

CERTIFIED MAIL

February 25, 1983

Mr. Kenneth Suga
Trans-Pacific Development Corporation
P. O. Box 606
Hilo, HI 96720

Dear Mr. Suga:

Nullification of SMA Use Permit No. 165
Honohonou1, South Hilo, Hawaii
Tax Map Key 2-1-15:16

The Planning Commission at a public hearing on February 17, 1983, reviewed Special Management Area (SMA) Use Permit No. 165 which allowed the construction of a restaurant and related improvements at Honohonou1, South Hilo.

The Commission voted to approve the Planning Director's request to nullify the special management area use permit.

Should there be further questions regarding this matter, please feel free to contact the Planning Department at 961-8288.

Sincerely,

/s/ ROY KAGAWA

for CLYDE IMADA
Chairman, Planning Commission

db

cc: Department of Public Works
Department of Water Supply

bcc: Plan Approval Section

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR)	
SPECIAL MANAGEMENT AREA)	SMA USE PERMIT
USE PERMIT)	NO. 165
by)	
TRANS-PACIFIC DEVELOPMENT)	
CORPORATION)	
for)	
RESTAURANT AND RELATED)	
IMPROVEMENTS)	
in)	
KEAUKAHA, SOUTH HILO, HAWAII)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on August 13, 1981, considered the application of TRANS-PACIFIC DEVELOPMENT CORPORATION 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 restaurant and related improvements at Keaukaha, South Hilo, Hawaii, Tax Map Key 2-1-15:16.

The Commission has found the following:

The petitioner proposes to construct a 2,657 square foot drive-in/sit-down type restaurant building and related improvements which include an outside dining area and paved parking. The proposed development is not anticipated to have any substantial adverse environmental or ecological effects.

No rare or endangered flora or fauna are known to exist in the area nor are any sites of historic significance located on the property. The use of the existing topography and retention of the flora of the area should aid in significantly reducing the erosion concern which may result from this action. In addition, the retention of the trees and the construction of the wooden building should provide a harmonious setting with the surrounding area and should reduce any visual impact created by this development.

That the proposed development is consistent with the Objectives, Policies and Special Management Area Guidelines. Established by Chapter 205-A, Hawaii Revised Statutes, these Objectives and Policies provide guidance for the preservation, protection and development of coastal resources of the State and County. Because of the location and its distance to the shoreline, the granting of this request will not create any adverse impact on the recreational and historic resources nor should the coastal ecosystems be affected by this action.

Though the proposed development may affect the scenic qualities of the area, it should not be significant as mentioned above. In addition, the coastal hazard concerns should be mitigated by compliance with the requirements of the Department of Public Works. Furthermore, this project will further the economic resources by providing employment to members of the community.

The resort designation of the General Plan and the existing resort zoning designation allows the development for restaurant purposes. As such, it is determined that the subject request is consistent with the General Plan, the Zoning Code and other applicable land use regulations.

Based on the foregoing, it is therefore determined that the proposed development will not have any substantial adverse impacts on the surrounding area. Furthermore, its approval will be consistent with the Objectives and Policies of Chapter 205-A, HRS, Relating to Coastal Zone Management, Rule 9 of the County of Hawaii Relating to the Special Management Area, and the General Plan of the County of Hawaii.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow a restaurant and related improvements at Keaukaha, South Hilo, Hawaii, Tax Map Key 2-1-15:16, 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, Trans-Pacific Development Corporation, shall be responsible for complying with the stated conditions of approval. Further, the Special Management Area Use Permit shall be non-transferable.
2. That the proposed improvements shall substantially conform to the plans submitted and representations made by the petitioner or its authorized representative, except as may be modified by conditions of approval.
3. That plans shall be submitted for Final Plan Approval pursuant to Chapter 8 (Zoning Code), County of Hawaii within one (1) year from the effective date of the Special Management Area Use Permit.
4. That construction of improvements shall commence within one (1) year from receipt of Final Plan Approval and shall be completed within two (2) years thereafter.
5. That the requirements of the Building Code regarding construction within Flood Hazard Districts shall be complied with.
6. That access or accesses to the proposed development shall meet with the approval of the Department of Public Works. Adequate lighting shall also be provided at the entrance to the property meeting with the approval of the Department of Public Works.

7. That on-site drainage facilities shall be provided meeting with the approval of the Department of Public Works.
8. That all other applicable rules, regulations and requirements including those of the Department of Health and the Fire Department shall 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 August 13, 1981.

Dated at Hilo, Hawaii, this 9th day of October, 1981.


BERT. H. NAKANO
Chairman, Planning Commission

APPROVED AS TO FORM:


DEPUTY CORPORATION COUNSEL
County of Hawaii

Date: 6 Oct 81