

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for )  
SPECIAL MANAGEMENT AREA USE )  
PERMIT )  
by )  
WIMBERLY, WHISENAND, ALLISON, )  
TONG & GOO ARCHITECTS, LTD./ )  
VALLEY KAI DEVELOPMENT CO. ) SMA USE PERMIT NO. 48  
for )  
A TENNIS COURT, SEWAGE TREATMENT )  
PLANT, AND RELATED )  
IMPROVEMENTS )  
in )  
Kahului 2nd, North Kona, Hawaii )  
\_\_\_\_\_ )

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on December 19, 1977, considered the application of WIMBERLY, WHISENAND, ALLISON, TONG & GOO ARCHITECTS, LTD./VALLEY KAI DEVELOPMENT CO. 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 an additional tennis court, a sewage treatment plant, and related improvements at the Kona Makai condominium project, Kahului 2nd, North Kona, Hawaii, Tax Map Key 7-5-21:4.

The Commission has found:

That approval of the proposed tennis court will not result in the permanent loss of any valuable resources of the coastal zone since its construction and use will not involve the disposal on land or in water of any pollutants. Neither will it require any significant alterations of landform or vegetation beyond that previously allowed for in the initial project approval. Similarly, the proposal will not obstruct or reduce the size of any access routes to the shoreline. In addition, any potential negative impacts of the improvements on viewplanes towards the ocean is negated by the alignment, parallel to the shoreline, of other structures previously approved for construction.

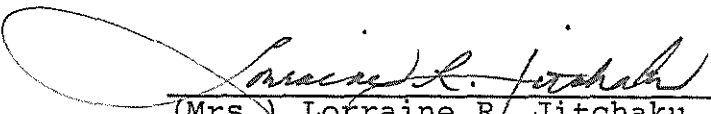
Although the sewage treatment plant could potentially have negative impacts on surrounding air and water quality, adequate mitigating measures are available. These impacts, however, are not deemed to be significant. The purpose of a sewage treatment plant is essentially to prevent the degradation of water quality and is in itself a mitigating measure.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of an additional tennis court, a sewage treatment plant, and related improvements at the Kona Makai condominium project, 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. That construction of the proposed improvements shall commence within one (1) year of the effective date of the Special Management Area Use Permit and shall be completed within two (2) years thereafter.
2. That the proposed improvements shall conform substantially to the plans submitted and the representations made by the petitioner.
3. That all other applicable rules and regulations, including the requirements of the Department of Health and the Plan Approval process, shall be complied with.
4. That the applicant obtain approval from the Planning Department before installation of night lighting and that priority consideration be given to low profile (light).

The effective date of this permit shall be December 19, 1977.

Dated at Hilo, Hawaii, this 30th day of December, 1978.

  
\_\_\_\_\_  
(Mrs.) Lorraine R. Jitchaku  
Chairman, Planning Commission

