

WILLIAM L. MOORE PLANNING

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COUNTY OF HAWAII

March 24, 2003

Christopher J. Yuen, Director
County of Hawaii Planning Department
101 Pauahi Street
Hilo, Hawaii 96720-3043

Dear Mr. Yuen:

Subject: Kealakekua Ranch - Annual Report
Change of Zone Ord. No. 95-70 REZ 7/3
Use Permit No. 121
Special Permit No. 898
TMK: 8-2-12: 12 and Portion of 1

I represent Koa Road LLC which purchased Kealakekua Ranch from Kealakekua Development Corporation on December 24, 2002. Koa Road LLC is owned by Joseph Zilber, principal of Towne Realty Corporation and is managed by Towne Development of Hawaii, Inc., Christopher Lau, President.

Since the last filing of last annual report by Kealakekua Ranch Development's representative, Michael J. Matsukawa, dated February 27, 2002, no significant changes have occurred other than the change in ownership. The new owner of Kealakekua Ranch, Koa Road LLC is in the process of assessing it options for use of the property. We will keep you apprised of the plans for the property as they are finalized.

Please find attached a copy of the "Comparative Table for Conditions of Approval under Rezoning Ord 95-70 (as amended 98-63 and Use Permit 121 (1994)". Koa Road LLC acknowledges that these conditions must be satisfied as part of any development of the property in accordance with the approvals.

Thank you for your attention to this matter. Please call me if you have any questions or require any further information.

Sincerely,



William L. Moore

attachments

cc: Christopher L. Lau, Towne Development of Hawaii, Inc.

032992

COMPARATIVE TABLE FOR CONDITIONS OF APPROVAL
UNDER REZONING ORD. 95-70 (amended 98-63) AND USE PERMIT 121 (1994)

	<u>Rezoning Ord.</u>	<u>Use Permit</u>
Securing a Water Source	<p>B: Provide assurance to DWS and Pl. Dep't upon consultation with DLNR and DOH that a water source of sufficient quality and quantity has been established within 5 years</p>	<p>3: Provide assurance to Pl. D'or upon consultation with DLNR-COWRM that a water source of sufficient quality and quantity to support the total <i>irrigation needs of the golf course</i> has been established prior to certificate of occupancy or opening of golf course</p>
	<ul style="list-style-type: none">• COWRM has issued a well construction permit for Well 1, No. 2952-01.	
Submission of Subdivision Plans	<p>C: Increment I -- 300 lots zoned A-1a and A-3a.</p> <p>Increment II - 202 lots; but subject to condition that Mamalahoa By Pass Road has been built from Keauhou to Napoopoo Road intersection</p> <p>D: After Increment II, Pl. D'or to initiate further rezoning of the golf course area to an appropriate zoning district to ensure that land on which the golf course is built is not subdivided.</p> <p>E: 200 feet reserve easement to be placed along west (makai) boundary and TMK 8-2-01: 42, 43, 44, 45, 46, 47, 98, 99, 100, 101 (150 ft. setback, plus 50 feet</p>	

landscape buffer)

E: Koa Road "corridor alignment" to be located south of shopping center

Waste Water

F: System shall be approved by DOH and/or DPW

Pesticide and Herbicide Use

12: Use shall comply with all applicable government regulations

Monitoring Plan for Groundwater Pollution

13: Overall monitoring plan on potential pollution of groundwater shall meet approval of PI. D'or upon consultation with DOH

Drainage

G: Study of entire project area shall be approved by DPW

Drainage improvements and flood mitigation measures required by Chief Engineer shall be constructed and/or installed in a manner approved by DPW.

6: Study shall be approved by DPW and shall consider the drainage system, retention basin and "reduced turf" design to be incorporated in golf course.

Drainage system to be installed in a manner approved by DPW.

Historical Review, Endangered Species

H: Archaeological mitigation plan shall be approved by the PI. D'or upon consultation with DLNR-SHPD and Hawaiian community organizations.

10: -- same --

Two subplans: (1) data recovery plan for data recovery sites;

(2) detailed interim protection preservation plan for preservation sites

-- same --

Third subplan: (3) interpretation plan, including buffer zones, signage and long-range mitigation

Approved mitigation measures shall be implemented prior to or in conjunction with land alteration.

Plan shall include detailed map of known lava tube/cave systems in project area and mitigation measures to ensure that golf course and related drainage systems do not impact these tube/cave systems

I: Encounters with *unidentified* artifacts, deposits, burials, etc. will result in cessation of all work and notice to PI. D'or

11: Encounters with *unanticipated* archaeological sites or features will result in cessation of all work and notice to PI. D'or

Work may continue when PI. D'or approves mitigation measures

Work may continue when PI. D'or gives "clearance"

Solid Waste

J: Solid waste management plan shall be approved by DPW, including management of construction solid waste and operating and domestic solid waste

Roads

K: Road improvements and access shall be approved by DOT *and/or* DPW.

In addition, subject to determination of PI. D'or upon consultation with Chief Engineer, road improvements shall include:

8: Koa Road shall be built to *county dedicable standards* approved by DPW. Koa Road shall allow for perpetual public use by easement *or* shall be dedicated to the county.

No golf cart path shall cross over Koa Road, except as approved by PI. D'or and Chief

Engineer

No direct access from *residential lots* adjoining this alignment shall be allowed

(1) Intersection improvements at Koa Road/Mamalahoa Hiway intersection, including signalization and channelization approved by DOT and DPW

9: -- same --

(2) Improvements for shoulder, widening and restriping for a two-way left turn lane along Mamalahoa Hiway from Kamigaki Market to Keekee Street

(3) Improvements for shoulder, widening, restriping and drainage for a south bound, left-turn pocket at Haukapila Street, two-way left turn lane between Halekii Street and Haukapila Street and signalization at Mamalahoa Hiway and Haukapila Street intersection

(4) Widening of shoulder areas for maximum of five southbound and five northbound bus pullouts along Mamalahoa Hiway between Koa Road and Kuakini Hiway

L: Roads shall stub out to north and south boundaries below 3,500 foot elevation as approved by Pl. Dep't and DPW

M: Participate in Mamalahoa Bypass Road construction program and in funding and construction of any regional roadway improvements required by DOT

September 30, 20

Credits given against fair share contribution for regional impacts

Recreation

N: Provide camping sites and related equestrian and nature-interpretive trail systems and a recreational and maintenance plan which is approved by Pl. D'or upon consultation with Parks and Recreation D'or (camp sites may be limited to members and guests of non-profit organizations serving resident youth).

Improve Greenwell Park as approved by Pl. D'or upon consultation with Parks and Recreation D'or

Bond In Lieu of Actual Construction of Items in Conditions

F, G, J, K, L, M and N

O: Applicant may bond over improvements required in designated conditions *as approved by Pl. D'or appropriate agencies or County Council "whichever is applicable"*

Final subdivision approval may be issued upon execution of agreement or delivery of security

Fair Share Contribution

P: Applicant to pay contribution for its share of regional impacts from project on Parks, Fire, Police Solid Waste Disposal Facilities and Roads (based on formula) but with maximum combined value of \$3,619,580, adjusted annually three years after effective date of ordinance (as term is defined) based on consumer price index for Honolulu.

In lieu of contribution, applicant may construct facilities with approval of appropriate agencies.

All Laws and Rules

Q: Follow all applicable laws and rules

Ohana Dwelling Restriction

R: All deeds for all proposed lots shall contain covenant prohibiting construction of ohana dwelling unit *or* a second dwelling

Farm Dwelling Restriction

R: Construction of *farm dwellings* on each lot is allowed with approval from Pl. D'or

Agricultural Activity Requirement

R: Covenants shall require that all lots will require *agricultural activity*

Forest Plan

S, T: 8,100 acre site zoned A-8000a shall be managed pursuant to forest management plan approved by Pl. D'or upon consultation with DLNR, DOH, DOA, US DNRCS. Plan to contain state minimum terms and shall be for a period of at least 40 years

Street Lights

U: As required by DPW

**Pest Management
Weed Control
Plan**

V: Pest management and noxious weed control plan approved by PI. D'or upon consultation with DLNR

12: Use of pesticides and herbicides shall conform to applicable laws and rules

September 30, 2011

**Unified Impact
Fee Ordinance**

W: If enacted, all contributions are to be credited to impact fee assessments

**Golf Course
Construction**

13: Groundwater monitoring plan (above)

14: Fugitive dust, sedimentation control based on construction industry standards and practices used during construction of *State of Hawaii construction projects*

15: [Importation] of off-site construction material such as top soil or sand must be demonstrated to satisfaction of PI. D'or to be supplied from approved quarry or resource site

**Additional
Contributions**

16: Public play program for golf course approved by PI. D'or

17: Employee housing program approved by PI. D'or and county Housing Agency

18: Job training program approved by PI. D'or

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