

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322
New State Building
Honolulu, Hawaii

Approved
Nov. 14, 1977

July 6, 1977 - 9:30 a.m.

COMMISSIONERS PRESENT: Stanley Sakahashi, Chairman
James Carras
Charles Duke
Colette Machado
Shinsei Miyasato
Shinichi Nakagawa
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

A76-423 - WINDWARD PARTNERS

It was reported by the Executive Officer that upon advising all of the parties to Docket A76-423, Windward Partners, of the tentatively scheduled dates of July 14 and 15 for Commission action on the subject petition, Mr. Michael Hare, representing Adolpho, et al, had indicated that he would be unable to attend the meeting on those dates due to a prior commitment. It was the consensus of the Commission that the meeting date should be changed to accommodate Mr. Hare. Whereupon, the action date for Windward Partners petition was set for July 27, 1977.

SP73-157 - HAWAII LAND CORPORATION
Extension of Time Request

Mr. Furutani gave the following resume of the subject request: In essence, the issue before the Commission was to consider the opinion prepared by the Deputy Attorney General which stated that if a time extension request is denied at the County level, that denial was final and not subject to the Land Use Commission's review.

Commissioner Whitesell moved that the Commission accept the counselor's opinion on the time extension request by the Hawaii

Land Corporation. The motion was seconded by Commissioner Duke and unanimously passed by voice vote.

Mr. Furutani advised that he will write to all of the other County Planning Departments regarding this procedure with respect to Special Permit time extension requests.

In response to a question posed by Mr. Norman Hayashi of the Hawaii Planning Department regarding extension requests on conditions which had been imposed by the Land Use Commission, Mr. Marsh advised that he had included at the end of his opinion the recommendation that, for the purpose of uniform procedures and in consideration of the cooperative county/state scheme, the Commission amend its regulations to require that all requests for modification or deletion of conditions attached to Special Permits, regardless of their origin, be submitted first to the County Planning and that its action to deny would be final. However, approval of a modification or deletion of a condition would be subject to approval by the Land Use Commission also. In the interim, until such time as the rules are amended, it was Mr. Marsh's advice that modification of a condition imposed by the Land Use Commission, whether it's approved or denied by the County, should become a matter for consideration before the Land Use Commission.

ACTION

SP77-266 - ROBERT JOSE

SPECIAL PERMIT APPLICATION TO ESTABLISH A SMOKED MEAT PROCESSING PLANT AND COMMERCIAL SALES OF THE PRODUCT AT PAAUILO HOMESTEADS, HAMAKUA, HAWAII

Mr. Daniel Yasui, staff planner, described the land in question and gave a resume of the staff report, including the conditions imposed by the Hawaii County Planning Commission.

It was moved by Commissioner Carras and seconded by Commissioner Oura to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission. The motion was carried with the following votes:

Ayes: Commissioners Machado, Whitesell, Duke, Miyasato, Carras, Nakagawa, Oura, Yanai, Chairman Sakahashi

A76-419 - PARADISE HUI HANALIKE ASSOCIATION

Mr. Michael Marsh counselled that since 6 votes were necessary to reach a decision on a boundary amendment petition and only 5 of the Commissioners present today had sat in on the hearing for the subject petition, it will be necessary to issue a proposed decision. He explained that the procedure for the

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP77-266
ROBERT JOSE
Conf. Rm. 322 (A&B)
PLACE New State Bldg., Hon., Hi.

DATE July 6, 1977
TIME 9:30 a.m.

NAME	YES	NO	ABSTAIN	ABSENT
MACHADO, COLETTE	X			
WHITESELL, CAROL	X			
DUKE, CHARLES	X			
MIYASATO, SHINSEI	X			
M CARRAS, JAMES	X			
NAKAGAWA, SHINICHI	X			
S OURA, MITSUO	X			
YANAI, EDWARD	X			
SAKAHASHI, STANLEY	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
FROM: Staff
SUBJECT: SP77-266 - Robert Jose

July 6, 1977
9:30 a.m.

The petitioner, Robert Jose, is requesting a Special Permit to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District at Paauiilo Homesteads, 2nd Series, Hamakua, Hawaii, Tax Map Key 4-3-15: 22. The subject site is located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Paauiilo Village.

The petitioner intends to construct a 360 square foot (20' x 18') building which is to include a preparation room, storage area and refrigeration room. Also proposed are a 53 sq. foot (8' x 6'8") smokehouse building and a 12 square foot (4' x 3') fire box. All three structures are part of the proposed smoked meat processing plant.

The subject property presently contains a single family dwelling. Surrounding lands are principally utilized for cattle grazing. Single family dwellings are also scattered throughout the area.

The petitioner has stated several reasons for the Special Permit request, these include:

- "1. To supply a requested product by local retailers,
- "2. To provide an additional outlet for local cattle ranchers,
- "3. To make use of local slaughterhouses,
- "4. To promote diversified agriculture in Hawaii by introducing a new product for the state,
- "5. To provide self-employment and local employment as business increases.

"Surrounding properties will not be affected. Only slaughtered beef carcasses will be processed in an enclosed smoke house using wood as fuel about 4½ hours. I estimate one to three smokings a week as business increases. Since the process requires a slow even heat, the actual amount of smoke from the

enclosed 3' x 6' fire box will be no greater than an average house chimney. Nearest boundary line from smoke house is approximately 125 feet, nearest neighbor's structure approximately 500 feet.

"The operation will not unreasonably burden public agencies. Existing roads, water, electricity, police and fire protection are adequate. A regulation cesspool will be incorporated into the plan to provide drainage. Fire hazard will be minimal as the fire box will be completely enclosed and independent from the other facilities. All fire precautions, in accordance with the fire safety inspector, will be incorporated into the plan. Fire hydrant approximately 600 ft.

"Since this is a rural area, zoned for agriculture with easy and close access to cattle and slaughter facilities, I feel that a smoked meat business is ideally suited to the area and will not alter or change the essential character of the land.

"A smoked meat business will not be contrary to the objectives of the Land Use Law and Regulations. I have, in the past, successfully owned and operated a smoked meat business in Laupahoehoe, discontinuing only because the land was needed for the new highway. Because of this past experience, I feel that I am particularly well qualified to promote a product that will add to the public welfare and general economy of the state."

The General Plan Land Use Pattern Allocation Guide Map designates the subject area as Intensive Agricultural. The County zoning designation is Agricultural 5-acres (A-5a).

The U. S. Department of Agriculture, Soil Conservation Services Soil Survey Report describes the soil as being of the Honokaa Series. This soil consists of well-drained silty clay loams that formed in volcanic ash. The surface layer and subsoil are 6 inches and about 59 inches thick respectively. Permeability is rapid, runoff is slow and the erosion hazard is slight.

The subject site receives an annual rainfall of between 100 and 150 inches.

The Land Study Bureau's overall master productivity rating for agricultural use is Class "D" or poor.

Pertinent comments from governmental agencies:

1. State Department of Health

The State Department of Health had the following comments to offer:

"This type of food establishment is under the jurisdiction of the Department of Agriculture. The type of sewage treatment and disposal system shall meet the requirements of the Public Health Regulations, Chapter 38, Sewage Treatment and Disposal Systems. Potable water supply shall be from an approved source."

2. Department of Water Supply

The Department of Water Supply had no objections to the subject request, however, commented that the applicant should be advised that water service shall be limited to an existing 5/8-inch meter.

3. Department of Public Works

The Department of Public Works had the following comments to offer:

"All building, plumbing and electrical work shall be in accordance with applicable UBC regulations."

4. Fire Department

The Fire Department stated that the applicant shall submit plans to their office for fire safety requirements if the permit is granted.

All other cooperating agencies, including the Hawaii Electric Light Company, Hawaii County Police Department and State Department of Agriculture had no comments on or objections to the subject request.

At the public hearing held by the Hawaii County Planning Commission on April 28, 1977, the only person to testify on the permit request was the applicant.

On May 26, 1977, the Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission based upon the following findings:

- "1. That the proposed use will not be contrary to the objectives sought to be accomplished by the 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 health and welfare of the public. The purpose of the subject request is to allow the establishment of a smoked meat processing plant. This proposed operation will service some of the ranchers in the area. With the establishment of this facility, definite benefits will accrue to the ranchers as they will be able to sell their beef products to an alternative market should they so desire. In a way, the granting of this particular

request would be in the direction of achieving the course of action in the General Plan which states that "The County of Hawaii shall encourage and assist the expansion of the cattle industry and support facilities." In light of such factors, it is determined that the proposed use will be a positive benefit and support to agriculture in the area. In essence, the proposed facility would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening existing and future agricultural activities in the area. The granting of this particular request would also complement the economic goal of the General Plan which states that "the County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." It is therefore concluded that the granting of this particular request would be beneficial to the public relative to adopted agricultural policies.

- "2. That the proposed use will not adversely affect the surrounding properties and their improvements. The surrounding lands are basically used for cattle grazing. The petitioner has another 8+-acre lot across from the Homestead Road which is used for cattle grazing. Since the proposed use is somewhat related to the cattle industry, it is determined that the proposed use at this particular location will, in fact, complement the surrounding land uses; thus, would not have any adverse impact on the overall agricultural activity. Within the State Land Use Agricultural District and the County's Agricultural District, processing of agricultural products is a permitted use provided, the products are grown or raised on the premises. As such, if the property had been large enough that the product to be processed could have been raised solely on the subject lot, then a Special Permit would not have been required. In this particular case, however, a Special Permit was necessitated because the products will be obtained from other properties in the area.
- "3. That all essential utilities and services are available for the development of the area for the proposed use. As such, it is determined that the granting of this particular request on the subject property will not place any unreasonable burden on public agencies to provide additional infrastructures."

The favorable recommendation was subject to the following conditions:

- "1. That construction of the proposed facility commence within one (1) year from the effective date of this Special Permit and be completed within one (1) year thereafter.

- "2. That the rules, regulations, and requirements of the State Department of Health be complied with.
- "3. That the driveway to and parking area for the proposed facility be paved with all-weather, dust-free surface. The width of the pavement and the number of parking stalls shall be determined at the time of Plan Approval.
- "4. That the construction of the facilities be in accordance with the rules, regulations, and requirements of the Fire and Building Codes.
- "5. That all other applicable rules and regulations be complied with."

It was further stated by the Hawaii County Planning Commission 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

June 29, 1977

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

Dear Mr. Fuke:

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

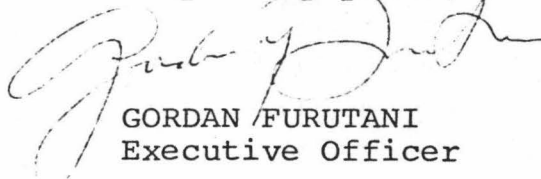
Please note that petition

SP77-266 - ROBERT JOSE

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

June 29, 1977

Mr. Robert Jose
Box 16
Paauilo, Hawaii 96776

Dear Mr. Jose:

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

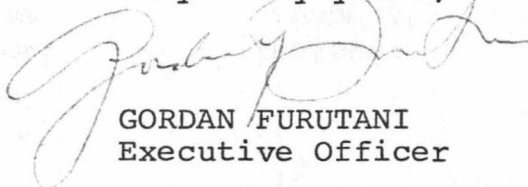
Please note that petition

SP77-266 - ROBERT JOSE

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

July 6, 1977 - 9:30 a.m.
Conference Room 322 (A & B)
New State Building
1151 Punchbowl Street
Honolulu, Hawaii

A G E N D A

I. ACTION

1. SP73-157 - Hawaii Land Corporation (continued)

Extension of time request by Hawaii Land Corporation.

✓ 2. SP77-266 - Robert Jose

To allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District at Paauilo Homesteads, Hamakua, Hawaii.

3. A76-419 - Paradise Hui Hanalike Association (Proposed Decision)

To reclassify approximately 56.82 acres from Conservation District to the Agricultural District at Keaau, Puna, Hawaii.

II. MISCELLANEOUS

1. Adoption of Minutes

2. Meeting Schedule

*6/29/77 - A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS:

1. ALL ISLANDS 2. HAWAII



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

May 31, 1977

Mr. Gordan Furutani
Executive Officer
State Land Use Commission
Pacific Trade Center, Suite 1795
190 S. King Street
Honolulu, HI 96813

JUN 13 8 15 AM '77
LAND USE COMMISSION
STATE OF HAWAII

Dear Mr. Furutani:

Special Permit Application
Applicant: Robert Jose

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 establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District. The property involved is located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Pa'auilo Village, Pa'auilo Homesteads, 2nd Series, Hamakua, Hawaii, Tax Map Key 4-3-15:22.

The Planning Commission at a duly advertised public hearing held on April 28, 1977, in the meeting room of the Sgt. Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, Hawaii, discussed the subject request. The Commission on May 26, 1977, voted to recommend the approval of the special permit to the Land Use Commission based on the following findings:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the 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 health and welfare of the public. The purpose

Mr. Gordan Furutani
Page 2
May 31, 1977

of the subject request is to allow the establishment of a smoked meat processing plant. This proposed operation will service some of the ranchers in the area. With the establishment of this facility, definite benefits will accrue to the ranchers as they will be able to sell their beef products to an alternative market should they so desire. In a way, the granting of this particular request would be in the direction of achieving the course of action in the General Plan which states that "The County of Hawaii shall encourage and assist the expansion of the cattle industry and support facilities." In light of such factors, it is determined that the proposed use will be a positive benefit and support to agriculture in the area. In essence, the proposed facility would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening existing and future agricultural activities in the area. The granting of this particular request would also complement the economic goal of the General Plan which states that "the County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." It is therefore concluded that the granting of this particular request would be beneficial to the public relative to adopted agricultural policies.

2. That the proposed use will not adversely affect the surrounding properties and their improvements. The surrounding lands are basically used for cattle grazing. The petitioner has another 8+-acre lot across from the Homestead Road which is used for cattle grazing. Since the proposed use is somewhat related to the cattle industry, it is determined that the proposed use at this particular location will, in fact, complement the surrounding land uses; thus, would not have any adverse impact on the overall agricultural activity. Within the State Land Use Agricultural District and the County's Agricultural District, processing of agricultural products is a permitted use provided, the products are grown or raised on the premises. As such, if the property had been large enough that the product to be processed could have been raised solely on the subject lot, then a Special Permit would not have been required. In this particular case, however, a Special Permit was necessitated because the products will be obtained from other properties in the area.

PERMANENT RECORD
SOUTHWORTH CO. U.S.A.
Mr. Gordan Furutani

Page 3

May 31, 1977

3. That all essential utilities and services are available for the development of the area for the proposed use. As such, it is determined that the granting of this particular request on the subject property will not place any unreasonable burden on public agencies to provide additional infrastructures.

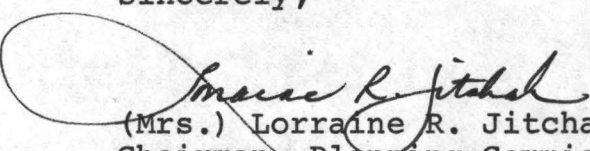
The favorable recommendation was also subject to the following conditions:

1. That construction of the proposed facility commence within one (1) year from the effective date of this Special Permit and be completed within one (1) year thereafter.
2. That the rules, regulations, and requirements of the State Department of Health be complied with.
3. That the driveway to and parking area for the proposed facility be paved with all-weather, dust-free surface. The width of the pavement and the number of parking stalls shall be determined at the time of Plan Approval.
4. That the construction of the facilities be in accordance with the rules, regulations, and requirements of the Fire and Building Codes.
5. That all other applicable rules and regulations 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.

Sincerely,


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

lat:sb

Enclosures

cc: Mr. Robert Jose
Land Use Division, DPED

LIST OF EXHIBITS - ROBERT JOSE

- A. Application form
- A-1. Applicant's reasons
- A-2 to A-6. Applicant's maps
- B. Departmental acknowledgement letter (3/17/77)
- C. Letter to agencies (3/17/77)
- D. Health (3/21/77)
- E. Fire (3/22/77)
- F. Helco (3/22/77)
- G. Water Supply (3/23/77)
- H. Agriculture (3/28/77)
- I. Public Works (3/31/77)
- J. Police (4/1/77)
- K. Letter to surrounding property owners (4/11/77)
- K-1. Maps to surrounding property owners
- K-2. List of surrounding property owners
- L. Public hearing notice
- M. Letter to applicant (4/15/77)
- N. Letter to applicant (4/29/77)
- O. Letter to applicant (5/16/77)
- P to Q. Presentation Maps (please return)
- R. Staff background
- S. Staff Recommendation
- T. Minutes (4/28/77)
- U. Public hearing transcript (4/28/77)
- V. Minutes (5/26/77)
- W. Voting Sheet
- X. Letter to applicant (5/31/77)

APPLICATION FOR SPECIAL PERMIT

Luc

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

LAND USE COMMISSION
STATE OF HAWAII

JUN 13 8 15 AM '77

APPLICANT: Robert Jose

APPLICANT'S SIGNATURE: Robert Jose

ADDRESS: Box 16, Paauilo, Hawaii, 96776

TELEPHONE: 775-0178

TAX MAP KEY: 4-3-015-022 AREA: 1.8A.
(Size of Parcel)

OWNER: Robert Jose

OWNER'S SIGNATURE: Robert Jose

APPLICANT'S INTEREST, IF NOT OWNER: _____

REQUESTED USE: To construct a smoked meat house for the purpose of establishing a smoked meat business

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

APPLICATION FOR SPECIAL PERMIT

APPLICANT'S REASONS FOR REQUESTING SPECIAL PERMIT:

- 1) To supply a requested product by local retailers,
- 2) To provide an additional outlet for local cattle ranchers,
- 3) To make use of local slaughterhouses,
- 4) To promote diversified agriculture in Hawaii by introducing a new product for the state,
- 5) To provide self-employment and local employment as business increases.

Surrounding properties will not be affected. Only slaughtered beef carcasses will be processed in an enclosed structure. The strips will be smoked in an enclosed smoke house using wood as fuel about 4½ hours. I estimate one to three smokings a week as business increases. Since the process requires a slow even heat, the actual amount of smoke from the enclosed 3'x6' fire box will be no greater than an average house chimney. Nearest boundary line from smoke house is approximately 125 feet, nearest neighbor's structure approximately 500 feet.

The operation will not unreasonably burden public agencies. Existing roads, water, ^{electricity} police and fire protection are adequate. A regulation cesspool will be incorporated into the plan to provide drainage. Fire hazard will be minimal as the fire box will be completely enclosed and independent from the other facilities. All fire precautions, in accordance with the fire safety inspector, will be incorporated into the plan. Fire hydrant approx. 600 ft.

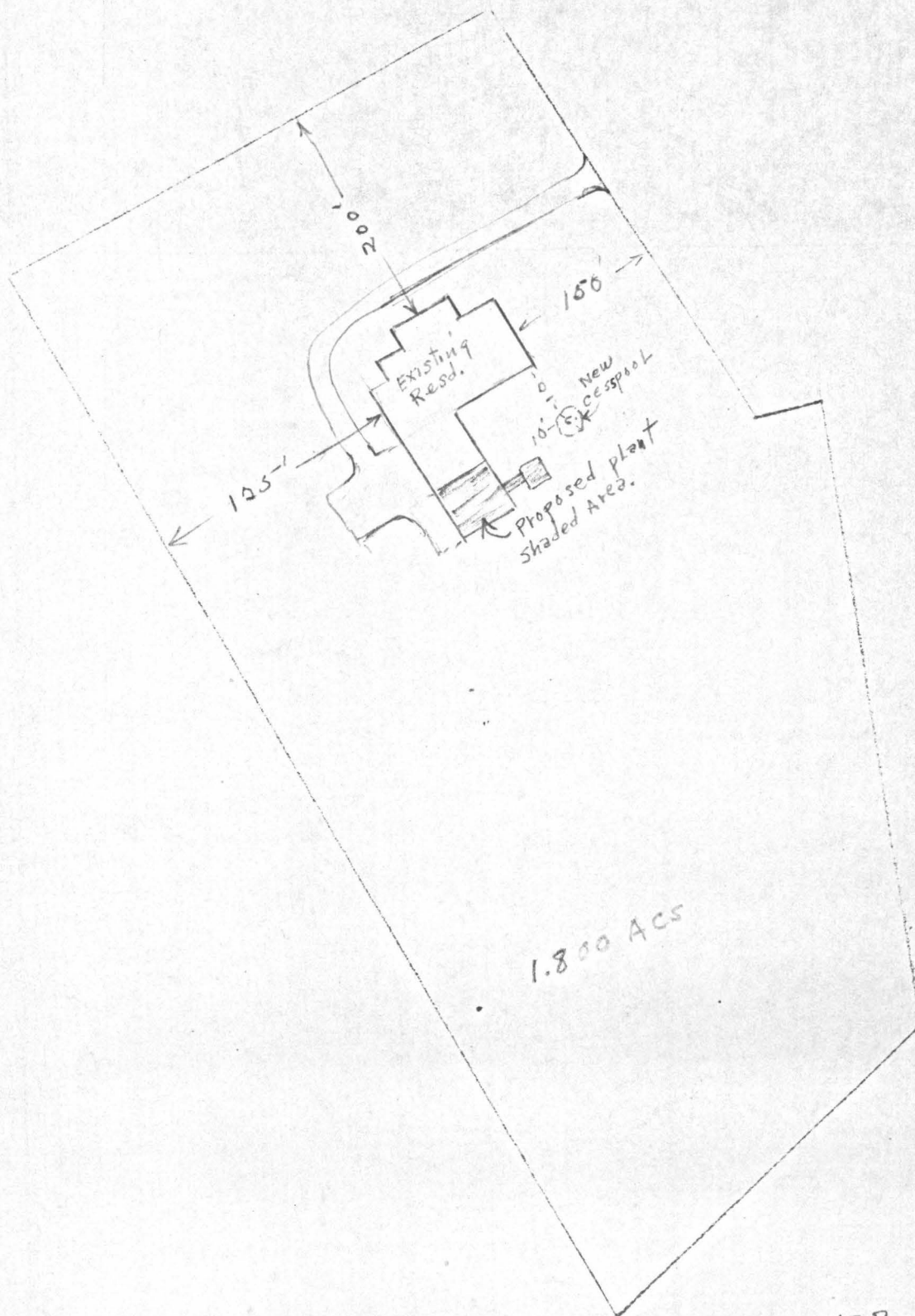
Since this is a rural area, zoned for agriculture with easy and close access to cattle and slaughter facilities, I feel that a smoked meat business is ideally suited to the area and will not alter or change the essential character of the land.

A smoked meat business will not be contrary to the objectives of the Land Use Law and Regulations. I have, in the past, successfully owned and operated a smoked meat business in Laupahoehoe, discontinuing only because the land was needed for the new highway. Because of this past experience, I feel that I am particularly well qualified to promote a product that will add to the public welfare and general economy of the state.

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PLANNING DEPT.
COUNTY OF HAWAII
FILE NO.

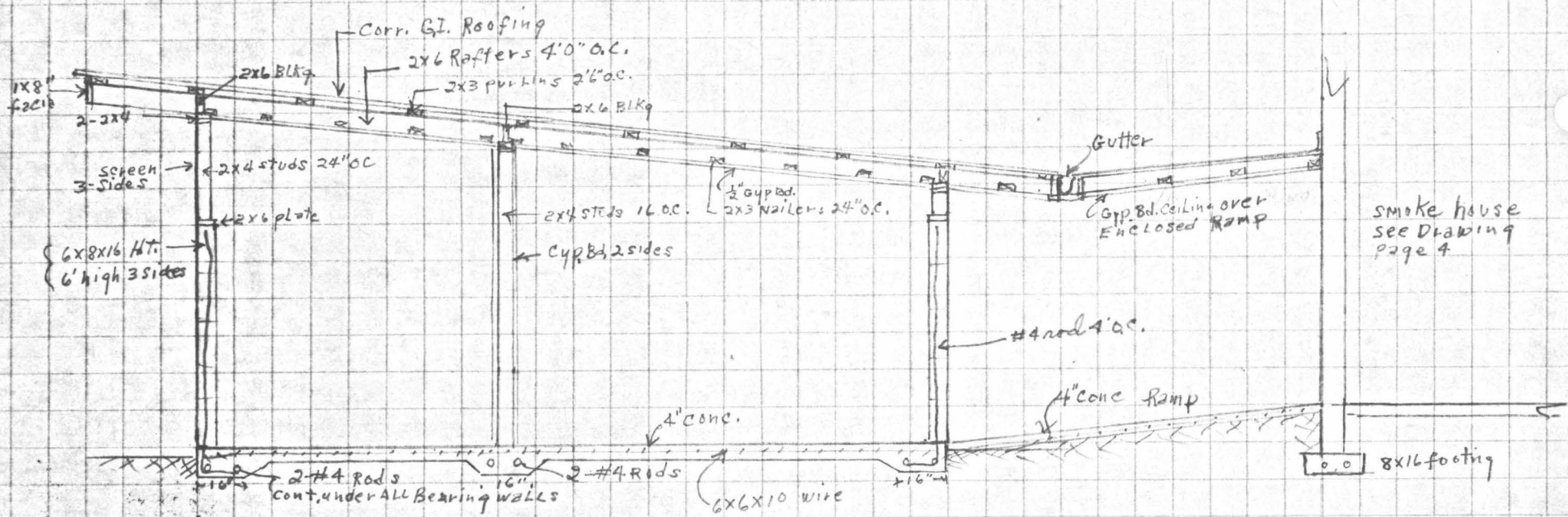


Plot Plan
Tax Key: 4-3-015-022

Meat Processing Plant
for

Robert Jose

EXHIBIT ^{I of 4}
A-3



Smoke house
see Drawing
page 4

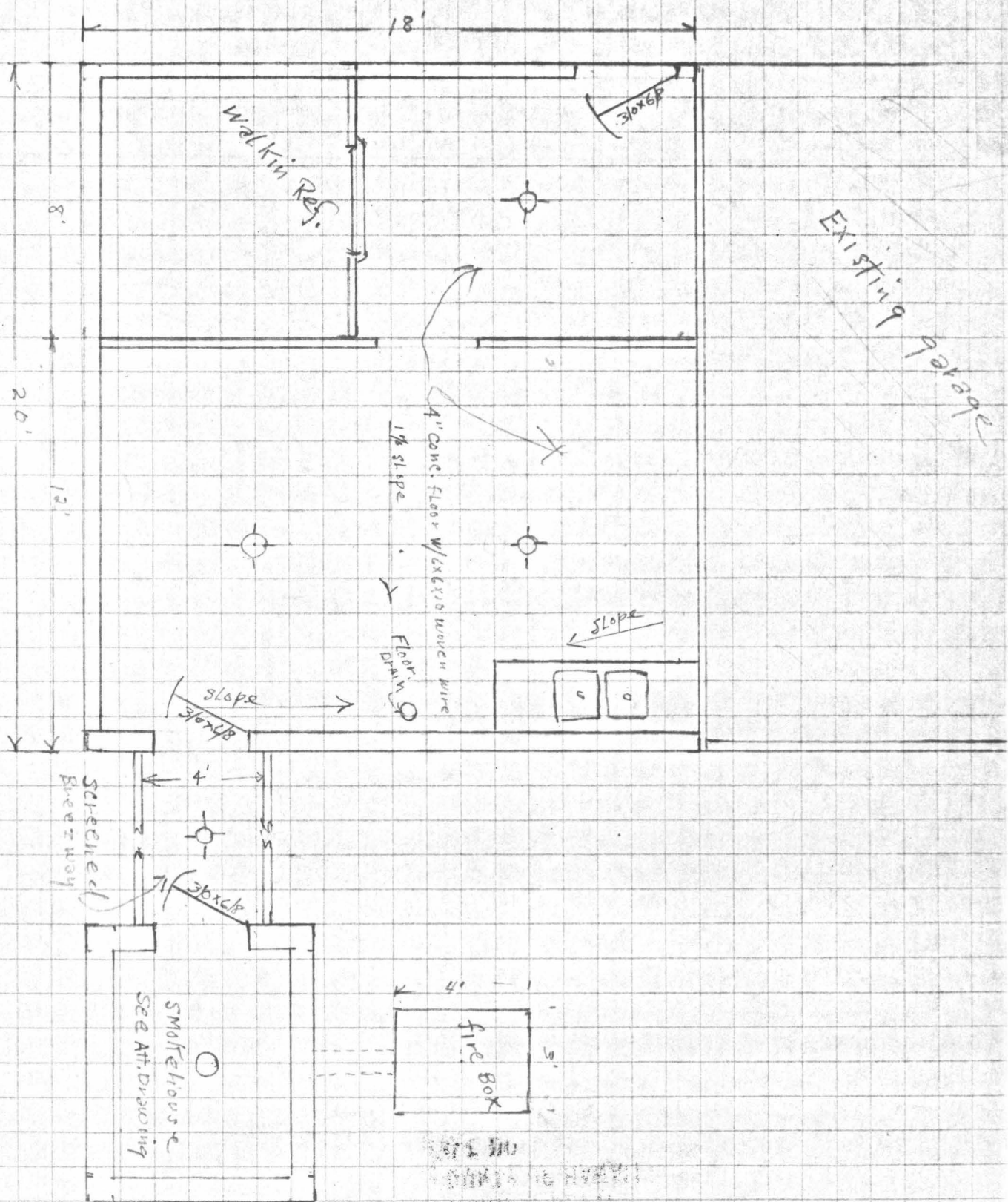
FLOOR & WALL Cons. Detail
Scale $\frac{1}{4}'' = 1'0''$

Robert Jose
3 of 4

PLANNING DEPT.
COUNTY OF HAWAII
FILE NO

72 MAR 16 AM 2 50

RECEIVED



floor Plan
 Scale 1/4" = 10"

Robert Jose
 2 of 4

PLANNING DEPT.
COUNTY OF HAWAII
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MAR 15 1973

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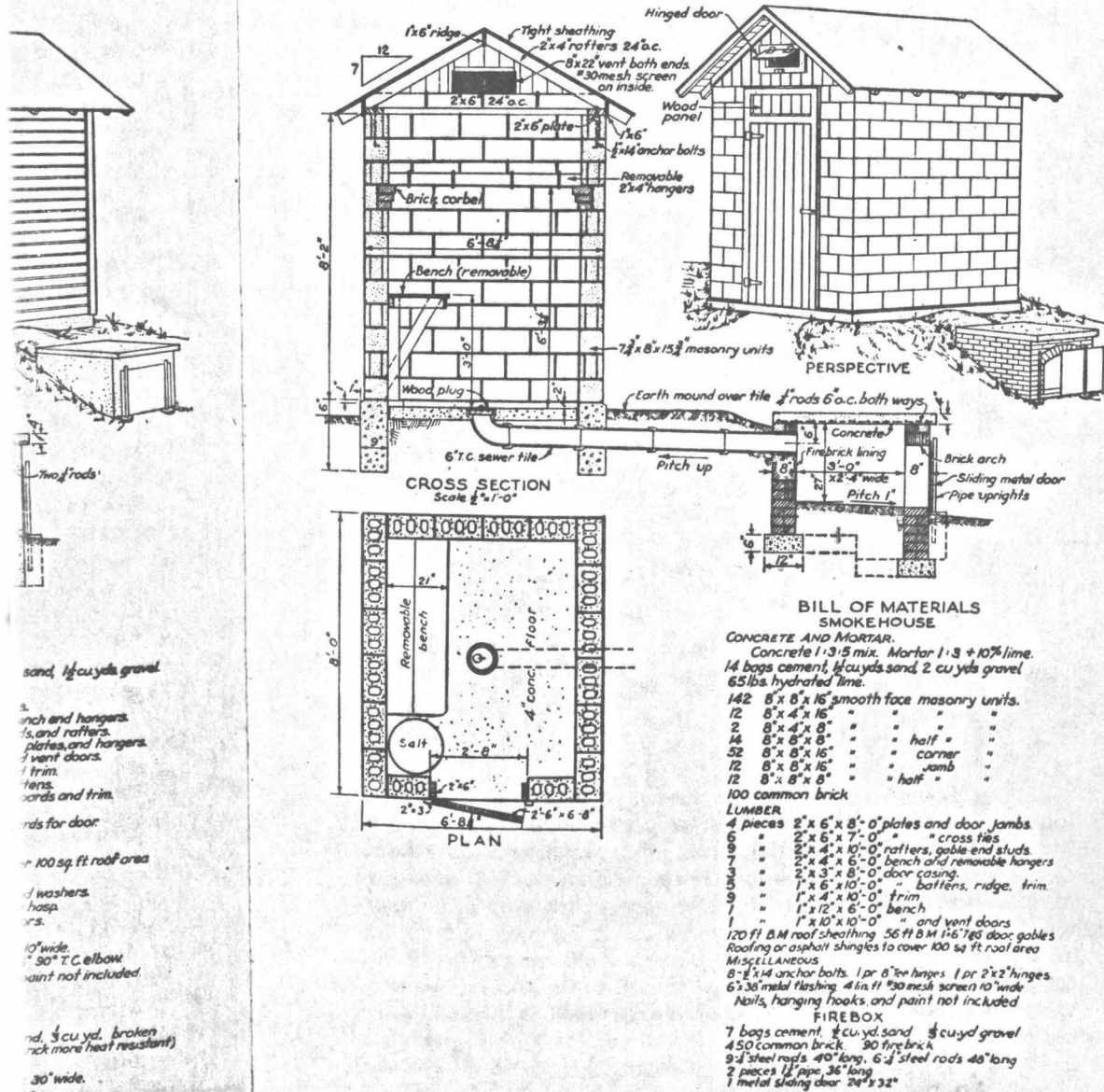


FIG. 195B. Drawing and bill of material for cement-block smokehouse.

PLANNING DEPT.
COUNTY OF HAWAII
PAGE 00

473 MAR 16 AM 5 41

RECEIVED

March 17. 1977

Mr. Robert Jose
dba Pamakani Ranch
P. O. Box 16
Paauilo, HI 96776

Re: Special Permit - Smoked Meat House
Processing Plant & Commercial Sales
TMK: 4-3-15:22

This is to acknowledge receipt of the above-described special permit application on March 16, 1977.

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.

Notice of the time and place of the public hearing will be forwarded to you as soon as your application is placed on its agenda for Commission action. Should any questions arise in the meantime, please contact Norman Hayashi or Ilima Piianaia of this Department,

at 951-8288
Sidney Fuke

SIDNEY FUCE
Acting Director

rfd

EXHIBIT B

MAR 18 1977

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW, DWS, Highways, Health, R&D, Fire, Date: March 17, 1977
HELCo, Police, Soil Conserv., & Agriculture.

From: Acting Director *Sidney M. Aube*

Subject: Special Permit - Smoked Meat House
Robert Jose
TMK: 4-3-15:22

The attached material is being forwarded for your review.
May we have your written comments within two weeks so that
the application for this Special Permit may be processed
within the legal time limit.

rfd
Atchs

MAR 17 1977

EXHIBIT C

MEMORANDUM:

PLANNING DEPARTMENT

County of Hawaii,

Hilo, Hawaii

96720

To: DPW, DWS, Highways, Health, R&D, Fire,
HELCo, Police, Soil Conserv., & Agriculture

Date: March 17, 1977

From: Acting Director

Subject: Special Permit - Smoked Meat House
Robert Jose
TMK: 4-3-15:22

The attached material is being forwarded for your review.
May we have your written comments within two weeks so that
the application for this Special Permit may be processed
within the legal time limit.

rfd
Atchs

March 21, 1977

Department of Health, Hilo

This type of food establishment is under the jurisdiction of the Department
of Agriculture.

The type of sewage treatment and disposal system shall meet the requirements of
the Public Health Regulations, Chapter 38, Sewage Treatment and Disposal Systems.
Potable water supply shall be from an approved source.

Harold Matsuura
HAROLD MATSUURA
Chief Sanitarian, Hawaii

RECEIVED
MAR 21 PM 4:30
PLANNING DEPT.
COUNTY OF HAWAII
FILE NO.

EXHIBIT D

HAWAII COUNTY FIRE DEPARTMENT

Ma

TO: Planning

DATE: March 22, 1977

FROM: Fire

SUBJECT: Special Permit - Smoke Meat House
Robert Jose
TMK: 4-3-15:22

Applicant shall submit plans to our office for fire
safety requirements if permit is granted.

Terumi W. Kohas
Fire Inspector

HAWAII ELECTRIC LIGHT COMPANY, INC.

P. O. BOX 1027 HILO, HAWAII-96720



Handwritten signature

March 22, 1977

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

Attention: Mr. Sidney M. Fuke
Acting Director

Gentlemen:

SUBJECT: Special Permit - Smoked Meat House
Robert Jose
TMK: 4-3-15:22

We have no comments to the above application as per
your memorandum of March 17, 1977.

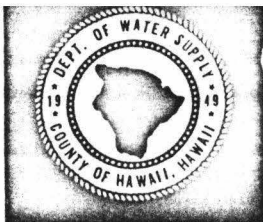
Very truly yours,

Jitsuo Niwao (cmh)

Jitsuo Niwao, Manager.
Engineering Department

JN: cmh

EXHIBIT F



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

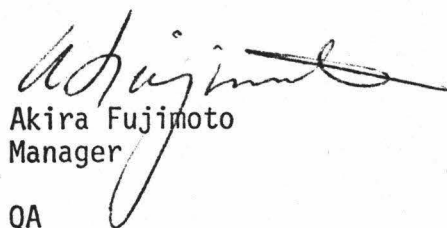
HILO, HAWAII 96720

25 AUPUNI STREET

March 23, 1977

TO: Planning Department
FROM: Department of Water Supply
SUBJECT: SPECIAL PERMIT - SMOKED MEAT HOUSE
ROBERT JOSE
TMK: 4-3-15:22

We have no adverse comments or objections to the applicant's Special Permit request for a smoked meat house. However, the applicant shall be advised that water service shall be limited to an existing 5/8-inch meter.


Akira Fujimoto
Manager
QA

cc: Robert Jose

EXHIBIT G

... *Water brings progress...*

GEORGE R. ARIYOSHI
GOVERNOR



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

March 28, 1977

JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

BOARD MEMBERS:

IRWIN M. HIGASHI
MEMBER - AT - LARGE

ERNEST F. MORGADO
MEMBER - AT - LARGE

KALFRED K. YEE
MEMBER - AT - LARGE

SHIZUTO KADOTA
HAWAII MEMBER

STEPHEN Q. L. AU
KAUAI MEMBER

FRED M. OGASAWARA
MAUI MEMBER

MEMORANDUM

To: Mr. Sidney M. Fuke, Acting Director
Planning Department, County of Hawaii

Subject: Special Permit - Smoked Meat House
Robert Jose
TMK: 4-3-15:22

The Department of Agriculture has reviewed the subject application
and has no objection to the request for special permit.

Thank you for the opportunity to comment.

A handwritten signature in dark ink, reading "John Farias, Jr.", is written over a large, stylized, light-colored mark that resembles a large "H" or a stylized letter.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT H

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

Date March 31, 1977

MEMORANDUM

TO: Planning Department
FROM: Chief Engineer
SUBJECT: Application for Special Permit
Applicant: Robert Jose
Location: Paauilo (2nd Series) Homesteads, Hamakua, Hawaii
TMK: 4-3-15:22

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

All building, plumbing and electrical work shall be in accordance with applicable UBC regulations.

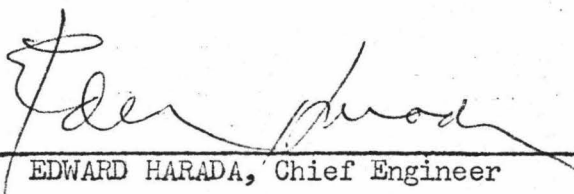

EDWARD HARADA, Chief Engineer

EXHIBIT I



POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720



OUR REFERENCE

GUY A. PAUL

YOUR REFERENCE

CHIEF OF POLICE

April 1, 1977

TO : SIDNEY FUKU, ACTING PLANNING DIRECTOR
FROM : MARTIN K. L. KAAUA, ACTING CHIEF OF POLICE
SUBJECT: SPECIAL PERMIT - SMOKED MEAT HOUSE
ROBERT JOSE
TMK: 4-3-15:22

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

MARTIN K. L. KAAUA
ACTING CHIEF OF POLICE

HLF/RLP/k

EXHIBIT J



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

April 11, 1977

Dear Property Owner : (TMK:

Special Permit Application
Pa'auilo Homesteads, 2nd Series,
Hamakua, Hawaii
TMK: 4-3-15:22

You are hereby notified that a request for a special permit to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District has been submitted by the petitioner, Robert Jose.

The property involved, is located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Pa'auilo Village, Pa'auilo Homesteads, 2nd Series, Hamakua, Hawaii.

A public hearing on the subject among others will be held beginning at 7:00 p.m. at the Sgt. Yano Memorial Hall, Capt. Cook, South Kona, Hawaii.

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

Sincerely,

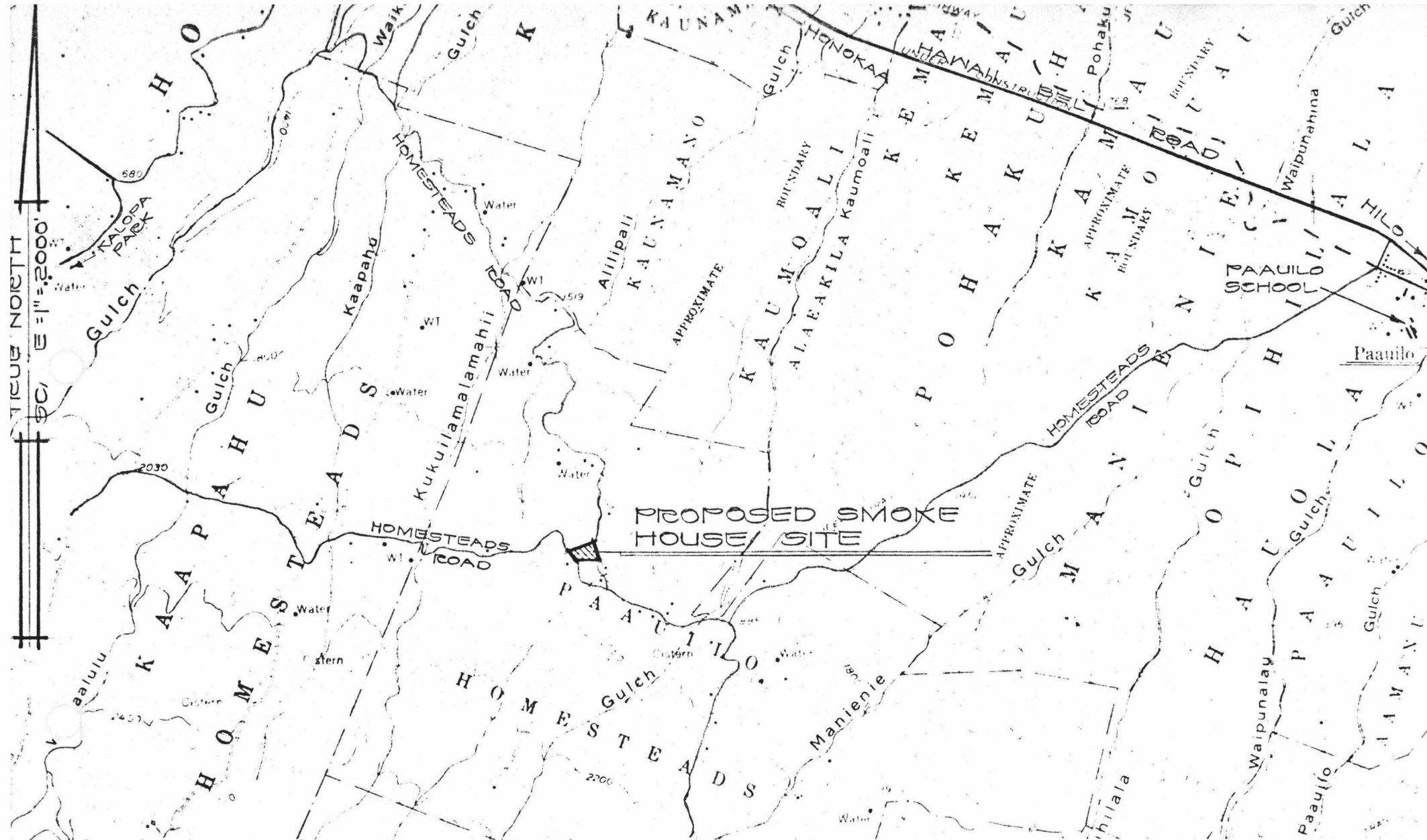

Sidney Fuke
Acting Director

lgv

Enclosure

EXHIBIT K

APR 15 1977



SPECIAL PERMIT REQUEST

CONSTRUCTION OF A SMOKED MEAT PROCESSING
PLANT & COMMERCIAL SALES OF PRODUCT

PAAUILO HOMESTEADS, 2ND SERIES, HAMAKUA, HAWAII

TAX MAP KEY : 4-3-15:22 (1.748 ACRES)

APPLICANT : ROBERT JOSE

EXHIBIT K-1

SPECIAL PERMIT
ROBERT JOSE
SMOKED MEAT HOUSE
4-3-15:22 (1.748 ACRES)

4-3-15:21 RAMOS, Anthony J.
P.O. Box 326
Honolulu, HI 96727

23 RAMOS, John
541 Ocean View Dr.
Hilo, HI 96720

4-3-13:22 MATSUO, Yokoyama
Box 207
Honolulu, HI 96776

4-3-14:10 JOSE, Robert
P.O. Box 16
Honolulu, HI 96776 } applicant

14 KIRUNA, William
P.O. Box 77
Honolulu, HI 96776

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: Sgt. Yano Memorial Hall, Capt. Cook, S. Kona, Hawaii

DATE: Thursday, April 28, 1977

TIME: 3:30 p.m. (items 1 through 4)
7:00 p.m. (items 5 through 7)

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

1. PETITIONER: DENNIS HASEROT

LOCATION: Along the makai side of Alii Drive, approximately 200 feet Keauhou side of the Alii Drive-Lunapule Road intersection, Kahului 1st, North Kona.

TMK: 7-5-19:4

PURPOSE: Variance request to allow the construction of a swimming pool (single family residential use) within the side yard setback and shoreline setback areas.

2. PETITIONER: JON PANERO

LOCATION: Along the makai side of Kalawa Street, approximately 200 feet south of the Kalani Street-Kalawa Street intersection within the Lono Kona Subdivision, Honuaula, Kailua, North Kona.

EXHIBIT L

TMK: 7-5-22:28

PURPOSE: Change of zone request in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for 7,500 square feet of land from a Multiple Residential - 1,000 square foot (RM-1) to a Village Commercial - 7,500 square foot (CV-7.5) zoned district.

3. PETITIONER: FELLOWSHIP OF CHRISTIAN PILGRIMS

LOCATION: Former Kona Tradewinds complex situated along the mauka side of Kuakini Highway, Lanihau 2nd, Kailua, North Kona.

TMK: 7-5-04:12

PURPOSE: Variance request from the minimum parking requirement for the church/restaurant complex.

4. PETITIONER: NAALEHU ASSEMBLY OF GOD CHURCH

LOCATION: Along the north side of the main highway between the LDS Church site and the Hawaii Telephone Company site, Kawala, Na'alehu, Ka'u.

TMK: 9-5-21:17

PURPOSE: Variance request to allow the retention of a new addition to the church parsonage with a 7'-9" rear yard setback in lieu of the required 20'-0" as stipulated within the Single Family Residential - 15,000 square foot (RS-15) zoned district.

5. PETITIONER: BURGESS, INC.

LOCATION: Along the mauka side of Alii Drive, adjacent and to the east of the Kona Hukilau Hotel, Kailua, North Kona.

TMK: 7-5-06:11 & 12

PURPOSE: Variance request from the minimum setbacks and parking requirements for a proposed addition to the Banyan Court Mall Complex. More specifically, the requests are as follows: a) seven-foot front yard setback along Alii Drive in lieu of the minimum requirement of twenty (20) feet; b) ten-foot front yard setback along Likana Road in lieu of the minimum requirement of twenty (20) feet; c) five-foot side yard setback from east property line in lieu of the minimum requirement of twelve (12) feet; d) eight-foot side yard setback from west property line in lieu of the minimum requirement of twelve (12) feet; e) no side yard setback between Parcels 11 and 12; and f) no parking stalls in lieu of the minimum requirement of sixty-five (65) stalls.

6. PETITIONER: ROBERT JOSE

LOCATION: Along the Pohakea Homestead Road, approximately 2.7 miles mauka of Pa'auilo Village, Pa'auilo Homesteads, 2nd Series, Hamakua.

TMK: 4-3-15:22

PURPOSE: Special Permit request to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District.

7. PETITIONER: INTER-ISLAND ENGINEERING, INC./HAWAIIAN HOST, INC.

LOCATION: Along the south side of Napo'opo'o Road, approximately 1,200 feet mauka of the Sunset Coffee Co-op of Kona processing plant complex.

TMK: 8-3-04:12

PURPOSE: Special Permit request to allow the establishment of a macadamia nut processing plant, which would include a new butler building and five (5) storage bins, within the State Land Use Agricultural District.

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
(MRS.) LORRAINE R. JITCHAKU, Chairman
By SIDNEY FUKU
Acting Director

(Hawaii Tribune-Herald: April 18 and April 26, 1977)

April 15, 1977

Mr. Robert Jose
P. O. Box 16
Paauilo, HI 96776

Dear Mr. Jose:

Notice of a Public Hearing
Special Permit Application
Tax Map Key 4-3-15:22

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 7:00 p.m. on Thursday, April 28, 1977 at the Sgt. Yano Memorial Hall, Captain Cook, South Kona, 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.

Sincerely,

Sidney Fuke

Sidney Fuke
Acting Director

lat:lgv
Enclosure

cc State Land Use Commission
DPED, Land Use Division

EXHIBIT 

APR 15 1977

April 29, 1977

Mr. Robert Jose
P. O. Box 16
Paauilo, HI 96776

Dear Mr. Jose:

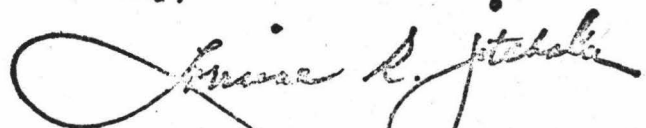
Special Permit Application
Tax Map Key 4-3-15:22

The Planning Commission at its meeting of April 28, 1977, held a duly advertised public hearing on your application for a special permit to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District at Pa'auilo Homesteads, 2nd Series, Hamakua, 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.

Sincerely,



(MRS.) LORRAINE R. JITOHAU
Chairman, Planning Commission

lat:lgv

cc State Land Use Commission
DPED, Land Use Division

EXHIBIT N

MAY 4 - 1977

May 16, 1977

Mr. Robert Jose
P. O. Box 16
Paauilo, HI 96776

Dear Mr. Jose:

Special Permit Application
Tax Map Key 4-3-15:22

Your application will again be discussed on May 26, 1977 by the Planning Commission. The meeting will be held at Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii and is scheduled to begin at 4:00 p.m..

You will be notified of the Commission's decision.

A copy of the agenda is enclosed for your information.

Sincerely,

Sidney Fuke

Sidney Fuke
Director

lgv

Enclosure

cc State Land Use Commission
DPED, Land Use Division

EXHIBIT 0

MAY 16 1977

SPECIAL PERMIT: ROBERT JOSE

The petitioner, Robert Jose, is requesting a Special Permit to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District. The property involved is located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Paauiilo Village, Paauiilo Homesteads, 2nd Series, Hamakua (TMK: 4-3-15:22).

53,120
According to plans submitted with the application, the petitioner intends to construct a 360 square foot (20' x 18') building which includes a preparation room, storage area, and a refrigeration area. Also proposed are a 53+ square foot (8'x6'-8") smokehouse building and a 12 square foot (4'x3') fire box.

The General Plan Land Use Pattern Allocation Guide Map designates the area as Intensive Agricultural. Intensive Agricultural designated lands are fertile and can be used for sugar cane, orchard and diversified agriculture. The County zoning designation is Agricultural 5-acre (A-5a); thus, the subject property is nonconforming relative to the minimum building site area requirement of five (5) acres.

According to the U. S. Department of Agriculture, Soil Conservation Services Soil Survey Report issued in December of 1973, the land is of the Honokaa Series which consists of well-drained silty clay loams that formed in volcanic ash. The surface layer and subsoil are 6 inches and about 59 inches thick respectively. Permeability is rapid, runoff is slow, and the erosion hazard is slight. The ~~subject property~~ ^{area where the proposed improvements will be constructed} is relatively level. The area receives from 100 to 150 inches of rainfall annually.

EXHIBIT R

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

There presently is a single family dwelling on the subject property. The proposed facility will be structurally attached to the dwelling.

The petitioner also has another 8+-acre lot across from the Homestead Road which is used for cattle grazing. The surrounding lands are also basically used for cattle grazing. Single family dwellings are also scattered throughout the area.

There are two (2) 60-foot wide Homestead Roads which borders the subject property. Access to the property will be from the Pohakea Homestead Road which has a 12-foot pavement.

All essential services, including water, are available to the area.

The Department of Water Supply had no objections to the subject request, however, commented that the petitioner should be advised that water service shall be limited to an existing 5/8-inch meter.

The State Department of Health had the following comments to offer:

"This type of food establishment is under the jurisdiction of the Department of Agriculture. The type of sewage treatment and disposal system shall meet the requirements of the Public Health Regulations, Chapter 38, Sewage Treatment and Disposal Systems. Potable water supply shall be from an approved source."

The State Department of Agriculture reviewed the subject request and stated no objections.

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

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

(READ REASONS)

RECOMMENDATION: ROBERT JOSE

Upon 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 the 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 health and welfare of the public. The purpose of the subject request is to allow the establishment of a smoked meat processing plant. This proposed operation will service some of the ranchers in the area. With the establishment of this facility, definite benefits will accrue to the ranchers as they will be able to sell their beef products to an alternative market should they so desire. In a way, the granting of this particular request would be in the direction of achieving the course of action in the General Plan which states that "The County of Hawaii shall encourage and assist the expansion of the cattle industry and support facilities." In light of such factors, it is determined that the proposed use will be a positive benefit and support to agriculture in the area. In essence, the proposed facility would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening existing and future agricultural activities

in the area. The granting of this particular request would also complement the economic goal of the General Plan which states that "the County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." It is therefore concluded that the granting of this particular request would be beneficial to the public relative to adopted agricultural policies.

2. That the proposed use will not adversely affect the surrounding properties and their improvements. The surrounding lands are basically used for cattle grazing. The petitioner has another 8+-acre lot across from the Homestead Road which is used for cattle grazing. Since the proposed use is somewhat related to the cattle industry, it is determined that the proposed use at this particular location will, in fact, complement the surrounding land uses; thus, would not have any adverse impact on the overall agricultural activity. Within the State Land Use Agricultural District and the County's Agricultural District, processing of agricultural products is a permitted use provided, the products are grown or raised on the premises. As such, if the property had been large enough that the product to be processed could have been raised solely on the subject lot, then a Special Permit would not have been required. In this particular case, however, a Special Permit was necessitated because the products will be obtained from other properties in the area.

3. That all essential utilities and services are available for the development of the area for the proposed use. As such, it is determined that the granting of this particular request on the subject property will not place any unreasonable burden on public agencies to provide additional infrastructures.

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

1. That construction of the proposed facility commence within one (1) year from the effective date of this Special Permit and be completed within one (1) year thereafter.
2. That the rules, regulations, and requirements of the State Department of Health be complied with.
3. That ~~access~~^{the} driveway^{to} and parking area for the proposed facility be paved with all-weather, dust-free surface. The width of the pavement and the number of parking stalls shall be determined at the time of Plan Approval.
4. That the construction of the facilities be in accordance with the rules, regulations, and requirements of the Fire and Building Codes.
5. That all other applicable rules and regulations be complied with.

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

Luc

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
April 28, 1977

The Planning Commission met in regular session at 2:32 p.m. in the Meeting Room of the Sgt. Rodney J. T. Yano Memorial Hall, Captain Cook, South 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
William J. Paris, Jr.
Charles H. Sakamoto, Jr.

ABSENT: Akira Fujimoto, Ex-officio Member

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

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

and about 20 people in attendance at 2:00 p.m., about 40 people at 3:30 p.m. and about 50 people at 7:00 p.m.

EXHIBIT T

Petitioner agreed and expressed their willingness to participate in any parking assessment plan.

There were three people testifying to request consideration of finding a solution to provide more parking for Kailua Village.

Staff recommended that the request be approved based on the findings and with the conditions, on file. Staff clarified one point in regard to the lease in that the petitioner would be paying for the 65 parking stalls, but the use of those parking stalls would not be restricted for the purpose of their building. The use of the parking stalls would remain public and everyone is entitled to use them.

Mrs. Burgess stated that they accept the conditions in its entirety.

Mr. Hallonquist commented that within the 500 feet, there is only one area open. The only solution, after the three years, is to build a parking garage on that piece of property or just hope that some County structure comes up in the back portion.

Acting Planning Director mentioned that the Kailua Village Special District and Urban Design Review Commission has initially acknowledged that there is parking problem in Kailua Village and the Kailua Village Design Plan was predicated on the theme of providing a centralized parking area. In order to provide adequate parking, it was decided to have a Parking District Ordinance established. If and when new development comes into the village, the developer will be assessed at a rate legally established. The County intends to work out a parking standard so that new developments would not be stymied because of the parking problem.

Mr. Mielcke moved to close the public hearing; seconded by Mr. Sakamoto; carried.

Mr. Mielcke moved to approve the variance for the reasons and with the conditions as outlined by the staff; seconded by Mr. Paris; carried unanimously.

LAND USE COMMISSION
SPECIAL PERMIT
ROBERT JOSE
PA'AUILO, HAMAKUA

A duly advertised public hearing was held for a Special Permit request to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural Dis-

trict. The property involved is located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Pa'auilo Village, Pa'auilo Homesteads, 2nd Series, Hamakua, TMK: 4-3-15:22.

Staff presented background information on file.

Mr. Robert Jose stated that initially, he will plan to smoke steaks and pipikaula. He mentioned that each smoking would take about 500 pounds of meat at one time. He explained that this is a self-employed operation and he will not be hiring anyone. He will plan to ship some of his products to Hilo and the rest will be picked up by his customers.

Mr. Sakamoto moved to close the public hearing; seconded by Mr. Asai; carried unanimously.

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 close of the public hearing.

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
April 28, 1977

A regularly advertised public hearing, on the application of Robert Jose, was called to order at 9:18 p.m. in the Meeting Room of the Sgt. Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, by Chairman Jitchaku.

PRESENT: Lorraine R. Jitchaku ABSENT: Akira Fujimoto, Ex-officio Member
Scott H. Asai
Shigeru Fujimoto
J. Walsh Hanley
Arthur W. Martin
William F. Mielcke
Haruo Murakami
William J. Paris, Jr.
Charles H. Sakamoto, Jr.

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

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

and about 50 people in attendance

CHAIRMAN: Public hearing No. 2. Public hearing on the application of Robert Jose for a Special Permit request to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District. The property involved is located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Pa'auilo Village, Pa'auilo Homesteads, 2nd Series, Hamakua, TMK: 4-3-15:22. Staff.

HAYASHI: (Staff presented background information on file.)

CHAIRMAN: Thank you Norman. Are there any questions of the staff's report and background? If not, at this time, Chair would like to call upon the applicant or a representative of the applicant. Okay, I'd like to swear you in at this time. Do you swear to tell the truth and nothing but the truth on this matter now before the Hawaii County Planning Commission?

TESTIFIER: I do.

CHAIRMAN: Thank you. Will you state your name into the microphone, please.

ROBERT JOSE: Robert Jose.

CHAIRMAN: Thank you. Do you have anything to add in addition to what was read into the record?

JOSE: No.

EXHIBIT 4

CHAIRMAN: No comments?

JOSE: No comments.

CHAIRMAN: Okay, maybe some of the Commissioners would like to ask you some questions. Commissioner Martin.

MARTIN: Madam Chairman. In the reasons that you gave for supporting this, you've mentioned something about a new product. What do you mean by a new product?

JOSE: Well, I'm gonna smoke a roast and steaks and strips which they have pipikaula on the market, right now. And what I'm gonna do, I'm not gonna smoke old cows and bulls or anything - going to be steers and heifers; so, try get top quality smoked meat and put on the market.

MARTIN: So, this is something that's not now, then?

JOSE: Well, I don't think anybody is smoking roasts and steaks right now.

CHAIRMAN: Okay, any other questions, Commissioners? Commissioner Murakami.

MURAKAMI: Mr. Jose, as you stated in your reasons, you're gonna do three smokings a week. Can you tell me, one smoking, about how many pounds can you smoke?

JOSE: Well, I can smoke, I would say, about 500 pounds one smoking.

MURAKAMI: In that 8 by 6 smokehouse?

JOSE: That's right.

CHAIRMAN: Thank you. Commissioner Asai has a question.

ASAI: Mr. Jose, you own the land in fee simple, right now?

JOSE: Right.

ASAI: On this type of operation, when you smoke your meat, what is the temperature when you smoke your meat? About 120, 135?

CHAIRMAN: Maybe, you better not answer. I think he wants your recipe.

ASAI: If that is a trade secret, don't answer my question.

CHAIRMAN: Do you want to respond to his question in regards to the heat temperature and whatever?

JOSE: Yes, about 85, 90 degrees.

FUJIMOTO: I have a question, Madam Chairman.

CHAIRMAN: Commissioner Fujimoto.

FUJIMOTO: Bobby, are you going to be self-employed or you're going to employ anybody else besides yourself?

JOSE: Well, right now, going to be self-employed and after awhile, I plan to employ if it grows, I guess.

CHAIRMAN: Thank you. Staff, do you have any question?

HAYASHI: Yes, I have a question. Mr. Jose, will your customers come to your building to pick up the product?

JOSE: Well, some of them will and I'll ship some to Hilo.

HAYASHI: So, as far as that, you don't anticipate too many of your customers coming to the building.

JOSE: No, not too many. We're going to the super markets, anyway.

HAYASHI: Thank you.

CHAIRMAN: Thank you. Any other questions? Thank you, Mr. Jose. Anything more to add? Thank you. This is a public hearing. Are there anyone here who would like to speak in favor or against in regards to this application now before the Commission? This is a special permit and the Commission will not take any action tonight. We do have to wait our fifteen days; and for any testimonies, we do have to take it tonight. If there's no further testimony, Chair would like to entertain a motion.

SAKAMOTO: Madam Chairman.

CHAIRMAN: Commissioner Sakamoto.

SAKAMOTO: I make a motion to close the public hearing.

CHAIRMAN: There's a motion to close the public hearing. Any second?

ASAI: I second the motion.

CHAIRMAN: It has been moved by Commissioner Sakamoto and seconded by Commissioner Asai that the public hearing be closed. All those in favor, say aye.

COMMISSIONERS: Aye.

CHAIRMAN: Opposed? This is a special permit. We will take our action at our next meeting or the next Kona meeting.

Public hearing was adjourned at 9:29 p.m.

Respectfully submitted,

Lei A. Tsuji

Lei A. Tsuji, Secretary

A T T E S T :

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

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
May 26, 1977

The Planning Commission met in regular session at 4:05 p.m. in the Cafetorium of the Kealakehe Elementary School, Kealakehe, North Kona with Chairman Jitchaku presiding.

PRESENT:	Lorraine R. Jitchaku	ABSENT:	Shigeru Fujimoto
	Scott H. Asai		J. Walsh Hanley
	Arthur W. Martin		Charles H. Sakamoto, Jr.
	William F. Mielcke		Akira Fujimoto, Ex-officio Member
	Haruo Murakami		
	William J. Paris. Jr.		

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

David Murakami, representing Ex-officio Member Edward Harada

and about 13 people in attendance at 4:00 p.m. and about 12 people at 7:00 p.m.

MINUTES

Minutes of May 12, 1977 were approved as circulated, subject to the correction on page 4, fourth paragraph of the Hilo Korean Christian Church item to read: Haili Church on Ululani Street begins its Sunday School at 9:00 a.m. and ends its Services at 12:00 noon.

LAND USE COMMISSION

SPECIAL PERMIT

ROBERT JOSE

PA'AUILO, HAMAKUA

Special Permit request to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District. The property involved is

located along the Pohakea Homestead Road, approximately 2.7 miles mauka of Pa'auilo Village, Pa'auilo Homesteads, 2nd Series, Hamakua, TMK: 4-3-15:22.

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

Mr. Murakami moved to send a favorable recommendation to the SLUC for the reasons and with the conditions as set forth by the staff; seconded by Mr. Asai; carried unanimously.

LAND USE COMMISSION

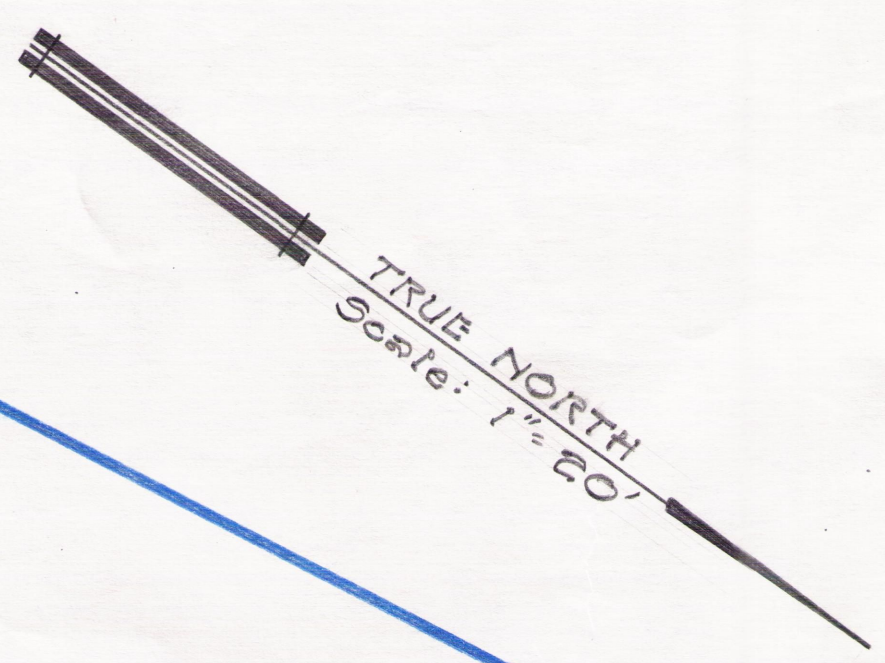
SPECIAL PERMIT

INTER-ISLAND ENG., INC.

(HAWAIIAN HOST, INC.)

KEEI, SOUTH KONA

Special Permit request to allow the establishment of a macadamia nut processing plant, which would include a new butler building and five (5) storage bins, within the State Land Use Agricultural District. The property involved are



HOMESTEAD ROAD

PROPOSED SMOKED MEAT PROCESSING PLANT

NEW CESSPOOL

EXISTING GARAGE

EXISTING DWELLING

HOMESTEAD ROAD

EXHIBIT P

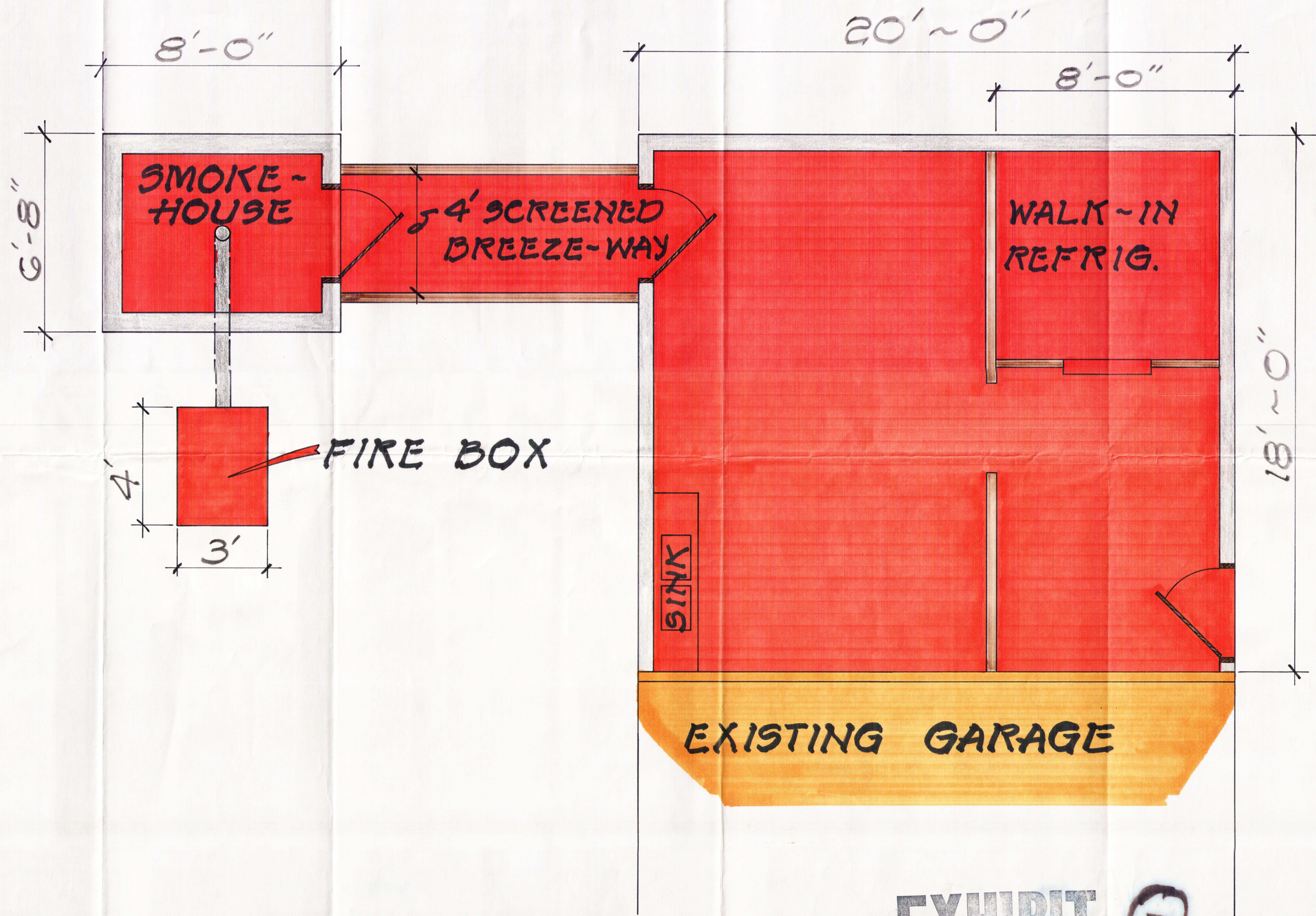


EXHIBIT Q



5391

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date May 26, 1977

Petitioner Robert Jose - Special Permit

 Preliminary hearing Public hearing Request

ACTION: Approve

 Deny

 Defer

 Continue

 Schedule for public hearing

ACTION MEETING

Other: _____

Commissioners	Aye	No	Absent	Abstain
ASAI, Scott H. <i>second</i>	✓			
FUJIMOTO, Shigeru			✓	
HANLEY, J. Walsh			✓	
MARTIN, Arthur W.	✓			
MIELCKE, William F.	✓			
MURAKAMI, Haruo <i>move</i>	✓			
PARIS, William Jr.	✓			
SAKAMOTO, Charles			✓	
JITCHAKU, Lorraine R.	✓			

EXHIBIT *W*

May 31, 1977

Mr. Robert Jose
P. O. Box 16
Paauilo, HI 96776

Dear Mr. Jose:

Special Permit Application
Tax Map Key 4-3-15:22

The Planning Commission at its regular meeting of May 26, 1977, considered your application for a special permit to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District at Pa'auilo Homesteads, 2nd Series, Hamakua, 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 commence within one (1) year from the effective date of this Special Permit and be completed within one (1) year thereafter.
2. That the rules, regulations, and requirements of the State Department of Health be complied with.
3. That the driveway to and parking area for the proposed facility be paved with all-weather, dust-free surface. The width of the pavement and the number of parking stalls shall be determined at the time of Plan Approval.
4. That the construction of the facilities be in accordance with the rules, regulations, and requirements of the Fire and Building Codes.
5. That all other applicable rules and regulations be complied with.

EXHIBIT X

JUN 7 1977

Mr. Robert Jose

Page 2

May 31, 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.

Sincerely,

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

lat:sh

cc SLUC
Land Use Division, DPED

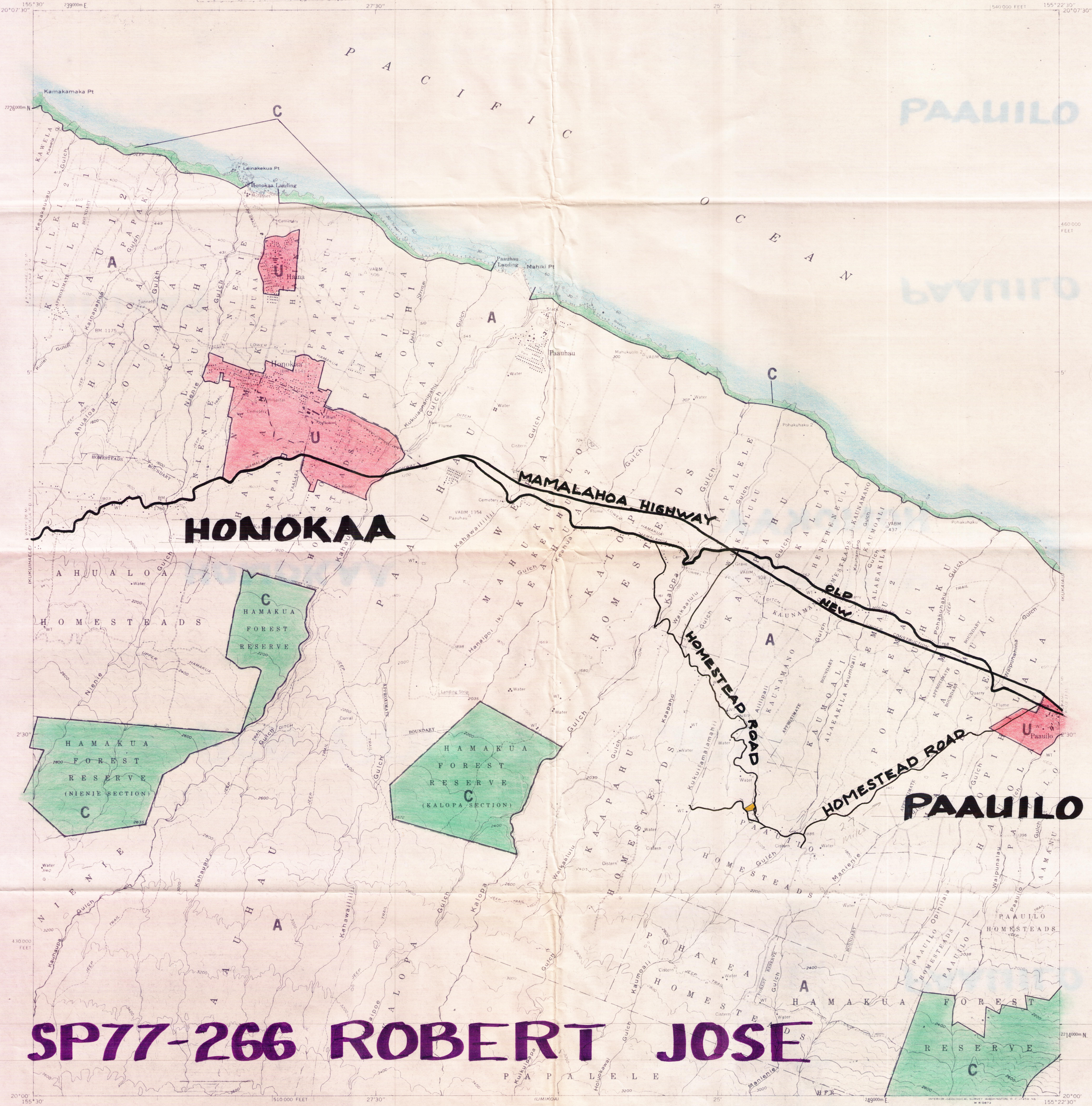
5392

BOUNDARY AMENDMENTS	
DOC-ET NO.	DATE
A75-404 (A to U)	MAY 28, 1976

LAND USE DISTRICT BOUNDARIES		
DISTRICT MAP	STATE OF HAWAII	DISTRICTS
H-43	LAND USE COMMISSION	U = URBAN
	DEPT. OF PLANNING & ECONOMIC DEVELOPMENT	R = RURAL
	EFFECTIVE DATE: DEC 20 1974	A = AGRICULTURAL
		C = CONSERVATION

HONOKAA QUADRANGLE
HAWAII—HAWAII CO.
ISLAND OF HAWAII—HAMAKUA DISTRICT
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW 4 HAMAKUA 15' QUADRANGLE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



SP77-266 ROBERT JOSE

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1954 Advance field check 1957
Hydrography compiled from USC&GS charts 4161 (1951) and 4162 (1950)
Polyconic projection. Old Hawaiian datum
10,000-foot grid based on Hawaiian coordinate system, zone 1
1000-meter Universal Transverse Mercator grid ticks,
zone 5, shown in blue
Unchecked elevations are shown in brown

TRUE NORTH
MAGNETIC NORTH
APPROXIMATE MEAN
DECLINATION, 1957

SCALE 1:24,000
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET
5 0 5 10 15 20 25 30 35 40 KILOMETER
CONTOUR INTERVAL 40 FEET
DATUM IS MEAN SEA LEVEL
DEPTH CURVES IN FEET—DATUM IS MEAN LOWER LOW WATER
SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
THE MEAN RANGE OF TIDE IS APPROXIMATELY 2 FEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

ROAD CLASSIFICATION
Medium-duty
Light-duty
Unimproved dirt
State Route

H-43

HONOKAA, HAWAII
SW 4 HAMAKUA 15' QUADRANGLE
N2000—W15522 5/7 5

1957



5393

July 8, 1977

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on July 6, 1977, the Land Use Commission voted to approve a Special Permit request by Robert Jose to allow the establishment of a smoked meat processing plant and commercial sales of the product on 1.8 acres of land situated within the State Land Use Agricultural District at Paauiilo Homestead, 2nd Series, Hamakua, Hawaii, Tax Map Key 4-3-15: 22.

Approval of this Special Permit is 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

Encl.

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

July 8, 1977

Mr. Robert Jose
Box 16
Paauilo, Hawaii 96776

Dear Mr. Jose:

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
Encls.