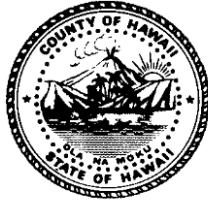


Mitchell D. Roth
Mayor

Deanna S. Sako
Managing Director



Barbara DeFranco, Chair
Mahina Paishon-Duarte, Vice Chair
Dean Au
Michael Dela Cruz
Clement "CJ" Kanuha III

County of Hawai'i

LEEWARD PLANNING COMMISSION

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

June 13, 2024

Pastor Trent Thompson
Waikōloa Baptist Church
P. O. Box 384330
Waikōloa, HI 96738
VIA EMAIL

Dear Pastor Thompson:

SUBJECT: Use Permit Amendment Application (PL-USE-2024-000024)
Use Permit No. 99 (Docket No. USE-92-000001)
Applicant: Waikōloa Baptist Church
Request: Amendment to Use Permit No. 99 to Remove Tax Map Key (3)
6-8-002:056 From the Permit Area
Tax Map Key: (3) 6-8-002:031 and 056, Waikōloa, South Kohala, Hawai'i

The Leeward Planning Commission (Commission), at its duly held public hearing on May 22, 2024, voted to approve the above-referenced amendment to Use Permit No. 99 to remove tax map key (3) 6-8-002:056 from the permit area. With the removal of Parcel 056 from the permit area, the new permit area will be 11.325 acres of land. The project site is located within Waikōloa Village at the northwest corner of the Paniolo Drive and Pu'u -Nui Street intersection, Waikōloa, South Kohala, Hawai'i.

Approval of this amendment is subject to the conditions as stated in the attached Leeward Planning Commission letter dated October 4, 2016 and based on the reasons given in the enclosed Findings Report.

Should you have any questions, please contact Chrisitan Kay of this department at (808) 961-8136 or by email at christian.kay@hawaiicounty.gov

Sincerely,


Barbara DeFranco (Jun 13, 2024 13:07 HST)

Barbara DeFranco, Chairperson
Leeward Planning Commission

LWaikoloaBaptistChurchPL-USE-2024-024lpc

Pastor Trent Thompson
Waikōloa Baptist Church
June 13, 2024
Page 2

Enclosure: Planning Commission Findings Report
Leeward Planning Commission Letter dated October 4, 2016

cc w/enclosure via email: Christian Renz, Pacific 'Āina Design
Department of Public Works
Department of Water Supply
County Real Property Tax Division
GIS Section

COUNTY OF HAWAI‘I
PLANNING COMMISSION FINDINGS

WAIKOLOA BAPTIST CHURCH
AMENDMENT TO USE PERMIT NO. 99 (PL-USE-2024-000024)

Based on the following findings, an amendment to Use Permit No. 99 is hereby approved to remove TMK 6-8-002:056, consisting of 1.056 acres of land from the original, 12.381-acre permit area is **hereby approved by the Leeward Planning Commission**. Use Permit No. 99 allowed the establishment of a church, day care facilities, mission residences, recreational area, and related improvements on 12.381 acres of land situated within the Single-Family Residential-10,000 square foot (RS- 10) zoning district. The project site is situated within Waikoloa Village at the northwest corner of the Paniolo Drive and Pu‘u-Nui Street intersection, Waikoloa, South Kohala, Hawai‘i, TMKs: (3) 6-8-002:031 & :056.

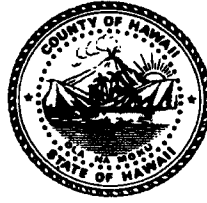
This amendment request has been submitted at the behest of the Planning Director to remove the 1.056-acre land area (parcel 056) from under the control and requirements of Use Permit No. 99 as Waikoloa Lutheran Church has submitted a Use Permit application to develop a church and related improvements on that parcel.

The applicant sold parcel 056 to the Waikoloa Lutheran Church in 2016 and that new owner submitted a Use Permit application in 2023 (PL-USE-2023-000018) to develop a church and related improvements on that parcel. As the parcel is already covered under Use Permit No. 99, the Planning Director requested that the applicant submit the amendment request as a housekeeping measure to ensure that the same land area is not covered by two Use Permits, should the Planning Commission approve the new Use Permit request.

Conditions and requirements of Use Permit No. 99 (attached for reference) will control the development and operation of the uses on the remaining 11.325-acre land area (parcel 031), and development of parcel 056 will be consistent with requirements and conditions of a new Use Permit.

Lastly, this approval is made with the understanding that the applicant remains responsible for complying with all other applicable governmental requirements in connection with the approved use, prior to its commencement or establishment upon the subject properties. Additional governmental requirements may include the issuance of building permits, the installation of approved wastewater disposal systems, compliance with the Fire Code, installation of improvements required by the American with Disabilities Act (ADA), among many others. Compliance with all applicable governmental requirements is a condition of this approval; failure to comply with such requirements will be considered a violation that may result in enforcement action by the Planning Department and/or the affected agencies.

William P. Kenoi
Mayor



Keith F. Unger, Chair
Collin Kaholo, Vice Chair
Nancy Carr Smith
Scott Church
Barbara Nobriga
Oliver "Sonny" Shimaoka

County of Hawai'i

LEEWARD PLANNING COMMISSION

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OCT - 4 2016

Mr. Fritz Harris-Glade, AIA
FHG Architects AIA
P.O. Box 4476
Kailua-Kona, HI 96745

Dear Mr. Harris-Glade:

SUBJECT: Use Permit No. 99 (Docket No. USE 92-000001)
Applicant: Waikoloa Baptist Church
Request: Amendment to Condition Nos. 4 (Secure Final Plan Approval),
5 (Complete Construction), and 7 (Road Improvements)
Tax Map Key: 6-8-002:031 & 056

The Leeward Planning Commission, at its duly held public hearing on September 15, 2016, voted to approve the above-referenced request for an amendment to Condition No. 4 (secure Final Plan Approval), Condition No. 5 (complete construction), and Condition No. 7 (road improvements) of Use Permit No. 99, which allowed the establishment of a church, day care facilities, mission residences, recreational area and related improvements of 12.381 acres of land situated within the Single-Family Residential-10,000 square foot (RS-10) zoning district. The project site is situated within Waikoloa Village at the northwest corner of the Paniolo Drive and Pu'u-Nui Street intersection, Waikoloa, South Kohala, Hawai'i.

Approval of these amendments 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 Phase I and related improvements shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review in accordance with Chapter 25-2-72 (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 shall be included on plans submitted.

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OCT 04 2016

3. Construction of Phase I shall commence (building permit) within one year from the date of receipt for Final Plan Approval and shall be completed within two years thereafter (certificate of occupancy).
4. Final Plan Approval for the remainder of the development and related improvements shall be secured from the Planning Department within two (2) years from the effective date of this amendment. To assure adequate time for plan approval review and in accordance with Chapter 25-2-72 (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 shall be included on plans submitted.
5. Construction of the remainder of the development shall be completed (certificate of occupancy) within five years from the effective date of this amendment.
6. The applicant shall prepare and submit a drainage study of the subject property for the review and approval by the Department of Public Works. The applicant shall provide all drainage improvements as may be required by the Department of Public Works prior to the issuance of a certificate of occupancy of the proposed development.
7. Access to the project site, including adequate sight distance, shall meet with the approval of the Department of Public Works prior to the issuance of a certificate of occupancy for any structure in Phase I. The applicant shall also restripe that portion of Paniolo Drive in the vicinity of the subject property to include a left turn lane at a time to be determined by and in the manner meeting with the approval of the Department of Public Works.
8. Curb, gutter and sidewalk improvements shall be installed in two phases. The first phase of curb, gutter and sidewalk installation shall include the property frontage beginning at the northern boundary of the property to and including any access points and be completed prior to the issuance of a certificate of occupancy for Phase I of the development. The second phase of curb, gutter and sidewalk installation shall include the remainder of the property frontage and be completed prior to December 31, 1999.

9. 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.
10. The applicant shall comply with all applicable County, State and Federal laws, rules, regulations and requirements.
11. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. 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.
12. 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 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 granting of the permit.
 - 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).
 - e) If the applicant should require an additional extension of time, the applicant shall submit its request to the Planning Commission for appropriate action.

Mr. Fritz Harris-Glade, AIA
FHG Architects AIA
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Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke the permit.

[Note: Ramseyer version available upon request.]

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

Approval of this permit is based on the reasons given in the attached Findings Report.

Should you have any questions, please contact Jeff Darrow of the Planning Department at (808) 961-8158.

Sincerely,



Keith F. Unger, Chairman
Leeward Planning Commission

LWaikoloabaptistchurchamendUSE99lpc
Enclosure: PC Findings Report

cc: Waikoloa Baptist Church
Department of Public Works
Department of Water Supply
County Real Property Tax Division - Hilo
Planning Department - Kona
GIS Section