

Harry Kim
Mayor



Christopher J. Yuen
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Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

December 22, 2004

Mr. Michael Riehm
Riehm Owensby Planners Architects
74-5000 Mamalahoa Highway
Holualoa, HI 96725

Dear Mr. Riehm:

PLANNED UNIT DEVELOPMENT APPLICATION (PUD 04-01)
PLANNED UNIT DEVELOPMENT PERMIT NO. 74
Applicant: RIEHM OWENSBY PLANNERS ARCHITECTS
Landowner: KALOKO DEVELOPMENT, INC.
Tax Map Key:(3) 6-5-004: 029, 030, and 050

After reviewing the information submitted with the Planned Unit Development Application and supplemental information provided by the applicant by letter dated December 2, 2004, the Planning Director hereby approves Planned Unit Development (PUD) No. 74 subject to conditions to allow a proposed 40-lot single family residential PUD subdivision and related improvements within the Single Family Residential (RS-7.5) zoned district.

By letter from the Applicant dated December 2, 2004, the Applicant did modify its PUD request to eliminate those requested code variances that were not applicable to the scope of its proposed subdivision development. The following list represents the Applicant's original requests, with those variances that have been eliminated from this PUD application being struck-out.

DEC 29 2004

Requested Variances from the Subdivision Code (Chapter 23, Hawaii County Code)

- a. Section 23-29 – Block Sizes
- b. ~~Section 23-32 – Lot Size, Shape and Setback Line~~
- e. ~~Section 23-33(a) – Off street parking associated with Minimum Lot Size~~
- d. Section 23-35 – Lot Side Lines
- e. Section 23-36 - Through Lots, Planting Screen Easement
- f. ~~Section 23-40 – Street Location and Arrangement, General Requirements~~
- g. Section 23-41 - Minimum right-of-way and pavement widths
- h. ~~Section 23-44 – Future Extension of Streets~~
- i. ~~Section 23-45 – Intersection Angles, Corner Radius~~
- j. ~~Section 23-50(a) – Protection from Existing or proposed arterial street~~
- k. ~~Section 23-51 – Protection from Existing or Proposed Arterial Streets~~
- l. ~~Section 23-53 – Private Street~~
- m. ~~Section 23-88(a)(b)(c) – Non-dedicable Street, Private dead-end street~~
- n. ~~Section 23-89 – Sidewalks~~
- o. ~~Section 23-91 – Curbs & Gutters~~
- p. Section 23-93 - Street lights
- q. Section 23-94 - Street name and traffic signs
- r. Section 23-95 - Right-of-way improvement

Requested Variances from the Zoning Code (Chapter 25, Hawaii County Code)

- a. ~~Section 25-4-14 – Flag lots~~
- b. Section 25-4-30 – Minimum Street frontage
- c. Section 25-4-31 – Minimum Building Site Area; Minimum Average Width
- d. ~~Section 25-4-32 – Reduction of Building Site below Minimum Area~~
- e. Section 25-4-40(a) & (c) - General Requirements for Yards and Open Spaces
- f. ~~Section 25-4-41 – Triangular or Irregular Building Sites~~
- g. Section 25-4-42(a) - Corner building sites
- h. ~~Section 25-4-43(a) & (c) – Fences and Accessory Structures~~
- i. ~~Section 25-5-6 – Minimum Building Site Average Width~~
- j. Section 25-5-7 - Minimum Yards
- k. ~~Section 25-5-8(d) – Other Regulations – minimum yard exceptions~~

Approved Variances from the Subdivision Code (Chapter 23, Hawaii County Code)

Variances to the minimum requirements of the Subdivision Code are hereby approved to the extent represented within the PUD application and supplemental information and shall include:

- a. Section 23-29 – Block Sizes
Requests minimum block size length of less than the required 400 feet to promote pedestrian movement. Applicant's site plan indicates that the smallest block length is approximately 280 feet.
- b. Section 23-35 – Lot Side Lines
Due to configuration of proposed subdivision, some property side lines will not run at right angles to the street as required by Code. See PUD Exhibits 1 thru 12.
- c. Section 23-36 - Through Lots, Planting Screen Easement
Lots fronting Lindsey Road and Kapiolani Road may be considered a through lot due to their dual frontages along these roadways and internal subdivision roadways. These lots having dual frontages actually front a service road/alley within the subdivision. The design intent is to provide for lanais on the Lindsey/Kapiolani Road frontages with driveways coming off the service/alley road. No planting screen requested since access is via back service/alley road. Therefore, the Applicant requests relief from this particular restriction.
- d. Section 23-41 - Minimum right-of-way and pavement widths
Private access roadway easements width of 40 feet with a pavement width of 20 feet along "Loop Road" with no curbs, gutters or sidewalks. Lots 20 to 26, which also front Lindsey Road, will be accessed via a 20-foot wide private access easement/pavement with no curb, gutters or sidewalk improvements. Both roadways will maintain an 8-foot wide stabilized grassed shoulders that will provide for temporary guest parking. Standard roadway improvements require a minimum 32-foot wide pavement within a 50-foot wide right of way with curbs, gutters and sidewalks.
- e. Section 23-93 - Street lights
Use of street lighting that deviates from the standard specifications on file with the Department of Public Works. See PUD Exhibit 22.
- f. Section 23-94 - Street name and traffic signs
Use of Street Name and Traffic Signs that deviate from the minimum specifications on file with the Department of Public Works
- g. Section 23-95 - Right-of-way improvement
Requests that the entire road easement not be improved to standard specifications on file with the Department of Public Works. Private access roadway easements width of 40 feet with a pavement width of 20 feet along "Loop Road" with no curbs, gutters or sidewalks. Lots 20 to 26, which also front Lindsey Road, will be

accessed via a 20-foot wide private access easement/pavement with no curb, gutters or sidewalk improvements. Both roadways will maintain an 8-foot wide stabilized grassed shoulders with periodic street trees that will provide for temporary guest parking. See PUD Exhibits A-2.1 & A-2.2

Approved Variances from the Zoning Code (Chapter 25, Hawaii County Code)

Variances to the minimum requirements of the Zoning Code are hereby approved to the extent represented within the PUD application and supplemental information and shall include:

- a. Section 25-4-30 – Minimum Street frontage
Several lots situated at turns in roadway will not have minimum 50% roadway frontage. Access and yard setbacks will be preserved.
- b. Section 25-4-31 – Minimum Building Site Area; Minimum Average Width
Approximately 7 lots will have building sites of less than 7,500 square feet when the roadway easement is excluded.
- c. Section 25-4-40(a) & (c) - General Requirements for Yards and Open Spaces
Allow for minimum side yard of 5 feet in lieu of the minimum 8-foot setback to accommodate a staggered setback when referenced with adjoining property. End result is a building separation of no less than 15 feet when compared with a total of 16 feet normally required by Code. See PUD Exhibits 1 thru 12.
- d. Section 25-4-42(a) - Corner building sites
Applicant wishes to define the application of front and side yard setbacks for corner lots in lieu of the standard two front yards along the roadway frontage. See PUD Exhibits 1 thru 12.
- e. Section 25-5-7 - Minimum Yards
Existing RS-7.5 zoning requires minimum front and rear yard setbacks of 15 feet and side yard setbacks of 8 feet. Applicant wishes to apply a minimum 10-foot front and rear yard setback and a minimum 5-foot side yard setback for selected lots within the proposed subdivision. See PUD Exhibits 1 thru 12.

In addition to the variances requested by the applicant and comments received from the affected agencies, to eliminate future confusion regarding the approved building location on the proposed lots, the following variances are granted to address accessory building height and minimum building yard open space requirements between building “projections” (i.e. roof eaves, etc.) and proposed property lines are hereby granted.

- f. Section 25-4-23 - Accessory structure height limitations.
- g. Section 25-4-44 - Permitted projections into yards and open spaces.

- h. Section 25-4-47 - Minimum distance between main buildings on same building site

Note: The maximum building height shall be limited to thirty-five (35) feet and open yard or space requirements on the 40-proposed lots shall be established and comply with the PUD Association's private CC&Rs.

BACKGROUND/FINDINGS:

1. Landowners/Applicant: The owner of subject properties, Kaloko Development Inc., has authorized Riehm Owensby Planners Architects to act as Applicant on its behalf and to submit the subject PUD application. The subject PUD application was submitted to the Planning Department (West Hawaii Office) on April 21, 2004. The PUD application (PUD 04-01) was acknowledged for processing by letter dated June 9, 2004.
2. Request: The Applicant, on behalf of the landowner, is proposing to develop the subject properties, consisting of a total of approximately 9.18 acres, into 40 single family residential lots of no less than 10,000 square feet and a Roadway Lot, pursuant to Chapter 25, Zoning, Article 6, Optional Development Regulations, Division 1, Planned Unit Development (P.U.D). Variances from minimum roadway and minimum yard requirements of Hawaii County Code, Chapter 23, Subdivisions, and Chapter 25, Zoning, respectively, are being requested as part of the PUD application.
3. Reasons for Request: According to the Applicant, the requested PUD, if approved, will allow the development of "*a planned, pedestrian-oriented, residential community that better addresses their needs and lifestyle than is possible utilizing a typical subdivision layout and County dedicable roadway standards. In order to accomplish the objectives set forth, the [Applicant] is requesting approval of a Planned Unit Development since it affords the best flexibility in addressing design and aesthetic issues.*" The Applicant's development concept is structured around the following objectives:
 - a. Provide a neighborhood environment that encourages a sense of community and promotes social interaction.
 - b. Provide a safe, pedestrian oriented environment and streetscape.
 - c. Develop a master plan that fits harmoniously into the local context and existing landscape.
 - d. Develop a landscape theme for the development that will blend the new residences into the natural landscape.

- e. Through the use of CC&R's, encourage housing design that respects the local building vernacular and encourages energy efficiency through the use of passive and active solar devices.
4. Location. The subject contiguous property(s), containing approximately 9.18 acres, are Lot 10 and Lot 11, Block 2, Grant 5185 and L.P. S-8551, L.C. Aw. 3674; Lot 12, Block 2, being portion of Grant 5972; and, Lot 13, Block 2, being portion of Grant 5972, and situated at Waimea Homesteads, Waimea, South Kohala, Hawaii.
5. Land Use Designations: The subject TMK property(s) are zoned Single-Family Residential (RS-7.5). The aggregate land area of the subject TMK property(s) is 9.18 acres. Therefore, pursuant to the Zoning Code, Section 25-5-5, Minimum building site area, zoning would permit 53.31 or 53 lots. The proposed 10,000 square foot lot size exceeds the minimum 7500 square foot lot size or proposed 40 lots would not exceed the maximum lot density (53 units) permitted under zoning. 40 single-family dwellings are proposed within the PUD.
6. Infrastructure: The project area has frontage along Lindsey Road and Kapiolani Road. Both paved roadways and rights-of-way are owned and maintained by the County. Proposed ingress and egress to the PUD will be via an intersection with Lindsey Road and intersection with Kapiolani Road. Individual lot access will be from a single privately owned 40-foot wide "Loop Road" and a 20-foot wide for certain lots along Lindsey Road. These private roadways will be owned and maintained by an association of the proposed 40-lots or users and governed by proposed subdivision CC&R's.

The proposed roadways within the subject subdivision will have a pavement width of 20 feet with 8-foot wide stabilized shoulders. No curb, gutter or sidewalk improvements are contemplated. On-street parking is normally encouraged within residential subdivisions to accommodate visitors and guests without creating traffic congestion or hazardous conditions. However, the Applicant has provided for lots that are at least 2,500 square feet larger than the 7,500 square foot minimum lot size required by its current zoning. These larger properties afford the opportunity for on-site parking and is a reasonable compromise with the elimination of dedicated on-street parking. The 8-foot wide stabilized grassed shoulders could, in a pinch, provide for the occasional on-street parking needs of residents within this proposed subdivision.
7. Additional Information: According to the Applicant, "The site has a slight slope with no major grades", and, "Any increase in storm runoff from the project will be contained on-site as required by Hawaii County Standards. A system of drywells and other mitigative

measures will be utilized to contain the increased runoff as required by the County.” To accommodate the pedestrian-oriented nature of the proposed development, the applicant is requesting minimum of 15 feet corner radii along with a reduced speed limit of 15 to 20 miles per hour.

8. Agency Comments and Requirements WH (PUD 04-01):
 - A-1. The Department of Environmental Management memorandum is dated June 22, 2004. (Refer to memorandum in PUD file).
 - A-2. The Department of Land and Natural Resources (DLNR) Historic Preservation Division memorandum is dated June 22, 2004. (Refer to memorandum in PUD file).
 - A-3. The Hawaii County Fire Department (HCFD) memorandum is dated June 29, 2004. (Refer to memorandum in PUD file).
 - A-4. The Hawaii County Police Department (HCPD) memorandum is dated July 6, 2004. (Refer to memorandum in PUD file).
 - A-5. The Department of Public Works (DPW) memorandum is dated July 15, 2004. (Refer to memorandum in PUD file).
 - A-6. The Department of Water Supply (DWS) memorandum is dated July 12, 2004. (Refer to memorandum in PUD file).
 - a. Refer to copy of letter dated July 22, 2004 sent to DWS and regarding water commitment deposit.
9. Notice to Surrounding Property Owners. The owner’s agent (Mooers Enterprises, LLC) submitted transmittal letter dated June 26, 2004, copy of notice dated June 24, 2004, and list of property owners with affixed US Mail receipts. According to the agent the letter and attached mailing receipts, the notice was mailed on June 26, 2004.
10. Comments from Surrounding Property Owners or Public. No further written comments from other agencies were received. The following support and/or comments were received:
 - a. Letter supporting from William V. Brilhante dated June 29, 2004.
 - b. Letter/comments from Lisa Korenaga dated July 6, 2004.

- c. Letter/comments from Sally M. Wooddell and Allen W. Wooddell dated July 8, 2004.
- d. Letter/comments from Sally M. Wooddell and Allen W. Wooddell dated August 1, 2004.
- e. Letter/comments from Sally M. Wooddell and Allen W. Wooddell received on August 13, 2004.

Note: Refer to copy Michael Riehm's response letter dated August 3, 2004 sent to Lisa Korenaga and Sally M. Wooddell, Et al.

11. In accordance with requirements of Section 25-6-10(Criteria for granting a PUD):

- a. *the construction on the project shall begin within a reasonable period of time from the date of full approval and shall be completed within a reasonable period of time.*

The PUD applicant's report includes a "PROJECT TIME SCHEDULE". The schedule indicates construction of the proposed PUD subdivision will commence within 4 months or by December 2004 after approval of the Planned Unit Development permit is issued and/or final approval of the pending subdivision application is granted. Total site work, infrastructure, and building construction will commence in January 2005 and be completed by December 2005. Sales of the completed homesites within the PUD will commence in January 2005.

- b. *the proposed development substantially conforms to the General Plan.*

The subject TMK property(s) are zoned Single Family Residential (RS-7.5) zoned district and by the County and zoned Urban "U" by the State Land Use Commission (SLUC). The proposed PUD is consistent with the General Plan LUPAG Map's Medium Density Urban designation, which allows for village and neighborhood commercial and residential and related functions (3-story commercial; residential -- up to 35 units per acre). By comparison, the proposed PUD subdivision will have an approximate density of 4 units per acre. In addition, the following General Plan element goals, policies and standards of action are in conformance with the proposed Planned Unit Development:

- o Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural and physical environments of the County.
- o Zone urban- and rural- types of uses in areas with ease of access to community services and employment centers and with adequate public utilities and facilities.
- o Allocate appropriate requested zoning in accordance with the existing or projected needs of neighborhood, community, region and County.
- o The County shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.
- o Zoning requests shall be reviewed with respect to General Plan designation, district goals, regional plans, State Land Use District, compatibility with adjacent zoned uses, availability of public services and utilities, access and public need.

Approval of this request would also compliment the following goals and policies of the Single Family Residential Element of the General Plan:

- o To maximize choices of single-family residential lots and/or housing for residents of the County.
- o To ensure compatible uses within and adjacent to single-family residential zoned areas.
- o To provide single-family residential areas conveniently located to public and private services, shopping, other community activities and convenient access to employment centers.
- o The County shall designate and allocate single-family residential zoned lands at varying densities for future use in accordance with the needs of the communities and the stated goals, policies and standards.
- o Areas shall have basic improvements and amenities necessary for immediate use.

Approval of this request would also contribute to a diverse socio-economic housing mix within the region. In this manner, the request would also complement the following goals and policies articulated in the Housing Element of the General Plan:

- o Attain safe, sanitary, and livable housing for the residents of the County of Hawaii.
- o Attain a diversity of socio-economic housing mix throughout the different parts of the County.
- o Maintain a housing supply which allows a variety of choice.
- o Develop better places to live in Hawaii County by creating viable communities with decent housing and suitable living environments for our people.
- o Improve and maintain the quality and affordability of the existing housing stock.

The proposed Planned Unit Development will implement the above goals and policies of the applicable element of the General Plan, in particular with the above cited elements.

- c. *the proposed development shall constitute an environment of sustained desirability and stability, shall be in harmony with the character of the surrounding neighborhood and shall result in an intensity of land utilization no higher than, and standards of open space at least as high as permitted or as otherwise specified for the district in which this development occurs.*

According to the applicant, the proposed Planned Unit Development “*is designed to address the needs and lifestyle of local residents who want to live in a planned community that promotes social interaction, encourage outdoor activities, and is pedestrian oriented. The project consists of 40 single family residential lots, landscaped common open spaces, and a streetscape designed to create a sense of place and a sensitive scaled neighborhood environment. Emphasis is placed on the design of streets to provide a safe setting for pedestrians and to mitigate the speed of the automobile.*”

The zoning of surrounding areas have not substantially changed since 1967 when the original Zoning Code and zone district maps were adopted by the County. The current and surrounding land patterns include lot sizes ranging between 7,500 square feet and exceeding an acre. The proposed single residential lots created by the proposed PUD would therefore be compatible with the surrounding single family residential land use pattern. The proposed 40-lot subdivision will not exceed the maximum density permitted by its current RS-7.5 zoning, which could allow for a maximum of 53 lots.

Through this PUD, the applicant is requesting relief from the minimum yard requirements and attendant open space requirements stipulated by the Zoning Code to permit the buildings and certain architectural features such as walls, trellises, and fences over six feet in height into the standard yard setbacks, pursuant to "Exhibit 13" or Page 8-48 of the PUD application's report. It is felt that the proposed dwelling and garage positions together with other residential and site improvements will not detract from the surrounding subdivisions constructed before 1967 and the character the adjoining Waimea Public Park complex. The proposed trees and other landscaping improvements within the PUD development will be owned and maintained by the PUD owners and/or Association.

Note: The building height for dwelling structures is limited to maximum thirty-five (35) feet. Accessory building or garage buildings are limited to twenty-five feet.

- d. *the development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of the Zoning and Subdivision Codes, and that the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.*

The proposed PUD is consistent with the existing character of the surrounding community. Relief from the requirements of the Subdivision Code applicable to minimum right-of-way and pavement widths, street extensions, private non-dedicable street standards, intersection angles and corner radiuses, grades and curves, sidewalks, curbs and gutters, and street lights and signages will compliment the physical and visual character within this portion of Waimea. The proposed PUD is a development of a harmonious, integrated whole that justifies exceptions to the normal requirements of this chapter, as the contemplated

arrangements make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.

- e. In accordance with Section 25-6-6:
- the planning director may conditionally approve an application for a PUD.
 - Any conditions imposed by the planning department upon approval of an application for PUD may include but are not limited to the time within which the project shall begin and be completed, changed boundaries of the project, uses permitted, specification of minimum development standards, specified street dedication and improvement, utilities to be furnished, and a list or limit of variances permitted.
 - Any PUD, as approved, shall be subject to all conditions imposed and shall be excepted from other provisions of this chapter only to the extent specified in said approval.

DETERMINATION-VARIANCE CONDITIONS

Based on the forgoing findings, the PUD request would be consistent with the general purpose of the zoning district and intents of the Zoning Code, Subdivision Code, and PUD criteria which requires conformance with the County General Plan. Furthermore, given the PUD background and comprehensive planning to develop the area or subdivision, the variances requested by the applicant and other variances related to roadway improvements and building open space requirements will not be materially detrimental to the public's welfare and will not cause substantial adverse impact to the area's character and/or adjoining subdivisions or surrounding neighborhood.

In view of the above, the Planning Director approves the applicant's request for a Planned Unit Development (PUD) to develop the 40-unit Waimea Parkside subdivision on the subject properties subject to following conditions:

- A. The applicant, its successors or assigns be responsible for complying with all of the stated conditions of approval.

- B. The applicant shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit.
- C. The proposed 40-lot Planned Unit Development shall be developed in a manner as substantially represented within the Planned Unit Development application entitled Waimea Parkside dated March 27, 2004 and as detailed within Exhibits 1 through 25.
- D. The applicant shall secure final subdivision approval of the 40-unit single family residential subdivision within 5 years from the date of approval of the PUD.
- E. Each lot created by subject PUD shall have no more than one dwelling per building site. No ohana dwelling or second dwelling shall be permitted on any lot arising out of PUD No. 74. The subject property or any of the proposed lots arising out of the proposed subdivision or subsequent subdivision phases may not be made subject to a condominium property regime.
- F. Should any remains of historic sites, such as rock walls, terraces, platforms, marine shell concentrations or human burials, be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources-Historic Preservation Division (DLNR-HPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD when it finds that sufficient mitigative measures have been taken.
- G. The applicant shall comply with all other applicable rules, regulations and requirements.
- H. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the Planned Unit Development (PUD) permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.

Mr. Michael Riehm
Riehm Owensby Planners Architects
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- I. If the applicant should require an extension of time, the applicant may request for time extension pursuant to Section 25-6-14 (Time extensions and amendments).
- J. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate the nullification of the Planned Unit Development Permit.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

WRY/DSA:

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xc: Department of Public Works, Building Division
Department of Public Works, Engineering (Hilo and Kona)
Department of Water Supply
Subdivision Section
West Hawaii Planning Office

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Duane Kanuha
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PLANNING DEPARTMENT

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August 8, 2014

Phil Tinguely, Manager
Waimea Parkside, LLC
P.O. Box 9013
Kailua-Kona, HI 96745

Dear Mr. Tinguely:

SUBJECT: Application: PLANNED UNIT DEVELOPMENT - PUD 74 (PUD 04-01)
Agent: PHIL TINGUELY, MANAGER
Applicant: WAIMEA PARKSIDE, LLC
Owners: WAIMEA PARKSIDE, LLC
(Formerly Kaloko Development Inc.)
Request: AMENDMENT TO PUD 74
Tax Map Key: (3)6-5-013:001 thru 040
(Originally TMK: (3)6-5-004:029,030 and 050)

In response to your request to amend Planned Unit Development Permit No. 74 (PUD 74), which was submitted to this office on April 14, 2014, we hereby approve the requested amendment to allow additional minimum yard setback variances for six (6) residential lots and related improvements.

This request will amend the original PUD No. 74 approved on December 22, 2004.

BACKGROUND:

- 1. Landowners:** The previous owners of the subject properties, Kaloko Development Inc., had authorized Riehm Owensby Planners Architects to act as Applicant on its behalf and to submit the original subject PUD application. This subject PUD amendment request was submitted to the Planning Department (West Hawaii Office) on April 21, 2004. The PUD application (PUD 04-01) was acknowledged for processing by letter dated June 9, 2004. The current owner of record is Waimea Parkside, LLC.
- 2. Original TMK/Request:** The original TMK 6-5-004:029,030 and 050 was subsequently resubdivided into 6-5-013:001 thru 040. The original applicant, which was Kaloko Development

Inc., on behalf of the landowner, proposed to develop the subject properties, consisting of a total of approximately 9.18 acres, into 40 single-family residential lots of no less than 10,000 square feet and a Roadway Lot, pursuant to Chapter 25, Zoning, Article 6, Optional Development Regulations, Division 1, Planned Unit Development (P.U.D). Variances from minimum roadway and minimum yard requirements of Hawaii County Code, Chapter 23, Subdivisions, and Chapter 25, Zoning, were requested as part of the original PUD application.

3. **Reasons for Original Request:** The requested PUD allowed the development of “*a planned, pedestrian-oriented, residential*” community that better addresses their needs and lifestyle than is possible utilizing a typical subdivision layout and County dedicable roadway standards. In order to accomplish the objectives set forth, the [Applicant] is requesting approval of a Planned Unit Development since it affords the best flexibility in addressing design and aesthetic issues.” The Applicant’s development concept is structured around the following objectives:
 - a. Provide a neighborhood environment that encourages a sense of community and promotes social interaction.
 - b. Provide a safe, pedestrian-oriented environment and streetscape.
 - c. Develop a master plan that fits harmoniously into the local context and existing landscape.
 - d. Develop a landscape theme for the development that will blend the new residences into the natural landscape.
 - e. Through the use of CC&Rs, encourage housing design that respects the local building vernacular and encourages energy efficiency through the use of passive and active solar devices.
4. **Location:** The project site is situated on the east side of Lindsey Road and the north side of Kapiolani Road, approximately 0.4 miles from Waimea Town, Waimea Parkside, Waimea Homesteads, South Kohala, Hawai’i.
5. **Land Use Designations:** The subject property(s) are zoned Single-Family Residential (RS-7.5). The aggregate land area of the subject property(s) is 9.18 acres. Therefore, pursuant to the Zoning Code, Section 25-5-5, Minimum building site area, zoning would permit a maximum density 53.31 or 53 lots. The proposed 10,000 square feet lot size exceeds the minimum 7500 square feet lot size or proposed 40 lots would not exceed the maximum lot density (53 units) permitted under zoning. 40 single-family dwellings are proposed within the PUD.
6. **Infrastructure:** The project area has frontage along Lindsey Road and Kapiolani Road. Both paved roadways and rights-of-way are owned and maintained by the County. Proposed ingress and egress to the PUD will be via an intersection with Lindsey Road and intersection with

Kapiolani Road. Individual lot access will be from a single privately owned 40-foot wide "Loop Road" and a 20-foot wide for certain lots along Lindsey Road. These private roadways will be owned and maintained by an association of the proposed 40-lots or users and governed by proposed subdivision CC&Rs.

The proposed roadways within the subject subdivision will have a pavement width of 20 feet with 8-foot wide stabilized shoulders. No curb, gutter or sidewalk improvements are contemplated. On-street parking is normally encouraged within residential subdivisions to accommodate visitors and guests without creating traffic congestion or hazardous conditions. However, the Applicant has provided for lots that are at least 2,500 square feet larger than the 7,500 square foot minimum lot size required by its current zoning. This larger property affords the opportunity for on-site parking and is a reasonable compromise with the elimination of dedicated on-street parking. The 8-foot wide stabilized grassed shoulders could, in a pinch, provide for the occasional on-street parking needs of residents within this proposed subdivision.

7. **Additional Information:** According to the applicant, "The site has a slight slope with no major grades", and, "Any increase in storm runoff from the project will be contained on-site as required by Hawaii County Standards. A system of drywells and other mitigative measures will be utilized to contain the increased runoff as required by the County."

To accommodate the pedestrian-oriented nature of the proposed development, the applicant proposed a minimum of 15 feet corner radii along with a reduced speed limit of 15 to 20 miles per hour.

8. **Variations Granted by PUD 74 from Chapter 23, Hawaii County Code, Subdivisions.** Variations to the minimum requirements of the Subdivision Code were approved by PUD 74 to the extent represented within the PUD application and supplemental information and included:

- a. Section 23-29 Block Sizes

Minimum block size length of less than the required 400 feet to promote pedestrian movement. Applicant's site plan indicated that the smallest block length is approximately 280 feet.

- b. Section 23-35 Lot Side Lines

Due to configuration of proposed subdivision, some property side lines will not run at right angles to the street as required by Code. (PUD Exhibits 1 thru 12)

- c. Section 23-36 Through Lots, Planting Screen Easement

Lots fronting Lindsey Road and Kapiolani Road may be considered a through lot due to their dual frontages along these roadways and internal subdivision roadways. These lots having dual frontages actually front a service road/alley within the subdivision. The design intent is

to provide for lanais on the Lindsey/Kapiolani Road frontages with driveways coming off the service/alley road. No planting screen requested since access is via back service/alley road. Therefore, the Applicant requests relief from this particular restriction.

d. Section 23-41 Minimum Right-of-Way and Pavement Widths of Way With Curbs, Gutters and Sidewalks.

Private access roadway easements width of 40 feet with a pavement width of 20 feet along "Loop Road" with no curbs, gutters or sidewalks. Lots 20 to 26, which also front Lindsey Road, will be accessed via a 20-foot wide private access easement/pavement with no curb, gutters or sidewalk improvements. Both roadways will maintain 8-foot wide stabilized grassed shoulders that will provide for temporary guest parking. Standard roadway improvements require a minimum 32-foot wide pavement within a 50-foot wide right

e. Section 23-93 Street Lights.

Use of street lighting that deviates from the standard specifications on file with the Department of Public Works. See PUD Exhibit 22.

f. Section 23-94 Street Name and Traffic Signs.

Use of Street Name and Traffic Signs that deviate from the minimum specifications on file with the Department of Public Works.

g. Section 23-95 Right-of-Way Improvement.

The entire road easement will not be improved to standard specifications on file with the Department of Public Works. Also allow private access roadway easements width of 40 feet with a pavement width of 20 feet along "Loop Road" with no curbs, gutters or sidewalks. Lots 20 to 26, which also front Lindsey Road, will be accessed via a 20-foot wide private access easement/pavement with no curb, gutters or sidewalk improvements. Both roadways will maintain 8-foot wide stabilized grassed shoulders with periodic street trees that will provide for temporary guest parking. See PUD Exhibits A-2.1 & A-2.2.

9. **Variations granted by PUD 74 from Chapter 25, Hawaii County Code, Zoning.**

Variations to the minimum requirements of the Zoning Code were approved to the extent represented within the PUD application and supplemental information and included:

a. Section 25-4-30 – Minimum Street Frontage

Several lots situated at turns in roadway will not have minimum 50% roadway frontage. Access and yard setbacks will be preserved.

b. Section 25-4-31 – Minimum Building Site Area; Minimum Average Width

Approximately 7 lots will have building sites of less than 7,500 square feet when the roadway easement is excluded.

- c. Section 25-4-40(a) & (c) - General Requirements for Yards and Open Spaces
Allow for minimum side yard of 5 feet in lieu of the minimum 8-foot setback to accommodate a staggered setback when referenced with adjoining property. End result is a building separation of no less than 15 feet when compared with a total of 16 feet normally required by Code. See PUD Exhibits 1 thru 12.
- d. Section 25-4-42(a) - Corner Building Sites
Define the application of front and side yard setbacks for corner lots in lieu of the standard two front yards along the roadway frontage. See PUD Exhibits 1 thru 12.
- e. Section 25-5-7 - Minimum Yards
In lieu of the existing RS-7.5 zoning requires minimum front and rear yard setbacks of 15 feet and side yard setbacks of 8 feet; apply a minimum 10-foot front and rear yard setback and a minimum 5-foot side yard setback for selected lots within the proposed subdivision. See PUD Exhibits 1 thru 12.

In addition to the variances requested by the applicant and comments received from the affected agencies, to eliminate future confusion regarding the approved building location on the proposed lots, the following variances were granted to address accessory building height and minimum building yard open space requirements between building "projections" (i.e. roof eaves, etc.) and proposed property lines were granted.

- f. Section 25-4-23 - Accessory structure height limitations.
- g. Section 25-4-44 - Permitted projections into yards and open spaces.
- h. Section 25-4-47 - Minimum distance between main buildings on same building site

Note: The maximum building height shall be limited to thirty-five (35) feet and open yard or space requirements on the 40-proposed lots shall be established and comply with the PUD Association's private CC&Rs.

AMENDMENT REQUEST TO EXISTING PUD 74:

- 10. **Request to Amend PUD 74 and Time Extension.** The applicant's request to amend PUD 74 was received on April 14, 2014. As additional time to review the application was required, the applicant granted the Planning Director an extension of time to issue a decision on the Variance Application until August 8, 2014.
- 11. **Amendment Request. Minimum Yards – Section 25-5-7:**
The applicant's original PUD 74 allowed for a minimum 15-foot front yard setback for the

single-family dwellings and a 10-foot front yard setback for the detached garages where the garage does not front the street. For the subject request, the applicant requests that the six (6) existing single family dwellings be allowed to remain with a minimum 10-foot front and rear yard setback and a minimum 5-foot side yard setback for selected lots within the proposed subdivision. This amendment is consistent with what is reflected in the original PUD 74 Exhibits 1 thru 12 and Variance Request No.10 which requested waivers to minimum yards. All development on the remaining 34 lots shall meet the yard requirements as approved by the original PUD 74.

This amendment will allow for the existing six (6) single-family dwellings situated within the Waimea Parkside Subdivision, more specifically, TMK: 6-5-013: parcels 003; 008; 009; 010; 011 and 012, to remain with a 10-foot front yard setback and a minimum 5-foot side yard setback.

CRITERIA FOR APPROVAL OF AMENDMENT REQUEST:

In accordance with requirements of Section 25-6-10 (Criteria for granting a PUD):

- a. *The construction on the project shall begin within a reasonable period of time from the date of full approval and shall be completed within a reasonable period of time.*

The PUD applicant's report includes a "PROJECT TIME SCHEDULE". The schedule indicates construction of the proposed PUD subdivision will commence within 4 months or by December 2004 after approval of the Planned Unit Development permit is issued and/or final approval of the pending subdivision application is granted. Total site work, infrastructure, and building construction will commence in January 2005 and be completed by December 2005. Sales of the completed home sites within the PUD will commence in January 2005.

- b. *The proposed development substantially conforms to the General Plan.*

The subject property(s) are zoned Single Family Residential (RS-7.5) zoned district and by the County and zoned Urban "U" by the State Land Use Commission (SLUC). The proposed PUD is consistent with the General Plan LUPAG Map's Medium Density Urban designation, which allows for village and neighborhood commercial and residential and related functions (3-story commercial; residential - up to 35 units per acre). By comparison, the proposed PUD subdivision will have an approximate density of 4 units per acre.

In addition, the following General Plan element goals, policies and standards of action are in conformance with the proposed Planned Unit Development:

- Designate and allocate land uses in appropriate proportions and mix and in keeping with

- Zone urban- and rural- types of uses in areas with ease of access to community services and employment centers and with adequate public utilities and facilities.
- Allocate appropriate requested zoning in accordance with the existing or projected needs of neighborhood, community, region and County.
- The County shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.
- Zoning requests shall be reviewed with respect to General Plan designation, district goals, regional plans, State Land Use District, compatibility with adjacent zoned uses, availability of public services and utilities, access and public need.

Approval of this amendment request would also compliment the following goals and policies of the Single Family Residential Element of the General Plan:

- To maximize choices of single-family residential lots and/or housing for residents of the County.
- To ensure compatible uses within and adjacent to single-family residential zoned areas.
- To provide single-family residential areas conveniently located to public and private services, shopping, other community activities and convenient access to employment centers.
- The County shall designate and allocate single-family residential- zoned lands at varying densities for future use in accordance with the needs of the communities and the stated goals, policies and standards.
- Areas shall have basic improvements and amenities necessary for immediate use.

Approval of this amendment request would also contribute to a diverse socio-economic housing mix within the region. In this manner, the request would also complement the following goals and policies articulated in the Housing Element of the General Plan:

- Attain safe, sanitary, and livable housing for the residents of the County of Hawaii.
- Attain a diversity of socio-economic housing mix throughout the different parts of the County.
- Maintain a housing supply which allows a variety of choice.

- Develop better places to live in Hawaii County by creating viable communities with decent housing and suitable living environments for our people.
- Improve and maintain the quality and affordability of the existing housing stock.

The proposed Planned Unit Development will implement the above goals and policies of the applicable element of the General Plan, in particular with the above-cited elements.

- c. ***The proposed development shall constitute an environment of sustained desirability and stability, shall be in harmony with the character of the surrounding neighborhood and shall result in an intensity of land utilization no higher than, and standards of open space at least as high as permitted or as otherwise specified for the district in which this development occurs.***

According to the applicant, the proposed Planned Unit Development “*is designed to address the needs and lifestyle of local residents who want to live in a planned community that promotes social interaction, encourage outdoor activities, and is pedestrian oriented. The project consists of 40 single family residential lots, landscaped common open spaces, and a streetscape designed to create a sense of placed and a sensitive scaled neighborhood environment. Emphasis is placed on the design of streets to provide a safe setting for pedestrians and to mitigate the speed of the automobile.*”

The zoning of surrounding areas have not substantially changed since 1967 when the original Zoning Code and zone district maps were adopted by the County. The current and surrounding land patterns include lot sizes ranging between 7,500 square feet and exceeding an acre. The proposed single residential lots created by the proposed PUD would therefore be compatible with the surrounding single family residential land use pattern. The proposed 40-lot subdivision will not exceed the maximum density permitted by its current RS-7.5 zoning, which could allow for a maximum of 53 lots.

Through this PUD, the applicant is requesting relief from the minimum yard requirements and attendant open space requirements stipulated by the Zoning Code to permit the buildings and certain architectural features such as walls, trellises, and fences over six feet in height into the standard yard setbacks, pursuant to “Exhibit 13” or Page 8-48 of the PUD application’s report. It is felt that the proposed dwelling and garage positions, together with other residential and site improvements, will not detract from the surrounding subdivisions constructed before 1967 and the character the adjoining Waimea Public Park complex. The proposed trees and other landscaping improvements within the PUD development will be owned and maintained by the PUD owners and/or Association.

Note: The building height for dwelling structures is limited to maximum thirty-five (35) feet. Accessory building or garage buildings are limited to twenty-five feet.

- d. *The development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of the Zoning and Subdivision Codes, and that the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.*

The proposed PUD is consistent with the existing character of the surrounding community. Relief from the requirements of the Subdivision Code applicable to minimum right-of-way and pavement widths, street extensions, private non-dedicable street standards, intersection angles and corner radiuses, grades and curves, sidewalks, curbs and gutters, and street lights and signage will compliment the physical and visual character within this portion of Waimea. The proposed PUD is a development of a harmonious, integrated whole that justifies exceptions to the normal requirements of this chapter, as the contemplated arrangements make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.

- e. In accordance with Section 25-6-6:

- The planning director may conditionally approve an application for a PUD.
- Any conditions imposed by the planning department upon approval of an application for PUD may include but are not limited to the time within which the project shall begin and be completed, changed boundaries of the project, uses permitted, specification of minimum development standards, specified street dedication and improvement, utilities to be furnished, and a list or limit of variances permitted.
- Any PUD, as approved, shall be subject to all conditions imposed and shall be accepted from other provisions of this chapter only to the extent specified in said approval.

APPROVAL – PUD CONDITIONS

Based on the forgoing findings, the request to amend PUD 74 would be consistent with the general purpose of the zoning district and intents of the Zoning Code, Subdivision Code, and PUD criteria which requires conformance with the County General Plan. Furthermore, given the PUD background and comprehensive planning to develop the area or subdivision, the variances requested by the applicant and other variances related to roadway improvements and building open space requirements will not be materially detrimental to the public's welfare and will not cause substantial adverse impact to the area's character and/or adjoining subdivisions or surrounding neighborhood.

In view of the above, the Planning Director approves the applicant's request to amend PUD 74 to allow reduced yard setbacks for the six (6) lots. More specifically, the existing six (6) single-family dwellings, TMK: 6-5-013: parcels 003; 008; 009; 010; 011 and 012, situated within the Waimea Parkside Subdivision are allowed to remain with a 10-foot front yard setback in lieu of the 15 feet front yard setback for the main dwelling. The following original conditions subject to PUD 74 for the development of the 40-unit Waimea Parkside subdivision on the subject properties shall remain in effect:

- A. The applicant, its successors or assigns be responsible for complying with all of the stated conditions of approval. The applicant shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit.
- B. The proposed 40-lot Planned Unit Development shall be developed in a manner as substantially represented within the Planned Unit Development application entitled Waimea Parkside dated March 27, 2004 and as detailed within Exhibits 1 through 25.
- C. The applicant shall secure final subdivision approval of the 40-unit single-family residential subdivision within 5 years from the date of approval of the PUD.
- D. Each lot created by subject PUD shall have no more than one dwelling per building site. No ohana dwelling or second dwelling shall be permitted on any lot arising out of PUD No. 74. The subject property or any of the proposed lots arising out of the proposed subdivision or subsequent subdivision phases may not be made subject to a condominium property regime.
- E. Should any remains of historic sites, such as rock walls, terraces, platforms, marine shell concentrations or human burial, be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources-Historic Preservation Division (DLNR-HPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD when it finds that sufficient mitigative measures have been taken.
- F. The applicant shall comply with all other applicable rules, regulations and requirements.
- G. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the Planned Unit Development (PUD) permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.

Phil Tinguely, Manager
Waimea Parkside, LLC
Page 11
August 8, 2014

- H. If the applicant should require an extension of time, the applicant may request time extension pursuant to Section 25-6-14 (Time extensions and amendments).
- I. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate the nullification of the Planned Unit Development Permit.

Sincerely,



DUANE KANUHA
Planning Director

LHN/SG:nci

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Phil Tinguely, Manager
Waimea Parkside, LLC
Page 12
August 8, 2014



PLANNING DEPARTMENT
COUNTY OF HAWAII

2014 SEP 14 PM 3:03

Larry M. Nakayama
Planning Department
County of Hawaii
101 Paouhi Street, Suite 3
Hilo, Hawaii 96720

04/10/2014

Dear Mr. Nakayama,

**Subject: Application for an Amendment to PUD Permit Number 74
Waimea Parkside, LLC, TMK: (3) 6 7-5-4: 29, 30 & 50**

Please find enclosed the original and four (4) copies of a request to amend the subject PUD permit. The submittal includes copies of the survey maps for the six (6) lots impacted by the variance request.

The requested PUD amendment would allow relief by bringing the six (6) impacted lots into compliance. Waimea Parkside is requesting variances by way of amendments to the existing PUD for the existing conditions exhibited in the included survey maps.

The existing PUD was approved on December 22, 2004 and was granted for the purpose of allowing the development of forty (40) single family lots.

The purpose of this letter is to request amendments to the existing PUD to include relief from the following zoning code section.

Zoning Code, Section 25-4-40(a) General requirements for yards and open space.
This section states, "On every building site, yards of the minimum width or depth as specified for the established zoning district shall be maintained open and unobstructed from the ground up, except as specified in sections 25-4-40 through 25-4-47."

This request is in addition to Variance Request No. 5: Section 25-4-40. Gen. Req. for Yards & Open Spaces approved with the PUD in 2004. This request is not intended to impact or alter the previous variance.

Six (6) single family residences located on Waimea Parkside lots 3, 8, 9, 10, 11, 12 - Six (6) single family residences were inadvertently designed, permitted, and constructed with front yard setback violations between 2008 and 2013.

Waimea Parkside, LLC
P.O. Box 9013
Kailua-Kona, HI 96745
808-329-8775 / 808-329-8776 (fax)

091111

Phil Tinguely, Manager
Waimea Parkside, LLC
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August 8, 2014



Waimea Parkside

When we were originally drawing the building envelopes our architect believed that the two setback lines on the street frontage were designated for "one-story" (10') and "two-story" (15') residences. In fact, they were intended for residence (15') and detached garage (10'). As these are one story residences, they were drawn to fit the believed 10' setback requirement. These mis-drawn plans were, unfortunately, allowed to pass through all intended checks and balances and were built in the location all parties believed to be correct. This misunderstanding of the PUD "Yard Designation" did not come to our attention until the County recently made us aware of it upon the submittal of a new set of plans.

Waimea Parkside is respectfully requesting your department amend the existing PUD to grant a variance from the zoning code referenced above for the six (6) residences currently not in compliance.

Thank you very much for your time and consideration. If you have any questions, please don't hesitate to contact me.

Sincerely,

Phil Tinguely
Manager
Waimea Parkside, LLC

Waimea Parkside, LLC
P.O. Box 9013
Kailua-Kona, HI 96745
808-329-8775 / 808-329-8776 (fax)

Phil Tinguely, Manager
Waimea Parkside, LLC
Page 14
August 8, 2014

PLANNING DEPARTMENT
COUNTY OF HAWAII

2014 MAY - 1 PH 4: 18



Waimea Parkside

Larry H. Nakayama
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

04/29/2014

Dear Mr. Nakayama,

Subject: Application for an Amendment to PUD Permit Number 74
Waimea Parkside, LLC, TMK: (3) 6 7-5-4: 29, 30 & 50

Please find enclosed the original and four (4) copies of a request to amend the subject PUD permit. The submittal is in addition to the previous submittal, made April 10th, 2014.

The requested PUD amendment would allow relief by bringing the six (6) impacted lots into compliance. Waimea Parkside is requesting variances by way of amendments to the existing PUD for the existing conditions exhibited in the survey maps included with the first submittal.

The existing PUD was approved on December 22, 2004 and was granted for the purpose of allowing the development of forty (40) single family lots.

The purpose of this letter is to request amendments to the existing PUD to include relief from the following zoning code section.

Zoning Code, Section 25-5-7(1) Minimum yards.

This section states, "The minimum yards in the RS district shall be as follows: On a building site with a required area of seven thousand five hundred square feet to and including nine thousand nine hundred ninety-nine square feet: (A) Front and rear yards, fifteen feet; and (B) Side yards, eight feet."

This request is in addition to Variance Request No. 10: Section 25-5-7. Minimum yards approved with the PUD in 2004. This request is not intended to impact or alter the previous variance.

Six (6) single family residences located on Waimea Parkside lots: 3, 8, 9, 10, 11, 12 - Six (6) single family residences were inadvertently designed, permitted, and constructed with front yard setback violations between 2008 and 2013.

Waimea Parkside, LLC
P.O. Box 9013
Kailua-Kona, HI 96745
808-329-8775 / 808-329-8776 (fax)

091530

Phil Tinguely, Manager
Waimea Parkside, LLC
Page 15
August 8, 2014



Waimea Parkside

When we were originally drawing the building envelopes our architect believed that the two setback lines on the street frontage were designated for "one-story" (10') and "two-story" (15') residences. In fact, they were intended for residence (15') and detached garage (10'). As these are one story residences, they were drawn to fit the believed 10' setback requirement. These mis-drawn plans were, unfortunately, allowed to pass through all intended checks and balances and were built in the location all parties believed to be correct. This misunderstanding of the PUD "Yard Designation" did not come to our attention until the County recently made us aware of it upon the submittal of a new set of plans.

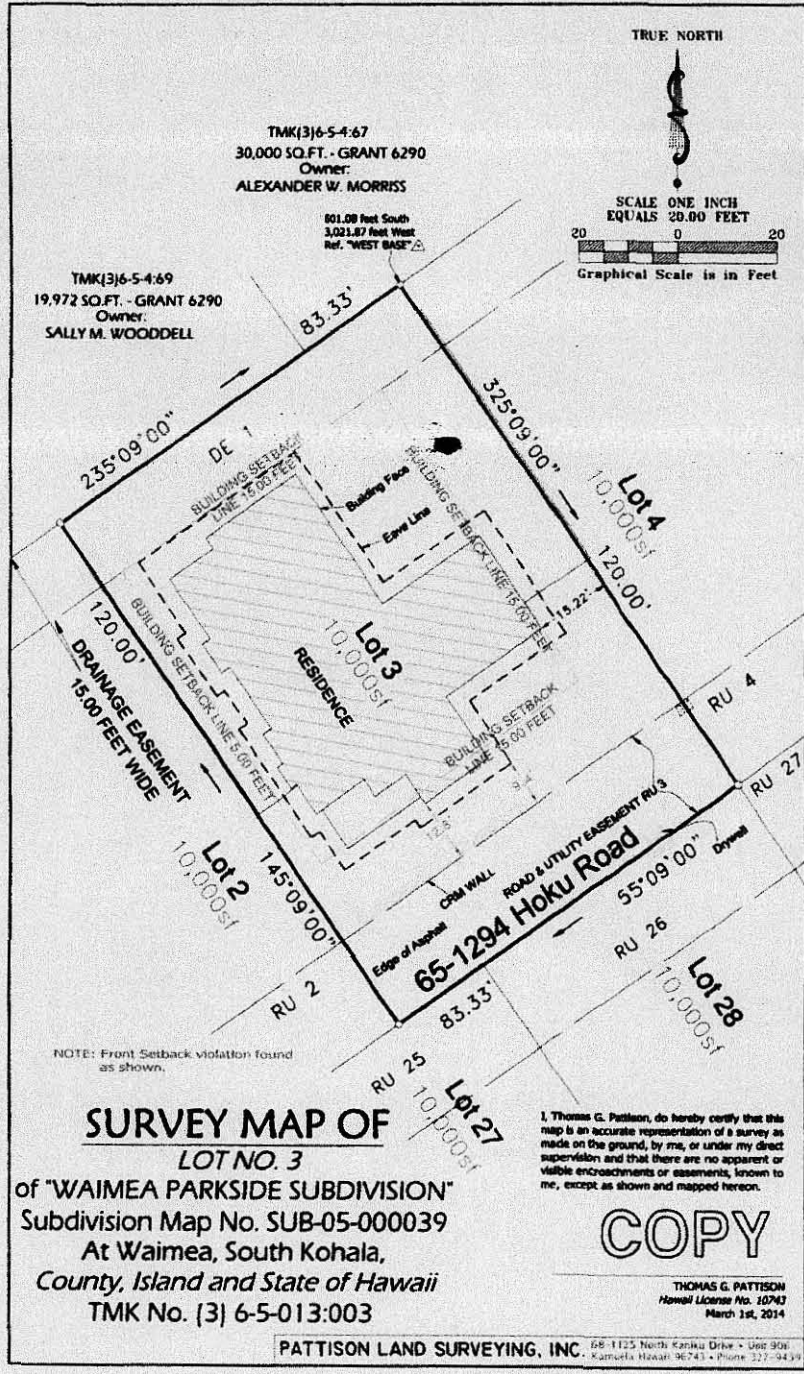
Waimea Parkside is respectfully requesting your department amend the existing PUD to grant a variance from the zoning code referenced above for the six (6) residences currently not in compliance.

Thank you very much for your time and consideration. If you have any questions, please don't hesitate to contact me.

Sincerely,

Phil Tinguely
Manager
Waimea Parkside, LLC

Waimea Parkside, LLC
P.O. Box 9013
Kailua-Kona, HI 96745
808-329-8775 / 808-329-8776 (fax)



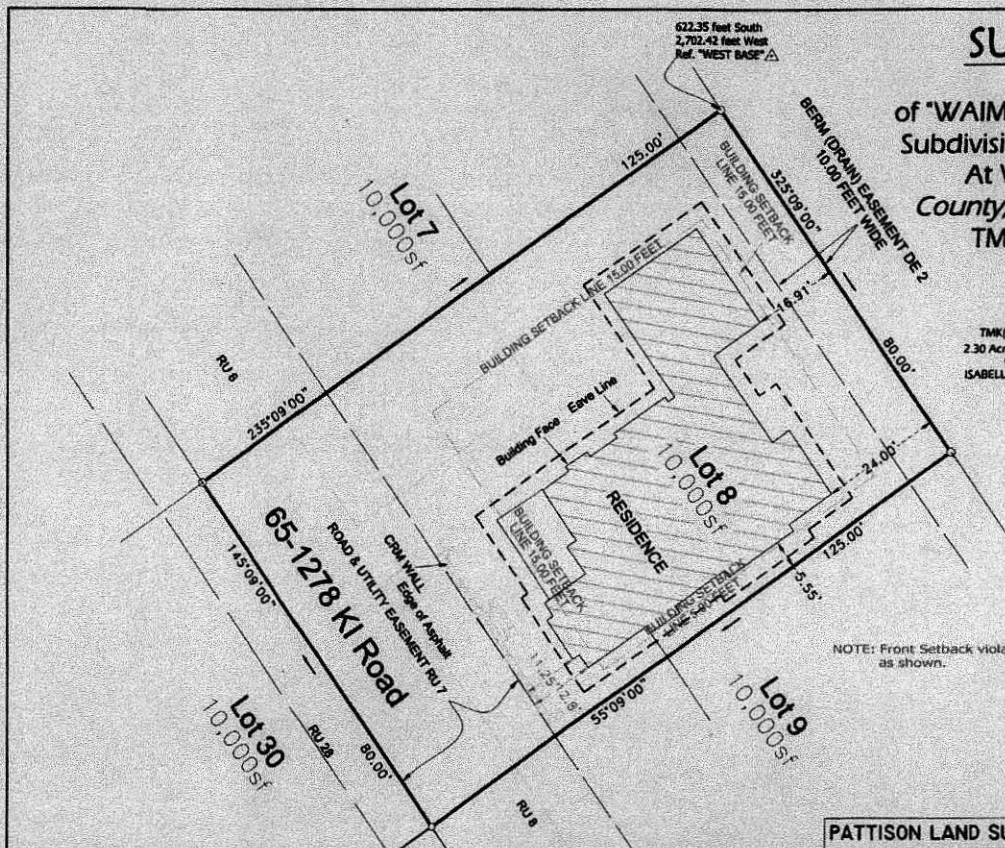
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SURVEY MAP OF

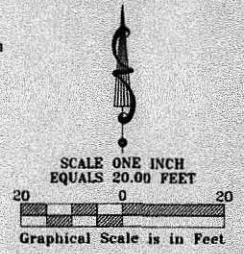
LOT NO. 8

of "WAIMEA PARKSIDE SUBDIVISION"
 Subdivision Map No. SUB-05-000039
 At Waimea, South Kohala,
 County, Island and State of Hawaii
 TMK No. (3) 6-5-013:008



TMK(3)6-5-4:32
 2.30 Acres - GRANT 6291
 Owner:
 ISABELLA BISSEN, ETC.

TRUE NORTH



I, Thomas G. Pattison, do hereby certify that this map is an accurate representation of a survey as made on the ground, by me, or under my direct supervision and that there are no apparent or visible encroachments or easements, known to me, except as shown and mapped hereon.

NOTE: Front Setback violation found as shown.

COPY

THOMAS G. PATTISON
 Hawaii License No. 10743
 March 1st, 2014

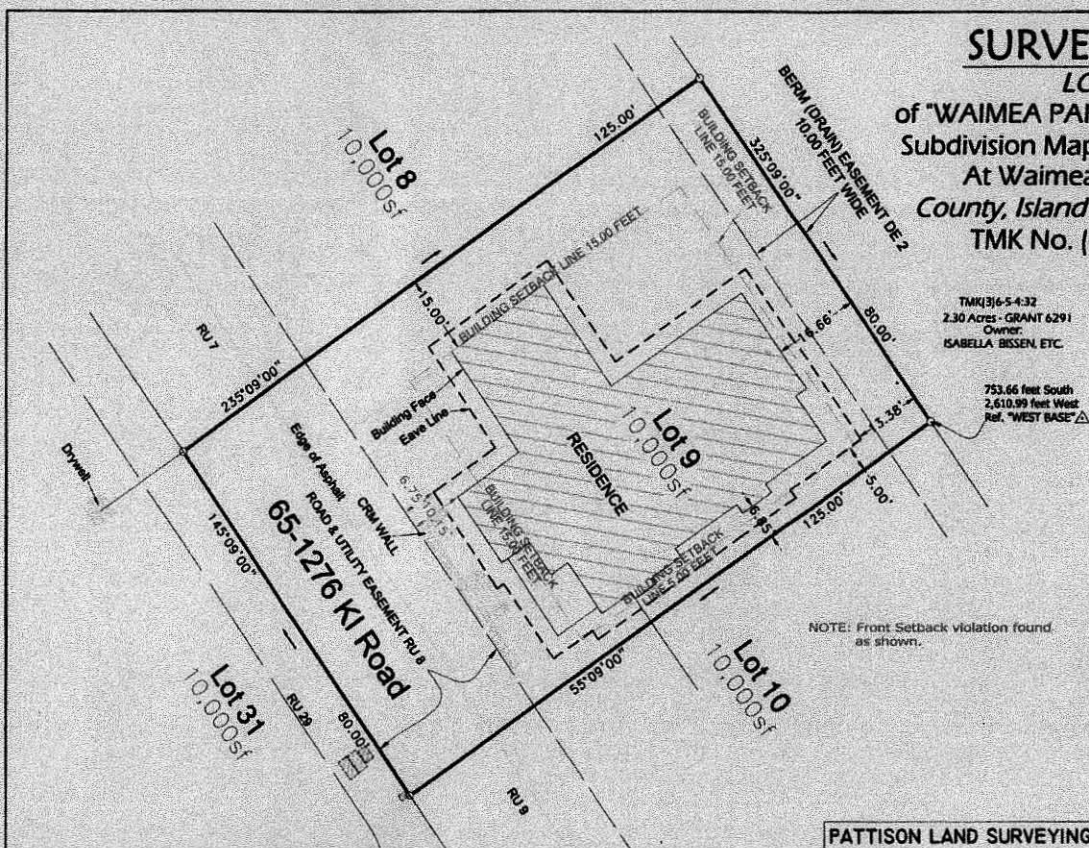
PATTISON LAND SURVEYING, INC. 68-1125 North Kaniku Drive • Unit 906
 Kamuela Hawaii 96743 • Phone 327-9439

11160

SURVEY MAP OF

LOT NO. 9

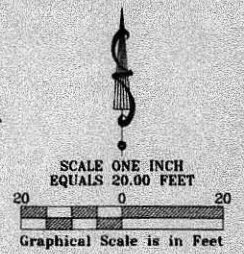
of "WAIMEA PARKSIDE SUBDIVISION"
 Subdivision Map No. SUB-05-000039
 At Waimea, South Kohala,
 County, Island and State of Hawaii
 TMK No. (3) 6-5-013:009



TMK(3)6-5-4-32
 2.30 Acres - GRANT 6291
 Owner:
 ISABELLA BISSEN, ETC.

753.66 feet South
 2,610.99 feet West
 Ref. "WEST BASE" Δ

TRUE NORTH



I, Thomas G. Pattison, do hereby certify that this map is an accurate representation of a survey as made on the ground, by me, or under my direct supervision and that there are no apparent or visible encroachments or easements, known to me, except as shown and mapped hereon.

NOTE: Front Setback violation found as shown.

THOMAS G. PATTISON
 Hawaii License No. 10743
 March 1st, 2014

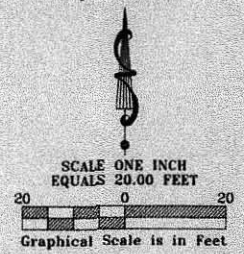
PATTISON LAND SURVEYING, INC. 68-1125 North Karaku Drive • Unit 306
 Kamuela Hawaii 96743 • Phone 327-9439

111160

SURVEY MAP OF
LOT NO. 10
 of "WAIMEA PARKSIDE SUBDIVISION"
 Subdivision Map No. SUB-05-000039
 At Waimea, South Kohala,
 County, Island and State of Hawaii
 TMK No. (3) 6-5-013:010

TMK(3)6-5-4:32
 2.30 Acres - GRANT 6291
 Owner -
 ISABELLA BISSEN, ETC.

TRUE NORTH

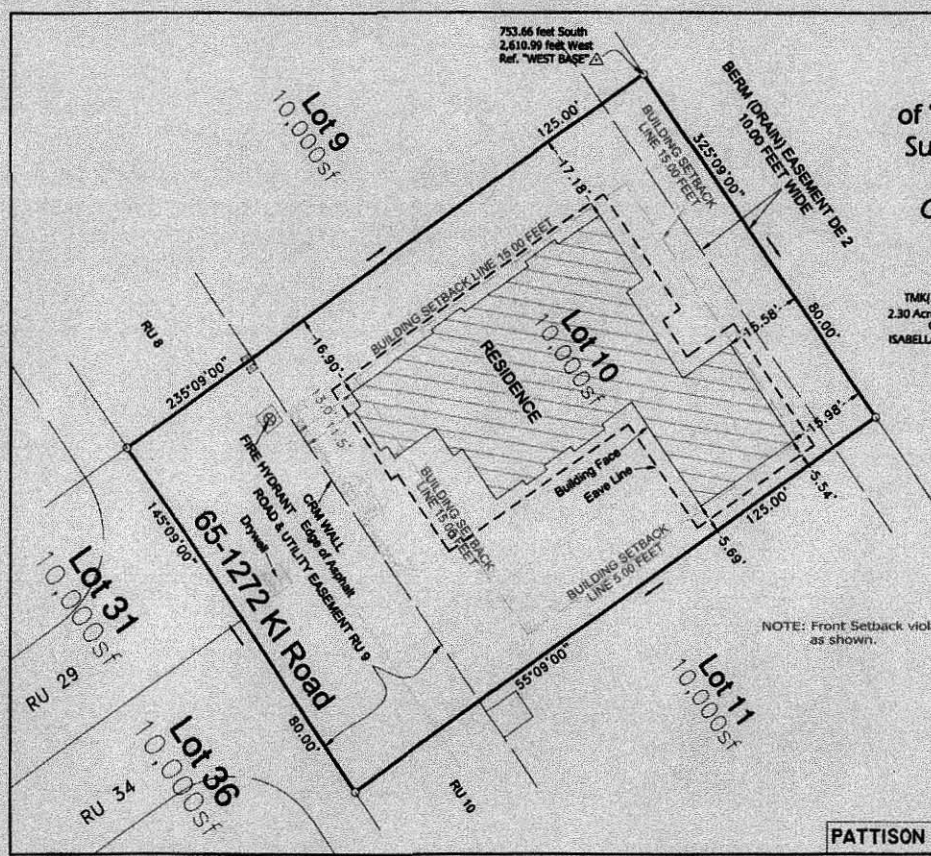


I, Thomas G. Pattison, do hereby certify that this map is an accurate representation of a survey as made on the ground, by me, or under my direct supervision and that there are no apparent or visible encroachments or easements, known to me, except as shown and mapped hereon.

COPY

THOMAS G. PATTISON
 Hawaii License No. 10743
 March 1st, 2014

PATTISON LAND SURVEYING, INC. 68-1125 North Kaniuku Drive • Unit 906
 Kapaeha Hawaii 96743 • Phone 327-9439



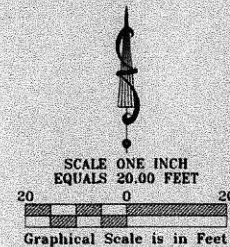
NOTE: Front Setback violation found as shown.

111160

SURVEY MAP OF
LOT NO. 12
 of "WAIMEA PARKSIDE SUBDIVISION"
 Subdivision Map No. SUB-05-000039
 At Waimea, South Kohala,
 County, Island and State of Hawaii
 TMK No. (3) 6-5-013:012

TMK(3)6-5-4:32
 2.30 Acres - GRANT 6291
 Owner:
 ISABELLA BISSEN, ETC.

TRUE NORTH



I, Thomas G. Pattison, do hereby certify that this map is an accurate representation of a survey as made on the ground, by me, or under my direct supervision and that there are no apparent or visible encroachments or easements, known to me, except as shown and mapped hereon.

COPY

THOMAS G. PATTISON
 Hawaii License No. 10743
 March 1st, 2014

PATTISON LAND SURVEYING, INC. 68-1125 North Kaniuku Drive - Unit 906
 Kaneohe Hawaii 96741 • Phone 327-9439

