

CERTIFIED MAIL

July 17, 1986

Mr. Gerald Park
Urban Planner
Manoa Market Place
2754 Woodlawn Drive
Honolulu, HI 96822

Dear Mr. Park:

Special Management Area (SMA) Use Permit
and Use Permit Applications
Applicant: Kailua-Kona Medical Clinic, Inc./Straub
Clinic and Hospital, Partnership
Tax Map Key: 7-5-07:1 and 62

The Planning Commission at its duly held public hearing on July 10, 1986, voted to approve your applications, Special Management Area Use Permit No. 241 and Use Permit No. 41, to allow the construction of a medical clinic and related improvements on a Resort-Hotel (V-.75) zoned property at Kailua-Kona, Honuaula, North Kona, Hawaii.

Approval of these requests are based on the following:

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION

The approval of the proposed medical facility and 40 car parking area with landscaping improvements will not be violative of the objectives and policies stated in Chapter 205-A, HRS, nor with the intent of Rule No. 9 of the Planning Commission relating to Special Management Area.

The purpose of Chapter 205-A, HRS and Rule No. 9 is to preserve, protect and where possible, to restore the natural resources of the coastal zone areas. As a result, special controls on development may be necessary to avoid irretrievable loss of the valuable resources and the foreclosure of management options. No known rare or endangered species of plant or animal have been identified in this vicinity. Also, the project is located over 720 feet from the shoreline and should have minimal impacts to the coastal ecosystem. The combination of on-site

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drywells, landscaping, and county sewage disposal will effectively inhibit erosion, water runoff and potential pollutants into the offshore waters of Kailua.

Any impacts to the historical or archaeological resources of the area have been satisfactorily considered. An archaeological reconnaissance and testing was conducted and no further site work is anticipated to occur. The final reconnaissance report of this property recommended no reason for any further archaeological investigation. However, with the possibility that remains may be uncovered during construction, the applicant shall cease work and notify the Planning Department. Further work shall begin after mitigating measures have been taken. A condition of approval concerning this matter shall be imposed.

There are no major identified scenic resources and viewplanes from or around the subject property. The two-story structure will not exceed a maximum height of 25 feet. Moreover, the generally level topography with the perimeter landscaping of the proposed structure will alleviate the visual and structural impact of this low-profile building.

Open space resources will be retained by the extensive landscaping of the subject property which shall be compatible with the Kona Inn Shopping Village parking area adjacent to the west.

Public accesses along the shoreline will not be affected because of the project's considerable distance from the coastal waters. Nor will the development interfere with any publicly-owned or used recreational areas.

No adverse impacts on the air and water quality are expected to be generated by the proposed medical facility development. Air emissions generated during the construction phases can be mitigated through the application of existing construction practice regulations.

The 2 story medical facility with related amenities is consistent with the Zoning Code and the General Plan, both of which permit such uses. However, the proposed parking design needs to be revised to comply with the Zoning Code's minimum compact stall and handicapped parking requirements. These revisions can be handled through conditions of approval.

Based on the above, it has been determined that the proposed development will not have any substantial adverse

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impacts on the surrounding area nor will its approval be inconsistent with the General Plan and Zoning Code or contrary to the objectives and policies of Chapter 205A, HRS, relating to Coastal Zone Management and Rule No. 9 of the Planning Commission relating to Special Management Area.

USE PERMIT APPLICATION

The granting of the proposed use will be consistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code, and the County General Plan. The establishment of a medical office facility situated in the County's Resort zone district may be permitted through the granting of a Use Permit. It should be further noted that the goals of the Land Use element of the General Plan states to "Designate and allocate land uses in appropriate proportions and in keeping with the social, cultural, and physical environments of the County." It is felt that the granting of the request at its particular location will still maintain the present commercial/resort environment of this area of Kailua. The property is bounded by a commercial office complex on the east and north, a parking lot for a commercial/resort complex to the west.

All essential utilities and services are available to the property, so the granting of this request will also be in the direction of fulfilling the land use policy of the General Plan which states to promote and encourage the utilization of urban areas which are serviced by basic community facilities and utilities. As such, from an impact standpoint, the introduction of this new medical facility will not have any major physical, cultural or social impacts on this area.

The proposed use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties. As stated previously, the establishment of the new medical facility will consist of 2 story and 25-foot high building with adequate setbacks and perimeter landscaping. The office hours will only be during daylight hours only. While the establishment of the new medical office building may have some impact on the adjacent lands, the impacts should be minimal or none at all. The subject property, which consists of 33,118 square feet of land area, and the location of the proposed structure on the east side of the property provides adequate buffers between the adjacent properties. Also as a condition of approval, a new parking area shall be required to be provided for the new use.

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The granting of the proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, schools, police and fire protection and other related infrastructure. The property is provided with all essential utilities and services. The traffic in the area is expected to increase. However, Hualalai Drive which serves as access to the subject property is a two lane roadway with a right-of-way width of 50 feet; 28-foot wide pavement and 11-foot wide sidewalks with landscaping strips. This roadway will be able to handle the increase of traffic in this area. As such, while traffic in the area may increase, it is expected to be quite negligible in terms of the overall traffic flow. It should be noted that none of the other cooperating agencies or surrounding property owners had any objections to the subject request.

Approval of the SMA Use Permit and Use Permit requests are subject to the following conditions:

1. The petitioners shall submit the required water facilities payment to the Department of Water Supply within 90 days from the date of approval of the SMA Use Permit and Use Permit. The permits shall not be effective until the water facilities payment is accepted by the Department of Water Supply.
2. The petitioners, successors, or assigns shall be responsible for complying with all of the stated conditions of approval.
3. Consolidation maps shall be submitted within one year from the effective date of approval of the Special Management Area Use and Use Permits.
4. Plans for final plan approval, including landscaping and a revised parking plan, shall be submitted within one year from the date of consolidation approval. The revised parking plan shall comply with the Zoning Code's requirements relative to compact and handicapped parking stalls. No variances from the parking requirements shall be considered for this development. Additionally, the site plan shall show the retention, reconstruction and/or maintenance of the existing rock walls on the perimeter of the property.
5. Construction shall commence within one year from the date of receipt of final plan approval and be completed within two years thereafter.

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6. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings or walls be encountered, work in the immediate area shall cease and the Planning Department immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department, when it finds that sufficient mitigative measures have been taken.
7. Comply with all other applicable state and county rules, regulations and requirements.
8. The Planning Director may administratively grant extensions to the foregoing time conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the Permits shall be void.

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

Sincerely,



Barbara A. Koi
Chairperson, Planning Commission

cc: DPED, CZM Program w/background
DLNR
Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section