

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
By) SMA USE PERMIT NO. 119
PACIFIC-WEST HAWAIIAN VENTURES)
For)
THE DEVELOPMENT OF A 96-UNIT)
CONDOMINIUM PROJECT AND RELATED)
IMPROVEMENTS)
In)
Lanikai, North Kona, Hawaii)
_____)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on December 12, 1979, considered the application of PACIFIC-WEST HAWAIIAN VENTURES for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the development of a 96-unit condominium project and related improvements at Lanikai, North Kona, Hawaii, Tax Map Key 7-5-05:2 and 5.

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. The grading of the area was allowed by the Planning Commission through a previously approved Special Management Area (SMA) Use Permit. 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 regards to the hazards posed by potential tsunami inundation, these can be mitigated through the requirements of the Building Code.

In regards to the disposal of sewage, connection will be made to the County's sewerage system. All other essential utilities and services, including water, are or will be made available to the subject property. In this regard, the proposed development will complement the Multiple Residential element of the General Plan which encourages the development of multiple residential units in areas serviced by existing infrastructures.

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. The granting of the request to allow the construction of the 96-unit condominium units also will not be violative of the purpose and intent of the Planned Development Permit provision of the Zoning Code.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the development of a 96-unit condominium project and related improvements at Lanihau, North Kona, Hawaii, Tax Map Key 7-5-05:2 and 5 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 SMA Use Permit and Planned Development Permit shall not be in effect until the pending change of zone application filed by Lanihau Corporation is adopted by the County Council. *4/1-1/81*
2. 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 above-mentioned change of zone application. *1/27/81 - approved*
3. That construction of the proposed improvements commence within one (1) year from the effective date of receipt of final plan approval and be completed within two (2) years thereafter.
4. That the occupancy permit shall be withheld until the Kaiwi Street extension has been completed.

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5. That the 30-foot wide roadway and utility easement shall be deleted from the subject property prior to the issuance of final plan approval.
6. That only one (1) access shall be permitted from the proposed Kaiwi Street extension meeting with the approval of the Department of Public Works.
7. That the proposed buildings shall be limited to a maximum height of three (3) stories. The areas for the proposed storage lofts, which give the buildings a four-story appearance, shall be deleted.
8. That should any unanticipated archaeological or historical features be uncovered during land preparation activities, work shall immediately cease and the Planning Director shall be notified. Work shall not resume until clearance has been obtained from the Planning Director.
9. That the method of sewage disposal shall meet with the approval of the Department of Public Works and the State Department of Health.
10. That the rules, regulations and requirements of the Department of Water Supply shall be complied with.
11. That the minimum setback requirement between buildings shall be complied with.
12. That the other applicable rules, regulations, and requirements shall be complied with.

Should these 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 December 12, 1979.

Dated at Hilo, Hawaii, this 10th day of April, 1980.

for: 
 WILLIAM F. MIELCKE, CHAIRMAN
 PLANNING COMMISSION

APPROVED AS TO FORM
 AND LEGALITY:


 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII

Date: 3 April 80