

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
by)
COX DESIGN STUDIO/SPENCER LTD.) SMA USE PERMIT NO. 110
for)
CONSTRUCTION OF COMMERCIAL)
STRUCTURE AND RELATED)
IMPROVEMENTS)
in)
Kailua Village, Lanihau,)
North Kona, Hawaii)
_____)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on August 23, 1979, considered the application of COX DESIGN STUDIO/SPENCER LTD. 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 2-story commercial structure and related improvements, including parking and landscaping in Kailua Village, Lanihau, North Kona, Hawaii, tax map key: 7-5-05:2, Lot 1.

The Commission has found:

That the approval of the proposed project will not result in the loss of valuable natural, cultural, or recreational resources of the coastal zone. No rare native or endemic plants and/or animal species are known to inhabit the site. Similarly, no objects or remains of cultural or archaeological significance are known to exist on the subject property. In fact, the subject area has already been graded and is cleared of vegetation. Consequently, the granting of this request will not result in the loss of valuable natural or cultural resources of the coastal area.

In addition, due to its location of approximately 600 feet from the shoreline and the fact that the intervening area is urban in character and relatively densely built up, the proposed development is not expected to have any significantly adverse environmental or ecological effects on the coastal area or nearshore waters. The proposed development is also not expected to obstruct any existing line of sight towards the ocean from Kuakini Highway since

in this particular portion of Kuakini Highway, there is no significant viewplane to the ocean. Further, the proposed development will not remove or impose restrictions on existing access routes to beaches or similar shoreline recreation areas due to its distance from such resources.

No adverse impacts on air and water quality are expected to be generated by the proposed development. The nature of the proposed development is such that no unusual air emissions are likely to be produced from it. Air emissions generated during the construction phase can be mitigated by existing regulations. In addition, the subject property is within an area which receives approximately twenty (20) inches of rainfall annually. Any potential runoff or discharge which could reach ocean waters can be handled by on-site improvements. Negative impacts on the local water quality resulting from soil erosion and runoff during site preparation and construction phases are unlikely, but should they occur they can be adequately mitigated through compliance with existing ordinances and regulations. In addition, there is a County sewer line available to the subject property which can accommodate expected wasteloads from the proposed use.

Furthermore, the granting of the subject request will not be detrimental to the Special Management Area in that it will not result in the foreclosure of management options. The Kailua-Kona village area is an urbanized area and its function for providing services to both permanent residents and visitors is established and recognized. The proposed development is expected to contribute to the functioning of the village area.

Based on the above, it is determined that the proposed development will not have any substantial adverse impacts on the surrounding area nor will its approval be contrary to the objectives and policies of Chapter 205-A, or with the intent of Rule 9 of the Planning Commission.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a 2-story commercial structure and related improvements, including parking and landscaping in Kailua Village, Lanihau, North Kona, Hawaii, tax map key: 7-5-05:2, Lot 1, 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 the petitioners or their authorized representative shall submit plans and receive final plan approval within one (1) year from the effective date of approval of the Special Management Area (SMA) Use Permit.
2. That construction of the proposed improvements commence within one (1) year from the date of receipt of final plan approval and shall be completed within two (2) years thereafter.

3. That access to the subject property shall be approved by the Department of Public Works.
4. That the tsunami inundation line shall be delineated on the plans to be submitted for Building Permit. Any improvements within the potential tsunami inundation area shall comply with the requirements of the Uniform Building Code which is administered by the Department of Public Works.
5. That all other applicable rules, regulations, and requirements shall be complied with.

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


The effective date of the permit shall be August 23, 1979.

Dated at Hilo, Hawaii, this 5th day of November, 1979.



WILLIAM F. MIELCKE
Chairman, Planning Commission

APPROVED AS TO FORM
AND LEGALITY:



DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

Date: 10/16/79