

Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

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

September 8, 2017

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

Dear Mr. Moore:

Change of Zone Ordinance No. 83-63, as amended by Ordinance 86-91 (REZ 461)
Applicant: RCFC Kaloko Heights, LLC (formerly Y-O Limited Partnership)
Subject: Response to Letter Dated July 19, 2017
Tax Map Key: 7-3-009: 019, 032, and 057 through 062

This is to acknowledge receipt of your letter dated July 19, 2017 requesting concurrence regarding compliance and consistency with Conditions M, N and O of Change of Zone Ordinance No. 86-91 regarding roadway and park improvements on the Kaloko Heights Revised Phase I Site Plan.

Condition M

Condition M states "There shall be a minimum of one lateral access road developed to collector standards, meeting with the approval of the Chief Engineer and Planning Director, which shall provide access across the subject property to the north and south property lines."

After reviewing your submittal, which included the layout for Holoholo Street Extension and the alignment as a "through" corridor proposed to be developed in accordance with Collector Road standards within a sixty-foot (60') right-of-way, we concur that the representations are compliant and consistent with the requirements of Condition M.

Condition N

Condition N states “Except for the secondary arterial and internal streets within the RS-15 zoned areas, all streets shall be constructed with curbs, gutters and sidewalks, including those RS-15 areas where zone lines run through the street and where the continuation of curb, gutter and sidewalk section would avoid telescoping of a roadway section. All utilities shall be installed underground.”

After reviewing your submittal, which included the proposed street design layout for the RS-10, RS-15 and RM 3 zoned areas, we concur that the representations are compliant and consistent with the requirements of Condition N. The representations included street cross sections for the Collector Street design (curb, gutter and sidewalks on both sides), the Minor Road A design (curb, gutter and sidewalks on both sides) the Private Road with sidewalk design (on the side that provides vehicular access to the lot) for the RS-10 zoned area and the Private Road with grassed verge design (on the side that provides entrance to the lot) for the RS-15 zoned area. Additionally, we are confirming compliance with the remainder of the condition that states that all utilities within the project shall be installed underground.

Condition O

Condition O states “Two park areas shall be developed, one on each side of the mauka-makai road. Both park areas shall have a minimum of 5.0 acres each. Development and maintenance of the park sites shall be the responsibility of the petitioner. At a minimum, the development of the sites shall include grading, grassing, the installation of irrigation systems, and construction of restroom facilities. The development of the park sites to the north and south of the mauka-makai road shall be completed prior to the effective date of rezoning for the second and fourth Single Family Residential increments, respectively.”

After reviewing your submittal, which included the Kaloko Heights Revised Phase I Site Plan identifying the locations of the park sites on the north side of the mauka-makai road, we concur that the representations are compliant and consistent with the requirements of Condition O. There is a total of three park sites totaling approximately 5.8 acres in size that will be linked together by a trail system located within the project site. Additionally, several of these sites are adjacent to archaeological preservation areas, which will be part of the overall open space areas. Lastly, it is our understanding that the park area on the south side of the mauka-makai road (Hina Lani Street) will be developed as a full 5-acre park site.

Mr. William L. Moore
William L. Moore Planning, Inc.
Page 3
September 8, 2017

If you have any questions, please feel free to contact Jeff Darrow at 961-8158.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Yee", with a stylized flourish at the end.

MICHAEL YEE
Planning Director

JWD:mad
P:\wpwin60\Jeff\Letters\PC\LMoore-KalokoHeights-CondsM-N-O-Response.doc

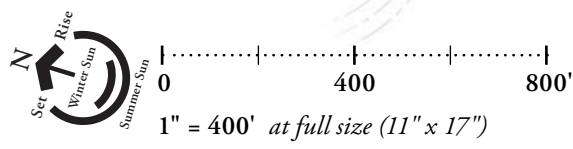
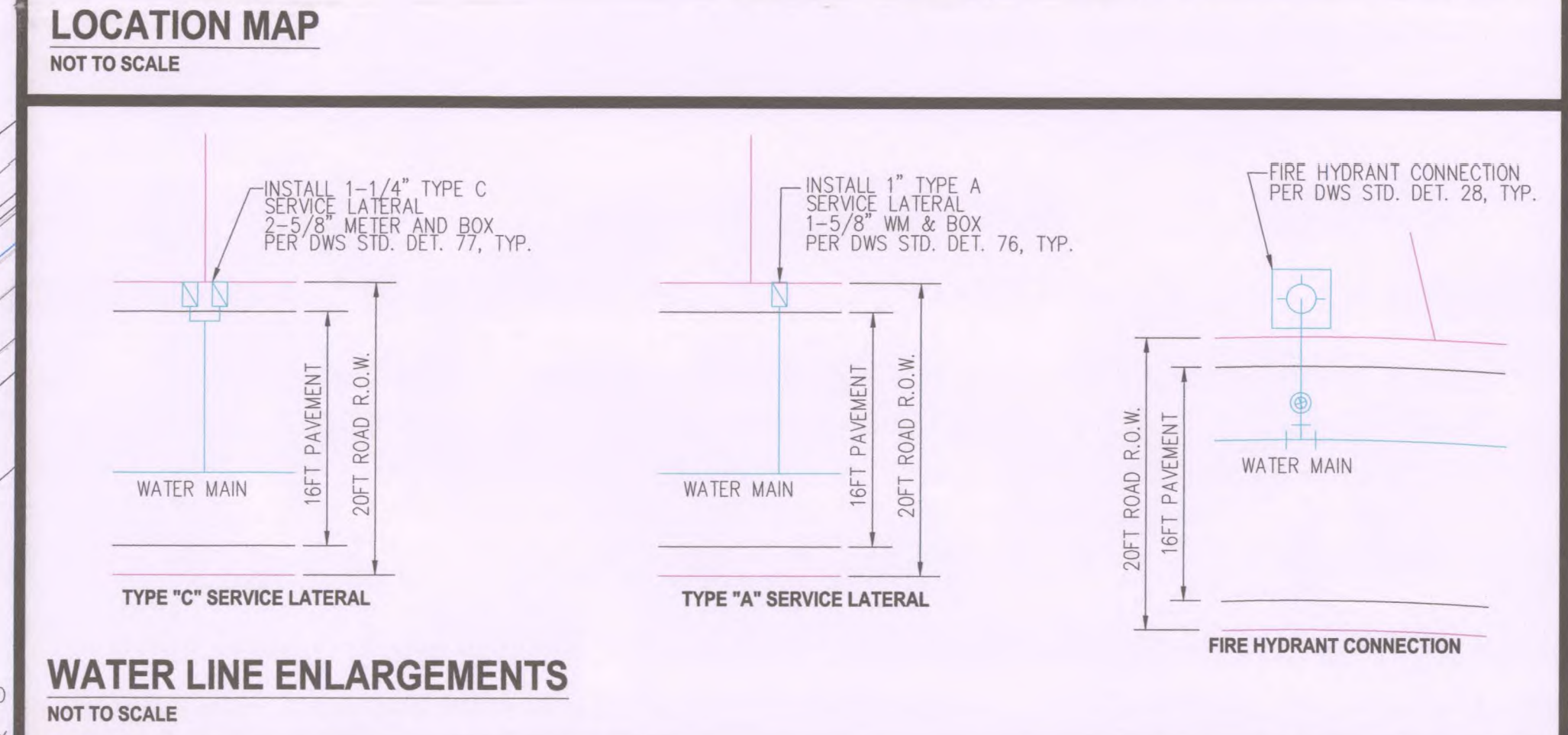
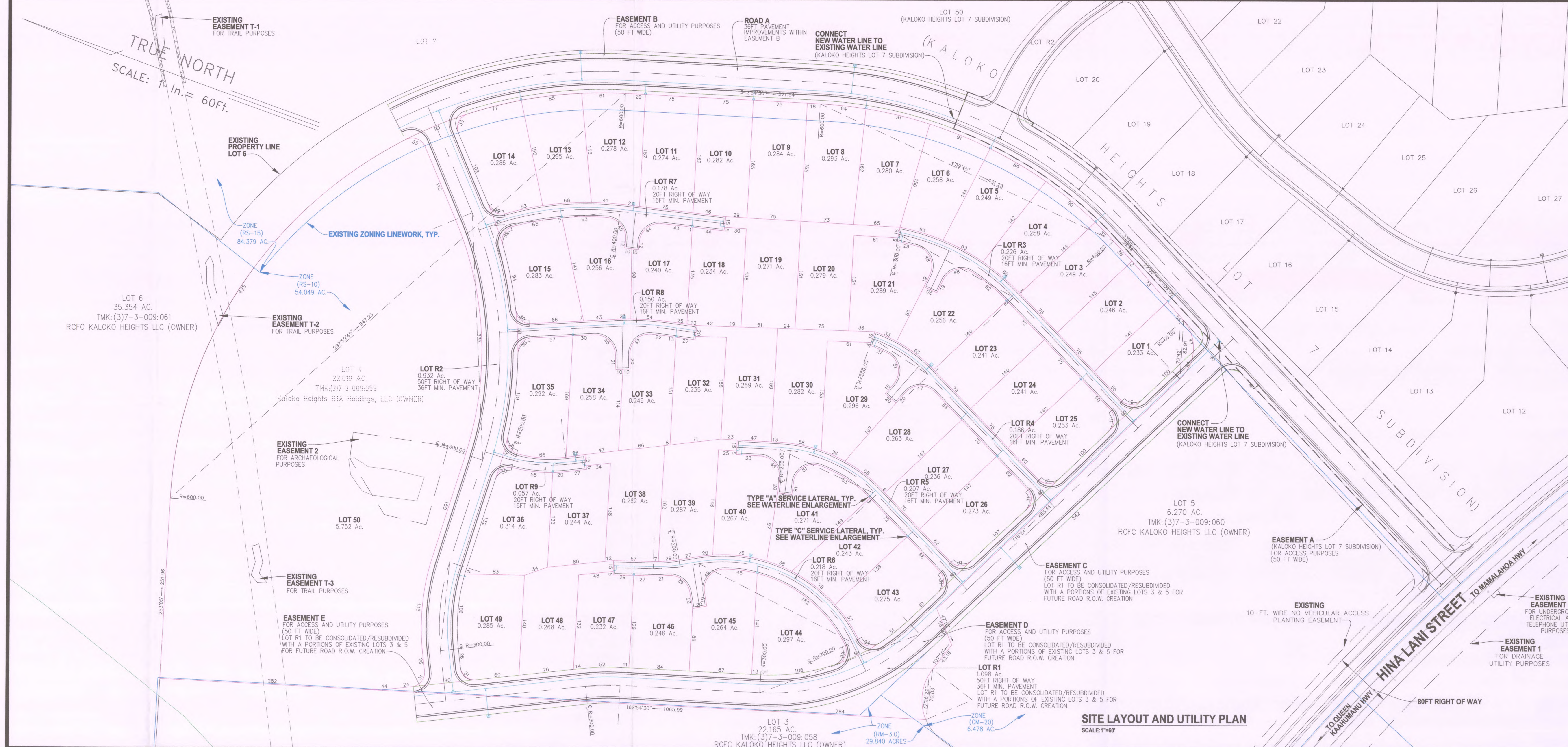
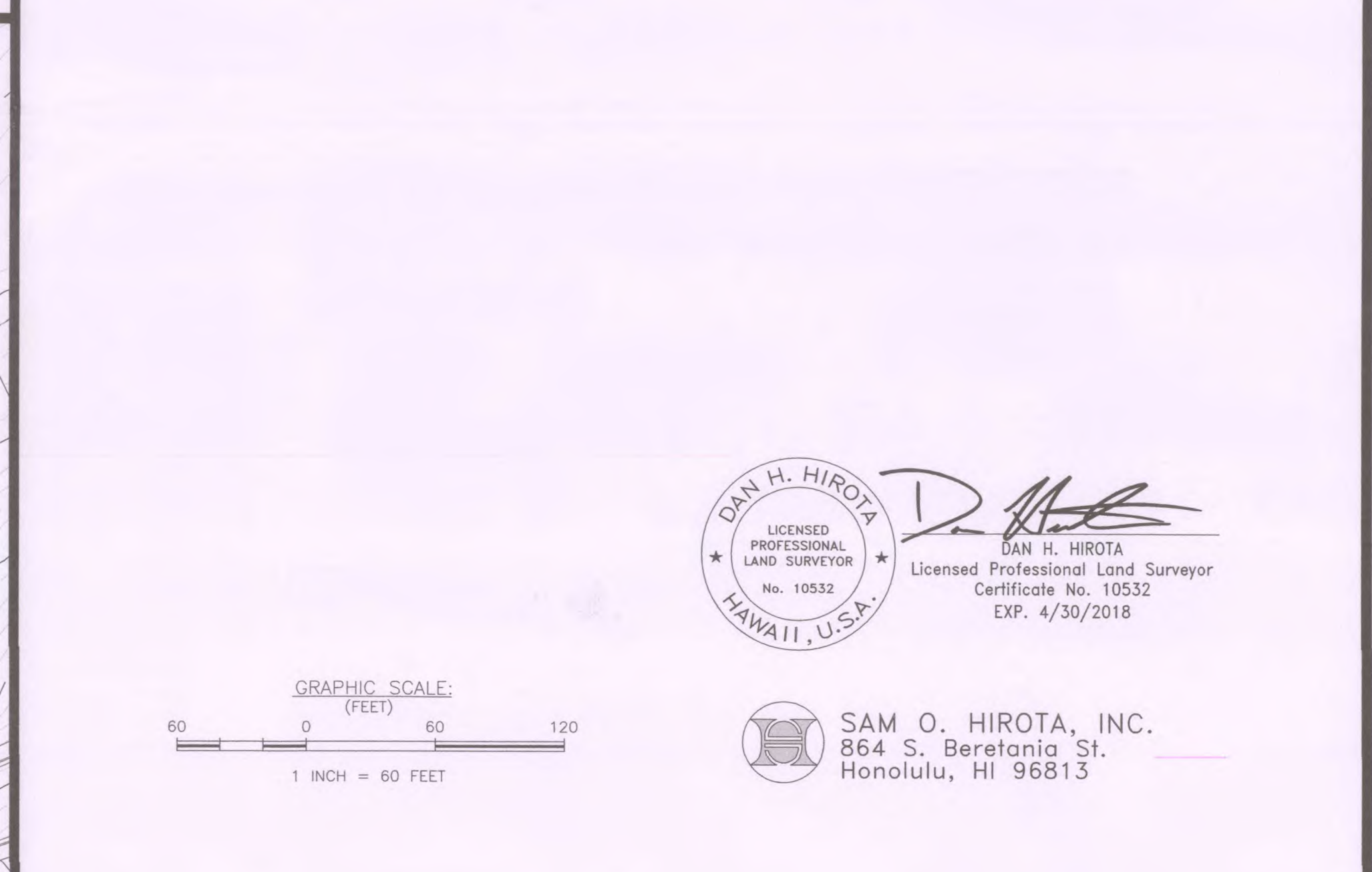
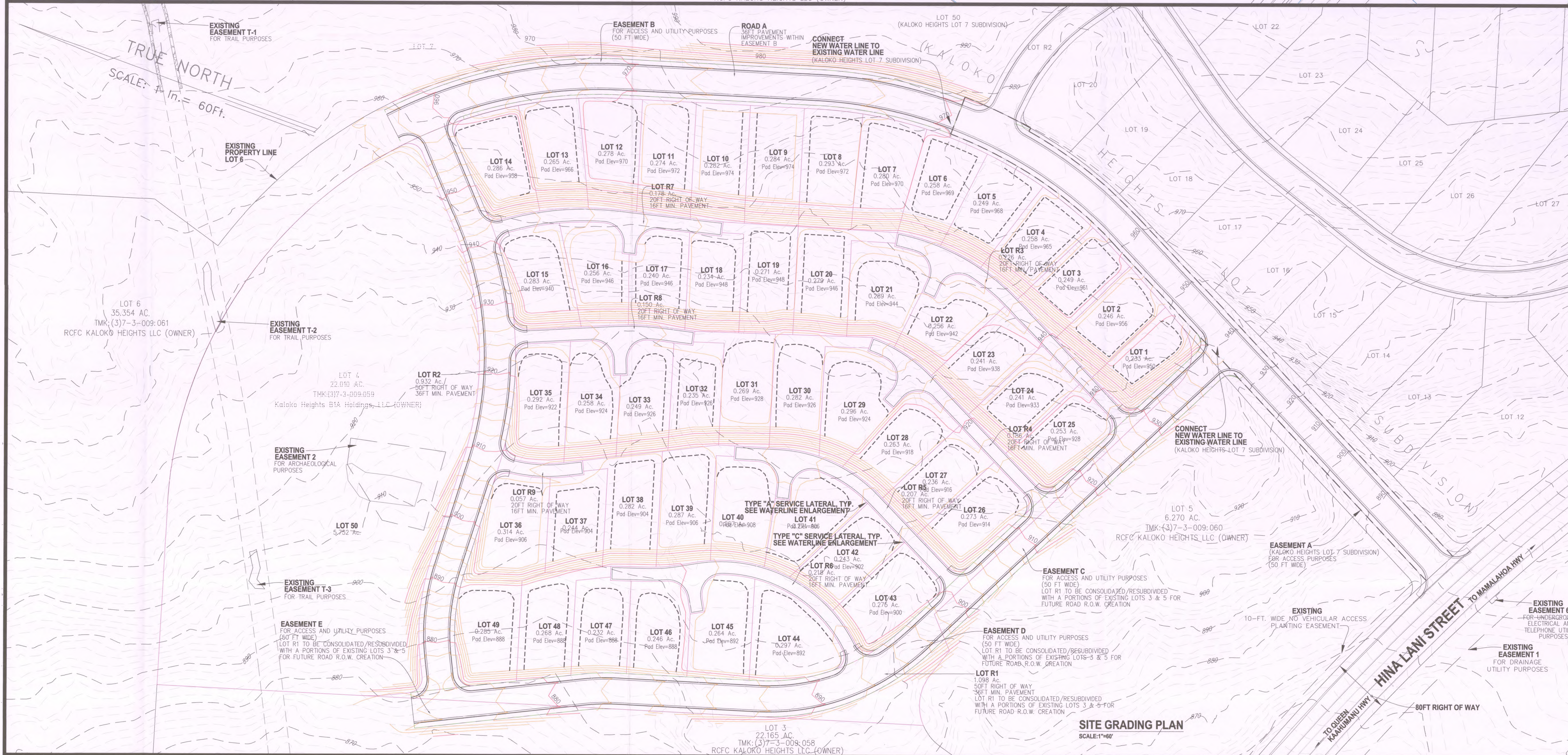


Exhibit 21



EASEMENTS:

EASEMENT B AFFECTING LOT 6 OF KALOKO HEIGHTS SUBDIVISION FOR ACCESS AND UTILITY PURPOSES
 EASEMENT C AFFECTING LOT 5 OF KALOKO HEIGHTS SUBDIVISION FOR ACCESS AND UTILITY PURPOSES
 EASEMENT D AFFECTING LOT R1 FOR ACCESS AND UTILITY PURPOSES
 EASEMENT E AFFECTING LOT 3 OF KALOKO HEIGHTS SUBDIVISION FOR ACCESS AND UTILITY PURPOSES



NOTES:

1. Azimuths and coordinates shown on this map are referred to Government Survey Triangulation Station "MOANUIHEA".
2. Names of adjoining property owners are from County of Hawaii, Real Property Tax Assessment Website.
3. TMK (3)7-3-009:059 is Primarily RS-10 Zone as shown on "North Kona Zone Map Section 25-8-3 (Formerly Section 732) Partion of Ordinance No. 74", prepared by Planning Commission, County of Hawaii. A non-significant zoning change map to make all residential lots RS-10 to be prepared by Sam O. Hirota, Inc.
4. TMK (3)7-3-009:059 is located in Flood Zone X (areas determined to be outside the 0.2% annual chance floodplain) as determined from Flood Insurance Rate Map Index, Map Number 1551660703F, FIRM Index Date: Sept. 29, 2017.

PRELIMINARY PLAT
KALOKO HEIGHTS LOT 4 SUBDIVISION

SUBDIVISION INTO LOTS 1 TO 50, INCLUSIVE AND LOTS R1 TO R9, INCLUSIVE

DESIGNATION OF EASEMENTS B, C, D AND E

BEING PORTIONS OF GRANT 2942 TO HULIKOIA AND ROYAL PATENT 8214, LAND COMMISSION AWARD 7715, APANA 11 TO LOTA KAMEHAMEHA

AREA = 22.010 ACRES

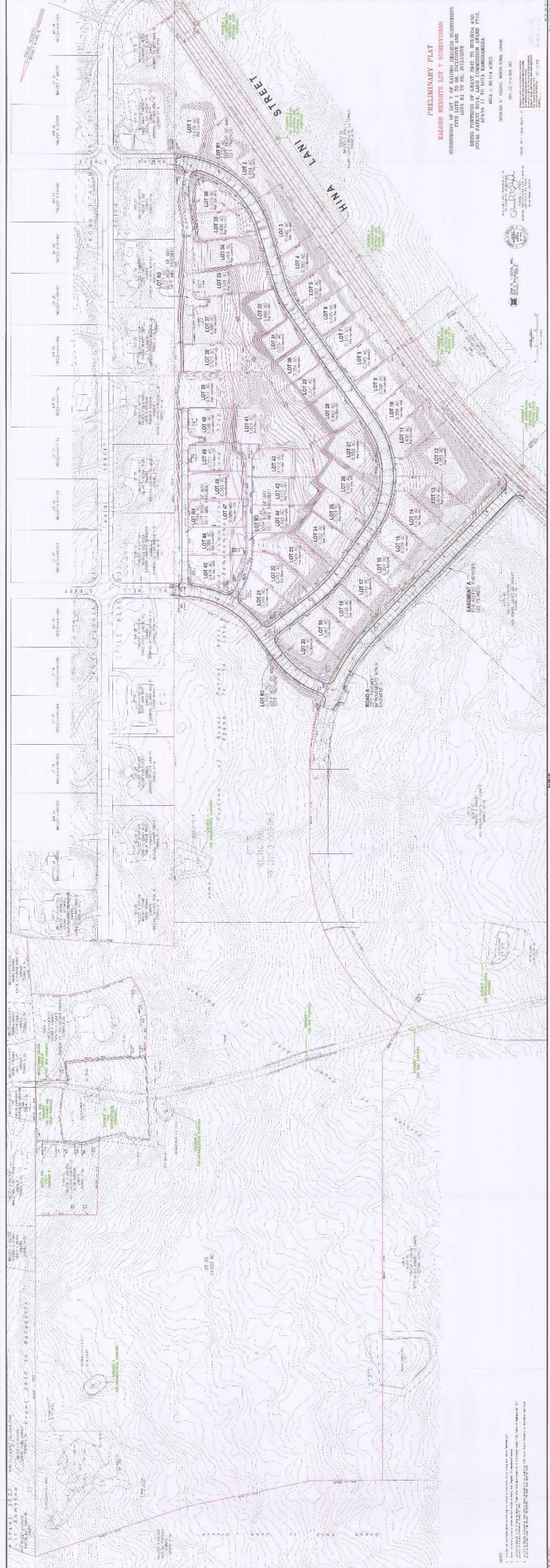
SITUATED AT KALOKO, NORTH KONA, HAWAII

TMK: (3) 7-3-009: 059

OWNER: KaloKo Heights B1A Holdings, LLC

DATED: OCT 08 2018

DECEMBER 6, 2017



PRELIMINARY PLAT
KAWAHO HEBBERS LOT 7 SUBDIVISION
SUBDIVISION OF LOT 7 OF KAWAHO HEBBERS SUBDIVISION
INTO LOTS 1 TO 36, INCLUDING
BOND PROVISIONS OF PLAT 7806 TO REMAIN AND
ADDITIONAL PROVISIONS TO BE ADDED TO
PLAT 7806 TO BE THE SAME AS PLAT 7806

MADE BY: MICHAEL J. SMITH, CIVIL ENGINEER
NO. 117, P.O. BOX 381
HONOLULU, HAWAII 96809
DATE: 07-10-2019

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

PLAT 7806
KAWAHO HEBBERS LOT 7 SUBDIVISION
PLAT 7806

Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

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

October 8, 2018

Steve M. Tomei, LPLS Project Manager
Sam O. Hirota, Inc.
864 South Beretania Street
Honolulu, HI 96813-2502

Dear Mr. Tomei:

TENTATIVE APPROVAL
SUBDIVIDER: RCFC KALOKO HEIGHTS, LLC
"Kaloko Heights Lot 7 Subdivision"

Proposed Subdivision of Lot 7, Kaloko Heights Subdivision,
Into Lots 1 to 50, Inclusive and Road Lots R1 to R5, Inclusive,
Kaloko, North Kona, Island of Hawai'i, Hawai'i
TMK: 7-3-009:062 (SUB-17-001748)

This application is being processed pursuant to Change of Zone Ordinance No. 86 091 (REZ 461, REZ-83-000024). The subdivider is reminded that compliance with the conditions of Ordinance No. 86 091 is required, as outlined in the subdivision submittal documents.

Please be informed that Tentative Approval of the preliminary plat map dated August 24, 2017, is hereby granted with modifications and conditions.

The subdivider is now authorized to prepare detailed drawings of the subdivision plan in accordance with Chapter 23, Subdivision Control Code, County of Hawai'i, as modified. Before final approval can be granted, the following conditions must be met:

- 1) Water System
 - a) Provide a water system meeting with the approval of the Department of Water Supply (DWS).
 - b) Submit water system construction plans for approval by affected agencies.
 - c) Pay installation and facilities charges as required by the DWS.
- 2) Drainage.
 - a) Identify any watercourses or drainage ways and encumber with drainage easements.

Steve M. Tomei, LPLS Project Manager

Sam O. Hirota, Inc.

Page 2

October 8, 2018

- b) Additional storm runoff due to development shall be disposed within the subdivision and shall not be discharged onto adjacent properties or roadways. For planned drywells, satisfy Department of Health (DOH) drywell requirements, including issuance of an underground injection control (UIC) permit to the subdivider.
- 3) Access and Roadway Improvements
- a) For Lots 1 through 12, inclusive, provide a 10 foot wide “no vehicular access” planting screen easement along the Hina Lani Street frontage of the lots.
 - b) For Lots 12 through 20, inclusive, provide a 10 foot wide “no vehicular access” planting screen easement along the Road Lot A/Easement A frontage of the lots.
 - c) Also for Lot 20, provide a 10 foot wide “no vehicular access” planting screen easement along the Road Lot R2, Mele Mele Street Extension frontage of the lot.
 - d) For Lots 21 through 23, inclusive, provide a 10 foot wide “no vehicular access” planting screen easement along the Road Lot R1 frontage of the lot.
 - e) Also for Lot 21, provide a 10 foot wide “no vehicular access” planting screen easement along the Road Lot R3 frontage of the lot.
 - f) For Lots 45 through 49, inclusive, provide a 10 foot wide “no vehicular access” planting screen easement along the Road Lot R3 frontage of the lots.
 - g) Also for Lot 45, provide a 10 foot wide “no vehicular access” planting screen easement along the Road Lot R4 frontage of the lot.
 - h) For Road Lot R1, Hamiha Street Extension, Road Lot A (and Easement A), and Road Lot R2, Mele Mele Street Extension, provide minimum 32-ft. wide dedicable pavement with concrete gutters and sidewalks within a minimum 50-ft. wide right-of-way conforming to Department of Public Works (DPW) Standard Detail (Std. Det.) R-32 & R-34 and as presented in the Kaloko Heights Revised Phase 1 Site Plan dated July 19, 2017, approved by the Planning Department on September 8, 2017.
 - i) For Road Lot R3, provide minimum 16-ft. wide nondedicable pavement within the 20-ft. right-of-way conforming to DPW Std. Det. R-39.
 - j) For Road Lot R4, provide minimum 16-ft. wide nondedicable pavement within the 44-ft. right-of-way conforming to DPW Std. Det. R-39.
 - k) For Road Lot R5, provide minimum 16-ft. wide nondedicable pavement within the 60-ft. right-of-way conforming to DPW Std. Det. R-39.
 - l) Pavement shall be designed to support axle and wheel loads permitted under Section 291-35, Hawai'i Revised Statutes (HRS).
 - m) All utilities shall be installed underground conforming to DPW Std. Det. R-35.
 - n) For Road Lots A/Easement A, R3, R4 & R5, submit proposed street names conforming to the adopted street naming policy of the County of Hawai'i.
 - o) Install streetlights and traffic control devices as required by the Traffic Division, DPW.

- p) Submit construction plans and drainage report for review and comment.
- 4) All utilities shall be installed underground per condition (N) of Change of Zone Ordinance 86 091.
- 5) All easements affecting proposed lots shall be identified for its purpose and to which proposed lot(s) and/or grantee(s) the easement is in favor of. This shall be shown on the final plat map.
- 6) Verify that Lots 17 and 18 meet minimum lot size requirements per their zoning designation.
- 7) Wastewater System.
 - a) Per letter from subdivider dated September 25, 2018, and the Rules and Regulations of the State Department of Health (DOH), a sewer system shall be installed to serve all lots within the subdivision. The sewer system shall meet with the Department of Environmental Management's (DEM) specifications.
 - b) Individual wastewater systems (IWS) may be temporarily used until the main sewer lines are connected. All IWS shall comply with the Rules and Regulations of the State Department of Health (DOH).
 - c) All lots that use IWS shall connect to the sewer system once the main sewer infrastructure is developed and connected to a wastewater treatment facility.
 - d) A combined total maximum of forty-nine (49) lots in the entire Kaloko Heights development area are allowed to temporarily use IWS until a sewer system is developed. Future increments and/or phases of this and other subdivision actions will not be permitted until all lots using IWS connect to the sewer system linked to a wastewater treatment facility.
- 8) Property Tax Certification. Submit written proof that all taxes and assessments on the property are paid to date.
- 9) Surveyor's Certification. Place property markers in accordance with the final plat map. Surveyor shall submit certification upon completion.
- 10) **Final Plat Map. Submit ten (10) copies of the final plat map** prepared in conformity with Chapter 23, Subdivisions, within one year from the date of tentative approval, on or before **October 8, 2019**. If not, tentative approval to the preliminary plat map shall be deemed null and void. Only upon written request from the subdivider and for good cause, the director may grant to the subdivider an extension of time within which the subdivider may file the final plat. **As part of final plat map submittal, provide an additional copy of the final plat map as a ".dwg" or ".dxf" diskette file prepared by CAD software. In the alternate, a digital copy of the final plat map may be e-mailed to the Tax Maps and Records Supervisor at planning@hawaiicounty.gov.**
- 11) Time Limit. Subdivider shall complete all requirements specified as conditions for tentative approval of the preliminary plat map within three (3) years of said tentative

Steve M. Tomei, LPLS Project Manager
Sam O. Hirota, Inc.
Page 4
October 8, 2018

approval, on or before **October 8, 2021**. An extension of not more than two (2) years may be granted by the director upon timely request of the subdivider.

Please be aware that if at any time during the fulfillment of the foregoing conditions, should concerns emerge such as environmental problems or other problems which were earlier overlooked or not anticipated/accounted for in data/reports available to date, this could be sufficient cause to immediately cease and desist from further activities on the proposed subdivision, pending resolution of the problems. The Planning Director shall confer with the listed officers to resolve the problems and notify you accordingly.

Land shall not be offered for sale, lease or rent until final approval for recordation of the subdivision is granted by the Planning Director or the proposed subdivision has been issued a preliminary order of registration by the Department of Commerce and Consumer Affairs (DCCA) in accordance with the requirements of Chapter 484, Hawai'i Revised Statutes (HRS).

Should you have any questions, please feel free to contact Hans Santiago or Jonathan Holmes of this department.

Sincerely,



MICHAEL YEE
Planning Director

JRH/HS:tb

\\coh33\planning\public\Admin Permits Division\Subdivision\2018\2018-4\SUB-17-001748RCFCKalokoHeightsLot7 TA 10-08-18.docx

Enc.: PPM (08-24-17)

xc: Manager, DWS
Director, DPW
District Environmental Health Program Chief, DOH
Planning-Kona
DPW-Kona
RCFC Kaloko Heights, LLC
Rommel C. Ofasa, LPLS, Sam O. Hirota, Inc.

Steve M. Tomei, LPLS Project Manager
Sam O. Hirota, Inc.
Page 5
October 8, 2018

Thomas L.H. Yeh, Esq., Law Offices of Yeh & Moore
William L Moore, William L. Moore Planning, Inc.
REZ 461 (Ord. 86 091); FSA-SUB-05-000031, SUB-18-001779; VAR-06-000097