



2012 APR -4 PM 3: 30

April 3, 2012

Ms. BJ Leithead Todd, Director  
Planning Department  
COUNTY OF HAWAII  
101 Pauahi Street  
Hilo, HI 96720

Dear Ms. Leithead Todd:

**Subject: Final Approval Request - Subdivision Application  
1250 Oceanside Partners, "Hokulia Phase 2, Amendment 6"  
TMK: 8-1-004; 8-1-032; 8-1-034; various (SUB 07-000589)**

Pursuant to your letter of January 29, 2008 granting tentative subdivision approval, we believe that all conditions for final subdivision approval have been fulfilled. Specifically,

- a. The revised construction plans for all required on-site infrastructure (water, road, drainage, wastewater) have been approved per your letter of October 6, 2011, a copy of which is attached.
- b. Relatedly, the requirement of the Department of Water Supply ("DWS") relative to the water facilities charge has already been made, as noted in the attached letter, dated December 1, 2000 from the DWS.
- c. Although the required on-site infrastructure improvements have not been completed, final approval is being sought in accordance with a Settlement and Release Agreement entered into on March 2, 2012 among various parties, including the applicant (1250 Oceanside Partners) and the County. A copy of pertinent provisions of this Agreement is attached. I direct your attention to <sup>II</sup> item 2 of Paragraph B – Covered Claims, wherein it was agreed that the required improvements affecting Phase 1 and Phase 2 were suspended. This suspension would prevail until such time that it is determined by the County that they are needed, depending on the then nature and scope of the proposed development.
- d. The archaeological features have been identified and appropriate mitigation measures have been taken per approved mitigation and/or preservation plans. You will note that the sites have been identified on the final plat map, including a preservation lot.

SCANNED  
APR 5 2012  
By: 077814

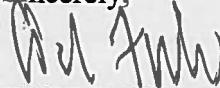
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- e. The required street names have been filed with your office in a letters from this office, dated March 30, 2012 and April 3, 2012.
- f. Finally, relative to the conditions of the change of zone ordinances (Ord. No. 96-7 and Ord. No. 96-8), the only applicable one is satisfaction of the fair share requirement. In that regard, per my letter to your office dated March 30, 2012, that requirement has already been addressed. A copy of that letter, without enclosures, is also attached.
- g. The final plat maps have already been filed ahead of the deadline of January 29, 2013, and a letter of staking, as noted in the attached letter, dated September 19, 2011 from the surveyor, has already been filed with your office.
- h. The real property tax certifications are enclosed.

Given the above, we believe that all requirements for final approval have been addressed and thus, respectfully request final approval of the subject application.

Should you have questions on this matter, please feel free to contact me. Thank you very much for your consideration of this matter.

Sincerely,



SIDNEY M. FUKÉ  
Planning Consultant

Enclosures

Copy – Ms. Jo-Ann Hamilton, 1250 Oceanside Partners w/ enclosures via email