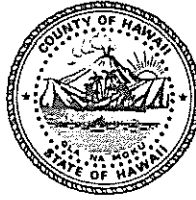


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

April 17, 1997

Mr. Terry Punkett
Kamehameha Statue Committee
Kamehameha Schools Alumni Association
10 Punawai Street
Hilo, HI 96720

Dear Mr. Punkett:

Special Management Area Use Permit Assessment Application No. 97-22

Special Management Area Minor Use Permit No. 58 (SMM 58)

Applicant: Kamehameha Statue Committee, Kamehameha Schools Alumni Association

Request: To Allow the Erection of Kamehameha Statue and Related Improvements

Tax Map Key: 2-2-03: Portion of 3; Piopio, South Hilo, Hawaii

We are in receipt of the above-described application on April 14, 1997, to allow the erection of a statue of King Kamehameha the Great and the installation of related improvements on a portion of the subject property situated at the end of Bishop Street. The proposed improvements would not exceed \$125,000 in valuation. It has been determined that the proposed improvements will not have a significant adverse impact to coastal resources. Therefore, we are hereby issuing Special Management Area Use Permit No. 58 to allow the erection of a statue of King Kamehameha the Great and its related improvements on the subject property for the reasons as discussed below.

APPLICANT'S REQUEST

1. **Request:** To allow the erection of a statue of King Kamehameha the Great and the installation of related improvements on a portion of the subject property situated at the end of Bishop Street. The proposed improvements will consist of:

- o An exact replica of a statue of King Kamehameha the Great as that found in front of Ali'iolani Palace on Oahu and in Kapa'au, North Kona will be erected within a landscaped area having a maximum diameter of approximately 150 feet. The approximately 16-1/2 foot tall statute will be centrally situated within the landscaped area upon a 4'-8" tall lava rock pedestal.
 - o A concrete sidewalk and a low moss rock retaining wall will be installed surrounding the statue.
 - o Appropriate signage and lighting fixtures will also be installed in the vicinity of the statue along with Royal palm trees for landscaping.
 - o Bishop Street will be resurfaced and 12 parking stalls delineated along the Hilo side of the street. Another 18 parking stalls will be designated along a resurfaced Punahoa Street.
2. **Reason for Request:** According to the application, the proposed improvements will "*. . . . commemorate the role of Kamehameha I in unifying the Hawaiian Islands and the years between 1796 and 1802 when Hilo was the kingdom's first capitol. Signage associated with the statue will interpret Kamehameha's history in Hilo, events leading to the proclamation of the Mamalahoe Kanawai (Law of the Splintered Paddle), and other information associated with the history and culture of pre-contact Hawai'i in the Hilo area.*"
3. **Total Valuation:** The proposed improvements is anticipated to cost \$108,850.

STATE AND COUNTY PLANS

4. **State Land Use District:** The project site is designated Urban by the State Land Use Commission.
5. **Urban Renewal Plan:** The project site is situated within the boundaries of the Urban Renewal Plan, which provided for the development of the affected area in a manner which will reduce loss of life and property to future seismic waves. The Hawaii Redevelopment Agency, which administers the plan, has endorsed the proposed improvements at its meeting of March 25, 1997.

6. **General Plan:** The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the affected area as Open, which includes parks and historic sites.
7. **Hilo Community Development Plan (CDP):** The Hilo CDP and Land Use Concept Map recommends that the affected area maintain a designation of "Open." The Hilo CDP was adopted by Planning Commission Resolution in 1975.
8. **County Zoning:** The project site is designated Open (O) by the County Zoning Code. The proposed erection of a statue and related improvements are consistent with uses permitted within the Open-zoned district.
9. **Special Management Area (SMA):** The project area is situated within the boundaries of the Special Management Area. Therefore, this Special Management Area Minor Use Permit is being issued in satisfaction of the Rules and Regulations of the Special Management Area.
10. **Chapter 343, HRS:** In accordance with the requirements of Chapter 343, HRS and Title 11, Chapter 200, HAR, the State Department of Land and Natural Resources-State Parks Division, declared the proposed improvements as exempt from the requirements of Chapter 343, HRS.

DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

11. **Subject Property:** The project site is situated within a larger parcel owned by the State and managed as part of the Wailoa State Park. The project site is situated at least 600 feet from Hilo Bay and approximately 700 feet from Wailoa Pond.
12. **Existing Use:** The project site is currently vacant of any specific use and is maintained as a passive park by the State. The State Department of Land and Natural Resources has issued a permit to allow the proposed statue and related improvements on the project site.
13. **FIRM:** The Flood Insurance Rate Maps (FIRM) designates the project site as being located within an area an area designated for coastal flooding (Zone VE) as well as 100-year (AE) flood hazards. The applicant will comply with the requirements of Chapter 27, Hawaii County Code, regarding Flood Control.

14. **Archaeological/Floral/Fauna Resources:** The project site was part of the Piopio settlement, which was destroyed during the 1946 tsunami. The area was subsequently razed and maintained as open space. Due to the former developed nature of the project site, the possibility of historical sites or features within the project site or the presence of endangered species of plants or animals are not anticipated.
15. **Surrounding Land Use Designation/Uses:** The project site is situated within an area extensively maintained as open space as part of the Wailoa State Park complex. Immediately adjacent to the west (mauka) is the Waiolama Canal. On the opposite side of the canal is the Wailoa Visitor's Center.

UTILITIES AND SERVICES

16. **Access:** Access to the project site is provided by Bishop Street, a County-maintained roadway.
17. **Other Essential Utilities and Services,** such as water, wastewater disposal, fire, police and emergency services are available to the subject property.

ASSESSMENT

The purpose of Chapter 205A-HRS, and Planning Commission Rule No. 9, Special Management Area Rules and Regulations of the County of Hawaii, is to preserve, protect, and where possible, to restore the natural resources of the island's coastal zone areas. Special controls on development within these areas have been enacted to prevent permanent loss of valuable resources. Upon review of the subject request, the Planning Director finds that the proposed erection of a statue commemorating King Kamehameha the Great is consistent with State and County Special Management Area policies, as outlined below:

- a) **Recreational Resources:** The proposed erection of a statue and its related improvements within the project site will not interfere with recreational uses of the Hilo Bay coastal area due to its distance from shoreline nor the passive recreational area within the surrounding Wailoa State Park. The project site is situated on the mauka side of Kamehameha Avenue approximately 600 feet from the shoreline. Only a small portion of the Wailoa State Park lands will be encumbered by the proposed improvements.

- b) **Historical and Natural Resources:** The project site had previously been developed as part of the Piopio settlement prior to its destruction in the 1946 tsunami. Now maintained as grassed open space, no historic features or habitats of endangered species of plants or animals are anticipated within the project site. A condition of approval will require the applicant to notify this office should unanticipated archaeological features be discovered during construction.
- c) **Scenic and Open Space Resources:** The project site is located within an area designated by the Hawaii County General Plan and Hilo Community Development Plan as Open space. The project site is situated approximately 600 feet from the shoreline on the mauka side of Kamehameha Avenue and the Bayfront Highway, the two major coastal corridors within the City of Hilo. Therefore, the proposed improvements will not have any effect upon the County's open space and scenic resources or its coastal viewplanes. Aside from the statue and its platform, no other structure will be built which could impair the open space characteristics within this area of Wailoa Park.
- d) **Coastal Ecosystems:** As previously mentioned, the distance of the project site from the shoreline areas would preclude any impact on coastal ecosystems. Due to the limited nature of the proposed improvements, concerns regarding runoff, erosion and ambient dust generated by construction activities will be extremely limited. Existing construction practices are sufficient to mitigate any potential impacts.
- e) **Economic Uses:** The proposed statue will generate secondary economic benefits to the county by providing for an added attraction to the downtown area. With Wailoa Park, Wailoa Visitor Center and Downtown Hilo in the immediate vicinity, the proposed statue will be another focal point for visitors and residents alike.
- f) **Coastal Hazards:** The project site is located within an area affected by the 100-year flood (Zone AE) and coastal flooding (VE) hazards. All improvements associated with this project must comply with the requirements of Chapter 27 of the Hawaii County Code regarding Flood Control. The limited nature of the proposed improvements and land alteration and its use as a passive park attraction will not be contrary to the County's goals and objectives regarding Coastal Flooding Hazards.

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DETERMINATION

Based on the preceding assessment, the Planning Director has determined that the erection of a statue and related improvements to commemorate King Kamehameha the Great on the project site would not be contrary to the State and county policies governing the Special Management Area. The Planning Director hereby approves Special Management Area Minor Use Permit No. 58, **subject to the following conditions:**

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the approval of this permit.
3. The erection of the statue and the completion of all related improvements shall occur on or before two (2) years from the date of this approval.
4. 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 Director shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Director when it finds that sufficient mitigative measures have been taken.
5. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances:
 - a) 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;
 - b) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and


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c) 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).

6. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

Please feel free to contact Daryn Arai of my staff at 961-8288 should you have any questions.

Sincerely,



VIRGINIA GOLDSTEIN
Planning Director

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cc: Mr. Russell Kokubun, Hawaii Redevelopment Agency
Ms. Donna Fay K. Kiyosaki, P.E., Chief Engineer
SMA Section