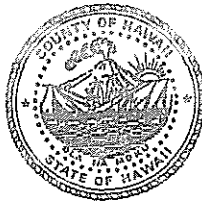


Harry Kim
Mayor



SUCAN
Debbie #41

Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

October 14, 2005

Roy A. Vitousek III, Esq.
Cades Schutte
75-170 Hualalai Road, Suite B-303
Kailua-Kona, HI 96740

Dear Mr. Vitousek:

SUBJECT: Special Management Area Use Permit Assessment Application (05-000097)
Special Management Area Minor Permit No. 05-000019 (SMM No. 05-000019)
Applicant: Wayne Blasman
Land Owner: Wayne Blasman
Request: Demolish and remove existing structures and remove solid refuse materials and debris
Tax Map Key: 7-7-4:26, Holualoa, North Kona, Hawaii

This is in response to the above-referenced Special Management Area Assessment Application to demolish and remove existing structures and remove solid refuse materials and debris from the subject property. The objective of the project is to prepare the subject property for acquisition by the State of Hawaii for public purposes. The property is situated adjacent to the Keakealaniwahine Complex and across the street of the Keolonahihi State Historical Park at Kamo Point. The State proposes to acquire the subject property in order to preserve the historical and cultural significance of the land in conjunction with the nearby historical complexes.

Chapter 205A-22, HRS, and Planning Commission Rule 9-4(10)A, relating to the Special Management Area, states "development" includes the following:

(v) "Construction, reconstruction, demolition, or alteration of the size of any structure."

Therefore, the proposed project requires a Special Management Area (SMA) Minor Permit.

Hawai'i County is an Equal Opportunity Provider and Employer

Roy A. Vitousek III, Esq.

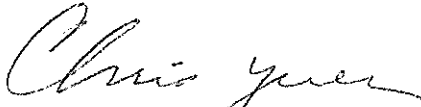
Page 2

October 14, 2005

Based on the above, and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 05-000019 is hereby issued to allow for the proposed activities on the subject property, subject to the applicant's compliance with the conditions of approval as specified in the permit.

Should you have questions, please feel free to contact Alice Kawaha of this department at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

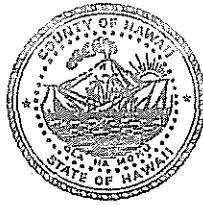
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Enclosures: SMM No. 05-000019
Department of Public Works October 14, 2005 Memorandum

xc w/encls: Long Range Planning - Ms. Susan Gagorik
Planning Commission - Mr. Norman Hayashi
Planning Department - West Hawaii Office

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

Special Management Area Minor Permit No. 05-000019

Project: Demolish and remove existing structures, and remove solid refuse materials and debris
Applicant: Wayne Blasman
Land Owner: Wayne Blasman
Location: Holualoa, North Kona, Hawaii
TMK: (3) 7-7-4:26 **Land Area:** 1.255 acres

Applicant's Request

1. Project Description:

The applicant proposes to demolish and remove existing structures, and remove solid refuse materials and debris from the site.

2. Purpose of Project:

The objective of the project is to prepare the subject property for acquisition by the State of Hawaii for public purposes. The property is situated adjacent to the Keakealaniwahine Complex and across the street of the Keolonahihi State Historical Park at Kamo Point. The State proposes to acquire the subject property in order to preserve the historical and cultural significance of the land in conjunction with the nearby historical complexes.

3. Project Valuation: \$60,000.00

4. Determination:

Chapter 205A-22, HRS, and Planning Commission Rule 9-4(10)A, relating to the Special Management Area, states "development" includes the following:

(v) "Construction, reconstruction, demolition, or alteration of the size of any structure."

Therefore, the proposed project requires a Special Management Area (SMA) Minor Permit.

State and County Plans

1. **State Land Use District:** The subject property is designated Urban by the State Land Use (SLU) Commission.
2. **General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the subject property as Medium Density Urban.
3. **County Zoning:** The subject property is zoned Multiple-Family Residential (RM-1.5) by the County of Hawaii.
4. **Special Management Area:** The subject property is located in the SMA.
5. **Flood Zone:** The Flood Insurance Rate Map (FIRM) designates the project site as Zone X, outside the 500-year flood plain.

Description of Project Site

6. **Subject Property:** The property is located mauka of Alii Drive approximately 200 – 800 feet from the shoreline in the vicinity of Holualoa Bay. It is situated adjacent to the Keakealaniwahine Complex and mauka of the Keolonahihi State Historical Park at Kamoia Point. According to a 1979 archaeological reconnaissance survey, prepared by Thomas S. Dye, the property was bulldozed in the late 1950s, prior to construction of the existing residences and asphalt driveway.
7. **Existing Structures:** There are three existing residential structures that were built in the late 1950s or early 1960s. There are presently some abandoned vehicles on the property.
8. **Previous Approvals:** On August 21, 1980, the Planning Commission approved Special Management Area Use Permit No. 137 and Planned Unit Development No. 46 to the previous owner Keauhou Development Corporation. The project was for the proposed construction of a 32-unit Snug Harbor condominium and related improvements. On August 5, 1983, both permits were nullified due to the owner's inability to commence construction within the timeframe specified in the SMA Use Permit.
9. **Pending SMA Application:** The applicant has pending SMA Use Permit Application SMA 02-003 with the Planning Commission for the development of a 13-unit multiple family residential development and related improvements. The application was subject to a contested case hearing that commenced on March 25, 2003.

According to the applicant's representative in this SMA Use Permit Assessment application, the contested case hearing has been continued to allow negotiations among the applicant, the County of Hawaii and the State of Hawaii for possible State acquisition of the subject property. Further, as of August 2005, the applicant has accepted an offer from the State of Hawaii through the Department of Land and Natural Resources (DLNR) to purchase the subject property. Upon completion of the sale, the applicant will withdraw SMA Use Permit Application SMA 02-003.

10. **Surrounding Area:** According to the Division of State Parks (DLNR July 5, 2002 Letter), the Keolonahihi State Historical Park at Kamoa Point, consisting of 12 acres, was acquired by the State in 1980 to preserve, protect, and interpret the cultural, historical, and archaeological resources of the significant Keolonahihi complex. It is listed on the National and Hawaii Registers of Historic Places (Site No. 2059). In response to community concerns and Legislative resolutions, the 16.4-acre area of the Keakealaniwahine Complex adjacent to Keolonahihi and mauka of Alii Drive was donated to the State in 1998 for inclusion in the Keolonahihi State Historical Park. Those two complexes comprise the Holualoa royal center.

Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area

The applicant proposes to demolish and remove existing structures, and remove solid refuse materials and debris from the site for the purposes of preparing the property for acquisition by the State of Hawaii for public purposes. The property is situated in the vicinity of two significant historical complexes, the Keakealaniwahine Complex and the Keolonahihi State Historical Park at Kamoa Point. With the acquisition, the State would preserve the historical and cultural significance of the land in conjunction with those nearby historical complexes. As specified in the conditions of approval for this permit, the applicant shall take precautions during the demolition and removal of the structures and debris.

The project site is not a coastal property; and as such, the project will not have any adverse impact to public access, and recreational and visual resources to the shoreline and coastal ecosystems.

Check all objectives and policies found to be consistent with proposed development. Issuance of SMA Minor Permit requires that activity be consistent with all objectives & policies.

The proposed development is consistent with the following objectives and policies:

- ☒ Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawaii County General Plan and the Zoning Code.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS, to:
 - ☒ Provide coastal recreational opportunities accessible to the public.

- ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
- ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
- ☒ Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.
- ☒ Provide public or private facilities and improvements important to the State's economy in suitable locations.
- ☒ Reduce hazard to life and property from tsunamis, storm waves, stream flooding, erosion, subsidence and pollution.
- ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- ☒ Stimulate public awareness, education, and participation in coastal management.
- ☒ Protect beaches for public use and recreation.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
 - ☒ Recreational Resources
 - ☒ Historic Resources
 - ☒ Scenic and Open Space Resources
 - ☒ Coastal Ecosystems
 - ☒ Economic Uses
 - ☒ Coastal Hazards
 - ☒ Managing Development
 - ☒ Public Participation
 - ☒ Beach Protection
 - ☒ Marine Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

Findings

As discussed above, the project is proposed to demolish and remove existing structures, and remove solid refuse materials and debris from the site for the purposes of preparing

the property for acquisition by the State of Hawaii for public purposes. The proposed project will not have any substantial adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest.

The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.

The estimated project cost of approximately \$60,000 is not in excess of \$125,000.

The Department of Public Works (DPW) – Engineering Division has reviewed the proposed project for compliance with Chapter 27, Flood Control, of the Hawaii County Code and has provided the following comments. A copy of DPW's memorandum dated October 14, 2005 is enclosed.

BUILDING

A building permit shall be obtained for demolition of the structures.

DRAINAGE

- 1. All development generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties.*
- 2. The subject property is not within any designated Special Flood Hazard Area on the Flood Insurance Rate Map.*

EARTHWORK

- 1. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code.*
- 2. The applicant shall comply with chapter 11-55, Water Pollution Control, Hawaii Administrative Rules, Department of Health, which requires an NPDES permit for certain construction activity.*

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 05-000019** is hereby approved to allow for the demolition and removal of the existing structures, and removal of solid refuse materials and debris from the site. This approval is subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

The Planning Director has approved SMA Minor Permit No. 05-000019 subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.

2. Demolition and removal of the existing structures, and removal of solid refuse materials and debris approved by this permit shall be completed within one (1) year from the date of this permit.
3. Prior to any demolition activity, a building permit for the demolition of the structures shall be secured from the Department of Public Works, Building Division.
4. During the demolition and removal activities, measures shall be taken to minimize the potential of both fugitive dust and runoff sedimentation, and noise. Such measures shall be in compliance with construction industry standards and practices utilized during construction projects of the State of Hawaii.
5. During the demolition and removal activities, caution should be taken to avoid any disturbance to the nearby archaeological sites.
6. Should any remains of historic sites, such as rock walls, terraces, platforms, marine shell concentrations or human burials be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources-Historic Preservation Division (DLNR-SHPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-SHPD when it finds that sufficient mitigation measures have been taken.
7. The applicant shall comply with all applicable requirements of all Federal, State and County of Hawaii departments and agencies.
8. An extension of time for the performance of the conditions contained herein 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
 - c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
9. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:


CHRISTOPHER J. YUEN
Planning Director

OCT 17 2005

Date

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: October 14, 2005

Memorandum

TO : Christopher J. Yuen, Planning Director
Planning Department

FROM : Galen M. Kuba, Division Chief 
Engineering Division

SUBJECT : SMA Assessment Application (SAA 05-000097)
Applicant: Wayne Blasman
Location: N. Kona, Hawaii
TMK: 3 / 7-7-004:026

We reviewed the subject application for demolition of existing structures and our comments are as follows:

BUILDING

A building permit shall be obtained for demolition of the structures.

DRAINAGE

1. All development generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties.
2. The subject property is not within any designated Special Flood Hazard Area on the Flood Insurance Rate Map.

EARTHWORK

1. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code.
2. The applicant shall comply with chapter 11-55, Water Pollution Control, Hawaii Administrative Rules, Department of Health, which requires an NPDES permit for certain construction activity.

Should there be any questions concerning this matter, please feel free to contact Kiran Emler of our Kona Engineering Division office at 327-3530.

KE

copy: ENG-HILO/KONA; PLNG-KONA