

CERTIFIED MAIL

May 22, 1984

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

Dear Mr. Mielcke:

Change of Zone Application and
Special Management Area Use Permit Application ✓
TMK: 6-2-02:18, 19 and portions of 4 and 13

The Planning Commission at its duly held public hearing on May 17, 1984, reviewed and acted on your applications for a change of zone and a special management area use permit for the above described property.

The Commission voted to recommend the approval of the change of zone application to the County Council, subject to the following conditions:

- A. The petitioner, successors or its assigns shall comply with the stated conditions of approval.
- B. The consolidation/resubdivision plan for the affected area shall be submitted for tentative approval within one (1) year from the effective date of the accompanying Special Management Area (SMA) Use Permit.
- C. Plans for plan approval shall be submitted for the proposed development within one year from the effective date of the accompanying Special Management Area (SMA) Use Permit.
- D. Construction shall commence within one year from the date of receipt of Final Plan Approval and be completed within three years thereafter.

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- E. The requirements of the Department of Water Supply shall be complied with.
- F. The method of sewage disposal shall meet with the approval of the appropriate governmental agencies.
- G. Drainage system(s) in accordance with the requirements of the Department of Public Works shall be installed.
- H. Should any unanticipated archaeological or historic features be uncovered during land preparation activities, work shall cease immediately and the Planning Department shall be notified. Work shall not resume until clearance has been obtained from the Planning Department.
- I. All other applicable rules, regulations and requirements shall be complied with.

Should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate designation may be initiated.

A requirement, as part of our recommendation to the County Council, is the inclusion of a legal description of the subject area in map and written form by metes and bounds. Please submit such a description to us as soon as possible so that the application can be forwarded to the Council with a minimum of delay.

The Commission voted to approve your application, Special Management Area Permit No. 207 based on the following conditions.

- A. The petitioner, successors or its assigns shall comply with all of the stated conditions attached to the accompanying change of zone.
- B. The permit shall not become effective until the pending change of zone application is adopted.
- C. The proposed buildings shall observe the minimum setbacks from the property lines abutting the golf course fairways as shown on the petitioner's site plan identified as Exhibit A. If deemed necessary, additional setbacks or

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other mitigating measures, such as additional landscaping along certain portions of the golf course boundaries, may be imposed at the time of Plan Approval review.

- D. All other applicable rules, regulations, and requirements be complied with.
- E. Should the Planning Department determine that any of the foregoing conditions have not been met, the Special Management Area (SMA) Use Permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,


Roy Kagawa
Chairman, Planning Commission

cc: Real Property Tax Division
Chief Engineer
Building Dept.
Kona Services Office
Dept. of Water Supply

bcc: Plan Approval

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