



Planning Commission

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye
Mayor

January 2, 1991

Ms. Charmaine Kamaka, Director
Department of Parks & Recreation
25 Aupuni Street, Room 210
Hilo, HI 96720

Dear Mr. Yoshida:

Special Management Area Use Permit Application
Tax Map Key 6-6-02:35 and Portion 41

The Planning Commission at its duly held public hearing on December 20, 1990, voted to approve the above application, Special Management Area Use Permit No. 306, for the expansion of the Kailua Park, including the construction of a gymnasium, multi-purpose fields, tennis courts, swimming pool, and related improvements and activities at the Kailua Park, Old Kona Airport, Lanihau, North Kona, Hawaii.

Approval of this request is based on the following:

The purpose of Chapter 205-A, Hawaii Revised Statutes (HRS), and Rule No. 9, Special Management Area (SMA) Rules and Regulations of the County of Hawaii, is to preserve, protect, and, where possible, to restore the natural resources of the coastal zone areas. Therefore, special controls on development within the area along the shoreline are necessary to avoid permanent loss of valuable resources and the foreclosure of management options.

One of the criteria for approving a development within the SMA is that it is consistent with the General Plan and zoning designation. The proposed development conforms to the General Plan Land Use Pattern Allocation Guide (LUPAG) Map and the Kona Regional Plan, which designate the area as Open. The Kailua Park has been approved as a conditionally permitted use at this location in the Limited Industrial zoned district. A goal of

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the Public Facilities Element of the General Plan is to "Encourage the provision of public facilities that effectively service community needs and seek ways of improving public service through better and more functional facilities which are in keeping with the environmental and aesthetic concerns of the community." The park expansion is consistent with the following goals, policies, and standards of the Recreation Element of the General Plan:

- * Provide a wide variety of recreational opportunities for the residents and visitors of the County.
- * Provide a diversity of environments for active and passive pursuits.
- * The County of Hawaii shall improve existing public facilities for optimum usage.
- * Facilities for compatible multiple uses shall be provided.

The Kailua Park expansion will create a district park for West Hawaii in accordance with the Course of Action for North Kona which states "Implement the development of the Kailua Park (Old Kona Airport) as a major regional or district park."

Another criteria in reviewing an SMA Use Permit application is that "The development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and elimination of planning options." The proposed improvements are not anticipated to have any substantial adverse environmental or ecological effects. The project site is located within an area not known to contain any unique ecological systems nor provide habitat for any endangered plant or animal species. No adverse impacts on water quality are expected to be generated by the proposed development. Any potential runoff or discharge as a result of the project can be handled by on-site improvements as may be required by the Department of Public Works and the Department of Health.

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Night lighting of the gymnasium/swimming pool, tennis courts, and existing softball fields may negatively impact surrounding properties. The proposed multi-purpose field will not be lighted and will be used only during daytime hours. Potential impacts may be mitigated by the provision of additional landscaping and compliance with existing lighting regulations.

A study carried out by Darby and Associates identified potential noise impacts and recommended mitigation measures. The report noted that noise from the multi-purpose field and parking area may negatively impact existing and future neighboring residents. The applicant intends to restrict the use of the multi-purpose field to daytime hours in order to avoid noise impact to surrounding properties. To further mitigate noise impacts at the multi-purpose field, the report recommends that bleachers be situated on the north side of the field only. In regard to the parking area, the report recommends construction of a 6-foot high sound barrier wall along the eastern boundary, construction of speed bumps along vehicular access roads, and closing the park at 10:00 pm. These measures will be taken into consideration in the Planning Department's Plan Approval review in order to reduce noise impacts to an acceptable level.

The traffic impact analysis report submitted by the applicant concluded that the increased level of traffic generated by the project would not result in a reduced level of service (LOS) at affected intersections. Although traffic at the Kuakini Highway-Palani Road intersection is projected to operate at LOS E during peak afternoon hours, this does not represent a significant change from base levels. The future construction of Henry Street to the east of Palani Road should relieve traffic at the Kuakini Highway-Palani Road intersection. Neither the County Department of Public Works nor the State Department of Transportation recommended construction of roadway improvements. It is acknowledged that traffic congestion exists in the area and that the park expansion will result in additional traffic. It is determined, however, that the potential for an increase in traffic is outweighed by a compelling public need for the proposed recreational facility in the Kona district.

Activities associated with the proposed development are not anticipated to have any significant adverse impacts on coastal

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ecosystems or public access along the shoreline. The proposed facilities will be located a minimum of 160 feet from the shoreline and separated from the shoreline by a residential development. Existing public shoreline access will not be affected by the park expansion.

Archaeological study of the undeveloped portion of the park site located several features which were determined to be significant solely for their information content. The survey recovered sufficient information from the sites, making them "no longer significant". Thus, the proposed development will have no effect on historic resources.

The proposed park expansion will not negatively affect scenic and open space resources. The project site is approximately .5 mile makai of the Queen Kaahumanu Highway. Lands mauka of the park site are zoned for Limited Industrial and General Commercial use. In addition to the existing community center structure, a gymnasium, swimming pool stadium, and restrooms are proposed for the site. The height of the gymnasium as shown on proposed plans is 38 feet. The remainder of the +34-acre site will remain in open space uses. Thus, scenic and open space reserves will be minimally affected by the proposed improvements.

The park site is not in an area subject to coastal hazards such as storm wave tsunami, flood erosion, or subsidence hazard.

Based on the above, it is determined that the proposed development will not have substantial adverse impacts on the surrounding area, nor will its approval be 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.

Approval of this request is subject to the following conditions:

1. The applicant, its successors, or assigns shall be responsible for complying with all stated conditions of approval.
2. Final Plan Approval for Phase I development shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with

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Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. Plans shall identify the proposed gymnasium, landscaping, parking stalls, and related improvements. Landscaping shall be provided to buffer the surrounding properties from night lighting associated with the park use.

3. Construction of Phase I shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
4. Final Plan Approval for Phase II development shall be secured from the Planning Department within two years from completion of Phase I improvements. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.
5. Construction of Phase II improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
6. Final Plan Approval for Phase III development shall be secured from the Planning Department within two years from completion of Phase II improvements. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.
7. Construction of Phase III improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
8. In the design and review of any improvements, due consideration shall be given to the minimization of noise and adverse visual impact through appropriate siting, height, bulk, color schemes, lighting, signage, and landscaping. Noise mitigation measures which have been recommended in a Noise Impact Analysis prepared by Darby & Associates, or as otherwise approved by the Planning Director, shall be implemented in the design and operation of the park. These measures include, but would not be

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limited to, the use of speed bumps on internal park roads, landscaping, restricting hours of public use, installation of sound barriers, and position of bleachers in the multipurpose field.

9. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walks be encountered, work in the immediate area shall cease and the Planning Department shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department when it finds that sufficient mitigative measures have been taken.
10. Comply with all other applicable laws, rules, regulations, and requirements including those of the Department of Public Works and the Department of Health.
11. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.
12. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

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This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

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

Sincerely,



Fred Y. Fujimoto
Chairman, Planning Commission

xc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Planning Office - Kona
OSP, CZM Program w/background
DLNR

bcc: Plan Approval Section