

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 89-4

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

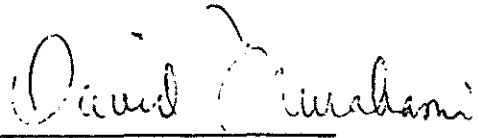
The Planning Director completed on March 29, 1989, an assessment on the application of Hugh Y. Ono, Chief Engineer Dept. of Public Works, County of HI for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: Construction of a walkway, landscaping & related improvements within the County-owned Alii Drive right-of-way fronting Mokuaukua Church and the Kim Chong Building in Kailua Village, North Kona, Hawaii, TMK: 7-5-07:fronting parcels 18 and 19.

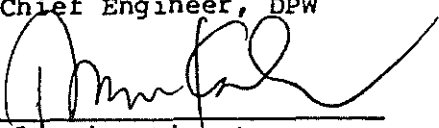
As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

See Attached Conditions


Chief Engineer, DPW


Planning Director

Attachment

SMA Minor No. 89-4
APPLICANT: HUGH ONO, CHIEF ENGINEER,
DEPARTMENT OF PUBLIC WORKS
Conditions

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. The applicant shall complete the construction within one year.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

BACKGROUND

2562Q 3/28/89

Mr. Hugh Ono, Chief Engineer, Department of Public Works, is requesting a Special Management Area (SMA) Use Permit to allow the construction of a walkway, landscaping and related improvements within the County-owned Alii Drive right-of-way fronting Mokuaikaua Church and the Kim Chong Building in Kailua Village, North Kona, Hawaii, TMK: 7-5-07:fronting parcels 18 and 19.

More specifically, the applicant proposes to construct approximately 300 lineal feet of walkway 8 feet wide and to landscape the remaining area not used for the roadway. Landscaping will consist primarily of planting strips separating the pedestrian walkway from the roadway and a shade tree in front of the Kim Chong building. Plants associated with native Hawaiian fishing will be planted for ground cover throughout the planting area. In addition, the applicant is proposing to install stone curbing, three street lights and a sprinkler.

The proposed development is the third and final phase of the plan to provide an improved walkway system and landscaping along Alii Drive. In February 1977, SMA Minor Use Permit No. 77-09 was granted for Phase I involving approximately 150 lineal feet of improvements fronting the Dolphin Plaza. In May 1978, SMA Minor Use Permit No. 78-02 was granted for Phase II, improving approximately 175 lineal feet for the area fronting World Square. In June 1981, SMA Minor Use Permit No. 80-08 was granted for this Phase III, but it expired before the applicant, Ronald Brown, initiated any work. The project now is to be undertaken by the County Department of Public Works. Upon completion of Phase III, the landscaped walkway system fronting the World Square Complex to the Kim Chong Building will be completed.

Cost = \$30,000

Area of the project is on County property. The new walkway will reduce hazards to pedestrians through the use of ramps and the reduction of stairs at building entrances. The subject improvements will be conducted in an area which is extensively used by pedestrians in Kailua Village. Vegetation is almost non-existent as a result of the existing paving and extensive use as a walkway. The primary impact resulting from this action will occur during the construction phase. Some adverse impacts may result in traffic congestion, noise and dust pollution, and other inconveniences during this phase; however, these impacts will be temporary in nature and can be minimized through normal construction practices and existing regulations.

The General Plan for the County designates Kailua Village as a major visitor destination where inadequate division for pedestrian and vehicular traffic circulation exists. Surrounding zonings include the "Open Space" of Hulihee Palace and Hotel Resort 750 square feet (V-.75) for the remaining area.

Mokuaikaua Church (No. 10:28:7231) and Hulihee Palace (No. 10:28:7001), properties located adjacent to the right-of-way, are listed in the State and Federal Registers of Historic Places. The subject activity should not negatively affect these areas.

The Kailua Village Special District (KVSD) Urban Design and Review Commission recommended approval of the conceptual plans as presented at its meeting on April 28, 1980. Any significant change will require further review by the Commission.

The neighborhood reflects considerable historic development for resort and related purposes. Consequently, it is highly unlikely that either endangered species or unknown historic resources remain on the project site.

The total cost of the proposed improvements will be approximately \$30,000.

RECOMMENDATION

An SMA Minor Use Permit is issued based on the following findings:

1. The total valuation of the proposal will not exceed \$65,000; and
2. The proposal will not result in a significant adverse effect on the Special Management Area.

The proposed construction and use is not anticipated to have any adverse environmental or ecological effects.

The proposed action is consistent with the Special Management Area objectives, policies, and guidelines. These were established to provide guidance for the preservation, protection and development of the coastal resources of the State and County. The guidelines identify several areas of management concerns including recreational, historic, scenic and open space resources, coastal ecosystems, economic uses, and coastal hazards. Due to the limited nature of the project, it is determined that the granting of this request will not impact on the identified resources.

The proposed construction and use are consistent with the present Urban district and General Commercial zoning.

Based on the above, 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 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. The applicant shall complete the construction within one year.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).