

CERTIFIED MAIL

June 15, 1984

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

Dear Mr. Oku:

Special Management Area (SMA) Use Permit Application  
TMK: 7-5-09:39

The Planning Commission at its duly held public hearing on June 13, 1984, voted to approve your application, Special Management Area (SMA) Use Permit No. 210, Puaa 2nd, North Kona, Hawaii.

Approval of this request is based on the following:

The proposed development will not create any significant adverse impact on the environmental or ecological resource of the Special Management Area (SMA). The applicant proposes to renovate an existing building for use as a Japanese restaurant and the remodeling of the lower level of a second existing structure for commercial use.

The subject area has been extensively improved as a part of the existing single and multiple 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 result in an increase of environmental impact to the subject or surrounding area.

While there may be some adverse effect from noise and other impacts associated with the construction phase of the project, these impacts, however, will be short term and can be mitigated by existing regulations.

The proposed development is consistent with the Objectives,

MUN 15 1984

Mr. Toshio Oku  
June 15, 1984  
Page 2

Policies, and Special Management Area Guidelines. These were established to provide guidance for the preservation, protection, and the development of coastal resources of the State and County. They identify several areas of management concern including historic, recreational, scenic resources, coastal ecosystems, economic use and coastal hazards. 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 area or with public access 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 and Huggos and surrounding condominiums. In addition, this project will further the economic resources by providing employment for members of the community.

Most infrastructures are or can be made available to the subject property. The greatest deficiency in this regard is the lack of 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.

Mr. Toshio Oku  
June 15, 1984  
Page 3

Based on the foregoing, it is determined that the granting of the subject request will not create a significant adverse effect on the environment and therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management and Rule No. 9 of the Planning Commission relating to the Special Management Area or the General Plan/Zoning of the County of Hawaii.

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

1. The petitioner, its successors or assigns, shall be responsible for complying with all of the stated conditions of approval.
2. Plans, including all landscaping plans, shall be submitted to the Planning Department and Final Plan Approval be secured within one year from the effective date of the Special Management Area Use Permit.
3. Construction of the improvements shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
4. Comply with Public Health Regulatory requirements of Chapter 1-A, Food Service Establishment Sanitation Code.
5. Comply with the Department of Public Works on-site drainage requirements.
6. Comply with the requirements of the Department of Water Supply.
7. All other applicable rules, regulations, and requirements shall be complied with.
8. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Special Management Area Use Permit shall be void.

Mr. Toshio Oku  
June 15, 1984  
Page 4

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

Sincerely,

  
Roy Kagawa  
Chairman, Planning Commission

cc: Mr. Dennis Shigeoka  
Real Property Tax Division  
Chief Engineer  
Building Section  
Kona Services Office  
Dept. of Water Supply

bcc: Plan Approval Section