

CERTIFIED MAIL

November 26, 1985

Mr. Philip Yoshimura, P.E.
P. Yoshimura, Inc.
290 Ainako Avenue
Hilo, HI 96720

Dear Mr. Yoshimura:

Special Management Area (SMA) Use Permit Application
Applicant: Kawaihae Industrial Development Corporation
Tax Map Key: 6-1-06:15

The Planning Commission at its duly held public hearing on November 20, 1985, voted to approve the application, Special Management Area Use Permit No. 229, to allow the development of an existing industrial-zoned lot for various activities including two steel frame warehouse facilities and related improvements at Kaei Hana II Industrial Subdivision, Kawaihae, South Kohala, Hawaii. The Planning Commission, however, voted to delete the two-story restaurant building from the overall proposal since actual construction remains an uncertain factor in this development, as stated by the petitioner. The petitioner agreed to deleting the restaurant.

Approval of this request is based on the following:

The subject property and surrounding area have been extensively graded in conjunction with the requirements of subdivision construction. Consequently, no archaeological sites have been identified within the area, nor is it likely that there are any rare or endangered species of plant or animal in the vicinity. Since the project site is situated mauka of the Akoni Pule Highway and about 550 feet from the shoreline, there should be no direct negative impacts to the coastal waters, recreational areas or public accesses along the shoreline.

NOV 26 1985

Mr. Philip Yoshimura, P.E.
November 26, 1985
Page 2

Dust, erosion and noise will be generated during the construction phase, but these temporary effects can be controlled by utilizing acceptable construction practices. Permanent soil erosion is probable given the proposed cut of the slopes and the characteristics of the soil. Groundcover landscaping is mandated as a condition of approval.

Impacts to the visual corridor along Akoni Pule Highway will also be reduced through the imposition of landscaping at the time of plan approval.

Given the plan submittal together with the petitioner's drainage study, the proposed improvements will need to be modified to satisfy the code requirements of Chapter 27 relating to Flood Control. Walls, guardrails, and all cut and fill proposed within the two 25-foot wide drainage easements must first be approved by the Department of Public Works. The State Department of Transportation has stipulated that any encroachment and storm runoff will not be permitted within the Akoni Pule Highway right-of-way. Thus, compliance with the rules of the Department of Public Works and the Department of Transportation are being made a condition of this approval.

The proposed development is consistent with Special Management Area objectives, policies and guidelines established under Chapter 205-A, HRS. These objectives and policies provide guidance for the preservation, protection and development of coastal resources of the State and County. As previously stated, due to prior land alterations and the distance of the subject proposal from the shoreline, the granting of this request will not have a significant impact on historic and recreational resources.

With the above concerns addressed, the development is consistent with the Hawaii County Zoning Code, which identifies the Kaei area for industrial activities. The proposed industrial uses support the Economic Element of the General Plan by increasing the use of a facility important to the State's economy in suitable locations. The following General Plan Land Use Element policy is further complemented: "The County shall attempt to improve the aesthetic quality of industrial sites and protect amenities of adjacent areas by requiring landscaping, open spaces and buffer zones."

Based on the foregoing, the proposed development, which excludes the restaurant, will not have any substantial adverse impact on the surrounding area. Its approval will be consistent with Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of

Mr. Philip Yoshimura, P.E.
November 26, 1985
Page 3

the Planning Commission, relating to the Special Management Area; Chapter 25 (Zoning Code) of the Hawaii County Code; and the Hawaii County General Plan.

Approval of this SMA request is subject to the following conditions:

1. The petitioner, its successors, or assigns shall be responsible for complying with all of the stated conditions of approval.
2. Plans for Plan Approval shall be submitted to the Planning Department within one year from the effective date of this SMA Permit.
3. Detailed landscaping plans shall be submitted to the Planning Department for review and approval and shall provide for visual screening of the proposed improvements from Akoni Pule Highway as well as soil erosion protection on the side slopes.
4. Construction shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
5. Water generated from the project shall be disposed of in a manner meeting with the approval of the Department of Public Works and, if applicable to the State's right-of-way, the State Department of Transportation.
6. No access shall be permitted from Akoni Pule Highway.
7. No encroachment within the state or county right-of-way shall be permitted.
8. Should any unanticipated archaeological sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls be encountered, work in the immediate area shall cease and the Planning Department contacted at 961-8288. Work in the immediate area shall not continue until the Planning Department issues an archaeological clearance which finds that sufficient mitigative measures have been taken.
9. Comply with all applicable rules, regulations and requirements, including those of the Department of Health, the Department of Water Supply and the Department of Transportation.

Mr. Philip Yoshimura, P.E.
November 26, 1985
Page 4

10. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, this permit shall be void.

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

Sincerely,

Barbara A. Koi

Barbara A. Koi
Chairman Pro Tem, Planning Commission

cc: DPED, CZM Program w/background
DLNR
Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section