

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA USE)
PERMIT)
by)
HUALALAI DEVELOPMENT CORP./)
ISLAND COPRA AND TRADING)
CO., LTD.)
for)
ADDITIONAL HOTEL UNITS AND)
SUPPORT USES)
in)
KAUPULEHU, NORTH KONA, HAWAII)

SMA USE PERMIT NO. 18

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on October 14, 1976, considered the application of Hualalai Development Corp./Island Copra and Trading Co., Ltd. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow 29 additional hotel units and support uses, specifically utility lines and services including electrical, water, sewage and gas lines; a sewage treatment facility; a nursery area; an expanded electrical generator production facility; an expanded or new warehouse/storage facility; an outside visitor reception/entertainment building to include change rooms, showers, lockers and a meeting facility with lanai and rest areas; patio/garden lanai areas with recreational facilities, i.e., swimming pool, shuffleboard, ping-pong, konane, chess and checkers; satellite linen, housekeeping, maintenance and garden storage buildings; relocation of the existing master housekeeping and storage building; and roadways and paths to new units and ornamental landscaping of areas; to be located within the existing Kona Village Resort complex at Kahawai Bay, Kaupulehu, North Kona, Hawaii, TMK: 7-2-03:2(por.)

The Commission has found:

That based upon a careful review of the petitioners' proposed plans, it is determined that the development is consistent with the stated goals, policies, and standards of the General Plan. The proposed development also will not be inconsistent with the spirit and intent of Act 176 of the 1975 State Legislature and Rule 9 of the County

Planning Commission's Rules and Regulations relating to Environmental Shoreline Protection. The intent of Act 176 is to implement the State policy of preserving, protecting, and restoring where possible the natural resources of Hawaii's coastal zone, as well as to provide special interim controls on developments along the shoreline. The Legislature has deemed that such controls are necessary to avoid the permanent loss of valuable resources and the foreclosure of management options, and to insure that adequate public access is provided to public-owned or used beaches, recreation areas, and natural reserves.

The area under consideration is designated as a Retreat Resort by the General Plan. A retreat resort is generally an area which provides the user with rest, quiet, and isolation for an environmental experience. The maximum visitor units are 100 rooms, and the maximum resort zoning acreage is fifteen (15) acres. The retreat resort complex shall be provided with active and passive recreation area commensurate with the scale of the development.

The intent of the petitioners is to add an additional twenty-nine (29) visitor units to the existing seventy-one (71) units. With the construction of the additional units, the complex will have a total of 100 visitor units. This total will fall within the maximum density units as spelled out in the General Plan. Furthermore, to complement the maximum acreage requirement under the General Plan, only fifteen (15) acres will be rezoned to a resort zoning designation. The additional twenty-nine (29) units, as well as ten (10) of the existing units, will be situated within the resort zoned district. It should be pointed out, however, that because of the location of the remaining existing units, these units could not be accommodated within the area requested for a resort zoning designation. Because of the unique characteristic of the Kona Village Resort complex of providing ample open space and low rise development, the development is spread out within sixty-two (62) acres of land. The petitioners have committed to retain significant areas into permanent open space. Thus, although in actuality, more than fifteen (15) acres are utilized for resort-type uses, the overall density limit for a retreat resort will not be exceeded. As such, it is determined that the requests would not violate the spirit and intent of the Retreat Resort concept.

The subject requests are also consistent with the Economic element of the General Plan in that the proposed development will provide additional and expanded employment opportunities for residents of the region, will strengthen the existing visitor industry, and will provide residents with opportunities to improve their quality of life. It should also be noted that the petitioners have undertaken an intensive study

of the social and physical impact of the proposed development, as required by the General Plan. It has been determined that the study has adequately addressed potential impacts, based on existing and available data. As such, the granting of the subject requests would also complement the goal of the Land Use and Resort elements of the General Plan which state to designate and allocate land uses in appropriate proportions and in keeping with the social, cultural and physical environments of the County.

The General Plan does identify the Kona Village Resort area as a site of natural beauty. To preserve the natural beauty of the area, the petitioners intend to clear only those areas where the structures will be situated. They further intend to enhance the area by providing appropriate landscaping within the complex. This is the basic reason for the provision of a nursery within the area. In doing so, the petitioners will also complement the goal of the Natural Beauty element of the General Plan which states that the integrity of areas endowed with natural beauty shall be protected and enhanced.

The petitioners have also committed to preserve historical and archaeological sites and objects of significance. Efforts will be made to carefully clear the area, identify the archaeological sites and artifacts, and determine the significance. In doing so, the petitioners would be fulfilling the Historic Sites goal of the General Plan which states that sites, buildings, and objects of historical and cultural importance to Hawaii shall be protected and enhanced.

The area will also be provided with all essential services and facilities. Water is provided from two (2) private wells located approximately three (3) miles mauka of the resort complex. The Kona Village Resort has installed an electro-dialysis machine to upgrade the quality of its water supply. The water treatment plant was installed to further purify the domestic water supply. This treatment plant will separate the irrigation water from the domestic system, and the treated water will be available to all the units and supportive facilities. The petitioners have also made the necessary provisions for waste treatment, disposition, and management so as to minimize potential adverse effects on the area's natural resources. They do realize that in order to maintain the aesthetic quality of the area and for the benefit of public health, sewage facilities should be upgraded to a centralized collection, treatment, and disposal system. As an initial step, sewage facilities will be provided to serve twenty-eight (28) or the proposed twenty-nine (29) new units, plus an additional nineteen (19) existing units. Because of the remoteness of the twenty-ninth unit, the proposal is to serve it with a cavitette for the present time. Eventually, all of the units and supportive buildings and uses will be hooked on to the central sewage system.

Although the question of public access to the shoreline has not been addressed in the petitions, access will be required as a condition of approval. In regard to the shoreline, there will be minimal alterations. Alterations will basically consist of landscaping. In addition, the closest structure to be constructed will be set back over 100 feet from the shoreline. The size of the beach area also will not be reduced by the proposed development. Instead, areas to which the public had not previously had access will be made available.

Furthermore, the proposed structures will be one-story or low-rise and will be designed to blend in with the physical environment of the area. It is also determined that the proposed structures will not interfere with the view planes.

The petitioners have adequately justified the need for the additional twenty-nine (29) visitor units and supportive uses. As such, it is determined that the subject requests are warranted. It is further determined that the enforcement of other existing rules, regulations and standards will further ensure that adverse effects are minimized and that mitigating measures are undertaken.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow 29 additional hotel units and support uses, specifically utility lines and services including electrical, water, sewage and gas lines; a sewage treatment facility; a nursery area; an expanded electrical generator production facility; an expanded or new warehouse/storage facility; an outside visitor reception/entertainment building to include change rooms, showers, lockers and a meeting facility with lanai and rest areas; patio/garden lanai areas with recreational facilities, i.e., swimming pool, shuffleboard, ping-pong, konane, chess and checkers; satellite linen, housekeeping, maintenance and garden storage buildings; relocation of the existing master housekeeping and storage building; and roadways and paths to new units and ornamental landscaping of areas; to be located within the existing Kona Village Resort complex pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

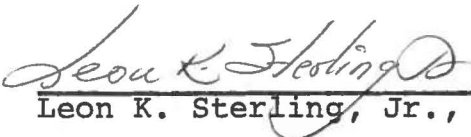
1. That an easement for public access to the shoreline be provided meeting the approval of the Planning Director.
2. That the construction of the proposed visitor units and supportive uses shall be contingent upon receipt of official approval of the change of zone request. Development of the visitor units shall also be contingent upon the approval of a Planned Development Permit.

3. That the petitioners shall submit a landscaping plan which includes the use of native and indigenous plants to the Planning Director for review and approval within one (1) year from the date of approval of the Special Management Area (SMA) Use Permit.
4. That the petitioners shall comply with all other applicable rules and regulations, including the conditions of approval as spelled out for the change of zone request.

Should any of the foregoing conditions not be met, the SMA Use Permit shall be deemed null and void.

The effective date of this permit shall be October 14, 1976.

Dated at Hilo, Hawaii, this 28th day of October, 1976.



Leon K. Sterling, Jr., Chairman

