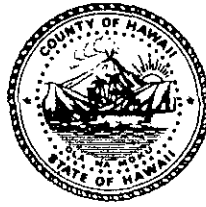


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

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County of Hawai'i PLANNING DEPARTMENT

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101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

January 28, 2013

William L. Moore, President
William Moore Planning, Inc.
159 Hāla'i Street
Hilo, HI 96720

Dear Mr. Moore:

SUBJECT: PLANNED UNIT DEVELOPMENT APPLICATION (PUD-12-000024)
Applicant: WAIKI'I RANCH, INC.
Owner: WAIKI'I RANCH, INC.
Request: Proposed PUD: WAIKI'I RANCH, INCREMENT II
Tax Map Keys: 6-7-001:022, 6-7-006:020 through 030, Inclusive

After review of the information submitted with the Planned Unit Development application, the Planning Director hereby **approves** Planned Unit Development No. PUD-12-000024 to allow the development of a master-planned community of 72 agricultural lots on land consisting of a total of approximately 1,031.714 acres. This PUD addresses variances for minimum building site area and average widths, roadway improvements, maximum block length, maximum cul-de-sac length, maximum number of lots served by a cul-de-sac, lot configuration, etc.

BACKGROUND

Project Location

The subject property (TMK: 6-7-001:022, 6-7-006:020 through 030, inclusive), hereinafter referred to as "Project area", consists of a total of approximately 1,031.714 acres. The Property is situated within the District of South Kohala, Hawai'i, on the west (makai) side of Saddle Road, approximately 20 miles from Kamuela (Waimea) and approximately 10 miles from the intersection of Hawaii Belt Road/Mamalahoa Highway and Saddle Road.

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's Land Use Pattern Allocation Guide (LUPAG) map. The County zoning designation for the Property is a mix of Agricultural – 10, 20 and 40 acres of land

area per building site (A-10a, A-20a & A-40a). Based on applying the required minimum land area per building site against the total land area of 1,031.714 acres, a total of 82 lots would be the maximum density that is allowable by zoning (as shown in the table below). This project will limit the total number of lots to 72 agricultural lots, which was the density proposed under the original Waiki'i Ranch Master Plan during the Change of Zone process.

Zoning	Area (in Acres)	Permissible Density	Proposed Density
A-10 acre	725.205	72	64±
A-20 acre	101.885	5	6±
A-40 acre	200.466	5	2±
Open	4.148	N/A	
Total	1,031.714	82	72

Through this PUD approval, the applicant will be able to develop a total of 72 lots via the requested variances, primarily by allowing the clustering of the 10 acre lots in areas that are screened from the Increment I development area. 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 zoning designations.

The South Kohala Community Development Plan (SKCDP), adopted by the County Council on December 1, 2008, identifies the properties as being located in the Agricultural Area. The Project is consistent with the Land Use policies in the SKCDP. The SKCDP Action Committee, at a meeting held on December 27, 2012 voted unanimously in support of the PUD application.

Description of Project Site

The Project area, consisting of approximately 1,031.714 acres, is currently vacant of any use or structure. Elevations within the Project area range from approximately 3,900 feet to 5,000 feet above sea level, providing an elevation range of approximately 1,100 feet. The Project area offers both Mauka and Makai view opportunities with appropriate lot orientation. The site has an average slope of less than 10 percent. The Project is in an area that has long been used for livestock grazing. Vegetation within the Project area is Kikuyu grass and fireweed, an invasive species. No endemic species of animals were located nor were their habitats. An archaeological assessment survey of the project area was conducted by Rechtman Consulting, LLC in 2006. Through the granting of this PUD, the applicant will be advised that an addendum archaeological inventory survey has been requested by the Department of Land and Natural Resources' Historic Preservation Division for review and approval.

Proposed Subdivision Improvements

The proposed Waiki'i Ranch, Increment II project, as permitted by this PUD, will allow the applicant to create a 72 lot agricultural subdivision, with lot sizes of a minimum of 10 acres and larger. Access to the

Project area will be from the Saddle Road via the existing internal roadway network of the Waiki'i Ranch, Increment I consisting of minor streets with right-of-way widths of 50 feet. It is noted here that the original Waiki'i Ranch Master Plan, presented through the Change of Zone process, indicated that there would be only the two present accesses from the Saddle Road.

The Applicant, through this PUD, will be allowed to create internal subdivision roadways to service its proposed 72 lot subdivision that will deviate from the minimum requirements of the Subdivision Code. The Project's internal roadway system will incorporate private streets designed to reduce impermeable surface area with the use of grassed shoulders/swales, similar to the existing roadways.

Interior Minor Streets with two 10-foot travel lanes and grassed shoulders and swales will be retained in private ownership. A Homeowner's Association (HOA) will maintain all aspects of these streets.

The internal roadway system shall be designed to accommodate emergency vehicles and will be coordinated with the Hawai'i County Fire Department (HFD) through HFD review of the subdivision construction drawings.

Compatibility with Neighboring Uses

The Property is situated within an area primarily designated for agricultural uses within the State Land Use District and County Zoning. The Property essentially resides within the agricultural area as defined in the SKCDP. Inasmuch as the proposed Project will establish agricultural lots that are consistent with permitted density allowed by zoning, the development of the Project will remain consistent with agricultural uses that prevail and/or are proposed within the surrounding area.

The Subject Area will be developed in keeping with the original objectives of Waiki'i Ranch which require active grazing of the land except for a limited building site. The mix of lot sizes will allow for a diverse range of grazing/ranching opportunities.

The Project Area activities will be in keeping with the existing Waiki'i Ranch CC&Rs which limit the portion of the lot that can be used for non-agricultural development (including farm dwellings) and require that the remaining areas be utilized for grazing activities.

Equestrian easements will also be provided in generally the same areas as identified in the original master plan to provide continuity of the trail system along the boundary of Waiki'i Ranch as well as key internal trails.

Project Objectives and Description

According to the Applicant, the objectives for the Waiki'i Ranch, Increment II subdivision project include the following:

- Minimize development impacts to the existing pu'u with the Project Area by retaining it as permanent open space/park area;
- Provide additional fire protection by encouraging the grazing activities along the Project Areas boundary with Pohakuloa Training Area's adjacent Keamuku lands;
- Protect the existing drainage ways by locating property boundaries along the gullies/eroded areas where practicable and ensuring the potential dwelling sites are located away from these drainage ways;
- Reduce the infrastructure requirements to support the proposed agricultural lots; and
- Continue the equestrian trail system within and around the project area to allow enhanced access and recreational activities for the Project residents as well as to the existing Waiki'i Ranch owners.

The Project site will be developed in increments, eventually totaling 72 lots, provided that it is done so in conformance with the requirements of this PUD Permit and the requirements of the Subdivision Code.

The applicant's project schedule anticipates the timeline for the initial increment is approximately 5 years with initial sales in 2017.

AGENCIES' REVIEW

Department of Public Works (DPW) Engineering Division: Memorandum dated December 20, 2012.

"We reviewed the subject application with the understanding that all proposed subdivision streets will not be eligible for conveyance to the County and will be owned and maintained by an association of property owners. Our comments are as follows:

VARIANCES

Section 2-41 We have no objection to the proposed right-of-way and pavement widths indicated in Exhibits 4-8. However Figures 4 and 5 do not dimension distance from the edge of pavement to top of embankment (clear zone). The applicant should be required to specify and provide shoulder clear zone width in accordance with AASHTO guidelines. In addition we do not recommend the drainage swale flow line be concentrated at the toe of a cut or fill as indicated in details 5 and 7. Drainage swales shall comply with County Storm Drainage Standards.

Section 23-48 The applicant should be required to satisfy the Hawai'i Fire Department for access by emergency vehicles. The turn-around radius has not been specified on Exhibit 8.

Section 23-50 The applicant should be required to comply with AASHTO guidelines for an appropriate design speed.

Section 23-88 The applicant proposes to use the non-dedicable private dead-end street cross-sections but requests the variance to allow the same for lots zoned for larger than 3 acres. Such roadways should intersect normal to the standard road or approved turnaround. We assume the maximum number of lots served will be 3 based on their request and any such roads are constructed as a condition of final subdivision approval. We recommend the applicant consider adequate shoulder and right-of-way width on each side to allow a shy distance for fencing and adequate bypass width.

Section 23 -94 DPW does not review traffic and street signs or striping on private roads except at County road Intersections, where such signs and markings are required to meet County Standards. We recommend signs and markings in accordance with the Manual on Uniform Traffic Control Devices throughout.

Section 23 -95 See our comments to Section 23-41 above.

DRAINAGE

1. All development generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties.
2. The applicant shall be informed that if they include drywells in the subject development, an Underground Injection Control (UIC) permit may be required from the Department of Health, State of Hawai'i.
3. A drainage study shall be prepared, and the recommended drainage system shall be constructed meeting with the approval of DPW.

EARTHWORK

1. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawai'i County Code.
2. The applicant shall comply with Chapter 11 -55, Water Pollution Control, Hawai'i Administrative Rules, Department of Health, which requires an NPDES permit for certain construction activity.

ROADWAYS

All streets within the proposed development should be required to meet AASHTO geometric design guidelines.

DPW Traffic Division: Plan Review Comment Sheet dated December 18, 2012.

"STREET LIGHTS/TRAFFIC SIGNALS:

Please provide electrical plans – streetlights.

Administration:

All traffic signs and markings placement and type would have to be brought up to county standard by developer if future plan is to dedicate to county."

Fire Department (HFD): Memorandum dated December 20, 2012.

"In regards to the above - mentioned Planned Unit Development application, should the following variance request be approved we ask that these requests or a similar alternative proposal be added as part of the approval. We believe these requests to be of reasonable accommodation to provide for fire safety in this new subdivision.

1. Our fire apparatuses have a wide turn radius, as such we would ask that the cul-de-sac road width maintain the 20' width around the circle. Another alternative would be that it is designed with a 10' wide shoulder, composed of an all weather surface that is capable of supporting fire apparatuses (25 ton).
2. While there are no water requirements imposed for fire hydrants or fire fighting water for this subdivision per Hawaii county code via the state water system standards, for the purpose of safety we would ask that three fire department connections be provided for the new subdivision. These FDCs would provide a connection from which to draw water from the new tank at the south east corner of the property. Ideal locations would be fronting parcel 1 or 2 for the upper connection and fronting parcels 49 or 50 from the lower connection. We would also like to ask for a third fire department connection on the saddle road for wildland firefighting purposes in parcel 74 (location of water tank). Should plans for the water supply not allow for appropriate pipe size, an alternative 20,000 gallon water storage tank could be dedicated at the lower property, perhaps at parcel 58, with a FDC at 49/50."

Police Department (HPD): Memorandum dated December 17, 2012.

"The above - referenced application has been reviewed, and we have no comments or objections to offer at this time."

Department of Environmental Management (DEM): Memoranda dated December 3, 2012.

"The Solid Waste Division has reviewed the subject application and offers the following recommendations:

'No comments.'

The Wastewater Division has reviewed the subject application and offers the following recommendations:

'No Comments.'"

William L. Moore, President
William Moore Planning, Inc.
Page 7
January 28, 2013

Department of Water Supply (DWS): Memorandum dated December 20, 2012.

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

Please be informed that the subject parcels are not within the Department's existing service limits, and water service will be from a private water system. It should be noted that the minimum reservoir size per Department of Water Supply (DWS) standards is 100,000 gallons and not 500,000 gallons as noted on Page 20 of the "Background" document provided. Also, the document notes that the pipe material will be PVC rather than ductile iron as required per DWS standards but then says "Water distribution pipelines serving the proposed agricultural lots will be constructed in accordance with DWS requirements. This seems contradictory.

We have no objection to the subject application as the applicant has indicated that a private water system will be provided and no county water system will be affected."

Department of Land and Natural Resources – State Historic Preservation Division (DLNR-SHPD):

Letter dated December 20, 2012.

"Thank you for the opportunity to review this application that was received by our office on December 5, 2012. According to the application, a planned unit development (PUD) is proposed for this 1,031 acre project area. The PUD will involve the creation of 72 agricultural lots and related improvements. It is likely that this PUD will result in a significant amount of ground disturbance through future permitted activities such as road way and utilities improvements as well as construction of single family households. Our records indicate that an archaeological assessment survey was conducted of the project area in 2006 (Bulgrin and Rechtman March 2006). This study identified a convoy road that had been utilized for military training purposes passes through this project area. The road connects Kawaihae to Pohakuloa, and according to the report, an easement on this convoy road was given to the US Army by Parker Ranch in 1957. At the time of the report, this road did not meet the 50 year age requirement to be considered a historic property pursuant to HAR 13- 284 -2. As a result, this study recorded no historic properties and was accepted by SHPD (Log No 2006.1569 Doc No 0605JT46).

Six years have passed since the acceptance of that report, and during that time the convoy road has reached the necessary 50 year age requirement to be considered a historic property. Therefore, we request that the site be recorded to inventory level standards [HAR 13- 276- 5(b)(4)], evaluated for significance pursuant to HAR13 -284 -6 and if appropriate, assigned a State Inventory of Historic Places (SIHP) number. **We request the opportunity to review and accept an addendum archaeological inventory** survey that presents the documentation of the site as well as the significance assessment and treatment recommendations prior to the issuance of the subject permit."

PUBLIC COMMENTS

(SEE COPIES OF ORIGINAL CORRESPONDENCES WITHIN THE PUD FILE)

There were numerous public/surrounding property owner comments received. The major objection to the application was the use of the existing Increment I roadways. It was felt that the Increment II developer should utilize a new entrance from the Saddle Road. Another common objection was that the development could have an adverse effect on the property values of the existing Increment I lots. It is again noted here that the original Waiki'i Ranch Master Plan, presented through the Change of Zone process, indicated that there would be only the two present accesses from the Saddle Road.

APPROVED VARIANCES

The following variances are hereby approved:

Variations to the Zoning Code

- **Flag Lots** (Hawaii County Code §25-4-14). The site plan provided by the Applicant shows numerous proposed flag lots. This variance request is for flag lots below the minimum building site area as well as the minimum building site average width (MBSAW). In addition, although not a requirement of the code, the number of side-by-side flag poles will be allowed for up to three (3). All adjacent flag poles will be encumbered with reciprocal access easements and improved pursuant to §23-88.
- **Minimum Street Frontage** (Hawaii County Code §25-4-30). This variance request is for lots below the minimum building site as well as the minimum building site average width. In granting this request, the director acknowledges the fact that the smaller lot sizes precludes the use of fifty percent of the MBSAW.
- **Minimum Building Site Area; Minimum Average Width** (Hawaii County Code §25-4-31). This variance will allow for lots as small as 10 acres. Aside from simply maximizing the number of lots that can be developed onto this Project area, the different shaped lots, sizes and widths, allow for the unique street layout which develops the desired compact development. Therefore, this variance is approved with the understanding that a reduction in minimum building site area is necessitated by topographic and design constraints and not simply maximizing lot count. Therefore, minimum building site average widths of 300 feet for lots between 10 and 19.9 acres, 400 feet for lots between 20 and 39.9 acres and 600 feet for lots greater than 40 acres will be allowed.
- **Reduction of Building Site below Minimum Area** (Hawaii County Code §25-4-32). This variance will allow for lots as small as 10 acres regardless of their particular zoning designation.
- **Designation of Agricultural District** (Hawaii County Code §25-5-71). This variance will allow for lots as small as 10 acres in lieu of the various lot sizes required by their particular zoning designation.

- **Minimum Building Site Area** (Hawai'i County Code §25-5-74). This variance will allow for lots as small as 10 acres in lieu of the various lot sizes required by their particular zoning designation.
- **Minimum Building Site Average Width** (Hawai'i County Code §25-5-75). This variance will allow for lots as small as 10 acres in lieu of the various lot sizes required by their particular zoning designation. Therefore, based on lot size as opposed to zoning designation, minimum building site average widths of 300 feet for lots between 10 and 19.9 acres, 400 feet for lots between 20 and 39.9 acres and 600 feet for lots greater than 40 acres will be allowed.

Variances to the Subdivision Code

- **Block Sizes** (Hawai'i County Code §23-29). Applicant requests that maximum block lengths of 1,300 feet be waived in order to allow flexibility of lot configuration. As presented in the Conceptual Development Plan, the director finds that this is acceptable.
- **Minimum Lot Sizes** (Hawai'i County Code §23-33). This variance will allow for lots as small as 10 acres in lieu of the various lot sizes required by their particular zoning designation.
- **Lot Side Lines** (Hawai'i County Code §23-35). Applicant is requesting that lot side lines, which should run at right angles to the street as far as practicable, be waived in order to maintain a more rectangular shape to the proposed lots, thereby accommodating a better building site configuration. Note that this section of code already provides flexibility for such design consideration.
- **Minimum Right-of-Way and Pavement Widths** (Hawai'i County Code §23-41). The Applicant is requesting a variance from the minimum right-of-way width for all of the roadways to not be considered collector streets (60-ft R-O-W) and that its internal roadways be designated minor streets or Cul-de-sac/dead-end streets (50-ft R-O-W). We support the issuance of this variance for these internal subdivision roadways, which are to remain private streets. This also enhances the speed-reducing nature of the roadway system.
- **Cul-de-sacs** (Hawai'i County Code §23-48). Applicant requests a variance from the maximum length and number of lots served by the cul-de-sac. However, the Applicant shall consult with the HFD to ensure that this alternative cul-de-sac design will meet with their approval. As stated in the HFD comments above, there should be 20 feet of all weather surface capable of supporting fire apparatuses due to their wide turning radius. The Applicant also proposes to provide an emergency access route from the proposed South Alulike Road extension cul-de-sac terminus to connect to the water reservoir that will be constructed in the southeastern corner of the project area along Saddle Road. This will provide an alternative ingress/egress to the Project Area in the event of an emergency.
- **Grades and Curves** (Hawai'i 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 providing

design flexibility in the presence of site constraints, but in a manner as generally represented in the Applicant's master plan.

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 shall 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).

- **Water Supply** (Hawai'i County Code §23-84). The Project is serviced by the Waiki'i Ranch water system which is owned and operated by the Waiki'i Ranch Community Association. All improvements will comply with the WRCA Water System Rules. The project improvements include the construction of a water reservoir in the southeastern corner of the property along Saddle Road. This reservoir will be constructed meeting with the requirements of the Waiki'i Ranch Community Association and will be privately owned and operated. This variance allows flexibility with respect to the Department of Water Supply's requirements which stipulate that the minimum requirements call for a 500,000 (sic) gallon concrete reservoir. In addition, the variance will allow the use of PVC high pressure pipes in lieu of ductile iron pipes to transmit water to the proposed reservoir. Several lots near to the proposed reservoir, which will be located along Saddle Road in the southeastern corner of the property, will not have sufficient water pressure. In these cases, the lot owner will be required to install a tank and hydro-pneumatic pump to ensure there is adequate water pressure. Water distribution pipelines serving the proposed agricultural lots will be constructed in accordance with DWS requirements. Provisions shall also be made for emergency and fire fighting purposes in consultation with HFD. Individual rain water catchment systems will not be allowed as the primary source of water supply.
- **Nondedicable street; private dead-end street** (Hawai'i County Code §23-88). The nondedicable road standards are approved to provide shared access improvements that serve up to three flag lots. The use of these standards for the 10+ acre lots reduces the improvement requirements while still ensuring adequate access is available to these lots. These roads will not be dedicated to the County or the Waiki'i Ranch Homeowners Association but rather will remain in private ownership by those flag lot owners benefiting from the improvements.
- **Street lights** (Hawai'i County Code §23-93). Applicant requests that no street lights be required in keeping with the rural character of the area. This variance is approved subject to the condition that, should street lighting be provided in the future, a licensed engineer certify the safety of the lighting plan in compliance with the applicable standards of Chapter 14, Article 9, Hawai'i County Code.
- **Street Names & Traffic Signs** (Hawai'i County Code §23-94). Approved to allow use of custom street name and traffic signs that will reinforce the desired character of the proposed rural/agricultural character of the neighborhood and its design goals (see Applicants Exhibit No's. 9 & 10). While this variance will allow these signs to deviate from standard specifications, it must still meet AASHTO

specifications. The Homeowner's Association shall maintain the project's street name and traffic signs located on all the streets.

- **Right of way Improvement** (Hawai'i County Code §23-95). While this variance approval would allow for deviation from the County's Std. Det. regarding the improvement of the entire road right-of-way, such improvements of the right-of-way will be in conformance with the improved right-of-way detail for the approved PUD roadway as shown on Applicant's Exhibits 4 - 8. The Homeowner's Association shall maintain all of the Project's street right-of-ways.

FINDINGS

This PUD is granted in accordance with the following findings:

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 revised tentative subdivision approval is issued for a first increment with infrastructural improvements within five (5) years. The Applicant anticipates that sales for that increment will begin in 2017, subject to market conditions.

2. **The proposed development substantially conforms to the General Plan and the South Kohala Community Development Plan.**

The proposed agricultural lots are consistent with the General Plan LUPAG Map designation for the Property of Important Agricultural Lands. Thus, the proposed development would be consistent with the General Plan land use designation and will be in harmony with the character of the surrounding area and result in an intensity of land utilization no higher than as permitted or as otherwise specified for the district in which this proposed development occurs. Important agricultural lands are those with better potential for sustained high agricultural yields because of soil type, climate, topography, or other factors.

The South Kohala Community Development Plan (SKCDP), adopted by the County Council on December 1, 2008 identifies the property as located in the Agricultural Area. The property is consistent with the Land Use and Transportation policies in the SKCDP. The SKCDP Action Committee has also recommended approval of the application.

3. **The proposed development shall constitute an environment of sustained desirability and stability, shall be in harmony with the character of the surrounding area, 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 72 lot agricultural subdivision will provide a density that will not exceed the maximum density permitted by zoning, which is calculated at 82 units (lots) across the entire 1,031.714 acre

Project area. With the approval of this PUD, it will allow the Applicant to configure its proposed lots and roadways to realize the type of agricultural use that is generally consistent with uses within this particular area of South Kohala. This PUD will allow the Applicant this opportunity, which we believe is reasonable and will not compromise existing and potential land uses within the surrounding area.

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 project is designed to address the needs and lifestyle of those residents who want to live in a rural/agricultural community that encourages outdoor activities, and is open space oriented. The project consists of a 72 lot development with a streetscape designed to mitigate speeding traffic.

The granting of this PUD will allow for greater flexibility in addressing development design issues. It will allow for a roadway system that promotes a safer, slower speed.

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. **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.
3. **Roadway Design Guidelines.** All roadways shall follow the guidelines incorporated in the Hawai'i 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 roads should be based on the AASHTO Guidelines for Geometric Design of Low Volume Roads. All utilities shall be underground.
4. **Construction Plan Review by Fire Department.** The Applicant shall consult with the HFD to ensure conformance of roads and water for emergency and fire fighting purposes within the Project Site to the minimum requirements of the Fire Code. Besides the DPW and DWS, construction plans shall also be submitted to the HFD for review.
5. **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 as well as the requirements of the affected agencies as contained in the "Agencies' Review" section are incorporated herein as conditions of approval.

William L. Moore, President
William Moore Planning, Inc.
Page 13
January 28, 2013

6. **Time Extension.** Pursuant to Section 25-2-7 of the Zoning Code, an application for the subdivision of the Property, or a revised preliminary plat map, in accordance with the terms and approvals granted by this PUD approval, shall be submitted to and accepted by the Planning Department within two (2) years from the date of this approval. If the applicant should require an extension of time, the applicant may request a time extension pursuant to Section 25-6-14 (Time extensions and amendments).

Should any of the conditions fail to be met or substantially complied with in a timely fashion, the Director shall initiate the nullification of the Planned Unit Development approval.

Sincerely,



BJ LEITHEAD TODD
Planning Director

JRH:nci

P:\Admin Permits Division\PUD Permits\2012\PUD-12-000024 WalkiiRanch\Decision.doc

Encls: Exhibits and Correspondences

xc: Department of Public Works, Engineering (Hilo and Kona)
Department of Water Supply
Fire Department

REZ 473 (Ord. No. 84 034); SUB 5712, SUB 6046, SUB 7929

xc w/encls: West Hawai'i Planning Office
SKCDP Planner (via e-mail)
GIS Section, Gilbert Bailado (via e-mail)

Memorandum to PD PUD 12-000024
December 20, 2012
Page 2 of 2

approved turnaround. We assume the maximum number of lots served will be 3 based on their request and any such roads are constructed as a condition of final subdivision approval. We recommend the applicant consider adequate shoulder and right-of-way width on each side to allow a shy distance for fencing and adequate bypass width.

Section 23-94 DPW does not review traffic and street signs or striping on private roads except at County road intersections, where such signs and markings are required to meet County Standards. We recommend signs and markings in accordance with the Manual on Uniform Traffic Control Devices throughout.

Section 23-95 See our comments to Section 23-41 above.

DRAINAGE

1. All development generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties.
2. The applicant shall be informed that if they include drywells in the subject development, an Underground Injection Control (UIC) permit may be required from the Department of Health, State of Hawaii.
3. A drainage study shall be prepared, and the recommended drainage system shall be constructed meeting with the approval of DPW.

EARTHWORK

1. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code.
2. 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

All streets within the proposed development should be required to meet AASHTO geometric design guidelines.

Should there be any questions concerning this matter, please feel free to contact Kiran Emier of our Kona Engineering Division office at 323-4851.

KE

copy: ENG-HILO/KONA

PLANNING DEPARTMENT
County of Hawaii
74-5044 Ane Keohokaloie Hwy.
Kailua-Kona, HI 96740
DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

RECEIVED DEC 20 2012

DATE: December 20, 2012

Memorandum

TO : B.J. Leithead-Todd, Planning Director
Planning Department

FROM : Ben Ishii, Division Chief
Engineering Division

SUBJECT : Waikii Ranch, Increment II-Planned Unit Development Application
(PUD 12-000024)
Applicant: Waikii Ranch Inc.
Owner: Waikii Ranch Inc.
Location: Waikii, Waikoloa, S. Kohala, Hawaii
TMK: 3/ 6-7-001:022; 6-7-006: 020 thru 030, inclusive

We reviewed the subject application with the understanding that all proposed subdivision streets will not be eligible for conveyance to the County and will be owned and maintained by an association of property owners. Our comments are as follows:

VARIANCES

Section 23-41 We have no objection to the proposed right-of-way and pavement widths indicated in Exhibits 4-8. However Figures 4 and 5 do not dimension distance from the edge of pavement to top of embankment (clear zone). The applicant should be required to specify and provide shoulder clear zone width in accordance with AASHTO guidelines. In addition we do not recommend the drainage swale flow line be concentrated at the toe of a cut or fill as indicated in details 5 and 7. Drainage swales shall comply with County Storm Drainage Standards.

Section 23-48 The applicant should be required to satisfy the Hawaii Fire Department for access by emergency vehicles. The turn-around radius has not been specified on Exhibit 8.

Section 23-50 The applicant should be required to comply with AASHTO guidelines for an appropriate design speed.

Section 23-88 The applicant proposes to use the non-dedicable private dead-end street cross-sections but requests the variance to allow the same for lots zoned for larger than 3 acres. Such roadways should intersect normal to the standard road or

082801

William P. Kennel
Mayor

PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC 26 PM 3:01



County of Hawai'i
HAWAII FIRE DEPARTMENT
23 Aepual Street • Room 2581 • HHA, HAWAII 96726
(808) 932-2900 • Fax (808) 932-2928

December 20, 2012

TO: BJ LEITHEAD TODD, PLANNING DIRECTOR
FROM: DARREN J. ROSARIO, FIRE CHIEF
SUBJECT: PLANNED UNIT DEVELOPMENT APPLICATION (PUD 11-000024)
OWNERS: WAIKI'I RANCH
APPLICANT: WAIKI'I RANCH
REQUEST: PROPOSED PUD: WAIKI'I RANCH, INCREMENT II
TMK: 6-7-001:022, 6-7-006:020 THROUGH 030, INCLUSIVE

In regards to the above-mentioned Planned Unit Development application, should the following variance request be approved we ask that these requests or a similar alternative proposal be added as part of the approval. We believe these requests to be of reasonable accommodation to provide for fire safety in this new subdivision.

- Our fire apparatuses have a wide turn radius, as such we would ask that the cul de sac road width maintain the 20' width around the circle. Another alternative would be that it is designed with a 10' wide shoulder, composed of an all weather surface that is capable of supporting fire apparatuses (25 ton).
- While there are no water requirements imposed for fire hydrants or fire fighting water for this subdivision per Hawaii county code via the state water system standards, for the purpose of safety we would ask that three fire department connections be provided for the new subdivision. These FDCs would provide a connection from which to draw water from the new tank at the south east corner of the property. Ideal locations would be fronting parcel 1 or 2 for the upper connection and fronting parcels 49 or 50 from the lower connection. We would also like to ask for a third fire department connection on the saddle road for wildland firefighting purposes in parcel 74 (location of water tank). Should plans for the water supply not allow for appropriate pipe size, an alternative 20,000 gallon water storage tank could be dedicated at the lower property, perhaps at parcel 58, with a FDC at 49/50.

Should you have any questions or wish to meet please contact Captain Kazuo Todd, 808-640-3728

DARREN J. ROSARIO
Fire Chief

KT:lpc

082849



Hawaii County is an Equal Opportunity Provider and Employer.

Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

PLANNING DEPARTMENT
COUNTY OF HAWAII
DEPARTMENT OF PUBLIC WORKS - TRAFFIC DIVISION
COUNTY OF HAWAII
PLAN REVIEW COMMENT SHEET
2012 DEC 18 PM 2:57

Memorandum No. 2012 - 334 Date Received: 12/3/2012
To: BJ Leithead-Todd - Planning Date Transmitted: 12/18/12
From: Traffic Division
Subdivision/Project: Proposed PUD: Waiki'i Ranch, Increment II
Subdivision/Project No: TMK: 6-7-001:022, 6-7-006:020 through 030

SIGNS/MARKINGS:

1. J. Privett	Review Date: _____	Initial: _____
No Review	See Attached Comments	Comments on Plan/Sketch
Other Comments	No Comments	
2. C. Hatada	Review Date: _____	Initial: _____
No Review	See Attached Comments	Comments on Plan/Sketch
Other Comments	No Comments	

STREET LIGHTS/TRAFFIC SIGNALS:

3. M. Tebbakh	Review Date: 12/17/12	Initial: MT
No Review	See Attached Comments	Comments on Plan/Sketch
Other Comments	No Comments	
<i>Please provide additional plans - streetlight</i>		
4. M. Ignacio	Review Date: 12/17/12	Initial: ME
No Review	See Attached Comments	Comments on Plan/Sketch
Other Comments	No Comments	

Administration:

5. A. Takaba	Review Date: 12-4-12	Initial: AT
No Review	See Attached Comments	Comments on Plan/Sketch
Other Comments	No Comments	
<i>All traffic signs and markings placement and type would have to be reviewed w/ the County Engineer by December 18. Please plan to be present to County</i>		
6. R. Thiel	Review Date: 12-17-12	Initial: R
No Review	See Attached Comments	Comments on Plan/Sketch
Other Comments	No Comments	

082739



PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC 29 PM 2:22



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
801 KAMOKILA BOULEVARD, ROOM 555
KAPOLI, HAWAII 96707

WILLIAM E. ABLE, JR.
PLANNING DEPARTMENT
COUNTY OF HAWAII
345 KEKUAO'A STREET, SUITE 207
HONOLULU, HAWAII 96824
TELEPHONE (808) 961-8050 • FAX (808) 961-8657



PLANNING DEPARTMENT
COUNTY OF HAWAII
DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
345 KEKUAO'A STREET, SUITE 207
HONOLULU, HAWAII 96824
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

December 20, 2012

December 20, 2012

Bobby Jean Leithead-Todd, Director
County of Hawaii Planning Department
101 Paahi Street Suite 3
Hilo, HI 96720

LOG NO: 2012-3692
DOC NO: 1212MV11
Archaeology

Dear Ms. Leithead-Todd:

**SUBJECT: Chapter 6E-42 Historic Preservation Review – County of Hawai'i
Planned Unit Development Application, Waiki'i Ranch Increment II (PUD-12-000024)
Waikoloa Ahupua'a, South Kohala District, Island of Hawai'i
TAX: (31-6-7-001-022 & 6-7-006-020 through :030**

Thank you for the opportunity to review this application that was received by our office on December 5, 2012. According to the application, a planned unit development (PUD) is proposed for this 1,031 acre project area. The PUD will involve the creation of 72 agricultural lots and related improvements. It is likely that this PUD will result in a significant amount of ground disturbance through future permitted activities such as road way and utilities improvements as well as construction of single family households. Our records indicate that an archaeological assessment survey was conducted of the project area in 2006 (Belgrin and Rechenan March 2006). This study identified a convey road that had been utilized for military training purposes passes through this project area. The road connects Kawahae to Pohakuloa, and according to the report, an easement on this convey road was given to the US Army by Parker Ranch in 1957. At the time of the report this road did not meet the 30 year age requirement to be considered a historic property pursuant to HAR 13-284-2. As a result, this study recorded no historic properties and was accepted by SHPD (Log No 2006-1569 Doc No 0605JT46).

Six years have passed since the acceptance of that report, and during that time the convey road has reached the necessary 30 year age requirement to be considered a historic property. Therefore we request that the site be recorded to inventory level standards [HAR 13-276-5(b)(4)], evaluated for significance pursuant to HAR13-284-6 and if appropriate, assigned a State Inventory of Historic Places (SIHP) number. We request the opportunity to review and accept an addendum archaeological inventory survey that presents the documentation of the site as well as the significance assessment and treatment recommendations prior to the issuance of the subject permit.

Please contact Mike Vitousek at (808) 652-1510 or Michael.Vitousek@hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,

Theresa Donham
Archaeology Branch Chief
Historic Preservation Division

SCANNED
DEC 20 2012
By: 082869

TO: Ms. BJ Leithead Todd, Director
Planning Department

FROM: Quirino Antonio, Jr., Manager-Chief Engineer

SUBJECT: PLANNED DEVELOPMENT APPLICATION (PUD 12-000024)
APPLICANT – WAIKI'I RANCH, INC.
REQUEST: PROPOSED PUD: WAIKI'I RANCH, INCREMENT II
TAX MAP KEY 6-7-001-022, 6-7-006-020 THROUGH 030, INCLUSIVE

2012 DEC 24 PM 3:21
PLANNING DEPARTMENT
COUNTY OF HAWAII

We have reviewed the subject request and have the following comments.

Please be informed that the subject parcels are not within the Department's existing service limits, and water service will be from a private water system. It should be noted that the minimum reservoir size per Department of Water Supply (DWS) standards is 100,000 gallons and not 500,000 gallons as noted on Page 20 of the "Background" document provided. Also, the document notes that the pipe material will be PVC rather than ductile iron as required per DWS standards but then says "Water distribution pipelines serving the proposed agricultural lots will be constructed in accordance with DWS requirements. This seems contradictory.

We have no objection to the subject application as the applicant has indicated that a private water system will be provided and no county water system will be affected.

Should there be any questions, you may contact Mr. Lawrence Beck of our Water Resources and Planning Branch at 961-8070, extension 260.

Sincerely yours,

Quirino Antonio, Jr., P.E.
Manager-Chief Engineer

082808

LEB:dml

copy – Waiki'i Ranch, Inc.

...Water, Our Most Precious Resource... Ka 'Ihii A Kene...
The Department of Water Supply is an Equal Opportunity provider and employer.