

CERTIFIED MAIL

August 15, 1988

Mr. William Mori  
Hawaii Anthurium Growers Cooperative  
170 Wiwoole Street  
Hilo, Hawaii 96720

Dear Mr. Mori:

Special Permit Application(88-10)  
Tax Map Key: 1-6-03:21

The Planning Commission at its duly held public hearing on August 8, 1988, voted to approve your application, Special Permit No. 671, to allow the establishment of a processing and packing facility for anthuriums and other flowers and foliage on 2.082 acres of land situated at Keaau, Puna, Hawaii.

Approval of this request is based on the following:

1. The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. The State Land Use Law and Regulations are intended 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 the State of Hawaii. In the case of agricultural districts, the intent is to preserve or keep lands of high agricultural potential in agriculture use. While the subject property has a fair potential for productive agricultural uses and has been classified "Prime" by the ALISH map system, the 2.082-acre parcel is vacant of any agricultural uses. The purpose of this particular request is to allow the establishment of a packing and processing facility for anthuriums and other flowers and foliage on vacant land adjacent to the former Puna Sugar Company's mill site. Furthermore, a facility for papaya dehydration was given a special permit by the Planning Commission within 1,200 feet of the proposed site. Because of the current industrial pressures

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occurring in the vicinity of the proposed site coupled with the non-productive state of the land, approval of this request would not adversely affect the potential productivity of the area.

2. The desired use will not adversely affect the surrounding properties. As stated previously, the subject parcel is surrounded by vacant land on three sides and a mill site on the fourth. Although the nearest residence would be over 500 feet from the proposed facility, the negative impacts generated by the new use are expected to be considerably less than those generated by a sugar mill in the past. Landscaping will be utilized to mitigate any visual intrusions which might be seen from the private roadway.
3. The desired use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, police and fire protection. County water is available from a 10-inch or 12-inch waterline along Milo Street. Any connection to this line shall be reviewed and approved by the Department of Water Supply. All other responding agencies raised no objections to the request.
4. The land upon which the proposed use is sought is unsuited for the uses permitted within the district. Since the enactment of the Land Use Law in 1961, the tropical flower and foliage business has steadily flourished within the South Hilo and Puna Districts. Sugar production, on the other hand, has declined as evidenced by the closing of Puna Sugar Company. As a result, the demand for additional packing and processing facilities has also increased over the years. With the shutdown of a major industry, the need to strengthen diversified agriculture is recognized. Granting of this request would fill this void.
5. The proposed use will not substantially alter or change the essential character of the land and the present use. The character of the area is a mix of industrial-type uses interspersed with vacant sugar lands and nearby residential uses. The construction of a processing and packing facility will not be obtrusive given the adjacent mill site and other agriculturally-related industrial-type uses found in the area.

6. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. As previously stated, the slow decline of sugar and the market demand for flowers and foliage have both led to obvious trends in the focus of agriculture in Hilo and Puna.
7. The request is not contrary to the General Plan. In fact, the Land Use Pattern Allocation Guide (LUPAG) Map designates the property, as well as the entire mill complex, for Industrial uses.

Based on the above considerations, it is determined that the establishment of a processing and packing facility for anthuriums and other flowers and foliage is an unusual and reasonable use of land, which would not be contrary to the objectives sought to be accomplished by the Land Use Law Rules and Regulations.

Approval of this request is subject to the following conditions:

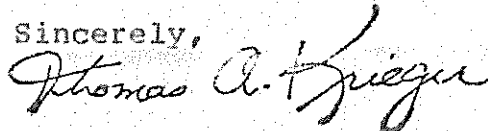
1. The petitioner, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. Plans for the proposed warehouse facility shall be submitted for Plan Approval review within one year from the effective date of this permit. Plans shall include the provision of landscaping within the subject property along the private roadway frontage. Parking shall be provided in accordance with Chapter 25-Hawaii County Zoning Code.
3. Construction shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
4. A drainage system meeting with the approval of the Department of Public Works shall be installed.
5. Comply with the requirements of the Department of Water Supply.
6. All other laws, rules, regulations, and requirements shall be complied with.

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7. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied and the Planning Director acknowledges that further reports are not required.
8. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.

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

Sincerely,



Thomas A. Krieger  
Chairman, Planning Commission

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

bcc: Plan Approval Section