

# Planning Commission

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye  
Mayor

CERTIFIED MAIL

December 30, 1991

Mr. Ken Melrose  
Waikoloa Development Company  
HCO2, Box 5050  
Waikoloa, HI 96743

Dear Mr. Melrose:

Use Permit Application (91-13)  
Applicant: Waikoloa Development Company  
Request: Elementary School and Related Improvements  
Tax Map Key: 6-8-2: Por of 26 & 31

The Planning Commission at its duly held public hearing on December 18, 1991, voted to approve your application, Use Permit No. 92, to allow for an elementary school and related improvements on 12± acres of land situated within the County's Single-Family Residential-10,000 square foot (RS-10) zoned district. The project site is situated on the west (makai) side of Paniolo Avenue immediately south of the Paniolo Estates affordable housing project, Waikoloa, South Kohala, Hawaii.

Approval of this request is based on the following:

The establishment of an elementary school within an area zoned Single-Family Residential-10,000 square foot (RS-10) will not be inconsistent with the general purpose of that zoned district, the intent and purpose of the Zoning Code, and the General Plan. The granting of such a facility would complement the goal of the General Plan's Land Use Element which states that "The county shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment." This approval would also support the goal and course of action in the Public Facilities Element of the General Plan which read "Encourage the provision of public facilities that effectively service community needs and seek ways of improving public service through better and more functional facilities which are in keeping with the environmental and aesthetic concerns of the community" and "Encourage the expansion of the public school and

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library facilities as needs arises." This project has been coordinated with the Department of Education, although it will be built by the applicant on its lands. According to a Board of Education resolution, the "timely development of the first increment of the proposed Waikoloa Elementary School is a critical element in the realization of the Honokaa Complex Development Plan". Therefore, this approval serves the needs of the Waikoloa residential population in addition to widespread regional educational facility demands.

The granting of the proposed use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties. The project site is located adjacent to a growing residential community. The school will be located in close proximity to the new and existing residential development areas such as the County's affordable housing project, the Schuler housing project, Sunset Ridge, Waikoloa Heights and Waikoloa Village Estates. The Office of Housing and Community Development, the Waikoloa Community Church and the Waikoloa Village Association all support the proposed elementary school.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. On the contrary, constructing the Waikoloa Elementary School in a timely manner will serve to relieve pressures felt in Honokaa and Waimea.

The proposed development is not anticipated to have any substantial adverse environmental or ecological effects. The area is not a habitat for any endangered plant or animal species. An archaeological survey found no historic sites of significance.

The granting of the permit to allow the establishment of an elementary school will not unreasonably burden public agencies to provide the necessary utilities and services. Traffic improvements, including channelization, traffic signals, crosswalks and appropriate pedestrian measures, will be required as a condition of this approval. It is felt that these improvements must be installed prior to issuance of a certificate of occupancy for the school in the interest of public safety and welfare. The extension of Ho'oko Street to the fire access road is being required as a condition of this approval. With regards to internal traffic circulation which

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directly affects the public roadway network, this permit will require the submittal of a parking and interior traffic circulation pattern for buses and cars for loading/unloading children to the Planning Department and the Department of Public Works for review and approval. Curbs, gutters and sidewalk improvements are being imposed on the frontage of Paniolo Avenue and Ho'oko Street. All essential utilities and services are or will be available to the property.

Approval of this request is subject to the following conditions:

1. The petitioner, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Final Plan Approval for Increment I and related improvements shall be secured from the Planning Department within one year from the effective date of the permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. Detailed landscaping, parking, and interior traffic circulation patterns for buses and cars for loading/unloading of children shall be provided meeting with the approval of the Planning Department, in consultation with the Department of Public Works.
3. Construction of Increment I shall commence (building permit) within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter (certificate of occupancy).
4. Final Plan Approval for successive increments shall be secured prior to proceeding with each future increment.
5. Intersection improvements, including traffic signals and a turning lane, shall be installed at Paniolo Avenue-Ho'oko Street intersection, meeting with the approval of the Department of Public Works prior to issuance of a certificate of occupancy for any classrooms in Increment I.
6. Ho'oko Street shall be extended to the fire access road connection at such time the fire access road is required by the Fire Department and in a manner meeting with the approval of the Department of Public Works.

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7. Curbs, gutters and sidewalk improvements shall be installed along the frontage of Paniolo Avenue and Ho'oko Street for each increment meeting with the approval of the Department of Public Works prior to issuance of a certificate of occupancy for any classroom in each increment.
8. Should future roadway improvements be warranted based on an assessment of traffic impacts conducted by the applicant and approved by the Department of Public Works, additional improvements shall be constructed meeting with the approval of the Department of Public Works prior to issuance of a certificate of occupancy for any building in future increments.
9. A drainage system meeting with the approval of the Department of Public Works shall be provided.
10. A wastewater disposal system shall be installed meeting with the requirements of the Department of Health.
11. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings or walks be encountered, work in the immediate area shall cease and the Planning Department shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department when it finds that sufficient mitigative measures have been taken.
12. Comply with all other applicable laws, rules, regulations and requirements.
13. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied and the Planning Director acknowledges that further reports are not required.
14. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance

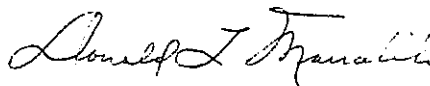
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is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke 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.

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

Sincerely,



for  
Mike Luce, Chairman  
Planning Commission

6994d  
jdk

xc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
West Hawaii Office  
DLNR  
Plan Approval Section  
Fire Department  
Department of Education - Hilo  
Department of Education - Honolulu  
Office of Housing and Community Development  
Mayor  
Planning Director