

April 23, 1980

Mr. Glen T. Morphis, Trustee  
Kona Baptist Church  
RR 1, Box 200  
Kailua-Kona, Hawaii 96740

Dear Mr. Morphis:

Special Permit Application  
Tax Map Key 7-8-07:60

The Planning Commission at its duly held public hearing on April 10, 1980, considered your application for a Special Permit to allow the construction of a classroom building on 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii.

The Commission voted to approve your application effective April 10, 1980, subject to the following conditions:

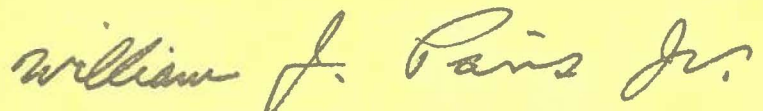
1. That the petitioner or its authorized representative shall submit plans including the provision of additional parking stalls and receive Final Plan Approval within one (1) year from the effective date of approval of the Special Permit.
2. That construction of the classroom facility shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter.
3. That any plans for future improvements shall be submitted to the Planning Department for approval.
4. That all other applicable rules, regulations and requirements shall be complied with.

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Should any of the foregoing conditions not be met, the Permit may be deemed null and void by the Planning Commission.

We will be forwarding the official Special Permit as soon as the document is prepared. In the meantime, should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,



William J. Paris, Jr.  
Chairman, Planning Commission

lgv

cc: State Land Use Commission  
Building Division, Public Works  
Kona Services Office

bcc Masa, et al



CERTIFIED MAIL

March 21, 1985

Mr. Will J. Hancock  
Business Manager  
Hawaii Preparatory Academy  
P. O. Box 428  
Kamuela, HI 96743-0428

Dear Mr. Hancock:

Amendment to Special Permit No. 449  
TMK: 7-8-07:60

The Planning Commission at its duly held public hearing on March 13, 1985, voted to approve your request for an amendment to Special Permit No. 449, to allow the establishment of a satellite school (Kindergarten to Grade 5) for Hawaii Preparatory Academy at the present Kona Baptist Church site at the corner of the Kuakini Highway-Puuloa Road intersection, Keauhou 1st, North Kona, Hawaii.

Approval of this request is based on the following:

The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The property is, however, developed as a community church facility. The proposed elementary school use will be situated within an existing building and will not detract from the existing agricultural use in the area. Based on the foregoing, it is determined that approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations since the agricultural use of the subject property would not be affected

Although the proposed use will somewhat alter the essential character of the land, it is determined that the proposed project will be of such a small magnitude that change, if any, would be minimal. It is apparent that the requested use will not be detrimental to the underlying district designation, and that it is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agricultural district.

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Based on the above consideration, it is concluded that the approval of the subject request will not be contrary to the purpose and intent of the Land Use Law and Regulations.

The proposed use will not adversely affect the surrounding properties and their improvements. The surrounding properties are utilized for scattered single family dwellings, orchards, pasture, and vacant lands. This area can be classified as rural-residential in character. Due to the overall character of the area, the physical attributes of the subject property and the scale of the proposed use, it is determined that the establishment of the proposed use can be made to be compatible with the area and would not be in conflict with the surrounding uses.

The proposed use will not unreasonably burden public agencies to provide roads and streets and other infrastructures and services. All essential services and facilities are or will be made available to the subject property.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. Since the establishment of the district boundaries in the early 1960s, the population of the North Kona district has grown tremendously. From 1960 to 1980, the population of North Kona has increased by 212 percent. This large increase in population has created additional demand for a variety of services. As such, the proposed project will help to meet the increasing need for school facilities.

Based on the foregoing, it has been determined that the proposed school use is an unusual and reasonable use of land situated within the Agricultural district and would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended.

Approval of this request is subject to the following conditions:

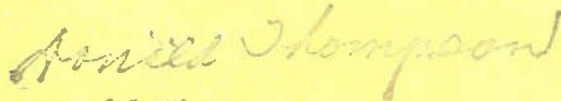
- a. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
- b. The petitioner shall submit plans for and receive final Plan Approval prior to the establishment of the proposed use.
- c. The kindergarten through grade 5 use of the property shall be permitted until June 30, 1988.

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- d. That Hawaii Preparatory Academy and the church work with Puuloa Homeowners Association to alleviate off-site traffic problems and on-site parking with a progress report to the Planning Commission through the Planning Department.
- e. All other applicable rules, regulations, and requirements shall be complied with.
- f. Should the Planning Director determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the special permit shall be considered void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Donald Thompson  
Chairman, Planning Commission

cc: Betty E. Stewart  
State Land Use Commission  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
County of Hawaii, Kona Office

bcc: Plan Approval Section



Stephen K. Yarusshirc  
Mayor



## County of Hawaii

### PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-9615

CERTIFIED MAIL  
Z 095 323 560

March 21, 1996

Rick Vidgen, Vice President  
Board of Directors  
Hualalai Academy  
78-630 Ihilani Place  
Kailua-Kona, HI 96740

Dear Mr. Vidgen:

Special Permit (SPP 449)  
Applicant: Kona Baptist Church/Hualalai Academy  
Request: Amendment to Condition No. 2 (Life of Permit)  
Tax Map Key: 7-8-7:60

The Planning Commission at its duly held public hearing on March 14, 1996, voted to approve the above-referenced request. Special Permit No. 449 allowed the establishment of a satellite elementary school on approximately 2.4 acres of land situated within the State Land Use Agricultural District. The amendment is to include grades 6, 7 and 8 and an additional 5-year time extension of the permit. The property is located at the northwest corner of the Kuakini Highway and Puuloa Road intersection at Keauhou 1st, North Kona, Hawaii.

Approval of this request is based on the following:

The applicant proposes to increase the grade levels from kindergarten through grade 8. The applicants had originally intended to relocate the school to a permanent site. However, due to financial reasons, the applicant was unable to relocate within the allowed time frame. The applicant is still in the process of discussing with various landowners the possibilities of obtaining donated land or leasing a site.

Approval of this request would not be contrary to the General Plan or the Zoning Code. The amendment to Condition No. 2 would not be contrary to the original reasons for granting the Special Permit. The request is consistent with the Land Use Element of the General Plan which states to "Designate and allocate lands in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County" and to "...encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment." The property was granted a Special Permit for school use since 1980 and has been so used since that time. The existing

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Rick Vidgen, Vice President  
Board of Directors  
Hualalai Academy  
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facility will not be expanded and so will not detract from the agricultural potential of the area.

The desired use will not adversely affect the surrounding properties. At the time of the granting of the previous amendments to the Special Permit, which allowed the use of the facility by Hualalai Academy, the school and church established a one-way circular traffic pattern to avoid congestion near Kuakini Highway. The granting of an extension of time nor the increase in the grade levels is expected to produce new impacts.

The desired use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements and police and fire protection. As previously mentioned, no expansion of the school is anticipated. Therefore, the amendment to Condition No. 2 is not expected to produce additional burden to existing facilities.

Based on the above findings, the request to allow grades kindergarten to grade 8 and a five (5) year time extension until June 30, 2001, is hereby approved.

Approval of the amendment request is reflected as follows: (Material to be deleted is bracketed and material to be added is underscored.)

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The kindergarten through grade [5] 8 use of the property shall be permitted until June 30, [1996] 2001.
- [3. That Hawaii Preparatory Academy and the church work with Puuloa Homeowners Association to alleviate off-site traffic problems and on-site parking with a progress report to the Planning Commission through the Planning Department.]
3. [4.] A traffic monitoring program meeting with the approval of the Department of Transportation shall be instituted within six months from the effective date of this amendment. The program shall provide for monitoring of traffic at the Puuloa Road/Kuakini Highway intersection and appropriate mitigation measures, which shall be implemented by the applicant.] A plan shall be prepared and submitted to the Department of Transportation addressing the relocation of the school; construction of a full left-turn deceleration lane on Kuakini Highway, for traffic turning onto Pu'uloa Road; or permanent closing of the school, within six months from the date of this amendment.
4. [5.] An annual progress report shall be submitted to the Planning Director prior to the June 30 anniversary date of the permit. The report shall include, but not be limited to, the status of the traffic monitoring and what mitigation measures have been implemented, if any. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.

Rick Vidgen, Vice President  
Board of Directors  
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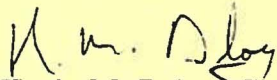
5. [6.] All other applicable rules, regulations, and requirements shall be complied with.

6. [7.] Should the Planning Director determine that any of the foregoing have not been met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

Should you have any questions, please feel free to contact Alice Kawaha or Susan Gagorik of the Planning Department at 961-8288.

Sincerely,



Kevin M. Balog, Chairman  
Planning Commission

AK:syw

LKonaB01.PC

cc: Honorable Stephen K. Yamashiro, Mayor  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
West Hawaii Office  
State Land Use Commission