

CERTIFIED MAIL

February 4, 1987

Mr. Glen Koyama
Belt, Collins & Associates
606 Coral Street
Honolulu, HI 96813

Dear Mr. Koyama:

Special Management Area (SMA) Use Permit Application
Petitioner: Kamehameha Schools/B. P. Bishop Estate
TMK: 7-8-10:4

The Planning Commission at its duly held public hearing on January 28, 1987, voted to approve your application, Special Management Area Use Permit No. 253, to allow a 4-lot subdivision and the establishment of a convenience store/service station and related improvements on one of the lots at Keauhou, North Kona, Hawaii.

Approval of this request is based on the following:

The proposed project consists of a four-lot subdivision, establishment of a convenience store/service station on one of the future lots and related improvements. These improvements are not anticipated to have any substantial adverse environmental or ecological effects.

The project site is not known to contain any unique ecological systems nor provide habitats for any endangered plant or animal species.

The applicant intends to preserve significant archaeological sites and features and to assist, where appropriate, in the restoration of such features to their original condition for the purpose of public education and cultural preservation. Archaeological surveys and data collection indicate no significant features or historic sites will be destroyed by the proposed project. It is felt that ample information has been received on the identified sites

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located in the area of direct impact. However, there is a possibility that unanticipated sites will be uncovered during construction. Should this occur, work in the affected area shall cease immediately and should not resume until the Planning Department has given archaeological clearance.

The proposed project is consistent with the objectives, policies and guidelines of the Special Management Area. These were established 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 land alterations to the subject property, the granting of this request will not impact on these resources. Furthermore, the proposal will not affect the economic or social welfare of the community or state. The establishment of a commercial development within the existing Keauhou commercial core area will promote and reinforce the resort master plan.

The subject property is situated approximately 1,500 feet from the shoreline and will not interfere with the natural shoreline processes nor with any recreational resources along the coastal area. Since the project will be required to hook-up to existing sewer lines, impacts to coastal ecosystems will be minimal.

Viewplanes from Kamehameha III Road to the ocean will be minimally affected by the 25-foot high structure due to the moderately steep slope of the land and its inherent topographical features. Further, this permit is conditioned upon landscaping to relieve building bulk and vertical intrusion.

Impacts from the proposed action will be short-term since construction is expected to be completed within three to six months. Temporary disruption to noise and air quality can be mitigated by limiting the operation of construction equipment to normal working hours and utilizing muffling devices on the larger equipment. Dust and erosion will be controlled by water sprinkling or other measures prescribed by the Department of Public Works.

The Medium Density Urban designation of the General Plan and the existing village commercial zoning designation for the project site allow development for commercial purposes. Thus, the proposal is consistent with the General Plan, the Hawaii County Zoning Code and other applicable land use regulations.

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Based on the foregoing, it is determined that the proposed development will not have any substantial adverse impacts to the subject or surrounding area; and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; the General Plan and the Zoning Code of the County of Hawaii.

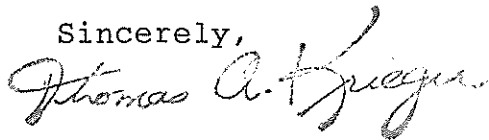
Approval of this special management area use permit request is subject to the following conditions:

1. The petitioner, its successors or assigns shall be responsible for complying with all of the stated conditions.
2. Submit preliminary plans for tentative subdivision approval within one year from the effective date of this permit. Submit plans for final subdivision approval within one year from the date of tentative subdivision approval.
3. Submit convenience store/service station plans for plan approval within one year from the effective date of final subdivision approval. Plans shall include landscaping on the west, north and east boundaries of the subject property, which would reduce vertical intrusion and enhance scenic viewplanes.
4. Construction shall commence within one year from the date of receipt of final Plan Approval and be completed within two years thereafter.
5. 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.
6. All applicable rules and regulations, including those of the Department of Water Supply; the Department of Public Works, including the deceleration lane improvements; and the Department of Health requirements, as stated in their respective comments on this application, shall be complied with.

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7. 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,


Thomas. K. Krieger
Chairman, Planning Commission

cc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office
DPED-CZM Program w/bkgd. (sent 2/12/87)

bcc: Plan Approval Section