

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
By)
LANIHAU CORPORATION) SMA USE PERMIT NO. 97
For)
THE CONSTRUCTION OF A 7-LOT)
SUBDIVISION AND RELATED)
IMPROVEMENTS)
In)
Lanihau, North Kona, Hawaii)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on April 26, 1979, considered the application of LANIHAU 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 seven (7) lot subdivision and related improvements along the makai side of the Old Airport Road, adjacent and to the north of the King Kamehameha Hotel Complex, Lanihau, North Kona, Hawaii, Tax Map Key 7-5-5:2 and 5.

The Commission has found:

The subject area is a portion of the existing Kailua Village urban area. The surrounding areas have already been developed with urban type uses including industrial, commercial and resort hotel uses. In addition, the subject area has been leveled and is/will be 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.

The subdivision of the subject area and the construction of the improvements are not anticipated to have any significant effects on erosion or drainage patterns with respect to adjacent properties, nor will these improvements affect the shoreline or coastal waters. While some adverse effects during the construction phase, including noise from the operation of heavy equipment, fugitive dust, are anticipated, these impacts can be adequately mitigated by the existing rules and regulations and conditions of approval.

Furthermore, the granting of the subject request will not limit public access to publicly owned or used beaches, recreational areas or natural reserves. The site is located adjacent and to the south of the proposed public beach park at the old Kona Airport, but does not abut the shoreline. Therefore, access to the shoreline will not be limited by this or subsequent developments on the subject area. The petitioner is also proposing to provide public access through the subject area including the construction of an improved walkway.

Based on the above, it is determined that the proposed subdivision will not have any substantial adverse impacts on the surrounding area nor will their 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 seven (7) lot subdivision and related improvements along the makai side of the Old Airport Road, adjacent and to the north of the King Kamehameha Hotel Complex, Lanihau, North Kona, Hawaii, Tax Map Key 7-5-5:2 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. ^{TEXT. APP. - 4/16/80} That the petitioner or its authorized representative shall secure tentative subdivision approval within one (1) year from the effective date of approval of the Special Management Area Use Permit. The petitioner/representative shall also be responsible for securing final subdivision approval.
2. That accesses to the principal lots shall conform to the requirements of the Department of Public Works.
3. That the petitioner shall comply to Section 10, Chapter 43 of the Department of Health's Rules and Regulations Relating to Fugitive Dust Air Pollution Control.
4. That the petitioner shall comply with all other applicable rules, regulations and requirements.

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 April 26, 1979.

Dated at Hilo, Hawaii, this 23rd day of May, 1979.

APPROVED as to
FORM and LEGALITY:



DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII



William F. Mielcke
Chairman, Planning Commission

Date: MAY 16 1979.