

CERTIFIED MAIL

February 14, 1986

Mr. Kent Nakashima  
P. O. Box 71  
Kealahou, HI 96750

Dear Mr. Nakashima:

Planned Unit Development Application (POD85-2)  
Tax Map Key 7-5-04:1 and 36

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 for the development of a 7-lot commercial and medical subdivision complex in Hienalolo 1st, Kailua-Kona, North Kona, Hawaii, TMK: 7-5-04:1 and 36.

The approval is based on the following:

The construction of this development will begin as soon as all required approvals are secured. The petitioner intends to finalize the proper approvals necessary for building permits once the approval of the Planned Unit Development Permit and Subdivision for the development is secured. Conditions relative to this timetable are also to be included in the conditions of approval.

The subject development will conform substantially to the County General Plan as it will be providing a commercial development that provides maximum convenience to the community of Kailua; a development which will be developed in an area adequately served by necessary services and utilities; and creating a development which concentrates within the commercial core. These actions would be implementative of goals, policies and courses of actions stipulated in the General Plan for commercial developments.

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The commercial 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.

The proposed 7-lot commercial development is being proposed on lot sizes ranging from 8,288 s.f. to 49,876 s.f. The subject property is situated within the urban and commercial core of Kailua Village. The Keopu Drainage channel serves as a buffer on the east side of the property and the sloping topography of the land will enable the development to provide more than adequate open space to have an environment of sustained desirability and stability. The proposed architectural and development scheme will also have harmony with the character of the surrounding area, in the same capacity as the Hualalai Office Center. The low density and low development profile, along with the generous provision of open spaces will also be compatible as well as enhancing to the character of the area.

The siting of the buildings on the proposed lots with landscaped buffers between buildings create a planned development atmosphere. There will be no feeling of congestion in the siting of structures. The terracing effect of the design also provides a blending of the development into the topography of the property. This design effort will also allow adequate view planes from each building in relation to any mauka or makai views from the property.

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 proposing a 24-foot wide roadway, with parking on both sides of the roadway along with commensurate landscaping and sidewalks. 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. A condition of approval will require that the proposed improvements will adequately provide for these concerns. The existing roadway circulation pattern for this area would not be enhanced with the construction of a separate roadway system to serve this six lot commercial development. There are no other streets in this

immediate area to which a roadway within this development could be connected to. This being the case, alternate design schemes can be considered which can still ensure the proper circulation of vehicular and pedestrian traffic in the area. The petitioner's unified roadway, parking, landscaping, and sidewalk scheme provides for the best design for the development of this property. As such, the approval of a variance from the minimum roadway standards is considered and determined to be justified in this particular situation. The planned concept of the development make it desirable to apply this requirement differently than those ordinarily applicable under the district regulations.

The Planned Unit Development request is approved, subject to the following conditions:

1. The petitioner, its assigns or its successors shall be responsible for complying with all the stated conditions of approval.
2. All time conditions stated below shall be in accord with the time conditions set forth by the Change of zone ordinance. In the event, there is a conflict of time commencement or expiration dates, the change of zone conditions will prevail unless the appropriate amendments are requested and secured.
3. The subdivision plans for the development shall be submitted to the Planning Department for review and approval within one year from the effective date of approval of the Planned Unit Development Permit. At the time of subdivision review, parking agreements and easement documents shall be submitted and be approved prior to receipt of final subdivision approval.
4. Construction of the proposed improvements shall commence within one year from the effective date of final subdivision approval and be completed within two years thereafter.
5. The roadway within the development shall 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 the Corporation Counsel's office prior to final subdivision approval being granted for the development. This agreement shall also be included within the deeds of all future lot owners in this subdivision.

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6. The State Department of Health's requirements shall be complied with.
7. All other applicable County and State rules, regulations and requirements, including those of the Department of Water Supply shall be complied with.

Should the petitioner, its assigns or its successors fail to comply with the above conditions in a timely fashion, 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

RHY:wkm

Encl.