

CERTIFIED MAIL

November 18, 1982

Mr. James Harold Davis
Pacific and Asian Christian University
P. O. Box YWAM
Kailua-Kona, HI 96740

Dear Mr. Davis:

Variance Application (V82-35)
Variance From Minimum Parking Requirements
Tax Map Key 7-5-09:52, 7-5-10:3 and 51

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your variance request to allow 35 out of the 256 parking stalls to be improved with a "Grasscrete" surface in lieu of the minimum Zoning Code requirement of 443 parking stalls and pavement with an all weather dust free surface in Kailua Village in Puaa 2nd, North Kona.

The approval is based on the following:

1. That there are special and unusual circumstances which apply to the subject property which exist to a degree which obviously interfere with the best use or manner of development of the property.

The subject property is situated within the Kailua Village Special District for which a plan called the Kailua Village Design Plan was adopted in 1976. The major theme of the plan, called the "Kona Way of Life" is most frequently described as "slow, peaceful, quiet, natural, casual, unhurried and uncrowded." On page 3, of the design plan, it states that "The only underlying design trend is that which has taken place over the past ten years of catering more and more to the needs of the car." As such, within

the Village of Kailua some of the more significant planning issues stated in the plan are the "Heavy visual appearance of the car" and "Little attention to pedestrian needs." In recognition of these planning issues, the following design goals and objectives were adopted in the plan:

- "a. To maintain and improve the Kailua Village atmosphere as a 'slow-moving, natural, casual, relaxed, low-rise village.'
- "b. The slower movement of people shall be facilitated by a network of pedestrian and bicycle paths and there shall be efforts made to 'minimize the impact of cars.'"

The selection of Kailua Village as a special district and these major plan policy statements, and the fact that a major design issue of the Pacific and Asia Christian University is for a low-rise pedestrian oriented campus development and that the University's private transit system and transportation policies are considered to be special and unusual circumstances related to the subject property.

Therefore, the approval of this variance would be in keeping with the spirit and intent as well as for the implementation of the goals and objectives as stated in the Kailua Village Design Plan. Furthermore, the joint use parking concept, the "World Bank's 60% space utilization factor", the projected 60% on-campus population, the use of a university transit system consisting of a maximum of approximately 50 vehicles (buses, vans, cars and small trucks) and the pedestrian design concept, are special factors which are unusual and unique as opposed to other similar public and private university schools. In other similar universities, the impacts of parking and off-site traffic problems are highly visible in the community because there is a lack of adequate parking areas, the lack of control over the student population in terms of vehicle ownership, the absence of private transit systems and governing transportation policies. This is different in the PACU situation whereas policies governing the use of the university's transit system and the prohibition of student owned vehicles on campus is being totally planned into the design concept of the campus development and is highly pedestrian oriented. With these policies, it is felt that there should be no off-site parking problems, or if there are, they would be attended to by the PACU administration.

2. That there are no other reasonable alternatives in resolving the difficulty. The goals and objectives described in the Kailua Village Design Plan call for "minimization of the impact of the car in the village." The whole basis of the campus design is focused on a pedestrian and on-campus population. The Zoning Code parking assesement process, if followed, for this type of pedestrian oriented campus development would be hindering the minimization of the vehicle's impact in the village. As such, the imposition of the Zoning Code's method of evaluating and assessing the minimum parking requirements for this type of development are considered to be unreasonable and contrary to the intent and purpose of the design concept of the Kailua Village Design Plan.

Additionally, the imposition of the Zoning Code's minimum parking requirements for this university, acknowledging the pedestrian, transit and vehicle ownership policies of the university is considered to be an unreasonable alternative for the reasons as described.

The provision of 443 parking stalls would be unreasonable in view of the special circumstances on this matter and would be excessive especially when a more reasonable alternative is available. Also in view of the pedestrian concept being proposed by the PACU, it should be recognized that new planning concepts and ideas such as this one should at least be given the opportunity to be expressed and implemented. The factor of experience, and the wisdom that would be gained by it, in some cases, should be given some positive consideration. This concession is not made without assessing the impacts, but done so with the conclusion that the attempted goal of this new concept is to also make all efforts to minimize any anticipated impacts.

The requirement of the development to meet the minimum parking as stipulated by the Zoning Code would thus serve no meaningful purpose in enhancing the design concept which focuses on a pedestrian oriented campus development. The Zoning Code is inflexible for this particular situation and the stringent adherence to the minimum requirements would be unreasonable and foreclose any options in the development of the university campus as proposed. The proposed 256 parking stalls is thus determined to be adequate and reasonable, in light of the constraints and circumstances being applied to the property.

Any other design alternatives in resolving this issue would only be putting excessive demands upon the applicant when a more reasonable alternative is available.

3. That the granting of the variance would be consistent with the intent and purpose of the Zoning Code, the General Plan and the Kailua Village Design Plan. The Kailua Village Design Plan which is an outgrowth of the County General Plan states major policies for the "minimization of the impact of the car in the village." The intent and purpose of the parking requirements are to ensure that the adequate on-site parking areas are available for developments which generate or because of their use intensify the vehicle impact in an area. While it could be conceded that the surrounding developments and the amount of existing traffic which is dependent on Kuakini Highway and Hualalai Road is relatively high, the generation factor of the pedestrian oriented campus development should not necessarily have to be evaluated on that same level of intensity. The proposed First Phase design solution and the underlying circumstances for this design concept still provides for 256 parking stalls and thus employ and afford the opportunity for this particular function. The reduction of paved parking areas in developments with the kind of pedestrian oriented concept afford more opportunity to provide for other types of amenities which serve a social, economical, open space and conducive educational environment need.

Finally, the evaluation of these issues has concurred that the granting of the variance would not be considered to be materially detrimental to the public's welfare nor cause any adverse impact to the area's character or to adjoining properties.

The variance request is approved, subject to the following conditions:

1. That the petitioner or authorized representative shall be responsible for complying with all the stated conditions of approval.
2. That plans for the first phase including a detailed landscaping plan be submitted to the Planning Department within one (1) year from the effective date of approval of the variance. At a minimum, the parking space requirements as outlined in the July 1982 "Double Count" report by PACU shall be provided for each building in Phase I prior to the issuance of any occupancy permits.

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3. That the State Department of Health, Department of Water Supply and the Department of Public Works requirements be complied with.
4. That the conditions of the Change of Zone Ordinances No. 569 and 695 also be complied with.
5. That all other applicable State and County rules, regulations and requirements shall be complied with.

Should the petitioner or authorized representative fail to comply with the above conditions, the variance shall automatically be deemed void.

If you have any questions on this matter, please feel free to contact us.

Sincerely,



SIDNEY M. FUKÉ
Planning Director

RHY:gs

cc: Planning Commission