

September 25, 1986

Mr. William F. Mielcke
Mauna Kea Properties, Inc.
P.O. Box 218
Kamuela, HI 96743

Dear Mr. Mielcke:

Planned Unit Development Application (PUD 85-3)
South Kohala Resort Hotel
Maximum Allowable Height Limit
TMK: 6-6-02:37

Pursuant to a public notice published in the newspaper on January 10, 1986, the notice requirements for the above-captioned application has been complied with.

Please be informed that upon careful review of the request against the guidelines for granting of a Planned Unit Development (PUD) application, the Planning Director has concluded that it is warranted based on the following findings:

In accordance with Section 25-245, Article 21, Chapter 25 (Zoning Code), Hawaii County Code, "The purpose of planned unit development (P.U.D.) is to encourage comprehensive site-planning productive of optimum adaption of development to the land by allowing diversification in the relationships of various uses, building, structures, open spaces and yards, building heights, and lot sizes in planned building groups while still insuring that the intent of this chapter (Chapter 25) shall be observed."

One of the criteria for granting a PUD is that "The construction on the project shall begin within a reasonable period of time from the date of full approval and shall be completed within a reasonable period of time." According to the information submitted with the previous Special Management Use Permit applications (SMA 85-16 and 85-17) which were granted by the Planning Commission, the applicant originally intended to

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commence construction of the proposed hotel in 1987. However, since the SMA Use Permit applications were contested, the original timetable for the construction of the proposed hotel has somewhat been delayed. However, to assure the timely development of the hotel, the Planning Commission imposed a condition, among others, which states that "Plans for the proposed hotel and related improvements shall be submitted to the Planning Department for Plan Approval review within two years from the effective date of the Special Management Area (SMA) Use Permit or after the termination of all legal proceedings challenging the permit, whichever is later. Construction of the proposed hotel and related improvements shall commence within three years from the date of receipt of Final Plan Approval and be completed within three years thereafter." In adopting this condition which was recommended by the Planning Director, the Planning Commission felt that the above-mentioned timetable for the development of the proposed hotel is reasonable.

The request also conforms to another criterion which states that "The proposed development substantially conforms to the General Plan." The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the hotel site for resort uses. The General Plan further identifies the Kawaihae-Hapuna area, which the property is a part of, as a "Major Resort Area." A Major Resort Area is a self-contained resort destination area which provides basic and support facilities for the needs of the entire development.

The proposed development will constitute an environment of substantial desirability and stability, and results in an intensity of land utilization no higher than, and standards of open space at least or higher as permitted or as otherwise specified for the zoned district in which this development occurs. The proposed development will be an attractive activity center which will not have substantially adverse effect upon the adjacent and surrounding existing or other prospective development; thus, it should be in harmony with the character of the area. The proposed use of this particular lot will be in conformity with desirable performance standards as expressed in the General Plan and will constitute an efficient and well organized development. As such, it is determined that the development of the subject property for this intended purpose would be in character with the overall development scheme of the South Kohala Resort which is proposed to be developed as a "planned resort destination community."

The requested additional height of the proposed hotel conforms to the computed maximum height limit for the project site. Under the PUD provisions for reviewing additional height, four components are applied to the specific site to determine a building envelope. Three of the components are view planes and the fourth component is an absolute maximum height. For this particular site, in applying the PUD components relative to height, the maximum height limit has been calculated as 75 feet above the average finished grade (Component D - Absolute maximum height) but at an elevation not to exceed 115 feet above sea level (Component A - mauka view plane). According to the applicant's proposal, the tallest structure will be 58 feet above grade and 112 feet above mean sea level; thus, the requested additional height of the proposed hotel on this particular site is consistent with and is within the maximum computed height limit.

Further, from an overall visual standpoint, the additional height is not expected to have a significant effect. The additional height will allow more open space to be provided on the site which will contribute to an overall open character for the proposed development. The setback requirements under the PUD provisions assure that there is adequate open space between sites so that the overall development is not bulky in character. The setback requirements further assure that visual corridors both in the area under consideration and from off-site will be maintained. The locations of the proposed hotel buildings do meet the setback requirements of the PUD provision. Unlike the standard zoned district height limits, the maximum height limits under the PUD provisions are limited to the elevation above mean sea level as well as the height above finished grade. The standard height limit of the zoned district is only limited by the number of feet above grade and can result in more conspicuous height than when view planes are taken into consideration to determine allowable height. By allowing the additional computed height under the PUD provision, structural sprawl and ground coverage can be reduced and view planes are assured. Also the visual conspicuousness of the structures can be alleviated through landscape screening. To assure that the additional height of the proposed hotel would not have adverse impact to the surrounding areas, in granting the SMA Use Permit for the proposed hotel, the Planning Commission also included a condition which states that "As part of the Plan Approval process, the applicant shall also include a landscaping plan which should include generous planting of trees, shrubbery, and landscaping around the proposed hotel . . . in order to minimize any possible visual impact from the Queen Kaahumanu Highway and the shoreline."

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Based on the above, we have determined that the request conforms to the PUD provisions of the Zoning Code and therefore, hereby grants the additional heights of the proposed hotel.

The requested PUD is approved subject to the following conditions:

1. The applicant, its successors or assigns, shall be responsible for complying with all of the stated conditions of approval, including those imposed under SMA Use Permit 85-16.
2. The proposed hotel buildings shall be limited to a maximum height limit of 58+ feet above grade and 112+ feet above mean sea level.
3. All other applicable rules, regulations, and requirements be complied with.
4. Should any of the foregoing conditions not be met or substantially complied within a timely fashion, the PUD Permit shall be void.

Should you have any questions regarding the above, please feel free to contact us.

Sincerely,



ALBERT LONO LYMAN
Planning Director

NH:lv

xc: Douglas Ing
Belt, Collins & Associates
William Graham
Tom Beach
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