

March 15, 1978

Mr. Nobuo Kitsuda, Vice President
Mauna Loa Land, Inc.
1710 Pacific Trade Center
190 S. King Street
Honolulu, HI 96813

Dear Mr. Kitsuda:

✓ Amendment to SMA Use Permit No. 2
Change of Zone, PUD Permit,
Partial PUD Permits, and
Amendment to PDP No. 2
Applications
Waikoloa, *Anaeho'omalu and Kalahuipua'a,
South Kohala, Hawaii
Tax Map Key 6-8-1:22, 6-9-1:3 and 5

The Planning Commission at its duly held public hearing on Thursday, March 9, 1978 reviewed and acted on the following requests for the above described properties:

- a) Amendment to Special Management Area Use Permit No. 2 to allow the development of a 771-acre resort project which includes 3,000 hotel rooms, approximately 3,182 multiple residential units, a golf course and clubhouse, recreational facilities, commercial facilities, a service area, sewage treatment plant, infrastructures such as roads, utilities, an irrigation well, and other related improvements necessary for the development of the resort complex.
- b) Change of zone in accordance with Chapter 8 (Zoning Code), Article 1, Section 6 of the Hawaii County Code, as amended, for the adjustment of various existing zoning boundaries.
- c) Planned Unit Development (PUD) Permit to allow the construction of a 350-room hotel with 6 stories and a height of 67 feet on 27.7 acres of land on hotel Parcel 1. Also requested is the allowance of a minimum of 10 parking and loading spaces for trucks and buses.

Mr. Nobuo Kitsuda,
Page 2
March 15, 1978

- d) Partial Planned Unit Development (PUD) Permits to allow the future construction of hotels on five (5) sites (Parcels 2a, 2b, 3, 4 and 5) with heights of 6 stories and up to 75 feet in lieu of the maximum allowable heights of three (3) stories and 45 feet.

The Commission voted to recommend the Change of Zone and Special Management Area Use Permit requests be approved subject to the following conditions:

1. That the overall development shall conform substantially to the plans submitted and the representations made by the petitioner. Said plans shall be on file at the Planning Department and shall consist of "File Exhibit 2" which is the accepted Environmental Impact Statement and "File Exhibit 3" which is the revised development plan.
2. That the total number of hotel units shall not exceed 3,000 rooms. Development of the resort zoned districts shall occur in three increments, each of which shall not exceed 1,000 hotel rooms. The effective date of zoning for the second and third increments shall be after development has occurred in the previous increment. Development is defined as building permits issued for an operational hotel and twenty-five (25) percent completion of the number of hotel units allowed in the previous increment.
3. That development of the Multiple Family Residential (RM) zoned districts shall occur in ten (10) increments. Each of the first nine (9) increments shall not exceed 300 units. The effective date of zoning for subsequent increments shall be after development has occurred in the previous increment. Development is defined as building permits issued for the multiple family residential units and construction partially completed in the sense of having roofs on a minimum of fifteen (15) percent of the units in the previous increment.
4. That the petitioner shall submit a plan for the development of a resort commercial shopping area within the Village Commercial (CV) zoned district prior to the effective date of zone for the second resort and/or third multiple family residential zoning increments, whichever is sooner; provided, however, that the Planning Director, upon consultation with the Director of Research

Mr. Nobuo Kitsuda
Page 3
March 15, 1978

and Development and upon the petitioner's submittal of a market feasibility study which demonstrates a low commercial demand for the CV zoned area even after the effective date of zoning for the second resort and/or third multiple family residential zoning increment, may extend the commence construction date.

5. That the petitioner shall submit a subdivision plan and secure tentative subdivision approval for the first hotel site, the golf course club house site, the historic preserves, public park, service area and the first multiple family residential site within one year from the effective date of approval of the change of zone request. The petitioner shall also be responsible for securing final subdivision approval.
6. That the method of sewage disposal shall conform to the rules and regulations of the State Department of Health.
7. That prior to the development of each increment, water shall be made available in compliance with the rules, regulations and requirements of the Department of Water Supply.
8. That a minimum of 53 acres of land shall be set aside for park and recreational purposes for the petitioner's total proposed development encompassing 3,200 acres. The actual amount of these recreational lands to be incorporated within the 771.5-acre area covered by this rezoning action shall be determined as the development progresses. A minimum of 3.2 acres of this area shall be developed concurrently with the first Multiple Family Residential increment. The general location of this park shall be in the area designated on File Exhibit 3; however, the exact location shall be determined at the time of subdivision approval of the first increment. Minimum improvements of the 3.2-acre area shall include but not be limited to grading and grassing which meet the approval of the Parks and Recreation Director. This park area shall remain in private ownership and maintenance until such time that the petitioner decides to dedicate the area to and it is accepted by the County. There shall also be adequate assurance, as determined by the Corporation Counsel, for the maintenance of the private park by recorded covenant running with the land.

Mr. Nobuo Kitsuda

Page 4

March 15, 1978

9. That the petitioner shall set aside three (3) historic sites preserved, totalling approximately 23.6 acres, as designated in File Exhibit 3 and subject to the approval of the Planning Director. The petitioner shall submit plans for the historic preserves to the Planning Director for review and approval prior to undertaking any research, restoration, reconstruction, or development within the historic preserves. Such plans shall include a proposed management and interpretation program and the means of providing public access to the historic preserves. Further, any alteration and/or salvage of archaeological sites recommended to be salvaged in Bishop Museum Manuscript Number 081275 on file in the Planning Department shall first be approved by the Planning Director.

The petitioner shall also submit to the Planning Department plans for interim control and protection measures for sites which are not to be immediately salvaged, researched, or developed within one (1) year of the effective date of approval of the change of zone.
10. That the King's, or Mamalahoa, Trail shall be open for public access. Any breaching of this trail shall first be approved by the Planning Director. The number of breaches in the Trail shall be limited to three (3). Such breachings shall be in the general area as shown on File Exhibit 3.
11. That prior to undertaking any actions or programs other than maintenance for the Kalāhuipua'a fishponds a program shall be submitted to the Planning Director for review. The petitioner shall also provide public access to the fishponds meeting with the approval of the Planning Director.
12. The petitioner shall provide a minimum of three (3) public accesses to the shoreline. Public parking areas at the mauka end of each access shall be provided. Such public access shall be provided in perpetuity and by recorded covenant running with the land. The petitioner shall submit plans for the general locations of such public accesses and parking areas to the Planning Director for review and approval within one (1) year from the effective date of approval of the change of zone.
13. That access shall be off of the Queen Ka'ahumanu Highway. The access road shall consist of a 120-foot right-of-way

with a 24-foot wide pavement up to Intersection "Z" as designated on File Exhibit 3 on file with the Planning Department. The petitioner shall also provide a channelized intersection, meeting the approval of the State Department of Transportation, Land Transportation Facilities Division, and the Chief Engineer, County Department of Public Works, at the Queen Ka'ahumanu Highway. The channelized intersection shall be constructed concurrently with the first resort increment.

14. That construction of the golf course shall commence within one (1) year from the effective date of approval of the change of zone request and shall be completed within three years from the commencement of construction. The plans for the golf course shall be submitted to the Planning Department for review and approval. The golf course clubhouse facility shall be completed and be in operation with the opening of the golf course.
15. That any golf cart and/or golf course maintenance vehicle crossing of public thoroughfares shall be in compliance with Article 5, Chapter 6 (Traffic Code), of the Hawaii County Code, as amended.
16. That the petitioner shall provide a minimum of twenty-eight (28) units for the purpose of resort employee housing for the first 350 hotel rooms prior to the issuance of the occupancy permit for the first operational hotel. The manner in which these units are to be provided shall meet the approval of the Planning Director. Resort employee housing requirements for subsequent hotel development shall be based upon additional housing need studies prepared by the petitioner and shall be determined at the time of full Planned Unit Development (PUD) approval.
17. That the petitioner shall provide temporary quarters for the construction workers on the proposed 2.7+ acre Multiple Family Residential parcel adjacent to the Limited Industrial zoned district. Such housing may be converted to resort employee housing at a later date, subject to the approval of the Planning Director.
18. That the petitioner shall submit an annual progress report to the Planning Director within thirty (30) days of the anniversary of the effective date of the change of zone request. The annual report shall include but not be limited to a listing of the work completed and

Mr. Nobuo Kitsuda
Page 6
March 15, 1973

in progress, the manner in which the stipulated conditions of approval of the change of zone request are being met, the amount of direct employment generated, any programs initiated which relate directly to the overall development, and any additional information which would supplement and/or alter the conclusions arrived at in the environmental impact statement identified as File Exhibit 2.

19. That the petitioners reserve a minimum area of ten (10) usable acres for a future school site. The location of the school site shall meet with the approval of the Department of Education and the Planning Director.
20. That the petitioner shall submit an overall landscaping plan which includes the use of native and indigenous plants for the first resort increment to the Planning Director for review and approval within one year from the effective date of approval of the change of zone request.
21. That all major utility lines within the development area shall be installed underground. Temporary overhead lines may be permitted subject to the approval of the Planning Director.
22. That all other applicable rules and regulations, including the Plan Approval process, and conditions of approval of other permits shall be complied with.

The Commission recommended that the Planned Unit Development Permit be approved subject to the following conditions:

1. That the proposed hotel development on Site 1 shall conform substantially to the representations made by the petitioner and the plans submitted with the application.
2. That the proposed hotel structure shall be limited to a maximum height of 67 feet above grade but not to exceed 80 feet above mean sea level.
3. That a minimum of ten loading spaces for trucks and buses shall be provided.
4. That the petitioner shall submit a detailed landscaping plan prior to receipt of final plan approval.
5. That grading of the subject site shall not nullify the topographic conditions upon which the additional height calculations are based.

Mr. Nobuo Kitsuda
Page 7
March 15, 1978

6. That plans for the hotel shall be submitted for Plan Approval within two (2) years of the effective date of the Planned Unit Development Permit.
7. That construction of the hotel shall commence within one (1) year from receipt of final Plan Approval and shall be completed within two (2) years thereafter.
8. That the effective date of approval of the Planned Unit Development Permit shall be contingent upon the approval of the change of zone request.

The Commission also recommended that the Partial Planned Unit Development requests be approved subject to the following conditions:

1. That the proposed structures shall not exceed six (6) stories and the following maximum heights:
 - a. 71 feet above grade but not to exceed 75 feet above mean sea level on Site 4;
 - b. 71 feet above grade but not to exceed 80 feet above mean sea level on Site 3;
 - c. 75 feet above grade but not to exceed 100 feet above mean sea level on sites 2a and 2b;
 - d. 68.5 feet above grade but not to exceed 115 feet above mean sea level on Site 5.
2. Construction shall not commence on any of the lots until full Planned Unit Development Permits have been granted.
3. That major hotel structures on Hotel Site 2a shall be set back a minimum of 75 feet from the fishponds.
4. That the effective date of approval of the Partial Planned Unit Development Permits shall be contingent upon approval of the change of zone request.
5. That all other applicable rules and regulations including the Plan Approval process shall be complied with.

The Commission noted that should any of the conditions not be met, rezoning of the area to its original zoning designation may be initiated; and the SMA Use Permit, PUD and Partial PUD Permits may be deemed null and void by the Planning Commission.

Mr. Nobuo Kitsuda
Page 8
March 15, 1978

Also at its duly held public hearing on Thursday, March 9, 1978, the Planning Commission reviewed your request to amend Planned Development Permit (PDP) No. 2 to allow the ultimate construction of 3,000 hotel units and approximately 3,182 condominium apartment units in the land divisions of Waikoloa, 'Anaeho'omalu and Kalāhuipua'a, South Kohala, Hawaii.

In accordance with the provisions of Chapter 3 (Zoning Code), Article 27, Section II, Hawaii County Code, as amended, the Commission shall act on such petition not earlier than fifteen (15) days after the said public hearing.

We shall notify you when the Commission is ready to take action on your request.

Should you have any questions regarding any of the above, please feel free to contact the Planning Department at 961-8238.

Sincerely,



William F. Mielcke
Chairman, Planning Commission

lgv

cc Mr. Larry Helber
Chief Engineer, Public Works
Manager, Water Supply
Building Division, Public Works
Kona Services Office

March 24, 1980

Mr. Nobuo Kitsuda, Vice President
Mauna Loa Land, Inc.
100 Pauahi Street
Room 210
Hilo, Hawaii 96720

Dear Mr. Kitsuda:

Change of Zone Application & Amendments to
Special Management Area Use Permit No. 2,
Planned Development Permit No. 2, &
Planned Unit Development Permit No. 15
Tax Map Key 6-9-01:3 & 5

The Planning Commission at its duly held public hearing on March 12, 1980, reviewed and acted on your applications for a change of zone request, essentially for the reconfiguration of certain existing resort, open, and multiple residential zoned lots and the amendments to Special Management Area (SMA) Use Permit No. 2, Planned Development Permit (PDP) No. 2, and Planned Unit Development (PUD) Permit No. 15 which would reflect the change from a 350 to a 450-unit hotel, realignment of the golf course, relocation of the golf clubhouse facility, and related improvements. The area involved is located makai of the Queen Kaahumanu Highway between Puako and Honokaope Bay, Waikoloa-Kalahaupuaa, South Kohala, Hawaii.

The Commission voted to recommend the approval of your change of zone application to the County Council and approved the above amended applications, subject to the following conditions:

1. That plans for the 450 room hotel be submitted and Final Plan Approval secured within one (1) year from the effective date of approval of the change of zone.

Mr. Nobuo Kitsuda
Page 2

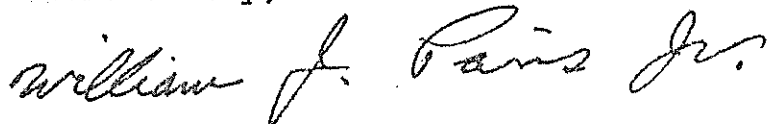
2. That construction of the hotel shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter.
3. That all other applicable conditions as spelled out in Change of Zone Ordinance No. 380, SMA Use Permit No. 2, PUD Permit No. 15, and PDP No. 2 be complied with.

Further, the Planning Commission also voted to recommend to the County Council the amendment of Change of Zone Ordinance No. 380 to read as follows:

- P. the petitioner shall provide a minimum of twenty-eight (28) units for the purpose of resort employee housing for the first hotel prior to the issuance of the occupancy permit for the first operational hotel. The manner in which these units are to be provided shall meet the approval of the Planning Director. Resort employee housing requirements for subsequent hotel development shall be based upon additional housing need studies prepared by the petitioner and shall be determined at the time of full Planned Unit Development (PUD) approval and/or prior to the issuance of preliminary Plan Approval of the second hotel.
- Q. the petitioner shall provide temporary quarters for the construction workers meeting with the approval of the Planning Director. Such housing may be converted to resort employee housing at a later date, subject to the approval of the Planning Director.

Should you have any questions regarding the above, please feel free to contact the Planning Department at 961-8288.

Sincerely,



WILLIAM J. PARIS, JR.
Chairman, Planning Commission

lgv

cc Mr. Larry Helber
Chief Engineer, Public Works
Building Division, Public Works
Manager, Water Supply
Kona Services Office

bcc Masa, et al

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA USE PERMIT)
by)
MAUNA LOA LAND, INC.) SMA Permit No. 2
for)
CERTAIN DEVELOPMENTS)
at)
Waikoloa, Anaehoomalu, Kalahuipua'a,)
South Kohala, Hawaii)
_____)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on March 4, 1976, considered the application of MAUNA LOA LAND, INC. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow certain developments within the land divisions of Waikoloa, Anaehoomalu, and Kalahuipua'a, South Kohala, Hawaii, TMK: 6-8-01: portion of 22 and 6-9-01:3 and portion of 5.

The Commission has found that:

1. Adequate access to the shoreline, including beach areas, and to recreation areas will be provided. The petitioner has also committed to retain significant areas in permanent open space. Such areas include a shoreline corridor which varies in depth from 40 to 300 feet, significant clusters of archaeological features, trails and the Kalahuipua'a fishponds. In addition to retaining these areas in permanent open space, the petitioner intends to establish management programs for the historic preserves and the fishponds.
2. The petitioner has made the necessary provisions for waste treatment, disposition, and management so as to minimize potential adverse effects on the area's natural resources. Sewage treatment facilities will be provided by the petitioner. In addition, the petitioner has undertaken extensive studies to determine baseline characteristics of the fishponds and nearshore waters. These studies will be instrumental in assessing the impact of the proposed development.
3. There will be minimal alteration of the shoreline area. Alteration will basically consist of landscaping. Alterations which may occur to the fishponds would be for the purpose of restoring them to an ecologically sound state.

4. The size of beach or other areas usable for public recreational purposes will not be reduced by the proposed development. Instead, areas to which the public has not previously had access will be made available.
5. Proposed structures will be low-rise and will be designed to blend with the physical environment. It is not expected that the proposed structures will substantially interfere with view planes. In addition, the closest structure to the shoreline will be set back approximately 200 feet. The enforcement of other existing rules, regulations and standards will further ensure that adverse effects are minimized and that mitigating measures are undertaken.

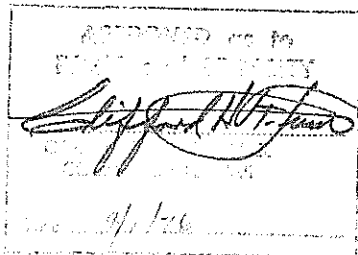
Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a 350-unit hotel, 50 condominium units, 18-hole golf course and clubhouse facility, necessary access roads, service/utility functions, essential utilities and an irrigation well within the land divisions of Waikoloa, Anaehoomalu and Kalahuipua'a, South Kohala, Hawaii, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions that:

1. That development of the hotel, condominium, golf course clubhouse, construction employees quarters and the service/maintenance area shall be contingent upon approval of the change of zone request. Development of the hotel and condominium shall also be contingent upon the approval of a Planned Development Permit.
2. That the petitioner shall submit a map showing the location of the irrigation well and the utility easements to the Planning Director for review within one (1) year from the effective date of the Special Management Area Use Permit.
3. That the petitioner shall submit a landscaping plan which includes the use of native and indigenous plants for Increment I-A to the Planning Director for review and approval within one (1) year from the date of approval of the Special Management Area Use Permit.
4. That the petitioner shall comply with all other applicable rules and regulations, including the conditions of approval of the change of zone request and all necessary permits.

Should the foregoing conditions not be met, the Special Management Area Use Permit shall be deemed null and void.

The effective date of this permit shall be from March 4, 1976

Dated at Hilo, Hawaii, this 11th day of March, 1976.

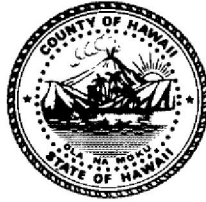


Leon K. Sterling, Jr.
 Leon K. Sterling, Jr., Chairman

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

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



County of Hawai'i

PLANNING DEPARTMENT

Zendo Kern
Director

Jeffrey W. Darrow
Deputy Director

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

October 31, 2023

Matthew Long
c/o Jacobs Engineering Group Inc.
1003 Bishop Street, Suite 1340
Honolulu, HI 96813
VIA EMAIL: matthew.long@jacobs.com

Dear Mr. Long:

SUBJECT: Subject: Mauna Lani Resort Sewage Pump Station PL-INT-2023-006261
Applicant(s): Matthew Long
Landowner(s): DHL Mahi OPCO LLC
Project: Upgrades and Maintenance to Existing Sewage Pump Station
Tax Map Key: (3) 6-8-022:056
Location: Waimea, Waikoloa, South Kohala District, Hawai'i

This is to acknowledge receipt of your October 10, 2023, letter, along with exhibits and pictures, requesting an administrative review and written determination to confirm that the proposed improvements to the existing wastewater treatment at the Mauna Lani Resort is covered under SMA No. 2.

Special Management Area (SMA) Use Permit No. 2 was originally granted by the Planning Commission on March 4, 1976, to allow the construction of a hotel, 50 condominium units, 18-hole golf course and club house facility, access road, service/utility functions, essential utilities, and an irrigation well. SMA Use Permit No. 2 was amended on March 15, 1978, to allow the development of a 771-acre resort project, which included 3,000 hotel rooms, approximately 3,182 multiple residential units, a golf course and clubhouse, recreational facilities, commercial facilities, a service area, sewage treatment plant and related infrastructure improvements.

The 28.5350-acre subject parcel is zoned Open (O) by the County and designated Urban by the State Land Use Commission (LUC). The subject parcel is designated as Resort Node (ren) and Open (ope) by the Hawai‘i County General Plan Land Use Pattern Allocation Guide (LUPAG) map. The parcel is within the Special Management Area (SMA), however, it is not located within the “shoreline area” as defined by Section 205A-41, Hawai‘i Revised Statutes (HRS).

At this time, the applicant will be conducting maintenance and repairs to its Sewage Pump Station 1a that will include:

- Remove and replace the existing pumps with rail-mounted Flygt submersible non-clog pumps. The Flygt pump control and monitoring will be integrated into existing supervisory control and data acquisition (SCADA) system.
- Modifications to the existing electrical equipment to accommodate the new pumps.
- Addition of a monorail to the pump room floor for removal of pump equipment.
- New discharge piping, flow meter, and bypass connection with isolation valves.
- Remove and replace the existing generator and associated equipment, including installation of a new fuel tank and station, new generator exhaust piping with sound attenuation, sound attenuation in the generator room, and integration of generator controls, alarms, and run status with existing SCADA system.
- For the wet well, repairs will be made to the T- Lock liner and existing concrete surfaces as necessary.
- Remove and replace the existing pump station roof and skylights.
- Additional lighting on the exterior of the pump station.
- Upgrade the existing restroom and provide exterior entrance.
- Remove and replace sanitary and potable water piping for the restroom and pump station.
- Isolate the pump room from the electrical and generator rooms and infill existing interior door openings with grouted masonry units to comply with National Fire Protection Association (NFPA) 820, Standard for Fire Protection in Wastewater Treatment and Collection Facilities.
- Remove and replace all exterior doors and concrete pads at exterior door thresholds to electrical and generator rooms.
- Hazardous materials, including lead-based paint and asbestos, will be identified, and mitigated as required to accommodate the pump station upgrades.

Matthew Long
c/o Jacobs
October 31, 2023
Page 3

In summary, the proposed project involves structural, mechanical, electrical, plumbing and safety improvements at the Sewage Pump Station 1a to prevent potential equipment failures and ensures the continuous flow of wastewater to the nearby wastewater treatment center.

Based on the above, it is our determination that the proposed facility improvements are consistent with SMA 2. Therefore, the Planning Department has determined that the proposed improvements and activities are consistent with the approval of SMA Use Permit No. 2 and its subsequent amendments. It is the landowner's responsibility to adhere to all conditions set forth by SMA 2 and amendments, Change of Zone Ordinance No. 76-203 and amendments, and Land Use Commission Docket No. A68-175. The project will not require further review against the SMA rules and regulations.

If you have questions regarding this document, please feel free to contact the Planning Department at (808) 961-8288 or via email at Planning@hawaiicounty.gov.

Sincerely,

Jeffrey W. Darrow

October 31, 2023, 11:54 AM

for ZENDO KERN
Planning Director

TC/mads/lms

\\coh01\planning\public\wpwin60\czm\letters\2023\pl-int-2023-006261_maunalanisewagepumpstation.docx

cc via email: GIS Section