CERTIFIED MAIL

July 31, 1985

Mr. Kazuo Omiya, Vice President
TSA International, Inc.
1150 S. King Street, Suite 901A
Honolulu, HI 96814

Dear Mr. Omiya:

Use Permit Application
TMK: 7-3-09:Portion of 17

The Planning Commission at its duly held public hearing on July 24, 1985, voted to approve your application, Use Permit No. 33, to allow the development of a golf course and related improvements within the Unplanned (U) zoned district at Kaloko and Kohanaiki, North Kona, Hawaii.

Approval of this request is based on the following:

The granting of the golf course and related improvements will not be inconsistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code, and the General Plan.

As stated in its testimony to the State Land Use Commission for the reclassification of this property from the Agricultural to the Urban District, "The Planning Department is supportive of providing such a recreational facility (golf course and related improvements) at its particular location." The Planning Commission concurs with this statement. The granting of the requested use would complement the goals of the General Plan's Recreation element which state to "Provide a wide variety of recreational opportunities for the residents of the County," and to "Provide a diversity of environments for active and passive pursuits." The approval of this request would also complement the Economic policy of the General Plan which states that "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors." The granting of this particular request would

JUL 3 1 1985

further complement a specific course of action for the Kona area which states that "The County should explore the possibility of encouraging . . . other new industries in the area."

The proposed recreational facility would also complement the Kona Regional Plan's Land Use Concept Map which designates the property for open-type uses, including golf courses.

The granting of the proposed use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties.

The property is located adjacent to an existing urban area which is presently being developed by the petitioner as an industrial park. Further, the lands mauka of the property, including the Y-O Limited Partnership's proposed residential development, are designated for urban uses. Not only will the proposed use complement the surrounding land uses, but it would also provide a "buffer" between the residential and industrial activities existing and proposed for this section of the Kona area. A golf course development will not only preserve the "open character" of the area, but may also enhance its present landscape which consists of barren lava and sparse vegetation.

From the public standpoint, the development of the proposed use will provide the residents of the area an opportunity to golf at a "reasonable" rate or fee. As stated by the petitioner, "The objective of the proposed use is to provide a golf course readily accessible to the public, with <u>reasonable</u> green fees, and in proximity to the resident population of Kailua-Kona (Emphasis added)."

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region.

Within the Kona area, there is only one golf course. The Keauhou Golf and Country Club, however, is associated with the Keauhou-Kona resort development. There are four other golf courses within the West Hawaii area which are also basically associated with the visitor industry. The proposed golf course facility, however, will not be developed as part of a resort community. Therefore, the granting of this particular golf course facility will not adversely affect the existing courses within the West Hawaii area.

The granting of the proposed use will not unreasonably burden public agencies to provide the necessary utilities and services. All essential utilities and services, including

water, are or will be made available by the petitioner. Further, as required by the State Land Use Commission in granting the boundary amendment request from the Agricultural to the Urban District, the petitioner will be required to construct a mauka-makai roadway from the Queen Kaahumanu Highway to the property and extending to the mauka lands under the petitioner's ownership. Such a condition is being imposed for the granting of this particular request.

Approval of this Use Permit request is subject to the following conditions:

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

2. Plans for the proposed development shall be submitted to the Planning Department for Plan Approval review within one year from the effective date of the permit.

3. Construction of the golf course shall commence within one year from the date of receipt of Final Plan Approval and be completed within three years thereafter.

4. An intensive archaeological report shall be submitted to the Planning Department and State Department of Land and Natural Resources, Historic Sites Section, at the time of Plan Approval review. The report shall also include an overall archaeological/historic interpretive management plan.

5. Should any unanticipated archaeological sites or features be uncovered during land preparation activities, work within the affected area shall immediately cease and the Planning Department notified. No work within the affected area shall resume until clearance is obtained from the Planning Department.

6. Access to the property from the proposed mauka-makai connector road shall meet with the approval of the Department of Public Works. Further, the mauka-makai connector road shall be constructed to the golf course access road in accordance with the requirements and standards of the Department of Public Works prior to the opening of the golf course.

7. The remainder of the mauka-makai connector road extending to the mauka boundary of lands owned by the petitioner

mauka of the proposed golf course development shall be constructed concurrently with the conditions imposed for the petitioner's Kaloko Industrial Subdivision.

8. A drainage system shall be installed in accordance with the requirements and standards of the Department of Public Works.

9. Until such time that a municipal golf course is constructed in the West Hawaii area (Kona-Kohala region), an annual report of golf activity and average green fees and cart rates shall be submitted to the Planning Department.

10. All other applicable rules, regulations, and requirements, including those of the Department of Water Supply and State Department of Health, shall be complied with.

11. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the permit shall be void.

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

Sincerely,

Barbara Koi

Barbara Koi, Vice Chairman
Planning Commission

cc: Gary Okamoto
DLNR
Department of Public Works
Department of Water Supply
County Real Property Tax Division
County of Hawaii, Kona Office

bcc: Plan Approval Section