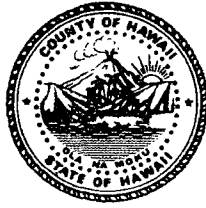


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May 1, 2015

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

Dear Mr. Riehm:

SUBJECT: **Application:** **PLANNED UNIT DEVELOPMENT (PUD-15-000029)**
 Applicant: **RIEHM OWENSBY PLANNERS ARCHITECTS**
 Owner: **LA'AU, LLC**
 Request: **PUD: IPU PLACE**
 Tax Map Key: **6-5-002:147 & 161**

Upon review of the subject Planned Unit Development application and agency comments, the Planning Director, hereby, **approves** PUD-15-000029 to allow the development of a master-planned community consisting of 10 single family lots on the subject property. This PUD approves exceptions from Chapter 25 (Zoning) and Chapter 23 (Subdivisions) based upon the following background and findings.

BACKGROUND

APPLICANT'S REQUEST

1. **Request.** The owner, LA'AU, LLC, through the applicant is applying for a PUD to develop the subject properties, TMK: 6-5-002:147 & 161, as a master-planned community consisting of 10 single family residential lots and roadway/landscaping easements. The applicant is requesting a PUD to allow for multiple exceptions from Chapter 25 (Zoning) and Chapter 23 (Subdivisions) in order to achieve the design principles for the subject development. Approval of the requested exceptions would also enable the applicant to implement the design guidelines of a planned residential community that is more in keeping with the character of the local area that is consistent with the existing character similar to other homes within the Waimea area.
2. **Exceptions Requested and Reasons – Hawai'i County Code (HCC), Chapter 25 (Zoning)**
 - A. **Minimum Street Frontage.** (HCC §25-4-30). The request is to allow the street frontage of a lot to be less than the required 50% of building site average width for lots. This exception would allow

other than flag lots and lots at the end of a cul-de-sac to be designed without having to meet this requirement. With the project's unique street and lot layout designed to create a rural character and to mitigate traffic speed, the requirements of Section 25-4-30 become restrictive to the projects overall design goals.

- B. **Minimum Building Site Area: Minimum Building Site Average Width.** (HCC §25-4-31). With the project's unique street and lot layout designed to create a rural character and to mitigate traffic speed, the requirements of Section 25-4-31 become restrictive to the projects overall design goals.
- C. **Reduction of Building Site Below Minimum Area.** (HCC §25-4-32). With the project's unique street and lot layout designed to create a rural character and to mitigate traffic speed, the requirements of Section 25-4-32 become restrictive to the projects overall design goals.
- D. **General Requirements for Yards and Open Spaces.** (HCC §25-4-40). With the project's unique street and lot layout designed to create a rural character and to mitigate traffic speed, some of the lots have an atypical relationship to the street. In order for the homes on these lots to better create a rural and traditional neighborhood environment, a re-designation of the yards is requested. Through the use of the yard designations as specified in the exhibits (attached), an intimate and human scaled environment, conducive to pedestrian activities is created.
- E. **Corner Building Sites.** (HCC §25-4-42). With the project's unique street and lot layout designed to create a rural character and to mitigate traffic speed some of the lots have an atypical relationship to the street. In order for the homes on these lots to better create a rural and traditional neighborhood environment, a re-designation of the yards is requested. Through the use of the yard designations as specified in the exhibits, an intimate and human scaled environment, conducive to pedestrian activities is created.
- F. **Fences and Accessory Structures.** (HCC §25-4-43). The request is to allow for retaining walls that exceed 6 feet in height when used to retain the grade be permitted to be on the boundary line and without any front, side, or rear yard requirements.

Due to the prevalent slopes on the Island of Hawai'i, retaining walls are often required at the property line to manipulate the grade to provide buildable lot pads. These retaining walls should be permitted at the property lines without any front, side or rear yard requirements in order to develop a more useable site area.

This request is to allow any accessory structure, architectural feature, wall, fence, or any other free standing architectural feature over six feet in height to extend into any required front, side or rear yard.

A variety of free standing architectural features may be used to create the desired character and ambiance of the neighborhood. These features may be in the form of walls, gates, arbors and

trellises which in some cases may be over six feet in height. Freedom in location of these items is critical to developing an intimate neighborhood character. The locations of these items will be pre-determined and the CCR's will control any abuse of this variance by the residents of the neighborhood.

- G. **Minimum Yards.** (HCC §25-5-7). One of the design goals for the community is to develop an intimate and human scale environment that has a distinct "sense of place." In order to achieve this goal, control on the placement of the homes on the lots is mandatory. The homes will be designed to take maximum advantage of the site with the yard setbacks requested. Also, the side yards are designed to have one large side yard and one smaller side yard in order to provide for a more useable side yard on one side of the house versus two smaller side yards.
- H. **Other Regulations.** (HCC §25-5-8). With the project's unique street and lot layout designed to create a rural character and to mitigate traffic speed, the requirements of Section 25-5-8 become restrictive to the projects overall design goals thus the request that there be no minimum average width.

3. **Exceptions Requested and Reasons – HCC, Chapter 23 (Subdivisions)**

- A. **Block Sizes.** (HCC §23-29). This requests that blocks sizes be allowed to be less than 400 feet in length to encourage pedestrians to walk versus drive to a destination. Studies have shown that pedestrians will walk versus drive when a destination is within a five minute walking distance or 1,350 feet. Therefore, blocks less than 400 feet in length may encourage residents to walk to visit their neighbors versus driving.
- B. **Lot Size, Shape and Setback Line.** (HCC §23-32). As part of the application for a PUD, exceptions are requested herein concerning the standards for lot size, width, shape, orientation and building setback lines which are different from the standards detailed in the Zoning Code.
- C. **Access to Lot From Street.** (HCC §23-34). An access and utility easement is used, in lieu of a public street or private street, to provide both vehicular access and utility service to all the lots.
- D. **Lot Side Lines.** (HCC §23-35). The yard designations are atypical due to the layout of the streets and to keep the lots more rectangular in shape versus lots with lot lines that are not parallel. Some of the lots have side yard designations which run parallel to the street. These exceptions to the yard designations are requested in order to create the intended neighborhood character and to aid in not losing to many lots since the project is already well below the allowable density.
- E. **Minimum Right-of-Way and Pavement Widths.** (HCC §23-29). Reduced street right-of-ways and pavement widths are requested in order to mitigate traffic speed and to create a rural scaled neighborhood environment. Studies have indicated that the wider the pavement surface, the higher propensity for traffic violations such as speeding, running stop signs and so on. The reason

for this is the wider the street, the more the motorist thinks it owns the space. Whereas in a narrower street, the pedestrian feels it controls the space. With the reduced minimum yards and narrower streets, the homes will do more to create a defined sense of space at the street, one of the design goals for the project. The main street is located in an access utility landscape easement which varies in width and the roadway pavement may be approximately \pm 18 and 20 feet in width.

- F. **Future Extensions of Streets.** (HCC §23-44). Due the relative small size of the proposed project and limited amount of generated traffic flow, street extensions would compromise the scale and desired character of the proposed neighborhood.
- G. **Intersection Angles; Corner Radius.** (HCC §23-45). This request would allow streets to be permitted to intersect and have radius and or dimensions at the right-of-way lines to provide for a higher level of pedestrian safety at these locations. This will help with the traffic calming effect of the roadway network.

One of the major impediments to safe pedestrian movement in a residential community is the large turning radius at street intersections. The large radius increases the walking distance from curb to curb, requiring the pedestrian to spend more time in the intersection. With this increased distance, the pedestrian must calculate, far in advance, an oncoming vehicle, to determine if they are able to safely make the crossing. This is handled with more ease for some of the residents but becomes increasingly more difficult for the elderly. The reduced corner radius along with a reduced speed limit (\pm 15 m.p.h.) should provide for a more pedestrian friendly environment.

- H. **Cul-de-sacs.** (HCC §23-48). In lieu of a cul-de-sac, an alternate turnaround is used to provide a paving area that is more in scale with the character of the neighborhood versus a large expanse of pavement surface.
- I. **Grades and Curves.** (HCC §23-50). The purpose of requesting a PUD designation for the project is to have increased design flexibility in developing a more creative master plan and community environment than would typically be possible through the use of a typical subdivision layout and standards. Street design is critical to achieving this goal, and as such, design flexibility is required.
- J. **Protection From Existing or Proposed Arterial Streets.** (HCC §23-51). Due to the unique layout of the lots, the two lots that are contiguous to Kawaihae Road shall have a front yard or side yard facing this street. The lot with the side yard facing Kawaihae Road has a large setback line from the road due to the location of the access utility landscape easement location.
- K. **Sidewalks.** (HCC §23-89). The project shall have sidewalks on one side of the street in some areas where possible but design flexibility is requested which may vary from the specifications of the County of Hawai'i Department of Public Works.

- L. **Curbs and Gutters.** (HCC §23-91). The project shall use curbless streets to provide for a more rural feeling in the neighborhood. If curbs are used, then they may be similar to the type as detailed in the County "Standard Details for Public Works Construction," Detail R-1, Precast Concrete Curb. This curbing profile is more in character with a traditional neighborhood setting than the typical curb and gutter details typically found in our modern subdivisions.
 - M. **Street Lights.** (HCC §23-93). The use of a custom lighting fixture will reinforce the desired character of the neighborhood and be more sympathetic with the overall design goals of the project. The use of a custom fixture will provide the design flexibility to choose a different housing color and decorative style than what is permitted by the County standards.
 - N. **Street Name and Traffic Signs.** (HCC §23-94). The use of a custom street name and traffic sign fixture will reinforce the desired character of the neighborhood and be more sympathetic with the overall design goals of the project. The use of a custom fixture will provide the design flexibility to choose a different housing color and decorative style than what is permitted by the County standards.
 - O. **Right-of-Way Improvement.** (HCC §23-95). The right-of-ways may have a variety of treatments such as pavers, street trees, and landscaping, which will be used to develop the desired character of the neighborhood. Design flexibility is required in this area to be able develop a rural scaled environment.
4. **Project Description/Objectives.** The project is designed to address the needs and lifestyle of residents who want to live in a planned residential community that is more in keeping with the character of the local area versus a county standard subdivision layout which would stand in stark contrast. The project consists of 10 single family residential lots, landscaped easements, and a streetscape designed to create a sense of place with a rural character which will:
- A. Provide a neighborhood that encourages a sense of community and promotes social interaction;
 - B. Provide a streetscape that is more in keeping with the unique character of Waimea's rural roads;
 - C. Develop a master plan that mimics the local context and existing landscape; and
 - D. Through the use of CC&R's, encourage housing design that both respects the historical architecture and encourages energy efficiency through the use of passive and active solar devices.
5. **Project Timeline.** The applicant proposes to implement the development in a single phase in accordance with the following preliminary schedule, subject to permit approvals and economic conditions:
- A. Permit Approvals:

1. PUD and Subdivision Approval: 12 months; December 2014 to December 2015.
 2. Site Work: 12 months; January 2016 to January 2017.
 3. Completion of Sales: 2 years; February 2017 to February 2019.
6. **Notification to Surrounding Property Owners/Posted Sign.** Pursuant to Section 25-6-4(a) of the HCC, the applicant submitted evidence, dated February 4, 2015, regarding the posting of a public notification sign on the subject property. A picture of the posted sign was also submitted (Section 25-2-12). Further, verification was submitted that notices of the application were sent on December 26, 2014 & January 12, 2015 to the surrounding property owners (Section 25-2-4).

DESCRIPTION OF PROPERTY

7. **Subject Property.** The subject properties (TMK's: 6-5-002:147 & 161), hereinafter, referred to as "Project area", consists of a total of 2.59 acres and is currently vacant. The Project area is situated within the District of South Kohala, Hawai'i approximately 0.5 miles to the west of Waimea town commercial center. It is located on the north (mauka) side of Kawaihae Road, within a predominately residential area.
- Elevations within the Project area range from approximately 2,620' at the lowest point, to 2,648' at the highest point providing an elevation range of 28 feet. Views in all directions are existing homes scattered in a rural landscape
8. **Current Entitlements/Existing permits and approvals.** The Project area is undeveloped and the RS-7.5 zoning is the original zoning.
9. **USDA Soil Type.** The property is listed as type 383 – Waimea medial very fine sandy loam, generally soils of ash fields on lava flows, considered prime farmland if irrigated.
10. **Land Study Bureau (LSB) Soil Rating.** The property is not rated by the LSB.
11. **ALISH.** The property is not rated as Agricultural Lands of Importance to the State of Hawai'i.
12. **FIRM/Drainage.** The property is located in Zone "X", which is an area determined by FEMA to be located outside of the 500-year floodplain. The proposed roadway design incorporates grassed shoulders and swales which would help to reduce surface water and sediment runoff. Drainage will be controlled through swales, drywells, and natural drainage ways that promote infiltration over runoff.
13. **Flora and Fauna.** No endemic species of animals or habitats were located on the property.

14. **Archaeological/Cultural/Historic Resources.** An archaeological assessment survey of the project area was conducted (Haun & Associates 2014). No archaeological sites or features were identified during the survey, therefore the project is documented as an archaeological assessment pursuant to Chapter 13-284-5(5A).
15. **View Plane/Coastal Resources.** The subject property is located mauka of Waikoloa Road within an area of existing residential structures. All structures, including dwellings, will be constructed in conformance with the Zoning Code 35' height limit.
16. **Surrounding Zoning and Land Uses.** The property is situated within an area primarily designated for residential uses within the State Land Use Urban District and County Zoning. Inasmuch as the proposed Project will establish residential lots that are consistent with permitted density allowed by zoning, the development of the Project will remain consistent with urban uses that prevail and/or are proposed within the surrounding area.

STATE AND COUNTY PLANS

17. **State Land Use District.** Urban.
18. **County Zoning.** Single Family Residential-7,500 sq. ft. (RS-7.5). Minimum building site average width is 60' and minimum yards are 15' for front and rear and 8' on sides.
19. **General Plan Designation.** The area is designated Low Density Urban by the Land Use Pattern Allocation Guide (LUPAG) Map. This request would be consistent with the General Plan LUPAG Map designation and will complement the goals, policies, and courses of action of the Economic-South Kohala, Natural Beauty, and Land Use - Single-Family Residential Elements of the General Plan.
20. **South Kohala Community Development Plan.** The South Kohala Community Development Plan (SKCDP) was adopted by the County Council on December 1, 2008. The project conforms to two of the Overall Policies for Land Use in Waimea Town as detailed below:

Waimea Policy 1: Preservation of Waimea's Sense of Place

The project is designed to encourage residential development that is more reminiscent of our older traditional small towns where the buildings were used to define pedestrian oriented streetscapes. This type of planning strategy is more in keeping with the type of residential development that reflects Waimea town's paniolo heritage.

Waimea Policy 2: Responsible Growth

The project is located in the town of Waimea with land that is currently zoned for this type of residential use and for this type of growth. Utility infrastructure is available to the site along with major arterial roadways.

Further, the South Kohala Community Development Plan (SKCDP) Action Committee did not submit comments or concerns.

21. **Special Management Area (SMA).** The subject property is not located within the SMA.
22. **Density.** Based on applying the required 7,500 square feet minimum land area per dwelling unit against the total land area of 2.59 acres, a total of 15 dwelling units would be the maximum density that is allowable by zoning. Should the parcel be subdivided into the minimum lot size of 7,500 square feet approximately 15 lots would be allowable.

The proposed development of 10 single-family will maintain lot sizes above the required minimum of 7,500 square feet and does not exceed the overall maximum density permitted by the zoning designation.
23. **HRS Chapter 343 (EIS):** The project will not be utilizing any State or County lands or funds, and there are no other Environmental Impact Statement triggers.

PUBLIC FACILITIES AND SERVICES

24. **Access.** Access to the Project area will be from the Kawaihae Road.

The Applicant, through this PUD, proposes that they be allowed to create internal subdivision roadways to service its proposed development that will deviate from the minimum requirements of the Subdivision Code. The Project's internal roadway system will incorporate private streets designed to reduce road gradient and to help mitigate speeding traffic. These streets would have \pm 18 and 20-foot wide paved travel ways and landscaped sides. Interior Minor Streets will be retained in private ownership. A Homeowner's Association (HOA) will maintain all aspects of these streets.

Cul-de-sacs with turn-around areas within 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.

25. **Water.** The water system in the area is owned by the County of Hawai'i. According to Department of Water Supply (DWS), water can be made available to the development providing adequate water from a potable water system. The development will be subject to covenants to include conservation measures for water usage.
26. **Sewer.** Sewage disposal will be by individual wastewater systems (IWS) that meet all State and County Requirements.
27. **Electricity, Telephone and Cable TV.** Power and communication services are accessible to the Property from overhead lines in the Kawaihae Road right-of-way.

28. **Other Services.** Fire protection is provided by the County from its Waimea substation. Police protection is provided from its substation in Waimea. Refuse (solid waste) will be collected by private contractors and hauled to the West Hawai'i landfill for disposal.

AGENCY COMMENTS

- 29. Department of Environmental Management (DEM): See attached memoranda dated January 9, 2015 (Solid Waste) and February 5, 2015 (Waste Water).
- 30. Department of Public Works (DPW) Building Division: See attached memorandum dated January 12, 2015.
- 31. Police Department (HPD): See attached memorandum dated January 22, 2015.
- 32. Department of Public Works (DPW) Traffic Division: See attached memorandum dated January 30, 2015.
- 33. Department of Water Supply (DWS): See attached memorandum dated February 13, 2015.

PUBLIC COMMENTS

- 34. As of this writing, the Planning Department has not received any written objections or comments from the general public or adjacent landowners on the subject application.

FINDINGS - CRITERIA FOR APPROVAL OF PUD-15-000029

This PUD is granted in accordance with the following criteria and 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.**
 - A. Permit Approvals:
 - 1. PUD and Subdivision Approval: 12 months; December 2014 to December 2015.
 - 2. Site Work: 12 months; January 2016 to January 2017.
 - 3. Completion of Sales: 2 years; February 2017 to February 2019.

2. The proposed development substantially conforms to the General Plan.

The proposed residential units are consistent with the General Plan LUPAG Map designation for the Property of Low Density Urban (LDU). LDU allows for a residential with ancillary community and public uses, and neighborhood and convenience-type commercial uses (residential up to 6 units per acre). The proposed development will consist of 10 single family lots which will maintain lot sizes above the required minimum of 7,500 square feet required in an RS zoned district. The Project, with the approval of this PUD, will be developed at a density less than the allowable density of 15 lots not will not exceed the overall maximum density permitted by the zoning designation.

The proposed development would also complement the goals, policies, and courses of action for the Economic-South Kohala, Natural Beauty, Public Utilities and Land Use - Single-Family Residential Elements of the General Plan.

The South Kohala Community Development Plan (SKCDP) was adopted by the County Council on December 1, 2008. The proposed development is depicted on the Kawaihae Area Conceptual Plan and referenced appropriately with its current zoning and General Plan designations. As the project proposes residential purposes, it is consistent with the SKCPD district-wide policies and the general land uses adjacent to it. The South Kohala Community Development Plan (SKCDP) Action Committee did not submit comments or concerns. Therefore, the proposed development is consistent with the requirements of the Zoning Code and the land use policies of the General Plan.

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 subdivision will include 10 single family lots. The proposed density that will not exceed the maximum density permitted by zoning, which is calculated at 15 units for the entire 2.59 acre Project Site. Approval of this PUD will allow the applicant to configure the proposed lots and roadways to realize a low density residential presence that is generally consistent with uses within this particular area of South Kohala. The land mauka of this development is agricultural in zoning, however, it is also urban and used residentially in nature.

This PUD would harmonize with the character of the surrounding area 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 residents, who want to live in a rural

residential environment that is in harmony with the inherent natural beauty of the area, promotes social interaction, encourages walkability, and is open space oriented. The project will consist of a total of 10 residential units with landscaping designed to respect the surrounding area. As stated by the applicant, their objective is to create a low density residential neighborhood that conveys an open space feeling.

The approval of this PUD will allow deviations from the standard code requirements in order to sensitively design the 10 single family lots in harmony with the inherent natural beauty and to maximize the open space for the home sites. The exceptions allow for deviations from the Zoning and Subdivision Code requirements and include: minimum street frontage; building site area and average width; yards and open space; lot side lines; intersection angles and corner radius; cul-de-sacs; grades and curves; minimum right-of-way and pavement widths; street lights, and street name and traffic signage and right of way improvements, among others as detailed earlier in this letter.

The granting of this PUD will allow for greater flexibility by implementing design guidelines established to enhance lot design and maximize the property's features to be complementary to existing surrounding land uses. The property is located in Zone "X", which is an area determined by FEMA to be located outside of the 500-year floodplain. Alternative roadway design standards will be implemented to encourage lower traffic speeds. Roadway design exceptions that incorporate landscaped shoulders and swales would help to reduce surface water and sediment runoff. Drainage would also be controlled through swales, drywells, and natural drainage ways that promote infiltration over runoff. The retention of the natural drainage features through the Property that will reduce grading of the site and should alleviate impacts to the existing surrounding development.

The approval of this PUD request will allow the lots to be developed in keeping with the applicant's objectives for a low density rural residential character utilizing the project's CC&R's that will be structured to maintain the quality of the original design intent and insure the investment of the homeowners will be protected, while they enjoy appreciation for their investment and will not be materially detrimental to the public's welfare nor cause substantial adverse impact to the area's character. Further, there were no substantial comments or objections by reviewing agencies.

Approval of the above exceptions is different from what is normally applicable under the district regulation, however, they will assist the developer in achieving a design standard harmonious with the surrounding developed areas.

APPROVED EXCEPTIONS

Based on the above findings, the following exceptions to the County of Hawaii Chapter 25 (Zoning) and Chapter 23 (Subdivisions) for **La'au, LLC**, Ipu Place (**PUD-15-000029**) are hereby approved:

1. Exceptions Granted from HCC, Chapter 25 (Zoning):

- A. **Minimum Street Frontage.** (HCC §25-4-30). The request is to allow the street frontage of a lot to be less than the required 50% of building site average width for lots. This exception will allow other than flag lots and lots at the end of a cul-de-sac to be designed without having to meet this requirement. In reviewing the exhibits of the lot layout, we find that sufficient street frontages are provided.
- B. **Minimum Building Site Area: Minimum Building Site Average Width.** (HCC §25-4-31). The project's unique street and lot layout is designed to create a rural character and to mitigate traffic speed. This exception applies to the net lot areas less the access utility landscape easement. This is not technically required and we find it inapplicable.
- C. **Reduction of Building Site Below Minimum Area.** (HCC §25-4-32). The project's unique street and lot layout is designed to create a rural character and to mitigate traffic speed. While each proposed lot will maintain a minimum lot size area of 7,500 square feet, ranging in size from 10,015 to 16,262 sq. ft., it will not be exclusive of the land area to be encumbered by the road easement servicing each of the proposed lots. We have no objection to the granting of this exception from current department policy that requires minimum lot sizes exclusive of the land area within any roadway easement serving three (3) or more lots.
- D. **General Requirements for Yards and Open Spaces.** (HCC §25-4-40). The project's unique street and lot layout is designed to create a rural character and to mitigate traffic speed. Through the use of the yard designations as specified in the exhibits (attached), an intimate and human scaled environment, conducive to pedestrian activities is created. We approve the yard/setbacks as requested as they are inter-development in nature and do not infringe on surrounding properties.
- E. **Corner Building Sites.** (HCC §25-4-42). The project's unique street and lot layout is designed to create a rural character and to mitigate traffic speed. Through the use of the yard designations as specified in the exhibits (attached), an intimate and human scaled environment, conducive to pedestrian activities is created. We approve the yard/setbacks as requested as they are inter-development in nature and do not infringe on surrounding properties.
- F. **Fences and Accessory Structures.** (HCC §25-4-43). The request is to allow for retaining walls that exceed 6 feet in height when used to retain the grade be permitted to be on the boundary line and without any front, side, or rear yard requirements.

Due to the prevalent slopes on the Island of Hawai'i, retaining walls are often required at the property line to manipulate the grade to provide buildable lot pads. **This portion of the request is inapplicable as retaining walls of any height are allowed up to the property line with no setback required.**

A variety of free standing architectural features may be used to create the desired character and ambiance of the neighborhood. These features may be in the form of walls, gates, arbors and trellises which in some cases may be over six feet in height. The locations of these items will be pre-determined and the CCR's will control any abuse of this variance by the residents of the neighborhood. This exception is approved as shown in the exhibit (attached). **This exception shall be detailed on a master plan submitted to the Planning Department prior to submission of any individual building permit applications. The master plan shall identify the locations and heights of all "architectural features" proposed to extend into required open space areas.**

- G. **Minimum Yards.** (HCC §25-5-7). One of the design goals for the community is to develop an intimate and human scale environment that has a distinct "sense of place." The homes will be designed to take maximum advantage of the site with the yard setbacks requested (attached). We approve the yard/setbacks as requested as they are inter-development in nature and do not infringe on surrounding properties.
- H. **Other Regulations.** (HCC §25-5-8). The project's unique street and lot layout is designed to create a rural character and to mitigate traffic speed, the request is that there be no minimum average width. While each proposed lot will maintain a minimum building site area of 7,500 square feet, ranging in size from 10,015 to 16,262 sq. ft., it will not be exclusive of the land area to be encumbered by the road easement servicing each of the proposed lots. We have no objection to the granting of this exception from current department policy that requires minimum lot sizes exclusive of the land area within any roadway easement serving three (3) or more lots.

2. Exceptions Granted from HCC, Chapter 23 (Subdivisions)

- A. **Block Sizes.** (HCC §23-29). This requests that blocks sizes be allowed to be less than 400 feet in length to encourage pedestrians to walk versus drive to a destination. Studies have shown that pedestrians will walk versus drive when a destination is within a five minute walking distance or 1,350 feet. Therefore, blocks less than 400 feet in length may encourage residents to walk to visit their neighbors versus driving. As this is a cul-de-sac we find that it is inapplicable.
- B. **Lot Size, Shape and Setback Line.** (HCC §23-32). As part of the application for a PUD, exceptions are requested herein concerning the standards for lot size, width, shape, orientation and building setback lines which are different from the standards detailed in the Zoning Code. In reviewing the exhibits of the lot layout, we find that good buildable areas have been provided and therefore approve this exception.
- C. **Access to Lot From Street.** (HCC §23-34). An access and utility easement is used, in lieu of a public street or private street, to provide both vehicular access and utility service to all the lots. As

all lots have access to this easement, we find that this exception is inapplicable as all of the lots have access to a roadway system.

- D. **Lot Side Lines.** (HCC §23-35). The yard designations are atypical due to the layout of the streets and to keep the lots more rectangular in shape versus lots with lot lines that are not parallel. Some of the lots have side yard designations which run parallel to the street. In reviewing the exhibits of the lot layout we approve this exception
- E. **Minimum Right-of-Way and Pavement Widths.** (HCC §23-29). Reduced street right-of-ways and pavement widths are requested in order to mitigate traffic speed and to create a rural scaled neighborhood environment. The main street is located in an access utility landscape easement which varies in width and the roadway pavement will be approximately \pm 18 and 20 feet in width. We approve the reduction of the "normal" minimum 50 foot wide right-of-way and slightly reduced (in some areas) pavement width.
- F. **Future Extensions of Streets.** (HCC §23-44). Due the relative small size of the proposed project and limited amount of generated traffic flow, street extensions would compromise the scale and desired character of the proposed neighborhood. The extension of the cul-de-sac to the north property line does not afford any benefit for future development and we agree that, since there is no practical purpose for it, it will not be required.
- G. **Intersection Angles; Corner Radius.** (HCC §23-45). This request would allow streets to be permitted to intersect and have radius and or dimensions at the right-of-way lines to provide for a higher level of pedestrian safety at these locations. This will help with the traffic calming effect of the roadway network. The layout as presented is acceptable and approved.
- H. **Cul-de-sacs.** (HCC §23-48). In lieu of a circular terminus of the cul-de-sac, an alternate, "T" style turnaround is used to provide a paving area that is more in scale with the character of the neighborhood. The turnarounds are acceptable to this department, however, the applicant is required to, in addition to the DWS and DPW reviewing the construction plans, the HFD shall also approve those drawings.
- I. **Grades and Curves.** (HCC §23-50). The purpose of requesting a PUD designation for the project is to have increased design flexibility in developing a more creative master plan and community environment than would typically be possible through the use of a typical subdivision layout and standards. Street design is critical to achieving this goal, and as such, design flexibility is required. This exception 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.

- J. **Protection From Existing or Proposed Arterial Streets.** (HCC §23-51). Due to the unique layout of the lots, the two lots that are contiguous to Kawaihae Road shall have a front yard or side yard facing this street. The lot with the side yard facing Kawaihae Road has a large setback line from the road due to the location of the access utility landscape easement location. This is approved with the understanding that there will be an appropriate “no vehicle access” planting screen easement imposed to the Kawaihae Road frontage at the time of subdivision.
- K. **Sidewalks.** (HCC §23-89). The project shall have sidewalks on one side of the street in some areas where possible but design flexibility is requested which may vary from the specifications of the County of Hawai'i Department of Public Works. The director is given discretion in imposing sidewalk requirements and finds the sidewalk locations as shown in the exhibit are acceptable.
- L. **Curbs and Gutters.** (HCC §23-91). The project shall use curbless streets to provide for a more rural feeling in the neighborhood. If curbs are used, then they may be similar to the type as detailed in the County “Standard Details for Public Works Construction,” Detail R-1, Precast Concrete Curb. Likewise, the director is given discretion in imposing curbs and gutters and finds they are not required. Sufficient drainage flow-ways shall be provided through construction practices, however.
- M. **Street Lights.** (HCC §23-93). This exception is approved to allow design flexibility in the placement and design of the street lights. This is granted with the understanding that all street lights shall meet with the Hawai'i County Code, Chapter 14, Article 9, Outdoor Lighting.
- N. **Street Name and Traffic Signs.** (HCC §23-94). This exception is approved to allow the use of custom street name and traffic signage. All signs shall meet AASHTO standards and are in accordance with the current Manual on Uniform Traffic control devices to maximize motorist recognition and respect.
- O. **Right-of-Way Improvement.** (HCC §23-95). The right-of-ways may have a variety of treatments such as pavers, street trees, and landscaping, which will be used to develop the desired character of the neighborhood. The treatment of the non-paved portions of the right-of-way are acceptable. The applicant shall, however, be required to provide adequate drainage flow-ways and absorption.

CONDITIONS OF APPROVAL

The Planning Director approves the **La'au, LLC** Ipu Place PUD (PUD-15-000029) 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 PUD shall be developed in a manner, substantially, as represented by the applicant within the application. A copy of the master plan shall be submitted to the Planning Department prior to application for actual building permits. This shall show proposed encroachments into yards/open spaces for the various "architectural features" and shall show the heights of said items. Further, a copy of the proposed CCR's shall be provided to the Planning Department for review, comment and approval in conjunction with construction of the development.
3. **Historical and Archaeological Considerations.** The Archaeological Inventory Survey has determined that no historic properties will be affected by this project. In the event any historic properties are encountered, the project shall be subject to further review by the Department of Land and Natural Resources' Historic Preservation Division (DLNR-HPD).
4. **Potable Water System.** Potable water shall be provided and extended to all of the buildable lots.
5. **Roadway Design Guidelines.** All non-dedicable roadways shall be constructed to 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 (average daily traffic volume of less than 400 vehicle trips per day).
6. **Utilities.** All utilities shall be installed underground.
7. **Construction Plan Review by Fire Department.** The Applicant shall consult with the HFD to ensure conformance of roads and water for emergency and firefighting purposes within the Project Site to meet the minimum requirements of the Fire Code. Besides the DPW and DWS, construction plans shall also be submitted to the HFD for review.
8. **No Additional Dwellings.** The Applicant shall record a declaration affecting all proposed lots within the PUD which shall give notice that the terms of this PUD approval shall prohibit the construction of a second dwelling unit on each lot. The proposed declaration is to be recorded with the Bureau of Conveyances by the applicant at their cost and expense. A copy of the recorded document shall be forwarded to the Planning Department.
9. **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 Exceptions" 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.

Michael J. Riehm, AIA, NCARB
Riehm Owensby Planners Architects
Page 17
May 1, 2015

10. **Time Extension.** Pursuant to Section 25-2-7 of the Zoning Code, and in accordance with the terms and approvals granted by this PUD approval, compliance with the conditions of this PUD shall commence 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 PUD approval.

Sincerely,



DUANE KANUHA
Planning Director

JRH:nci

\\COH33\planning\public\Admin Permits Division\PUD Permits\2015\PUD-15-000029 Ipu Place\APVL.docx

Encls: Exhibits

xc: DPW, Engineering (Hilo and Kona)
DWS
HFD

xc w/encls: Bill Jardine
La'au, LLC
65-1291 Kawaihae Road, Suite 201
Kamuela, HI 96743

Planning Dept. (Kona) - D. Bugado, SKCDP Planner
GIS Section, G. Bailado (via e-mail)

Figure 1: Master Plan Concept

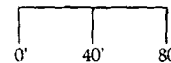
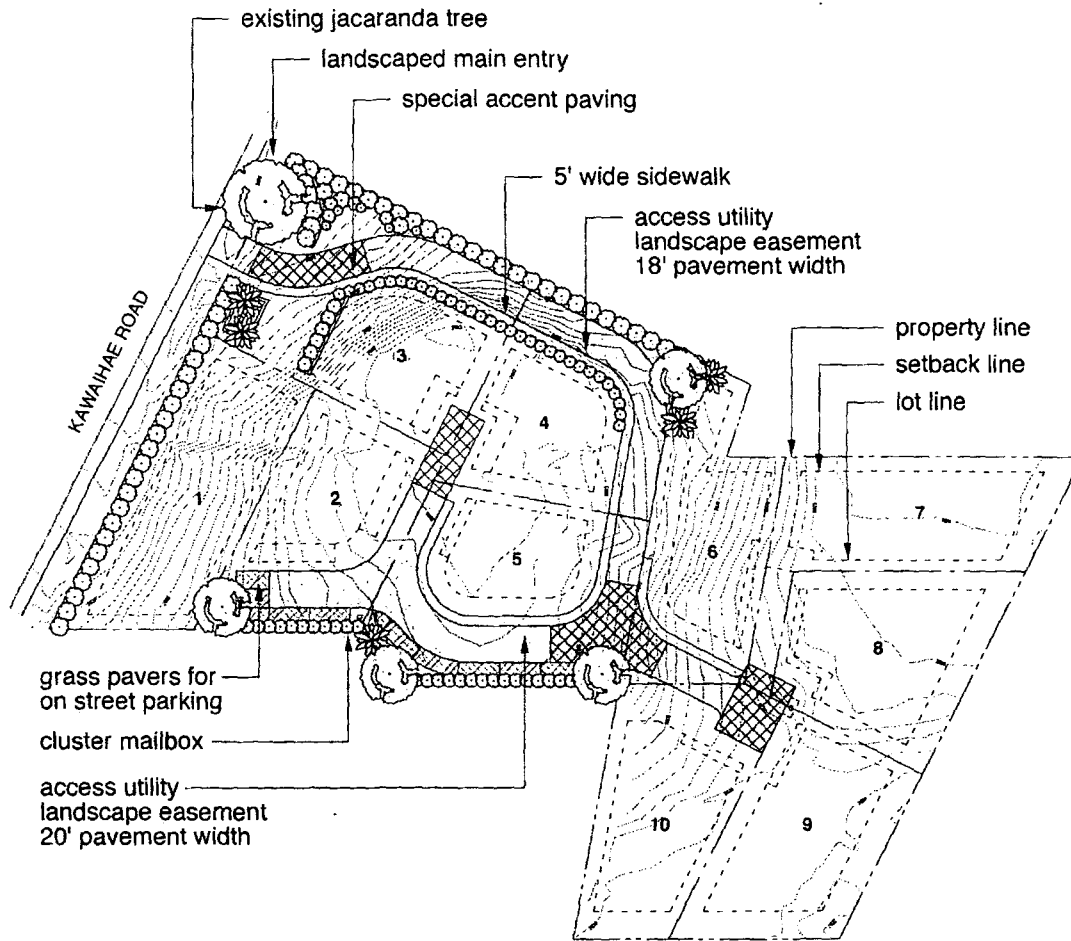


Exhibit 1: Yard Designation

Variance Request - Zoning Code

Request:

The Petitioner request the yards be designated as indicated in Exhibits 1 to 3. Below is the reference site plan indicating lot location and lot number for referral to exhibits 2 to 3:

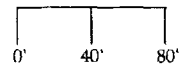
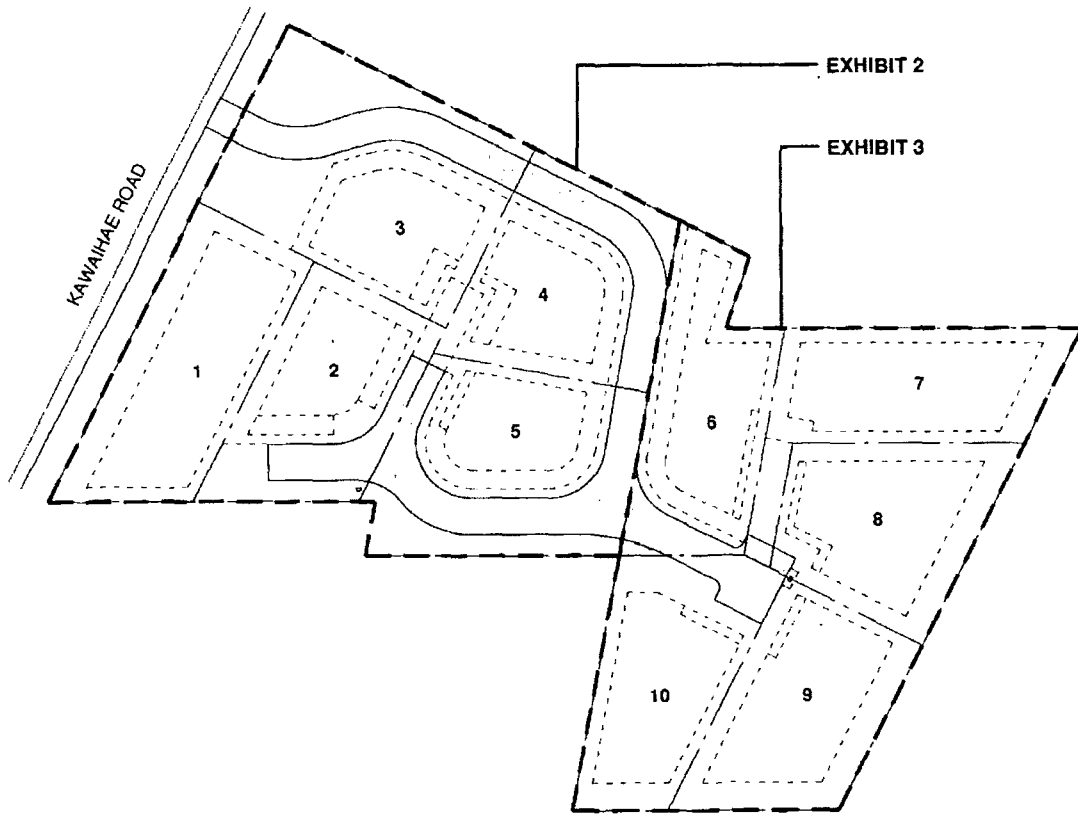


Exhibit 2: Yard Designation

Variance Request - Zoning Code

Request:

The Petitioner request the front, rear, and side yards be designated as indicated below for lots 1, 2, 3, 4 and 5.

(See Exhibit No. 1, page 8-30, for lot location in project)

Note: the yards indicated below apply to both one and two story buildings.

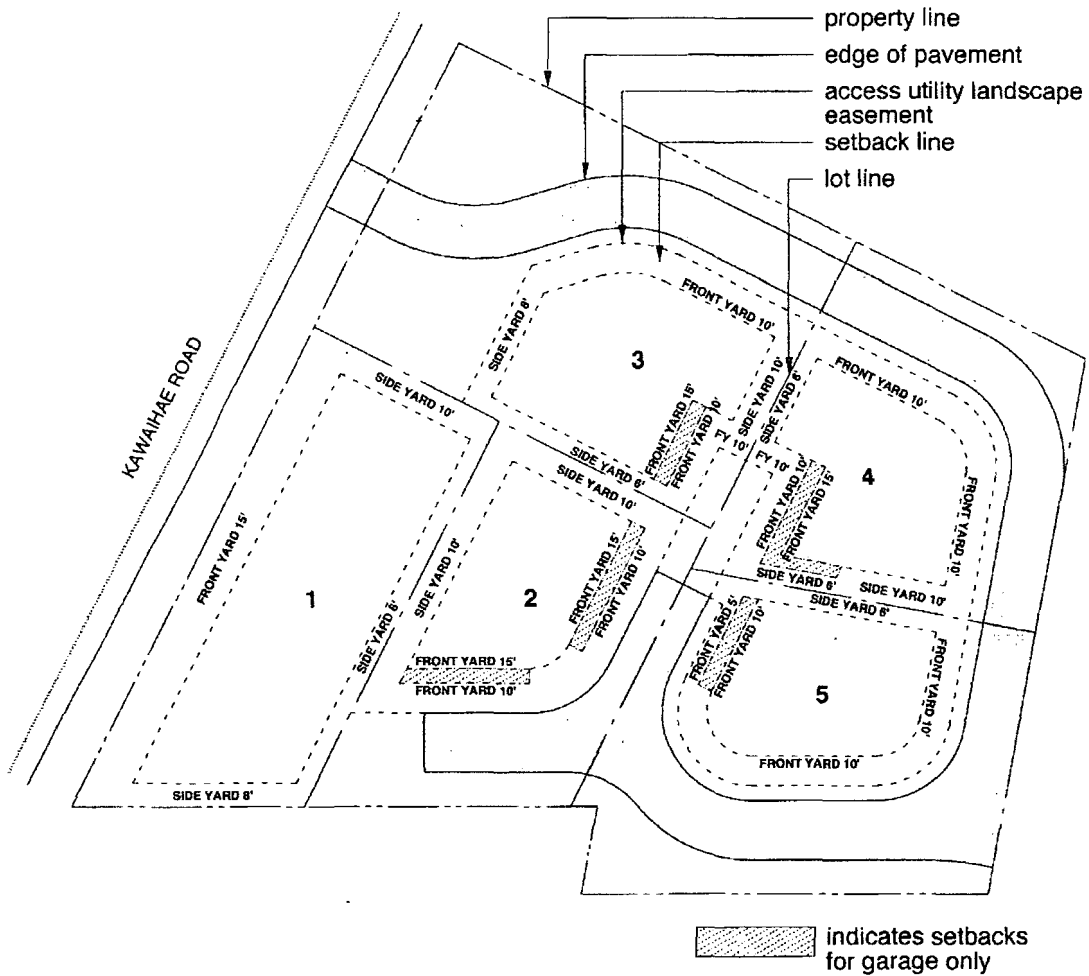


Exhibit 3: Yard Designation

Variance Request - Zoning Code

Request:

The Petitioner request the front, rear, and side yards be designated as indicated below for lots 6, 7, 8, 9 and 10.

(See Exhibit No. 1, page 8-30, for lot location in project)

Note: the yards indicated below apply to both one and two story buildings.

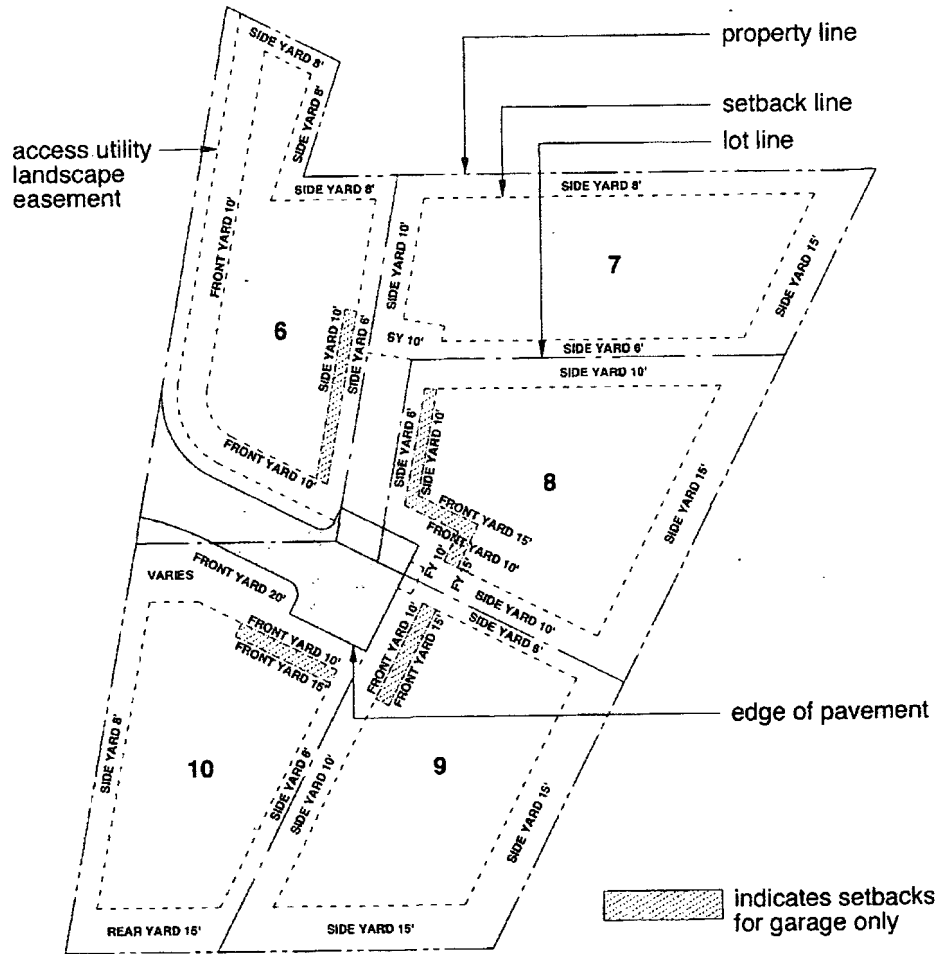


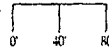
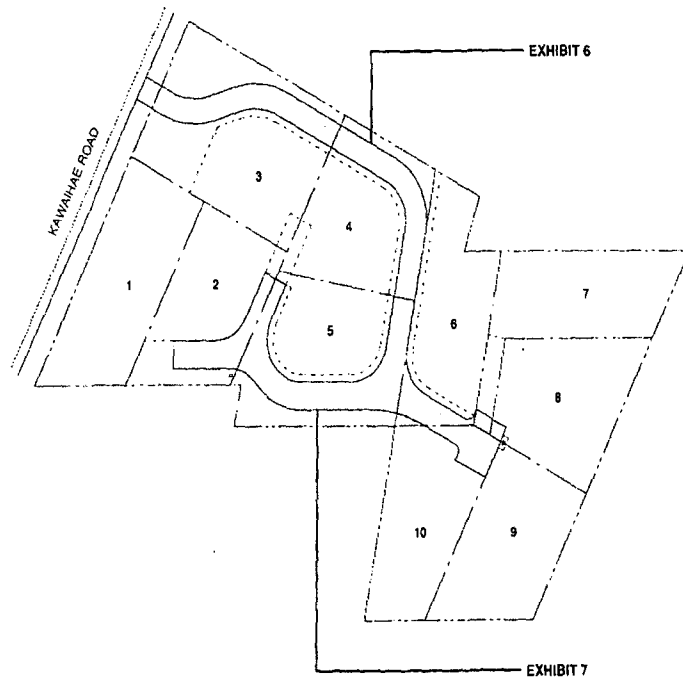
Exhibit 5: Street Intersection Angles and Radius

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)



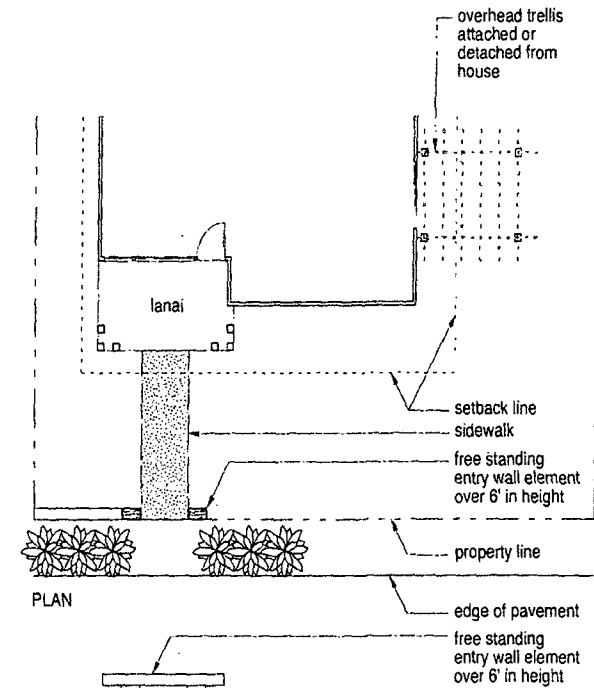
8-34

Exhibit 4: Fences and Accessory Structures

Variance Request - Zoning Code

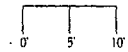
Request:

The Petitioner request the allowance of any accessory structure, architectural feature, wall, fence, trellis or any other architectural feature over six feet in height to extend into any required front, side, or rear yard. Below is an example of how this variance would apply:



PLAN

ELEVATION



8-33

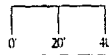
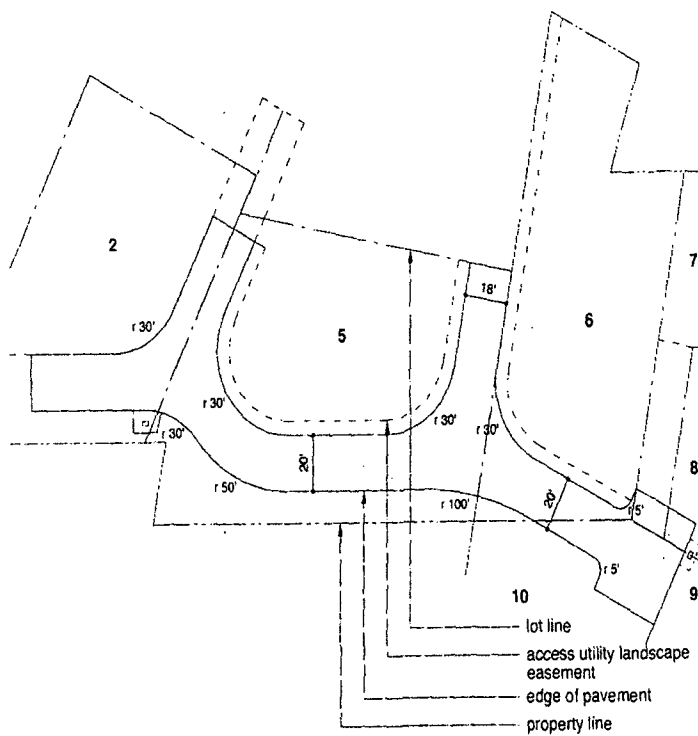
Exhibit 7: Street Intersection Angles and Radius

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. 5, page 8-34 for intersection location in project)



8-36

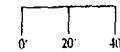
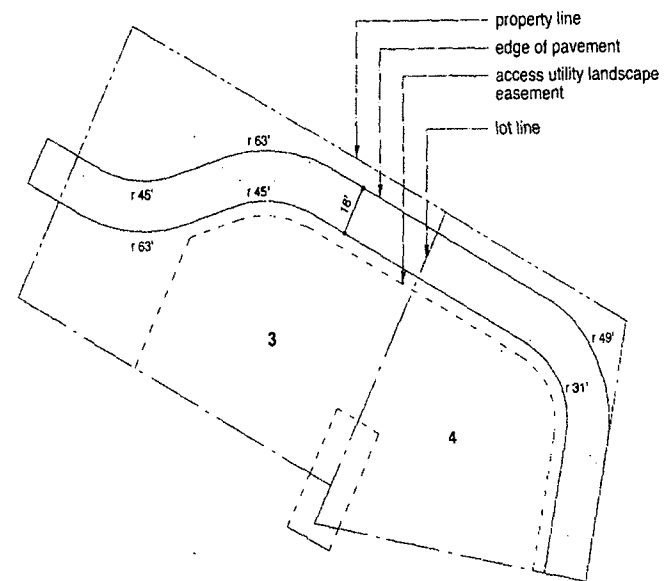
Exhibit 6: Street Intersection Angles and Radius

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. 5, page 8-34 for intersection location in project)



8-35

Figure 2: Subdivision Site Plan

LOT AREA	
LOT 01	11,473 SF
LOT 02	10,067 SF
LOT 03	16,262 SF
LOT 04	10,649 SF
LOT 05	13,475 SF
LOT 06	10,201 SF
LOT 07	10,365 SF
LOT 08	10,015 SF
LOT 09	10,026 SF
LOT 10	10,067 SF

NOTE: LOT AREA IS ROUNDED OFF TO WHOLE NUMBER

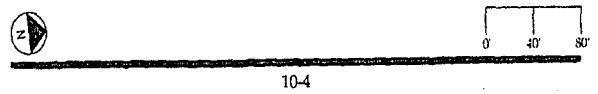
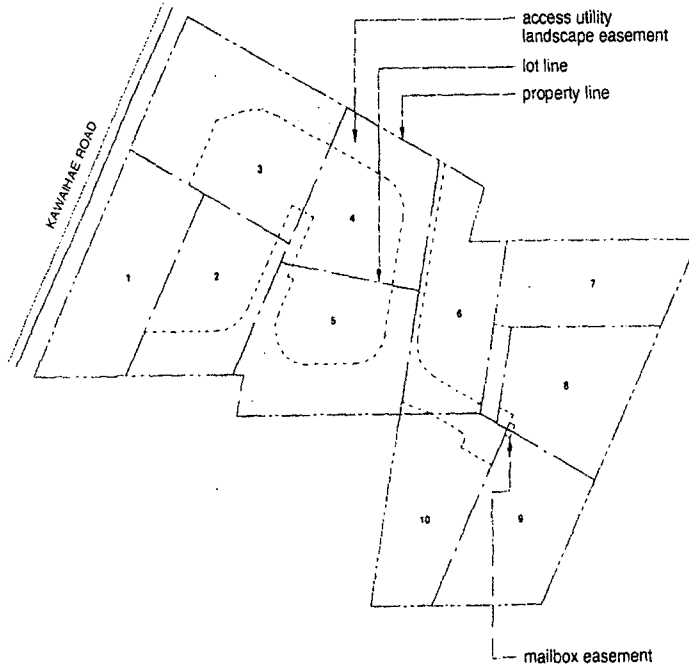
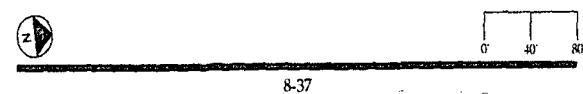
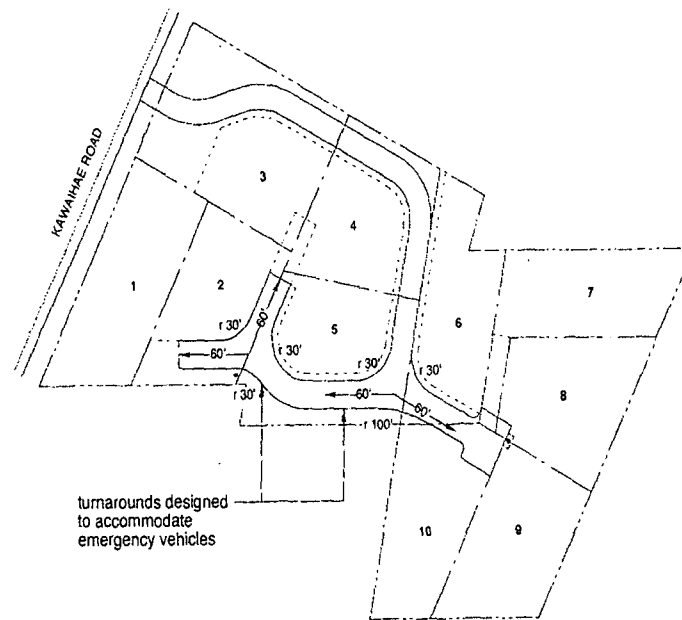


Exhibit 8: Cul-de-Sacs
Variance Request - Subdivision Control Code

Request:
The Petitioner request the turnarounds be permitted as indicated below:



William P. Kenoi
Mayor



RECEIVED
JAN 22 2015 10:27

Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT
349 Kapi'olani Street • Hilo, Hawaii 96720-3998
(808) 933-3311 • Fax (808) 961-2389

JANUARY 22, 2015

TO : DUANE KANUHA, PLANNING DIRECTOR
FROM : HARRY S. KUBOJIRI, POLICE CHIEF
SUBJECT : PLANNED UNIT DEVELOPMENT (PUD-14-000029)
APPLICANT: RIEHM OWENSBY PLANNERS ARCHITECTS
OWNER: LA'AU, LLC
REQUEST: PUD: IPU PLACE
TMK: 6-5-002:147 & 161

Staff has reviewed the Planned Unit Development application provided and we have no negative comments regarding this request.

Please have your staff direct any additional information regarding this matter to Captain Randall Medeiros of our South Kohala district at 887-3080 or email at rmedeiros@co.hawaii.hi.us.

"Hawaii's County is an Equal Opportunity Provider and Employer"

096501



BUILDING DIVISION - DPW

COUNTY OF HAWAII - 74-5044 Ane Keohokalei HWY. BLDG E 1st Floor KAILUA-KONA, HI 96740
Hilo Office (808) 961-8331 • Fax (808) 961-8410 Kona Office (808) 323-4720 • Fax (808) 327-3509

Date of Notice: January 12, 2015
Owner: La'au, LLC
Mailing address: c/o Riem Owensby Planners Architects
P.O. Box 390747, Kailua-Kona, HI 96739
Address location of property: 65-1350 Kawaihae Road, Kamuela, HI

SUBJECT: Ipu Place PUD
T.M.K.: 6-5-002-147 & 161

This is to inform you that our records on file, relative to the status of the subject, discloses that:

- No _____ permit was issued for work done on the premise.
- No building permit was issued for the change of occupancy.
- At the time of completion, the subject complied to all building regulations that were in effect.
- Variance from any building regulation (Building, Electrical, Plumbing, or Sign) was/was not granted.
- The following violation(s) still outstanding:
 - Building Electrical Plumbing Sign
- Others: Fences & Accessory Structures, Projections into Building Setbacks

Note that all structures over 6' in height are required to obtain building permits & projections into setbacks may require fire rated construction when greater than 1/3 into areas where protected openings area required or more than 12 inches into where openings are prohibited.

Should you have any questions regarding matters contained herein, please feel free to contact us.

Neil Erickson, Plans Examining Manager
County of Hawaii Department of Public Works Building Division

BD-10

096200

2015 JAN 12 AM 9:05
PLANNING DEPARTMENT
HARRY S. KUBOJIRI

William P. Kenoi
Mayor
Walter K.M. Lau
Managing Director



BJ Leithead Todd
Director
John A. Medeiros
Deputy Director

County of Hawaii
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
345 Kekuaono'a Street, Suite 41 • Hilo, Hawaii 96720
(808) 961-8083 • Fax (808) 961-8086
<http://www.hawaii.gov/environmental-management/>

MEMORANDUM

Date : January 9, 2015
To : DUANE KANUHA, Planning Director
From : BJ LEITHEAD TODD, Director *bjl*
Subject: Application: PLANNED UNIT DEVELOPMENT (PUD-14-000029)
Applicant: RIEHM OWENSBY PLANNERS ARCHITECTS
Owner: LA'AU, LLC
Request: PUD: IPU PLACE
TMK: 6-5-002:147 & 161

The Solid Waste Division has reviewed the subject application and offers the following recommendations (Please note Wastewater Division's comments will submitted separately):

DEPARTMENT COMMENTS:

() Wastewater Division had no comment as this area is not a sewer and there are no immediate plans for sewerage of the area.
() Other _____

SOLID WASTE COMMENTS: (Contact Solid Waste Division for details.)

- (X) No comments
- () Commercial operations, State and Federal agencies, religious entities and non-profit organizations may not use transfer stations for disposal.
- () Aggregates and any other construction/demolition waste should be responsibly reused to its fullest extent.
- () Ample and equal room should be provided for rubbish and recycling.
- () Green waste may be transported to the green waste sites located at the Kailua and Hilo transfer stations, or other suitable diversion programs.
- () Construction and demolition waste is prohibited at all County Transfer Stations.
- () Submit Solid Waste Management Plan in accordance with attached guidelines.
- () Existing Solid Waste Management Plan is to be followed. Provide update to the department on current status.
- () Other: _____

096967

PLANNING DEPARTMENT
COUNTY OF HAWAII
2015 FEB 12 PM 1:44

DEPARTMENT OF PUBLIC WORKS - TRAFFIC DIVISION
COUNTY OF HAWAII
PLAN REVIEW COMMENT SHEET

PLANNING DEPARTMENT
COUNTY OF HAWAII
2015 FEB 12 PM 1:16

Memorandum No. 2015 - 555 Date Received: 1/8/2015
To: Duane Kanuha, COH, Planning Dept Date Transmitted: 1/30/2015 *JK*
From: Traffic Division
Subdivision/Project: Planned Unit Development (PUD-14-000029) Ipu Place
Subdivision/Project No: TMK: 6-5-002:147 & 161

SIGNS/MARKINGS:

1. R. Mangaong Review Date: 1/15/15 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. K. Tsutsui Review Date: 1/29/2015 Initial: _____
 No Review See Attached Comments Comments on Plan/Sketch
 Other Comments No Comments

4. M. Ignacio Review Date: _____ Initial: _____
 No Review See Attached Comments Comments on Plan/Sketch
 Other Comments No Comments

Administration:

5. A. Takaba Review Date: 1/30/2015 Initial: _____
 No Review See Attached Comments Comments on Plan/Sketch
 Other Comments No Comments

6. R. Thiel Review Date: _____ Initial: _____
 No Review See Attached Comments Comments on Plan/Sketch
 Other Comments No Comments

096653



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
 345 KEKUAHAO'A STREET, SUITE 20 • HILO, HAWAII 96720
 TELEPHONE (808) 961-8050 • FAX (808) 961-8657

February 13, 2015

TO: Mr. Duane Kanuha, Director
 Planning Department

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

SUBJECT: PLANNED UNIT DEVELOPMENT APPLICATION (PUD 14-000029)
 APPLICANT - RIEHM OWENSBY PLANNERS ARCHITECTS
 OWNERS - LA'AU, LLC
 TAX MAP KEY 6-5-002:147 AND 161

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 Kawaihae Road fronting the subject parcels, in accordance with our current water availability conditions, which are subject to change without notice.

Prior to requesting a water commitment deposit for the subject development, the Department requests estimated maximum daily water demand calculations, prepared by a professional engineer, licensed in the State of Hawaii, for all non-domestic water uses within the development (e.g., landscape or common area irrigation). Upon receipt and approval of the water demand calculations, the Department will inform the applicant of the required water commitment deposit amount and facilities charges.

The applicant should be informed that if a water line under the special paved area needs to be repaired, the Department can only restore the trench work with a standard concrete paved finish.

For the applicant's information, final approval will be subject to compliance with the following requirements:

- I. Construct necessary water system improvements, which shall include, but not be limited to:
 - a. 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 8 inches.
 - b. service laterals that will accommodate a 5/8-inch meter to each lot.
 - c. fire hydrants spaced no more than 600 feet apart and within 300 feet of the driveway or access for each lot. 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, and

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

097023



William P. Kenoi
 Mayor

Walter K.M. Lau
 Managing Director

BJ Leithhead Todd
 Director

John A. Medeiros
 Deputy Director

County of Hawaii

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekuaaha'a, Suite 41 • Hilo, Hawaii 96720
 (808) 961-8083 • Fax (808) 961-8086
<http://hawaiicounty.gov/environmental-management/>

MEMORANDUM

Date : February 5, 2015

To : DUANE KANUHA, Planning Director

From : BJ LEITHEAD TODD, Director ^{hjt}

Subject: Application: PLANNED UNIT DEVELOPMENT (PUD-14-000029)
 Applicant: RIEHM OWENSBY PLANNERS ARCHITECTS
 Owner: LA'AU, LLC
 Request: PUD: IPU PLACE
 TMK: 6-5-002:147 & 161

The Wastewater Division has reviewed the subject application and offers the following recommendations (please note Solid Waste Division comments will be submitted separately):

DEPARTMENT COMMENTS: _____

WASTEWATER COMMENTS: (Contact Wastewater Division for details.)

- (X) No comments
- Require connection of existing and/or proposed structures to the public sewer in accordance with Section 21-5 of the Hawaii County Code.
 - Require Council Resolution to approve sewer extension in accordance with Section 21-26.1 of the Hawaii County Code. Complete Sewer Extension Application.
 - Require extension of the sewer system to service the proposed subdivision in accordance with Section 23-85 of the Hawaii County Code.
 - Check or line out as applicable: [] If required by the Director of the Department of Environmental Management ("Director of DEM"), [] applicant shall conduct a sewer study in accordance with the then applicable wastewater system design standards prior to approval to connect to the County sewer system. Applicant shall provide such sewer line or other facility improvements as the Director of DEM may reasonably require, which the sewer study may indicate are advisable for mitigation of impacts of the proposed project. Contact Wastewater Division Chief for details.
 - Other: _____

County of Hawaii is an Equal Opportunity Provider and Employer.

P.O. Box 627
Kamuela, HI 96743

PLANNING DEPARTMENT
FEB 11 11 AM 2:33
February 7, 2015

Mr. Michael Riehm, AIA
Riehm Owensby Planners Architects
P.O. Box 390747
Keauhou, HI 96739-0747

Dear Mr. Riehm,

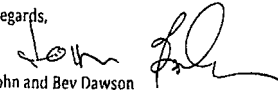
Thank you for eliciting comments from the neighbors of the proposed development for TMK (3) 6-5-002:147 & 161 (Ipu Place). Since we received the Notice to Surrounding Property Owners only a week ago, we are a bit late in submitting our comments.

As long-term residents of Waimca, we are concerned about possible adverse changes to our community including increased congestion, noise, and unsafe roads. We have lived adjacent to the site of the proposed development for 20 years, and we remember previous plans to develop the site with 5 residential lots. We understand the plan was not approved due to lack of safe egress onto Kawaihae Road (Highway 19). Even without the additional cars this development would bring, getting onto Highway 19 from our driveway can be difficult and dangerous.

Assuming the addition of one lot has satisfied the County requirements for safe egress onto Highway 19, we support the plan to keep the development rural in character, e.g. no overhead light poles. Of course, we are concerned about maintaining our privacy and views and appreciate the proposal to have the house on lot 10 limited to one story. We hope that the houses built adjacent to us on lots 10 and 5 and bordering landscaping will allow us to continue to have the privacy and view plane that we have enjoyed for the last 20 years.

We expect that we will be given ample notice if/when construction will begin, and every effort will be made to minimize the effects of dust and noise to neighbors during construction.

Regards,


John and Bev Dawson

Cc: Bill Jardine, Property Buyers Hawaii
Planning Department, County of Hawaii

096924

Mr. Duane Kanuha, Director
Page 2
February 13, 2015

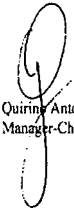
- d. subject to other agencies' requirements to construct improvements within the road right-of-way fronting the property affected by the proposed development, the applicant shall be responsible for the relocation and adjustment of the Department's affected water system facilities, should they be necessary.

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, in accordance with the Department's Rules and Regulations.
4. The appropriate documents shall be submitted, properly prepared and executed, to convey the water system improvements and necessary easements to the Water Board of the County of Hawai'i 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 meter services being granted to the development, or any lots within, the conveyance documents shall be accepted by the Water Board.

Should there be any questions, please contact Ryan Quitoriano of our Water Resources and Planning Branch at 961-8070, extension 256.

Sincerely yours,


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

RQ:dfg

copy - Riehm Owensby Planners Architects
La'au LLC