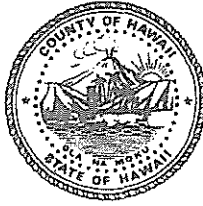


William P. Kenoi
Mayor



BJ Leithead Todd
Planning Director

County of Hawaii

PLANNING DEPARTMENT

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

April 3, 2009

Mr. Carl Young
Coral Wireless, LLC dba Mobi PCS
733 Bishop Street, Suite 1200
Honolulu, HI 96813

Dear Mr. Young:

**Subject: Special Management Area Use Permit Assessment Application
(SAA 09-000417)**
Applicant: Coral Wireless, LLC dba Mobi PCS
Land Owner: Royal Kahili AOA
Project: Installation of a Telecommunications Facility
TMK: (3) 7-6-014:022; Portion of Holualoa 1st and 2nd, North Kona, Hawaii

This letter is in response to the Special Management Area Assessment Application we received on February 19, 2009 for the installation of telecommunication antennas and appurtenant equipment on and within the existing Royal Kahili Condominium building on the subject parcel.

This property is designated Urban by the State Land Use Commission. It is also designated Open by the General Plan's Land Use Pattern Allocation Guide (LUPAG) Map and zoned Resort-Hotel (V-1.25) by the County. The property is located entirely with the Special Management Area (SMA).

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)(A)(v) relating to Special Management Area, the proposed project does not qualify as exempt from the definition of "development". Therefore, a Special Management Area Minor Permit is required.

For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No.09-000104 is hereby issued for the installation of telecommunication antennas and appurtenant equipment on and within the existing Royal Kahili Condominium building on the parcel, subject to compliance with the conditions of approval as specified in the permit.

APR 06 2009

Mr. Carl Young
Coral Wireless, LLC dba Mobi PCS
Page 2
April 3, 2009

In addition, all other applicable Zoning and Building Code requirements must also be satisfied. Specifically, Section 25-4-12(a) of the County Zoning Code requires that plan approval be obtained from the Planning Director for any telecommunication antennas in the Resort-Hotel district.

If you have questions or require further information, please feel free to contact Bethany Morrison of this office at 961-8288, extension 252.

Sincerely,



BJ LEITHEAD TODD
Planning Director

BJM:cs
P:\wpwin60\CZM\SMM\2009\SMM 09-104 L Coral Wireless.doc

Enclosure: SMM No. 09-000104
Memorandum from Department of Public Works

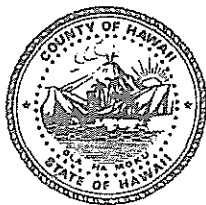
cc w/encls: Long Range Planning Division

Planning Department- Kona

Clean Water Branch
Environmental Management Division
State Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

cc ltr only: Mr. Abbey S. Mayer, Director
State of Hawaii, Office of Planning
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, HI 96804

William P. Kenoi
Mayor



BJ Leithead Todd
Planning Director

County of Hawaii

PLANNING DEPARTMENT

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

Special Management Area Minor Permit No. 09-000104

Project: Installation of Telecommunication Antennas and Equipment
Applicant: Coral Wireless, LLC, dba Mobi PCS
Land Owner: AOA Royal Kahili
Location: Portion of Holualoa 1st and 2nd, North Kona, Hawaii
TMK: (3) 7-6-014:022 **Land Area:** 39,787 square feet

Applicant's Request

1. Project Description:

The applicant proposes to install telecommunication antennas and appurtenant equipment on the subject parcel. This unmanned facility will be on and within the existing Royal Kahili Condominium complex. The equipment will include six (6) panel antennas, radio equipment (aka Base Transceiver Station of BTS), a power protection cabinet, and associated utility components. All equipment will be mounted on the roof of the building. The antennas, equipment, and all other visible parts of the installation will be painted to match existing building conditions.

2. Purpose of Project:

This cell site is a vital site in the Mobi PCS Kailua-Kona core network design. Its main coverage objectives include Kailua-Kona Town and nearby commercial and residential areas. The proposed installation utilizes an existing building and would blend in with the existing structures.

3. Project Valuation: \$65,000.00

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)A(v) relating to the Special Management Area, the "Construction, reconstruction, demolition, or alteration of the size of any structure" is defined as "development." Therefore, the proposed unmanned wireless cell site requires an SMA Minor Permit.

State and County Plans

1. **State Land Use District:** The subject property is designated Urban by the State Land Use Commission.
2. **General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the subject property for Open use.
3. **County Zoning:** The subject property is zoned Resort-Hotel (V-1.25).
4. **Land Use Permit:** Hawaii County Zoning Code Section 25-4-12(a) states that "...A telecommunication antenna or tower may be permitted in all districts; provided that the antenna, tower, and its use are not hazardous or dangerous to the surrounding area and the director has issued plan approval for such use."
5. **Special Management Area:** The subject property is located in the SMA.
6. **Flood Zone:** AE

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

The project site is on and within the existing Royal Kahili Condominium complex. Therefore the proposed improvements will not affect the recreational resources available to the public.

There will be minimal visual impacts as the antennas will be mounted on the back portion of the building, approximately 200' from Ali'i Drive. The antennas, equipment and all other visible parts of the installation will be painted to match the existing architecture.

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 tsunami, 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 proposed 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.

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 \$65,000 is not in excess of \$125,000.

The enclosed Department of Public Works, Engineering Division memorandum dated March 25, 2009, states the following:

"We have reviewed the subject application and our comments are as follows:

We have determined that a portion of the subject property is located within Flood Zone "AE" according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA).

The proposed action is not a "substantial improvement" and will not invite further regulatory permitting or approvals under Chapter 27 of Hawaii County Code. However, a building permit may be required.

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

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 09-000104** is hereby approved for the installation of telecommunication antennas and equipment, 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. 09-000104** 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 secure Plan Approval from the Planning Director for the proposed development within one (1) year from the date of approval of this permit.
3. All construction activities in connection with this project shall be completed within one (1) year from the date of Final Plan Approval. The applicant shall immediately notify the Planning Department, in writing, upon the completion of the construction activities.
4. The applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
5. 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).
6. 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:



BJ LEITHEAD TODD

Planning Director


APR 03 2009
Date

PLANNING DEPARTMENT
COUNTY OF HAWAII
DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII
2009 MAR 27 AM 9:01

DATE: March 25, 2009

Memorandum

TO : B. J. Leithead-Todd, Planning Director
Planning Department

FROM : Galen M. Kuba, Division Chief 
Engineering Division

SUBJECT : Special Management Area Use Permit
Assessment Application (SAA 09-000417)
Applicant: Coral Wireless, LLC dba Mobi PCS
Location: Holualoa 1st and 2nd, North Kona, Hawaii
TMK: 3 / 7-6-014:022

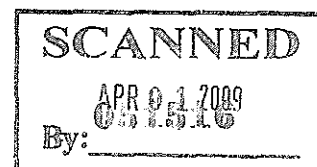
We reviewed the subject application and our comments are as follows:

We have determined that a portion of the subject property is located within Flood Zone "AE" according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA).

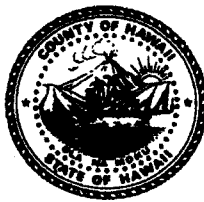
The proposed action is not a "substantial improvement" and will not invite further regulatory permitting or approvals under Chapter 27 of Hawaii County Code. However, a building permit may be required.

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



William P. Kenoi
Mayor



Duane Kanuha
Director

Joaquin Gamiao-Kunkel
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

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

July 25, 2016

Ms. Kathy O'Connor-Phelps
Eukon Group
91-1121 Keaunui Drive, Suite 108, Unit 141
Ewa Beach, HI 96706

Dear Ms. O'Connor-Phelps:

**SUBJECT: Special Management Area Use Permit Assessment Application
(SAA 16-001403)
Amendment of Special Management Area Minor Permit No. 09-000104
(SMM 09-000104)
Applicant: Verizon Wireless
Land Owner: Royal Kahili
Request: Modifications and Additions to the Antenna Site
TMK: (3) 7-6-014:022, North Kona, Hawai'i**

We have reviewed the subject Special Management Area Use Permit Assessment Application (SAA 16-001403) which you submitted on June 15, 2016. Verizon Wireless has purchased Coral Wireless LLC (dba Mobi PCS) telecommunication antennas and appurtenant equipment located on the top of the Royal Kahili and is proposing an amendment to SMM 09-000104 to allow for modifications and additions to the antenna site. Other than the slight height increase from 49½' to 50'-4", the proposed modifications and additions will have the same amount of antennas and cabinets with some minor additional ancillary equipment that will be behind the existing building parapet. There will be no visual impact from the remote radio units and surge protectors since those will also be behind the existing building parapet. Further, all new panel antennas and associated equipment will be painted to match the existing building.

Previous Special Management Area Determination:

On April 3, 2009, SMM 09-000104 was issued for the installation of telecommunication antennas and appurtenant equipment consisting of 6 panel antennas, radio equipment, a power protection cabinet and associated utility components at a project valuation of \$65,000. Final Plan Approval was issued on May 1, 2009, and Building Permit B2009-2119H for the panel

JUL 26 2016

Ms. Kathy O'Connor-Phelps
Eukon Group
July 25, 2016
Page 2

antenna installation was determined to be complete by the Department of Public Works, Building Division on September 29, 2009.

Request for Amendment of SMM 09-000104:

The cumulative cost of the development approved under SMM 09-000104 is \$65,000; the cost of the proposed improvements, as described earlier, is \$60,000 for a total development cost of \$125,000 which does not exceed the \$500,000 valuation threshold for SMA Minor Permits. In addition, the proposed modifications and additions will not have any significant adverse environmental or ecological effect. For these reasons and pursuant to Planning Commission Rule Section 9-10(e), SMM 09-000104 is hereby amended to allow for the proposed improvements as proposed in SAA 16-001403. Copies of the approved Site Plan Sheet A-1 and the Existing and New Antenna Plan Sheet A-4 are enclosed for reference.


We note that this request is consistent with SMM 09-000104 and the May 1, 2009, Final Plan Approval (PLA-09-000513). Therefore, Condition No. 2 of SMM 09-000104 is deleted and Condition No. 3 is revised as follows:

3. *All construction activities in connection with this project shall be completed within one (1) year from the date of this letter. The applicant shall immediately notify the Planning Department, in writing, upon the completion of the construction activities.*

Finally, as a reminder, the applicant, its successors or assigns shall be responsible for complying with all other stated conditions of approval of the enclosed SMM 09-000104 and Final Plan Approval (PLA-09-000513).

If you have questions, please contact Esther Imamura of this office at (808) 961-8139.

Sincerely,


DUANE KANUHA
Planning Director

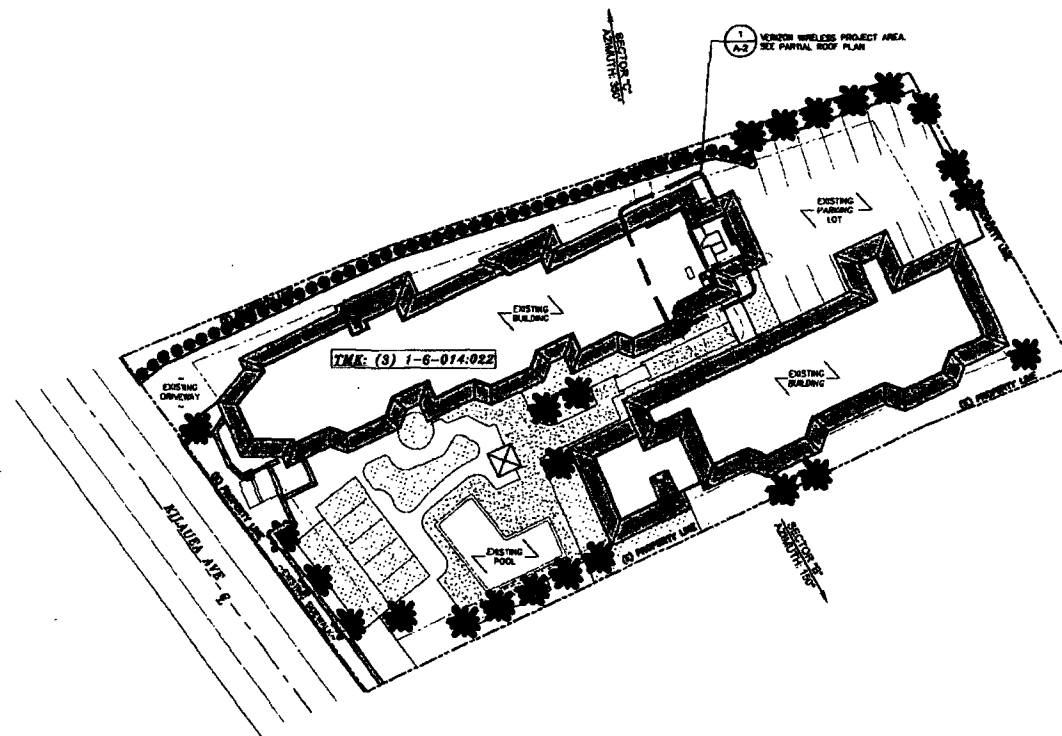
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Encl: Site Plan Sheet A-1 and Sheet A-4
SMM 09-000104
PLA-09-000513

cc: Planning Department, Kona

SCALE NOTE:
IF DIMENSIONS SHOWN ON PLAN DO
NOT SCALE CORRECTLY, CHECK FOR
REDUCTION OR ENLARGEMENT FROM
ORIGINAL PLANS



SITE PLAN

SCALE
1"=20'-0"

APPLICANT:

verizon

3305 180TH AVENUE SE.
BELLEVUE, WA 98006

ENGINEER:

Eukon

91-1121 KEALANA DRIVE,
SUITE 108 UNIT 141
EWA BEACH, HI 96706

DRAWN BY: AG
CHECKED BY: RB

REVISIONS		
REV	DATE	DESCRIPTION
3	04/20/16	100% CONSTRUCTION DRAWINGS
2	04/12/16	RF COMMENTS
1	02/17/16	RF COMMENTS
0	02/10/16	100% CONSTRUCTION DRAWINGS
A	02/04/16	50% CONSTRUCTION DRAWINGS

LICENSOR:



THIS WORK WAS PREPARED BY ME OR UNDER
MY SUPERVISION AND CONSTRUCTION OF THIS
PROJECT WILL BE UNDER MY OBSERVATION.

PROJECT INFORMATION

H13 HOLUALOA BAY

75-6283 ALA DRIVE
KAILUA KONA, HAWAII 96740

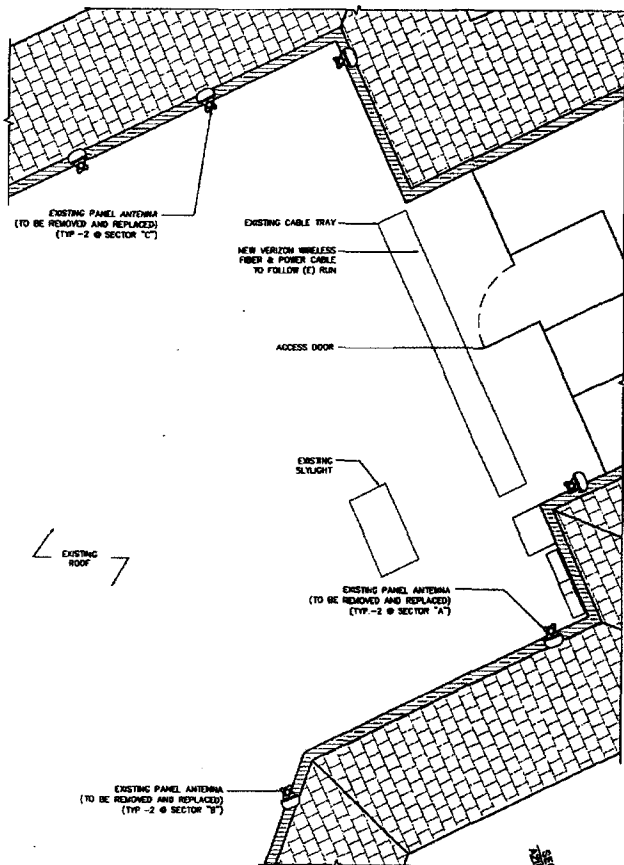
SHEET TITLE:

SITE PLAN

SHEET NUMBER:

A-1

SCALE NOTE:
IF DIMENSIONS SHOWN ON PLAN DO
NOT SCALE CORRECTLY, CHECK FOR
REDUCTION OR ENLARGEMENT FROM
ORIGINAL PLANS.

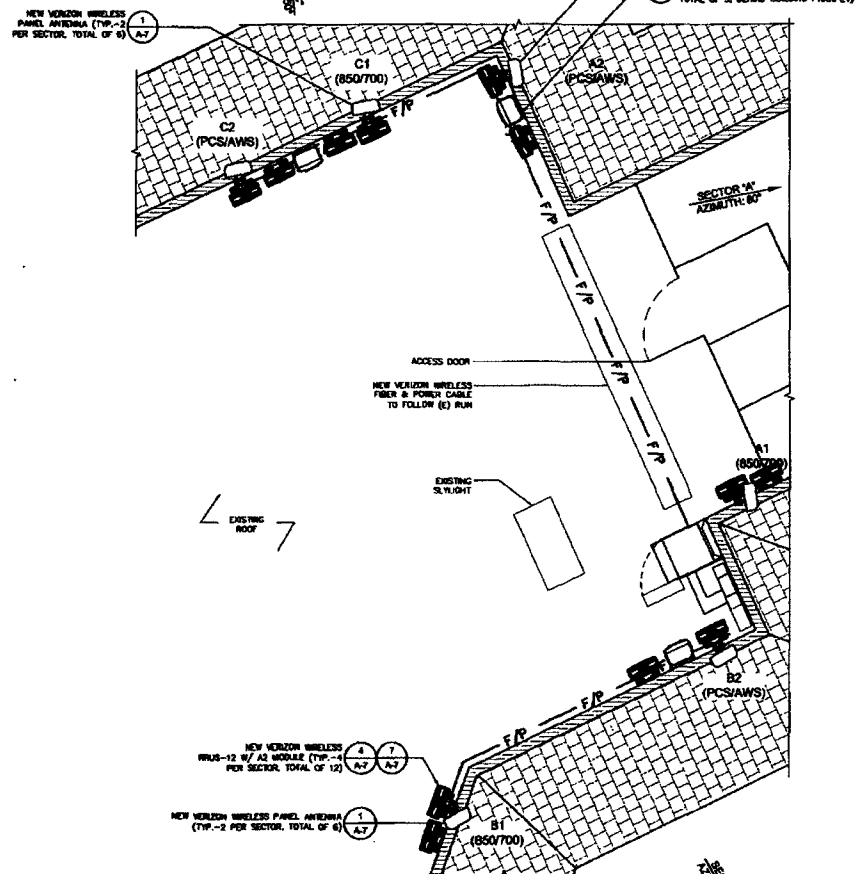


EXISTING ANTENNA LAYOUT

SCALE
3/8"=1'-0"



1



- NOTES**
1. NEW PANEL ANTENNAS AND ASSOCIATIVE EQUIPMENT TO BE PAINTED TO MATCH EXISTING BUILDING.
 2. 20.5' EXCLUSION DISTANCE NOT SHOWN FOR CLARITY.
 3. ALL EXISTING 2" STANDARD ANTENNA MOUNTING PIPES TO BE REMOVED AND REPLACED WITH NEW 3" STANDARD PIPES.

NEW ANTENNA LAYOUT

SCALE
3/8"=1'-0"



2

APPLICANT:

verizon

3305 180TH AVENUE SE,
BELLEVUE, WA 98008

ENGINEER:

Eukon

81-1121 KEALUNUI DRIVE,
SUITE 108 UNIT 141
EWA BEACH, HI 96708

DRAWN BY:

AC

CHECKED BY:

RB

REVISIONS:

REV	DATE	DESCRIPTION
3	04/29/16	100% CONSTRUCTION DRAWINGS
2	04/12/16	RF COMMENTS
1	02/17/16	RF COMMENTS
0	02/10/16	100% CONSTRUCTION DRAWINGS
A	02/04/16	80% CONSTRUCTION DRAWINGS

LICENSER:



EXP. 6/30/21

THIS WORK WAS PREPARED BY ME OR UNDER
MY SUPERVISION AND CONSTRUCTION OF THIS
PROJECT WILL BE UNDER MY OBSERVATION.

PROJECT INFORMATION:

H13 HOLUALOA BAY

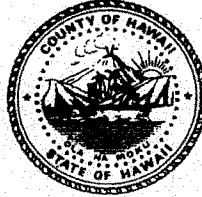
75-6283 ALI DRIVE
KAILUA KONA, HAWAII 96740

SHEET TITLE:

**EXISTING AND NEW
ANTENNA PLAN**

SHEET NUMBER:

A-4



County of Hawaii

PLANNING DEPARTMENT

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

Special Management Area Minor Permit No. 09-000104

Project: Installation of Telecommunication Antennas and Equipment
Applicant: Coral Wireless, LLC, dba Mobi PCS
Land Owner: AOA Royal Kahili
Location: Portion of Holualoa 1st and 2nd, North Kona, Hawaii
TMK: (3) 7-6-014:022 **Land Area:** 39,787 square feet

Applicant's Request

1. Project Description:

The applicant proposes to install telecommunication antennas and appurtenant equipment on the subject parcel. This unmanned facility will be on and within the existing Royal Kahili Condominium complex. The equipment will include six (6) panel antennas, radio equipment (aka Base Transceiver Station of BTS), a power protection cabinet, and associated utility components. All equipment will be mounted on the roof of the building. The antennas, equipment, and all other visible parts of the installation will be painted to match existing building conditions.

2. Purpose of Project:

This cell site is a vital site in the Mobi PCS Kailua-Kona core network design. Its main coverage objectives include Kailua-Kona Town and nearby commercial and residential areas. The proposed installation utilizes an existing building and would blend in with the existing structures.

3. Project Valuation: \$65,000.00

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)A(v) relating to the Special Management Area, the "Construction, reconstruction, demolition, or alteration of the size of any structure" is defined as "development." Therefore, the proposed unmanned wireless cell site requires an SMA Minor Permit.

State and County Plans

1. **State Land Use District:** The subject property is designated Urban by the State Land Use Commission.
2. **General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the subject property for Open use.
3. **County Zoning:** The subject property is zoned Resort-Hotel (V-1.25).
4. **Land Use Permit:** Hawaii County Zoning Code Section 25-4-12(a) states that "...A telecommunication antenna or tower may be permitted in all districts; provided that the antenna, tower, and its use are not hazardous or dangerous to the surrounding area and the director has issued plan approval for such use."
5. **Special Management Area:** The subject property is located in the SMA.
6. **Flood Zone:** AE

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

The project site is on and within the existing Royal Kahili Condominium complex. Therefore the proposed improvements will not affect the recreational resources available to the public.

There will be minimal visual impacts as the antennas will be mounted on the back portion of the building, approximately 200' from Ali'i Drive. The antennas, equipment and all other visible parts of the installation will be painted to match the existing architecture.

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 proposed 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.

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 \$65,000 is not in excess of \$125,000.

The enclosed Department of Public Works, Engineering Division memorandum dated March 25, 2009, states the following:

"We have reviewed the subject application and our comments are as follows:

We have determined that a portion of the subject property is located within Flood Zone "AE" according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA).

The proposed action is not a "substantial improvement" and will not invite further regulatory permitting or approvals under Chapter 27 of Hawaii County Code. However, a building permit may be required.

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

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 09-000104** is hereby approved for the installation of telecommunication antennas and equipment, 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. 09-000104** 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 secure Plan Approval from the Planning Director for the proposed development within one (1) year from the date of approval of this permit.
3. All construction activities in connection with this project shall be completed within one (1) year from the date of Final Plan Approval. The applicant shall immediately notify the Planning Department, in writing, upon the completion of the construction activities.
4. The applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
5. 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;

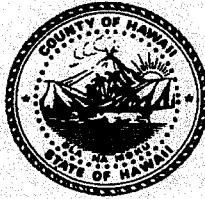
- b) Granting of the time extension would not be contrary to the original reasons for the granting of the permit; and
 - c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
6. 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:


BJ LEITHEAD TODD
Planning Director

APR 03 2009
Date

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawaii

PLANNING DEPARTMENT

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

May 1, 2009

Mr. Carl Young
Coral Wireless dba Mobi PCS
733 Bishop Street, Suite 1200
Honolulu, HI 96813

Dear Mr. Young:


FINAL PLAN APPROVAL (PLA-09-000513)
New Unmanned Telecommunication Facility
TMK: 7-6-014:022, North Kona, Hawai'i

We have reviewed and approved the plan for the above-referenced new telecommunications facility pursuant to FINAL PLAN APPROVAL. Enclosed is a copy of the FINAL PLAN APPROVAL for your files.

Please be aware of the conditions of approval that are part of this FINAL PLAN APPROVAL for the subject improvements. These conditions, which are listed on page 2 of the FINAL PLAN APPROVAL document, must be complied with prior to occupancy or operation of the new facility.

Should you have any questions on this matter, please contact Keola Childs of our West Hawaii office at 327-3510.

Sincerely,


BJ LEITHEAD TODD
Director

CKC:ckc
\\172.24.4.103\public\Plan Approvals\6\PLA-09-000513 Coral Wireless Mobi PCS 76014022 letter.doc

Enclosure: Final Plan Approval PLA-09-000513

MAY 04 2009

COUNTY OF HAWAII PLANNING DEPARTMENT

FINAL PLAN APPROVAL

PLA-09-000513

CORRECTED

APPLICANT:
Coral Wireless dba Mobi PCS

DATE APPROVED:
May 1, 2009

LOCATION:
North Kona

TAX MAP KEY:
7-6-014:022

PARCEL AREA:
39,787 square feet

ZONE:
V-1.25

PROPOSED USE:
Unmanned Telecommunication Facility

<u>As Shown on Plan</u>	<u>Comments</u>
Front Yard (West): >100'-0"	OK-Min. 20'-0" required – existing structure
Rear Yard (East): >100'-0"	OK-Min. 20'-0" required – existing structure
Side Yard (North): >29'-0"	OK-Min. 14'-0" required – existing structure
Side Yard (South): >70'-0"	OK-Min. 14'-0" required – existing structure
Ht. of New Structure: 7'-0" mounted antennas atop existing 37'-6" high mansard roof deck of "Bldg A" for total height of 44'-6".	OK-V zoning district allows 45'-0" building height. Hawaii County Zoning Code Section 25-4-22 allows antennae to exceed height limits by no more than 10'.
Access to parking: Not applicable; unmanned facility accessed from internal resort roads	OK,
Off-Street Parking: None	OK, unmanned facility TOTAL REQUIRED = 0 stalls
Loading and	
Unloading Space: None	OK, N/A
Density:	OK, N/A
Fencing and Walls: None	OK
Landscaping: None	OK, N/A
Exterior Lighting: None	OK
Other: Tax Clearance	OK, Per RPT tax clearance letter dated 2/02/09
Special Management Area	OK – consistent w/ SMM 09-000104 dated 4/03/09

Final Plan Approval (TMK: 7-6-014:022)

May 1, 2009

Page 2 of 2

Conditions:

1. Applicant shall comply with the requirements of Special Management Area Minor Permit No. 09-000104, and all other applicable laws, rules, regulations and requirements of Hawai'i County.
2. Applicant shall ensure that the proposed facility does not interfere with the County of Hawaii Public Safety Radio System.
3. Applicant shall comply with all applicable rules, regulations and requirements of State and Federal agencies pertaining to the proposed development, including the Federal Aviation Administration and Federal Communications Commission.



Planning Director

Date

PD 11/99 (MsWord)

May 1, 2009

COUNTY OF HAWAII PLANNING DEPARTMENT

FINAL PLAN APPROVAL PLA-09-000513

APPLICANT: *CORRECTED TO CORAL WIRELESS dba Verizon Wireless PCS. p. 5/6/09*
Cellco Partnership dba Verizon Wireless

DATE APPROVED:
May 1, 2009 *Lyndee*

LOCATION:
North Kona

TAX MAP KEY:
7-6-014:022

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