



Planning Commission

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

Larry S. Tanimoto

Mayor

CERTIFIED MAIL

November 19, 1990

Mr. Sidney Fuke
Sidney Fuke and Associates
100 Pauahi Street, Suite 212
Hilo, HI 96720

Dear Mr. Fuke:

Special Permit Application
Applicant: Kunitake Farms
Tax Map Key: 7-7-06:14

The Planning Commission at its duly held public hearing on November 8, 1990, voted to approve the above application, Special Permit No. 758, to allow the establishment of a coffee processing facility on 5.6 acres of land situated within the State Land Use Agricultural District at Pahoeheo, North Kona, Hawaii.

Approval of this request is based on the following:

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. The land on which the development is proposed is classified as "C" or Fair by the Land Study Bureau for agricultural productivity and is unclassified by the ALISH map. The subject coffee processing facility has been in existence in excess of 50 years and is presently being utilized for processing coffee grown off-site for the past three years; therefore, the subject request would not require that additional land will be taken out of agricultural use. The remaining four acres of property are currently planted in coffee trees. The purpose of this request is to allow for a processing facility to support coffee growers in North Kona. Such support facilities will help coffee producers to keep agricultural lands in use and encourage

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further development of agricultural resources. Thus, the proposed use would promote the objectives of the State Land Use Law by helping to preserve, protect, and encourage the development of agricultural lands.

Processing of agricultural products produced on the premises is a permitted use within the State Land Use Agricultural District and the County Agricultural zoned districts. Although coffee is being produced on the premises, the applicant proposes to also process coffee grown off-site; therefore, a special permit is required. The requested use will complement the underlying district designation and is not such a large scale intrusion that would make it inappropriate for placement within the Agricultural district.

The desired use will not adversely affect the surrounding properties. The applicant has been processing coffee on the property for approximately three years with no complaints from surrounding property owners. The applicant has submitted a petition from surrounding property owners stating that the existing use has not constituted a nuisance to the area. The nature of a coffee processing facility is such that some noise, dust, and odor is produced. Therefore, landscaping buffers, paved driveway and parking area, and limited hours of use are recommended as conditions of approval to mitigate noise and dust impacts.

The Department of Health states that the present methods of handling waste products from coffee processing appears to be causing no imminent public health nuisance. However, there was some concern regarding some accumulation and stagnation of operation wash water in the collection area for the milled coffee skins. It is recommended that a wastewater disposal plan be approved by the Department of Health prior to the submittal of plans for plan approval review.

The desired use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, police and fire protection. Water is available to the property. Consulted agencies had no objection to the request. The subject request is not expected to adversely affect traffic along the Mamalahoa Highway. The coffee season covers approximately 8 months. The applicant states that during the coffee season, the traffic volume for the facility is approximately 40 to 50 vehicles per day. This volume of traffic

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is not expected to significantly deteriorate the roadway service since the applicant will allow for the unloading of coffee cherries at the facility 24 hours a day. To prevent potential problems on Mamalahoa Highway, it is recommended that the applicant provide for on-site loading and unloading and a vehicle turnaround area. It is further recommended that the facility be limited to the structure shown on the site plan submitted with this application. In this way traffic impacts can be limited to an acceptable scale.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. The coffee industry in the North Kona District has been revitalized and there is new emphasis in the growing and processing of coffee. Along with the increasing production has been the introduction of additional outlets for the coffee farmers, providing them with new marketing options. These options appear to have spurred renewed interest among coffee growers.

The processing of coffee grown on the subject property at the subject facility has been an ongoing activity for more than 50 years. Processing of coffee grown off-site at the facility has occurred for the past three years. The applicant has stated that no additional equipment or structures are being contemplated at this time. Therefore, the potential for on-site cultivation will not be reduced. However, off-site agricultural activities will be encouraged and agricultural production in the area may tend to increase.

The use of the land will remain primarily agricultural. The processing of coffee produced on other properties is not expected to significantly alter the agricultural character of the land.

The request is not contrary to the General Plan. The proposed use would complement the LUPAG map Orchard designation. The proposed use is consistent with the following General Plan goals, policies, and standards:

Economic:

- * The County shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors.

Agricultural:

- * The County shall ensure that development of important agricultural land shall be primarily for commercial agricultural use purposes.

Industrial:

- * It shall be the policy of the County to achieve a broader diversification of local industries by providing opportunities for new industries and strengthening existing industries.
- * Industrial activities may be located close to raw materials or key resources.

North Kona:

- * The County shall protect important agricultural lands within the Kona Coffee Belt.

Based on the above considerations, it is determined that the establishment of a coffee processing facility for the pulping and drying of coffee grown on other properties and related improvements 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 applicant, its successors, or assigns shall be responsible for complying with all stated conditions of approval.
2. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. Plans shall identify structures, landscaping, paved parking and driveway, including loading/unloading stall(s), and adequate turn-around or back-up space. Plans shall show a landscaping buffer along the north and south boundaries of the subject property adjacent to the processing facility and parking area/driveway. No direct parking and

loading/unloading shall be permitted on Mamalahoa Highway or its right-of-way.

3. All improvements required in Condition Nos. 2, 5 and 7 shall be completed within six months from the date of receipt of Final Plan Approval. A letter shall be submitted to the Planning Department informing that applicable conditions have been complied with.
4. The processing facility shall be limited to the structure shown on the site plan submitted with the application for special permit.
5. Plans for the storage and disposal of liquid organic waste products from the pulping operation shall be submitted to the Department of Health for review and approval prior to issuance of Final Plan Approval.
6. During the months of March through June, the hours of actual coffee processing shall be limited to between 8 a.m. and 5 p.m. provided the facility may remain open 24 hours a day for the receipt of coffee cherries only. During the coffee season months of July through February, the coffee processing facility may operate from 8:00 a.m. to 8:00 p.m.
7. Comply with all other laws, rules, regulations, and requirements of State and County agencies, including those of the Departments of Public Works and Health.
8. 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.
9. 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

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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 shall initiate procedures to revoke the permit.

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

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

Sincerely,



Fred Y. Fujimoto
Chairman, Planning Commission

xc: Mr. Jon Kunitake
Department of Public Works
Department of Water Supply
County Real Property Tax Division
Planning Office - Kona
State Land Use Commission
State Department of Health

bcc: Plan Approval Section