

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
by)
HOLUALOA BAY INVESTMENT)
for)
CONSTRUCTION OF 3-STORY)
APARTMENT BUILDING)
in)
Holualoa 3rd,)
North Kona, Hawaii)
_____)

SMA Use Permit No.
No. 31

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at its duly held public hearings on April 1, 1976, April 28, 1977 and June 30, 1977, considered the application of HOLUALOA BAY INVESTMENT for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the construction of a 3-story, 12-unit apartment building and related improvements at Holualoa 3rd, North Kona, Hawaii, Tax Map Key 7-7-04:53.

The Commission has found:

That the proposed development is not expected to have substantial environmental or ecological adverse effects. Although the proposed development will alter the existing area, the petitioner has made provisions to minimize potential adverse effects. Such provisions include waste treatment; disposition, management, and retention of some existing vegetation; and additional landscaping.

Further, the proposed development will not alter the shoreline area. The subject property is located mauka of Alii Drive and thus will not affect the beach or other areas usable for public recreational purposes. There are no existing government plans to acquire the subject area for such purposes. Due to its location, the proposed development will not affect existing access to the shoreline nor will it interfere with view planes to the ocean.

Based on the above, it is determined that approval of subject request is not in conflict with the purpose and policies of Act 176, SLH 1975, and Rule 9 of the Planning Commission. The enforcement of other existing rules, regulations, and standards will further insure that adverse effects are minimized and that mitigating measures are undertaken.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a 3-story, 12-unit apartment building and related improvements at Holualoa 3rd, North Kona, Hawaii, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

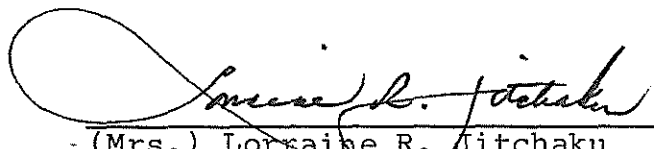
- 1.1 That the proposed development shall conform substantially to the plans submitted and the representations made by the petitioner.
2. That the petitioner shall submit plans for plan approval within one (1) year from the effective date of approval of the Special Management Area Use Permit. Construction commence within 1 year from receipt of final plan approval and be completed within two (2) years thereafter.
3. That the coconut trees fronting Alii Drive shall be retained for landscaping and screening purposes, except for driveway areas and in cases of public safety. Removal of any of the coconut trees shall be subject to the review and approval of the Planning Director.
4. That all other applicable rules and regulations, including the plans approval process, shall be complied with.

Should any of the foregoing conditions not be met, the Special Management Area Use Permit shall be deemed null and void.

Further, as the subject request is for a three-story, twelve-unit apartment building, Variance Permit No. 446 (8/13/75) to allow a four-story apartment building in lieu of the maximum allowable height of three (3) stories and 45 feet is hereby deemed null and void.

The effective date of this permit shall be June 30, 1977.

Dated at Hilo, Hawaii, this 3rd day of August, 1977.


- (Mrs.) Lorraine R. Jitchaku
Chairman

