

CERTIFIED MAIL

July 17, 1986

Mr. Thomas H. Yamamoto  
Mauna Lani Resort, Inc.  
P. O. Box 4959  
Kawaihae, HI 96743-4959

Dear Mr. Yamamoto:

Special Management Area (SMA) Use Permit  
and Special Permit Applications  
Kohala Coast Resort Association  
Tax Map Key: 6-8-01:portion of 52

The Planning Commission at its duly held public hearing on July 10, 1986, voted to approve your applications, Special Management Area Use Permit No. 240 and Special Permit No. 619, to allow the construction of a fire and emergency service facility and related improvements on approximately 1 acre of land situated within the State Land Use Agricultural District at Lalamilo, South Kohala, Hawaii.

Approval of these requests are based on the following:

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION

The approval of a County fire and emergency station facility and related improvements will not be violative of the objectives and policies stated in Chapter 205-A, HRS, nor with the intent of Rule No. 9 of the Planning Commission relating to Special Management Area.

The purpose of Chapter 205-A, HRS and Rule No. 9 is to preserve, protect and where possible, to restore the natural resources of the coastal zone areas. As a result, special controls on development may be necessary to avoid irretrievable loss of the valuable resources and the foreclosure of management options. No known rare or endangered species of plant or animal have been identified in this vicinity. Also, the project is located over 1 3/4 miles from the shoreline and should have minimal impacts to the coastal ecosystem. The combination of on-site drywells, landscaping, and county sewage disposal will effectively inhibit erosion, water runoff and potential pollutants into the offshore waters of this area.

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While no specific archaeological survey of the area has been conducted, other surveys in the vicinity, such as the Queen Ka'ahumanu Highway study corridor, indicate that there are no significant archaeological features or sites that will be affected by the development. However, if any unanticipated sites or remains should be unearthed, work shall cease and the Planning Department notified immediately. Subsequent work shall proceed upon an archaeological clearance from the Planning Department when it finds that sufficient mitigative measures have been taken.

The proposed construction of a fire and emergency station facility for the South Kohala region is not anticipated to have a significant environmental impact on the resources of the area. Perhaps the most significant change will be to the existing panoramic visual corridors. The proposed use will alter the presently vacant land by allowing a public service structure and increased activity in this area. However, any interference will be minimized by the low profile of the one-story building, architectural design and proper siting. Also, the use of appropriate landscaping at the driveway entrance and around the facility (as much as practicable) should be imposed as a condition of any permit. Moreover, the slope and topographical contours of the terrain will also help alleviate the visual and structural impact of the low-profile buildings.

Open space resources will be retained by heavy perimeter landscaping around the facility to blend in with the surrounding vacant lands to the north, south and west.

Public accesses along the shoreline will not be affected because of the project's considerable distance from the coastal waters. Nor will the development interfere with any publicly-owned or used recreational areas.

No adverse impacts on the air and water quality are expected to be generated by the proposed fire station facility. Air emissions generated during the construction phases can be mitigated through the application of existing construction practice regulations.

The fire station development with related amenities is consistent with the Zoning Code and the General Plan, both of which permit such uses. The proposed development will provide a rapidly growing resort coast with necessary emergency support services. At the same time, construction and long-term employment possibilities are created by the development.

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Based on the above, it has been determined that the proposed development will not have any substantial adverse impacts on the surrounding area nor will its approval be inconsistent with the General Plan and Zoning Code or contrary to the objectives and policies of Chapter 205A, HRS, relating to Coastal Zone Management and Rule No. 9 of the Planning Commission relating to Special Management Area.

#### SPECIAL PERMIT APPLICATION

The proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The agricultural district not only includes lands with a high capacity or potential for agricultural uses, but also agricultural lands which are surrounded by or contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The soils in the subject area are designated as "E" or "Very Poor" by the Land Study Bureau. The State Department of Agriculture's, Agricultural Lands of Importance to the State of Hawaii (ALISH) map does not classify the soils in this area. As such, the soils in this area are rated low for agricultural activities. Although it may be possible that some agricultural activities may be conducted on the subject property, it is determined that approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations given the low agricultural potential for the subject area and the above-cited criterion for determining the Agricultural district. Additionally, the minor 1 acre size reduction of this agricultural inventory from this area will not significantly affect or be detrimental to the agricultural industry in this district or to the County of Hawaii.

The proposed use will not adversely affect the surrounding properties and their improvements. The surrounding lands are vacant and the nearest facilities are the Mauna Lani Sewer Treatment Plant (S.T.P.) and the Mauna Lani Field Nursery situated approximately 800 feet to the west. The proposed Fire and Emergency Station will be a one-story building, approximately 5,300 square feet in size with adequate setbacks and perimeter landscaping. The subject property is of sufficient size, 1.0 acre, to enable adequate setbacks and buffers to be established. These concerns can be addressed through conditions of approval and the "Plan Approval" process

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established in the Zoning Code. Therefore, the size, bulk, architecture, function and placement of the proposed structure and the impacts resulting therefrom are not anticipated to be adversely affecting the surrounding lands or properties nor significantly affect the character of the area.

The proposed use will not unreasonably burden public agencies to provide roads and other similar infrastructure or services. The current roadway conditions are adequate given the 24-foot wide pavement of the Queen Kaahumanu Highway. Additionally, speed-change acceleration and deceleration lanes will be constructed for this development which will meet with the requirements of the State Department of Transportation-Highways Division. All other essential services and utilities are or will be made available to the subject development.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. The major resort areas of Mauna Kea Beach, Mauna Lani and Waikoloa have grown which has created a need for closer support facilities than what presently exists. The existing fire and police support facilities are located at Waimea (24 hours), Kapaau (8 hours), and Kawaihae (8 hours). The Kailua-Kona station also provides support in addition to the volunteer companies located at Kona Village, Waikoloa Village and Puako. Additionally, the proposed development is being funded through the issuance of \$1.1 million of general obligation bonds approved by the County of Hawaii. The Kohala Coast Resort Association will be making payments of the County of Hawaii equal to the payments due on the g.o. bonds pursuant to a debt service agreement with the County. As such, the proposed fire/emergency facility at this location will fulfill a present need for this area. It should also be noted that all cooperating agencies and surrounding property owners had no objections to this application.

Based on the foregoing findings, it is determined that the proposed fire/emergency station and related uses is an unusual and reasonable use of land within the State Land Use Agricultural District. As such, it is further determined that approval of the subject request would promote the effectiveness and objectives of Chapter 205, HRS, as amended.

Approval of the SMA Use Permit and Special Permit requests are subject to the following conditions:

1. The petitioner, its successors, or assigns, shall be responsible for complying with all conditions of approval.

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2. A metes and bounds description in written and map form of the 1 acre area for the fire/emergency station shall be submitted within one year from the effective date of approval of the SMA and Special Permit.
3. The plans for the fire/emergency station and parking area, including a detailed landscaping plan, shall be submitted to the Planning Department for "Plan Approval" within one year from the effective date of this SMA and Special Permit.
4. Construction of the fire/emergency station, parking area and related improvements shall commence within one year from the effective date of final Plan Approval and be completed within two years thereafter.
5. The proposed intersection and access shall comply with the requirements of the Department of Transportation, Highways Division.
6. The proposed development will also comply with the requirements of the Department of Water Supply.
7. All other applicable rules, regulations, and requirements including those of the State Department of Health shall be complied with.
8. The Planning Director may administratively grant extensions to the foregoing conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the SMA Use Permit and Special Permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Barbara A. Koi  
Chairperson, Planning Commission

cc: State Land Use Commission  
DPED, CZM Program w/background  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section