



## Planning Department

County of Hawaii • 25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye  
Mayor

Norman K. Hayashi  
Director

Tad Nagasako  
Deputy Director

RECEIVED  
October 7, 1992

'92 OCT -9 P1104

Mr. Brian Choy, Director  
Office of Environmental Quality Control  
220 South King Street, Fourth Floor  
Honolulu, Hawaii 96813

OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

Dear Mr. Choy:

Final Environmental Assessment (Negative Declaration)  
Applicant: International Consulting & Marketing Group, Inc.  
Request: 21-Unit Residential Condominium & Related Improvements  
Tax Map Key: 7-5-18:20; Kailua-Kona, Hawaii

Enclosed please find four copies of the Special Management Area Use Permit Petition, Traffic Assessment Report, Shoreline Setback Variance Application, and applicable comments for the construction of a 21-unit residential condominium and related improvements on Alii Drive in Kailua-Kona. The proposed development would affect the minimum 20-foot shoreline setback area, therefore, triggering the Chapter 343, HRS, relating to the Environmental Impact Statement.

We have completed a 30-day draft Environmental Assessment (Negative Declaration Anticipated) period; therefore, we are submitting these attachments as a Final Environmental Assessment (Negative Declaration) with the inclusion of all pertinent information. All documents and comments have been reviewed and it is determined that the proposed project will not have significant impacts on the environment. This determination is based on the contention that concerns and issues, as stated by reviewing agencies, community groups and others in their correspondences, will be addressed and mitigated through conditions of the SMA Use Permit and Shoreline Setback Variance review process, should the project be approved.

Comments on the Final EA should be submitted to:

Mr. Norman K. Hayashi  
Planning Director  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Mr. Brian Choy, Director  
October 7, 1992  
Page 2

A copy of the comments should be sent to:

Mr. Mark A. Hertel  
International Consulting & Marketing Group, Inc.  
737 Bishop Street, Suite 1655  
Honolulu, Hawaii 96813

For your information, we have consulted with the following agencies:

State: Department of Education  
Department of Health  
Department of Transportation-Highways Division

County: Civil Defense Agency  
Fire Department  
Department of Parks & Recreation  
Police Department  
Department of Public Works  
Real Property Tax Office  
Department of Water Supply  
Office of Housing and Community Development

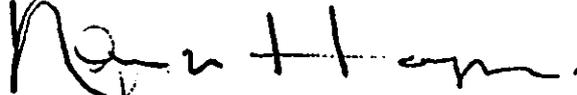
Others: Kailua Village Design Commission  
Kona Soil and Water Conservation District

Agency comments and responses, if appropriate, are attached for your review. Also, applicable community groups consulted were the Kailua Village Design Commission and the Kona Soil and Water Conservation District. In addition, both the applicant and our department have not received any public comments during the 30-day draft review period.

This report is submitted for publication in your November 22, 1992 bulletin.

Should you have any questions, please contact Susan Gagorik or Connie Kiriu of this office at 961-8288.

Sincerely



NORMAN K. HAYASHI  
Planning Director

SG:smo - 6160D  
Enclosure  
cc: Mark A. Hertel (w/Encl)  
West Hawaii Office

4-1992-10-23-HI-FAA-Sobay Condominiums

**FILE COPY**

FINAL ENVIRONMENTAL ASSESSMENT (NEGATIVE DECLARATION)  
SUMMARY SHEET

**TITLE OF PROJECT:** SoBAY Condominiums  
Kailua-Kona, Hawaii

**TAX MAP KEY:** 7-5-18:20

**APPROVING AGENCY:** Planning Department for Planning  
Commission  
25 Aupuni Street  
Hilo, Hawaii 96720

**Contact:** Susan Gagorik  
**Phone:** 961-8288

**PROPOSING APPLICANT:** SoBAY Hawaii, Inc.  
c/o International Consulting &  
Marketing Group, Inc.  
737 Bishop Street  
Honolulu, Hawaii 96813

**Contact:** Mark A. Hertel, P.E.  
**Phone:** 536-4669

**PROPOSED ACTION:** Construct a 21-unit residential  
condominium and related improvements on  
Alii Drive in Kailua-Kona, Hawaii. The  
proposed structure would be built in  
four levels (less than 45-feet in  
height) with a roof deck, over a below  
grade parking level, with existing  
trees in the setback areas. The site  
is located on the west side of Alii  
Drive adjacent to the Kona Reef  
Condominium. Those improvements  
specifically proposed within the  
minimum 20-foot shoreline setback area  
include landscaping, a pathway,  
driveway, filling an existing swimming  
pool, and roof and overhang.

**ESTIMATED GROUNDBREAKING:** Early 1994

**ESTIMATED COMPLETION:** Approximately 1 year from  
groundbreaking

**DETERMINATION:**

Final Environmental Assessment  
(Negative Declaration)

**Reasons:**

Subsequent to review of documents and comments, it is determined that the proposed project will not have significant impacts on the environment. Should the project be approved, all applicable comments and issues regarding improvements proposed within the minimum 20-foot shoreline setback shall be addressed and mitigated through conditions of the SMA Use Permit and Shoreline Setback Variance review process.

**CONSULTED AGENCIES/  
COMMUNITY GROUPS:**

**State:** Department of Education  
Department of Health  
Department of Transportation-  
Highways Division

**County:** Civil Defense Agency  
Fire Department  
Department of Parks &  
Recreation  
Police Department  
Department of Public Works  
Real Property Tax Office  
Department of Water Supply  
Office of Housing and  
Community Development

**Others:** Kailua Village Design  
Commission  
Kona Soil and Water  
Conservation District

**ATTACHMENTS:**

- 1) Special Management Area Use Permit  
Petition
- 2) Traffic Assessment Report
- 3) Shoreline Setback Variance  
Application
- 4) Applicable Agency/Community  
Comments and Responses

**CONTACT PERSON:**

Susan Gagorik  
Hawaii County Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720  
Phone: 961-8288

SPECIAL MANAGEMENT AREA USE PERMIT PETITION  
to the  
COUNTY OF HAWAII  
PLANNING DEPARTMENT - PLANNING COMMISSION

by  
INTERNATIONAL CONSULTING & MARKETING GROUP, INC.  
for the owner  
SoBAY HAWAII, INC.  
Dr. Kazuichiro Furusawa

T.M.K.: 7-5-18:20

**A. SMA PETITION**

**1. Description & Objective**

The proposed project sits on a site that fronts one of the few sandy beaches on the Kailua-Kona coast and is of a size large enough to accommodate a multi-story building. A 21 unit residential condominium is proposed, with all units having an oceanfront view of the beach. The units will be built in four levels, with a roof deck, over a below grade parking level and will be largely hidden by the many existing trees in the setback areas, including a very large banyan tree adjacent to Alii Drive.

The site is located at 75-5894 Alii Drive and adjoins the Kona Reef condominium to the north, a vacant lot across Alii Drive to the east, a single family, detached house to the south and the Pacific Ocean to the west. As one proceeds south on Alii Drive from Kailua-Kona town past the Hilton, the road crests a small rise and proceeds down a slope past the Kona Reef to a level stretch of road that fronts the ocean at the southern end of the property. Because of the narrow width of this portion of the parcel and its proximity to the ocean, no development, other than cleaning the area, trimming the existing trees and shrubs and the proposed planting of additional landscaping, is proposed in order to preserve the ocean view for pedestrians, bicyclists and motorists on Alii Drive.

The primary objective of the project is to provide 20 outstanding beachfront residential units on an oceanfront site near Kailua-Kona town, with an additional unit intended for a resident manager. This combination is felt to be unique because most other beaches are public parks and the majority of other exceptional residential opportunities tend to be either single family detached residences or large multi-unit condominiums in resort communities far from the ocean and Kailua-Kona town. The small number of units also makes for a more intimate environment than the typical resort condominiums found along Alii Drive. The recreational, social, entertainment and shopping opportunities readily available to the site are felt to surpass those of even the major resort destinations in Hawaii.

Once that objective is established, a secondary objective is to create a building that makes an architectural statement and positive contribution to the design mix of Kailua-Kona, as indicated in the **Kailua Village Design Plan - 1988**. The owner expressed a desire for a light and airy atmosphere, yet secure from the elements. In reviewing several design themes, the traditional theme of many classic buildings in Hawaii became evident and gave inspiration to the proposed design. The nature of the site and the associated setbacks involved also dictated that certain lines could not be straight, resulting in a rhythm of unit setbacks that have been continued around the building creating an impression of several small structures. The visual relief and shadows that this and the associated roof line create, greatly enhance the intimate nature of the project and give those who view it from Alii Drive or the ocean a pleasing form to admire and study. The overhangs of the roof and those created by the lanais add to the architectural detail, as well as enhance the shading of the units to make them energy efficient.

The gently sloping roof will be clad with copper shingles that will oxidize to the green patina associated with classic structures. The exterior walls will be covered with a light blue-green stucco to pick up the roof color, while window and door trim, plus railings and shutters will accent the look with grey and rose tones. The window glass will also have a green tint to it for appearance and energy efficiency, but not be reflective. Planters on the railings and offset faces with trellises will further soften the building and add color. These and the many trees surrounding the building will give the project a mature look more closely associated with single family, detached homes and contribute to the free and easy atmosphere of a tropical beach setting.

For a more visual description of the project, please refer to the attached drawings and renderings.

## **2. SMA Impacts**

### **a. Environmental Assessment**

The site slopes to the beachfront from Alii Drive gradually at the northern end and very quickly about midway along the road frontage due to a county retaining wall which reaches a maximum height of roughly ten (10) feet. The parcel is largely flat at an elevation of eight (8) to ten (10) feet above mean sea level (MSL) and covered on the surface with sand, with apparently basaltic rock below.

The lot currently has two (2) single story houses located on it and has a large variety of trees and shrubs. A topological survey conducted in 1991 indicated the following inventory of flora:

Species	Quantity	Diameters (ft)		Height (ft)
		Trunk	Spread	
Banyan	1	4	80	45
Monkeypod	2	1.5-2.0	35-50	25-35
Plumeria	2	0.5-0.6	10-20	10-20
Royal Poinciana	2	1.0-1.5	25-40	20-40
Milo	10	1.0-1.5	20-25	20-25
Heliotrope	7	0.5-3.0	12-25	10-20
Croton	1	0.5	8	8
Coconut Palm	50	1.0-3.0	15-25	12-45
Kukui	1	1.0	25	30
Naupaka	Various shrubs with undefined roots and trunks			

The fauna population is limited to the normal array of reptiles, rodents and insects, based on observations of sightings, tracks and droppings. No endangered species appears to be present or confined to the parcel.

The seaward property line is largely defined by a low rock wall along the beach. During the summer and fall, the beach is well developed and quite wide, with deep sand and wave action well away from the wall. Winter and spring surf appear to deplete the sand at the southern end of the property, probably taking it offshore, and during periods of high tides and onshore winds the waves can go over portions of the southern wall where it is close to the road. A small, sandy beach does remain in the center of the property in front of the wall and offers protection from all but the largest of storm waves and high tides. Wave run-up was observed going over this portion of the wall during a 1991 winter storm, but no water inundation occurred in either of the existing structures according to the residents. The northern end of the property is open to the beach and is defined by the vegetation and wash line. A small point in the coastline and large boulders tend to protect this area and act as a groin to hold the littoral transport of sand, thus maintaining the beach in this spot. The heavy growth of naupaka shrubs along this area greatly stabilizes the land and slows any wave run-up, as evidence by the wash line. It is evident that water could inundate the property along this open stretch and the Federal Flood Insurance Program map confirms this by indicating a VE-10 zone of almost forty (40) feet in from the property line at the northern corner, narrowing to twenty (20) feet where the wall begins and going to zero (0) opposite the central driveway. An AE-10 zone extends roughly twenty (20) feet further inland parallel to the VE-10 line.

An archeological survey of the property was conducted in 1981 and found that the Old Kailua-Keahou Beach Road once traversed the property and that it and the existing houses have covered or destroyed any possible historical sites. In addition, high surf conditions over the years also prevented or destroyed any features seaward of the road and houses. This was further confirmed by the Hawaii State Historic Preservation Division in 1991.

**b. Applicable Ordinances**

The County of Hawaii General Plan calls for open, resort development along the Kona coast. While the construction of a building reduces openness, it should be noted that this parcel is configured in such a way that over forty (40) percent of the Alii Drive frontage will be preserved as open. Furthermore, any building will be lower than the existing trees, thus maintaining the current view planes which are heavily vegetated, obscuring any view of the beach and ocean from the road fronting the proposed building site. Cleaning and trimming the trees and shrubs in the open area in the southern portion of the parcel will enhance the views from Alii Drive. The addition of 21 residential units is a small addition to the housing stock of Kailua-Kona, but one that will enhance the reputation of the resort experience to be found in the area.

The County of Hawaii Zoning Code further identifies the parcel as V-0.75, which allows for up to 40 residential units. In order to fully utilize the site, two (2) original parcels, 20 & 87 were consolidated in November, 1991, thus yielding a total site of just under 30,000 square feet. The previous owner requested a ruling on an exception from the forty (40) foot shoreline setback because the buildable area would be significantly less than fifty (50) percent of the total lot area. This was granted on April 1, 1980 and has been incorporated in the current design. The road front setback is twenty (20) feet and the north side setback is fourteen (14) feet (8+2+2+2), as required by the Code. The building height is less than forty-five (45) feet above the average finished grade, as calculated on Sheet 9 of the drawings. Parking requirements call for 1.25 stalls per unit, which is met by 25 stalls in the below grade level and 2 ongrade stalls at the north entry.

A preliminary assessment of the traffic in the area indicated limited impact, particularly with two driveways that allow for turnaround within the site. The assessment also noted the seven (7) foot wide strip of right-of-way between the property and the existing County retaining wall on Alii Drive. This proposal calls for the use of that strip for landscaping, while keeping any site improvements within the property, such as the driveway to the lower level. Some fill will be required along the northern portion and it is recognized that County of Hawaii specifications must be met within the strip. It should be noted that this also creates a twenty-seven (27) foot setback along Alii Drive for the near future and will maintain the required setback should the road ever be widened. The southern portion of the parcel is only

being cleaned and trimmed, including the strip in the County right-of-way. Alii Drive is quite wide along the property, with bike and pedestrian lanes on both sides, but no parking permitted. It is the desire of the owner and this proposal that this situation be maintained in order to insure the safe ingress and egress from the property.

The Federal Flood Insurance Program map for the subject area indicates that a VE-10 and AE-10 zone crosses the property, as indicated on the plot plan. This requires that the bottom of any structural member for the lowermost habitable floor be above ten (10) feet elevation. The portion of the lower parking level that fronts the VE-10 line is proposed to be open with naupaka shrubs in front in order to allow any unusually high wave run-up to spill into the garage, rather than be reflected off a solid wall and causing erosion. Drainage of the project is proposed to be collected and pumped offsite, either with the wastewater or to a storm sewer. This is to mitigate as much run-off into the ocean as possible, particularly any from the driveways, parking levels and Alii Drive.

The previous owner contacted the County Wastewater Division regarding sewer service for the property and received an indication of either connecting to the existing system further up on Alii Drive or waiting for the Kailua-Kona plant and system expansion. At this time, the proposal envisions having to make the connection to the existing system with an onsite lift station, however, if schedules coincide, it would certainly be preferable to connect to the new system during its construction. To reduce water demand and the generation of waste water, flow restrictors on all faucets and showers, plus low volume toilets, are planned.

The disposal of solidwaste during construction will be minimized to the extent possible by the use of reusable forms and any waste disposal required will be coordinated with the County Solidwaste Division. The residential waste generated upon occupancy will be collected in a hopper in the parking level and contracted to a commercial disposal company that has permission from the County for disposal at designated landfills. Recycling of household wastes will be encouraged to the extent possible to reduce the amount of solidwaste generated.

**c. Impact on Environment**

The proposed action will improve the environment by upgrading the site drainage, in particular by collecting the runoff from Alii Drive which now drains down the existing driveway and onto the beach. Other enhancements will result from trimming and maintaining the foliage on the site that provide soil stabilization. There will be some loss in the number of trees on the site, although as many as possible will be relocated on site. The design of the lower portion of the building and the driveway are proposed to be as open as possible to any potential wave run-up in order to reduce the interference with the natural processes of such events, plus reduce the

potential for erosion caused by reflected waves. Residents and their vehicles in the parking level will be evacuated to higher ground upon any forecast of tsunami or high surf.

**d. Unavoidable Effects on the Environment**

The disruptions to the environment during construction due to clearing, grubbing, grading, excavation and tree trimming are indeed unavoidable, however they should be viewed as short term and every effort will be made to minimize them. The major sitework will likely be scheduled for the second or third quarter in order to avoid heavy rains and high surf during excavation. The creation of the parking level below the existing grade will create a permanent change in the physical environment, however it should be noted that even it could be filled and graded back to its original state, should the building ever be demolished in the distant future. While the building will create a visual barrier along Alii Drive, the actual change from the existing situation is limited as the current trees and vegetation also block the view of the ocean along the portion of the property where the building is proposed. The presence of the building may also limit public access to the beach, but considering the present use by the public through the south driveway this is minimal.

**e. Alternatives to Proposed Action**

The analysis of the potential uses of the property examined all of the uses allowed under the zoning, which permits many possibilities. Leaving the current houses as is was not felt to be a reasonable or economic alternative due to their age and proximity to the flood and wave zones. The commercial use of the lot presented some opportunities, however the limited building volume and parking requirements dictated a structure of mostly parking stalls, resulting in poor economics and visual impact that were not felt appropriate to the general residential nature of the area. Creating one or two single family, detached homes on the site resulted in a required price far beyond any anticipated market conditions and would limit the enjoyment of the site to far fewer people.

**f. Mitigating Measures**

As mentioned above, every effort will be made during construction to contain and control site run-off during construction and that the finished site will collect drainage and pump it offsite to reduce the impact on the beach. This includes intercepting any run-off from Alii Drive onto the property, mainly at the driveways. The roof deck, roofs and parking level will be drained to the collection system as well. As many of the existing trees as possible will be relocated on the property, however they may need to be stored during the construction phase. The large banyan and monkeypod trees will need to be pruned prior to construction, but will be allowed to grow back to a point that provides sufficient room for safety from the finished

building. Trimming, additions and maintenance of the proposed shoreline landscaping should result in a more stable ground condition and enhance beach retention along the area that does not have the beach wall.

**g. Irreversible and Irretrievable Commitments**

None of the actions proposed constitute an irreversible or irretrievable commitment of any resource. As mentioned previously, the foundation excavation could be filled and graded to its original state and any trees dislocated could be replanted. The beach and shoreline are not affected in any way.

**3. COMPLIANCE WITH CHAPTER 205A, HRS - COASTAL ZONE MANAGEMENT**

**a. Recreational Resources**

The public access and use of the beach and the surf site fronting the property is recognized and the proposal includes a stairway or walkway from Alii Drive to the beach that will provide safer ingress and egress than the current situation. The portion of the property to the south of the central driveway is proposed to be kept in its natural state, with pruning and trimming of the existing trees, plus the planting of additional shrubs to enhance the stability of the area. Access along the shoreline from neighboring properties will not be affected and the visual enjoyment of the coastline view from offshore will be enhanced by the building and the associated landscaping.

**b. Historic Resources**

As mentioned previously, past road construction and rock removal from the site have destroyed any archeological significant sites. There are references to past uses of the beach and the surrounding area by Queen Emma and others, which may be incorporated into the project theme and promotion, however no site restoration is proposed, as the cited references appear to have been located nearby, not on the actual property. The Hawaiian name for the ahupua'a and cove is Waiaha and a project name incorporating that is being considered to bring back that identity to the beach and cove.

**c. Scenic and Open Space Resources**

Because of the nature of the lot, over forty (40) percent of the Alii Drive frontage will remain open and the proposed trimming and pruning of the existing trees and shrubs will enhance the view from the southern portion of the property. The current dense growth of tall trees, vines and shrubs effectively obscures the view of the beach and ocean along the north end of the property fronting Alii Drive where the building is proposed to be built. The landscaping and maintenance of the property should have a positive effect on the visual experience from both Alii Drive and the ocean.

The design of the building is also intended to be a significant addition to the architectural mix of the Kailua-Kona coastline with its color combination, details and plantings. It should be noted that the boundaries of the lot do not permit development to be located inland and that previously approved setbacks have not been used along the entire length of the building fronting the shoreline.

**d. Coastal Ecosystems**

The proposal does not include any change to the property that would affect the beach area or the quantity or quality of either fresh or ocean waters. The proposed onsite drainage design to contain and collect run-off and pump it offsite actually improves on the present condition which allows water from Alii Drive to drain across the property onto the beach. The portion of the building at grade is designed to be open in order not to interfere with natural processes and the planting of additional naupaka shrubs will further enhance the stability of the site and provide expanded habitats for local fauna. The retention and relocation of the majority of the trees on the site will maintain any bird nesting opportunities.

**e. Economic Uses**

As discussed in A.2.b above, the proposed project is in compliance with all current ordinances and the Hawaii County General Plan. Beachfront property is generally associated with upper level residences or resorts and this proposal is appropriate for that use. The large open area to the south also provides for the building to act as a transition area from the large Kona Reef development on the north to the single family detached homes to the south. The building is concentrated in an area on the property that is the most stable area and well protected from the effects of the ocean. Also as mentioned previously, the proposed design seeks to minimize the impacts on the social, visual and coastal environments.

**f. Coastal Hazards**

The location of the building and the design of the portion fronting the ocean all take into the consideration the potential threat of water inundation by tsunami, storm waves, stream flooding and erosion. No structure of any type is proposed on grade within the VE-10 zone identified on the Federal Flood Plan Map and the lower most point of any habitable space structural member is well above the required ten (10) feet above mean sea level. The advanced warning of any tsunami or storm surf will allow for the evacuation of people and vehicles from the site in order to minimize their endangerment. The design of the driveway into the lower parking level is intended to be as transparent as possible to any unusual wave action and the existing coastal wall, which has been in existence for many years, will be retained. The unused salt water pool at the southern end of the property is proposed to be filled in and planted to reduce the potential for injury to the public that may use the beach. The planting of additional naupaka shrubs along the shoreline will enhance the ability of the sand and soil to maintain its condition, thus providing for greater stability. Where any additional walls or grading are required, they will be sloped to

allow waves to run up and over them, rather than be reflected back and encouraging erosion. Heavy rain runoff or inland flooding will be addressed by the onsite drainage system, which will have backup power in the event of a simultaneous power failure. The parking level will also act as a collection basin in the event of extreme flooding and emergency drainage will be channeled to the northern end of the property as much as possible to allow runoff onto the rocky shoreline, rather than across the beach.

**4. Plot Plan**

See full sized plan or Sheets 1, 1A, 3 and 4.

**5. Other Plans**

The attached drawings give a graphic presentation of the project to complement the written description given above.

**B. DIRECTOR'S DETERMINATION**

Not applicable.

**C. SHORELINE CERTIFICATION**

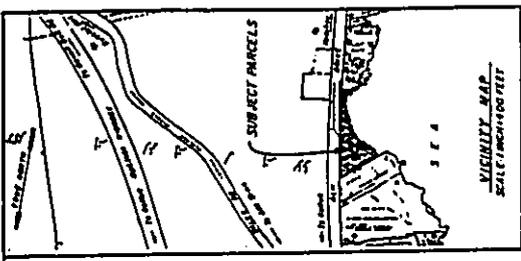
A copy of the certified shoreline survey is attached and a full sized copy is included with the set of plans.

**D. FULL SIZED PLOT PLAN**

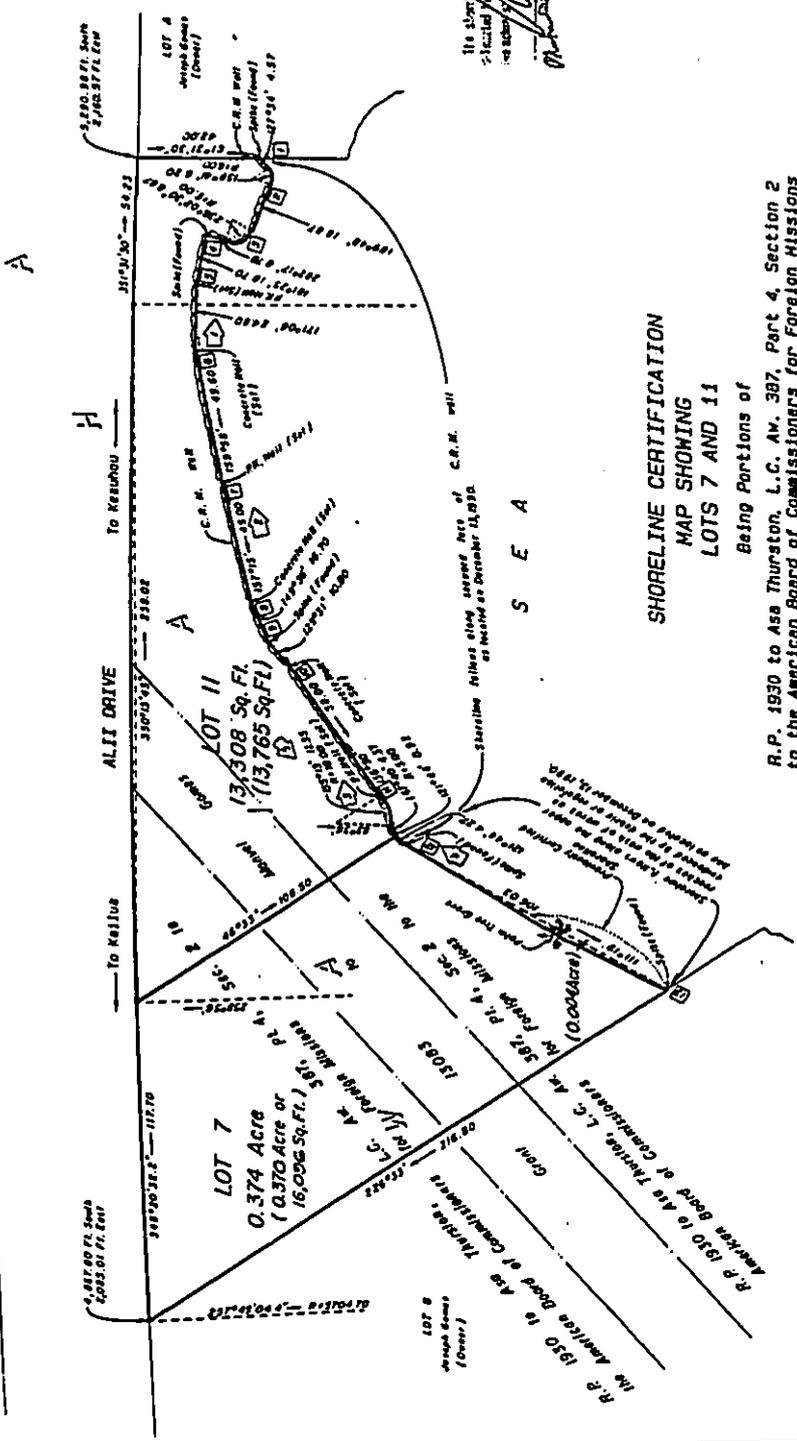
A copy of the applicable portion of the property survey is included in the set of plans.

**E. FEE**

A check for \$200 is attached to cover the filing fee.



TRUE NORTH  
SCALE 1 INCH = 20 FEET



This map was prepared by me and others in-  
dicated by initials and dates in blue  
ink on the original plan and is true  
to the original plan.  
L. J. FINE  
Professional Land Surveyor  
State of Hawaii Cert. No. 15-4231

- NOTES:
1. denotes azimuth number and direction of view.
  2. denotes number in parenthesis.
  3. Names of owners of adjoining parcels are compiled from available tax map day returns.
  4. Azimuths and coordinates are referred to Government Survey Triangulation Station "TAIILUA NORTH MERIDIAN".

Prepared For:  
Kunika Furusawa (owner)  
c/o DUDMAN & ASSOCIATES, INC.  
200 Koluha Street  
Hilo, Hawaii 96720

Prepared By:  
MES THOMAS & ASSOCIATES, INC.  
--Land Surveyors--  
75-9722 Koluha Street  
Keolu-Kona, Hawaii 96740  
Tel. (808) 329-2353



PROJECT NO.: 12125  
DATE: DECEMBER 18, 1990  
THE MAP SET: 7-12-20 & 8-87 (DND DIV.)  
FIELD BOOK NO.: 694  
DISE NO.: 242

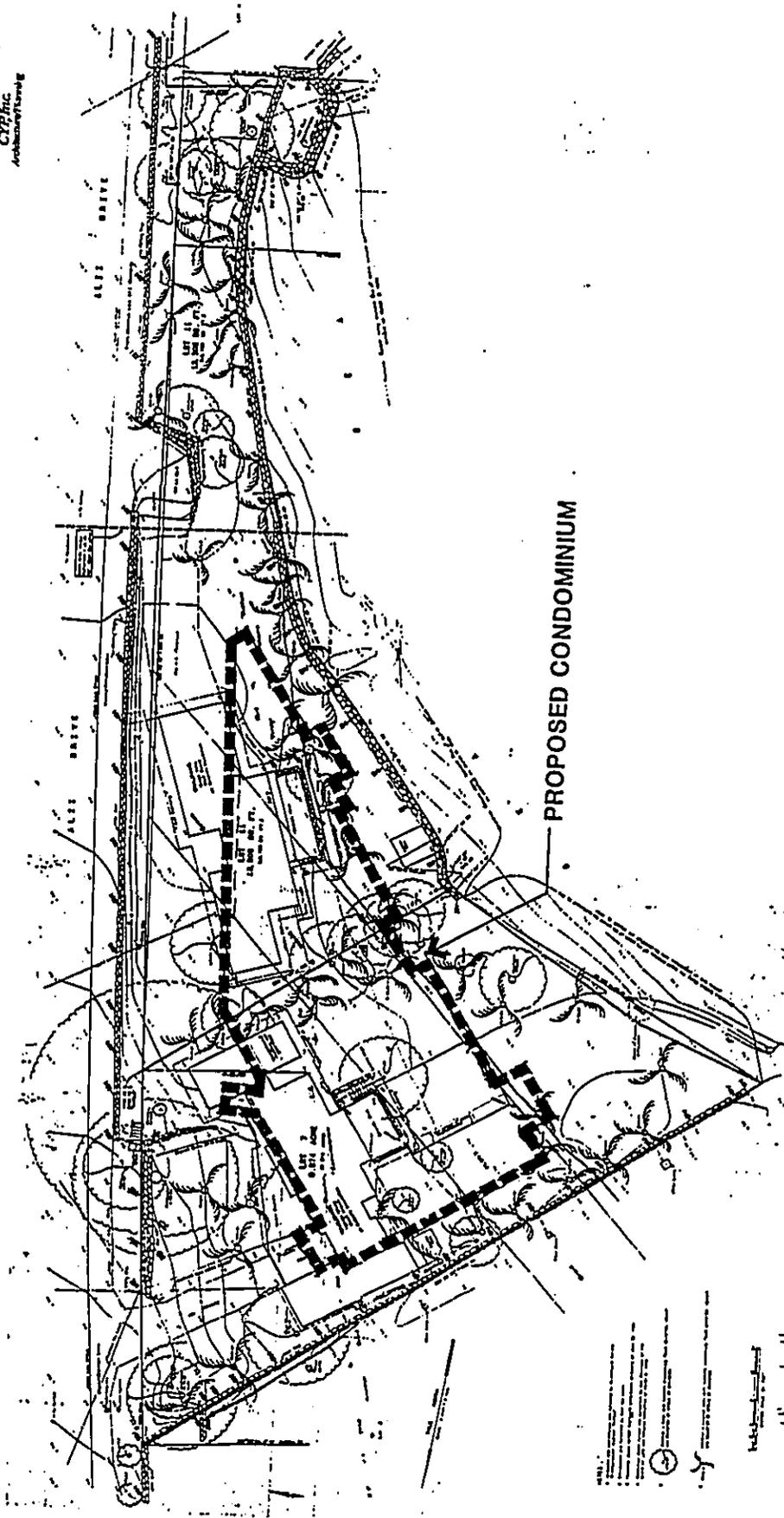
Revised: Feb. 19, 1991. Same as

EXISTING CONDITIONS

# SOBAY CONDOMINIUMS

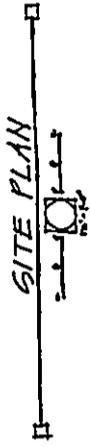
KONA HAWAII

I.C.M.G.



Scale: 1/8" = 1'-0"



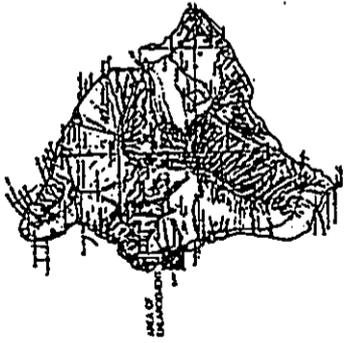
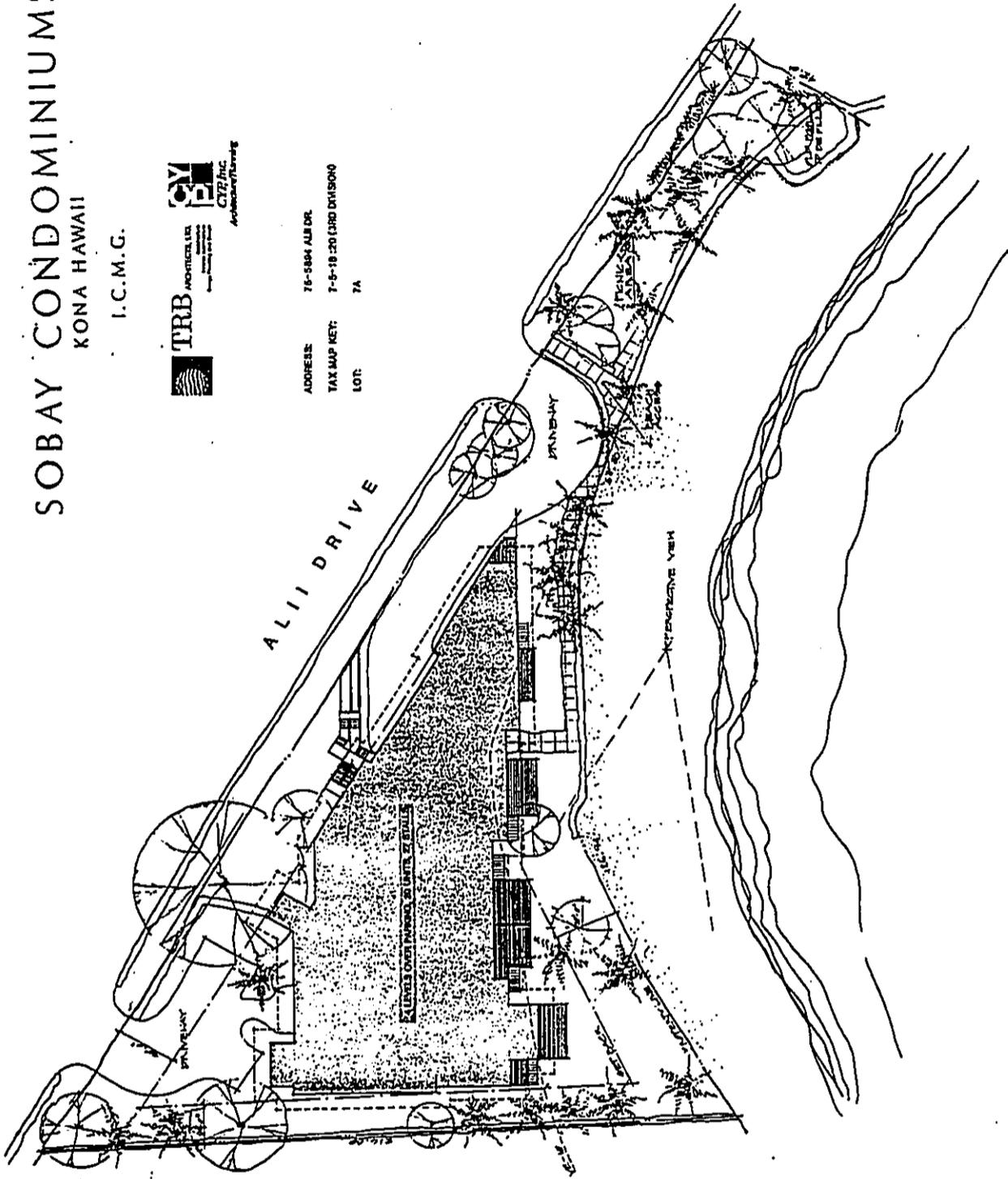


# SOBAY CONDOMINIUMS KONA HAWAII

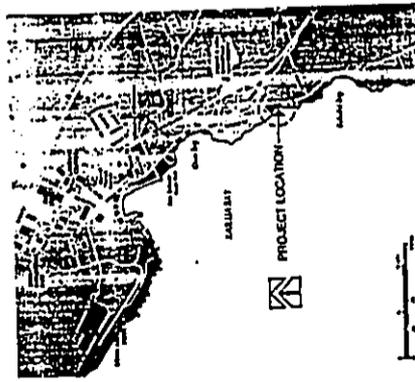
I.C.M.G.



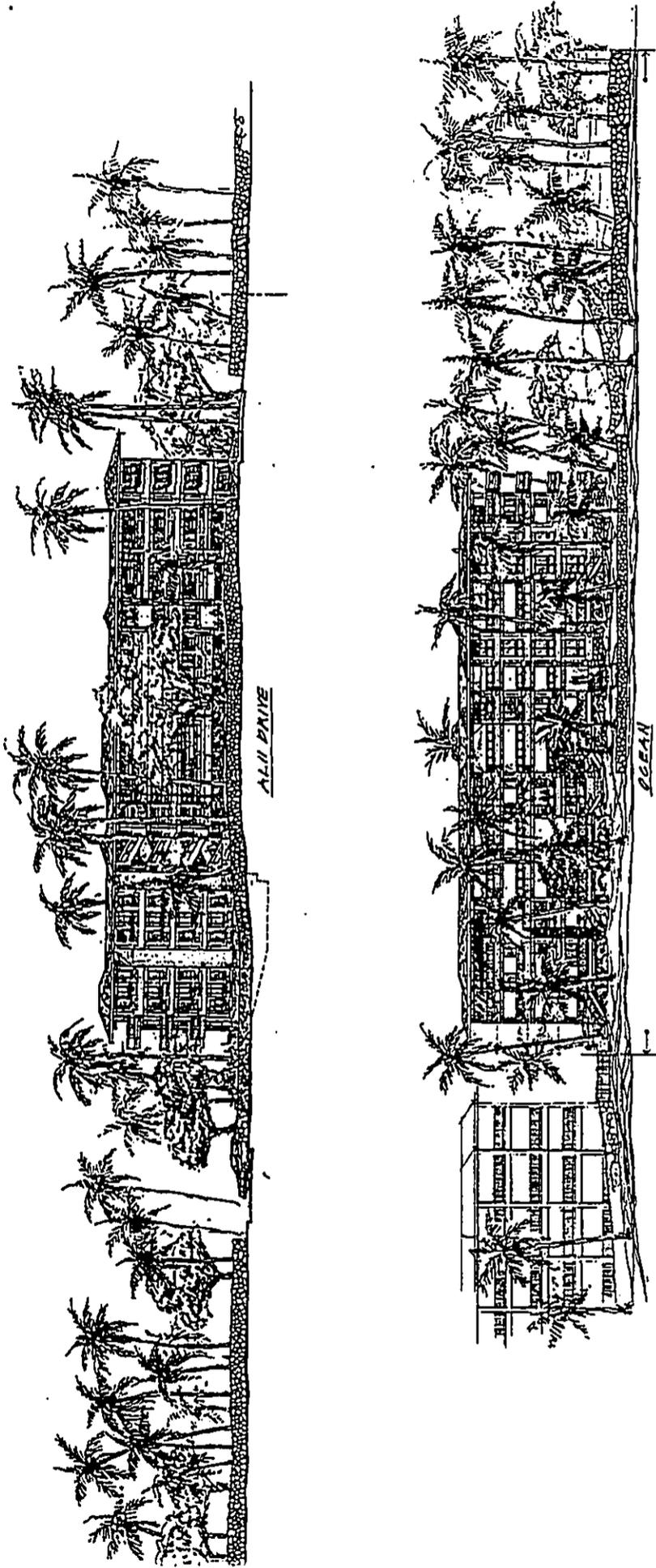
ADDRESS: 76-584 ALI DR.  
TAX MAP KEY: 7-5-19-20 (3RD DIVISION)  
LOT: 7A



BIG ISLAND OF HAWAII



11a



PROPERTY ELEVATIONS

SOBAY CONDOMINIUMS  
KONA HAWAII

I. C. M. G.



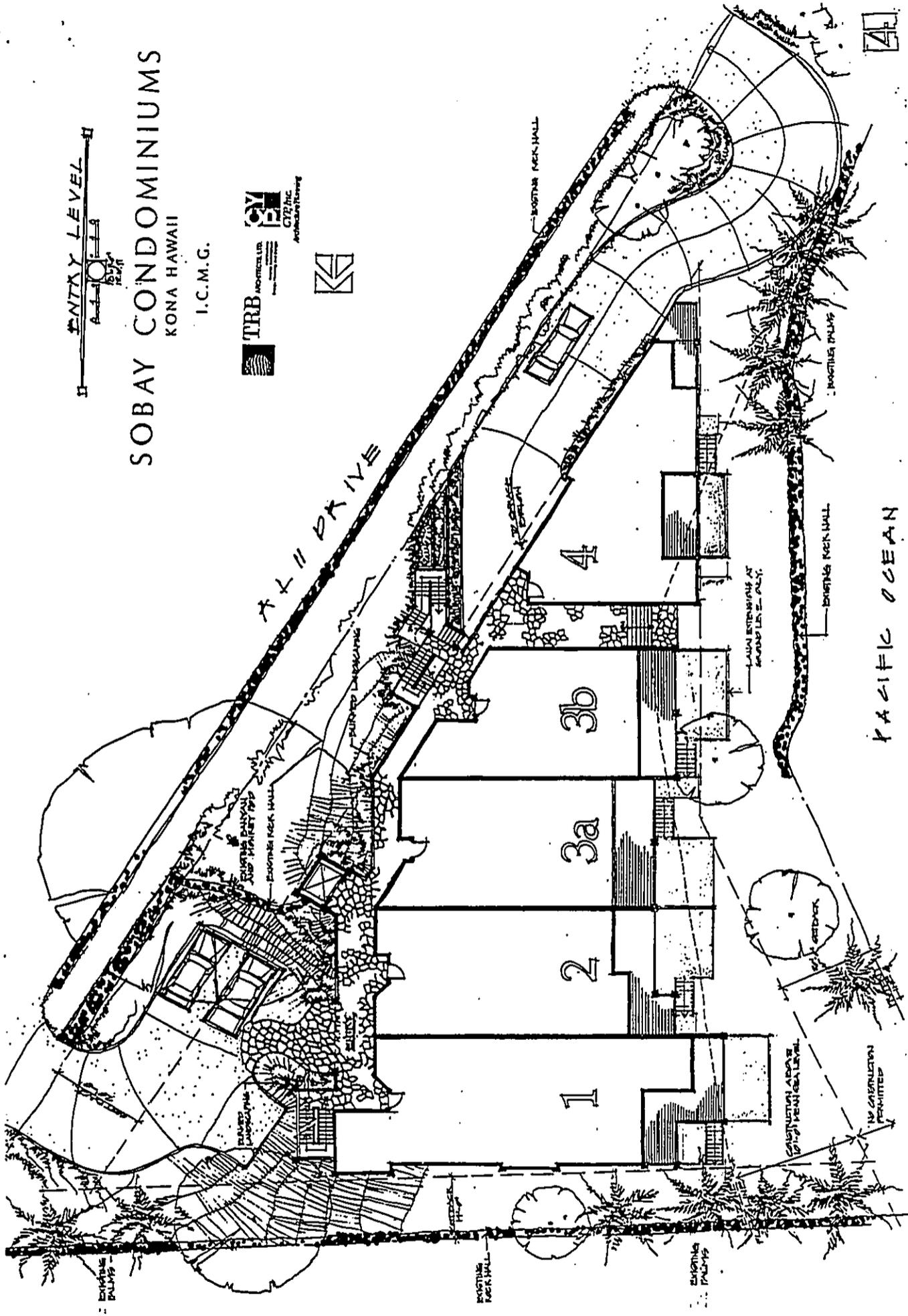
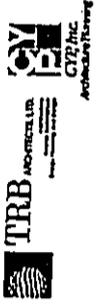


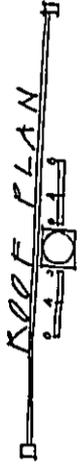


# SOBAY CONDOMINIUMS

KONA HAWAII

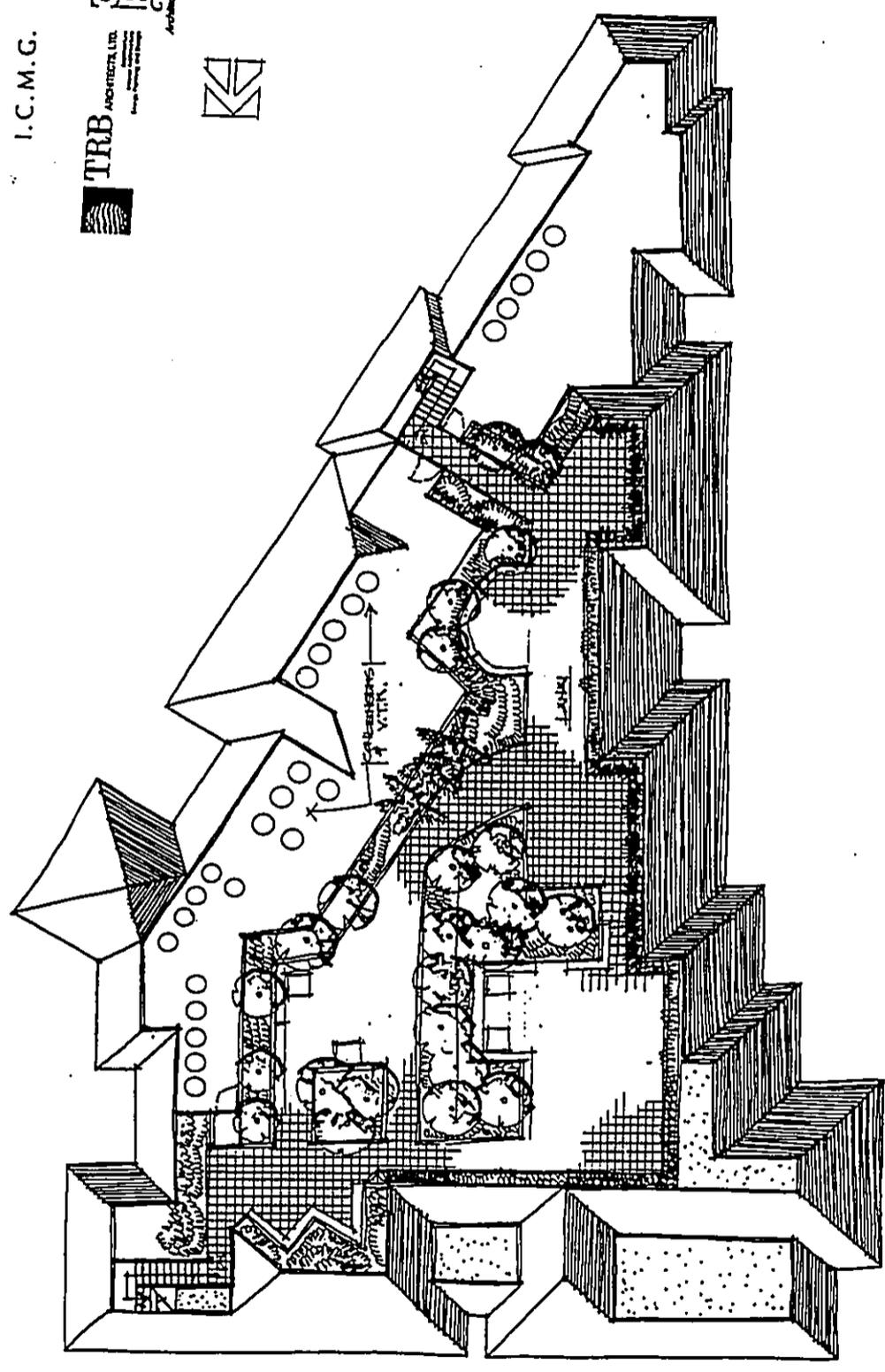
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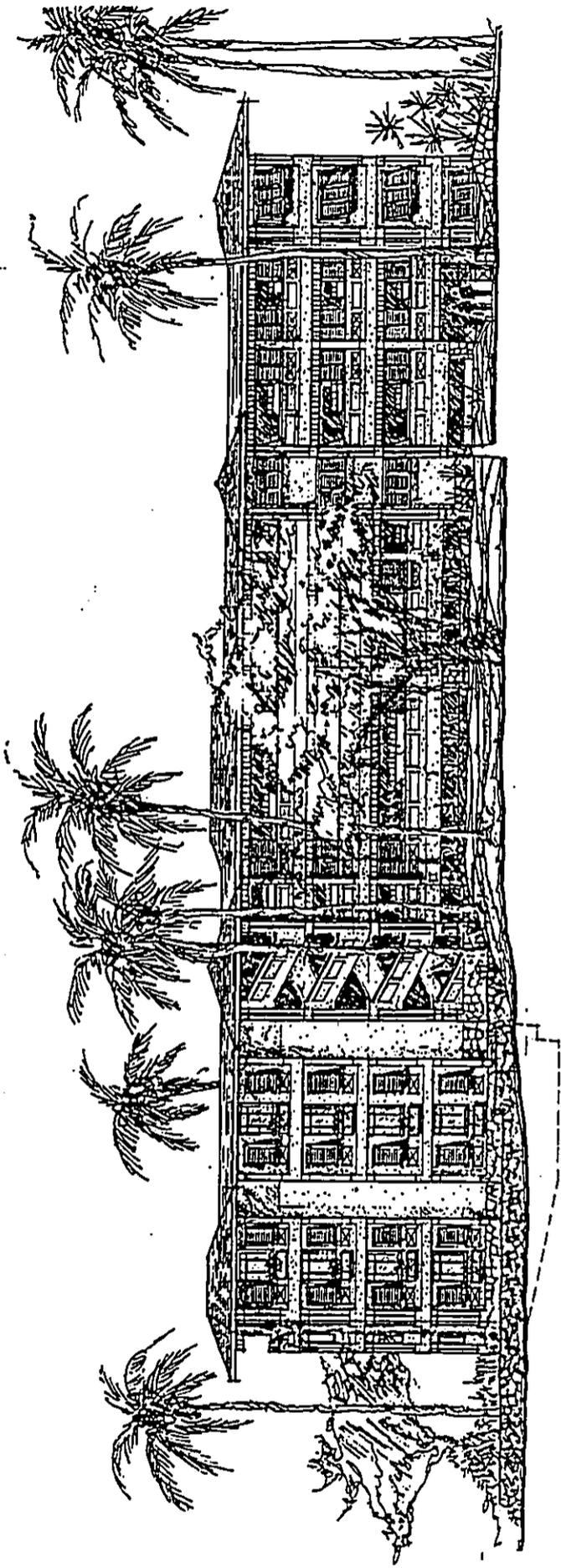




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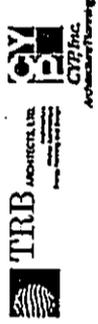




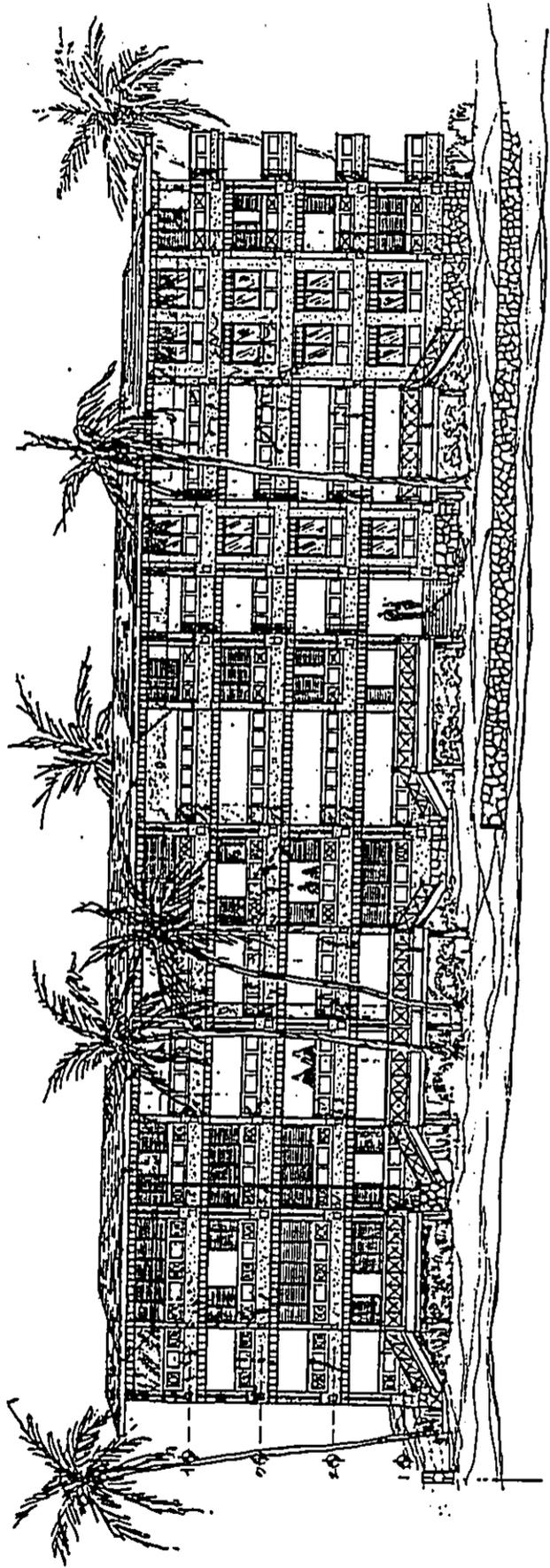
ALI I DRIVE ELEVATION

SOBAY CONDOMINIUMS  
KONA HAWAII

I. C. M. G.







OCEAN ELEVATION

# SOBAY CONDOMINIUMS

KONA HAWAII

I. C. M. G.



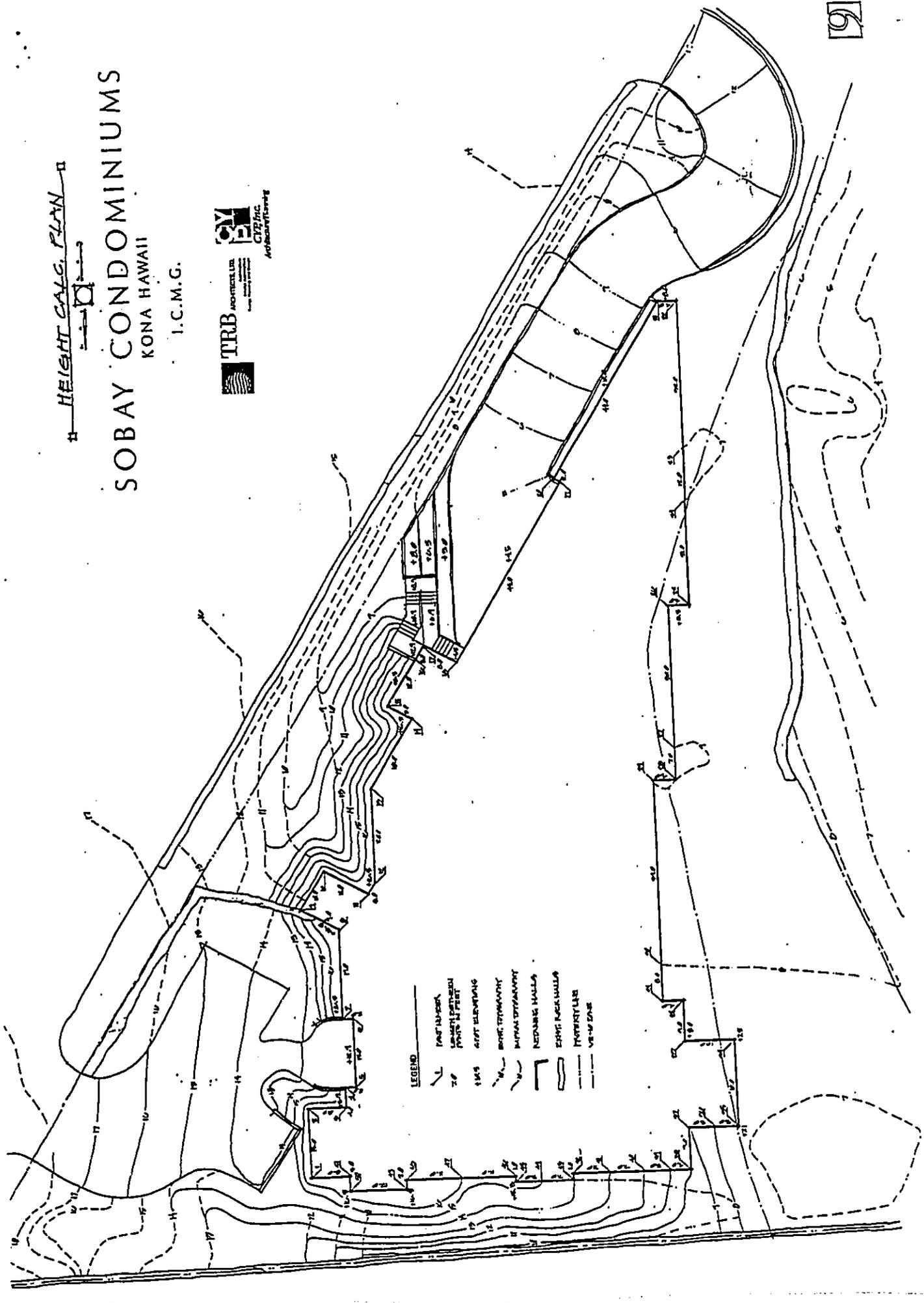
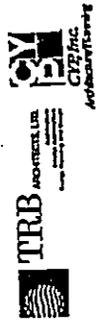


HEIGHT CALC. PLAN

# SOBAY CONDOMINIUMS

KONA HAWAII

I.C.M.G.



- LEGEND
- PART NUMBER
  - LOWEST ELEVATION POINT IN FOOT
  - 10' ELEVATIONS
  - BENCH ELEVATION
  - BOUNDARY
  - NEIGHBOR'S WALLS
  - EXISTING BACK WALLS
  - PROPERTY LINE
  - VIEW LINE

**TRAFFIC ASSESSMENT REPORT  
PROPOSED RESIDENTIAL CONDOMINIUM**

**SoBAY HAWAII, INC.**

TMK: 7-5-18:J20

prepared by: Julian Ng  
May 1992 COUNTY OF HAWAII

An assessment of the potential traffic impact of a 21-unit residential condominium was done to provide additional information for a Special Management Area Use Permit petition for the subject property in Kailua-Kona, Hawaii. The property is located on the west (makai) side of Alii Drive, approximately 0.7 mile south (toward Keauhou) of Hualalai Road. The project site is about halfway between the existing intersections of Alii Drive with Walua Road and with Lunapule Road.

**Existing Conditions**

Alii Drive, a two-lane roadway providing access to adjoining properties, connects Kailua village at its north end to the Keauhou resort area to the south. A bikelane/pedestrian path is striped along the east (mauka) edge of the roadway. Where there is sufficient width, parking occurs off of the pavement on the west (makai) side. Several hotels, including the Kona Hilton Hotel, are located between Hualalai Road and the project site. Condominiums in residential and resort use are also present to both the north and south of the site. Daily traffic volume on Alii Drive near the project is estimated to be 15,000 vehicles per day (VPD), based on counts taken in 1990 at locations north and south of the site (Table 1). Highest traffic volumes occur during the PM Peak Hour. The peak hourly volume on Alii Drive fronting the site is estimated to be 1.3 times the volume at Station C-8-N.

Table 1  
TRAFFIC COUNTS

	<u>southbound</u>	<u>northbound</u>
Station 8M (Alii Drive south leg at Hualalai Road)		
24-hour (October 22-23, 1990)	10,678	9,703
AM Peak Hour (7:45-8:45 AM)	442	730
Midday peak hour (12:45-1:45 PM)	631	797
PM Peak Hour (5:00-6:00 PM)	959	683
Station C-8-N (Alii Drive 1.0 mile south of Hualalai Road)		
24-hour (October 17-18, 1990)	5,404	6,015
AM Peak Hour (7:45-8:45 AM)	217	484
Midday peak hour (1:45-2:45 PM)	403	413
PM Peak Hour (4:30-5:30 PM)	490	464

Source: State of Hawaii, Department of Transportation, Highways Division, *Traffic Survey Data (Individual Stations) - Island of Hawaii 1990.*

### Future Traffic

Traffic on Alii Drive is expected to increase with or without the proposed project, as a result of other growth in the area. The *Island of Hawaii Long Range Highway Plan*<sup>1</sup> projects an increase in traffic from 11,500 VPD in 1986 to 14,000 VPD in year 2010 on Alii Drive, which would be an annual average increase of 0.8%. For the shorter term, however, traffic counts taken near the project site over the last ten years (shown in Table 2) are used; regression analysis provides a growth rate of two percent per year. The PM Peak Hour volumes on Alii Drive in 1995 are projected to be 718 vehicles per hour (VPH) southbound and 679 VPH northbound.

Table 2  
TRAFFIC TREND

	<u>24-hour count</u>
Station C-8-N (Alii Drive 1.0 mile south of Hualalai Road)	
April 1982	9,906
July 1984	9,733
October 1986	11,721
May 1988	10,978
October 1990	11,419

Source: State of Hawaii, Department of Transportation, Highways Division, *Traffic Survey Data (Individual Stations) - Island of Hawaii 1990*.

### Project Traffic

The proposed project consists of twenty-one condominium apartments in a low rise (up to four stories) building. Trip rates based on tabulated data from other studies throughout the United States are presented in Table 3; the highest rate, 0.73 vehicle trips per occupied dwelling unit during the PM Peak Hour, is used to identify the potential traffic impact of the project. Of these trips, 57% (the average of the tabular values) would be entering the site.

Table 3  
TRIP GENERATION RATES

	Weekday <u>Trip Rate</u>	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
		<u>Trip Rate</u>	<u>% enter</u>	<u>Trip Rate</u>	<u>% enter</u>
Apartment	6.47	0.56	34%	0.69	58%
Low Rise Apartment	6.59	0.51	20%	0.62	65%
Residential Condominium	5.86	0.44	18%	0.55	66%
Recreational Homes	3.16	0.65	46%	0.73	50%
Resort Hotel	10.16	0.44	51%	0.67	47%

Source: Institute of Transportation Engineers, *Trip Generation* (5th Edition).

The traffic generated by the project is estimated assuming full occupancy. For the 21 units, estimated project traffic is 9 vehicles entering and 7 vehicles exiting the site in the PM Peak Hour. The distribution of this traffic, estimated from the traffic counts at the nearest stations, is shown in Table 4.

Table 4  
PROJECT TRAFFIC

	<u>Entering</u>		<u>Exiting</u>	
	<u>distribution</u>	<u>volume</u>	<u>distribution</u>	<u>volume</u>
to/from north (Kailua)	58%	4	67%	6
to/from south (Keauhou)	42%	3	33%	3

### Capacity Analysis

The proposed project will have two driveways to Alii Drive. The north driveway will serve as the project's street level entry, with drop-off and service areas, and includes two parking spaces. The south driveway leads to a lower level parking area for 25 cars.

A driveway operates as if it were an unsignalized intersection. For purposes of the analysis, all of the peak hour traffic is assumed to use one driveway. The Unsignalized Intersection Analysis procedure in the *Highway Capacity Manual*<sup>2</sup> was used to determine conditions at the driveway.

The analysis determines the capacity of the left turn into, and each movement out of, the minor street or driveway. These capacities are compared with the volumes wishing to make each move; qualitative levels of service representing delays are determined from the excess of capacity over volume or "reserve capacity" as shown in Table 5. Table 6 summarizes the findings of the analysis.

Table 5  
LEVEL OF SERVICE CRITERIA

<u>Reserve Capacity</u>	<u>Level of Service</u>	<u>Expected Delay to Minor Street Traffic</u>
≥ 400	A	Little or no delay
300-399	B	Short traffic delays
200-299	C	Average traffic delays
100-199	D	Long traffic delays
0-99	E	Very long traffic delays

Source: *Highway Capacity Manual*, Table 10-3

Table 6  
DRIVEWAY LEVELS OF SERVICE

	Reserve Capacity	Level of Service
Left turn, northbound Alii Drive to driveway	499	A
Right turn, driveway to southbound Alii Drive	307	B
Left turn, driveway to northbound Alii Drive	52	E

A separate analysis was done to estimate the probability of delay to northbound vehicles on Alii Drive behind cars waiting to turn into the driveway. The analysis procedure and parameters described in a research article<sup>3</sup> referenced by the American Association of State Highway and Transportation Officials<sup>4</sup> were used. The probability of delay for northbound Alii Drive traffic was calculated to be 0.6% in the peak hour, less than the 2.0% probability recommended as a minimum for providing a separate left turn lane on a two-lane roadway operating at 40-mile per hour speed.

#### Emergency Evacuation

The County of Hawaii Civil Defense Agency has determined tsunami evacuation zones and will order evacuation when necessary because of tsunami or other flooding. A map of the evacuation zone in the Keauhou to Kailua area is shown on page 52 of Hawaiian Telephone's May, 1991-1992 telephone book for the Island of Hawaii. The project site is within this evacuation zone.

The probable evacuation route from the site will be south on Alii Drive to Lunapule Road, left turn (east or mauka) to Lunapule Road, right turn (south) to Walua Road, to a roadblock at the intersection of Walua Road with Kuakini Highway. According to the Hawaii Civil Defense Agency, when an emergency situation results in an evacuation order, Hawaii County police will control traffic movements and direct the evacuation. The roadblocks will be established to prevent makai-bound traffic into the evacuation zone.

#### Conclusions

The proposed 21-unit condominium will have minor impacts to traffic conditions in the area. The impact in the immediate area is an increase in traffic on Alii Drive of about 0.6%; this compares to an estimated annual increase of 2% due to other growth in the Kailua-Keauhou area. The proportionate impact elsewhere would be less. At the driveway, the probability that a northbound vehicle will be delayed because of a vehicle waiting to turn into the driveway is well below the level at which a separate turn lane should be provided. The analysis also found that there will be sufficient gaps in the main traffic stream to permit vehicles exiting the project to enter Alii Drive.

Concerns about existing traffic conditions will be addressed in a current study being done by others for the County of Hawaii Planning Department. The Kailua Village Master Plan includes a circulation plan as a major element, and improvements to vehicular circulation and the reduction of traffic in the Kailua Village area should be pursued. For the proposed project, adequate sight distances and appropriate approach angles should be provided in the design of the driveways; however, because the impact of the proposed 21-unit condominium to traffic is small, no other mitigation measures will be necessary.

#### References

1. Parsons Brinckerhoff Quade & Douglas, Inc., *Island of Hawaii Long Range Highway Plan - Final Report* (prepared for State Department of Transportation and County of Hawaii: Departments of Planning and Public Works), May 1991. Figures II-7 and IV-3.
2. Transportation Research Board, National Research Council, *Highway Capacity Manual*, Special Report 209, Washington, D.C., 1985
3. M.D. Harmelink, "Volume Warrants for Left-Turn Storage Lanes at Unsignalized Grade Intersections". *Highway Research Record No. 211*, 1967.
4. American Association of State Highway and Transportation Officials, *A Policy on Geometric Design of Highways and Streets*, 1990.

**APPLICATION FOR VARIANCE  
FROM SHORELINE SETBACK REQUIREMENTS OF THE ZONING CODE AND  
RULE 8 OF THE PLANNING COMMISSION**

**COUNTY OF HAWAII  
PLANNING DEPARTMENT - PLANNING COMMISSION**

by  
**INTERNATIONAL CONSULTING & MARKETING GROUP, INC.**  
for the owner  
**SoBAY HAWAII, INC.**  
**Dr. Kazuichiro Furusawa**

**T.M.K.: 7-5-18:20**

**A. APPLICATION**

**1. Description & Objective**

The proposed project sits on a site that fronts one of the few sandy beaches on the Kailua-Kona coast and is of a size large enough to accommodate a multi-story building. A 21 unit residential condominium is proposed, with all units having an oceanfront view of the beach. The units will be built in four levels, with a roof deck, over a below grade parking level and will be largely hidden by the many existing trees in the setback areas, including a very large banyan tree adjacent to Alii Drive.

The site is located at 75-5894 Alii Drive and adjoins the Kona Reef condominium to the north, a vacant lot across the road to the east, a single family, detached house to the south and the Pacific Ocean to the west. As one proceeds south on Alii Drive from Kailua-Kona town past the Hilton, the road crests a small rise and proceeds down a slope past the Kona Reef to a level stretch of road that fronts the ocean at the southern end of the property. Because of the narrow width of this portion of the parcel and its proximity to the ocean, no development other than cleaning the area, trimming the existing trees and shrubs and the planting of additional landscaping is proposed in order to preserve the ocean view for pedestrians, bicyclists and motorists on Alii Drive.

The primary objective of the proposed project is to provide 20 outstanding beachfront residential units on an oceanfront site near Kailua-Kona town, with an additional unit intended for a resident manager. This combination is felt to be unique because most other beaches are public parks and the majority of other exceptional residential opportunities tend to be either single family, detached

residences or large multi-unit condominiums in resort communities far from the ocean and Kailua-Kona town. The small number of units also makes for a more intimate environment than the typical resort condominiums found along Alii Drive. The recreational, social, entertainment and shopping opportunities readily available to the site are felt to surpass those of even the major resort destinations in Hawaii.

Once that objective is established, a secondary objective is to create a building that makes an architectural statement and positive contribution to the design mix of Kailua-Kona, as indicated in the Kailua Village Design Plan - 1988. The owner expressed a desire for a light and airy atmosphere, yet secure from the elements. In reviewing several design schemes, the traditional theme of many classic buildings in Hawaii became evident and gave inspiration to the proposed design. The nature of the site and the associated setbacks involved also dictated that certain lines could not be straight, resulting in a rhythm of unit setbacks that have been continued around the building, creating an impression of several small structures. The visual relief and shadows that this and the associated roof line create, greatly enhance the intimate nature of the project and give those who view it from Alii Drive or the ocean a pleasing form to admire and study. The overhangs of the roof and those created by the lanais, add to the architectural detail, as well as enhance the shading of the units to make them energy efficient.

The gently sloping roofs will be clad with copper shingles that will oxidize to the green patina associated with classic structures. The exterior walls will be covered with a light, blue-green stucco to pick up the roof color, while window and door trim, plus railings and shutters, will accent the look with grey and rose tones. The window glass will also have a green tint to it for appearance and energy efficiency, but not be reflective. Planters on the railings and offset faces with trellises will further soften the building and add color. These and many trees surrounding the building will give the project a mature look more closely associated with single family, detached homes and contribute to the free and easy atmosphere of a tropical beach setting.

The following are descriptions of the specific variances being requested as illustrated on Sheet 1A:

- a. **Landscaping** - It is proposed that several of the existing milo and palm trees that fall within the building footprint be relocated to the shoreline setback area, plus additional naupaka shrubs be planted. Existing trees and shrubs will be pruned and trimmed as well.
- b. **Pathway** - A walkway on the property side of the beach wall is proposed to facilitate access from the building to the beach, plus a stairway or steps from Alii Drive to the beach for public access just south of the central driveway. It will consist of concrete or wooden paving blocks that will be designed to minimize the effect of wave action upon them and the surroundings.

- c. **Driveway** - The driveway leading from Alii Drive to the lower parking level requires a sufficient turning radius and slope in order to provide a safe ingress and egress for vehicles. The only means of doing so is by building it over the shoreline setback area. A design will be developed such that the driveway will be an elevated bridge with its structural supports behind the setback line at grade and perpendicular to any incoming wave action. This should result in a relatively transparent structure that will allow for little effect on the natural processes currently evident at the site.
- d. **Fill Existing Pool** - It is proposed that the old salt water pool at the south end of the property be filled and planted over in order to enhance the safety of the area for both residents and people who use the beach. It will create a unique vantage point from which to watch sunsets and the ocean.
- e. **Two Decks on the First Floor** - The design proposes sun decks for the first floor only and the two southern units require that they be built over the shoreline setback area. Recognizing that the VE-10 flood zone runs along much of this portion of the building and that natural processes should be impacted to as small degree as possible, the design calls for these two decks to be cantilevered out from the building so that no structure touches the ground within the shoreline setback. They would also be well above the ten (10) feet above mean sea level, with the exception of the stairs and landing of the end unit. Decks of this six (6) foot width are generally allowed in the road and side setbacks.
- f. **Roof Overhang** - In order to maintain a continuous appearance and provide shading to the upper floors, it is proposed that the roof eave, or overhang, be allowed in the shoreline setback as it is in other setbacks. Again, such overhangs up to six (6) feet are generally permitted and recognized to add to the visual impact and energy efficiency of the structure. It should be noted that these eaves are some forty-five (45) feet above the ground and present no impact on the natural processes of the shoreline setback.

## **2. Justification**

**Landscaping** - The actions described above clearly are in the public interest in that they enhance the natural beauty of the site and provide a natural means of stabilizing a coastal site that is used by the public. The value of native shoreline shrubs in providing sand and soil protection is well recognized and certainly more attractive than large boulders, walls or concrete forms.

**Pathways** - These are also in the public interest as they provide a safe means of shoreline access for both building residents and the public. The current driveway which is used for access will be closed off, thus creating the need for a means of walking safely from Alii Drive to the beach, which is a drop of approximately ten (10) feet within a matter of less than twenty (20) feet. Leaving it as a wall, loose stones and sand presents a situation that would be unsafe and a reasonable solution of some design can be found to minimize the impact on any unusual wave action in the area.

**Driveway** - The proposed driveway provides a safe slope and turning radius for vehicle ingress and egress. Forcing the driveway behind the shoreline setback will result in a steep sloped ramp with sharp turns at the top and bottom. This may well result in a hazardous condition for building residents trying to enter the property from the north on Alii Drive and when exiting the property, particularly if the road is ever widened to the property line. This issue of public safety also makes the driveway in the public interest.

**Filling of Existing Pool** - This action clearly results in favor of the public interest from both a safety and aesthetic standpoint. The current empty pool is filled with loose rocks and sand and presents a genuine threat to anyone who may walk along the wall and lose their balance, resulting in a hard fall into the pool. The land area it defines is also currently useless to everyone and providing an open grassy or sand area for watching surfers, sunsets and sailboats is a valuable opportunity for both the building residents and the public.

**Two First Floor Decks** - The attraction of a beachfront home is partly due to the easy access to the beach and the decks for the first floor units provide for such with their stairs down to grade. The lure of a private sundeck also enhances the value of the first floor units, plus provides some additional area for the end unit which is reduced by the hallway for beach access to the upper floor units. This could make these units less desirable, creating a hardship for the owner.

**Roof Overhang** - As discussed above, this is in the public interest in maintaining an architectural design and improving the energy efficiency of the upper units. Having to provide a roofline flush with the building front would greatly detract from the overall effect that the design creates and expose the windows of the top floor units to additional afternoon sun.

**3. Location Map**

See either the shoreline survey map or Sheet 1A.

**4. Plot Plan**

See Sheet 1 or the full sized drawings.

**5. Shoreline Survey**

A reduced copy is attached and a full sized copy is included in the drawings.

**6. Other Plans**

A set of reduced drawings is attached and a set of full sized drawings is provided for the specific request and the overall project.

**B. FULL SIZED PLOT PLAN**

The unusual shape of the property required two sheets in order to provide the appropriate scale for design purposes and they are included in the full sized set of drawings.

**C. FILING FEE**

A check for \$100 is attached to cover the fee.

**D. ENVIRONMENTAL ASSESSMENT AND DETERMINATION OF IMPACT**

Reference is hereby made to the accompanying Special Management Area Use Permit Petition for the subject property, which is being submitted concurrently, and its Section A.2 pertaining to impacts on the environment of the total project. It should be noted that none of the request activities above present a major impact to the shoreline setback area, other then perhaps during construction.



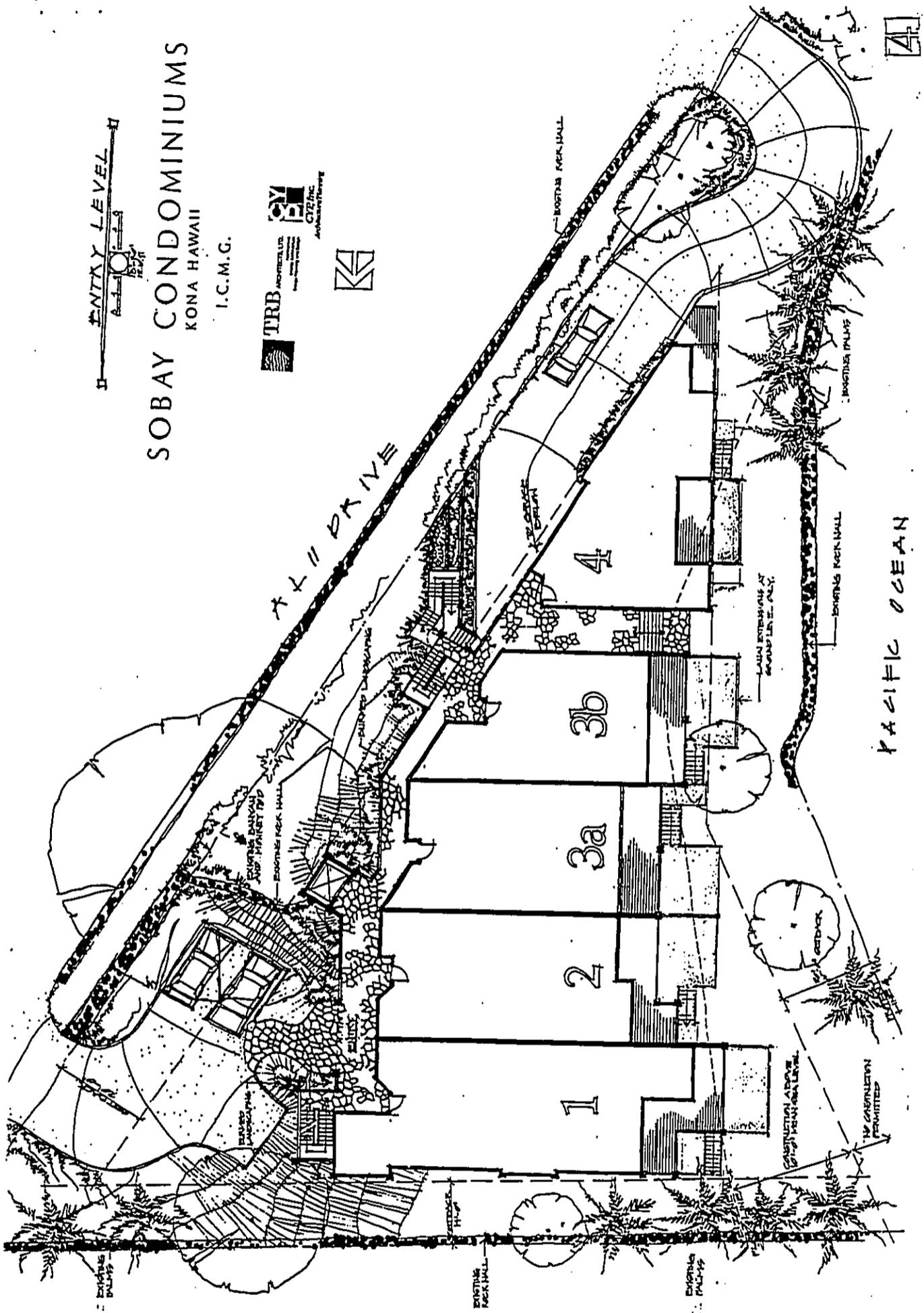




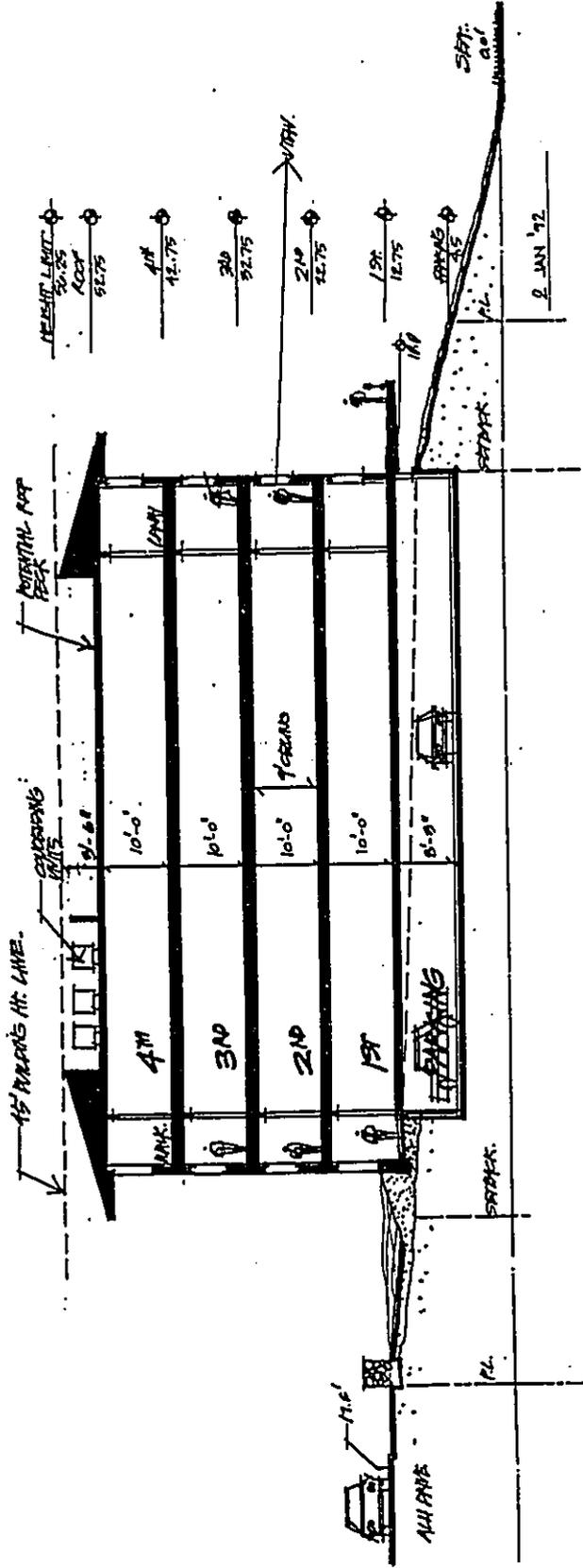
# SOBAY CONDOMINIUMS

KONA HAWAII

I.C.M.G.



PACIFIC OCEAN



SECTION

SOBAY CONDOMINIUMS  
KONA HAWAII

I.C.M.G.

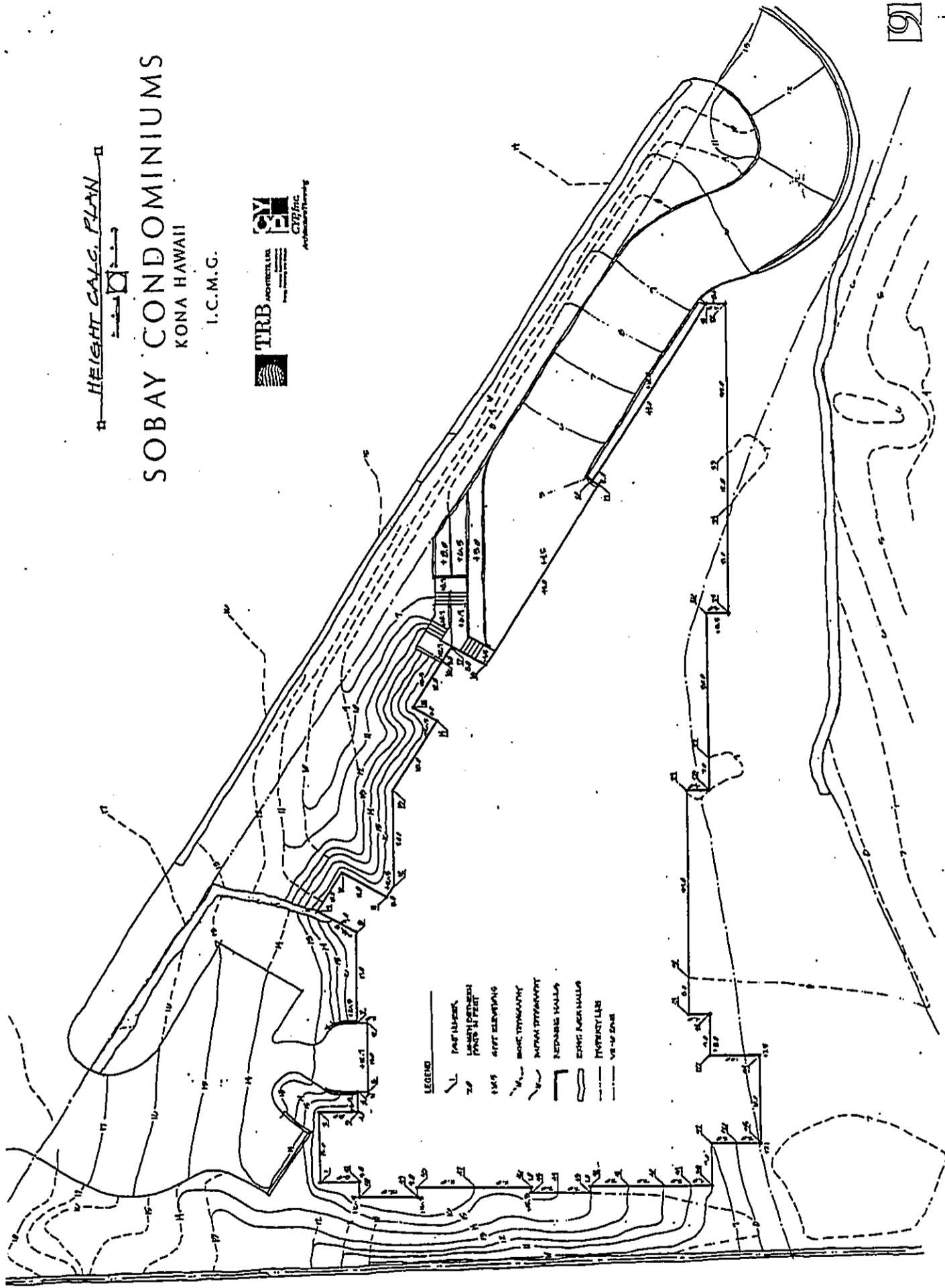


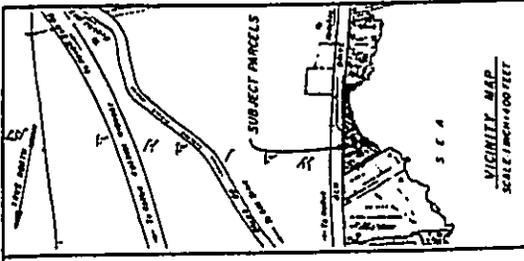
HEIGHT CALC. PLAN

# SOBAY CONDOMINIUMS

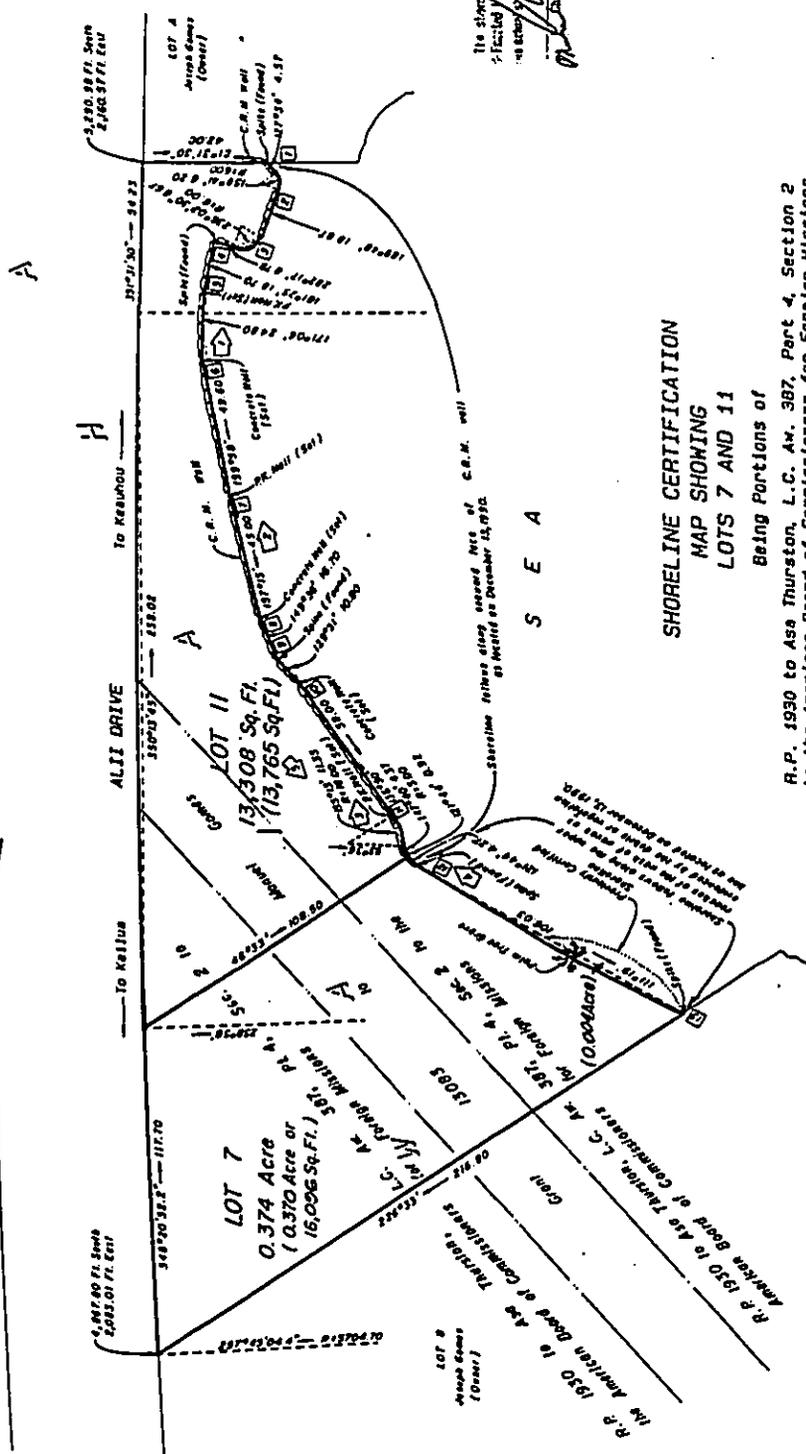
KONA HAWAII

I.C.M.G.





TRUE NORTH  
SCALE 1/4" = 30 FEET



This map was prepared by me or under my direct supervision and I am a duly Licensed Professional Surveyor of the State of Hawaii.

*Christoph B. Thomas*  
CHRISTOPHER THOMAS  
Registered Professional Surveyor  
State of Hawaii Cert. No. 13-011

SHORELINE CERTIFICATION  
MAP SHOWING  
LOTS 7 AND 11

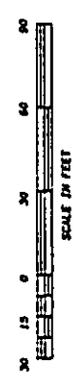
Being Portions of  
R.P. 1930 to Ase Thurston, L.C. Aw. 387, Part 4, Section 2  
to the American Board of Commissioners for Foreign Missions  
and Grant 13083 to Manuel Gomes  
At Maieha Ist, North Kona, Island and County of Hawaii  
State of Hawaii

- NOTES:
1. Denotes photogram number and direction of view.
  2. Denotes number in photogram.
  3. Names of owners of adjoining parcels are omitted from available Tax Map file records.
  4. Azimuths and coordinates are referred to Government Survey Triangulation Station "KAILUA NORTH MERIDIAN".

Prepared For:  
Kaneko Furusawa (Owner)  
c/o OKAWURA & ASSOCIATES, INC.  
300 KONOIA STREET  
HILO, HAWAII 96720

Prepared By:  
KES THOMAS & ASSOCIATES, INC.  
--Land Surveyors--  
75-5722 Keleha Street  
Kailua-Kona, Hawaii 96740  
Tel. (808) 329-2353

PROJECT NO.: 12325  
DATE: DECEMBER 18, 1990  
THE MAP REF. 7-5-18 20 & 87 (1990 D.T.)  
FIELD BOOK NO.: 891  
DISK NO.: 282



Revised: Feb. 07, 1991. Shore of

MEMORANDUM

PLANNING DEPARTMENT - County of Hawaii, Hilo, Hawaii 96720

To: See Listing Below

Date: 7/01/92

92 JUL 6 10 18

From: Planning Director *NH*

Subject: SMA Use Permit Application (SMA 92-4)  
Shoreline Setback Variance Application (SSV 92-2)  
Applicant: International Consulting & Marketing Group, Inc.  
Request: 21-unit Residential Condominium & Related Improvements/Landscaping, Pathway, Driveway, Fill of pool, Decks & Roof Overhang within 20-foot Setback  
Tax Map Key: 7-5-18: 20

The attached applications for a SMA Use Permit and Shoreline Setback Variance are being forwarded for your review. May we please have your written comments by July 20, 1992. Otherwise, we will assume that you have no comments or objections on the requests.

Thank you very much.

DSA:jl  
7482d(3)  
Attachment

- |                               |                     |                                |
|-------------------------------|---------------------|--------------------------------|
| DPW-Kona (SMA & SSV)          | DLNR (SMA & SSV)    | Health (SMA & SSV)             |
| DWS (SMA)                     | Civil Def. (SMA)    | P & R (SMA)                    |
| Police (SMA)                  | Fire (SMA)          | Tax Office (SMA) - Kona        |
| OHCD (SMA)                    | KVDC/HRA (SMA)      | Highways (SMA)                 |
| DOE (SMA)                     | Soil Conserv. (SMA) | West Hawaii Office (SMA & SSV) |
| AK/RHY (See File) (SMA & SSV) |                     |                                |

State Highways - Hawaii District  
NOT AVAILABLE

JOHN WAIHEE  
GOVERNOR OF HAWAII



JOHN C. LEWIN, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 916  
HILO, HAWAII 96721-0916

JUL 15 1992  
PLANNING DIRECTOR  
COUNTY OF HAWAII

DATE: July 10, 1992  
TO: Planning Director, County of Hawaii  
FROM: Chief Sanitarian, Hawaii District  
SUBJECT: SMA Use Permit Application (SMA 92-4)  
Shoreline Setback Variance Application (SSV 92-2)  
Applicant: International Consulting & Marketing Group,  
Inc.  
Request: 21-unit Residential Condominium & Related  
Improvements/Landscaping, Pathway, Driveway, Fill of  
pool, Decks & Roof Overhang within 20-foot Setback  
Tax Map Key: 7-5-18:20

Found no environmental health concerns with regulatory implications in the submittals.

  
HAROLD MATSUURA  
Chief Sanitarian, Hawaii District



July 13, 1992

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

25 AUPUNI STREET • HILO, HAWAII 96720  
TELEPHONE (808) 969-1421 • FAX (808) 969-6996

'92 JUL 15 PM 4 00

PLANNING DEPARTMENT  
COUNTY OF HAWAII

International Consulting & Marketing Group, Inc.  
737 Bishop Street, Suite 1655  
Honolulu, HI 96813

SPECIAL MANAGEMENT AREA USE PERMIT PETITION 92-2  
TAX MAP KEY 7-5-18:20 AND 87

This application request was forwarded by the Planning Department to our office for review and comment.

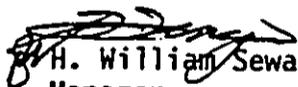
Based on the prevailing water situation in the area, water can be made available from an 8-inch waterline approximately 200 feet from the north boundary of the property. An 8-inch waterline must be installed parallel to the existing 6-inch waterline front the property to accommodate the required fire flow.

Pursuant to the Department's "Water Commitment Guidelines Policy," a copy of which is attached, a water commitment deposit must be remitted so that a formal water commitment may be issued. Based on the 15 additional units requested in the proposed 21-unit condominium development, the required water commitment deposit is \$2,250.

Your remittance of \$2,250 is requested as soon as possible so that a water commitment may be formally issued. The commitment will be in writing with specific conditions and effective dates stated. Please keep in mind that this letter shall not be construed as a water commitment. In other words, unless a water commitment is officially effected, water availability is subject to change depending on the water situation.

Upon the issuance of a formal water commitment, we shall inform the Planning Department of our comments and requirements for tentative subdivision approval.

Should you have any questions, please contact our Water Resources and Planning Section.

  
H. William Sewake  
Manager

WA

Attach.

cc - Planning Department (w/o attach.)

... *Water brings progress...*



## Police Department

County of Hawaii • 349 Kapiolani Street • Hilo, Hawaii 96720-3998 • (808) 961-2244 • Fax (808) 961-2702

Lorraine R. Inouye  
Mayor

Victor V. Vierra  
Chief of Police

Francis C. DeMorales  
Deputy Chief of Police

'92 JUL 16 PM 1 31

PLANNING DIV.  
COUNTY OF HAWAII

July 15, 1992

TO : NORMAN K. HAYASHI, PLANNING DIRECTOR  
FROM : VICTOR V. VIERRA, CHIEF OF POLICE  
SUBJECT: SMA USE PERMIT APPLICATION (SMA 92-4)  
SHORELINE SETBACK VARIANCE APPLICATION (SSV 92-2)  
APPLICANT: INTERNATIONAL CONSULTING &  
MARKETING GROUP, INC.  
REQUEST: 21-UNIT RESIDENTIAL CONDOMINIUM &  
RELATED IMPROVEMENTS/LANDSCAPING, PATHWAY,  
DRIVEWAY, FILL OF POOL, DECKS & ROOF OVERHANG  
WITHIN 20-FOOT SETBACK  
TMK: 7-5-18:20

The above application has been reviewed and we foresee no adverse effect should it be granted.

JD:sk

cc: Kona Police

JOHN WAIHEE  
GOVERNOR



CHARLES T. TOGUCHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P. O. BOX 2360  
HONOLULU, HAWAII 96804

1992 JUL 22 PM 1 37

PLANNING  
July 13, 1992

OFFICE OF THE SUPERINTENDENT

Mr. Norman Hayashi  
Planning Director  
County of Hawaii  
25 Aupuni Street, Room 109  
Hilo, Hawaii 96720

Dear Mr. Hayashi:

SUBJECT: SMA Use Permit Application (SMA 92-4)  
Shoreline Setback Variance Application  
(SSV 92-2) TMK: 7-5-18: 20

Our review of the subject application indicates that the proposed 20 unit oceanfront condominium will have negligible impact on the schools in the area.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Charles T. Toguchi".

Charles T. Toguchi  
Superintendent

CTT:hy

cc: A. Suga  
A. Garson

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER



Kona

# Soil and Water Conservation District

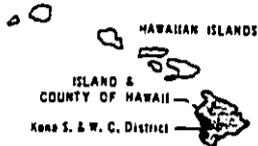
P.O. Box 2262 - Kealahou, Hawaii 96750

July 23, 1992

RECEIVED

'92 JUL 24 PM 1 09

PLANNING DEPT.  
COUNTY OF HAWAII



Mr. Norman K. Hayashi  
Planning Director  
Planning Department  
25 Aupuni Street, Rm. 109  
Hilo, HI 96720

Dear Mr. Hayashi:

Subject: Special Permit Application (92-17)  
Applicant: Makalei Hawaii Corporation  
Request: Construct a Wastewater Treatment Facility  
TMK: 7-2-06:portion of 9

SMA Use Permit Application (SMA 92-4)  
Shoreline Setback Variance Application (SSV 92-2)  
Applicant: International Consulting & Marketing Group, Inc.  
Request: 21-Unit Residential Condominium & Related  
Improvements/Landscaping, Pathway, Driveway, Fill of  
Pool, Decks & Roof Overhang within 20 Foot Setback  
TMK: 7-5-18:20

Special Management Area Use Permit Application (SMA 92-6)  
Applicant: Huehue Ranch Associates, L.P.  
Request: Development of a Public Shoreline Park  
(Kikaua Point Park)  
TMK: 7-2-4:portion of 5

The directors of the Kona Soil & Water Conservation District have reviewed the above land development reviews and have no comments to offer at this time.

Thank you for the opportunity to review these documents. If you have any further questions, please feel free to contact our office.

Sincerely,

*William E. Cowell*

William E. Cowell  
Chairman, Kona SWCD

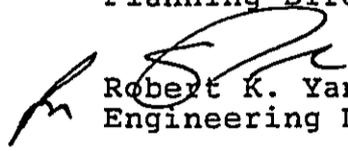
WEC:ib

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE July 24, 1992

*Memorandum*

TO : Planning Director

FROM :  Robert K. Yanabu, Division Chief  
Engineering Division

SUBJECT:

1992 JUL 29 11:11 AM  
COUNTY OF HAWAII

Shoreline Setback Variance Application (SSV 92-2)  
SMA Use Permit Application (SMA 92-4)  
Applicant: International Consulting and Marketing Group  
TMK: 7-5-18:20

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

1. Building shall conform to all requirements of code and statutes pertaining to building construction.
2. All development generated runoff shall be disposed of on site and shall not be directed toward any adjacent properties.
3. Applicant shall be informed that if drywells are included in the subject improvements, Chapter 23, Underground Injection Control (UIC) Administrative Rules, Dept. of Health, prohibit any person from operating, constructing or modifying an injection well (drywell) unless authorized by a permit issued by the Director of Health, State of Hawaii.
4. A drainage system should be installed meeting with the approval of DPW.
5. Any grading activities should comply with Chapter 10 of the Hawaii County Code.
6. Due to the extremely limited capacity of the old Kailua landfill, construction wastes will be prohibited at this landfill and all transfer stations island-wide until the new West Hawaii Landfill is completed and in operation. Construction wastes may be brought to the Hilo Landfill, however, the contractor will be responsible to provide all necessary labor, equipment, materials and supplies to properly landfill his waste.

Memo to Planning Director  
July 22, 1992  
Page 2

7. Portions of the property are in Flood Zones AE and VE. All construction within these areas must comply with Chapter 27 of the Hawaii County Code. The plot plan should delineate the limits of the tsunami inundation zones.
8. Our informal guidelines for traffic studies specify that a TIAR be performed when 50 or more units are proposed. It is felt that this 21 unit complex will not, in and of itself, significantly increase traffic on Alii Dr.
9. In order to improve pedestrian and bicyclist safety, the applicants shall provide a paved shoulder extending to the right-of-way line along their entire frontage. Pavement transitions and relocation of existing utilities may be required.
10. The driveway must conform to County standards, including standard details R-37 and R-38. The driveway access plans should be submitted at a scale of 1"=20'.
11. The project should tie into the County wastewater system sewer line.

TWP: sls

cc: Engineering - Hilo  
Engineering - Kona  
Planning - Kona

**ICMG**

International Consulting & Marketing Group, Inc.  
Grosvenor Center, Mauka Tower  
737 Bishop Street, Suite 1655  
Honolulu, Hawaii 96813

Telephone: (808) 536-4669 Facsimile: (808) 536-4280

August 13, 1992

Norman K. Hayashi  
Director, Planning Department  
County of Hawaii  
25 Aupuni St., Room 109  
Hilo, HI 96720

TMK; 7-5-18:20, SMA 92-4 & SSV 92-2

Dear Mr. Hayashi:

This letter is in response to your August 10 correspondence concerning the comments of Robert K. Yanabu, Division Chief-Engineering, Department of Public Works on the above applications. The following are our responses, in the same order, to each comment:

1. The final design will provide the means to confirm that building codes are conformed to. The preliminary design has incorporated code requirements wherever they impact the general design.
2. The need to contain development generated runoff is noted and will be included in the construction contract.
3. There are no plans to consider a drywell at this time because of the low elevation of the property.
4. A drainage system approved by DPW is planned and will be included in the final design, as noted on page 5 of the SMA application.
5. The need to comply with Chapter 10 regarding grading activities is noted and will be included in the final design and construction contract.
6. The landfill situation is noted and will be reviewed at construction time in order to confirm the availability of the new West Hawaii Landfill.
7. The plot, or site, plan shown on Drawing 1a indicates the tsunami inundation zone as "VE", just to the left of the property line above the southwest corner. As discussed on pages 5 and 8 in the SMA Application, the building was moved back to this line and the requirements of Chapter 27 were incorporated in the design.

# ICMG

---

N.K. Hayashi  
August 13, 1992  
Page 2

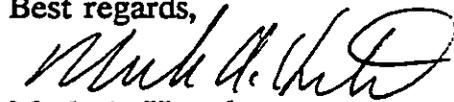
8. A TIAR was performed and submitted as part of the SMA Application and supports the DPW comment of no significant impact on traffic on Alii Drive.
9. See below.
10. The final design will conform to details R-37 and R-38 and be drawn at a scale of 1"=20'.
11. As noted on page 5 of the SMA Application, the Wastewater Division indicated on April 20, 1989 that the property could either install a lift station and main or wait for the new sewer system. At this time, the project plans to take the former option, unless the new County system becomes available.

**Item 9** - There are a number of issues that this comment raises from our standpoint and we would like to bring them to your attention at this time:

- a. The existing shoulder is quite wide and is striped to identify it as a bikeway on both sides of Alii Drive.
- b. As the Site Plan, Drawing 1a, and the Height Calculation Plan, Drawing 9, show the property line is 7' to the seaward side of the retaining wall. The enclosed Site Elevation illustrates how difficult the requirement in Comment 9 would be for us, and the County, to meet. On Page 4 of the SMA Application, we have proposed to fill to the existing wall and landscape, creating a 27' setback. This was the recommendation of the Kailua Village Design Commission at our informational presentation. We will be more than happy to discuss the alternatives to dealing with this strip of County right-of-way between the County retaining wall and the property line.
- c. We would also like to confirm the title status of a portion of that strip, as illustrated on the attached Tax Map. It appears that Parcels 9 & 82 are not yet under the title of the County and may fall within that strip between the wall and our property line. We would greatly appreciate an update on this situation.

Please feel free to call me regarding any of these issues and thank you for your attention to them. I look forward to your reply.

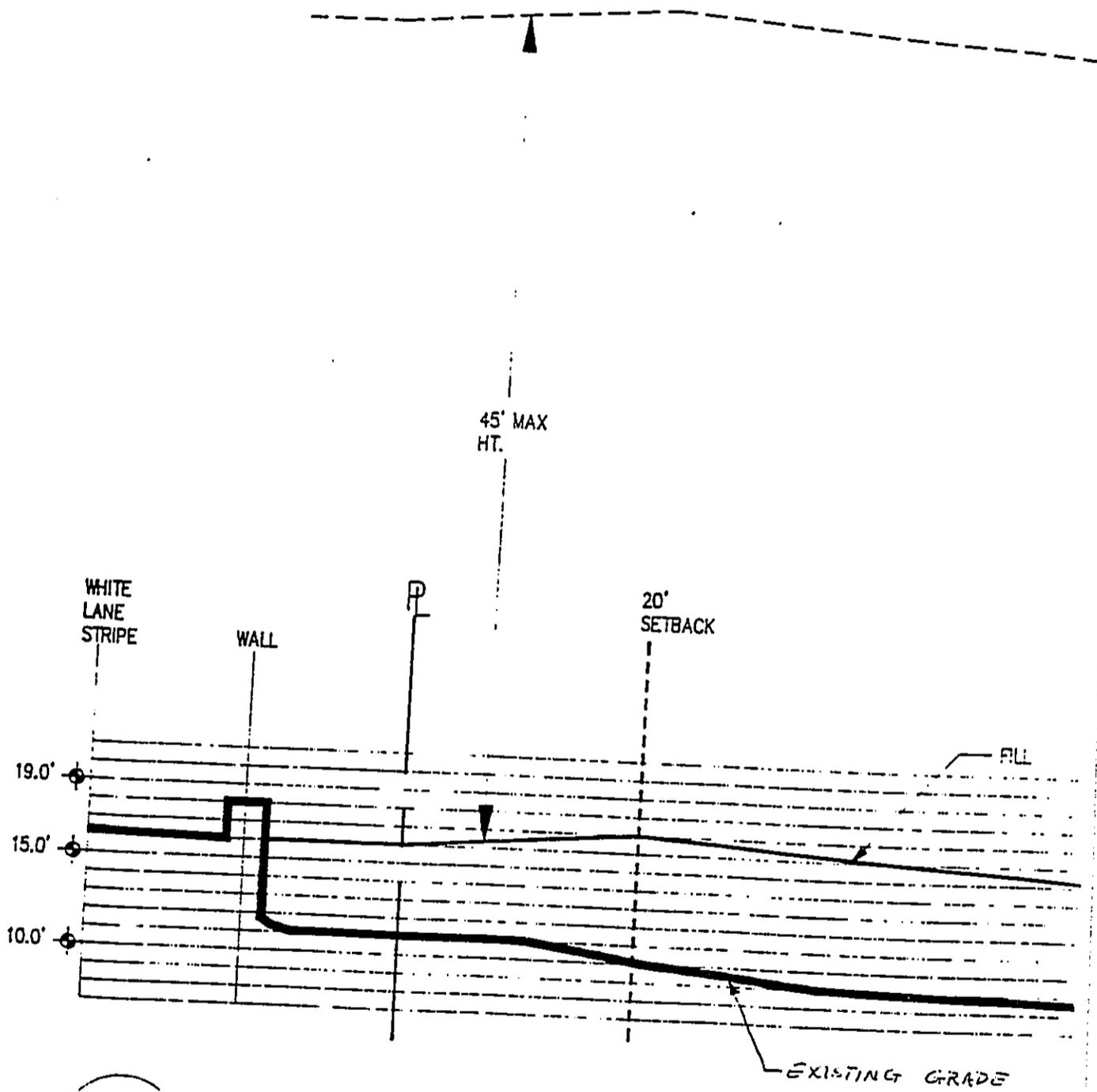
Best regards,



Mark A. Hertel  
Managing Director

bc: CLIFF-TTB

NANCY - CAI



2
A-1
**SITE ELEVATION**  
 1/8" = 1'-0"



LIC 2  
H-W/R



August 19, 1992 / AUG 24 11 11 26

PLANNING DEPARTMENT  
COUNTY OF HAWAII

Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Attention: Mr. Norman K. Hayashi, Planning Director

Gentlemen:

- Subject: 1) SMA 92-07/Conversion of Tire Retail/Warehouse Facility  
S&F Land Co., Inc.  
TMK: 2-2-53:5  
2) SMA R91-21/74-Unit Condominium & Related Improvements ✓  
CRL Development, Inc.  
TMK: 2-6-2:1 & 2

Thank you for the opportunity to review the subject applications. We do not have any comments on these applications.

Very truly yours,

Clyde H. Nagata, Manager  
Engineering Department

CHN:HKK:ts

JOHN WAIHIEE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
STATE HISTORIC PRESERVATION DIVISION  
33 SOUTH KING STREET, 8TH FLOOR  
HONOLULU, HAWAII 96813  
COUNTY OF HAWAII

WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCE

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JOHN P. KEPPELER, II  
DONA L. HANAIKE

AQUACULTURE DEVELOPMENT  
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AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT

CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
DIVISION

LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

August 5, 1992

LOG NO: 5841  
DOC NO: 0266x

Mr. Norman Hayashi, Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Hayashi:

**SUBJECT: SMA Use Permit Application (SMA 92-4) and Shoreline Setback  
Variance Application (SSV 92-2)--  
International Consulting & Marketing Group, Inc.  
Waiaha, North Kona, Island of Hawaii  
TMK: 7-5-18:020**

Our records show that the subject parcel has been thoroughly disturbed by the construction of existing buildings and the "Old Kailua-Keauhou Beach Road" and that any significant historic sites in the parcel are likely to have been destroyed. Hence, the subject applications will have "no effect" on historic sites.

If your office should have any further questions, please contact Kanalei Shun at 587-0007.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hibbard".

DON HIBBARD, Administrator  
State Historic Preservation Division

KS:amk

c: OCEA (File No. 93-006)

JOHN WAIHEE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
P.O. BOX 621  
HONOLULU, HAWAII 96809

REF:OCEA:SKK

WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

JOHN P. KEPPELER, II  
DONA L. HANAIXE

AQUACULTURE DEVELOPMENT  
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ENVIRONMENTAL AFFAIRS  
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ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION PROGRAM  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

APR 13 1992

FILE NO.: 93-006

DOC. ID.: 1217

The Honorable Norman Hayashi, Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Hayashi:

SUBJECT: Special Management Area Use Application (SMA 92-4) and  
Shoreline Setback Variance Application (SSV 92-2) for a 21-Unit  
Residential Condominium and Driveway, Fill of Pool, Decks and  
Roof Overhang Within 20-foot Setback, Kailua-Kona, Hawaii  
TMK: 7-5-18: 20

Thank you for giving our Department the opportunity to comment on this  
matter. We have reviewed the submitted applications and have the  
following comments.

**Brief Discussion:**

The applicant proposes to construct a 4-level 21-unit condominium and  
clean, trim and landscape the property which adjoins the Kaona Reef  
condominium, makai of Alii drive in Kailua-Kona, Hawaii. The SSV is  
requested to allow the overhang of the sloping roof into the setback  
area. The seaward property line is defined by a low rock wall along the  
beach.

**Division of Aquatic Resources Comments:**

No significant additional impacts that would adversely affect aquatic  
resource values are expected since the area of the proposed condominium  
has been modified and altered by previous nearby developments.

JOHN WAIHEE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
STATE HISTORIC PRESERVATION DIVISION  
33 SOUTH KING STREET, 5TH FLOOR  
HONOLULU, HAWAII 96813

WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

KEITH W. AHUE  
MANABU TAGOMORI  
DANT. KOCHI

AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
PROGRAM  
LAND MANAGEMENT  
STATE PARKS  
WATER RESOURCE MANAGEMENT

November 12, 1991

Mr. Marc Hertel  
ICMG  
737 Bishop Street, Suite 1655  
Honolulu, Hawaii 96813

Dear Mr. Hertel

SUBJECT: Request for Archaeological Survey Report  
Waiaha, North Kona, Hawaii  
TMK 7-5-18: 20 & 87

We enclose the 1-page report you requested (Soehren 1981. Letter Report 12/8/1981 Archaeological Reconnaissance Survey.). We are sorry for the delay but this report had been archived and had to be obtained from another library system.

It appears that the two subject parcels have been thoroughly disturbed by the construction of the existing buildings and the "Old Kailua-Keauhou Beach Road" and we agree with Mr. Soehren that any significant historic sites are likely to have been destroyed. Thus, his findings would still be acceptable. If any permits would be submitted to our office for review, we would conclude that proposed projects would have "no effect" on significant historic sites.

Please contact Kanalei Shun at 587-0047 if you need further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hibbard".

DON HIBBARD, Administrator  
State Historic Preservation Division

Attachment (report)

1981

## HILLO 'AINA

RRI BOX 581 • CAPTAIN COOK, HAWAII 96704 • (808) 328-2569

8 December 1981

Mr. Stephen F. Parker  
Earl Thacker, Maui, Inc.  
33 Lono Avenue, Suite 240  
Kaanulani, HI 96732

Sir:

In response to your telephoned request of 4 December 1981, I have searched for archaeological and historic features on the parcels identified by Tax Map Keys 7-5-18:20 and 87, situated at Waiala 1st, North Kona, Hawaii.

At the Mahele of 1848 the land of Waiala 1 was awarded to the American Board of Commissioners for Foreign Missions, probably to provide rental income for the support of the mission schools. Much of the soil in this area was formed in volcanic ash, putting it in the most productive and desirable class. Although identified by the Soil Conservation Service as "Waiala extremely stony silt loam" underlain by pahoehoe, beach sand covers most of the two parcels examined.

Parcel 87 ranges in width from about 18 feet at the south end to about 110 feet at the north, which is now occupied by a small single family dwelling. The seaward side of the lot is bounded by a concrete rock masonry wall with white sand on both sides while the inland side is at the base of a new retaining wall built by the County along Alii Drive. About half the length of the lot is useable only as beach frontage.

Parcel 20 is about 100 feet wide by 200 feet on the north and 110 feet on the south adjoining parcel 87. The seaward half of the lot is fairly level and sandy, while the inland side slopes up to Alii Drive and reveals the underlying pahoehoe. A single family dwelling occupies the inland half of the lot and an above ground swimming pool is near the center.

The tax map indicates the "Old Kailua-Meanuhou Beach Road" formerly traversed the two lots to merge with the present Alii Drive at about the middle of parcel 87. The two dwellings appear to have been built over this old road alignment. Thus, any prehistoric features which might have been present on either lot have been covered or destroyed by the old road or the existing buildings. It is highly unlikely that any features would have been found seaward of the old beach road because of the threat posed by high surf. No further archaeological investigation is warranted on either lot.

If I can be of further assistance, please call. My invoice is enclosed.

Very truly yours,

*Lloyd J. Soehren*  
Lloyd J. Soehren  
Consulting Archaeologist

enc.

The site which you are interested in lies in the ahupua'a of Waiaha 1. The land of Waiaha runs from the ocean inland to the Waiaha Forest Reserve high on the slopes of Hualalai. According to Pukui, Place Names of Hawaii, Waiaha literally means gathering water. Indeed, the Waiaha Forest Reserve does serve as a great source of water for Kona.

Queen Emma's name is often associated with the land of Waiaha. On March 15, 1954 an article appeared in the Hilo Tribune Herald, "Kamehameha in Kona." This article was written by Theodore Kelsey and Henry E. Kekahuna:

Waiaha - a pretty cove and white sand beach, the almost unknown birthplace of Queen Emma, January 2, 1836. Cove of Waiaha - north point, Kalaeloa, south point, Ka'ili-punahale, all Queen Emma's land. Date palms planted by Doctor Rooke [Queen Emma's adoptive father]. South of Kalaeloa stood the fishing shrine of Pi'opi'o. To the north of the spot stood Maka-kua-li, i Heiau for the replenishment of food and fish (hooulu 'ai and hooulu i'a) of which a few stones remain (1950). About the middle of the cove was the rainmaking heiau of Ma'o - site of which was cut through by present road. A trifle inland from Kalili kii point was the now covered spring of Wai-a-kekea, on the upland side of which are a few stones of a house foundation on the place where Queen Emma was born.

During the autumn of 1861 Queen Emma and her husband Kamehameha IV and their young son, the Prince of Hawai'i, together with a small staff spent several months in Kona. The king, an asthmatic, was concerned about his health. His chief interest at that moment was his cotton and coffee plantation at Waiaha, on the mountainside above Kailua. (Korn 1976, News From Molokai).

In a letter Emma wrote to her cousin Peter Kaeo, who was a leper at Kalaupapa on Molokai, she recalls time spent at Waiaha and particularly a beautiful pool called Halia. Halia was the name for a magic pool at Waiaha, North Kona...believed to be inhabited by a water spirit, probably a lizard god, who could fulfill wishes. The word hali'a, meaning a sudden thought or remembrance of someone loved, appears to be related to the pools restorative powers. (Korn 1976, News From Molokai)

An article on heiaus appeared in Thrum's Annual for 1908:

Mao Heiau in Waiaha 1 - a small heiau, now in a tumbled down condition, the road - which has cut into it - runs along its mauka side. The inner division shows a series of holes in its platform, said to have been where rain was cooked.

Reineke, a teacher at Konawaena High School in the late 1920s, walked through much of Kona noting archaeological sites along the shore. He also mentioned the heiau along with three other sites lying within Waiaha 1: (see enclosed map for site numbers)

Site 65. A very small, earth covered platform on the shore, on which is a heap of large water worn pebbles. They may possibly be offerings for luck in fishing, and this a sacred spot.

Site 66. A boulder-and-coral site of some sort; an indistinct site; a modern house site with a choked-up well near; one, perhaps three, old house sites.

Site 67. An old site, probably a house platform; the same just north of the lot. The lot is filled with loose rock, which may have been part of platforms, destroyed by livestock.

Site 68. Heiau Mao, Waiaha 1. Since Stokes' visit in 1906, the large stones have been removed for building of the American Factors store foundation, and so the pits to which he refers are gone. There are left only a depression with small, smooth stones littered about the bottom, and the traces of a platform on the north.

At the aftermath of the Great Mahele three small kuleana were awarded in Waiaha 1. The majority of the ahupua'a was awarded to the American Board of Commissioners to Foreign Missions.

The three individuals receiving land near the shore were Kalama, Lumaawe and Kalae. Kalama claimed that he received his kuleana LCAw 7241B from Kamehameha I. His claim lay close to the boundary of Waiaha 2.

Lumaawe's claim LCAw 6699 was near the center of the ahupua'a just south and inland from Kailipunahele point.

Kalae's kuleana LCAw7481 was near the boundary between Waiaha 1 and Pua'a 3. Kalae also received land in the upland for a garden plot.

JOHN WAIHEE  
GOVERNOR



BRIAN J. J. CHOY  
Director

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

220 SOUTH KING STREET  
FOURTH FLOOR  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 588-4185  
August 20, 1992

1992 AUG 24 10:11 AM  
PLANNING DEPARTMENT  
COUNTY OF HAWAII

Mr. Norman K. Hayashi  
Planning Director  
County of Hawaii  
Planning Department  
25 Aupuni Street, Room 109  
Hilo, Hawaii 96720

SUBJECT: Draft Environmental Assessment (Negative Declaration Anticipated)  
Applicant: International Consulting & Marketing Group, Inc.  
Request: 21-Unit Residential Condominium & Related Improvements  
Tax Map Key: 7-5-18:20; Kailua-Kona, Hawaii

Dear Mr. Hayashi,

Thank you for the opportunity to review the above Draft EA.

We have the following comments.

- 1) Include in the Final EA a listing of findings and reasons to support your agency's determination.
- 2) Consult with any appropriate community groups regarding this project.
- 3) Disclose information on when the project will commence and approximately how long it will take to complete.

If you have any questions, please contact Karen Mau at 586-4185. Thank you for your attention to this matter.

Sincerely,

*Brian J. J. Choy*  
Brian J. J. Choy  
Director

BC:km

cc: Mr. Mark A. Hertel

September 1, 1992

1992 SEP 3 PM 1 26

Norman K. Hayashi  
Director, Planning Department  
County of Hawaii  
25 Aupuni St., Room 109  
Hilo, HI 96720

PLANNING DEPARTMENT  
COUNTY OF HAWAII

**SUBJECT:** TMK: 7-5-18:20  
August 20, 1992 letter from Brian Choy, OEQC, re Draft EA

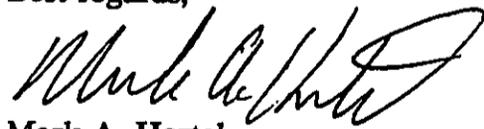
Dear Mr. Hayashi:

This letter is intended to assist the Planning Department in responding to the comments contained in the above letter from OEQC. Please consider the following items:

- 1) **Findings and Support** - I believe that much of the EA is covered in the SMA Petition, particularly Sections 2 and 3, if you wish to refer to it.
- 2) **Community Groups** - The project has been presented twice before the Kailua Village Design Commission at public hearings and has received general approval and support. Attached for your information are letters from DLNR-Historic Preservation Division and the Kona Historical Society regarding the archaeological and historical findings on the site.
- 3) **Project Timetable** - I can only comment on the time the project will require after the SMA Permit is granted, which will not commence until Rule 8 is approved so that the SSV Application can be approved simultaneously. At this time, the final design, review and building permit process is envisioned to take almost 1 year and construction to require a bit less than 1 year. Should Rule 8 be adopted this month and the applications be reviewed and approved by the end of 1992, ground breaking would occur early in 1994.

Thank you for your time and consideration.

Best regards,



Mark A. Hertel  
Managing Director

cc: Mr. Brian J.J. Choy, OEQC

DEPARTMENT OF PARKS & RECREATION  
COUNTY OF HAWAII

Date August 28, 1992

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TO: PLANNING DEPARTMENT

FROM: DEPARTMENT OF PARKS & RECREATION

CLERK OF COURT  
COUNTY OF HAWAII

RE:  CHANGE OF ZONE APPLICATION  
 SPECIAL PERMIT APPLICATION  
 SMA USE PERMIT - 21 unit condominium  
 SLU BOUNDARY AMENDMENT  
 SHORELINE SETBACK VARIANCE

FOR: International Consulting TMK 7-5-18:20

We have no adverse comments to offer on the subject application.

The following comments are offered for your consideration:

1. The proposed public shoreline access should be assured in perpetuity thru a recorded easement;
2. The setback variance should be denied unless site constraints restrict reasonable use of the land; and
3. A monetary exaction based on the 21 units should be required.

ICMG

*A Member - The Takemura Group*  
International Consulting & Marketing Group, Inc.  
Grosvenor Center, Mauka Tower  
737 Bishop Street, Suite 1653  
Honolulu, Hawaii 96813  
Telephone: (808) 536-4669 Facsimile: (808) 536-4280

October 5, 1992

Norman K. Hayashi  
Director, Planning Department  
County of Hawaii  
25 Aupuni St., Room 109  
Hilo, HI 96720

**SUBJECT:** TMK: 7-5-18:20 - SMA 92-4 & SSV 92-2  
August 28, 1992 Comments from COH Department of Parks & Recreation

Dear Mr. Hayashi:

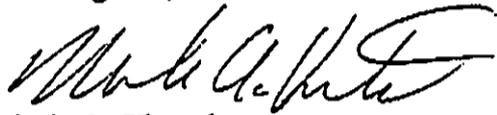
This letter is intended to assist the Planning Department in responding to the comments contained in the above letter from DPR. Please consider the following items:

- 1) **Shoreline Access** - This subject and a similar request for a deeded easement were the subject of discussion at the KVDC review. The requirement is viewed by us as reasonable and the only details that need to be addressed are the location and a clear understanding and statement of the potential liabilities. The complexities of a person using a County right-of-way to cross private property to a State beach on Federal waters is of concern to us.
- 2) **Setback Variance** - This comment seemed quite strong to us, however discussions with Susan Gagorick of your office have lead to an understanding that DPR wishes to see that the design complies with shoreline setback rules. As these are still being reviewed, it is difficult for us to respond, other then to note that we have incorporated the existing rules in the design and feel that it has little or no impact on the natural processes, both in the setback and the site in general. Great care has been taken to orient the foundation and structural members parallel to the prevailing wave direction with a minimum of hard surfaces on grade.
- 3) **Monetary Exaction** - Ms. Gagorick also provided us with Chapter 8 of the County Code, relating to the Dedication of Land. While we understand and agree with the intent of these regulations, our interpretation of them would result in dedicating over one-third of the property or paying up to half the original land purchase price, either of which seems extreme for a project of this size. The southern portion of the property is proposed to be left open and, in many ways, would function as a public area fronting the beach. We are prepared to discuss various means of addressing the dedication requirements in order to meet the intent of the County Code and the development, plus ensure that the impact on the environment is minimized.

It is our understanding that this is the last department review for the environmental review prior to the final report to OEQC for a negative declaration. The process has been helpful to us in identifying areas of concern to the various departments and we look forward to discussing those points with them and the Planning Department as we move ahead on the applications upon the approval of Rule 8.

Thank you for your time and consideration.

Best regards,



Mark A. Hertel  
Managing Director

cc: S. Gagorick (via fax: 961-9615)