

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA USE PERMIT)
by)
THE GODFREY CORPORATION)
for) SMA USE PERMIT NO. 93
THE CONSTRUCTION OF A FIFTEEN (15))
UNIT CONDOMINIUM APARTMENT COMPLEX)
AND RELATED IMPROVEMENTS)
in)
Holualoa, North Kona, Hawaii)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at duly held public hearings on January 25, 1979 and February 22, 1979, considered the application of THE GODFREY CORPORATION 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 fifteen (15) unit condominium apartment complex and related improvements on the makai side of Alii Drive, across from the Alii Drive-Royal Poinciana Drive intersection, Holualoa, North Kona, Hawaii, Tax Map Key 7-6-16:14.

The Commission has found:

That the proposed development is not anticipated to have any substantial adverse environmental or ecological effect. Although the development of the property may require some grading, the plans submitted do not require substantial earth moving. Further, the parcel is not known to have any endangered plant or animal species, unique landforms nor any historic sites.

Although the proposed development will alter the shoreline area, aesthetic and pollution concerns may be mitigated and/or minimized through the existing regulations. As the proposed development does not include any improvements within the 40-foot shoreline setback area, it is not anticipated that the development will interfere with natural shoreline processes.

That the area in question already has an existing shoreline access. The adjacent property to the south is owned by the State of Hawaii and provides public access to the shoreline. As no improvements are proposed within the area 40 feet mauka of the certified shoreline, lateral public access in the shoreline area will not be restricted.

That all essential utilities are or will be made available to the subject property. The Department of Water Supply has made a one (1) year water commitment for the proposed development. The petitioner will be providing an on-site sewage disposal unit in compliance with the existing Department of Health requirements.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a fifteen (15) unit condominium apartment complex and related improvements, 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 petitioner or his authorized representative shall submit plans to the Planning Department and receive final Plan Approval within one (1) year from the effective date of the Special Management Area Use Permit.
2. That construction shall 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 the development conform substantially to the plans submitted and representations made by the petitioner.
4. That a detailed landscaping plan be submitted for the review and approval of the Planning Director.
5. That the requirements of the State Department of Health and the County Department of Public Works shall be complied with.
6. That all 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 February 22, 1979.

Dated at Hilo, Hawaii, this 29th day of March, 1979.

APPROVED AS TO FORM
AND LEGALITY:


WILLIAM F. MIELCKE
Chairman, Planning Commission


DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

Date: MAR 21 1979