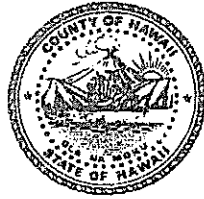


Harry Kim  
Mayor



**County of Hawaii**  
**PLANNING COMMISSION**

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

DEC 16 2002

Ms. Maureen Gap  
Whitney Investment Trust/Mango Trust  
13-1295 Kahukai Street  
Pahoa, HI 96778

Dear Ms. Gap:

Special Permit Application (SPP 02-031)  
Applicants: Whitney Investment Trust/Mango Trust  
Request: Establishment of a Contractor's Baseyard for Storing  
Equipment and Supplies  
Tax Map Key: 1-5-16:170

The Planning Commission at its duly held public hearing on November 15, 2002, voted to approve the above-referenced application. Special Permit No. 1184 is hereby issued to legitimize a contractor's warehouse and baseyard for storing equipment and supplies on approximately 0.91 acre of land situated in the State Land Use Agricultural District. The property is located in Hawaiian Paradise Park Subdivision on the east side (makai) of Kea'au-Pāhoa Road, approximately 700 feet Kea'au side of Maku'u Drive, Kea'au, Puna, Hawai'i.

Approval of this request is based on the following:

The Planning Commission would ordinarily encourage landowners or applicants with light industrial uses to locate in an Industrial zoned district or to file for a change of zone request for such development. In this case, however, upon reviewing the circumstances of the request to legitimize an existing baseyard, which would include storage of equipment and supplies on the property; and where its primary service area is within the immediate vicinity, the Planning Commission supports an approval of this Special Permit with a limited life.

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DEC 20 2002

The applicants, Whitney Investment Trust and Mango Trust are requesting to legitimize a contractor's baseyard for storing plumbing supplies and heavy equipment used in the installation of waterlines and septic systems. The applicants do not reside on the subject property. There is a chain link fence surrounding the entire property. There is an existing one-bedroom dwelling, workshop and covered lanai on the subject property. The dwelling is being used as an office; the workshop for storing equipment, supplies and vehicles; and the covered lanai for parking. Drainpipe Plumbing & Solar, LLC (owned by Maureen M. and John G. Gapp) and Big Island Excavating, LLC (owned by John G. Gapp, Donald Morris and Joseph Early) lease the property from Whitney Investment Trust and Mango Trust. The two companies share equipment and employees. The objective is to allow both companies to continue providing the following services primarily to Puna and also the North and South Hilo districts: plumbing installation and repairs, solar hot water, irrigation systems for farms, septic tank and cesspool installation. They specialize in water line installation and are currently installing the four mile long water line for the Kea'au-Pāhoa Road. Past work included the installation of the water line that services the Kapoho Beaches Subdivision and Kapoho Farm lots.

The existing use is an unusual and reasonable use of land situated within the State Land Use Agricultural District and would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes (HRS), as amended. In recognizing that lands within the agricultural districts might not be best suited for agricultural activities and yet classified as such, and in recognition that certain types of uses might not be strictly agricultural in nature, yet reasonable in such districts, the legislature has provided for the Special Permit process to allow certain unusual and reasonable uses within the Agricultural District. In addition, 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 the Agricultural District, the intent is to preserve or keep lands of high agricultural potential in agricultural use.

The land on which the existing use is located is classified as "E" or "Very Poor" for agricultural productivity by the Land Study Bureau and unclassified by the Agricultural Lands of Importance to the State of Hawaii (ALISH) Map. The property has a soil classification that consists of Lava flows, pahoehoe. The lessees have been in operation since October 2001. The landowners previously intended to operate an orchid farm, however, was unsuccessful due to vandalism. Given the size of the parcel, .91 acre, it is not anticipated that the baseyard will displace any agricultural activity nor diminish the agricultural potential of the area. Thus, this request is not contrary to the objectives of the State Land Use Law for the Agricultural District.

The granting of this request would promote the effectiveness and objectives of Chapter 205A, Hawaii Revised Statutes, relating to Coastal Zone Management Program. Given the fact that the property has been previously cleared and developed, it is unlikely that any archaeological features and threatened species of plants or animals are present on the property. There is no designated public access to the mountain areas nor to the shoreline over the property. The project site is located more than 3 miles from the nearest shoreline and is in close proximity to an existing mix of agricultural, residential-based and vacant lands. The development will not impact any recreational resources, including access to and along the shoreline, mountain access, scenic and open space nor visual resources, coastal ecosystems, and marine coastal resources. Further, the property will not be affected by any coastal hazards nor beach erosion. Therefore, the approval of the subject request shall not be contrary to the objectives and policies of the Coastal Zone Management Program.

The request is not contrary to the General Plan's Land Use Pattern Allocation Guide (LUPAG) Map that defines the subject property and immediately surrounding area for Orchards. The request is not contrary to the goals, policies and standards of the General Plan. The approval of the subject request would support the following goals and policies of the General Plan:

*Economic Element:*

- Provide residents with opportunities to improve their quality of life.
- The County shall provide an economic environment which allows new, expanded, or improved economic opportunities that are compatible with the County's natural and social environment.

*Land Use Element:*

- Designate and allocate land uses in appropriate proportions and mix in keeping with the social, cultural, and physical environments of the County.
- The County shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.

*Land Use - Industrial Element:*

- Designate and allocate industrial areas in appropriate proportions and in keeping with the social, cultural, and physical environments of the County.

- Industrial activities may be located close to raw materials or key resources.

The desired use will not adversely affect surrounding properties. Immediate surrounding lands are predominantly vacant with some scattered single-family residential uses. The baseyard serves mainly as a storage area for equipment for the applicants' contractor business. Heavy equipment is taken off site for various jobs and moved from job site to job site. Currently the applicants employ a full-time truck driver, backhoe operator, two part-time graders and a part-time laborer. Proposed hours of daily operation will be from Monday through Saturday from 7:00 a.m. to 4:00 p.m. A condition shall be included that all equipment and supplies shall be stored within the structures. Existing landscaping occurs along the Kea'au-Pāhoa Road to minimize the visual impacts of the baseyard facilities. As a condition of approval, the applicants shall provide a landscaping plan in conjunction with plans submitted for Plan Approval, which may require additional planting, to insure that landscaping is established along all property boundaries to mitigate any visual impacts to immediate surrounding neighbors. With the installation of appropriate landscaping along the property boundaries and limited business hours, noise and visual impacts upon the adjoining properties can be adequately mitigated and the character of the surrounding area will not be significantly altered.

The baseyard use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection. As Building Division records indicate that the existing structure is a dwelling, workshop and covered lanai, the applicants shall be required to secure all applicable building permits within 6 months from the effective date of this permit. Access to the subject property from the Kea'au-Pāhoa Road, a two-lane state highway with a 100-foot right-of-way or from 33<sup>rd</sup> Street. The applicants are presently using both accesses and intend to close the access off the Kea'au-Pāhoa Road upon completion of the existing waterline installation. While County water supply is presently not available to support the use, the applicants have a 4,000 gallon water catchment system. Further, upon availability of County water, a condition shall require that the applicants secure County water for the operations. Wastewater disposal shall be provided via a septic system. Police and Fire services are located in Pāhoa a little less than 4 miles away. All other essential utilities and facilities are available to support the baseyard use.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. The project site and surrounding areas are designated for agricultural uses by both State and County land use laws. Through the issuance of a Special Permit, a community may establish various "non-agricultural" services and uses that benefit its residents. The subject property is located in Hawaiian Paradise Park

Subdivision, with frontage along the Kea'au-Pāhoa Road. While there are no commercial and industrial-zoned lands available in the immediate area, approvals for uses other than agricultural have been approved through the Special Permit process. The closest Industrial zoned lands are located in the Shipman Industrial Park in Kea'au, approximately 7.5 miles away. Ideally, relocation to this area or industrial-zoned lands would be more appropriate for a baseyard and related activities. However, this is a business whose main service area is Puna - in the immediate vicinity of Hawaiian Paradise Park and Orchidland Estates. Further, the Hawaiian Paradise Park Community Plan has been adopted by the County Council by Resolution 184-97, which included a land use concept map identifying a light industrial area of approximately 20 acres on Kaloli Drive and 14<sup>th</sup> Avenue. The subject property is over 3 miles from this proposed industrial area. The Planning Commission and Planning Director have endorsed this area by proposing that the General Plan for this site be redesignated from Orchards to Light Industrial. Although these lands are another source for industrial activity, approval of land use changes must still be approved by the County Council. In light of this pending action, a period of five (5) years should be adequate time to plan and relocate to appropriate industrial based lands. Therefore, a condition shall be included to limit the life of the permit to 5 years or upon new industrial zoned lands becoming available within an approximate 4 mile radius of the subject property, with a reasonable period to effect the relocation, whichever occurs first.

The land upon which the existing use is sought is unsuited for the uses permitted within the district. The soil within the subject property is classified as "E" or Very Poor for agricultural productivity and unclassified by the Agricultural Lands of Importance to the State of Hawaii (ALISH) Map. The property primarily consist of Lava flows, pahoehoe. The contractor's baseyard has been operating since approximately October, 2001. Furthermore, the Special Permit process, established by legislation, allows for other uses to be established for which the district is classified, provided the objectives of Chapter 205, HRS, are promoted.

Based on the above considerations, the approval of the Special Permit request to establish a contractor's baseyard would be supportive of the objectives sought to be accomplished by the Land Use Law and Regulations.

Approval of this request is subject to the following conditions. Should any of these conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke this permit.

1. The applicants shall be responsible for complying with all of the stated conditions of approval.

Ms. Maureen Gap

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2. The life of the permit for the baseyard shall be for five (5) years from the effective date of this permit or upon new industrial zoned lands becoming available within an approximate four (4)-mile radius from the subject property, within a reasonable period to effect the relocation, whichever occurs first.
3. The applicant shall secure and finalize all building permits for all existing structures from the Building Division-Department of Public Works within six (6) months from the effective date of this permit.
4. The baseyard operations shall be conducted in substantial conformance with representations made in the application.
5. No further subleasing of the property shall occur for baseyard or other business-related activities.
6. All equipment and supplies shall be stored within the existing structures.
7. Final Plan Approval from the Planning Director shall be secured within six (6) months from the effective date of this permit in accordance with the Zoning Code, Sections 25-2-71(f), 25-2-72, 25-2-76 and 25-2-77. Plans shall identify existing and proposed structures, the number, type and location of heavy equipment, fire protection measures, landscaping, signage, parking stalls, driveway and other improvements associated with the uses. Landscaping for all property boundaries, shall also be indicated on the plans and be provided for the purpose of mitigating any adverse noise or visual impacts to adjacent properties. Landscaping shall be established and maintained at a minimum height of ten (10) feet and minimum depth of four (4) feet within and along all property boundaries.
8. The required landscaping shall be installed within six (6) months from the effective date of this permit. Native species from the area shall be used when possible.
9. Limited access from the Kea'au-Pāhoa Road shall be allowed in accordance with the Department of Transportation requirements. Primary access shall be from 33<sup>rd</sup> Street.
10. The hours of operation for the baseyard operations shall be limited from Monday through Friday, 7:00 a.m. to 4:00 p.m.; and Saturdays from 7:00 a.m. to 11:00 a.m.

11. Upon availability of County water, the applicants shall secure County water service for the baseyard operations.
12. The applicant shall comply with all applicable laws, rules and regulations of the State and County agencies for this baseyard use.
13. The applicants shall submit an annual status report regarding the baseyard operations, in writing, to the Planning Director.
14. If the applicants fail to comply with the conditions of approval or is unable to resolve any public complaint(s), the Planning Director shall investigate and, if necessary, enforce the appropriate conditions. The Planning Director may, as part of any enforcement action, refer the matter to the Planning Commission for review. Upon appropriate findings by the Planning Commission, that the applicants have failed to comply with the conditions of approval or has caused an unreasonable adverse impact on surrounding properties, the permit may be suspended or revoked.
15. An initial extension of time for the performance of conditions, with the exception of Condition No. 2, within the permit may be granted by the Planning Director upon the following circumstances:
  - A. Non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicants, 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.
  - 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).

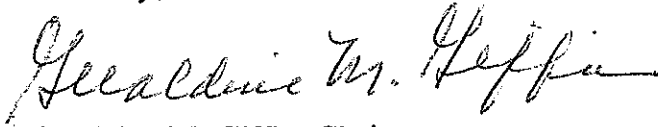
This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

Ms. Maureen Gap

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Should you have any questions, please contact Alice Kawaha of the Planning Department at 961-8288.

Sincerely,

A handwritten signature in cursive script that reads "Geraldine M. Giffin". The signature is written in dark ink and is positioned above the typed name.

Geraldine M. Giffin, Chairman  
Planning Commission

Lwhitney01PC

cc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
State Land Use Commission  
Brian Minaai, Director/DOT-Highways, Honolulu  
Dan Payne, Hawaiian Paradise Park Owners' Association





## County of Hawai'i

### PLANNING COMMISSION

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

October 20, 2008

John and Maureen Gapp  
P.O. Box 1128  
Pahoa, HI 96778

Dear Mr. and Mrs. Gapp:

Special Permit (SPP 1184)

Applicant: John and Maureen Gapp

Request: Deletion or Amendment to Condition 2 (Life of Permit) and  
Condition 7 (Extension to Receive Final Plan Approval)

Tax Map Key: 1-5-16:170

The Planning Commission at its duly held public hearing on October 3, 2008, voted to approve the above-referenced request for an extension or deletion of time limits (Condition Nos. 2 and 7) and related conditions of Special Permit No. 1184, which allowed the establishment of a contractor's warehouse and baseyard on approximately 0.91 acre of land situated within the State Land Use Agricultural District. The property is located between Highway 130 (Keaau-Pahoa Road) and 33<sup>rd</sup> Avenue, Hawaiian Paradise Park Subdivision, Keaau, Puna, Hawaii.

Approval of this request is based on the following:

Special Permit No. 1184 was approved by the Planning Commission on November 15, 2002 to allow a contractor's warehouse and baseyard for storing equipment and supplies on approximately 0.91-acre of land. Condition No. 2 limited the life of the permit to 5 years. The applicants have submitted an amendment request for a 5-year time extension (or deletion) of Condition No. 2 of Special Permit No. 1184, which states:

"The life of the permit for the baseyard shall be for five (5) years from the effective date of this permit or upon new industrial zoned lands becoming available within an approximate four (4)-mile radius for the subject property, within a reasonable period to effect relocation, whichever occurs first."

Additionally, the applicants have submitted a 6-month time extension request for Condition No. 7, which states:

**“Final Plan Approval from the Planning Director shall be secured within six (6) months from the effective date of this permit in accordance with the Zoning Code, Sections 25-2-71(f), 25-2-72, 25-2-76 and 25-2-77. Plans shall identify existing and proposed structures, the number, type and location of heavy equipment, fire protection measures, landscaping, signage, parking stalls, driveway and other improvements associated with the uses. Landscaping for all property boundaries shall also be indicated on the plans and be provided for the purpose of mitigating any adverse noise or visual impacts to adjacent properties. Landscaping shall be established and maintained at a minimum height of ten (10) feet and minimum depth of four (4) feet within and along all property boundaries.”**

The reason for the time extension request for Condition No. 2 is that Special Permit No. 1184 was approved with a 5-year permit life (Condition No. 2). Five years has passed and the applicants would like to continue operating their business. They are requesting that Condition No. 2 (life of the permit) be deleted or that the life of the permit be extended for an additional 5 years. There have been no suitable industrial zoned lands that have become available within an approximate 4-mile radius since this application was approved. The reason for the time extension request for Condition No. 7 is that the applicants were unfamiliar with the plan approval process and overlooked this condition.

The Hawaiian Paradise Park Community Master Plan was revised in September of 2005, which included a statement that the 46 one-acre lots that front 33<sup>rd</sup> Avenue between Makuu and Paradise Drive should be re-designated light industrial to reflect the original 1995 Master Plan proposal with modifications. To address the proposed revision within the Hawaiian Paradise Park Community Master Plan for 33<sup>rd</sup> Avenue, the Planning Director has made an effort to contact the owners of these 46 lots along 33<sup>rd</sup> Avenue and get their input. A letter has been sent to each of these owners asking if they would like to see this area changed to a light industrial area. Additionally, the landowners were asked if the landowners would be willing to participate in paying for road improvements to 33<sup>rd</sup> Avenue as well as waterline improvements. Additionally, it asks if they would be willing to participate in providing a landscaping easement along the highway to address the visual impacts created by a light industrial area. The letter informs the owners that the individual cost of participating in these improvements will be substantial, but until a cost estimate is completed it is unknown what these costs would be. Seventeen of the 46 lot owners have responded to the letters. There were 9 owners in favor of changing the land use, 6 owners who are not in favor of changing the land use and 2 owners who checked “don’t know” about changing the land use. In addition, the Planning Director sent letters to the owners on 32<sup>nd</sup> Avenue that border the makai lots on 33<sup>rd</sup> Avenue asking if they would be in favor of a land use change to a light industrial area on 33<sup>rd</sup> Avenue. Three of the 27 lot owners have responded and stated that they were not in favor of the land use

change. Given the results of the survey, the Planning Director is not convinced there is enough interest from the surrounding property owners to begin the conversion of this area to an industrial park.

In light of the above, the Planning Department will continue to encourage landowners or applicants with light industrial uses to locate in an Industrial zoned district. In this case, however, because the primary service area is within the immediate vicinity and no suitable industrial zoned lands have become available in a 4-mile radius, the Planning Director supports the approval of the 5-year time extension request with the continued condition that the applicants will be required to relocate the business if suitable industrial zoned lands become available for use within a 4-mile radius within the 5-year time period. The Planning Director does not support the request to delete Condition No.2, as this would create a permanent light industrial use in this rural area.

Several Special Permits on 33<sup>rd</sup> Avenue have a condition stating that no extension of the permit shall be granted unless the road is paved to provide a 20-foot wide pavement within 33<sup>rd</sup> Avenue right-of-way from Makuu Drive to the subject property, meeting the approval of the Hawaiian Paradise Park Homeowner's Association. This Special Permit was approved without this condition. A "Hui" has been formed to coordinate the paving of 33<sup>rd</sup> Avenue. The Hui of affected property owners have agreed to share the estimated cost of paving and are currently working out a formal agreement. The estimated cost is \$61,341.00 for paving approximately 1,600 lineal feet by 20 feet wide by 2 inches thick. Recently, Carnor J. Sumida received approval for a Special Permit on 33<sup>rd</sup> Avenue to allow the establishment of a baseyard for trucks and trailers. Condition No. 3 required Sumida to pay his fair share cost of paving 33<sup>rd</sup> Avenue to the property site to a minimum width of 20 feet meeting with the approval of the Hawaiian Paradise Park Association, and that the paving shall be completed within one (1) year from the effective date of the permit (or June 6, 2009).

A recent site inspection verified that the paving of 33<sup>rd</sup> Avenue, including the subject property, has been completed.

Granting of the time extension request would not be contrary to the original reasons for the granting of the permit. The use would continue to be an unusual and reasonable use of lands situated within the Agricultural District and will not be contrary to the objectives of Chapter 205, HRS, as amended. The land upon which the existing use is sought is unsuited for the uses permitted within the district. It is classified as "E" or "Very Poor" for agricultural productivity by the Land Study Bureau and unclassified by the Agricultural Lands of Importance to the State of Hawaii (ALISH) Map. With the installation of the appropriate landscaping along the property boundaries and limited business hours, noise and visual impacts upon the adjoining properties can continue to be adequately mitigated. Since the approval of the Special Permit, the use has not adversely affect surrounding properties, as the Planning Department has not received any

complaints regarding the operation. Lastly, the continued operation will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and police and fire protection.

Approval of this request would not be contrary to the General Plan or the Zoning Code. The amendments to Condition Nos. 2 and 7 would not be contrary to the General Plan or the Zoning Code. The request would continue to be consistent with the Land Use and Economic Elements of the General Plan. The granting of this request at this particular location will provide a convenient service to the growing community while maintaining the rural character of the area. Lastly, the applicants have previously received approval of a Special Permit to allow a contractor's warehouse and baseyard for storing equipment and supplies on approximately 0.91-acre of land for a 5-year time period, in compliance with the Zoning Code.

Based on the above, the 5-year time extension request for Condition No. 2 and the 6-month time extension for Condition No. 7 of Special Permit No. 1184 are approved. Approval of this amendment request is subject to the following conditions (new material is underscored and deleted material is bracketed and struck through):

1. The applicants shall be responsible for complying with all of the stated conditions of approval.
2. The life of the permit for the baseyard shall be for five (5) years from the effective date of this ~~[permit]~~amendment or upon new industrial zoned lands becoming available within an approximate four (4)-mile radius from the subject property, within a reasonable period to effect the relocation, whichever occurs first.
3. ~~[The applicants shall secure and finalize all building permits for all existing structures from the Building Division Department of Public Works within six (6) months from the effective date of this permit.]~~No signage shall be visible from Highway 130.
4. The baseyard operations shall be conducted in substantial conformance with representations made in the application.
5. No further subleasing of the property shall occur for baseyard or other business-related activities.
6. All equipment and supplies shall be stored within the existing structures.
7. Final Plan Approval from the Planning Director shall be secured within six (6) months from the effective date of this ~~[permit]~~amendment in accordance with the Zoning Code, Sections 25-2-71(f), 25-2-72, 25-2-76 and 25-2-77. Plans shall

identify existing and proposed structures, the number, type and location of heavy equipment, fire protection measures, landscaping, signage, parking stalls, driveway and other improvements associated with the uses. Landscaping for all property boundaries, shall also be indicated on the plans and be provided for the purpose of mitigating any adverse noise or visual impacts to adjacent properties. Landscaping shall be established and maintained at a minimum height of ten (10) feet and minimum depth of four (4) feet within and along all property boundaries.

8. The required landscaping shall be installed within six (6) months from the effective date of this permit. ~~[Native species from the area shall be used when possible.]~~
9. ~~[Limited access from the Kea'au Pāheo Road shall be allowed in accordance with the Department of Transportation requirements. Primary access shall be from 33<sup>rd</sup> Street.]~~ Access to the subject property shall be limited to 33<sup>rd</sup> Avenue.
10. The hours of operation for the baseyard operations shall be limited from Monday through Friday, 7:00 a.m. to 4:00 p.m.; and Saturdays from 7:00 a.m. to 11:00 a.m.
11. A Solid Waste Management Plan shall be submitted to the Department of Environmental Management for review and approval within six (6) months from the effective date of this amendment.
- ~~[11-]~~12. Upon availability of County water, the applicants shall secure County water service for the baseyard operations.
- ~~[12-]~~13. The applicants shall comply with all applicable laws, rules and regulations of the State and County agencies for this baseyard use.
- ~~[13-]~~14. The applicants shall submit an annual status report regarding the baseyard operations, in writing, to the Planning Director.
- ~~[14-]~~15. If the applicants fail to comply with the conditions of approval or is unable to resolve any public complaint(s), the Planning Director shall investigate and, if necessary, enforce the appropriate conditions. The Planning Director may, as part of any enforcement action, refer the matter to the Planning Commission for review. Upon appropriate findings by the Planning Commission, that the applicants have failed to comply with the conditions of approval or has caused an unreasonable adverse impact on surrounding properties, the permit may be suspended or revoked.

~~[15.]16. [An initial extension of time for the performance of conditions, with the exception of Condition No. 2, within the permit may be granted by the Planning Director upon the following circumstances:~~

- ~~A. — Non performance is the result of conditions that could not have been foreseen or are beyond the control of the applicants, 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.~~
- ~~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). If the applicants should require an additional extension of time, the applicants shall submit the request to the Planning Commission for appropriate action.~~

Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke the permit.

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

Should you have any questions, please contact Norman Hayashi of the Planning Department at 961-8288.

Sincerely,



Rodney Watanabe, Chairman  
Planning Commission

Ljohn&maureengappspp1184

cc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
State Land Use Commission  
DOT-Highways, Honolulu