

CERTIFIED MAIL

October 17, 1988

Mr. Sidney Fuke
Planning Consultant
100 Pauahi Street, Suite 212
Hilo, HI 96720

Dear Mr. Fuke:

Planned Unit Development Application (PUD 88-2)
Kurisu and Fergus
Tax Map Key 6-5-05: 1, 2, 3 & 24

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of a Planned Unit Development to allow the construction of a shopping center with certain buildings to straddle over property lines and to allow a portion of the building to be constructed to a height of 40 feet in lieu of the maximum 30-foot requirement within the Village Commercial (CV-7.5) zoned district. The subject property which consists of 5.417 acres and identified by TMKs: 6-5-05: 1, 2, 3 & 24, is located along the northwest side of Mamalahoa Highway and across from the Parker Ranch Shopping Center, Waimea, South Kohala, Hawaii.

The approval is based on the following. Please note, however, that since there were objections filed to the above request, they have ten (10) days in which to file a request to have the Planning Commission review this application.

The current time schedules calls for the construction of the project after final approval is granted by the Planning Department. The construction period is anticipated to last 12 to 16 months.

The subject development will conform substantially to the County General Plan (GP) which designates the property for Medium density development. The GP goal is to provide for commercial developments that maximize convenience to user. The GP policy further states that "commercial facilities shall be developed in areas adequately served by necessary services such as water, utilities, sewers, and transportation systems." The course of action for South Kohala areas follows:

OCT 19 1988

Mr. Sidney Fuke
October 17, 1988
Page 2

1. The establishment of Waimea as a regional commercial center for northern Hawaii shall be encouraged.
2. Controls to insure orderly development and minimize speculation on commercial zoned lands shall be established.

A traffic impact analysis was prepared for the proposed development which concluded that the proposed project is not expected to have an adverse traffic impact on the adjacent street system. With the construction of the development, the petitioner will be improving the frontage of the property with curbs, gutters and sidewalks and additional road pavement to provide for acceleration and deceleration lanes. The accesses to the development will comply with the requirements of the Department of Public Works. These improvements both on- and off-site are being made to mitigate traffic congestion with little or no adverse effect upon adjacent and surrounding existing or prospective developments.

Although consisting of 3 separate parcels, the development of a harmonious, integrated whole justifies the exception to straddle the common boundary line and that the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations. One would not notice when the property is developed that there is a separate leasehold property that divides the fee simple lots.

The only portion of the building that exceed the 30 foot height limits is within an 80 foot section of the building where the pitch roofs project above the 30 foot requirement. This 2-story design portion is intended to provide a design relationship between this development and the Spencer House which is located on the same property. The remainder of the project will be below the maximum 30 foot height limitation...

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


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

Mr. Sidney Fuke
October 17, 1988
Page 3

2. Plans for the development shall be submitted within one (1) year of the effective date of the permit. Construction shall commence within one (1) year of the date of Final Plan Approval and be completed within two (2) years thereafter.
3. All other applicable County, State and Federal rules, regulations and requirements shall be complied with. Should any of the foregoing conditions not be met within a timely fashion, the Planning Director may deem the Planned Unit Development Permit as null and void.
4. Extensions from the time requirements may be granted by the Planning Director upon review of the reasons for the request.

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

Sincerely,


ALBERT LONO LYMAN
Planning Director

MO:aeb

cc: DPW

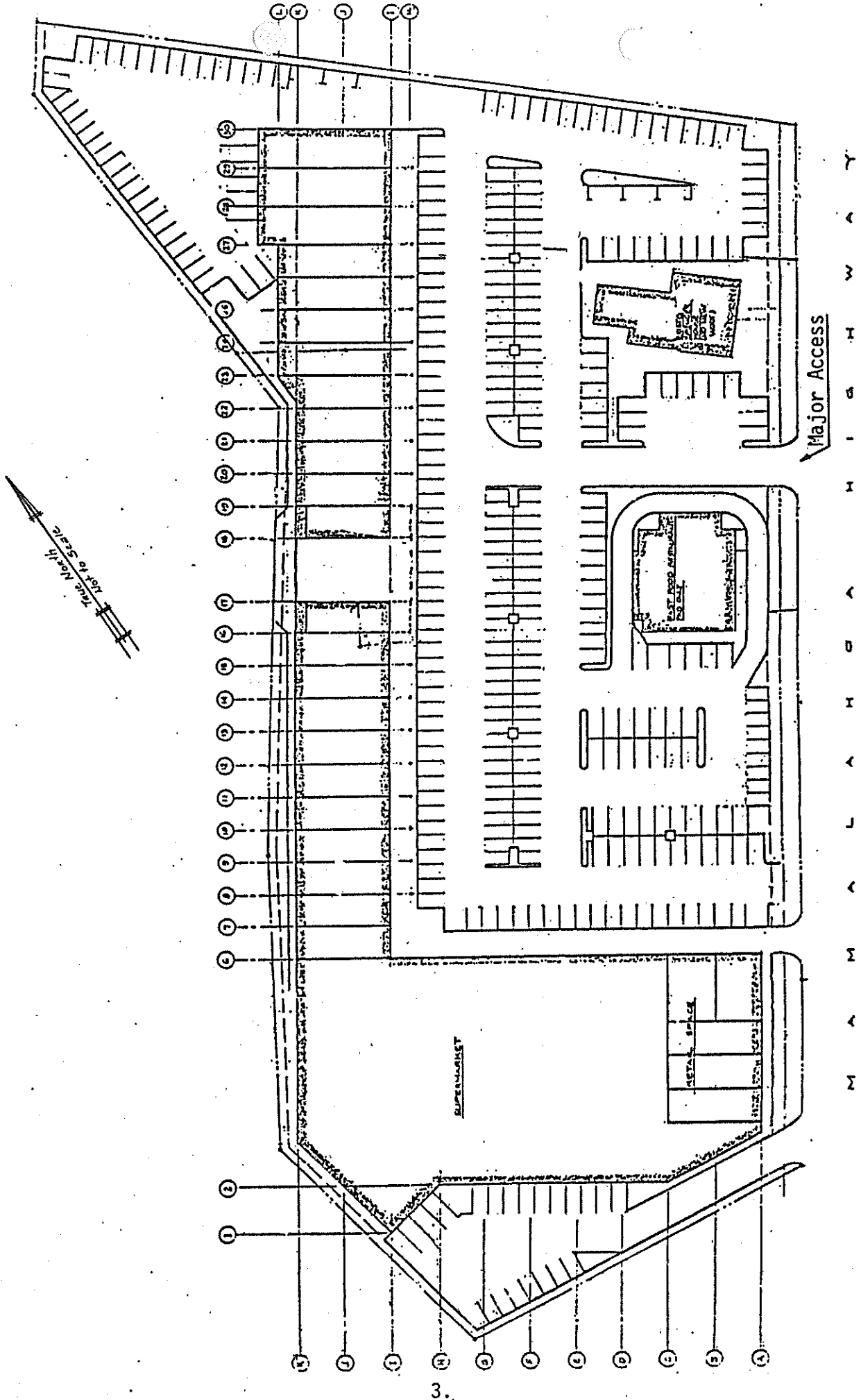


FIGURE 1-A
PROJECT LAYOUT PLAN