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
Z 416 228 833

August 23, 1995

Mr. Glen T. Koyama
Belt Collins Hawaii, Ltd.
680 Ala Moana Boulevard, First Floor
Honolulu, HI 96813-5406

Dear Mr. Koyama:

Special Management Area Use Permit No. 256
Use Permit No. 48
Applicant: First Healthcare Corporation (formerly Hillhaven Corporation)
Request: Amend Scope of Permits to Allow Construction of a 30-Bed Addition to Approved 60-Bed Skilled Nursing and Intermediate Care Facility
Tax Map Key: 7-8-10:91 (formerly Portion of 78)

The Planning Commission at its duly held public hearing on August 9, 1995, voted to approve the above-referenced request. Special Management Area Use Permit No. 256 and Use Permit No. 48 allowed the development of a 60-bed skilled nursing and intermediate care facility and related improvements. The approved amendment request allows construction of a 30-bed addition, additional parking area and landscaping at the existing 60-bed Hillhaven Kona Healthcare Center. The project site is located along Kamehameha III Road, approximately 1,700 feet northeast of the Kamehameha III Road-Ali'i Highway intersection, Kahaluu, North Kona, Hawaii.

Approval of the amendment to SMA Use Permit No. 256 is based on the following findings:

The purpose of Chapter 205-A, 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, and to insure that adequate public access is provided to public-owned or used beaches, recreation areas and natural reserves, by dedication or other means.

The proposed development will not have any significant adverse environmental or ecological effect. The proposed project consists of the development of an additional 30 beds to the existing healthcare facility and related parking expansion and landscaping improvements. Endangered species of flora or fauna or their special habitats were not located or identified within the project site. Only indigenous plants and animals were observed. Wastewater generated by the development will be accommodated within the

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wastewater treatment facilities in the existing Kona Country Club golf course. Air emissions generated during the construction phase can be mitigated by existing construction regulations. Therefore, impacts to the physical environment within the immediate area which may be generated by the proposed development will be minimal.

The proposed project is consistent with the objectives, policies and guidelines of the Special Management Area. These were established to provide guidance for the preservation, protection and development of coastal resources of the State and County. They identify several areas of management concerns including historic, recreational, scenic resources, coastal ecosystems, economic use and coastal hazards. Site 4624 (possible heiau or high status residence) is located directly makai of the existing facility approximately 50 feet from Kamehameha III Road. The proposed expansion site will not impact this preserved feature. The property is located approximately 2,800 feet from the shoreline and mauka of the Ali'i Highway. It does not abut the shoreline. Therefore, the project will not interfere with any recreational resources, with the natural shoreline processes nor impact viewplanes to the coastal area. Further, the construction of the new one-story building addition is not expected to interfere with existing viewplanes due to the moderately steep slope of the land and its topographical features.

Runoff or discharge generated by the proposed development will be handled by on-site drainage improvements meeting with the approval of the Department of Public Works. Potential adverse impacts to coastal waters from soil erosion and runoff during site preparation and construction can be adequately mitigated through compliance with existing construction regulations. The location of the project site far from coastal areas coupled with the provision of on-site drainage improvements and compliance with existing governmental regulations to control runoff, drainage, erosion and wastewater disposal would mitigate any adverse impact to the region's environment or the ecology of the area's coastal waters.

The proposed project within the Special Management Area is consistent with the General Plan and Zoning Code. Approval of the amendment request would conform to the General Plan's Land Use Pattern Allocation Guide (LUPAG) Map which designates the affected area for Medium Density Urban Development uses. The General Plan also recognizes the Keauhou-Kahaluu area as a Major Resort Area, which is a resort area where basic and support facilities are provided to support an entire resort development. SMA Use Permit No. 256 and Use Permit No. 48 were approved in 1987 which allowed the construction of the existing 60-bed Hillhaven Kona Healthcare Center. Approval of this amendment request will not be inconsistent with the general purpose of the General Plan and the Zoning Code.

Based on the above, the proposed development of a building addition to the existing Hillhaven Kona Healthcare Center will not have any substantial adverse impacts to the subject or surrounding area and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management, Rule 9 of the Planning Commission relating to the Special Management Area and the General Plan and Zoning Code of the County of Hawaii.

Approval of the amendment to Use Permit No. 48 is based on the following:

The granting of the proposed addition to the existing healthcare facility will be consistent with the general purpose of the zoned district, the intent and purpose of the

General Plan and the Zoning Code. The establishment of the existing healthcare facility situated in the Multiple-Family Residential zoned district was permitted through the granting of a Use Permit by the Planning Commission in March 1987. The location of the facility has not significantly altered the surrounding residential/commercial environment of the Keauhou area.

The granting of the request will fulfill the land use policy of the General Plan which seeks to promote and encourage the utilization of urban areas which are serviced by basic community facilities and utilities. Existing infrastructures to the project site is adequate to meet the demands of the proposed facility expansion. Roadway improvements, including access and channelization, have been installed in conjunction with the existing facility.

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 existing building and proposed one-story addition will provide a minimum 20-foot setback from Kamehameha III Road, and 120- and 50-foot setbacks from the east and northeast property lines (adjacent to the golf course), respectively. These proposed setbacks are adequate buffers coupled with the stipulation for perimeter landscaping.

The granting of the proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, schools, police and fire protection and other related infrastructure. As stated previously, the property is serviced with all essential utilities and services. The Hillhaven access/Keauhou Shopping Center intersection within Kamehameha III Road has been channelized with turning lanes and a traffic light. Therefore, this should be more than adequate to accommodate anticipated traffic increase generated by the proposed expansion of the Hillhaven facility.

Approval of this request is subject to the following conditions:

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

2. Plans for plan approval review, including landscaping and parking, shall be submitted [within one year from the effective date of approval of the SMA Use Permit and the Use Permit] <u>to the Planning Department in accordance with Section 25-243 of the Zoning Code</u>. The landscaping plan shall provide heavy landscaping around the perimeter of the project site including a 10-foot wide landscaping easement within the project site along the frontage of Kamehameha III Road. The parking plan shall comply with the requirements of the Zoning Code. Plans shall reflect the design principles for building and landscaping set forth in the "Comprehensive Design Principles for Keauhou-Kona."

3. Construction shall [commence within one year from the date of receipt of final plan approval and] be completed within [two] <u>five</u> years [thereafter] from the effective date of this amendment.

4. Physical preservation of Archaeological Site No. 4624 shall be approved by the Planning Director prior to any land alterations. In lieu of physical preservation, adequate data recovery shall be conducted on Site No. 4624 and a report filed with

the Planning Department and the Department of Land and Natural Resources-Historic Sites Section prior to any land alterations relating to the project.

5. 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 affected area shall cease and the Planning Department immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department when it finds that sufficient mitigative measures have been taken.

6. Provide on-site fire hydrants and mains capable of supplying the required fire flow as required by the Fire Department and/or the Department of Water Supply.

7. Access to the project from Kamehameha III Road shall be located opposite to the existing Keauhou Kona Shopping Center access and shall meet with the approval of the Department of Public Works and the Planning Director. Further, channelized intersection improvements at Kamehameha III Road access shall include but not be limited to a left-turn storage lane and acceleration and deceleration lanes. The improvements and the timing of their implementation shall meet with the approval of the Department of Public Works and the Planning Director.

8. Comply with all other applicable rules, regulations and requirements, including those of the Department of Water Supply and the Department of Health.

9. The applicant, its successors or assigns shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of the permit.

10. [The Planning Director may administratively grant a single two-year extension to the foregoing conditions.] 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 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).

11. [Further, s] Should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the Director shall initiate procedures to nullify these permits.

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 feel free to contact Alice Kawaha or Susan Gagorik of the Planning Department at 961-8288.

Sincerely,

Wilton K. Wong, Chairman
Planning Commission

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cc: Honorable Stephen K. Yamashiro, Mayor
Planning Director
Department of Public Works
Department of Water Supply
County Real Property Tax Division
West Hawaii Office
Office of State Planning, CZM Program w/background
Department of Land and Natural Resources - Historic Preservation
Plan Approval Section
First Healthcare Corporation