[redacted]

SPECIAL PERMIT

Petition Received 11/9/77

Maps 11/28/77 BMZ

Action Span 11/9 — 12/24/77

Action Date

Recordation 12/9/77 BMZ

SP77-282 - COUNTY OF HAWAII, DEPT. OF PUBLIC WORKS

December 2, 1977

Mr. Edward Harada, Chief Engineer
Department of Public Works
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Harada:

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.

December 2, 1977

HAWAII PLANNING COMMISSION
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on December 2, 1977, the Land Use Commission voted to approve a Special Permit request by the County of Hawaii, Department of Public Works (SP77-282) to allow the establishment of a baseyard use on approximately 1.8 acres of land situated within the State Land Use Agricultural District at Lalamilo, South Kohala, Hawaii, Tax Map Key 6-6-1: 56.

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: County of Hawaii, Dept. of Public Works
Department 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 and Economic Development
Office of Environmental Quality Control
Division of Land Management, DLNR

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Approved
APR 13 1978

Senate Conference Room 3
Second Floor, State Capitol
Honolulu, Hawaii

December 2, 1977 - 10:00 a.m.

COMMISSIONERS PRESENT: Stanley Sakahashi, Chairman
Charles Duke, Vice Chairman
James Carras
Shinsei Miyasato
Shinichi Nakagawa
Mitsuo Oura

COMMISSIONERS ABSENT: Colette Machado
Carol Whitesell
Edward Yanai

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

Ray Russell, Court Reporter

ACTION

SP77-279 - NORTH SHORE CHRISTIAN FELLOWSHIP CORPORATION
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A CHURCH COMPLEX AT SUNSET BEACH, OAHU

Mr. Daniel Yasui, staff planner, pointed out the location of the subject parcel and oriented its location with various surrounding landmarks, and read the County's recommendations and conditions.

Mr. Yasui offered additional information with respect to access to the property, the uses within abutting and surrounding properties, etc.

Mr. Steve Davis, architect, representing the petitioner, clarified various points which were raised by the Commission in connection with the requested use and other existing activities around the neighborhood.

Vice Chairman Duke moved that the Special Permit be approved, subject to the conditions imposed by the City & County Planning Commission. The motion was seconded by Commissioner Nakagawa and unanimously carried.

SP77-281 - AVIS RENT-A-CAR SYSTEM, INC.
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A CAR RENTAL OPERATION AT HOOLEHUA, MOLOKAI

The subject parcel was identified on the maps by the staff planner. Mr. Yasui also reported that the Airports Division of the Department of Transportation was presently in the process of engaging the services of a consultant to develop a master plan for the centralization of the car rental operations at the Molokai Airport.

The recommendations of the Molokai Advisory Committee and of the Maui County Planning Commission and conditions imposed by the Planning Commission were presented by Mr. Yasui.

It was reported that although Commissioner Machado was unable to attend the meeting today, she had expressed a wish to add a 6th condition to the subject Special Permit as follows: "That the applicant shall seek the assistance of the Maui County Planning Department and the State Department of Transportation in finding a permanent site which is suitable for both the subject operation and for centralized car rental operations."

Mr. Allan Kawada counselled that there was nothing in the Statutes or the Commission's Rules & Regulations to disallow the consideration of Commissioner Machado's request.

Vice Chairman Duke moved to add condition #6 as recommended by Commissioner Machado to the Special Permit, which was seconded by Commissioner Miyasato and unanimously passed.

Commissioner Nakagawa moved to approve the Special Permit, subject to the conditions imposed by the Maui County Planning Commission and condition #6 as recommended by Commissioner Machado. The motion was seconded by Commissioner Miyasato and unanimously approved.

SP77282 - COUNTY OF HAWAII, DEPARTMENT OF PUBLIC WORKS
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A BASEYARD USE AT LALAMILO, SOUTH KOHALA, HAWAII

Mr. Furutani, Executive Officer, pointed out the location of the property on the maps and oriented it with various surrounding landmarks. The recommendations and conditions imposed by the Hawaii County Planning Commission were also presented.

In response to a question concerning the "2-year period" for the commencement of the project as conditioned by the County, Miss Ilima Piianaia, County Planner, explained that this had been based on the occasional delays they had experienced in the release of government project funds.

Commissioner Oura moved to approve the Special Permit, subject to the conditions as set forth by the Hawaii County Planning Commission, which was seconded by Commissioner Carras.

Mr. Kawada observed that the nature of the request under the subject application was similar to an earlier Special Permit by Kona Coffee Farmers, wherein a non-conforming use was grandfathered in. At the time improvements were sought to be made on the property, the County had recommended that this be accomplished through a Special Permit application, requesting approval of the non-conforming use to preclude the necessity for a Special Permit for every minor physical improvement, so long as it did not increase the intensity of the use. He also pointed out that there were no specific guidelines for making this kind of determination so that it would have to be at the Commission's discretion.

Vice Chairman Duke agreed that he did not see the necessity for a Special Permit every time someone wanted to repair a roof or change the configuration of an existing building. However, he felt that this matter could be discussed in depth at the workshop meetings which have been planned for the near future.

The Chairman called on the Executive Officer to poll the members on the motion pending before the Commission. The motion was unanimously carried.

SP77-283 - KONA PALISADES ESTATES COMMUNITY ASSOCIATION
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A COMMUNITY RECREATIONAL CENTER AT KALAOA 5TH, NORTH KONA, HAWAII

The location of the property was pointed out by the Staff Planner on the posted maps. The recommendation of the County Planning Commission and conditions imposed therein were also presented.

Mr. Yasui responded to questions raised concerning land ownership, number of dwellings within the subdivision, etc.

Legal Counsel recommended that inasmuch as the petitioner was negotiating for the purchase of the subject land, that an additional condition be imposed to the effect that approval of the Special Permit would be contingent upon the petitioner's acquisition of the property.

Commissioner Carras moved that the Special Permit be approved, subject to the conditions imposed by the Hawaii Planning Commission and the additional condition that the Special Permit approval will be contingent upon the acquisition of the property by the Community Association. The motion was seconded by Vice Chairman Duke and unanimously carried.

ADOPTION OF MINUTES

The minutes of July 14 and July 27, 1977 were approved as circulated.

The meeting was adjourned at 11:15 a.m.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP77-282 - County of Hawaii Dept. of Public Works
DATE December 2, 1977
PLACE Senate Conf. Rm. 3, 2nd Floor State Capitol Honolulu, Hawaii
TIME 10:00 a.m.

NAME	YES	NO	ABSTAIN	ABSENT
DUKE, CHARLES	X			
~~WHITESELL, CAROL~~				X
M OURA, MITSUO	X			
~~MACHADO, COLETTE~~				X
MIYASATO, SHINSEI	X			
NAKAGAWA, SHINICHI	X			
CARRAS, JAMES	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 December 2, 1977
10:00 a.m.

FROM: Staff

SUBJECT: SP77-282 - County of Hawaii, Department of Public Works

The petitioner, County of Hawaii, Department of Public Works, is requesting a Special Permit to allow the establishment of a baseyard use on approximately 1.8 acres of land situated within the State Land Use Agricultural District at Lalamilo, South Kohala, Hawaii, Tax Map Key 6-6-1: 56. The subject property is located about 1,200 feet Waimea side (east) of the Kohala Mountain Road and Waimea-Kawaihae Road junction. The Hawaii Electric Light Company substation and the Kamuela Rubbish Dump (see attached County Exhibit K-1) are situated near the property in question.

The subject site is presently being used as a baseyard by the County. This baseyard was established prior to the adoption of the land use law and is a non-conforming use in the Agricultural District. The baseyard operation presently includes a gas pump and a storage and office building.

Although a baseyard already exists on the site, this Special Permit is being requested because, under current procedures, a Special Permit must be obtained for any expansion or intensification of a non-conforming use and the County Department of Public Works wants to expand the non-conforming use by proposing to construct an equipment storage building. The proposed building is a metal structure approximately 60' X 168' in size and about 10,080 square feet in area. This structure is intended to house road maintenance equipment and vehicles.

After a review of this request, the Hawaii County Planning Department advised that in anticipation of future improvements and expansion to the non-conforming baseyard, the entire 1.8 acres should be established under the Special Permit for a County baseyard operation. This modification would preclude the applicant from obtaining a Special Permit for other future improvements on the site. The Special Permit request has been changed to incorporate the County's recommendation that the baseyard use be requested rather than the equipment storage building or individual improvements.

In support of the permit request, the petition has in part stated the following:

"The proposed project consists of a metal 'rigid frame' building which will house road maintenance equipment and vehicles for our Waimea Road Maintenance crew for work in the South Kohala area. This project will perpetuate an existing use since the vehicles are presently using the baseyard site. The project will allow the vehicles to be sheltered. The vehicles would then be protected from the elements and the mechanic that works on these vehicles will similarly be protected. Since the use will not change, we feel that it will not alter the character of the land nor affect surrounding property nor burden public agencies.

"The subject parcel is on State land. An executive order (E.O. No. 2360) was executed giving the County of Hawaii jurisdiction over this property for baseyard use.

"An environmental assessment has been written and routed for review.

"A historic preservation report was written and sent to Mrs. Jane Silverman of the DLNR. A reply has not yet been received but we feel that since the land is level and has been used as a parking area, there is nothing of historic significant at the site."

The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the subject property for Low Density uses. Under this designation single family residential uses at a maximum density of 4 units per acre and ancillary community and public uses are permitted. County zoning of the subject site is Unplanned (U).

The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "C" or Fair for the subject site. This soil is of the Waimea series which is a very fine sandy loam.

All essential utilities, including water and electricity are available to the subject property.

Pertinent comments from governmental agencies:

1. Fire Department

"We have no objections to the approval of this application to build an equipment storage building at the Waimea Baseyard. There is a fire hydrant located on Kawaihae Road approximately 300 yards to the proposed location of the building. Water supply is considered adequate. Fire protection service is provided from the Waimea Fire Station."

Other cooperating agencies, including the State Department of Agriculture, Hawaii Electric Light Company, Inc., Department of Water Supply, U.S. Soil Conservation Service, Police Department, and State Department of Health had no objections to the subject request.

At the public hearing held by the Hawaii County Planning Commission on October 3, 1977, a representative of the petitioner testified in support of the request. Mr. C. Schuster, District Engineer for the State's Highways Division also endorsed the request. He stated that lands in the vicinity of the subject site are utilized for public service facilities of an industrial nature, and that these are well established facilities. No one testified in opposition to the request. For the Commission's information, the October 3, 1977 hearing transcript has been attached (County Exhibit N).

On October 27, 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 granting of this particular request will not substantially alter or change the essential character of the land since a baseyard operation has been established on a non-conforming basis for many years. However, although the request filed is to allow the construction of an equipment storage building on the subject property, it is felt that the basic purpose of the request would be to legitimize the existing non-conforming uses. As stated earlier, the present County baseyard operation has been in existence for many years and prior to the adoption of the State Land Use Law and Regulations. Under the present non-conforming status, in order that improvements or expansion may be made on the property, a Special Permit must be secured. Rather than obtaining a Special Permit each time improvements, such as the equipment storage building, are contemplated, we are suggesting that the entire area of 1.8 acres be established under a Special Permit for a County baseyard operation. In doing so, improvements to the existing use can be made without applying for a Special Permit for each and every improvement. By granting a Special Permit, we are basically establishing the use of a particular property rather than the individual improvements or structures to go on the property.

"2. That the proposed use shall 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 these lands are best suited in the interest of public health and welfare of the

people of the State of Hawaii. For many years the subject property has been used as a baseyard. This baseyard for the County Waimea Road Maintenance crew has promoted the public welfare by allowing for greater efficiency in the provision of road maintenance services. It is thus determined that the proposed use, which will allow for increased efficiency of road maintenance operations, will be the one for which the land is best suited in the interest of promoting the public health and welfare of the people of the State of Hawaii.

Further, the granting of the Special Permit will not militate against the County General Plan or be contrary to the purpose and intent of the County's Zoning Code. The Public Facilities element of the General Plan calls for the provision of such facilities to adequately service community needs and to continue to seek ways of improving public service through better and more functional facilities which are in keeping with the environmental and aesthetic concerns of the community. In addition, the County Zoning Code allows public service uses within its agriculturally zoned districts provided that the uses conform to the County General Plan.

"3. That the proposed use will not adversely affect the surrounding properties and land uses. The surrounding area is in grazing and public utility/facility uses. Specifically, in addition to open pasture land there is an existing Hawaii Electric Light Company Substation, the State Department of Transportation Baseyard, and the County of Hawaii Kamuela Rubbish Dump adjacent to the subject site. It is therefore determined that the proposed use at its particular location will, in fact, complement the surrounding land uses, and also would not have an adverse impact on the overall agricultural activity for the area.

"4. That all essential utilities and facilities are available to the area for the requested use. As such, the granting of this request for the purpose of establishing a County baseyard operation at this particular location will not unreasonably burden other governmental agencies to provide additional infrastructures."

The favorable recommendation was subject to the following conditions:

"1. That construction of the Equipment Storage Building and related improvements commence within two (2) years from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

"2. That prior to construction of other future improvements on the subject property, the petitioner or its authorized representative shall submit such plans to the County Planning Department for review and approval.

"3. That all other applicable rules and regulations, including the plan approval process, shall be complied with."

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

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
October 3, 1977

A regularly advertised public hearing, on the application of the County of Hawaii Department of Public Works, was called to order at 5:47 p.m. in the Cafetorium of the Waimea Elementary School, Waimea, South Kohala, by Chairman Jitchaku.

PRESENT: Lorraine R. Jitchaku
Scott Asai
J. Walsh Hanley
Arthur Martin
Haruo Murakami
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: William F. Mielcke
Shigeru Fujimoto

Sidney M. Fuke, Planning Director
Ilima Piianaia, Planner
Virginia Goldstein, Planner

Roxanna Garcia, Assistant Corporation Counsel
David Murakami, representing Ex-officio Member, Edward Harada

and about 3 people in attendance

CHAIRMAN: Public hearing on the application of the County of Hawaii Department of Public Works for a Special Permit to allow the construction of an equipment storage building within the State Land Use Agricultural District. The property involved is the side of the Waimea Baseyard which is located approximately 400 feet south of the Helco substation and about 2,000 feet Waimea side of the junction of the Kohala Mountain Road and the Waimea-Kawaihae Road, Lalamilo, South Kohala, TMK: 6-6-01:56.

PIIANAIA: (Staff presented background information.)

CHAIRMAN: Thank you, Ilima. Are there any questions of the staff's report? If not, at this time, the Chair would like to call upon a representative of the applicant for the County of Hawaii. State your name into the microphone please.

YANABU: My name is Robert Yanabu representing the Department of Public Works.

CHAIRMAN: Robert Yanabu, 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?

YANABU: Yes.

CHAIRMAN: Thank you. Is there anything you'd like to add Robert other than what is read into the record?

EXHIBIT N

YANABU: No, I don't have anything to add but if there's any questions, I can try to answer them.

CHAIRMAN: Thank you. Are there any questions of the applicant? Commissioner Asai?

ASAI: Robert, how much will this, what's the cost of this proposed building to the County?

YANABU: We got a grant of $123,000 from the Economic Development Administration.

ASAI: So that building will cost about $123,000?

YANABU: Well, probably little over $100,000, with the rest contingency funds or administrative costs or something like that.

ASAI: I see, thank you.

CHAIRMAN: Thank you. Are there any other questions of the applicant? Just one question for the staff, Ilima, is it normal practice to send to the historic preservation staff a report or is it just because it's in the Waimea area?

PIIANAIA: No, it's because it's on State land.

CHAIRMAN: Thank you. Any other questions? Thank you, Robert, and thank you for your patience.

This is a public hearing, is there anyone here who would like to speak on this particular application now before the Planning Commission?

SCHUSTER: Madam Chairman, Commissioners, my name is Chas Schuster, District Engineer, for the Highways Division.

CHAIRMAN: Thank you, Mr. Schuster. Do you swear to tell the truth and nothing but the truth on this matter now before the County Planning Commission?

SCHUSTER: I do.

CHAIRMAN: Thank you.

SCHUSTER: Unless I heard wrong, Ilima overlooked the fact that the Highways Division has a baseyard adjacent to the County's baseyard. But as a good neighbor we'd like to endorse the County's application and urge your favorable recommendation. But if I may impose on your patience a little bit longer, I would like to go one step further, I would like to point out that in this strip of land we have public services facilities and all industrial in nature. We have the Helco plant, the Highway's Division baseyard, the County's baseyard, the County landfill and the County transfer station. What I would urge is that in view of the fact that these are well established facilities, that the relocations are realistic, they're necessary for the continued use. It's impractical to relocate them. I would urge you to recommend that the change of zoning to the Land Use Commission and the County's appropriate zoning to recognize the, put these uses into the proper zoning so that all of the users are not faced with the undue burden of coming for public hearings and all the rest every time there's some improvement to be made. That's all.

CHAIRMAN: Thank you. Are there any questions of Mr. Schuster?

FUKE: Madam Chairman, I'd just like to react to Chas' comments. I think that's an excellent suggestion cause we were hard-pressed looking around for industrial zoned lands in the Waimea area. The only area designated for industrial uses right now is close to the Waimea Airport on the General Plan as well as the only existing industrial zoned lands are essentially right next to the Parker Ranch Shopping Center and recognizing the proximity of that area to the shopping center and the possible incompatibility of land uses, we were looking for alternative areas and you've provided us with one, I think, reasonable alternative.

SCHUSTER: Thank you. We think it would be realistic to recognize that the uses are there and that probably will continue to be there for a good many years.

CHAIRMAN: Thank you, are there any other questions of Mr. Schuster? Commissioner Martin?

MARTIN: With this in mind, how could we as a Commission propose that, this would have to be State change, wouldn't it? How could we do that?

FUKE: The first thing that would have to be done is that the General Plan would have to be amended and we are in the process of reviewing it so you'll see the packages and the appropriate thing would be to, if we don't make that inclusion to so reflect it in your deliberations.

CHAIRMAN: Thank you, any other questions? Any further comments, Mr. Schuster? We thank you.

SCHUSTER: Thank you.

CHAIRMAN: Thank you for your appearance and your patience. Is there anyone else here who wishes to make comments on this application?

If there's no further questions, the Chair would like to entertain a motion to close the public hearing.

MURAKAMI: Madam Chairman.

CHAIRMAN: Commissioner Murakami.

MURAKAMI: I move that the public hearing be closed.

CHAIRMAN: Is there a second?

PARIS: Madam Chairman, I second the motion.

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

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? Public hearing is closed. We will take action 15 days after closing of the public hearing.

Public hearing adjourned at 5:55 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura, Secretary

A T T E S T :

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

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

November 16, 1977

Mr. Sidney Fuke
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
SP77-282 - County of Hawaii, Department of Public Works
SP77-283 - Kona Palisades Estates Community Association

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

November 16, 1977

Mr. Edward Harada, Chief Engineer
Department of Public Works
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Harada:

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

Please note that petition

SP77-282 - County of Hawaii, Department of Public Works

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

December 2, 1977 - 10:00 a.m.
Senate Conference Room 3
Second Floor, State Capitol
Honolulu, Hawaii

A G E N D A

I. ACTION

1. SP77-279 - North Shore Christian Fellowship Corporation

To allow the establishment of a church complex on approximately 1.1 acres of land situated within the State Land Use Agricultural District at Sunset Beach, Oahu.

2. SP77-281 - Avis Rent-A-Car System, Inc.

To allow the establishment of a car rental operation on approximately one (1) acre of land situated within the State Land Use Agricultural District at Hoolehua, Molokai.

3. SP77-282 - County of Hawaii, Department of Public Works

To allow the establishment of a baseyard use on approximately 1.8 acres of land situated within the State Land Use Agricultural District at Lalamilo, South Kohala, Hawaii.

4. SP77-283 - Kona Palisades Estates Community Association

To allow the establishment of a community recreational center on approximately .51 acres of land situated within the State Land Use Agricultural District at Kalaoa 5th, North Kona, Hawaii.

II. MISCELLANEOUS

...tion of Minutes JUL 14 1977 JUL 27 1977

11/16/77 - A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS:

1. ALL ISLANDS 2. OAHU 3. MOLOKAI 4. HAWAII

COUNTY OF HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

LAND USE COMMISSION
STATE OF HAWAII
Nov 9 1 58 PM '77

SP77-282

November 8, 1977

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

Dear Mr. Furutani:

Special Permit Application
Applicant: County of Hawaii
Department of Public Works

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 an equipment storage building use within the State Land Use Agricultural District at Lalamilo, South Kohala, Hawaii, Tax Map Key 6-6-01:56.

The Planning Commission at a duly advertised public hearing on October 3, 1977 in the Waimea School Cafetorium, Waimea, South Kohala, Hawaii, discussed the subject request. Although the County of Hawaii Department of Public Works had submitted an application only for the construction of an equipment storage building, upon review of the request in light of the present non-conforming use of the lot, the Commission on October 27, 1977 voted to recommend to the Land Use Commission the approval of a special permit to allow the establishment of a baseyard use based on the following findings:

1. That the granting of this particular request will not substantially alter or chage the seential character of the land since a baseyard operation has been established on a non-conforming basis for many years. However, although the request filed is to allow the construction of an equipment storage building on the subject property,

it is felt that the basic purpose of the request would be to legitimize the existing non-conforming uses. As stated earlier, the present County baseyard operation has been in existence for many years and prior to the adoption of the State Land Use Law and Regulations. Under the present non-conforming status, in order that improvements or expansion may be made on the property, a Special Permit must be secured. Rather than obtaining a Special Permit each time improvements, such as the equipment storage building, are contemplated, we are suggesting that the entire area of 1.8 acres be established under a Special Permit for a County baseyard operation. In doing so, improvements to the existing use can be made without applying for a Special Permit for each and every improvement. By granting a Special Permit, we are basically establishing the use of a particular property rather than the individual improvements or structures to go on the property.

2. That the proposed use shall 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 these lands are best suited in the interest of public health and welfare of the people of the State of Hawaii. For many years the subject property has been used as a baseyard. This baseyard for the County Waimea Road Maintenance crew has promoted the public welfare by allowing for greater efficiency in the provision of road maintenance services. It is thus determined that the proposed use, which will allow for increased efficiency of road maintenance operations, will be the one for which the land is best suited in the interest of promoting the public health and welfare of the people of the State of Hawaii.

   Further, the granting of the Special Permit will not militate against the County General Plan or be contrary to the purpose and intent of the County's Zoning Code. The Public Facilities element of the General Plan calls for the provision of such facilities to adequately service community needs and to continue to seek ways of improving public service through better and more functional facilities which are in keeping with the environmental and aesthetic concerns of the community. In addition, the County Zoning Code allows public service uses within its agriculturally zoned districts provided that the uses conform to the County General Plan.

3. That the proposed use will not adversely affect the surrounding properties and land uses. The surrounding area is in grazing and public utility/facility uses. Specifically, in addition to open

pasture land there is an existing Hawaii Electric Light Company Substation, the State Department of Transportation Baseyard, and the County of Hawaii Kamuela Rubbish Dump adjacent to the subject site. It is therefore determined that the proposed use at its particular location will, in fact, complement the surrounding land uses, and also would not have an adverse impact on the overall agricultural activity for the area.

4. That all essential utilities and facilities are available to the area for the requested use. As such, the granting of this request for the purpose of establishing a County base-yard operation at this particular location will not unreasonably burden other governmental agencies to provide additional infrastructures.

The favorable recommendation was also subject to the following conditions:

1. That construction of the Equipment Storage Building and related improvements commence within two (2) years from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

2. That prior to construction of other future improvements on the subject property, the petitioner or its authorized representative shall submit such plans to the County Planning Department for review and approval.

3. 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.

Sincerely,

Lorraine R. Jitchaku

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

lgv

Enclosures

cc Mr. Edward Harada
Land Use Division, DPED

LAND USE COMMISSION
STATE OF HAWAII
Nov 4 11 07 AM '77

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF
HAWAII

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

November 1, 1977

Mr. Edward Harada, Chief Engineer
Department of Public Works
County of Hawaii
Hilo, Hawaii

Dear Mr. Harada:

Special Permit Application
Tax Map Key 6-6-01:56

The Planning Commission at its regular meeting of October 27, 1977 considered your application for a special permit to allow the establishment of a baseyard use within the State Land Use Agricultural District at Lalamilo, South 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 Equipment Storage Building and related improvements commence within two (2) years from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.

2. That prior to construction of other future improvements on the subject property, the petitioner or its authorized representative shall submit such plans to the County Planning Department for review and approval.

3. 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.

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

Sincerely,

Lorraine R. Jitchaku

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

lgv

cc /State Land Use Commission
Land Use Division, DPED

LIST OF EXHIBITS - COUNTY OF HAWAII DEPARTMENT OF PUBLIC WORKS

A. Application form

A-1. Applicants reasons

A-2. Applicants plot plan

B. Departmental acknowledgement letter (9/12/77)

C. Memo to agencies

D. Dept. of Ag. (9/15/77)

E. Helco (9/16/77)

F. Water Supply (9/20/77)

G. Memo to SCS

G-1. SCS comments (9/22/77)

H. Fire (9/23/77)

I. Police (9/26/77)

J. Health (10/11/77)

K. Letter to surrounding property owners (9/16/77)

K-1. Map sent to surrounding property owners

K-2. List of surrounding property owners

L. Letter to applicant (9/19/77)

L-1. Public Hearing notice

M. Minutes (10/3/77)

N. Public hearing transcript (10/3/77)

O. Letter to applicant (10/5/77)

P. Letter to applicant (10/6/77)

Q. Staff background

R. Staff recommendation

S. Location map (please return)

T. Voting sheet

U. Minutes (10/27/77)

PPLICATION FOR SPECIAL F IT

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: County of Hawaii, Department of Public Works

APPLICANT'S SIGNATURE: Arthur T. Ishemoto

ADDRESS: 25 Aupuni Street

Hilo, HI 96720

TELEPHONE: 961-8327

TAX MAP KEY: 6-6-01:56 AREA: 1.848 Acres
(Size of Parcel)

OWNER: State of Hawaii (County of Hawaii

OWNER'S SIGNATURE: _____

APPLICANT'S INTEREST, IF NOT OWNER: _____

REQUESTED USE: To build an equipment storage building for the Waimea Baseyard.

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

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE September 1, 1977

Memorandum

TO : Sidney Fuke, Planning Director

FROM : Chief Engineer

SUBJECT: SPECIAL PERMIT REQUEST
EQUIPMENT STORAGE BUILDING
TMK: 6-6-01:56

The proposed project consists of a metal "rigid frame" building which will house road maintenance equipment and vehicles for our Waimea Road Maintenance crew for work in the South Kohala area. This project will perpetuate an existing use since the vehicles are presently using the baseyard site. The project will allow the vehicles to be sheltered. The vehicles would then be protected from the elements and the mechanic that works on these vehicles will similarly be protected. Since the use will not change, we feel that it will not alter the character of the land nor affect surrounding property nor burden public agencies.

The subject parcel is on State land. An executive order (E.O. No. 2360) was executed giving the County of Hawaii jurisdiction over this property for baseyard use.

An environmental assessment has been written and routed for review.

A historic preservation report was written and sent to Mrs. Jane Silverman of the DLNR. A reply has not yet been received but we feel that since the land is level and has been used as a parking area, there is nothing of historic significance at the site.

We hope that you will process this application and look favorably upon it.

Edward Harada

EDWARD HARADA
Chief Engineer

EXHIBIT A-1

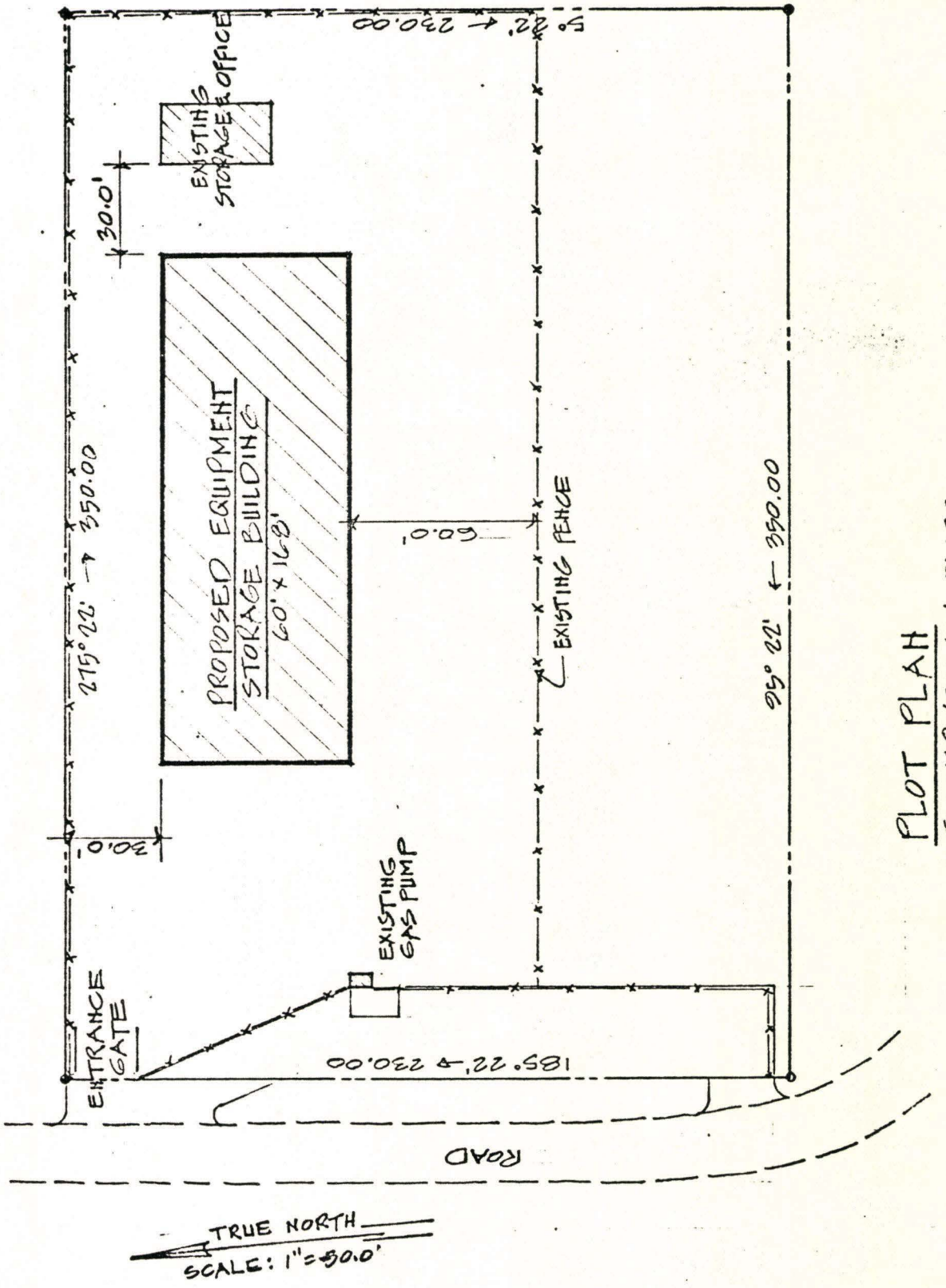

WAIMEA BASEYARD
EQUIPMENT STORAGE BUILDING
LALAMILO, SOUTH KOHALA, HAWAII
PLOT PLAN
TAX MAP KEY: 6-6-01:56
PROPOSED EQUIPMENT STORAGE BUILDING
60' x 168'
EXISTING STORAGE & OFFICE
EXISTING FENCE
EXISTING GAS PUMP
ENTRANCE GATE
ROAD
275° 22' → 350.00
95° 22' ← 350.00
185° 22' → 230.00
5° 22' ← 230.00
30.0'
10.0'
TRUE NORTH
SCALE: 1" = 50.0'

EXHIBIT A-2

September 12, 1977

Mr. Edward Harada
Chief Engineer
County of Hawaii

Dear Mr. Harada:

Special Permit - Equipment Storage Building
TMK: 6-6-01:56

This is to acknowledge receipt on September 1, 1977, of the above described special permit application.

The County Planning Commission shall conduct a public hearing on the 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 shall 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 then be forwarded to the State Land Use Commission for final action.

However, the Planning Commission may deny the request if it is found that the proposed use does not meet the special permit guidelines. In this case, their decision is final. In accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a denial by the Planning Commission may be appealable 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 shall be forwarded when the application is scheduled for Commission action.

Should any questions arise, please contact Ilima Piianaia of this department at 961-8288.

Sincerely,

Sidney M Fuke

SIDNEY FUKE
Director

IP:vv

cc: SLUC
DPED - Land Utilization

EXHIBIT B

SEP 1[illegible] 19

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DWS, Hwys, Health, Police, Fire, Soil Conservation, Agriculture and HELCO. **Date:** September 12, 1977

From: Director

Subject: Special Permit Application
County of Hawaii, Dept. of Public Works
Equipment Storage Building at Waimea Baseyard
TMK: 6-6-01:56

The attached application for a special permit is forwarded for your review. May we have written comments within two weeks so that we may process the request within the legally specified time period.

Thank you very much.

vv
Enclosure

EXHIBIT C

SEP 13 1977

GEORGE R. ARIYOSHI
GOVERNOR

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

JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

BOARD MEMBERS:

MEMBER - AT - LARGE
ERNEST F. MORGADO
MEMBER - AT - LARGE
Sidney Goo
MEMBER - AT - LARGE
SHIZUTO KADOTA
HAWAII MEMBER
STEPHEN Q. L. AU
KAUAI MEMBER
FRED M. OGASAWARA
MAUI MEMBER

September 15, 1977

MEMORANDUM

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

Subject: Special Permit Application
County of Hawaii, Department of Public Works
Equipment Storage Building at Waimea Baseyard
TMK: 6-6-01:56

The Department of Agriculture has no comments or objections to the subject application.

Thank you for the opportunity to comment.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT D

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

September 16, 1977

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

Attention: Mr. Sidney M. Fuke
Director

Gentlemen:

SUBJECT: Special Permit Application
County of Hawaii, Dept. of Public Works
Equipment Storage Building at Waimea Baseyard
TMK: 6-6-01:56

We have no comments to the above application as per your memorandum of September 12, 1977.

Very truly yours,

Jitsuo Niwao (bk)

Jitsuo Niwao, Manager
Engineering Department

JN: bk

EXHIBIT E

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
P. O. BOX 1820 • HILO, HAWAII 96720 • 25 AUPUNI STREET

September 20, 1977

TO: Planning Department

FROM: Manager

SUBJECT: SPECIAL PERMIT APPLICATION
COUNTY DEPARTMENT OF PUBLIC WORKS
TAX MAP KEY 6-6-01:56

The proposed use will not affect water consumption; therefore, we have no objection to the subject request.

Akira Fujimoto
Manager

QA

cc - Department of Public Works

... Water brings progress...

EXHIBIT F

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DWS, Hwys, Health, Police, Fire, Soil Conservation, Agriculture and HELCO.

Date: September 12, 1977

From: Director

Subject: Special Permit Application
County of Hawaii, Dept. of Public Works
Equipment Storage Building at Waimea Baseyard
TMK: 6-6-01:56

The attached application for a special permit is forwarded for your review. May we have written comments within two weeks so that we may process the request within the legally specified time period.

Thank you very much.

vv
Enclosure

EXHIBIT G

..PLICATION FOR SPECIAL ' IT

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: County of Hawaii, Department of Public Works

APPLICANT'S SIGNATURE: Arthur T. Lenox

ADDRESS: 25 Aupuni Street

Hilo, HI 96720

TELEPHONE: 961-8327

TAX MAP KEY: 6-6-01:56 AREA: 1.848 Acres
(Size of Parcel)

OWNER: State of Hawaii (County of Hawaii

OWNER'S SIGNATURE: _____

APPLICANT'S INTEREST, IF NOT OWNER: _____

REQUESTED USE: To build an equipment storage building for the Waimea Baseyard.

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 _____

Reply: No problem in this project related to Soils.

Jack

EXHIBIT G-1

P.U. 3 2/75

HAWAII FIRE DEPARTMENT • COUNTY OF HAWAII • HILO, HAWAII 96720

DATE September 23, 1977

Memorandum

TO : Planning Department

FROM : Fire Department

SUBJECT: Special Permit Application
County Dept. of Public Works
TMK: 6-6-01:56

We have no objections to the approval of this application to build an equipment storage building at the Waimea Baseyard. There is a fire hydrant located on Kawaihae Road approximately 300 yards to the proposed location of the building. Water supply is considered adequate. Fire protection service is provided from the Waimea Fire Station.

Hiroshi Shishido

HIROSHI SHISHIDO
Deputy Fire Chief

rfd

EXHIBIT H

POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720

OUR REFERENCE

YOUR REFERENCE

GUY A. PAUL

CHIEF OF POLICE

September 26, 1977

TO : SIDNEY FUKE, PLANNING DIRECTOR

FROM : GUY A. PAUL, CHIEF OF POLICE

SUBJECT: SPECIAL PERMIT APPLICATION
COUNTY OF HAWAII, DEPT. OF PUBLIC WORKS
EQUIPMENT STORAGE BUILDING AT WAIMEA BASEYARD
TMK: 6-6-01:56

The special permit application submitted by the Department of Public Works 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

EN/RLP/k

EXHIBIT I

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DWS, Hwys, Health, Police, Fire, Soil Conservation, Agriculture and HELCO.

Date: September 12, 1977

From: Director

Subject: Special Permit Application
County of Hawaii, Dept. of Public Works
Equipment Storage Building at Waimea Baseyard
TMK: 6-6-01:56

The attached application for a special permit is forwarded for your review. May we have written comments within two weeks so that we may process the request within the legally specified time period.

Thank you very much.

vv
Enclosure

Dept. of Health
Hilo, HI
October 11, 1977

Please locate existing cesspool if applicable.

HAROLD MATSUURA, Chief Sanitarian, Hawaii

EXHIBIT J

COUNTY OF HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

September 16, 1977

Dear Property Owner: TMK:

Special Permit Application
Lalamilo, South Kohala, Hawaii
Tax Map Key 6-6-01:56

You are hereby notified that a request for a special permit to allow the construction of an equipment storage building within the State Land Use Agricultural District has been submitted by the petitioner, County of Hawaii Department of Public Works.

The property involved is the site of the Waimea Baseyard which is located approximately 40 feet south of the Helco substation and about 2,000 feet Waimea side of the junction of the Kohala Mountain Road and the Waimea-Kawaihae Road, Lalamilo, South Kohala, Hawaii.

A public hearing on the subject among others will be held beginning at 3:30 p.m. on Monday, October 3, 1977 at Waimea School Cafetorium, Waimea, South Kohala, Hawaii.

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

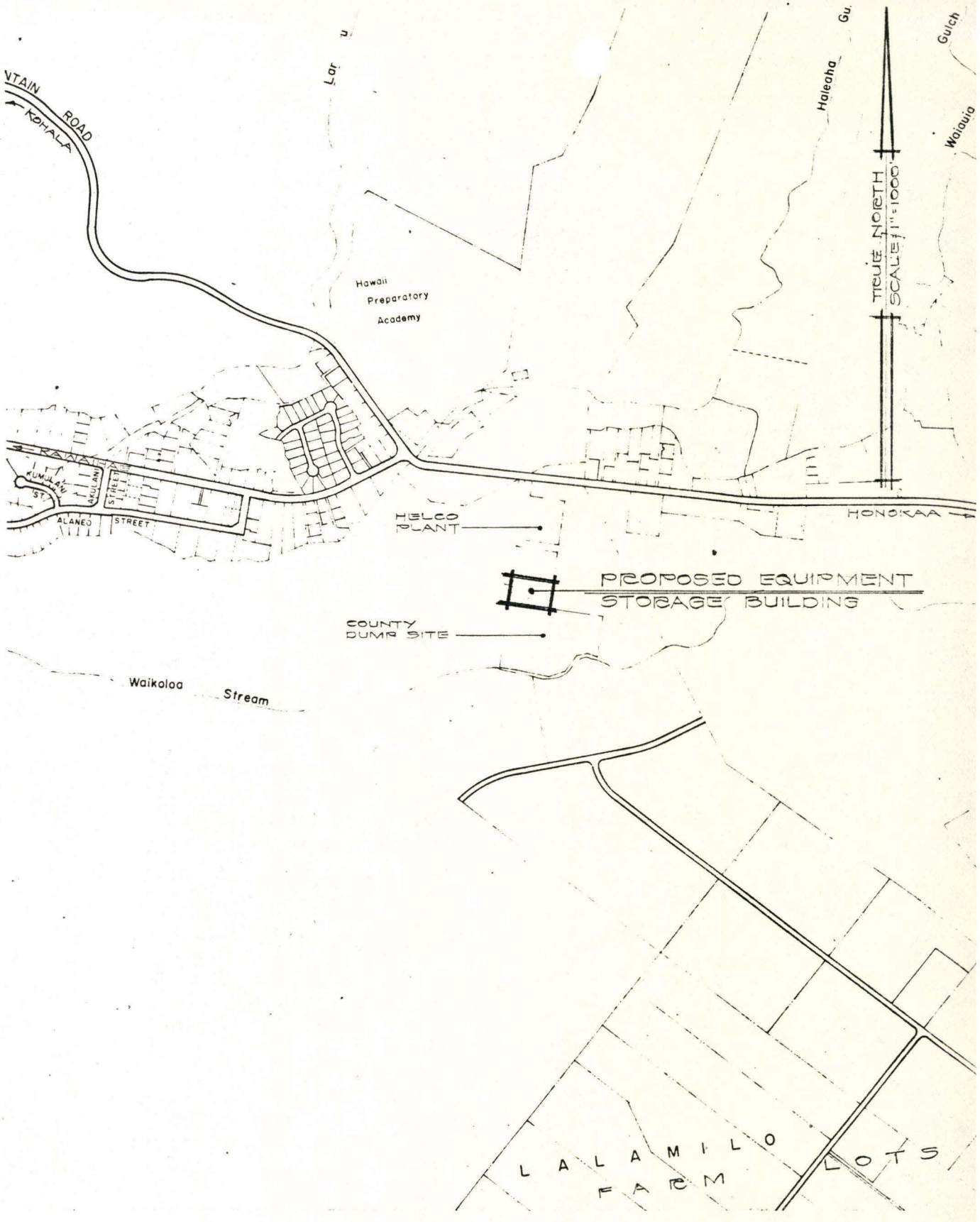
Sincerely,

Sidney Fuke
Director

lgv

Enclosure

EXHIBIT K 9-19-77



SPECIAL PERMIT REQUEST

CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING AT THE COUNTY'S WAIMEA BASEYARD

LALAMILO, SOUTH KOHALA, HAWAII

TAX MAP KEY : 6-6-01 : 56

APPLICANT : DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII

EXHIBIT K-1

SEPT. 16, 1977

LOCATION

SPECIAL USE PERMIT
COUNTY OF HAWAII
DEPT. OF PUBLIC WORKS
EQUIPMENT STORAGE BUILDING
6-6-01:56 (1.848 ACRES)

6-6-01: 2 PALEKOKI RANCH INC.
P.O. Box 126
Honokaa, HI 96727

10 MATTOS, ROY
P.O. Box 1193
Kamuela, HI 96743

40 applicant - DPW

50 applicant - DPW

EXHIBIT K-2

September 19, 1977

Mr. Edward Harada, Chief Engineer
Department of Public Works
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Dear Mr. Harada:

Notice of a Public Hearing
Special Permit Application
Tax Map Key 6-6-01:56

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 3:30 p.m. on Monday, October 3, 1977 at Waimea School Cafetorium, Waimea, South 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.

Sincerely,

Sidney M Fuke

Sidney Fuke
Director

lgv

Enclosure

cc State Land Use Commission
Land Use Division, DPED

EXHIBIT L

SEP 19 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, October 3, 1977

TIME: 3:30 p.m. (Item Nos. 1-4)
7:00 p.m. (Item Nos. 5-7)

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

1. PETITIONER: ELBRIDGE DURANT

   LOCATION: Approximately 2,300 feet mauka of the Hawaii Belt Road adjacent and to the north of the Kaloko Mauka Subdivision, Kohanaiki Homesteads, Kohanaiki, North Kona.

   TMK: 7-3-06:1

   PURPOSE: Variance request to allow the creation of a proposed subdivision with a 14-foot pavement in lieu of the minimum requirement of twenty (20) feet.

2. PETITIONER: ROY HARTE

   LOCATION: Located at the southern corner of the intersection of the Mamalahoa Highway and Ahikawa Street in the Kona Coastview Subdivision, Kalaoa 3rd, North Kona.

EXHIBIT L-1

TMK: 7-3-22:2 and 3

PURPOSE: Special Permit to allow the establishment of a music recording studio within an existing dwelling located in the State Land Use Agricultural District.

3. PETITIONER: HOLUALOA BAY INVESTMENT

LOCATION: Along the mauka side of Ali'i Drive, approximately 470 feet Keauhou side of the Royal Kahilo condominium project, Holualoa 3rd, North Kona.

TMK: 7-7-04:53

PURPOSE: Planned Development Permit (PDP) request to allow the construction of a 12-unit condominium.

4. PETITIONER: COUNTY OF HAWAII DEPARTMENT OF PUBLIC WORKS

LOCATION: Site of the Waimea Baseyard, which is located approximately 400 feet south of the Helco substation and about 2,000 feet Waimea side of the junction of the Kohala Mountain Road and the Waimea-Kawaihae Road, Lalamilo, South Kohala.

TMK: 6-6-01:56

PURPOSE: Special Permit to allow the construction of an equipment storage building within the State Land Use Agricultural District.

5. PETITIONER: KONA PALISADES ESTATES COMMUNITY ASSOCIATION

LOCATION: On the north side of the main Kona Palisades Road and at the extreme makai end of the Kona Palisades Subdivision, approximately 4,500 feet mauka of the Queen Ka'ahumanu Highway, Kalaoa 5th, North Kona.

TMK: 7-3-42:13 and 14

PURPOSE: Special Permit to allow the establishment of a recreational community center within the State Land Use Agricultural District

6. PETITIONER: BRUCE BAKER AND RAY HAMILTON

LOCATION: Approximately 1,500 feet north of the intersection of Paniolo Avenue and Waikoloa Road in Waikoloa Village, Waikoloa, South Kohala.

TMK: 6-8-03:3

PURPOSE: Planned Development Permit (PDP) request to allow the construction of a 76-unit condominium project.

7. PETITIONER: BOISE CASCADE HOME & LAND CORPORATION

LOCATION: Proposed Waikoloa Beach Resort Complex, Anaeho'omalu, South Kohala.

TMK: 6-9-07:21 (Lot 8) and 22/23 (Lot 9/10)

PURPOSE: a. Planned Unit Development (PUD) Permit request to allow the construction of a 6-story, 548-unit hotel on Lot 8

and to allow up to one-half of the required parking stalls for the proposed hotel to be located off-site in a central hotel parking area. Also requested is relief from the required number of on-site loading space.

b. Request to amend Planned Unit Development (PUD) Permit No. 12 and Partial Planned Unit Development (PUD) Permit No. 13 relative to the proposed hotels on Lots 8 and 9/10.

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 FUKE
Planning Director

(Hawaii Tribune - Herald: September 23 and October 2, 1977)

LUC

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
October 3, 1977

The Planning Commission met in regular sessions at 1:30 p.m. in the Cafetorium of the Waimea Elementary School, Waimea, South Kohala, with Chairman Lorraine R. Jitchaku presiding.

PRESENT: Lorraine R. Jitchaku
Scott Asai
Shigeru Fujimoto (Left at 4:26 p.m.)
J. Walsh Hanley
Arthur Martin
Haruo Murakami
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: William F. Mielcke

Sidney M. Fuke, Planning Director
Ilima Piianaia, Planner
Virginia Goldstein, Planner

Roxanna Garcia, Assistant Corporation Counsel
David Murakami, representing Ex-officio Member, Edward Harada

and about 16 people at 1:30 p.m., about 9 people at 4:10 p.m. and about 13 people at 7:00 p.m.

MINUTES: Commissioner Martin moved to defer the minutes of September 8, 1977, to the end of the calendar. Seconded by Commissioner Asai and carried.

All those testifying were duly sworn in.

VARIANCE
VICTORIA SILVA
KALOPA HOMESTEADS,
HAMAKUA

Application of Victoria Silva for a variance to allow the creation of two (2) 4.38-acre lots in lieu of the minimum building site area requirement of five (5) acres as stipulated within the Agricultural 5-acre (A-5a) zoned district. The property involved is located along the east side of the Kalopa Upper Road, approximately 1,500 feet mauka of the old Government Main Road, Kalopa Homesteads, Hamakua, TMK: 4-4-08:46.

Staff presented background information and recommendation on file.

It was moved by Commissioner Murakami and seconded by Commissioner Martin that the request for a variance be denied on the basis of the facts presented by the staff. The roll call vote was three ayes and five noes; motion did not carry.

EXHIBIT m

Commissioner Hanley requested the staff to ascertain whether or not the dwelling is presently conforming with the Zoning Code and was conforming at the time it was constructed, as he did not think this request should be approved if, in fact, the dwelling was built in violation of the ordinance. Planning Director responded by saying that he could get that information, except that if he wished to have that information introduced as part of the decision making, the public hearing would have to be kept open.

Commissioner Asai withdrew hismotion to close the public hearing.

Commissioner Martin said he thought legally the Chair called for a vote; however, because the attorney already established that they would go along with consolidating the lots and requested this matter be expedited, he felt this should be made a condition.

Commissioner Hanley questioned if the public hearing is closed, could the Commission consider the information that comes from an on-site inspection, hours of operation, etc. Planning Director responded by saying that these would be introduction of new factual data and they could not be considered appropriately within the formal record of transcript.

It was moved by Commissioner Paris and seconded by Commissioner Martin that the public hearing be closed; motion carried.

PLANNED DEVELOPMENT PERMIT
HOLUALOA BAY INVESTMENT
HOLUALOA 3rd, NORTH KONA

Public hearing on the application of Holualoa Bay Investment for a Planned Development Permit (PDP) to allow the construction of a 12-unit condominium. The property involved is located along the mauka side of Ali'i Drive, approximately 470 feet Keauhou side of the Royal Kahili condominium project, Holualoa 3rd, North Kona, TMK: 7-7-04:53.

Staff presented background information on file.

Relative to comments from the Department of Water Supply, the Planning Director reported that the Kahaluu shaft is going to be completed, hopefully, before the end of the year or early next year and that the plans call for the ground level to be used for parking and storage.

The applicant, Vernon Arney, stated that the 12-unit condominium building will be three stories high. Staff reported that the applicant had originally gotten a variance for four stories and then when they came in for the SMA Use Permit, they changed it back to three stories, at the same time nullifying the fourth story variance.

It was moved by Commissioner Sakamoto and seconded by Commissioner Asai that the public hearing be closed; motion carried.

SPECIAL PERMIT
COUNTY OF HAWAII -
DEPARTMENT OF PUBLIC WORKS
LALAMILO, SOUTH KOHALA

Public hearing on the application of the County of Hawaii Department of Public Works for a Special Permit to allow the construction of an equipment storage building within the State Land Use Agricultural District. The property involved is the side of the Waimea Baseyard which is located approximately 400 feet south of the Helco substation and about 2,000 feet Waimea side of the junction of the Kohala Mountain Road and the Waimea-Kawaihae Road, Lalamilo, South Kohala, TMK: 6-6-01:56.

Staff presented background information on file.

A representative of the applicant, Robert Yanabu, reported that they received a grant of $125,000 from the Economic Development Administration. Mr. Chas Schuster, District Engineer for the Highways Division, endorsed the County's application and urged the Commission's favorable recommendation. He pointed out that in this strip of land they have public services facilities, industrial in nature, and that these were well established facilities. He said that the relocations are realistic and necessary for the continued use. It would be impractical to relocate them. He urged the Commission to recommend the change of zoning to the Land Use Commission and the County's appropriate zoning, to put these uses into the proper zoning so that all of the users are not faced with the undue burden of coming in for public hearings, etc. every time some improvements are to be made. Planning Director thought it was an excellent suggestion.

It was moved by Commissioner Murakami and seconded by Commissioner Paris that the public hearing be closed; motion carried.

SPECIAL MANAGEMENT AREA
STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, LAND TRANSPORTATION FACILITIES DIVISION
KAWAIHAE 2nd, SOUTH KOHALA

Public hearing on the application of the State of Hawaii Department of Transportation, Land Transportation Facilities Division for a Special Management Area (SMA) Use Permit to allow the construction of a 0.6-mile portion of the proposed new Waimea-Kawaihae Road. The area involved is from the intersection of the existing Waimea-Kawaihae Road and the Queen Ka'ahumanu Highway to approximately 600 feet northwest of the entrance road to Pu'ukohola Heiau National Historic Landmark, Kawaihae 2nd, South Kohala, TMK: 6-2-02:6.

Staff presented background information and recommendation on file.

Commissioner Murakami requested to be excused from participating on this application because of a possible conflict of interest as he is an employee with the State Department of Transportation, Land Transportion Facilities Division; request was granted.

A representative of the applicant, Chas Schuster stated that there was a very minor correction in that the length of the project within the Special Management Area is about 2750 feet which is .52 miles, a little less than the six-tenths of a mile which was estimated to be. He reported that under the present fiscal constraints on the highway funding, they were looking at 1983 or 1984 to begin work on this project.

No other testimony was presented.

It was moved by Commissioner Sakamoto and seconded by Commissioner Paris that the public hearing be closed; motion carried.

It was moved by Commissioner Sakamoto and seconded by Commissioner Hanley that the application be approved. Motion carried with six ayes.

SPECIAL PERMIT
KONA PALISADES ESTATES COMMUNITY ASSOCIATION
KALAOA 5th, NORTH KONA

Public hearing on the application of Kona Palisades Estates Community Association for a Special Permit to allow the establishment of a recreational community center within

LUC

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
October 3, 1977

A regularly advertised public hearing, on the application of the County of Hawaii Department of Public Works, was called to order at 5:47 p.m. in the Cafetorium of the Waimea Elementary School, Waimea, South Kohala, by Chairman Jitchaku.

PRESENT: Lorraine R. Jitchaku
Scott Asai
J. Walsh Hanley
Arthur Martin
Haruo Murakami
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: William F. Mielcke
Shigeru Fujimoto

Sidney M. Fuke, Planning Director
Ilima Piianaia, Planner
Virginia Goldstein, Planner

Roxanna Garcia, Assistant Corporation Counsel
David Murakami, representing Ex-officio Member, Edward Harada

and about 3 people in attendance

CHAIRMAN: Public hearing on the application of the County of Hawaii Department of Public Works for a Special Permit to allow the construction of an equipment storage building within the State Land Use Agricultural District. The property involved is the side of the Waimea Baseyard which is located approximately 400 feet south of the Helco substation and about 2,000 feet Waimea side of the junction of the Kohala Mountain Road and the Waimea-Kawaihae Road, Lalamilo, South Kohala, TMK: 6-6-01:56.

PIIANAIA: (Staff presented background information.)

CHAIRMAN: Thank you, Ilima. Are there any questions of the staff's report? If not, at this time, the Chair would like to call upon a representative of the applicant for the County of Hawaii. State your name into the microphone please.

YANABU: My name is Robert Yanabu representing the Department of Public Works.

CHAIRMAN: Robert Yanabu, 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?

YANABU: Yes.

CHAIRMAN: Thank you. Is there anything you'd like to add Robert other than what is read into the record?

EXHIBIT N

YANABU: No, I don't have anything to add but if there's any questions, I can try to answer them.

CHAIRMAN: Thank you. Are there any questions of the applicant? Commissioner Asai?

ASAI: Robert, how much will this, what's the cost of this proposed building to the County?

YANABU: We got a grant of $123,000 from the Economic Development Administration.

ASAI: So that building will cost about $123,000?

YANABU: Well, probably little over $100,000, with the rest contingency funds or administrative costs or something like that.

ASAI: I see, thank you.

CHAIRMAN: Thank you. Are there any other questions of the applicant? Just one question for the staff, Ilima, is it normal practice to send to the historic preservation staff a report or is it just because it's in the Waimea area?

PIIANAIA: No, it's because it's on State land.

CHAIRMAN: Thank you. Any other questions? Thank you, Robert, and thank you for your patience.

This is a public hearing, is there anyone here who would like to speak on this particular application now before the Planning Commission?

SCHUSTER: Madam Chairman, Commissioners, my name is Chas Schuster, District Engineer, for the Highways Division.

CHAIRMAN: Thank you, Mr. Schuster. Do you swear to tell the truth and nothing but the truth on this matter now before the County Planning Commission?

SCHUSTER: I do.

CHAIRMAN: Thank you.

SCHUSTER: Unless I heard wrong, Ilima overlooked the fact that the Highways Division has a baseyard adjacent to the County's baseyard. But as a good neighbor we'd like to endorse the County's application and urge your favorable recommendation. But if I may impose on your patience a little bit longer, I would like to go one step further, I would like to point out that in this strip of land we have public services facilities and all industrial in nature. We have the Helco plant, the Highway's Division baseyard, the County's baseyard, the County landfill and the County transfer station. What I would urge is that in view of the fact that these are well established facilities, that the relocations are realistic, they're necessary for the continued use. It's impractical to relocate them. I would urge you to recommend that the change of zoning to the Land Use Commission and the County's appropriate zoning to recognize the, put these uses into the proper zoning so that all of the users are not faced with the undue burden of coming for public hearings and all the rest every time there's some improvement to be made. That's all.

CHAIRMAN: Thank you. Are there any questions of Mr. Schuster?

FUKE: Madam Chairman, I'd just like to react to Chas' comments. I think that's an excellent suggestion cause we were hard-pressed looking around for industrial zoned lands in the Waimea area. The only area designated for industrial uses right now is close to the Waimea Airport on the General Plan as well as the only existing industrial zoned lands are essentially right next to the Parker Ranch Shopping Center and recognizing the proximity of that area to the shopping center and the possible incompatibility of land uses, we were looking for alternative areas and you've provided us with one, I think, reasonable alternative.

SCHUSTER: Thank you. We think it would be realistic to recognize that the uses are there and that probably will continue to be there for a good many years.

CHAIRMAN: Thank you, are there any other questions of Mr. Schuster? Commissioner Martin?

MARTIN: With this in mind, how could we as a Commission propose that, this would have to be State change, wouldn't it? How could we do that?

FUKE: The first thing that would have to be done is that the General Plan would have to be amended and we are in the process of reviewing it so you'll see the packages and the appropriate thing would be to, if we don't make that inclusion to so reflect it in your deliberations.

CHAIRMAN: Thank you, any other questions? Any further comments, Mr. Schuster? We thank you.

SCHUSTER: Thank you.

CHAIRMAN: Thank you for your appearance and your patience. Is there anyone else here who wishes to make comments on this application?

If there's no further questions, the Chair would like to entertain a motion to close the public hearing.

MURAKAMI: Madam Chairman.

CHAIRMAN: Commissioner Murakami.

MURAKAMI: I move that the public hearing be closed.

CHAIRMAN: Is there a second?

PARIS: Madam Chairman, I second the motion.

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

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? Public hearing is closed. We will take action 15 days after closing of the public hearing.

Public hearing adjourned at 5:55 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura, Secretary

A T T E S T :

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

October 5, 1977

Mr. Edward Harada, Chief Engineer
Department of Public Works
County of Hawaii
Hilo, Hawaii 96720

Dear Mr. Harada:

Special Permit Application
Tax Map Key 6-6-01:56

The Planning Commission at its meeting of October 3, 1977, held a duly advertised public hearing on your application for a special permit to allow the construction of an equipment storage building within the State Land Use Agricultural District at Lalamilo, South 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.

Sincerely,

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

lgv

cc State Land Use Commission
Land Use Division, DPED

EXHIBIT O

OCT - 7 1977

October 6, 1977

Mr. Edward Harada, Chief Engineer
Department of Public Works
County of Hawaii
Hilo, Hawaii

Dear Mr. Harada:

Special Permit Application
Tax Map Key 6-6-01:56

Your application will again be discussed on October 27, 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 a.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
Land Use Division, DPED

EXHIBIT P

OCT - 7 1977

SPECIAL PERMIT: COUNTY OF HAWAII, DEPARTMENT OF PUBLIC WORKS

An application for a Special Permit to allow the establishment of an Equipment Storage Building within the State Land Use Agricultural District has been submitted by the County of Hawaii, Department of Public Works. The area under consideration is a 1.848-acre parcel which is the site of the Waimea Baseyard. It is located approximately 300 feet off the Kawaihae Road, approximately 1,200 feet east of the Kohala Mountain Road-Kawaihae Road junction in Lalamilo, South Kohala, (TMK: 6-6-01:50).

More specifically, the purpose of the request is to construct a metal, rigid frame building with dimensions of 60 feet by 168 feet, or an area of 10,080 square feet, which will house road maintenance equipment and vehicles. Presently, situated on the property is a gas pump and a storage and office building.

In support of the subject request, the petitioner has, in part, stated the following:

> "The proposed project consists of a metal 'rigid frame' building which will house road maintenance equipment and vehicles for our Waimea Road maintenance crew for work in the South Kohala area. This project will perpetuate an existing use since the vehicles are presently using the baseyard site. The project will allow the vehicles to be sheltered. The vehicles would then be protected from the elements and the mechanic that works on these vehicles will similarly be protected. Since the use will not change, we feel that it will not alter the character of the land nor affect surrounding property nor burden public agencies.

EXHIBIT Q

"The subject parcel is on State land. An executive order (E. O. No. 2360) was executed giving the County of Hawaii jurisdiction over this property for baseyard use.

"An environmental assessment has been written and routed for review.

"A historic preservation report was written and sent to Jane Silverman of DLNR. A reply has not yet been received but we feel that since the land is level and has been used as a parking area, there is nothing of historic significance at the site."

The subject property is designated for Low Density uses on the General Plan Land Use Pattern Allocation Guide Map. This designation may allow single family residential uses at a maximum density of 4 units per acre and ancillary community and public uses.

County zoning of the subject property is Unplanned (U).

Surrounding land uses include the County of Hawaii Kamuela Rubbish Dump directly adjacent to the subject property on the south, and a Hawaii Electric Light Co. substation approximately 280 feet north of the subject area. The area also includes open grazing lands.

The subject property basically consists of soils of the Waimea series which is a very fine sandy loam. Permeability is moderately rapid, runoff is slow and the erosion hazard is slight. The Land Study Bureau rating of these lands for overall agricultural productivity is "C" or fair.

Rainfall in the area is about 60 inches annually.

Electricity is available to the subject property.

Other cooperating agencies had no comments on the subject application.

RECOMMENDATION: COUNTY OF HAWAII DEPARTMENT OF PUBLIC WORKS

Although the County of Hawaii Department of Public Works has submitted an application only for the construction of an Equipment Storage Building on the subject property, upon review of the request in light of the present use of the lot, staff is recommending that favorable consideration be given for the establishment of a baseyard use on the subject site. Staff's reasons for a favorable recommendation are as follows:

1. That the granting of this particular request will not substantially alter or change the essential character of the land since a baseyard operation has been established on a non-conforming basis for many years. However, although the request filed is to allow the construction of an equipment storage building on the subject property, it is felt that the basic purpose of the request would be to legitimize the existing non-conforming uses. As stated earlier, the present County baseyard operation has been in existence for many years and prior to the adoption of the State Land Use Law and Regulations. Under the present non-conforming status, in order that improvements or expansion may be made on the property, a Special Permit must be secured. Rather than obtaining a Special Permit each time improvements, such as the equipment storage building, are contemplated, we are suggesting that the entire area of 1.8 acres be estab-

EXHIBIT B

lished under a Special Permit for a County baseyard operation. In doing so, improvements to the existing use can be made without applying for a Special Permit for each and every improvement. By granting a Special Permit, we are basically establishing the use of a particular property rather than the individual improvements or structures to go on the property.

2. That the proposed use shall 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 these lands are best suited in the interest of public health and welfare of the people of the State of Hawaii. For many years the subject property has been used as a baseyard. This baseyard for the County Waimea Road Maintenance crew has promoted the public welfare by allowing for greater efficiency in the provision of road maintenance services. It is thus determined that the proposed use, which will allow for increased efficiency of road maintenance operations, will be the one for which the land is best suited in the interest of promoting the public health and welfare of the people of the State of Hawaii.

Further, the granting of the Special Permit will not militate against the County General Plan or be contrary to the purpose and intent of the County's Zoning Code. The Public Facilities

element of the General Plan calls for the provision of such facilities to adequately service community needs and to continue to seek ways of improving public service through better and more functional facilities which are in keeping with the environmental and aesthetic concerns of the community. In addition, the County Zoning Code allows public service uses within its agriculturally zoned districts provided that the uses conform to the County General Plan.

3. That the proposed use will not adversely affect the surrounding properties and land uses. The surrounding area is in grazing and public utility/facility uses. Specifically, in addition to open pasture land there is an existing Hawaii Electric Light Company Substation, the State Department of Transportation Baseyard, and the County of Hawaii Kamuela Rubbish Dump adjacent to the subject site. It is therefore determined that the proposed use at its particular location will, in fact, complement the surrounding land uses, and also would not have an adverse impact on the overall agricultural activity for the area.

4. That all essential utilities and facilities are available to the area for the requested use. As such, the granting of this request for the purpose of establishing a County base-yard operation at this particular location will not unreasonably burden other governmental agencies to provide additional infrastructures.

It is further recommended that the Special Permit be approved subject to the following conditions:

1. That construction of the Equipment Storage Building and related improvements commence within two (2) years from the effective date of approval of the Special Permit and be completed within two (2) years thereafter.
2. That prior to construction of other future improvements on the subject property, the petitioner or its authorized representative shall submit such plans to the County Planning Department for review and approval.
3. 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.

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date October 27, 1977

Petitioner COUNTY, DEPT. OF PUBLIC WORKS - Special Permit

_____Preliminary hearing _____Public hearing _____Request

ACTION: ✓ Approve

_____Deny

_____Defer

_____Continue

_____Schedule for public hearing

Other: _____

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

EXHIBIT T

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
October 27, 1977

The Planning Commission met in regular sessions at 10:00 a.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Lorraine R. Jitchaku presiding.

PRESENT: Lorraine R. Jitchaku
William F. Mielcke
Scott Asai
Shigeru Fujimoto (Left at 3:00 p.m.)
J. Walsh Hanley (Left at 3:00 p.m.)
Arthur Martin
Haruo Murakami
William J. Paris, Jr.
Charles H. Sakamoto

Sidney M. Fuke, Planning Director (Left at 4:15 p.m.)
Duane Kanuha, Deputy Planning Director (From 4:15 p.m.)
Norman Hayashi, Planner
Virginia Goldstein, Planner
Keith Kato, Planner
Gerald Hay, Planner (Left at 4:30 p.m.)

Galen Kuba, representing Ex-officio Member, Edward Harada
Quirino Antonio, representing Ex-officio Member, Akira Fujimoto (Left at 4:30 p.m.)

and about 4 people at 10:00 a.m., about 4 people at 1:00 p.m., about 4 people at 3:00 p.m. and about 9 people at 7:00 p.m.

MINUTES: It was moved by Commissioner Murakami and seconded by Commissioner Paris that the minutes of October 3, 1977, be approved as circulated; motion unanimously carried.

All those testifying were duly sworn in.

VARIANCE
VICTORIA SILVA
KALOPA HOMESTEADS,
HAMAKUA

Application of Victoria Silva for a variance to allow the creation of two (2) 4.38-acre lots in lieu of the minimum building site area requirement of five (5) acres as stipulated within the Agricultural 5-acre (A-5a) zoned district. The property involved is located along the east side of the Kalopa Upper Road, approximatel, 1,500 feet mauka of the old Government Main Road, Kalopa Homesteads, Hamakua, TMK: 4-4-08:46.

EXHIBIT U

Staff presented recommendation to deny on file.

Staff reported that the zoning of the area is Unplanned.

This being an action meeting, it was moved by Commissioner Paris and seconded by Commissioner Murakami that the request for a Special Permit be denied. A roll call vote was taken and motion carried with nine ayes.

SPECIAL PERMIT
COUNTY OF HAWAII
DEPT. OF PUBLIC WORKS
LALAMILO, SOUTH KOHALA

Application of the County of Hawaii Department of Public Works for a Special Permit to allow the construction of an equipment storage building within the State Land Use Agricultural District. The property involved is the site of the Waimea Baseyard which is located approximately 400 feet south of the Helco substation and about 2,000 feet Waimea side of the junction of the Kohala Mountain Road and the Waimea-Kawaihae Road, Lalamilo, South Kohala, TMK: 6-6-01:56.

Staff presented recommendation on file.

Commissioner Murakami complimented the staff for including the entire area and use within the petition. Staff reported this was not done before the public hearing and changes could be made without having another public hearing as the analysis and background was based on use rather than specifically the structures.

This being an action meeting, it was moved by Commissioner Murakami and seconded by Commissioner Sakamoto that the Commissioner send a favorable recommendation to the State Land Use Commission on this application with the recommendations as outlined by the staff. A roll call vote was taken and motion carried with nine ayes.

PLANNED DEVELOPMENT PERMIT
HOLUALOA BAY INVESTMENT
HOLUALOA 3RD, NORTH KONA

Application of Holualoa Bay Investment for a Planned Development Permit (PDP) to allow the construction of a 12-unit condominium. The property involved is located along the mauka side of Ali'i Drive, approximately 470 feet Keauhou side of the Royal Kahili condominium project, Holualoa 3rd, North Kona, TMK: 7-7-04:53.

Staff presented background information and recommendation on file.

There was no representative or the applicant present and staff reported that the applicant was not aware of the conditions. The Water Department reported that the contract for the Kahaluu project has been awarded to construct 2,000,000 gallon reservoirs and connection of the pipelines. They could safely say it may be finished within a year or so.

It was moved by Commissioner Paris and seconded by Commissioner Asai to approve the application with the conditions stipulated by the staff. A roll call vote was taken and motion carried with nine ayes.

LUC MARS

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

LAND USE DISTRICT BOUNDARIES

DISTRICT MAP	STATE OF HAWAII	DISTRICTS
H-14	LAND USE COMMISSION DEPT. OF PLANNING & ECONOMIC DEVELOPMENT EFFECTIVE DATE: DEC 24 1974	U = URBAN R = RURAL A = AGRICULTURAL C = CONSERVATION

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

KAWAIHAE QUADRANGLE
HAWAII—ISLAND AND COUNTY OF HAWAII
7.5 MINUTE SERIES (TOPOGRAPHIC)
SE ◂ KOHALA 15' QUADRANGLE

KOHALA / 62 500

155°52'30" 20°07'30" 50 000m E 47'30" 410 000 FEET

KAWAIHAE

KAWAIHAE-WAIMEA ROAD

KOHALA-WAIMEA ROAD

QUEEN KAAHUMANU HIGHWAY

MAUNA KEA BEACH HOTEL

Kapoe Point · Kapoe · Kamilo · Kaiopae Point · Honokoa · Puu Kamalii · Puu Kanane · Kaiwi Point · Kawaihae · Ohaiula Beach · Wahiawa Beach · Wahiawa · Kukui Point · Kahakaa Beach · Mauumae Beach · Kaanapali Pt · Waikanaloa PO · Kaana Point · Maumaka Beach · Makahuena · Kaiholena · Kaiholena Pt · Kaiholena Beach · Kaiholena Fishpond · Kaiholena Pond · Kaiholena Pond · Kaiholena P

COUNTY OF HAWAII

DEPT. OF PUBLIC WORKS

SPECIAL PERMIT

EXHIBIT 5

To Kawaihae

TO KAWAIHAE

To Hawi

TO KOHALA

KOHALA MOUNTAIN RD.

KAWAIHAE RD.

A-40a

A-40a

Hawaii Preparatory Academy

RS-10

Helco Substation

A-1a

A-1a

RS-10

KAWAIHAE ROAD

V-1.25

A-1a

LALAMILO HOUSE LOTS SUBDIVISION

KEANUIOMANO STREAM

Unplanned

WAIKOLOA STREAM

RS-7.5

A-1a

A-5a

Unplanned

L A L A M I L O

A-5a

F A R M L O T S

W A I M E A H O M E S T E A D S

WAIMEA PARK

WAIMEA SCHOOL

PARKER RANCH RACE TRACK

A I R P O R T

MAMALAHOA HIGHWAY

To Kailua

To Honokaa

TRUE NORTH
Scale: 1"=500'

6 - 6 - 01

KAWAIHAE

SECTION 2

PLAT 05

KAWAIHAE-WAIMEA ROAD

KAWAIHAE ROAD (MANUKONA ROAD)

KOHALA-WAIMEA ROAD

MAMALAHOA HIGHWAY

QUEEN KAAHUMANU HIGHWAY

INSET B
Scale: 1" = 400'

INSET "C"
Scale: 1 in. = 200 ft.

(INSET "C" DROPPED & TRANSFERRED)

KAUNAOA BAY

MAUNAKEA BEACH

MAKEHUA

KAHAPAPA

KEANUIOMANO STREAM

WAIKOLOA STREAM

KAUNAOA PT.

KAHAPAPA PT.

MAUNAKEA HOTEL SITE

KAHAU PT.

PUU KOHOLA HEIAU

PAVILION

PUU KAPUKAPU

PUU KAHUA

PUU ANAKO

PUU KAPAE

PUU POCHOLUA

PUU POHAKAU

PUU KAPOAKEA

PUU PALINUI

PUU PUANANUI

PUU LIULIU

PUU HULEHULU

PUU KUNIALKEAU

PUU PILI

R.P. 2237 L.C.Aw. 8518-B to Kanehoa

R.P. 5671, L.C.Aw. 8521-B to Hueu

8098.891 Acs.
(8040.559 Acs.)
(Palekoki Ranch, Inc.) Le.
Par. G. L. 5-3886

State of Hawaii
40.00 Acs. (pl.)

State of Hawaii
(County of Hawaii)
BASEYARD, SITE
Exec. Ord. 2360

State of Hawaii
(County of Hawaii)
RUBBISH DUMP SITE
Exec. Ord. 2000

State of Hawaii
(County of Hawaii)
RUBBISH DUMP SITE
Exec. Ord. 2000

State of Hawaii
(Dept. of Public Works)
Corporation
Exec. Ord. No. 1777

Hawaii Electric Light Co. Inc.
(Gr. 3444)
2.0 Acs.

DOT BASEYARD
2.4 Acs.

HELCO SUBSTATION

State of Hawaii
(Req. Maltese)
Ker. Permit S-6812

17.60 Acs. (pl.)

COUNTY RUBBISH DUMP

Proposed Addl. Landfill Site

Proposed Addl. Landfill Site

Kawaihae Stream

Waiaka Stream

Waiaka Stream

Waiaka