

CERTIFIED MAIL

June 26, 1985

C. Will & Company, Inc.  
933 Lomas Sante Fe  
Solana Beach, CA 92074

Gentlemen: :

Planned Unit Development (PUD 85-1)  
Tax Map Key 7-5-20:2, 4, 63, & portions of 15

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your planned unit development request to allow the development of a twenty-lot single family residential project with common recreational facilities and which would allow the creation of lots smaller than allowable in the Multiple Family Residential-1,500 square foot zoned district, with reduced setbacks, average widths, road sections, and the provision of parking stalls without the required back-up space. The property involved is a portion of the Bentley Estate, located along the makai side of Alii Drive, Puapuaa 2nd, North Kona, Tax Map Key 7-5-20:2, 4, 63 and 15.

The approval is based on the following:

The proposed development conforms substantially to the County General Plan. The County General Plan Housing Element states the following goals:

1. "It shall be the policy of the County of Hawaii to assure that safe, sanitary, and livable housing is available to persons of all ages, income and ethnic groups and to provide a variety of choice as to location and types.
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 promote and support the use of turnkey developments and encourage the use of cluster and planned unit developments."

JUN 27 1985

This residential development will constitute an environment of sustained desirability and stability, will be in keeping 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.

This proposed single family residential development is being proposed on 6.427 acres with each dwelling on a separate lot and the recreational amenities in common areas. The size of the proposed lots, minimal grading of the land, and siting of each dwelling on each lot will provide more than adequate open space for the development to have an environment of sustained desirability and stability. This development scheme will also have harmony with the character of the surrounding neighborhood which is a mix of single family and multiple family residential development. The low density and low development profile, along with the generous provision of open spaces, will also be compatible to the character of the area.

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

The petitioner is providing a 40-foot right-of-way with 20 feet of pavement, 10-foot grassed shoulders and swales with additional access ways to service all lots. Although the petitioner is not providing the minimum roadway standards as required, they are providing another design scheme which will address the same roadway issues, in terms of access, drainage, etc. Additionally, the reduction in density from a maximum allowable of 186 units to 20 units and the minimum grading of the property will also minimize the impacts that may arise from the development of the property with the proposed access improvements. As such, the approval of a variance from the minimum roadway standards is considered and determined to be justified. The adjusted low density and incremental development make it desirable to apply this requirement differently than those ordinarily applicable under district regulations.

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

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

C. Will & Company, Inc.

Page 3

June 26, 1985

- B. Development on the property shall be limited to 20 residential lots and additional recreational facilities which shall have a minimum lot size of 4,500 square feet and shall be restricted one single family dwelling per lot.
- C. Comply with the Department of Public Works requirements concerning corner radius and intersection improvements at the connection point between Alii Drive and the proposed private road.
- D. The roadway within the development will remain in private ownership. The petitioner shall file a recordable agreement, indicating the petitioners liability, maintenance and other necessary provisions. This agreement shall be developed with the Department of Public Works and Corporation Counsel's office prior to final subdivision approval being granted for the first phase of the development. This agreement shall also be included within the deeds of all future lot owners in this subdivision.
- E. The State Department of Health's requirements shall be complied with.
- F. All other applicable County and State rules, regulations and requirements, including those of the Department of Water Supply.

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

If you have any questions on this matter, please feel free to contact us.

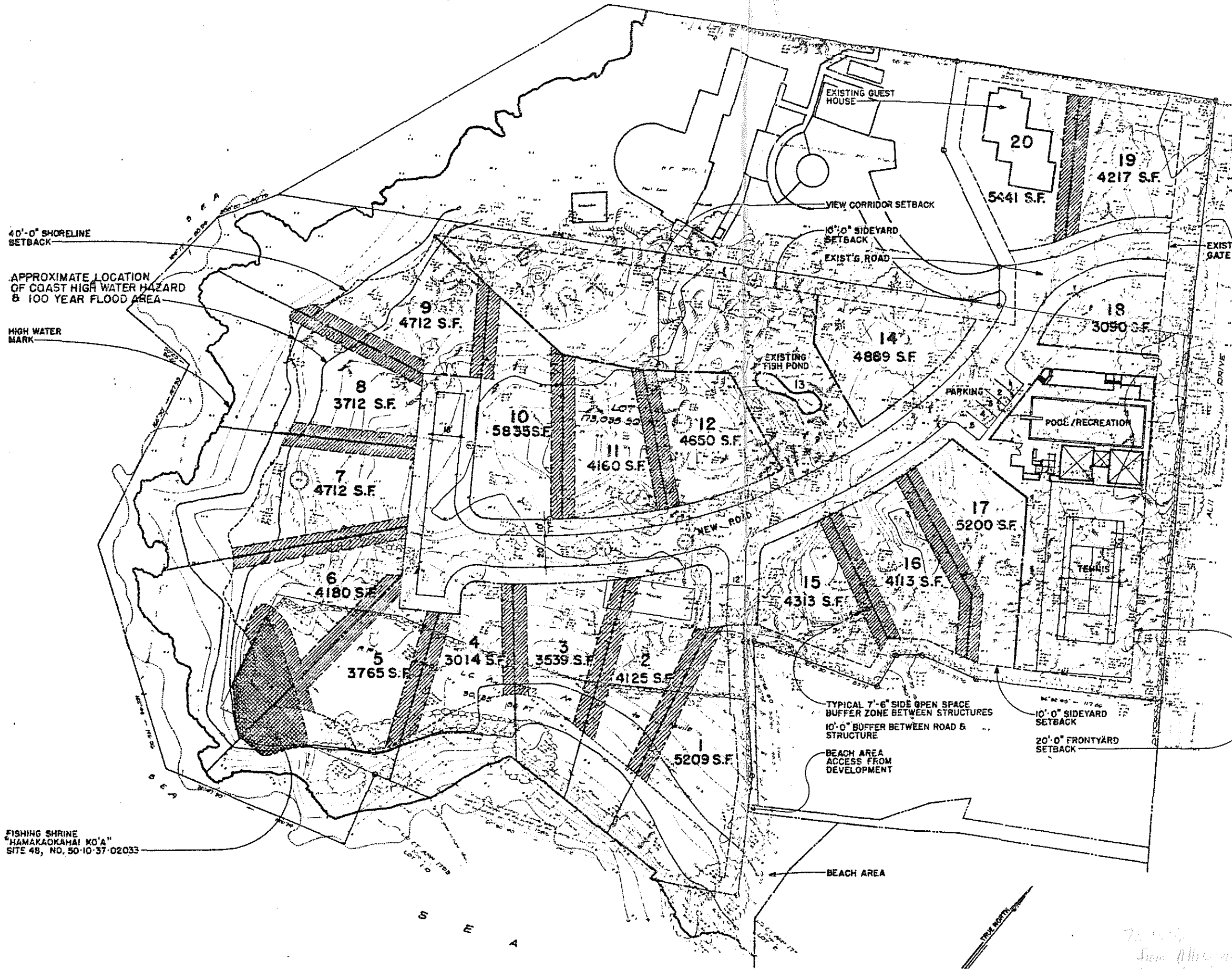
Sincerely,



ALBERT LONO LYMAN  
Planning Director

KK:lv

Enc. - Background report



**PROJECT DATA**

TAX MAP KEY: 7-5-20-2,4,63 &  
 PORTION OF 15  
 AREA: 229,217 S.F.  
 5.26 ACRES

ZONING: RM 1.5  
 MAX. HGT: 75'-0" (3 STORIES)  
 2 STORIES PROPOSED  
 SETBACKS: 20'-0" FRONT  
 10'-0" SIDE  
 40'-0" SHORELINE

**PLANNING DEPARTMENT DATA**

20% GROUND COVERAGE 45,843 S.F.  
 PROPOSED MAX. 42% 96,517 S.F.  
 50% OPEN SPACE 114,609 S.F.  
 PROPOSED MAX. 58% 132,700 S.F.

PROPOSED PARKING INCLUDED IN GROUND COVERAGE.

THIS PROJECT PROPOSES 15 HOUSES (1 FAMILY DWELLINGS) WITH COMMON RECREATION FACILITIES. 13 IS AN OPEN SPACE AREA.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

THE ABOVE DRAWINGS AND SPECIFICATIONS AND ALL DESIGN AND DIMENSIONS REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND NO PART THEREOF SHALL BE COPIED, REPRODUCED OR STRUCK OR IN CONNECTION WITH ANY WORK ON PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. CONTACT WITH THE ARCHITECT FOR ANY SPECIFICATIONS SHALL CONSTITUTE ACCEPTANCE OF THE TERMS AND CONDITIONS OF THESE RESTRICTIONS.

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL PREVAIL OVER UNLESS OTHERWISE SPECIFIED. CONTRACTORS SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.

ALII  
 POINTE

**Robert C. Smolker**  
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 ARCHITECTURE  
 PLANNING  
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**SITE PLAN**

7-1-1976  
 From Alina and M  
 Old Smolker (Part 4)