CERTIFIED MAIL

July 17, 1986

Mr. Willis H. Sanburn
Waikoloa
Suite 2610, Pauahi Tower
1001 Bishop Street
Honolulu, HI 96813

Dear Mr. Sanburn:

Time Extensions to Use Permit Nos. 2, 3 and 7
Applicant: Transcontinental Development Corporation
Tax Map Key: 6-8-03:portion of 32

The Planning Commission at its duly held public hearing on July 10, 1986, voted to approve your request for time extensions to Use Permit Nos. 2, 3 and 7.

Approval of this request is based on the following:

Use Permit Nos. 2 and 3 were granted in 1970, while Use Permit No. 7 was approved in 1971. Fifteen to 16 years have elapsed since the permits were originally granted on a temporary basis. However, with regard to the temporary construction and administration buildings granted under Use Permit No. 2 and 7, from a practical standpoint since a new building to accommodate the office uses have yet to be constructed, it is felt that the additional 2-year extension is warranted. However, it should be pointed out to the applicant that construction of such a facility must commence immediately to meet the extended 2-year deadline of July 1, 1988. Ample commercially zoned lands at Waikoloa Beach Resort and Waikoloa Village are available for immediate construction of a construction and administration building.

With regard to the relocation of the temporary material storage yard granted through Use Permit No. 3, since no industrial zoned lands are immediately available, it is also felt that the 2-year time extension is warranted. However, during the 1979 General Plan Update, an area adjacent to the Waikoloa Village was designated Industrial to accommodate industrial uses, including the material storage yard granted under this permit. Therefore, the applicant should take immediate action to have the area reclassified for industrial uses. The State Land Use district and County zoning designations would still have to be amended. Otherwise, even with the additional 2-year time extension until July 1, 1988,

the area still would not be available to accommodate the industrial activity permitted under Use Permit No. 7.

Furthermore, while the applicant is requesting that the Planning Department consider another area in the vicinity of the Queen Kaahumanu Highway during the on-going General Plan Review Program to accommodate industrial uses such as the construction material storage yard, the land use processes to establish such uses will take even longer than the area already designated "Industrial" at the Waikoloa Village.

It should be emphasized that the additional 2-year time extension would mean that the temporary uses allowed through these Use Permits would have existed for a 17- to 18-year period. Serious consideration should be made to nullify the permits if no substantial progress is made during the extended time period to relocate the temporary uses established through Use Permit Nos. 2, 3 and 7.

As stated earlier, however, under present circumstances, the 2-year time extension now being requested is determined to be reasonable in order to allow the applicant time to phase out the uses allowed under these Use Permits and to establish them within properly zoned lands.

The time extension request until July 1, 1988, is approved subject to the following additional condition:

A. The applicant shall submit a progress report to the Planning Director by July 1, 1987, outlining the steps which have been taken to phase out the industrial and office uses at their present locations and to re-establish them in appropriately zoned lands. The Planning Director shall file a copy of the report with the Planning Commission for their information and review.

All other conditions of approval shall remain in effect.

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

Sincerely,

Barbara A. Koi
Chairperson, Planning Commission

cc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section