

Frequently Asked Questions Related to the Kuilima Resort
Unilateral Agreement (Ordinance 86-99) & Other Similar
Issues

Q: I've heard a lot of talk about this Unilateral Agreement for Turtle Bay. Can you tell me what it is and how it applies to the development of the Resort?

A: The Unilateral Agreement was used by the City & County of Honolulu to provide for and approve the rezoning allowing for the development of the Kuilima Resort beyond the existing footprint of the hotel/resort complex. As a condition of acquiring zoning approval to build as many as 5 hotels and up to 900 condominium units, the developer agreed to certain conditions that included among other things building affordable housing, establishing public and private parks on the resort property, making roadway improvements, providing public easements, establishing a child care center to service children of the employees and certain infrastructure improvements. The Agreement was attached as Exhibit B to City & County of Honolulu Ordinance 86-99, that was approved by the City Council and signed by the Mayor on September 23, 1986.

Q: What happened to the affordable housing promises that were made by the Kuilima Resort Company when they agreed to the Unilateral Agreement?

A: The UA calls for the Kuilima Resort Company to provide low cost housing available to buyers earning less than 80% of the current median household income as adjusted for family size. However, the numbers of affordable units are to be equal to 10% of the non-hotel dwelling units. It appears that building permits for such dwellings have not been requested by the developer nor have they been issued by the City & County of Honolulu. Construction of low cost/affordable housing would be phased in as these units are built.

Q: I thought that the resort was to create several public parks with public access on their property. What happened?

A: The Unilateral Agreement requires the Kuilima Resort Company to provide four parks, linked by easements, with public parking and comfort stations. Dedication of the public parks at Kawela Bay and Kahuku Point are to occur prior to or simultaneous with the issuance of the building

permit for the first hotel. The other two private parks, one at the Punahoolapa Marsh and the other in the vicinity of the East Main Drain, are to be opened to the public upon issuance of building permits for parcels of land adjacent to those park sites.

Q: I firmly believe that there are Na Iwi Kupuna and ancestral burial plots on just about every site that the Kuilima Resort Company plans to build their proposed five hotels on. What is the State's plan for dealing with this issue?

A: Human remains uncovered during work on the project should be reported to the State and dealt with in accordance with Hawai'i Revised Statutes and Hawaii Administrative Rules.

Q: I had heard that the Unilateral Agreement required the Resort to make road improvements, put in some stop lights along the Kamehameha Highway and provide transportation shuttles for employees. What improvements are required and when can we expect them to happen?

A: Roadway modifications are to be phased as the development of the project proceeds. All modifications must be approved by the City Department of Planning and Permitting in consultation with the State and City Transportation Departments. Modifications and services specified in the Unilateral Agreement include: Channelizing the intersection of W. Kuilima Drive & Kamehameha Highway, constructing left-turn storage & deceleration lanes on Kamehameha Highway at Kuilima and W. Kuilima Drives, upgrading Kamehameha Highway access at Marconi Road, signaling Kamehameha Highway at Marconi Rd. & W. Kuilima Dr., providing 6 bus turnouts along Kamehameha Highway, and other transportation services to include Airport Shuttles, Transport Shuttles to various attractions on the island, jitney transport for the resort and transport services for employees.

Q: I understand that the Land Use Commission set certain land use conditions on Kuilima Resort Company's development program back in 1986. Can you explain what they are and how they apply to any projected development activity on the resort property?

A: The Kuilima Resort Company must comply with all of the conditions set forth by the Land Use Commission (LUC) in 1986. These conditions have been made a part of the Unilateral Agreement. In addition to the conditions already noted, the principal terms of the LUC Decision and Order call for the construction of the hotels, development of additional water and sewer capacity to accommodate the proposed development, and establishing a monitoring program for the coastal resource conditions.