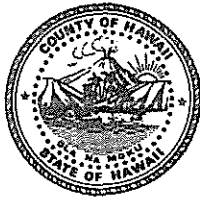


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-9615

CERTIFIED MAIL  
7099 3220 0000 4869 5592

JUN 19 2000

Anne L. Mapes, President  
Belt Collins Hawaii, Ltd.  
680 Ala Moana Boulevard, First Floor  
Honolulu, HI 96813-5406

Dear Ms. Mapes:

Special Management Area Use Permit Application (SMA 00-007)

Applicant: Mauna Kea Properties, Inc.

Request: Allow for Various Additional Hotel and Resort-Related Facilities; Landscaping and Other Ground Improvements; Including ADA Improvements and Infrastructural Improvements

Tax Map Key: 6-2-2:4, 14, 19, 20, 21, 27, 30; 6-2-4:9, 10; 6-2-8:33-39;  
6-2-12:10; 6-2-14:23-30

---

The Planning Commission at its duly held public hearing on June 2, 2000, voted to approve the above-referenced application. Special Management Area (SMA) Use Permit No. 406 is hereby issued to allow various additions, renovations and upgrades to the existing hotel and resort-related facilities; landscaping and other ground improvements; ADA improvements, and infrastructure improvements. The project area is located at the site of the Mauna Kea Beach Resort and Golf Course, Ouli, South Kohala, Hawaii.

Approval of this request is based on the following:

The purpose of Chapter 205A, Hawaii Revised Statutes, and Rule 9, Special Management Area 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 an area along the shoreline are necessary to avoid permanent loss of valuable resources and the foreclosure of management options.

005904

JUN 19 2000

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 project consists of various additions, renovations and upgrades to the existing hotel and resort related facilities, landscaping and other ground improvements, ADA improvements and infrastructure improvements. The applicant's objectives are as follows:

"For the purposes of this application, the various improvements, facility upgrades, and renovations contemplated within the project area are characterized as a single 'project.' However, in actuality they are better described as a wide variety of incidental projects, each intended to contribute to improving the quality of the overall resort property. Following is a summary description of the proposed improvements. "Hotel Improvements: Three renovations are proposed to the existing hotel's facilities. The first is the renovation of the existing Hau Tree Terrace restaurant situated at grade on the makai side of the hotel behind the beach at Kaunaoa Bay. Planned renovations include a complete redesign of the existing kitchen, the building roof, and the adjoining restrooms. The second renovation to the existing hotel consists of constructing an enclosed Health Spa and Fitness Facility on the south side of the hotel. The third renovation is the redevelopment of the roof space over the hotel's main kitchen as a single story special functions room.

"Resort Area Improvements: In addition to incidental landscaping improvements on the grounds surrounding the resort, improvements also include the renovation of the existing restrooms, bar and stage at the existing Luau Grounds, a large grass lawn situated behind Kaunaoa Bay on the south side of the public comfort station. The renovation of the existing restrooms and locker facilities is proposed at the existing Golf Club House, along with renovations of the walkways and parking areas to the Golf Club House. Renovations to the existing comfort stations at the 5th and 15th holes of the golf course and at the tennis court complex are also proposed.

"ADA Improvements: It has been determined that several hundred improvements and renovations need to be made at the hotel and its surrounding grounds to bring the facilities into conformance with the American with Disabilities Act (ADA) of 1992. Twenty separate categories of improvements are proposed:

- add accessible routes (sidewalks)
- add new signage
- reconstruct existing sidewalks
- renovate guest room interiors

- add accessible public telephones
- replace door hardware
- add new ramps
- renovate outdoor beach showers
- add new water fountains
- add accessible van parking stalls
- renovate locker room interiors
- add detectable barriers beneath protruding objects
- lower existing telephone heights
- add handrails to existing ramps
- reconstruct existing ramps
- renovate interiors of saunas
- replace elevator cab
- add visual fire alarms
- renovate restroom interiors
- lower existing counter/table top heights

“The project area includes an extensive infrastructure system, e.g. roads, water, sewer, electrical, telephone and cable television. These systems, for the most part, are private or quasi-publicly owned and maintained. The projects, as currently proposed, mainly involve upgrades, replacement and other improvements to existing systems. In the future, such infrastructure related work may be needed as part of the project or other ongoing resort and residential operations.”

The proposed development is not anticipated to have any substantial adverse environmental or ecological effects. Surveys conducted for biological resources, historic and cultural resources, visual impacts, public access and recreation aspects, socio-economic impacts support this conclusion. The goals and objectives of the SMA with respect to coastal, recreational, scenic, historic and economic resources can be met with an approval with conditions.

Soils on the project site are of the Kawaihae series. The soil type has a very thin surface layer of extremely stony, very fine sandy loam about 2 inches thick. Beneath this layer is stony silt loam and loam at a depth of about 30 inches is hard pahoehoe lava bedrock. Permeability of the upper layer soil is moderate, runoff is medium and erosion hazard is moderate. The agricultural productivity rating is "E" or Very Poor.

Drainageways on the site are fairly well-defined. Regional drainage from inland areas upslope of the project is focused on two natural drainageways: one on each side of the subject property. The northern drainageway is identified as Waiulaula Stream. The southern drainageway is an unnamed gulch which abuts the southern side of Hapuna Prince Beach Resort. In the mid-1990's, the applicant implemented drainage improvements on the lands mauka of Queen Ka'ahumanu Highway in an effort to redirect drainage to the unnamed gulch, thereby diverting the water from crossing under the highway via two existing drainage culverts and entering the project area. Swales and conduits were constructed to intercept runoff from developed areas and

divert them to the gulches. Drywells and sedimentation basins are also employed. Several drainageways pass through the project area. One drainageway passes through the Fairways North and around the north side of the Mauna Kea Beach Hotel. A second drainageway passes through the Fairways South and Villas area and around the south side of the Mauna Kea Beach Hotel. These drainageways were improved in the 1990's.

According to an avi-faunal survey conducted in 1984 by Phil Bruner, no endangered species of birds or mammals were identified on the project site. Birds observed in the High Bluffs area include the following: Zebra Dove, Warbling Silverbill, Gray Francolin and Spotted dove. Near the coastal area the following were observed: Warbling Silverbill, Gray Francolin, and Zebra Dove. The tidal shelves were identified by Bruner as potential foraging sites for Pacific Golden Plover, Wandering Tattler, and Ruddy Turnstone. Observed mammals include the mongoose and feral cat.

A 1984 Earthwatch survey was conducted and no endangered or threatened plant species were observed. Four vegetation cover types were: Open scrub Grassland, Kiawe Woodland, Coastal Strand and Disturbed/Landscaped.

The proposed development is consistent with the objectives and policies as provided by Chapter 205A, HRS, and Special Management Area Guidelines contained in Rule No. 9 of the Planning Commission Rules of Practice and Procedure. The proposed development will incorporate specific measures to prevent any adverse impact to the surrounding environment. The temporary effects of noise, dust and runoff which may be generated during construction activities can be controlled utilizing current construction practices and compliance with applicable construction regulations.

The proposed development will not have significant adverse impacts to the surrounding area. As previously noted, surrounding uses include the existing Mauna Kea Beach Hotel and the Hapuna Prince Hotel to the south. Both hotels are zoned Resort-Hotel (V-1.25). Further to the north and east are the multiple family residential developments of the Villas at Mauna Kea, the High Bluffs, the Fairways South and the Fairways North, all of which are zoned Multiple-Family Residential (RM-20). To the west is the Bluffs at Mauna Kea which is zoned RM-1.5.

Several archaeological studies were conducted of the project site in 1964, 1980, 1982, 1983, 1987, 1991 and 1993. Three (3) sites were identified within the Fairways North residential project, six (6) sites were identified at Kaaha Point to the north of Mauna Kea Beach Hotel and two (2) were identified along the shoreline at the Bluffs at

Mauna Kea. The sites at Fairways North included a small kamala-type shelter and possible garden within a small amphitheater-like basin, several stone wall enclosures and a cairn (a possible grave site). The sites at Kaaha Point included two burial platforms, several kamala type shelters, and several fishermen shelters/campsites. At the Bluffs, the sites included several cairn with grave sites and a fisherman's campsite or house site. As a result of previous permits and approvals, mitigation measures were implemented and a preservation plan for significant sites was approved by the Department of Land and Natural Resources - Historic Preservation Division and the Planning Department.

The nearshore and marine environment at Mauna Kea Resort was surveyed by Steve Dollar of Marine Research Consultants in 1984 and 1987. The shoreline at Mauna Kea Resort is a basaltic coastline, except for the sandy beaches at Kaunaoa and Hapuna Bays. The shallow sea cliffs is a near vertical wall pocked by boring sea urchins. The sea floor along this sea cliff is composed of sand channels, boulder channels and basalt extrusions. The offshore areas are flat sand plains with small patch reefs composed of basaltic and limestone extrusions that provide settling sites for living coral colonies. Farther offshore, the bottom is primarily a flat sand plan, with an interspersed series of elongated reef fingers up to 3 meters high. The 1987 survey estimates that 75% of the bottom is covered with sand, while 25% is solid basalt or limestone. Twelve coral species were encountered near the shoreline cliffs. The fish population was not abundant due to the scarcity of good habitat. No unusual marine species or communities were noted in the study area. No threatened or endangered species were encountered within the study area. The humpback whale, green sea turtle, hawksbill turtle were not observed. None of the proposed projects are within the shoreline setback area or within the nearshore area. Therefore, potential impacts on marine environment would occur indirectly from increased sedimentation from wind or runoff carrying sediments; from changes in groundwater discharge and surface runoff and possible impacts from herbicides and pesticides. The potential impact will be mitigated by the requirements of Department of Public Works regarding grading and erosion control.

The proposed development is consistent with the County General Plan and Zoning Code. The General Plan document and LUPAG Map designates this area as a "Major Resort Area." A "Major Resort Area" is defined as a self-contained resort destination area which provides basic and support facilities for the needs of the entire development. Within this Major Resort are areas designated Medium Density Urban Development which refers to village and neighborhood commercial and residential and related functions (3-story commercial; residential - up to 35 units per acre). Low Density Urban Development refers to single family residential in character, ancillary

community and public uses, and convenience type commercial uses. The coastal area is designated Open.

The area is zoned Resort- Hotel (V-1.25), Single Family Residential (RS-20), Multiple Family Residential (RM-20 and RM-1) and Open.

The proposed development conforms to the following applicable goals, policies, standards and courses of action of the General Plan:

- Maintain and, if feasible, improve the existing environmental quality of the island.
- Protect and conserve the natural resources of the County of Hawaii from undue exploitation, encroachment and damage.
- Protect and promote the prudent use of Hawaii's unique, fragile, and significant environmental and natural resources.
- Ensure that alterations to existing land forms and vegetation, expect crops, and construction of structures cause minimum adverse effect to water resources, and scenic and recreational amenities and minimum danger of floods, landslides, erosion, siltation, or failure in the event of earthquake.

The proposed development conforms to the following goals and policies of the Economic Element:

- Provide residents with opportunities to improve their quality of life.
- Economic development and improvement shall be in balance with the physical and social environments of the island of Hawaii.
- The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors.

The proposed development would also conform to the following goals and policies of the Resort Element:

- Maintain an orderly development of the visitor industry.

- Provide for resort development that maximizes conveniences to its users and optimizes the benefits derived by the residents of the County.
- Ensure that resort developments maintain the social, economic, and physical environments of Hawaii and its people.

The Land Use elements of the General Plan also state that resort uses shall be developed in areas adequately served by essential services and other infrastructure. The area under consideration is or will be provided with all essential utilities and services, including water, wastewater, and roadways. It is felt that the granting of the subject request would complement the policies of the General Plan Land Use and Resort Elements which says the County should "promote and encourage the rehabilitation and utilization of resort areas which are serviced by basic facilities and utilities."

Potential negative impacts on coastal waters during site preparation and construction can be mitigated through compliance with existing ordinances and regulations. Runoff or discharge generated by the proposed development which could reach ocean waters can be handled by on-site drainage improvements meeting with the approval of the Department of Public Works. Wastewater generated by the project will be disposed of within a wastewater treatment system meeting with the approval of the Department of Health.

The project conforms to the Land Use and Open Space requirements of the General Plan.

#### Land Use and Open Space

- Protect scenic vistas and view planes from becoming obstructed.

View planes within the area will not be significantly affected by the proposed improvements. The site is located at the 250 foot elevation. Slopes across the project site average approximately 6 percent. The visual character of the ocean horizon is extremely limited due to the existing rock and lava outcrops. The view analysis indicates that the project area will obstruct some views of the ocean from Queen Ka'ahumanu Highway, however, most of the building and landscape renovations are located away from the highway.

Access to the project site is from Queen Ka'ahumanu Highway, the primary arterial highway connecting Kawaihae and Kailua-Kona. The highway is a two-lane,

two-way State Highway. The pavement width is 24 feet within a 300-foot right-of-way. The existing access to the project area from Queen Ka'ahumanu Highway is via Mauna Kea Beach Drive.

The final public access plan was developed and approved by the Planning Department on June 3, 1983. Shoreline Access Site Improvements and Signage Plan includes mauka-makai and lateral shoreline accesses, parking area(s), signage, restrooms, showers, picnic areas, pedestrian shoreline access, emergency response considerations, restrictions on use (if any), provision of recreational and restroom facilities at appropriate locations, and related improvements.

Based on the above findings, it is determined that the proposed development will not have any 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 the Special Management Area.

Approval of this request is subject to the following conditions. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate to revoke this permit.

1. The applicant, successors, or assigns shall be responsible for complying with all of the stated conditions of approval.
2. Final Plan Approval shall be secured from the Planning Director in accordance with the Zoning Code Section 25-2-71. Plans shall identify existing and proposed structures, landscaping, driveways, and parking stalls associated with the spa construction and other developments.
3. A solid waste management plan shall be prepared meeting with the approval of the Department of Public Works prior to securing Final Plan Approval. The plan shall include, but not be limited to, the management of construction solid waste as well as operating and domestic solid waste generated by the proposed development. Approval recommendations and mitigation measures shall be implemented meeting with the approval of the Department of Public Works.
4. During construction, measures shall be taken to minimize the potential of both fugitive dust and runoff sedimentation. Such measures shall be in compliance with construction industry standards and practices utilized during construction projects of the State of Hawaii.



5. Any new construction or substantial improvements within flood zone areas will be subject to the requirements of Chapter 27 - Flood Control of the Hawaii County Code.
6. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings or walls be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources-Historic Preservation Division (DLNR-HPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD when it finds that sufficient mitigative measures have been taken.
7. The applicant shall comply with all applicable laws, rules, regulations, and requirements of affected agencies.
8. An annual progress report shall be submitted to the Planning Director prior to each anniversary date of the approval of this 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.
9. An initial 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.
  - 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).

Anne L. Mapes, President  
Belt Collins Hawaii, Ltd.  
Page 10

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.

Should you have any questions, please contact Eleanor Mirikitani of the Planning Department Kona Office at 327-3510 or Alice Kawaha of the Planning Department Hilo Office at 961-8288.

Sincerely,



Richard B. Baker, Jr., Chairman  
Planning Commission

Lmkp01PC

cc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
West Hawaii Office  
Office of Planning, CZM Program (w/Background)  
Department of Land and Natural Resources  
Kazu Hayashida, Director/DOT-Highways, Honolulu  
Mr. Norman Hayashi  
Mr. Jeffrey Darrow  
Plan Approval Section  
Mr. William Mielcke