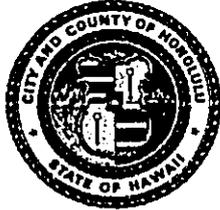


DEPARTMENT OF GENERAL PLANNING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813

FRANK F. FASI  
MAYOR



BENJAMIN B. LEE  
CHIEF PLANNING OFFICER

ROLAND D. LIBBY, JR.  
DEPUTY CHIEF PLANNING OFFICER

MH 9/91-3074

October 15, 1991

Honorable Brian Choy, Director  
Office of Environmental Quality Control  
Central Pacific Plaza  
220 South King Street, 4th Floor  
Honolulu, Hawaii 96813

Dear Mr. Choy:

Negative Declaration for the Waihuna Joint  
Venture Project, TMK: 9-5-02: por. 6 &  
9-5-46: por. 11 & por. 17, Waipio, Ewa, Oahu, Hawaii

The Department of General Planning has reviewed the Environmental Assessment for the Waihuna Joint Venture Project, Waipio, Ewa, Oahu, and has determined that the project will not have any significant impacts on the environment. Based on our determination, we are filing a Negative Declaration for this project.

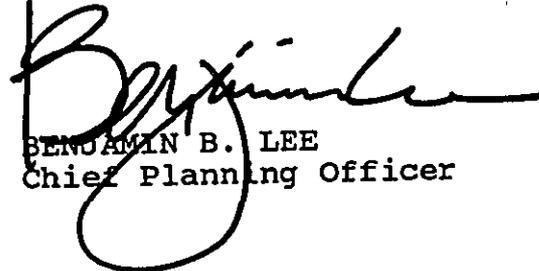
The proposed State Land Use boundary change from Agriculture to Urban and City Development Plan Land Use Map (DPLUM) change from Agricultural to Residential would allow residential land use on approximately 2.0 acres of relatively level land (TMK: 9-5-46: por. 11 & por. 17). The proposed redesignation of approximately 2.0 acres (TMK: 9-5-2: por. 6) from Residential to Preservation on the DPLUM would combine with land presently designated Preservation. In addition, the proposed action will not increase the number of units, density, or floor area for the Planned Development-Housing project as approved by the City (Application No. 88/PDH-3, February 8, 1989).

189

Honorable Brian Choy  
October 15, 1991  
Page 2

Attached are four copies of the Environmental Assessment and the "DOCUMENT FOR PUBLICATION IN THE OEQC BULLETIN." Should you have any questions, please contact Matthew Higashida of our staff at 527-6056.

Sincerely,



BENJAMIN B. LEE  
Chief Planning Officer

BBL:ft

Attachments

cc: Gray, Hong, Bills & Associates, Inc.  
Waihuna Joint Venture  
Department of Land Utilization

**\* WAIHUNA DEVELOPMENT PLAN AMENDMENT**

**&**

**STATE LAND USE BOUNDARY AMENDMENT \***

**(LESS THAN 15 ACRES)**

**WAIPIO, EWA, OAHU**

**Prepared For**

**WAIHUNA JOINT VENTURE  
220 South King Street, Suite 680  
Honolulu, HI 96813  
Phone: 537-5976**

**Prepared By**

**Gray, Hong, Bills & Associates, Inc.  
119 Merchant Street, Suite 607  
Honolulu, HI 96813  
Phone (808) 521-0306 / Fax (808) 531-8018**

**September 1991**

## INFORMATION

**Section I - Application for Development Plan Amendment and State Land Use Boundary Amendment and Environmental Assessment**

**Section II - Drawings**

Exhibit 1 - TMK: 9-5-02

Exhibit 2 - TMK: 9-5-46

Exhibit 3 - State Land Use Map

Exhibit 4 - Development Plan Land Use Map

Exhibit 5 - Public Facilities Map

Exhibit 6 - Zoning Map

Exhibit 7 - General Location Map

Exhibit 8 - Currently Approved PD-H Site Plan with Proposed Amendment Areas Highlighted

Exhibit 9 - Waihuna Village I as Preliminarily Approved

Exhibit 10 - Waihuna Village I with 2.0-Acre Addition

**Section III - Notification Requirements**

### List of Appendices

Appendix A - Concurrent Change of Zone Application

Appendix B - Waihuna Project Change of Zone (Ordinance 86-72)

Appendix C - Waihuna Project Planned Development-Housing (PD-H) Permit (DLU Folder No. 88-PDH-3)

**SECTION I**

**APPLICATION FOR DEVELOPMENT PLAN  
AMENDMENT AND STATE LAND USE BOUNDARY  
AMENDMENT AND ENVIRONMENTAL  
ASSESSMENT**

**APPLICATION FOR DEVELOPMENT PLAN AMENDMENT  
AND ENVIRONMENTAL ASSESSMENT**

**I. BACKGROUND**

**A. ESSENTIAL INFORMATION**

**1. Applicant:**

Waihuna Joint Venture  
220 South King Street, Suite 680  
Honolulu, HI 96813  
Phone: 537-5976  
Contact: Christopher Lau

Castle & Cooke Properties, Inc.  
Dole Office Building  
650 Iwilei Road  
Honolulu, HI 96817  
Phone: 548-4885  
Contact: Peter Simons

**2. Landowner:**

Waihuna Joint Venture  
220 South King Street, Suite 680  
Honolulu, HI 96813  
Phone: 537-5976

Castle & Cooke Properties, Inc.  
Dole Office Building  
650 Iwilei Road  
Honolulu, HI 96817  
Phone: 548-4885

**3. Request: Reclassify 2.0± acres from Agriculture to Residential and reclassify 2.0± acres from Residential to Preservation.**

This Development Plan Amendment also has a companion request to reclassify 2.0± acres from State Agriculture to State Urban under the Provisions for Amendments of State Land Use Boundaries (for parcels of fifteen acres or less).

**4. Area: (see Item 3 above)**

**5. Location: Waipio, Ewa, Oahu (Land Court Application 1000)**

**6. Location: Address not applicable (Refer to tax map keys)**

**7. TMK: (see Exhibits 1 and 2)**

9-5-02:por. 6  
9-5-46:por. 11 & 17

(Residential to Preservation)  
(Agriculture to Residential)  
(State Agriculture to Urban)

8. **Existing Use:** Both sites under consideration are vacant areas never utilized for cultivation and are covered by scrub grasses, trees and shrubs.

9. **State Land Use Plan:** (see Exhibit 3)

TMK: 9-5-02:por. 6	State Urban
TMK: 9-5-46:por. 11 & 17	State Agriculture

10. **Development Plan Designation:** (see Exhibit 4)

a. **Land Use Map:**

TMK: 9-5-02:por. 6	Residential
TMK: 9-5-46:por. 11 & 17	Agriculture

b. **Public Facilities:** (see Exhibit 5) There are no impacts on public facilities.

11. **Zoning:** (see Exhibit 6)

TMK: 9-5-02:por. 6	R-5 (Residential)
TMK: 9-5-46:por. 11 & 17	AG-1 (Agriculture)

(Note: A concurrent change of zone request is being processed with the City and County of Honolulu Department of Land Utilization and the application is attached as Appendix A for reference.)

12. **Basis for Submittal:** The basis of this submittal is to allow a 2.0-acre boundary adjustment to a currently approved PD-H project.

## B. DESCRIPTION OF PROPERTY

1. **Property Boundary:** A 1" = 1000' scale map utilizing a portion of the Central Oahu Development Plan as a base map is shown on Exhibit 4.

2. **Topography:**

Portion TMK: 9-5-46: This portion of land is proposed for urban development and is predominantly gently sloping (less than 10% slope) until the parcel abuts the Waikakalaua Gulch walls. The gulch walls at this 2.0-acre boundary have a slope of 40 percent (40%±).

**Portion TMK: 9-5-02:6:** This portion of land is being deleted from the development boundary and is steep land containing slopes approaching 40 percent (40%) and makes up part of the Waikakalaua Gulch valley wall.

3. **Existing Uses:** Both 2.0-acre parcels are vacant land covered with smaller trees and scrub grasses. Neither site has ever been used for agricultural or urban purposes.
4. **Slope:** Refer to description under Topography (Item 2 above).
5. **Soils:** The Soil Conservation Service identifies the soils of the area as Helemano silty clay. Numerous soils reports conducted in the valley have shown that the clays are extremely cohesive and have been able to withstand cut faces (excavated) as steep as 3/4:1 (H:V).
6. **Location Map:** A General Location Map is shown on Exhibit 7. (Tax maps are also shown on Exhibits 1 and 2.)
7. **Topographic Map:** A site plan showing existing contours within the 2.0-acre parcel proposed for urban development (Por. TMK: 9-5-46) is shown on Exhibit 8, as described in the Development Proposal section (Section II) of this application.

No detailed topographic survey exists for the 2.0-acre parcel (TMK: 9-5-02:6) which is proposed for redesignation from Residential to Agriculture.

8. **Project Layout:** Refer to the Development Proposal section (Section II) of this application.

## II. DEVELOPMENT PROPOSAL

### A. APPLICANT'S PROPOSED USE OF PROPERTY

The Proposed Development Plan Amendment and State Land Use District boundary change (less than 15 acres) are requested to allow boundary adjustments of Waihuna Joint Venture's residential project referred to as Waihuna. This project was previously named Melemanu Woodlands Phase III, and with current approvals allows 1028 units containing a maximum floor area of 1,067,220 sq. ft. on a zoning lot area of 70 acres. The following approvals have been previously obtained for the project:

Change of Zone	(Ordinance 86-72 - see Appendix B)
Environmental Impact Statement	(Accepted September 23, 1985)
Planned Development-Housing	(DLU Folder No. 88-PDH-3 - see Appendix C)

The development proposal seeks to adjust the project's boundaries to add 2.0± acres of land adjacent to the currently approved development which is relatively level. Castle & Cooke, Inc. presently owns part of the land and has committed to convey the property to Waihuna Joint Venture. In turn, Waihuna Joint Venture is not seeking any additional development potential with respect to its previously approved project and is proposing to reclassify 2.0± acres from Residential to Preservation to maintain the 70-acre project boundary. Exhibit 8 shows the project layout as contained in the PD-H and highlights the areas proposed for boundary adjustments. Exhibit 9 shows Village I of the Waihuna Project as approved preliminarily by the Department of Land Utilization, and Exhibit 10 shows how the 2.0-acre parcel will be assimilated into Village I should the subject amendments be adopted.

The proposal, if adopted, solely represents a boundary adjustment to an existing approved project and no additional impacts are anticipated.

- B. DEVELOPMENT TIMETABLE:** It is anticipated that dwelling units on the 2.0-acre parcel are to be ready for occupancy in approximately 2 years (Summer, 1993).
- C. APPROXIMATE COST:** Market value units are anticipated to have prices starting at \$180,000. In addition, the currently approved Waihuna Project has a requirement to provide no less than fifteen percent (15%) of the overall units for low- and moderate-income housing and this housing is required to be interspersed throughout the 70-acre project.

### III. NEED FOR PROPOSED PROJECT

- A. **PUBLIC PROBLEM OR NEED:** Based on the fact that the 70-acre project has received a change of zone (Ordinance 86-72) and PD-H approval, need has previously been established. The current 2.0-acre requests do not alter the needs previously established.
- B. **INTENDED MARKET:** The market value unit prices will start at \$180,000. In addition, a minimum of 15 percent (15%) of the units will be for low and adequate income housing.
- C. **DESIGNATED USE VS. PROPOSED USE:** TMK: 9-5-46 (por.) is level land within Waikakalaua Gulch and is designated Agriculture. However, this land has never been cultivated. Upon completion of the currently approved Waihuna Village I, the remnant strip would not be suitable for agricultural purposes due to the constraints of urban development and the gulch walls. In turn, use of this strip to expand Waihuna Village I is logical from a planning perspective.

TMK: 9-5-02:por. 6 is currently designated residential and is proposed for designation to Preservation to offset the residential gain adjacent to Waihuna Village I.

The 2.0-acre proposed boundary amendments will not create a net gain in land area for development or create additional density for the currently approved Waihuna Project. Therefore, the sole need for the change of zone is to allow construction of dwelling units on level land directly adjacent to the currently approved housing development.

### IV. FEDERAL, STATE AND CITY PLANS INVOLVED

- A. **FEDERAL:** Not Applicable.
- B. **STATE:** The purpose of the Hawaii State Plan and Functional Plans is in part to "serve as a guide for the future long-range development of the State...." The proposed request will solely adjust boundaries of an approved project and no conflict and/or impact with respect to State considerations are involved with this request.
- C. **CITY:**
  - 1. **GENERAL PLAN OBJECTIVES AND POLICIES**
    - a. **Population:** The proposed project will neither increase nor decrease population, but will solely reconfigure a currently approved project. Therefore, the Development Plan Amendment will have no impact on any population objectives or policies.

- b. **Economic Activity:** Waihuna as a whole will provide employment opportunities to the construction industry and, therefore, is consistent with Objective A of the General Plan. In addition, even though the Development Plan Amendment seeks to change Agricultural to Residential Use, which is contrary to Objective C, the subject site has never been used for agricultural purposes. Further, 2.0 acres is proposed for Development Plan Amendment from Residential to Preservation to offset the loss of Agricultural zoning adjacent to Village I.
- c. **Natural Environment:** The subject Development Plan Amendment application is not relevant to the General Plan Natural Environment Objectives and Policies.
- d. **Housing:** Waihuna as a whole is a multi-family housing project proposing market-priced units starting at approximately \$180,000 which should be considered attractive and totally in concert with the General Plan's Housing Objectives and Policies. In addition, a minimum of 15 percent (15%) of the project's units will be low and moderate income housing interspersed throughout the project.
- e. **Transportation and Utilities:** The subject Development Plan Amendment will not increase the Waihuna Project density and will have no impact on the General Plan's Transportation and Utilities Objectives and Policies.
- f. **Energy:** The subject Development Plan Amendment will neither increase nor decrease energy requirements and will have no impact on the General Plan's Energy Objectives and Policies.
- g. **Physical Development and Urban Design:** The subject Development Plan Amendment only provides for slight boundary adjustments to an approved project. Further, the project is installing infrastructure to support the project as well as the community, including participation in widening the H-2 Freeway.
- h. **Public Safety:** The Waihuna Project has been previously reviewed by all applicable public safety agencies in conjunction with previous approvals. The subject Development Plan Amendment will have no impact on the General Plan's Public Safety Objectives and Policies.

- i. **Health and Education:** The Waihuna Project has been reviewed by educational agencies in conjunction with previous approvals. The subject Development Plan Amendment will have no impact on previous agency reviews and no impact on the General Plan's Health and Education Objectives and Policies.
- j. **Culture and Recreation:** The Waihuna Project is providing its own neighborhood park in conformance with Objective D, Policy 1, of the General Plan. The subject Development Plan Amendment will not alter this commitment.
- k. **Government Operations and Fiscal Management:** The Waihuna Project as a whole and subject Development Plan Amendment are not relevant to this General Plan category.

## **2. DEVELOPMENT PLAN COMMON PROVISIONS**

The following sections of the Common Provisions are relevant:

**Section 32-1.2(i)(2) - Development Plan Public Facilities Map:** There is no density change involved in this request and correspondingly no impact on the Public Facilities Map.

**Section 32-1.3(1):** The proposed Development Plan Amendment will allow multi-family housing within a Residential District as governed by an existing approved PD-H (DLU Folder No. 88-PDH-3) and this use will be compatible with the Residential District requirements.

**Section 32-1.4(1) - Public View:** No impact.

**Section 32-1.4(2) - Open Space:** No impact.

**Section 32-1.4(3) - Vehicular and Pedestrian Routes:** No impact.

**Section 32-1.4(4) - General Height Controls:** All heights in the subject 2.0-acre parcel will be no greater than those currently approved for Waihuna Village I and, consequently, there will be no impact.

**Section 32-1.4(5) - Energy Efficiency:** No impact.

**Section 32-1.4(6) - Existing Built-Up Single-Family Areas:** The subject Development Plan Amendment will provide housing identical to that of Waihuna Village I and, therefore, the proposed action is compatible with the existing housing environment.

**Section 32-1.5(2) - Parks and Recreational Areas:** The 70-acre Waihuna Project will have a neighborhood park. The subject 2.0-acre parcel of land will utilize this park.

**Section 32-1.6 - Historical Significance:** (refer to Item V.E. of this application).

**Section 32-1.7 - Public Thoroughfares:** The Waihuna Project (70 acres) currently has access from Wikao Street (60-foot wide right-of-way) leading to Leilehua Golf Course Road and the H-2 Freeway access ramps. The 70-acre project has commitments for improvements to Leilehua Golf Course Road and the H-2 Freeway which will be unaffected by this Change of Zone request.

**Section 32-1.8 - Public Buildings, Public or Private Facilities for Utilities, Terminals or Drainage:** No impact.

**Section 32-1.9 - Sequencing of Public Facilities:** All required public facilities have been identified in the Waihuna Project (70 acres) Change of Zone (Ordinance 86-72) and PD-H (DLU Folder No. 88-PDH-3). The subject 2.0-acre Development Plan Amendment will not alter these requirements.

**Section 32-1.10 - Social Impact of Development:** The Development Plan Common Provisions (Section 32-1.10) identify specific factors which are of primary concern for the evaluation of a Development Plan Amendment request. The following discussions are applicable:

- a. **Social Impact Factors:** The subject Development Plan Amendment will solely reorganize the boundaries of a currently approved project, with no increase in developable area or density. Therefore, no impact is foreseen on demographics, economics, housing or public services.
- b. **Physical Environment:** The subject Development Plan Amendment (2.0 acres) will allow development in an area which occupies relatively level land (less than 10% slope). In exchange, 2.0 acres of steeper land (approximately 40% slope) will be abandoned. The net effect will be a lesser impact to the physical environment due to reduced earthwork requirements.

### 3. DEVELOPMENT PLAN SPECIAL PROVISIONS

The following sections of the Special Provisions are relevant:

**Section 32-5.1 - Area Description:** The proposed Change of Zone request will neither increase nor decrease the developed area or housing density in Central Oahu.

**Section 32-5.2 - Urban Design Principles and Controls:** The proposed 2.0 acres of land which will be assimilated into Waihuna Village I will match and be an integrated part of Village I. No impact on open space, public views, height controls or density control is identified or foreseen.

### V. IMPACTS

- A. **DEMOGRAPHICS:** The proposed 2.0-acre boundary amendments will have no impact on demographics different than the currently approved Waihuna Development.
- B. **ECONOMIC IMPACTS:** The proposed 2.0-acre boundary amendments will have no impact on the public economic issues different than the currently approved Waihuna Development. However, project development costs on the 2.0 acres (por. TMK: 9-5-46) will be slightly lower due to relatively level terrain as compared to the 2.0 acres (TMK: 9-5-02:6) which have slopes approaching forty percent (40%).
- C. **HOUSING IMPACTS:** The proposed 2.0-acre boundary amendments will have no impact on housing different than the currently approved Waihuna development.
- D. **PUBLIC SERVICES:** The proposed 2.0-acre boundary amendments will not change public service requirements. Due to the fact that there is no change to public services, no agencies have been contacted. However, there are ongoing and regular contacts with all public service agencies and utilities with respect to the total 70-acre Waihuna Project.
- E. **ENVIRONMENTAL IMPACTS:** An Environmental Impact Statement (EIS) was prepared for the Waihuna Project and this document was accepted on September 23, 1985 by the Department of Land Utilization. The subject proposed 2.0-acre boundary amendment solely adjusts the 70-acre Waihuna Project to add 2.0 acres of flatter land and deletes 2.0 acres of sloped land (approximately 40 percent slope). The boundary adjustments are contiguous with the originally developed project and the previously approved EIS is applicable with respect to Hawaii Revised Statutes (HRS), Chapter 343 requirements.

Surveys, including an archaeological reconnaissance of the valley, were performed in conjunction with the EIS and no significant features were identified. The 70-acre Waihuna Project currently has a requirement that work be stopped with verification to DLNR-Historic Sites Section if cultural deposits, burial or archaeological artifacts are discovered. It is understood this condition would be applicable to the 2.0-acre parcel under consideration in this application.

In addition, the current Waihuna Project has a requirement that a botanist survey the side walls of Waikakalaua Gulch for the occurrence of threatened, endangered or rare plant species and prepare a report to be submitted as approved by DLNR-Forestry and Wildlife Division. Both 2.0-acre parcels will be part of that study, which has already been commissioned by the owners.

- F. ALTERNATIVES CONSIDERED:** The only alternative considered was not to request the subject boundary amendments. However, the area is contiguous with the currently proposed development and can easily be assimilated into Waihuna Village I.
- G. PROPOSED MITIGATION MEASURES:** All development controls as identified in the zoning ordinance (Ordinance 86-72), as well as PD-H (DLU Folder No. 88-PDH-3), will apply to the project.

#### **VI. AGENCIES CONSULTED**

1. The City & County of Honolulu Department of General Planning
2. The City & County of Honolulu Department of Land Utilization
3. The City & County of Honolulu Department of Public Works
4. The State of Hawaii Land Use Commission

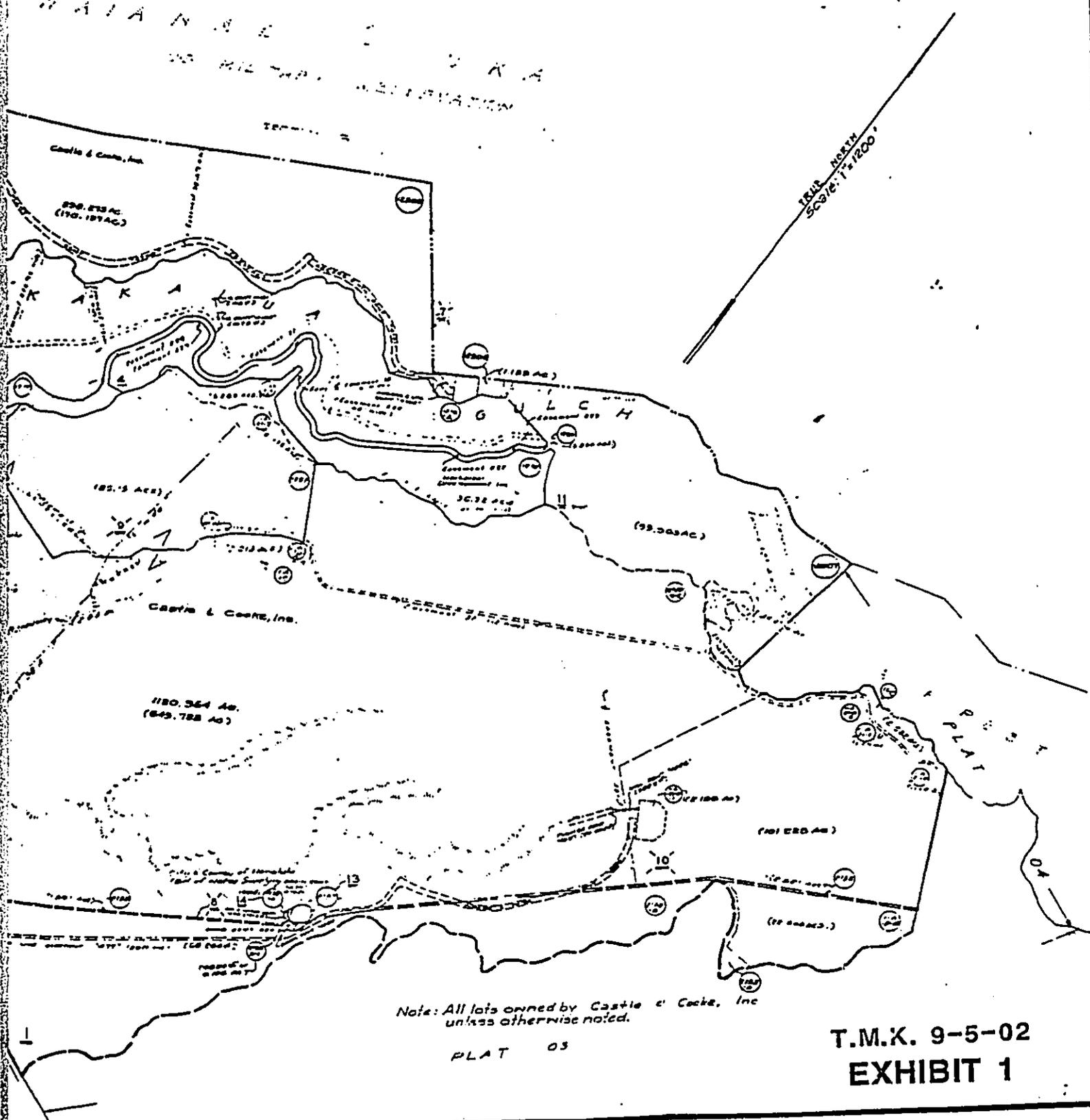
**SECTION II**

**DRAWINGS**



**M.K. 9-5-46 (2.0 ACS.)  
 DEVELOPMENT PLAN AMENDMENT (AG TO RESIDENTIAL)  
 TATE LAND USE BOUNDARY CHANGE (AG TO URBAN)**

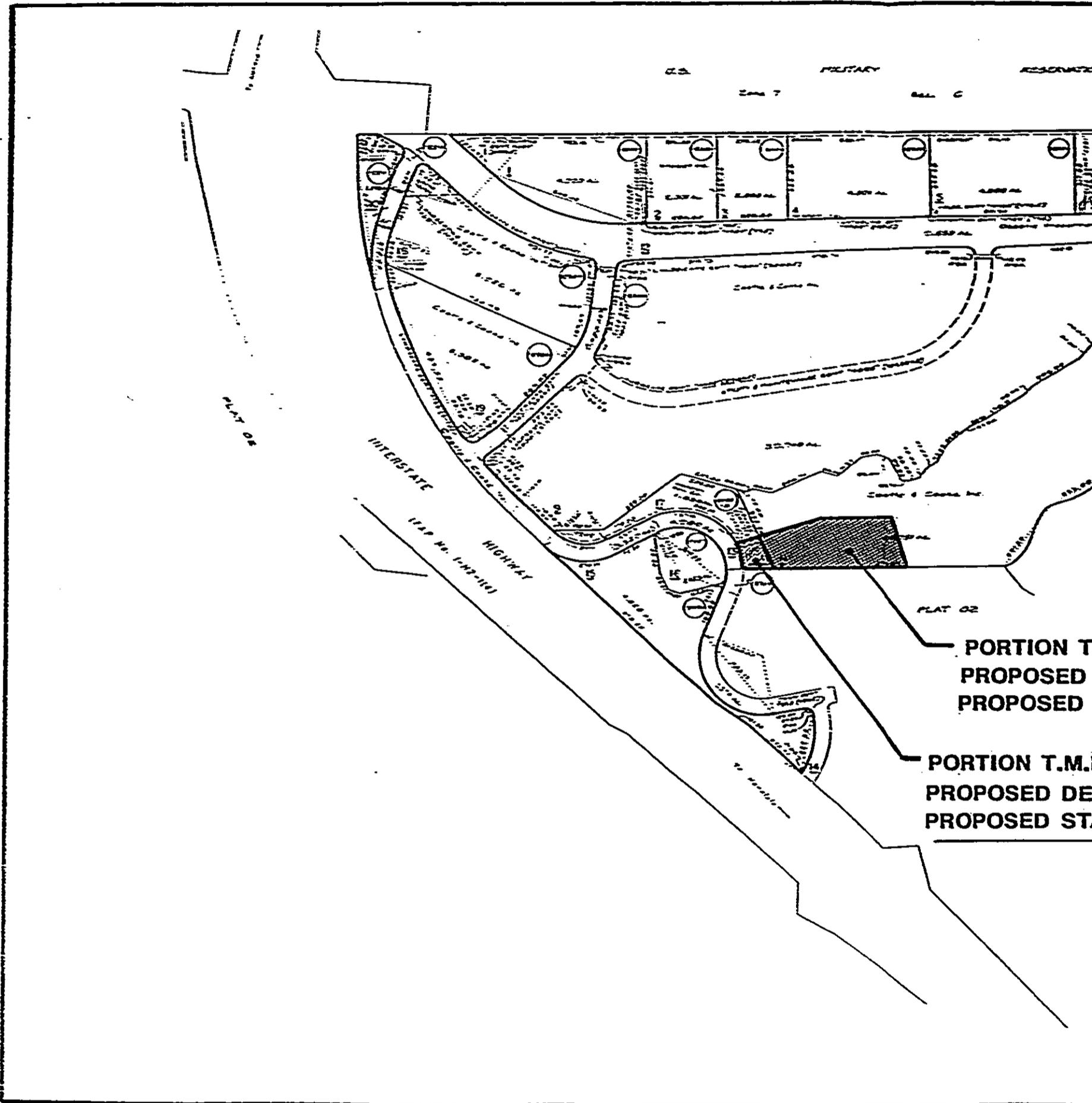
2)

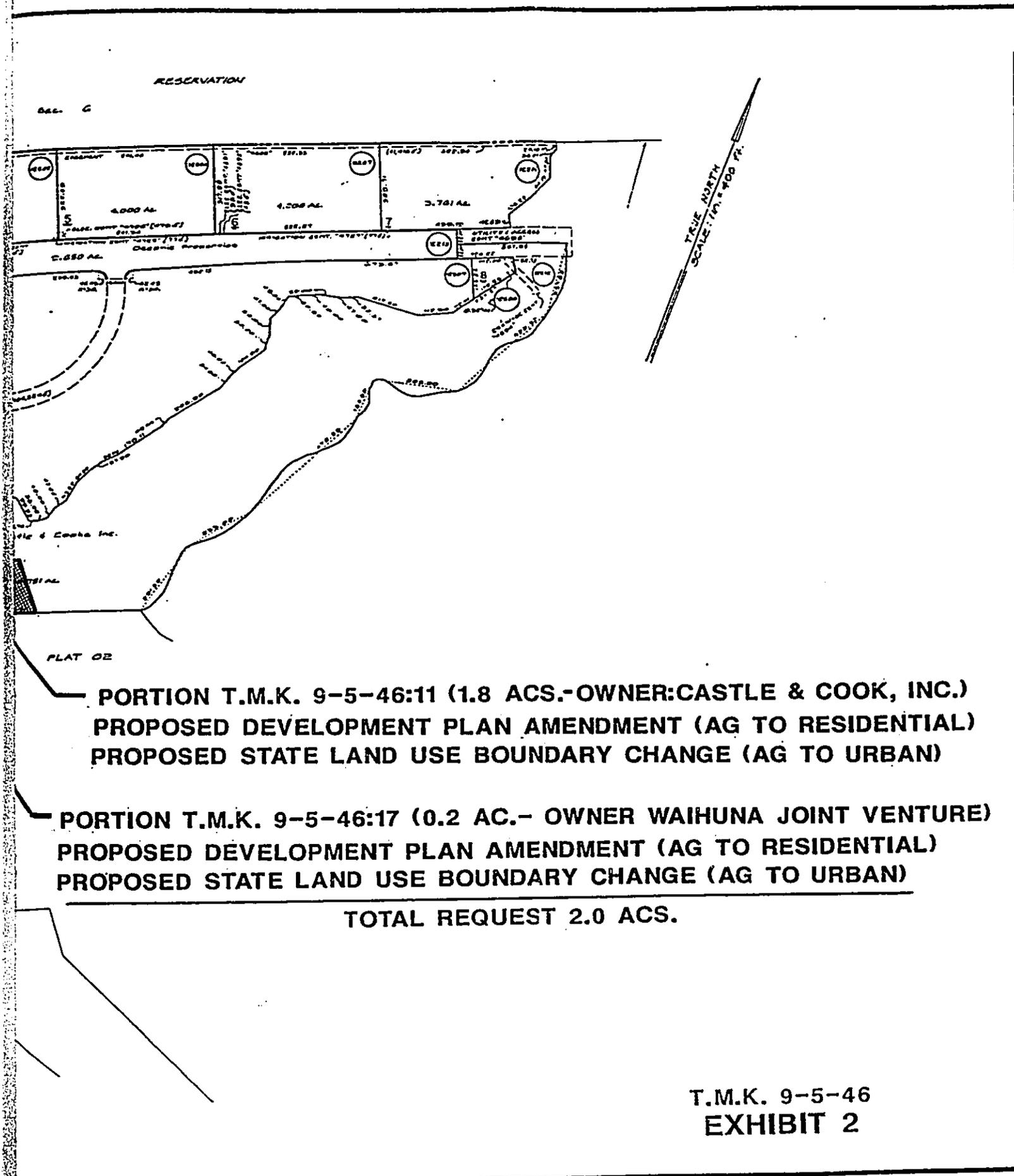


Note: All lots owned by Castle & Cooke, Inc  
 unless otherwise noted.

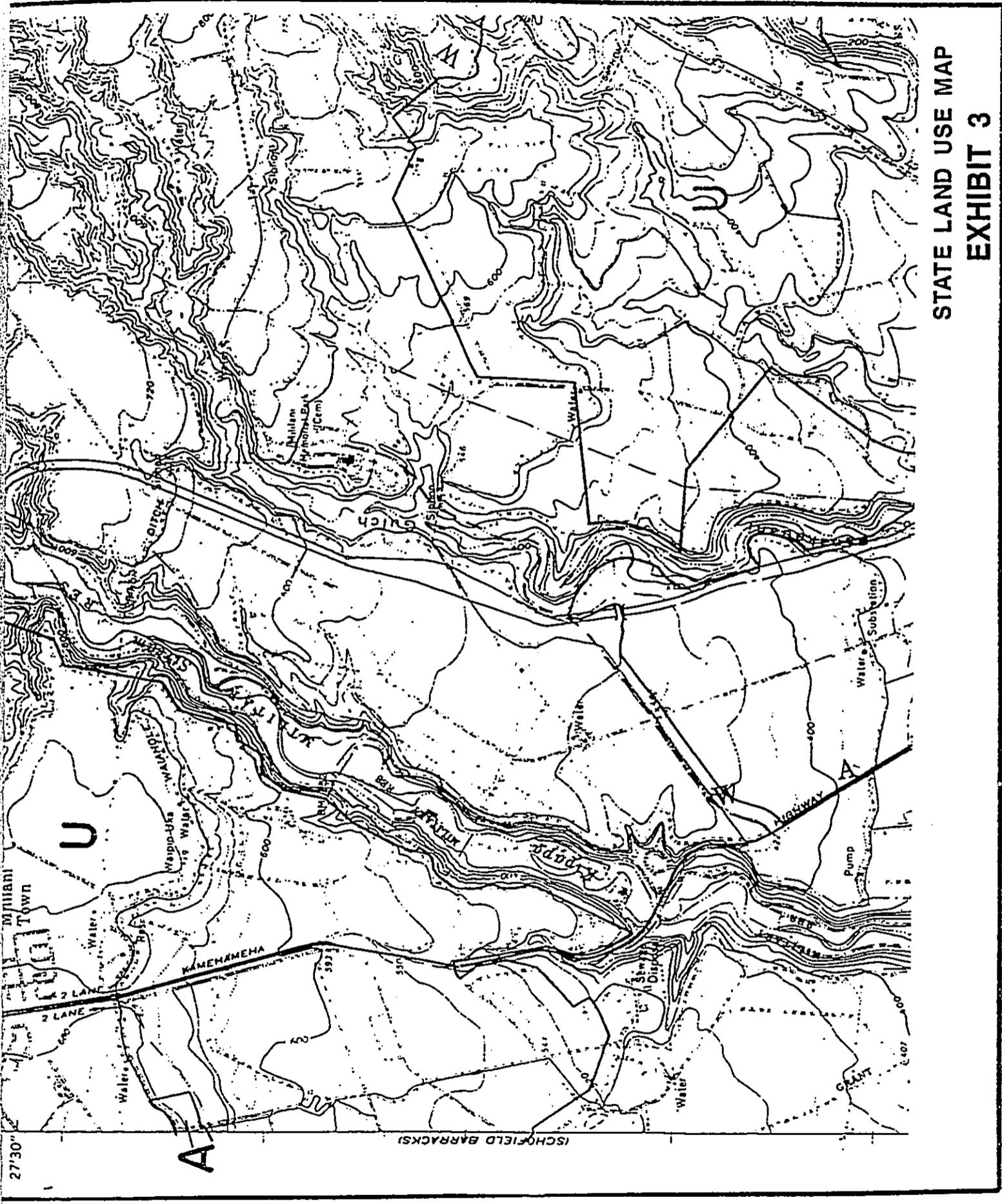
PLAT 03

**T.M.K. 9-5-02  
 EXHIBIT 1**



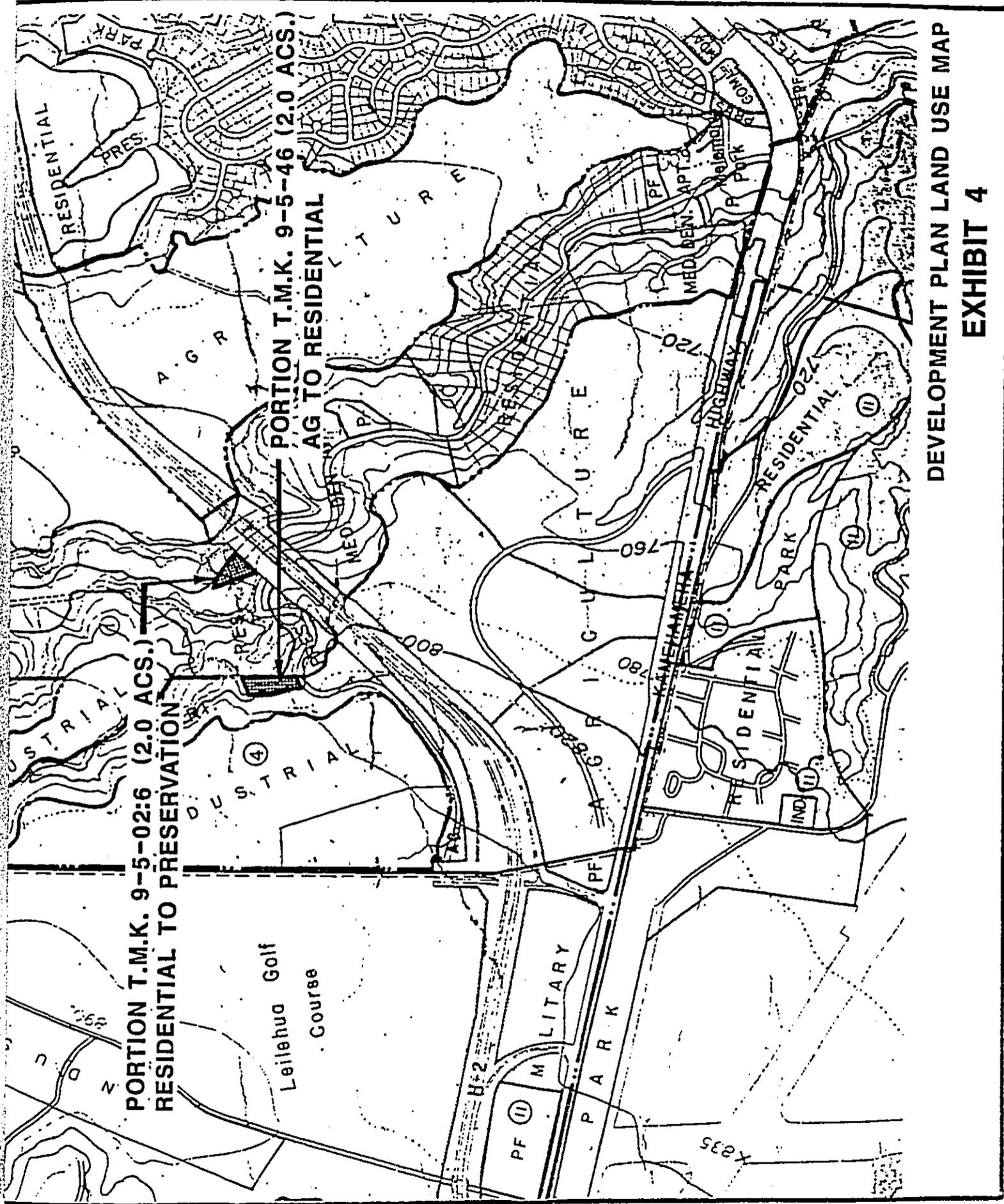




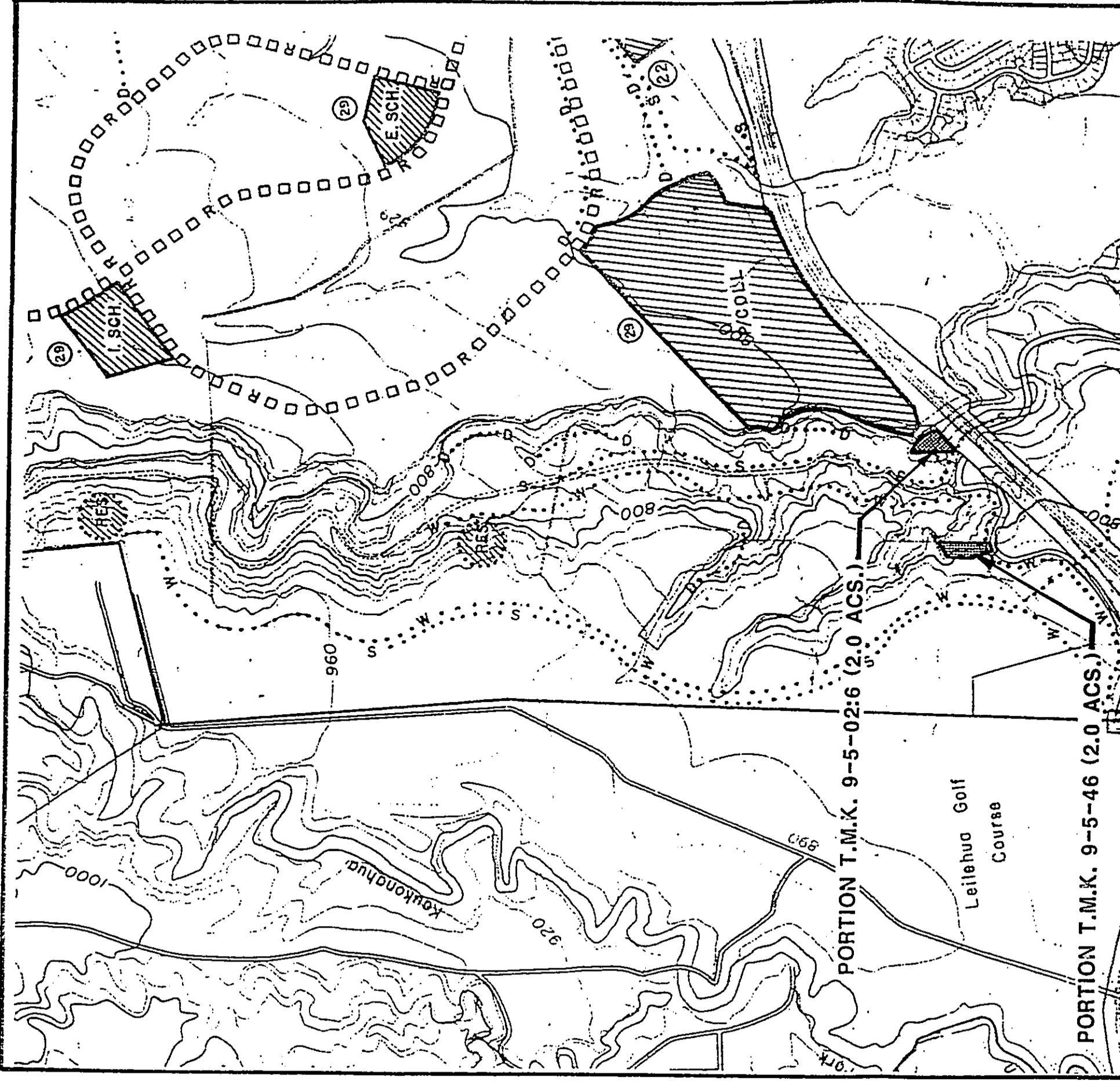


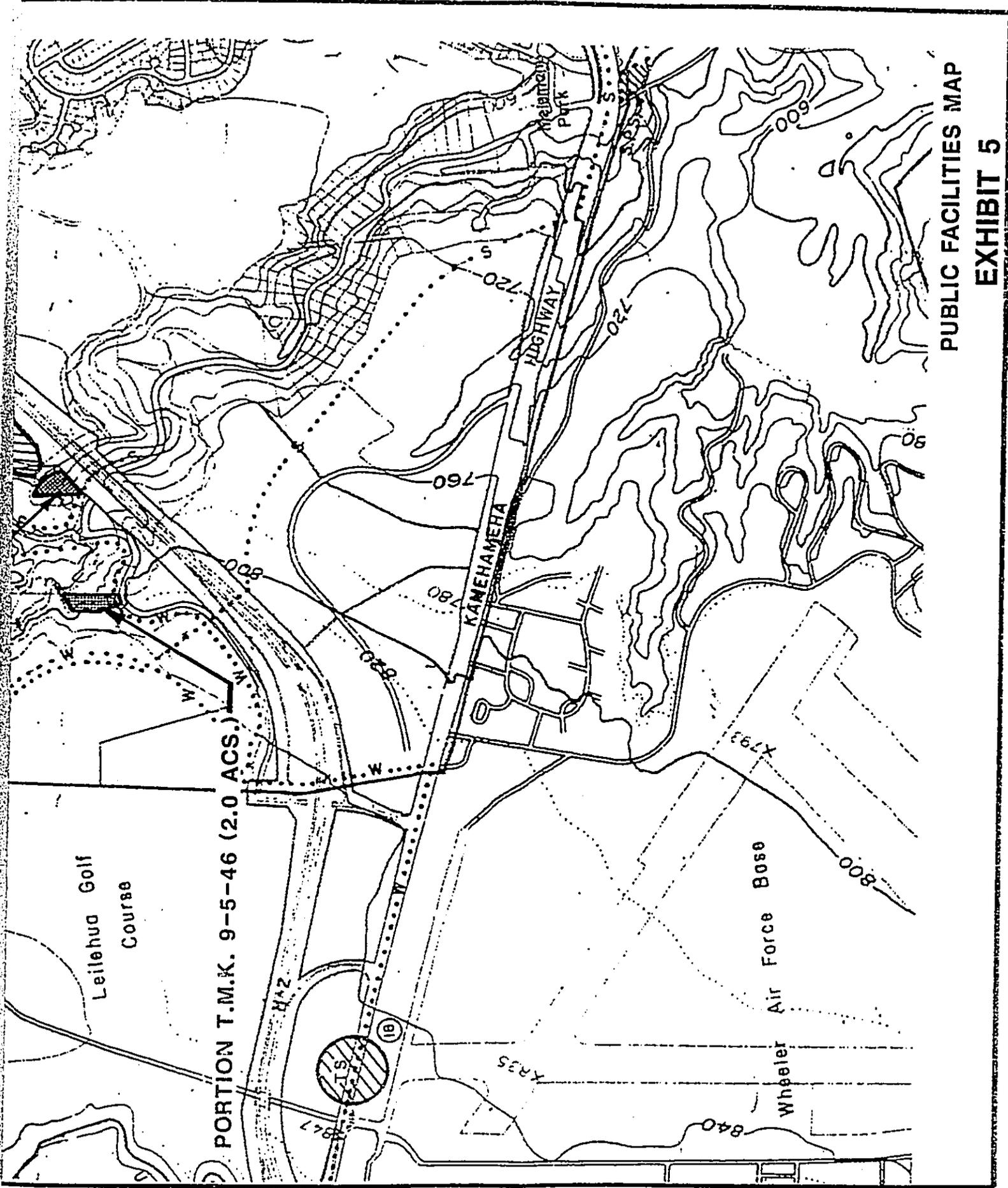
STATE LAND USE MAP  
EXHIBIT 3



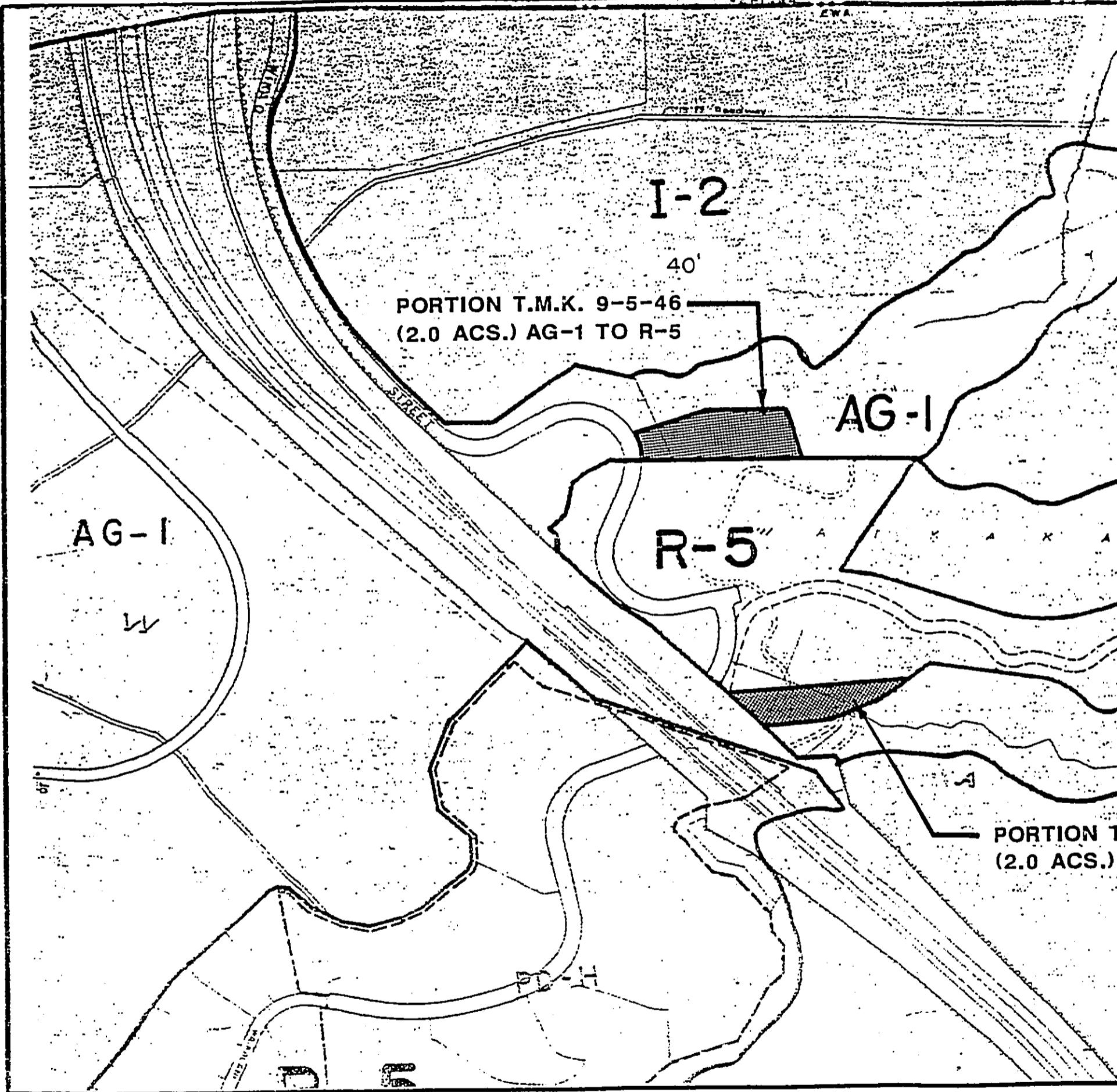


DEVELOPMENT PLAN LAND USE MAP  
EXHIBIT 4





PUBLIC FACILITIES MAP  
EXHIBIT 5



I-2

40'

PORTION T.M.K. 9-5-46  
(2.0 ACS.) AG-1 TO R-5

AG-1

AG-1

R-5

PORTION T.M.K. 9-5-46  
(2.0 ACS.)

MILWAUKEE STREET

1/2 IN. = 100 FT.

D B

DISTRICT

I-2

40'

I-1

P-2

K A X A L A U A

R

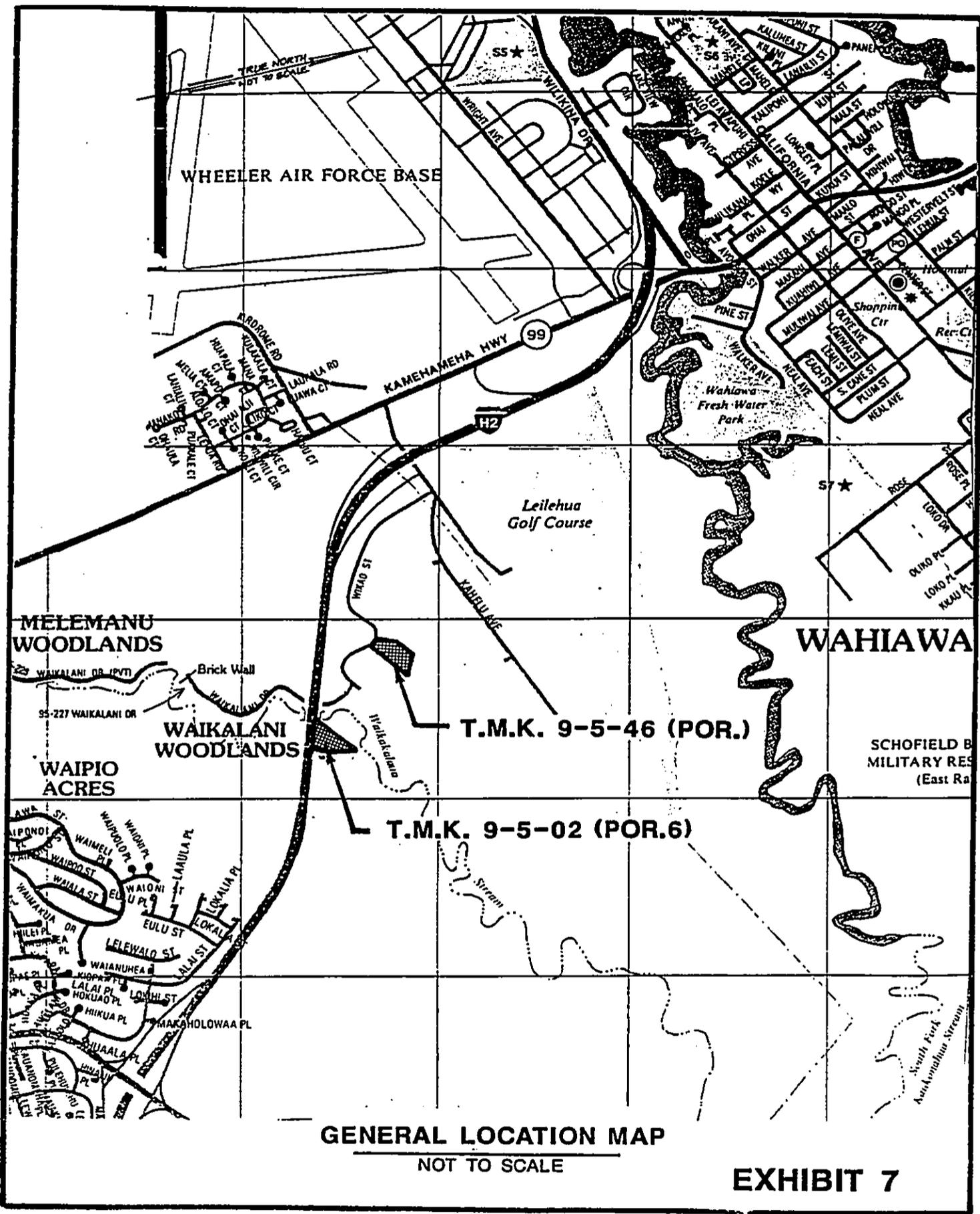
ROAD

P-2

PORTION T.M.K. 9-5-02:6  
(2.0 ACS.) R-5 TO P-2

AG - 1

ZONING MAP  
EXHIBIT 6



**GENERAL LOCATION MAP**

NOT TO SCALE

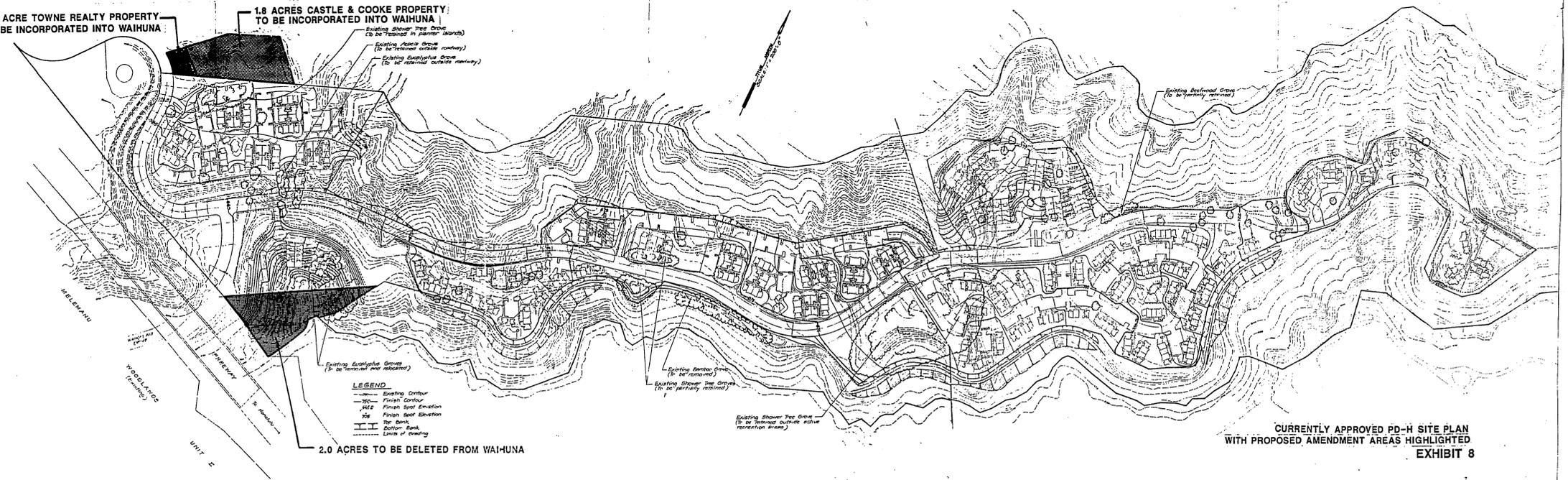
**EXHIBIT 7**

0089B

0.2 ACRE TOWNE REALTY PROPERTY  
TO BE INCORPORATED INTO WAIHUNA

1.8 ACRES CASTLE & COOKE PROPERTY  
TO BE INCORPORATED INTO WAIHUNA

Existing Shower Tree Groves  
(to be retained in present locations)  
Existing Escalator Groves  
(to be retained outside roadway)  
Existing Escalator Groves  
(to be retained outside roadway)



Existing Escalator Groves  
(to be removed and relocated)

**LEGEND**  
--- Existing Contour  
--- Finish Contour  
--- MEZ Finish East Elevation  
--- Finish West Elevation  
--- Top Bank  
--- Bottom Bank  
--- Line of Existing

2.0 ACRES TO BE DELETED FROM WAIHUNA

Existing Shower Tree Groves  
(to be removed)

Existing Shower Tree Groves  
(to be retained outside active recreation areas)

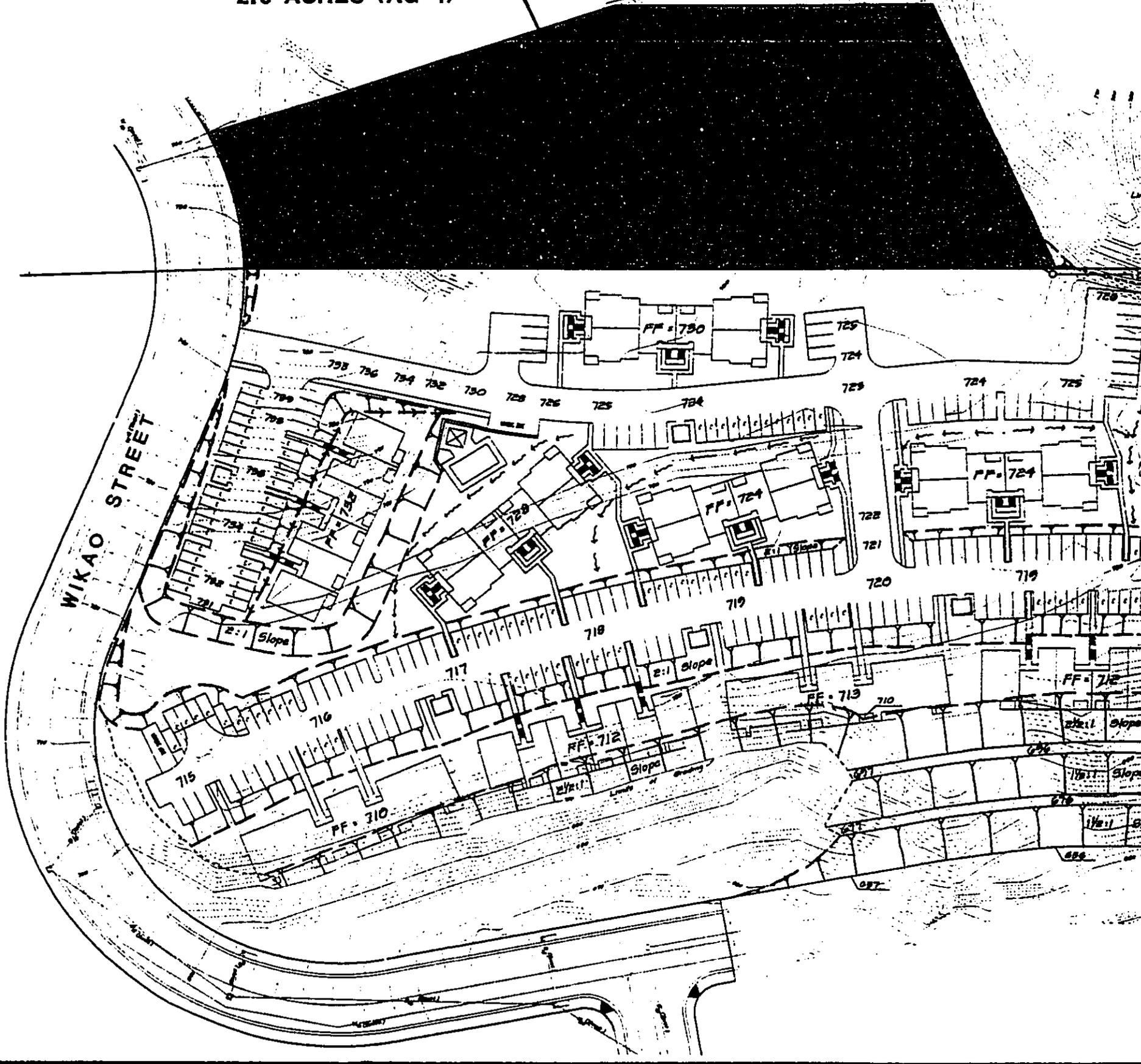
Existing Escalator Groves  
(to be removed)

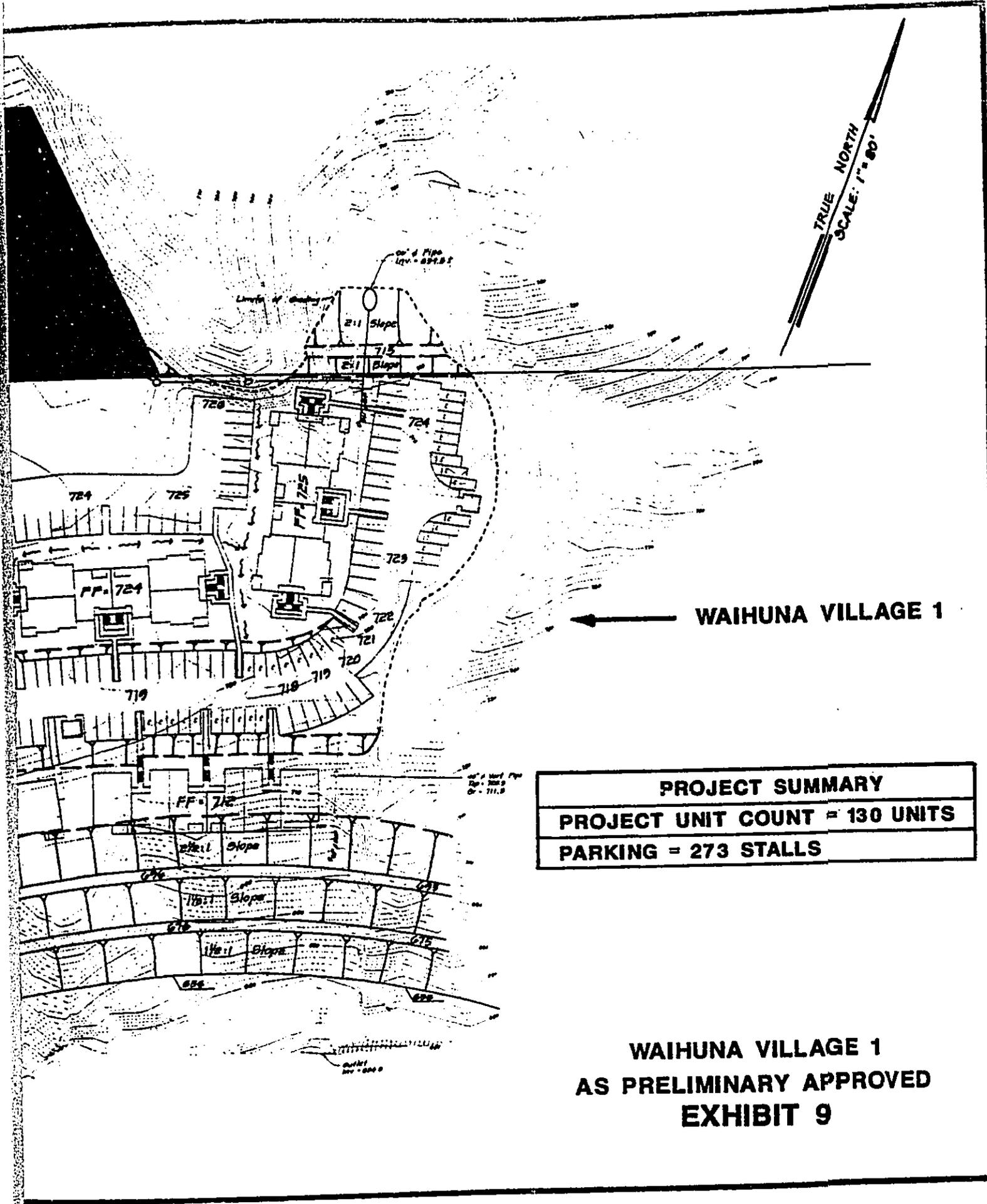
CURRENTLY APPROVED PD-H SITE PLAN  
WITH PROPOSED AMENDMENT AREAS HIGHLIGHTED  
EXHIBIT 8

00890

2.0 ACRES (AG-1)

WIKAO STREET





TRUE NORTH  
SCALE: 1" = 80'

← WAIHUNA VILLAGE 1

<b>PROJECT SUMMARY</b>
<b>PROJECT UNIT COUNT = 130 UNITS</b>
<b>PARKING = 273 STALLS</b>

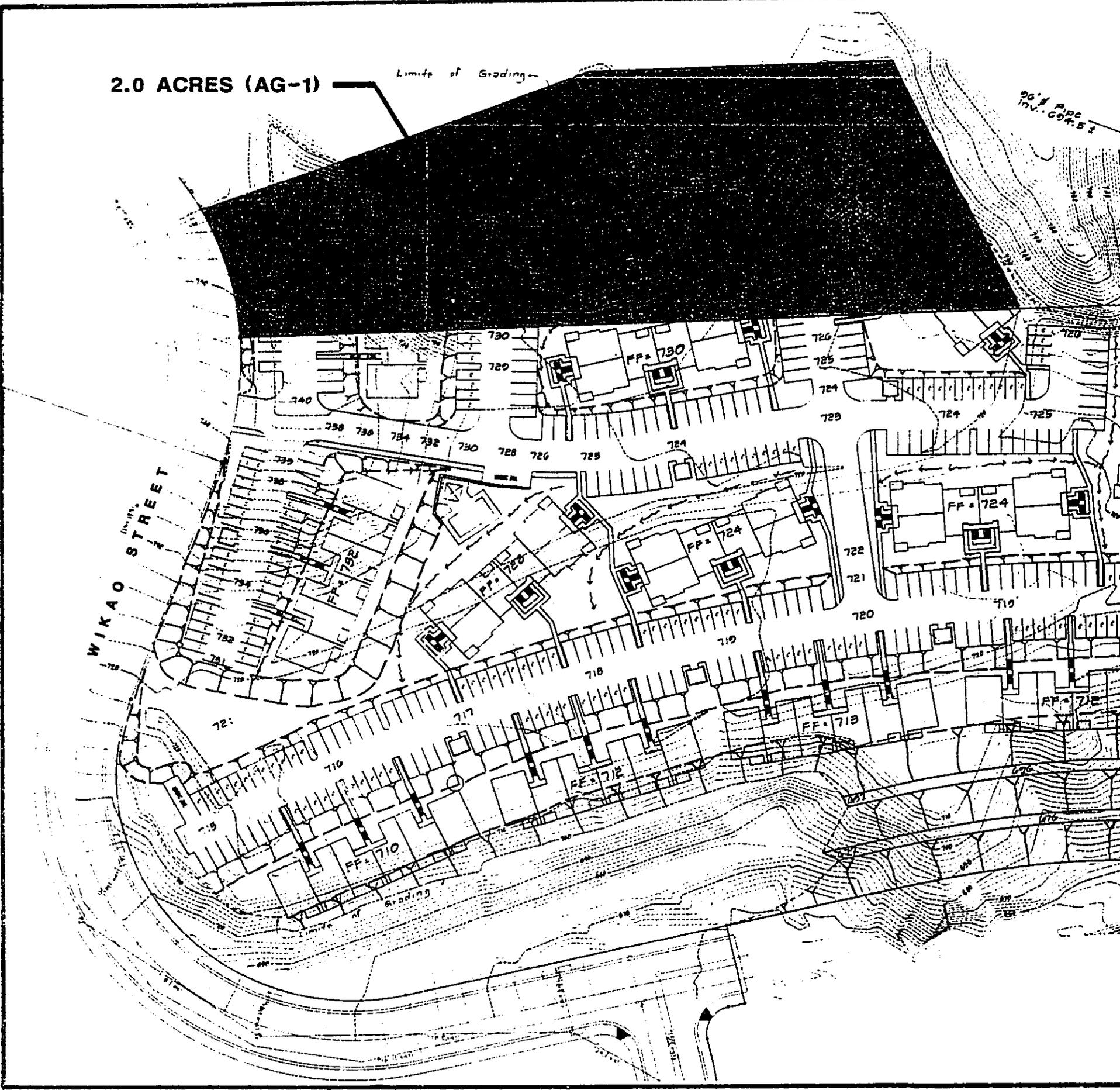
**WAIHUNA VILLAGE 1  
AS PRELIMINARY APPROVED  
EXHIBIT 9**

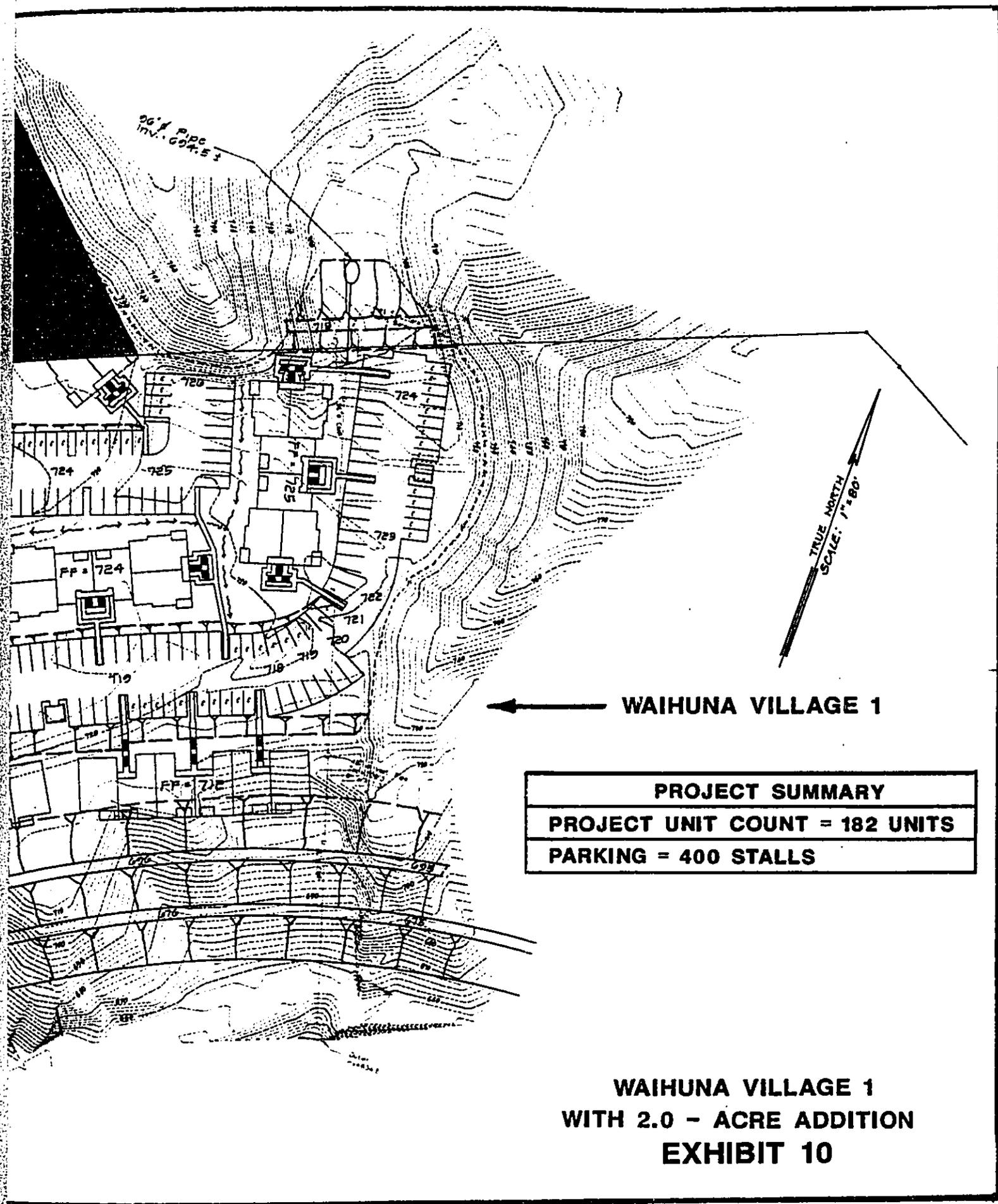
2.0 ACRES (AG-1)

Limits of Grading

96' P.P.C.  
INV. 604.5

WIKAO STREET





**SECTION III**

**NOTIFICATION REQUIREMENTS**

## NOTIFICATION REQUIREMENTS

The following parties have been furnished a copy of the summary sheet and map for the proposed development. A copy of the notification letter, summary sheet and map are attached to this section.

- 1) Property owner(s), lessee(s), sub-lessee(s) and residents of the property and each abutting parcel:

Castle & Cooke Properties, Inc.  
650 Iwilei Road  
Honolulu, HI 96817

Mr. Ed Hirata, Director  
Department of Transportation  
State of Hawaii  
869 Punchbowl Street  
Honolulu, HI 96813

(Note: All other abutting parcels owned by Castle & Cooke Properties, Inc. or Waihuna Joint Venture, the applicants)

- 2) Pertinent Neighborhood Boards

Mililani/Waipio/Melemanu  
Neighborhood Board No. 25  
Marilyn Lee, Chairperson  
P.O. Box 3116  
Mililani, HI 96789  
Phone: 621-8411

Waikalani Woodlands  
Homeowners Association  
95-249 Waikalani Drive  
Mililani, HI 96789  
Phone: 623-1500

Melemanu Woodlands  
Homeowners Association  
95-009 Waikalani Drive, Apt A-110  
Mililani, HI 96789  
Phone: 623-9911

Wahiawa Community &  
Businessmen's Association, Inc.  
830 L. California Avenue  
Wahiawa, HI 96786  
Phone: 621-6531

Wahiawa Neighborhood Board  
Jack Kampfer, Chairperson  
P.O. Box 876  
Wahiawa, HI 96786  
Phone: 848-5304

City Council  
530 South King Street  
Honolulu, HI 96813  
Phone: 523-4480

Director of Facilities Engineering  
U.S. Army Support Command-Hawaii  
Ft. Shafter, HI 96858-5000  
Phone: 656-1289

DGP REF. NO.:  
MAP REF. NO.:  
NB AREA: Wahiawa  
AREA: 4.0 acres  
TMK: 9-5-46:por. 11 & 17 (2.0 acres)  
9-5-02:por. 6 (2.0 acres)

(DP AREA)  
DEVELOPMENT PLAN LAND USE AMENDMENTS  
BEING CONSIDERED

Amendment/Project Information

**Amendment Request:** Redesignate 2.0 acres (Agricultural to Residential) and redesignate 2.0 acres (Residential to Preservation). A concurrent State Land Use Boundary Amendment (Agricultural to Urban) is requested for the 2.0-acre Development Plan Amendment requesting Agricultural to Residential.

**Location:** Waikakalaua Gulch, Waipio, Ewa, Oahu

**Address(es) of Subject Area--Where Applicable:** N/A

**Owner/Developer:** Waihuna Joint Venture (Owner/Developer)  
Castle & Cooke Properties, Inc. (Owner)

**Requested By:** Waihuna Joint Venture

**Basis for Request:** Boundary adjustment to previously approved Waihuna Project (formerly named "Melemanu Woodlands - Phase III").

**Type of Project:** Residential housing allowing multi-family housing via a previously approved Planned Development-Housing permit.

**Impact on Provision of Housing:** No net housing gain or loss - only relocation of lot boundaries.

Existing Conditions

Present Plan/Zoning Designations

**Land Use:** Vacant

**State Land Use:** 2.0 acres (AG) & 2.0 acres (Urban)

**Structures**

**DP Public Facilities Map:** No impact

**Number:** 4

**Type:** Multi-family (two-story)

**DP Special Provisions:** Not designated special area

**Height:** 30 (maximum)

**Zoning:** 2.0 acres (AG-1) & 2.0 acres (R-5)

**ALISH:** .No ALISH designation for site

**Soil Features:** Helemano silty clays

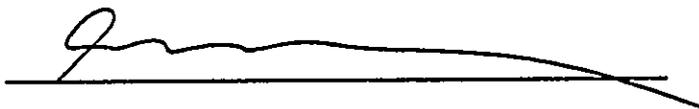
**Possible Constraints:** None identified in the application. The application solely seeks to make boundary adjustments to a previously approved project providing a total of 1028 units with a maximum floor area of 1,067,220 sq. ft. on a 70-acre zoning lot. The amendments, if approved, will not alter development density, floor area or number of units allowed.

A concurrent Change of Zone is being processed with the City & County Department of Land Utilization.

**CERTIFICATE**

Ordinance 84-111 states: No application for Development Plan Land Use Map amendment shall be accepted for processing unless the applicant notifies, by mail, all owners, lessees, sub-lessees and residents of the affected property and of each abutting parcel.

I hereby certify that I have complied with the notification requirements of Ordinance 84-111.



For Waihuna Joint Venture  
220 South King Street, Suite 680  
Honolulu, HI 96813  
Phone: 537-5976  
Contact: Christopher Lau

DGP REF. NO.:  
MAP REF. NO.:  
NB AREA: Wahiawa  
AREA: 4.0 acres  
TMK: 9-5-46:por. 11 & 17 (2.0 acres)  
9-5-02:por. 6 (2.0 acres)

(DP AREA)  
STATE LAND USE DISTRICT AMENDMENT BOUNDARY  
BEING CONSIDERED

Amendment/Project Information

**Amendment Request:** Redesignate 2.0 acres (Agricultural to Residential) and redesignate 2.0 acres (Residential to Preservation). A concurrent State Land Use Boundary Amendment (Agricultural to Urban) is requested for the 2.0-acre Development Plan Amendment requesting Agricultural to Residential.

**Location:** Waikakalaua Gulch, Waipio, Ewa, Oahu

**Address(es) of Subject Area--Where Applicable:** N/A

**Owner/Developer:** Waihuna Joint Venture (Owner/Developer)  
Castle & Cooke Properties, Inc. (Owner)

**Petitioner:** Waihuna Joint Venture

**Basis for Request:** Boundary adjustment to previously approved Waihuna Project (formerly named "Melemanu Woodlands - Phase III").

**Type of Project:** Residential housing allowing multi-family housing via a previously approved Planned Development-Housing permit.

**Impact on Provision of Housing:** No net housing gain or loss - only relocation of lot boundaries.

Existing Conditions

Present Plan/Zoning Designations

**Land Use:** Vacant

**State Land Use:** 2.0 acres (AG) & 2.0 acres (Urban)

**Structures**

**Number:** 4

**Type:** Multi-family (two-story)

**Height:** 30 (maximum)

**DP Land Use Map:** 2.0 acres (AG) & 2.0 acres (Res.)

**DP Public Facilities Map:** No impact

**DP Special Provisions:** Not designated special area

**Zoning:** 2.0 acres (AG-1) & 2.0 acres (R-5)

**ALISH:**

No ALISH designation for site

**Land Study Bureau  
Classification:**

No Land Study Bureau Classification for site

**Soil Features:**

Helemano silty clays

**Possible Constraints:**

None identified in the application. The application solely seeks to make boundary adjustments to a previously approved project providing a total of 1028 units with a maximum floor area of 1,067,220 sq. ft. on a 70-acre zoning lot. The amendments, if approved, will not alter development density, floor area or number of units allowed.

A concurrent Change of Zone is being processed with the City & County Department of Land Utilization.

## **APPENDICES**

**APPENDIX A - CONCURRENT CHANGE OF ZONE  
APPLICATION**

**APPENDIX B - WAIHUNA PROJECT CHANGE OF ZONE  
(ORDINANCE 86-72)**

**APPENDIX C - WAIHUNA PROJECT PLANNED  
DEVELOPMENT HOUSING (PD-H)  
PERMIT (DLU FOLDER NO. 88-PDH-3)**

**APPENDIX A**

**CONCURRENT CHANGE OF ZONE APPLICATION**

**WAIHUNA**  
**CHANGE OF ZONE REQUEST**  
**2.0 ACRES (AG-1 TO R-5)**  
**&**  
**2.0 ACRES (R-5 TO P-2)**  
**WAIPIO, EWA, OAHU**

**Prepared For**

**WAIHUNA JOINT VENTURE**  
**220 South King Street, Suite 680**  
**Honolulu, HI 96813**  
**Phone: 537-5976**

**Prepared By**

**Gray, Hong, Bills & Associates, Inc.**  
**119 Merchant Street, Suite 607**  
**Honolulu, HI 96813**  
**Phone (808) 521-0306 / Fax (808) 531-8018**

**September 1991**

## **INFORMATION**

### **Section I - Application for Change of Zone**

### **Section II - Drawings**

- Exhibit 1 - General Location Map
- Exhibit 2 - Currently Approved PD-H with Change of Zone Areas Highlighted
- Exhibit 3 - Waihuna Village I Site Plan as Currently Under Final Design
- Exhibit 4 - Waihuna Village I Site Plan with 2.0 Additional Acres Should This Change of Zone Be Granted
- Exhibit 5 - Landscape Plan of Waihuna Village I with 2.0-Acre Addition
- Exhibit 6 - Building Plans for Units Proposed on the 2.0-Acre Change of Zone Parcel
- Exhibit 7 - Development Plan Land Use Map

### **List of Appendices**

- Appendix A - Concurrent Development Plan Amendment and State Land Use Boundary Amendment (For Parcels Less Than 15 Acres)
- Appendix B - Waihuna Project Change of Zone (Ordinance 86-72)
- Appendix C - Waihuna Project Planned Development-Housing (PD-H) Permit (DLU Folder No. 88-PDH-3)

**SECTION I**

**APPLICATION FOR CHANGE OF ZONE**

## APPLICATION FOR ZONE CHANGE

### CONTENT GUIDE FOR REZONING

#### PROJECT DESCRIPTION

Waihuna is a multi-family residential project located in Waikakalaua Gulch, Waipio, Oahu, Hawaii. The project has a planned development housing (PD-H) approval (DLU Folder No. 88-PDH-3) allowing 1028 units containing a maximum floor area of 1,067,220 sq. ft. on an R-5 residential zoning lot of 70 acres. The subject zoning request is to allow a boundary adjustment to the existing 70-acre R-5 zoning lot to add 2.0 acres of usable level land to the existing zoning lot, with a corresponding reduction of 2.0 acres from the existing zoning lot which is less suited for development. The end result will be a reconfigured 70-acre zoning lot area allowing 1028 units with a maximum floor area of 1,067,220 sq. ft. A general location plan of the project area is shown on Exhibit 1. Exhibit 2 shows the currently approved 70-acre PD-H project with the 2.0-acre adjusted areas highlighted. Exhibit 3 shows Village I of the proposed project as currently under construction plan final design, and Exhibit 4 shows how the 2.0-acre parcel intended for R-5 residential zoning would be assimilated into Village I should the rezoning be granted. Exhibit 4 specifically shows the land plan as well as preliminary grading, and Exhibit 5 shows the proposed landscape plan. Exhibit 6 shows the typical building plans. The 2.0-acre parcel will support 38 two-story walk-up units identical to the type of units currently being designed for Waihuna Village I.

#### I. GENERAL PLAN AND DEVELOPMENT PLAN OBJECTIVES AND POLICIES

##### A. GENERAL PLAN OBJECTIVES AND POLICIES

1. **Population:** The proposed project will neither increase nor decrease population, but will solely reconfigure a currently approved project. Therefore, rezoning will have no impact on any population objectives or policies.
2. **Economic Activity:** Waihuna as a whole will provide employment opportunities to the construction industry and, therefore, is consistent with Objective A of the General Plan. In addition, even though the change of zone seeks to change AG-1 zoning to R-5 Residential zoning, which is contrary to Objective C, the subject site has never been used for agricultural purposes. Further, 2.0 acres are proposed for change of zone from R-5 Residential to P-2 to offset the loss of AG-1 zoning adjacent to Village I.

3. **Natural Environment:** The subject Change of Zone application is not relevant to the General Plan Natural Environment Objectives and Policies.
4. **Housing:** Waihuna as a whole is a multi-family housing project proposing market-priced units starting from approximately \$180,000, which should be considered attractive and totally in concert with the General Plan's Housing Objectives and Policies. In addition, a minimum of 15 percent (15%) of the project's units will be low and moderate income housing interspersed throughout the project.
5. **Transportation and Utilities:** The subject Change of Zone will not increase the Waihuna Project density and will have no impact on the General Plan's Transportation and Utilities Objectives and Policies.
6. **Energy:** The subject Change of Zone will *neither increase nor decrease* energy requirements and will have no impact on the General Plan's Energy Objectives and Policies.
7. **Physical Development and Urban Design:** The subject Change of Zone only provides for slight boundary adjustments to an approved project. Further, the project is installing infrastructure to support the project as well as the community, including participation in widening the H-2 Freeway.
8. **Public Safety:** The Waihuna Project has been previously reviewed by all applicable public safety agencies in conjunction with previous approvals. The subject Change of Zone will have no impact on the General Plan's Public Safety Objectives and Policies.
9. **Health and Education:** The Waihuna Project has been reviewed by education agencies in conjunction with previous approvals. The subject Change of Zone will have no impact on previous agency reviews and no impact on the General Plan's Health and Education Objectives and Policies.
10. **Culture and Recreation:** The Waihuna Project is providing its own neighborhood park in conformance with Objective D, Policy 1, of the General Plan. The subject Change of Zone will not alter this commitment.
11. **Government Operations and Fiscal Management:** The Waihuna Project as a whole and subject Change of Zone are not relevant to this General Plan category.

## **B. DEVELOPMENT PLAN COMMON PROVISIONS**

A Change of Zone (Ordinance 86-72) has been previously granted for the Waihuna Project. This approval process demonstrates compliance with the Development Plan Common Provisions. The subject project requesting 2.0 acres of rezoning will keep the previously approved project intact with boundary adjustments. The following sections of the Common Provisions are applicable to the subject 2.0-acre Change of Zone request:

**Section 32-1.2(i)(2) - Development Plan Public Facilities Map:** There is no density change involved in this request and, correspondingly, no impact on the Public Facilities Map.

**Section 32-1.3(1):** The proposed Change of Zone will allow multi-family housing within an R-5 Residential District as governed by an existing approved PD-H (DLU Folder No. 88-PDH-3), and this use will be compatible with the Residential District requirements.

**Section 32-1.4(1) - Public View:** No impact.

**Section 32-1.4(2) - Open Space:** No impact.

**Section 32-1.4(3) - Vehicular and Pedestrian Routes:** No impact.

**Section 32-1.4(4) - General Height Controls:** All heights in the subject 2.0-acre parcel will be no greater than those currently approved for Waihuna Village I and, consequently, there will be no impact.

**Section 32-1.4(5) - Energy Efficiency:** No impact.

**Section 32-1.4(6) - Existing Built-Up Single-Family Areas:** The subject Change of Zone will provide housing identical to that of Waihuna Village I and, therefore, the proposed action is compatible with the existing housing environment.

**Section 32-1.5(2) - Parks and Recreational Areas:** The Waihuna Village I Project will have a neighborhood park. The subject 2.0-acre parcel of land will utilize this park.

**Section 32-1.6 - Historical Significance:** (refer to Item 7 of this Change of Zone Application).

**Section 32-1.7 - Public Thoroughfares:** The Waihuna Project (70 acres) currently has access from Wikao Street (60-foot wide right-of-way) leading to Leilehua Golf Course Road and the H-2 Freeway access ramps. The 70-acre project has commitments for improvements to Leilehua Golf Course Road and the H-2 Freeway, which will be unaffected by this Change of Zone request.

**Section 32-1.8 - Public Buildings, Public or Private Facilities for Utilities, Terminals or Drainage:** No impact.

**Section 32-1.9 - Sequencing of Public Facilities:** All required public facilities have been identified in the Waihuna Project (70 acres) Change of Zone (Ordinance 86-72) and PD-H (DLU Folder No. 88-PDH-3). The subject 2.0-acre change of zone will not alter these requirements.

#### **C. DEVELOPMENT PLAN SPECIAL PROVISIONS**

As with the Development Plan Common Provisions (Section 1.A above), a previous Change of Zone (Ordinance 86-72) has been issued. The proposed 2.0-acre change of zone is solely to adjust project boundaries and no impact on the Development Plan Special Provisions for Central Oahu is identified. However, the following sections of the Special Provisions are being addressed:

**Section 32-5.1 - Area Description:** The proposed Change of Zone request will neither increase nor decrease the developed area or housing density in Central Oahu.

**Section 32-5.2 - Urban Design Principles and Controls:** The proposed 2.0 acres of land which will be assimilated into Waihuna Village I will match and be an integrated part of Village I. No impact on open space, public views, height controls or density control is identified or foreseen.

**D. DEVELOPMENT PLAN LAND USE MAP:** The subject 2.0-acre change of zone sites are shown on Exhibit 7. A concurrent development plan amendment is being sought. The complete Development Plan Amendment is being provided as Appendix A for reference.

#### **E. CONSIDERATION TO SOCIAL IMPACT FACTORS**

The Development Plan Common Provisions (Section 32-1.10) identify specific factors which are of primary concern for the evaluation of a Change of Zone request. The following discussions are applicable:

1. **Social Impact Factors:** The subject Change of Zone will solely reorganize the boundaries of a currently approved project, with no increase in developable area or density. Therefore, no impact is foreseen on demographics, economics, housing or public services.
2. **Physical Environment:** The subject Change of Zone (2.0 acres) will allow development in an area which occupies relatively level land (less than 10% slope). In exchange, 2.0 acres of steeper land (approximately 40% slope) will be abandoned. The net effect will be a lesser impact to the physical environment due to reduced earthwork requirements.

## **II. STATE LAND USE DISTRICT**

The 2.0-acre parcel proposed for change of zone adjacent to Waihuna Village I is in the State Agricultural District. A State Land Use Boundary Amendment/Development Plan Amendment (less than 15 acres) is being sought concurrently with this change of zone and is being processed with the City and County Department of General Planning. The concurrent application is attached as Appendix A for reference.

## **III. COMPATIBILITY WITH ZONING DISTRICT**

Should the subject Change of Zone be granted, the current PD-H boundaries would be subsequently modified to reflect the adjusted 70-acre R-5 zoning lot. As shown on Exhibit 4, the 2.0-acre parcel would be assimilated into Village I of the Waihuna Project. Village I has already received conceptual final design approval from the Department of Land Utilization-Urban Design Section. Therefore, based on the continuity of the 2.0-acre expansion to Village I, it is readily apparent that the purpose and intent of the R-5 zoning district, as well as PD-H plan, can be demonstrated. However, it is suggested that the Department of Land Utilization-Urban Design Section review the proposed 2.0-acre expansion, since the underlying PD-H approval has discretionary requirements.

## **IV. TOPOGRAPHY**

Exhibit 4 shows existing contours on the 2.0-acre site. The slope is gentle (less than 10%) until the site meets the Waikakalaua Gulch valley wall where it slopes approximately 40 percent (40%).

## **V. DETAILS OF HOUSING PROPOSAL**

As previously described, Waihuna Village I is shown on Exhibit 3. Exhibit 4 shows how the 2.0-acre zoning area adjacent to Village I will be assimilated into the project. The 2.0-acre parcel will contain the following:

- A. BUILDINGS:** Four (4)
- B. DWELLING UNITS:** Thirty-eight (38)
- C. DWELLING UNIT FLOOR AREAS:** (see Exhibit 6)
- D. PARKING:** (2 stalls/unit and 1 guest stall for each 10 required parking stalls).

#### **E. AMENITIES:**

1. A pavilion complex with a pool is being provided within Village I.
2. The total Waihuna development is providing a neighborhood park which will be maintained by the Homeowners Association.
3. Heights of Structures: 30 feet (maximum).
4. Surrounding Uses: Roadway (Wikao St.)  
No other uses exist in Waikakalaua Gulch. Mililani Technology Park is being developed on the plateau above Waikakalaua Gulch.

#### **VI. INFRASTRUCTURE REQUIREMENTS**

Infrastructure requirements for the 70-acre Waihuna Project have previously been determined. This Change of Zone application will only adjust the 70-acre zoning lot, with no increase in project density. All requirements of the currently approved PD-H will remain intact and apply to the total project. The zoning ordinance (Ordinance 86-72), as well as PD-H approval (DLU Folder No. 88-PDH-3), are attached as Appendices B and C, respectively.

#### **VII. ENVIRONMENTAL REQUIREMENTS**

An Environmental Impact Statement (EIS) was prepared for the Waihuna Project and this document was accepted on September 23, 1985 by the Department of Land Utilization. The subject proposed 2.0-acre boundary amendment solely adjusts the 70-acre Waihuna Project to add 2.0 acres of flatter land and deletes 2.0 acres of sloped land (approximately 40 percent slope). The boundary adjustments are contiguous with the originally developed project and the previously approved EIS is applicable with respect to Hawaii Revised Statutes (HRS) Chapter 343 requirements.

Surveys, including an archaeological reconnaissance of the valley, were performed in conjunction with the EIS and no significant features were identified. The 70-acre Waihuna Project currently has a requirement that work be stopped with verification to DLNR-Historic Sites Section if cultural deposits, burial or archaeological artifacts are discovered. It is understood this condition would be applicable to the 2.0-acre parcel under consideration in this application.

In addition, the current Waihuna Project has a requirement that a botanist survey the side walls of Waikakalaua Gulch for the occurrence of threatened, endangered or rare plant species and prepare a report to be submitted as approved by DLNR-Forestry and Wildlife Division. Both 2.0-acre parcels will be part of that study, which has already been commissioned by the owners.

## **VIII. IMPACTS**

The subject Change of Zone will solely adjust the zoning boundaries of the currently approved Waihuna Project. (Refer to Appendices B and C). Should the subject Change of Zone be granted, there will be no additional impacts to the following categories:

- A. Public Services**
- B. Traffic and Planning**
- C. Housing and Population**
- D. Employment**
- E. Parks and Recreation**
- F. Day Care**
- G. Community Concerns**
- H. Other**

No specific agency consultation has occurred related to this Change of Zone request. However, there is ongoing and regular consultation with all agencies due to the fact that the total project is beginning final construction plan design.

## **IX. MITIGATION MEASURES**

The subject Change of Zone will add 2.0 acres of developable land to the Waihuna PD-H project. However, no additional floor area, density and/or housing units are sought by the applicant. Therefore, the subject Change of Zone includes a companion request to down zone (R-5 to P-2) 2.0 acres of land within the project to maintain a project area of 70 acres. No mitigation measures are appropriate.

**X. DRAWINGS**

The following site drawings have been provided:

- A. Exhibit 1 - General Location Map
- B. Exhibit 2 - Currently Approved PD-H with Change of Zone Areas Highlighted
- C. Exhibit 3 - Waihuna Village I Site Plan as Currently Under Final Design
- D. Exhibit 4 - Waihuna Village I Site Plan with 2.0 Additional Acres Should This Change of Zone Be Granted
- E. Exhibit 5 - Landscape Plan of Waihuna Village I with 2.0-Acre Addition
- F. Exhibit 6 - Building Plans for Units Proposed on the 2.0-Acre Change of Zone Parcel
- G. Exhibit 7 - Development Plan Land Use Map

(NOTE: All building plans for the 2.0-acre parcel are identical to those being utilized on the currently approved Waihuna Village I.)

**XI. PHOTOS**

No photos are available for the subject Change of Zone application. However, the general project location is shown as Figure 1, and Figures 2, 3, 4, 5 and 6 show the project's access from Wikao Street (60-foot wide right-of-way).

**XII. SOCIAL IMPACT OF DEVELOPMENT**

It is recognized that a major consideration in evaluating Change of Zone requests is to evaluate the Change of Zone approved with respect to the purpose and intent of the General Plan and Development Plan of the City and County of Honolulu. It is also recognized that specific emphasis is placed on potential social impacts upon residents in the community.

However, the proposed Change of Zone solely seeks to adjust the boundaries of a currently approved project, with no change to the currently approved project density. Further, the total project is on the mauka side of the H-2 Freeway and has no immediate or adjacent neighbors, with the exception of the Mililani Technology Park being developed on the plateaus of Waikakalaua Gulch. There is a 100± foot vertical separation between the plateaus above Waikakalaua Gulch and the Waihuna Project and, subsequently, the Technology Park is separated from the Waihuna development.

Therefore, the subject Change of Zone application is not perceived to have any social impact factors as related to:

- A. Demographics
- B. Economics
- C. Housing
- D. Public Services

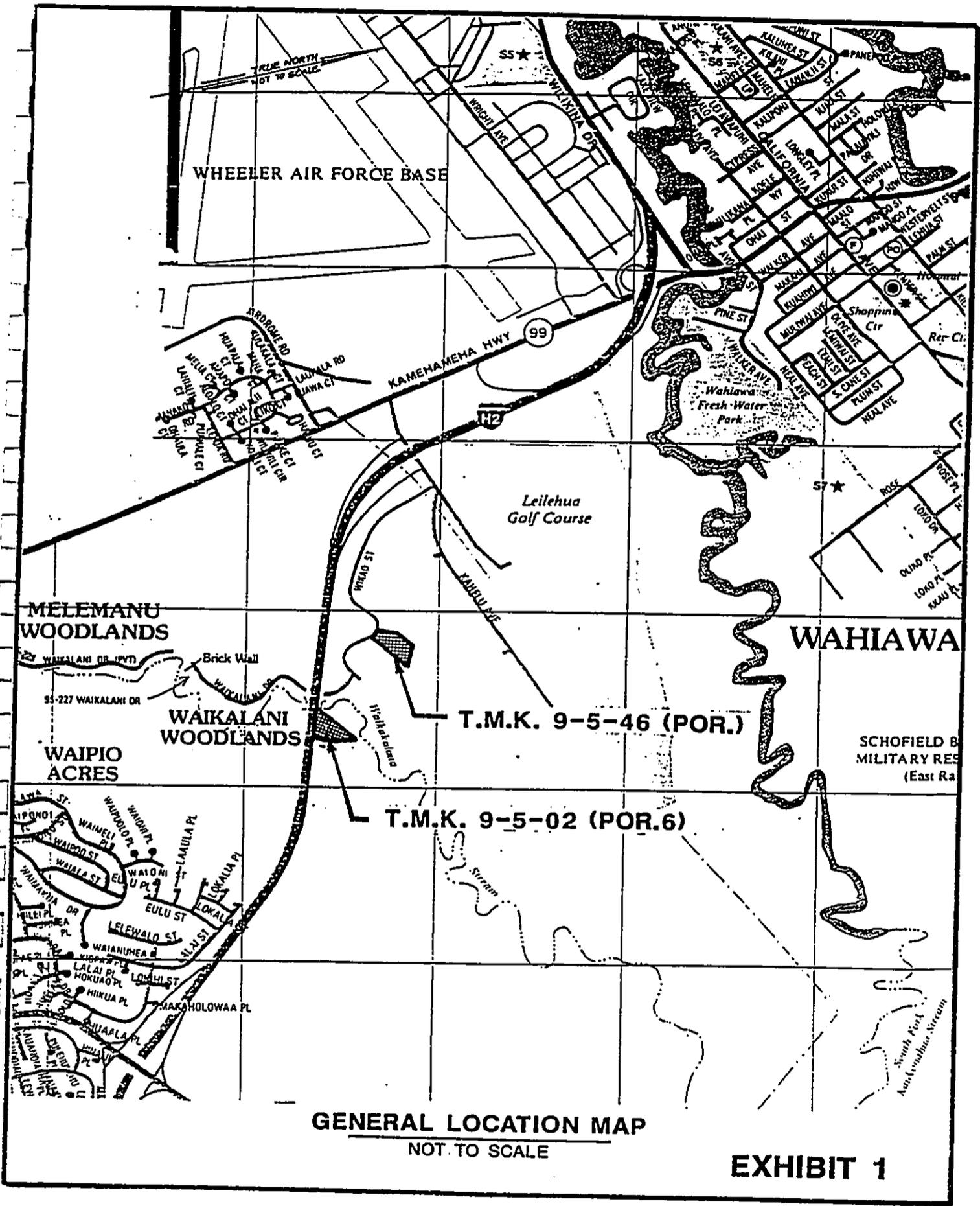
With respect to the physical environment, the proposed Change of Zone will allow 2.0 acres of development on relatively level land (less than 10 percent slope) while eliminating development on 2.0 acres of land with steeper slopes (approaching 40 percent). Therefore, the Change of Zone will have a positive benefit to the physical environment resulting from less intensive grading requirements.

**XIII. AGENCIES CONSULTED DURING APPLICATION PREPARATION**

1. The City & County of Honolulu Department of General Planning
2. The City & County of Honolulu Department of Land Utilization
3. The City & County of Honolulu Department of Public Works
4. The State of Hawaii Land Use Commission

**SECTION II**

**DRAWINGS**



WHEELER AIR FORCE BASE

Leilehua Golf Course

MELEMANU WOODLANDS

WAHIAWA

WAIKALANI WOODLANDS

T.M.K. 9-5-46 (POR.)

SCHOFIELD B MILITARY RES (East Ra

WAIPIO ACRES

T.M.K. 9-5-02 (POR.6)

GENERAL LOCATION MAP NOT TO SCALE

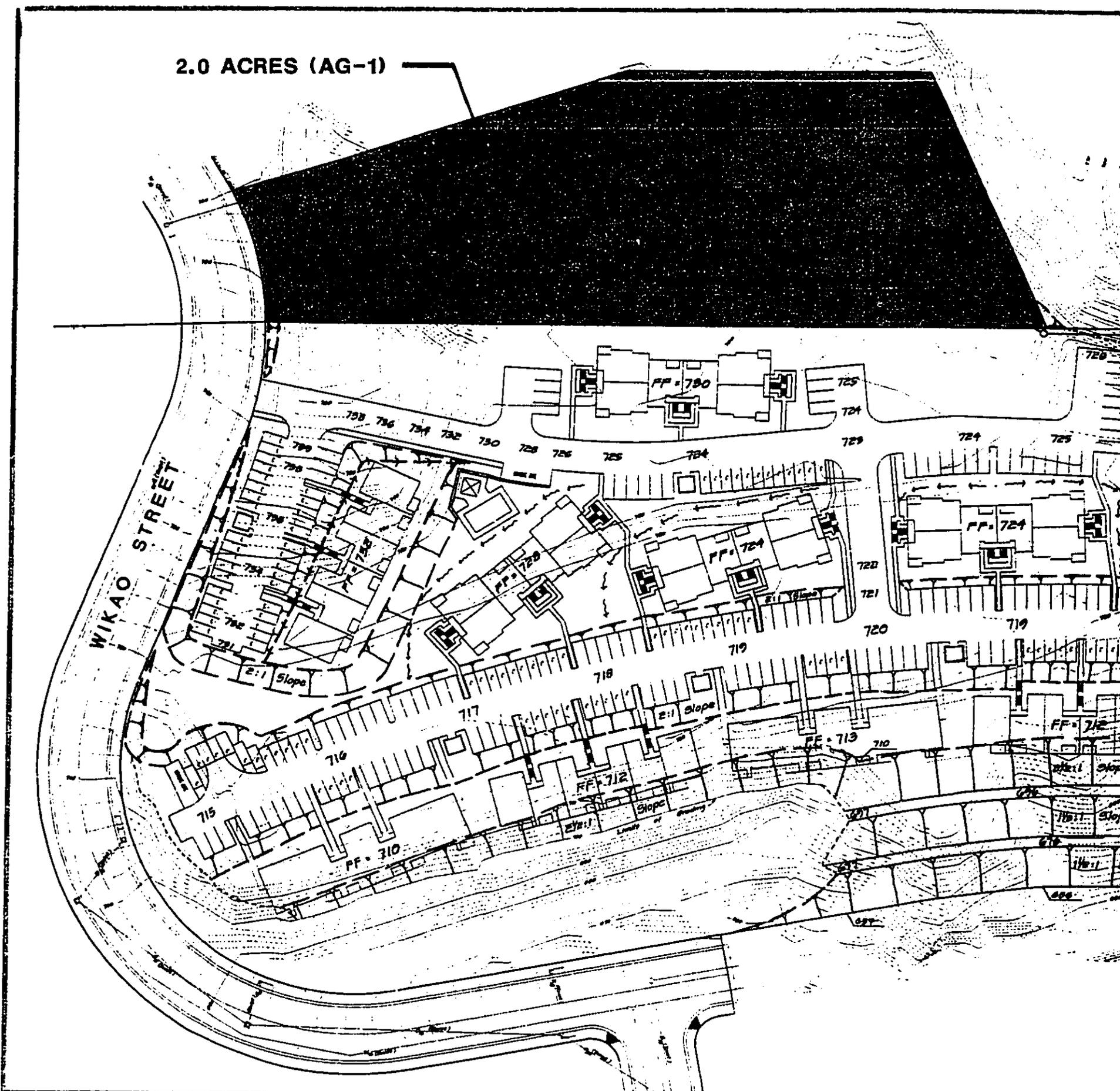
EXHIBIT 1

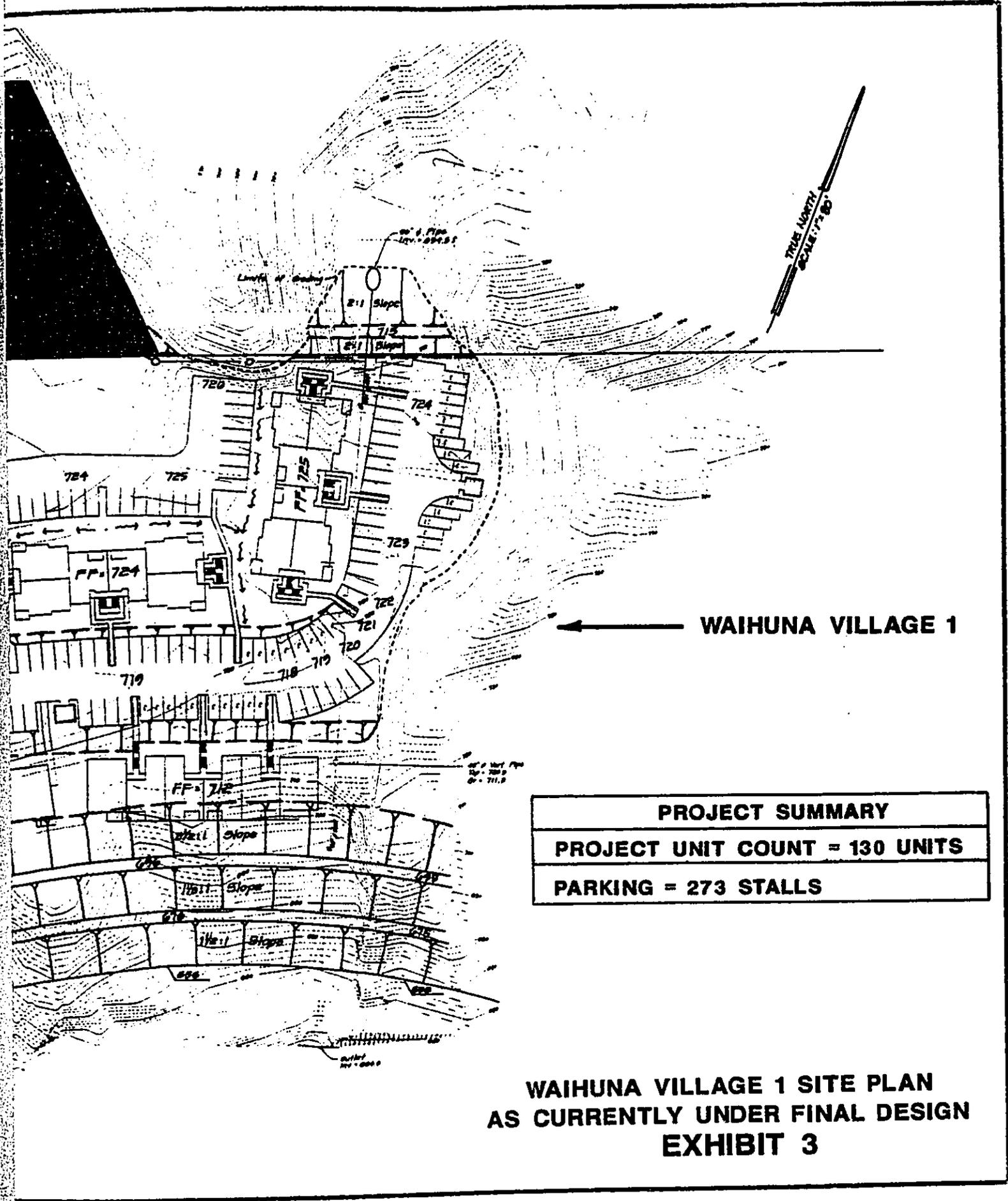
0089C

8



2.0 ACRES (AG-1)





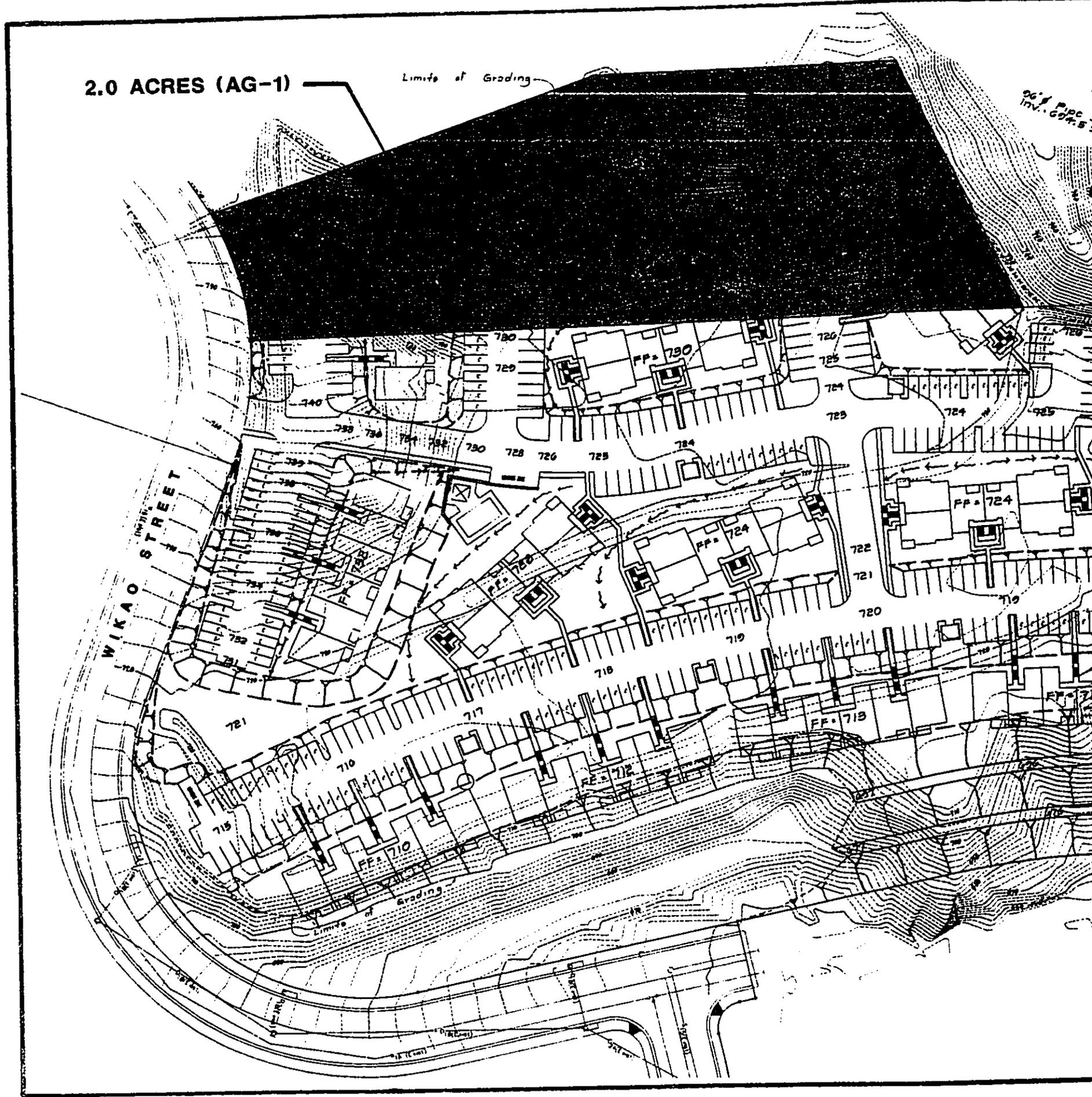
<b>PROJECT SUMMARY</b>
<b>PROJECT UNIT COUNT = 130 UNITS</b>
<b>PARKING = 273 STALLS</b>

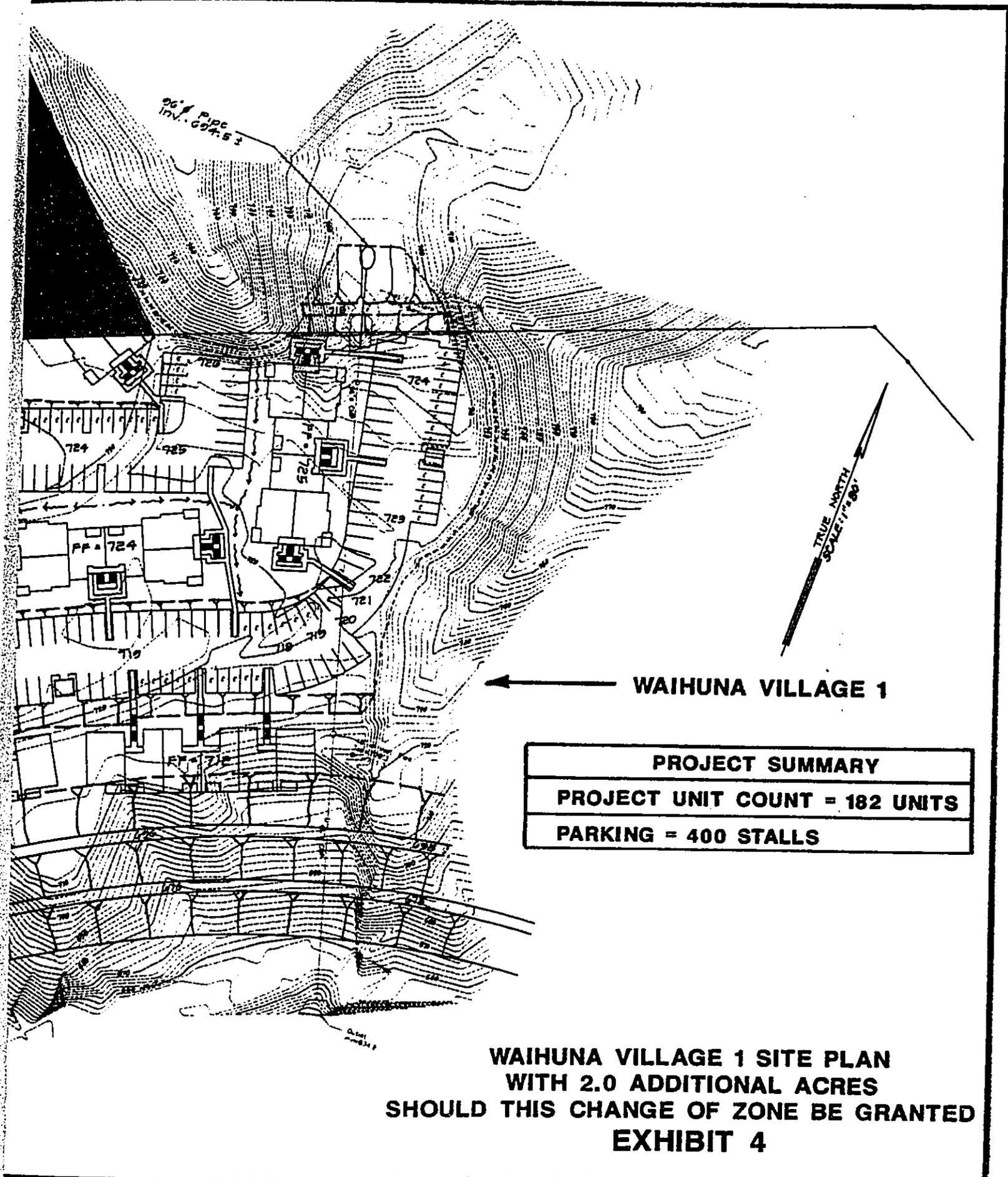
**WAIHUNA VILLAGE 1 SITE PLAN  
AS CURRENTLY UNDER FINAL DESIGN  
EXHIBIT 3**

2.0 ACRES (AG-1)

Limits of Grading

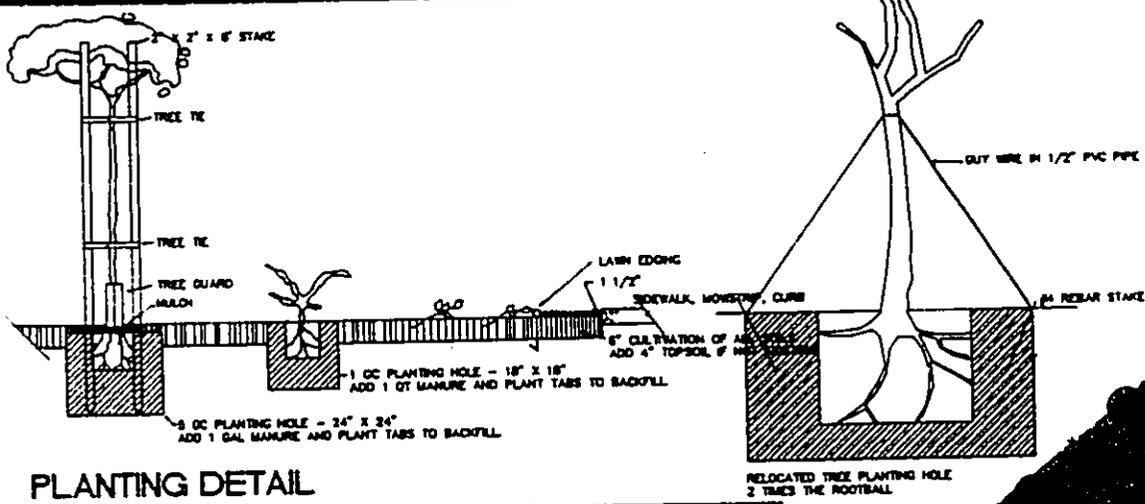
20' P.C.  
INV. 694.8





<b>PROJECT SUMMARY</b>
<b>PROJECT UNIT COUNT = 182 UNITS</b>
<b>PARKING = 400 STALLS</b>

**WAIHUNA VILLAGE 1 SITE PLAN  
WITH 2.0 ADDITIONAL ACRES  
SHOULD THIS CHANGE OF ZONE BE GRANTED  
EXHIBIT 4**



**PLANTING DETAIL**

SCALE 1/2" = 1'

NOTE: SEE SPECIFICATIONS FOR DETAILS OF SOIL TREATMENT, FERTILIZATION, ETC.  
 TREE GUARDS SHALL BE 12" OF 3" DIAMETER PVC PIPE SPLIT DOWN ONE SIDE.  
 ALL NEW TREES IN LANDSCAPED AREAS SHALL BE FITTED WITH A TREE GUARD.  
 25 GALLON MATERIAL AND RELOCATED TREES SHALL HAVE A PLANTING HOLE TWICE THE SIZE OF THE CONTAINER OR BALL AND THE AMENDMENTS TO THE BACKFILL SHALL BE PROPORTIONAL.

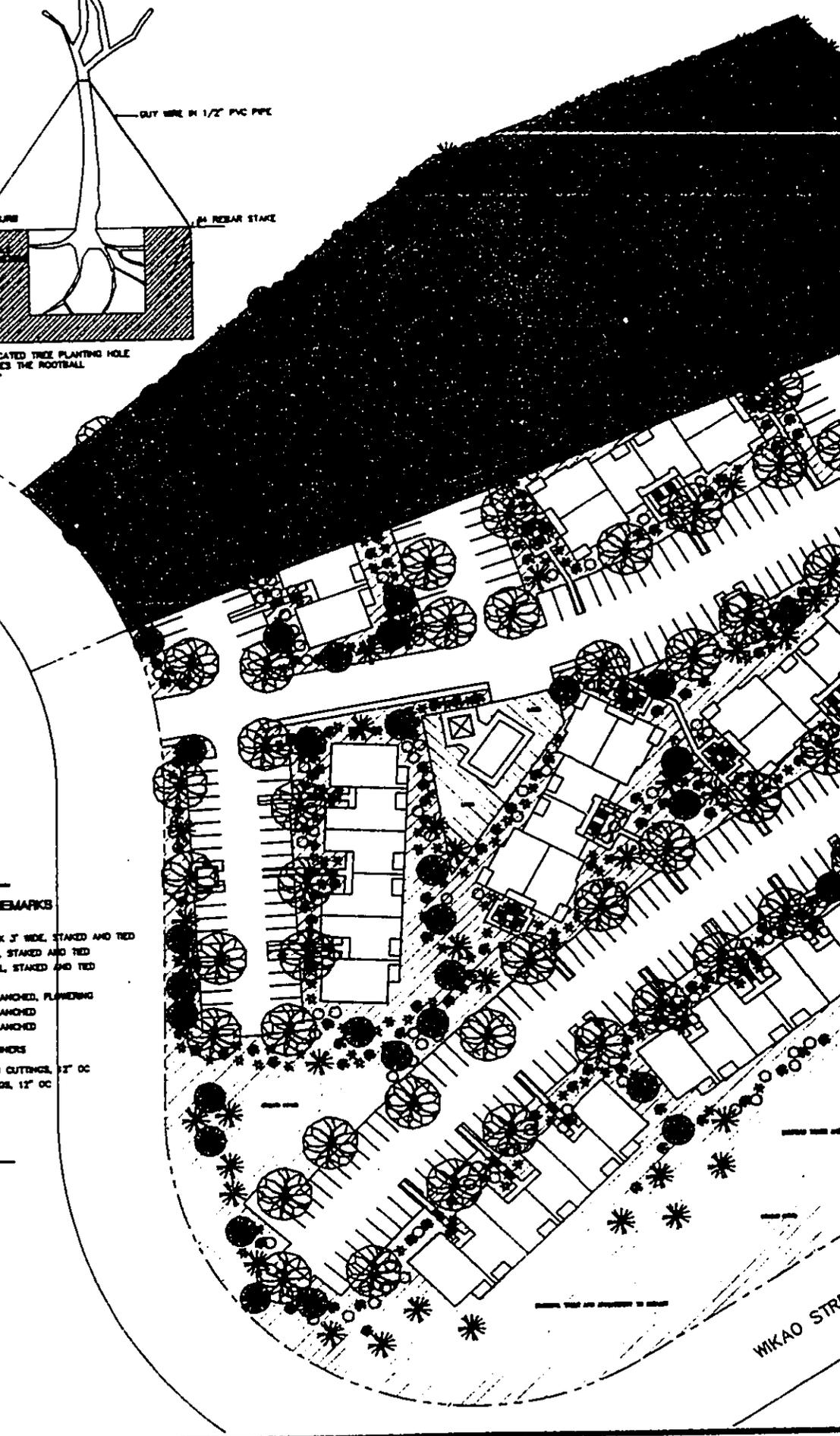
ANY TREES TO BE RELOCATED OR REPLACED WILL BE TAGGED ON BY THE LANDSCAPE ARCHITECT.

**PLANT LIST**

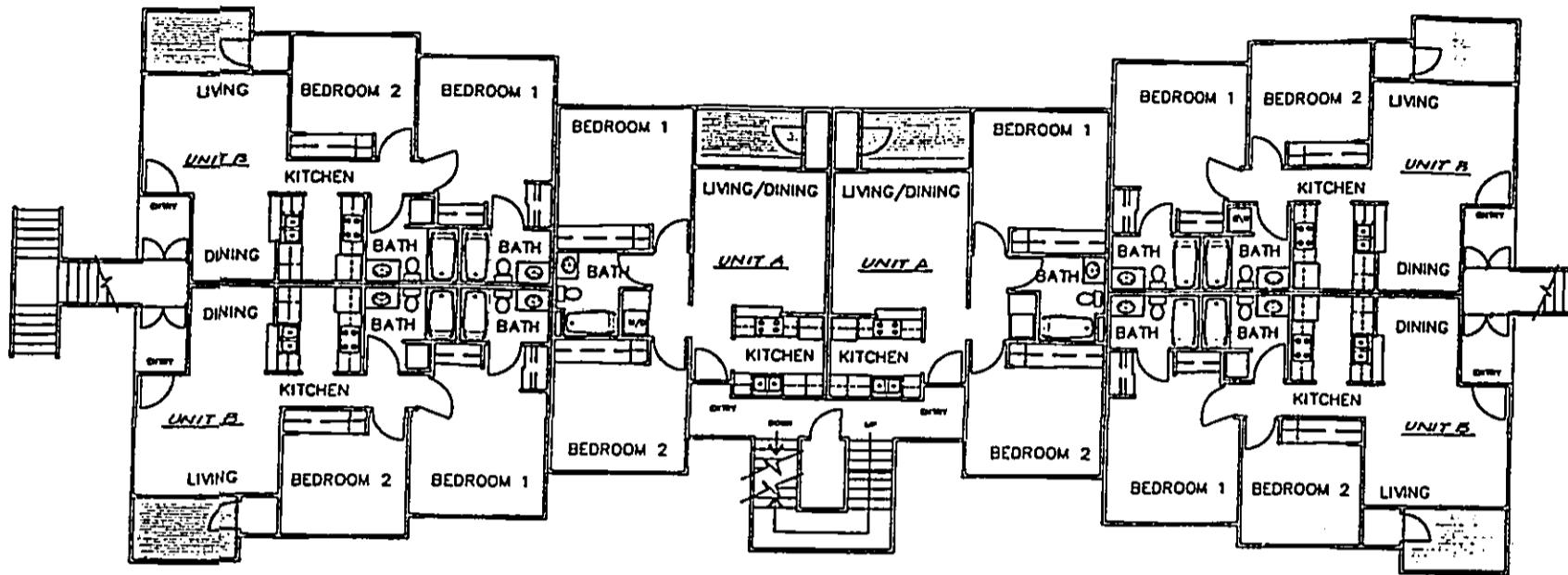
NUMBER	COMMON NAME	SCIENTIFIC NAME	SIZE/REMARKS
85	FORBOSAN KOA	ACACIA FORBOSIANA	6" TALL X 3" WIDE, STAKED AND TIED
107	NORFOLK ISLAND PINE	ARAUCARIA HETEROPHYLLA	5' TALL, STAKED AND TIED
90	AFRICAN TULIP TREE	SPATHODEA CAMPANULATA	5' TALL, STAKED AND TIED
317	MS MAHUA BOUGAINVILLEA	BOUGAINVILLEA SPECTABILIS	12", BRANCHED, FLowering
348	ALLAMANDA	ALLAMANDA CATHARTICA	12", BRANCHED
237	ELDORADO	GRAPTOPHYLLUM PICTUM	12", BRANCHED
18	CLIMBING FIG	FIGUS REPENS	12" RUNNERS
245,000 SOFT	WEDELIA	WEDELIA TRILOBATA	ROOTED CUTTINGS, 12" OC
3,000 SOFT	CENTPEDE GRASS	EREMOCHLOA OPHUROIDES	3" PLUGS, 12" OC

**LEGEND**

- TREES
  - FORBOSAN KOA
  - AFRICAN TULIP TREE
  - NORFOLK ISLAND PINE
- SHRUBS
  - BOUGAINVILLEA
  - ALLAMANDA
  - ELDORADO
- VINES
  - CLIMBING FIG
- GROUND COVERS
  - WEDELIA
  - CENTPEDE GRASS

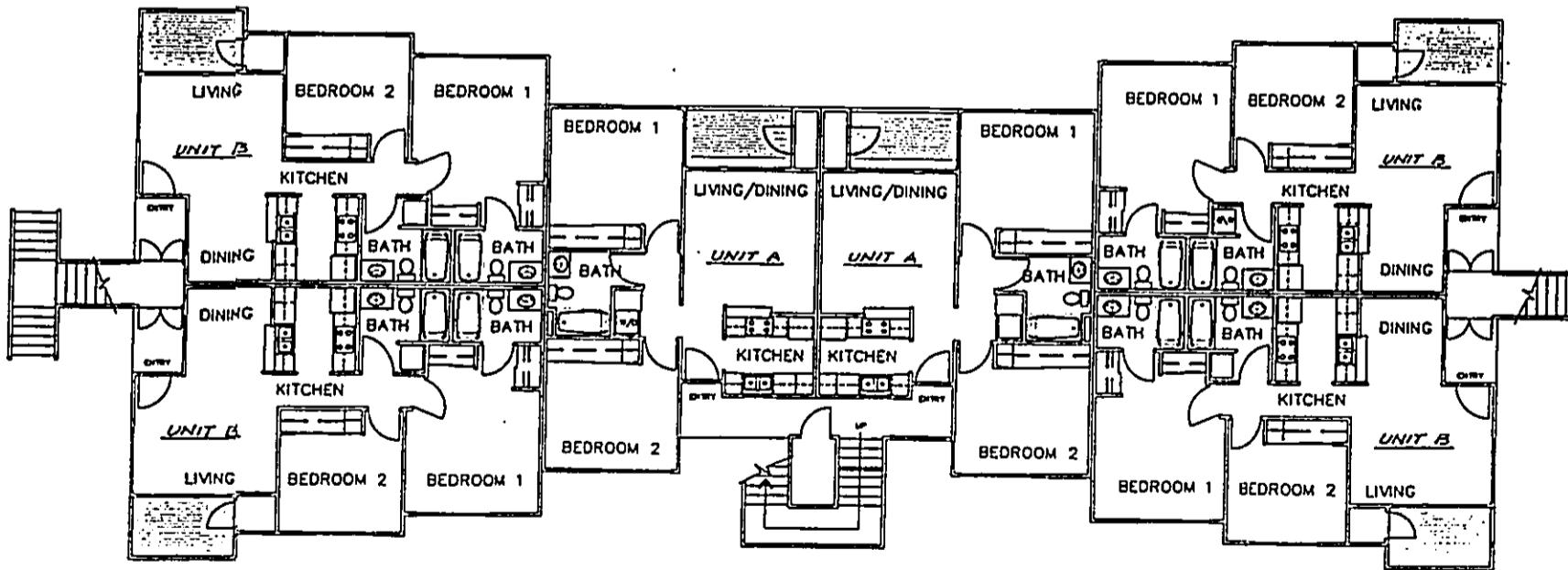






SECOND FLOOR

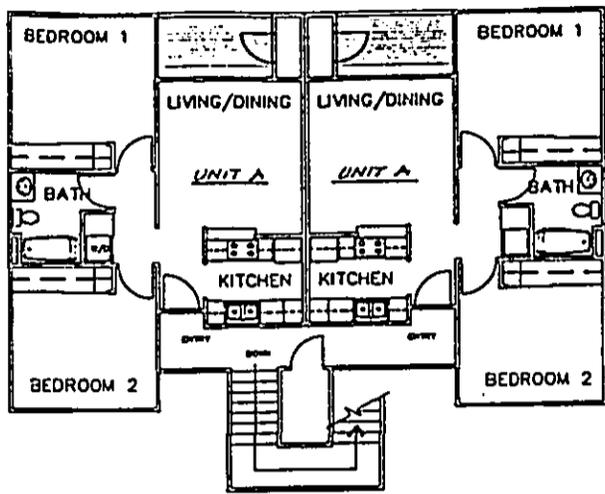
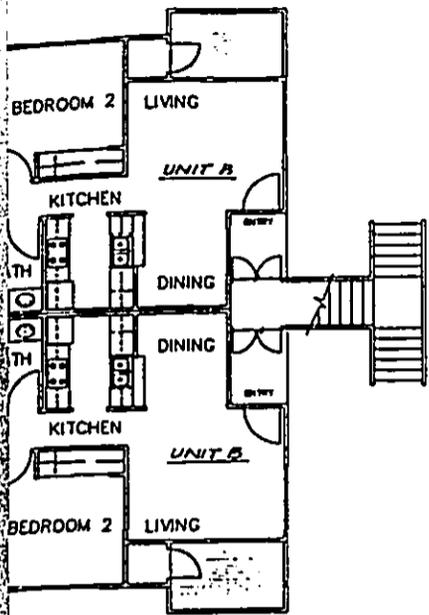
(SECOND FLOOR AREA 5,267.32 SQ. FT.)



FIRST FLOOR

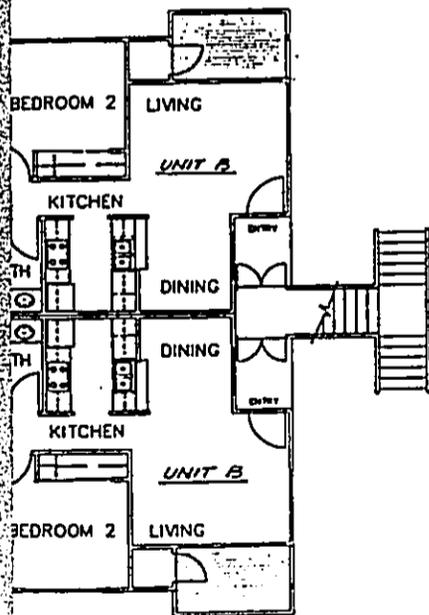
(FIRST FLOOR AREA 5,267.32 SQ. FT.)

FIRST, SECOND & THIRD FLOOR PLANS



**THIRD FLOOR**

(THIRD FLOOR AREA 1,676.86 SQ. FT.)

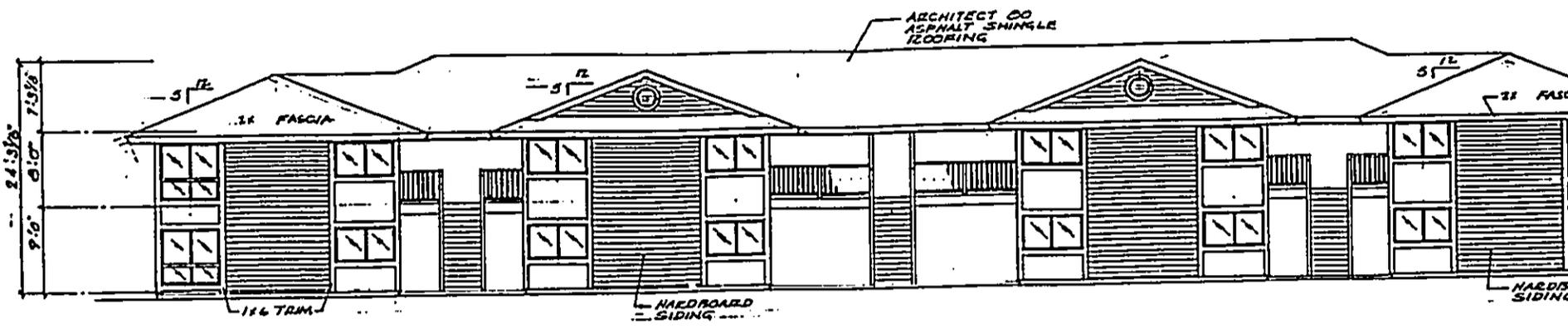


**BUILDING PLANS FOR UNITS  
PROPOSED ON THE 2.0 - ACRE  
CHANGE OF ZONE PARCEL  
EXHIBIT 6**

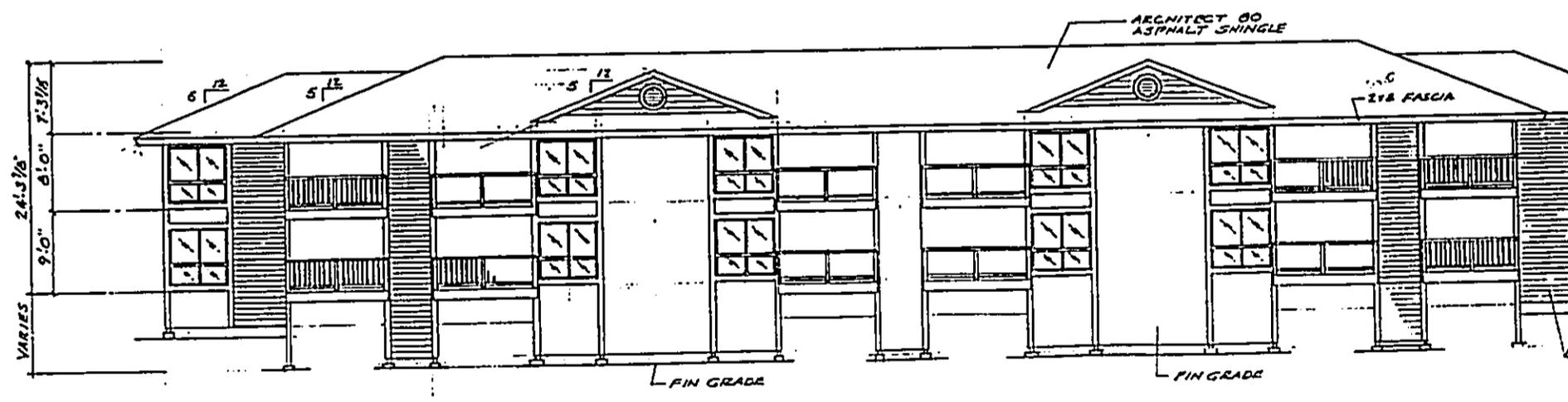
BUILDING TYPE II

SCALE 1/16" = 1'-0"

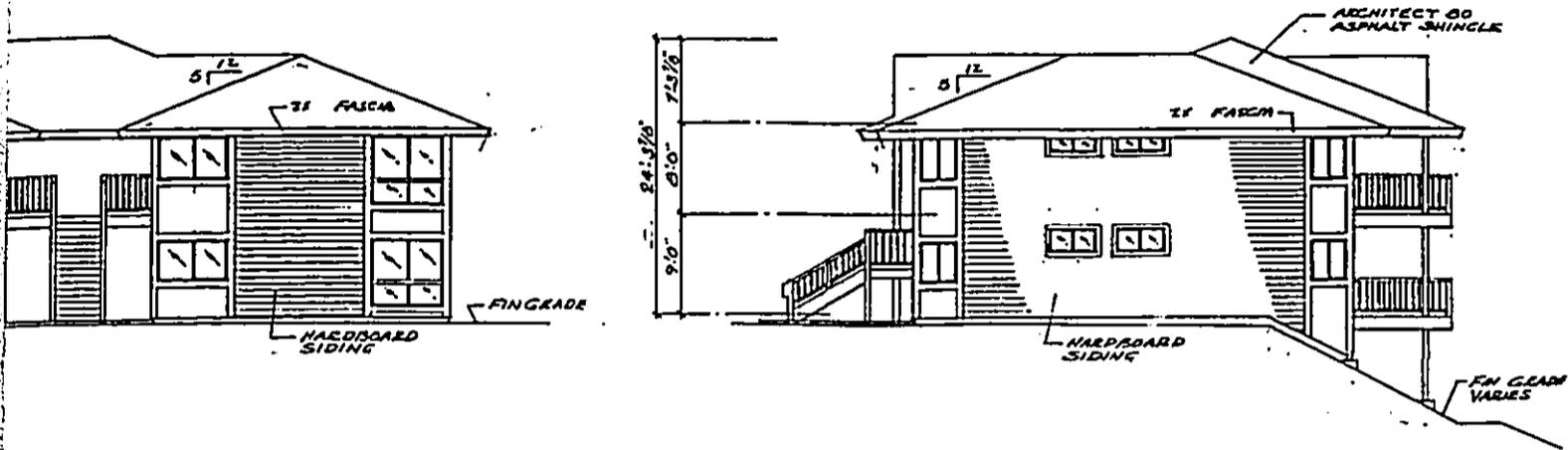
SCALE  
1/16" = 1'-0"



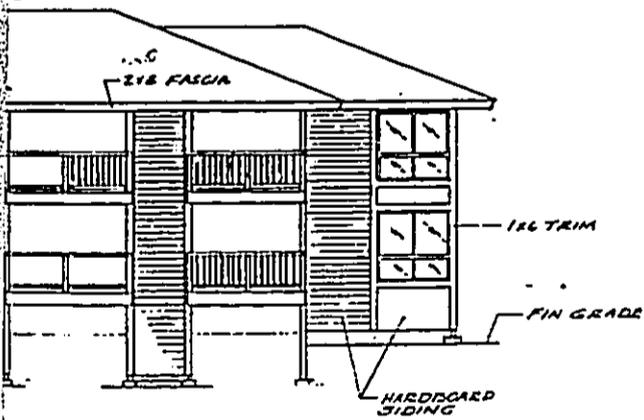
A FRONT ELEVATION



B REAR ELEVATION

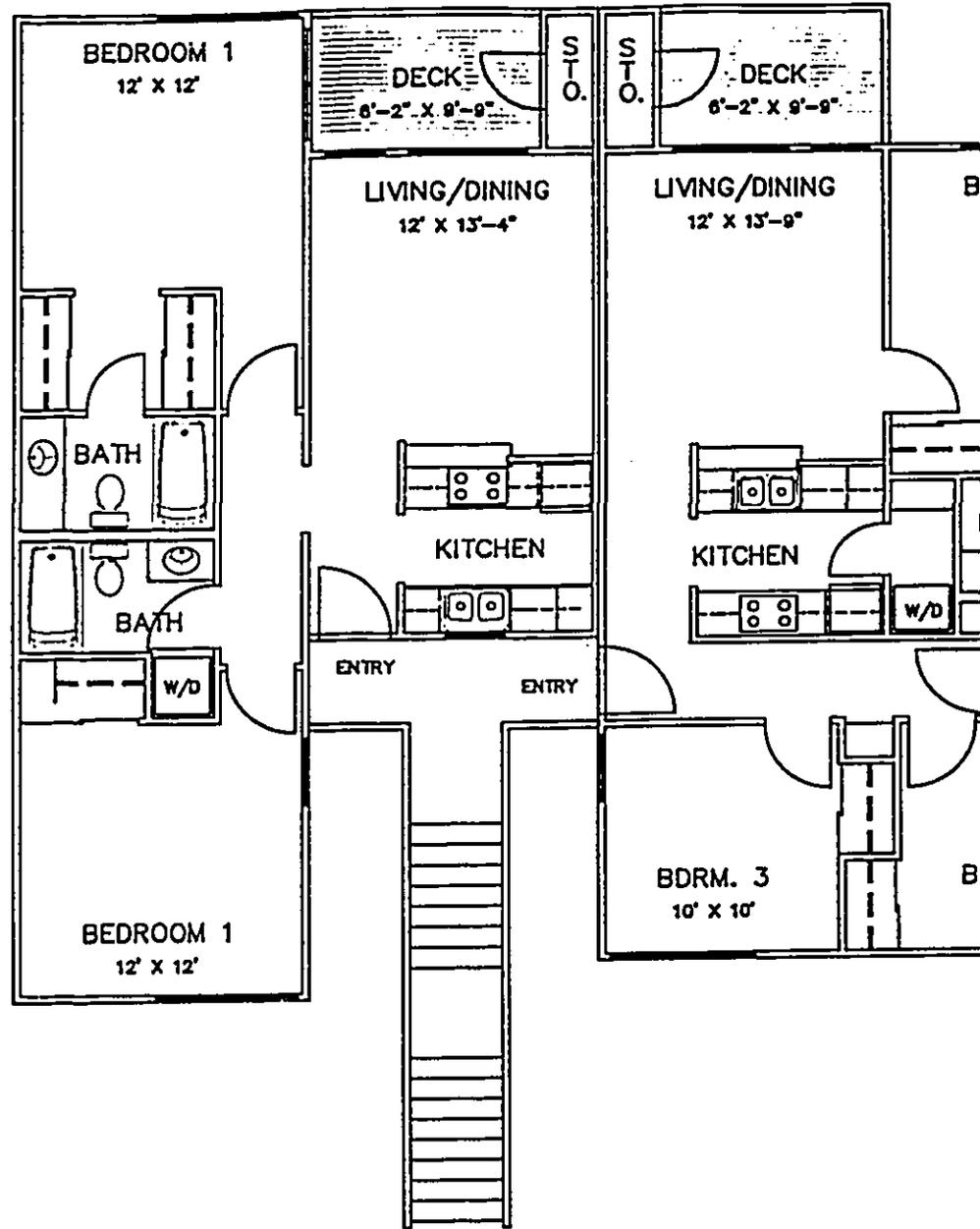


SCALE 1/16" = 1'-0"	13	RIGHT SIDE ELEVATION LEFT SIDE SIM	SCALE 1/16" = 1'-0"
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BUILDING PLANS FOR UNITS  
 PROPOSED ON THE 2.0 - ACRE  
 CHANGE OF ZONE PARCEL  
 EXHIBIT 6

SCALE 1/16" = 1'-0"
------------------------



(FROM BUILDING TYPE I)

**2 BEDROOM - 2 BATH**

LIVING AREA	830.14 SQ. FT.
DECK AREA	60.82 SQ. FT.
STORAGE AREA	16.78 SQ. FT.
TOTAL AREA	907.73 SQ. FT.

**3 BEDROOM**

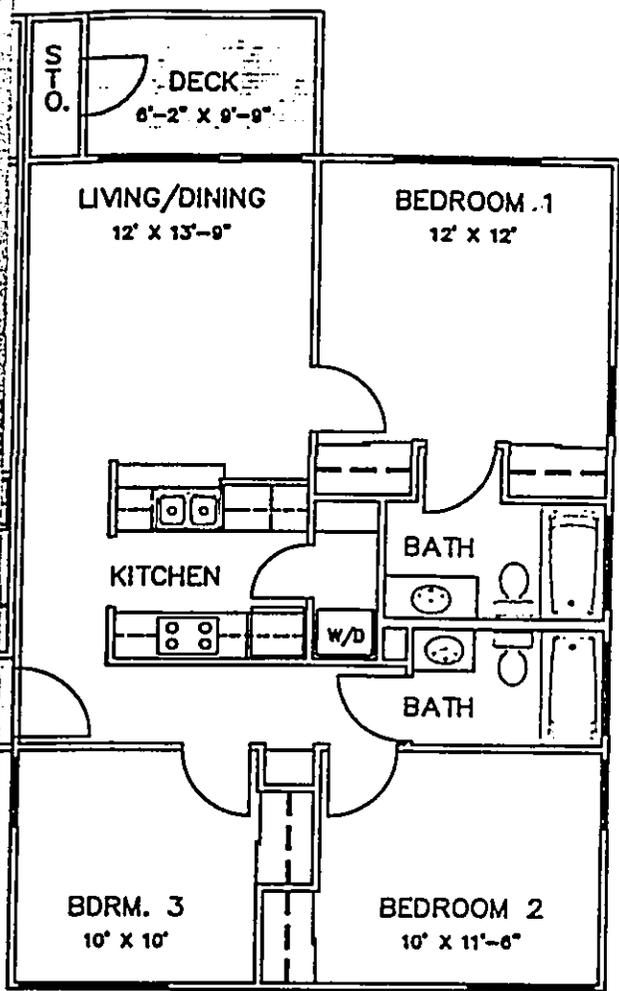
LIVING AREA	
DECK AREA	
STORAGE AREA	
TOTAL AREA	

UNIT TYPE C

SCALE  
1/8" = 1'-0"

13

UNIT TYPE



ING TYPE I)

3 BEDROOM - 2 BATH

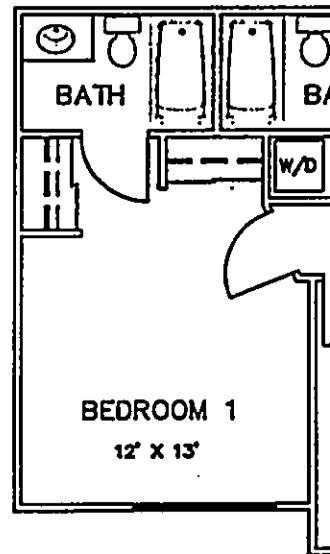
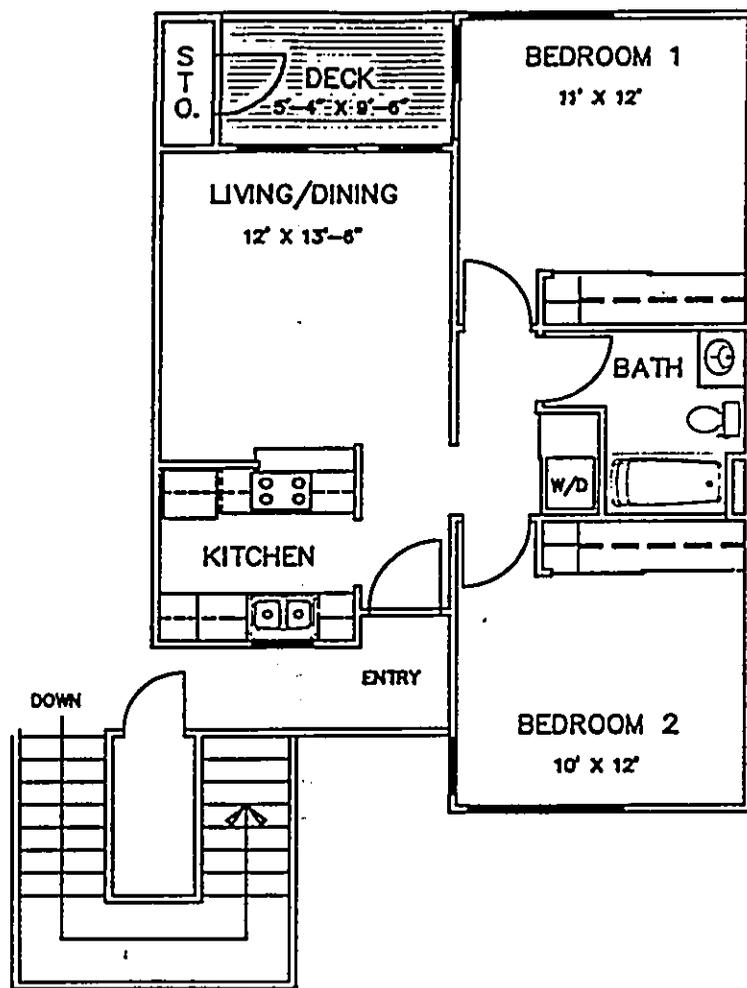
LIVING AREA	908.33 SQ. FT.
DECK AREA	62.65 SQ. FT.
STORAGE AREA	16.78 SQ. FT.
TOTAL AREA	987.77 SQ. FT.

BUILDING PLANS FOR UNITS  
PROPOSED ON THE 2.0 - ACRE  
CHANGE OF ZONE PARCEL  
EXHIBIT 6

13

UNIT TYPE D

SCALE  
1/8" = 1'-0"



(FROM BUILDING TYPE II)

2 BEDROOM - 1 BATH

LIVING AREA	711.65 SQ. FT.
DECK AREA	56.63 SQ. FT.
STORAGE AREA	15.55 SQ. FT.
TOTAL AREA	783.83 SQ. FT.

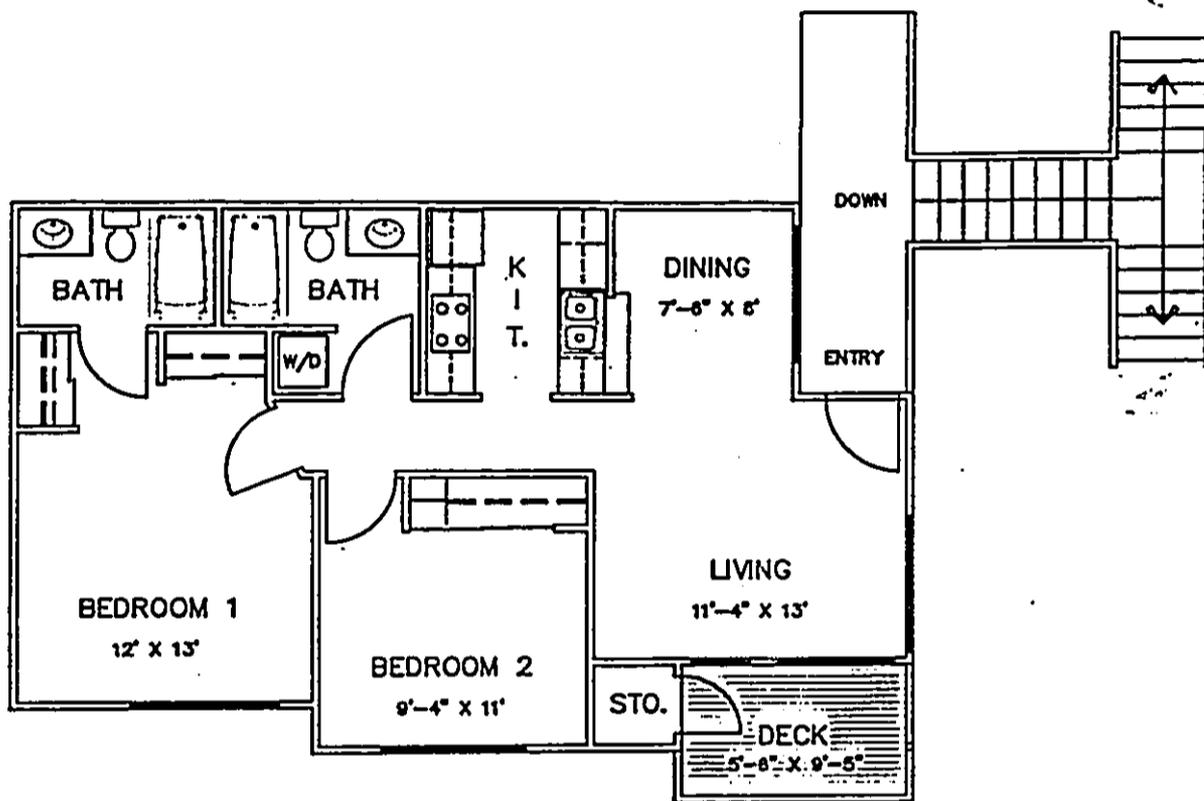
LIVING  
DECK  
STOR  
TOTA

UNIT TYPE A

SCALE  
3/8" = 1'-0"

13

UNIT TYPE B



G TYPE II)

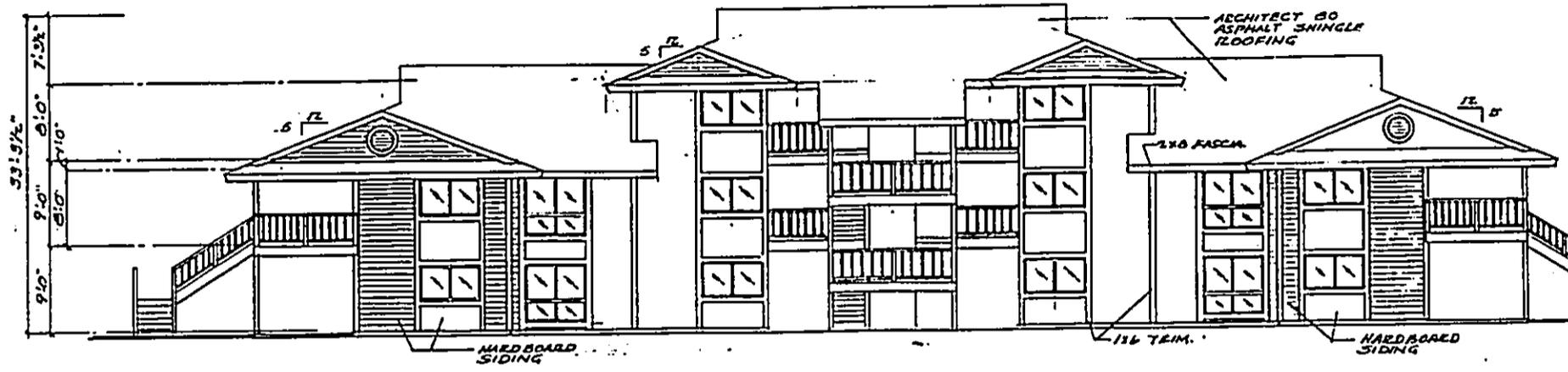
2 BEDROOM - 2 BATH

LIVING AREA	786.00 SQ. FT.
DECK AREA	59.32 SQ. FT.
STORAGE AREA	13.75 SQ. FT.
TOTAL AREA	859.07 SQ. FT.

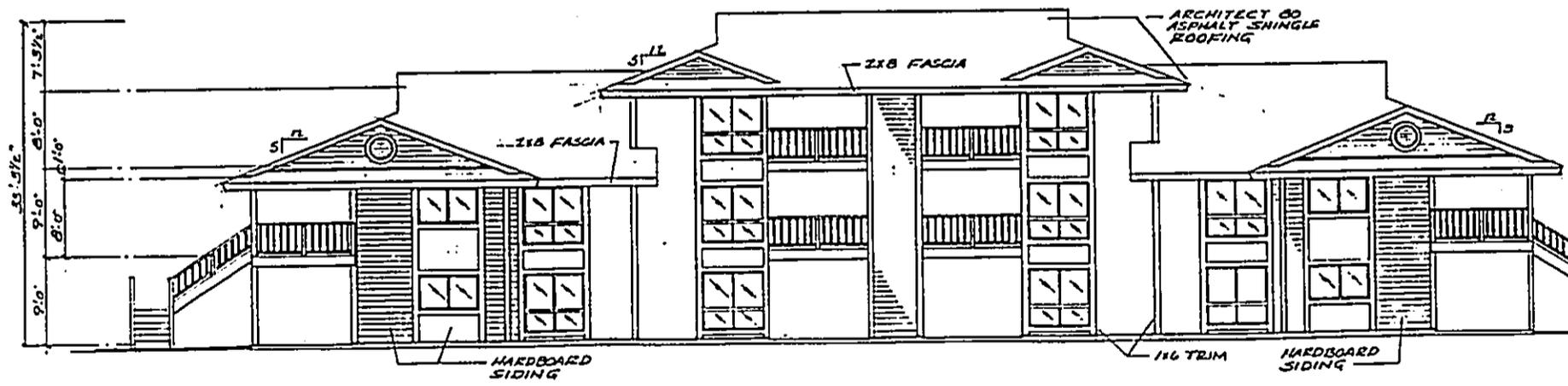
**BUILDING PLANS FOR UNITS  
PROPOSED ON THE 2.0 - ACRE  
CHANGE OF ZONE PARCEL  
EXHIBIT 6**

UNIT TYPE B

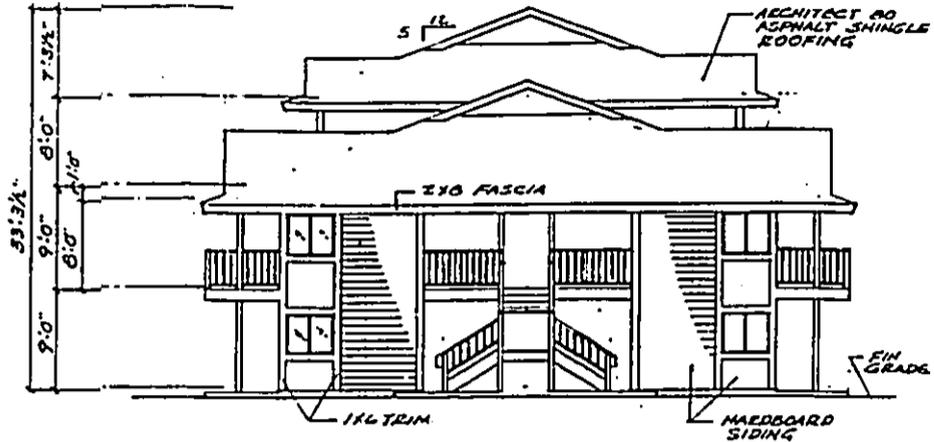
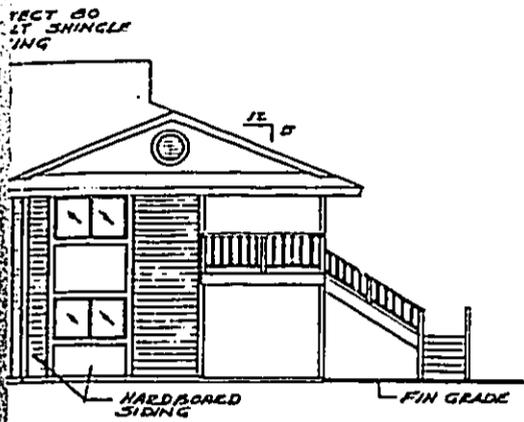
SCALE  
1/8" = 1'-0"



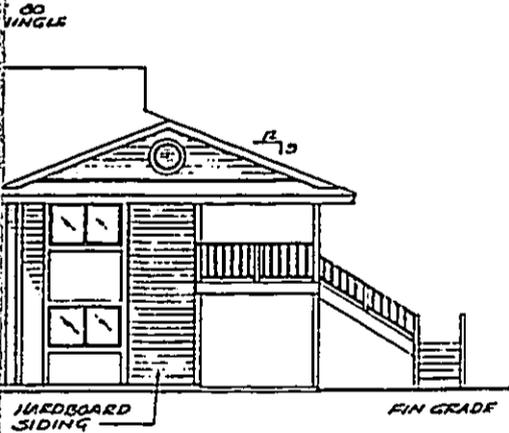
**A** FRONT ELEVATION



**B** REAR ELEVATION

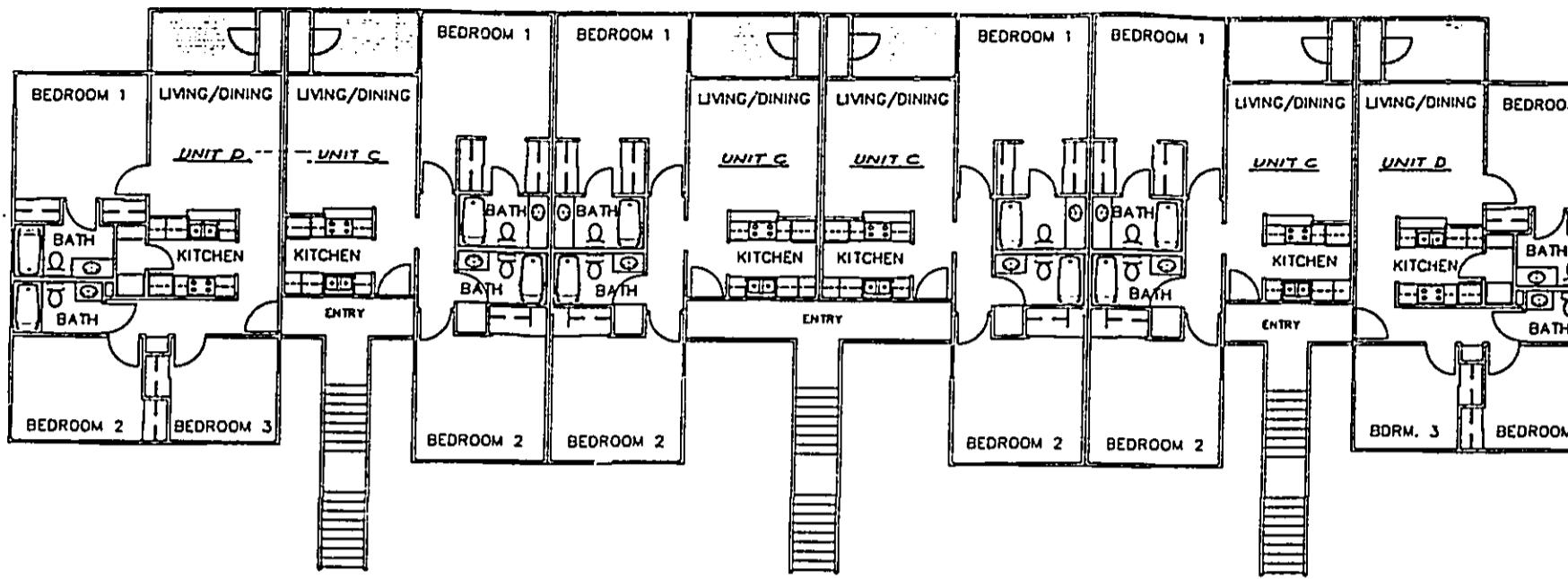


SCALE 1/16"=1'-0"	13	RIGHT SIDE ELEVATION LEFT SIDE SIM	SCALE 1/16"=1'-0"
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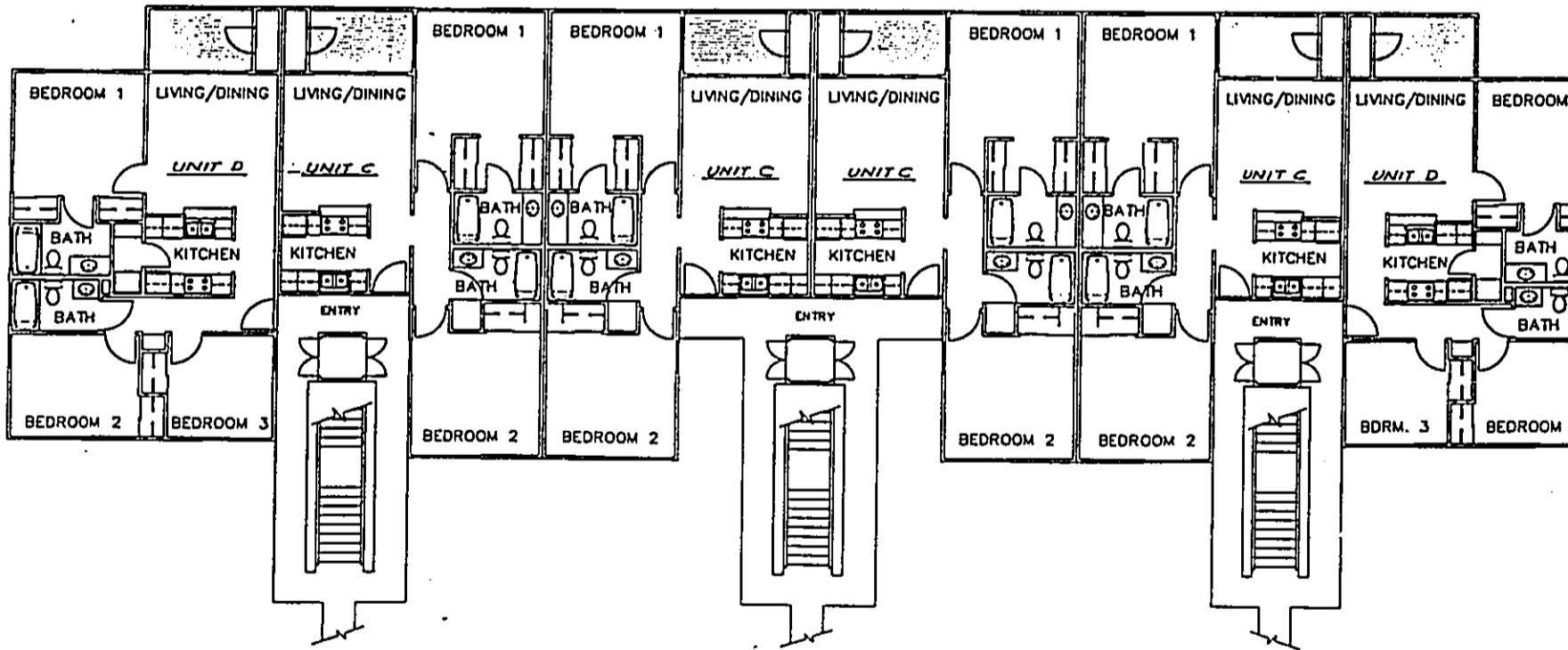
BUILDING PLANS FOR UNITS  
PROPOSED ON THE 2.0 - ACRE  
CHANGE OF ZONE PARCEL  
EXHIBIT 6

SCALE  
1/16"=1'-0"



SECOND FLOOR

(FLOOR AREA = 5,806.53 SQ. FT.)

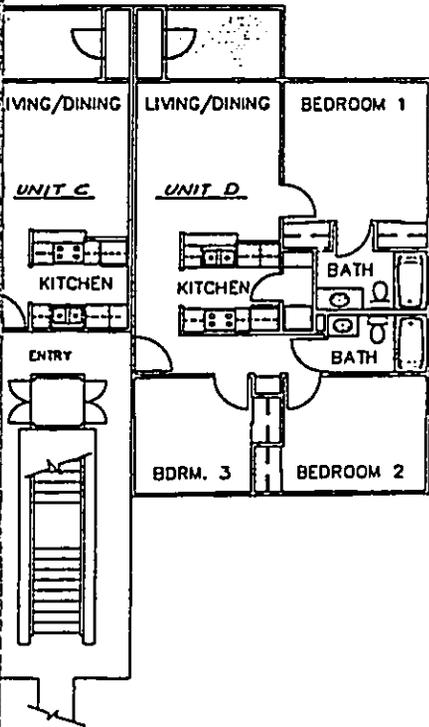
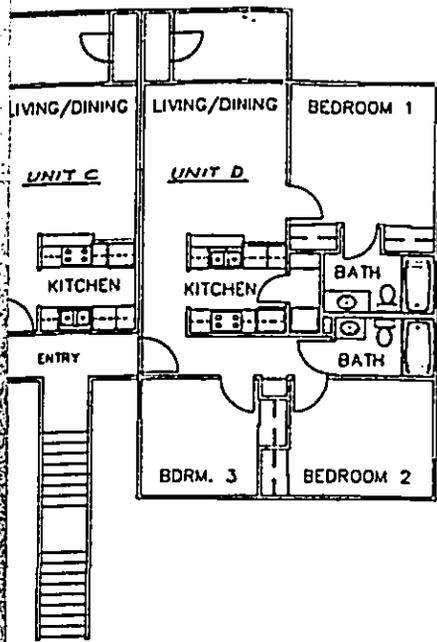


FIRST FLOOR

(FLOOR AREA = 5,806.53 SQ. FT.)



FIRST & SECOND FLOOR PLANS



**BUILDING PLANS FOR UNITS  
PROPOSED ON THE 2.0 - ACRE  
CHANGE OF ZONE PARCEL  
EXHIBIT 6**

BUILDING PLAN

SCALE 1/16" = 1'-0"

(BUILDING AREA = 11,613.06 SQ. FT.)

SCALE  
1/16" = 1'-0"





**APPENDIX B**

**WAIHUNA PROJECT CHANGE OF ZONE**

**(ORDINANCE 86-72)**

(CO/DP/ZD)

ORDINANCE NO. 86-72

BILL NO. 82 (1986)  
(Draft No. 1)

A BILL FOR AN ORDINANCE TO REZONE A PARCEL OF LAND SITUATED AT WAIPIO, EWA, OAHU, HAWAII (AMENDING PORTION OF ZONING MAP NO. 10, WAIPIO (MAUKA), ORDINANCE NO. 84-9).

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION I. A parcel of land situated at Waipio, Ewa, Oahu, Hawaii, is hereby rezoned from AG-1 Restricted Agricultural and P-1 Preservation Districts to R-6 Residential District. The boundaries and area of said R-6 Residential District shall be described as shown on the map attached hereto, marked Exhibit "A" and by Tax Map Key 9-5-02: 4, 6, and Por. 11.

SECTION II. A Unilateral Agreement marked Exhibit "B" and by reference incorporated herein and made a part hereof.

(D-288/3-13-86)

86-72

86-72

SECTION III.. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Yeeh-Wai Kao

DATE OF INTRODUCTION:

APRIL 16, 1986

Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:

Gene G. Howell  
Deputy Corporation Counsel

Approved this 12<sup>th</sup> day of June, 1986.

Frank F. Fasi  
FRANK F. FASI, Mayor  
City and County of Honolulu

(DLU 12.12.85)  
1244F

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Councilmembers

86-72

UNILATERAL AGREEMENT AND  
DECLARATION FOR CONDITIONAL ZONING

THIS INDENTURE, made this 23<sup>rd</sup> day of MAY, 1986,  
by WAIKALANI DEVELOPERS, INC., a Hawaii corporation, owner of the  
proposed development on those certain parcels of land situate at  
Waipio, Ewa, Oahu, State of Hawaii, more particularly shown and  
described on Exhibit "A" attached hereto and made a part hereof  
(hereinafter called "Property"), whose principal place of  
business and post office is P.O. Box 1371, Pearl City, Hawaii,  
hereinafter referred to as "Declarant,"

W I T N E S S E T H :

WHEREAS, the City Council of the City and County of  
Honolulu, State of Hawaii, hereinafter referred to as "Council,"  
pursuant to the provisions of the City and County of Honolulu  
Comprehensive Zoning Code, Section 21-1.12, as amended, relating  
to Conditional Zoning, is considering a change in zoning of  
portions of the Property from AG-1 Restricted Agricultural and P-  
1 Preservation Districts to R-6 Residential; and

WHEREAS, a public hearing regarding the change of zoning  
was held by the Council on April 30, 1986; and

WHEREAS, the Council recommended through its Planning and  
Zoning Committee Report that the said change in zoning be  
reported out to the full Council for final consideration as to  
passage on third reading approved, subject to the following  
necessary conditions:

86-72

EXHIBIT B

ENCL TO D 657

1. The project shall be developed under the Planned Development-Housing or cluster provisions of the Comprehensive Zoning Code.
2. The Declarant shall participate in a housing program acceptable to the Department of Housing and Community Development and Declarant shall provide no less than fifteen percent (15%) of the overall units for low- and moderate-income housing; provided that such units shall be interspersed in each increment or phase of the project.
3. A water source, reservoir and distribution system, in conformance with the Board of Water Supply standards and Phase III Water Master Plan to be installed at the Declarant's cost.
4. Alignment of the Waikakalaua Stream and drainage work, including a detention basin, shall be subject to the review and approval by the Department of Land Utilization and Department of Public Works and shall be provided at Declarant's cost.
5. Sewer improvements, subject to the review and approval by the Department of Public Works, shall be provided at Declarant's cost.
6. Roadway improvements, to be provided at Declarant's cost, shall meet all State Department of Transportation and City Department of Transportation Services requirements.
7. If, during construction, any previously unidentified sites or remains (e.g., artifacts, shell, bone, or charcoal

deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, Declarant shall stop work and contact the State Historic Sites Office at 548-7460 immediately. Work in the immediate area should be stopped until the Office is able to assess the impact and make further recommendations for mitigative activity.

8. A phasing schedule of the proposed development shall be submitted to the Department of Education.

9. In the event that the official release of the Air Installation Compatible Use Zone (AICUZ) Plan, Wheeler Air Force Base, Oahu, Hawaii determines that the day-night (Ldn) sound level contours exceeds 65 Ldn over portions of the Property which is zoned R-6 Residential, Declarant shall prepare and file in the Office of the Assistant Registrar of the Land Court of the State of Hawaii covenants, which shall be deemed to be covenants running the land and shall be binding upon the Declarant and its successors and assigns, declaring:

(a) That the Declarant releases and shall not file any claim, action or lawsuit for any kind of relief, legal or equitable, against the City and County of Honolulu or the State of Hawaii for costs or damages resulting from aircraft noise and/or vibration;

(b) That the Declarant shall indemnify, forever hold harmless and defend the City and County of Honolulu and State of Hawaii from any and all liability resulting from said noise in the project; and

(c) That such sound level contours exist over portions of the property and such covenants shall be deemed to be notice to future purchasers of the property within this development of such noise exposure.

10. Declarant shall issue a notice to all prospective purchasers stating in plain language that the project is located in close proximity to Wheeler Army Airfield and that portions of the property may be subject to noise impacts caused by military and airfield operations which are not subject to State or County regulation. The notice shall state that although these noise levels are not expected to exceed levels considered normally acceptable for residential uses by the Federal Aviation Administration and the federal Department of Housing and Urban Development, they may not be acceptable to some noise-sensitive individuals. Such notification shall be incorporated in all sales prospectuses and other marketing documents.

WHEREAS, the Declarant has agreed to execute this instrument pursuant to the provisions of Ordinance No. 4300.

NOW, THEREFORE, Declarant hereby makes the following Declaration:

A. This Declaration is made pursuant to the provisions of the City and County of Honolulu Comprehensive Zoning Code, Section 21-1.12, as amended, relating to Conditional Zoning and shall become fully effective on the effective date of the zoning ordinance approving the change of zoning from AG-1 Restricted Agricultural and P-1 Preservation Districts to R-6 Residential

86-72

for the Property.

B. Development of said parcels by Declarant shall conform to the aforesaid conditions and with the understanding that the issuance of a building permit by the appropriate agency of the City and County of Honolulu shall constitute satisfaction of aforesaid conditions; and

C. That the conditions imposed are reasonable and rationally relate to the objective of preserving the public health, safety and general welfare and the further implementation of the General Plan of the City and County of Honolulu.

AND IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed in this Declaration shall run with the land and shall bind and constitute notice to all subsequent lessees, grantees, assignees, mortgagees, lienors and any other persons who claim an interest in the land, and the City and County of Honolulu of the State of Hawaii shall have the right to enforce this Declaration by appropriate action at law or in equity against all such persons, provided that Declarant or its successors and assigns may, at any time, file a petition with the Council for removal of the conditions and termination of this unilateral Agreement, such petition to be processed in the same manner as petitions for zone changes.

IN WITNESS WHEREOF, the undersigned has executed this



86-72

EXHIBIT "A"

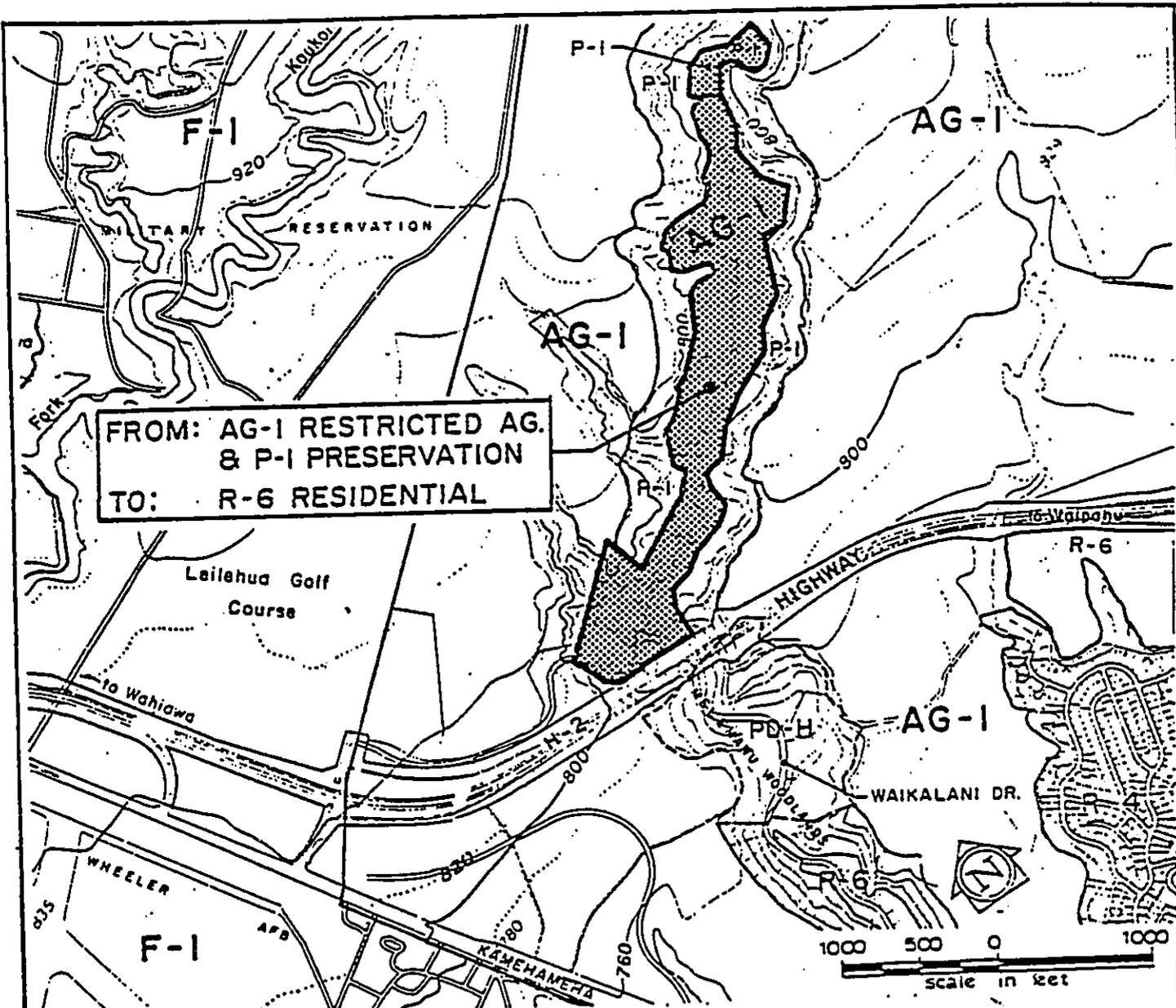
All of those certain parcels of land situate at Waipio and Waikakalaua, District of Ewa, City and County of Honolulu, State of Hawaii, described as follows:

-FIRST:-           LOT 1278, area 36.32 acres, as shown on Map 100, filed in the Office of the Assistant Registrar of the Land Court with Land Court Application No. 1000;

-SECOND:-           LOTS:           1276-A, area 182.953 acres,  
  1276-B, area 1.674 acres,  
as shown on Map 435, filed in said Office of the Assistant Registrar of the Land Court Application No. 1000;

Being a portion of the property described in Transer Certificate of Title No. 238,606 issued to Waikalani Developers, Inc.

86-72



FROM: AG-1 RESTRICTED AG.  
 & P-1 PRESERVATION  
 TO: R-6 RESIDENTIAL

PORTION OF ZONING MAP NO. 10  
 WAIPIO (MAUKA)

APPLICANT : TOWNE REALTY, INC.  
 TAX MAP KEY : 9-5-02: 4, 6, and por. of 11.  
 FOLDER NO : 85/Z-9  
 PREPARED BY : Department of Land Utilization  
 City and County of Honolulu  
 PUBLIC HEARING: Planning Commission  
 Feb. 5, 19 & 21, 1986

City Council  
 April 30, 1986 85-65

ORD. NO. 86-72

EFF. DATE: JUNE 12, 1986

EXHIBIT A

Bill 82(1986)

**APPENDIX C**

**WAIHUNA PROJECT PLANNED DEVELOPMENT**

**HOUSING (PD-H) PERMIT**

**(DLU FOLDER NO. 88-PDH-3)**

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432



FRANK F. FASI  
MAYOR

JOHN P. WHALEN  
DIRECTOR

BENJAMIN B. LEE  
DEPUTY DIRECTOR

88/PDH-3 (BT)

February 8, 1989

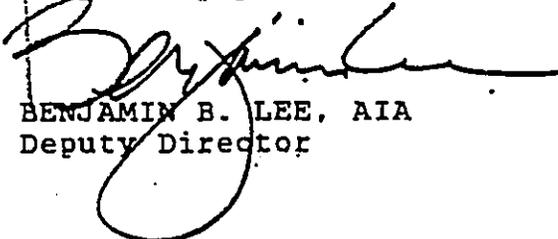
Gray, Hong, Bills & Associates, Inc.  
119 Merchant Street, Suite 607  
Honolulu, Hawaii 96813

Gentlemen:

Planned Development-Housing Application  
Waipio, Ewa, Oahu  
Tax Map Key: 9-5-2: 6  
Application No. 88/PDH-3

The Planned Development-Housing application for Melemanu Woodlands III has been approved subject to the provisions of the attached "Report, Conclusions, and Decision and Order" dated January 19, 1989.

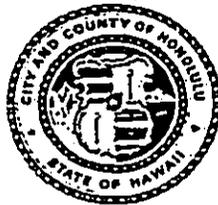
Very truly yours,

  
BENJAMIN B. LEE, AIA  
Deputy Director

BBL:ra  
Attach.  
0002M

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

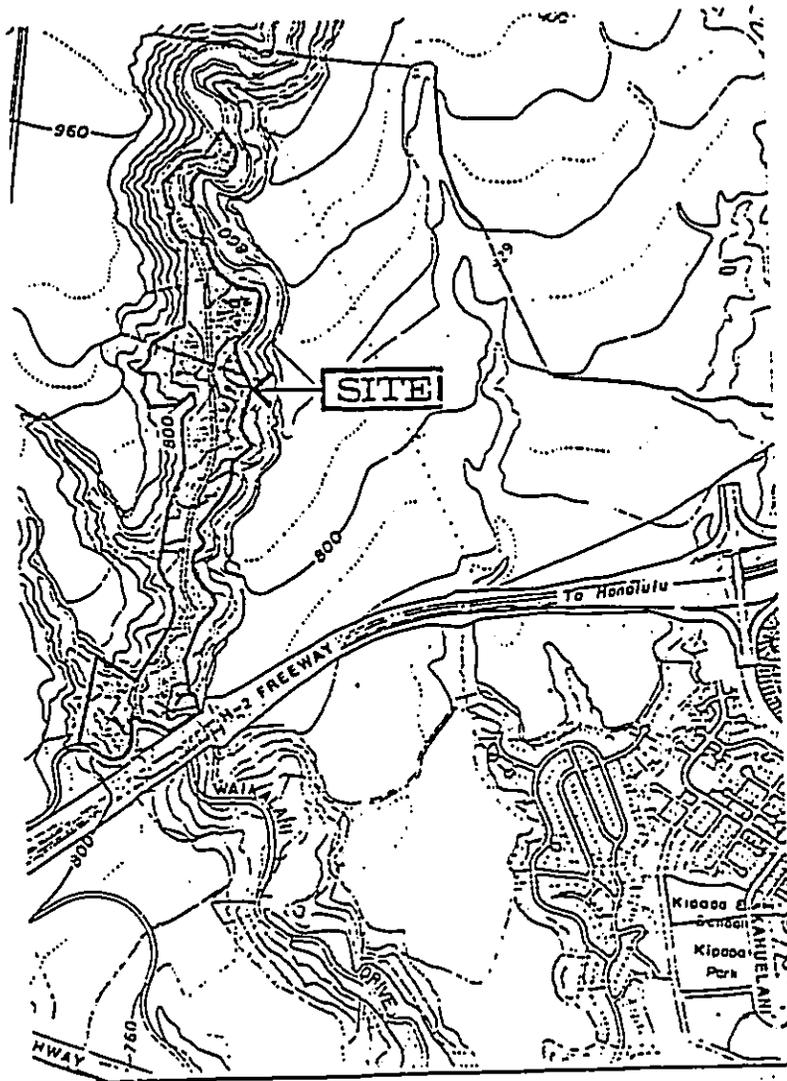
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432



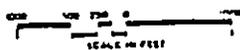
FRANK F. FASI  
MAYOR

JOHN P. WHALEN  
DIRECTOR

BENJAMIN S. LEE  
DEPUTY DIRECTOR



LOCATION MAP



Application for Planned  
Development-Housing  
Application No. 88/PDH-3

Project: Melemanu Woodlands III

REPORT, CONCLUSIONS, AND  
DECISION AND ORDER

I. APPLICATION

Application Date

November 3, 1988

Recorded Fee Owner

Waikalani Developers, Inc.  
P.O. Box 1371  
Pearl City, Hawaii 96782

Applicant

Towne Realty, Inc.  
P.O. Box 1371  
Pearl City, Hawaii 96782

Authorized Agent

Gray, Hong, Bills &  
Associates, Inc.  
119 Merchant Street  
Suite 607  
Honolulu, Hawaii 96813

Location

Waikakalaua Gulch--makai of H-2 Freeway, Waipio, Ewa, Oahu

Tax Map Key

9-5-002: 006

Area

3,049,200 sq. ft. (70 acres)

Request

Planned Development-Housing for 1,028 dwelling units consisting of 70 townhouse buildings of 742 units and 3 high-rise condominium buildings of 286 units, and a convenience commercial establishment.

State Land Use

Urban

Development Plan

Residential

Public Facilities Map

None required

Zoning

R-5 Residential

Unilateral Agreement

The development is subject to compliance with the Unilateral Agreement and Declaration for Conditional Zoning under Ordinance No. 86-72.

Variance

Variance No. 86/ZBA-108 was approved on February 5, 1987 to permit the proposed development to exceed the 25' zoning height limit up to a maximum of 120', and a convenience establishment near the entrance to the project.

PROPOSAL:

Type, Size and Number of Units

1,028 dwelling units in stacked flats, terrace apartments, townhouses, and high-rise condominium structures.

Dwelling unit sizes would vary according to unit type:

<u>Type</u>	<u>Bedrooms</u>	<u>Floor Area</u>
Stack Flats	1 to 2	695 to 1,001 SF
Terrace Apartments	2 to 3	1,097 to 1,250 SF
Townhouses	2 to 3	970 to 1,247 SF
Highrises	1 to 2	600 to 850 SF

<u>Village</u>	<u>No. of Units</u>	<u>Type of Units</u>	<u>Floor Area</u>
I	144	96 Stacked Flats 48 Townhouses	140,472 sq. ft.
II	42	42 Terraces	47,604 sq. ft.
III	58	18 Stacked Flats 40 Townhouses	57,946 sq. ft.
IV	210	142 Stacked Flats 68 Townhouses	704,618 sq. ft.
V	64	64 Terraces	72,992 sq. ft.
VI	224	81 Stacked Flats 143 Townhouses	222,553 sq. ft.
VII/VIII	286	286 Highrises	239,476 sq. ft.
Convenience Commercial			45,000 sq. ft.
<u>Total Units:</u>	<u>1,028</u>	<u>Total sq. ft.:</u>	<u>1,030,661 sq. ft.</u>

Density

Overall project area: 14.7 dwelling units per acre (DUA).  
Density breakdown per each village:

Village I:	12.6 DUA
Village II:	5.6 DUA
Village III:	10.2 DUA
Village IV:	19.1 DUA
Village V:	9.0 DUA
Village VI:	12.2 DUA
Village VII/VIII:	39.2 DUA

Construction Schedule/Phasing

Total construction time approximately five (5) years, to be completed in eight (8) increments.

Park Dedication

Compliance with the Park Dedication Ordinance No. 4621 would be by a five-acre private park with recreational improvements abutting Village V.

Code Requirements

The requirements of the Land Use Ordinance (LUO) Sections 6.50-4 to 6.50-10 are applicable to the proposed development. The proposal complies with the maximum allowable floor area density requirements:

R-5 Residential District F.A.R.	=	.35
Zoning Lot Area	=	3,049,200 sq. ft. (70 acres)
Maximum Allowable Floor Area	=	1,067,220 sq. ft.
Proposed Floor Area	=	1,030,661 sq. ft.
Total Number of Units Proposed	=	1,028 units

II. REPORT

Public Hearing/Community Concerns

The Department of Land Utilization held a public hearing on December 20, 1988 at the Mililani Public Library. Besides the City staff, 20 persons were present. No testimony was given by the public. One person questioned the existing closure of Waikalani Drive between the existing single family units and the multi-family units, and the need to re-open this road.

Summary of Public Agencies Comments/Concerns

Comments were received from the City Departments of Fire, Parks and Recreation, Public Works, Transportation Services and Board of Water Supply, and the State Departments of Health, Land and Natural Resources and Transportation, and the U.S. Soil Conservation Service. No comments were received from the Wahiawa Neighborhood Board No. 26. None of the public agencies objected to the project, subject to their recommendations (letters on file at OLU). Major comments and concerns include:

CITY & COUNTY

Board of Water Supply (December 21, 1988)

The developer will be required to install the necessary off-site and on-site water system improvements, including the 994', 1.5 mg. reservoir, in accordance with the approved water master plan, and pay a proportionate share for the development and improvements for the Wahiawa Well No. II.

Department of Public Works (December 12, 1988)

Drainage

Preliminary plans do not address drainage. Grading and drainage plans should indicate the proposed locations for the outlet and inlet structures for the 108" culvert, and how offsite runoff is proposed to be intercepted.

Highway

All private roads shall be connected to the proposed 56' wide City road with driveway aprons.

Refuse Collection

3-cubic yard container refuse collection service will be provided, subject to the following:

1. The containers shall be directly accessible to the pickup forks of the collection truck.
2. An adequate turnaround shall be provided.
3. The roadway shall have an unobstructed width of at least 12 feet, not including parking lanes.
4. The maximum road grade shall not exceed 12%.
5. Horizontal and vertical curves of the roadways shall meet City subdivision standards.

Sanitary Sewers

Public sewers are available and adequate. However, the City will not reserve sewer capacity unless a Sewer Connection Application Form is submitted for review and approval. Projects served by the Honouliuli Wastewater Treatment Plant require that construction plans are completed within two (2) years after the approval of the sewer connection application. Construction shall commence within one (1) year after approval of the construction plans. These conditions are prerequisites for maintaining sewer capacity reservations by the City.

Department of Transportation Services (December 27, 1988)

1. Wikao Street should function as a collector for approximately 1,400 dwelling units. On-street parking should be restricted on both sides to insure the safe and efficient movement of traffic. The developer should, therefore, not expect a "parking potential of 472 vehicles" as stated on page 11 of the narrative.

2. The developer should coordinate the proposed roadway improvements with the adjacent developer of the Hawaii Technology Park. The improvements for Wikao Street, as shown on Figure 7 - "Proposed Laneage, Ultimate" of the traffic study, should be constructed in conjunction with this project.
3. Pullboxes and underground conduits should be installed at the Wikao Street-Golf Course Road intersection in anticipation of signalization. As this project progresses, the need for signals should be assessed and, if warranted, signalized as part of this development.
4. All private connections to Wikao Street should be from standard City drop driveways and designated with "Private Road" signs and adequate vehicular sight distance provided at these connections.
5. Wikao Street should be designed in accordance with all applicable design standards and criteria for a 56-foot roadway and not reduced to 44 feet at the end as shown on the submittal.

Fire Department (December 5, 1988)

6 additional fire hydrants are required as indicated on Sheet C-7/  
Utility Plan-1.

STATE

Department of Health (December 9, 1988)

The Department of Health noted that potential noise impacts from vehicular traffic on H-2 Freeway, agricultural operations, and aircraft from Wheeler AFB may have an effect on the proposed development.

Construction activities must comply with Title 11, Administrative Rules Chapter 43, Community Noise Control for Oahu, State Department of Health.

Department of Land and Natural Resources (December 9, 1988)

To minimize effects downstream and in areas to which Waikakalaua Stream is a tributary, appropriate mitigating measures should be included in the project design including minimizing erosion and/or silt-laden runoff from the project site, and the release of any petroleum products, building materials or other pollutants into the Waikakalaua Stream channel during construction.

The Forestry and Wildlife Division notes that the plans for the proposed project do not include a botanical survey to evaluate the possible occurrence of threatened or endangered plants or other rare plants. Although the valley bottom was likely farmed, the gulch side walls should be explored.

In addition, a stream channel alteration permit will be needed for this project from the Commission on Water Resource Management.

Department of Transportation (January 17, 1989)

1. The applicant and/or developer should implement the recommended roadway improvements before a roadway facility attains an undesirable level of service (LOS) E or F.
2. The widening of Interstate H-2 from Leilehua Interchange to Mililani Interchange from 4 to 6 lanes (3 lanes in each direction) should be added to the list of roadway improvements. Improvements to highway facilities, especially at intersections, should improve the operating LOS to LOS D or better for uninterrupted flow conditions.
3. Only incremental construction of the proposed 1,028 dwelling units should be allowed until all recommended highway improvements (including the H-2 widening) are completed. The second bridge overpass structure at H-2 should be constructed during Phase I.
4. The TIAR should mention the impact of this project on the Waikalani Drive/Kamehameha Highway intersection.
5. All improvements and other related work should be implemented by the applicant and/or developer at his own cost.
6. Construction plans for the above work within the State right-of-way should be submitted to the Highway Division for review and approval.
7. The Department of Land and Natural Resources (DLNR) should review the proposed plans and documents to comment on the realigned portions of the existing Waikakalaua Stream.

FEDERAL

U.S. Department of the Army/Corp of Engineers (December 21, 1988)

A U.S. Department of the Army permit would be required for any fill material placed in Waikakalaua Stream.

Site Plan Evaluation and Design Analysis

The site plan consists of a mix of 3 and 4-story townhouses, 35' to 45' in height, 5-level terraced housing and 3-10-story (120') high-rise multi-family dwelling units located on each side of the slopes of Waikakalaua Gulch.

A 56' wide roadway with curbs, gutters and sidewalks would provide vehicular and pedestrian access to and from the project. The project is divided into eight separate development areas or villages separated by steeper slopes and vegetated areas of the site.

#### Background

The property (70 acres) was rezoned from AG-1 to R-6 (LUO, R-5) by the City Council on July 12, 1986, Ordinance 86-72. Conditions of the zone change are enumerated on the Unilateral Agreement shown on Attachment 1.

Although DLU recommended denial, with the exception of a 35' building height, a variance (86/ZBA-108) was granted by the Zoning Board of Appeals to allow a 3,000 SF commercial building to be used as an accessory convenience center for the project and variances in building heights to allow 60, 3-story townhouse structures varying from 37' to 45' and three 10-story (120') high-rise structures to exceed the 25' and 30' height regulations of R-5 zoning district of the LUO (see Attachment 2 which includes ZBA approval and Director's report and recommendation).

The site plan with a mix of dwelling units on each side of a central, meandering roadway is generally acceptable. The plan should be revised, however, to address the following concerns:

1. The site has irregular sloping topography with slopes varying between 25% to 67% slopes. Several of the townhouse or terraced housing structures and portions of the high-rise structures located on topography with greater than 40% slopes do not follow the Cluster/PDH Design Guidelines. Dwelling units including terrace housing and high-rise structures should be located away from slopes over 40% in order to minimize grading and use of retaining walls.
2. The site is heavily vegetated with large stands of Eucalyptus, Shower, Beefwood, Acacia and Bamboo tree groves. Removal of several of these major tree groves to accommodate the roadway and dwelling units does not follow the Cluster/PDH Guidelines. The site plan should be revised to save major trees and significant grouping of trees. Removal of trees over 12" in trunk diameter should be replaced or relocated on the site.
3. Transportation Services has commented that parking would not be permitted on either side of the proposed roadway. Adequate guest parking should be provided, using LUO standards for multi-family dwelling units. The guest parking should be interspersed equally among all the villages.

4. 5% of the maximum allowable floor area should be allocated for future additions and alterations to dwelling units or common amenities (such as lanai enclosures, storage, and additions or alterations to recreation buildings and facilities).
5. Realignment of the existing stream is proposed, to improve stream flow by providing a less acute meandering configuration for the stream and to create more useable area for the development. The proposed realignment would be acceptable, provided that stream banks are not channelized with concrete and is designed to maintain a natural vegetated appearance. Rip-rap walls should not exceed 1 to 1 slope and the bottom of stream beds should not be lined. The realignment will be subject to review and approval of the Army Corps of Engineers, State DLNR and Department of Public Works. Cut banks to accommodate the stream realignment should be landscaped with vegetation and plant material consistent with existing landscaping along the stream.

A detention basin should also be provided as part of the stream improvements to control downstream flow in accordance with Condition No. 4 of the Unilateral Agreement of Ordinance No. 86-72.

6. Additional site sections and clarification plans and tree disposition plan should be submitted for each phase of the project. Application plans are conceptual and do not clearly indicate the amount of cut and fill proposed and the location, height and length of retaining walls required to accommodate the roadway and dwelling units. Preliminary plans show cut and fills between 20' to 30' along portions of the roadway. The plans do not provide sufficient detail to evaluate the adequacy of building spacing, location of landscaping for privacy and reduce impact of proposed building heights or whether more variation in building design and spacing of typical 3-story townhouse units would be necessary to provide visual variety and reduce the long repetitive row(s) of the same building type and design proposed for Villages III and VI.

The proposed structures of the project cover approximately 17.3% (12.1 acres) of the total 70 acres of the project site. The project's multi-family dwelling units, open space, common amenities and provisions for public services are compatible with the character of the adjacent Melemanu project and the surrounding residential communities.

### Parking

Offstreet parking should be provided at 2 stalls per unit in accordance with the amount recommended in the Cluster/POH Guidelines and 1 guest stall per 10 units because:

- a. on-street parking along both sides of the proposed 56' wide roadway (Wikao Street) is not permitted by DTS;
- b. the project site is remote, the distance between villages are great, and there is no bus service to the immediate area.

A minimum of 1 parking stall should be assigned per dwelling unit and the remainder reserved for guest parking.

All required parking, including guest stalls, should be located within 400 feet of the village they serve for the convenience of residents and guests.

### Soils, Grading, Drainage and Utilities Analysis

The applicant's geological reconnaissance report found the site suitable for development. All recommendations of the applicant's soils engineer shall be followed.

Grading should be reduced and the site plan modified to preserve some of the major significant trees, and groupings of trees and vegetation on the site.

A final detailed drainage report should be submitted to the Department of Public Works as the plans submitted did not address drainage. Drainage for the project should meet the requirements of the Department of Public Works. Retention basins and rip-rap stream lining should be used to protect Waikakalaua Stream to maintain a natural appearance of the stream.

All utilities would be adequate and available to the site and would be placed underground.

### Nature and Extent of Open Space, Recreation and Common Areas

The proposed open space and common areas are approximately 82.7% (2,522,145 sq. ft./57.9 acres) of the total site. A majority of the open space proposed for the project is natural, undisturbed lands with existing trees and natural vegetation, and Waikakalaua Stream. All common areas and open space would be owned and maintained by the Homeowners' Association. The open space and common areas, subject to the conditions of approval, would be adequate for the project.

Compliance with Park Dedication Ordinance No. 4621 must be met prior to issuance of any permits for the project.

### Development Density and Dwelling Units

The total proposed floor area of 1,030,661 SF is approximately 97% of the maximum floor area allowable (1,067,220 SF) under the LUO and would leave inadequate additional floor area to permit covers on lanais or make additions, such as storage areas, additions to recreational facilities, anticipated for this type of development. Approximately 5% of the allowable floor area should be reserved to provide floor area for future additions.

The proposed number of units (1,028) in comparison to other developments are as follows:

1. R-5 standard subdivision: 291 potential lots with approximately 582 single family dwelling units based on applicant's potential subdivision plan.
2. Cluster Development (70 acres):

$$\frac{3,049,200}{3,750} = 813 \text{ maximum allowable units}$$

### Relationship to the Neighborhood

The existing developments in the neighborhood consist primarily of a mixture of single-family detached, duplex and attached/multi-family units. The proposal is similar to existing mixture of attached/multi-family unit developments in the area and would be in keeping with the existing neighborhood. Natural vegetation including large-canopy trees would remain for approximately 80% of the project site. The existing Waikakalua Stream bank and bed with its natural vegetation and trees along its bank would be preserved except for those areas proposed for stream realignment and alteration. However, these areas would not be concrete channelized but lined with rip-rap.

### Code Analysis

The proposal, subject to conditions of approval, complies with the guidelines of the City and County Cluster/PDH Guidebook and the requirements for Planned Development-Housing projects under the Land Use Ordinance (LUO), and the conditions of approval of the Zoning Variance (86/ZBA-108).

### III. CONCLUSIONS

Based on the foregoing analysis, the Director has made the following conclusions:

1. The development, subject to the conditions of approval, complies with the Planned Development-Housing provisions of the Land Use Ordinance (LUO) and the requirements of other governmental agencies.
2. The properties in the vicinity of the site would not be adversely impacted nor affected by the project.
3. The property would be used for purposes and in a manner permitted in the zoning district, and would be of a quality and character compatible with the surrounding land use, subject to the conditions of approval.

#### IV. DECISION AND ORDER

Based on the Report and Conclusions, the application for Melemanu Woodlands Phase III Planned Development-Housing project is approved, subject to conformity with the following exhibits and conditions:

##### Exhibit "A"

Application drawings (66 sheets) by The Granada Group, Inc./Gray, Hong, Bills & Assoc., Inc./Vernon M. Wood, Jr., DLU time-stamped October 26, 1988.

##### Exhibit "B"

Narrative description/analysis (includes soils/geological reconnaissance report, traffic study, water master plan, drainage report) by Gray, Hong, Bills & Assoc., Inc., DLU time-stamped October 26, 1988.

##### Exhibit "C"

DLU recommendation on the retention of major tree groves and identification of buildings or portion of buildings and parking areas that shall be located away from areas with 40% slope or greater, dated January 19, 1989.

Exhibits "A", "B" and "C" shall be followed, except as may be altered by the following conditions:

##### 1. Unilateral Agreement and Conditional Zoning Ordinance No. 86-72

The conditions of the Unilateral Agreement under Ordinance No. 86-72 shall be complied with including, but not limited to, the following:

- a. Provision for 15% of the overall units for low and moderate income housing. A housing program acceptable to the Department of Housing and Community Development shall be implemented prior to issuance of any permits.
- b. Phasing plans and required documents for affordable housing program shall be approved by the Department of Housing and Community Development, and an approved set shall be submitted to DLU prior to issuance of building permits.
- c. Compliance with all applicable conditions of the Unilateral Agreement prior to issuance of any permits.

2. Variance No. 86/ZBA-108

The conditions of the approved Variance No. 86/ZBA-108 dated February 5, 1987 by the Zoning Board of Appeals shall be complied with.

3. Site Plan and Building Design

- a. Prior to proceeding with preparation of final construction drawings, the following shall be submitted for review and approval by the Department of Land Utilization:
- 1) Preliminary site, grading, building, landscaping, parking, lighting and signage plans for the commercial area approved under Variance No. 86/ZBA-108 which shall be compatible with the residential character of the area;
  - 2) Revised site, grading and tree disposition plans with dwelling units located away from slopes over 40% and retention of existing major trees and significant grouping of trees in accordance with Exhibit C;
  - 3) As each phase is developed, clarification plans for each phase including site sections showing grading, drainage, walls, landscaping, parking, building design, site layout, etc., in sufficient detail to evaluate that the development is in accordance with the Cluster/PDH Guidelines and conditions of approval.
- b. The total number of units shall not exceed 1,028 units as indicated on the applicant's narrative and plans, DLU time-stamped October 26, 1988.
- c. No more than 95% of the maximum permitted floor area (1,067,220 sq. ft.) shall be initially constructed prior to the occupancy of any unit for the project. A minimum 5% (53,361 sq. ft.) of the maximum permitted floor area shall be reserved for future additions, alterations and storage areas.
- d. Yards and heights of the proposed structures shall comply with the conditions of the variance approval (86/ZBA-108).
- e. White or any highly reflective materials and/or colors shall not be permitted for the roof of any structure.
- f. Fences and/or walls within the front yard of each structure shall be set back a minimum of five (5) feet from the roadway and landscaped with trees, hedges, shrubs and/or groundcover.
- g. Retaining walls shall be terraced with a maximum height of 6' for each wall. The walls shall be landscaped with hedges and vines.

- h. Vertical stream walls for Waikakalaua Stream shall not be permitted. Where protection is necessary, a sloped, rip-rap rock revetment shall be provided along the stream. Fencing, if proposed above the revetment, shall be landscaped with a continuous hedge.
- i. Chain link fences shall not be used for the project.
- j. Reflective glass shall not be used for the exterior of buildings.

4. Parking

Total off-street parking shall be provided at 2 stalls per unit and 1 guest parking stall per 10 units. Guest parking shall be evenly distributed throughout the various villages of the project. The required parking for each village shall be provided within 400' of each "Village"-designated area to serve the residents. Parking shall be allowed only in areas designated for resident and guest parking. Parking shall not be permitted on the private roadways, common vehicle turnaround areas, common maneuvering areas for guest parking stalls, and on both sides of Wikao Street. The Homeowners' Association shall be responsible for the enforcement of this requirement on the private roadways. "No Parking" and "Guest Parking" signs shall be posted by the applicant and/or developer. A minimum of 1 parking stall shall be assigned per unit and all unassigned stalls shall be reserved for guest parking.

5. Landscaping

Landscaping shall be provided by the developer, according to the plans approved by the Directors of Land Utilization and Parks and Recreation, and shall include the following conditions:

- a. Major groupings of trees identified on Exhibit "C" shall be retained and/or relocated on-site. All significant trees over 12 inches in diameter proposed for removal shall be relocated or replaced with mature trees with a minimum of 4" trunk diameter. Trees of this size provided under Items "b" and "c" described below may be applied towards the required number of replacement trees. A tree disposition plan showing all existing trees over 6" in diameter with species, locations and sizes shall be submitted to DLU for review and approval. Preliminary plans showing the revised site plan and building layout, dwelling location, parking and grading, and existing trees to be retained or relocated shall be submitted to DLU for review and approval prior to proceeding with final construction plans.

- b. The landscaping for the parking areas shall be provided in compliance with landscaping requirements of the LUO. Additional landscaping and trees, such as screening and buffering hedges, shrubs, and/or canopy-form trees may be required to retain the natural landscape character of the area.
- c. Landscaping such as hedges, shrubs and tall, vertical and/or medium- to large-canopy form trees to provide visual continuity, privacy and buffering for the units and help reduce the height and bulk of elevated structures shall be provided around the project perimeter (if necessary), between buildings and the parking areas, buildings and roadways, and between the buildings and the natural surrounding, especially along the stream embankment areas.  
  
Trees for Items "b" and "c" shall be a minimum of 8 to 10 feet high and 1-1/2 inches in trunk diameter or the size specified under Item "a" for application towards replacement trees.
- d. Cut banks and fill areas to accommodate the stream realignment shall be landscaped with plant material consistent with existing landscaping along the stream.
- e. All transformers and trash enclosures shall be screened from view from within and outside of the project by dense and continuous hedges (minimum 4-foot height), shrubs and/or vines.
- f. All retaining walls six (6) feet in height or greater shall be landscaped with a continuous hedges, vines and/or trees. Any wall greater than eight (8) feet in height shall be terraced every six (6) feet with a minimum three (3) feet space between terracing, and shall be landscaped with hedges, vines and/or small trees. The landscaping for these walls shall be provided with adequate irrigation, and shall be maintained in healthy visual condition at all times.
- g. The final landscape plans shall include detailed information on (1) disposition of existing trees and landscaping, (2) types and sizes of all new landscaping, (3) fencing and walls, (4) retaining walls, (5) pavement material, (6) lighting, and (7) irrigation to support the landscaping. These plans shall be submitted to the Director of Land Utilization for review and approval prior to the issuance of any permits for the project.
- h. The approved final landscape plans for each phase or village development shall be implemented and completed prior to the occupancy of any dwelling units of that phase.

6. Roadway Improvements

- a. Final roadway construction plans shall be subject to review and approval by the City Departments of Transportation Services, Public Works, Land Utilization, and the Fire Department and State Department of Transportation prior to the issuance of any permits for the project.
- b. Adequate lighting and illumination shall be provided for all roadways. The lighting system shall use low-intensity, recessed, downlight-type fixtures and shall be shielded to minimize any adverse impact to the abutting properties and/or the proposed units and structures. Pole-type fixtures shall not exceed 16 to 20 feet in height (measured from finish grade to the top of the fixture).
- c. Roadway improvements shall be in accordance with the requirements of the City Department of Transportation Services (DOTS) and State Department of Transportation (DOT).
- d. A phasing plan with number of units in each phase, and the roadway improvements necessary to be completed for each phase, shall be approved by the Department of Transportation Services and State Department of Transportation and a copy of the plan submitted to the Department of Land Utilization.

Requirements of the City DOTS shall include:

- 1) Wikao Street shall function as a collector roadway for the project with on-street parking restricted on both sides. The applicant and/or developer shall not expect a parking potential for 472 on-street parking.
- 2) The applicant and/or developer shall coordinate the timing of the proposed roadway improvements with the adjacent developer of the Hawaii Technology Park. The improvements for Wikao Street, as shown on Figure 7 - "Proposed Laneage, Ultimate" of the applicant's traffic study in Exhibit "8" shall be constructed in conjunction with this project.
- 3) Pullboxes and underground conduits shall be installed at the Wikao Street-Golf Course Road intersection in anticipation for signalization. The need for signals shall be assessed by DOTS as the project progresses and, if warranted, the developer shall signalize the intersection at his cost.
- 4) All private connections to Wikao Street shall be from standard City drop driveways and designated with "Private Road" signs and adequate vehicular sight distances provided at these connections.

- 5) Wikao Street shall be designed in accordance with all applicable design standards and criteria for a 56-foot roadway and not reduced to 44 feet at the end as shown on the proposed plans.

Requirements of the State DOT shall include:

- 1) The applicant and/or developer shall implement the recommended roadway improvements before a roadway facility attains an undesirable level of service (LOS) E or F. This concept shall be also applied to other ramps and highways affected by the proposed project.
- 2) The widening of Interstate H-2 from Leilehua Interchange to Mililani Interchange from 4 to 6 lanes (3 lanes in each direction) shall be added to the list of the roadway improvements.
- 3) The second bridge overpass structure at H-2 shall be constructed during Phase I.
- 4) The TIAR shall mention the impact of this project on the Waikalani Drive/Kamehameha Highway intersection.
- 5) All required highway mitigation measures such as widening, signalization intersection improvements and other related work shall be implemented by the applicant and/or developer at his own expense.
- 6) Construction plans for the above work within the State rights-of-way shall be submitted to the Highways Division, State Department of Transportation, for final review and approval, and to assess the need and timing of highway improvements.

7. Soils, Grading and Drainage

- a. Grading shall be limited to roadways, infrastructures and minor adjustments for building foundations only. Grading shall be limited to the dry months between April and October. The areas shall be cleared and graded in increments and covered as soon as possible as the grading for that increment is completed. Temporary erosion control measures and works shall remain in place until permanent erosion control measures are fully established and operating.
- b. A drainage detention basin shall be provided as required by the governmental agencies as part of the stream improvements, in accordance with Condition No. 4 of the Unilateral Agreement of Ordinance No. 86-72. The applicant shall submit construction plans and a schedule for the detention basin accepted by the

Corps of Engineers, Departments of Land and Natural Resources, Public Works and Land Utilization prior to issuance of a grading permit.

- c. Stream banks shall not be channelized with concrete. Rip-rap shall be used and not exceed 1 to 1 slope and the bottom of the stream bed shall not be lined.
- d. All trees and/or groupings of trees or major vegetation for retention and/or relocation shall be designated on the grading plans.
- e. Final detailed soils report, drainage study and hydraulic/hydrologic analysis shall be submitted to the City Departments of Public Works and Land Utilization, and the State Department of Land and Natural Resources for final review and approval prior to the issuance of any permits for the project.
- f. A final detailed erosion control plan shall be submitted to the City Department of Public Works and the Director of Land Utilization for final review and acceptability to City Standards. During construction of the project, no excavation and/or grading work shall be permitted during the rainy months of the year. Every precaution, including diversion ditches/swales, filter berms and siltation/sedimentation basins, shall be undertaken and installed as necessary and required by the applicant and/or developer to prevent or minimize soil instability, run-off and siltation into Waikakalaua Stream, and protect its present water quality.
- g. The State Department of Land and Natural Resources (DLNR) shall review and approve the construction plans and documents for the realigned portions of the existing Waikakalaua Stream. A stream channel alteration permit shall be obtained from the Commission on Water Resources Management/State Department of Land and Natural Resources for any alteration and/or alignment work proposed for the Waikakalaua Stream.
- h. A Department of the Army Corps of Engineers permit shall be obtained for any fill material placed in Waikakalaua Stream.
- i. Construction plans for the stream realignment shall be approved by the U.S. Army Corps of Engineers, State Department of Land and Natural Resources and Department of Land Utilization.
- j. Pavements for the roadways, driveways and parking areas shall be designed for the particular soils conditions, and constructed in accordance with the requirements of the Department of Public Works.

- k. Grading and drainage work, including erosion controls, shall comply with all applicable Federal, State and County regulations, statutes and ordinances.

8. Utilities

All utilities shall be placed underground within the project site. Additional conditions are as follows:

- a. The proposal shall comply with the requirements of the Board of Water Supply for availability and adequacy of water, including payment of Water System Facility Charge for source transmission and daily storage. Installation of a complete water system shall meet the Board of Water Supply specifications and standards. Construction plans shall be submitted to the Board of Water Supply for final review and approval. In addition to the above conditions, the applicant and/or developer shall be:
- 1) Required to install the necessary off-site and on-site water system improvements, including the 994', 1.5 mg reservoir (to be installed jointly with the Mililani Hi-Tech Park), to serve the project in accordance with the approved water master plan; and
  - 2) Pay a proportionate share for the development of the City's Wahiawa Well No. II and the improvements that are necessary to utilize the well.
- b. Installation of a complete sewer system shall meet the Department of Public Works specifications and standards. Construction plans shall be submitted to the City Department of Public Works, and the State Department of Health for final review and approval. In addition to the following:
- 1) A Sewer Connection Application Form shall be submitted to the City Department of Public Works for review and approval.
  - 2) Construction plans shall be completed within two (2) years after the approval of the sewer connection application.
  - 3) In addition, construction shall commence within one (1) year after approval of the construction plans. These conditions are prerequisites for maintaining sewer capacity reservations by the City.
- c. Installation of the necessary sewer and water easements shall meet the Department of Public Works and the Board of Water Supply specifications and standards.
- d. The applicant and/or developer shall meet the requirements of the City and County to cover the estimated connection charges applicable to the project.

9. Fire Protection

Fire protection plans shall be reviewed and approved by the Board of Water Supply and the Fire Department. In addition, the developer shall provide additional fire hydrants for the project, as required by the Fire Department.

10. Refuse Collection

The proposed refuse collection shall be reviewed and approved by the Division of Refuse Collection and Disposal, Department of Public Works. In addition, the project shall be subject to the following:

- a. The 3-cubic yard containers shall be directly accessible to the pickup forks of the collection trucks.
- b. Adequate turnarounds shall be provided.
- c. The roadways shall have an unobstructed width of at least 12 feet, not including parking lanes.
- d. The maximum road grade shall not exceed 12%.
- e. Horizontal and vertical curves of the roadways shall comply with City subdivision standards.

11. Park Dedication

The applicant and/or developer shall comply with the requirements of the Park Dedication Ordinance No. 4621 prior to the issuance of any building permits for the project.

12. Archaeological Findings

- a. The developer, applicant or contractor shall hire a botanist to survey the side walls of the gulch for the occurrence of threatened, endangered, or rare plant species and prepare a report to be submitted to and approved by the State DLNR Forestry and Wildlife Division.
- b. The developer, applicant and/or contractor shall stop work immediately in the immediate area of construction and shall notify the Historic Sites Office, State Department of Land and Natural Resources at 548-7460 for any mitigative actions as may be necessary and required should any cultural deposits, burial or archaeological artifacts be discovered during construction of the project.

13. Engineer's or Architect's Supervision and Responsibility

The applicant's consulting engineer and/or architect shall be responsible for all work and final plans to comply with all provisions of the Land Use Ordinance. Approval of this Planned Development does not certify compliance with all zoning code requirements. The project plans shall meet all code requirements for approval by all affected governmental agencies.

14. Flexibility

- a. The architect shall be provided with a reasonable degree of flexibility in the preparation of detailed engineering and architectural plans for the project. As work progresses on these drawings, it may be found that it would be advantageous to shift buildings slightly in order to preserve a particularly desirable element of the landscape or to accommodate certain unforeseen site conditions. In addition, as detailed architectural plans are developed, it may be found that certain building configurations may need to be altered slightly also for the above reasons.
- b. The project shall be developed as authorized and approved by the Director of Land Utilization. In no case, however, shall the above alteration harm the general intent of the design concept of the project, nor will there be any increase in the number of units (1,028). The environmental character and design concept of the project, as indicated on the submitted plans and modified by the conditions of this report, shall be maintained.
- c. Any modification to the conditions stated herein shall be subject to approval by the Director of Land Utilization. Any major modification may be subject to a new application under the planned development provisions.
- d. Changes made to the conditions or site plan necessitated by additional soils, grading, drainage or other studies shall be subject to the approval of the Director of Land Utilization.

15. Detailed Documents

- a. The applicant shall obtain the approval of the Director of Land Utilization and appropriate governmental agencies on final detailed documents covering all building and site improvements, including but not limited to parking, grading, drainage, sewers, water and electric utilities, easements, walkways, roadways, street and area lighting, fire hydrants, refuse storage and collection areas, fences, guardrails, screens, signs, landscaping, recreational facilities, and final exterior materials, colors, textures and/or finishes.

- b. This approval shall be obtained prior to commencement of any work. Site improvements and landscaping plans shall be approved by the Director of Land Utilization prior to issuance of any building permits, including any for model units.

16. Model Units

The grading and building permits for the model units may be issued only after review and approval of the detailed documents for such units by the Director of Land Utilization and other appropriate governmental agencies.

17. Maintenance of Common Areas and Facilities

Legal documents shall be drawn up to ensure perpetual maintenance of all common elements including, but not limited to, landscaping, private drainage system, and common areas.

18. Future Additions and Alterations

- a. Future additions and alterations and in common areas subsequent to the completion of the project shall require the review and approval by the Director of Land Utilization. Individual homeowners requesting such additions and alterations, including fencing, shall first obtain the written approval from the Homeowners' Association (HOA). All fencing for future additions by individual homeowners shall be in accordance with pre-approved standard fence designs.
- b. The reserved floor area for future additions and alterations shall be equally allocated to each unit. Sales documents, deeds, covenants and association by-laws/rules shall contain the floor area allocation for future additions and alterations for each unit. No additions and alterations shall be permitted which would exceed the maximum floor area of 1,067,220 sq. ft.
- c. The applicant and/or developer shall provide standard fencing designs that would be installed by individual homeowners. Design plans shall be submitted for review and approval by the Director of Land Utilization prior to the issuance of building permits.
- d. Owners and tenants of the project shall be informed by the applicant and/or developer of the standard fence design and the maximum allowable floor area that could be used for future additions, alterations and expansions to individual units.

19. Transfer of Rights

- a. Any assignment and/or transfer of any substantial interest in the land parcel designated as a planned development by this document shall be subject to the approval and consent of the Department of Land Utilization (except for such assignment and/or transfer to any purchaser upon foreclosure). Such approval and consent shall not be unreasonably withheld provided that the assignee and/or transferee agrees in writing to comply with all the conditions imposed herein.
- b. This requirement of obtaining Department of Land Utilization's approval and consent shall become null and void upon the applicant/developer satisfying the following:
  - (1) Completion of all construction according to approved plans as well as sale of housing units within the planned development project; and
  - (2) Compliance with all the conditions and restrictions imposed by this document.

20. Time Limit

Failure to secure building permits for 50% of the approved units within 3 years and all of the approved units within five (5) years from the date of this approval may constitute grounds for the Director of Land Utilization to revoke this approval. If the applicant and/or developer finds that he is unable to obtain a building permit prior to the expiration date of this approval, he shall file with the Director a written request for extension of time prior to the expiration date, together with acceptable reasons which to justify such an extension.

21. Responsibility

It shall be the responsibility of the applicant to provide all site improvements, underground utilities, landscaping and other features in conformity with Exhibits "A", "B" and "C", and the conditions and restrictions imposed herein. All structures and site improvements, underground utilities and landscaping shall be completed for each unit prior to the occupancy of the dwelling unit.

22. Covenants

The applicant and/or developer shall be required to incorporate all of the post-construction conditions set forth which are applicable subsequent to occupancy, including "caveat emptor" notification to future owner/buyers, residents and tenants that the project may be subject to adverse noise impacts associated with existing surrounding agricultural operations, and aircraft activities, particularly helicopter flyovers, from Wheeler AFB, as part of the

restrictive covenants running with the land and made a part of any sales agreement with any future owners, residents and tenants of the project.

23. Recordation

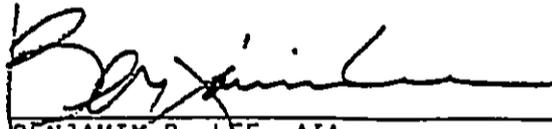
- a. The applicant/developer of the property encompassed by this planned development shall be required to file with the Bureau of Conveyances or Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.
- b. A certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Department of Land Utilization as evidence of recordation prior to occupancy of any dwelling units.

24. Violations

The Department of Land Utilization shall review alleged violations of the conditions imposed herein and upon its findings that the applicant has not complied with any of said conditions, may take any lawful action necessary (1) to prevent further non-compliance, or (2) to compel compliance with the conditions.

25. Rescinding Governmental Agency Approvals

Upon repeal of this approval by the Department of Land Utilization, the Director of Land Utilization and other governmental agencies may rescind any or all approvals granted to the development including but not limited to approvals of subdivisions, construction plans, building permits and other detailed documents, in order to restore the property to conditions pre-existing the effective date of this approval.

  
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BENJAMIN B. LEE, AIA  
Deputy Director

Date: January 19, 1989

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Exhibit "A": Application Drawings  
Exhibit "B": Narrative Description/Analysis  
Exhibit "C": DLU Recommendation on Retention of Tree Groves and  
Identification of Buildings and Parking Areas to be  
Located Away from Areas with 40% Slope or Greater