CERTIFIED MAIL #P 489 757 536

July 23, 1984

Mr. Will Sanburn
Waikoloa
1001 Bishop Street, Suite 2610
Pauahi Tower
Honolulu, Hawaii 96813

Dear Mr. Sanburn:

Time Extensions to Use Permit Nos. 2, 3 and 7
Transcontinental Development Company
TMK: 6-8-3:Portion of 32

The Planning Commission at its duly held public hearing on July 18, 1984, considered your request for 2-year time extensions to Use Permit Nos. 2, 3 and 7, which allowed the establishment of a temporary construction and administration building, a temporary material storage yard, and temporary construction and administration buildings, respectively, within the Multiple Residential - 1,500 square foot (RM-1.5) zoned district at Waikoloa Village, Waikoloa, South Kohala, Hawaii.

The Commission voted to approve the time extensions, as stated above, based on the following findings:

That Use Permits 2, 3, and 7 were granted to provide the petitioner with a means to establish certain uses on a temporary basis in order that the proposed development could come to fruition in a timely manner. These uses were deemed to be an essential part of the overall development and were to be allowed on an interim basis for a specified period of time until they could be located on a permanent basis on lands that are appropriately zoned.

JUL 23 1984

The approval of the requested time extension will provide the petitioner with ample opportunity to terminate the existing Use Permits and establish the uses allowed by these permits in appropriated zoned lands. A two-year (2) time period is deemed to be adequate for the petitioner to develop and realize plans for those uses for which there are existing zoned lands.

It should be emphasized, however, that the Use Permits were granted on a temporary basis until the permitted uses could be established on appropriately zoned lands. Use Permits 2 and 3 were granted in 1970, while Use Permit 7 was approved in 1971. They have essentially allowed office and industrial uses within the Multiple Family Residential zoned district. The two-year time extension will mean that the life of these temporary uses has been prolonged for a fifteen to sixteen-year period.

It is further recommended that the time extension request until July 1, 1986, be approved subject to the following conditions:

1. That the conditions of approval of the original Use Permits shall be complied with.

2. That the petitioner or its authorized representative shall submit a progress report to the Planning Director by July 1, 1985, 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.

3. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, Use Permit Nos. 2, 3, and 7 shall be void.

Should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,

Roy Kagawa
CHAIRMAN, PLANNING COMMISSION

cc: Real Property Tax Division
Dept. of Water Supply
Building Division, Public Works
Kona Services Office

bcc: Plan Approval Section