

CERTIFIED MAIL

April 29, 1986

Mr. Donald Sasaki  
P. O. Box 1728  
Kealahou, HI 96750

Dear Mr. Sasaki:

Special Permit Application (86-4)  
TMK: 7-9-07:51

The Planning Commission at its duly held public hearing on April 23, 1986, voted to approve your application, Special Permit No. 616, to allow the establishment of a produce wholesaling business on 5 acres of land situated within the State Land Use Agricultural District at Lehuula 2nd, North Kona, 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 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.

The purpose of this particular request is to allow the establishment of an agricultural produce wholesaling business utilizing existing structures on the property. The bulk of the agricultural products are obtained from local farmers. As such, the establishment of this produce wholesaling activity will directly benefit the farmers in the area as well as the County's agricultural industry as a whole. An activity such as proposed is directly related to diversified agricultural crop production. The use of the Special Permit procedure is determined to be appropriate in view of the direct relationship between the requested use and the uses and activities permitted within the Agricultural District. It is determined that the requested use will complement and not be detrimental to the underlying district designation, and it is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agricultural District.

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Furthermore, while the proposed use will be established on the property, the remaining 4.5 acres will and can still be used for the growing of coffee and avocado or other similar type of agricultural products.

It is felt that approval of this particular request will also complement the General Plan's Economic goal which states, "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors."

The proposed use should not adversely affect surrounding properties. Surrounding land uses include coffee and other types of orchard crops, as well as vacant lands. While there are single family dwellings and commercial activities in the immediate area, these are basically situated along the Mamalahoa Highway, a distance of approximately 640 feet mauka of the subject property.

Unusual conditions, trends and needs have arisen since the establishment of the district boundaries and regulations. The applicant is seeking the flexibility to address the varying demands of the local farmers for the sale of their agricultural products. As such, the proposed facility may play a small, but important role in keeping the County's agricultural industry viable.

Based on the foregoing, it is determined that the proposed use is an unusual and reasonable use of the land within the State Land Use Agricultural District. As such, it is further determined that the approval of the request would promote the effectiveness and objectives of Chapter 205, HRS, as amended.

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

1. The applicant, its successors or assigns shall be responsible for complying with all of the stated conditions of approval.
2. Plans for the proposed development, including the provision of a parking area, shall be submitted to the Planning Department for Plan Approval within one year from the effective date of approval of the Special Permit.
3. The produce wholesaling use shall be established within one year from the effective date of final Plan Approval.

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4. The hours of operation for this activity shall be limited to 7:00 a.m. to 6:00 p.m., Monday to Saturday.
5. All other applicable rules, regulations and requirements be complied with.
6. The Planning Director may administratively grant extensions to the foregoing conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the Permit shall be void.

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

Sincerely,



Barbara A. Koi  
Chairperson, Planning Commission

cc: State Land Use Commission  
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