

CERTIFIED MAIL

June 5, 1984

Mr. E. Alan Kennett
Hilo Coast Processing Company, Inc.
P. O. Box 18
Pepeekeo, HI 96783

Dear Mr. Kennett:

Change of Zone Application and
Special Management Area Use Permit Application
TMK: 2-8-07:53

The Planning Commission at its duly held public hearing on May 31, 1984, reviewed and acted on your applications for a change of zone and a special management area use permit for the above described property.

The Commission voted to recommend approval of your change of zone application to the County Council, subject to the following conditions:

- A. The petitioner, successors or its assigns shall comply with the stated conditions of approval.
- B. Plans for Plan Approval for the proposed development shall be submitted to the Planning Department within one year from the effective date of the change of zone.
- C. Construction shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
- D. Drainage system(s) in accordance with the requirements of the Department of Public Works shall be installed.
- E. All other applicable rules, regulations and requirements, including those of the State Department of Health, shall be complied with.

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Should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate designation may be initiated.

A requirement, as part of our recommendation to the County Council, is the inclusion of a legal description of the subject area in map and written form by metes and bounds. Please submit such a description to us as soon as possible so that the application can be forwarded to the Council with a minimum of delay.

The Commission, also, voted to approve your SMA Use Permit application, Special Management Area Permit No. 208, based on the following:

The purpose of Chapter 205-A, Hawaii Revised Statutes and Rule No. 9, Special Management Area Rules and Regulations of the County of Hawaii is to preserve, protect, and where possible, to restore the natural resources of the coastal zone areas. As a result, special controls on development within the area along the shoreline are necessary to avoid permanent loss of valuable resources and the foreclosure of management options.

One (1) of the criteria for approving a development within the Special Management Area (SMA) is that the development is consistent with the General Plan, Zoning and Subdivision Control Codes, and other applicable ordinances. As presented earlier, the request does conform to the General Plan which designated the subject area for Industrial uses.

The proposed development is also not anticipated to have any substantial adverse environmental or ecological effects. The property is not known to contain any unique ecological systems, nor provide habitats for any endangered plant or animal species. Further, there were no archaeological features of importance found on the property.

The proposed development is not expected to have any significant adverse effects on the coastal resources, nor adversely affect any existing access to the shoreline. The proposed improvements will be situated approximately 200 feet at its nearest point from the shoreline. Further, any potential adverse effects on the off-shore water quality will be mitigated through compliance with existing regulations.

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Based on the above, it is determined that the approval of the proposed project will not result in the loss of valuable natural, cultural, or recreational resources of the shoreline and coastal area.

The proposed development also is not expected to impede the mauka-makai view plane from the Hawaii Belt Road since the proposed buildings will be sited quite a distance from the highway. In fact, the existing sugar mill complex, of which the majority of the buildings are taller than those proposed, is barely visible from the highway. Therefore, the visual impact is expected to be negligible.

Any potential runoff or discharge which could reach ocean waters can be handled by on-site improvements. Further, negative impacts on the local water quality resulting from soil erosion and runoff during site preparation and construction phases are unlikely, but should they occur they can be adequately mitigated through compliance with existing ordinances and regulations.

All other essential utilities and services, including a private water system, are or will be made available to the subject property. In this regard, the proposed development will complement the objectives of Rule No. 9, and the Land Use and Industrial elements of the General Plan which encourage developments, such as proposed, in areas serviced by existing infrastructures.

Based on the above, it is determined that the proposed development will not have any substantial adverse impacts on the surrounding area nor will its approval be contrary to the objectives and policies of Chapter 205-A or with the intent of Rule No. 9.

Approval of this Special Management Area Use Permit No. 208 is subject to the following conditions:

- A. The petitioner, successors or its assigns shall comply with all of the stated conditions of approval, including those of the accompanying change of zone.
- B. The area affected under the accompanying change of zone shall not become effective until the change of zone ordinance becomes effective.

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- C. Plans for Plan Approval for the proposed improvements shall be submitted to the Planning Department within one year from the effective date of the permit.
- D. Construction shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
- E. Drainage system(s) in accordance with the requirements of the Department of public Works shall be installed.
- F. All other applicable rules, regulations and requirements, including those of the State Department of Health, shall be complied with.
- G. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Special Management Area (SMA) Use Permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,


Roy Kagawa
Chairman, Planning Commission

cc: Okahara, Shigeoka and Associates
Real Property Tax Division
Chief Engineer
Building Dept.
Dept. of Water Supply

bcc: Plan Approval Section