

County of Hawai'i

LEEWARD PLANNING COMMISSION

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

DEC 13 2010

Mr. Gregory R. Mooers
P.O. Box 1101
Kamuela, HI 96743

Dear Mr. Mooers:

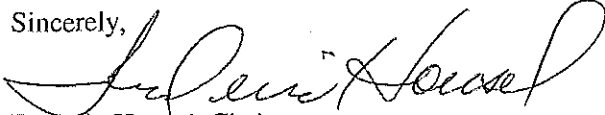
Planning Director Initiated
Revocation of SMA 250
Tax Map Key: 7-5-008:006

The Leeward Planning Commission at its duly held public hearing on November 24, 2010, voted to approve the Planning Director's request for the revocation of Special Management Area Use Permit No. 250, which allowed for various construction and reconstruction activities related to the former Saint Michael the Archangel Church that was damaged during the 2006 earthquake and which has since been demolished. The approximately 3.19 acre property is located on the northeast (mauka) side of Ali'i Drive directly across Hale Halawai Park and Waterfront Row shopping complex in Kailua Village, Hienaloli 2nd, North Kona, Hawai'i.

The applicant has recently received approval of SMA 10-000044 to allow the construction of a church, rectory, and parish hall and related improvements to replace the former Saint Michael the Archangel Church that was damaged during the 2006 earthquake. As the previous SMA permit was for different improvements and is no longer applicable to the new project, SMA 250 is hereby revoked.

Should you have any questions, please contact Daryn Arai of the Planning Department at (808) 961-8288.

Sincerely,


Frederic Housel, Chairman
Leeward Planning Commission

Lsaintmichael01lwpc

cc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
DLNR-State Historic Preservation Division
Planning Department - Kona
Mr. Gilbert Bailado ✓

CERTIFIED MAIL

December 17, 1986

Mr. Thomas E. Tibbles, AIA
P. O. Box 3071
Kailua-Kona, HI 96745-3071

Dear Mr. Tibbles:

Special Management Area (SMA) Use Permit Application
Petitioner: Immaculate Conception Parish - St. Michaels Church
Tax Map Key: 7-5-08:6

The Planning Commission at its duly held public hearing on December 11, 1986, voted to approve your application, Special Management Area Use Permit No. 250, to allow the demolition of the existing pavilion; relocation of the existing convent; reconstruction of the existing rectory; construction of a pavilion center, meeting room facility and a storage/maintenance building; and related improvements at Kailua-Kona, Hienaloli 2nd, North Kona, Hawaii.

Approval of this request is based on the following:

The proposed project consists of constructing various church-related facilities such as meeting rooms, service core building, a pavilion, and a caretaker/storage building. In addition, parking and landscaping amenities are proposed to complement the church complex site. These improvements are not anticipated to have any substantial adverse environmental or ecological effects.

The property contains St. Michael's Church, which is on the state's inventory of historic sites. The petitioner intends to document the church's historical significance as being the oldest Catholic church on this island, and hopes to further submit papers for nomination to the Hawaii Register of Historic Places. The visual impact of the proposed accessory buildings in relation to the historic Church should be minimal due to the low profile of the one- and two-story buildings and their relative distance from the Church. It is felt that the dominant view corridor from Ali'i Drive will be preserved and improved

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since the new structures will be constructed to the south and east while the delapidated pavilion will be demolished. Because of the historic background of the church parcel, there is a potential of further artifacts being uncovered during construction especially if trenching occurs. Therefore, this permit is being conditioned upon archaeological monitoring should there be trenching activities during construction. Since the subject area has been extensively improved, it is unlikely that any rare or endangered species of plant or animal will be found or identified.

Public access to and along the shoreline will not be affected by the project as it is located over 160 feet from the shoreline. The petitioner proposes to install sidewalks within the Ali'i Drive right-of-way fronting the property, which should facilitate pedestrian access in Kailua Village. Sidewalk construction plans shall be reviewed by the Department of Public Works and the Planning Director for approval.

The project will be required to hook-up to existing sewage lines; thus, impacts to coastal ecosystems will be minimal.

The site is within a flood hazard zone and shall comply with the requirements of the Department of Public Works, who administers the Flood Control Code. Water run-off shall be disposed of through on-site drainage measures.

The proposed master plan is consistent with a policy of the Historic Sites Element of the General Plan, which reads, "On private lands, the County of Hawaii shall encourage the restoration of significant sites."

The expansion of St. Michael's Church is a permitted use in the Zoning Code subject to compliance with all other requirements.

The proposed development is consistent with the objectives, guidelines and policies of the Special Management Area. These were established by Chapter 205-A, HRS, to provide guidance for the preservation, protection and development of coastal resources of the State and County. They identify several areas of management concerns including historic, recreational/scenic resources, coastal ecosystems, economic use and coastal hazards. Because of the prior development and heavy use of the subject and surrounding areas, the granting of this request will not impact on these resources. Furthermore, the proposed improvements attempt to complement the needs and desires of the Village and the community.

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Based on the foregoing, it is determined that the granting of the 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; Rule No. 9 of the Planning Commission relating to the Special Management Area; the General Plan and Zoning Code of the County of Hawaii.

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

1. The petitioners, its successors or assigns shall be responsible for complying with all of the stated conditions.
2. Plans for the initial phase(s) of the proposed development including landscaping and parking, shall be submitted for Plan Approval within one year from the effective date of approval of the SMA Use Permit. Based on the petitioner's floor plan submittal, a minimum 78 all-weather dust-free parking stalls shall be provided for the entire master plan development.
3. Construction of the initial phase(s) shall commence within one year from the date of receipt of final Plan Approval and be completed within two years thereafter.
4. Plans for the final phase(s) of the proposed development shall be submitted for Plan Approval within one year from the date of completion of the initial phase(s).
5. Construction of the final phase(s) shall commence within one year from the date of receipt of final Plan Approval and be completed within two years thereafter.
6. The Ali'i Drive right-of-way fronting the subject property shall be improved with curbs, gutters, sidewalks and/or other related improvements including provisions for the handicapped, meeting with the review and approval of the Chief Engineer and the Planning Director prior to the issuance of the occupancy permit for the initial phase.
7. Vehicular access from Ali'i Drive shall be limited to one driveway meeting with the approval of the Department of Public Works.
8. In the event trenching is proposed during the site preparation phase, an archaeologist shall be present during the trenching activity to monitor potential artifactual

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excavations. 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 at any time during construction, work in the affected 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.

9. Comply with all applicable rules and regulations, including those of the Department of Public Works and the Department of Health.
10. 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 Planning Director shall initiate procedures to nullify the permit.

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