

December 10, 1991

Mr. Ken Melrose
Director of Planning
Waikoloa - Highlands Office
P. O. Box 3028
Waikoloa, HI 96743

Dear Mr. Melrose:

Planned Unit Development (PUD 91-3)
Waikoloa Development Company
Highland Golf Estates
Tax Map Key 6-8-02: por 16 & 6-8-03: por of 32

Upon 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 400± houseslot development. The subject property which consists of 761 acres of land and identified by the Tax Map Key: 6-8-02: por 16 and 6-8-03: por 32 and is located along the south side of Waikoloa Road and bounded by Pua Melia Road to the north, and Auwaiakeakua Gulch to the west, Waikoloa, South Kohala, Hawaii.

The approval is based on the following:

The construction of the project shall begin within a reasonable period of time from the date of approval of the PUD. The subdivision application for the first increment has been granted tentative approval by the Planning Department on April 19, 1991. Final approval of the request is to be sought within six (6) months from the date of approval of the PUD.

The proposed development substantially conforms with the General Plan since the parcel was recently rezoned to allow the proposed development. The proposed development is low density and is within the density permitted by the zoning designation (RA-1a).

The proposed development will constitute an environment of sustained desirability and stability, shall be in harmony with the character of the surrounding neighborhood, and shall result in an

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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. As noted above, the proposed development will result in a density that is within the zoning designation. It is also in harmony with the character of the surrounding neighborhood since it is located between the existing urban area (multiple family residential) and agricultural zoned districts. The development consists of lots sizes with a one (1) acre minimum size that provide for a socio-economic mix which will compliment the existing Waikoloa Village.

The petitioner is proposing to create a cul-de-sac which serves more than the maximum 18 lots that is permitted by the Subdivision Code. These cul-de-sac will have a minimum 50 foot right-of-way with 24 foot wide pavements. The topographic conditions of the site, location of the main roads, and the proposed golf course are factors limiting the options to create a shorter cul-de-sac or a continuous roadway system. As such, the approval of a variance from the cul-de-sac requirements are considered and determined to be justified.

Based on the foregoing, 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 stated conditions of approval.
- B. The development conform substantially to the plans as submitted. A deed covenant limiting one single family dwelling per lot shall be incorporated as part of the deed restriction on the properties.
- C. Final approval of the subdivision shall be secured within one year of the date of approval of the PUD. 11/27/94 SEE 89-179
- D. The roadway and related improvements within the development will remain in private ownership unless it is brought up to County dedicable standards. The applicant shall file a recordable agreement indicating the applicant's liability, indemnification of the County of liability, 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

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agreement shall be included within deeds of all future lot owners/purchasers in this development. A recorded copy of this restriction shall be filed with the Planning Department and the Department of Public Works.

- E. All other applicable County and State rules, regulations, and requirements shall be complied with.
- F. Extensions and modifications to the permit shall be subject to the Planning Director's approval.

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

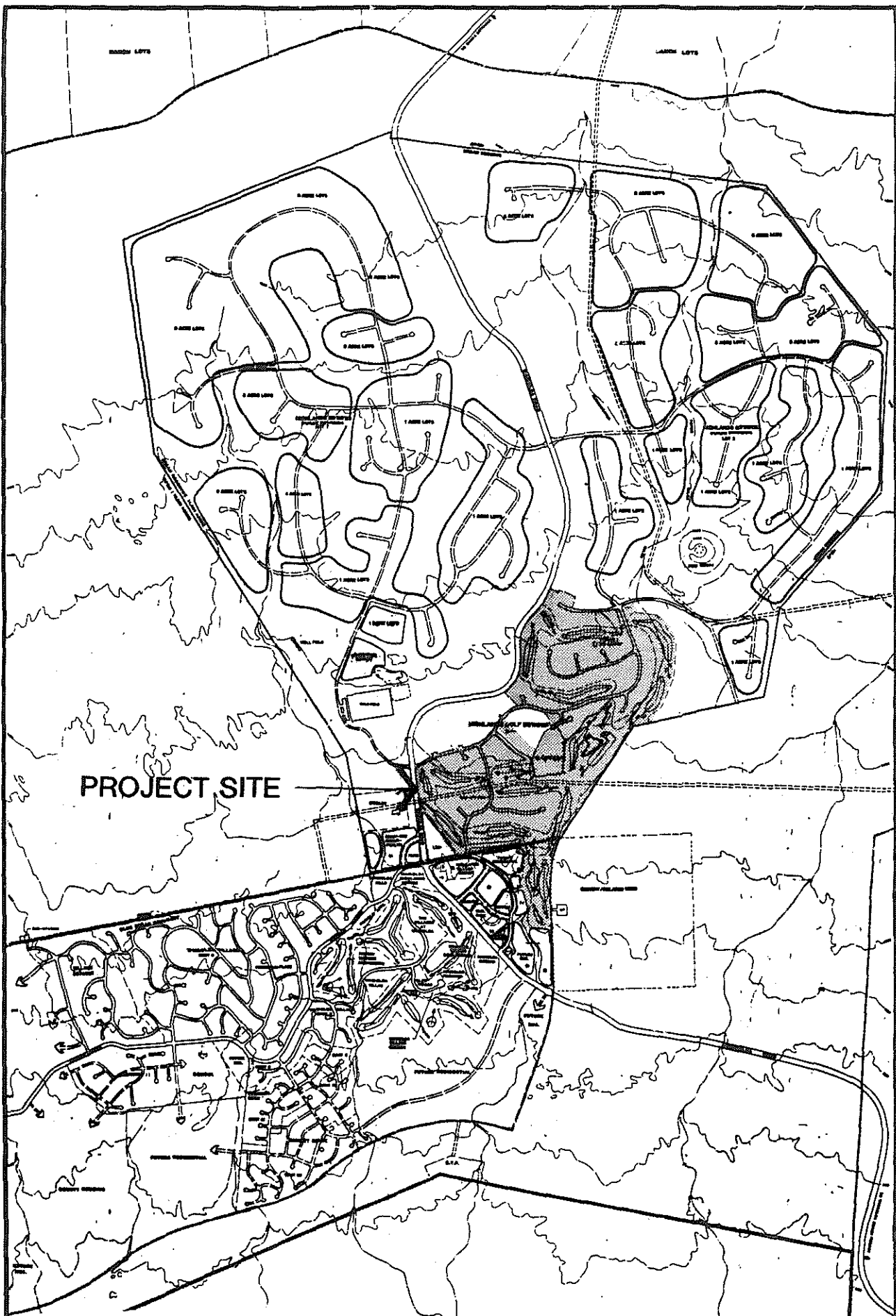
Should you have any questions on this matter, please feel free to contact Masa Onuma.

Sincerely,



NORMAN K. HAYASHI
Planning Director

MO:smo
3954D
Enclosure
cc: West Hawaii office



PROJECT SITE

**FIGURE 2
HIGHLANDS GOLF ESTATES
PROJECT SITE**

DATE: AUGUST 14, 1999



LEGEND