's right along - just off the side of the road.

MARTIN: Will this enterprise, you feel, be using much more water than it would be able to come through the waterline there?

KAWAMOTO: Well, at present with all the buildings and that new main they put in, chee, that pressure of my water pipe is really strong. I cannot even open that, what you call, my valve at 3/4 inch going to the faucet. I have to put a, what you call, pressure reducer there in order to have to do the work. Otherwise, I'm gonna have further trouble.

MARTIN: You feel you'll be all right as far as the water use.

KAWAMOTO: To my knowledge, I think, I won't consume that much we're gonna burden on the others.

CHAIRMAN: Any other Commissioners would like to ask Mr. Kawamoto? Norman, staff do you have any questions?

HAYASHI: Just a matter of correction. It was brought to my attention that the pavement extends all the way to the edge of the Cambra property to the beginning of Mr. Kawamoto's property, rather than 400 feet away. So it does go up to the edge of the property. I have two questions of Mr. Kawamoto. First of all, could you briefly explain to us your proposed operation? Do you plan to slaughter the cattle there, also?

KAWAMOTO: No. No slaughterhouse. We're not planning to build a slaughterhouse. It's just a processing storage/processing and I have a chill box in mind, according to what I applied, and a little room for freezing. It's about 6 by 8 probably. The reason for that freezer room I thought about is....some of the people, you know when you have your meat cut and some wants you to have it wrapped, they on their work, and on their way back, they want to pick it up. So, in this case, if they do that, you just have to have a freezer. Otherwise, you just wrap and put in the chill box. When you take it out, you all thaw out and the blood and everything comes out the box. This, I'm talking through experience. That's what they doing now, see. So, what I can do is have it wrapped whatever way they want it; put it in the freezer. Maybe overnight and the following day, they can pick it up where there's no mess at all when they take it back, just right in the freezer box.

HAYASHI: Second question. Why was that particular one-acre piece of property chosen rather than somewhere else away from this adjacent property?

KAWAMOTO: Truthfully, I tried to get a building closer to that roadway, the pavement ends, as possible. That by cutting down my initial expense of going down, see. That's the main purpose.

HAYASHI: Thank you.

CHAIRMAN: Are there any comments? Commissioner Martin.

MARTIN: Just one question, Madam Chairman, more on what activities would be of the sales. You would be selling meat - they would come in and order the meat as they want it and then you would be selling it there, right?

KAWAMOTO: That's right.

CHAIRMAN: Mr. Kawamoto, do you have any remarks in regards to the staff's report?

KAWAMOTO: No.

CHAIRMAN: Or the staff's presentation or would you like to add any more?

KAWAMOTO: No, I don't think so.

CHAIRMAN: Okay, thank you. Commissioner Mielcke has one more question.

MIELCKE: Maybe, I misunderstood something. I thought, initially, you said most of the cattle would be grown by local ranchers and then just brought in for fabricating. Now, where's the sales come in. You're gonna be growing some cattle, like you're gonna be prefabing and then have available for sale?

KAWAMOTO: Well, at the present yes. I've been running my own, I have an own ranch of my own, see. So, at present, I'm supplying meat, goes down to Kona Meat and whatnot. So, as time goes on, well you cannot tell, things might change. I might just put my products on sale.

MIELCKE: You have commercial sales there as well as just the fabricating that you'd be doing for other people.

KAWAMOTO: That's right.

CHAIRMAN: Thank you, Mr. Kawamoto.

KAWAMOTO: In closing, I'd like to thank all you members for letting me have this opportunity and time this afternoon to express my views. Thank you.

CHAIRMAN: Is there anyone present who would like to make any comments on this application now before the Planning Commission? If not, the Chair would like to.... This is a special permit request to the State Land Use Commission. We'll have 15 days to wait and Chair would like to entertian a motion for closing of the public hearing.

MURAKAMI: Madam Chairman.

CHAIRMAN: Commissioner Murakami.

MURAKAMI: I move that the public hearing be closed.

CHAIRMAN: Is there any second?

FUJIMOTO: Second.

CHAIRMAN: Okay, it has been moved by Commissioner Murakami and seconded by Commissioner Fujimoto that the public hearing be closed. All those in favor, say aye.

COMMISSIONERS: Aye.

CHAIRMAN: Opposed, no. Motion carried.

Public hearing was adjourned at 4:19 p.m.

Respectfully submitted,

Lei A. Tsuji

Lei A. Tsuji, Secretary

A T T E S T :

Lorraine R. Jitchaku

(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

February 15, 1977

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Re: Special Permit Application
Tax Map Key 5-5-13:portion of 22

The Planning Commission at its meeting of February 14, 1977, held a duly advertised public hearing on your application for a special permit to allow the construction of a building for Storage/Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District at Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii.

In accordance with the provisions of Section 205-6, Hawaii Revised Statutes, the Commission shall act on such petition not earlier than fifteen (15) days after the said public hearing.

We shall notify you when the Commission is ready to take action on your request.

(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

lat:lgv

cc Land Use Commission
Land Use Division, DPED

EXHIBIT Y

FEB 15 1977

February 28, 1977

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Re: Special Permit Application
Tax Map Key 5-5-13:portion of 22

This is to inform you that your application will be considered on March 14, 1977 by the Planning Commission. The meeting will be held in the Councilroom, County Building, South Hilo, Hawaii, and is scheduled to begin at 10:00 am.

We shall notify you of the Commission's action.

A copy of the agenda is enclosed for your information.

Sidney M Fuke

for Raymond Suefuji
Director

lat:lpv
Enclosure
cc State Land Use Commission
Land Use Division, DPED

EXHIBIT W

MAR 3 1977

SPECIAL PERMIT: MASATSU KAWAMOTO

The petitioner, Masatsu Kawamoto, is requesting a Special Permit to allow the construction of a building for Storage/Processing and Commercial Sale of Beef Products on approximately one (1) acre of land situated within the State Land Use Agricultural District. The property involved is located along the west side of the lower Hawi Road (Cambra Road), approximately 3,400 feet makai or north of the Hawi-Niulii Road and Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala (TMK: 5-5-13:portion of 22).

The petitioner intends to subdivide out a one (1) acre portion of a 14.3-acre parcel for the proposed use. The proposed building will be 800 square feet in size (20 x 40).

In support of the request, the petitioner has stated the following:

> "The site requested for constructing a Storage, Processing and Commercial Sales of Beef Products has all the required utilities such as Water, Electricity and Roads. The present Chilling and Cutting Facilities is below Board of Health Standards. There is no indication of future improvements. This will mean that residents of this community will be out of Storage and Cutting Facilities. It will create an extreme hardship on individuals who are raising beef for their home consumptions. If the application for the special permit is granted to us, we will work closely with the Board of Health Department as to meet all of their standards for the public welfare.

EXHIBIT X

"The proposed building will be located on a 14.3-acre parcel, neighbors are far enough away, so we do not feel that it will have any adverse affect on them.

"All utilities and roads are located right along side our lot. The fire hydrant is about 250 feet away. We therefore feel that we would not unreasonably burden the County to provide it.

"Our proposed use will not alter or change the character of the land. The remainder of the land will be used for pasture.

"We feel that it will make the highest and best usage of the land as far as the welfare of the public is concerned. As we previously explained that soon the people of Kohala will not have a cutting and storage facility as the old one does not meet standards."

The General Plan Land Use Pattern Allocation Guide Map designates the area as Intensive Agriculture. Lands in this category are considered to be of fertile soil. The County Zoning designation is Agricultural 20-acres (A-20a).

According to the U. S. Department of Agriculture Soil Conservation Service's Soil Survey Report issued in December of 1973, the land is of the Kohala soil series which consists of well-drained silty clays that formed in material from basic igneous rock influenced by volcanic ash. The surface layer and subsoil

are 14 inches thick and 25 inches thick respectively. The substratum is weathered basic igneous rock. Permeability is moderately rapid, runoff is slow, and the erosion hazard is slight. The slope of the land is from 0 to 3 percent. The area receives from 40 to 60 inches annually.

The Land Study Bureau's overall master productivity rating for agricultural use is Class B or Good.

In 1976, the State Legislature enacted Act 199 relating to permitted uses within the Land Study Bureau's Class A and B. The proposed use is not a permitted one under this Act. However, a Special Permit may be sought. The Act also states that no subdivision of land within Class A or B lands shall be approved by the County unless the lands are subject to the restriction on the permitted uses as outlined in this Act and subject to the condition that the uses shall be primarily in pursuit of an agricultural activity.

According to a preliminary site plan submitted with the application, the proposed building will be situated approximately thirty (30) feet from the adjacent property to the south. There is a single family dwelling on this adjacent property. The building will also be setback about fifty (50) feet from Hawi Road.

The property in question is presently vacant of any structures. It was formerly in sugar cane production.

The closest State Land Use Urban-designated lands are situated

approximately 1,300 feet mauka of the subject property.

Cambra Road, which fronts the subject property, has a 40-foot right-of-way. The section of the roadway fronting the subject property is unpaved. The pavement only extends to a distance of approximately 3,000 feet from the Cambra Road and Hawi-Niulii Road intersection. The remaining distance of about 400 feet to the subject property is not paved.

Pavement up to Subject Property

Upon review of the request, the Department of Public Works recommended that "The applicant should extend the 18-foot pavement to the driveway of his proposed building."

All essential utilities are available to the area.

The Fire Department informs that the Fire Station is about four (4) miles away, and fire hydrants are located .2 miles from the property.

Upon review of the request, the Department of Water Supply stated the following:

> "We have no adverse comments or objections to the applicant's special permit request for a storage/processing/commercial sales building for beef products. However, the applicant should be made aware that the Department of Water Supply reserves the right to limit the amount of consumption by the proposed use. Consumption limitations are dependent upon water availability and operational and other constraints relative to our Hawi Water System. For your information,

there is a 4-inch waterline along the Hawi Road."

The Department of Agriculture stated that "In addition to meeting the standards of the Department of Health, the applicant should submit a structural drawing of the proposed building to the Meat Inspection Branch of this Department for approval."

The Department of Research and Development recommended approval of the request "provided that this operation will not create any hardship on neighbors such as offensive odors, noise, etc."

All other cooperating agencies had no comments on or objections to the subject request.

RECOMMENDATION: MASATSU KAWAMOTO

Upon careful review of the request against the guidelines for considering a Special Permit, staff is recommending that it be given favorable consideration based on the following findings:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people. The North Kohala area, in which the proposed use is to be located, is presently faced with a unique situation. After the closing of the Kohala Sugar Company, several of the small individual landowners in the area converted their sugar cane lands to grazing. These individuals who are raising cattles would require a facility as proposed to accommodate their immediate and future needs. Although there presently is such a facility in North Kohala, it is deemed to be inadequate and may be forced to shut down as it does not meet some of the requirements of the State Department of Health. As such, it is felt that the granting of this request in its particular location would be of great benefit to the ranchers as well as residents of the area. The proposed facility is intended to overcome various problems presently confronting the cattle raisers or ranchers in the area. With the establishment of this facility,

EXHIBIT Y

benefits will accrue to the ranchers in terms of proximity to cutting and storage facility, cost of processing, as well as an alternate market should they desire to sell their beef products. In light of such factors, it is further determined that the proposed use will be a positive benefit and support to agriculture in the region. As such, the proposed facility, in essence, would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening existing and future agricultural activities in the region. The granting of this particular request would also complement the Economic goals of the County of Hawaii General Plan which state that "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." The granting of the request would also be in the direction of achieving the courses of action for North Kohala which stated that "The County shall aid the expansion of diversified agriculture in the district by providing direct and indirect assistance"; "The County shall work closely with the people of the district and with industry to plan alternative uses for the lands affected by the termination of sugar operations"; and that "The County shall encourage and assist the expansion of the cattle industry and support facilities."

Furthermore, although the introduction of the proposed use will somewhat alter the essential character of the land presently classified B or Good by the Land Study Bureau, it is determined that such a change will make the highest and

best use of the land involved for the welfare of the general public. As stated earlier, the proposed facility is directly related to agricultural activities in the area; namely, the cattle industry. It is further felt that the granting of the proposed use at its particular location will not have an adverse input on the overall agricultural activity of the remainder of the lot nor for the entire North Kohala area.

2. That the proposed facility will only be 800 square feet in size (20' x 40') and will be situated on a portion of a 14.3-acre lot. According to the plans submitted along with the application, the building will be constructed fifty (50) feet from the front property line along Hawi Road (also known as Cambra Road) and about thirty (30) feet from the adjacent property to the south on which a single-family dwelling is situated on. This dwelling, however, is situated within the south side of the property, a great distance from the area under consideration. The other adjacent properties as well as the remaining 13+ acres of the subject lot are either used for grazing or are vacant. In light of the above, it is determined that the proposed use will not adversely affect the surrounding properties and their improvements.

3. That all essential utilities and facilities are available for the development of the area for the proposed use. As such, the establishment of the building for storage, processing, and commercial sales of beef products at its proposed location

will not unreasonably burden public agencies to provide roads and other similar infrastructures.

At this time, it should be pointed out that since the subject property is classified B by the Land Study Bureau, according to Act 199 which was enacted into law in 1976 by the Hawaii State Legislature, the area cannot be subdivided unless it is used for some form of agricultural activity.

It is further recommended that the request be given favorable consideration subject to the following conditions:

1. That construction of the proposed facility shall commence within one (1) year from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

2. That the petitioner or his authorized representative shall extend the existing ~~18-foot~~ pavement of Hawi Road (also known as Cambra Road) at a minimum width of eighteen (18) feet to the driveway of the proposed building, meeting w/ the approval of the Chief Engineer.

3. That the rules and regulations of the State Departments of Health and Agriculture and the County of Hawaii Department of Water Supply shall be complied with.

4. That no slaughtering shall be conducted on the premises.

5. That all other applicable rules and regulations, including the Plan Approval process shall be complied with.

EXHIBIT Z

(Please return)

CHAMPION CLASP NO. 98 10 x 15

EXHIBIT AA

(Please return)

CHAMPION CLASP No. 98 10 x 15

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date March 14, 1977

Petitioner MASATSU KAWAMOTO - Special Permit

_____ Preliminary hearing _____ Public hearing _____ Request

ACTION: ✓ Approve

_____ Deny

_____ Defer

_____ Continue

_____ Schedule for public hearing

Other: _____

	Commissioners	Aye	No	Absent	Abstain
Moved	ASAI, Scott H.	✓			
Second	FUJIMOTO, Shigeru	✓			
	HANLEY, J. Walsh			✓ Excused	
	MARTIN, Arthur W.	✓			
	MIELCKE, William F.	✓			
	MURAKAMI, Haruo	✓			
	SAKAMOTO, Charles	✓			
	JITCHAKU, Lorraine R.	✓			

EXHIBIT BB

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
March 14, 1977

The Planning Commission met in regular session at 10:04 a.m. and recessed because of the electric power outage and reconvened at 10:37 a.m. in the Councilroom, County Building with Chairman Jitchaku presiding.

PRESENT: Lorraine R. Jitchaku
Scott H. Asai
Shigeru Fujimoto
J. Walsh Hanley
Arthur W. Martin
William F. Mielcke
Haruo Murakami
Charles H. Sakamoto, Jr.

ABSENT: None

Sidney M. Fuke, Acting Planning Director (evening session)
Norman K. Hayashi, Planner
Ilima A. Piianaia, Planner

Stephen G. Bess, Acting Corporation Counsel
David Murakami, representing Ex-officio Member Edward Harada
Quirino Antonio, representing Ex-officio Member Akira Fujimoto

and about 15 people in attendance at 10:00 a.m., about 25 people at 1:00 p.m., about 6 people at 3:30 p.m. and about 50 people at 7:00 p.m.

EXHIBIT CC

LAND USE COMMISSION
SPECIAL PERMIT
RICHARD SMART dba
PARKER RANCH
KAPA'AULA, HAMAKUA
HONIPU, N. KOHALA
WAIKOLOA, S. KOHALA

Special Permit request to allow the continued operation of five (5) existing quarry sites on Parker Ranch lands situated within the State Land Use Agricultural District. SITE NO. 1 is located along the mauka or south side of the old Mamalahoa Highway, approximately 3 1/2 miles Honoka'a side of the old Mamalahoa Highway-Hawaii Belt Highway junction, Kapa'aula, Hamakua, TMK: 4-7-07:portion of 11. This site is about ten (10) acres in size and presently operated by Al Lirou. SITE NO. 2 is located on the mauka side of the Mahukona-Hawi Road, slightly over two miles Kawaihae side of Hawi Village, Honipu, North Kohala, TMK: 5-6-01:portion of 51. This site is about six (6) acres in size and presently operated by the County of Hawaii. SITE NO. 3 is located along the west side of Saddle Road, approximately 4,000 feet from the Saddle Road-Mamalahoa Highway junction, Waikoloa, South Kohala, TMK: 6-7-01:portion of 3. This site is about sixty (60) acres in size and presently operated by the Allied Aggregates. SITE NO. 4 is located approximately 3.3 miles southeast or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01:portion of 25. This site is about thirty (30) acres in size and presently operated by Shield Pacific, Ltd. SITE NO. 5 is located approximately 2.2 miles southeast or mauka of the Waimea-Kohala Airport, Waikoloa, South Kohala, TMK: 6-7-01: portion of 25. This site is about five (5) acres in size and presently operated by Pacific Concrete and Rock Co., Ltd.

Staff recommended favorable consideration based on the findings and with the conditions, on file. Staff indicated that the quarry operators will be responible for leveling and grading and Parker Ranch would be overseeing the overall operations.

Mr. Murakami moved to send a favorable recommendation to the SLUC for the continued operation of the five quarries based on the staff's recommendations and conditions as outlined; seconded by Mr. Asai; carried with seven aye votes.

LAND USE COMMISSION
SPECIAL PERMIT
MASATSU KAWAMOTO
KA'AUHUHU, NORTH KOHALA

Special Permit request to allow the construction of a building for storage/processing and commercial sale of beef products on approximately one (1) acre of land situated within the State Land Use Agricultural District. The property involved is located along the west side of the lower Hawi Road, approximately 3,400 feet makai or north of the Hawi-Niulii Road-Hawi Road intersection, Ka'auhuhu Homesteads, 2nd Series, North Kohala, TMK: 5-5-13:portion of 22.

Staff recommended favorable consideration based on the findings and with the conditions, on file.

Mr. Asai moved to send a favorable recommendation to the SLUC for the reasons and with the conditions as stipulated by the staff; seconded by Mr. Fujimoto: carried with seven aye votes.

STREET NAMES

Staff recommended approval as listed on the agenda. Staff explained that the names of transliteration are no longer being allowed; but those listed on the agenda were put on reserve in the past. The County Council had also gone on record to require Hawaiian names for all new streets.

March 15, 1977

Mr. Masatsu Kawamoto
P. O. Box 103
Hawi, HI 96719

Re: Special Permit Application
Tax Map key 5-5-13:22 (por.)

The Planning Commission at its regular meeting of March 14, 1977 considered your application for a Special Permit to allow the construction of a building for storage/processing and commercial sale of beef products on approximately one (1) acre of land situated within the State Land Use Agricultural District at Ka'auhuhu Homesteads, 2nd Series, North Kohala, Hawaii.

The Commission voted to forward a favorable recommendation to the Land Use Commission subject to the following conditions:

1. That construction of the proposed facility shall commence within one (1) year from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

2. That the petitioner or his authorized representative shall extend the existing pavement of Hawi Road (also known as Cambra Road) at a minimum width of eighteen (18) feet to the driveway of the proposed building meeting with the approval of the Chief Engineer.

3. That the rules and regulations of the State Departments of Health and Agriculture and the County of Hawaii Department of Water Supply shall be complied with.

4. That no slaughtering shall be conducted on the premise.

5. That all other applicable rules and regulations, including the Plan Approval process shall be complied with.

EXHIBIT DD MAR 1 7 1977

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

In the meantime, should you have any questions, please feel free to contact the Planning Department at 961-8288.

Lorraine R. Jitchaku

(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

lat

cc State Land Use Commission
Land Use Division, DPED

LUC
MAPS

COLUMBIAN NATURAL CLASP NO. 93N
®
UNITED STATES ENVELOPE COMPANY
9½ X 12½

LUC Maps

TRUE NORTH
Scale: 1 inch = 100 feet

H A W I

PLAT 14

08

PLAT

POR. LD. CT. APP. 1120

HAWI ROAD

Masatsu Kawamoto & wf. Eunice M. - T/E

Robert R. Cambra & wf. Dorothy S. - T/E

Florentino A. Ventura & wf. Benjamin B. - T/E) A/s

Robert L. Wong & wf. Janie L. A/s

Frederick L. Galnick & wf. Betty Jo - T/E

Herbert Y. O. Ching & wf. Irene - T/E

Charles T. Tamanaha & wf. Alley M. - T/E

1.894 Acs.

1.972 Acs.

2.714 Acs.

0.255 Ac.

8649

14.390 Ac.

7995

1.662 Acs.

Kohala Corp.

2.100 Acs.

(2.080 acs.)

1.000 Ac.

1.546 Ac.

1.455 Ac

1.417 Acs.

GR. 12407

(0.443 ac.)

(0.566 Ac.)

G R A N T

William A. Mock Sing

William A. Mock Sing

(John B. Robertson, III) A/s

Kohala Corporation 1.752 Acs.

Homestead Road

Charles Hooke 1/4 & wf. Audrey L. - T/E - 1/2
Earl E. Veloria & wf. Betty L. - T/E - 1/2
George Hooke - 1/4 - T/E

(3.389 Acs.)

4.398 Acs.

Stanley S. Nakasone & wf. Harriet K. - T/E

Shigeji & wf. Kawasaki Mieko - T/E

Shigeto Sanehisa & wf. Hiroe - T/E (Ronnie Ashimine & wf. Gladys - T/E) A/s

3.249 Acs.

(2.650 acs.)

3.253 Acs.

3.134 Acs.

Akito Imai & wf. Ayako - T/E

James J. Tohara & wf. Carole M. - T/E

3.356 Acs.

3.499 Acs.

3.693 Acs.

3.369 Acs.

3.313 Acs.

1.832 Acs.

1.927 Acs.

(0.011 ac.)

G R A N T

HOEA ROAD

PLAT 08

PLAT 09

PLAT 07

K A H E I

PLAT

NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current. Administrative Directive 24-68 (Rev.) dated November 21, 1968

DEPARTMENT OF THE TAX COMMISSIONER
TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

THIRD		DIVISION
ZONE	SEC.	PLAT
5	5	13
CONTAINING		PARCELS
SCALE: 1 IN. = 100 FT.		

DWG. NO: 70
SOURCE: Subdivision Map by A. Tego & T.M.B.
BY: RK/Bong DATE: 7/7/83

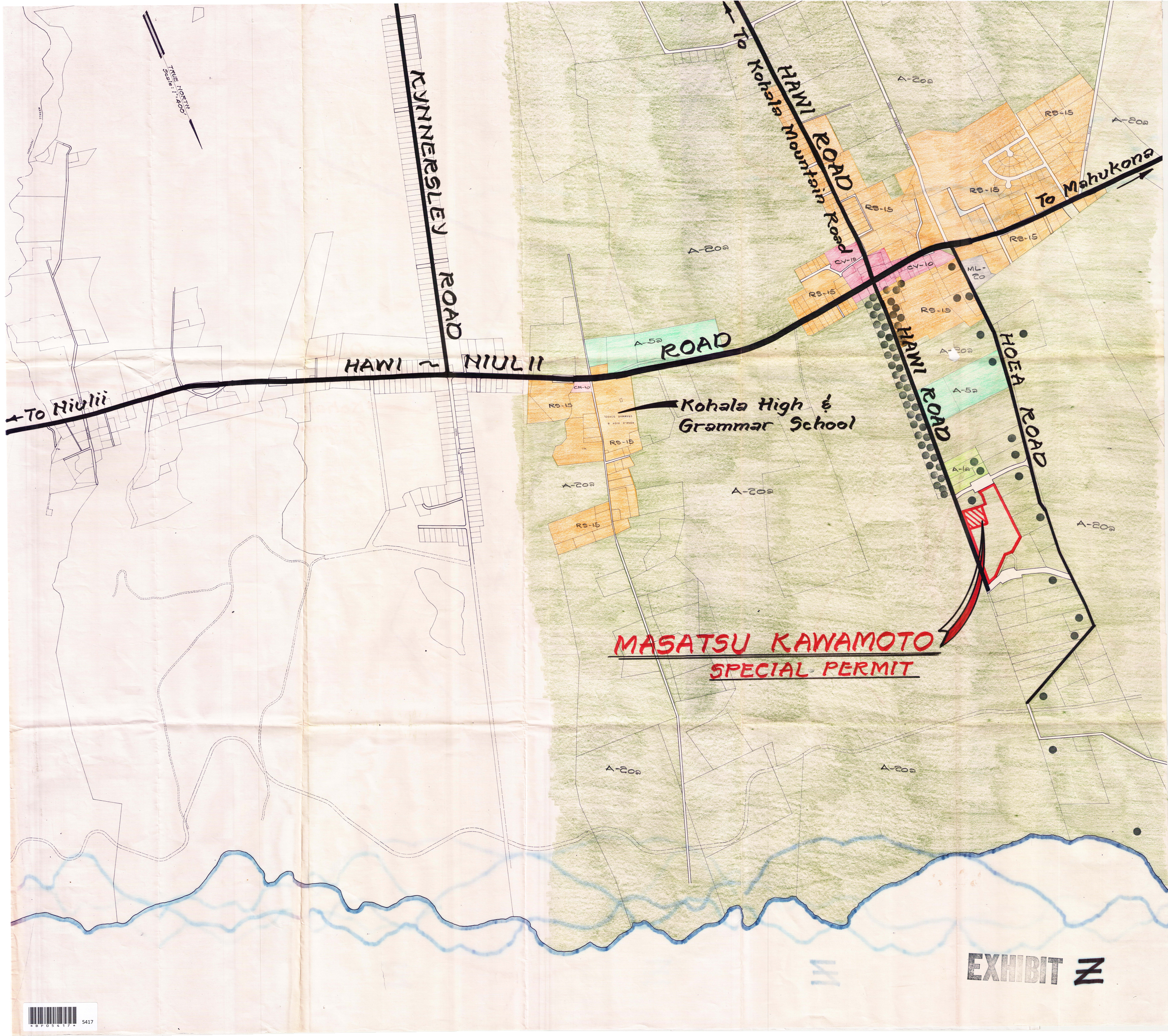
BP05416
5416

KAAUHUHU HOMESTEADS, 2ND SERIES, NORTH KOHALA, HAWAII

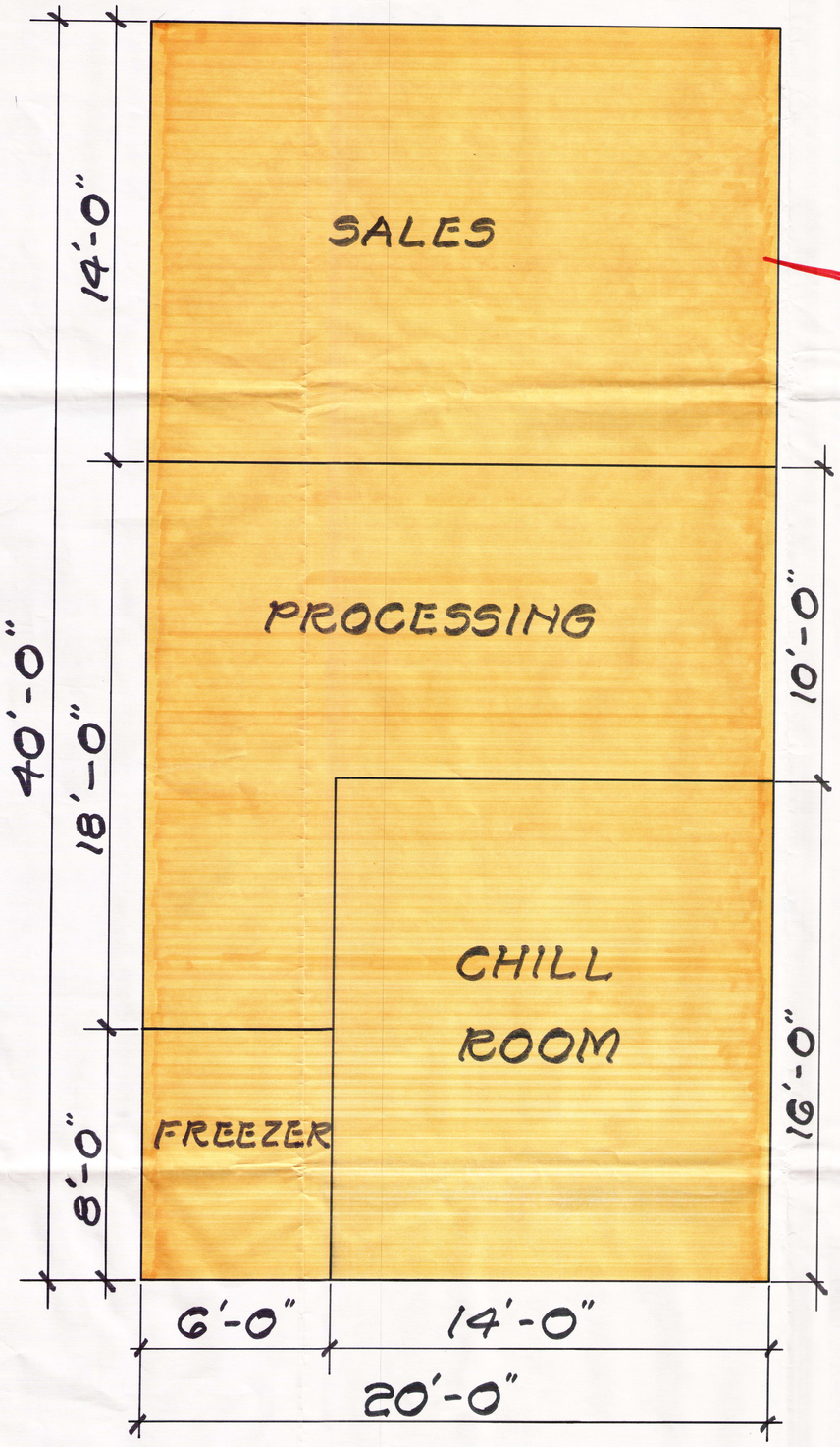
SUBJECT TO CHANGE

EXHIBIT A-3

OCT 12 1976


TRUE NORTH
Scale: 1"=400'
KYNNERSLEY ROAD
HAWI ~ NIULII
To Niulii
To Kohala Mountain Road
HAWI ROAD
To Mahukona
HAWI ROAD
HOEA ROAD
ROAD
Kohala High & Grammar School
A-20a
A-5a
A-1a
RS-15
CV-10
CN-10
ML-20
MASATSU KAWAMOTO
SPECIAL PERMIT
EXHIBIT Z

5417



PROPOSED BUILDING

Scale: 1" = 2'-0"

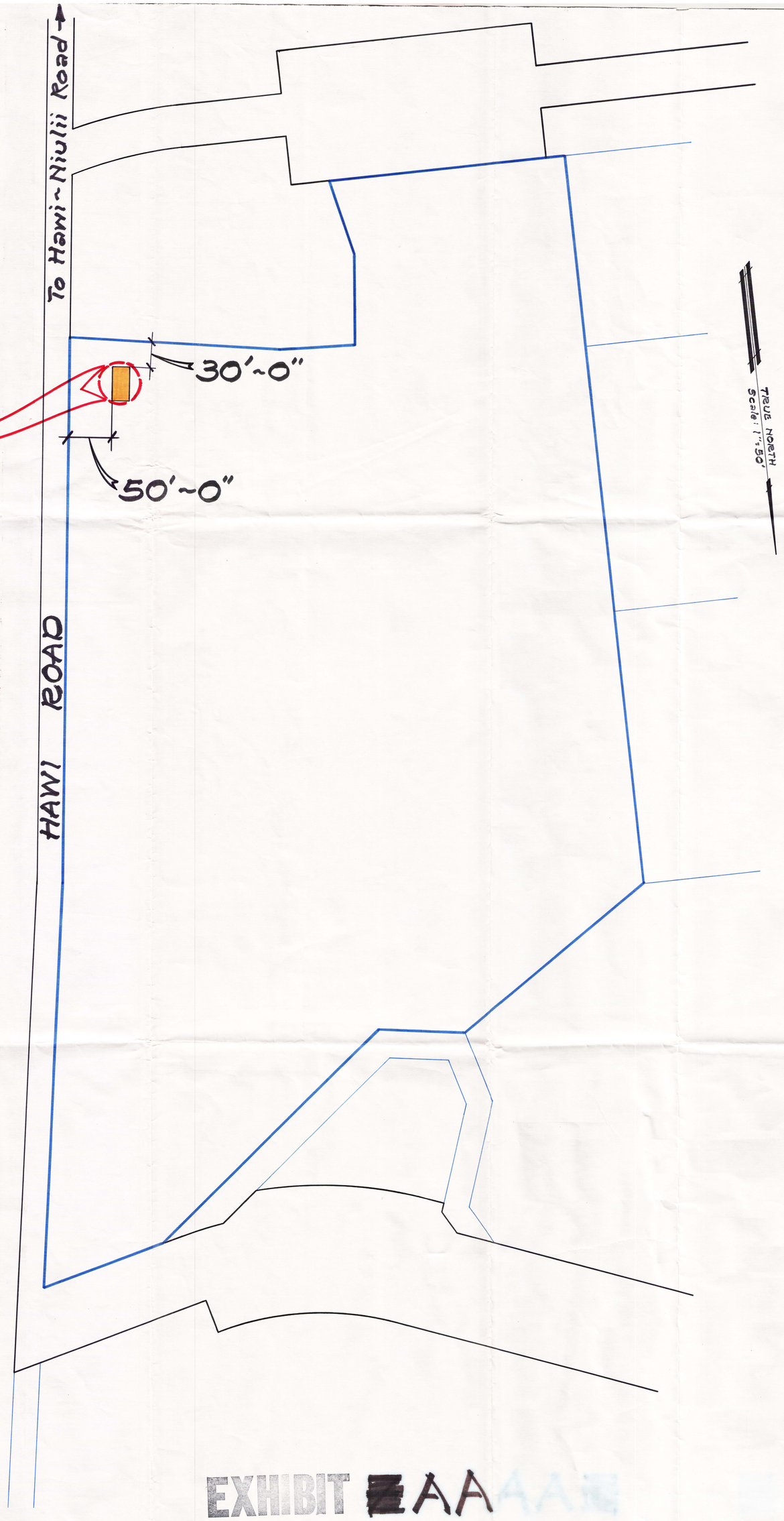
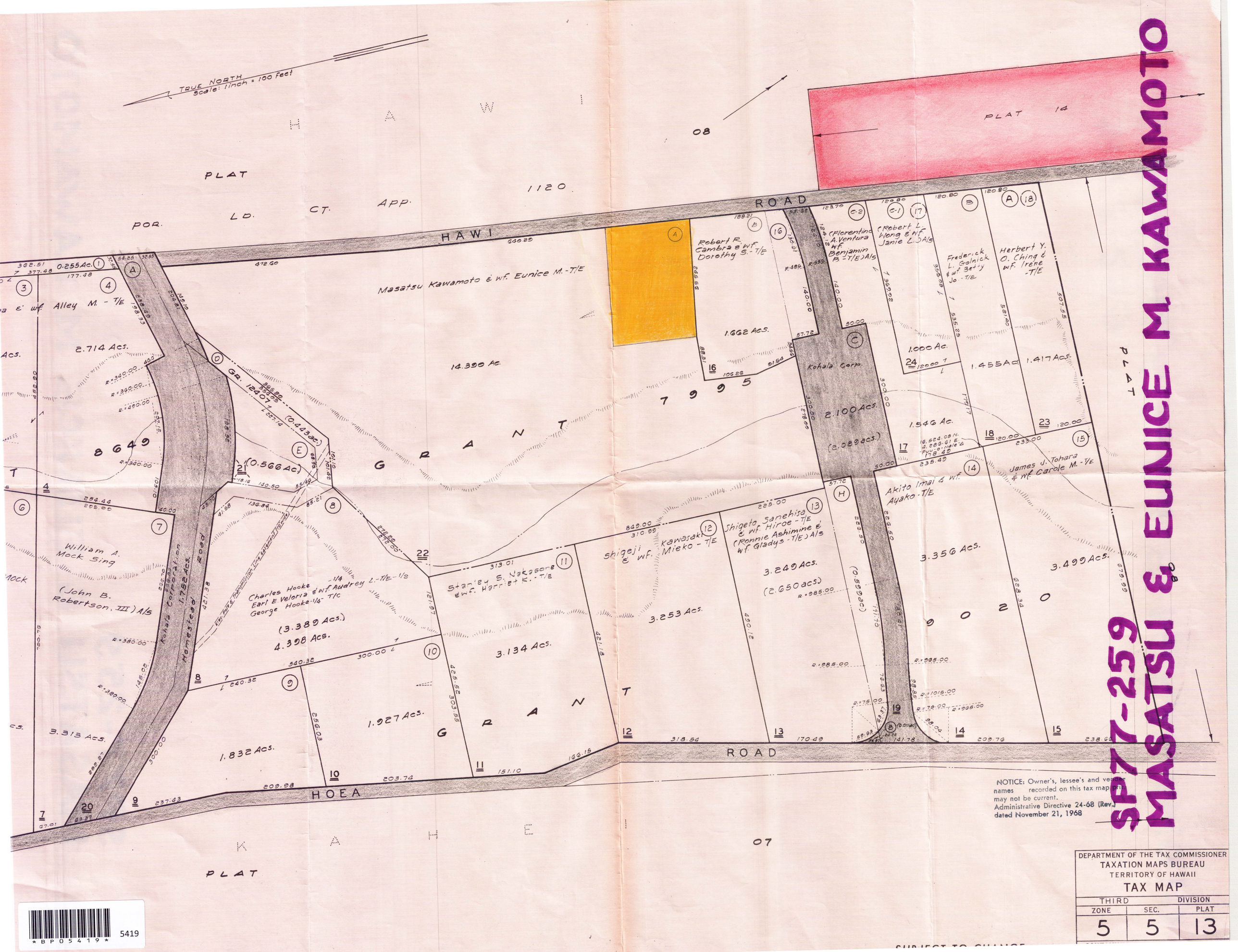


EXHIBIT AA

5418
BP05418



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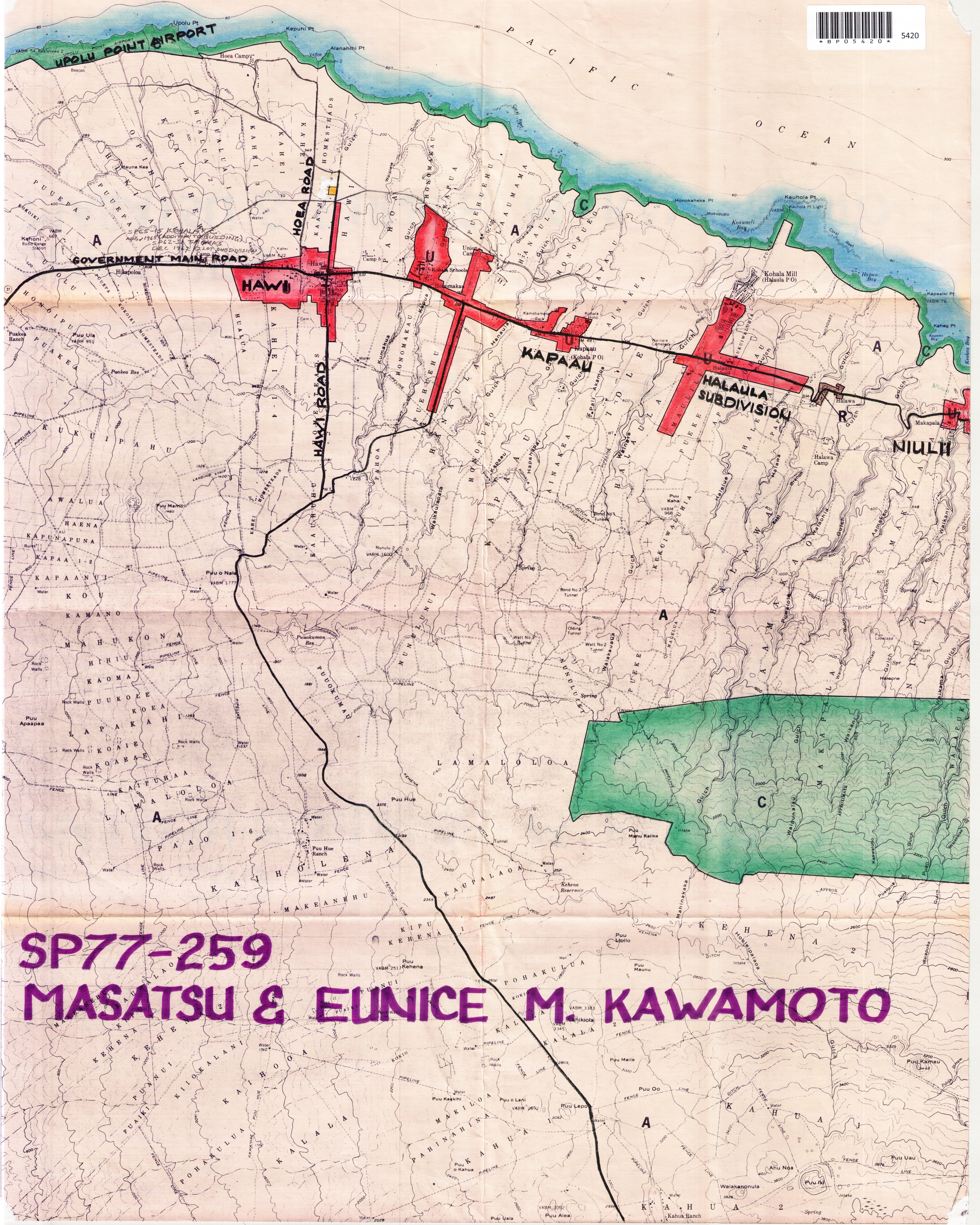
Administrative Directive 24-68 (Rev.) dated November 21, 1968

DEPARTMENT OF THE TAX COMMISSIONER
TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

THIRD		DIVISION
ZONE	SEC.	PLAT
5	5	13

SUBJECT TO CHANGE

BP05419 5419


5420
UPOLU POINT AIRPORT
GOVERNMENT MAIN ROAD
HOEA ROAD
HAWI ROAD
HAWI
KAPAAU
HALAULA SUBDIVISION
NIULII
PACIFIC OCEAN
SP65-15 KOHALA C
AUG 1965 (ADDITION TO BUILDING)
SP62-31 THOMAS
DEC 1962 (LOT SUBDIVISION)
SP77-259
MASATSU & EUNICE M. KAWAMOTO