

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR)	
SPECIAL MANAGEMENT AREA)	
USE PERMIT)	SMA USE PERMIT
by)	NO. 151
WESTWOOD, LINDBERG & ASSOCIATES)	
for)	
20-UNIT CONDOMINIUM AND)	
RELATED IMPROVEMENTS)	
in)	
WAIAHA, NORTH KONA, HAWAII)	
)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on February 11, 1981, considered the application of WESTWOOD, LINDBERG & ASSOCIATES 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 a 20-unit condominium and related improvements at Waiaha, North Kona, Hawaii, Tax Map Key 7-5-18:5 & 29.

The Commission has found the following:

The proposed development conforms to the General Plan Land Use Pattern Allocation Guide (LUPAG) Map which designates the area for Medium Density Urban Development. The area is also within the village commercial district. Such designations may allow multiple residential uses. The purpose of the request is to allow the development of a twenty (20)-unit condominium project within two (2) 2-story buildings at heights of about 27+ feet. The proposed development also includes recreational facilities, landscaping, parking and other related improvements.

The proposed development is not anticipated to have any substantial adverse environmental or ecological effects. The property is not known to contain any unique ecological systems, nor provide habitats for any endangered plant or animal species. Further, an archaeological reconnaissance survey conducted in 1979 revealed that there are no significant archaeological or historical features on the subject property.

Since the property is located mauka of Alii Drive, the proposed development is not expected to have any significant adverse effects on coastal resources, detract from lines of sight toward the ocean from Alii Drive, nor adversely affect any existing or proposed accesses to the shoreline.

Further, any potential adverse effects on the off-shore water quality will be mitigated through compliance with existing regulations. Such is the case with the method of sewage disposal. The manner in which the sewage is to be disposed of will have to meet with the approval of the State Department of

Health and any other approving agency(ies). It is determined that the impacts on coastal ecological systems will be negligible and are not anticipated to be significantly adverse.

Based on the above, it is further determined that the approval of the proposed project will not result in the loss of valuable natural, cultural, or recreational resources of the shoreline coastal area.

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. Any potential runoff or discharge which could reach ocean waters can be handled by on-site improvements. Further, 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, although affecting only a narrow strip of the property along Alii Drive, these can be mitigated through the requirements of the Building Code and Plan Approval process.

All other essential utilities and services, including water, are or will be made available to the subject property. Although concerns were expressed regarding condition of the existing roadway, these can also be mitigated through conditions of approval. 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. The granting of the request to allow the construction of a 20-unit condominium project also will not be violative of the purpose and intent of the Planned Development Permit provision of the Zoning Code and the General Plan.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow a 20-unit condominium and related improvements at Waiaha, North Kona, Hawaii, Tax Map Key 7-5-18:5 & 29, 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 petitioner, Westwood, Lindberg & Associates, shall be responsible for complying with all of the stated conditions of approval.
2. That parcels 5 & 29 shall be consolidated within six (6) months from the effective date of the Special Management Area (SMA) Use Permit.

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3. That plans shall be submitted and Final Plan Approval secured from the Planning Department within one (1) year from the date of approval of the subdivision consolidation plan.

4. That construction commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter.

5. That should any unanticipated archaeological features be found during grading or construction, work shall immediately cease and the Planning Director shall be immediately notified. Work shall not resume until approval is received from the Planning Director.

6. That the potential inundation elevations shall be noted on the construction plans submitted for Building Permit and that said plans shall conform to applicable requirements.

7. That the method of sewage disposal shall comply with the requirements of the appropriate State and County agencies.

8. That access to the property shall meet with the approval of the Department of Public Works.

9. That the pavement width of Lunapule Road shall be increased from 18+ feet to twenty (20) feet from the access of the property to Alii Drive.

Further, the road shoulder area between the edge of road pavement and the property line shall be graded level and A.C. paved along the entire frontage of Lunapule Road. The proposed rock wall at the corner of Lunapule Road and Alii Drive shall also be rounded to a 20-foot radius. The property frontage on Alii Drive be trimmed back in such a manner as will permit an improved horizontal sight-distance along Alii Drive at the Lunapule Road intersection. All of these improvements shall meet with the approval of the Department of Public Works.


10. That there shall be a minimum structural setback of 15 feet along the east side property line.

11. That all other applicable rules, regulations, and requirements be complied with.

Should 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 this Permit shall be February 11, 1981.

Dated at Hilo, Hawaii, this 11th day of March, 1981.


BERT H. NAKANO,
Chairman, Planning Commission

APPROVED AS TO FORM AND LEGALITY:

P. Per Tuhogala
DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

Date: *23 Feb 81*