

CERTIFIED MAIL

September 25, 1989

Ms. Marcia Stevens
Mauna Lani Resort, Inc.
P.O. Box 4959
Kohala Coast, HI 96743-4959

Dear Ms. Stevens:

Planned Unit Development Application (PUD 89-1)
Mauna Lani Resort, Inc.
Tax Map Key 6-8-22:Por. 33

After reviewing the subject application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of the subject planned unit development request to allow the creation of a 3-lot subdivision with access to one (1) lot being taken from a 50-foot right-of-way with a 20-foot pavement and stabilized landscaped shoulders to serve a proposed five (5) detached condominium project and the Golf Course Clubhouse facilities. The property is identified by Tax Map Key 6-8-22:Por 33 and is located on the makai side of Kaniku Drive within the Francis H. I'i Brown Golf Course, Kalahuipuaa and Anaehoomalu, South Kohala, Hawaii.

The approval is based on the following:

The construction of the project will be completed within a reasonable period of time from the date of approval. The applicant will begin construction of the necessary improvements upon approval of the construction plans for the pending subdivision application.

The proposed development substantially conforms to the General Plans. The County General Plan document specifies the development as one of the island's major resort area. The proposal is to create three (3) lots and a road-way lot. Two (2) of the lots will contain portions of the existing Golf Course (Clubhouse, Fairways etc.) The third lot which is zoned as Village Commercial (CV-10) will be used to construct five (5) detached condominiums on approximately 4.42 acres of land. The proposed five (5) units is far below the allowable density of 154 units.

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The proposed subdivision will constitute an environment of sustained desirability and stability, will be in keeping with the character of the surrounding development, and will result in an intensity of land utilization no higher than, and standards of open space at least as high as permitted or otherwise specified for the district in which this development occurs. The proposed three (3) lot subdivision will result in two (2) containing the existing Golf Course and the third for a proposed five (5) unit condominium development within the Mauna Lani Resort Development.

Access to the existing golf course clubhouse and related uses and the proposed lot on which the five (5) condominium development is to be constructed will be over a proposed 50-foot right-of-way with a 20-foot pavement and stabilized landscaped shoulders. Although the applicant 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 of density by one-thirtieth (1/30) of that allowed under the present CV-10 zoning density will have a lesser impact on the proposed and existing roadways. As such, the approval of the variance from the minimum roadway standards is considered and determined to be justified. The adjusted low density makes it desirable to apply this requirement different than those ordinarily applicable under district regulations. No traffic congestion is anticipated based on the reduction in density and the adequacy of the pavement width of the roadway.

The Planning Director has further concluded that the Planned Unit Development be approved subject to the following conditions:

- A. The applicant, its assigns or successors shall be responsible for complying with all the stated conditions of approval.
- B. The proposed Lot 4-B on which the condominium units will be built, will be restricted to a maximum of five (5) units.
- C. The roadway will remain in private ownership. The applicant shall file a recordable agreement, indicating the applicants 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. This agreement shall also be included within the deeds of all future lot owners in this subdivision.


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- D. Final subdivision approval shall be secure within two (2) years of the approval of this permit.
- E. Plans for the five (5) condominium units shall be submitted for plan approval review within one (1) year of the approval of the subdivision. Construction of the units will commence within one (1) year of the date of Final Plan Approval and shall be completed within two (2) years thereafter.
- F. All other applicable County and State rules, regulations and requirements shall be compiled with.

Should the applicant, its assigns or successors fail to comply with the above requirements, the Planning Director may nullify this Planned Unit Development Permit.

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

Sincerely,



DUANE KANUHA
Planning Director

MO:lv

cc: Chief Engineer
Subd. File