

COUNTY OF HAWAI‘I PLANNING DEPARTMENT

BACKGROUND REPORT

JOHN C. CROSS

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION

(PL-SMA 2025-000082)

JOHN C. CROSS is requesting a Special Management Area Use Permit to renovate the Kona Seaside Shops, which includes the demolition of three (3) structures, additions and renovations to two (2) existing structures, construction of two (2) new kiosks, new outdoor seating and renovating an ADA-compliant courtyard and parking area on a 33,411 square foot (sf) lot situated in the Special Management Area. The subject parcel is located at 75-5663 Palani Road, approximately 100 feet northeast of its intersection with Palani Road and Ali‘i Drive, Kailua-Kona, North Kona, Hawai‘i, TMK: (3) 7-5-006:017.

APPLICANTS' REQUEST

1. **Proposed Use:** The applicant is requesting a Special Management Area Use Permit to renovate the Kona Seaside Shops, which includes the demolition of three (3) structures with a combined total of 2,080 square feet (sf) of retail/office spaces as outlined in Exhibit 1 pages 36-37 of the application package. The applicant also proposes additions and renovations to two (2) existing structures, the first being an addition of 1,100-sf to an existing 1,800-sf commercial building and the second being the addition of 1,854 sf to an existing 2,880-sf retail store for a proposed new restaurant. Additionally, the applicant proposes to construct two (2) new 200-sf kiosks, new outdoor seating totaling 1,654-sf and renovating an ADA-compliant courtyard and parking area on a 33,411-sf lot situated in the Special Management Area. In all, the total gross area of the proposed project is 9,688-sf. New landscaping will also be included.
2. **Reason for the Request:** The project presents an opportunity for Edmund C. Olson Trust No. 2 to reinvest in and renovate the subject property, enhancing its appearance and function as an attractive and welcoming gateway to the Ali‘i Drive retail corridor.
3. **Supportive Information:** The applicant has submitted the attached in support of the request: **(Planning Department Exhibit 1 – SMA Use Permit Application received August 22, 2025).**

4. **Landowner:** Edmund C Olson Trust No 2.

STATE AND COUNTY PLANS

5. **State Land Use District:** Urban.
6. **County Zoning:** Resort Hotel District 750-sf (V-.75).
7. **General Plan Land Use Pattern Allocation Guide (LUPAG) Map Designation:** Resort Node (ren).
8. **Kona Community Development Plan (KCDP):** The KCDP was adopted by Ordinance No. 08-131, which became effective on September 25, 2008, as amended by Ordinance 19 091, effective September 18, 2019. The property is within the boundary of the Kona Urban Area.
9. **Special Management Area (SMA):** The subject property is within the Special Management Area but is not considered a “shoreline” property as it is located approximately 100 feet from the nearest shoreline and a developed parcel exists between the property and the shoreline.

DESCRIPTION OF PROPERTY AND SURROUNDING AREAS

10. **Description of Property:** The 33,411-sf subject parcel is located makai (seaward) of Palani Road and Ali'i drive, approximately 580-ft southwest of Kuakini Highway. The subject property is irregularly shaped. The land currently contains the Kona Seaside Shops, a small development containing five (5) commercial structures and a parking lot. The parcel is primarily paved with small patches of grass areas and other non-native vegetation and sits at an elevation between 6 and 15 feet above sea level. The property is adjacent to three established public shoreline access sites; i) Kailua Pier approximately 175-ft from the subject property, ii) Kamakahonu Beach, approximately 250-ft to the north and iii) Niumalu Beach access approximately 715-ft to the south along Ali'i Drive.
11. **Surrounding Zoning/Land Uses:** The zoning of the subject property and surrounding properties is Resort Hotel 750-sf (V-.75) and Open. The surrounding land uses include the King Kamehameha and P19 Hotels, several restaurants and other mixed commercial use as well as the Kailua Pier directly to the west of the subject property.
12. **Flood Zone:** The property is located within Zone AE-10 (areas determined by FEMA to be a high-risk area with a 1% annual chance of flooding). The property is located within

the Tsunami Evacuation Zone and is covered by a warning siren located at the King Kamehameha Mall, northeast of the subject property.

13. **Flora/Faunal Resources:** As the subject property has been fully developed for the past 50 years, there are no known floral or faunal resources on the property.
14. **Archaeological/Cultural/Historical Resources:** An Archaeological Field Inspection (AFI) was not conducted for the subject property. According to the applicant, the project site has been developed for more than 50 years by Uncle Billi Kimi and family, and the applicant will retain the name Kona Seaside Shops for continued linkage to Uncle Billi. The applicant noted the presence of a stacked rock wall along the southern boundary that may possess historic significance; however, no modifications to this feature are proposed as part of the project. The applicant further states that no other historic or cultural resources are known to exist on the property and that no traditional or customary Native Hawaiian practices have been identified as occurring within the project area. Additionally, a chapter 6E-42 application for review from the State Historic Preservation Division (SHPD) was submitted regarding the proposed development, but as of the date of this report, no formal comments or determinations have been issued by SHPD.
15. **Public Access:** There is no public access paths found on the subject property; thus, the proposed use will not impact shoreline access. The property is adjacent to three (3) established public shoreline access sites; i) Kailua Pier approximately 175-ft from the subject property, ii) Kamakahonu Beach, approximately 250-ft to the north and iii) Niunalu Beach access approximately 715-ft to the south along Ali'i Drive.
16. **Coastal Resources:** The subject property will not interfere with shoreline access as it is not a shoreline parcel and no public access routes are found on the property.
17. **Recreational Resources:** The proposed project is not anticipated to affect recreational resources, as the shoreline is located approximately 100 feet west of the parcel boundary. In addition, the proposed development will not result in any adverse visual impacts on the shoreline.
18. **Scenic and Open Space Resources:** The applicant states that the proposed renovation will be consistent with the character of the surrounding development and will not result in any adverse impacts to the surrounding environment. Further, as the property is currently fully developed and the maximum proposed building heights shall remain under 30-feet, similar

to what is currently developed, there will be no visual impacts to the shoreline.

19. **Traffic:** The applicants do not anticipate the proposed renovation and expansion of the property will generate an increase in traffic to the subject property; however, the parking area will be increased to 26 stalls from the existing 15 stalls.

PUBLIC SERVICES AND FACILITIES

20. **Roadway Access:** The subject parcel is accessed by Palani Road just as it intersects with Ali'i Drive, which is a County owned and maintained roadway approximately 50-feet-wide.
21. **Parking:** The applicant has proposed a total of twenty-six (26) parking stalls, inclusive of one (1) Americans with Disabilities Act (ADA)–compliant space. This parking supply does not satisfy the minimum off-street parking requirements applicable to commercial uses within the Resort-Hotel (V-.75) zoning district. Pursuant to Hawai'i County Zoning Code §25-4-51(4), one (1) off-street parking stall is required for every three hundred (300) square feet of gross floor area. The proposed project includes approximately 9,287 square feet of combined indoor and outdoor commercial floor area, resulting in a requirement of not less than thirty-one (31) parking stalls. In addition, Hawai'i County Zoning Code §25-4-56(1) requires one (1) off-street loading space for commercial developments with a combined floor area between 5,000 and 10,000 square feet. The current site plan does not identify or provide a designated loading zone. Further, the proposed parking stall dimensions do not conform to the minimum stall size and configuration standards set forth in §25-4-53(a) and (b). As presently designed, the application does not comply with mandatory parking, loading, and dimensional standards of the zoning code. To achieve compliance during the Plan Approval process and prior to the submittal of building permit applications, the applicant must either obtain a shared parking agreement with an adjacent or nearby property owner to satisfy the minimum parking requirement or reduce the gross-floor area of the proposed development to align with the number of parking spaces provided. Additionally, all parking stalls shall be revised to meet applicable dimensional standards, and on-site loading space shall be incorporated into the site plan.
22. **Water:** According to the Department of Water Supply (DWS) the subject parcel is currently served by an existing 12-inch waterline located within Palani Road fronting the subject parcel. There is an existing 1 ½-inch service lateral which is capable of

accommodating a 1-inch meter. DWS has requested that the applicant submit estimated maximum daily water usage calculations for review and approval. Upon receipt of the water usage calculations the DWS will make a determination as to the water commitment deposit amount and prevailing facilities charges to be paid, if necessary. Based on the water demand the DWS will determine the appropriate service lateral and meter size required. The proposed project will require the installation of a reduced pressure type backflow prevention assembly, within 5 feet of the meter on the property. The installation of the backflow prevention assembly must be inspected and approved by the DWS before commencement/continuation of water service. Additionally, DWS has requested the applicant to consider alternative water resources for landscaped areas other than potable water such as rainwater catchment or reclaimed water. DWS also requests consideration of choosing drought-tolerant plantings as well as appropriately sized turf areas which include healthy soils and appropriate grading to minimize storm runoff.

23. **Wastewater:** The applicant will continue to use the existing hookup to the County sewer system.
24. **Other Essential Utilities and Services:** Telephone and electrical power service are currently available to the subject property, and police, fire and medical services are available in Kailua-Kona.

AGENCIES' COMMENTS

25. **State Department of Health: (Planning Department Exhibit 2 – October 3, 2025, Memo).**
26. **State Office of Planning & Sustainable Development: (Planning Department Exhibit – 3 October 28, 2025, Letter).**
27. **Department of Water Supply: (Planning Department Exhibit 4 – October 31, 2025, Letter).**

AGENCIES – NO RESPONSE

28. Department of Public Works-Engineering Division, Department of Public Works-Building Division, Police Department, Fire Department, Kona Village Design Commission, Department of Land and Natural Resources State Historic Preservation Division & Department of Land and Natural Resources Office of Conservation and Coastal Lands.

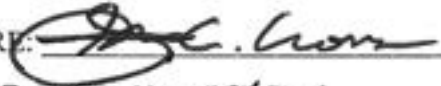
PUBLIC COMMENTS

29. No public comments received as of the date of this writing.

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION

COUNTY OF HAWAII
PLANNING COMMISSION
(Type or legibly print the requested information)

APPLICANT(S): John C. Cross, Senior Land Manager Edmund C. Olson Trust No. 2

APPLICANT'S SIGNATURE:  DATE: 8/21/2025

ADDRESS: P.O. Box 446, Papaikou, Hawaii 96781

LIST APPLICANT'S INTEREST (if not owner): Agent / Employee of Trust

PHONE: (Bus.) 808-987-4229 (Res.) _____ (Email) john@olsontrust.com

REQUEST: SMA-Major application for Kona Seaside Shops. Renovations and Demolition

TAX MAP KEY: (3) 7-5-006-017 ZONING: Resort V-0.75

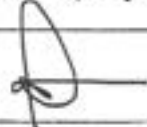
SIZE OF PROPERTY / AREA OF REQUESTED USE: 33,411 sq. ft. / ALL

LANDOWNER(S) Paul Alston, Successor Trustee of the Survivors Trust created under the Edmund C. Olson Trust No. 2

FEE SIMPLE LANDOWNER(S) WRITTEN AUTHORIZATION

(may be provided by letter with the below statement included):

See Property Owner Declaration Form



DATE: 18AUG2025

AGENT: SAME AS APPLICANT SHOWN ABOVE - JOHN C. CROSS

AGENT ADDRESS: P.O. BOX 446, PAPAIKOU, HI 96781

PHONE: (Bus.) 808-987-4229 (Res.) _____ (Email) john@olsontrust.com

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: john@olsontrust.com COPIES: paul@olsontrust.com

Planning Dept.
Exhibit 1

**SPECIAL MANAGEMENT AREA
USE PERMIT APPLICATION – (Major)**

Renovation of the Kona Seaside Shops

Located at:

75-5663 Palani Road, Kailua-Kona, HI 96740

Tax Map Key: 7-5-006-017

APPLICANT:

**Survivor's Trust Created under the
EDMUND C. OLSON TRUST NO. 2**

Prepared by:

John C. Cross, Sr. Land Manager, ECOT2

August 21, 2025

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION – (Major)

APPLICANT: Survivors Trust created under the EDMUND C. OLSON TRUST NO. 2; Paul Alston, Successor Co-Trustee

AGENT: John C. Cross, Senior Land Manager

REQUEST: RENOVATION OF THE KONA SEASIDE SHOPS WITH ADDITIONAL PARKING AND RELATED LANDSCAPING IMPROVEMENTS

ADDRESS: 75-5663 PALANI ROAD, KAILUA-KONA, HI 96740

TMK: 7-5-006-017

INTRODUCTION AND GENERAL INFORMATION:

The applicant is seeking a Special Management Area (SMA) Use Permit to allow for the renovation of the property. Edmund C. Olson Trust No. 2 (“Olson Trust”) is an organization that is committed to improving Hawaii through its investments in sustainable agriculture, renewable energy, natural resource conservation and cultural legacy preservation. Olson Trust purchased the subject property in July 2021 and is wanting to renovate the property and structures currently known as the “Kona Seaside Shops”, into an improved and inviting gateway to the Ali’i Drive retail corridor. Many of the structures on the premises were originally built in 1971 through 1975. The property and improvements pre-dated Special Management Area designations. This SMA Application is needed for Olson Trust to perform the renovations, alterations and building removals necessary within the SMA zone. We expect the renovations will enhance the visitor experience and be a refreshing improvement to the Kailua Village Business District Community.

Mr. Edmund C. Olson, (93), passed away on July 15, 2024. Paul Alston and Donald Lam were vested as Successor Co-Trustees of the Trust. Paul Alston, Successor Co-Trustee is the applicant on behalf of the Survivors Trust created under the Edmund C. Olson Trust No.2. John C. Cross, Senior Land Manager of the Trust is the Authorized Agent for the SMAA. Contact information is on the Property Owner Declaration Form.

Item 1) Filling fee of \$500.00

To be paid through EPIC

Item 2) Original signed copy of completed SMA-Major application

Attached within EPIC

Item 3-A) Regarding EIS under Chapter 343

Applicant respectfully asks that an EIS is not required for this SMA application.

3-B/C/D. DESCRIPTION OF THE PROPOSED PROJECT, RENOVATIONS, VALUE:

The project site, 33,411 square feet, is located at 75-5663 Palani Road, Kailua-Kona, Hawaii, 96740, TMK 7-5-006-017 and is situated in the Lanihau ahupua'a of North Kona. The subject property is sandwiched between Quinn's Almost by the Sea restaurant and the Kona Square mix of shops and restaurants. Directly mauka is the Kona Seaside Hotel (now Pacific 19, Lanihau Properties, LLC), while the King Kamehameha Kona Beach Hotel is directly across the street.

The Trust expects that the cost of the renovations will be approximately \$5,000,000.

The property has been in a near fully developed state for the last 55 years. Olson Trust proposes to renovate the property by way of:

A) Demolition work; the removal of three (3) of the five (5) buildings, thereby deleting 2,080 square feet of retail/office space;

B) Renovations and improvements of the existing "Building 1", (currently 1,800 sq. ft with additions of 1,100 sq. ft. for a new proposed area of 2,900 sq. ft.). Building 1 is a 2 story structure where the existing "**Big Kahuna Beach Grill**" is located upstairs. This building also houses the Ka'u Coffee Mill Coffee Shop (downstairs).

C) Renovations and improvements and changing the use of "Building 3", (currently 2880 sq. ft. with additions of 1,854 sq. ft. for a new proposed area of 4,734 sq. ft.) from a retail store to a restaurant (pursuant to Hawaii County Code, section 25-5-92 (a) #30) and

D) Two open sided kiosk structures will be constructed in the central courtyard, 200 sq.ft. each.

E) Exterior Areas for **outdoor seating** are scheduled for 248 sq. ft. at Building “1”; 539 sq. ft. at Building “3”; and 866 sq. ft. for an exterior Bar attached to the side of Building “3”. A total of 1,654 sq. ft. of Outdoor Seating area.

Gross Floor Area after renovations will be:

Building Area: 8,035 sq. ft. (Buildings 1, 3, and Kiosks)

Exterior Area: 1,654 sq. ft. (Outdoor Seating and Bar)

Total Gross Area: 9,688 sq. ft.

Mapping convention notes: *For the purposes of proper identity of Buildings and proposed renovations, the architectural drawings attached within EPIC and recited in this letter identify Building 1 also as Building “A” and Building 3 also as Building “C”. Please use the letter and/or numeric identity interchangeably*

A more explicit list of the planned renovations follows:

I. Grounds and Courtyard:

- Demolition and removal of Buildings 2, 4 and 5, total area 2,080 sq. ft.
- Additions of 1,100sq. ft to Building 1 (aka “A”)
- Additions of 1,854 sq. ft. to Building 3 (aka “C”)
- Two Kiosks 200 sq. ft.
- Open Area Seating of approximately 1,654 sq.ft.
- Renovated ADA compliant courtyard
- New Drywells for drainage
- Renovated ADA compliant parking lot with 26 stalls, (increase of 11 from current 15). Note calculated parking as per forecasted gross floor area is 33 stalls. We respectfully recite that the Site conditions restrict anything more than 26.
- Renovated ADA compliant restrooms accessible from the Courtyard
- Renovated County Code compliant electrical system throughout the property and building additions.
- Renovated County Code compliant plumbing system throughout the property and building additions
- Two (2) new in-ground grease trap interceptors.
- Removal and repositioning of the air conditioning equipment.
- New landscaping having 3,795 sq. ft. exceeding the 20% building site criteria by 562 sq. ft. Examples of plant species and designated areas are depicted on attached “Landscape and Area Plan A-01” within EPIC.

II. Building Specific Details:

General note: The existing buildings with their long Polynesian style hipped & gable roof line with wide covered eaves will not be altered. The roof design will be retained but with new roof shingles. (See Kona Seaside Shops FINISH BOARD examples. Attached within EPIC)

Building 1 (aka Building “A”)

- Replacement of roofing shingles
- Replace plywood siding.
- Replace existing windows and doors with FEMA approved designs.
- Reposition primary stairs to the second floor restaurant.
- New railings around second floor restaurant.
- New ADA compliant bathroom on second floor
- Code compliant renovations to hood and exhaust system
- Replace rear stairway to second floor
- Reposition freezer and cold storage behind building.
- Addition of 1,100 sq. ft. for office space and other requisites to rear of building. Second Polynesian gabled roof angle.

Building 3 (aka Building “C”)

- Replacement of roofing shingles
- Replace wood siding
- Replace existing windows and doors with FEMA approved designs.
- New renovated kitchen for Primary restaurant. (See 3D plans and reference to “Ali’i Restaurant”)
- New walk-in refrigerator, walk-in freezer and cold storage.
- New ADA compliant bathrooms
- Addition of covered Lanai, (262sq.ft.)
- Addition of Bar and outside seating area, side, (866sq.ft.)
- Addition of outdoor seating area, front, (539sq.ft.)
- Addition of 1,854 sq. ft. for second(separate) restaurant at rear of building. (See 3D site plans and reference to “Kona POKE”)

A set of plans, depicting the building and site renovations, are attached in EPIC

STATEMENT OF OBJECTIVES:

Olson Trust envisions that the renovations to the property will create a new gateway to the businesses and shops on Ali’i Drive. The open courtyard concept that is proposed will provide a gathering place for both locals and visitors to experience the best of our local economy. The tenant mix will focus on locally sourced products. We are looking to provide visitors to Kona from land or by sea, with the best the Big Island has to offer. We hope this project will instigate other property owners nearby to improve and renovate their properties. All being under the guidance and parameters of the Kailua Village Design Commission should create, over time, a cohesive improvement in the Ali’i Drive area.

Item 3-E) State/County Plans, Zoning, General Plan

The Subject Property and Renovations meets with County and State Plans for the area. The State Land Use (SLU) is URBAN. The County Zoning is RESORT. The LUPAG designates the property for RESORT NODE. A very small area of the property could be discerned as being OPEN. (Maps are attached within the EPIC submittal)

Item 3-F) Anticipated impacts of the proposed renovation in relationship to the objectives and policies of Chapter 205A, HRS, and the SMA Guidelines.

A) Recreation Resources:

The property does not offer any recreational opportunities for the public as the site is separated from the shoreline by approximately 50 feet that includes a County owned roadway. The proposed development will not adversely affect any recreational or visual resources to the shoreline and coastal ecosystems. Furthermore, the view planes from the shoreline and Kailua pier will be enhanced by the removal of the three (3) buildings in the middle of the property as well as the repositioning of the stairwell to the 2nd floor of Building 1.

B) Historic Resources:

Having been fully developed by Uncle Billy Kimi and family for over 50 years, "The Seaside Shops" itself could be considered a "historic" element. The Trust intends to keep the Kona Seaside Shops name in use, retaining this link to the legacy of Uncle Billy Kimi.

The Trust intends to display copies of Registered Maps 2560 and 1676 on the wall of the building to provide visitors a visual link to the ancient use of the property and that of the surrounding area.

C) Scenic and Open Space Resources:

The proposed renovation is similar in character to the surrounding area and is not likely to result in any substantial adverse impact on the surrounding environment.

D) Coastal Ecosystems:

It is expected that the proposed action will not result in any impact on the biological or economic aspects of the coastal ecosystem as the site is separated from the shoreline by approximately 50 feet that includes a county roadway.

E) Economic Uses:

The proposed renovation consists of private improvements that are not a coastal dependent development. The economic impact to the State and County of Hawaii will be increased as the property is situated in a suitable resort zoned location.

F) Coastal Hazards:

The project site is in an area classified as “Zone AE-10” according to the Flood Insurance Rate Map (FIRM) prepared by the U.S. Corps of Engineers. All construction will follow Chapter 27, Flood Control, and the Olson Trust will adhere to all applicable regulations of the Federal Emergency Management Agency. Because the project site is separated from the coastal shoreline by a County owned roadway, the proposed renovation will not create an increase in coastal flooding under normal rainfall conditions and on-site drainage systems will adequately dispose of project generated surface runoff.

G) Relationship of the proposed action to land use plans and policies:

The proposed renovation is consistent with the Plan’s goals, policies and recommended courses of action. Major elements of the General Plan, as they relate to the renovation of the property are as follows:

Economic Element:

Goals:

Provide our residents with opportunities to improve their quality of life that enhances the County’s natural and social environments.

Economic improvements shall be in balance with the cultural, social and physical environments of the Big Island of Hawaii.

Obtain economic stability.

Provide employment opportunities.

To provide an economic environment that will allow new and improved economic opportunities that are compatible with the County's natural, social and cultural environments.

The proposed renovation will provide temporary construction jobs for local residents, and it will indirectly impact the economy by way of construction industry purchases from local suppliers. Economic development of the County is achieved as these part- and full-time employees spend their income on food, housing and other expenses in the retail sector.

Courses of Action:

Improvement and enhancement of the Kailua Village Business District as a popular visitor and local destination.

Environmental Quality Element:

GOAL:

To maintain, and when possible, improve the existing environment quality of the Big Island of Hawaii.

POLICIES:

The County of Hawaii will use its best efforts to improve the quality of the environment.

The County of Hawaii shall reinforce the established standards that have been adopted by Federal and State governments by recommending and adopting ordinances pertaining to the control of pollutants that may affect the environment.

STANDARDS:

The public's health and well-being shall be protected from pollutants through the enforcement of Federal, State and County standards.

The Hawaii County General Plan has a policy in place to maintain the quality of the environment for present and future residents. The proposed renovation will not have an adverse effect on the environment. Beyond just being compatible with the surrounding area, efforts will be made to ensure that there are no pollutants introduced into the environment from the applicant's property. Please note that all regulatory requirements and BMP's will be adhered to during and after construction.

Historical Sites Element:

GOALS:

To protect and enhance the sites, buildings and objects of significant historical and cultural importance to the State and County of Hawaii.

To provide residents and visitors with access to significant cultural and historical sites, buildings and objects.

POLICIES:

Prior to the clearing and / or development of land, public or private developers shall provide a historical survey when there are indications that the land under consideration has historical significance.

Where and when appropriate public access to historical sites shall be made available.

To encourage the restoration of historical sites on private lands.

All signage relating to a historical site, building or object shall be in keeping with the cultural aspect of that feature.

SCOPE OF WORK:

This site was approved and fully developed in accordance with County standards beginning in 1971. In keeping with the goals and policies pertaining to historical sites, Olson Trust shall use its best efforts to monitor any demolition or heavy machine work, and if any historical features are noted, SHPD will be notified immediately.

Flood Control and other Natural Hazards:

GOALS:

Protect human life.

Prevent damage to natural sites and man-made improvements.

Prevent damage from inundation.

Control pollution.

Reduce surface water and sediment runoff.

POLICIES:

Any development within the Federal Emergency Management Agency designated flood plan must follow Chapter 27, "Flood Control", of the Hawaii County Code.

DESCRIPTION OF WORK:

Because of the property's proximity to Kailua Bay, all construction will follow the FEMA guidelines referenced in the Flood Control paragraphs of Chapter 27. Properly constructed and permitted drainage outlets are referenced in the applicant's plans.

Natural Beauty Element:**GOALS:**

Preserve, protect and enhance the natural beauty of our landscape, including our coastal scenic resources.

Protect scenic vistas and view planes from obstruction.

Maximize opportunities for present and future generations to appreciate and enjoy our natural beauty.

POLICIES:

Increase public pedestrian access to scenic vistas.

SCOPE OF WORK:

The natural beauty of Hawaii is recognized as an irreplaceable asset, which needs to be protected. In keeping with the Hawaii County General Plan, the proposed removal of multiple buildings will open vistas and view planes to and from the shoreline, thereby aligning with the County's goals and policies.

Natural Resource and Shoreline Element:**GOALS:**

To protect and conserve the natural resources of Hawaii County from unnecessary exploitation, encroachment and damage.

To provide opportunities for the public to fulfill educational and recreational needs without damaging or endangering our natural resources.

Protect and promote the prudent use of our unique environmental and natural resources.

To ensure that any construction minimally affects our landscape, water resources and scenic amenities.

To be mindful of floods, landslides, erosion, siltation and earthquakes when planning and during construction.

POLICIES:

Requires use of natural resources to conduct their activities in a manner that minimizes or avoids adverse effects to the environment.

To encourage the use of native plants for landscaping purposes.

SCOPE OF WORK:

The proposed renovation will not encroach on or result in any adverse effects to the shoreline elements.

Public Utilities Element:

GOALS:

To encourage the provision of public facilities that effectively service community and visitor needs and seek ways of improving public services through better facilities in keeping with the environmental and aesthetic concerns of the community.

Item 3-G) Description of the surrounding land area and uses.

Existing and Surrounding Zoning:

The property is located within the Special Management Area (SMA). The current zoning designation for the property is V-0.75 (Resort-Hotel Districts, 1 unit per 750 sq. ft.). "Permitted Uses" of the Zoning Code, include item #30 "Restaurants" and item #10 "Commercial Parking Lots". See Zoning Map.

Other properties within the Kailua Village Business District located near the subject property have the Village Commercial designation of CV-7.5.

Item 3-H) Flood Insurance Rate Map (FIRM)

The Subject Property is rated as AE-10. The FIRM map is attached within EPIC.

Item 3-I) Archaeological and Historic Resources

The subject property has been in a fully developed state for over 50 years. Perhaps portions of a dry stacked stone wall on the South property line could be considered a historic feature. There are no plans to modify or change this wall. There are no other known Archaeologic or Historic Resources existing on the property.

Item 3-J) Valued Cultural Resources

There are no traditional and customary native Hawaiian rights exercised on the subject property.

Item 3-K) Public Access

There are no public trails and access routes on the property. Historic maps dating back to the turn of the century also did not show any mauka-makai access routes.

Item 3-L) Floral and Faunal Resources

Being in a fully developed state for over 50 years there are no native floral or faunal resources present. The landscape plan for the renovations will attempt to re-introduce native plants to the property. See Tinguely maps A00 and A01 within EPIC.

Item 3-M) Access to the property

Access to the property is from Palani Road just as it intersects Ali'i Drive. It is a County asphalt paved road. Concrete sidewalks exist along the entire roadside length of the parcel.

Item 3-N) Traffic Impacts

It is not expected that there will be significant Traffic Impacts from the renovated property. The same entry area will be used as it is today. Parking stalls will be increased to 26 from the existing 15 thus creating more space for vehicles on premises and less vehicles looking for parking on the County roads or other private parking lots.

Item 3-O) Availability of Utilities

The property has access to ALL forms of utility services including hired solid waste removal services and County sewer service.

Section 4) DESCRIPTION OF THE IMPACTS ON THE SMA:

A) Description of the area, structures and existing uses of the property.

Setting

The subject property sits at the base of Palani road just across from the Kailua pier. The King Kamehameha Hotel is across the street. Ali'i Drive starts at the driveway entrance to the property. The property is located in the SMA, however, it is not oceanfront.

Structures

There are currently 5 buildings of various sizes that were constructed in 1971 and 1975 See Pattison Aerial Survey.

Existing Uses

The Seaside Shops currently has a mix of retail and restaurant tenants with *"Homegrown Cone"* selling ice cream products, *"Quilt Passions"* selling cloth and quilting supplies, *"Pacific Vibrations"* selling surf boards, clothing and related merchandise, the *"Big Kahuna Beach Grill"* operates a full-service restaurant serving breakfast, lunch and dinner, and the *"Kau Coffee Mill"* is a coffee shop and retail store highlighting crops grown locally on the Big Island. The property currently has a managed parking lot with 15 stalls.

Topography

Roughly triangular, the property has a slight slope that varies from 6 feet to 15 feet above sea level. The property is separated from the ocean by Palani Road and Ali'i Drive, approximately 50 feet away from the shoreline.

B) The relationship of the proposed action to land use plans, policies, controls

The Subject Property and Renovations meets with County and State Plans for the area. The State Land Use (SLU) is URBAN. The County Zoning is RESORT. The LUPAG designates the property for RESORT NODE.

Controlling elements are the Special Management Area designation.

C) The probable Impact of the proposed actions on the environment

Little adverse impact on the environment is expected. The demolition of buildings and addition to landscaping and open courtyard should allow for a more inviting and cooler environment.

D) Description of how the project will affect the subject and surrounding areas.

The Seaside Shops is one of the first properties that you see as you get off the cruise ship at the Kailua pier or coming from the airport and turning down Palani Road. The creation of a modern, inviting, open courtyard will enhance the visitor experience as they stroll down Ali'i Drive. The addition of more parking and dining alternatives for the community will be a win for all while the renovation of an aged shopping site will give the area a much-needed commercial facelift.

Seaside Shops is nestled amongst several older, antiquated properties. Hopefully our renovations will kickstart others in the area to do the same, which would benefit all business owners in the Kailua Village Business District.

E) Description of unavoidable impacts and mitigating measures.

Mitigative measures to minimize project impacts will be taken as necessary. These measures would include planting vegetation, when possible, to minimize erosion and employing noise and emission measures at the time of construction.

During construction, the renovation will require minimal grading though the demolition of the three buildings and the concrete walkways could result in a potential dust impact. The small slope to the rear(mauka) of building 3 will be leveled, there again with potential soil and dust impact. Heavy equipment will also generate noise. In anticipation of these impacts, mitigative measures are planned as part of the construction work. Project generated dust will be mitigated by frequent water sprinkling and the installation of dust control screens where and when necessary. These measures are subject to the requirements of the Department of Public Works, Engineering Division of the County of Hawaii. Soil erosion would be confined to the property. Care will be taken during construction to limit potential erosion of newly placed topsoil. Landscaping will be accelerated to protect bare ground exposed to precipitation, runoff and wind. Noise mitigation measures would involve limiting construction to normal working hours and the installation of noise reduction devices on all diesel-powered machines.

F) Alternatives to the proposed project:

A “no action” alternative would result in the further deterioration of the non-code compliant buildings, outdated utilities and somewhat “seedy” grounds that can and have hidden drug users or homeless.

Renovation of this parcel will not only enhance the area but will bring in some much-needed change.

G) Irreversible and Irretrievable commitment of resources.

The proposed renovation will extend the use of the property for commercial use. Landscape and building materials, energy, water and other utility services will be committed to the development of the project. Private funds will be spent, and labor will be utilized during the construction period. Based on the above assessment, the renovation will not have any substantial adverse environmental or ecological impacts, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety and compelling public interest.

ADDITIONAL COMMENTS to Section 4 REGARDING POTENTIAL IMPACTS TO CULTURAL, HISTORICAL AND NATURAL RESOURCES:

A) The identity and scope of cultural, historical and natural resources in the area to include any native Hawaiian rights that are exercised.

There are many natural, cultural and historical resources in Kailua-Kona. Of significance in the area are Hulihe’e Palace, Moku’aikaua church, and directly across the street from the subject property is Kamakahonu beach and Ahu’ena Heiau.

The subject property consists of Land Commission Award 5248 to Kaopua and Grant 3649 to Keaweualani. Ancient depictions of the property are shown on Registered Maps 2560 and 1676. Modern era buildings and construction from previous owners have significantly changed the appearance of the subject land.

B) The effect of the proposed renovation on the cultural, historical and natural resources in the vicinity including the effect to native Hawaiian rights.

There are very few valued cultural, historical or natural resources that exist on the subject property and no ‘gathering rights’ are affected. The demolition notes

recite certain elements for re-use and salvage. For example: Note 5 & 6, "REMOVE CRM CURB WALL; CLEAN AND SALVAGE LAVA ROCK" Note 7: "REMOVE AND SALVAGE CORAL STONE GROUND COVER".

Renovations to the buildings at the Seaside Shops will have no effect on these resources.

C) Feasible action to be taken to protect any cultural, historical or natural resources in the vicinity including the effect to native Hawaiian rights.

The subject property has been fully built out for over fifty years. To the extent that traditional and customary native Hawaiian rights are exercised, the proposed renovation will not affect any traditional, cultural, historical, or native Hawaiian rights.

Section 5) SITE PLAN

Several site plans are attached within EPIC. Existing current site conditions and anticipated 3-D models of the premises after the renovation and demo work are attached within EPIC.

Sections 6 & 7 These questions do not apply to the proposed SMA project.

Section 8 List of property owners surrounding the Subject Property

A PDF of the Excel spreadsheet developed by the Real Property Tax property search website is attached within EPIC. The search buffer was set for 300 feet within the edges of the property. Upon acceptance of the SMA application letters to all identified property owners informing them of the SMA application, the expected date of public hearing, and their rights to file a contested case.

CLOSING:

Based on the above statements and referenced attachments within EPIC, the applicant requests a hearing before the Leeward Planning Commission for a Special Management Area Use Permit. We look forward to presenting this project to Chairman Dean Au and the respected members of the Leeward Planning Commission.

Further we will be amending our prior submitted PL-KVD-000060 to the Kailua Village Design Commission to include this SMA – Major application.

Respectfully Submitted by:

A handwritten signature in dark ink, appearing to read "John C. Cross". The signature is fluid and cursive, with a large initial "J" and "C".

John C. Cross, Senior Land Manager, Edmund C. Olson Trust No.2
Authorized Agent for Seaside Shops.



Addendum to SMA Application

Project No.: PL-SMA-2025-000082

Project: Renovation of the Kona Seaside Shops

Address: 75-5663 Palani Road, Kailua-Kona, HI 96740

TMK: 7-5-006-017

Applicant: Survivor's Trust Created under the Edmund C. Olson Trust No. 2

Agent: John C. Cross, Senior Land Manager

Date: September 9, 2025

Project Description – Renovation of the Kona Seaside Shops with demolition of three buildings, additions to remaining two buildings, additional parking and related landscaping improvements including new drywells to retain onsite generated water.

Heights of Existing Buildings and Proposed Additions

- Building 1 (A): **Heights of Proposed Additions**
The existing building apex is 28 ft. 6 in.
The new addition will have a roof apex of 26.5 ft., approximately 2 ft. lower than the existing apex.
Existing area: 1,800 sq. ft. with additions of 1,100 sq. ft. (new total 2,900 sq. ft.)
Two stories, with Big Kahuna Beach Grill upstairs and Ka'u Coffee Mill Coffee Shop downstairs.
- Building 3 (C): **Heights of Proposed Additions**
The existing building apex is 21 ft. 10 in.
The new addition will have a roof apex that matches the existing building. The Building C (Long Restaurant + Poke Shack) Open Seating/Bar Area trellis has a top of structure at 10 ft. 8 in. measured from Building C's Level 1 finish floor elevation.
Existing area: 2,880 sq. ft. with additions of 1,854 sq. ft. (new total 4,734 sq. ft.)
Includes conversion to restaurant use with kitchen, lanai, bar, and outdoor seating.
- Kiosks: **Heights of Proposed Additions**
The two kiosks' top of roof is at 11 ft. 0 in. measured from the Building A (Ka'u Coffee) Level 1 finish floor elevation.
Two open-sided kiosks, 200 sq. ft. Each. (see Exhibit A: Building Heights Graphic)

Gross Floor Area after renovations:

- Building Area: 8,035 sq. ft.
- Exterior Area (outdoor seating/bar): 1,654 sq. ft.
- Total: 9,688 sq. ft.

Edmund C. Olson Trust No. 2

We envision Hawai'i, where the land and people thrive together.

olsontrust.com | P.O. Box 446 27-256 | Old Māmalahoa Hwy | Pāpa'ikou, Hawai'i 96781

Item 3(F)(D) – Best Management Practices (BMPs)

During construction, a comprehensive set of BMPs will be implemented to control dust, erosion, runoff, and potential pollutants. These practices meet or exceed State of Hawai'i and County of Hawai'i requirements and are further detailed in Exhibit B – Best Management Practices (BMPs) Checklist.

Item 3(F)(G) – Environmental Quality Standards

The above BMPs also ensure compliance with air and water quality standards. The project will follow County DPW Engineering Division requirements for dust, noise, and runoff control. (See Exhibit B: Best Management Practices (BMPs) Checklist)

Item 3(F)(G) – Natural Resources and Shoreline Element

The property is separated from the shoreline by Palani Road/Ali'i Drive (approx. 50 ft. wide). Measures include:

- Renovate and improve the single existing dry well at center of parking lot entrance. Install three (3) new additional drywells to retain waters on premises. (1 additional drywell to rear of parking lot, 2 additional drywells within landscaped areas of courtyard.

"Drywells will be designed to meet or exceed surface flow calculations for waters generated in the paved parking lot and in the landscaped courtyard areas."

- Grading and infiltration features will be directing flows away from Palani Road and the shoreline.

- Landscaping with an emphasis on native species to maximize local plant use, reduce irrigation demand, and support ecological resilience to filter runoff.

(see Exhibit C – Storm water and drainage)

Item 3(K) – Shoreline Access

- Nearest Public Shoreline Access: There are three sites within walking distance from the project area. (See North Kona shoreline access Map 3, features 4 and 5)

- 1) Steps into the ocean at Kailua pier, approximately 175' directly across Ali'i Drive

- 2) Kamakahonu Beach (adjacent to King Kamehameha Hotel, across Ali'i Drive) approximately 250' to the North

- 3) Niumalu Beach access approximately 715' to the south alongside Ali'i Drive

- No existing shoreline access routes are upon the subject property. However, the additional parking spaces proposed for the renovated Seaside Shops will allow for more vehicle parking for those wanting to access the three shoreline access points.

(see Exhibit D: Shoreline Access and Protection)

Kona Community Development Plan (CDP)

The project is consistent with Kona CDP goals:

- LU 1.1: The project site is within the Kona Urban Area. Renovations will enhance community character by revitalizing a key entry point to Ali'i Drive. The project site is within the Kailua Urban core and is adjacent to Ali'i Drive pedestrian sidewalk route. Also, the Kona Trolley Bus Stop 201 is right outside the front of the Kona Seaside Shops (see Exhibit E: Site Photos – Transit & Pedestrian Features). These elements satisfy Transportation Goals Objectives, Policies and Actions identified by section 4.1.3 TRANS 1.1 through TRAN-2 Street Network Connectivity of the Kona CDP.

- LU 1.2: The project will incorporate sustainable practices (BMPs, drainage management, landscaping with native plants). Objective LU-2 is also achieved in regards to Urban Growth Management that support Public Transit.

- LU 1.4: The renovated Kona Seaside Shops will be consistent with LUPAG and the CDP planning horizon. The removal of three existing buildings and the consolidated new sq.ft area of the two remaining buildings will meet the compact densities that are recited in the CDP. The buildings will retain their long Polynesian hipped and gabled roof appearance. The additional parking stalls, enhanced Landscaped green area, and multiple drywells on the property will protect shoreline resources by ensuring no direct impacts to public shoreline access or water quality.

Exhibits

- Exhibit A: Building Heights Graphic
- Exhibit B: Best Management Practices (BMPs) Checklist
- Exhibit C: Stormwater & Drainage Plan
- Exhibit D: Shoreline Access and Protection
- Exhibit E: Site Photos ...Transit & Pedestrian Features

Exhibit A

Exhibit A: Building Heights Graphic

The following graphic illustrates the relative heights of the kiosks and the Building C trellis. The kiosks' top of roof is 11'-0" from Building A Level 1 finish floor elevation. The Building C trellis's top of structure is 10'-8" from Building C Level 1 finish floor elevation. Since Building C's Level 1 is offset by +1'-4" above Building A's Level 1, the trellis is visually about 1' taller than the kiosks.



Exhibit A

Exhibit B

Exhibit B: Best Management Practices (BMPs) Checklist

- ☐ Install dust screens and apply water sprinkling during demolition and grading to minimize airborne particulates
- ☐ Protect storm drains from debris and runoff with inlet protection (e.g., filter fabric, gravel bags)
- ☐ Use silt fences, fiber rolls, or other barriers to prevent sediment migration off-site
- ☐ Limit construction activity to designated areas; establish stabilized entrances/exits to reduce tracking of dirt onto roadways
- ☐ Store and handle fuel, oils, paints, and chemicals in secondary containment with clearly labeled storage areas
- ☐ Cover and stabilize stockpiled soil and construction materials to prevent erosion or dust generation
- ☐ Dispose of construction waste promptly and at approved facilities; prohibit dumping near shoreline or drains
- ☐ Re-vegetate disturbed areas promptly after construction with native plant species to stabilize soil and support ecological resilience
- ☐ Verify drainage improvements and dry wells direct flows away from the shoreline and function properly during construction
- ☐ Confirm the project setback (50 ft from shoreline) is maintained and clearly marked during construction
- ☐ Maintain unobstructed public shoreline access signage and add a second ocean access to the south as committed
- ☐ Ensure no obstruction of existing shoreline access routes throughout the project duration
- ☐ Conduct BMP inspections weekly and after major rain events, documenting findings and corrective actions
- ☐ Maintain log of BMP installation, inspection, and maintenance for County/State review
- ☐ Ensure all employees and contractors are trained on BMP requirements prior to beginning work

Exhibit B

Exhibit C

Exhibit C: Storm Water and Drainage

- Existing dry well: 6' round slotted concrete ring with 36" x 36" grate (to be renovated and rebuilt).
- Three (3) new dry wells to be added: one at rear of parking lot, two in courtyard landscaped areas.
- Designed to meet/exceed surface flow requirements and retain waters on-site.
- Grading directs flows away from Palani Road and shoreline.
- Landscaping with native species to filter runoff and reduce irrigation demand.



Existing dry well

Exhibit C

Exhibit D

Exhibit D: Shoreline Access & Protection

On-Site Access - No shoreline access routes exist on the property. Proposed additional parking at the renovated Seaside Shops will support public use of nearby shoreline access points.

Photos (in order):

1. Kailua Pier steps – Steps into the ocean, 175 ft across Ali'i Drive
2. Kamakahonu Beach – Adjacent to King Kamehameha Hotel, 250 ft north across Ali'i Drive
3. Niumalu Beach access – 715 ft south along Ali'i Drive



Three steps at Pier



Kamakahonu Beach



Niumalu Beach

Exhibit D

Exhibit E

Exhibit E: Site Photos (in order) – Transit & Pedestrian Features

1. Photo 1: Kona Trolley Bus Stop 201 in front of Kona Seaside Shops
2. Photo 2: Ali'i Drive pedestrian sidewalk adjacent to project site
3. Photo 3: Ali'i Drive Kona Trolley at Kona Seaside Shops by Hele On Bus



Kona Trolley Bus Stop 201 in front of Kona Seaside Shops



Ali'i Drive pedestrian sidewalk adjacent to project site



Kona Trolley at Kona Seaside Shops by Hele On Bus

Exhibit E

Kona Seaside Shops

75-5663 Palani Road, Kailua-Kona



Overview



Legend

 Parcels

Parcel ID	750060170000	Situs/Physical Address	75-5663 PALANI ROAD	Market Land Value	\$1,177,500	Last 2 Sales			
Acreage	0.767	Mailing Address	OLSON, EDMUND C TR	Dedicated Use Value	\$0	Date	7/27/2021	Price	\$4295000
Class	COMMERCIAL		46 AMAUULU RD HILO HI 96720 2347	Land Exemption Value	\$0			Reason	NOT OPEN MARKET
				Net Taxable Land Value	\$1,177,500	9/18/2001	0		n/a
				Assessed Building Value	\$1,010,200				
				Building Exemption Value	\$0				
				Net Taxable Building Value	\$1,010,200				
				Total Taxable Value	\$2187700				

Brief 33,411 SF DEA LP GR 3649 POR RP 4795 LCAW 5248

Tax Description

(Note: Not to be used on legal documents)

*Hawaii County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. The 'parcels' layer is intended to be used for visual purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. The 'parcels' data layer does not contain metes and bounds described accuracy therefore, please use caution when viewing this data. Overlaying this layer with other data layers that may not have used this layer as a base may not produce precise results. GPS and imagery data will not overlay exactly.

MAP SHOWING EXISTING CONDITIONS UPON

Podium at Palani, Maui

Being a Portion of Tract 1, Map No. 2548 & 4715

L.C. Award 5243 At Lanihale, 1990

County of Maui, Hawaii, County of Hawaii & State of Hawaii

TMK No. 31-7-5-006-017

TMK 31-7-5-006-017
1.440 Acres

TMK 31-7-5-006-017
1.440 Acres

TMK 31-7-5-006-017
1.440 Acres

TMK 31-7-5-006-017
1.440 Acres

TMK 31-7-5-006-017
1.440 Acres

COPY

MAP SHOWING EXISTING CONDITIONS UPON

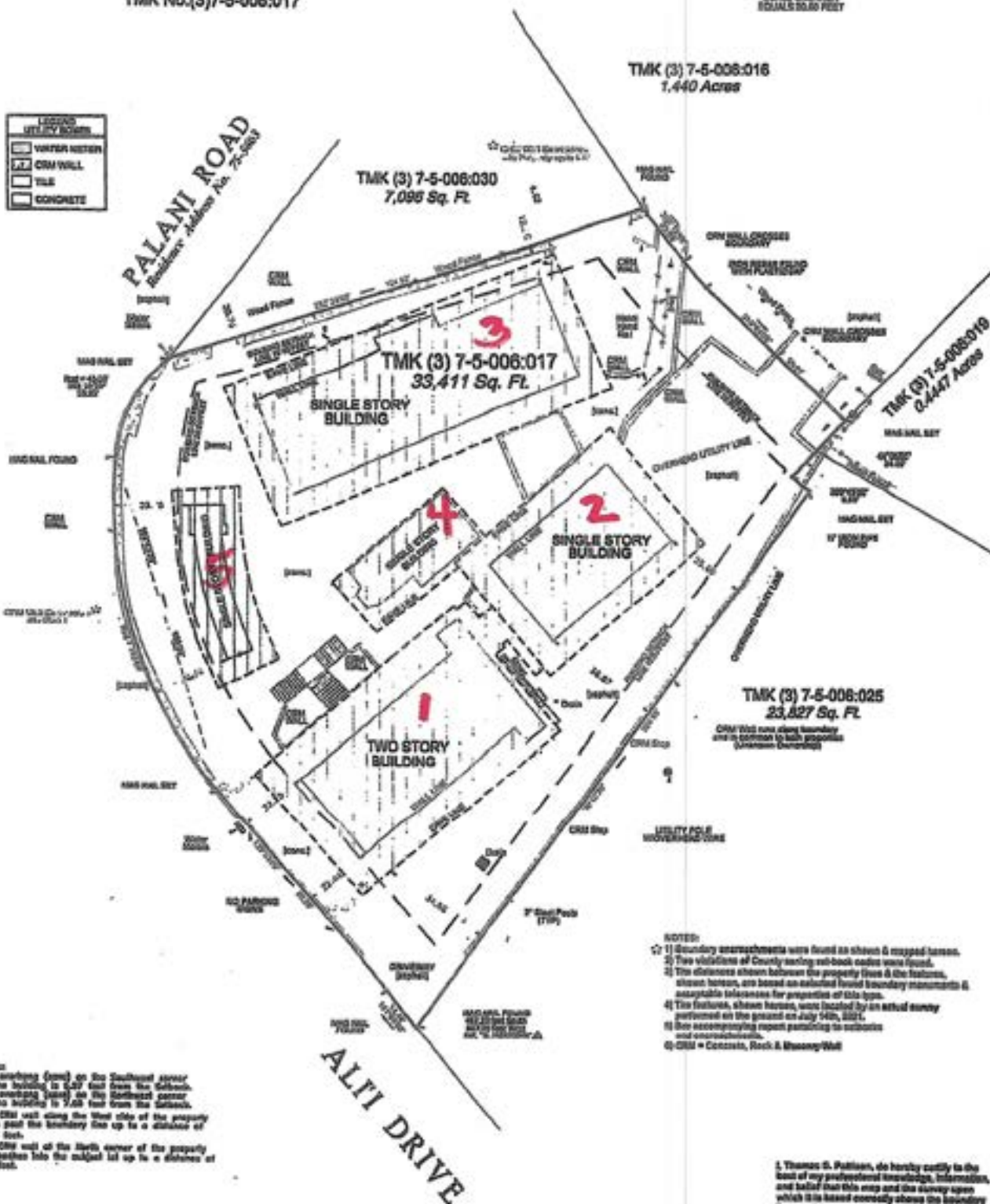
Portions of Kailua Village,
Being a Portion of Royal Patent No. 3649 & 4795
L.C. Award 5248 At Lanikai 2nd,
District of North Kona, County, Island of Hawaii & State of Hawaii
TMK No. (3)7-5-006:017

NOTE: SHOWN BY ADJUTANT
GENERAL LAND RECORDS
OF THE STATE

NOTE: ALL ALLEGED &
DISTANCES ARE SHOWN
& SUFFICIENT TO BE A
CLOSURE OF THE



LEGEND	UTILITY ROUTE
WATER METER	
CRM WALL	
TILE	
CONCRETE	



- Notes
- The existing (line) on the Southeast corner of the building is 5.27 feet from the building.
- The existing (line) on the Southwest corner of the building is 7.68 feet from the building.
- The CRM wall along the West side of the property goes past the boundary line up to a distance of 1.48 feet.
- The CRM wall at the North corner of the property continues into the subject lot up to a distance of 5.0 feet.

- NOTES:
- 1) Boundary encroachments were found as shown & mapped herein.
 - 2) Two violations of County zoning setback codes were found.
 - 3) The distances shown between the property lines & the features, shown herein, are based on selected found boundary monuments & acceptable tolerances for properties of this type.
 - 4) The features, shown herein, were located by an actual survey performed on the ground on July 14th, 2021.
 - 5) See accompanying report pertaining to setbacks and encroachments.
 - 6) CRM = Concrete, Rock & Masonry Wall

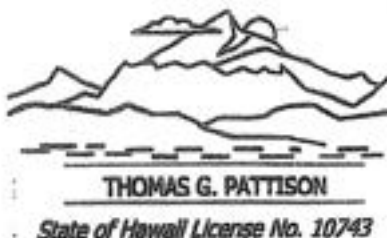
I, Thomas G. Pattison, do hereby certify to the best of my professional knowledge, information, and belief that this map and the survey upon which it is based correctly shows the boundary lines and topographic features as shown on the ground.

-COPY-

THOMAS G. PATTISON
Professional Land Surveyor
July 14th, 2021

PATTISON LAND SURVEYING

P.O. Box 14400 - Honolulu - Hawaii 96814
Office 808-277-4331



PATTISON LAND SURVEYING

P.O. Box 384569
Waikoloa, Hawaii 96738
Office Phone: 808.327.9439
E-mail: tom@surveyhawaii.com

SURVEY REPORT

Parcel 17
Of Kailua Village

All of that certain parcel of land (being all of the land(s) described in and covered by Land Patent Grant Number 3649 to J. Keaweualani and a portion of the land described in Royal Patent Number 4795, Land Commission Award Number 5248 to Kaopua) situate, lying and being at Lanilau 2nd, in the District of North Kona, State of Hawaii

TMK No. (3)7-5-006:017

Address: 75-5663 Palani Road, Kailua-Kona, Hawaii 96740

I performed a survey of the subject property on July 14th, 2021 and found the existing improvements in the vicinity of the lot boundary lines and setback areas as shown and noted on the accompanying map. Please, note that the County setback codes are as follows:

Front & Rear Setbacks.....Twenty [20.00] feet
Side Setbacks.....Ten [10.00] feet

According to County code, roof overhangs may protrude into the setback up to five [5.00] feet on the sides and up to six [6.00] feet on the front and rear yards.

Upon study of the survey, I found two projection setback violations. I found the overhang (eave) on the Southwest corner of a building is 6.97 feet from the setback and the overhang (eave) on the Northwest corner of a building is 7.60 feet from the setback. As the accompanying map shows, all remaining building overhangs (eaves) are within code. Please refer to the accompanying map for more information, not mentioned in this report.

Boundary encroachments were found. The CRM (concrete, rock, masonry) wall along the West side of the property goes past the boundary line, into the street, up to a distance of 1.38 feet. A CRM wall located at the North corner of the subject lot extends into the subject lot, up to 5.0 feet. Three CRM walls (unknown ownership) cross the Northeast boundary line. A CRM wall along the Southeast boundary line (unknown ownership) is shared and common to Parcel 25.

Please refer to the accompanying map for more information, not mentioned in this report.

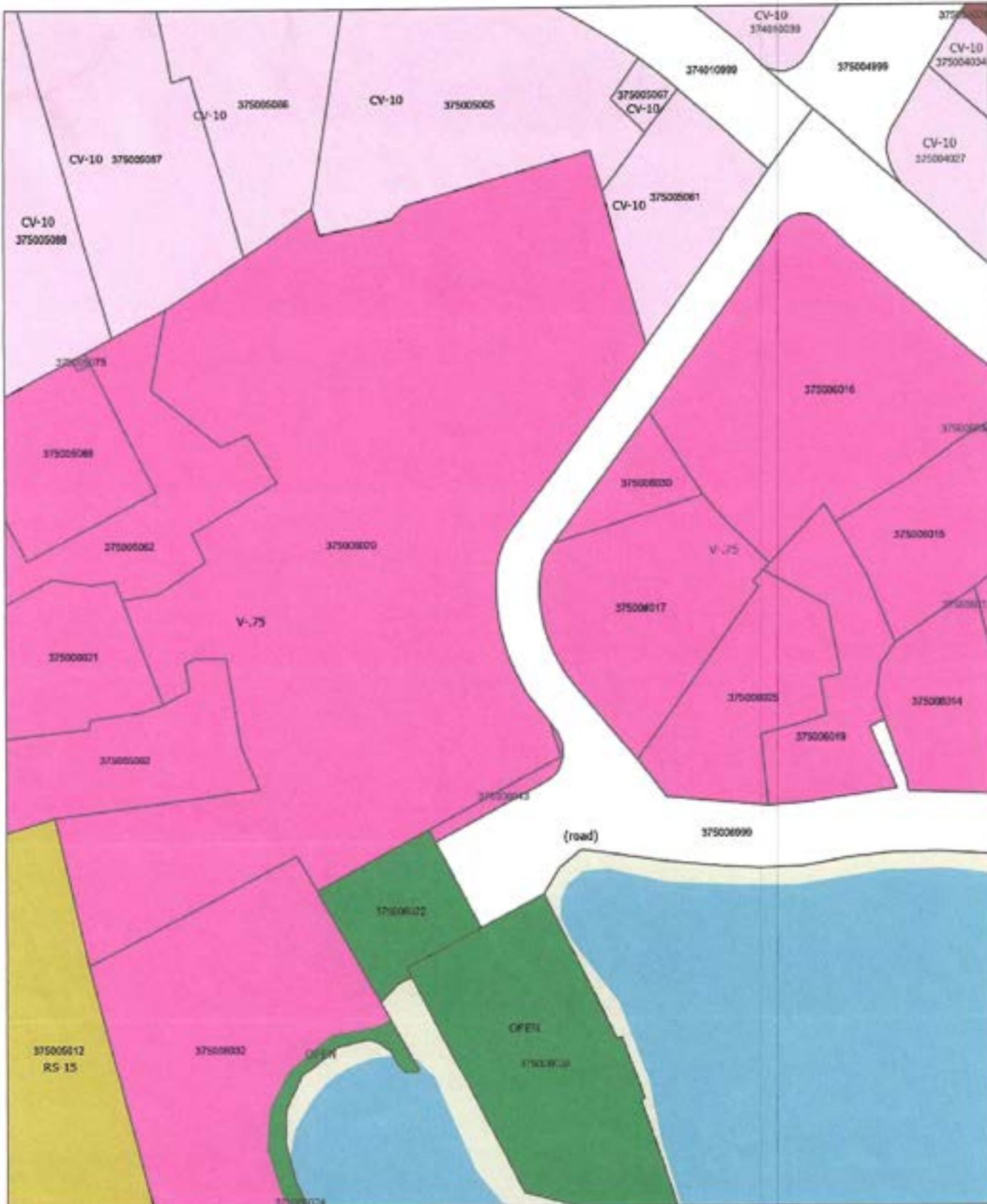
The features and distances shown between lot lines are based on selected found boundary monuments and acceptable tolerances for properties in this area and age of the original survey. Please note that six [6] of the ten [10] recognized original boundary corners were found as shown and noted on the accompanying map. The remaining four [4] boundary corners were set as accompanying map indicates.

NOTE: Please refer to the accompanying map for all information pertaining to this report.



Thomas G. Pattison, LPLS #10743
July 20th, 2021

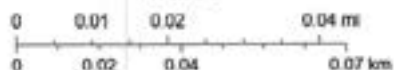
ArcGIS County Zoning 7-5-006-017



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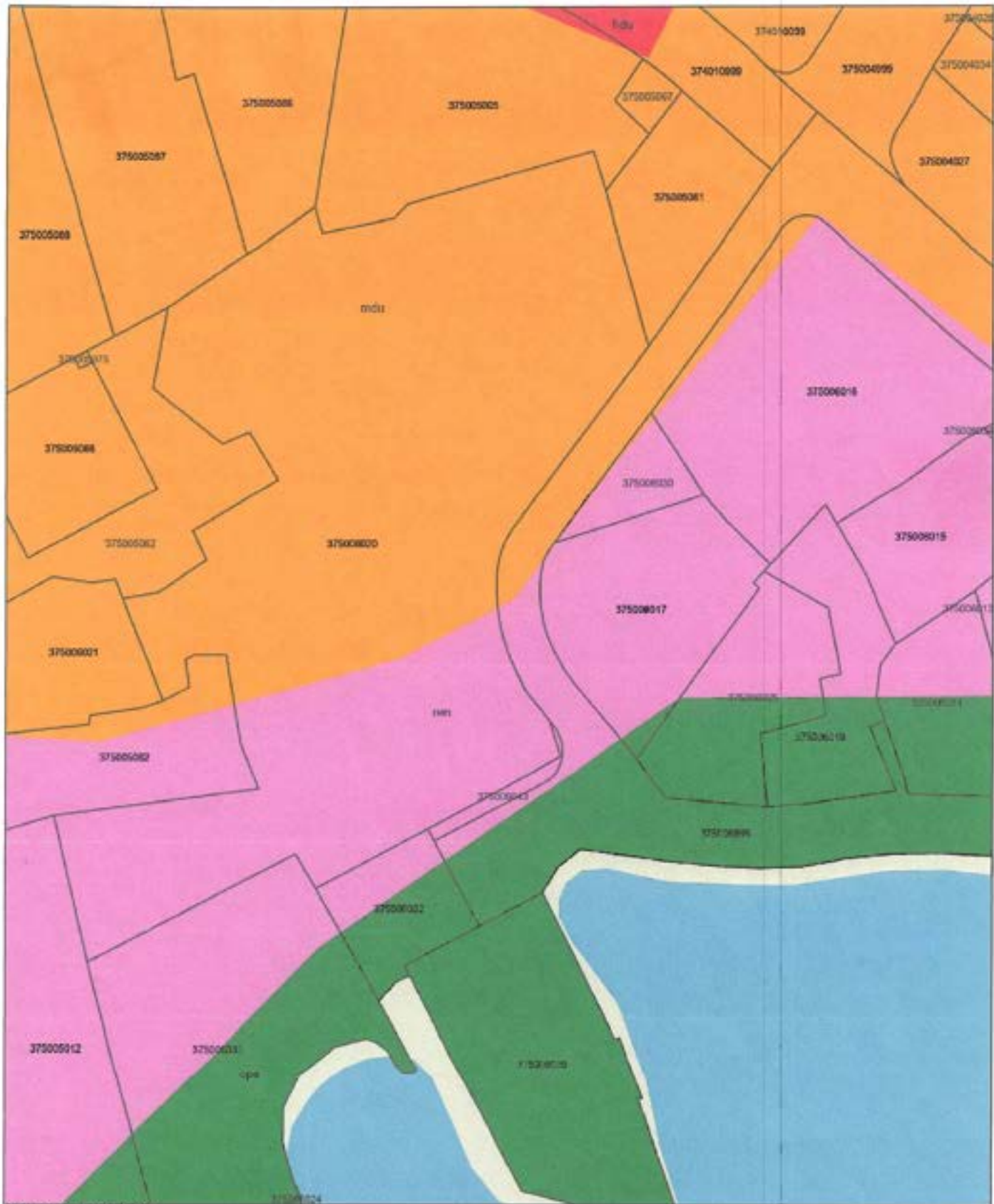
Zoning (Labels) CV-10 Coastline
Zoning OPEN Parcels (labels)
(road) RS-15 Parcels (boundary lines)
CG-20 v-75

1:1,128



Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METV USA, USGS, EPA, US Census Bureau, USDA, USFWS, Sources: Esri, Airbus DS, USGS, NOAA, NASA, CGAR, N Robinson, NCEAS, NLS, OS, DMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland

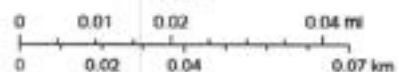
Acritis Web AppBuilder



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- LUPAG Current Status (Labels)
- High Density Urban
 - Medium Density Urban
 - Open Area
- LUPAG (Current Status)
- Resort Node
 - Coastline
 - Parcels (labels)
 - Parcels (boundary lines)

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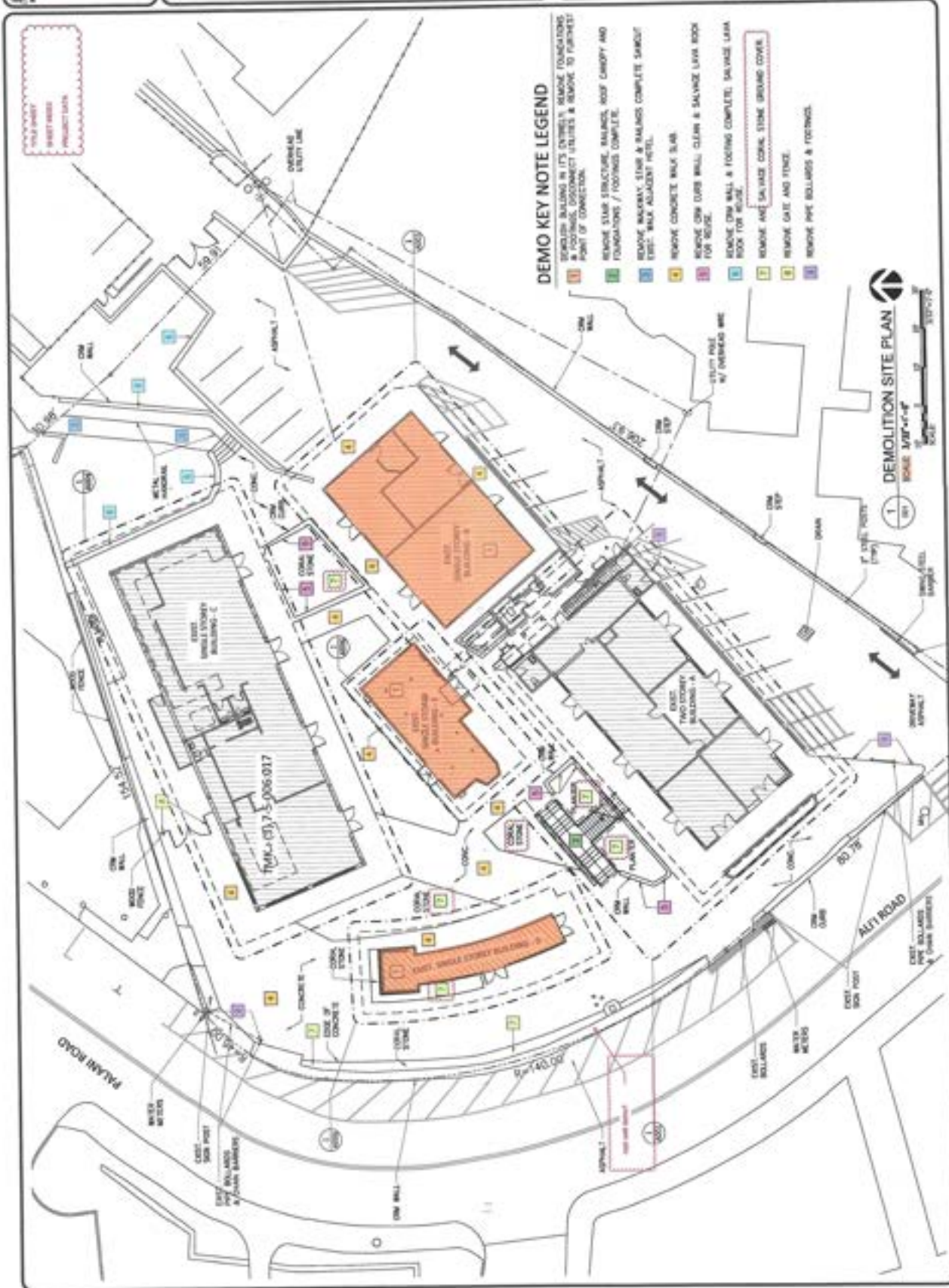
Esri Community Maps Contributors, © OpenStreetMap contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI, NASA, USGS, EPA, US Census Bureau, USDA, USFWS, Sources: Esri, Airbus DS, USGS, NOAA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodetecolyn, Rijkswaterstaat, GSA, Geoland.

DEMO KEY NOTE LEGEND

Extracted and enhanced version of Demolition actions proposed for Kona Seaside Shops. See numbers within squares placed upon the site plan.

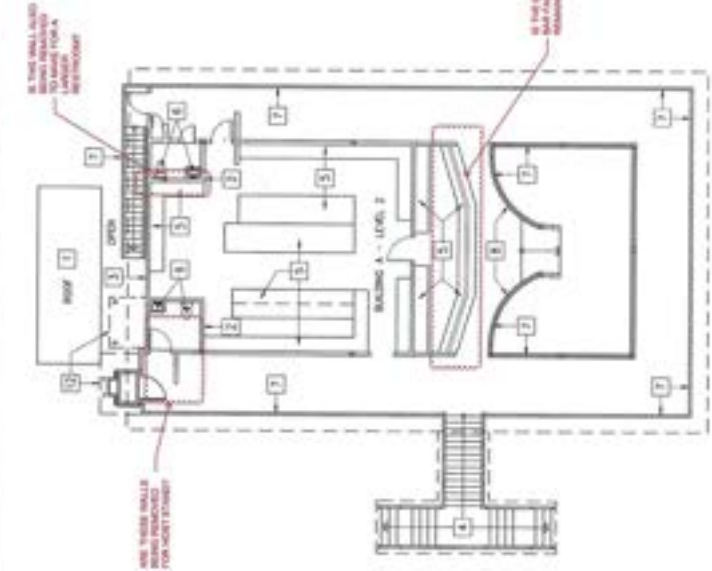
Action 1: Buildings highlighted in Orange reflect buildings "B", "D", & "E", buildings demolished entirely. Demo actions 2 through 9 recite specific demo or salvage/reuse options.

1. DEMOLISH BUILDING IN IT'S ENTIRELY; REMOVE FOUNDATIONS & FOOTINGS, DISCONNECT UTILITIES & REMOVE TO FURTHEST POINT OF CONNECTION.
2. REMOVE STAIR STRUCTURE, RAILINGS, ROOF CANOPY AND FOUNDATIONS / FOOTINGS COMPLETE.
3. REMOVE WALKWAY, STAIR & RAILINGS COMPLETE SAWCUT EXIST. WALK ADJACENT HOTEL.
4. REMOVE CONCRETE WALK SLAB.
5. REMOVE CRM CURB WALL; CLEAN & SALVAGE LAVA ROCK FOR REUSE.
6. REMOVE CRM WALL & FOOTING COMPLETE; SALVAGE LAVA ROCK FOR REUSE.
7. REMOVE AND SALVAGE CORAL STONE GROUND COVER.
8. REMOVE GATE AND FENCE.
9. REMOVE PIPE BOLLARDS & FOOTINGS

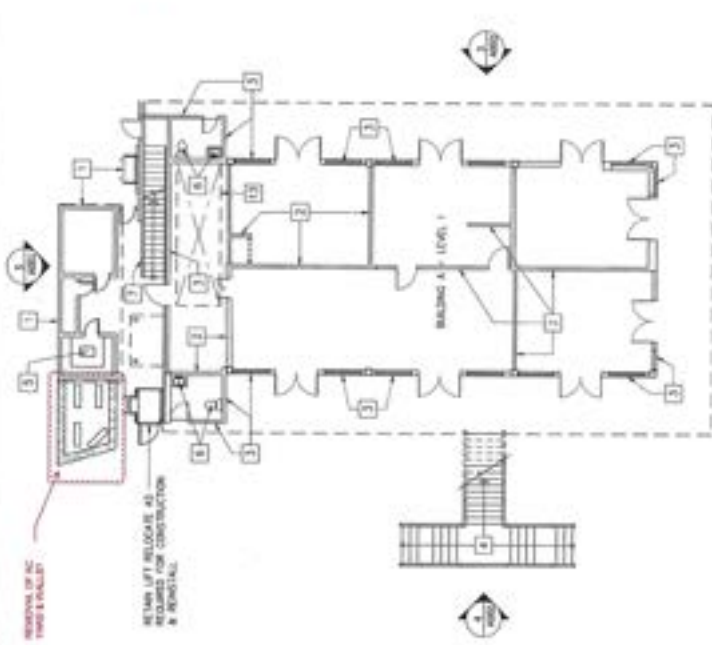


DEMO KEY NOTE LEGEND

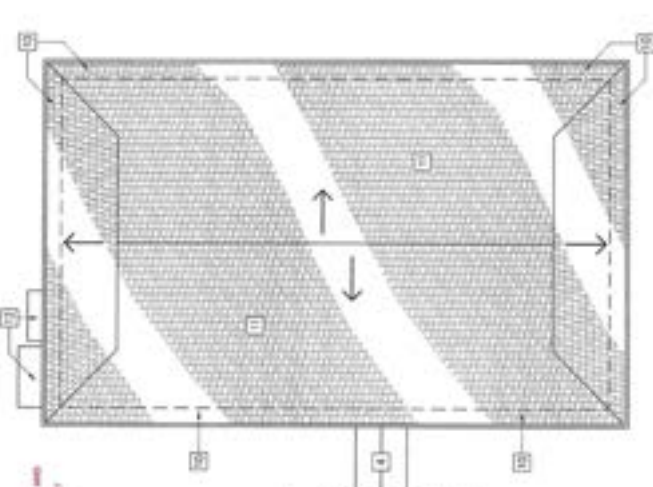
- 1 REMOVE ASD - ON STRUCTURE COMPLETE. REMOVE FOUNDATIONS & FOOTINGS.
- 2 REMOVE AND SALVAGE EXTERIOR WALLS FROM SLAB TO DECK COMPLETE.
- 3 REMOVE EXTERIOR WALL, DOORS, GLAZING AND OTHER CODE COMPLETE. CUT SLAB AS REQUIRED FOR NEW WALL CONSTRUCTION. RETAIN STRUCTURAL COLLARS AND BEAMS.
- 4 REMOVE SLAB STRUCTURE COMPLETE INCLUDING STRUCTURE, FOUNDATIONS, RAILING AND CANYON.
- 5 REMOVE KITCHEN EQUIPMENT COMPLETE. ITEM IDENTIFIED BY OWNER TO RETAIN.
- 6 REMOVE AND SALVAGE PLUMBING FIXTURES AND TRIM.
- 7 REMOVE METAL RAILING COMPLETE.
- 8 REMOVE PORTION OF RAISED FLOOR & PREP FOR NEW CONSTRUCTION.
- 9 REMOVE BAR CASEWORK COMPLETE. SALVAGE CASEWORK & EQUIPMENT.
- 10 REMOVE ROOFING & FIRST 4" OF ROOF SHEATHING AS REQUIRED TO REPLACE DETERIORATED STRUCTURE.
- 11 REMOVE ROOFING, FLASHING & UNDERLAMENT TO DECK. INSPECT & REPLACE DECKING AS REQUIRED.
- 12 REMOVE ROOF & STRUCTURE COMPLETE.
- 13 SHUT-DOWN & REMOVE CONCRETE SLAB FOR NEW WORK.



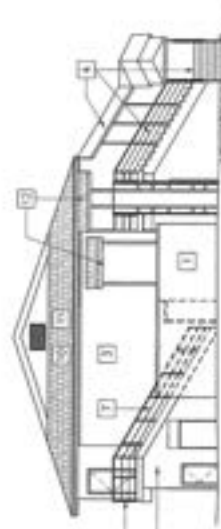
BUILDING - A DEMO SECOND LEVEL FLOOR PLAN
 2
 ASH SCALE: 1/8"=1'-0"



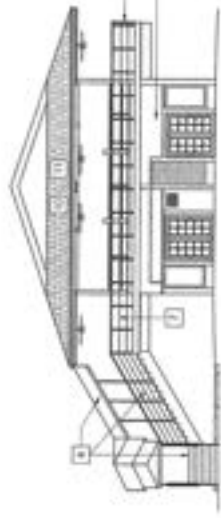
BUILDING - A DEMO FIRST LEVEL FLOOR PLAN
 1
 ASH SCALE: 1/8"=1'-0"



BUILDING - A DEMO ROOF PLAN
 3
 ASH SCALE: 1/8"=1'-0"



BUILDING - A DEMO SOUTH ELEVATION
 5
 ASH SCALE: 1/8"=1'-0"

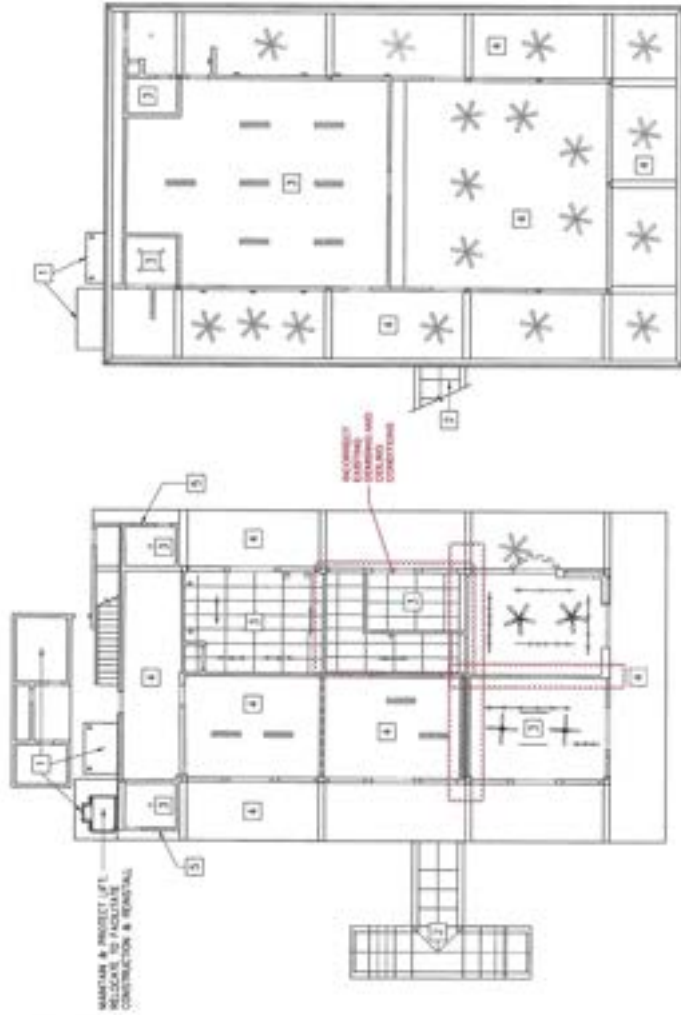


BUILDING - A DEMO NORTH ELEVATION
 4
 ASH SCALE: 1/8"=1'-0"



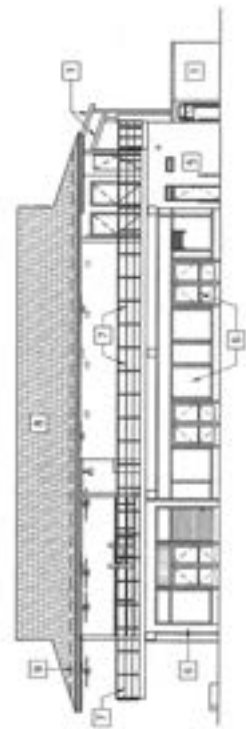
DEMO KEY NOTE LEGEND

- 1 REMOVE ADD - ON STRUCTURES, FOOTINGS & FOUNDATIONS COMPLETE.
- 2 REMOVE STEEL STRUCTURE & CANOPY, FOOTINGS & FOUNDATIONS COMPLETE.
- 3 REMOVE SUSPENDED CEILING, LIGHTS, MECHANICAL EQUIPMENT, PLUMBING & OTHER ELEMENTS COMPLETE TO STRUCTURE.
- 4 REMOVE LOGICAL PLUMBING, ELECTRICAL, MECHANICAL ELEMENTS COMPLETE TO STRUCTURE. *(COLLIMATED FLOOR)*
- 5 REMOVE RESTROOM ENCLOSURE COMPLETE.
- 6 REMOVE EXTERIOR WALL, DOORS, GLAZING AND OTHER ELEMENTS COMPLETE, CUT SLAB FOR NEW FOUNDATIONS. EXISTING COLUMNS REMAIN TO REMAIN.
- 7 REMOVE METAL SKIN COMPLETE.
- 8 REMOVE ROOFING, GLAZING & UNDERLAYMENT TO DECK. INSPECT & REPLACE DECKING AS REQUIRED.
- 9 REMOVE AND REPLACE EXISTING DECKING SUBJECT TO DEMONSTRATION AS REQUIRED.

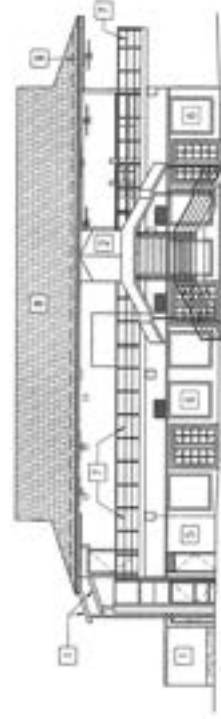


1
BUILDING - A DEMO
FIRST LEVEL RCP
SCALE: 1/8" = 1'-0"

2
BUILDING - A DEMO
SECOND LEVEL RCP
SCALE: 1/8" = 1'-0"



3
BUILDING - A DEMO
EAST ELEVATION
SCALE: 1/8" = 1'-0"

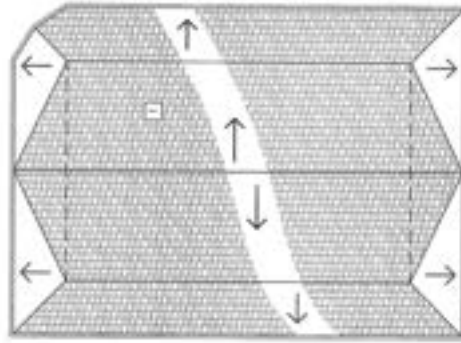


4
BUILDING - A DEMO
WEST ELEVATION
SCALE: 1/8" = 1'-0"

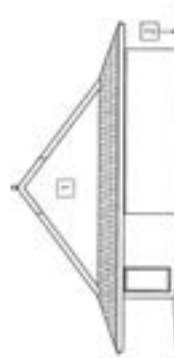


DEMO KEY NOTE LEGEND

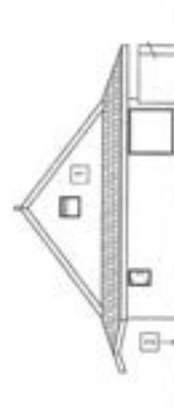
- 1 REMOVE BUILDING IN ITS ENTIRETY INCLUDING FOOTINGS & FOUNDATION
- 2 REMOVE CONCRETE WALK



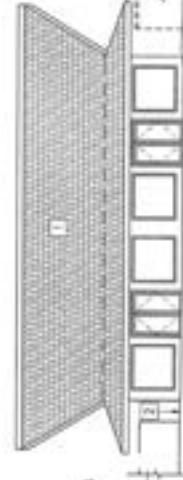
3 BUILDING - B DEMO
ROOF PLAN
SCALE: 1/8"=1'-0"



4 BUILDING - B DEMO
SOUTH ELEVATION
SCALE: 1/8"=1'-0"



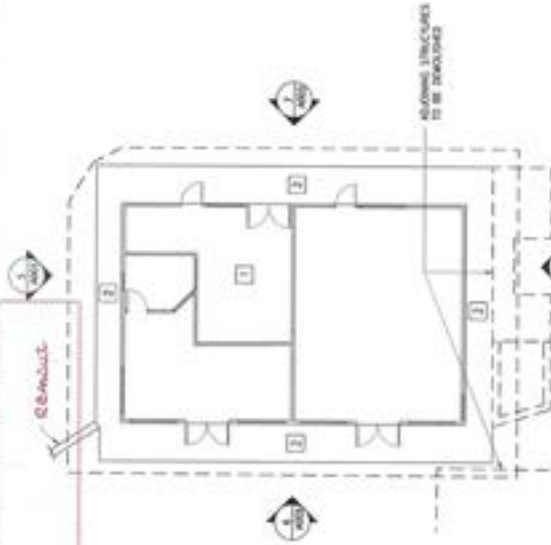
5 BUILDING - B DEMO
NORTH ELEVATION
SCALE: 1/8"=1'-0"



6 BUILDING - B DEMO
WEST ELEVATION
SCALE: 1/8"=1'-0"



7 BUILDING - B DEMO
EAST ELEVATION
SCALE: 1/8"=1'-0"



1 BUILDING - B DEMO
FLOOR PLAN
SCALE: 1/8"=1'-0"

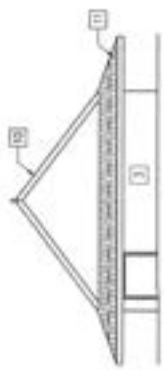


2 BUILDING - B DEMO
RCP PLAN
SCALE: 1/8"=1'-0"

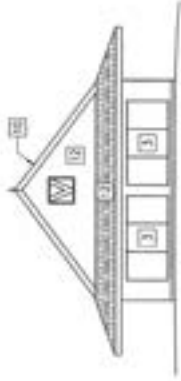


DEMO KEY NOTE LEGEND

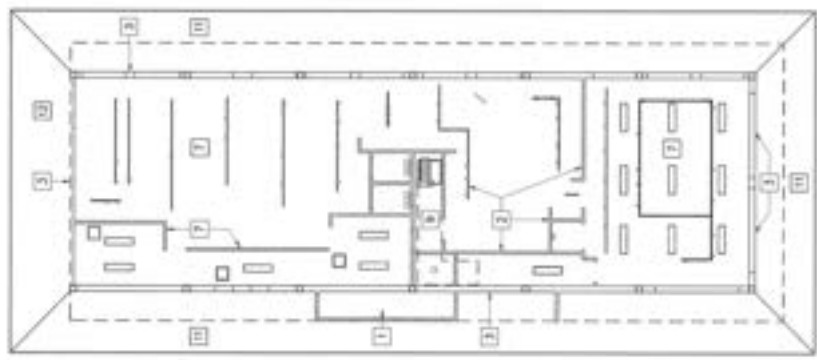
- 1 REMOVE AND - ON STRUCTURE COMPLETE INCLUDING FOOTINGS & FOUNDATIONS.
- 2 REMOVE INTERIOR WALLS FROM SLAB TO DECK COMPLETE.
- 3 REMOVE EXTERIOR WALLS, DOORS, GLAZING AND OTHER ITEMS COMPLETE. SAWCUT CONCRETE SLAB AS REQUIRED FOR NEW WALL CONSTRUCTIONS. RETAIN STRUCTURAL COLUMNS AND BEAMS.
- 4 REMOVE SHOPS LADDER.
- 5 REMOVE AND SALVAGE PLUMBING FIXTURES AND FITTINGS.
- 6 REMOVE SECOND LEVEL IMPROVEMENTS, WALLS, CEILING LIGHTING, PLUMBING COMPLETE. RETAIN FLOOR FRAMING IF COMPATIBLE WITH NEW CONSTRUCTION.
- 7 REMOVE SUSPENDED AND FRAMED CEILINGS THROUGHOUT INCLUDING LIGHTING, POWER, & PHONE.
- 8 SAW-CUT & REMOVE SLAB FOR NEW PLUMBING WORK.
- 9 REMOVE CEILING FRAMING FOR NEW SHAR CONSTRUCTION.
- 10 REMOVE ROOF SINGLES, FLASHING & UNDERLAYMENT TO DECK. INSPECT SHEATHING AND REPLACE AS REQUIRED.
- 11 REMOVE DEGRADED SHEATHING & FRAMING AND REPLACE AS REQUIRED.
- 12 REMOVE SHEATHING & FRAMING FOR NEW CONSTRUCTION & ROOF EXTENSION.



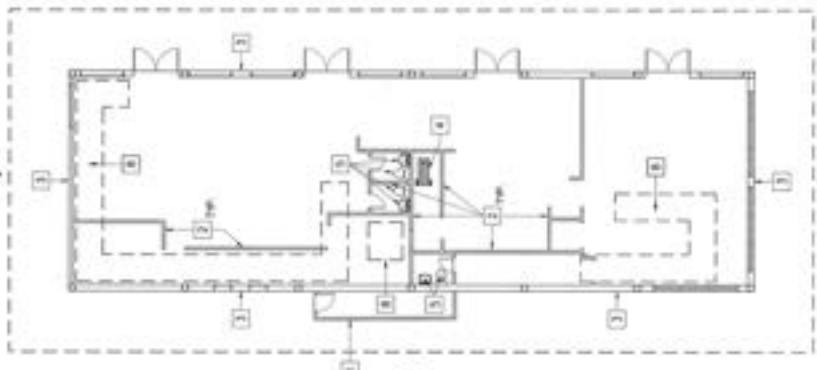
BUILDING - C DEMO NORTH ELEVATION
 SCALE: 1/8"=1'-0"
 A004



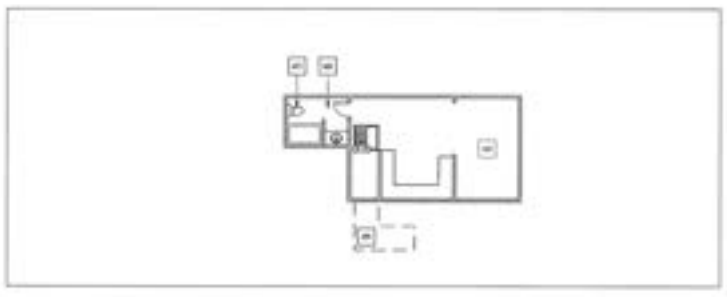
BUILDING - C DEMO SOUTH ELEVATION
 SCALE: 1/8"=1'-0"
 A004



2 BUILDING - C DEMO RCP PLAN
 SCALE: 1/8"=1'-0"
 A004



1 BUILDING - C DEMO FIRST FLOOR PLAN
 SCALE: 1/8"=1'-0"
 A004

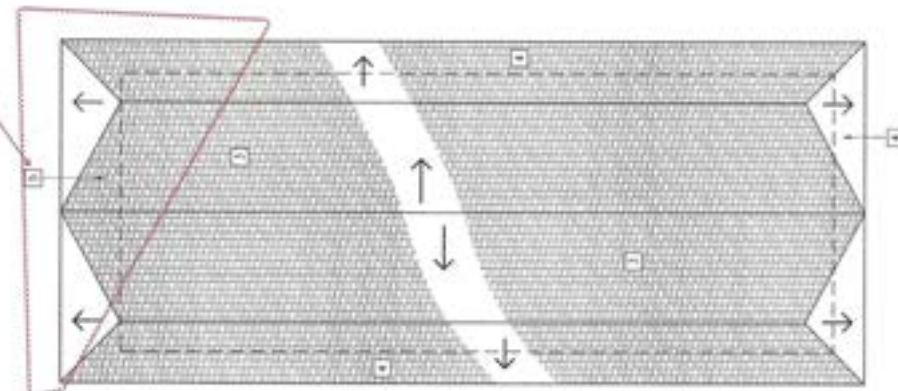


3 BUILDING - C DEMO SECOND FLOOR PLAN
 SCALE: 1/8"=1'-0"
 A004

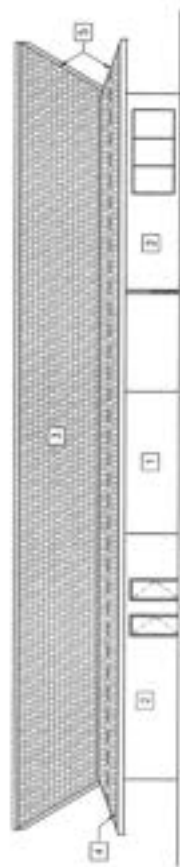
DEMO KEY NOTE LEGEND

- 1 REMOVE ASD - ON STRUCTURE COMPLETE INCLUDING FOOTINGS & FOUNDATIONS
- 2 REMOVE EXTERIOR WALL, DOORS, GLAZING AND OTHER ITEMS COMPLETE. SAMCUT CONCRETE SLAB AND PREPARED FOR NEW WALL CONSTRUCTIONS, RETAIN STRUCTURAL COLUMNS AND BEAMS.
- 3 REMOVE ROOF SHEET, FLASHING & UNDERLAYMENT TO DECK. INSPECT SHEATHING AND REPLACE AS REQUIRED.
- 4 REMOVE DETACHED SHEATHING & FRAMING AS REQUIRED.
- 5 REMOVE SHEATHING & FRAMING FOR NEW CONSTRUCTION & ROOF EXTENSION.

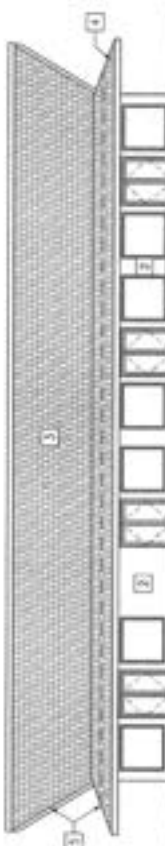
add proposed additional roof
 in place of roof



**BUILDING - C DEMO
 ROOF PLAN**
 SCALE: 1/8"=1'-0"



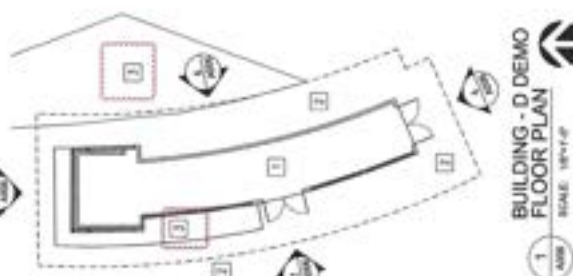
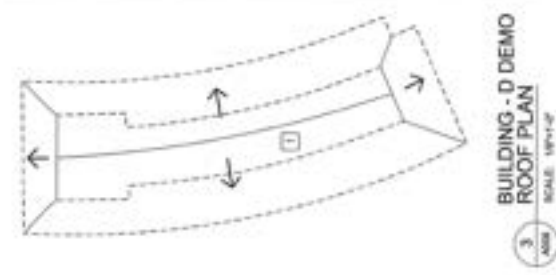
**BUILDING - C DEMO
 EAST ELEVATION**
 SCALE: 1/8"=1'-0"



**BUILDING - C DEMO
 WEST ELEVATION**
 SCALE: 1/8"=1'-0"

DEMO KEY NOTE LEGEND

- 1 REMOVE BUILDING IN ITS ENTIRETY INCLUDING FOOTINGS & FOUNDATION
- 2 REMOVE CONCRETE BALU
- 3 REMOVE AND SALVAGE CORAL STONE GROUND COVER



KONA SEASIDE SHOPS

CONCEPT 3D VIEWS

3.5.2025
TINGUELY DEVELOPMENT, INC.





FROM ACROSS PALANI



FROM QUINN'S



AT MAIN ENTRY



KAU COFFEE OUTDOOR SEATING



RESTAURANT
HOST STAND



BIG KAHUNA
ENTRY



POKE & SHADE SEATING

FROM POKE





FROM TOP OF PARKING



FROM PARKING ENTRY



PARKING ENTRY TOWARD PALANI



RESTAURANT BAR LANAI



RESTAURANT LANAI



RESTAURANT OUTDOOR SEATING



AERIAL FROM KING KAM



Aerial Drone photo, Current Site Conditions, Five buildings present



Modified Aerial Drone photo, Showing renovated site
concept



Photo from King Kamehameha Hotel, Current Site
Conditions, Five buildings present



Modified Photo from King Kamehameha Hotel,
Showing renovated site concept

A-9288000825

THE ORIGINAL OF THE DOCUMENT
RECORDED AS FOLLOWS:
STATE OF HAWAII

BUREAU OF CONVEYANCES

DOCUMENT NO. _____ Doc A 9288000825 _____

DATE - TIME _____ 6/6/2025 12:02 PM _____

Land Court

Regular System

AFTER RECORDATION, RETURN BY MAIL [] PICK-UP []

To: Paul Alston, Esq.
1001 Bishop Street, Ste. 2800
Honolulu, Hawaii 96813

**Certification of Trust for the
Survivor's Trust Created Under the
Edmund C. Olson Trust No. 2
Dated August 21, 1985, as Amended**

Pursuant to Section 554D-1013 of the Hawaii Revised Statutes, this Certification of Trust is signed by Paul Alston, Co-Trustee of the Survivor's Trust created under the Edmund C. Olson Trust No. 2 dated August 21, 1985, as amended, who declares:

1. The existence of the Survivor's Trust created under the Edmund C. Olson Trust No. 2, dated August 21, 1985 (hereinafter referred to as the "Survivor's Trust"), as completely restated by instrument dated March 17, 2018, and further amended by instruments dated May 8, 2019 (First Amendment), March 12, 2021 (Second Amendment), June 10, 2021 (Third Amendment), and February 1, 2023 (Fourth Amendment).

2. The settlor of the Survivor's Trust was Edmund Clarence Olson, who died on July 15, 2024.
3. Upon the death of the settlor, the Survivor's Trust became irrevocable.
4. The tax identification number of the trust is 99-6875062.
5. The current acting successor co-trustees are:

Paul Alston 27-256 Old Mamalahoa Hwy. Papaikou, Hawaii 96781	Donald Lam Lam Robinson & Co., Certified Public Accountants 100 North Barranca Street, Ste. 200 West Covina, California 91791
--	--
- 6.. Pursuant to the Court-approved Co-Trustees' Operational Rules and H.R.S. §554D-703, each co-trustee has the authority to sign or otherwise authenticate an exercise of the powers of the trustee.
8. Title to assets held in the trust will be titled as:

Paul Alston and Donald Lam, Co-Trustees of the Survivor's Trust created under the Edmund C. Olson Trust No. 2, dated August 21, 1985, as amended.
9. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
10. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request, if appropriate. The powers of the Trustee include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.
11. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire into the terms of this trust or the authority of the Trustee, or to see to the application that the Trustee makes of funds or other property received by the Trustee.
12. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.

Certification of Trust for the Survivor's Trust Created Under the
Edmund C. Olson Trust No. 2 Dated August 21, 1985, as Amended

Dated: Honolulu, Hawaii, 6/5, 2025.



PAUL ALSTON, Co-Trustee of the Survivor's
Trust Created Under the Edmund C. Olson Trust
No. 2 Dated August 21, 1985, as Amended

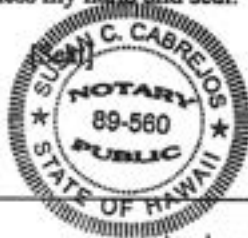
STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

)
) ss.
)

On this day, June 5, 2025, before me personally appeared Paul Alston, Co-Trustee of the Survivor's Trust created under the Edmund C. Olson Trust No. 2, dated August 21, 1985, as amended, to me known to be the person described in and who executed this 4-page instrument, dated June 5, 2025, and acknowledged that he executed the same as his free act and deed, in the aforementioned capacity, in the First Circuit of the State of Hawaii.

Witness my hand and seal.



Susan C. Cabrejos
Susan C. Cabrejos, Notary Public
My commission expires: 10-10-25

Doc. Date: 6/5/25 # Pages: 4
Notary Name: Susan C. Cabrejos First Circuit
Doc. Description: Certification of Trust for the Survivor's Trust Created Under the Edmund C. Olson Trust No. 2 Dated August 21, 1985, as Amended.

Susan C. Cabrejos 6/5/25
Notary Signature Date

NOTARY CERTIFICATION



Certification of Trust for the Survivor's Trust Created Under the
Edmund C. Olson Trust No. 2 Dated August 21, 1985, as Amended



County of Hawai'i

DEPARTMENT OF PUBLIC WORKS

PROPERTY OWNER DECLARATION FORM

INSTRUCTIONS

COMPLETE THE SECTIONS BELOW. AN EMAIL ADDRESS IS REQUIRED FOR ALL CONTACTS – ALL COMMUNICATION REGARDING YOUR APPLICATION WILL BE EMAILED.

LOCATION INFORMATION

(VERIFY AT: www.hawaiipropertytax.com/search.html)

PARCEL NUMBER	7 - 5 - 006 - 017 - 0000
LOCATION ADDRESS	75-5663 Palani Road

PROPERTY OWNER INFORMATION *(Owner contact information is required)*

(VERIFY AT: www.hawaiipropertytax.com/search.html)

IF PROPERTY OWNER(S) NAMED BELOW DOES/DO NOT MATCH THE COUNTY'S REAL PROPERTY TAX OFFICE RECORD, PLEASE SUBMIT A COPY OF THE CURRENT OWNER'S PROOF OF OWNERSHIP.

OWNER NAME	Paul Alston, Successor Trustee of the Survivors TR, Edmund C. Olson Trust No. 2
MAILING ADDRESS	P.O. Box 446, Papaikou, Hawaii 96781
PHONE NUMBER	808-722-6000
EMAIL	paul@olsontrust.com

OWNER NAME	
MAILING ADDRESS	
PHONE NUMBER	
EMAIL	

OWNER NAME	
MAILING ADDRESS	
PHONE NUMBER	
EMAIL	

AUTHORIZED AGENT INFORMATION

AGENT NAME	John C. Cross
MAILING ADDRESS	P.O. Box 446, Papaikou, Hawaii 96781
PHONE NUMBER	808-987-4229
EMAIL	john@olsontrust.com



County of Hawai'i

DEPARTMENT OF PUBLIC WORKS

ADDITIONAL CONTACT INFORMATION (LIMIT 2)

NAME	Tammy Spaar	
MAILING ADDRESS	P.O. Box 446, Papaikou, Hawaii 96781	
PHONE NUMBER	808-437-1545	
EMAIL	tammy@olsontrust.com	

NAME		
MAILING ADDRESS		
PHONE NUMBER		
EMAIL		

Pursuant to Hawaii County Code, Section 5-4-1(a)(7), and by my signature below, I certify the following: (1) I am the owner of the property described above or the owner's authorized agent and I consent to the submittal of this permit application; (2) the information in this application is accurate and complete; and (3) I understand that all contacts listed above will receive communication regarding the permit application and plans.

Paul Alston, Trustee

PRINT NAME

SIGNATURE

CHECK THE BOX IF
PROPERTY OWNER
INFORMATION ABOVE
MATCHES RPT'S DATA.



If no, proof of ownership is
required. Verify at:

[www.hawaiipropertytax.com/
search.html](http://www.hawaiipropertytax.com/search.html)

09-25-2025

DATE



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

MEMORANDUM

DATE: October 3, 2025

TO: Mr. Jeffrey W. Darrow
Planning Director, County of Hawaii

FROM: Eric Honda
District Environmental Health Program Chief

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2025-000082)
Applicant: Edmund C. Olsen Trust No. 2
Request: To Allow for the Renovation and Demolition of the Kona Seaside Shops Including the Demolition of Three Structures, Construction of Two New Open-Sided Kiosks, New Outdoor Seating and Renovations to Two Remaining Structures.
Tax Map Key: (3) 7-5-006:017, Kailua-Kona, North Kona, Hawai'i

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

Planning Dept.
Exhibit <u>2</u>

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at: <https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55.
 1. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55: <https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, and 11-504.
2. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
3. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related to the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H, and 342I, and HAR Chapters 11-58.1 and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse, and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure. A demolition permit is required prior to demolition.

Other

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Hawaii District Health Office, at (808) 933-0917.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

DTS202510061407KO

Coastal Zone
Management
Program

Environmental Review
Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented
Development

Statewide Geographic
Information System

Statewide
Sustainability Branch

October 28, 2025

Mr. Jeffrey W. Darrow
Planning Director
County of Hawaii, Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Attn: Derek Harbaugh

Dear Mr. Darrow:

Subject: Special Management Area Use Permit Application (PL-SMA-2025-000082) for Renovation of the Kona Seaside Shops, Kailua-Kona, Hawaii'i;
Tax Map Key: (3) 7-5-006: 017

Thank you for the opportunity to provide comments on the Special Management Area (SMA) Use Permit Application (PL-SMA-2025-000082), transmitted via email dated October 2, 2025, for the renovation of the Kona Seaside Shops located at 75-5663 Palani Road in Kailua-Kona, Hawaii'i.

The proposed project includes the following items:

- 1) Demolition – removal of three of the five existing buildings on the parcel totaling 2,080 square feet of retail/office space.
- 2) Renovation and improvements of existing "Building 1" - two-story building structure with addition of 1,100 square feet for a new area of 2,900 square feet.
- 3) Renovation and improvements and changing the use of existing "Building 3" - from a retail store to a restaurant with addition of 1,854 square feet for a new area of 4,734 square feet.
- 4) Two open-sided kiosk structures will be constructed in the central courtyard with 200 square feet each.
- 5) Exterior areas for outdoor seating are scheduled for 248 square feet at Building 1, 539 square feet at Building 3, and 866 square feet for an exterior bay attached to the side of Building 3, respectively.
- 6) New landscaping with 3,795 square feet.

The subject parcel, totals 33,411 square feet, has a slight slope that varies from 6 feet to 15 feet above sea level, and is separated from the ocean by Palani Road and Ali'i Drive, approximately 50 feet from the shoreline.

Planning Dept.
Exhibit 3

Mr. Jeffrey Darrow
October 28, 2025
Page 2

The project site is in an area classified as Flood Zone AE according to the Flood Insurance Rate Map. The estimated project cost is \$5,000,000.

The Office of Planning and Sustainable Development (OPSD) has reviewed the subject SMA Use Permit Application and has the following comments to offer:

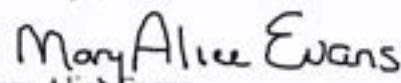
1. As stated in the application, the existing buildings with their long, Polynesian style hipped and gable roof line with wide covered eaves will not be altered. The OPSD recommends that the applicant provide and implement site-specific mitigation measures, including new building height and design, building color, and landscaping, in order to minimize the alteration of natural landforms and existing public views to and along the coast, and ensure the proposed renovations and improvements to the existing building structures are compatible with the existing visual environment.
2. The OPSD recommends that site-specific Best Management Practices (BMPs), including silt fences, filter socks, sediment traps, berms, and soil stabilization, shall be prepared and implemented to prevent any runoff, sediment, soil, and debris potentially resulting from the proposed demolition, renovation, and construction activities from adversely impacting the coastal ecosystem and the State waters as specified in Hawai'i Administrative Rules Chapter 11-54.

In addition, Low Impact Development best practices, including rain gardens, vegetated filter strips, and permeable pavements, shall be considered to minimize runoff from the development, which is in close proximity to the shoreline area.

3. All exterior lighting and lamp posts associated with the proposed renovations and improvements shall be cut-off luminaries to provide the necessary shielding to mitigate potential light pollution in coastal areas and lessen possible seabird strikes. No artificial light, except as provided in Hawai'i Revised Statutes §§ 205A-30.5(b) and 205A-71(b), shall be directed to travel across the property boundaries toward the shoreline and ocean.

If you respond to this comment letter, please include DTS202510061407KO in the subject line. For any questions regarding this letter, please contact Lisa Webster of our office at (808) 587-2800 or by email at lisa.e.webster@hawaii.gov.

Sincerely,


Mary Alice Evans
Director



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

October 31, 2025

COH PLANNING DEPT
NOV 3 2025 PM2:12

REC'D HAND DELIVERED

TO: Mr. Jeffrey Darrow, Director
Planning Department

FROM: Keith K. Okamoto, Manager-Chief Engineer

SUBJECT: **Special Management Area Use Permit Application (PL-SMA-2025-000082)**
Applicant: Edmund C. Olsen Trust No. 2
Request: To allow for the Renovation and Demolition of the Kona Seaside Shops including the Demolition of Three (3) Structures, Construction of Two (2) New Open-Sided Kiosks, New Outdoor Seating and Renovations to Two (2) Remaining Structures
Tax Map Key 7-5-006:017

We have reviewed the subject application and have the following comments and conditions.

Water can be made available from an existing 12-inch waterline within Palani Road, fronting the subject parcel, in accordance with the Department's existing water availability conditions, which are subject to change without notice. There is an existing service 1½-inch service lateral with a 1-inch meter (Account No. 857-99820) servicing this parcel, which is limited to an average usage of 2,800 gallons per day, or seven (7) units of water. For your information, one (1) unit of water is equal to an average daily usage of 400 gallons.

The Department has no objection to the proposed application, subject to the applicant understanding and accepting the following conditions:

1. The Department requests that the applicant submit estimated maximum daily water usage calculations for the proposed development, for review and approval. The water usage calculations shall be prepared by a professional engineer licensed in the State of Hawai'i, and should include the estimated peak-flow in gallons per minute (GPM), and the total estimated maximum daily water usage in gallons per day, including all irrigation/landscaping use.
2. Upon receipt of the water usage calculations above, the Department will make a determination as to the water commitment deposit amount and prevailing facilities charge (subject to change) to be paid, if necessary. Based on the water demand calculations, the Department will determine the appropriate service lateral and meter size required for the proposed development.
3. The proposed use will require the installation of a reduced pressure-type backflow prevention assembly, within five (5) feet of the meter on private property. If a larger or additional meter is required, a backflow prevention assembly will also be required for that meter. The installation of the backflow prevention assembly must be inspected and approved by the Department before the commencement/continuation of water service.

October 31, 2025

4. If necessary, the applicant may be required to submit construction plans, prepared by a professional engineer licensed in the State of Hawai'i, showing how and where they will connect to the Department's existing water system facilities.
5. Subject to other agencies' requirements to construct improvements within the project area, the applicant shall be responsible for the relocation and adjustment of the Department's affected water system facilities, should they be necessary.

Please note that the Department of Water Supply acknowledges that potable water is Hawai'i Island's most precious resource and encourages our communities to promote water conservation and reserve the highest quality of water for the most valuable end-use, which is the sustenance of life.

We request that the developer address the demand for drinking water for landscape irrigation use by reducing the demand, such as:

- Supplying water by alternate methods (i.e. rainwater catchment, reclaimed or reuse water). The County of Hawai'i, Department of Public Works, and/or the State of Hawai'i, Department of Health has guidelines, recommendations, or regulations regarding these types of systems.
- Design landscape to use water-efficient plants that are drought-tolerant, native, or appropriate to the local environment, principles of Xeriscape.
- Select appropriately-sized turf areas, use healthy soils with the appropriate grading to reduce storm-water runoff, including shaded areas, and limit the use of high water-using plants such as turfgrass.

The Department recommends using water-efficient plants that are drought-tolerant, native, or appropriate to the local environment, using the principles of xeriscaping, and/or propose to supply landscape irrigation water by alternate methods (i.e. rainwater catchment, reclaimed or reuse water). The County of Hawai'i, Department of Public Works, and/or the State of Hawai'i, Department of Health has guidelines, recommendations, or regulations regarding these types of systems.

Should there be any questions, please contact Ms. Robyn Matsumoto of our Water Resources and Planning Branch at (808) 961-8070, extension 255.

Sincerely yours,



Keith K. Okamoto, P.E.
Manager-Chief Engineer

RM:dfg

copy - Mr. John C. Cross, Senior Land Manager