

SPECIAL PERMIT
MAR 13 1978
Petition Received _____
Maps 4/7/78 DMG
Action Span 3/13/78 - 4/27/78
Action Date _____
Recordation 5/25/78 DMG

May 30, 1978

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

Dear Mr. Fuke:

Subject: SP78-295 - Powers Apiaries, Inc.

In reference to our letter to you dated April 17, 1978, enclosed is a copy of the Decision and Order on SP78-295 for your information and records.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: Powers Apiaries, Inc.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

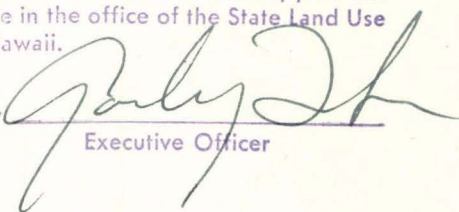
In the Matter of the Petition)	
for Special Permit of Powers)	SP78-295
Apiaries, Inc.)	POWERS APIARIES, INC.
_____)	

This is to certify that this is a true and correct copy of the
Decision and Order on file in the office of the State Land Use
Commission, Honolulu, Hawaii.

5/30/78

Date

by



Executive Officer

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the	)	
Petition for Special	)	SP78-295
Permit of Powers	)	POWERS APIARIES
Apiaries, Inc.	)	
_____	)	

The Land Use Commission of the State of Hawaii
having duly considered the entire record in this matter,
makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The Petition for Special Permit was filed by Powers Apiaries, Inc., to allow the operation of a honey storage and processing facility and queenery on approximately 5.6 acres of land situated within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-8: portions of parcels 22 and 55.

2. The subject property is located along the Napoopoo Road adjacent to the Kona Farmer's Coffee Mill.

3. The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the area as Orchard. The property is presently zoned Unplanned (U).

4. The Land Study Bureau's Overall Master Productivity Soil Rating for Agricultural use is Class "E" or Very Poor for the subject property. The subject land is also classified as "Other Important Agricultural Land," under the classification system recently adopted by the State Board of Agriculture.

5. The uses of land surrounding the subject property include scattered single family dwellings, coffee farms, and other agricultural uses. Much of the surrounding land area is unused.

6. The subject property is situated within the Kealahou Bay Archaeological and Historic District which is on the Hawaii Register of Historic Places. An archaeological reconnaissance survey conducted on the property revealed the presence of irregular stone walls, three to four feet high lacking internal division walls. No other archaeological features were observed, and the survey indicated that no further study of the findings was warranted.

7. The Kahauloa flood channel crosses the southwestern corner of the subject property and a berm has been raised along the channel to protect nearby homes and the neighboring coffee mill.

8. The Petitioner anticipates that his proposed development can be the processing site for approximately 4,000 honey producing hives on the Island of Hawaii. The Petitioner also states that there is no known negative impact on surrounding vegetation due to the presence of bee hives. The hives should have a very beneficial impact on production due to increased pollenization. The Petitioner has stated that honey bee operations cannot be expanded any further without the proposed facilities and a separate processing, storage, and queenery operation cannot be maintained economically.

9. Since the subject property lies within the County of Hawaii's Special Management Area (SMA), the Petitioner requested and was granted an SMA Use Permit for the proposed facilities on November 16, 1977.

10. The State Department of Agriculture has stated that the growth potential of the bee industry should be encouraged because of the increasing demand for Hawaiian queen bees and because of the possibility of year-round production in Hawaii.

11. The Hawaii County Department of Public Works has stated that the proposed Coffee Mill Floodwater diversion may affect the subject parcel.

12. The Department of Water Supply has stated that "there is only a limited amount of water presently available until such time as the Kahalu'u Shaft Projects are completed."

13. The Hawaii Electric Light Company, Inc., the County Police Department, Department of Research and Development, and Department of Health had no objections to the proposed use.

CONCLUSIONS OF LAW

1. "Unusual and reasonable" uses other than those which are permitted in an agricultural district may be permitted by special permit pursuant to HRS Chapter 205-6, and the State Land Use Commission District Regulation, Part V.

2. The approval of the subject request would be consistent with the State Land Use Law and Regulations. The intent of these statutory provisions is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of Hawaii. The purpose of the subject request is to allow the establishment of facilities for the processing of honey. Also requested is the establishment of a queenery, which is for the breeding

of queen bees. Without the availability of processing and storage facilities, an essential link in the distribution of these products would be lacking. In addition, the breeding of queen bees is one aspect of bee-raising which is supportive of the overall activity. The proposed uses would thus be directly consistent with the purposes of the State Land Use Agricultural District. The proposed use would also support other agricultural activities because the growth of beekeeping would be beneficial to crops requiring pollenization.

Furthermore, the area under consideration has soils with low productivity ratings for conventional agriculture. The area, however, is optimal for the proposed use in terms of wind conditions. By establishing the use on the subject property, lands with higher productivity ratings can be reserved for agricultural activities requiring certain soil-related conditions.

3. The proposed uses will further the State and the County's policies of encouraging and supporting agricultural activities, inasmuch as support facilities for a growing agricultural use will be provided. Approval of the subject request will also directly implement the Hawaii County General Plan. The General Plan Economic Element explicitly states that Hawaii County shall assist the expansion of the agricultural industry, especially diversified agriculture. The General Plan Economic Element also calls for the diversification of Hawaii County's economy. The establishment of the proposed facilities and its use as a growing diversified agricultural endeavor is in keeping with these General Plan policies.

4. Although there will be some alteration in the existing character of the land, such alteration will

not have substantially adverse effects on surrounding properties or the general character of the area. The proposed use will not entail the construction of large-scale facilities. A large portion of the subject property will remain open in character. In addition, the general area is either vacant or in agricultural use, with scattered single-family dwellings. The proposed use is not expected to generate excessive traffic, noise, or other effects of a noxious nature.

5. The proposed use will not unreasonably burden public agencies to provide additional services and facilities. All essential services and facilities are or can be made available to the subject site. Although a limited quantity of water is currently available for the Kona region, this will be eventually rectified with the completion of the Kahalu'u Shaft project.

6. The use described in the petition is an unusual and reasonable use pursuant to HRS Chapter 205-6 and State Land Use Commission District Regulation, Part V.

DECISION AND ORDER

IT IS HEREBY ORDERED:

That Special Permit Number 78-295, for the operation of a honey storage and processing facility on approximately 5.6 acres of land situated within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-8: portions of parcels 22 and 55, be approved subject to the following conditions:

1. That construction of the proposed structures shall commence within one (1) year of the effective date of approval of the Special Permit and shall be completed within two (2) years thereafter. The petitioner or its

authorized representative shall receive final plan approval prior to establishment of the proposed use.

2. That the conditions of approval of Special Management Area (SMA) Use Permit No. 44 shall be complied with.

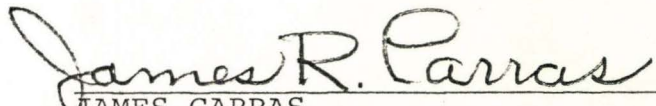
3. That all other applicable rules and regulations, including the requirements of the Departments of Water Supply, Public Works and Health, shall be complied with.

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

DATED: Honolulu, Hawaii, May 25, 1978



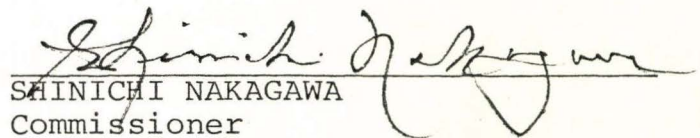
C. W. DUKE
Vice Chairman and Commissioner



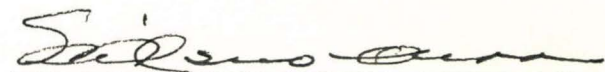
JAMES CARRAS
Commissioner



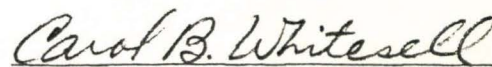
SHINSEI MIYASATO
Commissioner



SHINICHI NAKAGAWA
Commissioner



MITSUO OURA
Commissioner



CAROL WHITESELL
Commissioner

No. 570143

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO				
Sidney Fuke				
STREET AND NO.				
25 Aupuni Street				
P.O., STATE AND ZIP CODE				
Hilo, Hawaii 96720				
POSTAGE			\$ 41	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		100 ¢
		SPECIAL DELIVERY		¢
	RESTRICTED DELIVERY		¢	
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		25 ¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES			\$ 126	
POSTMARK OR DATE				

PS Form 3800, Apr. 1976



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space, on reverse.

1. The following service is requested (check one).

☒ Show to whom and date delivered. \$ _____

☐ Show to whom, date, and address of delivery. \$ _____

☐ RESTRICTED DELIVERY

Show to whom and date delivered. \$ _____

☐ RESTRICTED DELIVERY.

Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Sidney Fuhe

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

570143

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

4.

DATE OF DELIVERY

MAY 31 1978

POSTMARK

MAY 31 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

SP78-295. Powers Appearis, Inc.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

No. 570144

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO					
Dennis Haserot					
STREET AND NO.					
P. O. Box 1960					
P.O., STATE AND ZIP CODE					
Kailua-Kona, HI 96740					
POSTAGE			\$ 41		
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		600	¢
		SPECIAL DELIVERY			¢
	RESTRICTED DELIVERY			¢	
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		25	¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY			¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY			¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY			¢
	TOTAL POSTAGE AND FEES			\$ 1.26	
POSTMARK OR DATE					



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

● **SENDER:** Complete items 1, 2, and 3.

Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

☒ Show to whom and date delivered. ¢

☐ Show to whom, date, and address of delivery. ¢

☐ **RESTRICTED DELIVERY**

Show to whom and date delivered. ¢

☐ **RESTRICTED DELIVERY.**

Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**

Dennis Haserot

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

570144

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE



Addressee



Authorized agent

4.

DATE OF DELIVERY

6/3/78

POSTMARK

*KAILUA-KONA
JUN 3 1978
HI*

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

CLERK'S
INITIALS

715

SP78-295 - Power Appliance, Inc.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition)	
for Special Permit of Powers)	SP78-295
Apiaries, Inc.)	POWERS APIARIES, INC.
_____)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use
Commission's Decision and Order was served upon the following
by certified mail:

SIDNEY FUKU, Planning Director
Hawaii Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

DENNIS HASEROT
Powers Apiaries, Inc.
P. O. Box 1960
Kailua-Kona, Hawaii 96740

Dated: Honolulu, Hawaii, this 30th day of May, 1978.



GORDAN Y. FURUTANI
Executive Officer
Land Use Commission

April 17, 1978

HAWAII PLANNING COMMISSION

25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on April 13, 1978, the Land Use Commission voted to approve a Special Permit request by Powers Apiaries, Inc., Hawaii (SP78-295) to allow the operation of a honey storage and processing facility and a queenery on approximately 5.6 acres of land situated within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-8: portions of parcels 22 and 55. Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP78-295 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: Powers Apiaries, Inc.

April 17, 1978

Mr. Dennis Haserot
Powers Apiaries, Inc.
P. O. Box 1960
Kailua-Kona, Hawaii 96740

Dear Mr. Haserot:

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

A copy of the staff memorandum is herewith enclosed for your information and the Land Use Commission's Decision and Order on SP78-295 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

April 17, 1978

Department of Planning & Economic Development
250 South King Street
Honolulu, Hawaii 96813

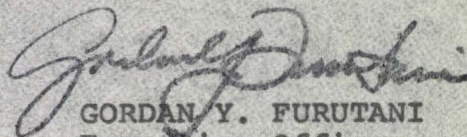
Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on April 13, 1978, the Land Use Commission voted to approve a Special Permit request by Powers Apiaries, Inc., Hawaii (SP78-295) to allow the operation of a honey storage and processing facility and a queenery on approximately 5.6 acres of land situated within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-8: portions of parcels 22 and 55. Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission.

Please note that a copy of the Land Use Commission's Decision and Order on this matter is on file at the Commission's office.

Sincerely,

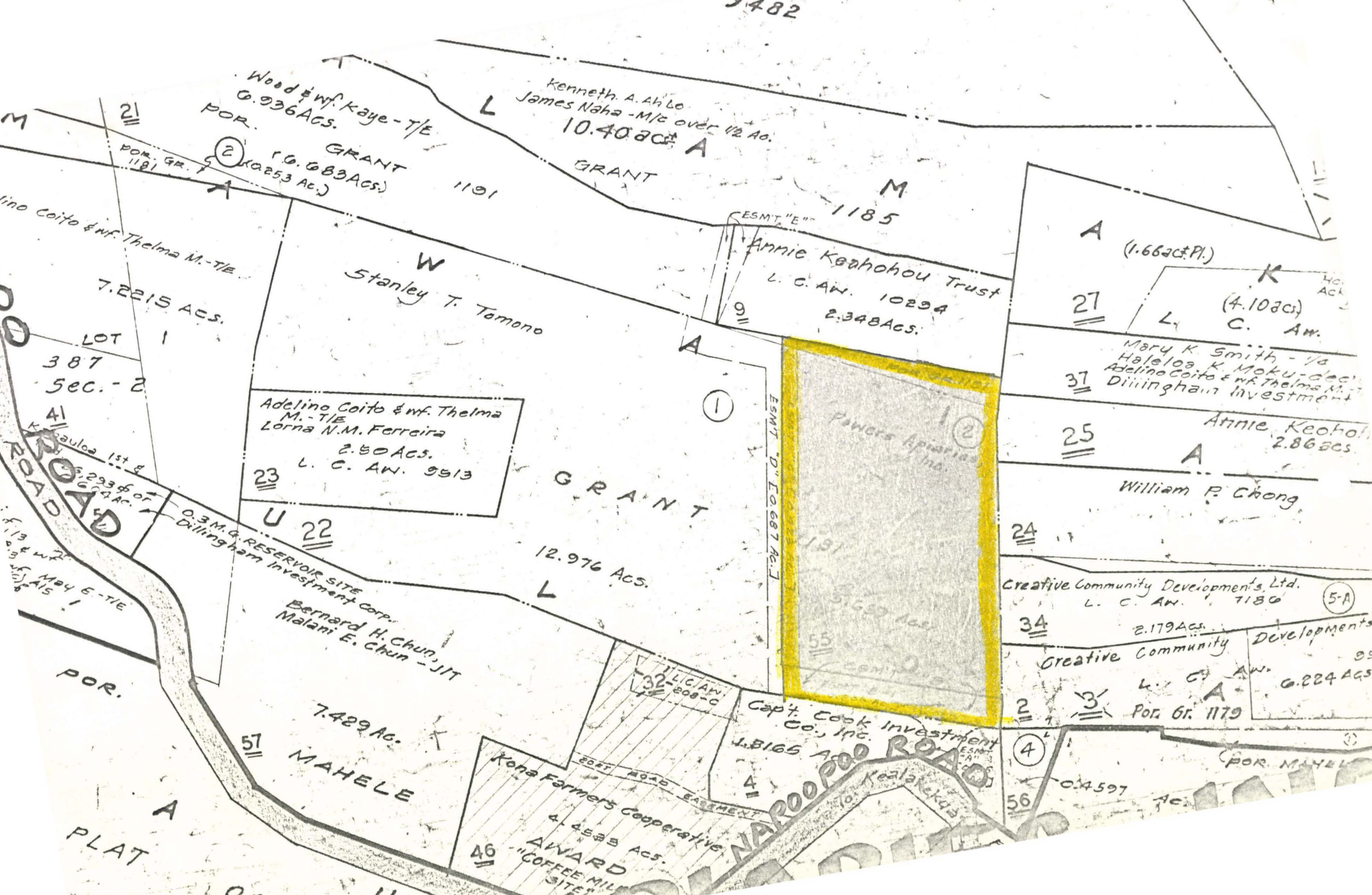


GORDAN Y. FURUTANI
Executive Officer

GYF:jy

Encl.

cc: Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Office of Environmental Quality Control
Division of Land Management, DLNR



STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322 (C)
New State Building
Honolulu, Hawaii

Approved
JUL 18 1978

April 13, 1978 - 10:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Acting Chairman
James Carras
Shinsei Miyasato
Shinichi Nakagawa
Carol Whitesell
Mitsuo Oura
George Pascua

COMMISSIONERS ABSENT: Edward Yanai
Colette Machado

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

Ray Russell, Court Reporter

Benjamin Matsubara, Consultant

SP78-293 - MR. & MRS. BENJAMIN ARANIO
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A CARE HOME AT
OMAO, KOLOA, KAUAI

Mr. Daniel Yasui, staff planner, pointed out the location of the subject parcel on the maps and oriented it with various surrounding landmarks. A resume of the staff report, including the conditions imposed by the Kauai Planning Commission, was also presented.

Concern was expressed regarding the conflicting comments from the County Water Department which stated that existing water storage and sources were adequate; yet recommended that the applicant be informed of the sub-standard fire flow condition in this area. However, it was noted that the Fire Department did state that the existing minor discrepancies will be corrected prior to issuance of an occupancy permit. It was also brought out that the building had already been built within the time limitation imposed by the loan, and the building had fulfilled all the safety and health requirements.

Commissioner Nakagawa moved that the Special Permit be approved, subject to the conditions imposed by the Kauai County Planning Commission. The motion was seconded by Commissioner Oura and unanimously carried.

SP78-294 - REV. LINDSAY HOWAN/DORIS TODD MEMORIAL SCHOOL
SPECIAL PERMIT TO ALLOW THE EXPANSION OF THE EXISTING SCHOOL
AT PAIA, MAUI

Mr. Yasui gave a brief description of the property and the proposed use being requested by the petitioner.

Chairman Duke suggested adding a condition that the Special Permit will be automatically revoked upon termination of the lease agreement.

Commissioner Nakagawa moved to approve the Special Permit, subject to the conditions imposed by the Maui County Planning Commission and the additional condition imposed by the Land Use Commission. Commissioner Miyasato seconded the motion and it was unanimously passed.

✓ SP78-295 - POWERS APIARIES, INC.
SPECIAL PERMIT TO ALLOW THE OPERATION OF A HONEY STORAGE AND
PROCESSING FACILITY AT KAHALOA IKI, SOUTH KONA, HAWAII

The Executive Officer pointed out the location of the subject property on the maps and reviewed the pertinent facts contained in the staff report.

In response to questions posed by the Commissioners, Mr. Allen Luce, representing the petitioner, offered information regarding the effect the proposed Coffee Mill Floodwater diversion may have on the subject property; the present ingress and egress into the property. He also reported on the relatively harmless nature of the bees, the propagation process and the general habits of the bees.

Commissioner Oura moved to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission, which was seconded by Commissioner Whitesell.

Chairman Duke felt that the County's condition No. 1 stating that "construction of the proposed structures shall commence within one year of the effective date of approval of Special Permit" be modified inasmuch as some of the structures have already been completed.

Commissioner Whitesell suggested that since no one really objected to the proposed use, perhaps this could be handled by requesting that, in the future, the County's conditions more accurately reflect the actual situation.

The Chairman called on the Executive Officer to poll the Commissioners and the motion was unanimously carried.

SP78-296 - CHRISTIAN BROADCASTING ASSOCIATION
SPECIAL PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A
RADIO TRANSMISSION FACILITY AT KALUAKOI, MOLOKAI

Mr. Yasui apprised the Commission of the pertinent data relative to the proposed use.

Mr. H. W. Wong, President of the Christian Broadcasting Association, responded to questions raised by the Commissioners regarding the need for the 30 acres for the proposed facility; the underground wiring; the height of the towers, etc.

Commissioner Carras felt strongly that a condition should be added to ensure that the balance of the area not needed for the construction of the radio transmission facility will remain in agriculture. He was concerned that the area could conceivably turn into an industrial park.

It was pointed out that the County's condition No. 1 stating "that the Special Permit be valid for a radio transmission facility and related improvements only" would automatically preclude any other use.

The Commission discussed the advisability of amending the County's condition No. 1 to clarify the time period. Mr. Kawada, Deputy Attorney General, suggested that it be amended as follows: "That the Special Permit be valid for construction and operation for a radio transmission facility and related improvements only, and be granted for a period of three (3) years commencing upon approval of the Special Permit by the Land Use Commission; and subject to extension upon favorable review by the Planning Commission and State Land Use Commission."

Commissioner Carras moved that the Special Permit be approved, subject to the conditions imposed by the Maui Planning Commission, and as amended by the Land Use Commission. Commissioner Oura seconded the motion and it was unanimously carried.

The Commission recessed at 12:04 p.m. and reconvened at 1:30 p.m.

1:30 p.m.

ADOPTION OF MINUTES

Upon motion by Commissioner Nakagawa, seconded by Commissioner Miyasato, the minutes of December 2, 1977, December 9, 1977, and January 9, 1978 were approved as circulated.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP78-295
Powers Apiaries, Inc. DATE April 13, 1978
Conf. Rm. 322 (C), New State Bldg.
PLACE Honolulu, Hawaii TIME 10:00 a.m.

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

Comments:

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

STATE OF HAWAII
Land Use Commission

MEMORANDUM

TO: Land Use Commission DATE: April 13, 1978
FROM: Staff
SUBJECT: SP78-295 - Powers Apiaries, Inc.

The petitioner, Powers Apiaries, Inc., is requesting a Special Permit to allow the operation of a honey storage and processing facility and a queenery on approximately 5.6 acres of land situated within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-8: portions of parcels 22 and 55. The subject property is located along the Napoopoo Road adjacent to the Kona Farmer's coffee mill (see attached County Exhibit L-1).

A Special Permit is required for the proposed honey processing facility since honey from off of the subject property will be processed at the site.

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

"POWERS APIARIES...proposes to construct a honey storage and processing facility and operate a queenery on the subject property. The proposed use would require the construction of two buildings, one approximately 80' X 120' for the processing, extraction and storage of honey and a second building approximately 60' X 50' to be used as a workshop and garage. The location of the workshop will be determined at a latter date. In addition to the buildings, a queen breeder yard will be placed on the property where they can be closely supervised.

"The parcel is described as vacant land...located adjacent to the Kona Coffee Mill at Napoopoo at approximately the 425' elevation.

"There are five older residences on the adjacent parcel.. and the Kona Coffee Mill buildings are approximately 400' distant to the South. The land is dry, rocky, brush land which has been used in the past for coffee and for cattle graising (sic). The land has been unused

during the last several years.

"The existing undergrowth will be cleared away in preparation for the construction of buildings and for ease of placing hives on the property. Some grading will be necessary to prepare the site for the construction of buildings and for driveways within the property...

"The proposed action will create twelve jobs on the site as well as other jobs offsite as the honey business is expanded in North and South Kona.

"A major reason for choosing the subject site is its suitability for use as a queenery. Queen bees are to be raised on site and exported to the Mainland. It is estimated that income from the sale of queen bees alone will exceed \$300,000 per year in three years.

"The proposed development will be the processing site for approximately 4000 honey producing hives on the Island of Hawaii. These hives, when placed in the proximity of orchards, can be expected to have a very beneficial impact on production due to increased pollenization. Crops which require pollenization and which will benefit from the hives are macadamia, guava, avocado, citrus, coffee, passion fruit, lychee, coconut, cucumbers and melons. There is no known negative impact on vegetation due to the placement of bee hives. A breeding program has been initiated to select only breeders whose progeny are not only productive but must be gentle as well.

"Powers Apiaries has spent approximately the last two years looking for a suitable site to combine processing facilities along with a queenery. Processing facilities are required in a location geographically central to the location of the majority of their hives. Great emphasis was placed on the search for a location which had negligible winds year round so that as few as possible of the queen bees would be lost during mating.

"The subject property was the only property which fit the two aforementioned criteria and which was available at an economically feasible price.

"The applicant cannot expand honey operations any further without the proposed facilities, and cannot justify, on an economical basis, the maintaining of a separate processing storage and queenery operation. The applicant has been in the process of expanding its honey producing and processing business for the past five years on this

island. A large portion of the hives now in use are in the South Kona area and it is most important to have storage and processing facilities nearby.

"More important to the applicant is a location for a queenery where winds are negligible on a year round basis. Queen bees must mate in the air and return to their hives and are often lost in windy conditions. The central Kona area is known for its lack of winds due to the steep terrain and the protection afforded by all three of Hawaii's mountains, and the site is well situated for servicing the many honeyproducing hives now in the Kona area."

The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the area as Orchard. The property is presently zoned Unplanned (U).

The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "E" or Very Poor for the subject property. The subject site is also classified as "Other Important Agricultural Land" under the classification system recently adopted by the State Board of Agriculture. Lands in this classification are important to agriculture in Hawaii yet they exhibit characteristics, such as seasonal wetness, erodability, slope flooding, or drought that exclude them from the prime or unique agricultural land classifications.

Surrounding land uses include scattered single family dwellings, coffee farms, and other agricultural uses. Much of the surrounding land area is unused.

The subject area is situated within the Kealahou Bay Archaeological and Historic District which is on the Hawaii Register of Historic Places. An archaeological reconnaissance survey of the property has been conducted. The survey report stated, in part, the following:

"Virtually the entire area of this 5.6-acre parcel is rough, old a'a lava, almost completely lacking in soil or areas suitable for cultivation. It is now thickly overgrown with koa haole. The Kahauloa flood channel crosses the southwestern corner of the lot, but the soil brought down by it has been deposited mostly on the adjoining parcels to the south and west. A berm four to five feet high has been raised along the south side of the channel to keep water from nearby houses and the coffee mill...

"Irregular stone walls, three to four feet high, coincide roughly with the north and south boundaries, and follow closely the eastern boundary. There are no

internal division walls. Several Land Commission Awards adjoin the parcel, indicating a history of cultivation in the area.

"No other archaeological features were observed... and features recorded herein do not, in my opinion, warrant further study."

Since the subject property lies within the County of Hawaii's Special Management Area (SMA), the petitioner requested, and was granted a SMA Use Permit for the proposed facilities on November 16, 1977. For the Commission's information, the SMA Use Permit has been attached.

Pertinent comments from governmental agencies:

1. Department of Public Works

The County Department of Public Works noted that:

"The proposed Coffee Mill Floodwater diversion may affect this parcel."

2. Department of Agriculture

"The Department of Agriculture has no comments to offer except to note that the growth potential for the beekeeping industry, particularly rearing of queens for export, is promising and should be encouraged. There is an increasing demand for Hawaiian queens for early start of new colonies on the mainland. Hawaii has a distinct advantage in year-round queen bee production, and in addition, it appears that Hawaiian bees are resistant to fowlbrood diseases."

3. Department of Health

The State Department of Health noted the following:

"Reference public health regulation for the food establishment requirements is Chapter 1-A, Food Service and Food Establishment Sanitation Code. If mechanical ventilation is to be utilized, please refer to Chapter 28, Air Conditioning and Ventilation."

4. Department of Water Supply

The Department of Water Supply noted that:

"...there is only a limited amount of water presently available until such time that our Kahaluu Shaft

Projects are completed".

Other cooperating agencies, including the Hawaii Electric Light Company, Inc., Police Department, and Department of Research and Development had no objections to the subject permit request.

At the public hearing held by the Hawaii County Planning Commission on January 31, 1978, a representative of the petitioner spoke in support of the request. No other persons testified in support or in opposition to the Special Permit. For the Commission's information, the January 31, 1978, hearing transcript has been attached (County Exhibit P).

On February 23, 1978, the Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission based upon the following findings:

- "1. That approval of the subject request would be consistent with the State Land Use Law and Regulations. The intent of these statutory provisions is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of Hawaii. The purpose of the subject request is to allow the establishment of facilities for the processing of honey. Also requested is the related establishment of a queenery, which is for the breeding of queen bees. The keeping of bees and the collecting of honey is a growing agricultural activity on the island of Hawaii. The proposed activities and facilities are integral components of these endeavors. Without processing and storage facilities, an essential link in the distribution of products would be lacking. In addition, the breeding of queens is one aspect of bee-raising which is supportive of the overall activity. The proposed uses would thus be directly consistent with the purpose of the State Land Use Agricultural District. The proposed use would also support other agricultural activities in that the growth of beekeeping would be beneficial to crops requiring pollenization.

It should also be pointed out that the area under consideration has soils with low productivity ratings for traditional agriculture. The area, however, is optimal for the proposed use in terms of wind conditions. By establishing the use on

the subject property, lands with higher productivity ratings can be reserved for agricultural activities requiring certain soil-related conditions.

- "2. That the proposed uses will further the State and the County's policies of encouraging and supporting agricultural activities, inasmuch as support facilities for a growing agricultural use will be provided. Approval of the subject request will also directly implement the County General Plan. The General Plan Economic Element explicitly states that the County shall assist the expansion of the agricultural industry, especially diversified agriculture. The Economic Element also calls for the diversification of the County's economy. The establishment of the proposed facilities and use for a growing diversified agricultural endeavor is in keeping with these General Plan policies.
- "3. That although there will be some alteration in the existing character of the land, such alteration will not have substantially adverse effects on surrounding properties or the general character of the area. The proposed use will not entail the construction of large-scale facilities. A large portion of the subject property will remain open in character. In addition, the general area is either vacant or in agricultural use, with scattered single-family dwellings. The proposed use is not expected to generate excessive traffic, noise, or other effects of a noxious nature.
- "4. That the proposed use will not unreasonably burden public agencies to provide additional services and facilities. All essential services and facilities are or can be made available to the subject site. Although a limited quantity of water is currently available for the Kona region, this will be eventually rectified with the completion of the Kahalu'u Shaft project."

For the Commission's information, the minutes of February 23, 1978 have been attached (County Exhibit W).

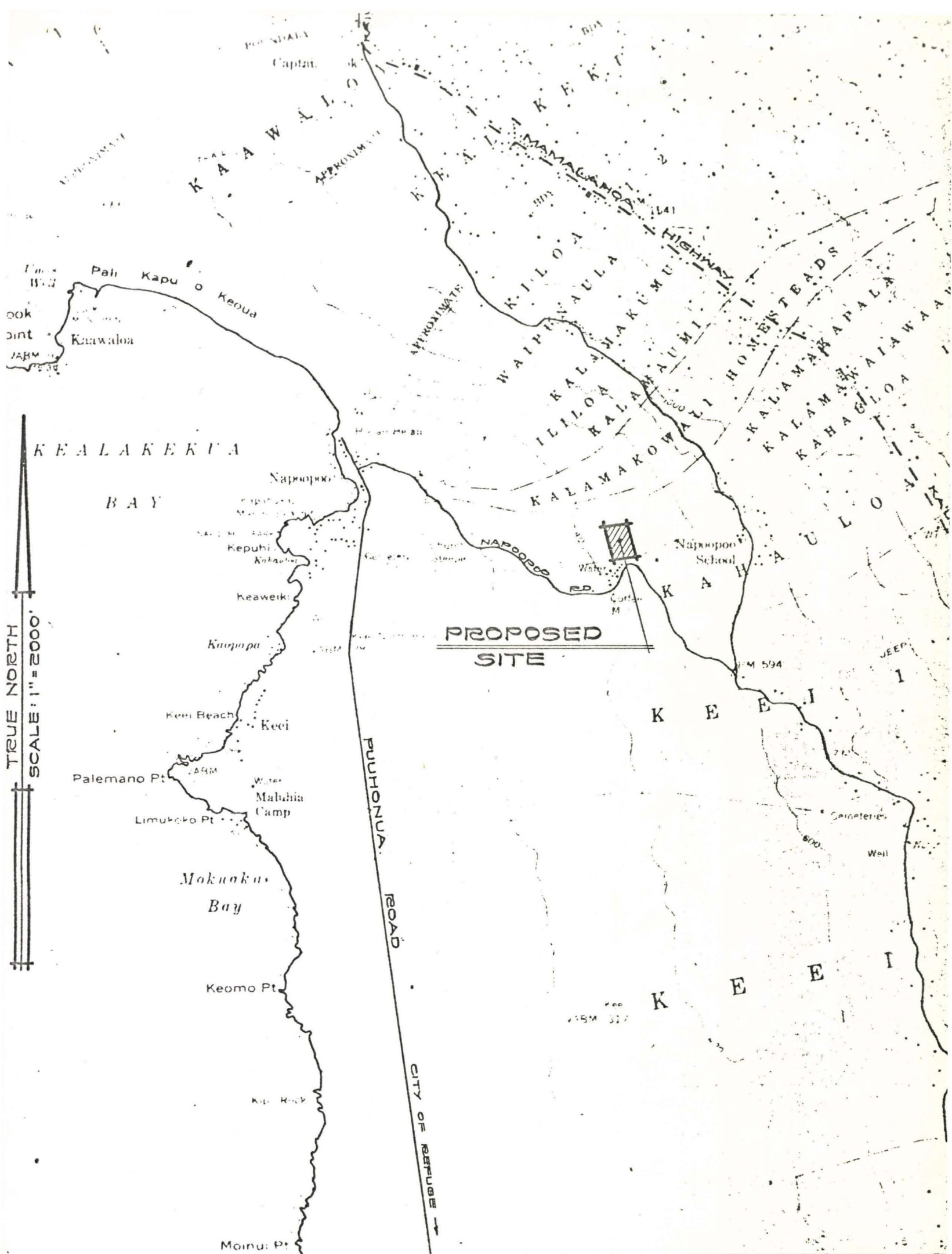
The favorable recommendation was subject to the following conditions:

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

petitioner or its authorized representative shall receive final plan approval prior to establishment of the proposed use.

- "2. That the conditions of approval of Special Management Area (SMA) Use Permit No. 44 shall be complied with.
- "3. That all other applicable rules and regulations, including the requirements of the Departments of Water Supply, Public Works and Health, 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".



SPECIAL PERMIT REQUEST

HONEY PROCESSING FACILITIES

KAHAULOA, SOUTH KONA, HAWAII

TAX MAP KEY : 8-2-08:22 & 55 (POR)

APPLICANT : POWERS APIARIES, INC.

EXHIBIT L-1

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for	)	
SPECIAL MANAGEMENT AREA USE PERMIT	)	
by	)	
POWERS APIARIES, INC.	)	
for	)	SMA USE PERMIT NO. 44
A QUEENERY, HONEY STORAGE AND	)	
PROCESSING FACILITY AND	)	
RELATED IMPROVEMENTS	)	
in	)	
Kahauloa Iki, South Kona, Hawaii	)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on November 16, 1977, considered the application of POWERS APIARIES, INC. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the operation of a queenery, the construction of a honey storage and processing facility, and related improvements in Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-08:55 and portion of 22.

The Commission has found:

That the approval of the proposed agricultural development will not be in conflict with the purpose and intent of Act 176, S.L.H. 1975, and Rule 9 of the County Planning Commission. The construction of the proposed structures including site preparation should not have any significantly adverse effects on the Special Management Area. The proposal will not reduce nor impose restrictions upon public access to beaches, recreational areas, or natural reserves, nor will it reduce the size of any such area as the subject parcel is not adjacent to these resources.

Although grubbing activities will remove the existing natural vegetation, it will not result in the loss of any unique native or endemic species or in the destruction of valuable habitats. Likewise, grading may significantly alter the existing topography and may adversely impact on erosion and drainage patterns with respect to abutting properties. However, strict adherence to approved grading plans should avert these consequences.

Any potentially damaging effects on air and water quality from the processing operation may be mitigated by applicable Department of Health regulations which must be complied with.

Further, that although there may be some concern for archaeological resources, this may be minimized by conditions of approval.

Based on the above, it is determined that the proposal is not in conflict with the purpose, policies and guidelines of the Environmental Shoreline Protection Act or Rule 9 nor is it contrary to the County General Plan or the State and County long-term environmental goals and policies.

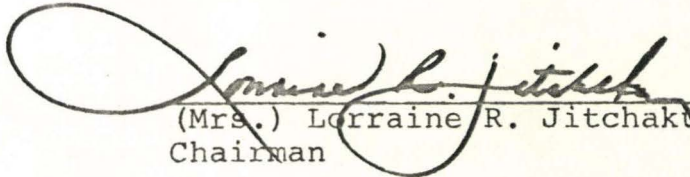
Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the operation of a queenery, the construction of a honey storage and processing facility, and related improvements in Kahauloa Iki, South Kona, Hawaii, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

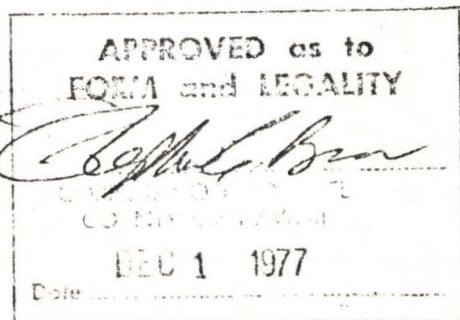
1. That construction of the proposed structures shall commence within one (1) year of the effective date of a Special Permit if such a permit is issued and shall be completed within two (2) years thereafter.
2. That the petitioner shall consult with the Chief Engineer, County Department of Public Works regarding effects of the "Coffee Mill Flood Control Project" upon the proposal; then shall submit appropriate drainage plans for the review and approval of the Chief Engineer and Planning Director.
3. That the petitioner shall provide the Department of Water Supply with projected water needs, and further shall abide by water allocation limits, if any, as prescribed by that Department.
4. That the petitioner shall comply fully with the requirements of the County (Grading) Ordinance No. 168.
5. That an archaeological reconnaissance survey of the property shall be conducted and a copy of the report be submitted to the Planning Director prior to grading.

Should these conditions not be met, the Special Management Area Use Permit shall be deemed null and void.

The effective date of this permit shall be November 16, 1977.

Dated at Hilo, Hawaii, this 6th day of December, 1977.


(Mrs.) Lorraine R. Jitchaku
Chairman



PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
January 31, 1978

A regularly advertised public hearing, on the application of Powers Apiaries, Inc., was called to order at 5:05 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, by Chairman William F. Mielcke.

PRESENT: William F. Mielcke
J. Walsh Hanley
Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami
William J. Paris
Charles H. Sakamoto

ABSENT: Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Ilima Piianaia, Planner
Keith Kato, Planner

David Murakami, representing Ex-officio Member, Edward Harada

and about 8 people in attendance

CHAIRMAN: We'll continue with our agenda. Item Number Four, a public hearing on the application of Powers Apiaries, Inc. for a Special Permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District. The property involved is located north of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona, TMK: 8-2-08:portions of 22 and 55. Staff?

PIIANAIA: (Presented background information on file.)

CHAIRMAN: Members of the Commission, do you have any questions of the staff and their background report on this application for a special permit?

H. MURAKAMI: Mr. Chairman, I have one question. Since I wasn't at the last preliminary hearing, I understand there is a certain portion of the property that is in flood zone, can you clarify for me as far as the flood zone. What they're planning to do to correct the flood zone.

EXHIBIT

P

PIIANAIA: Since that's a Department of Public Works project, I'd like to ask David Murakami to comment on it.

CHAIRMAN: David?

D. MURAKAMI: As far as the lands for the project that we have in that vicinity, the Soil Conservation Service is designing it and they don't have the completed plans yet. So we're not sure exactly where it's going to go, but it's going to be in the vicinity of that bend over there. So it may or may not affect Powers Apiaries, Incorporated.

H. MURAKAMI: Thank you.

CHAIRMAN: Thank you, David. If there are no further questions of the Commission or the staff, I'd like to ask the applicant or a representative of the applicant to come forward please. Dennis, we'll have to swear you in again. Do you swear to tell the truth and nothing but the truth on this application now before the Hawaii County Planning Commission?

HASEROT: I do.

CHAIRMAN: Would you state your name into the microphone please.

HASEROT: I'm Dennis Haserot. I'm here, Mr. Chairman, Mr. Powers, the applicant, is on the mainland and will not be back until this evening. In fact, he did not get receipt of the hearing notice in time to change his plans. I'm hoping that the Commissioners ask most of the questions that they might have during the SMA application. If not, I'll answer those that I can.

CHAIRMAN: Thank you. Commissioners, do you have any questions of Mr. Haserot? I think we did have a pretty good briefing on this application, Dennis. Thank you. If you'll be seated, there may be some things that come up, we might want to ask you to come back again.

Ladies and gentlemen, this is a public hearing. We'd like to invite any member of the public who's here this afternoon who wish to testify on behalf of this application to please indicate so by raising you hand? If there is no public testimony to come before the Commission, the Chair will entertain a motion to close the public hearing,

JITCHAKU: So move, Mr. Chairman.

CHAIRMAN: Is there a second to the motion?

FUJIMOTO: Second the motion.

CHAIRMAN: It has been moved by Commissioner Jitchaku, seconded by Commissioner Fujimoto that the public hearing concerning the

application of Powers Apiaries, Inc. for a special permit be closed.
All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? Dennis, the public hearing has been closed. Special permit applications, as you know, require a 15-day waiting period before the Commission can act on them and you will be advised accordingly.

Public hearing adjourned at 5:35 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

A T T E S T :

William F. Mielcke

William F. Mielcke
Chairman, Planning Commission

Planning Department
County of Hawaii

The Planning Commission met in regular session at 10:00 a.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman William F. Mielcke presiding.

and about 10 people at 10:00 a.m., 13 people at 3:00 p.m., and 7 people at 7 p.m.

✓ SPECIAL PERMIT
POWERS APIARIES,
INC.
KAHAULOA IKI,
SOUTH KONA,
HAWAII

Application of Powers Apiaries, Inc. for a Special permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District. The property involved is located north of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona, TMK: 8-2-08:portions of 22 and 55.

In response to Commissioner Murakami's concern regarding flooding, staff replied that they are recommending that the conditions that were imposed on the petitioner under the SMA Use Permit be complied with. One of the SMA conditions is that the petitioner shall consult with the Chief Engineer of the County Department of Public Works

regarding affects of the coffee mill flood control project upon the proposal, and shall submit appropriate drainage plans for review and approval of the Chief Engineer and Planning Director.

It was moved by Commissioner Jitchaku and seconded by Commissioner Murakami that the Commission send a favorable recommendation to the State Land Use Commission with the conditions outlined by the staff.

At this time, staff recommended that the new Commissioners not vote on this application as they were not present at the public hearing.

A roll call vote was taken and motion carried with five ayes.

CHANGE OF ZONE	Preliminary hearing on the application of Inter
<u>INTER ISLAND</u>	Island Resorts, et al. for a change of zone
<u>RESORTS</u>	for 2.12 acres of land from a Single Family
KEAUHOU 2ND,	Residential - 10,000 square foot (RS-10) to a
NORTH KONA	Resort-Hotel - 750 square foot (VH-.75) zoned
	district. The area involved is located along
	the south side of Keauhou Bay and adjacent to the Kona Surf Hotel
	complex, Keauhou 2nd, North Kona, TMK: 7-8-12:58 through 60.

Chairman Mielcke excused himself from participating in the discussion because of a possible conflict of interest as he is an employee of Inter Island Resorts in the capacity of General Manager of the Kona Surf Hotel.

At this time, Chairman Mielcke appointed Commissioner Jitchaku to chair the meeting.

Staff presented background information on file and recommendation to set the application up for a public hearing.

The petitioner's representative, G. William Paulson, said he felt the General Plan would be complemented as the development would be of the highest and best use. He pointed out they presently do not have any construction plans although they are considering the feasibility of expanding the luau garden area. He said they felt it would have a favorable financial impact and did not anticipate any adverse environmental impacts. He pointed out that their developments have always been of a high quality and they anticipate any future developments to be in line with their past and present policy.

It was moved by Commissioner Sakamoto and seconded by Commissioner Orita that the application be set up for a public hearing; motion was carried.

At this time Commissioner Jitchaku turned the meeting back to Chairman Mielcke.

The Chair informed the Commissioners that Items 3 and 4, applications of Bratton Development Corporation and Ventura Westlake Development Corporation and Kailua Kona Village Development Group have been withdrawn.

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

March 31, 1978

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.

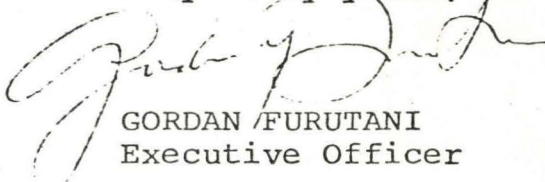
Please note that petition

SP78-295 - Powers Apiaries, Inc.

will be acted on at that time.

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

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

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

March 31, 1978

Powers Apiaries, Inc.
P. O. Box 1960
Kailua-Kona, Hawaii 96740

Dear Sirs:

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

Please note that petition

SP78-295 - Powers Apiaries, Inc.

will be acted on at that time.

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

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME, & PLACE

April 13, 1978 - 10:00 a.m.
Conference Room 322 (C)
New State Building
1151 Punchbowl Street
Honolulu, Hawaii

A G E N D A

I. ACTION

1. SP78-293 - Mr. and Mrs. Benjamin Aranio

To allow the establishment of a care home on 0.806 acres of land situated within the State Land Use Rural District at Omao, Koloa, Kauai.

2. SP78-294 - Rev. Lindsay Howan/Doris Todd Memorial School

To allow the expansion of the existing school on approximately 4.05 acres of land situated within the State Land Use Agricultural District at Paia, Maui.

✓ 3. SP78-295 - Powers Apiaries, Inc.

To allow the operation of a honey storage and processing facility and a queenery on approximately 5.6 acres of land situated within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii.

4. SP78-296 - Christian Broadcasting Association

To allow the construction and operation of a radio transmission facility on approximately 30 acres of land situated within the State Land Use Agricultural District at Kaluakoi, Molokai.

II. MISCELLANEOUS

1. Adoption of Minutes DEC 2 1977 DEC 9 1977 JAN 9 1978
2. Meeting Schedule
3. Election of Officers

3/31/78 - A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS:

1. STATEWIDE
2. KAUAI
3. MAUI
4. HAWAII
5. MOLOKAI



COUNTY OF
HAWAII

LAND USE COMMISSION
STATE OF HAWAII
PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

MAR 13 8 48 AM '78

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

March 10, 1978

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

SP78-295

Dear Mr. Furutani:

Special Permit Application
Applicant: Powers Apiaries, Inc.

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 operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District at Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-08:portions of 22 and 55.

The Planning Commission at a duly advertised public hearing held on January 31, 1978 in the Kealahou School Cafetorium, Kealahou, North Kona, Hawaii, discussed the subject request. The Commission on February 23, 1978, voted to recommend the approval of the special permit to the Land Use Commission based on the following findings:

1. That approval of the subject request would be consistent with the State Land Use Law and Regulations. The intent of these statutory provisions is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of Hawaii. The purpose of the subject request is to allow the establishment of facilities for the processing of honey. Also requested is the related establishment of a queenery, which is for the breeding of queen bees. The keeping of bees and the collecting of honey is a growing agricultural activity on the island of Hawaii. The proposed activities and facilities are integral components

of these endeavors. Without processing and storage facilities, an essential link in the distribution of products would be lacking. In addition, the breeding of queens is one aspect of bee-raising which is supportive of the overall activity. The proposed uses would thus be directly consistent with the purpose of the State Land Use Agricultural District. The proposed use would also support other agricultural activities in that the growth of beekeeping would be beneficial to crops requiring pollenization.

It should also be pointed out that the area under consideration has soils with low productivity ratings for traditional agriculture. The area, however, is optimal for the proposed use in terms of wind conditions. By establishing the use on the subject property, lands with higher productivity ratings can be reserved for agricultural activities requiring certain soil-related conditions.

2. That the proposed uses will further the State and the County's policies of encouraging and supporting agricultural activities, inasmuch as support facilities for a growing agricultural use will be provided. Approval of the subject request will also directly implement the County General Plan. The General Plan Economic Element explicitly states that the County shall assist the expansion of the agricultural industry, especially diversified agriculture. The Economic Element also calls for the diversification of the County's economy. The establishment of the proposed facilities and use for a growing diversified agricultural endeavor is in keeping with these General Plan policies.
3. That although there will be some alteration in the existing character of the land, such alteration will not have substantially adverse effects on surrounding properties or the general character of the area. The proposed use will not entail the construction of large-scale facilities. A large portion of the subject property will remain open in character. In addition, the general area is either vacant or in agricultural use, with scattered single-family dwellings. The proposed use is not expected to generate excessive traffic, noise, or other effects of a noxious nature.
4. That the proposed use will not unreasonably burden public agencies to provide additional services and facilities. All essential services and facilities are or can be made available to the subject site. Although a limited quantity of water is currently available for the Kona region, this will be eventually rectified with the completion of the Kahalu'u Shaft project.

The favorable recommendation was also subject to the following conditions:

1. That construction of the proposed structures shall commence within one (1) year of the effective date of approval of the Special Permit and shall be completed within two (2) years thereafter. The petitioner or its authorized representative shall receive final plan approval prior to establishment of the proposed use.
2. That the conditions of approval of Special Management Area (SMA) Use Permit No. 44 shall be complied with.
3. That all other applicable rules and regulations, including the requirements of the Departments of Water Supply, Public Works and Health, 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,



William F. Mielcke
Chairman, Planning Commission

lgv
Enclosures
cc Powers Apiaries, Inc.
Mr. Dennis Haserot
Land Use Division, DPED

LIST OF EXHIBITS - POWERS APIARIES, INC.

- A. Application form
- A-1. Applicants elevation plan
- A-2. Applicants plot plan
- A-3. Environmental Statement
- B. Departmental acknowledgement letter (12/27/77)
- C. Memo to agencies (12/27/77)
- D. Public Works (12/30/77)
- E. HELCO (1/4/78)
- F. Police (1/5/78)
- G. Health (1/6/78)
- H. Agriculture (1/6/78)
- I. Water Supply (1/6/78)
- J. Soil Conservation Service (1/11/78)
- J-1. Soil Conservation Service (1/10/78)
- K. Research & Development (1/13/78)
- L. Letter to surrounding property owners
- L-1. List of surrounding property owners
- L-2. Map sent to surrounding property owners
- M. Letter to applicant (1/18/78)
- M-1. Public Hearing Notice
- N. Voting Sheet - Close hearing
- O. Minutes (1/31/78)
- P. Transcript (1/31/78)
- Q. Letter to the applicant (2/1/78)
- R. Letter to the applicant (2/8/78)
- S. Staff Background
- T. Staff Recommendation

- U. Presentation/Location Map (please return)
- V. Voting Sheet
- W. Minutes (2/23/78)

APPLICATION FOR SPECIAL PERMIT

Lee

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: Powers Apiaries, Inc.

APPLICANT'S SIGNATURE: *Jan P. Powers*

ADDRESS: P.O. Box 1960, Kailua-Kona, Hawaii 96740

TELEPHONE: b. 325-5582 r. 322-2595

TAX MAP KEY: 8-02-08-22 & 55 (port.) Lot 2
AREA: 5.639 Acres
(Size of Parcel)

OWNER: Powers Apiaries Inc.

OWNER'S SIGNATURE: *Jan P. Powers*

APPLICANT'S INTEREST, IF NOT OWNER: _____

REQUESTED USE: Agricultural-Queenery, honey storage and processing facilities requiring buildings as shown on attached plot plan.

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:

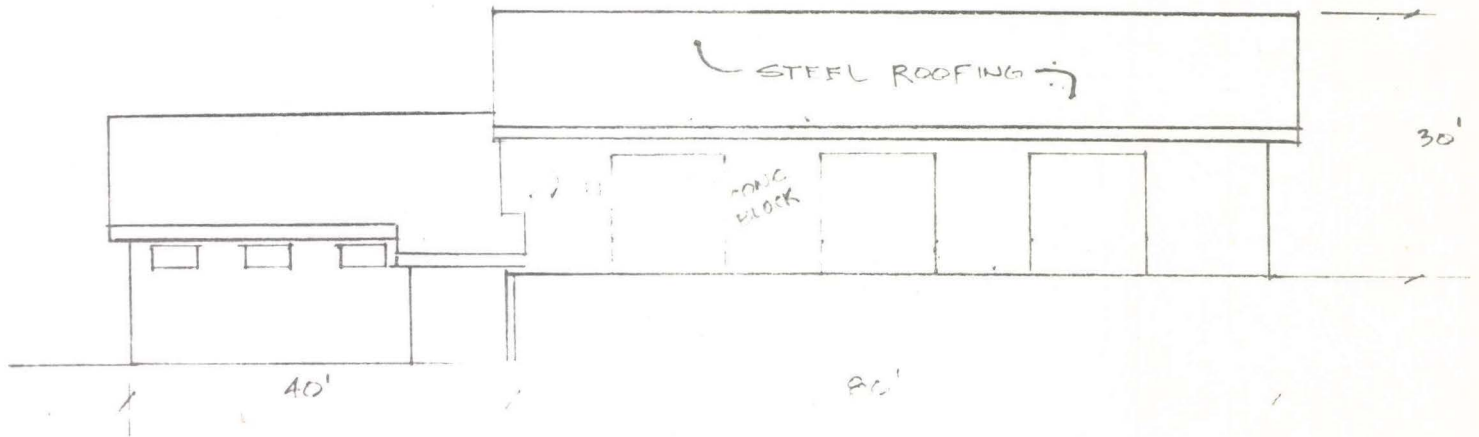
- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.

For Official Use:

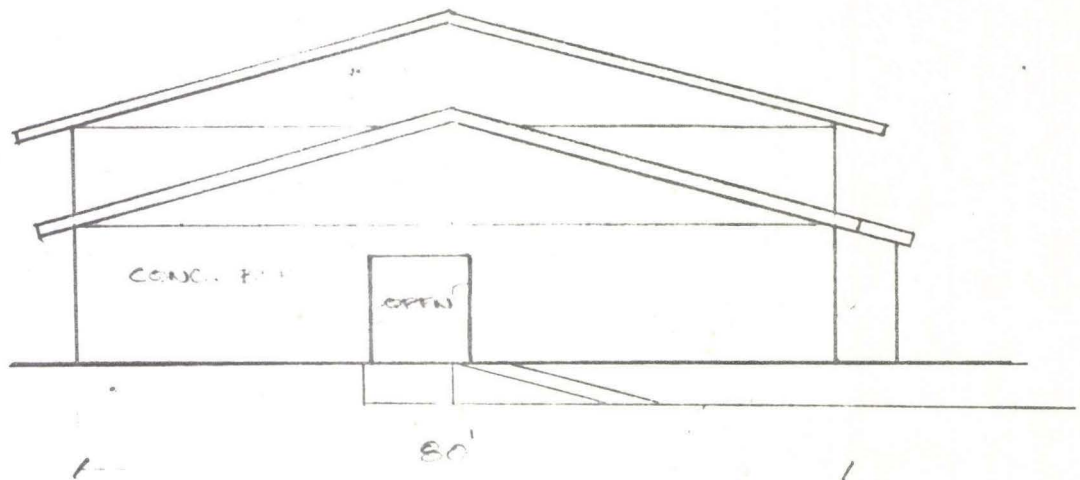
Date received _____
120th day _____
Public Hearing date _____
Action date _____
To Land Use Commission _____

P.D. 3 2/75

EXHIBIT A



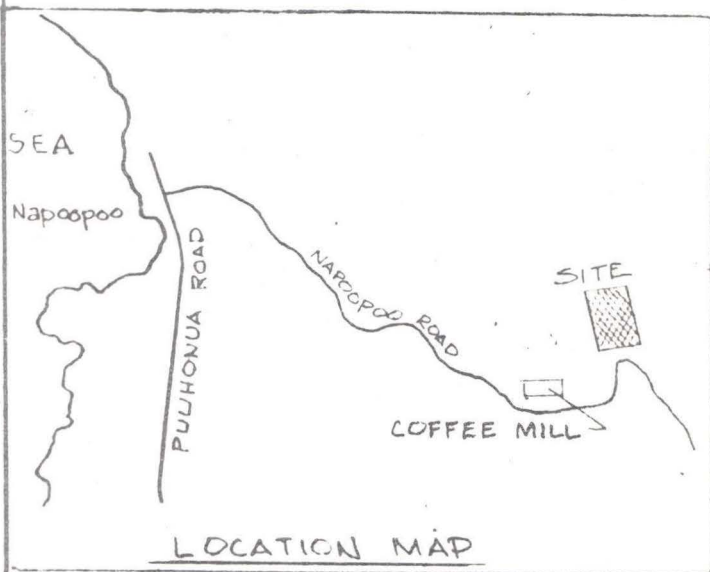
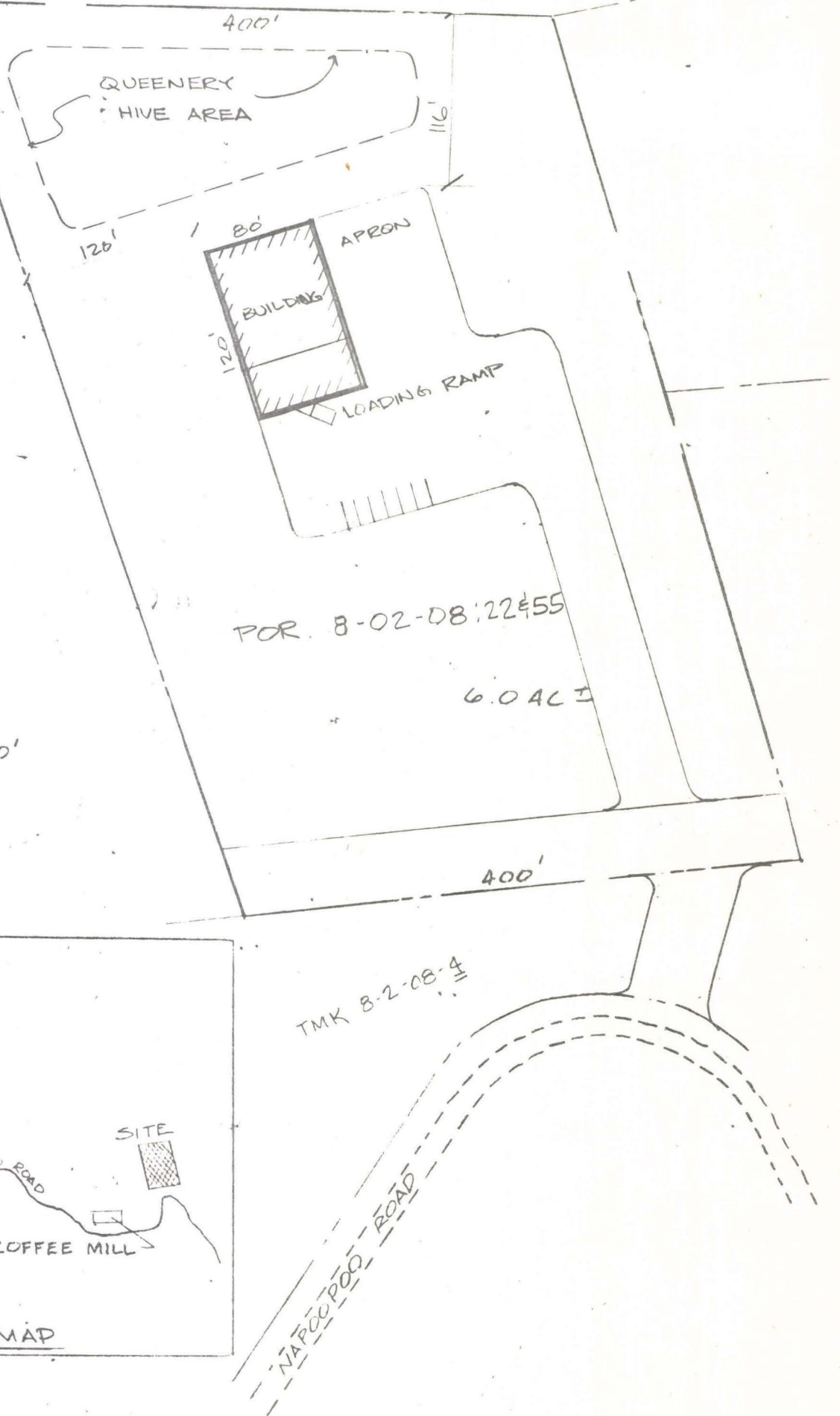
EAST ELEVATION



SOUTH ELEVATION

PROPOSED BUILDING
FOR POWERS APIARIES
KAHAULOA I, SO. KONA

SCALE 1"=100'



PLOT PLAN
 POWERS APIARIES
 QUEENERY, PROCESSING & STORAGE
 FACILITY - KAHALOIA, SO. KONA

EXHIBIT A-2

LHC

ENVIRONMENTAL STATEMENT

POWERS APIARIES, Purchaser of the subject property, proposes to construct a honey storage and processing facility and operate a queenery on the subject property. The proposed use would require the construction of two buildings, one approximately 80' X 120' for the processing, extraction and storage of honey and a second building approximately 60' X 50' to be used as a workshop and garage. The location of the workshop will be determined at a latter date. In addition to the buildings a queen breeder yard will be placed on the property where they can be closely supervised.

The parcel is described as vacant land, being a portion of tax map keys 8-02-08-parcels 22 and 55-lot 2, located adjacent to the Kona Coffee Mill at Napoopoo at approximately the 425' elevation.

There are five older residences on the adjacent parcel number 4 and the Kona Coffee Mill buildings are approximately 400' distant to the South. The land is dry, rocky, brush land which has been used in the past for coffee and for cattle graising. the land has been unused during the last several years.

The existing undergrowth will be cleared away in preparation for the construction of buildings and for ease of placing hives on the property. Some grading will be necessary to prepare the site for the buildings and for driveways within the property. The buildings themselves will be visible from

the Government road; however, will not be visible from the Captain Cook Monument or the Napoopoo beach area.

The proposed action will create twelve jobs on the site as well as other jobs offsite as the honey business is expanded in North and South Kona.

A major reason for choosing the subject site as its suitability for use as a queenery. Queen bees are to be raised on site and exported to the Mainland. It is estimated that income from the sale of queen bees alone will exceed \$300,000 per year in three years.

The proposed development will be the processing site for approximately 4000 honey producing hives on the Island of Hawaii. These hives, when placed in the proximity of orchards, can be expected to have a very beneficial impact on production due to increased pollenization. Crops which require pollenization and which will benefit from the hives are macadamia, guava, avocado, citrus, coffee, passion fruit, lychee, coconut, cucumbers and melons. There is no known negative impact on vegetation due to the placement of bee hives. A breeding program has been initiated to select only breeders whose progeny are not only productive but must be gentle as well.

Powers Apiaries has spent approximately the last two years looking for a suitable site to combine processing facilities along with a queenery. Processing facilities are

required in a location geographically central to the location of the majority of their hives. Great emphasis was placed on the search for a location which had negligible winds year round so that as few as possible of the queen bees would be lost during mating.

The subject property was the only property which fit the two aforementioned criteria and which was available at an economically feasible price.

The applicant cannot expand honey operations any further without the proposed facilities, and cannot justify, on an economical basis, the maintaining of a separate processing storage and queenery operation. The applicant has been in the process of expanding its honey producing and processing business for the past five years on this island. A large proportion of the hives now in use are in the South Kona area and it is most important to have storage and processing facilities nearby.

More important to the applicant is a location for a queenery where winds are negligible on a year round basis. Queen bees must mate in the air and return to their hives and are often lost in windy conditions. The central Kona area is known for its lack of winds due to the steep terrain and the protection afforded by all three of Hawaii's mountains, and the site is well situated for servicing the many honey producing hives now in the Kona area.

December 27, 1977

Powers Apiaries, Inc.
P. O. Box 1960
Kailua-Kona, HI 96740

Gentlemen:

Special Permit - Honey Processing Facilities
TMK: 8-2-08:22 & portion of 55

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

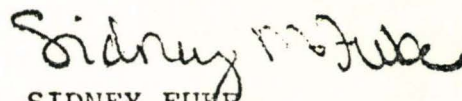
The County Planning Commission shall conduct a public hearing on the request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission shall then act on the application not earlier than fifteen (15) days after 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 FUKU
Director

IP:mmk

cc: SLUC
DPED - Land Use Division

EXHIBIT B

DEC 29 1977

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

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

Date: December 27, 1977

From: Director 
Subject: Special Permit Application
Powers Apiaries, Inc.
TMK: 8-2-08:22 & 55 (por.)

The attached application for a special permit is forwarded for your review. May we have your comments within two weeks.

Thank you.

mmk

Enclosure

EXHIBIT C

DEC 27 1977

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HAWAII
HILO, HAWAII

DATE December 30, 1977

Memorandum

TO : Planning Department

FROM : Chief Engineer

SUBJECT: Application for Special Permit
Applicant: Powers Apiaries, Inc.
Location: Kahauloa 1, South Kona, Hawaii
TNK: 8-2-08:22 and 55 (por.)

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

The proposed Coffee Mill Floodwater diversion may affect this parcel.

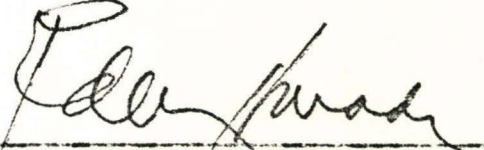

EDWARD HARADA, Chief Engineer

EXHIBIT D

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



January 4, 1978

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

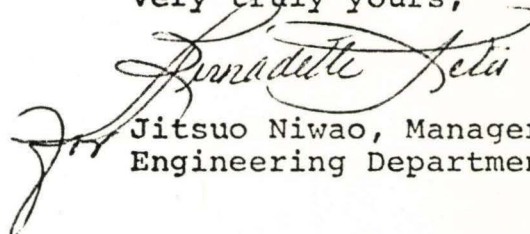
Attention: Mr. Sidney M. Fuke
Director

Gentlemen:

SUBJECT: Special Permit Application
Powers Apiaries, Inc.
TMK: 8-2-08:22 & 55 (por.)

We have no comments to the above application as per
your memorandum of December 27, 1977.

Very truly yours,


Jitsuo Niwao, Manager
Engineering Department

JN: bk

EXHIBIT E



POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720



OUR REFERENCE

GUY A. PAUL

YOUR REFERENCE

CHIEF OF POLICE

January 5, 1978

TO : SIDNEY FUKU, PLANNING DIRECTOR
FROM : MARTIN K. L. KAAUA, ACTING CHIEF OF POLICE
SUBJECT: SPECIAL PERMIT APPLICATION - POWERS APIARIES, INC.
TMK: 8-2-08:22 & 55 (por.)

The special permit application submitted by the Powers Apiaries, Inc. 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

RG/RLP/k

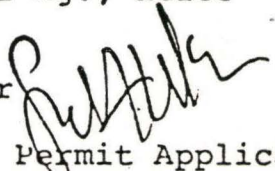
EXHIBIT F

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

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

Date: December 27, 1977

From: Director 
Subject: Special Permit Application
Powers Apiaries, Inc.
TMK: 8-2-08:22 & 55 (por.)

The attached application for a special permit is forwarded for your review. May we have your comments within two weeks.

Thank you.

mmk

Enclosure

Department of Health
Hilo, Hawaii
January 6, 1978

COMMENTS

Reference public health regulation for the food establishment requirements is Chapter 1-A, Food Service and Food Establishment Sanitation Code. If mechanical ventilation is to be utilized, please refer to Chapter 28, Air Conditioning and Ventillation.


HAROLD MATSUURA
Chief Sanitarian, Hawaii

EXHIBIT G

GEORGE R. ARIYOSHI
GOVERNOR



JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

BOARD MEMBERS:

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

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

January 6, 1978

MEMORANDUM

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

Subject: Special Permit Application
Powers Apiaries, Inc.
TMK: 8-2-08:22 & 55 (por.)

The Department of Agriculture has no comments to offer except to note that the growth potential for the beekeeping industry, particularly rearing of queens for export, is promising and should be encouraged. There is an increasing demand for Hawaiian queens for early start of new colonies on the mainland. Hawaii has a distinct advantage in year-round queen bee production, and in addition, it appears that Hawaiian bees are resistant to foulbrood diseases.

Thank you for the opportunity to comment.

A handwritten signature in cursive script, reading "John Farias, Jr.", is written in dark ink.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT H

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

P. O. Box 636, Kealahou, Hawaii 96750

January 11, 1978

Sidney M. Fuke, Director
Planning Department
County of Hawaii
Hilo, Hawaii 96720

Subject: Special Permit Application:
Powers Apiaries, Inc.

Dear Mr. Fuke,

Attached is an Inventory and Evaluation on the above mentioned application.

Thank you for the opportunity to review these documents.

Sincerely,


Larry Soenen
Acting District Conservationist

EXHIBIT J



003200

INVENTORY AND EVALUATION

SOIL AND WATER RESOURCES

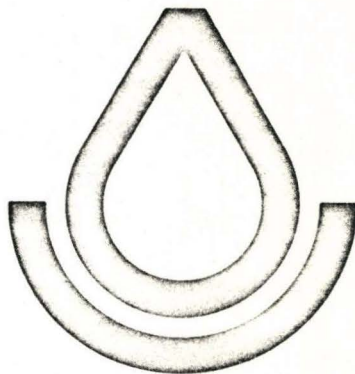
APR 12 1971

TITLE: Special Permit Application:
Powers Apiaries, Inc.

FOR: County Planning Department

BY: Larry Soenen, Soil Conservationist

IN COOPERATION WITH: Kona Soil and Water
Conservation District

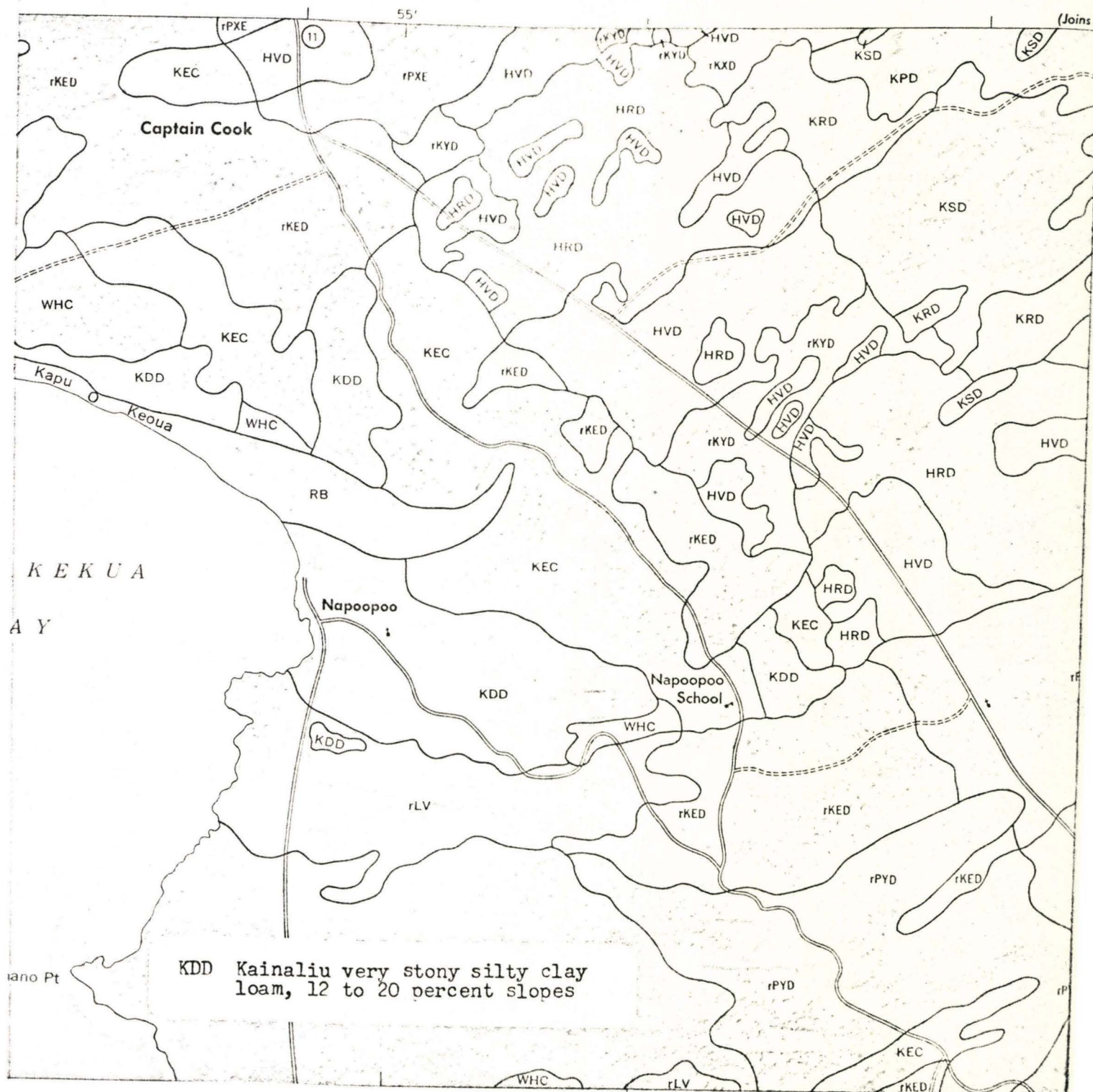


SOIL CONSERVATION SERVICE
U.S. DEPARTMENT OF AGRICULTURE

KDD Kainaliu very stony silty clay loam, 12 to 20 percent slopes.

The Kainaliu series consists of moderately deep, well drained silty clay loam soils. They formed in volcanic ash on moderately sloping low leeward mountain slopes from 800 to 1200 feet elevation. Most areas the slope range is from 10 to 20 percent. Natural vegetation consists chiefly of monkey pod, guava, lantana, koa haole and guinea grass. Most of these soils are used for pasture and coffee. In a typical profile, the surface layer is very dark brown silty clay loam about 10 inches thick and contains by volume about 10 to 15 percent gravel to stone size Aa lava fragments. The subsoil, which generally extends to a depth of 20 to 40 inches, is dark brown silty clay loam and contains by volume about 20 to 60 percent gravel to stone size Aa lava fragments. The substratum is fragmental Aa lava. The Kainaliu soils are medium in fertility. They have high moisture-holding capacity. Annual rainfall ranges from 40 to 60 inches, most of which falls during the summer months. Permeability is rapid (6.3-20 inches per hour) in the surface and subsoil and very rapid (20+ inches per hour) in the substratum. Mean annual soil temperature is about 72° F. Erosion hazard is moderate.

Owner Powers Apiaries, Inc. Operator same
County Hawaii State Hawaii
Soil survey sheet(s) or code nos. #121 Approximate scale 1"=2000'
Prepared by U. S. Department of Agriculture, Soil Conservation Service cooperating
with Kona Soil and Water Conservation District



INVENTORY & EVALUATION OF LAND, WATER, AND RELATED RESOURCES

REQUESTED BY County Planning Dept. LOCATION Napooonoo, TMK: 8-2-08: 22 & 55 (Port)
Powers Apiaries, Inc. Special Permit

ASSISTED BY Larry Soenen, Soil Conservationist DATE January 10, 1978

* ☐ INDIVIDUAL ☐ GROUP ☒ UNIT OF GOVERNMENT

SITUATION: The County Planning Department requested a review of a Special Permit
Application made by Powers Apiaries, Inc. The applicant proposes to construct
an agricultural honey operation on TMK: 8-2-08: 22 and 55 (port.). The
approximately 6 acres are just mauka of the Kona Coffee Mill. Two (20 buildings
are to be constructed as a part of the operation. The Big Island Soil Survey,
the South Kona Flood Hazard Analyses and other technical data were referenced
in making the following comments.

FOLLOW-UP:

~~SUGGESTED SOLUTION(S)~~ The soils present on this parcel are Kainaliu very stony
silty clay loam. See the enclosed soil description for the characteristics of
this soil.

The soils generally appear well suited for building construction. Fragmental Aa
lava however would be expected from 1½ to 3½ feet deep. This maybe a concern for
building foundations or septic tanks if they are needed.

Lands adjacent to this parcel are listed as a flood hazard area in the South
Kona Flood Hazard Analyses. This flooding problem should be resolved with the
construction of the Sunset Coffee Mill Floodwater Diversion. Construction is
expected to start soon on this project.



DEPARTMENT OF RESEARCH AND DEVELOPMENT

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

January 13, 1978

MEMORANDUM

TO: PLANNING DEPARTMENT

FROM: RESEARCH AND DEVELOPMENT

SUBJECT: SPECIAL PERMIT APPLICATION
POWERS APIARIES, INC.
TMK: 8-2-08:22 & 55 (por.)

With reference to the abovementioned subject, we have no adverse comments.

Clarence W. Garcia

CLARENCE W. GARCIA
DIRECTOR

EXHIBIT K



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

January 18, 1978

Dear Property Owner: TMK:

Special Permit Application
Kahauloa Iki, South Kona, Hawaii
Tax Map Key 8-2-08:portions of 22 & 55

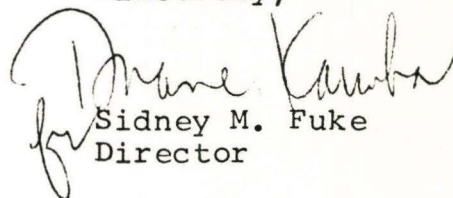
You are hereby notified that a request for a Special Permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District has been submitted by the petitioner, Powers Apiaries, Inc.

The property involved is north of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona, Hawaii.

A public hearing on the subject among others will be held beginning at 4:30 p.m. on Tuesday, January 31, 1978, at the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

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

Sincerely,


Sidney M. Fuku
Director

smn

Enclosure

EXHIBIT L

SP civil passport
HONEY PROCESSING, PERMITIOS
POWERS APIMIOS, INC
8-2-08:22, JT (Pur)

8-2-08:2 Bellingham Investment Cng -
Box 147
Capt. Cook, HI 96740

4 Capt. Cook Inv. Co. Inc.
Box 147
Capt. Cook, HI 96740

9 Keohohou, Annie
1812 Aupuna ST
Hnl. HI 96817

24 Chong, Wm. P.
3020 Hoaleha Pl.
Hnl. HI 96817

28 same as 9

34 same as 2

37 Ferreira, Lorna
92-467 Akaule ST
Ewa Beach, HI 96706

56 Same as 4

January 13, 1978

Mr. Dennis Haserot
Powers Apiaries, Inc.
P. O. Box 2036
Kailua-Kona, HI 96740

Dear Mr. Haserot:

Notice of a Public Hearing
Special Permit Application
Tax Map Key S-2-08:22 & 55

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 4:30 p.m. on Tuesday, January 31, 1978, in the Kealahou School Cafetorium, Kealahou, North Kona, Hawaii.

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

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

Sincerely,


for Sidney M. Fuke
Director

smn

Enclosure

cc: Chief Engineer
Kona Services Office
State Land Use Commission
Land Use Division, DPED

EXHIBIT M

JAN 18 1978

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: Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii
DATE: Tuesday, January 31, 1978
TIME: 4:30 p.m.

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

1. PETITIONER: HARUO TESHIMA
LOCATION: Mauka of Teshima Restaurant and Hotel complex, Kawanui 1st, North Kona
TMK: 7-9-03:portion of 56
PURPOSE: Change of zone for 1.57 acres of land from a Resort-Hotel - 1,250 square foot (V-1.25) to a Single Family Residential - 10,000 square foot (RS-10) zoned district.
2. PETITIONER: HONOLULU FEDERAL SAVINGS AND LOAN ASSOCIATION
LOCATION: On the western corner of Kalani and Kalawa Streets within the Lono Kona Subdivision, Honuaula, North Kona.

EXHIBIT M-1

TMK: 7-5-22:24

PURPOSE: Change of zone for 15,417 square feet of land from a Multiple Family Residential - 1,000 square foot (RM-1) to a Village Commercial - 7,500 square foot (CV-7.5) zoned district.

3. PETITIONER: FIRST HAWAIIAN BANK AND FNBC PROPERTIES, INC.

LOCATION: Existing Dolphin Condominium complex located along the mauka side of Ali'i Drive and the northerly side of Sarona Road, Kailua Village, Keopu 3rd, North Kona.

TMK: 7-5-07:14, 17.

PURPOSE: Variance to allow a stairway to be located within the front yard setback area and compact car stalls in excess of the maximum allowable 10 percent of the total parking requirement.

4. PETITIONER: POWERS APIARIES, INC.

LOCATION: North of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona.

TMK: 8-2-08:portions of 22 and 55

PURPOSE: Special Permit to allow the operation of a honey storage and processing facility and a queenery 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,
WILLIAM F. MIELCKE, Chairman
By SIDNEY M. FUKU
Planning Director

(Hawaii Tribune-Herald: January 20 and 29, 1978)

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date January 31, 1978

Petitioner Powers Apiaries, Inc. - Special Permit

 Preliminary hearing ✓ Public hearing Request

ACTION: Approve

Deny

Defer

Continue

 Schedule for public hearing

Other: _____

closed

Commissioners	Aye	No	Absent	Abstain
FUJIMOTO, Shigeru				
HANLEY, J. Walsh				
JITCHAKU, Lorraine R.				
MURAKAMI, Haruo				
PARIS, William J.				
SAKAMOTO, Charles				
MIELCKE, William F. (Chairman)				

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES

January 31, 1978

The Planning Commission met in regular session at 10:00 a.m. in the Civic Center Conference Room, Waimea, South Kohala, Hawaii, and at 3:00 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
J. Walsh Hanley
Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami
William J. Paris
Charles H. Sakamoto

ABSENT: Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Ilima Piianaia, Planner
Keith Kato, Planner

David Murakami, representing Ex-officio Member, Edward Harada
Alan Okamoto, Deputy Corporation Counsel

and about 6 people in attendance at 10:00 a.m. and about 3 people in attendance at 3:00 p.m.

It was moved by Commissioner Paris and seconded by Commissioner Jitchaku that the variance request be granted with the conditions outlined by the staff. A roll call vote was taken and motion carried with six ayes.

At this time, Vice Chairman Hanley turned the meeting back to Chairman Mielcke.

SPECIAL PERMIT
POWERS APIARIES,
INC.

KAHAULOA IKI,
SOUTH KONA

Public hearing on the application of Powers Apiaries, Inc. for a Special Permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District. The property involved is located north of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona, TMK: 8-2-08:portions of 22 and 55.

Staff presented background information on file.

Public Works representative, David Murakami, reported that the Soil Conservation Service is presently designing the flood project for that area.

The applicant's representative, Dennis Haserot, informed the Commissioners that the applicant was on the mainland and not expected back till the evening.

There was no public testimony given.

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

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
January 31, 1978

A regularly advertised public hearing, on the application of Powers Apiaries, Inc., was called to order at 5:05 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, by Chairman William F. Mielcke.

PRESENT: William F. Mielcke
J. Walsh Hanley
Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami
William J. Paris
Charles H. Sakamoto

ABSENT: Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Ilima Piianaia, Planner
Keith Kato, Planner

David Murakami, representing Ex-officio Member, Edward Harada

and about 8 people in attendance

CHAIRMAN: We'll continue with our agenda. Item Number Four, a public hearing on the application of Powers Apiaries, Inc. for a Special Permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District. The property involved is located north of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona, TMK: 8-2-08:portions of 22 and 55. Staff?

PIIANAIA: (Presented background information on file.)

CHAIRMAN: Members of the Commission, do you have any questions of the staff and their background report on this application for a special permit?

H. MURAKAMI: Mr. Chairman, I have one question. Since I wasn't at the last preliminary hearing, I understand there is a certain portion of the property that is in flood zone, can you clarify for me as far as the flood zone. What they're planning to do to correct the flood zone.

EXHIBIT

P

PIIANAIA: Since that's a Department of Public Works project, I'd like to ask David Murakami to comment on it.

CHAIRMAN: David?

D. MURAKAMI: As far as the lands for the project that we have in that vicinity, the Soil Conservation Service is designing it and they don't have the completed plans yet. So we're not sure exactly where it's going to go, but it's going to be in the vicinity of that bend over there. So it may or may not affect Powers Apiaries, Incorporated.

H. MURAKAMI: Thank you.

CHAIRMAN: Thank you, David. If there are no further questions of the Commission or the staff, I'd like to ask the applicant or a representative of the applicant to come forward please. Dennis, we'll have to swear you in again. Do you swear to tell the truth and nothing but the truth on this application now before the Hawaii County Planning Commission?

HASEROT: I do.

CHAIRMAN: Would you state your name into the microphone please.

HASEROT: I'm Dennis Haserot. I'm here, Mr. Chairman, Mr. Powers, the applicant, is on the mainland and will not be back until this evening. In fact, he did not get receipt of the hearing notice in time to change his plans. I'm hoping that the Commissioners ask most of the questions that they might have during the SMA application. If not, I'll answer those that I can.

CHAIRMAN: Thank you. Commissioners, do you have any questions of Mr. Haserot? I think we did have a pretty good briefing on this application, Dennis. Thank you. If you'll be seated, there may be some things that come up, we might want to ask you to come back again.

Ladies and gentlemen, this is a public hearing. We'd like to invite any member of the public who's here this afternoon who wish to testify on behalf of this application to please indicate so by raising your hand? If there is no public testimony to come before the Commission, the Chair will entertain a motion to close the public hearing,

JITCHAKU: So move, Mr. Chairman.

CHAIRMAN: Is there a second to the motion?

FUJIMOTO: Second the motion.

CHAIRMAN: It has been moved by Commissioner Jitchaku, seconded by Commissioner Fujimoto that the public hearing concerning the

application of Powers Apiaries, Inc. for a special permit be closed.
All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? Dennis, the public hearing has been closed. Special permit applications, as you know, require a 15-day waiting period before the Commission can act on them and you will be advised accordingly.

Public hearing adjourned at 5:35 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

A T T E S T :

William F. Mielcke

William F. Mielcke
Chairman, Planning Commission

February 1, 1978

Mr. Dennis Haserot
Powers Apiaries, Inc.
P. O. Box 2006
Kailua-Kona, HI 96740

Dear Mr. Haserot:

Special Permit Application-Powers Apiaries, Inc.
Tax Map Key 6-2-08:22 & 55

The Planning Commission at its meeting of January 31, 1978, held a duly advertised public hearing on the above application for a special permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District at Mahauloa Iki, South Kona, Hawaii.

In accordance with the provisions of Section 208-6, 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,



William F. Mieleke
Chairman, Planning Commission

lgv

cc State Land Use Commission
Land Use Division, DPED
Chief Engineer, Public Works
Kona Services Office

EXHIBIT

Q

FEB 7 1978

February 8, 1978

Mr. Dennis Haserot
Powers Apiaries, Inc.
P. O. Box 2086
Kailua-Kona, HI 96740

Dear Mr. Haserot:

Special Permit Application
Tax Map Key 8-2-08:portions of
22 and 55

Your application will again be discussed on Thursday, February 23, 1978, by the Planning Commission. The meeting will be held in the Council Room, 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 M. Fake
Sidney M. Fake
Director

smn

Enclosure

cc: Chief Engineer
Kona Service Office
State Land Use Commission
Land Use Division, DPED

EXHIBIT R

FEB 9 1978

SPECIAL PERMIT: POWERS APIARIES, INC.

An application has been submitted by Powers Apiaries, Inc. for a Special Permit to allow the establishment of a honey processing and storage facility and a queenery on approximately six acres of land situated within the State Land Use Agricultural District. The area under consideration is located north of the Napo'opo'o Road, adjacent and to the northeast of the Kona Farmer's Cooperative Complex, Kahauloa Iki, South Kona (TMK: 8-2-08:55 and portion of 22).

The Commission will recall that a Special Management Area (SMA) Use Permit for the proposed facilities on the subject property was granted to the petitioner on November 16, 1977. Inasmuch as honey from off the property will be processed, a Special Permit is being requested. Subsequent to granting the ~~SMA-Use~~ Permit, approval was given to the petitioner to construct processing facilities for honey produced on the premises.

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

"POWERS APIARIES. . . proposes to construct a honey storage and processing facility and operate a queenery on the subject property. The proposed use would require the construction of two buildings, one approximately 80' X 120' for the processing, extraction and storage of honey and a second building approximately 60' X 50' to be used as a

workshop and garage. The location of the workshop will be determined at a latter date. In addition to the buildings, a queen breeder yard will be placed on the property where they can be closely supervised.

"The parcel is described as vacant land...located adjacent to the Kona Coffee Mill at Napoopoo at approximately the 425' elevation.

"There are five older residences on the adjacent parcel... and the Kona Coffee Mill buildings are approximately 400' distant to the South. The land is dry, rocky, brush land which has been used in the past for coffee and for cattle graising (sic). The land has been unused during the last several years.

"The existing undergrowth will be cleared away in preparation for the construction of buildings and for ease of placing hives on the property. Some grading will be necessary to prepare the site for the construction of buildings and for driveways within the property....

"The proposed action will create twelve jobs on the site as well as other jobs offsite as the honey business is expanded in North and South Kona.

"A major reason for choosing the subject site (is) its suitability for use as a queenery. Queen bees are to be raised on site and exported to the Mainland. It is estimated that income from the sale of queen bees alone will exceed \$300,000 per year in three years.

"The proposed development will be the processing site for approximately 4000 honey producing hives on the Island of Hawaii. These hives, when placed in the proximity of orchards, can be expected to have a very beneficial impact on production due to increased pollenization. Crops which require pollenization and which will benefit from the hives are macadamia, guava, avocado, citrus, coffee, passion fruit, lychee, coconut, cucumbers and melons. There is no known negative impact on vegetation due to the placement of bee hives. A breeding program has been ini/ti/ated to select only breeders whose progeny are not only productive but must be gentle as well.

"Powers Apiaries has spent approximately the last two years looking for a suitable site to combine processing facilities along with a queenery. Processing facilities are required in a location geographically central to the location of the majority of their hives. Great emphasis was placed on the search for a location which had negligible winds year round so that as few as possible of the queen bees would be lost during mating.

"The subject property was the only property which fit the two aforementioned criteria and which was available at an economically feasible price.

"The applicant cannot expand honey operations any further without the proposed facilities, and cannot justify, on an

economical basis, the maintaining of a separate processing storage and queenery operation. The applicant has been in the process of expanding its honey producing and processing business for the past five years on this island. A large portion of the hives now in use are in the South Kona area and it is most important to have storage and processing facilities nearby.

"More important to the applicant is a location for a queenery where winds are negligible on a year round basis. Queen bees must mate in the air and return to their hives and are often lost in windy conditions. The central Kona area is known for its lack of winds due to the steep terrain and the protection afforded by all three of Hawaii's mountains, and the site is well situated for servicing the many honeyproducing hives now in the Kona area."

✓ The subject property is zoned "Unplanned" while the General Plan Land Use Pattern Allocation Guide Map designation is orchards.

✓ As stated previously, surrounding land uses are the coffee mill complex and scattered residences. Much of the area is unused.

✓ The subject area is situated within the Kealahou Bay Archaeological and Historic District which is on the Hawaii Register of Historic Places. An archaeological reconnaissance survey of the property has been conducted. The survey report stated, in part, the following:

"Virtually the entire area of this 5.6-acre parcel is rough, old a'a lava, almost completely lacking in soil or areas suitable for cultivation. It is now thickly overgrown with koa haole. The Kahauloa flood channel crosses the southwestern corner of the lot, but the soil brought down by it has been deposited mostly on the adjoining parcels to the south and west. A berm four to five feet high has been raised along the south side of the channel to keep water from nearby houses and the coffee mill....

"Irregular stone walls, three to four feet high, coincide roughly with the north and south boundaries, and follow closely the eastern boundary. There are no internal division walls. Several Land Commission Awards adjoin the parcel, indicating a history of cultivation in the area.

"No other archaeological features were observed...and features recorded herein do not, in my opinion, warrant further study."

Access to the parcel is via a 20-foot wide private road off of the Napo'opo'o government road. All essential utilities and services are available.

As noted in the archaeological report, the property lies within a floodway and may be affected by the County Department of Public Works' "Coffee Mill Flood Water Diversion Project" which is currently being planned.

In reviewing the subject request, the U.S.D.A. Soil Conservation Service reported that the area under consideration has Kainaliu very stony silty clay loam soils. This series formed in volcanic ash and are moderately deep and well drained. According to the Soil Conservation Service report,

"In a typical profile, the surface layer is very dark brown silty clay loam about 10 inches thick and contains by volume about 10 to 15 percent gravel to stone size Aa fragments. The subsoil, which generally extends to a depth of 20 to 40 inches, is dark brown silty clay loam and contains by volume about 20 to 60 percent gravel to stone size Aa lava fragments. The substratum is fragmental Aa lava. The Kainaliu soils are medium in fertility. They have high moisture-holding capacity. Annual rainfall ranges from 40 to 60 inches, most of which falls during the summer months. Permeability is rapid...in the surface and subsoil and very rapid...in the substratum.... Erosion hazard is moderate."

The Soil Conservation Service also noted that "Lands adjacent to this parcel are listed as a flood hazard area in the South Kona Flood Hazard Analyses. This flooding problem should be resolved with the construction of the Sunset Coffee Mill Floodwater Diversion."

✓ The Land Study Bureau master productivity rating for the area under consideration is 'E' or very poor.

The area is also classified as "Other Important Agricultural Land" under the classification system recently adopted by the Board of

✓ Agriculture. Lands in this classification are important to agriculture in Hawaii yet they exhibit properties, such as seasonal wetness, erodability, limited rooting zone, slope flooding, or droughtiness, that exclude them from the prime or unique agricultural land classifications.

✓ Upon reviewing the subject request, the Department of Agriculture submitted the following:

"The Department of Agriculture has no comments to offer except to note that the growth potential for the beekeeping industry, particularly rearing of queens for export, is promising and should be encouraged. There is an increasing demand for Hawaiian queens for early start of new colonies on the mainland. Hawaii has a distinct advantage in year-round queen bee production, and in addition, it appears that Hawaiian bees are resistant to fowlbrood diseases."

The Department of Water Supply noted that "...there is only a limited amount of water presently available until such time that our Kahaluu Shaft Projects are completed."

✓ The Department of Health noted that the petitioner must comply with the Food Service and Food Establishment Sanitation Code and possibly with Chapter 28 of the public health regulations concerning air conditioning and ventilation.

✓ None of the other cooperating agencies had any comments on or objections to the subject request.

RECOMMENDATION: POWERS APIARIES, INC.

Upon review of the subject request for a Special Permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District, the staff recommends that it be given a favorable recommendation, based on the following considerations:

1. That approval of the subject request would be consistent with the State Land Use Law and Regulations. The intent of these statutory provisions is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of Hawaii. The purpose of the subject request is to allow the establishment of facilities for the processing of honey. Also requested is the related establishment of a queenery, which is for the breeding of queen bees. The keeping of bees and the collecting of honey is a growing agricultural activity on the island of Hawaii. The proposed activities and facilities are integral components of these endeavors. Without processing and storage facilities, an essential link in the distribution of products would be lacking. In addition, the breeding of queens is one aspect of bee-raising which is supportive of the overall activity. The proposed uses would thus

be directly consistent with the purpose of the State Land Use Agricultural District. The proposed use would also support other agricultural activities in that the growth of beekeeping would be beneficial to crops requiring pollenization.

It should also be pointed out that the area under consideration has soils with low productivity ratings for traditional agriculture. The area, however, is optimal for the proposed use in terms of wind conditions. By establishing the use on the subject property, lands with higher productivity ratings can be reserved for agricultural activities requiring certain soil-related conditions.

2. That the proposed uses will further the State and the County's policies of encouraging and supporting agricultural activities, inasmuch as support facilities for a growing agricultural use will be provided. Approval of the subject request will also directly implement the County General Plan. The General Plan Economic Element explicitly states that the County shall assist the expansion of the agricultural industry, especially diversified agriculture. The Economic Element also calls for the diversification of the County's economy. The establishment of the proposed facilities and use for a growing diversified agricultural endeavor is in keeping with these General Plan policies.

3. That although there will be some alteration in the existing character of the land, such alteration will not have substantially adverse effects on surrounding properties or the general character of the area. The proposed use will not entail the construction of large-scale facilities. A large portion of the subject property will remain open in character. In addition, the general area is either vacant or in agricultural use, with scattered single-family dwellings. The proposed use is not expected to generate excessive traffic, noise, or other effects of a noxious nature.
4. That the proposed use will not unreasonably burden public agencies to provide additional services and facilities. All essential services and facilities are or can be made available to the subject site. Although a limited quantity of water is currently available for the Kona region, this will be eventually rectified with the completion of the Kahalu'u Shaft project.

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

1. That construction of the proposed structures shall commence within one (1) year of the effective date of approval of the Special Permit and shall be completed within two (2) years thereafter. The petitioner or its authorized representative shall receive final plan approval prior to establishment of the proposed use.

2. That the conditions of approval of Special Management Area (SMA) Use Permit No. 44 shall be complied with.
3. That all other applicable rules and regulations, including the requirements of the Departments of Water Supply, ^{and Health} Public Works, shall be complied with.

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

SP 78-295

Powers Agiaries, Inc.

Exhibit U

Date February 23, 1978

Petitioner POWERS APIARIES, INC. - Special Permit

Other: _____

EXHIBIT V

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
February 23, 1978

The Planning Commission met in regular session at 10:00 a.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
Shigeru Fujimoto (Left at 3:00 p.m.)
Lorraine R. Jitchaku
Haruo Murakami
Bert H. Nakano
Alfredo Orita
William J. Paris, Jr.
Charles Sakamoto

ABSENT: J. Walsh Hanley

Duane Kanuha, Deputy Planning Director
Norman Hayashi, Planner
Ilima Piianaia, Planner
Keith Kato, Planner (Left at 5:00 p.m.)

David Murakami, representing Ex-officio Member, Edward Harada (Left at 3:00 p.m.)
Quirino Antonio, representing Ex-officio Member, Akira Fujimoto (Left at 11:30 p.m.)
Lionel Meyer, Deputy Corporation Counsel (From 7:00 p.m.)

and about 10 people at 10:00 a.m., 13 people at 3:00 p.m., and 7 people at 7 p.m.

All those testifying were duly sworn in.

✓ SPECIAL PERMIT
POWERS APIARIES,
INC.
KAHAULOA IKI,
SOUTH KONA,
HAWAII
Application of Powers Apiaries, Inc. for a Special permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District. The property involved is located north of the Napo'opo'o Road, adjacent and to the rear of the Kona Farmers Cooperative complex, Kahauloa Iki, South Kona, TMK: 8-2-08:portions of 22 and 55.

Staff presented recommendation for approval with conditions on file.

In response to Commissioner Murakami's concern regarding flooding, staff replied that they are recommending that the conditions that were imposed on the petitioner under the SMA Use Permit be complied with. One of the SMA conditions is that the petitioner shall consult with the Chief Engineer of the County Department of Public Works

EXHIBIT W

regarding affects of the coffee mill flood control project upon the proposal, and shall submit appropriate drainage plans for review and approval of the Chief Engineer and Planning Director.

It was moved by Commissioner Jitchaku and seconded by Commissioner Murakami that the Commission send a favorable recommendation to the State Land Use Commission with the conditions outlined by the staff.

At this time, staff recommended that the new Commissioners not vote on this application as they were not present at the public hearing.

A roll call vote was taken and motion carried with five ayes.

CHANGE OF ZONE	Preliminary hearing on the application of Inter
<u>INTER ISLAND</u>	Island Resorts, et al. for a change of zone
<u>RESORTS</u>	for 2.12 acres of land from a Single Family
KEAUHOU 2ND,	Residential - 10,000 square foot (RS-10) to a
NORTH KONA	Resort-Hotel - 750 square foot (VH-.75) zoned
	district. The area involved is located along
	the south side of Keauhou Bay and adjacent to the Kona Surf Hotel
	complex, Keauhou 2nd, North Kona, TMK: 7-8-12:58 through 60.

Chairman Mielcke excused himself from participating in the discussion because of a possible conflict of interest as he is an employee of Inter Island Resorts in the capacity of General Manager of the Kona Surf Hotel.

At this time, Chairman Mielcke appointed Commissioner Jitchaku to chair the meeting.

Staff presented background information on file and recommendation to set the application up for a public hearing.

The petitioner's representative, G. William Paulson, said he felt the General Plan would be complemented as the development would be of the highest and best use. He pointed out they presently do not have any construction plans although they are considering the feasibility of expanding the luau garden area. He said they felt it would have a favorable financial impact and did not anticipate any adverse environmental impacts. He pointed out that their developments have always been of a high quality and they anticipate any future developments to be in line with their past and present policy.

It was moved by Commissioner Sakamoto and seconded by Commissioner Orita that the application be set up for a public hearing; motion was carried.

At this time Commissioner Jitchaku turned the meeting back to Chairman Mielcke.

The Chair informed the Commissioners that Items 3 and 4, applications of Bratton Development Corporation and Ventura Westlake Development Corporation and Kailua Kona Village Development Group have been withdrawn.



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 98720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

February 27, 1978

Powers Apiaries, Inc.
P. O. Box 1960
Kailua-Kona, HI 96740

Gentlemen:

Special Permit Application
Tax Map Key 8-2-08:portions of 22 and 55

The Planning Commission at its regular meeting of February 23, 1978 considered your application for a special permit to allow the operation of a honey storage and processing facility and a queenery within the State Land Use Agricultural District at Kahauloa Iki, South Kona, 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 structures shall commence within one (1) year of the effective date of approval of the Special Permit and shall be completed within two (2) years thereafter. The petitioner or its authorized representative shall receive final plan approval prior to establishment of the proposed use.
2. That the conditions of approval of Special Management Area (SMA) Use Permit No. 44 shall be complied with.
3. That all other applicable rules and regulations, including the requirements of the Department of Water Supply, Public Works, and Health shall be complied with.

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

Powers Apiaries, Inc.
Page 2
February 27, 1978

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

Sincerely,



William F. Mielcke
Chairman, Planning Commission

lgv

cc Mr. Dennis Haserot
State Land Use Commission
Land Use Division, DPED

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for	)	
SPECIAL MANAGEMENT AREA USE PERMIT	)	
by	)	
POWERS APIARIES, INC.	)	
for	)	SMA USE PERMIT NO. 44
A QUEENERY, HONEY STORAGE AND	)	
PROCESSING FACILITY AND	)	
RELATED IMPROVEMENTS	)	
in	)	
Kahauloa Iki, South Kona, Hawaii	)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on November 16, 1977, considered the application of POWERS APIARIES, INC. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the operation of a queenery, the construction of a honey storage and processing facility, and related improvements in Kahauloa Iki, South Kona, Hawaii, Tax Map Key 8-2-08:55 and portion of 22.

The Commission has found:

That the approval of the proposed agricultural development will not be in conflict with the purpose and intent of Act 176, S.L.H. 1975, and Rule 9 of the County Planning Commission. The construction of the proposed structures including site preparation should not have any significantly adverse effects on the Special Management Area. The proposal will not reduce nor impose restrictions upon public access to beaches, recreational areas, or natural reserves, nor will it reduce the size of any such area as the subject parcel is not adjacent to these resources.

Although grubbing activities will remove the existing natural vegetation, it will not result in the loss of any unique native or endemic species or in the destruction of valuable habitats. Likewise, grading may significantly alter the existing topography and may adversely impact on erosion and drainage patterns with respect to abutting properties. However, strict adherence to approved grading plans should avert these consequences.

Any potentially damaging effects on air and water quality from the processing operation may be mitigated by applicable Department of Health regulations which must be complied with.

Further, that although there may be some concern for archaeological resources, this may be minimized by conditions of approval.

Based on the above, it is determined that the proposal is not in conflict with the purpose, policies and guidelines of the Environmental Shoreline Protection Act or Rule 9 nor is it contrary to the County General Plan or the State and County long-term environmental goals and policies.

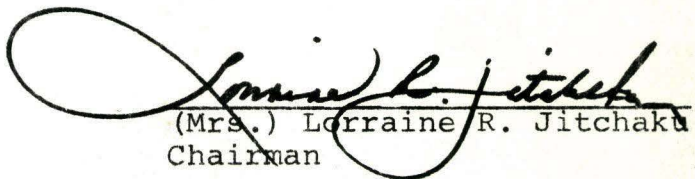
Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the operation of a queenery, the construction of a honey storage and processing facility, and related improvements in Kahauloa Iki, South Kona, Hawaii, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

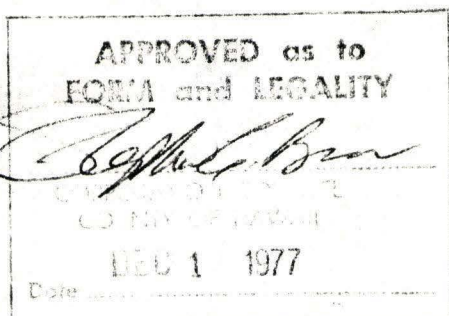
1. That construction of the proposed structures shall commence within one (1) year of the effective date of a Special Permit if such a permit is issued and shall be completed within two (2) years thereafter.
2. That the petitioner shall consult with the Chief Engineer, County Department of Public Works regarding effects of the "Coffee Mill Flood Control Project" upon the proposal; then shall submit appropriate drainage plans for the review and approval of the Chief Engineer and Planning Director.
3. That the petitioner shall provide the Department of Water Supply with projected water needs, and further shall abide by water allocation limits, if any, as prescribed by that Department.
4. That the petitioner shall comply fully with the requirements of the County (Grading) Ordinance No. 168.
5. That an archaeological reconnaissance survey of the property shall be conducted and a copy of the report be submitted to the Planning Director prior to grading.

Should these conditions not be met, the Special Management Area Use Permit shall be deemed null and void.

The effective date of this permit shall be November 16, 1977.

Dated at Hilo, Hawaii, this 6th day of December, 1977.


(Mrs.) Lorraine R. Jitchaku
Chairman



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

LAND USE DISTRICT BOUNDARIES		
DISTRICT MAP H-9	STATE OF HAWAII LAND USE COMMISSION DEPT. OF PLANNING & ECONOMIC DEVELOPMENT EFFECTIVE DATE: DEC 20 1974	DISTRICTS U = URBAN R = RURAL A = AGRICULTURAL C = CONSERVATION

HONAUNAU QUADRANGLE
HAWAII-HAWAII CO.
ISLAND OF HAWAII-SOUTH KONA DISTRICT
7.5 MINUTE SERIES (TOPOGRAPHIC)
NW 4 HONAUNAU 15 QUADRANGLE

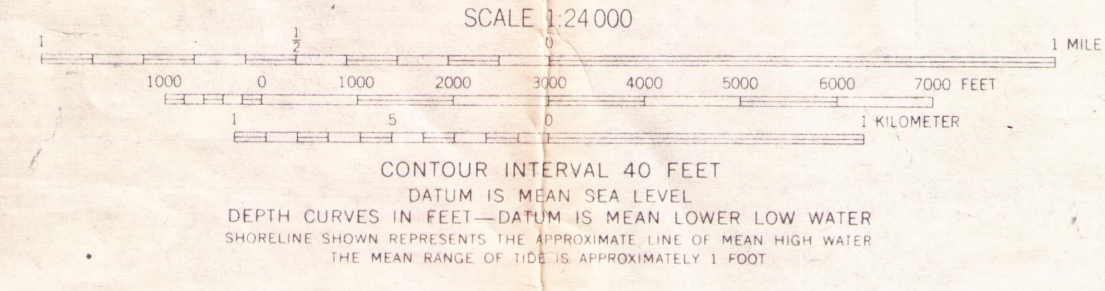
KEALAKEKUA BAY

KEALAKEKUA BAY
ARCHAEOLOGICAL AND
HISTORICAL DISTRICT

SP78-295 POWERS APIARIES, INC.

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. Field check 1959
Hydrography compiled from USC&GS charts 4140 (1950)
and 4123 (1951)
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

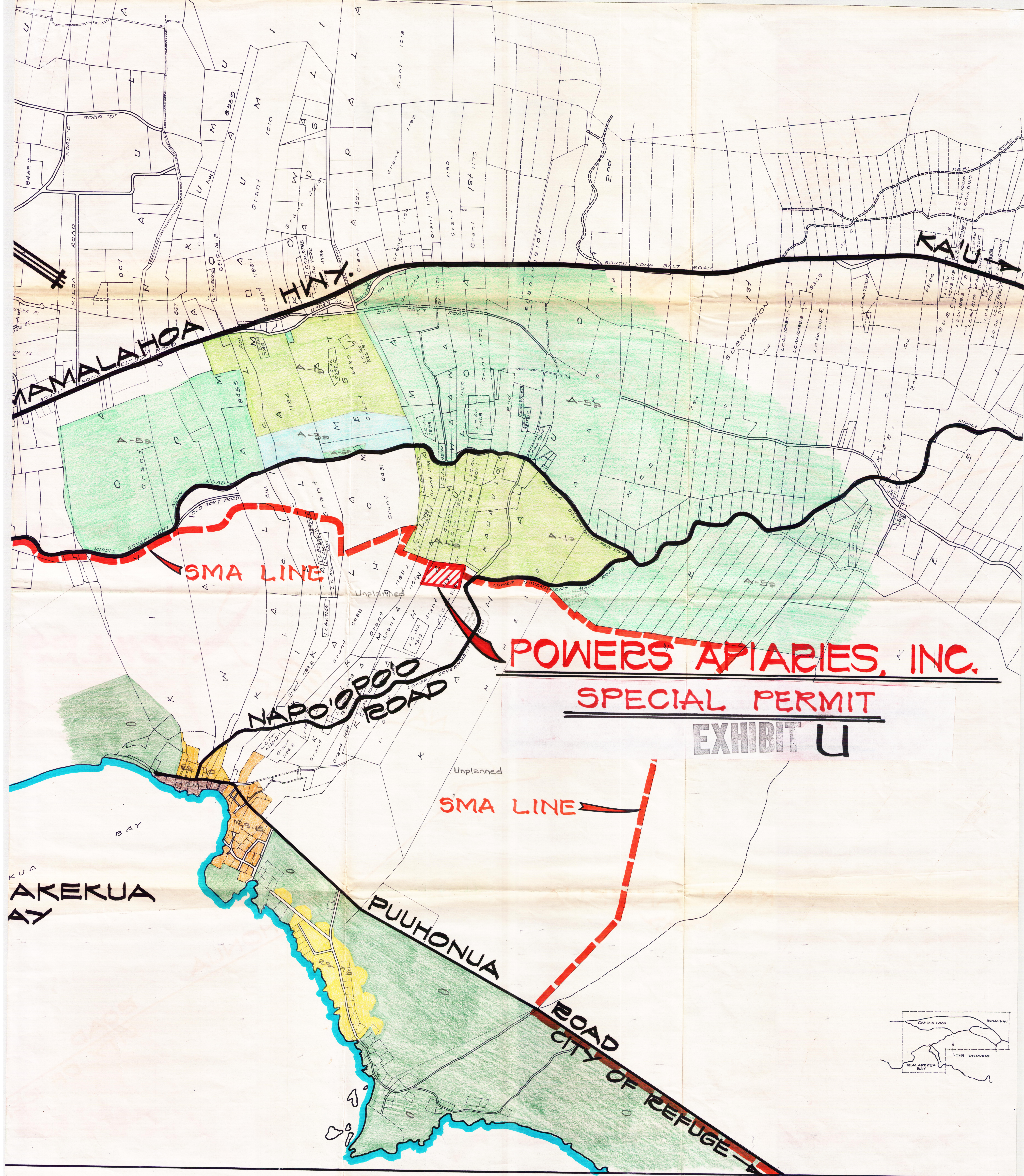
TRUE NORTH
MAGNETIC NORTH
APPROXIMATE MEAN
DECLINATION, 1959

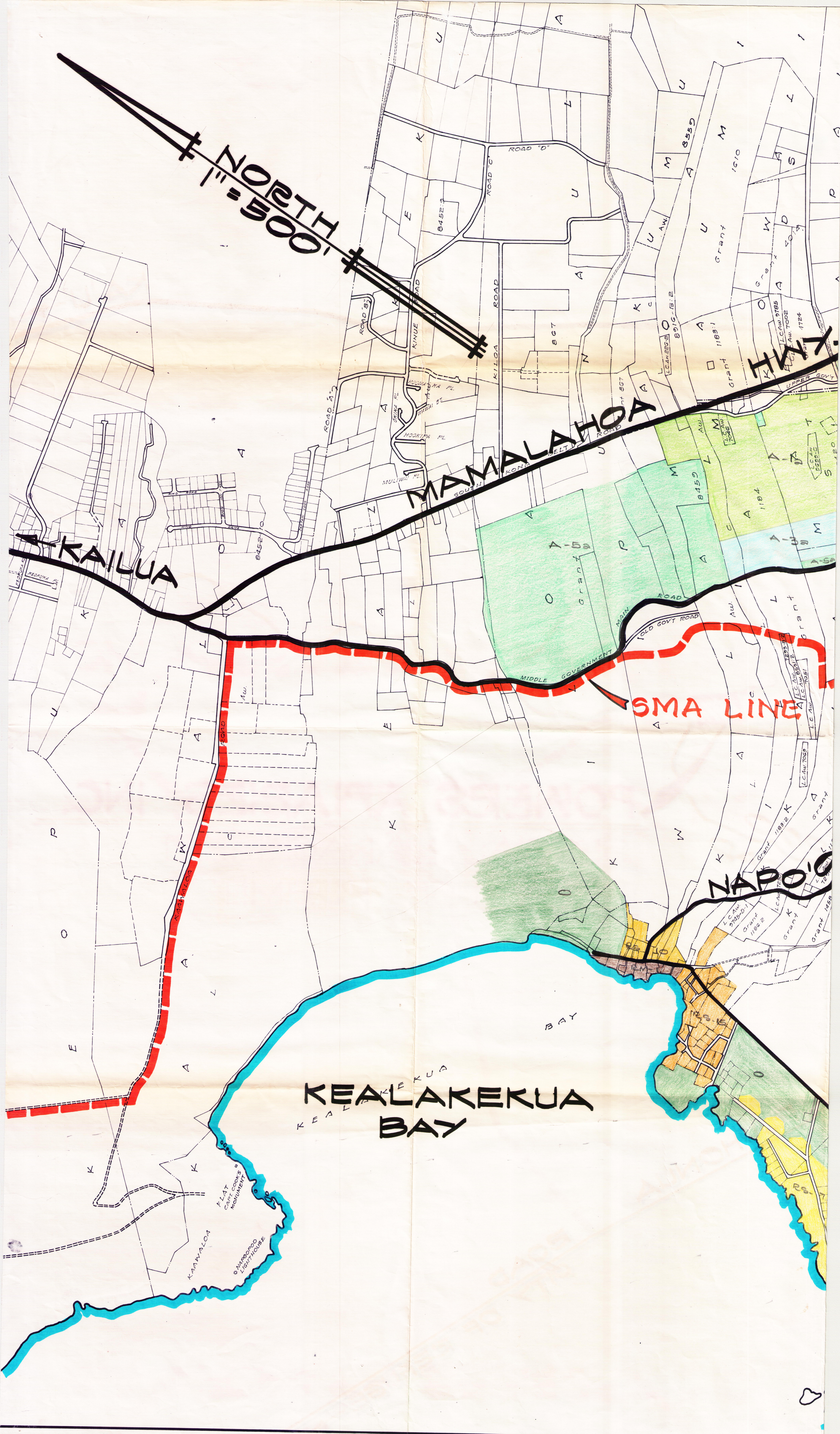


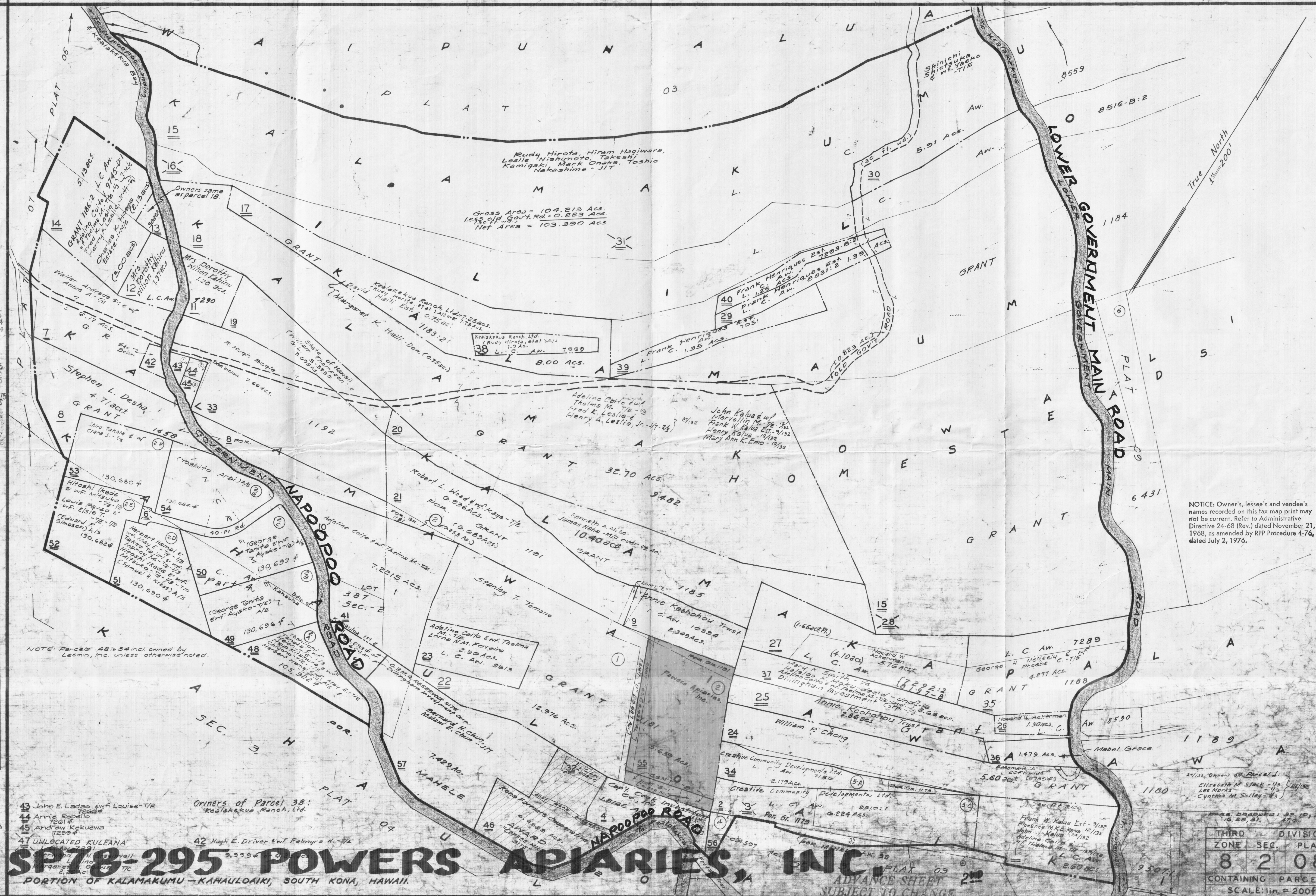
ROAD CLASSIFICATION
Medium-duty ——— Light-duty ———
Unimproved dirt ———
State Route ○

HAWAIIAN ISLANDS
QUADRANGLE LOCATION

H-9
HONAUNAU, HAWAII
NW 4 HONAUNAU 15 QUADRANGLE
N1922.5-W15552.5/7.5







NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current. Refer to Administrative Directive 24-68 (Rev.) dated November 21, 1968, as amended by RPP Procedure 4-76, dated July 2, 1976.

24/132 Owners of Parcel 1:
Elizabeth M. Stock - 1/3
Les Marks - 1/3
Cynthia M. Salley - 1/3 } 24/132

THIRD	DIVISION	
ZONE	SEC.	PLAT
00	00	00 00

CONTAINING PARCELS
SCALE: lin. = 200ft

PRINTED MAR 31 1978