

CERTIFIED MAIL

July 9, 1985

Diamond Head Papaya Co., Ltd.
Hawaiian Solo Company
911 Kanoelehua Avenue
Hilo, HI 96720

Gentlemen:

Special Permit Application (85-19)
TMK: 1-6-141:3

The Planning Commission at its duly held public hearing on July 2, 1985, voted to approve your application, Special Permit No. 599, to allow the establishment of a papaya packing plant and related improvements on 2.29 acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii.

Approval of this request is based on the following:

The proposed use will not be contrary to the objectives sought to be accomplished by 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 in Hawaii. In the case of the Agricultural District, the intent is to preserve lands of high agricultural potential for agricultural use. The purpose of this particular request is to allow the establishment of a papaya packing plant and related improvements. It is felt that the establishment of the proposed use will directly benefit the agricultural industry of the area. Such support for this particular industry will provide greater incentives for papaya production. Therefore, approval of this particular request will complement the General Plan's Economic goal which states that "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors."

Further, the proposal is directly related to agricultural activities. Within the State Land Use and County Agricultural

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zoned districts, the processing and packing of agricultural products is a permitted use provided that the products are grown on the premises. In this case, however, the papaya will be grown elsewhere. In spite of this fact, however, the use of the Special Permit procedure is appropriate in view of the direct relationship between the requested use and the uses permitted within the Agricultural District. It is apparent that the requested use will complement, rather than be detrimental to the underlying district classification. The proposed use is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agricultural District through the Special Permit process.

The approval of this request is not expected to adversely affect surrounding properties. The Keaau Kim Chee factory and the Miko Slaughterhouse facility is located adjacent to the subject property. Other lands in the area are basically in agricultural use or are vacant.

The approval of this request will not unreasonably burden public agencies to provide utilities and services. All essential utilities and services, including water, are available to the property.

Unusual conditions, trends, and needs have arisen in relation to the subject request since the establishment of the district boundaries and regulations. Since the enactment of the State Land Use Law in 1961, the papaya industry has grown tremendously. As a result, the need for additional production and processing facilities, such as proposed, has increased over the years. Further, recent Federal regulations now require alternative methods for the treatment of papaya which would be exported to the mainland and other foreign countries.

Based on the above consideration, it is determined that the subject request is an unusual and reasonable use of the property, and that it would promote the effectiveness and objectives of the State Land Use Law and Regulations.

Approval of this Special Permit request is subject to the following conditions:

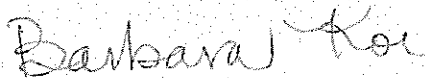
1. The petitioner, successors, or its assigns, shall comply with all of the stated conditions of approval.
2. Plans for the proposed use shall be submitted to the Planning Department for Plan Approval within one year from the effective date of approval of the permit.

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3. Construction of the proposed improvements shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
4. Access shall be limited to the Slaughter House Road. No direct access to the property shall be allowed from the Volcano Highway. Further, access to the property shall meet with the approval of the Department of Public Works and the Planning Department.
5. Heavy landscaping, meeting with the approval of the Planning Department, shall be provided along the boundaries of the property. The landscaping plan shall be submitted at the time of Plan Approval review.
6. All other applicable rules, regulations, and requirements, including those of the Department of Water Supply and Public Works, and the State Department of Health, be complied with.
7. 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 Permit shall be void.

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

Sincerely,



Barbara Koi, Vice Chairman
Planning Commission

cc: Hiroshi Kasamoto
State Land Use Commission
Department of Public Works
Department of Water Supply
County Real Property Tax Division

bcc: Plan Approval Section