

December 19, 1977

Mr. Robert E. Duggan  
841 Bishop Street  
Honolulu, Hawaii 96813

Dear Mr. Duggan:

Pursuant to Section 15 of the Interim Coastal Zone Management Rules and Regulations of the County of Maui, the Maui Planning Commission at its regular meeting of December 14, 1977, conducted a public hearing relative to your request for a SMA permit to construct a 4-story, 52 unit apartment condominium project at TMK 4-3-06:41, Mahinahina, Maui.

Following a period of deliberation, the Commission unanimously voted to approve the SMA permit subject to conditions defined in the attached memorandum dated December 14, 1977.

Please also note that the staff report dated December 14, is enclosed for your review. Thank you for your cooperation. If additional clarification is required, please contact Mr. Chris Hart of our staff.

Yours very truly,

TOSH ISHIKAWA  
Planning Director

cc Mr. Wayne Uemae  
cc Mr. Martin Luna  
cc LUCA

December 14, 1977

MEMORANDUM

TO: Maui Planning Commission

FROM: Planning Staff

SUBJECT: Mr. Robert Duggan, President, Inland Marine Builders, Ltd., requesting a special management area permit to construct a four story 52-unit apartment condominium project (Mahinahina Beach Resort)

RECOMMENDATION

The Planning Department finds that the policies set forth in Section 7 of the Rules and Regulations have been essentially met, and, therefore, approval of the Special Management Area Permit is recommended in accordance with plans dated December 13, 1977, subject to the following conditions:

1. That construction of the proposed project shall be initiated within twelve (12) months from the date of the granting of the Special Management Area Permit.
2. That appropriate measures shall be taken during construction to mitigate the short-term impact of the project relative to soil erosion from wind and water and increased ambient noise levels.
3. That required grading of the site shall not alter the existing natural drainage pattern and that no adverse affect on adjacent properties shall result.
4. That the two lots of the project site shall be consolidated in accordance with provisions of the Maui County Subdivision Ordinance.
5. That the proposed fifteen (15) compact car parking stalls shall be identified on the site plan in a central location and that each stall shall be further identified by the word "compact" stenciled on the wheel stop.
6. That the floor area of the proposed mezzanine shall not exceed one-third of the floor area of the unit below.
7. That the proposed public beach right of way shall be set aside by easement in favor of the County of Maui/maintained as part of the Mahinahina Beach Resort Condominium and publicly identified by the standard Maui County Beach ROW sign mounted on a 4 in. by 4 in. redwood post.
8. That said beach right of way shall be paved and aesthetically improved through the addition of irrigation and landscape planting and that stairs shall be incorporated at the existing sea/retaining wall for public access to the beach.
9. That the proposed single story beach cabana shall be relocated outside of the visual corridor.
10. That additional coconut palms shall be planted along the mauka building elevation to soften its verticle impact.
11. That a road widening setback shall be established for the portion of the site fronting Honoapiilani Highway in accordance with requirements for roads within the apartment zoning district and that any additional improvements including but not limited to relocation of existing utilitites and provision of a pedestrian walk shall be provided.

12. That the proposed buildings shall be sited and structurally designed to withstand flood conditions in response to the proposed location within an area subject to potential tsunami inundation and 100 year flood conditions. Also, that all future occupants of the project shall be formally notified of this condition.

13. That full compliance with the rules and regulations of the Department of Water Supply shall be rendered including payment of all established fees.

14. That Civil Engineering drawings shall be submitted for review and approval by the Department of Water Supply for all required water improvements within the ROW of Honoapiilani Highway including but not limited to the tap for the sprinkler system, fire hose connections and the tap for the water meter.

15. That a site grading and erosion control plan shall be prepared in accordance with requirements of the Maui County grading ordinance.

16. That full compliance with the attached standard comments of the Urban Design Review Board relative to color scheme and architectural and landscape architectural details shall be rendered.

17. That the Special Management Area Permit shall be nontransferable and valid for a period of ten (10) years from the date of its granting, and that said permit may be extended "for good cause" where no changes have been made or will be made in the original plans as specified.

18. That the applicant, its successors and assigns, shall save and hold the County of Maui harmless from and against any loss, liability, claim or demand arising out of this permit.

19. That full compliance with all Federal, State and County requirements shall be rendered.