Planning Commission

LORRAINE R. INOUYE
Mayor

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

CERTIFIED MAIL

April 15, 1991

Mr. Sidney Fuke
100 Pauahi Street, Suite 212
Hilo, HI 96720

Dear Mr. Fuke:

Use Permit Application
Applicant: KTA Consulting Group
Tax Map Key: 2-3-44:09

The Planning Commission at its duly held public hearing on April 4, 1991, voted to approve your application, Use Permit No. 85, to allow the establishment of an 18-hole golf course and related improvements within the County's Agricultural-1 acre (A-1a) and Open (O) zoned districts. The project site is located on the west (mauka) side of Komohana Street in the vicinity of the Komohana Street-Ponahawai Street intersection extending between Sunrise Ridge Subdivision and Crescent City Heights Subdivision to an elevation of 400± feet above mean sea level (approximately 1,400 feet mauka of the Ainako Avenue extension), Ponahawai and Punahoa, South Hilo, Hawaii.

Approval of this request is based on the following:

The establishment of an 18-hole golf course and related facilities within the County's Agricultural-1 acre (A-1a) zoned district will not be inconsistent with the general purpose of that zoned district, the intent and purpose of the Zoning Code, and the General Plan, provided adequate mitigating conditions are met.

The subject request will also provide a form of perpetual open space, thus, maintaining the current open character of the surrounding area to the west and south along with its natural and scenic qualities. The proposed development would, therefore, be consistent with the policies of the Recreation and Open Space elements of the General Plan which state that recreational facilities in the County shall reflect the natural,

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historic, and cultural character of the area, and that the recreational use should be compatible with the adjacent areas. The project site is characterized by two cindercones, which are part of the Hala'i Hills complex. They are identified in historical legends and are unique to the area. The location of the clubhouse and other golf course features will be evaluated at the time of plan approval to ensure the preservation of these features. With regards to cultural resources, only two sites were found on the property. One site, the Hilo Boarding School and Old Mission Ditch, will be preserved, in part, and incorporated into the golf course with interpretive signage. The other site may be released as it was important solely for its information content.

The granting of this proposal would complement the goals of the General Plan's Recreation element which states to "Provide a diversity of environments for active and passive pursuits" and to "Provide a wide variety of recreational opportunities . . . ." A condition of this approval would be the formulation of a community benefit assessment program by the Planning Director prior to Final Plan Approval of the golf course. It is felt that this provision would be consonant with the policy of the Land Use Element that states "The county shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment." A community benefit assessment program would also encompass a wide range of community needs rather than the limited recreational needs determination previously required.

Golf courses are permitted uses within the State Land Use Agricultural District provided that the affected lands are not classified either "A" and "B" soils by the Land Study Bureau. The Land Study Bureau's Overall Master Productivity rating for agricultural use of the subject property is Class "C", "D" and "E" or fair, poor and very poor; therefore, consideration of a golf course within these State land use parameters is permissible.

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 character of land use in the immediate area is largely single-family residential in nature to the north, south and east (across Komohana Street). There are also medical and commercial centers on Komohana Street across the project site.

The project site is traversed by the Alenaio Stream which has been the subject of considerable study by government agencies. The Alenaio Stream Flood Control Project has accounted for upstream development by the U.S. Army Corps of Engineers and, therefore, will accommodate the potential affects of the golf course proposal in terms of channel capacity. Since flooding and culvert overflow are known occurrences immediately makai of the project site, the preparation and approval of a detailed drainage study will be required prior to submitting plans for plan approval review. The drainage study will encompass both hydrologic and hydraulic analysis for 100-year recurrence intervals as well as recommending sufficient on-site drainage systems to reduce output. The applicant recognizes the criticalness of drainage impacts and is also committed to contributing $100,000 to the County for further drainage studies/improvements.

The siting of the clubhouse, driving range, parking areas and maintenance facility will consider the nearby residential areas during plan approval review. The Planning Department's Guidelines for Golf Course Development will be utilized to assure that adjacent properties will not be adversely affected by direct play on the golf course (i.e. errant golf balls). In addition, the siting and design of the structures and uses will be reviewed by both a community advisory group as well as during plan approval review.

The applicant will access the golf course through the Ponahawai Street-Ainako Street extension. No access (primary or secondary) will be permitted from existing side streets. In this manner, residences and residential traffic through established subdivisions will not be affected by the project.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community, or region. The City of Hilo has one 18-hole municipal golf course and one 9-hole private golf course (open to the public). It is not anticipated that this approval would affect these courses.

All essential utilities and services required for the development of a golf course and related facilities are or will be made available. Conditions of approval relative to the provision of such services are being proposed. In the area of transportation, the General Plan Facilities Map delineates

Ponahawai Street and Ainako Street for extension and connection. This approval is conditioned upon the extensions being constructed within an 80-foot wide right-of-way in accordance with county dedicable standards meeting with the requirements of the Department of Public Works concurrently with the golf course development. No golf cart paths shall gain access across the streets. Further, the extensions shall be open to the public or may be dedicated to the county. The intersections at Ainako Street and Ponahawai Street shall be channelized and signalized meeting with the approval of the Department of Public Works. Installation of the signals at Ainako Street shall be required within one year from the effective date of this permit. The Ponahawai Street channelization and signalization will be required prior to occupancy. To eliminate impacts through existing established residential neighborhoods, no access shall be permitted from the side roads to the project site. Main access shall be from the Ponahawai Street extension and sewer hook-up will be made concurrent with occupancy.

Approval of this request is subject to the following conditions:

1. The applicant, successors or assigns shall comply with all of the stated conditions of approval.

2. Final Plan Approval for the proposed golf course and related improvements shall be secured from the Planning Department within one year from the effective date of the permit. 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 (45) days prior to the date by which plan approval must be secured. Prior to the submittal of said plans, the applicant shall solicit the input of the immediately impacted residents (community advisory committee). Solicited input shall be documented and an analysis of issues, recommendations and conclusions shall be made by the applicant. In the design and review of any improvements, due consideration shall entail the minimization of noise and visual impacts through appropriate siting, height, bulk, color schemes, and landscaping. The Planning Department shall determine the related improvements and accessory uses to the golf course not inconsistent with the applicable provisions of the Zoning Code at the time of plan approval review. Further, the siting of the clubhouse improvements shall not occur on Pu'u Honu.

3. Construction of the golf course and related improvements shall commence within one year from the date of receipt of final plan approval and be completed within three years thereafter.

4. To ensure that the goals and policies of the General Plan are implemented, the Planning Director shall formulate a community benefit assessment program for implementation by the applicant prior to receipt of Final Plan Approval of the golf course.

5. A detailed drainage study shall be prepared by the applicant for review and approval by the Department of Public Works, in consultation with the U.S. Army Corps of Engineers, if applicable, prior to submittal of plans for plan approval review of the golf course. A drainage system shall be installed meeting with the approval of the Department of Public Works. A $100,000 contribution shall be made to the County of Hawaii prior to issuance of a certificate of occupancy or golf course opening, whichever comes first. The funds shall be used towards the development of flood studies and/or improvements within the area.

6. In the design of the golf course, the County of Hawaii Planning Department's Guidelines for Golf Course Design (November 1989, as amended) shall be utilized. The Planning Department shall determine appropriate setback requirements (i.e. building and property line) at the time of plan approval review. Easements for golf course purposes over and across abutting lots, either existing or proposed, shall not be permissible.

7. The property shall not be permitted access from existing side streets (i.e., Omao, Wiliwili, Spring Streets).

8. Ponahawai Street extension and Ainako Street extension shall be constructed to connect to Komohana Street and Ainako Street to county dedicable standards within an 80-foot wide right-of-way meeting with the approval of the Department of Public Works. These improvements shall be installed prior to issuance of a certificate of occupancy or golf course opening, whichever comes first. Ponahawai Street and Ainako Street extensions shall allow for

perpetual public use by easement or be dedicated to the county. No golf cart path shall be permitted to cross over the Ponahawai-Ainako Street extensions.

9. Intersection improvements at Ainako Street-Kaumana Drive intersection, including traffic signals and channelization, shall be installed within one year from the effective date of this permit. Intersection improvements at Ponahawai Street-Komohana Street intersection, including traffic signals and channelization, shall be installed prior to issuance of a certificate of occupancy or golf course opening, whichever comes first.

10. No individual fee interest, ownership, or title to any portion of the golf course shall be permitted without prior compliance with the Subdivision Code.

11. An historic preservation program for portions of Site No. 14947 shall be submitted for review and approval by the Planning Department, in consultation with the State Department of Land and Natural Resources, prior to submittal of plans for plan approval review.

12. 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. Work within the affected area shall not resume until clearance is obtained from the Planning Department.

13. Two copies of an aquatic resources survey of the Alenaio Stream shall be conducted and submitted to the Planning Department and the Department of Land and Natural Resources prior to issuance of a certificate of occupancy or golf course opening, whichever comes first.

14. The use of pesticides and herbicides in conjunction with all phases of operation shall conform with the applicable regulations of appropriate governmental agencies.

15. During construction, best effort measures shall be taken to minimize the potential of both fugitive dust and runoff sedimentation. Such best effort measures shall be in compliance with construction industry standards and practices utilized during construction projects of the State of Hawaii.

16. Prior to construction, the applicant shall demonstrate to the satisfaction of the Planning Department that all proposed off-site construction material such as topsoil or sand are being supplied from an approved quarry or resource site.

17. Submit the required water commitment payment to the Department of Water Supply in accordance with its "Water Commitment Guidelines Policy" within ninety days from the effective date of this permit.

18. Comply with all other applicable laws, rules, regulations and requirements, including those of the Departments of Health and Public Works.

19. Comply with the requirements of the Department of Health, including the "New Golf Course Development Guidelines" dated April 1990 (Version 3).

20. An annual progress report shall be submitted to the Planning Director prior to the anniversary date 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.

21. 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) the 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).

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