

May 2, 1984

Mr. Toshio Oku
75-5845 Alii Drive
Kailua-Kona, HI 96740

Dear Mr. Oku:

Special Management Area Use Permit (SMA 83-8)
Building Renovation and Demolition
Oku Vision World Co., Ltd.
Kailua Village, North Kona, Hawaii
TMK: 7-5-9:36

This is to acknowledge receipt of the above-subject SMA Use Permit application on April 26, 1984.

Your application is now under review by this office. Upon completion of the departmental review, your application will be placed on the Planning Commission agenda for a public hearing. According to the Commission Rules and Regulations (Rule No. 9), a public hearing will be set no more than ninety (90) calendar days after the date on which the application was received. Within thirty (30) days after the conclusion of the hearing, the Commission will act upon your application.

Please be advised that in light of this SMA Use Permit application, we will take action to nullify the original SMA Use Permit No. 183 previously issued on July 2, 1982, for the subject property. In addition, following review and action on the subject SMA Use Permit application, appropriate action with regard to the conditions of Rezoning Ordinance No. 790 will be necessary.

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In the meantime, we shall inform you of the time and place of the public hearing as soon as they have been determined. Should you have any questions, please feel free to contact Ed Cheplic of this office.

Sincerely,



SIDNEY FUKU
Planning Director

EC:lgv...

cc: Mr. Dennis Shigeoka

bcc: SMA No. 183
Rez No. 410

CERTIFIED MAIL

July 2, 1982

Mr. Dennis K. Shigeoka, P.E.
Okahara, Shigeoka & Associates
200 Kohola Street
Hilo, Hawaii 96720

Dear Mr. Shigeoka:

Special Management Area (SMA) Use Permit Application
Petitioner: Oku Resort House, Inc.

TMK: 7-5-09:39

The Planning Commission at its duly held public hearing on July 1, 1982, voted to approve the above application, SMA Use Permit No. 183, to allow the construction of a 3-story building which will provide for retail shops, restaurant and a living unit. Also proposed is a 3-level parking structure attached to the 3-story building, landscaping, and other related improvements at Kailua Village, Puaa, North Kona, Hawaii.

Approval of the above request is based on the following:

The proposed development is not anticipated to have any substantial adverse environmental or ecological effects. The purpose of the subject request is to allow the development of "Ka Alii Plaza" complex consisting of retail shops, a teppan-yaki style restaurant, owner's living unit, parking structure and related improvements.

The subject area has been extensively improved as a part of the existing residential development. There are no rare or endangered plant or animal species nor are any sites of historical significance present on the subject property. Therefore, the proposed improvements should not increase the degree of environmental impact which presently exists.

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The proposed development is consistent with the Objectives, Policies and Special Management Area Guidelines as established pursuant to Chapter 205-A, HRS. These objectives and policies provide guidance for the preservation, protection and development of coastal resources of the State and County. The subject property is not situated along and is quite a distance from the shoreline. Therefore, it is felt that the proposed commercial 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.

The Kailua Village Design Plan recognizes the commercial service uses to which many of the Resort zoned properties are put and advises that this is appropriate in view of the resort related nature of their services.

The resort-related commercial use of the property would strengthen Kailua's role as the major commercial complex serving the visitors in West Hawaii. The diversity of services available to the visitors would increase should the property be used as proposed, thereby increasing Kailua's attractiveness and convenience to visitors. In this part of Kailua there already are existing visitor services including the Kona Hilton Hotel, Tom Bombadil's, and Huggos. In addition, this project will further the economic resources by providing employment to members of the community.

All infrastructures are or can be made available to the subject property. The greatest deficiency in this regard is the lack of curbs, gutters, and sidewalks in the area. To initiate the development of these improvements, a recommended condition of approval is that the frontage of the property be improved with curbs, gutters, and sidewalks. With the continuing development of the sidewalks, pedestrian safety and convenience will be increased and emergency evacuation will be facilitated.

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

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Based in the foregoing, it is therefore determined that the proposed development will not have any substantial adverse impacts in 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, the General Plan of the County of Hawaii, and the Zoning Code.

Approval of this SMA Use Permit request is subject to the following conditions:

1. That the petitioner or its authorized representative shall be responsible for complying with all the stated conditions of approval.
2. The plans shall be submitted and Final Plan Approval secured in accordance with Article 22, Chapter 8 (Zoning Code) of the Hawaii County Code within one (1) year from the effective date of the change of zone.
3. Construction of the proposed development shall commence within one (1) year from the date of receipt of Final Plan Approval and shall be completed within two (2) years thereafter.
4. A drainage system consistent with the standards of the Department of Public Works shall be installed.
5. The frontage of the subject property shall be improved with curbs, gutters, and sidewalks and other related improvements meeting with the approval of the Chief Engineer prior to the issuance of occupancy permit. Further, all existing rock walls shall be maintained and/or reconstructed.
6. All other applicable requirements, including the requirements of the State Department of Health and the Department of Public Works shall be complied with.

Should any of the foregoing conditions not be met, this Special Management Area (SMA) Use Permit shall be deemed automatically void.

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Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,

Tina Whitmarsh

for

CLYDE IMADA
Chairman Pro-Tem
Planning Commission

lgv

cc: Oku Resort House, Inc.
Department of Public Works
Department of Water Supply
Kona Services Office

bcc: Plan Approval Section