

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for )  
 )  
SPECIAL MANAGEMENT AREA )  
USE PERMIT )  
 )  
By ) SMA USE PERMIT NO. 98  
KONA PACIFIC PARTNERS )  
For )  
THE CONSTRUCTION OF A )  
124-UNIT CONDOMINIUM COMPLEX )  
AND RELATED IMPROVEMENTS )  
In )  
Kailua, North Kona, Hawaii )

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SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on April 26, 1979, considered the application of KONA PACIFIC PARTNERS 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 124-unit condominium apartment complex and related improvements. The property involved is located between Walua Road and Kuakini Highway at the intersection of Ali'i Drive and Walua Road, mauka of the Kona Hilton Complex, Kailua, North Kona, Hawaii, Tax Map Key 7-5-9:3, 38, 49, 60, 61 and 62.

The Commission has found:

That the proposed development is not anticipated to have any substantial adverse environmental or ecological effects. The purpose of the subject request is to allow a condominium building containing 124 units. The proposed development also includes recreational facilities, landscaping, parking, and other related improvements. The proposed building will be broken down into several elements at different elevations which will help in visually integrating it with the natural slope. Although grading will be done on the property, it will not be of a substantial nature as to disrupt the present topography of the land.

The subject property is located approximately 600 feet mauka of the shoreline. Since the subject site is not situated along the shoreline, it is felt that the proposed development will not interfere with the natural shoreline processes. Thus, the impact on the shoreline area is

expected to be minimal. Further, the proposed development will not interfere with publicly owned or used recreational areas, with any natural areas or with public accesses to the shoreline.

There are also no known rare or endangered species of plants or animals or unique landforms on the subject property.

Although an archaeological reconnaissance survey did indicate that there are some historical sites and remains on the property, any concerns will be mitigated through conditions of approval of the permits.

In regards to the disposal of sewage, connection will be made to the existing County system if it is able to accommodate the additional sewage which will be generated from this project. Otherwise, the petitioner would have to provide its own on-site sewerage treatment system.

All other essential utilities are or will be made available to the subject property. As far as water is concerned, the Department of Water Supply has stated that it will be available after the completion of the Third Phase of the Kahalu'u Shaft Development Project sometime in April of this year. In this regard, the proposed development will complement the Multiple Residential elements of the General Plan which encourages the development of multiple family units in areas zoned for such use and serviced by existing facilities.

Furthermore, the proposed development will complement the existing uses of the adjacent properties as they are already built up with similar condominium units.

Based on the above, it is determined that the approval of the proposed development will not be in conflict with the objectives and policies of the Hawaii Coastal Zone Management Program as contained in Chapter 205-A, Hawaii Revised Statutes or Rule No. 9 of the Planning Commission, Relating to Environmental Shoreline Protection, nor will it be contrary to the objectives of the Planned Development Permit (PDP) provisions of the Zoning Code.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a 124-unit condominium apartment complex and related improvements. The property involved is located between Walua Road and Kuakini Highway at the intersection of Ali'i Drive and Walua Road, mauka of the Kona Hilton Complex, Kailua, North Kona, Hawaii, Tax Map Key 7-5-9:3, 38, 49, 60, 61 and 62, 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 maximum number of units shall be 124, including the manager's unit.

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2. That the proposed development conform substantially to the plans submitted and representations made by the petitioner, except as may be necessary or required in order to comply with any other conditions of SMA approval and/or subsequent actions.
  3. That the affected parcels shall be consolidated within six (6) months from the effective date of the SMA Use Permit.
  4. That the petitioner or its authorized representative shall submit plans to the Planning Department and receive final plan approval within one (1) year from the effective date of receipt of final consolidation action.
  5. That construction shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter.
  6. That a detailed landscaping plan be submitted for review and approval by the Planning Director.
  7. That an additional intensive archaeological survey shall be conducted to analyze and record the findings of the sites found on the property by Dr. Paul Rosendahl and that prior to final plan approval a report of the findings shall be submitted to the Planning Department. Further, if any other archaeological remains are found during land preparation activities, work shall immediately cease and the petitioner/representative shall immediately notify the Planning Department. Work shall not be resumed until a review and clearance is obtained from the Planning Department.
  8. That the method of sewage disposal shall meet with the requirements and approval of the State Department of Health and County Department of Public Works.
  9. That only one (1) access be allowed from Walua Road and Kuakini Highway. The access requirements shall meet with the approval of the State Department of Transportation, Land Transportation Facilities Division and the Department of Public Works.
  10. That all other applicable rules, regulations, and requirements, including those of the Department of Water Supply, 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 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