

CERTIFIED MAIL

December 20, 1984

Mr. Hiroshi Kasamoto
Room 211, Lycurgus Building
Hilo, HI 96720

Dear Mr. Kasamoto:

Partial Planned Unit Development (PUD 84-3)
Hawaiian Kona Coast Associates, Inc.
Tax Map Key: 7-5-19:1

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your partial Planned Unit Development request to allow the development of a 73 single family units and 142 multiple family units on the lands located mauka of the proposed Alii Highway in Kahului 2nd, North Kona, Hawaii. Block A will consist of 73 single family dwellings with a land area below the minimum land area requirement of 7,500 square feet. Blocks B and C will consist of 104 and 38 multiple family units respectively. The overall allowable density of the RM-7 zoned district will not be exceeded.

The approval is based on the following:

The petitioner intends to submit an application for the subdivision of the property within one year of the date of approval of the partial Planned Unit Development. Conditions relative to this timetable are also to be included in the conditions of approval.

The proposed development conforms substantially to the County General Plan. The following are stated in the Housing Element of the General Plan:

A. Housing Policies:

1. It shall be the policy of the County of Hawaii to assume that safe, sanitary, and livable housing is available to persons of all ages, income and ethnic groups to provide a variety of choice as to location and types.

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2. Public and private programs intended to increase the supply of housing and to create a variety of choice shall be encouraged.
3. The County shall encourage the use of cluster and planned unit developments.

B. Courses of Action - North Kona:

Since the lands in this district are hills, the County shall encourage the use of cluster and planned unit developments which can take advantage of the topography.

The proposed 215 units will add to the housing inventory for the district of North Kona. Thus, it is determined that the purpose and provision of this type of housing development in this district will be implementing the General Plan's Housing Element.

This residential development will constitute an environment of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will result in an intensity of land utilization no higher than, and standards of open space at least as high as permitted or as otherwise specified for the district in which this development occurs.

The proposed development is in harmony with the single family and multiple family development located in the surrounding area. A linear park is proposed to create an openness in the development.

The development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of this Chapter, and that the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under district regulations.

The development incorporates both single family (73) and multiple family (142) units. Under the RM-7 zoning designation, 1 unit for each 7,000 square foot of land area the minimum lot size requirement is 7,500 square feet. The development of the total of 215 units is designed to be a harmonious and integrated development. As such, the approval of a variance from the minimum lot size requirement of block A and from the maximum density for blocks B and C are considered and determined to be justified. Further, because of its harmonious and integrated development, it makes it desirable to apply this requirement differently than those ordinarily applicable under district regulations.

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Based on the foregoing, the Planning Director has further concluded that the partial Planned Unit Development application be approved subject to the following conditions:

1. That the petitioner, its assigns or successors shall be responsible for complying with all the stated conditions of approval.
2. Subdivision application for the 1st increment be submitted within one year of the effective date of this partial PUD.
3. The requirements of the Special Management Area be complied with.
4. The requirements of Ordinance No. 869 be complied with.
5. All other applicable County and State rules, regulations and requirements shall be complied with.

Should the petitioner, its assigns or successors fail to comply with the above-stated conditions, the partial Planned Unit Development Permit shall be automatically void.

Should you have any questions, please feel free to contact Masa Onuma of this office at 961-8288.

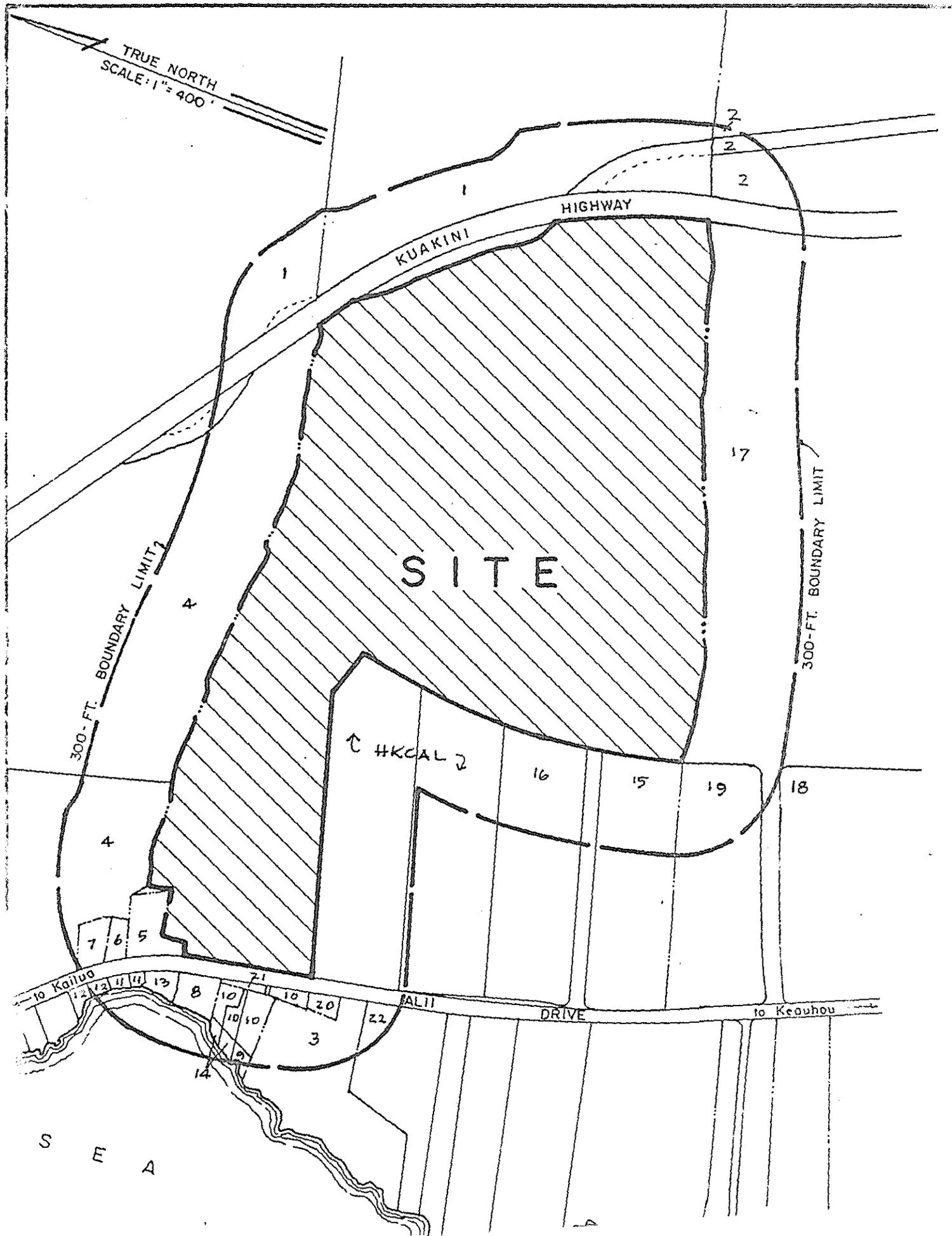
Sincerely,



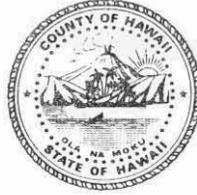
ALBERT LONO LYMAN
Planning Director

MO:1kt

LOCATION MAP



Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

July 24, 2002

Steven S.C. Lim, Esq.
Carlsmith Ball LLP
PO Box 686
Hilo, HI 96721-0686

Dear Mr. Lim:

Kona Coast Subdivision
Planned Unit Development Permit No. 23 (PUD 23)
Hawaiian Kona Coast Associates
Tax Map Key (3) 7-5-019:001 (SUB 87-109)

We have reviewed your letter of July 19, 2002, requesting withdrawal and rescission of Planned Unit Development (PUD) Permit No. 23 and Subdivision Application No. 87-109.

Your request is hereby granted. PUD Permit No. 23 is hereby rescinded and Subdivision Application is hereby withdrawn. We shall close both of these files.

Your client's Application for Plan Approval to develop the 73 unit condominium project will be reviewed and processed shortly.

Should you have any questions, please feel free to contact Rodney Nakano of this department at (808) 961-8288.

Sincerely,

CHRISTOPHER J. YUEN
Planning Director

RKN:lnm

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Steven S.C. Lim, Esq.
Carlsmith Ball LLP
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xc: Manager, DWS
 Director, DPW
 District Environmental Health Program Chief, DOH
 District Engineer, DOT
 PLNG-KONA
 DPW-ENG-KONA