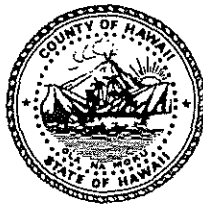


Harry Kim
Mayor



Christopher J. Yuen
Director
Brad Kurokawa, ASLA, LEED™ AP
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
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March 12, 2008

Michael J. Riehm, A.I.A.
Riehm Owensby Planners Architects
P.O. Box 390747
Kailua-Kona, HI 96739

Dear Mr. Rhiem:

PLANNED UNIT DEVELOPMENT PERMIT NO. 07-000008 (PUD 07-000008)

“Coffee Grounds One”

Applicant: Riehm Owensby Planners Architects

Landowner: CGH, LLC

TMK: 7-5-014: 002, 003, 010, 026 & 029; Waiaha 1st & Puaca 3rd, North Kona, Hawaii

After reviewing the information submitted with the Planned Unit Development application, the Planning Director hereby approves the requested amendments to allow the development of a master-planned community of 27 agricultural lots on land consisting of a total of approximately 90.259 acres. This PUD addresses variances for minimum building site area and widths, roadways improvements, minimum yard setbacks, and lot configuration.

Statement regarding Planned Unit Development Permit application and site limitations

When considering a Planned Unit Development Permit application, we understand the conceptual nature of the proposed subdivision layout at this early stage of review. However, in order for this office to consider the request for variances from the minimum requirements of code, there are known site characteristics that we would have hoped would have been more closely considered during the preliminary design of the proposed subdivision and laying out of its infrastructure, namely the roadways. While we will support this PUD Permit, subdivision of the Property will encounter substantial difficulties that largely deal with its severe grades and therefore, approval of this PUD Permit does not necessarily mean that we are approving the lot layout as shown in Figure 1. While the intent of the Applicant was to utilize existing roadways

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(driveways) within the Property, it is clear that these alignments go directly against the severe grades and will not meet the grade limits established by Department of Public Works. For example, there are sections at the 1,800-1,990' elevation that appear to be at a 20% grade, with a 22% grade from 1,800-1,890'. While these steep roads may be fine for the Applicant as it maintains its coffee farm, a subdivision of this Property will result in homeowners having to deal with a severe downhill run along these roadways. It always makes sense to moderate these types of severe grades by winding a roadway down a hill. There are other examples of steeper grades within the Property. Therefore, the Applicant should anticipate the need for realignment of the subdivision roadway for those sections that exceed the maximum 18% grade.

Secondly, with the proposed subdivision to be developed within an area affected by floodways, the layout of the subdivision should not create a lot that has the majority of its buildable area within a floodway or have its access cut off by a floodway. Therefore, will not approve a subdivision of Lot 24 that requires an access pole to traverse the Waiaha floodway unless the Applicant constructs a lot access that will not be cut off in a flood event, such as a culvert crossing that meets the appropriate design requirements of the Department of Public Works.

BACKGROUND

Project Location

The subject properties (TMK: 7-5-14: 2, 3, 10, 26 & 29), hereinafter referred to as "Property", and consisting of approximately 90.259 acres, is located within the district of North Kona, along the mauka side of the Mamalahoa Highway, approximately one mile north of the town of Holualoa. The Property is situated a little over 6 miles to the east of the town of Kailua-Kona at an elevation ranging between 1,530 to 2,010 feet with slopes of roughly averaging 16 percent. The Property will be accessed directly off of the Mamalahoa Highway, a County-maintained roadway.

Land Use Designations

The Property is situated within the State Land Use Agricultural District and currently designated as Important Agricultural Lands by the County General Plan, Land Use Pattern Allocation Guide (LUPAG) Map. The County zoning designations for the property is Agricultural (A) with a minimum lot size of 1 acre (A-1a) and 5 acres (A-5a). Roughly 14.8 acres of the Property is situated within the A-1a zoned district, which runs along a roughly 700-foot wide swath along the mauka side of the Mamalahoa Highway, with the remaining 75.3 acres situated within the A-5a zoned district. Based on the simple application of a required 1 and 5-acre minimum lot sizes across the land area each respective zoning designation occupies, approximately 14 one-

acre lots and 15 five-acre lots could be accommodated within the Property, for a total of 29 lots within the proposed subdivision. However, anticipating that roughly 20 percent of the subject property must be dedicated to supporting roadway and drainage systems, a more realistic total lot count is probably in the neighborhood of 23 lots. Through this PUD application, the Applicant is proposing a total of 27 lots (12 one-acre & 15 five-acre lots) to be accomplished by the applications of the requested variances. Each proposed lot will maintain a minimum lot size of no less than 1 acre for lands zoned A-1a and no less than 5 acres for lands zoned A-5a. However, portions of many proposed lots will be encumbered by an easement for the subdivision access road. This has the net effect of actually making building site for each parcel smaller. However, given the relatively large size of the proposed lots, the net effect upon buildable area within each of the proposed lots is negligible. The Project, with the approval of this PUD, will be consistent with the requirements of the Zoning Code and the land use policies of the General Plan since it does not exceed the overall maximum density permitted by the respective zoning designations.

Description of Property

The roughly 90-acre Property is largely planted in coffee trees with the exception of a few scattered mango trees and ohia. The Property maintains a "U" shaped configuration where it fronts the Mamalahoa Highway at two different locations while ranging in elevation from about 1,500 to 2,000 feet. According to the Applicant, the Property is currently an operating coffee plantation that was established in 1993 and is close to being fully planted in coffee. The plantation produces a green coffee bean product that is sold on the international market as specialty coffee that is certified from Kona.

Second Component of Coffee Grounds project

Note that the Applicant has filed a similar PUD application for a proposed 40-lot agricultural subdivision (Coffee Grounds Two) on approximately 131 acres of land situated immediately south of this Project. This subdivision will consist of 18 one-acre & 22 five-acre lots. The PUD application for the Coffee Grounds Two project is essentially identical in concept to this PUD application for the 27-lot Coffee Grounds One subdivision. Both PUD applications are being processed concurrently.

Proposed Subdivision Improvements

According to the Applicant, the Property currently traversed by existing paved roadways that are approximately 11 feet wide with a single access point from the Mamalahoa Highway. The Applicant wishes to utilize these roadways as part of its proposed subdivision in order to

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minimize the impact of development upon the existing coffee farm. If permitted, the Applicant will widen these existing roadways with an additional 5 feet of pavement to produce a 16-foot wide pavement with 7-foot wide grasses stabilized shoulders within a 30-foot wide access easement, in lieu of the minimum 20-foot wide pavement within a 50-foot wide right-of-way required by the Subdivision Code and specified by Department of Public Works Standard Detail R-39. All utilities will be installed underground to minimize its visual impact.

The Applicant indicates that it has secured the necessary water commitments from the Department of Water Supply to provide individual meters to each proposed lot. Wastewater will be disposed of within individual wastewater disposal systems that will meet applicable State requirements.

While no archaeological inventory survey of the Property was conducted, the State Department of Land and Natural Resources, in a letter dated November 9, 2004, concluded that there is no historic sites present on the Property due to past intensive cultivation of the land has altered the landform.

Drainage

Portions of the Property are situated within the Waiaha Floodway, which essentially straddles the project site to the north and south. A drainage report of the project site was prepared by a licensed engineer with Albert A. Webb Associates dated March 2007. According to the report, the project site was previously utilized for sugar cultivation and cattle grazing. In the latter half of the 1990s, the project site began conversion into a coffee farm, which required the removal of existing vegetation, planting of coffee trees and planting of grass between the rows of coffee to stabilize the soil. During the November 2000 flooding event, the Applicant is not aware of any flood damage associated with the development of the Project site, although there was flood damage to makai properties associated with coffee development upon adjoining lands that are part of the Coffee Grounds Two project site. An erosion control and mitigation plan was developed in 2002 (Witcher) for the adjoining Coffee Grounds Two project site and retention basins installed to reduce runoff flows to pre-coffee development levels.

According to the drainage report, the majority of the Project is tributary to the two branches of the Waiaha Stream. Increased runoff from the proposed Project will be disposed of through the use of drywells and retention basins to mitigate impacts to the Waiaha Stream. Each building pad within the proposed lots will be accompanied by an 8' X 8' drywell to mitigate runoff by the housing units. None of these house sites will encroach into the existing streams. Drywells and percolation ponds will also be installed to accommodate the surface runoff along the existing and proposed subdivision roadways.

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The report concludes that post development runoff from the Project will continue to flow to the Waiaha Stream, after the increase in runoff due to individual building sites are mitigated. A series of additional drywells and/or detention ponds will be constructed on-site if necessitated by final drainage studies to ensure that and post-development runoff is equal to or less than its pre-development condition.

According to the report, part of what caused the damage to downstream properties in the 2000 flood event was due to the lack of any erosion control measures during coffee development within the adjoining Coffee Grounds Two project site. The report recommends that pre-construction and construction "best management practices" (BMP) are to be operated and maintained until such time that post-construction BMPs are installed and operational indefinitely. Pre-construction BMPs include silt fencing, gravel bags, check dams, and siltation ponds. Construction BMPs include silt fencing, gravel bags, check dams, hydro seeded slopes, fiber rolls and siltation ponds. Post-construction BMPs will generally consist of percolation drywells or trenches for building pads and along roadways, and percolation basins/ponds within the cultivated agricultural areas. A detailed erosion control plan and schedule for implementation of these BMPs will be submitted to the County for review and approval.

The report concludes that the "...development of this project as proposed should have no detrimental affects (sic) to adjacent and/or downstream properties. In addition, final mitigation measures for the project will provide protection so that flows currently crossing the Mamalahoa Highway will remain the same as prior to this proposed development."

Compatibility with Neighboring Uses

The Property is situated within an area primarily designated for agricultural uses by both the State Land Use Commission and the County. Zoning within the adjacent area is primarily A-5a with the Waiaha Forest Reserve located adjacent to the east (mauka). The makai portions of the Property, a roughly 700-foot wide swath running along the mauka side of the Mamalahoa Highway, is zoned A-1a. Inasmuch as the proposed Project will configure lots that are consistent with zoning, the development of the Project will remain consistent with agricultural land uses that prevail within the surrounding area.

PROJECT OBJECTIVES AND DESCRIPTION

According to the Applicant, the objectives for Coffee Grounds One ("Project") include the following:

- Develop 27 agricultural lots that are "*sensitively placed among the coffee trees so as to have as little impact as possible on the existing agricultural operations and local rural character.*"
- Mature coffee trees that may be affected by future buildings upon proposed lots will be relocated to other unused areas of the farm, thereby reducing the impact on overall production.
- All proposed lots will be subject to covenants and restrictions that will require lot owners to be part of a cooperative farming association, whose purpose will be to own, operate and/or maintain the common coffee areas within the Project, including any portion of the individual lots dedicated to farming activities when these individual lot owners do not wish to conduct the farming activities themselves.
- Development an environment of sustained desirability and stability that is in harmony with the character of the surrounding area.
- Maintain the economic viability of the existing agricultural production operation.
- Through the use of CC&R's, encourage building design that respects the local building vernacular and encourages energy efficiency through the use of 'passive and active solar devices. The proposed CC&Rs will not restrict any permitted agricultural uses and activities on the agricultural lands within the Project.

The Project will be developed in a single phase consisting of 27 lots, with 12 one-acre lots to be situated within the makai portions of the Property on lands zoned A-1a and an additional 15 five-acre lots to be situated within the mauka portions of the Property on lands zoned A-5a. Note that while the minimum lot size required by the respective zoning designations will be maintained, these lot sizes are inclusive of the road easement and therefore inconsistent with existing department policy unless permitted through the issuance of a Planned Unit Development permit.

The Applicant's project schedule anticipates site work to be completed within 8 months from the date of approval of this PUD application and issuance of Tentative Subdivision Approval and completion of sales of all lots within 2 years from the date of issuance of Final Subdivision Approval.

AGENCIES' REVIEW

Department of Public Works: Memorandum dated December 14, 2007

(See Memorandum attached to this report)

Department of Public Works-Traffic Division: Memorandum dated November 9, 2007

“Comments:

- 1) Is this development county maintained?
- 2) It would not be feasible for the county to maintain custom streetlights to the standards that the developer is proposing – replacements, would need to be provided in advance by the developer or the county standard streetlight fixtures would have to be used instead.
- 3) Lighting would need to conform to the applicable ordinances established for the island.
- 4) It would not be feasible for the county to maintain custom signs and sign posts to the standards that the developer is proposing – all replacements would be with county standard signs and sign posts.
- 5) Signs should conform to the Manual on Uniform Traffic Control Devices (MUTCD).”

Fire Department: Memorandum dated December 12, 2007

Fire Department recommends that fire apparatus access roads comply with Uniform Fire Code (UFC) Section 10.207 and that water supply conform to UFC Section 10.301(c).

Police Department: Memorandum dated November 15, 2007

“Staff has reviewed the above-referenced application and has no comments or objections to offer at this time.”

Department of Environmental Management: Memorandum dated November 1, 2007

DEM confirms that area not serviced by a sewer system. Recommends the following regarding solid waste:

- o Submit solid waste management plan.

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Department of Water Supply: Memorandum dated November 26, 2007

“We have reviewed the subject application and our comments and conditions from our June 28, 2006, memorandum to you still stands.

The Department reiterates that it will not accept dedication of the water system required for this development. Therefore, the developer or some other private party shall be responsible for the operation and maintenance of the private water system. Construction of the water system shall be done in accordance with the Department’s current Rules and Regulations and Water System Standards.

Should the developer chose to construct a water system in accordance with the Department’s Water System Standards, an appropriately-sized master meter and backflow prevention assembly must also be installed to serve the development.”

Office of Housing and Community Development: Memorandum dated November 5, 2007

“Affordable housing requirements, pursuant to Hawai‘i County Code, Chapter 11, Housing, are applicable to the request.”

HELCO: Letter dated November 21, 2007.

“Thank you for the opportunity to review the subject project located in North Kona. HELCO will be able to provide electrical service to the subject development as described subject to detailed analysis to be performed after receipt of your consultant’s detailed design drawings and estimated demand.

1. Generation Capacity – HELCO’s current system peak load is 201,300KW and our total generation system capability is 266,600 LW. Our reserve margin is 32 percent and has adequate generation to serve the above.
2. Electrical Substation – The area is currently served by our existing 10 MVA Keahuolu electrical substation and a 12,470 volt distribution overhead system along Mamalahoa Highway. Based on an assumption of 18.3 KW/acre, the capacity of our existing substation is not adequate to serve the estimated load of 1,652 KW. In conjunction with the Coffee Grounds Two PUD, a lot with a minimum size of 250’ by 250’ must be deeded to HELCO for the construction of a new substation.
3. Off-Site Electrical Distribution System – The existing off-site 12,470 volt distribution system along Mamalahoa Highway is adequate to serve the proposed development.

However, an additional off-site 12.47 KV distribution line and easements may be required to serve the anticipated load.

4. On-Site Electrical System – On-site distribution line extensions and easements are required on the developer's property to serve the anticipated load. An environmental site assessment may be required to serve this development from our distributions system in the State right-of-way.

After the development's detailed electrical load calculations and civil plans are submitted, HELCO will design the electrical system and prepare a firm cost to provide electrical power to the development.

HELCO recommends energy efficient and conservation measures to reduce the maximum electrical demand and energy consumption. The developer may call HELCO's Energy Services Manager, Curtis Beck, at (808) 969-0134 for questions or details on available programs.

It is encouraged that the developer's electrical consultants open a service request with HELCO's Engineering Department as soon as practicable to ensure timely electrical facility installation."

PUBLIC COMMENTS

The following individuals submitted letters to this department regarding the PUD application, all of which have been made a part of the official file regarding this application. Below is a brief summary of their comments:

1. letter dated November 22, 2007 from Kelcy and Anginette Onaka expressing their concerns that such project will be detrimental to their community. They cite insufficient studies and planning for roads, traffic, historic sites and the flood zone prior to development. Cites past flooding of subject property and recommends that further development, without extensive studies and planning, would prove disastrous to the county as well as landowners within the area.
2. letter from Bruce and Lisa Corker dated December 2, 2007, expressing their concerns and opposition to the PUD application. Ask that supplementation of drainage improvement report within PUD application be provided. States that this report falls short of a comprehensive drainage study requested in the denial of the original PUD application and should be denied on that basis. Provides discussion on aspects of the report to support their position. Letter accompanied by June 20, 2006 letter regarding original PUD submittal, which expresses concern about project due to damage to historic character of Kona Coffee Belt corridor and increased water runoff and flooding if PUD is approved.

APPROVED VARIANCES

The following variances are hereby approved:

Variances to the Zoning Code

- **Minimum Building Site Area & Width** (Hawaii County Code §25-4-31). While each proposed lot will maintain a minimum building site area of 1 acre or 5 acres as dictated by its appropriate zoning designation, it will not be exclusive of the land area to be encumbered by the road easements servicing each of the proposed lots. We have no objection to the granting this variance from current department policy that requires minimum lot sizes exclusive of the land area within any roadway easement. However, each proposed lot, in its entirety, must conform to the minimum lot size established by its zone district classification. A review of the conceptual drawings appear to indicate that the minimum building site average width of 120 feet for the 1-acre lots and 200 feet for the 5-acre lots can be met, but since the proposed subdivision roadway easement will essentially be running through the middle of a large number of proposed lots, the typical method of determining building site average width cannot be calculated. Therefore, this variance is granted provided that a substantial portion of the proposed lots provide an actual width of 120 feet for A-1a zoned lots or 200 feet for A-5a zoned lots, in lieu of the calculated average that is typically used. This option will provide for much greater flexibility in lot configuration. The Applicant should look closely at Lot 17, which we would like to see a minimum actual width of 200 feet and will most likely require reconfiguration to meet this requirement.
- **Minimum Building Site Area** (Hawaii County Code §25-5-74). Approval of this variance will allow the proposed lots, consisting of a minimum building site area of 1 acre or 5 acres as designated by its zoning classification, to be inclusive of that land area situated within the road easements.
- **Minimum Building Site Average Width** (Hawaii County Code §25-5-75). As discussed in the variance above, we have no objection to waiving the typically method of calculating minimum building site average width for the proposed lots since the unusual concept of running the subdivision roads through the middle of many of the proposed lots will make such typical calculations impossible. This variance will require, however, that a substantial portion of the proposed lots provide an actual width of 120 feet for A-1a zoned lots or 200 feet for A-5a zoned lots, in lieu of the calculated average that is typically used. The Applicant should look closely at Lot 17, which we would like to see a minimum actual width of 200 feet and will most likely require reconfiguration to meet this requirement.

Variances to the Subdivision Code

- **Block sizes** (Hawaii County Code §23-29). The Subdivision Code limits the lengths of blocks to 1,300 feet, but with a length no less than 400 feet. With the development of a loop road system, it is questionable what could be construed as a “block”. Nevertheless, we have no objection to the granting of this particular variance should interpretation of code dictate otherwise, but be based on the proposed layout.
- **Lot Side Lines** (Hawaii County Code §23-35). Lot side lines shall run at right-angles to the street right-of-way. However, since this project will utilize an existing farm road as its access as well as run through the middle of many of the proposed lots, a strict interpretation of this requirement would force the relocation and adjustment of this road for no apparent reason as to force the right-angle approach. Given the relatively large size of the lots, we don’t believe that a strict adherence to this requirement is necessary as it will not compromise or restrict building site location or driveway location.
- **Minimum Right-of-Way and Pavement Widths** (Hawaii County Code §23-41(a)). The Applicant is requesting a variance from the minimum pavement and rights-of-way widths and shoulder/swale details for its internal subdivision roadway. We support the issuance of these variances with the exception of that portion of the subdivision access road within 50 feet of its intersection with the Mamalahoa Highway, which should conform to County Standard Detail R-37 and R-38.
 - **Minor Street (30’ wide roadway easement in lieu of 50’ ROW-Exhibit 13)**. The proposed standards for the 30-foot wide minor street-type roadway easement will deviate from the minimum 50-foot wide ROW specified by DPW Standard Detail R-39. The Applicant is proposing a pavement width of 16 feet with 7-foot wide grassed shoulders on each side. The lower volume and speed of vehicles typically carried by these minor streets within such a large lot subdivision affords the opportunity to reduce the pavement width. The proposed 16-foot wide pavement will provide opportunities for a landscaped shoulder/drainage swale while still accommodating two-way vehicular traffic. Due to the large size of the lots, on-street parking is not a necessity and run-off from the reduced pavement can easily be absorbed by the adjacent properties as well as installed drywells.
 - **Special Pavement treatment within roadway easement (Figure 10)**. We approve of the Applicant’s request to install special paving at the subdivision entrance to visually define the entrance to the subdivision. The type of special paving must meet with the approval of the Department of Public Works and the State Department of Transportation to ensure that its location does not compromise safety due to its proximity next to an intersection.
- **Intersection Angles; Corner radius** (Hawaii County Code §23-45). Applicant requests that intersections within the private roadway easements have a maximum radius of 13 feet, subject to sight distance requirements at the pavement line with the actual pavement having a

radius of no less than 20 feet. This variance is approved on the basis that these reduced corner radiuses will occur only at those intersections within the subdivision access road system and not the intersection with the Mamalahoa Highway. A reduction of the intersection angle at the Mamalahoa Highway is permitted, but no less than 60 degrees.

- **Cul-de-sacs** (Hawaii County Code §23-48(b)). Applicant requests that the requirement for a circular turn-around be reduced to a radius of 35 feet with a 28-foot radius pavement in lieu of the required 45-foot radius turnaround. We have no objections to this variance as the large lot sizes should provide ample opportunities for any vehicle to turn around if additional turning space is necessary. However, the Applicant shall consult with the Fire Department to ensure that this alternative cul-de-sac design will meet with their approval.
- **Grades and curves** (Hawaii County Code §23-50). Applicant requested a variance from the minimum requirements for vertical and horizontal curves. This variance is approved on the basis of topography to minimize the grading requirements and to retain as much of the natural terrain as practical. *In those instances where the vertical or horizontal curves do not meet the minimum requirements, the Applicant shall present alternate standards at the time of construction plan review, as provided for in §23-50(b), with lower design speeds assigned in order to meet the roadway safety standards as specified within the AASHTO Policy on Geometric Design of Highways and Streets, 2001.* The geometric design of the streets should be based on the AASHTO Guidelines for Geometric Design of Low Volume Roads (average daily traffic volume of less than 400 vehicle trips per day). Note that this variance will allow a maximum grade of 18% for all subdivision roadways except for the cul-de-sac, which may not exceed a grade of 20%.
- **Street lights** (Hawaii County Code §23-93). Applicant requested design flexibility in the placement and type of street lights permitted within the internal subdivision roadway easement. The Applicant proposes the use of custom street lighting fixtures along the minor-type roadway (see Exhibit No. 5). Due to the limited number of lots to be serviced by the internal subdivision roadway, a reduction in the number of lights would help to impart a more rural feel to the neighborhood while having sufficient lighting primarily at critical points for traffic safety considerations. *This variance is approved subject to the condition that a licensed engineer certify the safety of the lighting plan for the minor streets.* Lighting along the subdivision roadway, including the project entry and mail pick-up area, shall comply with the requirements of the County outdoor lighting code.
- **Street names & traffic signs** (Hawaii County Code §23-94). Approved to allow use of custom street name and traffic signs that will reinforce the desired character of the neighborhood and its design goals (see Exhibit No 6). While this variance will allow these signs to deviate from standard specifications, it must still meet ASHTO specifications.

DENIED VARIANCES

- **Through Lots; Planting Screen Easement** (Hawaii County Code §23-36). There are no through lots being contemplated by the Applicant, so there is no reason for this requested variance.
- **Protection from Existing or Proposed Arterial Streets** (Hawaii County Code §23-51). We will not relinquish this option to manage lots along the Mamalahoa Highway in order to preserve any residential uses from the impacts of an arterial roadway. We don't anticipate the need for such protective measures given the large size of the proposed lots, but it is not an option that we will waive since the details of the subdivision cannot be analyzed completely at this conceptual stage.
- **Right of way Improvement** (Hawaii County Code §23-95). There is no justification for this variance. Plans submitted by the Applicant indicate that the entire roadway easement will be improved with a paved travelway and grassed shoulders. These improvements, as permitted by this PUD, satisfies this particular requirement.

FINDINGS

The following findings are made in accordance with Section 25-6-10 (Criteria for granting a PUD):

- 1) **The construction of 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 Applicant is ready to start development as soon as approvals are issued, with infrastructural improvements and basic grading done to accommodate home construction within 8 months from the approval of infrastructural construction drawings/final subdivision approval. The Applicant anticipates that sales for the entire development will be completed within 2 years after the lots are made available, subject to market conditions.

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

The proposed agricultural lots are consistent with the General Plan LUPAG Map designation for the Property of Important Agricultural Lands, which are those lands with better potential for sustained high agricultural yields because of soil type, climate, topography, or other factors. The smaller, 1-acre sized lots will be concentrated along the makai portions of the Project site along the Mamalahoa Highway, with the larger, 5-acre sized lots situated in the mauka regions of the Project site. The PUD does not seek to compromise the minimum lot size dictated by the existing zoning for this particular area of Kona. While the smaller 1-acre

sized lots are less than what we would like to see for agricultural lots, it would still provide opportunities to promote agricultural use of the land. As stated in the application, this Property is already extensively cultivated in coffee trees, with the homes and subdivision roadways to be sited amongst the existing trees in a manner that minimizes the need to relocate the trees. The proposed agricultural lots are consistent with the General Plan Land Use and Housing goals and policies by providing a diversity of housing choices to meet a range of housing needs and designing in accordance with the environment. So this PUD will provide an opportunity to cultivate coffee without having to manage 5 acres or more of land, which may be too intensive for some homeowners.

- 3) 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.**

The proposed 27-lot agricultural subdivision will provide a density that will not exceed the maximum density permitted by zoning, which is calculated at 29 lots. The Property is extensively cultivated in coffee, similar to many other parcels within this particular area of North Kona. With the approval of this PUD, it will allow the Applicant to configure its proposed lots and roadways to minimize the need to relocate the existing coffee trees. An existing dirt access road already traverses through the Project site and amongst the coffee trees. To the extent possible, the Applicant wishes to utilize and improve this existing access to service its proposed lots. This PUD will allow the Applicant this opportunity, which we believe is reasonable and will not compromise the agricultural activities already being conducted upon the Property.

The greatest concern regarding this PUD application is its location within proximity of a major drainageway, the Waiaha Drainageway, as well as the mauka watershed. A report on proposed drainage improvements was prepared by the Applicant which basically identified the types of drainage improvements to be implemented prior to, during and after construction of the proposed subdivision. The accompanying exhibit also identified the location of local drainage boundaries and the volume of pre- and post-development local drainage flows through the Property. While not as comprehensive and detailed as we would have liked, we also understand that the basic concept of the drainage improvements anticipated for the project is to not increase runoff and flow upon downslope properties and within the Waiaha Drainageway. It would also have been preferable if a detail flood study of the Waiaha Drainageway was also done to better define the location of the floodway boundaries within the Project site. To require a commitment of extensive resources by the Applicant for

detailed flood and drainage studies at this conceptual stage may be difficult, and we understand that. But unlike the original PUD application submittal, at least there was some thought behind the drainage and flood patterns within this particular area as well as the anticipated drainage system improvements being contemplated. We are pleased to see an additional effort by the Applicants that may actually reduce some runoff instead of simply preserving pre-development flow conditions. The use of on-site drywells to capture building generated runoff is a good idea and is made a condition of this PUD. Secondly, we will also require that the detailed flood study and drainage study be prepared and submitted to the Department of Public Works for review and approval prior to any land alteration activities or the submittal of an application for subdivision for any portion of the Project site. This will ensure that an acceptable drainage and flood study is at hand prior to the design of the proposed subdivision and its submittal to the County for processing. These types of studies are frequently done later in the subdivision review process. In this particular instance, that is much too late and far down the road in the process to give the County a reasonable opportunity fully assess if drainage and flooding concerns are being properly addressed.

- 4) **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 presence of an existing coffee orchard within the Project site justifies the variances to the minimum building site average width, and minimum yards, among other variances from lot configuration and streetscape requirements. The street design variances result in the desire to utilize, to the extent possible, the existing coffee farm access road to minimize the need to grade additional farm land and relocate existing coffee trees, all of which we find very reasonable given the intent to maintain the existing coffee farm. As a private roadway, the community association will assume maintenance responsibility of the landscaped areas, street signs and street lighting fixtures located within the right-of-way.

CONDITIONS OF APPROVAL

The Planning Director approves the Planned Unit Development subject to the following conditions:

1. *Permit Runs with the Land.* The applicant, its successors or assigns shall be responsible for complying with all of the stated conditions of approval.
2. *Indemnification.* 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.

3. *Master Plan and Street Layout.* The proposed Planned Unit Development shall be developed in a manner as substantially represented within exhibits and figures attached to this Planned Unit Development Permit.
4. *Drainage.* Prior to any land alteration activities within the project site or the submittal of a subdivision application, the Applicant shall comply with the following:
 - a. Prepare a hydraulic analysis of the Waiaha Drainageway, based on more accurate data, to verify the FIRM mapped flood plain boundaries through the Project site and submit the analysis to the Department of Public Works for review and approval prior to any land alteration activities or the submittal of a subdivision application for any portion of the Project site.
 - b. Any land alterations, new construction or substantial improvements within the AE Flood Zone affecting the Property shall be subject to the requirements of Chapter 27, Flood Control of the Hawaii County Code. Prior to any alteration of the flood zone, the Department of Public Works may require that a licensed professional civil engineer prepare a flood study for submittal to the Federal Emergency Management Agency (FEMA) for a Letter of Map Change (LOMC). A Letter of Map Revision (LOMR) may be required upon completion of flood zone alterations.
 - c. All storm drainage generated by the Project shall be disposed of on site in a manner meeting with the approval of the Department of Public Works and the Storm Drainage Standard. This includes not only the roadways, but also storm runoff from development of the new lots. A detail drainage report approved by the Department of Public Works shall be submitted with any application for subdivision of the Project site to substantiate how developed lots and roadway runoff is being disposed of, with drainage structures encumbered within rights-of-ways and easements. Final construction approval will require complete stabilization of the roadsides and drainage system.
 - d. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code as well as Chapter 11-55, Water Pollution Control, Hawaii Administrative Rules of the Department of Health, as applicable. Prior to any land alteration activities, the Applicant shall consult with the Natural Resources Conservation Service and incorporate recommended erosion and runoff mitigation measures into its detailed drainage plans.
 - e. The PUD drainage improvements report recommends that pre-construction and construction "best management practices" (BMP) are to be operated and maintained until such time that post-construction BMPs are installed and operational indefinitely. Pre-construction BMPs include silt fencing, gravel bags, check dams, and siltation ponds. Construction BMPs include silt fencing, gravel bags, check dams, hydro seeded slopes,

fiber rolls and siltation ponds. Post-construction BMPs will generally consist of percolation drywells or trenches for building pads and along roadways, and percolation basins/ponds within the cultivated agricultural areas. A detailed erosion control plan and schedule for implementation of these BMPs shall be submitted to the County for review and approval as part of any application for subdivision of the Project site.

- f. Deed covenants shall be recorded against each proposed lot to prohibit alteration of approved on-site and subdivision roadway drainage systems as well as mandate the perpetual maintenance of all subdivision drainage system components. Deed covenants shall also require all building generated runoff to be disposed of within an on-site drywell having a minimum dimension of 8' by 8' and ensure its perpetual maintenance.
5. *Roadway design guidelines.* All roadways shall follow the guidelines incorporated in the Hawaii Statewide Uniform Design Manual for Streets and Highways or the applicable AASHTO design guide for the appropriate design speed. The geometric design of the interior subdivision access road should be based on the AASHTO Guidelines for Geometric Design of Low Volume Roads. Utility poles within these subdivision roads shall conform to DPW Standard Detail R-35 (revised).
 - a. Note that this variance will allow a maximum grade of 18% for all subdivisions roadways except for the cul-de-sac, which may not exceed a grade of 20%.
 - b. Along with construction drawings for the subdivision roadways utilizing grassed drainage swales and shoulders, or prior to submitting full construction drawings, the Applicant shall submit an engineer's report showing that the grassed shoulders and drainage swales will be stable and not erode or wash out during stormwater flow conditions considering the grades and soil conditions within the Property. The report shall be reviewed by the Department of Public Works. The Planning Director, in consultation with the Department of Public Works, may require paving, stabilization, or alternative shoulder and swale treatment to take care of any erosion problems. A road maintenance association or equivalent shall be responsible for the continual maintenance and upkeep of the shoulders and drainage swales.
 6. *Mamalahoa Highway approach.* All roadway approaches to the Mamalahoa Highway shall conform to Chapter 22 of the Hawaii County Code and DPW Standard Detail R-37 and R-38. Intersection sight distances at the approach shall meet AASHTO guidelines. Any vehicular security gate shall be located more than 45 feet (exclusive of gate swing) from the Mamalahoa Highway right-of-way and a turnaround provided in the private road on the Mamalahoa Highway side of the gate.
 7. *Mamalahoa Highway.* The Applicant shall remove any encroachments or obstructions within the Mamalahoa Highway right-of-way as directed by the Department of Public Works, prior to the issuance of Final Subdivision Approval for any portion of the proposed Project. A future road widening setback shall be established within lots fronting the Mamalahoa Highway with a width that is half the difference between the existing right-of-

Michael J. Riehm, A.I.A.
Riehm Owensby Planners Architects
Page 18
March 12, 2008

way width and 60 feet. Within that portion of the Mamalahoa Highway fronting the Project, provide pavement widening, drainage improvements, relocation of utilities, street lights, signs and pavement markings as required by the Department of Public Works, prior to the issuance of Final Subdivision Approval for any portion of the Project. These improvements may be bonded along with the required subdivision improvements.

8. *Construction Plan Review by Fire Department.* The Applicant shall consult with the Fire Department to ensure that its conformance with the minimum requirements of the Fire Code. Besides the Department of Public Works and Department of Water Supply, construction plans shall also be submitted to the Fire Department for review.
9. *No Additional Farm Dwellings.* Restrictive covenants in the deeds of all proposed agricultural lots within the Planned Unit Development shall give notice that the terms of this Planned Unit Development Permit shall prohibit the construction of a second dwelling unit (additional farm dwelling) on each lot. A copy of the proposed covenants to be recorded with the Bureau of Conveyances shall be submitted to the Planning Director for review and approval prior to the issuance of Final Subdivision Approval. A copy of the recorded document shall be filed with the Planning Department upon its receipt from the Bureau of Conveyances.
10. *Compliance with other rules and conditions.* The applicant shall comply with all other applicable rules, regulations and requirements. Other applicable conditions set forth under the "Approved Variances" section of this letter are incorporated herein as conditions of approval.
11. *Time Extension.* 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).

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

DSA:cs

O:\PUD Permits\2007\PUD-07-000008CoffeeGroundsOne\PUD07-000008CoffeeGroundsOne.doc

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

Michael J. Riehm, A.I.A.
Riehm Owensby Planners Architects
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March 12, 2008

2007 DEC 18 AM 11 20
DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: December 14, 2007

Memorandum

TO : Christopher J. Yuen, Planning Director
Planning Department

FROM : Galen M. Kuba, Division Chief *GK*
Engineering Division

SUBJECT : **Planned Unit Development Application (PUD 07-000008)**
Applicant: Riehm Owensby Planners Architects
Owner: CGH, LLC
Proposed: PUD-Coffee Grounds One
Location: Kahului, N. Kona, HI
TMK: 3 / 7-5-014: 002, 003, 010, 026, and 029

We reviewed the subject application and our comments and requested conditions are as follows:

VARIANCES

1. Variance Requests No.s 6 and 11 from HCC Sections 23-36 and 23-51; The usual 10 foot wide "no vehicular access planting screen" easement should be required along the lot fronting Mamalahoa Highway, exclusive of the subdivision road approaches and in addition to any required road widening setback easement. Access to Mamalahoa Highway should not be allowed from individual lots.
2. Variance request No. 7 from HCC Section 23-41 A specific right of way and pavement width should be required for clarity of plat and plan review. We have no objection to 16 feet of pavement centered in a 30-foot right-of-way with any necessary sight distance and drainage easements. We recommend that the approach to and within 50 feet of Mamalahoa Highway meet a higher standard (See ROADWAYS Item 1).
3. Variance request No. 8 from HCC Section 23-45 The approach to Mamalahoa should be excluded from any variance to this section. We do not agree to an approach angle less than 60 degrees or a reduction to the required property line radius at the approach to Mamalahoa Highway. The property line and pavements radii shall meet a higher standard (See ROADWAYS Item 1). Exhibit 4 is

Memorandum to PD PUD 07-000008
December 14, 2007
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misapplied to Section 23-45. Section 23-45 regulates the minimum corner radius for property lines at intersecting roadways, not horizontal roadway curves.

4. Variance Request No. 9 from HCC Section 23-48 The cul-de-sac turnaround geometry should be subject to approval by the Hawaii Fire Department.
5. Variance No. 10 from HCC Section 23-50 The request should be approved only if the roadways are designed and posted to comply with geometric design guidelines established by AASHTO for an appropriate design speed. A maximum grade of 18% should be imposed on the private roads except for cul-de-sacs, which may be 20%, as established by DPW policy.
6. Variance Nos. 12 and 13 from HCC Sections 23-93 and 23-94 should be approved only if the applicant installs County Standard signs striping and street lights at the project entries as required by DPW Traffic Division at no cost to the County.
7. Variance Request No. 14 from Section 23-95 The entire proposed 30-foot right-of-way centered, with 16 feet of pavement, shall be improved in accordance with applicable HCC Sections 23-86 and 23-87 (or better) and Exhibit 7. The roads shall be improved with stabilized shoulders and swales to the required right-of-way or easement width exclusive of cut and fill slopes. If swales are not required, a deed covenant should be required to prohibit construction of walls, berms or swales with the potential to concentrate and divert drainage without proper mitigation as recommended by licensed engineer. This establishes a minimum paving and improvement width standard and permits the geometric design of the applicant's Exhibit 7. (See ROADWAYS No. 3)

DRAINAGE

1. A hydraulic analysis of Waiaha Drainageway, based on more accurate data, to verify the FIRM mapped flood plain boundaries through the subject property is recommended prior to the subject development.
2. Flood Zone "AE ", affects the parcels as designated by the Flood Insurance Rate Map (FIRM), dated September 18, 1988. Any alterations, new construction or substantial improvements within the AE Zone will be subject to the requirements of Chapter 27 - Flood Control, of the Hawaii County Code. Prior to any alteration of the flood zone, the applicant may be required by DPW to submit a flood study prepared by a licensed professional civil engineer for review and approval. If required by DPW, the flood study shall be submitted to the Federal Emergency

Memorandum to PD PUD 07-000008
December 14, 2007
Page 3 of 4

Management Agency (FEMA) for a Letter of Map Change (LOMC). A Letter of Map Revision may be required upon completion of the alterations.

2. All storm drainage generated by the development shall be disposed of on site in a manner meeting with the approval of DPW and the Storm Drainage Standard. This includes not only the roadways but also storm runoff from development of the lots. A drainage report shall be submitted with construction plans to substantiate how developed lot and roadway runoff is being disposed of with drainage structures encumbered within right-of-ways and easements. Final construction approval will require complete stabilization of the roadsides and drainage system.

EARTHWORK

1. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code. This property has a recorded history of Chapter 10 violations.
2. The applicant should consult with the Natural Resources Conservation Service, formerly known as, Soil Conservation Service).
3. The applicant shall comply with chapter 11-55, Water Pollution Control, Hawaii Administrative Rules, Department of Health, which requires an NPDES permit for certain construction activity.

ROADWAYS

1. All driveway approaches to Mamalahoa Highway shall conform to Chapter 22, Streets and Sidewalks, of Hawaii County Code. Such approaches shall conform to County standards details R-37 and R-38. Intersection sight distances at the approaches shall meet AASHTO guidelines. Any vehicular security gate shall be located more than 45 feet (exclusive of gate swing) from the Mamalahoa Highway right-of-way. A turnaround shall be provided in the private road on the County Road side of the gate. **Given a variance from road width normally required by the Subdivision Code, the driveway approach shall meet commercial driveway guidelines published by the Institute of Transportation Engineers to facilitate entry and minimize traffic delays on Mamalahoa Highway.**
2. All roads within the proposed subdivision are to be private. The subdivision Streets shall not be considered for conveyance to the County unless improved to meet dedicable standards.

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Riehm Owensby Planners Architects
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December 14, 2007
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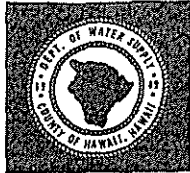
3. For the areas zoned A-1a, and A5-a the subdivision road traveled-way pavement section shall be constructed in accordance with Hawaii County Code Sections 23-86 and 23-87, respectively, unless specifically waived by an additional variance, which has not been requested.
4. Vehicular access to the individual lots shall not be from Mamalahoa Highway.
5. The applicant shall remove any encroachments or obstructions within Mamalahoa Highway right-of-way.
6. Mamalahoa Highway, the County road serving the subject property, is a secondary arterial road. It has an 18-20-ft. wide pavement within a variable right-of-way width. The County has improved portions of the highway, however, portions along the subject frontage remain substandard based on width, alignment and roadside hazard clearances. Those unimproved portions of Mamalahoa Highway, should be improved according to the County's General Plan. The applicant should provide improvements to portions of the subject property frontage along Mamalahoa Highway consisting of, but not limited to, pavement widening, drainage improvements, and any relocation of utilities; meeting with the approval of the DPW. Install streetlights, signs and markings meeting with the approval of the DPW, Traffic Division.
7. Roadway connections to adjoining parcels should be provided meeting with the approval of DPW. These roadways should be open to public traffic. It is DPW's policy on larger subdivisions to recommend that an interconnection be made to the adjoining parcels.
8. All roadways within the proposed development shall follow the guidelines incorporated in applicable AASHTO Guidelines.
9. Any utility poles in the road right-of-way shall be installed as shown on DPW Standard Detail R-35 (Revised). The applicant shall provide any necessary easements for installation of such utilities.

Should there be any questions concerning this matter, please feel free to contact Kiran Emler of our Kona Engineering Division office at 327-3530.

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PLNG-KONA

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2006 JUL 6 PM 1 29
PLANNING DEPARTMENT
DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
345 KEKUAOAKA STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

June 28, 2006

TO: Mr. Christopher J. Yuen, Planning Director
Planning Department

FROM: Milton D. Pavao, Manager

SUBJECT: PLANNED UNIT DEVELOPMENT APPLICATION (PUD 06-000003)
APPLICANT – RIEHM OWENSBY PLANNERS ARCHITECTS
COFFEE GROUNDS ONE
TAX MAP KEY 7-5-014:002, 003, 010, 026, AND 029

We have reviewed the subject application and have the following comments and conditions.

Water can be made available for the proposed development from an existing 8-inch waterline within Mamalahoa Highway. The current water availability conditions in the area, which are subject to change without notice, allow for the same number of water units as the number of lots allowable under the current zoning for each existing lot of record. Six (6) additional units of water are available to each existing lot of record through a change of zone application. One unit of water is equal to a maximum daily usage of 600 gallons per day, which is the estimated maximum daily usage for a single-family dwelling.

Please be informed that the applicant *does not* have an existing water commitment for 72 units of water, as stated in their application. To clarify, 72 units of water *could* be available if the applicant constructs extensive water system improvements, which would include, but not be limited to, storage, booster pumps, transmission, and distribution facilities to provide water at adequate pressure and volume under peak-flow and fire-flow conditions. Until such improvements are made, water availability is limited to one (1) unit of water for each parcel that is out of the Department's existing service limits.

Water could be made available for the proposed development upon compliance with the following conditions:

1. Construct necessary water system improvements, which shall include, but not be limited to:
 - a. minimum of two (2) concrete storage tanks each with a minimum capacity of 100,000 gallons; the first located at the required booster pump station and the second located such that the overflow elevation of the tank is at least 100 feet above the highest elevation within the development,

... *Water brings progress...*

016605

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- b. booster pump station with a minimum of two pumping units,
 - c. water mains capable of delivering water at adequate pressure and volume under peak-flow and fire-flow conditions, the minimum diameter of which shall be 6 inches,
 - d. an appropriately sized service lateral to accommodate an appropriately sized master meter to service the development,
 - e. cut and plug the existing services at the main, if necessary, and install new service laterals that will accommodate a 5/8-inch meter fronting each lot,
 - f. subject to other agencies' requirements to construct improvements within the road right-of-way fronting the property affected by the proposed development, the applicant shall be responsible for the relocation and adjustment of the Department's affected water system facilities, should they be necessary, and
 - g. fire hydrants (within the Agricultural 1-acre portion) spaced no more than 600 feet apart. On dead-end streets, the last fire hydrant shall be located at one-half the distance from the last house, or unit, fronting the property line, or to the driveway or access for the property.
2. Submit construction plans and design calculations prepared by a professional engineer, registered in the State of Hawai'i, for review and approval.
 3. Remit the prevailing facilities charge, which is subject to change, of \$1,190.00 for the first service to each lot of record and \$5,500.00 for each additional lot created. This is due and payable upon completion of the installation of the required water system improvements and prior to final subdivision approval being granted.
 4. The appropriate documents shall be submitted, properly prepared and executed, to convey the necessary easements to the Water Board of the County of Hawai'i for access to the development master meter, if it is not installed within the County right-of-way. The easement documents must be submitted prior to final subdivision approval being granted. A registered land surveyor shall stamp and certify the metes and bounds description within the conveyance documents. However, prior to water service being granted to the development, or any lots within, the conveyance documents shall be accepted by the Water Board.

Please be informed that the Department will not accept dedication of the water system required for this development. Therefore, the developer or some other private party shall be responsible for the operation and maintenance of the private water system. Construction of the water system shall be done in accordance with the Department's current Rules and Regulations and Water System Standards.

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Should there be any questions, please contact Mr. Finn McCall of our Water Resources and Planning Branch at 961-8070, extension 255.

Sincerely yours,



◁ Milton D. Pavao, P.E.
Manager

FM:sco

copy - Riehm Owensby Planners Architect
CGH, LLC

Figure 1: Master Plan Concept

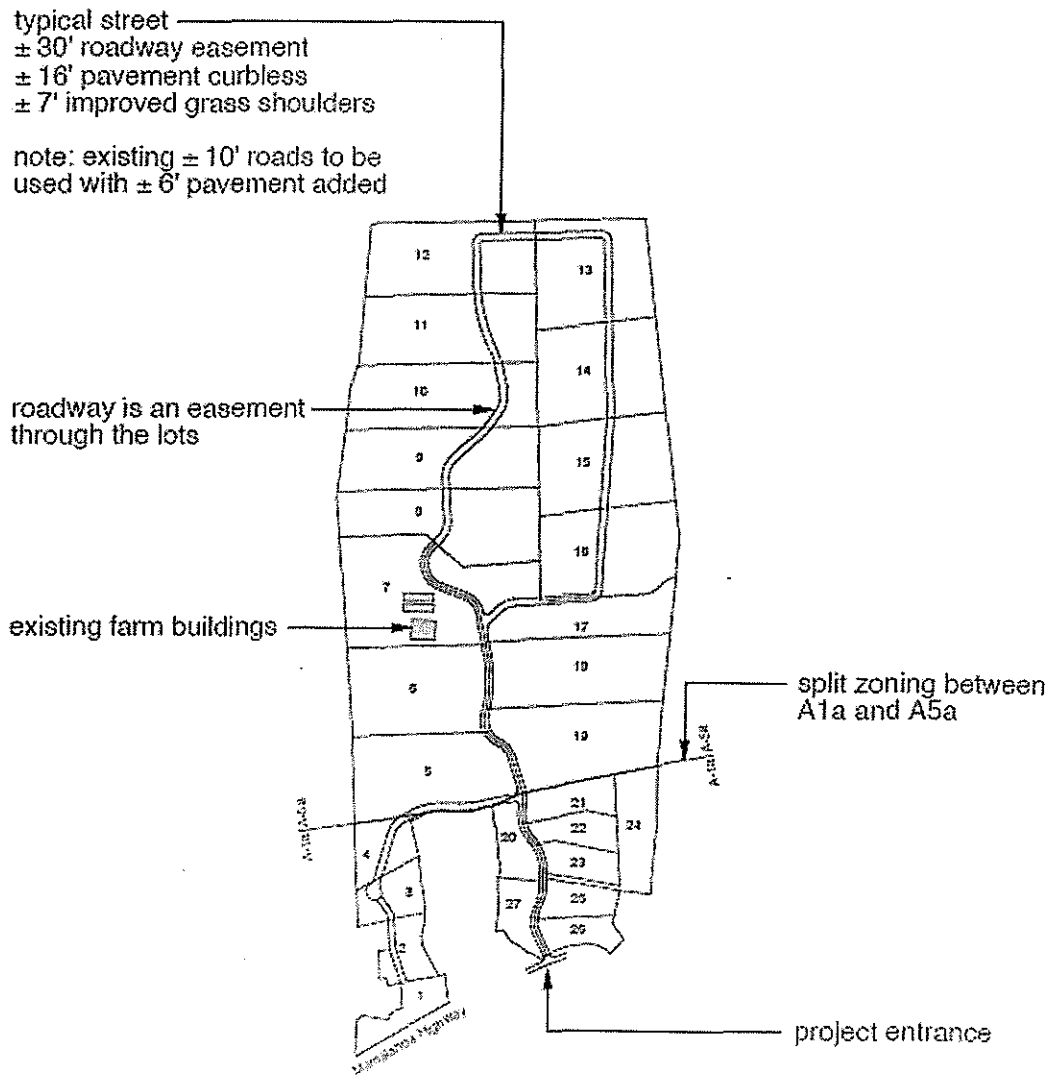


Exhibit 1: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius at the street intersections be as indicated below:

(See exhibits for radius criteria as referenced below at each intersection)

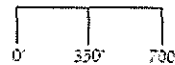
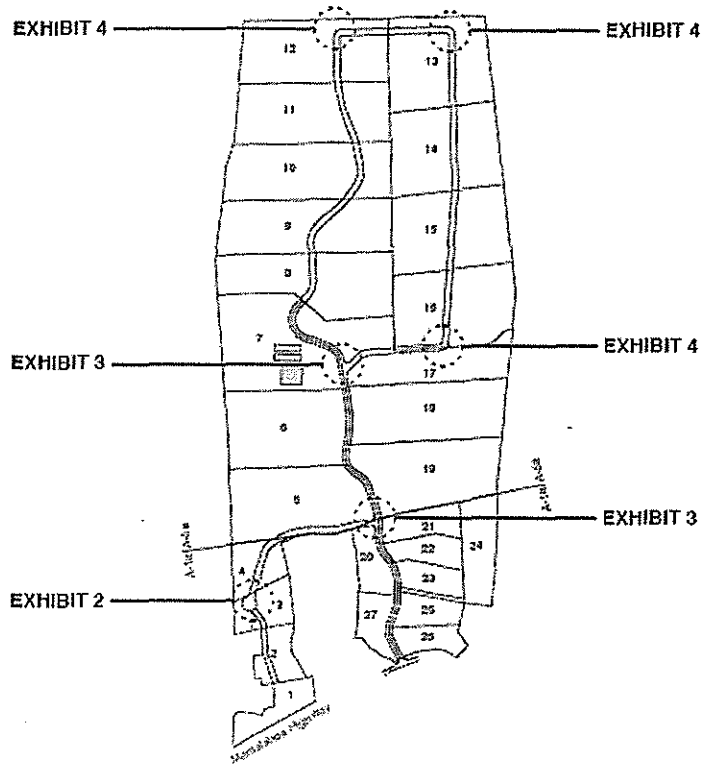


Exhibit 2: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius be permitted to be approximately in the range as indicated below:

(See Exhibit No. 1, page 8-21 for intersection location in project)

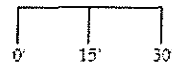
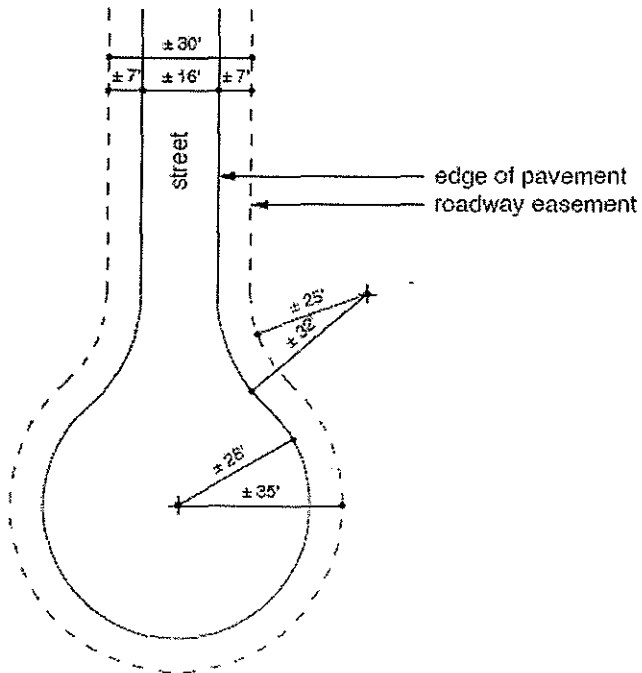


Exhibit 3: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius be permitted to be approximately in the range as indicated below:

(See Exhibit No. 1, page 8-21 for intersection location in project)

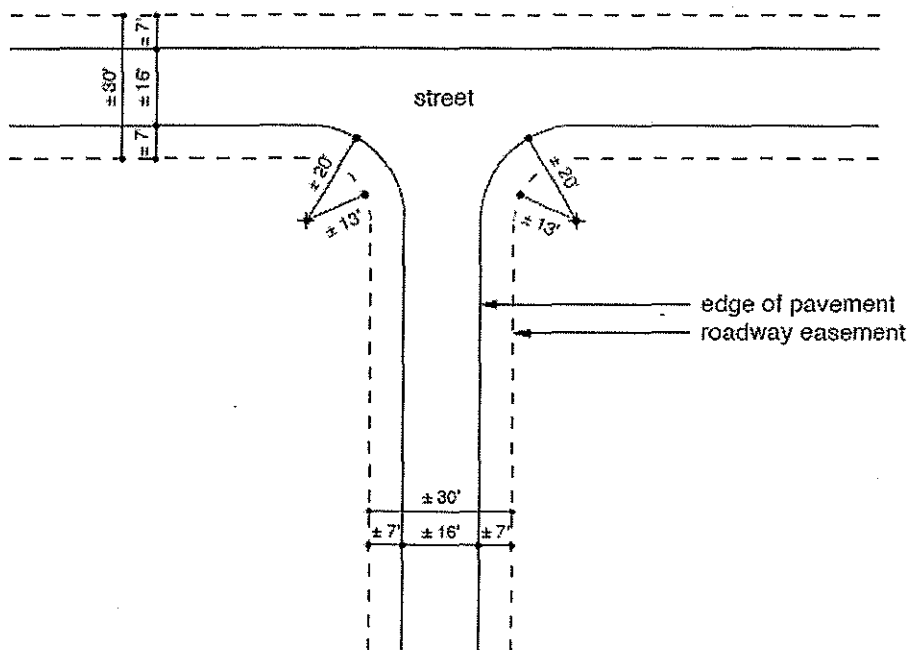


Exhibit 4: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius be permitted to be approximately in the range as indicated below:

(See Exhibit No. 1, page 8-21 for intersection location in project)

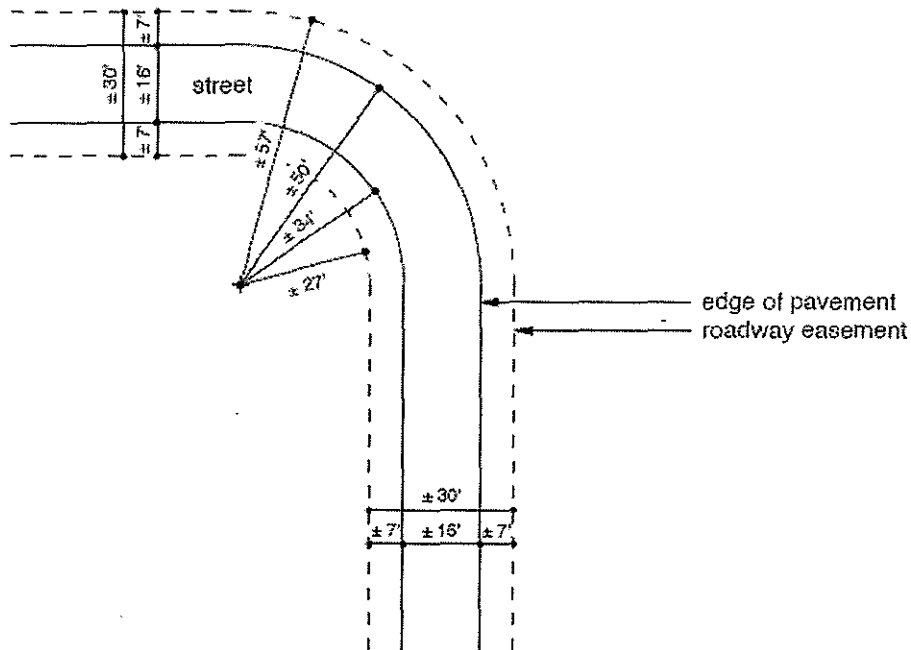


Exhibit 5: Street Lights

Variance Request - Subdivision Control Code

Request:

The Petitioner request that the requirements of Section 23-93 be waived in lieu of a custom street light fixture, allowing flexibility in color and housing type selection. Pole type lighting fixtures may be used at street intersections while bollard type lighting fixtures may be used to aid pedestrians. Typical examples of custom light fixtures that might be used in the project are as indicated below:

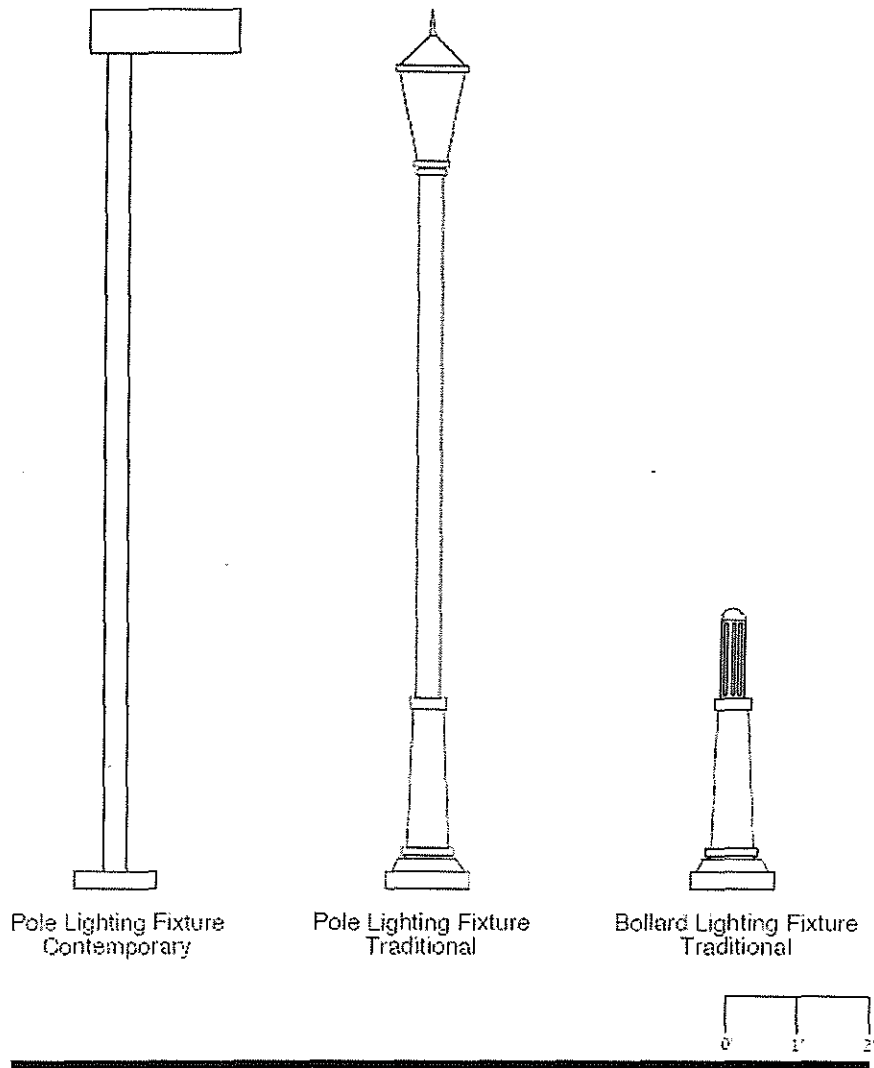


Exhibit 6: Street Signs Variance Request - Subdivision Control Code

Request:

The Petitioner request that the requirements of Section 23-94 be waived in lieu of custom street name and traffic sign fixtures, which are more in keeping with the design goals of the project. Typical examples of custom fixtures that might be used in the project are as indicated below:

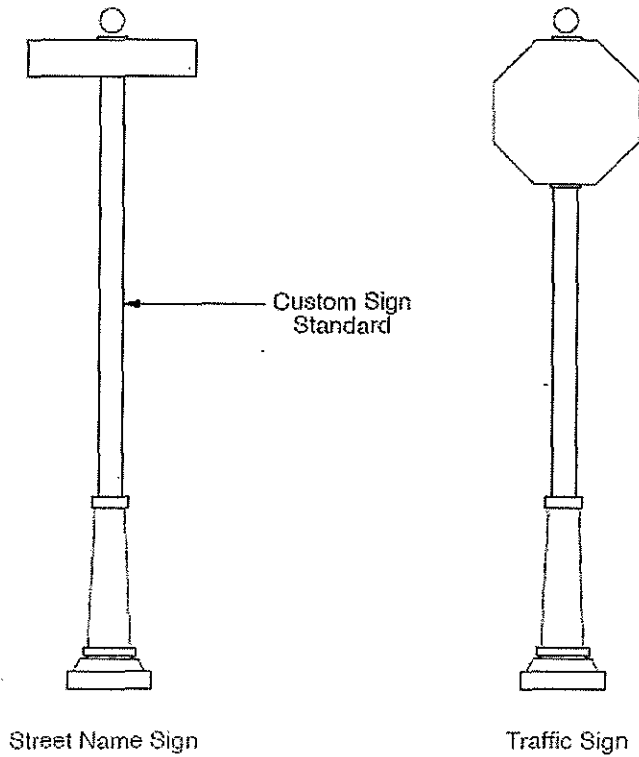


Exhibit 7: Right of Way Improvement Variance Request - Subdivision Control Code

Request:

The Petitioner request that the requirements of Section 23-95 be waived to allow design flexibility in the treatment of the right of way (roadway easement) areas as indicated below:

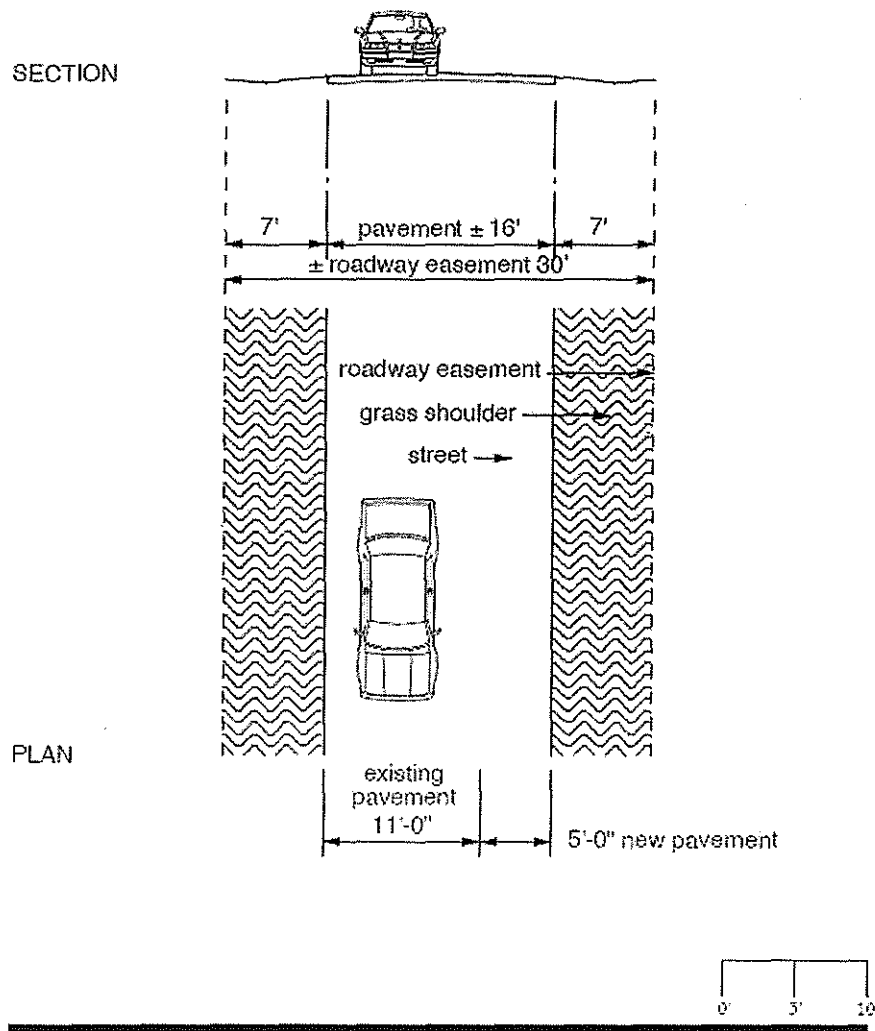


Figure 10: Special Paving

Comment:

Another important element of the street character may be the use of special paving at select areas to designate a street intersection and /or to help mitigate the speed of automobiles.

(See figures for special paving location as referenced below)

