

April 19, 1982

Mr. Albert K. Akana, Jr.
P. O. Box 155
Kamuela, Hawaii 96743

Dear Mr. Akana:

Nullify SMA Use Permit No. 122
Tax Map Key 7-5-05:Portions of 2 & 5, Lot 4

At its meeting on April 15, 1982, the Planning Commission voted to nullify Special Management Area (SMA) Use Permit No. 122 issued to Albert Akana due to termination of the lease of the affected property by the landowner, Lanihau Corporation. The Permit allowed the construction of a shopping center and related improvements on property situated north of the Hotel King Kamehameha, Lanihau, North Kona, Hawaii.

Sincerely,



ALFREDO ORITA
Chairman, Planning Commission

lgv

cc: Mr. James S. Greenwell

bcc: PA 1601

APR 22 1982

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
by)
ALBERT AKANA) SMA USE PERMIT NO. 122
for)
CONSTRUCTION OF A SHOPPING)
CENTER AND RELATED IMPROVEMENTS)
in)
Lanihau, North Kona, Hawaii)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on January 14, 1980, considered the application of ALBERT AKANA for a Special Management Area Use Permit in accordance with Rule No. 9 of the Planning Commission, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the construction of a shopping center and related improvements. The area involved is located along the makai side of Kuakini Highway, adjacent and north of the Hotel King Kamehameha, Kailua Village, Lanihau, North Kona, Hawaii, Tax Map Key 7-5-05:portion of 2 and 5.

The Commission has found the following:

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 regards to the hazards posed by potential tsunami inundation, these can be mitigated through the requirements of the Building Code. 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.

According to one of the conditions of approval for the proposed subdivision of the subject area, the proposed development must shave one (1) access from Kuakini Highway with the proposed commercial establishment to the east. In order to coordinate the design of the circulation and parking system of the subject area and to minimize impact on Kuakini Highway from the proposed development, staff is recommending a condition of approval that a parking and circulation plan be submitted to and approved by the Planning Director and Chief Engineer.

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 shopping center and related improvements at Lanihau, North Kona, Hawaii, Tax Map Key 7-5-05:portion of 2 and 5, pursuant to the authority vested in it by Rule No. 9 of the Planning Commission.

Approval of the Special Management Area Use Permit is subject to the following conditions:

1. That the SMA Use Permit shall not be in effect until the effective date of approval of the change of zone application filed by Lanihau Corporation.
2. That the petitioner or his 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.
3. 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.
4. That in the event that unanticipated historical or archaeological sites of concern are encountered during the course of improvements, the Planning Department shall be notified immediately.
5. That the petitioner or his authorized representative shall submit a circulation plan for the subject area, including access and parking layout, meeting with the approval of the Planning Director and the Chief Engineer as part of Plan Approval. Further, the petitioner/representative shall show, if feasible, how the parking internal vehicular and pedestrian systems can be integrated with the adjoining properties. Such plan shall be submitted at the time of Plan Approval.
6. 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.
7. That all other applicable rules, regulations, and requirements shall be complied with.

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

The effective date of the Permit shall be January 14, 1980.

Dated at Hilo, Hawaii, this 12th day of June, 1980.

APPROVED AS TO FORM
AND LEGALITY:

L. Alan Tokazaki
DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

William J. Paris, Jr.
WILLIAM J. PARIS, JR.
Chairman, Planning Commission

Date: 3 June 80