COUNTY OF HAWAI'I PLANNING DEPARTMENT
BACKGROUND REPORT

PABLO PENALOZA
SPECIAL PERMIT APPLICATION (SPP 20-000221)

PABLO PENALOZA is requesting a Special Permit to develop and operate a childcare center/preschool facility and construct a playground for student use and to develop and operate an "event venue" to be rented commercially on a two (2)-acre portion of a 5.3-acre parcel situated in the State Land Use Agricultural District. The subject property is located at 75-477 Hualālai Road, approximately 988 feet east (mauka) of its intersection with Queen Ka'ahumanu Highway, Wai'aha 1st, North Kona District, Hawai'i, TMK: (3) 7-5-017: Portion of 045.

APPLICANTS' REQUEST

1. **Request:** The applicant is requesting a Special Permit to develop and operate a preschool/childcare/after-school care center on 2.0-acre of land within the SLU Agricultural District. The applicant currently operates Alaka'i Academy, a preschool in the Old Industrial Area in Kona. The existing school is licensed under Department of Human Services for 72 students; the applicant is looking to relocate the school to the new location described in the Special Permit application that will accommodate 72 students and approximately 15 staff. The school will be housed in a set of buildings totaling approximately 10,000 square feet. The buildings will consist of classrooms, bathrooms, and cafeteria with a kitchen, lobby, administrative office space and storage rooms. In addition to the buildings, a tent-like pavilion will be constructed for student use associated with the school, such as outdoor performances and gatherings.
2. **Mission Statement:** Alaka`i Academy follows a whole child approach to education. Students are not only intellectual but also social and emotional beings, and all these dimensions intersect to impact learning and performance. This experience at Alaka`i Academy evolves into leadership traits, influential roles and active contributions to family, school, and society. Alaka`i Academy offers extended operation hours, year-round operation (no summer break), year-round enrollment, and excellence in academics. There are three core aspects to the Alaka`i Academy curriculum: leadership development, structured environment, and academics excellence.

3. **Staff/Students:** 72 students, approximately 15 full-time staff.

4. **Hours of Operation:** The school will operate Monday through Friday 7:00AM to 5:00 PM and will be closed on weekends and major holidays, however it will be open during the summer and non-holiday Department of Education (DOE) school breaks. When the school is not in session, the applicant plans to rent out the venue for events such as fundraisers. Other events include outdoor gatherings of 50 people which will occur Saturdays and Holidays (no Sundays) from 9:00AM to 8:00PM; community events of 25 people who will use classrooms and/or outdoor areas which will occur Monday through Friday from 6:00PM to 9:00PM. Approximately once a year the applicant plans on hosting a larger school fundraiser that could host up to 100 people and will be held entirely outdoors; hours for this event will be 10:00AM to 2:00PM.

5. **Supportive Information**: The applicant has submitted the attached in support of the request: **(Planning Department Exhibit 1 – Special Permit Application dated November 19, 2020, Planning Department Exhibit 2- Revised Special Permit Application dated February 25, 2021 and Planning Department Exhibit 3 - Addendum to Special Permit Application dated December 21, 2020).**

6. **Landowner:** Pablo Penaloza

STATE AND COUNTY PLANS

7. **State Land Use (SLU) District:** Agricultural District.

8. **County Zoning:** A-5a; Agricultural 5-acres.

9. **General Plan (LUPAG) Map Designation:** Urban Expansion (ue) which allows for a mix of high density, medium density, low density, industrial, industrial-commercial and/or open designation in areas where new settlements may be desirable, but where the specific settlement pattern and mix of uses have not yet been determined and Medium Density Urban (mdu) which includes village and neighborhood commercial and single family and multiple family residential and related functions (multiple family residential – up to 35 units per acre).

10. **Kona Community Development Plan (KCDP):** The KCDP was adopted by Ordinance No. 08-131, which became effective on September 25, 2008. The subject property is located within the Kona Urban Area and within the Pua'a-Wai` aha Village Transit Oriented Development Area.

11. **Special Management Area (SMA):** The subject property is located approximately one (1) mile from the nearest coastline and is not within the Special Management Area.

DESCRIPTION OF PROPERTY AND SURROUNDING AREAS

12. **Project Site:** The subject parcel is 5.3-acres in size and is rectangular in shape. The property is located at ~400 feet above sea level and is generally level with a 6% westerly slope. There is an elevation break that bisects the center of the property from west to east, sloping 1-2 meters towards the north. The property is undeveloped and vacant of any structures. The subject parcel has two access easements, one along the north side of the property which is 20-feet wide, however, only 5-feet of the easement is located on the subject parcel, and a 60-foot wide "road reserve" easement that runs along the east side of the subject parcel. **(Planning Department Exhibit 4 – Subdivision Map [SUB-17-001712] dated December 12, 2018)**

13. **Surrounding Zoning/Land Uses:** Immediately adjacent properties to the north, east, and west of the property are similarly zoned A-5a with properties south of the subject parcel within the A-1a zoning district. Many of the surrounding parcels are undeveloped, or in current use as grazing lands for cattle. The parcel directly north of the project area received Special Permit approval (SPP 1262) to operate a public charter school (Innovations) serving grades K to 8th.

14. **U.S.D.A. Soil Type:** (WHC) Wai'aha extremely stony silt loam, 6 to 12 percent slopes. This soil type is used primarily for pasture.

15. **Land Study Bureau Soil Rating:** Soils within the project site are classified as "C" or "Fair" and "E" or "Very Poor" for agricultural productivity.

16. **ALISH:** Unclassified.

17. **Flood Zone:** The project site is located within Zone "X", an area determined by FEMA to be outside the 500-year flood plain. However, the existing roadway access (i.e., Kakalina Extension) crosses the Wai'aha Drainageway, which is designated by FEMA as Flood Zone "AE" which is defined as a special flood hazard area that can be inundated by a 100-year flood.

18. **Flora/Faunal Resources:** No formal floral studies have been conducted for the site. The project area has been viewed multiple times by an archeologist, a land surveyor, and the applicant. Observed plants include elephant grass, *haole koa*, multiple small monkeypod

African tulip, and *kiawe* trees and various non-native or invasive weeds such as ivy gourds. Similarly, no formal faunal study was conducted of the site. There are currently 10 cattle grazing on the property and occasionally 3 horses. Observed faunal species include feral pig and mongoose.

19. **Archaeological/Cultural/Historical Resources:** An agent for the applicant conducted an Archeological Inventory Survey (AIS) for a 4-acre portion of the 5.3-acre parcel which includes the 2-acre project area. A single historic property was identified, consisting of a stack stone wall remnant and an unimproved road. The road is described as a ranch road, likely dating from the Historic period to present. The site retains integrity of location, design, materials, and workmanship and is assessed as significant under Criterion D, but has been adequately documented and per SHPD, no further archaeological work is recommended. According to SHPD the AIS was accepted and stated that the historic preservation review process is ended, and no further work is required.

20. **Public Access:** There is no coastal or mountain access through this private property.

21. **Traffic**: The applicant states the proposed school operates differently from a standard school that has strict pick-up and drop-off times in the AM and PM peak hours. According to the applicant, drop-off times in the AM are from 7:00AM to 9:30AM and pick-up times will be from 2:00PM to 5:30PM which could offset peak hour traffic generation. Hualālai Road is a County minor collector and is currently well below capacity, and currently there is no left-turn lane present into Kakalina Extension, however, the study concluded that no mitigation is required. A Traffic Impact Analysis Report (TIAR) was prepared by Island Engineering, LLC on November 4, 2020 for the proposed project. It should be noted that the traffic count data collected in the field is not representative of normal operations due to the ongoing Covid-19 pandemic. Since data regarding current visitor distribution to the island could not be found, the traffic analysis inflated the measured traffic counts to account for the diminished use. Hualālai Road has a dedicated 250-foot-long right and left-turn lands for turning movements onto State Route 11. The right and left-turn lanes were observed to have a maximum of two (2) vehicles during the AM and PM peak hour of traffic. The project site intersects Hualālai Road and Kakalina Extension which was measured to have satisfactory geometry and adequate stopping sight distance in both directions along Hualālai Road. There is currently no dedicated left or right turn lane onto

Kakalina Extension. The applicant has stated they will not have confined pick-up and drop-off times as each family will have flexibility to drop-off between 7:00AM and 9:00AM and pick-up times between 3pm and 5pm.

PUBLIC SERVICES AND FACILITIES

22. **Access**: Access to the site is from Kakalina Extension (street), a 35-foot wide, 2-lane paved road located off Hualālai Road that is within a 60-foot-wide access easement. There are several access easements granted to neighbors to utilize the Kakalina Extension, however the subject parcel is a "flag" lot and therefor includes a portion of Kakalina Extension as part of the parcel. According to DPW, Kakalina Extension was approved via Grading Permit No. 9-2457. As part of that review, a no-rise certification addressing the Kakalina Extension portion that crosses the Wai'aha Drainageway Flood zone was approved by DPW. However, a final inspection for that certification was not performed to date.

23. **Water:** According to the Department of Water Supply (DWS), the existing 8-inch waterline fronting the subject property is inadequate to provide the required 2,000 gallons per minute flow for fire protection. Additionally, the DWS stated that the water availability in the area of the subject parcel provides for the same number of water units as the number of lots allowable under the current zoning. As the current zoning is A-5a and the subject parcel is 5.3-acres, only one (1) lot could be developed and as such only one (1) unit of water is available to the site. The subject parcel is limited to the one (1) existing 5/8-inch meter assigned to the parcel. For reference, one (1) unit of water is equal to an average daily use of 400 gallons, which is suitable for one (1) single-family dwelling. At this time, the DWS is requesting that the applicant submit revised estimated average daily water demand calculations to determine the proposed water usage on the site. According to the applicant's engineer, the estimated average daily consumption for the proposed project is 2,270 gallons per day with a max daily consumption of 3,800 gallons per day. The applicant has stated the water use is far less at its current facility, and that the school could operate with the allotted one (1) unit of water.

24. **Drainage:** The application states that, according to the Flood Insurance Rate Map (FIRM), the project site is designated Zone "X", or areas of minimal flood hazard. According to the Department of Public Works, Special Flood Hazard Area "AE" affects the subject parcel, and improvements in a floodplain will be subject to the requirements of Hawai'i County

Code (HCC), Chapter 27 – Floodplain Management. It should be noted that the area of AE flood zone crosses the existing paved access roadway (Kakalina Extension) that will be used by the applicant for access; no AE flood zones are located within the 2-acre project area.

25. **Wastewater:** The applicant states that public sewer is not available to the site, therefore a Department of Health approved wastewater system will be designed and constructed for the proposed project once wastewater generation calculations are provided to DOH.

26. **Other Essential Utilities and Services**: Electricity is currently available through HELCO, however, the applicant states that the feasibility of solar power will be investigated for the proposed school. Telephone and cable are available to the site.

AGENCIES' COMMENTS

Staff notes that the request for comments provided to agencies included the original application dated November 19, 2020 and not the revised application dated March 4, 2021. Since the proposed project was downsized from the original application the Planning Department did not recirculate the revised application for comments.

27. **Department of Water Supply: (Planning Department Exhibit 5 – December 18, 2020 Letter and March 17, 2021 Letter)**

28. **Department of Public Works: (Planning Department Exhibit 6 – December 23, 2020 Memo)**

29. **State Department of Health: (Planning Department Exhibit 7 – January 5, 2021 Memo)**

30. **County Fire Department: (Planning Department Exhibit 8 – December 17, 2020 Letter)**

31. **DLNR – Engineering Division: (Planning Department Exhibit 9 – December 29, 2020 Memo)**

32. **Department of Transportation: (Planning Department Exhibit 10 – January 14, 2021 Letter)**

33. **State Historic Preservation Division (SHPD): (Planning Department Exhibit 11 – July 29, 2020 Letter)**

AGENCIES – NO COMMENTS/CONCERNS

34. Police Department; Department of Environmental Management (DEM); DLNR – Land Division

APPLICANTS RESPONSE TO COMMENTS

35. The applicant submitted four (4) letters in response to comments received from agencies **(Planning Department Exhibit 12 – January 20, 2021 Letters and February 22, 2021 Letter)**

AGENCIES – NO RESPONSE

36. Department of Public Works – Building and Traffic Divisions; Real Property Tax Office; State Department of Education; State Land Use Commission (LUC); State Office of Planning.

PUBLIC COMMENTS

37. As of this writing, the Planning Department has not received any written objections or comments from the general public or adjacent landowners on the subject application.

NING DEPARTMENT
County of Hawaii
5044 Ane Keohokalole Hwy
ailua-Kona, HI 96740

SPECIAL PERMIT APPLICATION
PLANNING DEPARTMENT

RECEIVED NOV 19 2020

(Type or Print the requested information)

APPLICANT: PABLO PENALOZA

APPLICANT'S SIGNATURE: _____ DATE: 11-19-20

ADDRESS: 75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
USA

LIST APPLICANT' S INTEREST IF NOT OWNER: APPPLICANT IS THE OWNER

TELEPHONE: (Bus.) n/a (Cell) 808-990-7041 (Fax) 877-346-4212

REQUEST: A SPECIAL PERMIT TO OPERATE A CHILDCARE CENTER/PRESCHOOL/AFTER SCHOOL CARE/PLAYGROUND/EVENT VENUE ON A 2 ACRE SECTION OF THIS PROPERTY.

TAX MAP KEY: (3) 7-5-017:045

ZONING: A-5a

AREA OF PROPERTY/AREA OF REQUESTED USE: 2 ACRES

LANDOWNER: PABLO PENALOZA

LANDOWNER'S SIGNATURE: _____ DATE: 11-19-20

LANDOWNER' S ADDRESS: 75-378 NANI KAILUA DRIVE
KAILUA KONA, HAWAII 96740
USA

AGENT: N/A

ADDRESS: N/A

TELEPHONE: N/A

Please indicate to whom original correspondence (and copies) should be sent:

ORIGINAL: PABLO PENALOZA COPIES: N/A

Planning Dept. Exhibit 1

SCANNED
NOV 23 2020
By: 137672

SPECIAL PERMIT APPLICATION SUPPORTING DOCUMENATION:

1. A Filing fee of Five Hundred Dollars ($ 500) payable to the County Director of Finance
2. An Original (signed) and twenty (20) copies of the completed application form with attachments;
3. An Original and twenty (20) copies of the following background information on the subject request:
    A. Detailed written description of the proposed use, a statement of objectives and reasons for the request, including proposed hours of operation and number of employees/clientele

The main goal of this permit is to obtain authorization to construct and operate a preschool/childcare/after school care center on 2 acres of the parcel. Additionally, as a secondary use, the playground may occasionally be rented to host events, such as birthday parties, celebrations, etc., predominantly on weekends.

We operate Alaka'i Academy, a preschool in the Old Industrial Area in Kona. Our school is licensed under Department of Human Services to care for over 72 children at one time. If our Special Permit is approved, we will be moving our school to this new facility once constructed and certified to operate.

The school will be housed on a set of buildings of approximate 10,000 square feet, consisting of classrooms, bathrooms, and cafeteria with a kitchen, a lobby, some admin space and storage. In addition, a tent-like pavilion will be constructed as well for shade, outdoors performances and other gatherings.

We envision that the new facility will have capacity to serve our current license capacity of 72 children on day one. We would likely build in some excess capacity to accommodate growth in the future. It is worth noting that the COVID-19 crisis has taken a toll on our enrollment and we are currently below our capacity. Yet, our goal would be to increase the enrollment overtime.

Our current hours of operations are Mon-Fri 7:00 am to 5:00 pm. We are closed on weekends, and on major holidays, but we don't close for summer and other DOE school breaks.

Alaka`i Academy follows a whole child approach to education. Students are not only intellectual but also social and emotional beings, and all these dimensions interact to impact learning and performance. Without empathy, for example, one can be bright, but arrogant. Without confidence, one aims low, ultimately living beneath his or her potential. A balanced approach leads to healthy growth and prepares children to excel in a wide range of interactions. Over time, this experience at Alaka`i Academy naturally evolves into leadership traits, influential roles and active contributions to family, school, and society.

Alaka`i Academy offers extended operation hours, year-round operation (no summer break), year-round enrollment, and excellence in academics. In addition, Alaka`i Academy is the only large preschool in Kailua Kona that accepts children who are not potty trained.

There are 3 core aspects to the Alaka`i Academy curriculum: Leadership Development, Structured Environment and Academicu Excellence. Leadership is in our name. "Alaka`i" means leader/leadership in the Hawaiian language; so it follows that Alaka`i Academy is a Leadership Academy for children. The owner had opportunities to serve in leadership roles during his career. One thing he discovered early on was that leadership success is more likely to be achieved by developing and cultivating emotional intelligence (self-awareness, self-regulation, motivation, empathy, and social skills) than when those skills are relegated to secondary importance. These concepts are very simple (such as listening, controlling one's emotions, showing empathy, putting team goals before individual desires, etc.) but at the same time very difficult to master as an adult because they almost always imply changing who we are.

While adults have a difficult time changing, the character and identity of children are malleable and shaped through daily interactions. Alaka`i Academy has a leadership development program incorporated in the daily curriculum as a weekly leadership theme adapted for children. Sample themes are: a leader is...kind, grateful, creative, respectful, friendly, and happy, etc.; a leader...is a good listener, uses good manners at the table and much more. This curriculum helps children develop emotionally, at the same pace their intellects and their bodies grow.

Alaka`i Academy operates as a very structured environment. Within that structured environment, which provides security and predictability, the teacher's job is to grab the children's imagination and attention, and take them on a metaphorical magic carpet ride, flowing from activity to activity, and from theme to theme, while exposing them to different subjects and concepts along the way. At Alaka`i Academy, children don't "run around wild." The program is delivered via teacher-directed activities. Because children are always looking to the teacher to know what to do next, Alaka`i Academy has been able to greatly minimize children's misbehaviors and accidents. Further, since all classes use this methodology, Alaka`i Academy's individual class approach has developed into culture of proper behavior and safety.

While academic excellence may not necessarily, in and of itself, be the sole hallmark of a great leader, Alaka`i Academy feels that developing in children a love for learning and reading is a definite aid to them in their chosen life pursuit. Alaka`i Academy's academic goal is ambitious: to have every child reading at 1st grade level before entering Kindergarten. A head start in their academic life can only help children through the early stages of their education.

To achieve this goal, Alaka`i Academy does three things: 1) Hires great teachers, 2) Implements a formal reading program, and 3) Values teachers' input on class size. First: Great teachers. In general, educational requirements for preschool teachers are low and mostly focused on child development theory rather than on teaching techniques. With this in mind, Alaka`i Academy began hiring lead teachers who also had experience teaching at the elementary school level. Alaka`i Academy believed and found out in practice that teachers with this background are better able to deliver curriculum and achieve the academic goals of the school.

Second, Alaka`i Academy implements a formal reading curriculum. Reading is an acquired skill. Children don't learn to read by simply hanging out with readers. Reading is not something children just pick up by themselves; reading must be taught. Alaka`i Academy has a fantastic program to help little ones learn to read. It starts with phonics at age 2, moves to upper and lower case letter recognition by age 3, and reinforces phonics with sights words and sound readings, and culminates with developing fluency in 1st grade level books by age prior to entering kindergarten. This approach has been very successful. Over the last 2 years 92% of its students going to kindergarten were reading before they left the school. Further, 100% of children who were with Alaka`i Academy for 2 years read at 1st grade level.

Lastly, Alaka`i Academy values teachers' input on class size. Nearly all preschools try to maximize teacher/student ratio to increase profitability. While profitability is important, teachers' input is considered when determining if a class can take new students. This approach allows teachers to feel respected, takes into consideration different class mixes, and it supports the overall goals of delivering a curriculum effectively.

The outside area of the school is also critical to foster a safe and inviting learning environment. The school will include things like playground equipment; slides, bounce house; water play areas and water equipment (spray park zone/water playground, floating toys, etc.).

Adequate parking spaces will be allocated to meet county guidelines.

When school is not in session (evenings, weekends, school breaks, etc.), the venue may be rented out as an additional way to raise revenues to cover expenses, conduct fundraisers, etc.

Regarding staffing, we currently employ 13 individuals. The new facility will likely increase that number to 15 plus.

B. Description of the subject property in sufficient detail to precisely locate the property. Describe existing uses, structures and topography. If portion of property to be used, state use of remainder of property.

The parcel is located in Kailua Kona, Big Island. The property lot size is 5.3 acres.

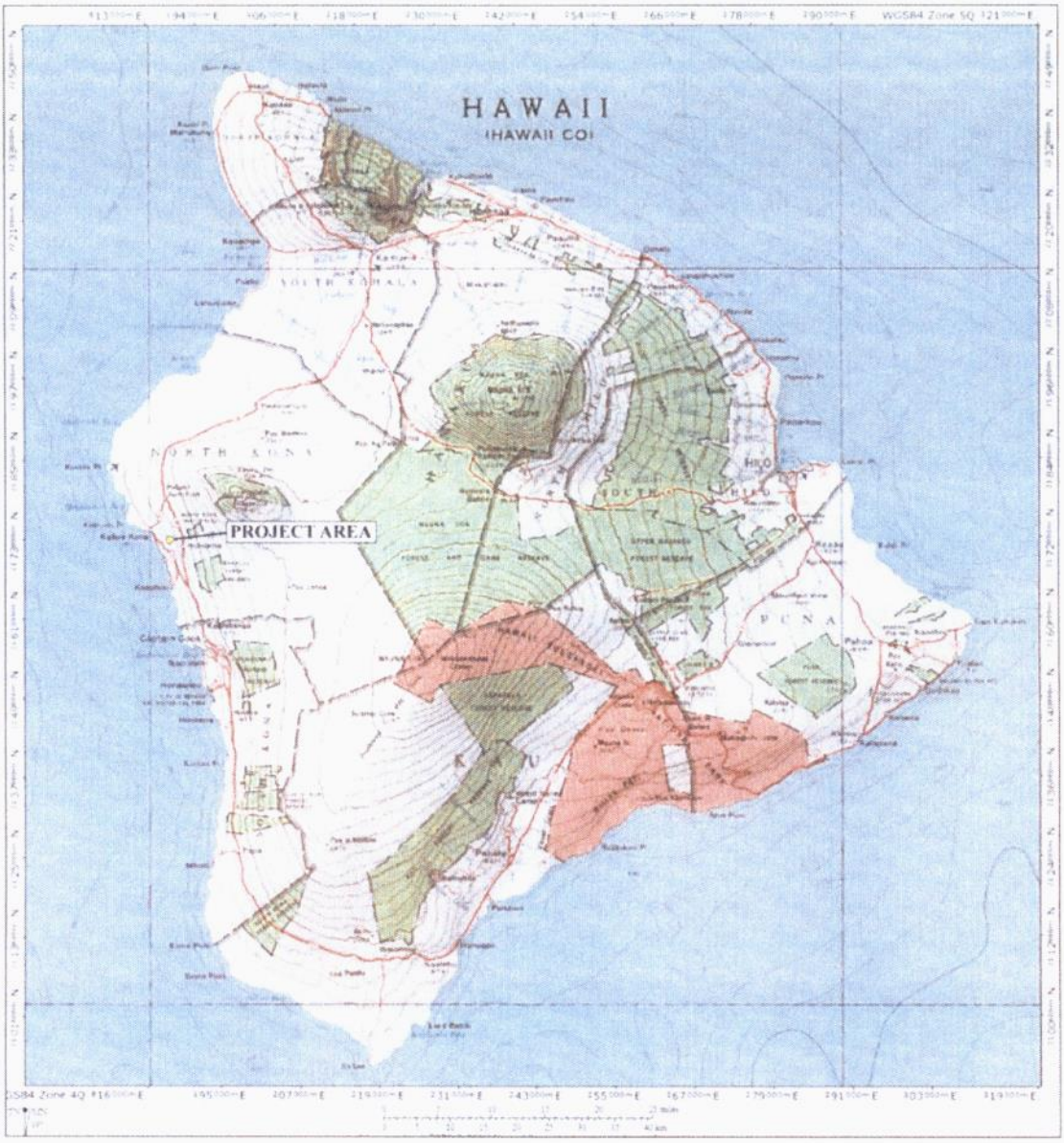


Figure 1: 5,500 K-Series Map of Hawai'i Showing Location of Project Area (National Geographic Topo!, 2003. Sources: National Geographic Society, USGS).

The parcel is located near the intersection of Queen Ka'ahumanu and Hualalai Road. The property will have access via the future Kakalina Street connector road.



Approximately 2 acres of the parcel will be designated for the special use (section highlighted in red).



The remainder of the property will be used to build a single family home and some family farming activities, such as a fruit orchard, farming, etc.

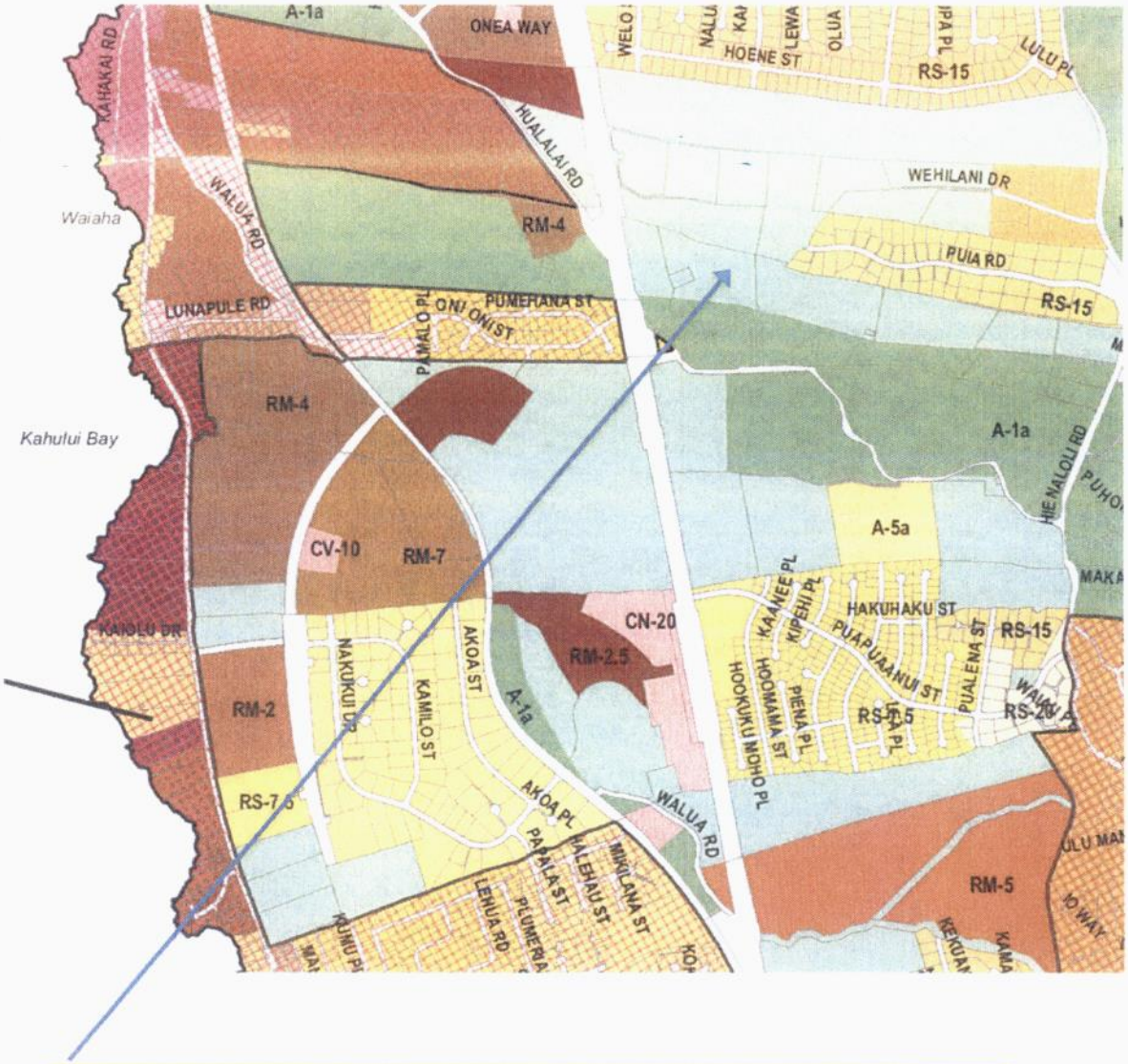
C. State/ County Plans affecting the subject request: General Plan designation, Special Management Area and Community Development Plans.

Our Project is located in a site designated under the County of Hawaii General Plan as Urban. Under the land user pattern allocation guide, our project site is identified as medium density urban area, which allows for residential, commercial and multi-family residential uses, which includes daycare/childcare centers and preschools.

D. Surrounding zoning and land uses.

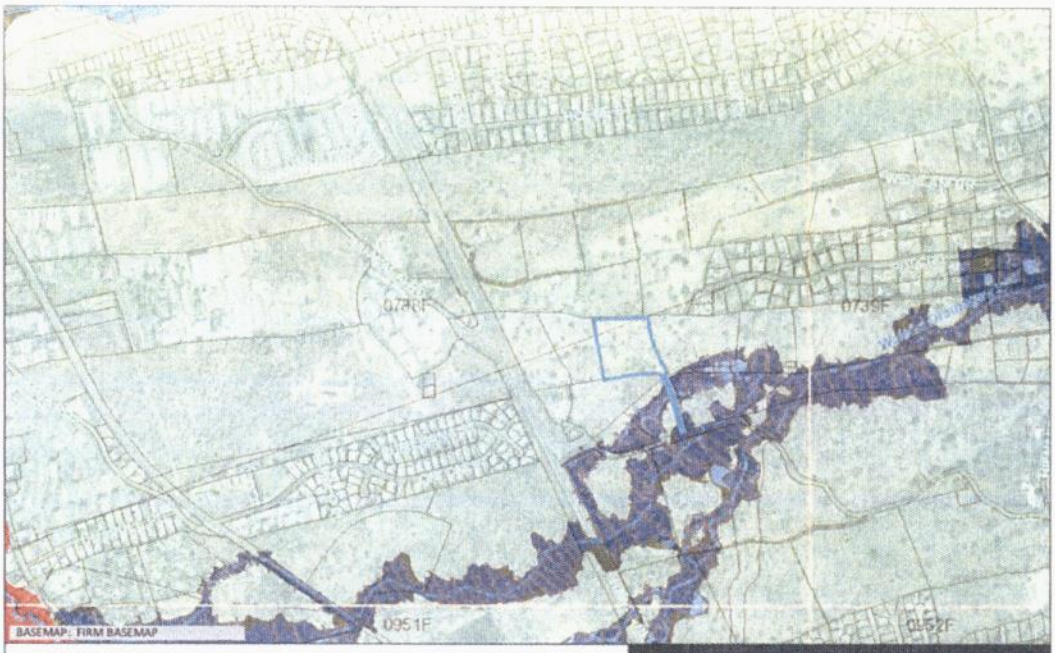
The property and project site is designated as "Agricultural District" under State Land Use Commission.

Immediately adjacent properties to the north, east and west of the property are zoned as A-5a. Adjacent properties to the south are zoned A-1a. Most of the surrounded parcels are still undeveloped. Current use for most surrounding parcels is cattle grazing. The parcel directly north of our property also has a special permit to operate a public charter school serving grades K-8. Alaka'i Academy serves families of pre-K children, which complements nicely with the elementary school next doors.



Project location. Light green indicates A-5a and dark green indicates A-1a zoning. Taken from the North Kona Zone Map Section 25-8-3.

E. Flood Insurance Rate Map (FIRM) designation (contact Department of Public Works - Engineering Division).



Flood Hazard Assessment Report

www.hawaiinfip.org

Property Information

COUNTY	HAWAII
TMK NO	(3) 7-5-017:045
WATERSHED	WAIAHA
PARCEL ADDRESS	ADDRESS NOT DETERMINED KAILUA KONA, HI 96740

Notes:

Flood Hazard Information

FIRM INDEX DATE:	SEPTEMBER 29, 2017
LETTER OF MAP CHANGE(S):	NONE
FEMA FIRM PANEL	15516607 38F
PANEL EFFECTIVE DATE:	SEPTEMBER 29, 2017

THIS PROPERTY IS WITHIN A TSUNAMI EVACUTION ZONE: NO
FOR MORE INFO, VISIT: http://www.scd.hawaii.gov/

THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE: NO
FOR MORE INFO, VISIT: http://dlnreng.hawaii.gov/dam/

0 600 1,200 ft

Disclaimer: The Hawai'i Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as "PRELIMINARY", please note that it is being provided for informational purposes and is not to be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

FLOOD HAZARD ASSESSMENT TOOL LAYER LEGEND
(Note: legend does not correspond with NFHL)

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year), also know as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- **Zone A**: No BFE determined.
- **Zone AE**: BFE determined.
- **Zone AH**: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- **Zone AO**: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- **Zone V**: Coastal flood zone with velocity hazard (wave action); no BFE determined.
- **Zone VE**: Coastal flood zone with velocity hazard (wave action); BFE determined.
- **Zone AEF**: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA - An area in a low to moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- **Zone XS (X shaded)**: Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- **Zone X**: Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

- **Zone D**: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase apply, but coverage is available in participating communities.

F. Archaeological Resources (one of the following):

i. An archaeological inventory report containing significance assessments, effect determinations, and proposed mitigation commitments. The report should be completed pursuant to State Department of Land and Natural Resources Historic Preservation Division (DLNR-SHPD) rules.

ii. A "no effect" letter from the State DLNR Historic Preservation Division.

iii. A copy of a letter written by the applicant to the State DLNR Historic Preservation Division requesting a " no effect" letter, including supporting documentation, to which SHPD has not responded after 30 days (SHPD's time limit under their rules).

See Letter from SHPD attached. Exhibit 1

G. Floral and Faunal Resources.

No formal floral studies have been conducted for the site. The site has been walked multiple times by an archaeologist, a surveyor and by my family. Plans easily observed include elephant grass, Haole Koa bushes (invasive), three small monkey pod trees, a couple African Tulip trees, Kiawe trees, and various other small weeds, such as the Mexican stinky, ivy gourds, etc. Everything seems very common to the area and nothing is rare or endangered plant life.

Similarly, no fauna study was conducted for the site. There are currently 10 cows grazing on the property. Occasionally, our neighbor also brings his 3 horses to help keep the grass down. I have seeb mongooses and even a feral pig or two there.

Therefore, it does not appear to be any indications that our project will have any significant negative impact, if at all, to the floral and fauna resources in the area.

H. Valued Cultural Resources: Identify any traditional and customary native Hawaiian rights that are exercised in the area; the extent in which the proposed development will affect these rights; and feasible action to be taken to protect native Hawaiian rights if they exist.

None exist. See Archeological Report. Exhibit 2

I. Public Access: Existing public access to and along the shoreline or to mountain areas and knowledge of whether public access is being used.

Public access to the site is off Hualalai Road via the Kakalina extension. Families coming either from the north or the south would likely come via Queen Ka'ahumanu Highway and turn mauka on Hualalai Road and then turn left on the Kakalina Extension Connector road.

Families coming from Ali'i Drive would likely come up via Hualalai Road and then turn left on the Kakalina Extension Connector road.

Families coming from Holualoa Mauka would likely come down via Hualalai Road and then turn right on the Kakalina Extension Connector road.

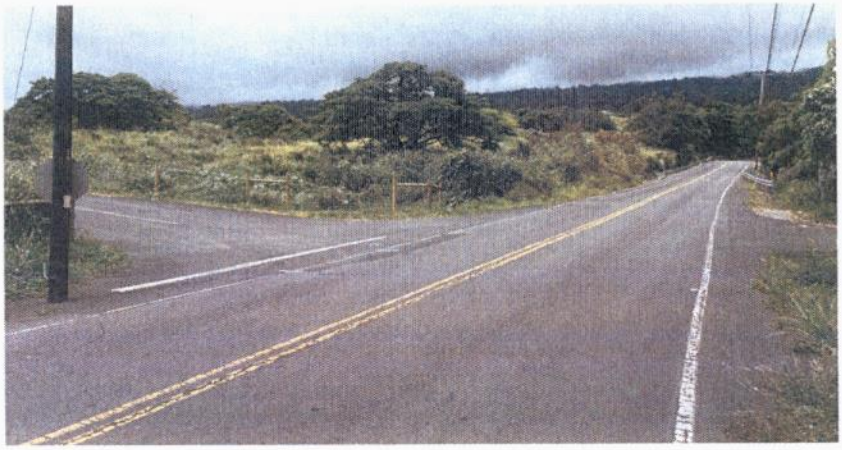
The Kakalina Extension road is 35 feet wide, 2 lane paved road constructed to meet county standards. 100% of the Kakalina Extension road is within my property boundaries so we have unrestricted access and use of the road. There are several easements granted to our neighbors to access their properties via this road so we can't block or develop in a way that stops their access.

Due to the nature of our business, we don't have set pickup times or drop off times. Each family has the flexibility to drop off or pickup anywhere within our hours of operations. Typically, most families drop off between 7 am and 9 am and pick up between 3 pm and 5 pm. It is rare to have multiple families at the same time in the lobby.

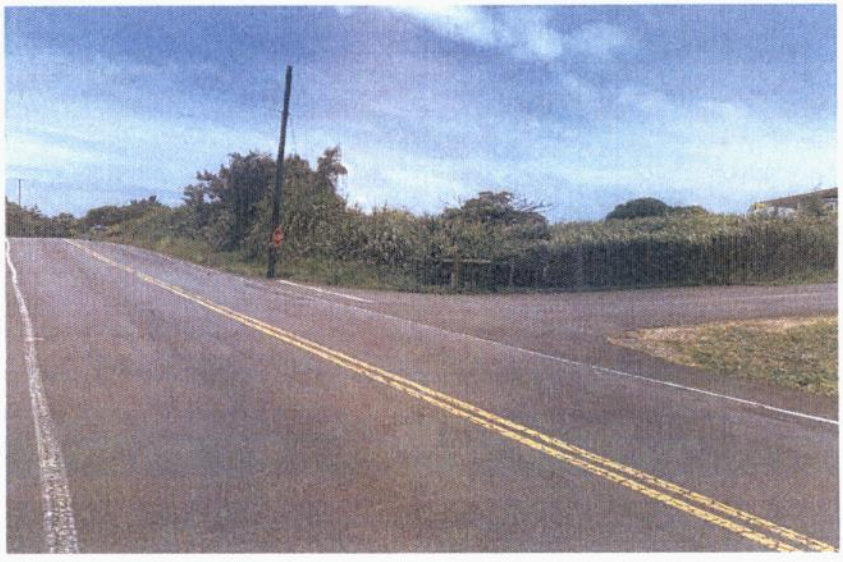
J. Description of access(es) to the area (e.g. width, type of surface and condition of roadway). If a private roadway, submit evidence of access rights.

Kakalina Extension is an asphalt road. Pavement surface is 35 feet wide. Road was constructed to county standards with the intention to dedicate the road to county at one point.

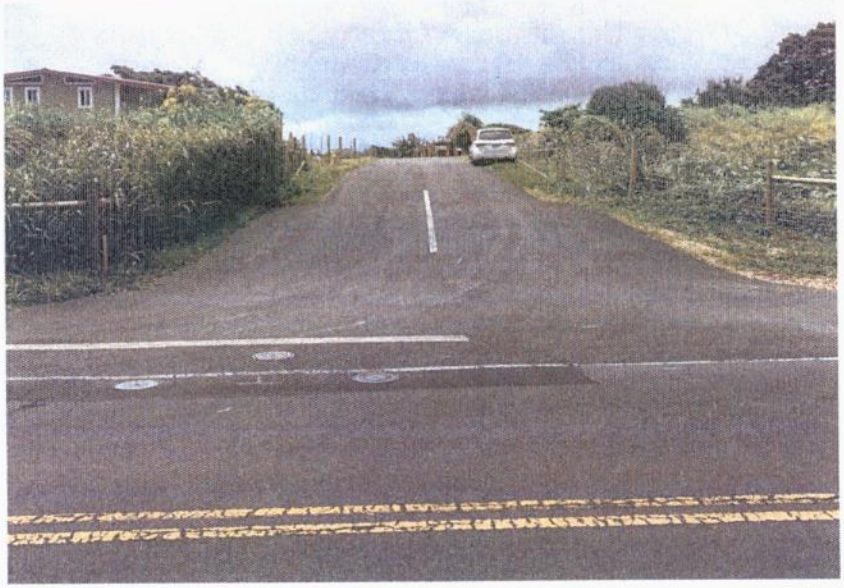
Pic 1. Taken from Hualalai Road facing Mauka, showing intersection of Hualalai Road and Kakalina Street Extension.



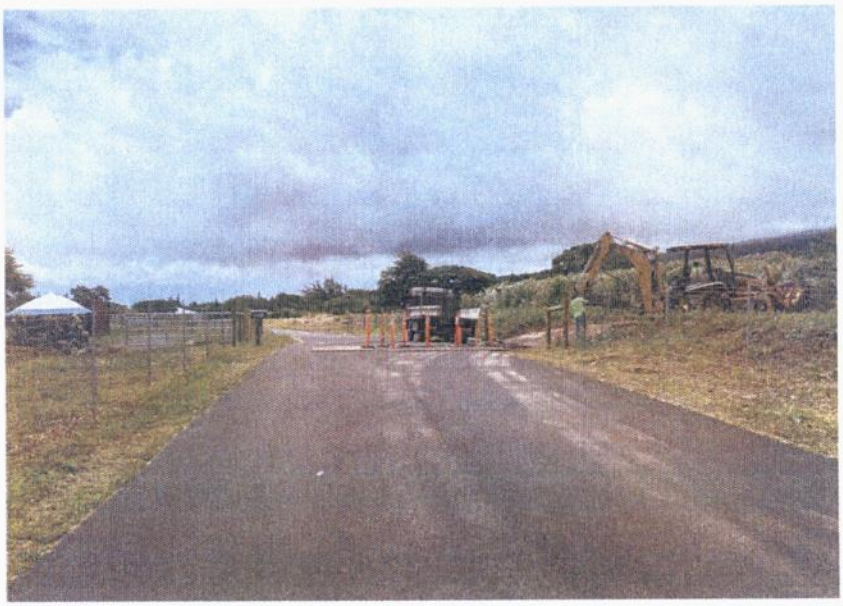
Pic 2. Taken from Hualalai Road facing Makai, showing intersection of Hualalai Road and Kakalina Street Extension.



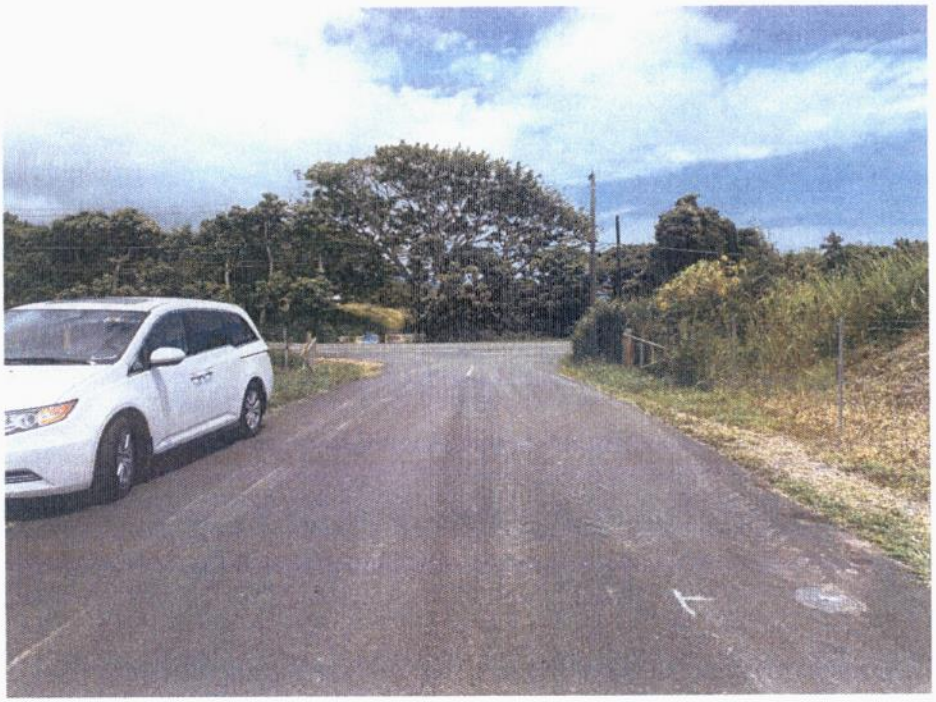
Pic 3. Taken from Hualalai Road facing North (Kakalina Extension).



Pic 4. Taken from Kakalina Extension facing North.



Pic 5. Kakalina Extension facing Hualalai Road.



Pic 6. Kakalina Extension. Start of our property



Pic 7. Kakalina Extension. Property to the left of image. Innovations at the end of the road



Pic 8. End of Kakalina extension. Innovations School entrance to upper campus.



Pic 9. Kakalina Extension. Water Supply Lines under road.



Pic 10. Kakalina Extension facing south. Property to the right of the image. Fire Hydrant shown.



K. Traffic impacts - assessment of existing traffic conditions, anticipated increase in traffic and traffic impacts from proposed use (a formal study may be requested by Department of Public Works or Department of Transportation during the review process).

See Traffic Impact Analysis Report. Exhibit 3

1. Availability of Utilities: Water, telephone, electricity, sewage disposal.

Water is available at the property. There is a 4-inch main line that connects from Hualalai Road under our property. There is a water line and meter installed on our property. Further, there is a fire hydrant installed in front or our property.

Electricity is currently available through HELCO. There is a work order to bring power to the entire subdivision at this time, but engineering fieldwork is not completed. 740KVolts design is underway. A study will also be made to determine if solar system will be advantageous to install. It would seem that we are a good candidate given the location, and the fact that we don't operate throughout the night.

Public Sewage services are not available at our location. A septic water/waste system will be designed and engineered to meet the code for our school.

Telephone services are available through Spectrum and HawaiianTel and other wireless providers. A provider will be selected at a future date.

4. An Original and twenty (20) copies of how the request meets the following criteria:

A. The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. Include discussion on how the proposed use is not contrary to Chapter 205A, Coastal Zone Management (existing public access, scenic or open space resources, coastal view planes and coastal ecosystems);

Chapter 205: This land is not good for intensive farming. Our site is classified as "E" or "Very Poor" by the Land Study Bureau's Overall Master Productivity Rating.

LSB

objectid	3338
type	E
island	Hawaii
gisacres	394.95255512
shape_leng	12293.9464099
featureuid	{7E8915E9-0CD3-44A2-AD17-F71AAA00CD18}
createdate	
createdby	
modifieddate	
modifiedby	
agency	
deliverydate	9/12/2016, 2:00 PM
sourceid	
severity	
publishdate	12/29/1899, 1:30 PM
comments	
shape	
st_area(shape)	1598324.2319847748
st_perimeter(shape)	11764.737848347035



Project location is here. Also, the Department of Agriculture's ALISH Map does not classify the subject property as having any agricultural importance.

Chapter 205A: Property located above highway and more than one mile from the ocean. Approval of this project will not adversely affect coastal ecosystems, economic use, marine resources, etc.

B. The desired use shall not adversely affect the surrounding properties;

The desire use shall not adversely affect the surrounding properties. Most surrounding land is agricultural/pasture grazing land/vacant land. The lot immediately north is a school already.

The preschool operates M-F from 7-5pm and it will be a blessing to the community in general.

C. Such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.

The attached traffic study shows that no additional roads, streets improvements will be required because of our development.

Existing water infrastructure is sufficient for our project.

Public sewer system is not available at our site so we will be developing our own waste water system.

School improvements are not anticipated because of our project. If anything, we will be taking some of the burden on the public school's preschools by adding to the overall capacity of the system.

Police and Fire are available in Kona and our project is not expected to impose a burden on those services. We have operated our preschool for 6 years in the old industrial area and have not unduly burden their services.

D. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established.

Kona's population continues to grow. Demand for preschool services is very high (most preschools run a waitlist). With cost of living so high in Hawaii, most families require that both parents work. Without childcare, it becomes impossible for some families to provide for their children. Our project will support the expected population growth while providing essential services to families in our community.

E. The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

Our site is as good as it gets to build our school. It is not prime agricultural land, in fact very poor farming land, yet, conveniently accessible to the public and inside the urban development area. Our request is "unusual and reasonable" use of the land.

F. The proposed use will not substantially alter or change the essential character of the land and the present use.

The proposed use should not substantially alter or change the potential visual character of the land. There is a school next to the lot. Also, landscaping will greatly improve the visual appeal of the area as a whole.

G. The proposed use will not be contrary to the goals, policies and standards of the General Plan and other applicable documents such as community development plans and design plans. (Note: Copies of the General Plan document and other plans are available at the Hawaii County Planning Department or at public libraries)

Our proposed use of the land will support the urban designation of the land within the general plan. Most families nowadays have both parents working. Without childcare, it becomes impossible for some families to provide of their children. Accessible and convenient location is also en essential characteristic of childcare.

H. The proposed use is an unusual and reasonable use of land, which would not be contrary to the objectives to be sought by the Land Use Law and Regulations, which, for the Agricultural and Rural Districts, seeks to preserve or keep lands of high agricultural potential in agricultural use.

Our site is classified as "E" or "Very Poor" by the Land Study Bureau's Overall Master Productivity Rating. Also, the Department of Agriculture's ALISH Map does not classify the subject property as having any agricultural importance.

Since land is not suitable for farming, non-agricultural uses can and should be allowed. Our project will not result in extensive public project improvements or adversely affect surrounding properties. The land is part of the urban core and childcare/preschools are approved uses within the urban core.

5. An Original and twenty (20) copies of a scale- drawn plot plan of the property showing property lines and measurements; all existing and proposed structures with elevations, uses and improvements; and reference points such as roadways, shoreline, etc.

   Exhibit 4 contains the small size architectural drawings.

6. One copy of a full- size (2' x 3') scale- drawn plot plan of Item 4 for presentation purposes.

   Exhibit 5 contains the large size architectural drawings.

7. A list of the names, addresses and tax map keys of all owners and lessees of record of surrounding properties who are required to receive notice.

   Owner Names
   PENALOZA, PABLO A Fee Owner, Tenants by the Entirety
   PENAZOLA, LUCIANA C Fee Owner

   Mailing Address
   PENALOZA, PABLO A
   75-378 NANI KAILUA DR
   KAILUA KONA HI 96740-1936

   Mailing Address
   PENALOZA, LUCIANA C
   75-378 NANI KAILUA DR
   KAILUA KONA HI 96740-1936

8. Any other plans or additional information relevant to this application may be requested by the Planning Director to facilitate processing of this request.

   None.

DAVID Y. IGE
GOVERNOR OF
HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD., STE 555
KAPOLEI, HI 96707

July 29, 2020

IN REPLY REFER TO:
Log No. 2020.01308
Doc. No. 2007NM01
Archaeology

Mr. Kyle Honda
County of Hawaii
Department of Public Works
Engineering Division
74-5044 Ane Kaeohokalole Hwy
Building D
Kailua-Kona, HI 96740
Kylej.Honda@hawaiicounty.gov

Dear Mr. Honda:

SUBJECT: **Chapter 6E-42 Historic Preservation Review –**
County of Hawaii Grubbing and Grading Permits for Pablo Penaloza
Archaeological Inventory Survey
Wai'aha 1st Ahupua'a, North Kona District, Hawai'i Island
TMK: (3) 7-5-017:045

This letter provides the State Historic Preservation Division's (SHPD's) review of two permit applications and a draft archaeological inventory survey (AIS) report titled, *Archaeological Inventory Survey Report for 4.25-Acres Located in Wai'aha 1st Ahupua'a, North Kona District, Hawai'i Island, Hawai'i [TMK: (3) 7-5-017:045]* (Escott, June 2020). SHPD received this submittal on June 8, 2020 (Log. No. 2020.01308). On November 15, 2019, SHPD received a grubbing permit application, a notice of authorization for disposal of grubbing material, project maps, a SHPD HRS 6E Submittal Form, and the draft AIS report (Log No. 2019.02536). Subsequently, SHPD received a second submittal on January 14, 2020, which included a grading permit application, an updated plan showing the proposed house layout on Lot 2-B, and duplicates of the materials included in the earlier submittal (Log No. 2020.00079). SHPD requested revisions to the draft AIS in a letter dated April 27, 2020 (Log No. 2019.02536, 2020.00079, Doc. No. 2004NM02).

The grubbing permit application and HRS 6E Submittal Form indicates a 4-acre portion of the 5.352-acre parcel will be grubbed to remove vegetation. The grading permit application and HRS 6E Submittal Form indicates the same area will be graded to support construction of a house pad. The Grade Plan identifies the property as Lot B-2, portion of Waiaha 1st to Puapuaanui 1st Land Court Award 387. In contrast, the AIS report (Escott, June 2020) indicates the owner proposes to build a daycare center (preschool) and a farm dwelling which would serve as a residence and a bed and breakfast. On July 17, 2020, Mr. Penaloza confirmed via email (Nicole Mello [SHPD] and Glenn Escott [SCS]) that he contacted Mr. Honda to inform him that the project plans are as described in the AIS and the County accepted the change in plans.

Scientific Consultant Services, Inc. (SCS) conducted the AIS on behalf of the owner. The AIS fieldwork consisted of 100% pedestrian survey coverage of the 4-acre portion. A single Historic property, Site #50-10-28-31118, was identified, consisting of a stacked stone wall remnant and an unimproved road. The road is described as a ranch road, likely dating from the Historic period to present. The wall is described as 3-5 courses high and 3-4 courses wide and not as a remnant of a once longer wall but as a wall in which construction was abandoned before being finished. Either end of the wall is described as unfinished. Site -31118 retains integrity of location, design, materials and workmanship and is assessed as significant under Criterion d (information) pursuant to HAR §13-284-6, as adequately documented and, thus, no further archaeological work is recommended. SHPD concurs with the site significance assessment and the recommendation of no further work.

The revised AIS adequately addresses the issues and concerns raised in our previous correspondence (Log No. 2019.02536, 2020.00079, Doc. No. 2004NM02). This AIS report satisfies the requirements of HAR §13-276-5. **It is accepted.** Please send two hard copies of the document, clearly marked FINAL, along with a text-searchable PDF version, to the Kapolei SHPD office, attention SHPD Library. Please also send a PDF version of this report to Lehua.K.Soares@hawaii.gov.

Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence and historic preservation review ends. The historic preservation review process is ended. The permit issuance process may proceed.

SHPD herby notifies the County that the AIS has been accepted. No further archaeological work is required. The historic preservation review process is ended. The permit issuance process may proceed.

Please attach to the permit: In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 933-6751.

Please contact Nicole A. Mello, Hawaii Island Historic Preservation IV, at Nicole.Mello@hawaii.gov for matters regarding archaeological resources or this letter.

Aloha,
Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Natalie Whitworth, Natalie.Whitworth@hawaiicounty.gov
Dion Gonzales, Dion.Gonzales@hawaii.gov
Leilani Lewi, Leilani.Lewi@hawaiicounty.gov
Pablo Penaloza, ppenaloza@gmail.com
Glenn Escott, ggescott@scshawaii.com

SCS Project #2388 AIS-2

ARCHAEOLOGICAL INVENTORY SURVEY REPORT FOR 4.25-ACRES LOCATED IN WAI'AHA 1ST AHUPUA'A, NORTH KONA DISTRICT, HAWAI'I ISLAND, HAWAI'I [TMK: (3) 7-5-017:045 (POR.)]

Prepared By:
Glenn G. Escott, M.A.

JUNE 2020
DRAFT

Prepared For:
Mr. Pablo Penaloza
Alaka'i Academy
74-5565 Luhi Street
Kailua-Kona, HI 96740

SCIENTIFIC CONSULTANT SERVICES Inc.

1347 Kapi'olani Boulevard, Suite 408 Honolulu, HI 96814
Hawai'i Island Office: PO Box 155 Kea'au, HI 96749

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INTRODUCTION

Under contract to property owner Mr. Pablo Penaloza, Scientific Consultant Services (SCS) conducted an Archaeological Inventory Survey (AIS) of a 4.25-acre portion of a 5.352-acre parcel of land [TMK (3) 7-5-017:045] located in Wai'aha 1st Ahupua'a, North Kona District, Island of Hawai'i, Hawai'i (Figure 1 through Figure 4). The street address for Parcel 045 is listed on Hawai'i Tax Property Records as 75-477 Hualālai Road. However, the Hawaii County Planning Department has approved a street address change to 75-5916 Kakalina Street. The property access easement is a portion of Kakalina Street. Parcel 045 is bounded to the north by the Innovations Public Charter School campus and is bordered by open cattle pasture on all other sides.

Mr. Pablo Penaloza is proposing to build a Day Care Center (Preschool) and a farm dwelling on roughly 4.0-acre portion of the property. The farm dwelling will serve as his family's personal residence as well as to operate a bed and breakfast establishment. The 4.25-acre AIS project area is larger than the area to be developed.

METHODS

The archaeological inventory survey was undertaken in accordance with Hawai'i Administrative Rules 13§13-284 and was performed in compliance with the Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports contained in Hawai'i Administrative Rules 13§13-276. The investigation included the following procedures:

1. SCS conducted historical and archaeological archival research including a search of historic maps, aerial photos, written records, Land Commission Award documents, State and County Planning and Tax Records documents, and previous archaeological reports.
2. SCS carried out a 100% pedestrian survey of the project area.
3. SCS documented all historic properties identified within the project areas.
4. SCS assessed all sites for significance and made recommendations for site disposition.

Prior to fieldwork, a search of geological maps, aerial photos, historical maps, historical documents, Hawai'i County Planning records, and previous archaeological reports was conducted.

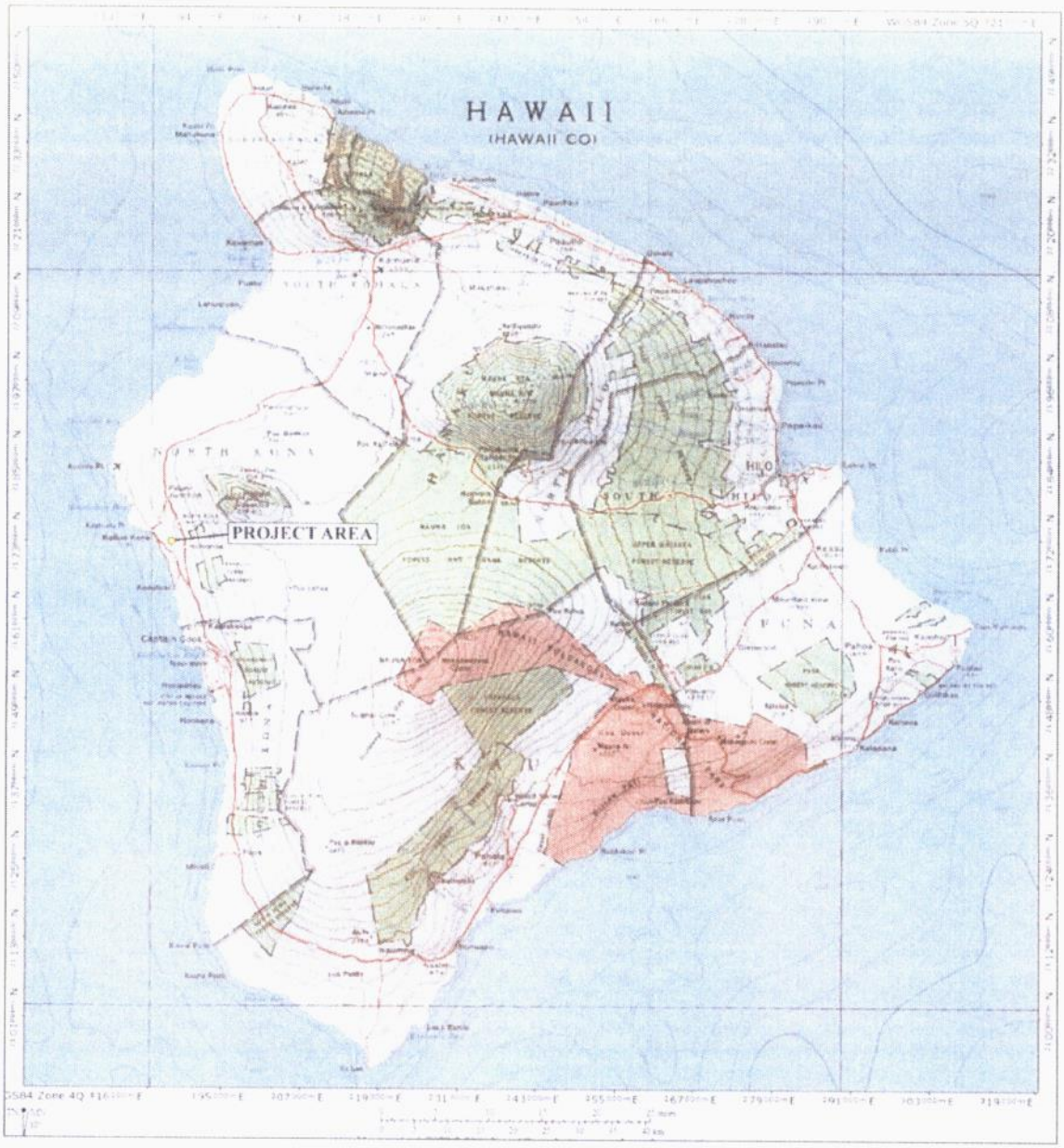

Figure 1: 5,500 K-Series Map of Hawai'i Showing Location of Project Area (National Geographic Topo!, 2003. Sources: National Geographic Society, USGS).

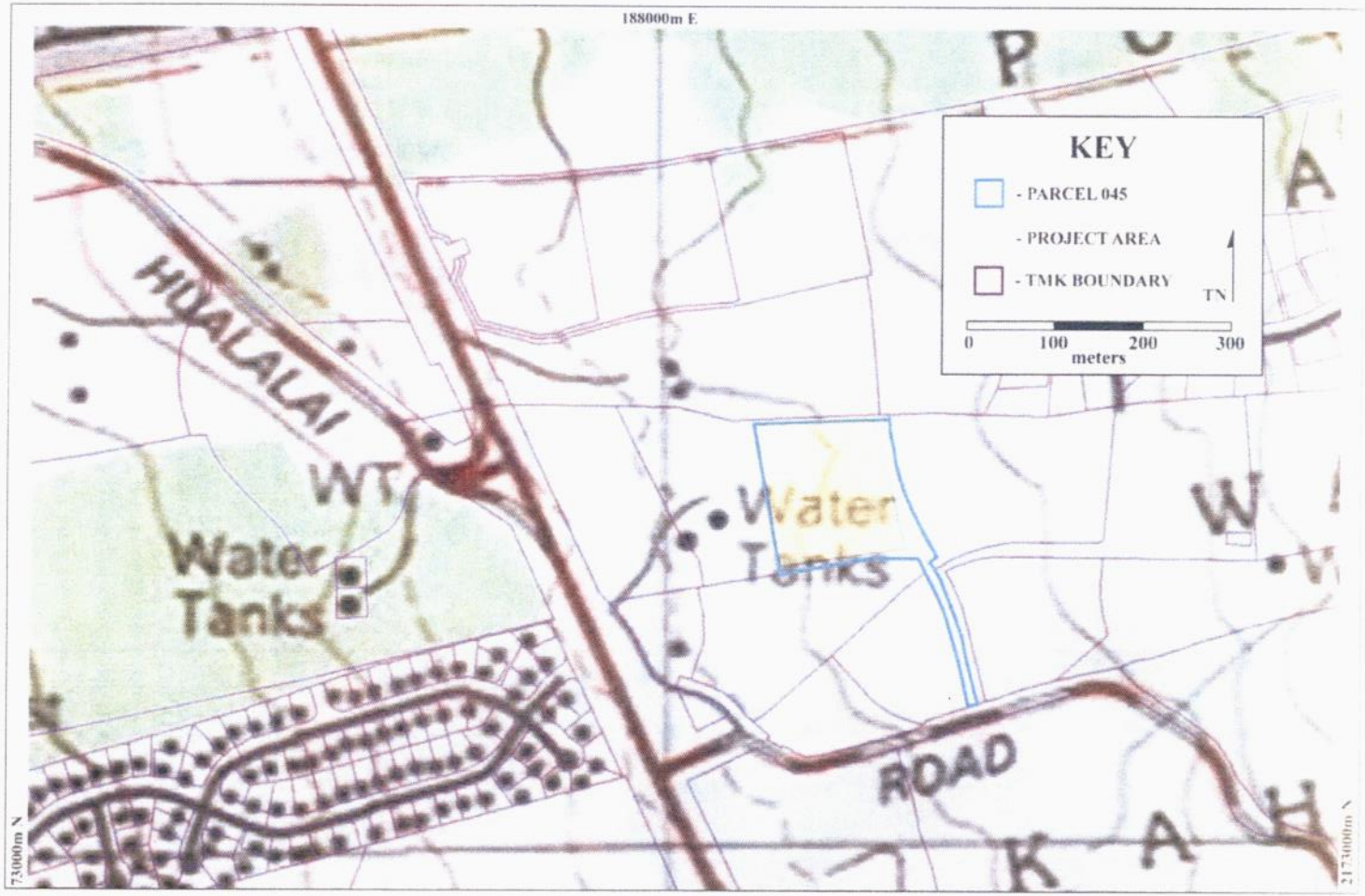

Figure 2: 7.5-Minute Series USGS Map Showing Location of Project Area (Kailua Quad, ESRI, 2013. Data Sources: National Geographic and County of Hawai'i Planning Department, 2019).



Figure 3: Aerial Photograph and TMK Map Showing Location of Parcel 045 and Project Area (ESRI, 2013. Data Sources: National Geographic and County of Hawai'i Planning Department, 2019).

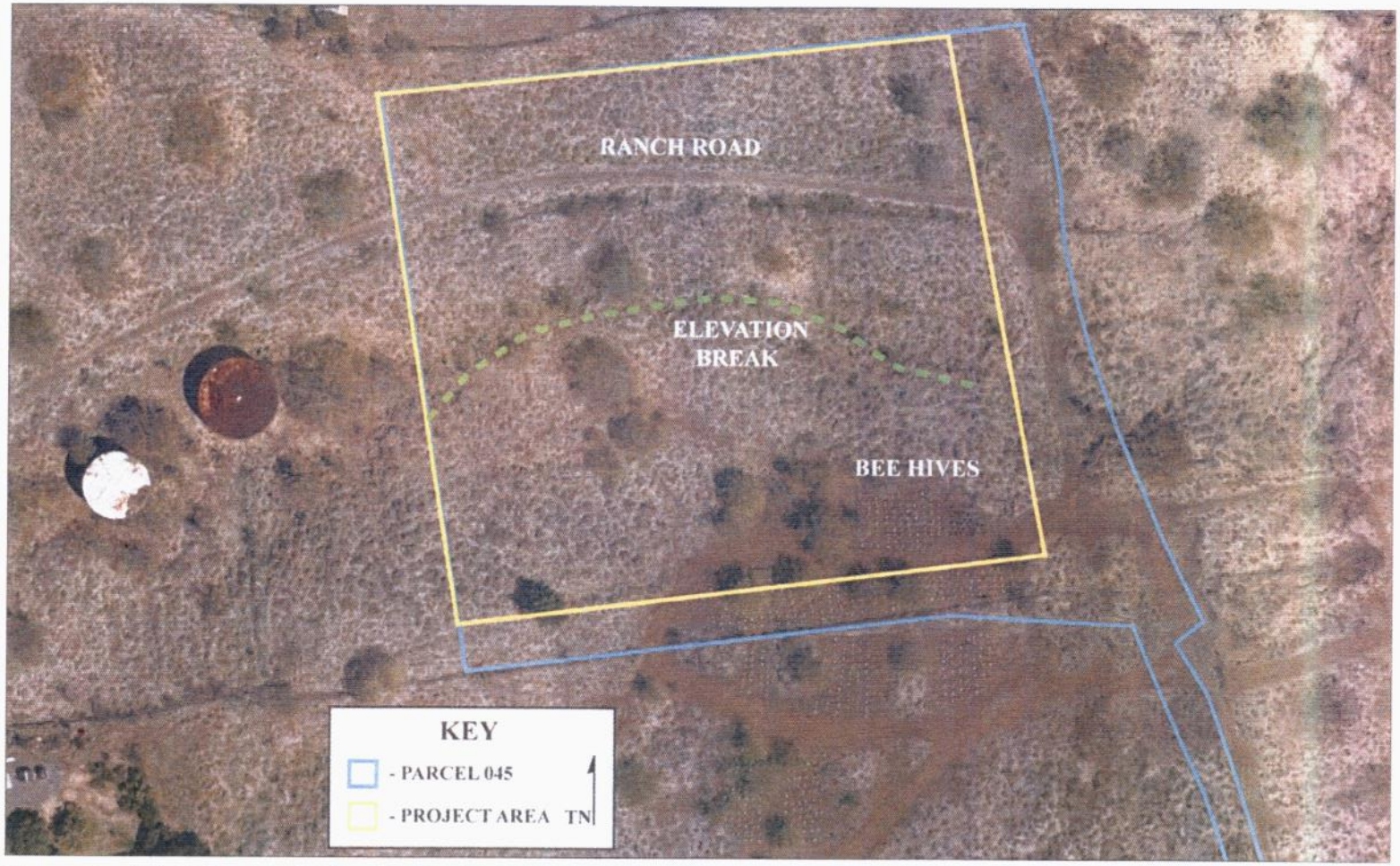

Figure 4: Aerial Photograph Showing Project Areas, Kailua-Kona, HI, Zone 5 North, 188182 m E, 2173273 m N. (Google Earth, 2013 Image. Data Sources: Digital Globe, GeoEye, Earthstar, USDA, and USGS).

A pedestrian survey and site recording was conducted on August 29 and October 3, 2019 by SCS Senior Archaeologists Glenn Escott M.A. and Suzan Escott, B.A. The fieldwork took a total of 24 person-hours to complete. A series of northwest/southeast transects spaced 1.5 meters apart were walked across the entire project area. Ground cover consisted Guinea grass and *koa haole* bushes. Ground visibility was fair. Glenn Escott was the principal investigator and project director for the current study.

Sites were plotted with a Garmin GPSMAP64 Global Position System (GPS) unit (1.0 m accuracy) using Universal Transverse Mercator (UTM) projection (Zone 5 North) and WSGS84 datum. Written descriptions, scale plan view drawings, and photographs were generated for the single archaeological feature identified. Color photographs were taken of the feature using a 25 cm long north arrow scale divided into 10 cm black and white increments.

ENVIRONMENTAL SETTING

The property is located at 390 feet (119 meters) to 420 feet (128 meters) above mean sea level on a single Hualālai lava flow dated between 5,000 and 10,000 years before present (Wolfe and Morris 1996). Soil in the project area is Kainaliu (KEC) series very stony silty clay loam (Sato 1973:23) and Punaluu (rPYD) series extremely stony peat (Sato et al. 1973:48). The property is level ground with 6% westerly slope. Annual rainfall at the property ranges from 40 to 60 inches. There is an elevation break (see Figure 4) that bisects the center of the property from west to east. The land slopes one to two meters downward to the north of the elevation break.

Plants in the project are dominated by grass varieties and small shrubs with some trees. Tree species include *koa haole* (*Leucaena leucocephala*), *kiawe* (*Prosopis pallida*), *kukui* (*Aleurites moluccana*), and monkeypod (*Samanea saman*) (Starr Environmental 2016).

HISTORICAL AND CULTURAL CONTEXTS

Kona is divided into two sections: North Kona or *Kona ʻakau*, and; South Kona, or *Kona hema* (Maly 1996). *Kona ʻakau* was further subdivided into north (called *Kekaha*) and south (called *Konakai ʻōpua*) areas, with the division between the two at the *ahupuaʻa* of Keahuolu. The project area is in Waiʻaha Ahupuaʻa within the area of *Konakai ʻōpua* in *Kona ʻakau*. Waiʻaha means (literally) "gathering water" (Pukui *et al.* 1974:219). Waiʻaha is a traditional *ahupuaʻa* stretching from the ocean to 2,000 feet amsl. The coastline of Waiʻaha Ahupuaʻa is primarily low rock cliffs. Very little is recorded of Waiʻaha Ahupuaʻa in traditional oral accounts.

PRE-CONTACT ERA

Waiʻaha, Kona, and much of the leeward side of Hawaiʻi Island, while well populated at the time of European Contact, were settled later than the windward side. Many archaeologists believe that Hawaiʻi Island was first settled around A.D. 1,000 by people sailing from the Marquesas (Athens et al. 2014; Dye 2011; Kahn et al. 2014; Kirch 2011; Kirch and McCoy 2007; McCoy 2005 and 2007; Mulrooney et al. 2011; Reith et al. 2011; Wilmhurst et al. 2011a and 2011b).

An article published in the Journal of Archaeological Science reviewing radiocarbon dates recovered at archaeological sites on the Island of Hawaiʻi suggests that, by relying on only carbon samples from short-lived plant remains, the most reliable dates point to initial Polynesian colonization of Hawaiʻi Island occurring between A.D. 1220 and 1261 (Rieth et al. 2011:2747).

Early settlers founded settlements on the windward shores in likely places such as Waipiʻo, Waimanu, and Hilo Bay. The windward, or *koʻolau* shores receive abundant rainfall and have numerous streams such as the Wailuku, Waiolama, ʻAlenaio, and Wailoa that facilitated agricultural and fishpond production (Maly 1996:3). The windward shores also provide rich benthic and pelagic marine resources.

The dry leeward shores of Hawaiʻi Island presented a very different environment requiring a modified set of subsistence strategies. Archaeologists and historians are uncertain about the exact motives that lead to the establishment and spread of settlements on the leeward side of Hawaiʻi, but some suggest population pressure, dwindling fertile land, growing socio-political stratification, or simply the opportunity for a new start

might have lead to new communities developing on the dryer west side of the island (Cordy 2000:130). Evidence suggests the process was underway between the A.D. 900s and 1100s (*ibid.*).

During this period, areas of permanent habitation were established in Kona (Cordy 1981, 1995; Schilt 1984). Habitation was concentrated along the shoreline and lowland slopes, and informal fields were cleared at higher elevations where rainfall was higher. Agricultural fields and habitation areas expanded across the slopes and coastal area of Hualālai during the period between AD 1100 and 1400 (Burtchard 1995; Cordy 1995).

The development of the extensive formal walled fields likely began sometime around AD 1400 to 1600. This period marks the initiation of the Kona Field System (KFS) (Schilt 1984). The development of the fields may be, in part, a by-product of the need to extract more subsistence resources from an increasingly limited agricultural base. The population in Kona increased dramatically during this period, as reflected in the abundant radiocarbon dates from habitation structures, shelter caves, and agricultural soils of this period (Burtchard 1995; Haun *et al.* 1998; Schilt 1984).

During this period, the stratified chiefdom structure becomes clearly developed in the archaeological record. Large residential complexes and *heiau* reflect the segregation of places and power for the growing hierarchy of high and lower chiefs, and ceremonial stewards (Cordy 1981; Haun *et al.* 1998; Hommon 1986). The produce from the formal walled fields were distributed to higher chiefs through a hierarchy of lower chiefs responsible for management and collection of the cultivated and wild resources.

By the time of the Competition Period (AD 1600 to 1800), the royal centers and larger *heiau* were in place, reflecting the growth in power of the rulers and chiefs in the region (Barrera 1971; Hammatt and Folk 1980). Resources may have reached their maximum carrying capacity, resulting in social stress between neighboring groups. Hostility between groups is reflected archaeologically with the development of refuge caves during this period (Schilt 1984). This volatile period was probably accompanied by internal rebellion and territorial annexation (Hommon 1986; Kirch 1985). Royal centers are located at Kailua, Hōlualoa, Kahalu'u, Kealakekua, and Hōnaunau (Cordy 1995).

The region of Hōlualoa, to the south of the current project area, developed into a royal center in the late 1600s to early 1700s under the reigns of Keakamahana (reigned 1680-1700) and Keakealaniwahine (reigned 1700-1720) (Cordy 2000:244). Many *ʻaliʻi* and *konohiki* residences and numerous religious sites are known to have existed here. The majority of the *heiau* and royal residences were constructed along or near the coast, most notably at Kamoa Point south of the project area. The royal center at Hōlualoa was eclipsed in the second half of the 1700s by the royal center in the Kahaluʻu and Keauhou region.

The Kona Field System

During his travels in the region in 1823 William Ellis noted, as cited in Handy (1940), that the area above and south of Kailua was:

> quite a garden compared with that through which they had passed on first leaving the town. It was generally divided into small fields, about fifteen rods square, fenced with low stone walls, made of fragments of lava which had been gathered from the surface of the enclosures. These fields were planted with bananas, sweet potatoes, mountain taro, tapa trees, melons and sugar cane, flourishing luxuriantly in every direction [Handy 1940:114 and 162].

> Rocky lands in the olden days were walled up all around with big and small stones of the patch until there was a wall about 2 feet high and in the enclosure were but weeds of every kind, amaʻu tree ferns and so on, and then topped well with soil taken from the patch itself to enrich it [Handy 1940:147].

These gardens have been studied in some detail, and are often referred to as the "Kona Field System". Many of the archaeological projects conducted within Kona deal with components of the KFS (Cordy 1995; Newman 1970; Schilt 1984). This area extends north at least to Kaʻu Ahupuaʻa and south to Hōnaunau, west from the coastline and east to the forested slopes of Hualālai (Cordy 1995). A large portion of this area is designated in the Hawaiʻi SIHP (State Inventory of Historic Places) as Site 50-10-37-6601. The basic characteristics and general locations of the zones within the system as presented in Newman (1970) have been confirmed and elaborated on by more intensive and extensive ethnohistorical investigations (Kelly 1983).

The *kula* zone of the KFS is the area from sea level to 150 m amsl (Kelly 1983; Newman 1970). This lower elevation zone is traditionally associated with habitation and the cultivation of sweet potatoes (*uala*), paper mulberry (*wauke*), and gourds (*ipu*). Agricultural features, such as clearing mounds, planting mounds, planting depressions, modified outcrops, and planting terraces, are common throughout much of this zone (Hammatt and Clark 1980; Hammatt and Folk 1980; Haun *et al.* 1998; Schilt 1984).

Dwellings are often scattered throughout the agricultural portion of the *kula*, but they are commonly concentrated along the shoreline subdivision of the *kula* zone (Cordy 1981). The shoreline area, extending inland approximately 200 m, was used primarily for permanent habitation and other non-agricultural activities, such as canoe storage, ceremonial and burial practices, recreation, and fishing-related activity.

Royal centers and high chiefly centers were also situated within the shoreline of the *kula*. These complexes include dwellings for rulers, chiefs, and the supporting populace, places of refuge, and other structures (Berrigan et al. 2010). Single, or clustered, burials are also situated in the shoreline, and near-shore *kula* (Han *et al.* 1986; Hammatt and Clark 1980; Hammatt and Meeker 1979). Burials occur in caves, within finely built platforms, cruder rock mounds, and houses in the shoreline, and are more often in the near-shore *kula* (Cordy 1995; Han *et al.* 1986; Schilt 1984; Tainter 1973; Tomonari-Tuggle 1993).

The large, and densely populated, royal centers were situated at several locations along the shoreline between Kailua and Hōnaunau (Cordy 1995; Tomonari-Tuggle 1993). The residential areas, large and small *heiau*, sporting areas, and burial clusters, are present continuously farther inland than the usual 200 meters for the shoreline habitation portion of the *kula*. Consequently, a variety of non-agricultural features are present in the *kula* near royal centers.

The project area is located in Wai'aha Ahupua'a meaning gathering water (Pukui et al. 1974:219) or water gathering ceremony (Maly 1993:390). The name is associated with Ma'o Heiau located on the coast of Wai'aha Ahupua'a. Ceremonies were conducted at Ma'o Heiau to bring about the rains, or to end the rains. Wai'aha was named for *Wai'aha-ka-wī*a priest of the *huli honua* (versed in divining the nature of the earth) and *kilokilo* (seers) classes (Maly 1993:390).

POST-CONTACT ERA

The extensive features of the KFS were exploited and altered during the post-contact era. Walls, *kua'iwi* (low, linear stone or earthen agricultural field border mounds), springs, and pathways created generations earlier were used and planted with alien cultigens (coffee, cotton, sugar, and sisal) and ultimately used as pastures for cattle.

Sugar was a major crop in Hawai'i as early as signing of the Reciprocity Treaty in 1876 (Kelly 1983:90). The sugar industry grew rapidly, and by 1899 the one and only sugar mill in the Kona area was built by the Kona Sugar Company. It was located along present day Hienaloli Road, roughly 1.0 km *mauka* (east) of the current project area. People from countries in East Asia, Southeast Asia and Portugal were encouraged to immigrate to Hawai'i to work on the sugar plantations (*ibid*:111).

Chinese immigrant laborers also worked to build a railroad in 1901 to haul cane from the fields to their mill site in Wai'aha (Figure 5). The former railroad bed is the location of Hienaloli Road. Lack of water to mill sugarcane caused repeated shutdowns. The sugar company failed in 1903, and was bought out by a Japanese company that continued the sugar cultivation and processing until 1926.

The railroad was bought by Kona Development Company, and was used for freight, sugarcane and by the Hawaiian Lumber Company (*ibid*:111). Sugar was grown above the railroad line. The cut sugar was delivered to the tracks with the assistance of gravity by wire cables and flumes.

Cotton was grown on lands below the railroad tracks (*ibid*:111). Cotton gins were located south of the project area. Cotton was being picked as late as the 1930s. Other plants grown below the tracks in the dryer lands were sisal and tobacco (*ibid*:112).

Formal cattle ranching began in the Kailua-Kona region in the early 1900s, but wild cattle may have been in the area as early as the late 1800s (Bowser 1880; Maly and Maly 2001:285). The *pā 'āina* ('walls of the land'), native tenants' wall enclosures, were prevalent in the area, as indicated by their inclusion in many local Māhele testimonies (Waihona 'Āina 2019). These were used to mark the boundary of properties and to keep livestock out of crop areas (Kuykendall 1967:318 note 76). Later, cattle ranchers built walls to control their cattle (Maly and Maly 2001: 277).

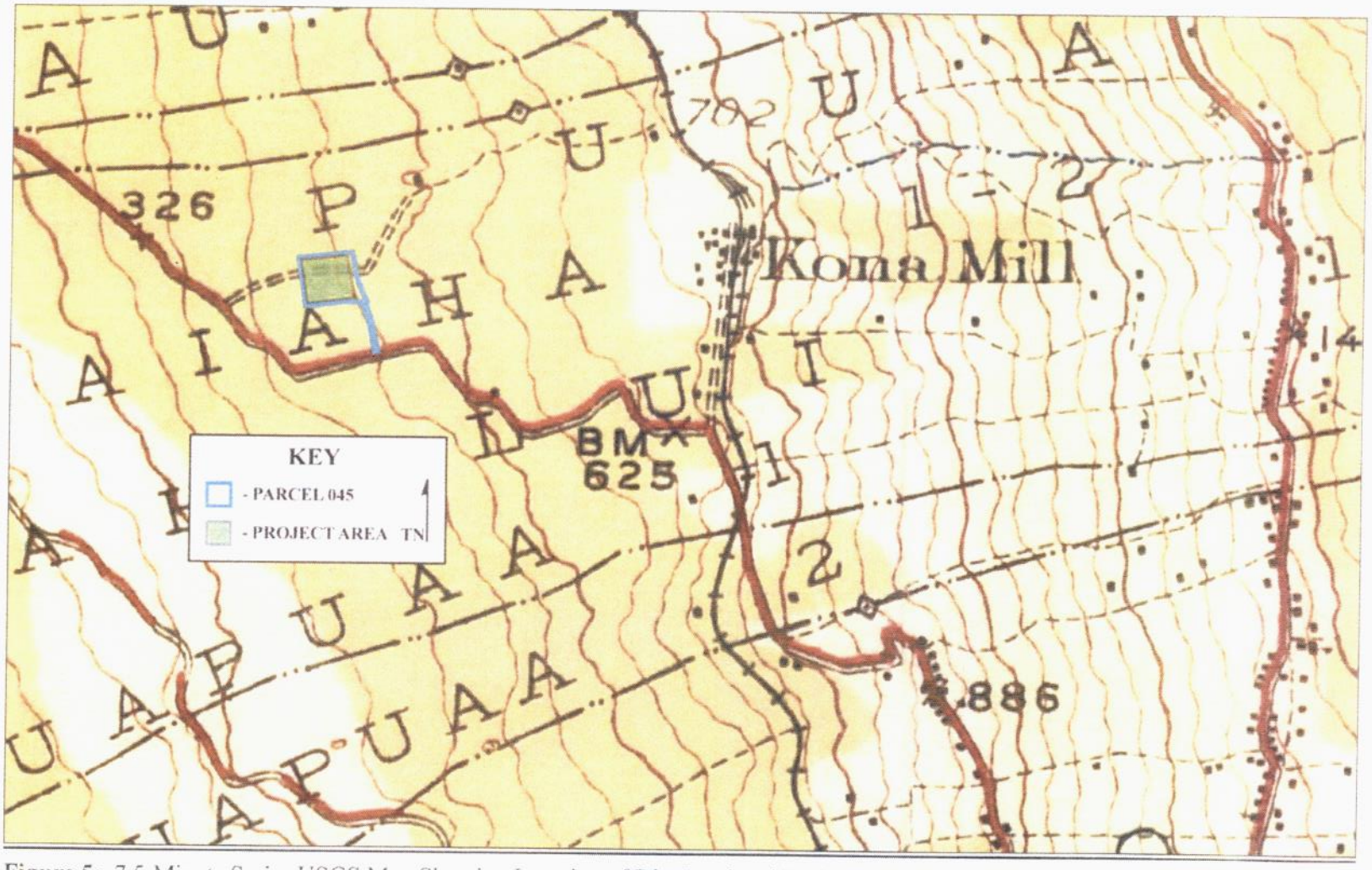

Figure 5: 7.5-Minute Series USGS Map Showing Location of Dirt Road and Project Area (Kailua Quad, USGS 1928).

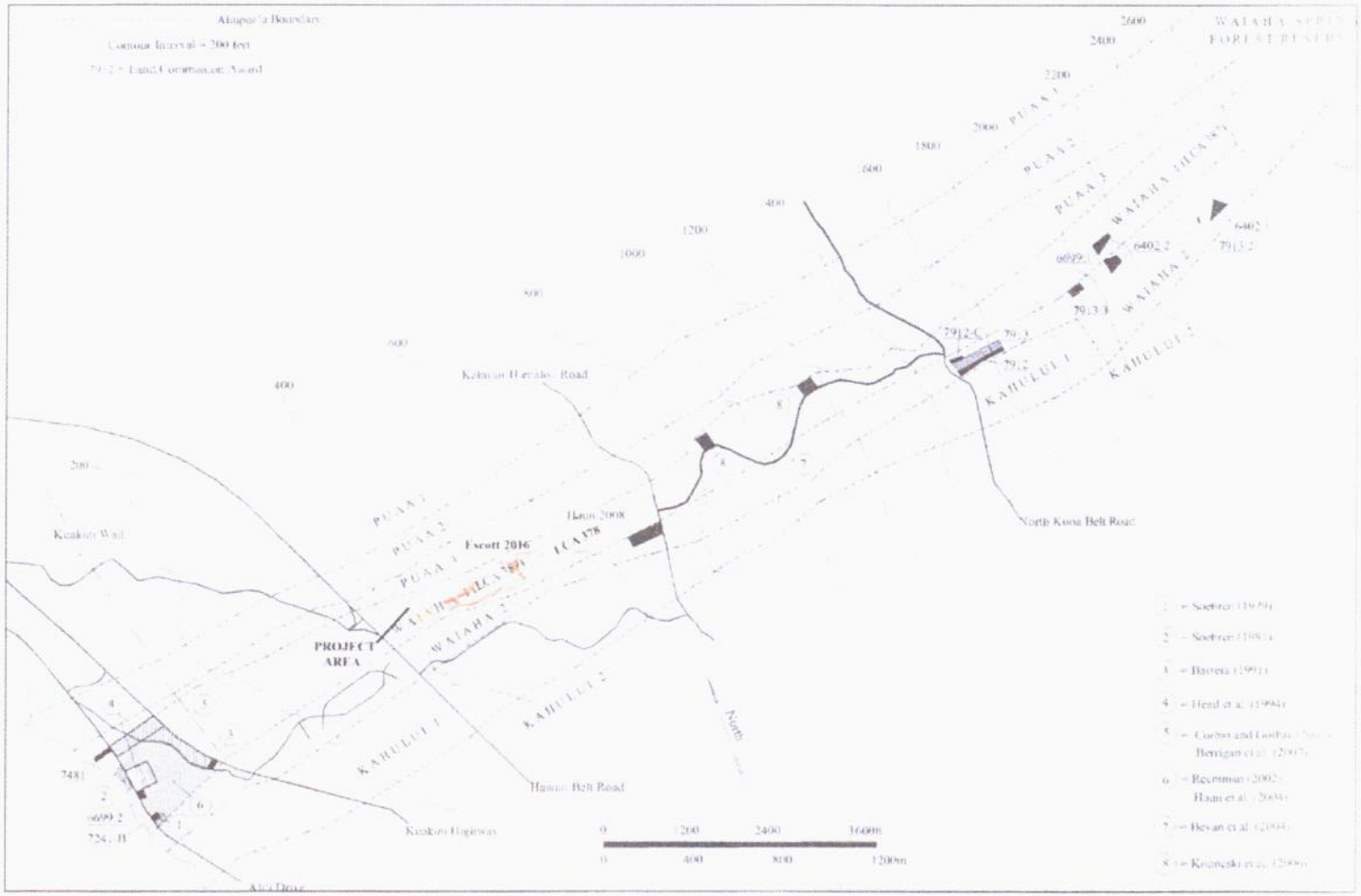

Figure 6: Ahupua'a Map Showing Locations of the Current Project Area, LCAs, and Previous Archaeological Studies (Adapted from Haun 2008:5).

Most of the awards were small, less than 1.0 acre (n=8), while four were between 1.0 and 2.0 acres. LCA #387, a large parcel of land that included much of Wai'aha 1st Ahupua'a, was awarded to Seth Andrews, as a medical missionary with the 8th American Board of Commissioners for Foreign Missions company. The project area parcels are part of the lands of LCA #387.

Seth Lathrop Andrews (1809-1892), originally from Putney, Vermont, arrived in Kona in 1837 (Titus Coan Memorial Library 2019). He was educated at Dartmouth College and attended Medical College in Fairfield, New York. He was the only physician on Hawai'i Island when he arrived. Dr. Andrews returned to the United States in 1849, after his wife and three children died of fever.

A large portion of the lands of Wai'aha 2nd Ahupua'a, just south of the current project, was part of Land Grant (LG) #4394 made to H. Wilgerhoth (Waihona 'Āina 2019). LG #4394 was applied for and patented between 1898 and 1900. The grant was for 43.8 acres at a cost of $570.00. Forty three acres of the same land had been previously leased by Wilgerhoth. Wilgerhoth is listed as a sugar boiler in sugar plantation literature.

In 1890, Wilgerhoth had traveled to Germany to purchase a sugar-house outfit complete with diffusion and triple-effect evaporating apparatus for Koloalua (likely Hōlualoa) plantation in Kona, Hawai'i Island (Louisiana Sugar Planter's Association 1890). It is likely that Wilgerhoth was growing sugar on his property at that time.

The changing subsistence and trade regimes developed by incoming European and American settlers, as well as other historical factors, caused a depopulation of the coastal areas of Kona (Nordyke 1989:18-27). Ranches and farms were established in the uplands where rainfall was higher, and the temperatures were cooler (Maly and Maly 2001: 288). Schools, churches, stores, and other businesses were also established in the uplands.

MODERN LAND-USE

Hawai'i County Planning Department property records show that by the early 1950s, the project area property was being used by the Gomes family as cattle pasture. The property is currently used as cattle pasture. There is a dirt ranch road between Queen Ka'ahumanu highway and the northeast quadrant of the project area (see Figure 2 through Figure 4).

The dirt ranch road provides access to storage containers and two large water tanks on properties west of the project area. The road appears on a 1928 USGS map and appears to provide access to two buildings east of the project area (see Figure 5). The 1959 USGS map shows one of the buildings as a gauging station for the water pipeline alongside the road. The pipeline leads to two large water tanks shown on the 1928 USGS map.

PREVIOUS ARCHAEOLOGICAL STUDIES

At least nine archaeological studies have been conducted in the coastal and upland regions of Wai'aha 1st and 2nd Ahupua'a (see Figure 6). More than half of the studies are summarized in an AIS report by Haun and Associates (Haun 2008). The coastal region, approximately 1.2 km west of the current project area, contained a higher site density and included many pre-Contact era habitation, agricultural, and ceremonial features. The upland studies (Bevan et al. 2004, Kouneski et al. 2006) documented a smaller number of pre-Contact era agricultural features and Historic era agricultural and ranching features.

The Haun (2008) AIS study was conducted on a roughly 2.0 acre portion in the southeast corner of TMK: (3) 7-5-017:004. Parcel 004 was subdivided and it is not possible to determine on which new parcel the Haun (2008) study was conducted as there is no TMK map figure in the AIS report. The Haun (2008) project area appears to be located on new Parcels 050 and 052, putting their project area roughly 1.0 km southeast of the current field inspection project area.

The Haun (2008) report noted that the project area ground surface had been heavily disturbed by past land clearing activities. Six single feature sites were documented in the AIS report including four ranch walls, an historic artifact scatter, and a temporary habitation terrace.

SCS conducted an Archaeological Field Inspection (Escott 2016) on Parcels 012, 046 and 047 just east of the current project area (Figure 7). There were no archaeological sites identified in the AFI project, though there were rock mounds and rock walls identified just outside of the project area.

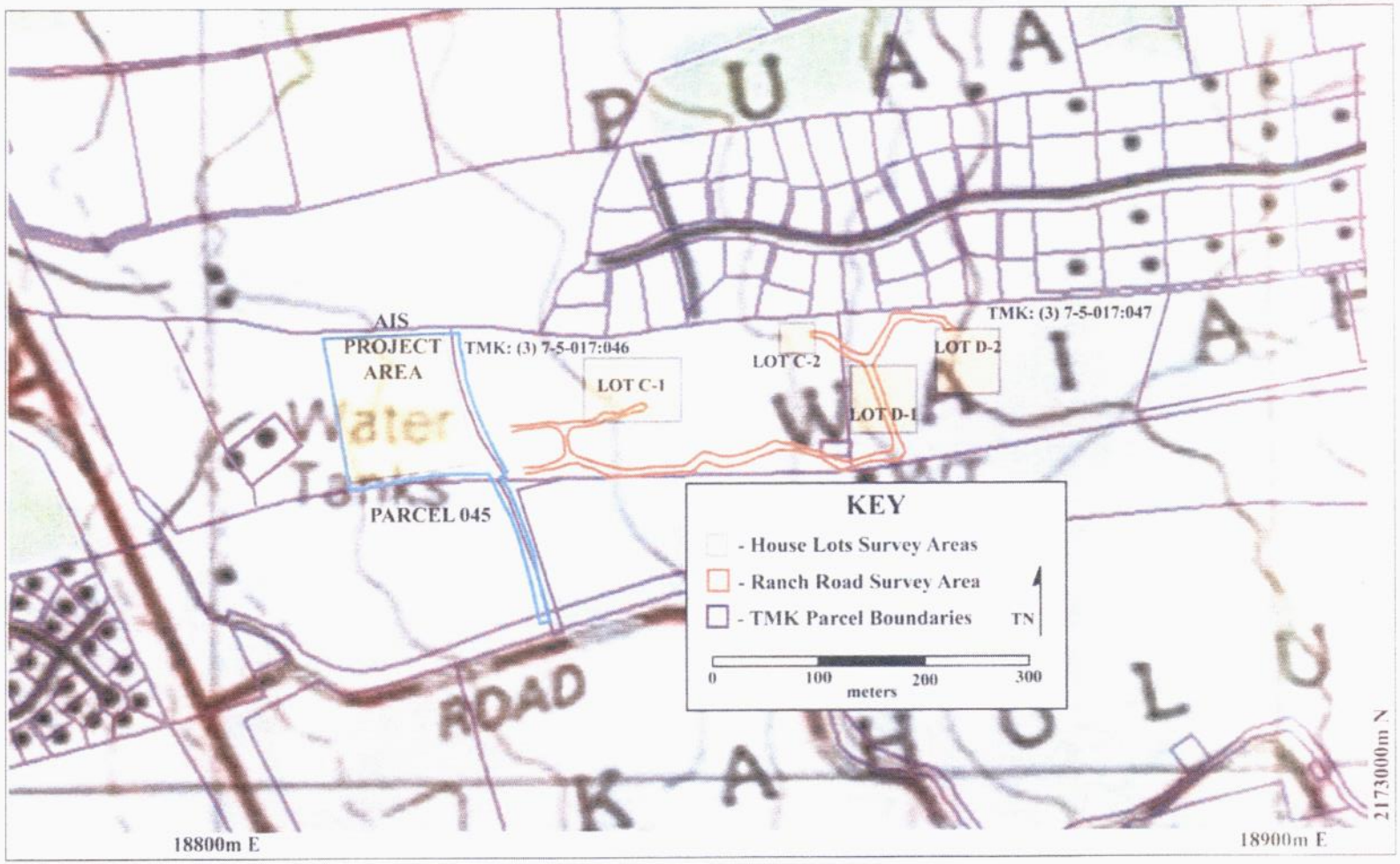

Figure 7: 7.5-Minute Series USGS Map Showing Location of Escott (2016) AFI Project Area and Current AIS Project Area Shaded Yellow (Kailua Quad, ESRI, 2013. Data Sources: National Geographic and County of Hawai'i Planning Department, 2019).

While there were additional studies conducted in Wai'aha 1st and 2nd Ahupua'a, the Haun (2008) and Escott (2016) studies best represent the types of sites and features expected within the current project area. The two studies most accurately predict the types of archaeological sites that will be identified. As a result, descriptions of only these last two studies were included in the previous archaeological studies section. Descriptions and maps of the remaining previous archaeological studies, some very distant from the current project area, will not provide additional useful information or novel information relevant to the current project area and not provided in Haun (2008) or Escott (2016).

EXPECTED ARCHAEOLOGICAL PATTERNS

Based on previous archaeological studies, geological studies, historical research, and County Planning Department records it is expected that any archaeological sites remaining on the current project area will be related to pre-Contact era agriculture and habitation, and to post-Contact era ranching and sugarcane agriculture activities. Archaeological sites and features are likely to consist of rock clearing mounds, terraces, small enclosures, and rock walls.

RESULTS OF FIELDWORK

A single archaeological site, Site #50-10-28-31118 (hereafter Site 31118), consisting of a rock wall segment and a dirt ranch road, were documented near the center of the project area during the current study (Figure 8 and Figure 9). The dirt road, depicted on a 1928 USGS map (see Figure 5), is a Historic era feature. The rock wall segment might have been constructed in the Historic era or is a later Modern era feature constructed along the side of the dirt road. There were no other archaeological sites identified during the archaeological inventory survey work.

SITE 31118	**Rock Wall & Dirt Road**
FUNCTION:	Travel & Transportation
AGE:	Historic to Modern Eras
DIMENSIONS:	Length: 133.0 m E/W; Width, 4.0 m; Height, 0.71 m Max.
CONDITION:	Fair
INTEGRITY:	Altered by Cattle
SURFACE ARTIFACTS:	None
EXCAVATION:	None

DESCRIPTION: Site 31118 is a wall segment and dirt ranch road located at the center of the project area (see Figure 8 and Figure 9). The wall is roughly 44.0 meters long (E/W) by 0.80 m wide by 0.71 m in maximum height (Figure 10). It appears that the rock wall segment construction was never completed as the east and west ends have not been finished. The wall is constructed of angular and subangular large cobbles and small boulders stacked three to five courses high and three to four courses wide (Figure 11 through 18). The wall is bi-faced and the rock is well fitted in places. The wall is not core-filled with cobbles. The wall has been impacted by grazing cattle and is in fair condition.

The dirt ranch road is located along the north edge of the rock wall segment (see Figure 8 and Figure 9). The road is approximately 133.0 m long where it crosses the project area. The road continues west and has been removed by the construction of Kakalina Street east of the project area. The dirt road is roughly 1.5 meters wide and is overgrown with grass and *koa haole* bushes. The wall and road appear to be unaltered, are in fair condition and no further work is recommended at Site 31118. Site 31118 was assessed as significant under criterion "d" for information important to the history of ranching.

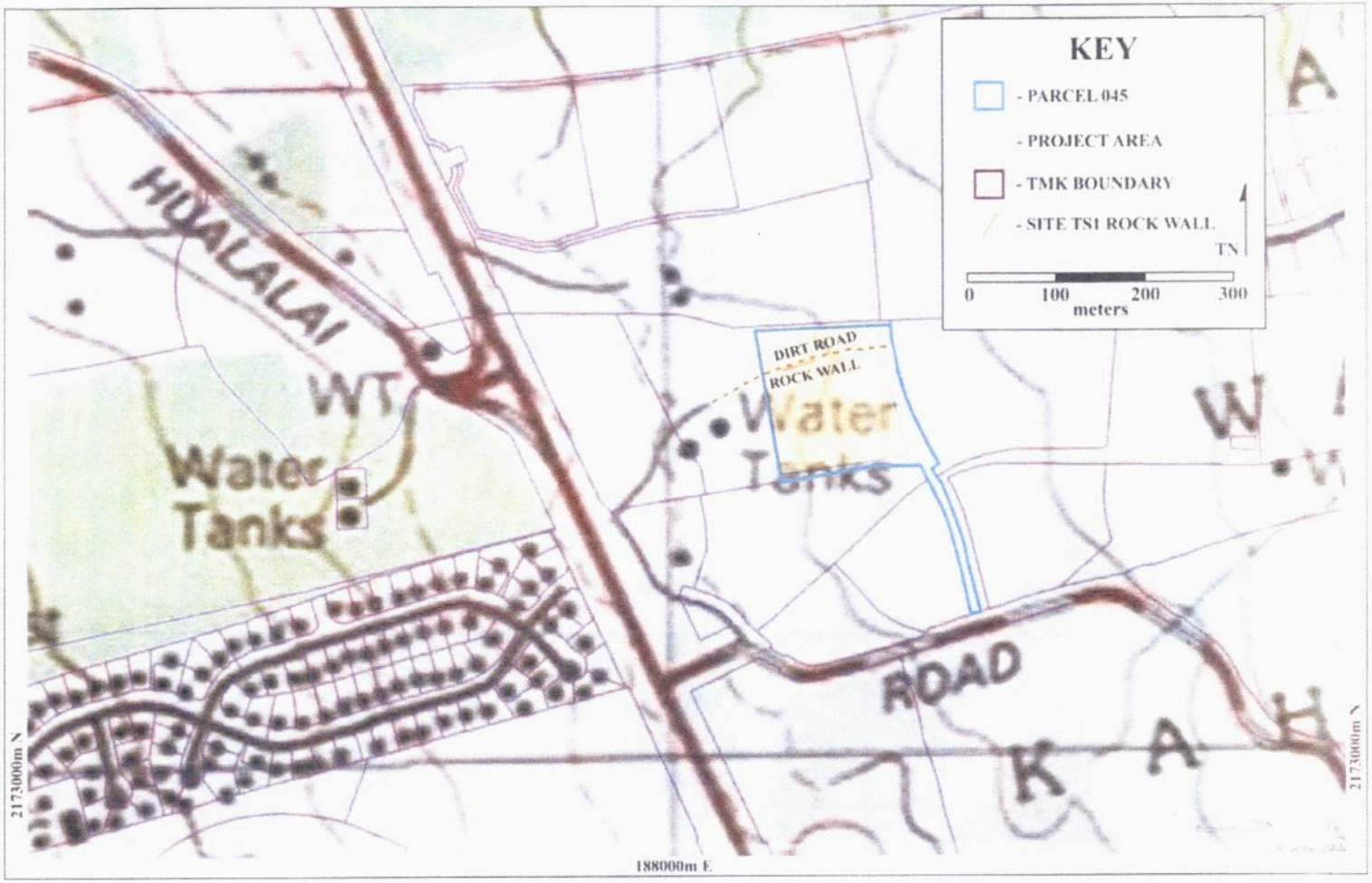

Figure 8: 7.5-Minute Series USGS Map Showing Location of Project Area and Site 31118 (Kailua Quad, ESRI, 2013. Data Sources: National Geographic and County of Hawai'i Planning Department, 2019).



Figure 9: Aerial Photograph Locations of Showing Project Area and Site 31118, Kailua-Kona, HI, Zone 5 North, 188182 m E, 2173273 m N. (Google Earth, 2013 Image. Data Sources: Digital Globe, GeoEye, Earthstar, USDA, and USGS).

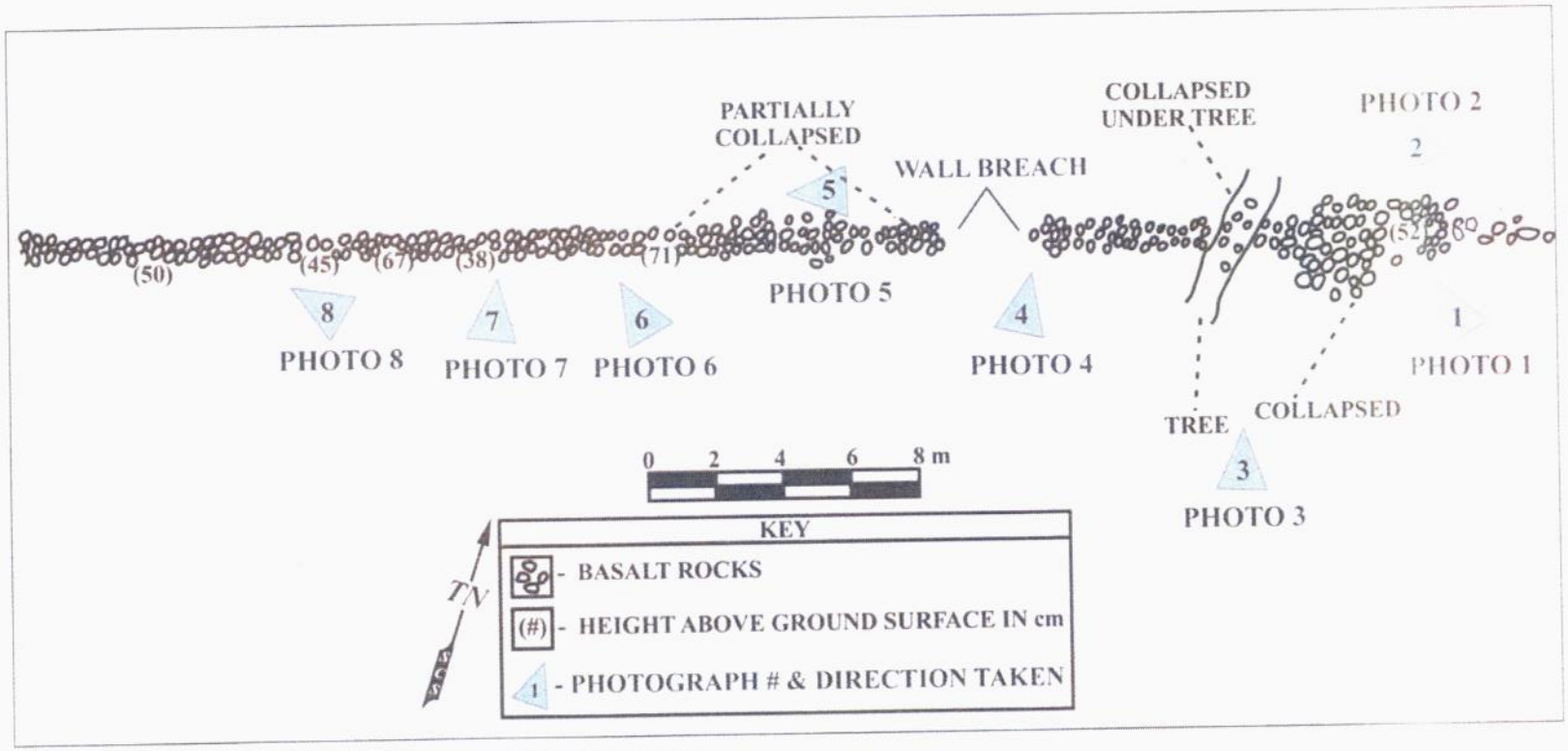

Figure 10: Site 31118 Rock Wall Segment Plan View Map.



Figure 11: Photograph 1 of Site 31118 Rock Wall Segment Looking Northwest.



Figure 12: Photograph 2 of Site 31118 Rock Wall Segment Looking Southwest.



Figure 13: Photograph 3 of Site 31118 Rock Wall Segment Looking North.



Figure 14: Photograph 4 of Site 31118 Wall Segment Looking North.



Figure 15: Photograph 5 of Site 31118 Wall Segment Looking West.



Figure 16: Photograph 6 of Site 31118 Wall Segment Looking Northwest.



Figure 17: Photograph 7 of Site 31118 Wall Segment Looking North.



Figure 18: Photograph 8 of Site 31118 Wall Segment, Looking Northwest.

> In the early 1840s, cattle were said to be "maintained on the *kula*," a mile from the coast where the ground was "covered with herbage" (Wilkes 1845:4, 95). Cattle, introduced to Kona by Vancouver in 1794, became a nuisance later, when their numbers increased. They fed on the grass of the kula and from time to time on the thatch of Hawaiians' homes and on vegetables in their gardens. The open upland fields, bounded only by low earth and stone walls, were in full cultivation in the 1850s [Kelly 1983:76].

Ranchers leased land below the railroad to graze cattle that they owned (Kelly 1983:111). Higher walls were built in the 1920s and 1930s to control animals. According to Joe Gomes, a longtime rancher in the area,

> Walls about 3 ft high can keep donkeys penned. The usual wall is about 4 ½ ft high and keeps cattle in. For goats you need a wall 6 to 8 ft high. For wild pigs you need a 6 to 8 ft-high wall. They climb over lower walls easily. They come down from the mountains for macadamia nuts and also in mango season for mangoes [Kelly 1983:112].

The Māhele

With the coming of the Great Māhele (1848), the Alien Land Ownership Act (1850) and the Kuleana Act (1850), the traditional Hawaiian archetype of land-use was essentially deconstructed and replaced with the European concept of fee-simple land ownership (Chinen 1961:13). Article IV of the Board of Commissioners to Quiet Land Titles was passed in December 1845 and began the legal process of private land ownership. Through the Māhele of 1847-48 the Alien Land Ownership Act of 1850 and the Kuleana Act of 1850, land was made available for private ownership authorizing the sale of land in fee simple to resident aliens and the award of *kuleana* lands to native tenants.

Thirteen Land Commission awards (LCA) were made in Wai'aha 1st and 2nd Ahupua'a, (Waihona 'Āina 2019) all of them either along the coast or in the upland portion of the two *ahupua'a*, above Māmalahoa Highway (Figure 6).

CONCLUSION

DISCUSSION

A single archaeological site (Site 31118), consisting of a dirt ranch road and a rock wall segment, was documented during the current study. The dirt road is depicted on the 1928 USGS Kailua quadrangle map and was constructed during the Historic era. The dirt road begins along the *mauka* (east) side of Hōlualoa Road and continues 1.3 km *mauka* almost to the railroad line. The *makai* (west) end of the dirt road is more substantially constructed than the remainder of the road. There are two small structures, likely water tanks, located along the dirt road.

The 1959 USGS map labels the easternmost structure as a water tank, while the tank at the middle of the dirt road has been replaced by two water tanks at the west end of the dirt road. Only the west end of the dirt road is depicted in the 1959 map. The easternmost water tank depicted in the 1928 and 1959 maps is no longer accessible from the dirt road, but is accessed from Hienaoli Road above the tank.

Hōlualoa Road was the main route between coastal Kailua Town and upland Hōlualoa Village. There are a number of water tanks depicted on the 1928 and 1959 USGS Kailua quadrangle maps in Wai'aha Ahupua'a and Pua'a Ahupua'a to the north. Water collection and storage were important elements of both sugarcane agriculture and cattle ranching. The dirt road most likely was constructed to service water tanks. The rock wall segment constructed along the edge of the dirt road was never completed, but might have been intended to keep cattle off of the road.

SIGNIFICANCE ASSESSMENTS

Sites identified during this project were assessed for their significance as outlined in Hawai'i Administrative Rules §13-275-6. To be assessed as significant a site must be characterized by one or more of the following five criteria:

(a) It must be associated with events that have made a significant contribution to the broad patterns of our history, or be considered a traditional cultural property.

(b) It must be associated with the lives of persons significant in the past.

(c) It must embody distinctive characteristics of a type, period, or method of construction, or represent a significant and distinguishable entity whose components may lack individual

distinction.

(d) It must have yielded or may be likely to yield, information important in prehistory or history.

(e) Have important value to native Hawaiian people or other ethnicities in the state, due to associations with cultural practices and traditional beliefs that were, or still are, carried out.

Site 31118 possesses integrity of location, design, materials and workmanship and was evaluated as significant under criterion "d" as the site has yielded information important to Historic era ranching and sugarcane agriculture (Table 1). More specifically, the dirt road and rock wall segment were constructed to access and maintain water collection and storage tanks necessary for Historic era and early Modern era commercial agricultural and ranching.

Table 1: Site Significance and Recommended Treatments.

Site #	Site Type	Age	Site Function	Significance Criteria	Recommended Treatment
31118	Wall & Road	Historic to Modern	Travel	d	No Further Work

RECOMMENDATIONS

No further work is recommended for Site 31118. Information recorded during the current study has adequately ascertained the timing and function of both features at the site. The features are associated with Historic era to Modern era ranching. Full documentation of the features is contained in this report, including relevant historical information, maps, figures, and descriptions. The proposed construction project determination is No Effect to Historic Properties.

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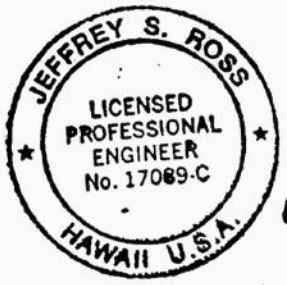
TRAFFIC IMPACT ANALYSIS REPORT
ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER

75-477 Hualalai Road
Kailua Kona, Hawaii, Hawaii
TMK: (3) 7-5-017: 045

Prepared for:

Pablo Penaloza
75-378 Nani Kailua Drive
Kailua Kona, HI 96740



Exp 4/30/22

November 4, 2020

Island Engineering, LLC
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Pahoa, HI 96778
(808) 756-6825
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TRAFFIC IMPACT ANALYSIS REPORT

ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER

Kailua-Kona, Hawai'i, Hawai'i

I. INTRODUCTION

This report documents the findings of a traffic study to evaluate the potential traffic impacts resulting from the proposed relocation of Alaka'i Academy, which will include approximately two acres of various school facilities, located in Kailua-Kona, County and Island of Hawai'i, Hawai'i.

A. Project Description

The project plans to relocate the existing school operation to a proposed facility on an undeveloped 5.352 acre flag lot fronting Hualalai Road. The project location and vicinity are shown in Figure 1.

The project will include construction of three buildings holding classrooms, administration, and cafeteria, totalling 10,900 square feet. Proposed plans also include a parking lot, landscaping, and outside playgrounds. It is proposed to have a maximum of 55 students and 11 faculty members. The proposed site plan is shown in Figure 2.

B. Location

The project is located in Kailua-Kona, on the island of Hawai'i, on the north side of Hualalai Road between Queen Ka'ahumanu Highway (State Route 11) to the west and Mamalahoa Highway (County Route 180) to the east. The site is bordered by Innovations Public Charter School to the north and undeveloped agriculture zoned properties to the south, west, and east. The project site is more specifically identified as TMK (3) 7-5-017: 045, Lot B-2, Portion of Waiaha Ridge Subdivision.

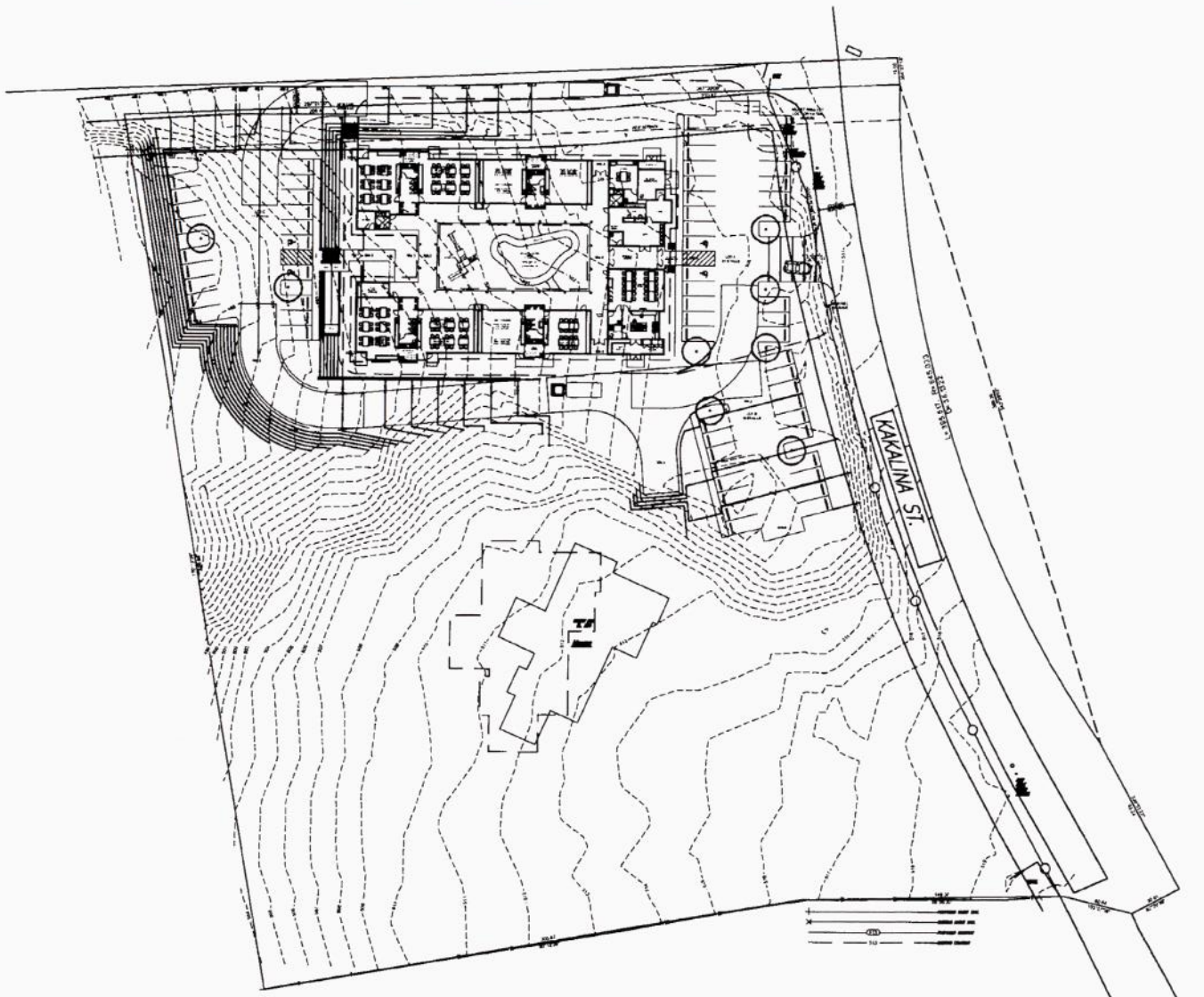
C. Study Methodology

The study will address the following:

1. Existing traffic operations, specifically turning movements, at key locations within the study area during the AM and PM weekday peak hours of traffic.
2. Traffic projections for Base Years 2025, 2030, and 2040 (without the project) including traffic generated by an annual growth rate of 0.7%.



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	LOCATION MAP FIGURE 1	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778



NORTH

1 SITE PLAN - CHILD CARE
SCALE: NTS

FIGURE 2. SITE PLAN

Plot Date: October 5, 2020

Y:\PRODUCTION\Projects\20014.00 Alaka'i Academy - Concept Design\3.00 Design\3.01 Base of Design\3.01.0 FLA - Sheet Set\20014.00-A2.1-SP.dwg

FLEMING & Associates, LLC
537 MANONO STREET
HILO, HAWAII

LICENSED PROFESSIONAL ARCHITECT
No. 11441
HAWAII, U.S.A.

2020

CONSULTANTS

ALAKA'I ACADEMY
75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
(3) 7-5-017: 045, LOT B-2

DIVISION:

PROJECT NO.: 20014.00
PROJECT ARCH.:
PROJECT PLANS:

SHEET CONTENTS:
SITE PLAN - CHILD CARE

DATE: 2020

SHEET:
A2.1

3. Traffic projections for Future Years 2025, 2030, and 2040 (with the project) to determine the potential impacts to existing traffic volumes and intersection functionality.

4. Due to the COVID-19 pandemic, special considerations have been made to inflate the existing traffic volumes to include visitor and school related traffic.

D. Analysis Methodology

The National Cooperative Highway Research Program (NCHRP), Web-only Document 193, *Development of Left-turn Lane Warrants for Unsignalized Intersections*, was used for determining the left-turn lane warrant from Hualalai Road onto the project access road (Kakalina Street).

The *2010 Highway Capacity Manual, Volume 3, Chapter 19* was used for determining Level of Service (LOS) based on control delay for turning movements at the Hualalai Road and SR 11 intersection. Queue lengths were also analyzed to determine existing turn lane adequacy.

II. EXISTING CONDITIONS

A. Roadway System

The following are brief descriptions of the existing roadways in the vicinity of the project:

Hualalai Road (County) is generally an east-west, two-lane, two-way, minor collector roadway. This roadway begins on SR 11 and terminates to the east at CR 180. The roadway is undivided with passing restricted and a posted speed limit of 25 miles per hour (mph).

SR 11 (State), in the study area, is generally a north-south, two-lane, two-way highway. The subject intersection of Hualalai Road and SR 11 is bounded by signalized intersections to the north and south at Nani Kailua Drive and Puapuaanui Street, respectively. This roadway is undivided with a posted speed limit of 55 mph.

B. Existing Traffic Volumes

The Weekday Morning (AM) and Weekday Evening (PM) peak hour traffic data utilized in this report was collected on Monday, June 16th, 2020. Based on this traffic count data, the weekday AM peak hour of traffic was determined to be from 7:00 AM to 8:00 AM and the weekday PM peak hour of traffic was determined to be from 3:30 PM to 4:30 PM. The field traffic count data is provided in Table A-1, Appendix A.

C. COVID-19 Pandemic and School Closure Impacts to Report Findings

It shall be noted that the traffic count data collected in the field is not representative of normal operations due to the ongoing (at time of study) COVID-19 pandemic. Visitor and school traffic could not be accounted for due to travel restrictions and school closures. The approach of this study is to use local resources, statistics, and data to conservatively estimate traffic under normal operations.

According to the Hawai'i Tourism Authority Release 20-182, dated September 28, 2020, *Hawai'i Visitor Statistics Released for August 2020*, through the first eight months of 2020, visitor arrivals dropped 66.8 percent. Data regarding visitor distribution to the island could not be found. To be conservative, SR 11 traffic counts have been inflated by 100 peak hour trips (approximately 20 percent) to include visitor generated traffic. Hualalai Road is a minor collector that receives mostly local traffic; therefore, the existing traffic counts have been inflated by 10 percent.

According to the Hawai'i State Department of Education, the Kailua-Kona area has eight schools (public and private) with approximately 2,000 students enrolled. The traffic counts have been inflated by 10 percent to include school generated traffic. The inflated traffic count data is provided in Table B-1, Appendix B.

NOTE: For the remainder of this report, EXISTING refers to the INFLATED traffic volumes.

D. Existing Traffic Conditions Analysis and Observations at SR 11 Intersection

The existing intersection at SR 11 and Hualalai Road is three-legged with stop sign control on Hualalai Road. Southbound SR 11 has a dedicated 425-ft long left-turn lane with a 135-ft taper and a 125-ft long acceleration lane with a 165-ft taper for left turns from Hualalai Road. Northbound SR 11 is a through lane with a triangular island on Hualalai Road with a yield sign (for right turns), giving the south bound left turn movement the right-of-way. The intersection was observed to operate with minor delay during both the AM and PM peak hour of traffic.

The SR 11 left-turn lane was observed to have a maximum of three (3) vehicles during the AM and PM peak hour of traffic. The left-turn lane has storage capacity of approximately seventeen (17) vehicles (25-ft per car; 425-ft long left turn lane). The left-turn lane was observed to operate at LOS A (AM) and LOS B (PM).

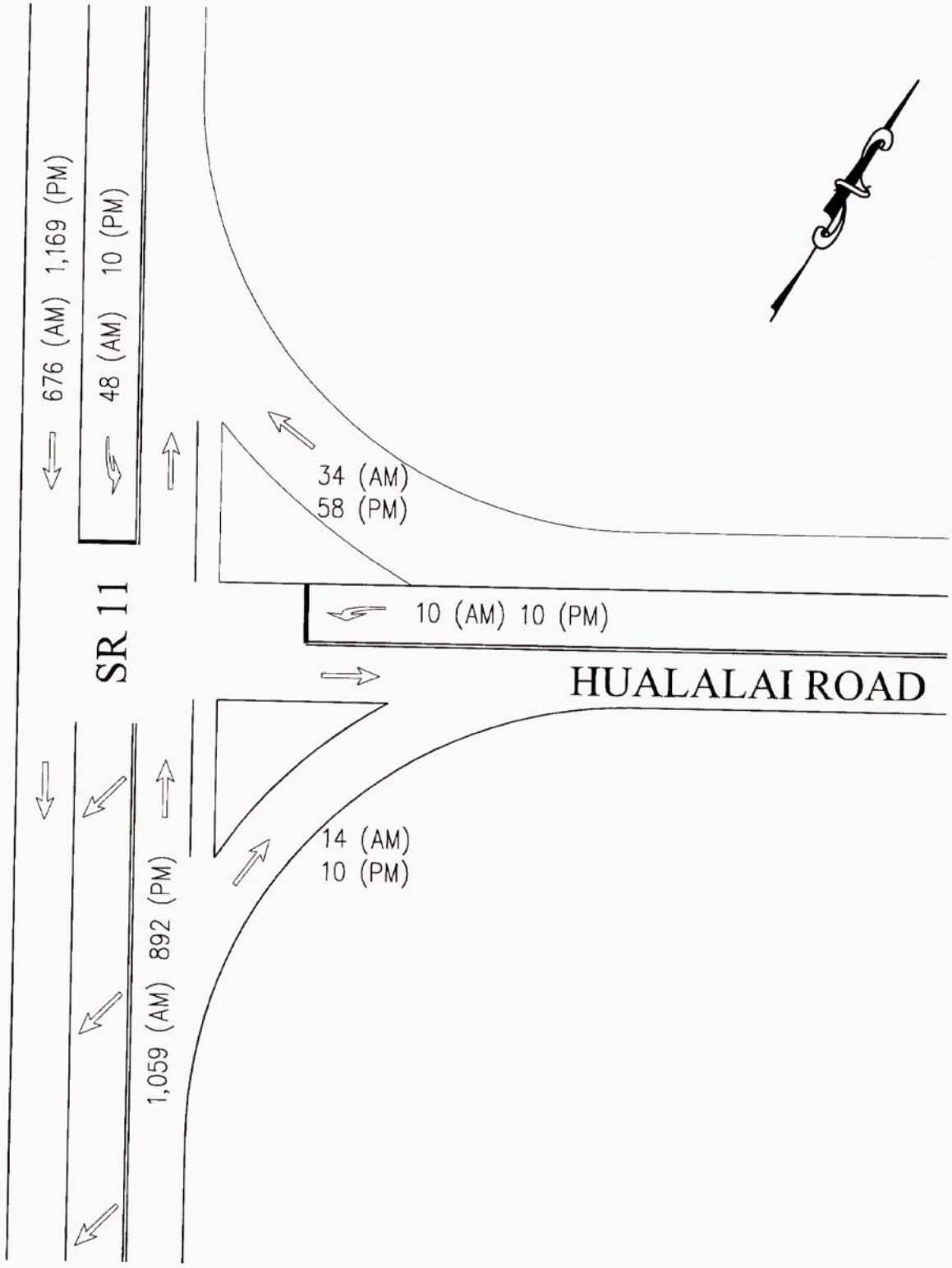
Hualalai Road has dedicated 250-ft long right and left-turn lanes for turning movements onto SR 11. The right and left-turn lanes were observed to have a maximum of two (2) vehicles during the AM and PM peak hour of traffic. The right and left-turn lanes have storage capacity of ten (10) vehicles. The left turn movement was observed to operate at LOS B for both AM and PM. The right turn movement was observed to operate at LOS C for both AM and PM.

Table 1 below provides the volume-to-capacity (v/c) for the through lanes of SR 11.

Table 1. Existing Volume-to-capacity ratios for SR 11		
Approach	AM Peak Hour	PM Peak Hour
	V/C	V/C
SR 11 Southbound	0.38	0.65
SR 11 Southbound	0.59	0.50

The study intersection is currently operating with minor delays and traffic queues at an overall LOS C. Table 2 below provides the existing delay (seconds), 95th percentile queue lengths (vehicles), and LOS for the study intersection. Existing traffic volumes and lane configurations are shown in Figure 3.

Table 2. **Existing Level of Service For Turning Movements** **at SR 11 / Hualalai Road Intersection**						
Approach	**AM Peak Hour**			**PM Peak Hour**		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	9	0.2	A	11	0.1	B
Hualalai Rd Right Turn	23	0.1	C	20	0.1	C
Hualalai Rd Left Turn	14	0.0	B	14	0.0	B
OVERALL	16		C	15		B



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	EXISTING LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 3	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778

E. Existing Traffic Conditions Analysis and Observations at Kakalina Street

The project site intersects Hualalai Road on Kakalina Street (private). The access has satisfactory geometry (90-degrees) and adequate stopping sight distance in both directions along Hualalai Road. At the intersection, Kakalina Street is a 28-ft wide paved road with radius returns connecting to Hualalai Street with a stop bar and stop sign. There is currently no dedicated left or right turn lanes onto Kakalina Street. Volume-to-capacity ratios are shown in Table 3 below.

Table 3. Existing Volume-to-capacity ratios for Hualalai Road

Approach	AM Peak Hour	PM Peak Hour
	V/C	V/C
Westbound	0.02	0.04
Eastbound	0.03	0.01

III. PROJECT TRIP GENERATION

Future traffic volumes generated by a project are typically estimated using the methodology described in the *Trip Generation Manual, 10th Edition* published by the Institute of Transportation Engineers (ITE). This method uses trip generation rates to estimate the number of trips that the project will generate during the peak hours.

From the ITE manual, land use code 565 (Daycare Center) was assigned. Table 4 below provides the estimated trips generated by the proposed project for AM and PM peak hours based on 55 students.

Table 4. Project Trip Generation

Land Use	**Independent Variable**	**Trips Per Variable**	
		AM Peak Hour	**PM Peak Hour**
Daycare Center (ITE 565)	55 Students	0.79	0.81

The total trips generated for the project are 44 (AM) and 45 (PM). Hawai'i County Code 25-2-46 (d) requires 5-, 10-, 20-year projections if project trip generations exceed 50 peak hour trips. The proposed development does not exceed this threshold; however, the code has been followed for the purposes of this report.

IV. BASE YEAR 2025, 2030, AND 2040 INTERSECTION TRAFFIC ANALYSIS

A. Growth Rate

An annual growth rate of 0.7% was used in forecasting base year 2025, 2030, and 2040 without project generated traffic volumes.

B. Results of Intersection Analysis for Base Year 2025

Traffic conditions at the study intersection without the proposed development would result in a change to overall LOS C for the PM peak hour. See Table 5 below. Base Year 2025 traffic volumes and lane configurations are shown in Table C-1, Appendix C and Figure 4.

Table 5. Base Year 2025 Without Development
Level of Service For Turning Movements at SR 11 / Hualalai Road Intersection

Approach	AM Peak Hour			PM Peak Hour		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	9	0.2	A	12	0.1	B
Hualalai Rd Right Turn	24	0.1	C	21	0.1	C
Hualalai Rd Left Turn	15	0.0	B	15	0.0	B
OVERALL	16		C	16		C

C. Results of Intersection Analysis for Base Year 2030

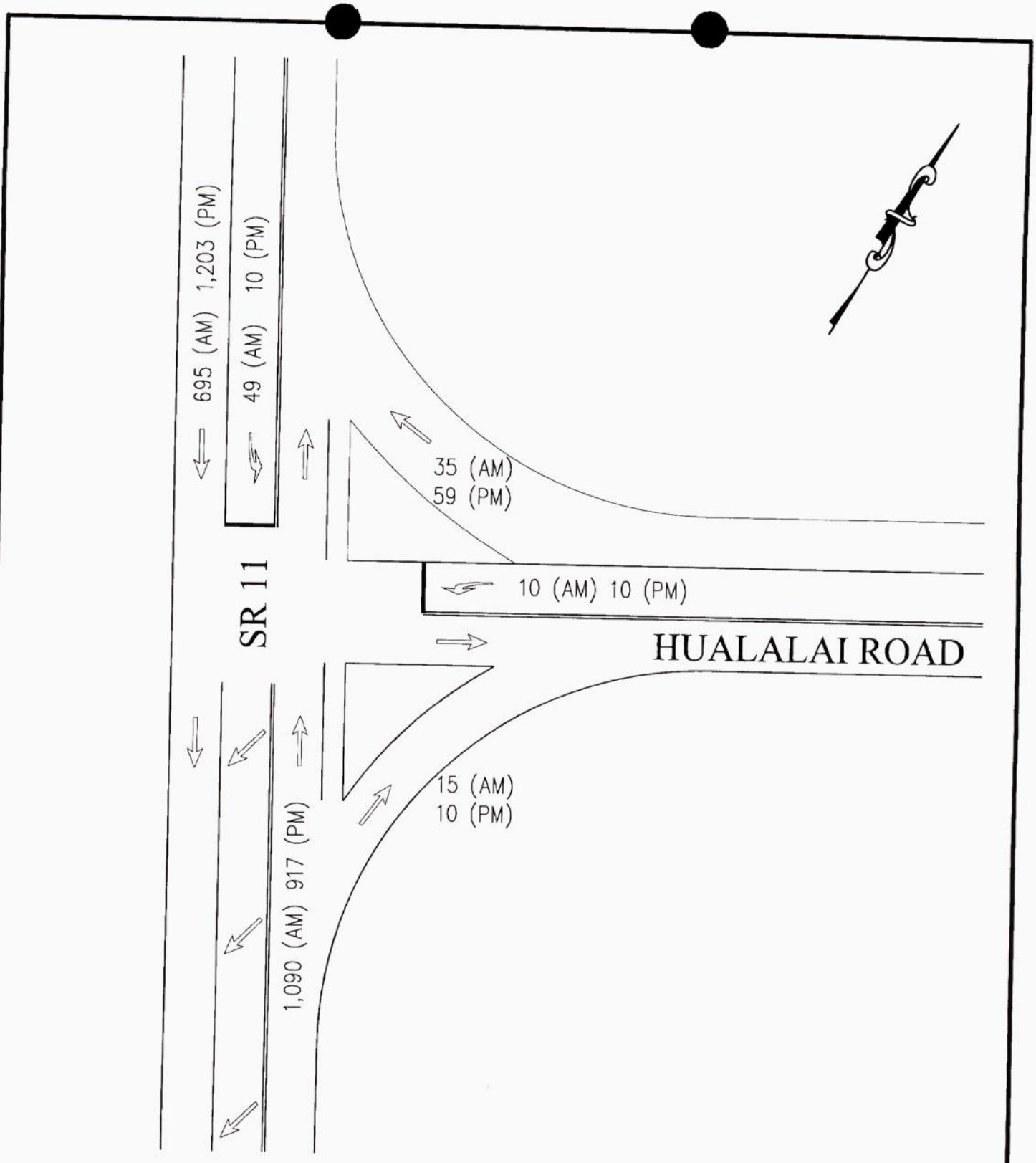
Traffic conditions at the study intersection without the proposed development would result in no change to overall LOS. See Table 6 below. Base Year 2030 traffic volumes and lane configurations are shown in Table C-2, Appendix C and Figure 5.

Table 6. Base Year 2030 Without Development Level of Service For Turning Movements at SR 11 / Hualalai Road Intersection						
Approach	**AM Peak Hour**			**PM Peak Hour**		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	10	0.2	A	12	0.1	B
Hualalai Rd Right Turn	25	0.1	C	21	0.1	C
Hualalai Rd Left Turn	15	0.0	B	15	0.1	B
OVERALL	17		C	16		C

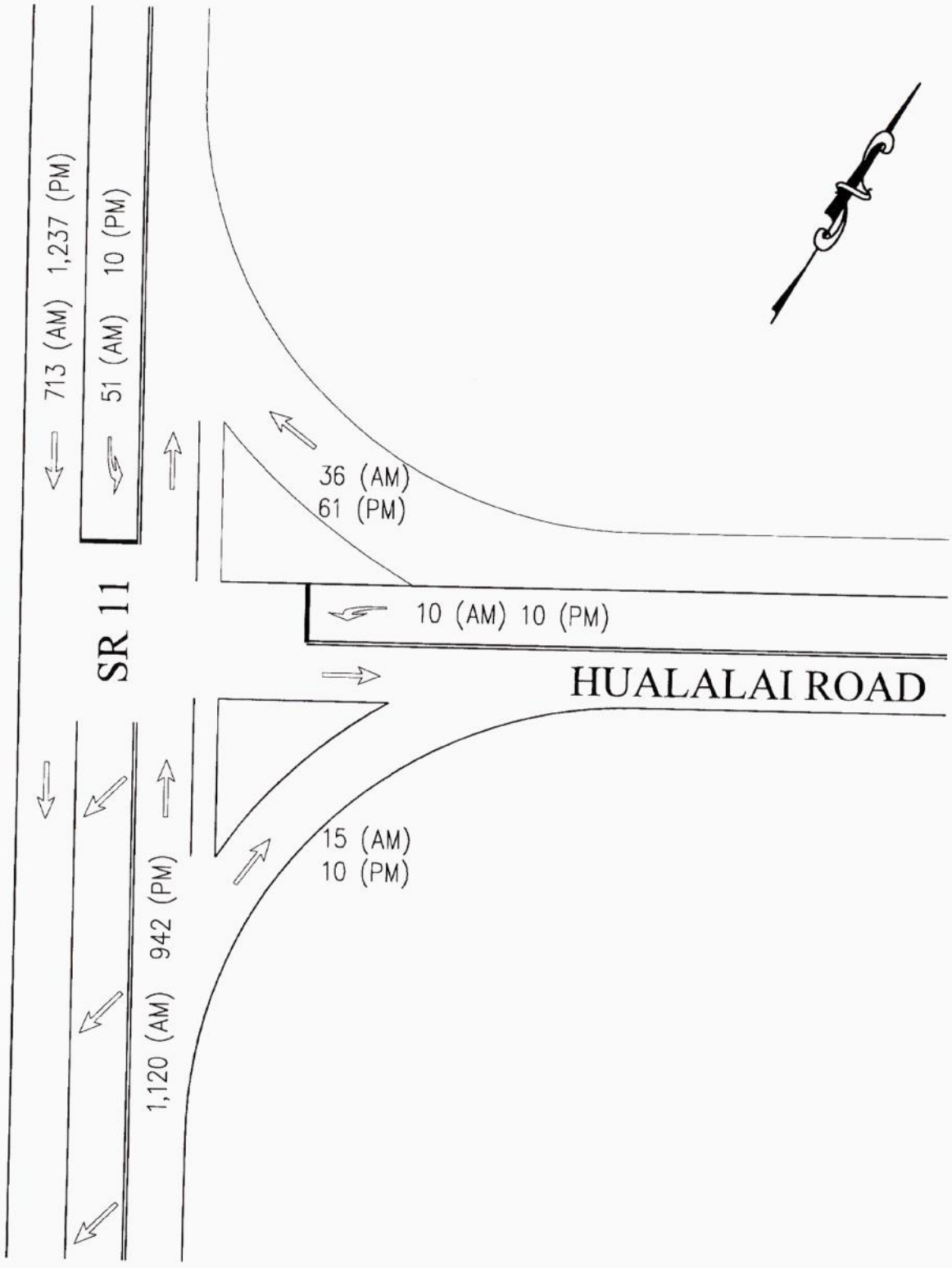
D. Results of Intersection Analysis for Base Year 2040

Traffic conditions at the study intersection without the proposed development would result in no change to overall LOS. See Table 7 below. Base Year 2040 traffic volumes and lane configurations are shown in Table C-3, Appendix C and Figure 6.

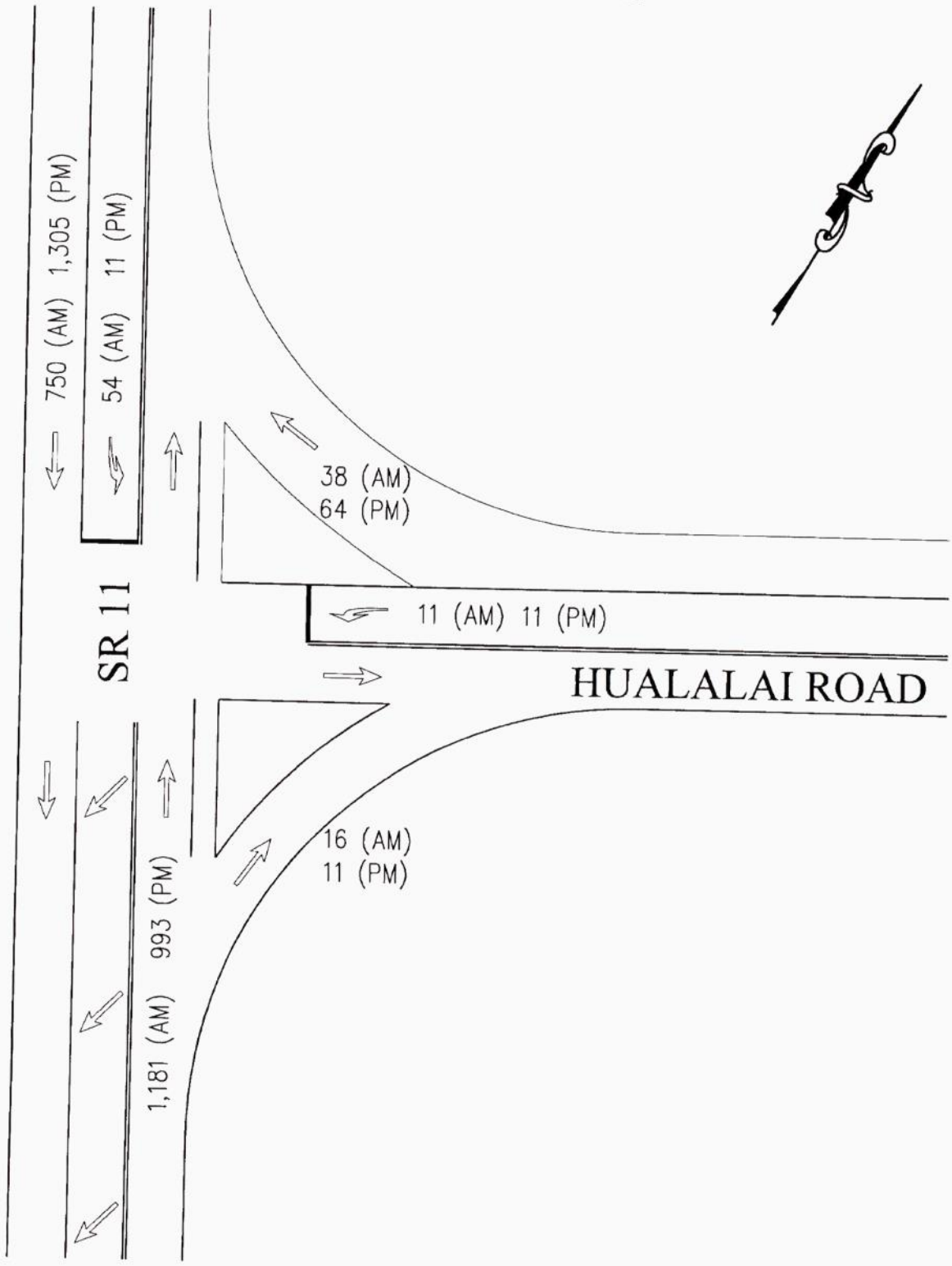
Table 7. Base Year 2040 Without Development Level of Service For Turning Movements at SR 11 / Hualalai Road Intersection						
Approach	**AM Peak Hour**			**PM Peak Hour**		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	10	0.2	A	12	0.1	B
Hualalai Rd Right Turn	27	0.2	D	23	0.1	C
Hualalai Rd Left Turn	16	0.1	C	16	0.1	C
OVERALL	18		C	17		C



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	BASE YEAR 2025 LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 4	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	BASE YEAR 2030 LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 5	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	BASE YEAR 2040 LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 6	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778

V. FUTURE YEAR INTERSECTION TRAFFIC ANALYSIS WITH DEVELOPMENT

A. Results of Intersection Analysis for Future Year 2025 with Development

Traffic conditions at the study intersection with the proposed development would result in no change to overall LOS. See Table 8 below. Future year 2025 traffic volumes can be found in Table D-1, Appendix D and Figure 7.

Table 8. Future Year 2025 With Development
Level of Service For Turning Movements at SR 11 / Hualalai Road Intersection

Approach	AM Peak Hour			PM Peak Hour		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	10	0.3	A	12	0.2	B
Hualalai Rd Right Turn	26	0.4	D	23	0.2	C
Hualalai Rd Left Turn	16	0.1	C	15	0.1	B
OVERALL	18		C	17		C

B. Results of Intersection Analysis for Future Year 2030 with Development

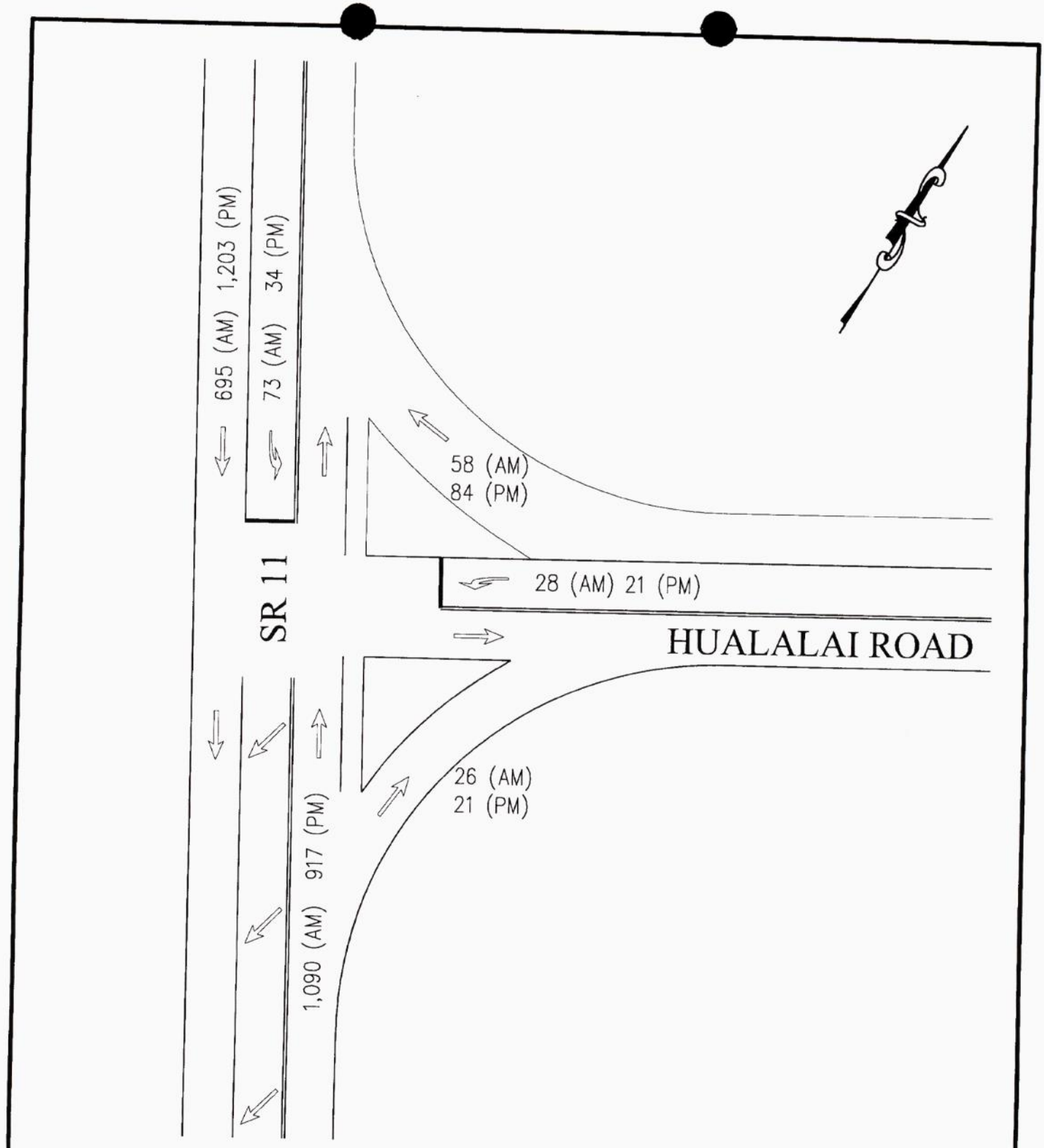
Traffic conditions at the study intersection without the proposed development would result in no change to overall LOS. See Table 9 below. Future year 2030 traffic volumes can be found in Table D-2, Appendix D and Figure 8.

Table 9. Future Year 2030 With Development Level of Service For Turning Movements at SR 11 / Hualalai Road Intersection						
Approach	**AM Peak Hour**			**PM Peak Hour**		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	10	0.312	A	12	0.2	B
Hualalai Rd Right Turn	28	0.4	D	24	0.2	C
Hualalai Rd Left Turn	16	0.1	C	16	0.1	C
OVERALL	18		C	18		C

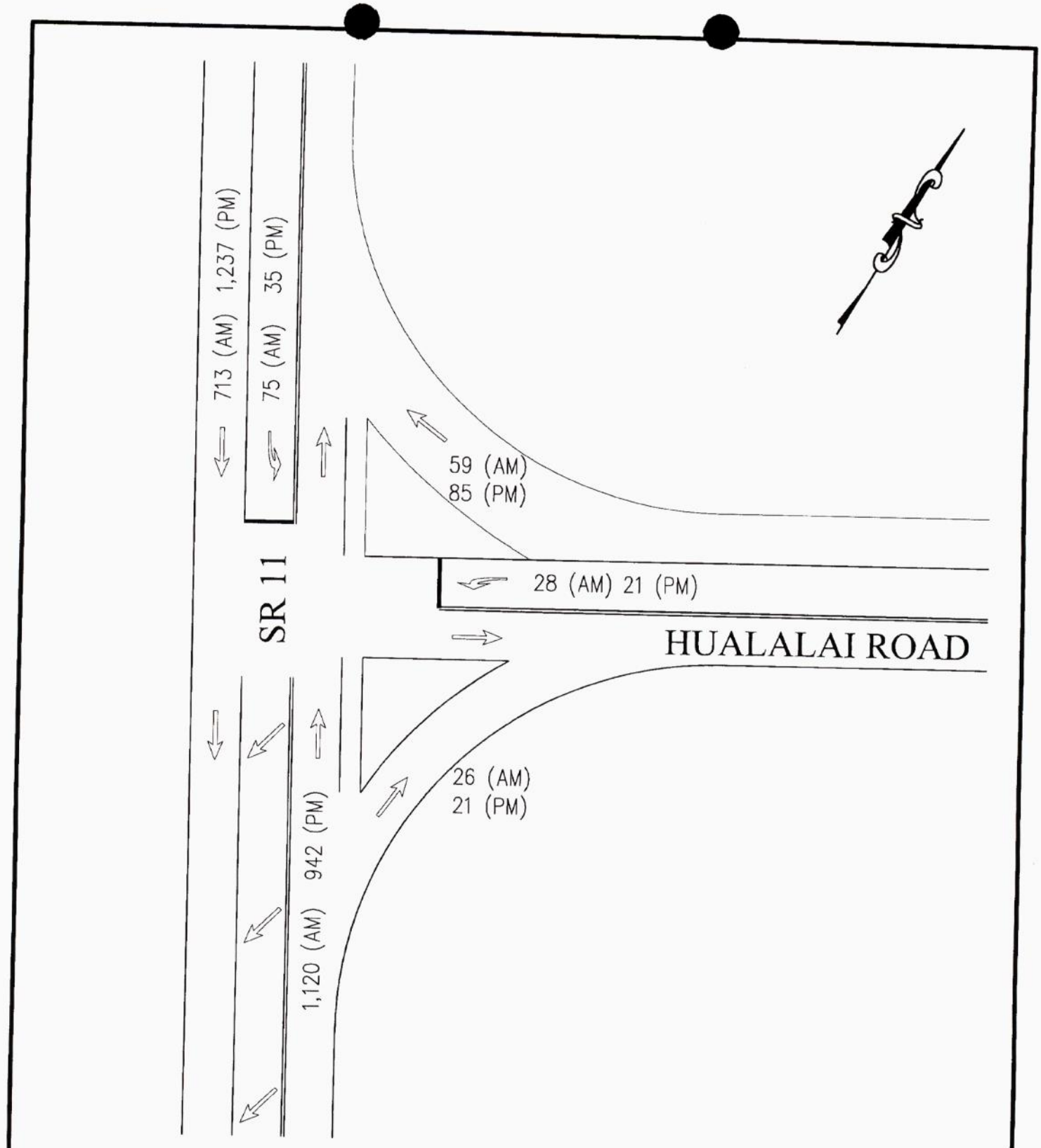
C. Results of Intersection Analysis for Future Year 2040 with Development

Traffic conditions at the study intersection without the proposed development would result in no change to overall LOS. See Table 10 below. Future year 2040 traffic volumes can be found in Table D-3, Appendix D and Figure 9.

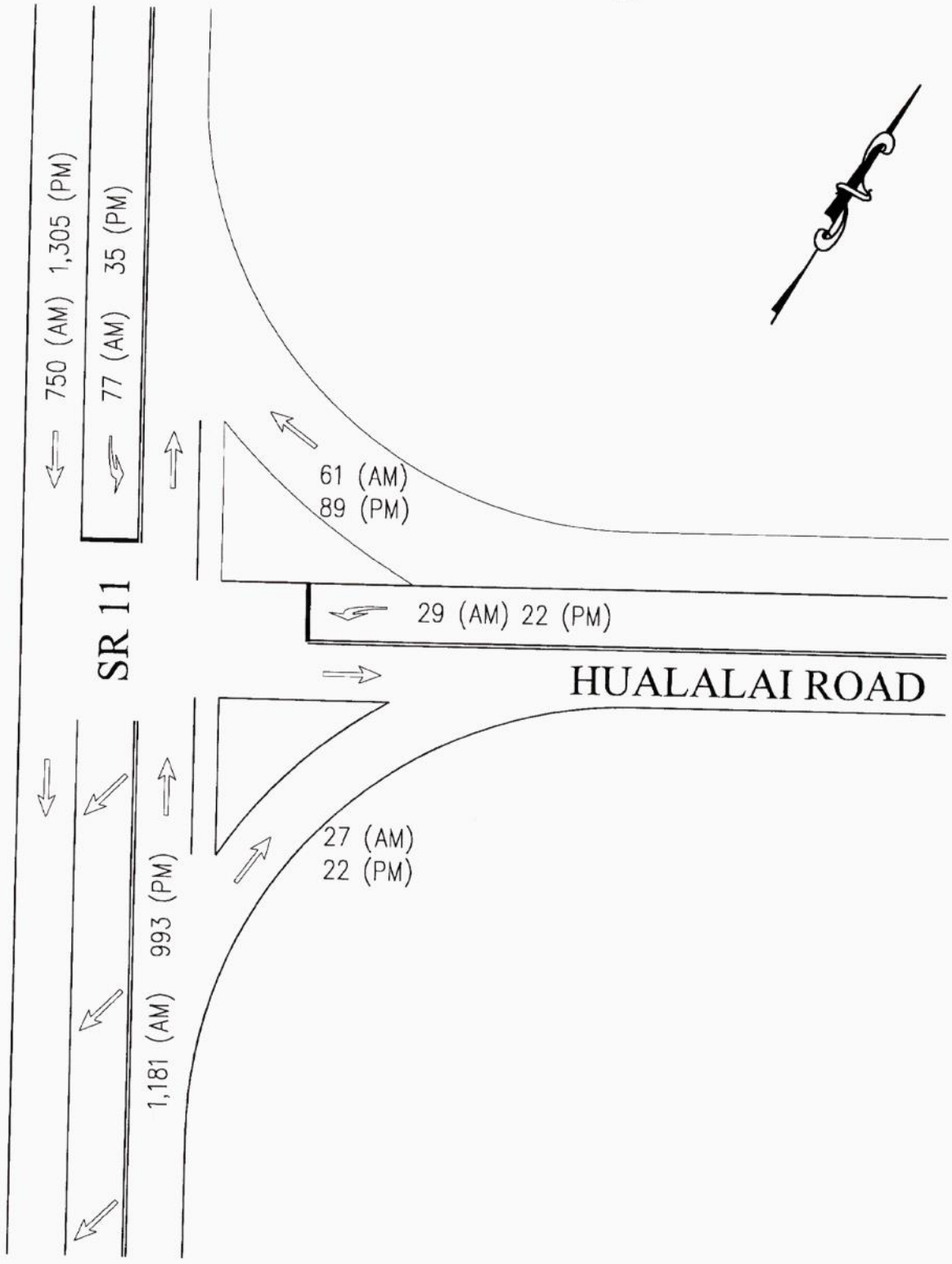
Table 10. Future Year 2040 With Development Level of Service For Turning Movements at SR 11 / Hualalai Road Intersection						
Approach	**AM Peak Hour**			**PM Peak Hour**		
	Delay	95% Q	LOS	Delay	95% Q	LOS
SR 11 Left Turn	10	0.3	A	13	0.2	B
Hualalai Rd Right Turn	31	0.5	D	26	0.3	D
Hualalai Rd Left Turn	17	0.2	C	16	0.1	C
OVERALL	20		C	19		C



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	FUTURE YEAR 2025 LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 7	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	FUTURE YEAR 2030 LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 8	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778



ALAKA'I ACADEMY CHILD DEVELOPMENT CENTER	FUTURE YEAR 2040 LANE CONFIGURATIONS AND TRAFFIC VOLUMES FIGURE 9	Island Engineering, LLC P.O. Box 283 Pahoa, Hawai'i 96778

VI. HUALALAI ROAD – KAKALINA STREET LEFT-TURN WARRANT ANALYSIS

Many procedures are currently in use by various organizations to determine the need for left-turn lanes, and most criteria are based on AASHTO's *Green Book* or NCHRP Report 279, both of which are based on work done by M. Harmelink in the 1960s and included in the NCHRP Document 193 used in this report. Warrants based on safety have been selected for the purposes of this report.

The traffic volumes on Hualalai Road are below the thresholds of the studies referenced in the NCHRP report. See Figures 10 – 11 and Table 11 below for the left-turn warrant.

- Advancing volume (V_A)—the total peak hourly volume of traffic on the major road approaching the intersection from the same direction as the left-turn movement under consideration.
- Left-turn volume (V_L)—the portion of the advancing volume that turns left at the intersection.
- Percent left turns (P_L)—the percentage of the advancing volume that turns left; equal to the left-turn volume divided by the advancing volume ($P_L = [V_L \div V_A] \times 100$).
- Straight-through volume (V_S)—the portion of the advancing volume that travels straight through the intersection ($V_L + V_S = V_A$).
- Opposing volume (V_O)—the total peak hourly volume of vehicles opposing the advancing volume.

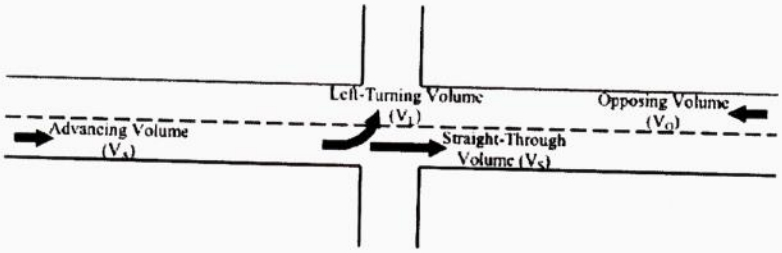


Figure 10. Volumes for use in left-turn lane warrant methods.

Table 11. Left-turn Warrant Movements for Future Years w/ Development			
	AM Peak Hour		
	2025	2030	2040
V_A (vph)	99	101	104
V_O (vph)	53	54	57
V_L (vph)	35	35	35
V_S (vph)	64	66	69
P_L (%)	36	35	34

Table 2. AASHTO (5) guide for left-turn lanes on two-lane highways, 2004.

Operating Speed (mph)	Opposing Volume (veh/hr)	Advancing Volume (veh/hr)			
		5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns
40	800	330	240	180	160
	600	410	305	225	200
	400	510	380	275	245
	200	640	470	350	305
	100	720	515	390	340
50	800	280	210	165	135
	600	350	260	195	170
	400	430	320	240	210
	200	550	400	300	270
	100	615	445	335	295
60	800	230	170	125	115
	600	290	210	160	140
	400	365	270	200	175
	200	450	330	250	215
	100	505	370	275	240

NCHRP Report 279

Figure 11. AASHTO Guide for Left-turn Lanes on Two-lane Highways

VII. CONCLUSION AND RECOMMENDATIONS

A. SR 11/Hualalai Road Study Intersection

The three-legged study intersection currently operates at LOS C with left and right turn lanes experiencing minor delays during both the AM and PM peak hour. The existing turn lanes appear to have adequate length.

The overall LOS for the study intersection is forecast to continue operating at overall LOS C with the proposed development. Based on the findings of this study, no mitigation is required at the study intersection.

B. Hualalai Road/Kakalina Street Study Intersection

The proposed project site is located in the Waiaha Ridge Subdivision. The subject parcel and surrounding parcels are zoned Ag-5A. The private subdivision road, Kakalina Street, serves several other parcels within the subdivision. At the time of this study, there are no known developments occurring which may impact traffic at the study intersection.

Hualalai Road is a County minor collector and is currently well below capacity. Currently, no left-turn lane is present into the subdivision. Based on the *NCHRP Document 193*, left-turn lanes should be considered mostly on arterial roadways with high volume and higher speed limits. The following factors were considered for the left-turn lane warrant:

- Speed limit
- Volume-to-capacity ratio
- Development generated traffic
- Sight distance
- *Green Book* methodology and various studies

Based on the findings of this study no mitigation is required at the study intersection.

C. Traffic Management Plan

Alaka'i Academy operates differently from a standard school regarding traffic peak hours. Standard school operations have a specific window in which students are dropped off and picked up. This window is usually very short which concentrates congestion to a short time during the peak hours. According to the school director, drop off times in the morning are from 7:00 AM to 9:30 AM and pick up times in the afternoon are from 2:00 PM to 5:30 PM which will potentially offset the peak hour traffic generated from the proposed development.

APPENDIX A

Table A-1 – Field Traffic Count Data

Unsignalized Intersection: June 16, 2020

Major Street Highway 11	South Leg (Northbound Approach)		North Leg (Souththbound Approach)	
	RIGHT	THRU	LEFT	THRU
7:00 am – 7:15 am	0	215	6	119
7:15 am – 7:30 am	0	213	4	116
7:30 am – 7:45 am	2	218	5	120
7:45 am – 8:00 am	0	206	7	125
8:00 am – 8:15 am	3	209	10	130
8:15 am – 8:30 am	0	211	5	129
8:30 am – 8:45 am	3	215	7	130
8:45 am – 9:00 am	0	178	9	131
3:00 pm – 3:15 pm	1	175	0	237
3:15 pm – 3:30 pm	0	173	0	239
3:30 pm – 3:45 pm	0	175	0	236
3:45 pm – 4:00 pm	2	174	1	235
4:00 pm – 4:15 pm	1	178	1	236
4:15 pm – 4:30 pm	0	180	2	237
4:30 pm – 4:45 pm	2	161	0	237
4:45 pm – 5:00 pm	0	159	0	243
Minor Street Hualalai Road	East Leg (Westbound Approach)			
	RIGHT	LEFT		
7:00 am – 7:15 am	2	1		
7:15 am – 7:30 am	3	0		
7:30 am – 7:45 am	5	0		
7:45 am – 8:00 am	7	2		
8:00 am – 8:15 am	5	1		
8:15 am – 8:30 am	7	1		
8:30 am – 8:45 am	7	0		
8:45 am – 9:00 am	6	1		
3:00 pm – 3:15 pm	9	0		
3:15 pm – 3:30 pm	12	2		
3:30 pm – 3:45 pm	10	1		
3:45 pm – 4:00 pm	8	0		
4:00 pm – 4:15 pm	9	1		
4:15 pm – 4:30 pm	10	1		
4:30 pm – 4:45 pm	12	1		
4:45 pm – 5:00 pm	11	0		

APPENDIX B

Table B-1. Existing Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	676	1169
	Northbound	1059	892
	Left Turn	48	10
	Right Turn	14	10
Hualalai Road			
	Westbound	43	67
	Eastbound	62	19
	Left Turn	10	10
	Right Turn	34	58

APPENDIX C

Table C-1. Base Year 2025 Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	695	1203
	Northbound	1090	917
	Left Turn	49	10
	Right Turn	15	10
Hualalai Road			
	Westbound	44	69
	Eastbound	64	20
	Left Turn	10	10
	Right Turn	35	59

Table C-2. Base Year 2030 Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	713	1237
	Northbound	1120	942
	Left Turn	51	10
	Right Turn	15	10
Hualalai Road			
	Westbound	46	71
	Eastbound	66	20
	Left Turn	10	10
	Right Turn	36	61

Table C-3. Base Year 2040 Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	750	1305
	Northbound	1181	993
	Left Turn	54	11
	Right Turn	16	11
Hualalai Road			
	Westbound	48	75
	Eastbound	70	21
	Left Turn	11	11
	Right Turn	38	64

APPENDIX D

Table D-1. Future Year 2025 w/ Development Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	695	1203
	Northbound	1090	917
	Left Turn	73	34
	Right Turn	26	21
Hualalai Road			
	Westbound	53	78
	Eastbound	99	55
	Left Turn	28	21
	Right Turn	58	84

Table D-2. Future Year 2030 w/ Development Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	713	1237
	Northbound	1120	942
	Left Turn	75	35
	Right Turn	26	21
Hualalai Road			
	Westbound	54	80
	Eastbound	101	56
	Left Turn	28	21
	Right Turn	59	85

Table D-3. Future Year 2040 w/ Development Traffic Peak Hour Volumes (vph)			
Road Segment	**Approach**	**AM Peak Hour**	**PM Peak Hour**
SR 11			
	Southbound	750	1305
	Northbound	1181	993
	Left Turn	77	35
	Right Turn	27	22
Hualalai Road			
	Westbound	57	84
	Eastbound	104	57
	Left Turn	29	22
	Right Turn	61	89

Plot Date: September 30, 2020

ALAKA'I ACADEMY

75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740

TAX MAP KEY: (3) 7-5-017: 045, LOT B-2

2020

LOCATION MAP
NOT TO SCALE

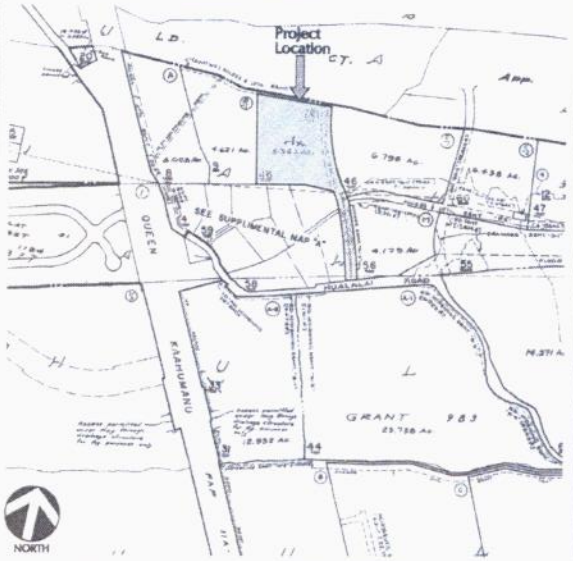


Hawaiian Islands



NORTH

VICINITY MAP
NOT TO SCALE



NORTH

PROJECT DIRECTORY

CLIENT

MR. PABLO AND MRS. LUCIANA PENALOZA
74-5065 LUNA STREET
KAILUA KONA, HAWAII 96740
CONTACT: Pablo Penaloza
PHONE: 808-331-8000
E-MAIL: mlp@alakaiacademy.com

ARCHITECT

FLEMING & ASSOCIATES, LLC
537 MANONO STREET
HILO, HAWAII 96720
PHONE: 808-935-1700
FAX: 808-961-1700
E-MAIL: office@fleming-hilo.com

FLEMING & Associates, LLC
537 MANONO STREET
HILO, HAWAII

MAP/SUP APPLICATION 2020

CONSULTANTS:

ALAKA'I ACADEMY
75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
(3) 7-5-017: 045, LOT B-2

REVISIONS:

PROJECT NO: 20014.00
PROJECT ARCH: SF
PROJECT PLANS: SF

SHEET CONTENTS:
TITLE SHEET, LOCATION & VICINITY MAP, & DIRECTORY

DATE: 2020

SHEET:
TS1

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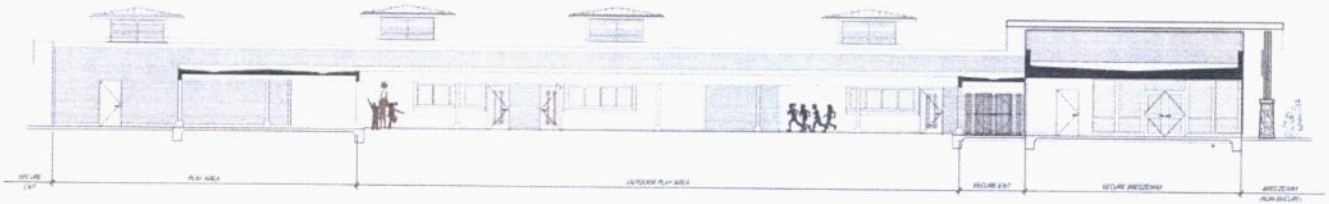
1 SOUTH EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"



2 EAST EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"



3 BUILDING SECTION
SCALE: 1/8"=1'-0"



4 BUILDING SECTION
SCALE: 1/8"=1'-0"

FLEMING &
Associates, LLC
557 MANONO STREET
HILO, HAWAII

CONSULTANT:

ALAKA'I ACADEMY
75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
(3) 7-5-017: 045 LOT B-2

REVISIONS:

PROJECT NO.: 20(01)6.00
PROJECT ARCH.: SF
PROJECT PLANS: SF

SHEET CONTENTS:
EXTERIOR
ELEVATIONS

DATE: 2020

SHEET:
A3

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Plot Date: October 5, 2020

NORTH

1 SITE PLAN - CHILD CARE
SCALE: 1/16" = 1'-0"



SHEET: A2.1	DATE: 10/5/20	SHEET CONTENTS: SITE PLAN - CHILD CARE	PROJECT NO: 20014.00 PROJECT PHASE: SP	REVISIONS	ALAKA'I ACADEMY 75-477 HUALALAI ROAD KAILUA KONA, HAWAII 96740 (3) 7-5-017: 045, LOT B-2	CONSULTANTS	FLEMING & ASSOCIATES, LLC ARCHITECTURE HONOLULU

Plot Date: September 30, 2020

CHILD CARE FACILITY

ZONING: A-5a AGRICULTURAL

SPECIAL PERMIT REQUIRED FOR CHILD CARE CENTER

HEIGHT LIMIT = 45'-0"

MINIMUM BUILDING SITE AREA: 5 ACRES

FRONT SETBACK = 30'-0"

REAR SETBACK = 30'-0"

SIDE SETBACK = 20'-0"

PARKING - DAYCARE CENTERS: ONE FOR EACH TEN CARE RECIPIENTS OF DESIGN CAPACITY OR ONE FOR EACH 200 SQUARE FEET OF GROSS AREA, *WHICHEVER IS GREATER*

HONU = 2 CLASSROOM = 32 STUDENTS
NUNU = 2 CLASSROOM = 32 STUDENTS
HE'E = 2 CLASSROOM = 48 STUDENTS
NA'IA = 2 CLASSROOM = 48 STUDENTS
TOTAL = 160 STUDENTS

160 STUDENTS x 10 = 16 PARKING STALLS
OR
10,926 S.F. / 200 = 54.63 = 55 PARKING STALLS

PARKING STALLS PROVIDED:
LOT A = 24 STALLS
LOT B = 21 STALLS
TOTAL = 45 STALLS < 55 = DOES NOT COMPLY

POSSIBLE SOLUTION: REQUEST VARIANCE FROM PLANNING DEPT

LOADING SPACE = 1 REQUIRED
10'-0" x 22'-0"
UP TO 5,000 S.F.

LOADING SPACE = 1 REQUIRED
12'-0" x 50'-0"
5,001 - 10,000 S.F.

HAWAII REVISED STATUTES - Title 17, Chapter 895 - LICENSING OF INFANT AND TODDLER CHILDCARE CENTER

SECTION 17-895-41 (a)(d)(1)(A): THERE SHALL BE THIRTY-FIVE SQUARE FEET PER CHILD OF UNENCUMBERED INSTRUCTIONAL OR PLAY AREA EXCLUSIVE OF BATHROOMS, KITCHENS, CUPBOARD SPACE, HALLWAYS, AND SPACES CONSUMED BY CRIBS AND PLAYPENS.

SECTION 17-895-41 (a)(d)(1)(B): THE THIRTY FIVE SQUARE FEET PER CHILD REQUIREMENT CAN BE BASED ON THE GENERAL SQUARE FOOTAGE OF THE ENTIRE CENTER, NOT NECESSARILY BASED ON THE SQUARE FOOTAGE OF EACH CLASSROOM; AND,

SECTION 17-895-41 (a)(d)(1)(C): LANAI AREA WHICH HAS BOTH A ROOF AND FINISHED FLOORING, MAY BE COUNTED FOR UP TO THIRTY PER CENT OF THE REQUIRED ENCLOSED AREA

SECTION 17-895-41 (a)(e)(1): THE CENTER SHALL MAINTAIN, OR HAVE ACCESS TO, AN OUTDOOR PLAY AREA OF AT LEAST SEVENTY-FIVE SQUARE FEET FOR EACH CHILD USING THE OUTDOOR AREA AT ANY TIME; AND

SECTION 17-895-41 (a)(e)(2): LANAI AREA, WHEN NOT INCLUDED IN THE REQUIRED ENCLOSED PLAY AREA, MAY BE COUNTED FOR UP TO THIRTY PER CENT OF THE REQUIRED OUTDOOR SPACE.

OCCUPANCY TYPE: THE USE OF A BUILDING OR STRUCTURE, OR PORTION THEREOF, FOR EDUCATIONAL, SUPERVISION OR PERSONAL CARE SERVICES FOR MORE THAN FIVE CHILDREN OLDER THAN 2-1/2 YEARS OF AGE, SHALL BE CLASSIFIED AS A GROUP E OCCUPANCY.

DAY CARE SPACES WITH AN OCCUPANT LOAD OF TEN OR MORE SHALL HAVE TWO MEANS OF EGRESS

CODE ANALYSIS
2006 INTERNATIONAL BUILDING CODE

SECTION 305, USE TYPE
"E" EDUCATION GROUP - THE USE OF A BUILDING OR STRUCTURE, OR PORTION THEREOF (CLASSROOM SPACES), FOR EDUCATIONAL, SUPERVISION OR PERSONAL CARE SERVICES FOR MORE THAN FIVE CHILDREN OLDER THAN 2-1/2 YEARS OF AGE, SHALL BE CLASSIFIED AS A GROUP E OCCUPANCY

"B" BUSINESS GROUP - FOR LOBBY, RECEPTION, PRIVATE OFFICES, STAFF LOUNGE, CAFETERIA, KITCHEN

"S-2" STORAGE GROUP - FOR STORAGE ROOM FOR PLAY EQUIPMENT, SUPPLIES, FOOD

TABLE 503, ALLOWABLE HEIGHT AND BUILDING AREA (FOR GROUP E)

CONSTRUCTION TYPE: B NON-RATED

ALLOWABLE AREA: 9,500 S.F.

ACTUAL AREA: 10,926 S.F.

SECTION 506.2 FRONTAGE INCREASE: If = [F / P - 0.25] W / 30
If = AREA INCREASE DUE TO FRONTAGE
F = BUILDING PERIMETER THAT FRONTS ON A PUBLIC WAY OR 20' WIDE MINIMUM OPEN SPACE
P = PERIMETER OF ENTIRE BUILDING
W = WIDTH OF PUBLIC WAY OR OPEN SPACE

If = [592 / 592 - 0.25] 30 / 30
= [0.75] 1.0
= 0.75

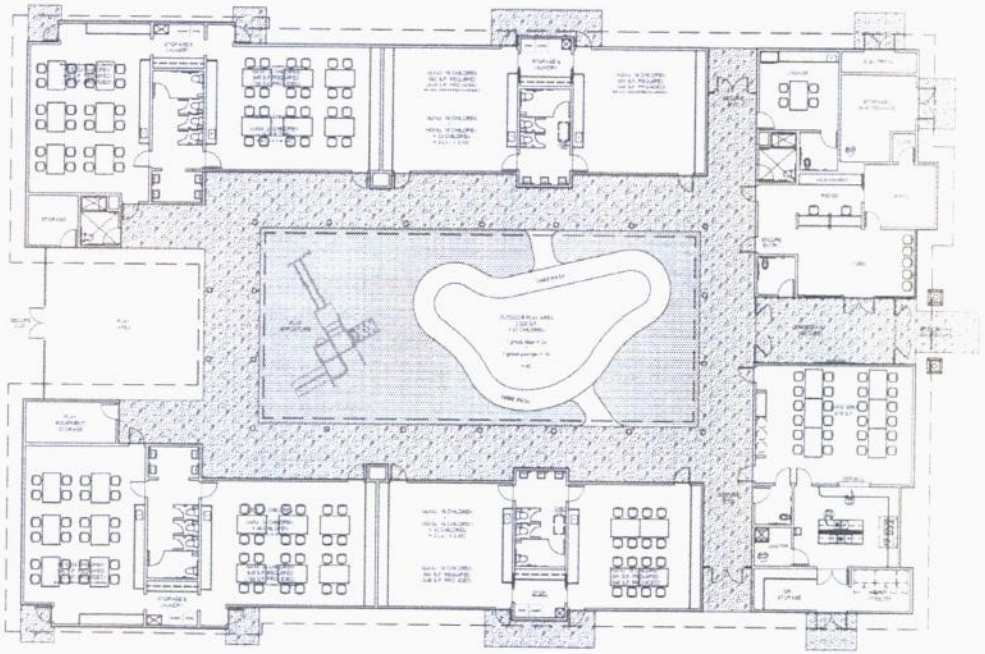
THEREFORE: 0.75 x 9,500 S.F. ALLOWABLE = 7,125 S.F.

THEREFORE: 9,500 S.F. + 7,125 S.F. = 14,245 S.F.

THEREFORE: 16,625 S.F. ALLOWABLE > 10,926 S.F. ACTUAL = COMPLY

ALLOWABLE STORIES: 1

ACTUAL STORIES: 1



NORTH

1 **FLOOR PLAN - CHILD CARE**
SCALE: 1/32"=1'-0"

FLEMING & Associates, LLC
537 MANONG STREET
HILO, HAWAII

ALAKA'I ACADEMY
75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
(TMK: 7-5-037: 045, LOT B-2)

REVISIONS

PROJECT NO.: 20014.00
PROJECT ARCH.: SF
PROJECT PLANS: SF

SHEET CONTENTS:
FLOOR PLAN
CHILD CARE

DATE: 2020

SHEET:
A1.1

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PLANNING DEPARTMENT
County of Hawaii
74-5044 Ane Keohokalole Hwy
Kailua-Kona, HI 96740

RECEIVED NOV 19 2020



PABLO AND LUCIANA PENALOZA 08-11
75-378 NANI KAILUA DR.
KAILUA KONA, HI 96740

1310
59-7076/3213

11/19 20 20

PAY TO THE ORDER OF County Director of Finance $ 500.-

five hundred even DOLLARS

AMERICAN SAVINGS BANK
P.O. BOX 2300
HONOLULU, HAWAII 96804-2300
www.asbhawaii.com

MOUNT RAINIER NATIONAL PARK

FOR Special Permit

⑆321370765⑆1310 8100?⑈64179⑈

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SPP-20-221

COH PLANNING DEP
MAR 3 2021 AM9:3
REC'D BY MAI

SPECIAL PERMIT APPLICATION
PLANNING DEPARTMENT

(Type or Print the requested information)

APPLICANT: PABLO PENALOZA

APPLICANT'S SIGNATURE: _____ DATE: 2-25-21

ADDRESS: 75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
USA

LIST APPLICANT' S INTEREST IF NOT OWNER: APPPLICANT IS THE OWNER

TELEPHONE: (Bus.) n/a (Cell) 808-990-7041 (Fax) 877-346-4212

REQUEST: A SPECIAL PERMIT TO OPERATE A CHILDCARE CENTER/PRESCHOOL/AFTER SCHOOL CARE ON A 2 ACRE SECTION OF THIS PROPERTY.

TAX MAP KEY: (3) 7-5-017:045

ZONING: A-5a

AREA OF PROPERTY/AREA OF REQUESTED USE: 2 ACRES

LANDOWNER: PABLO PENALOZA

LANDOWNER'S SIGNATURE: _____ DATE: 2-25-21

LANDOWNER' S ADDRESS: 75-378 NANI KAILUA DRIVE
KAILUA KONA, HAWAII 96740
USA

AGENT: N/A

ADDRESS: N/A

TELEPHONE: N/A

Please indicate to whom original correspondence (and copies) should be sent:

ORIGINAL: PABLO PENALOZA COPIES: N/A

Planning Dept.
Exhibit 2

SCANNED
MAR 04 2021
By: 140163

MJ-AR-MAR 0 8 2021
3/5/21

SPECIAL PERMIT APPLICATION SUPPORTING DOCUMENATION:

1. A Filing fee of Five Hundred Dollars ($ 500) payable to the County Director of Finance
2. An Original (signed) and twenty (20) copies of the completed application form with attachments;
3. An Original and twenty (20) copies of the following background information on the subject request:

   A. Detailed written description of the proposed use, a statement of objectives and reasons for the request, including proposed hours of operation and number of employees/clientele
   The main goal of this permit is to obtain authorization to construct and operate a preschool/childcare/after school care center on 2 acres of the parcel.
   **********UPDATE**********REMOVING THIS WORDING**********
   ~~Additionally, as a secondary use, the playground may occasionally be rented to host events, such as birthday parties, celebrations, etc., predominantly on weekends.~~
   ********** END OF UPDATE**********

   We operate Alaka'i Academy, a preschool in the Old Industrial Area in Kona. Our school is licensed under Department of Human Services to care for over 72 children at one time. If our Special Permit is approved, we will be moving our school to this new facility once constructed and certified to operate.

   The school will be housed on a set of buildings of approximate 10,000 square feet, consisting of classrooms, bathrooms, and cafeteria with a kitchen, a lobby, some admin space and storage. In addition, a tent-like pavilion will be constructed as well for shade, outdoors performances and other gatherings.

   We envision that the new facility will have capacity to serve our current license capacity of 72 children on day one. We would likely build in some excess capacity to accommodate growth in the future. It is worth noting that the COVID-19 crisis has taken a toll on our enrollment and we are currently below our capacity. Yet, our goal would be to increase the enrollment overtime.

   Our current hours of operations are Mon-Fri 7:00 am to 5:00 pm. We are closed on weekends, and on major holidays, but we don't close for summer and other DOE school breaks.

Alaka`i Academy follows a whole child approach to education. Students are not only intellectual but also social and emotional beings, and all these dimensions interact to impact learning and performance. Without empathy, for example, one can be bright, but arrogant. Without confidence, one aims low, ultimately living beneath his or her potential. A balanced approach leads to healthy growth and prepares children to excel in a wide range of interactions. Over time, this experience at Alaka`i Academy naturally evolves into leadership traits, influential roles and active contributions to family, school, and society.

Alaka`i Academy offers extended operation hours, year-round operation (no summer break), year-round enrollment, and excellence in academics. In addition, Alaka`i Academy is the only large preschool in Kailua Kona that accepts children who are not potty trained.

There are 3 core aspects to the Alaka`i Academy curriculum: Leadership Development, Structured Environment and Academic Excellence. Leadership is in our name. "Alaka`i" means leader/leadership in the Hawaiian language; so it follows that Alaka`i Academy is a Leadership Academy for children. The owner had opportunities to serve in leadership roles during his career. One thing he discovered early on was that leadership success is more likely to be achieved by developing and cultivating emotional intelligence (self-awareness, self-regulation, motivation, empathy, and social skills) than when those skills are relegated to secondary importance. These concepts are very simple (such as listening, controlling one's emotions, showing empathy, putting team goals before individual desires, etc.) but at the same time very difficult to master as an adult because they almost always imply changing who we are.

While adults have a difficult time changing, the character and identity of children are malleable and shaped through daily interactions. Alaka`i Academy has a leadership development program incorporated in the daily curriculum as a weekly leadership theme adapted for children. Sample themes are: a leader is...kind, grateful, creative, respectful, friendly, and happy, etc.; a leader...is a good listener, uses good manners at the table and much more. This curriculum helps children develop emotionally, at the same pace their intellects and their bodies grow.

Alaka`i Academy operates as a very structured environment. Within that structured environment, which provides security and predictability, the teacher's job is to grab the children's imagination and attention, and take them on a metaphorical magic carpet ride, flowing from activity to activity, and from theme to theme, while exposing them to different subjects and concepts along the way. At Alaka`i Academy, children don't "run around wild." The program is delivered via teacher-directed activities. Because children are always looking to the teacher to know what to do next, Alaka`i Academy has been able to greatly minimize children's misbehaviors and accidents. Further, since all classes use this methodology, Alaka`i Academy's individual class approach has developed into culture of proper behavior and safety.

While academic excellence may not necessarily, in and of itself, be the sole hallmark of a great leader, Alaka`i Academy feels that developing in children a love for learning and reading is a definite aid to them in their chosen life pursuit. Alaka`i Academy's academic goal is ambitious: to have every child reading at 1st grade level before entering Kindergarten. A head start in their academic life can only help children through the early stages of their education.

To achieve this goal, Alaka`i Academy does three things: 1) Hires great teachers, 2) Implements a formal reading program, and 3) Values teachers' input on class size. First: Great teachers. In general, educational requirements for preschool teachers are low and mostly focused on child development theory rather than on teaching techniques. With this in mind, Alaka`i Academy began hiring lead teachers who also had experience teaching at the elementary school level. Alaka`i Academy believed and found out in practice that teachers with this background are better able to deliver curriculum and achieve the academic goals of the school.

Second, Alaka`i Academy implements a formal reading curriculum. Reading is an acquired skill. Children don't learn to read by simply hanging out with readers. Reading is not something children just pick up by themselves; reading must be taught. Alaka`i Academy has a fantastic program to help little ones learn to read. It starts with phonics at age 2, moves to upper and lower case letter recognition by age 3, and reinforces phonics with sights words and sound readings, and culminates with developing fluency in 1st grade level books by age prior to entering kindergarten. This approach has been very successful. Over the last 2 years 92% of its students going to kindergarten were reading before they left the school. Further, 100% of children who were with Alaka`i Academy for 2 years read at 1st grade level.

Lastly, Alaka`i Academy values teachers' input on class size. Nearly all preschools try to maximize teacher/student ratio to increase profitability. While profitability is important, teachers' input is considered when determining if a class can take new students. This approach allows teachers to feel respected, takes into consideration different class mixes, and it supports the overall goals of delivering a curriculum effectively.

The outside area of the school is also critical to foster a safe and inviting learning environment. The school will include things like playground equipment; slides, bounce house; water play areas and water equipment (spray park zone/water playground, floating toys, etc.).

Adequate parking spaces will be allocated to meet county guidelines.

When school is not in session (evenings, weekends, school breaks, etc.), the venue may be rented out as an additional way to raise revenues to cover expenses, conduct fundraisers, etc.

Regarding staffing, we currently employ 13 individuals. The new facility will likely increase that number to 15 plus.

B. Description of the subject property in sufficient detail to precisely locate the property. Describe existing uses, structures and topography. If portion of property to be used, state use of remainder of property.

The parcel is located in Kailua Kona, Big Island. The property lot size is 5.3 acres.

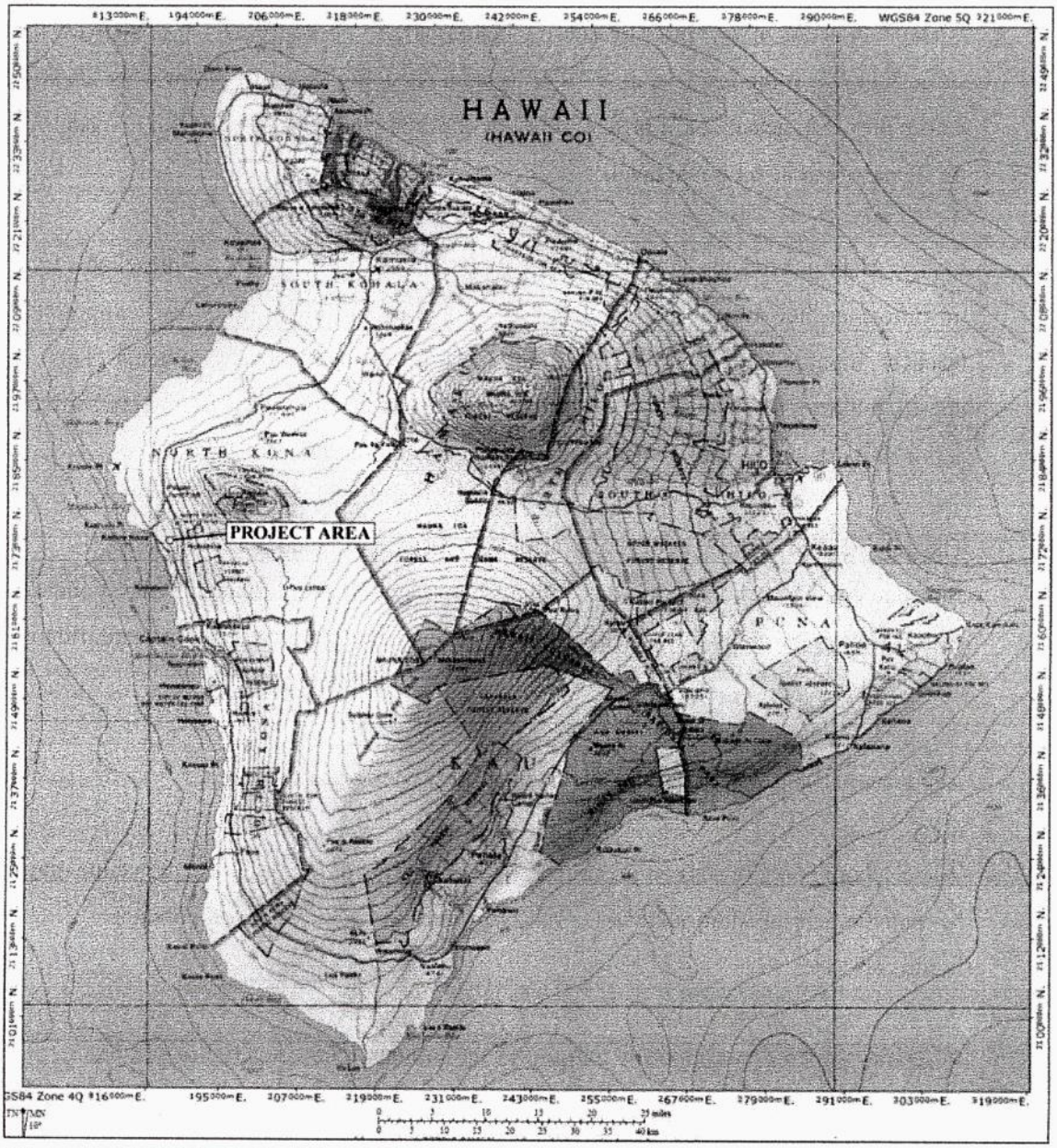


Figure 1: 5,500 K-Series Map of Hawai'i Showing Location of Project Area (National Geographic Topo!, 2003. Sources: National Geographic Society, USGS).

The parcel is located near the intersection of Queen Ka'ahumanu and Hualalai Road. The property will have access via the future Kakalina Street connector road.



Approximately 2 acres of the parcel will be designated for the special use (section highlighted in red).



The remainder of the property will be used to build a single family home and some family farming activities, such as a fruit orchard, farming, etc.

C. State/ County Plans affecting the subject request: General Plan designation, Special Management Area and Community Development Plans.

A-5a

Our Project is located in a site designated under the County of Hawaii General Plan as Urban. Under the land user pattern allocation guide, our project site is identified as medium density urban area, which allows for residential, commercial and multi-family residential uses, which includes daycare/childcare centers and preschools.

Urban (UE) Expansion

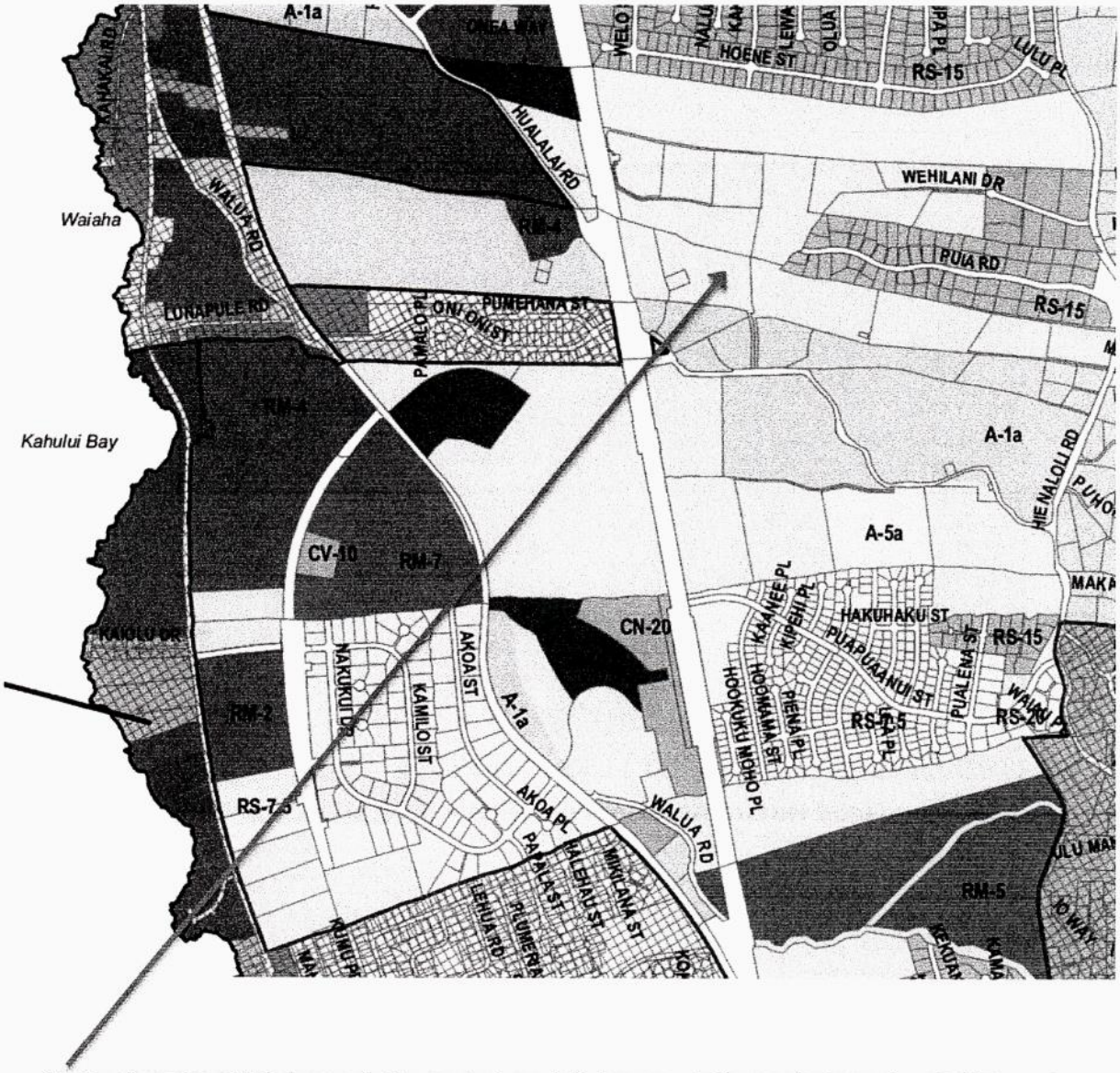
SLU AG

D. Surrounding zoning and land uses.

The property and project site is designated as "Agricultural District" under State Land Use Commission.

Immediately adjacent properties to the north, east and west of the property are zoned as A-5a. Adjacent properties to the south are zoned A-1a. Most of the surrounded parcels are still undeveloped. Current use for most surrounding parcels is cattle grazing. The parcel directly north of our property also has a special permit to operate a public charter school serving grades K-8. Alaka'i Academy serves families of pre-K children, which complements nicely with the elementary school next doors.

Kona CDP



Project location. Light green indicates A-5a and dark green indicates A-1a zoning. Taken from the North Kona Zone Map Section 25-8-3.

E. Flood Insurance Rate Map (FIRM) designation (contact Department of Public Works - Engineering Division).



Flood Hazard Assessment Report

www.hawaiinfip.org

Property Information

COUNTY:	HAWAII
TMK NO:	(3) 7-5-017:045
WATERSHED:	WAIAHA
PARCEL ADDRESS:	ADDRESS NOT DETERMINED KAILUA KONA, HI 96740

Notes:

Flood Hazard Information

FIRM INDEX DATE:	SEPTEMBER 29, 2017
LETTER OF MAP CHANGE(S):	NONE
FEMA FIRM PANEL:	1551660738F
PANEL EFFECTIVE DATE:	SEPTEMBER 29, 2017

THIS PROPERTY IS WITHIN A TSUNAMI EVACUTION ZONE: NO
FOR MORE INFO, VISIT: http://www.scd.hawaii.gov/

THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE: NO
FOR MORE INFO, VISIT: http://dlnreng.hawaii.gov/dam/

0 600 1,200 ft

Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and is not to be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

FLOOD HAZARD ASSESSMENT TOOL LAYER LEGEND
(Note: legend does not correspond with NFHL)

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year), also know as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- **Zone A**: No BFE determined.
- **Zone AE**: BFE determined.
- **Zone AH**: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- **Zone AO**: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- **Zone V**: Coastal flood zone with velocity hazard (wave action); no BFE determined.
- **Zone VE**: Coastal f ood zone with velocity hazard (wave action); BFE determined.
- **Zone AEF**: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- **Zone XS (X shaded)**: Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- **Zone X**: Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

- **Zone D**: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase apply, but coverage is available in participating communities.

F. Archaeological Resources (one of the following):

i. An archaeological inventory report containing significance assessments, effect determinations, and proposed mitigation commitments. The report should be completed pursuant to State Department of Land and Natural Resources Historic Preservation Division (DLNR-SHPD) rules.

ii. A "no effect" letter from the State DLNR Historic Preservation Division.

iii. A copy of a letter written by the applicant to the State DLNR Historic Preservation Division requesting a " no effect" letter, including supporting documentation, to which SHPD has not responded after 30 days (SHPD's time limit under their rules).

See Letter from SHPD attached. Exhibit 1

G. Floral and Faunal Resources.

No formal floral studies have been conducted for the site. The site has been walked multiple times by an archaeologist, a surveyor and by my family. Plans easily observed include elephant grass, Haole Koa bushes (invasive), three small monkey pod trees, a couple African Tulip trees, Kiawe trees, and various other small weeds, such as the Mexican stinky, ivy gourds, etc. Everything seems very common to the area and nothing is rare or endangered plant life.

Similarly, no fauna study was conducted for the site. There are currently 10 cows grazing on the property. Occasionally, our neighbor also brings his 3 horses to help keep the grass down. I have seeb mongooses and even a feral pig or two there.

Therefore, it does not appear to be any indications that our project will have any significant negative impact, if at all, to the floral and fauna resources in the area.

H. Valued Cultural Resources: Identify any traditional and customary native Hawaiian rights that are exercised in the area; the extent in which the proposed development will affect these rights; and feasible action to be taken to protect native Hawaiian rights if they exist.

None exist. See Archeological Report. Exhibit 2

I. Public Access: Existing public access to and along the shoreline or to mountain areas and knowledge of whether public access is being used.

Public access to the site is off Hualalai Road via the Kakalina extension. Families coming either from the north or the south would likely come via Queen Ka'ahumanu Highway and turn mauka on Hualalai Road and then turn left on the Kakalina Extension Connector road.

Families coming from Ali'i Drive would likely come up via Hualalai Road and then turn left on the Kakalina Extension Connector road.

Families coming from Holualoa Mauka would likely come down via Hualalai Road and then turn right on the Kakalina Extension Connector road.

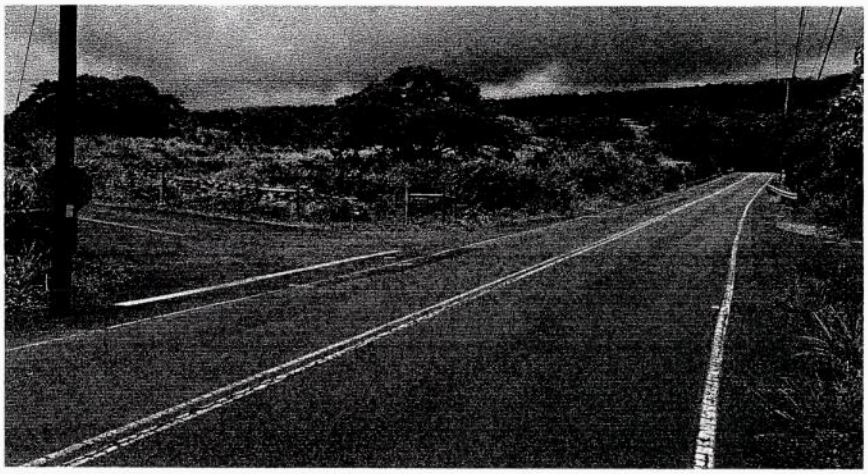
The Kakalina Extension road is 35 feet wide, 2 lane paved road constructed to meet county standards. 100% of the Kakalina Extension road is within my property boundaries so we have unrestricted access and use of the road. There are several easements granted to our neighbors to access their properties via this road so we can't block or develop in a way that stops their access.

Due to the nature of our business, we don't have set pickup times or drop off times. Each family has the flexibility to drop off or pickup anywhere within our hours of operations. Typically, most families drop off between 7 am and 9 am and pick up between 3 pm and 5 pm. It is rare to have multiple families at the same time in the lobby.

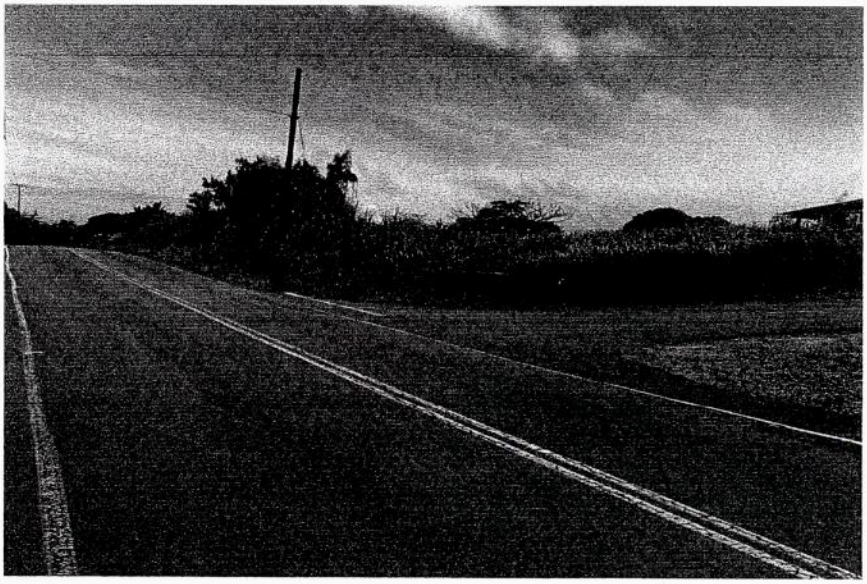
J. Description of access(es) to the area (e.g. width, type of surface and condition of roadway). If a private roadway, submit evidence of access rights.

Kakalina Extension is an asphalt road. Pavement surface is 35 feet wide. Road was constructed to county standards with the intention to dedicate the road to county at one point.

Pic 1. Taken from Hualalai Road facing Mauka, showing intersection of Hualalai Road and Kakalina Street Extension.



Pic 2. Taken from Hualalai Road facing Makai, showing intersection of Hualalai Road and Kakalina Street Extension.



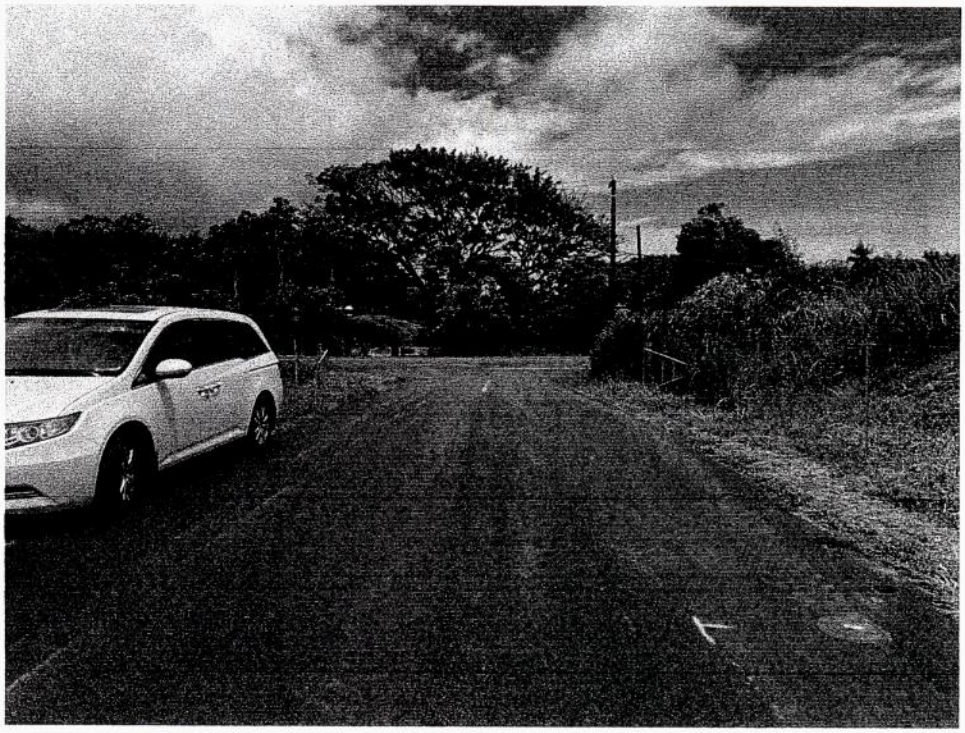
Pic 3. Taken from Hualalai Road facing North (Kakalina Extension).



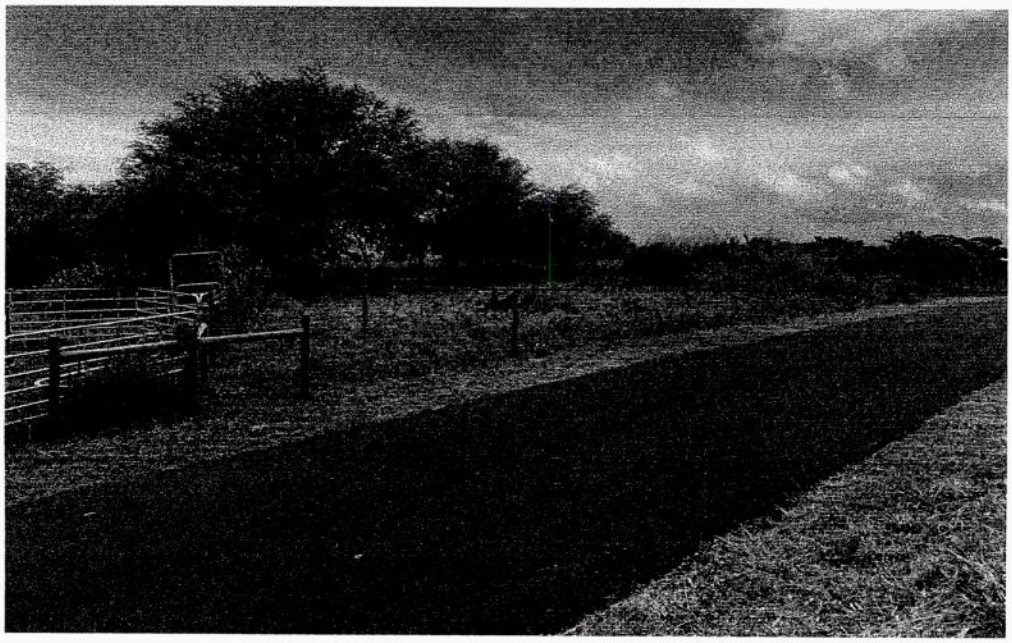
Pic 4. Taken from Kakalina Extension facing North.



Pic 5. Kakalina Extension facing Hualalai Road.



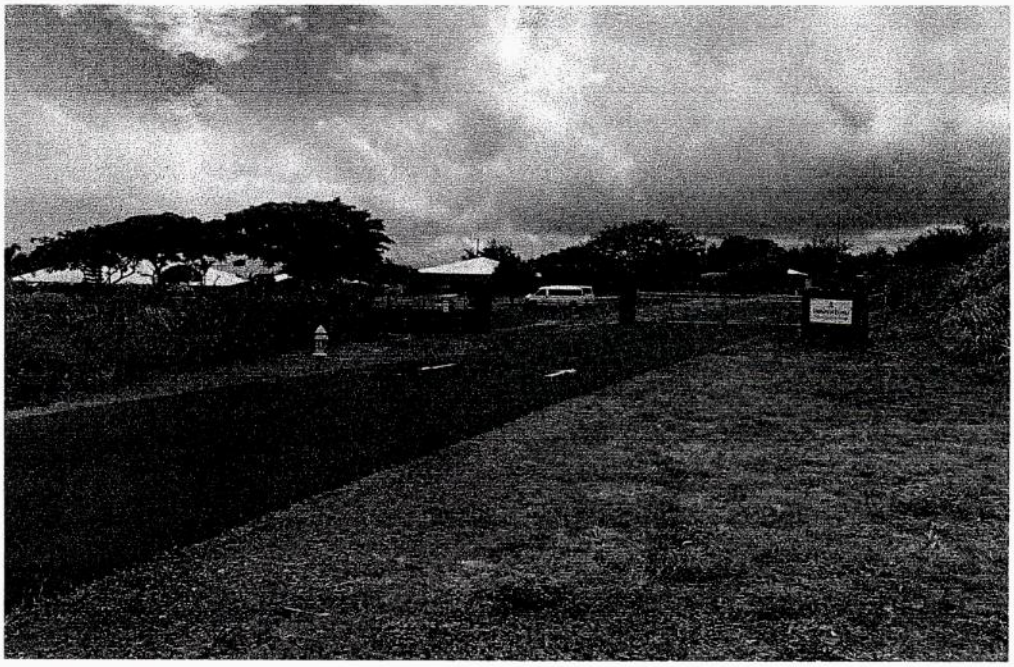
Pic 6. Kakalina Extension. Start of our property



Pic 7. Kakalina Extension. Property to the left of image. Innovations at the end of the road



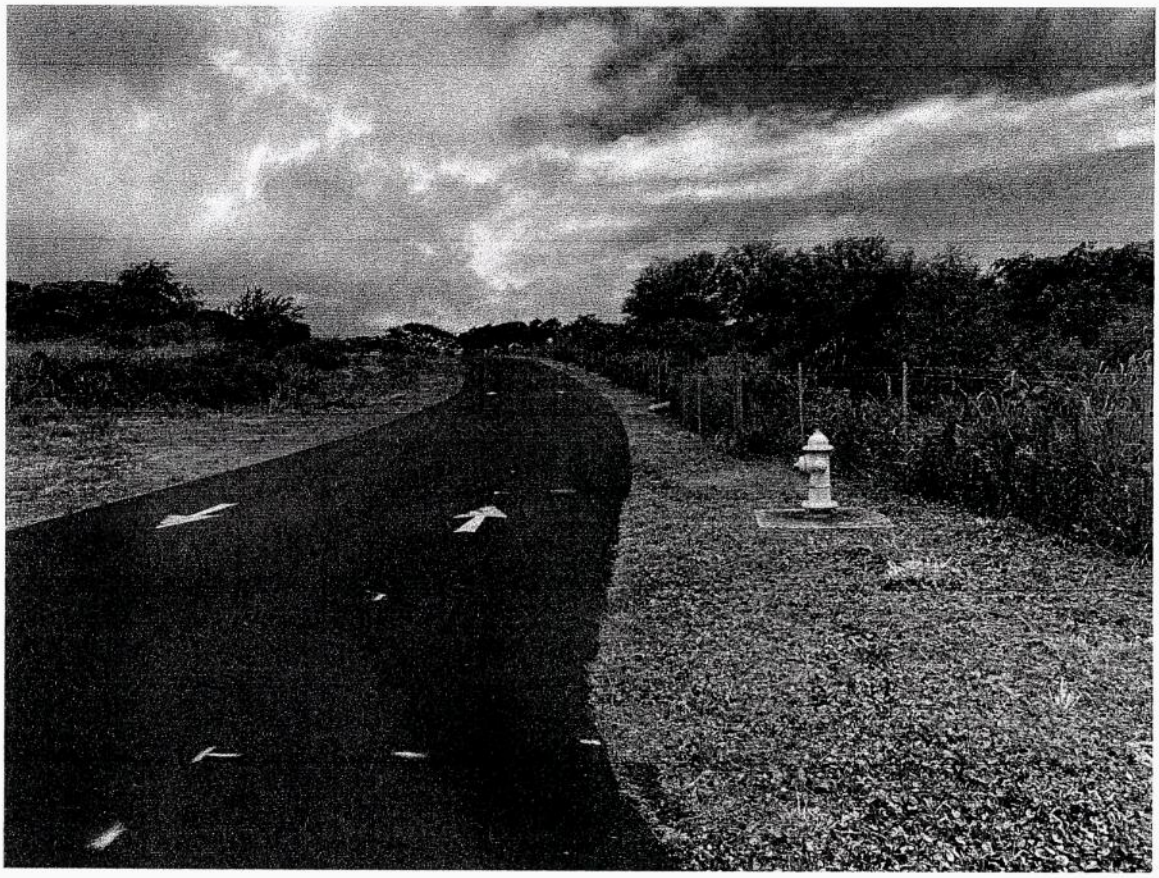
Pic 8. End of Kakalina extension. Innovations School entrance to upper campus.



Pic 9. Kakalina Extension. Water Supply Lines under road.



Pic 10. Kakalina Extension facing south. Property to the right of the image. Fire Hydrant shown.



K. Traffic impacts - assessment of existing traffic conditions, anticipated increase in traffic and traffic impacts from proposed use (a formal study may be requested by Department of Public Works or Department of Transportation during the review process).

See Traffic Impact Analysis Report. Exhibit 3

L. Availability of Utilities: Water, telephone, electricity, sewage disposal.

Water is available at the property. There is a 4-inch main line that connects from Hualalai Road under our property. There is a water line and meter installed on our property. Further, there is a fire hydrant installed in front or our property.

Electricity is currently available through HELCO. There is a work order to bring power to the entire subdivision at this time, but engineering fieldwork is not completed. 740KVolts design is underway. A study will also be made to determine if solar system will be advantageous to install. It would seem that we are a good candidate given the location, and the fact that we don't operate throughout the night.

Public Sewage services are not available at our location. A septic water/waste system will be designed and engineered to meet the code for our school.

Telephone services are available through Spectrum and HawaiianTel and other wireless providers. A provider will be selected at a future date.

4. An Original and twenty (20) copies of how the request meets the following criteria:

A. The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. Include discussion on how the proposed use is not contrary to Chapter 205A, Coastal Zone Management (existing public access, scenic or open space resources, coastal view planes and coastal ecosystems);

Chapter 205: This land is not good for intensive farming. Our site is classified as "E" or "Very Poor" by the Land Study Bureau's Overall Master Productivity Rating.

LSB

objectid	3338
type	E
island	Hawaii
gisacres	394.95255512
shape_leng	12293.9464099
featureuid	{7E8915E9-0CD3-44A2-AD17-F71AAA00CD18}
createdate	
createdby	
modifieddate	
modifiedby	
agency	
deliverydate	9/12/2016, 2:00 PM
sourceid	
severity	
publishdate	12/29/1899, 1:30 PM
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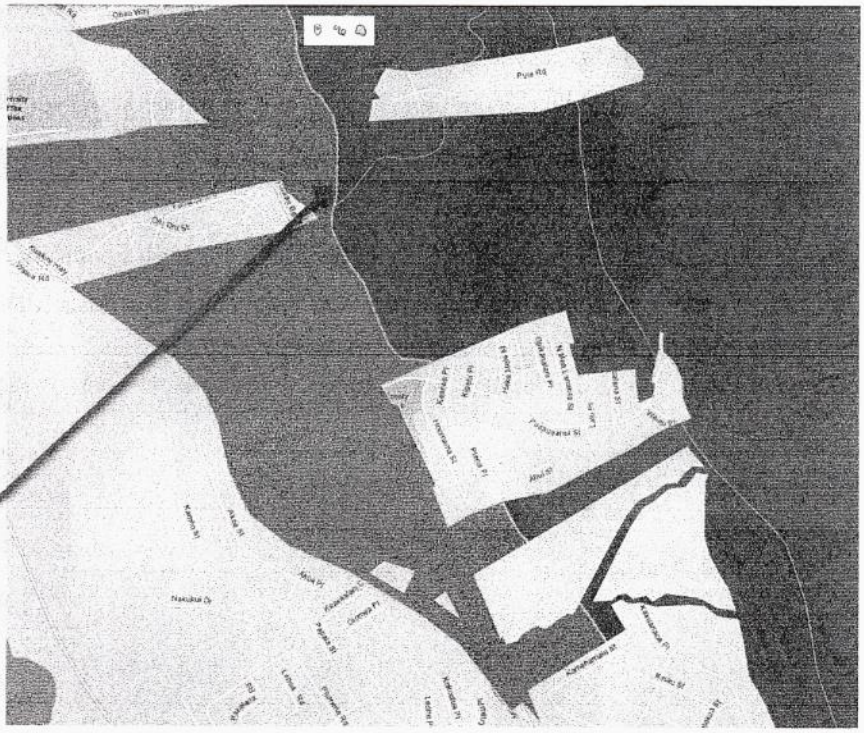


Project location is here. Also, the Department of Agriculture's ALISH Map does not classify the subject property as having any agricultural importance.

Chapter 205A: Property located above highway and more than one mile from the ocean. Approval of this project will not adversely affect coastal ecosystems, economic use, marine resources, etc.

B. The desired use shall not adversely affect the surrounding properties;

The desire use shall not adversely affect the surrounding properties. Most surrounding land is agricultural/pasture grazing land/vacant land. The lot immediately north is a school already.

The preschool operates M-F from 7-5pm and it will be a blessing to the community in general.

C. Such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.

The attached traffic study shows that no additional roads, streets improvements will be required because of our development.

Existing water infrastructure is sufficient for our project.

Public sewer system is not available at our site so we will be developing our own waste water system.

School improvements are not anticipated because of our project. If anything, we will be taking some of the burden on the public school's preschools by adding to the overall capacity of the system.

Police and Fire are available in Kona and our project is not expected to impose a burden on those services. We have operated our preschool for 6 years in the old industrial area and have not unduly burden their services.

D. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established.

Kona's population continues to grow. Demand for preschool services is very high (most preschools run a waitlist). With cost of living so high in Hawaii, most families require that both parents work. Without childcare, it becomes impossible for some families to provide for their children. Our project will support the expected population growth while providing essential services to families in our community.

E. The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

Our site is as good as it gets to build our school. It is not prime agricultural land, in fact very poor farming land, yet, conveniently accessible to the public and inside the urban development area. Our request is "unusual and reasonable" use of the land.

F. The proposed use will not substantially alter or change the essential character of the land and the present use.

The proposed use should not substantially alter or change the potential visual character of the land. There is a school next to the lot. Also, landscaping will greatly improve the visual appeal of the area as a whole.

G. The proposed use will not be contrary to the goals, policies and standards of the General Plan and other applicable documents such as community development plans and design plans. (Note: Copies of the General Plan document and other plans are available at the Hawaii County Planning Department or at public libraries)

Our proposed use of the land will support the urban designation of the land within the general plan. Most families nowadays have both parents working. Without childcare, it becomes impossible for some families to provide of their children. Accessible and convenient location is also en essential characteristic of childcare.

H. The proposed use is an unusual and reasonable use of land, which would not be contrary to the objectives to be sought by the Land Use Law and Regulations, which, for the Agricultural and Rural Districts, seeks to preserve or keep lands of high agricultural potential in agricultural use.

Our site is classified as "E" or "Very Poor" by the Land Study Bureau's Overall Master Productivity Rating. Also, the Department of Agriculture's ALISH Map does not classify the subject property as having any agricultural importance.

Since land is not suitable for farming, non-agricultural uses can and should be allowed. Our project will not result in extensive public project improvements or adversely affect surrounding properties. The land is part of the urban core and childcare/preschools are approved uses within the urban core.

5. An Original and twenty (20) copies of a scale- drawn plot plan of the property showing property lines and measurements; all existing and proposed structures with elevations, uses and improvements; and reference points such as roadways, shoreline, etc.

   Exhibit 4 contains the small size architectural drawings.

6. One copy of a full- size (2' x 3') scale- drawn plot plan of Item 4 for presentation purposes.

   Exhibit 5 contains the large size architectural drawings.

7. A list of the names, addresses and tax map keys of all owners and lessees of record of surrounding properties who are required to receive notice.

   Owner Names
   PENALOZA, PABLO A Fee Owner, Tenants by the Entirety
   PENAZOLA, LUCIANA C Fee Owner

   Mailing Address
   PENALOZA, PABLO A
   75-378 NANI KAILUA DR
   KAILUA KONA HI 96740-1936

   Mailing Address
   PENALOZA, LUCIANA C
   75-378 NANI KAILUA DR
   KAILUA KONA HI 96740-1936

8. Any other plans or additional information relevant to this application may be requested by the Planning Director to facilitate processing of this request.

   None.

PLANNING DEPARTMENT
County of Hawaii
74-5044 Ane Keohokalole Hwy
Kailua-Kona, HI 96740

RECEIVED DEC 21 202

Addendum to Special Permit application

APPLICANT: PABLO PENALOZA

ADDRESS: 75-477 HUALALAI ROAD
KAILUA KONA, HAWAII 96740
USA

TAX MAP KEY: (3) 7-5-017:045

Additional information clarifying the uses of the property:

Questions from Planning:
Based on the application you are requesting that the facility be permitted to hold special events on the weekends. We need specifics regarding that proposed use. Number of guests, parking, bathrooms, food service, type of events, timing of events (hours of operation), etc. We need as much detail as possible on those weekend events to support that use.

Regarding the event venue portion, my vision is to use the school facility to host birthday parties, community events and schools fundraisers. I would also like to add a comment regarding our food permit and expected ktchen capabilities.

Birthday Parties. The venue will be open to the community but I anticipate that it may be mainly our students and their friends and families. As for number of guests, I would think no more than 50 people. The party will be 100% outdoors. Parking will be same as shown on the site plan. Our building design has 3 bathrooms that are accessible from the outdoor playground are so those would be available for the party.

We will not provide food service or access to our kitchen area for parties. I imagine guests bringing their own food/snacks. The typical hours would be Saturday and Holidays (No Sundays) between 9 am and 8 pm but each event would be less than 3 hours. I don't anticipate having more than 2 events in the same day.

Community Events. We would like to make available a single classroom (while school is not at capacity) or the outdoor space on evenings to groups that may want to use our space to meet up. Examples may be (Ukulele group, hula classes, etc.). Our criteria would be to promote activities for young children after hours. The school will not run those activities, just provide the facility space to meet. As for number of guests for community events, I would think no more than 25 people. Parking will be same as shown on the site plan. If these activities are conducted inside the classrooms, bathrooms will be available on each classroom. If outside, then, the bathrooms to be use will

Planning Dept. Exhibit 3

SCANNED
DEC 30 2020
By: 1389486

be the outside bathrooms. Hours will be evening only, so after 6PM and before 9PM.

School Fundraisers. I would like to do a large event once per year where the entire staff and parents would come together. Bouncy houses for the keiki, live music maybe a carnival or something like that would create the atmosphere. This even will have a specific goal to raise funds for scholarships, or to improve the facilities, etc.

Food is always a big hit when it comes to fundraisers in Kona. We would like to explore offering a pancake breakfast, or plate lunch type of foodservice of the event. We will seek to obtain a special event permit for that purpose.

I anticipate this annual event to be large in attendance, probably around 100 people with people coming and going through the event. All school bathrooms will be available as needed. Initially, depending on the number or attendees. The event will be 100% outdoors and parking will be same as shown on the site plan. The hours of these even will likely be between 10-2 and will be done during a summer month.

School Kitchen. Under our current operations, we hold a food-establishment permit (High Risk Institutional Kitchens) that allows us to operate our kitchen under the supervision of the department of health that conducts quarterly inspections.

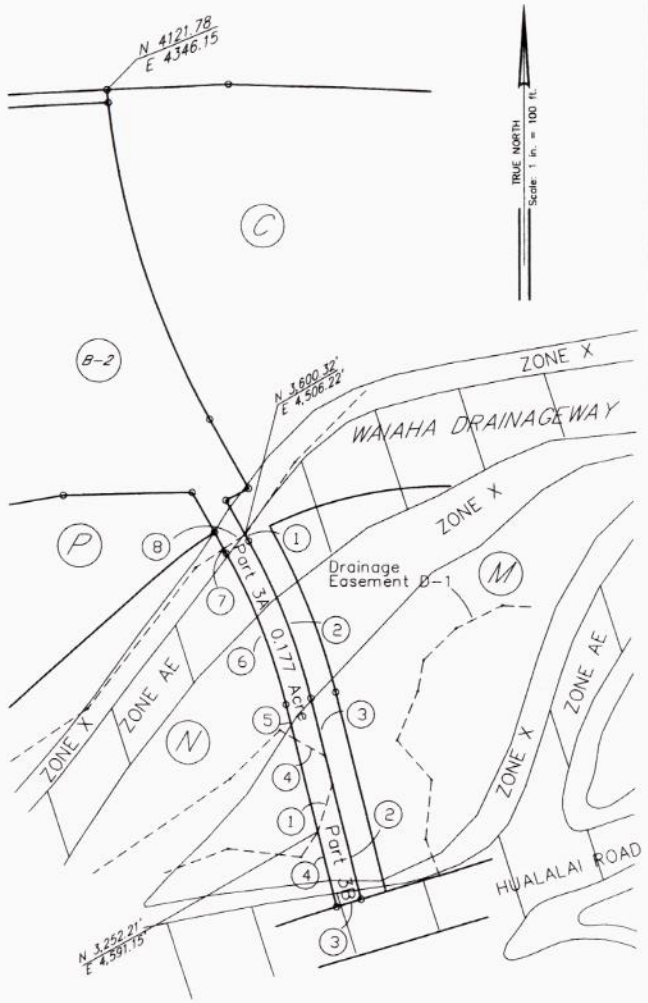
Alaka'i Academy is currently part of the USDA child nutrition program, which allows the school to provide meals, free of charge, to low income children in our care. The school currently serves breakfast, lunch and an afternoon snack.

It is our expectation that the new facility will hold a similar license and operate in a similar fashion as it relates to our kitchen infrastructure and operations.

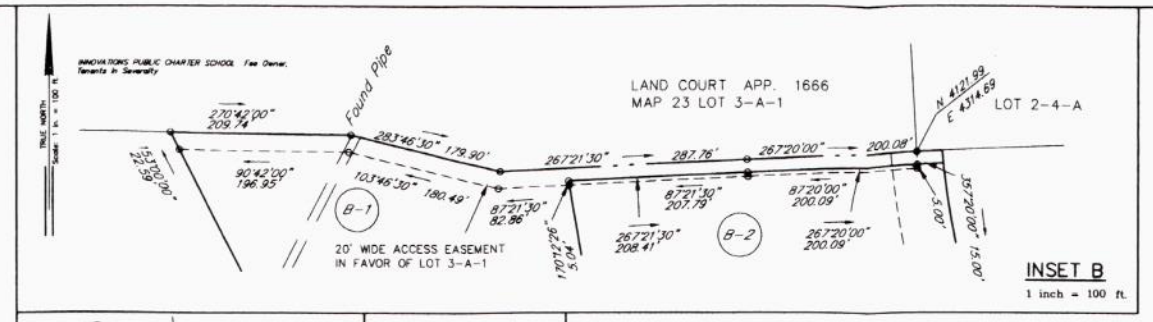
I hope that this addendum will help answer some of the questions regarding the uses we seek for our property. Should you have any further comments, I will be prompt to reply.

Pablo Penaloza,
(808)990-7041

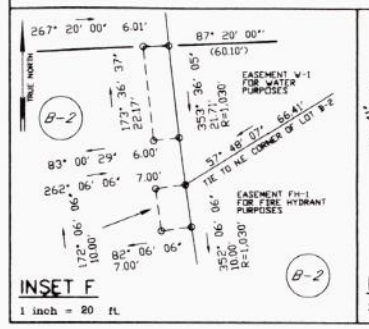
12/21/20



INSET A
1 inch = 100 ft.



INSET B
1 inch = 100 ft.



INSET F
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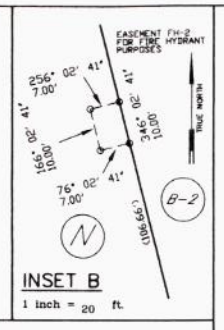

INSET B
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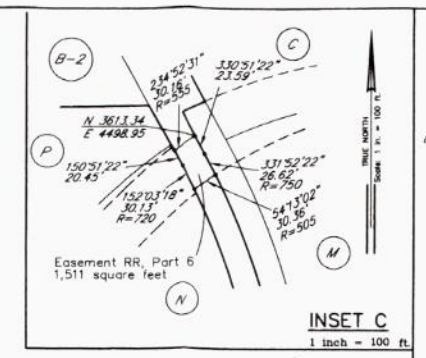
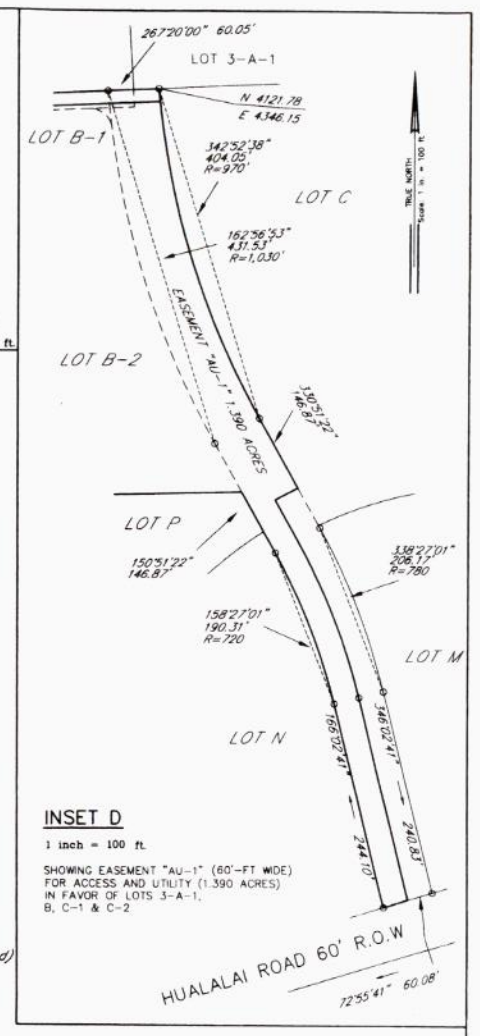


INSET C
1 inch = 100 ft.



INSET D
1 inch = 100 ft.
SHOWING EASEMENT "AU-1" (60'-FT. WIDE) FOR ACCESS AND UTILITY (1.390 ACRES) IN FAVOR OF LOTS 3-A-1, B, C-1 & C-2

Easement D-1
Part 3A 0.177 acres

COURSE	DIRECTION	DISTANCE	
1	330°51'22"	8.67'	
2	338°27'01"	198.24'	R=750'
3	346°02'41"	69.51'	
4	119°26'32"	41.29'	
5	166°02'41"	41.14'	
6	158°27'01"	190.31'	R=720'
7	150°51'22"	6.21'	
8	236°10'19"	30.10'	

Easement D-1
Part 3B 3,446 square feet

COURSE	DIRECTION	DISTANCE
1	196°57'47"	58.39'
2	346°02'41"	139.11'
3	72°55'41"	30.04'
4	166°02'41"	90.65'

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

LEGEND

Drainage Easements within approximate areas of flood inundation per FLOOD STUDY BY LYONS & ASSOCIATES AND FLOOD PLANE PER FIRM COMMUNITY PANEL 155166 0713 D, REVISED MAY 16, 1994

GRANT LINE

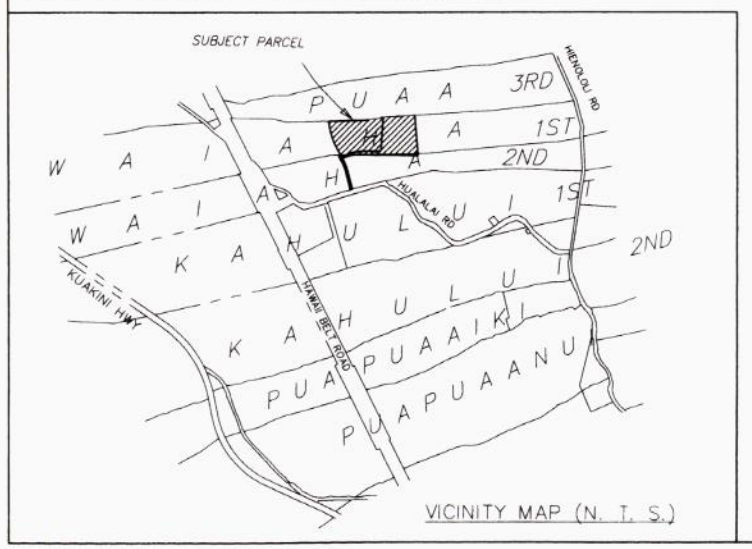
EASEMENT

EASEMENT RR ROAD RESERVE EASEMENT REALIGNED

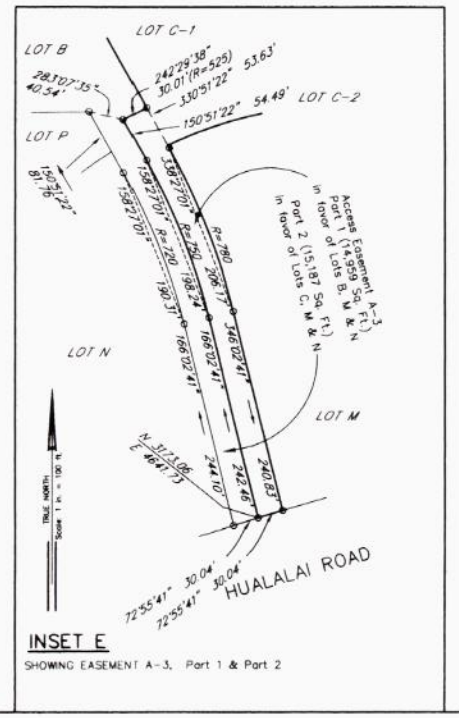
NOTES

The names of adjoining owners are from available Tax Map records.
Azimuths and coordinates are referred to Government Survey Triangulation Station "KAHELO"

Subject Parcel is located partially in Zone AE (special flood hazard areas inundated by 100-year flood, base flood elevations determined), partially in Zone X (shaded)(areas of 500-year flood) and partially in Zone X (areas determined to be outside the 500-year flood plain) as per Flood Insurance Rate Map (F.I.R.M) Community-Panel Number 155166 0713 D, revised May 16, 1994 and Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 155166 0714 C, revised September 16, 1988



VICINITY MAP (N. T. S.)



INSET E
SHOWING EASEMENT A-3, Part 1 & Part 2

MAP SHOWING THE CONSOLIDATION OF LOTS B of WAIAHA RIDGE SUBDIVISION and TMK 7-5-17:09
Being a Portion of R. P. 1930 to Asa Thurston, L.C. Aw. 387, Part 4, Section 2, No. 3
to American Board of Commissioners for Foreign Missions, Grant 983 to Kipola,

and Grant 4394 to H. Willgeroth
AND SUBDIVISION INTO LOTS B-1 AND B-2
AT KAHULUI 1st, WAIAHA 1st & 2nd, NORTH KONA
ISLAND, COUNTY AND STATE OF HAWAII
TOTAL AREA: 9.973 ACRES
TOTAL LOTS: 2

SUBDIVISION NUMBER SUB-17-001712
APPROVED FOR RECORDATION with the Bureau of Conveyances, State of Hawaii

Planning Director, County of Hawaii
Date: DEC 12 2018

PREPARED FOR: WAIAHA RIDGE LLC. (OWNER)
PO Box 909
KAILUA-KONA, HAWAII 96745

ERIK LANGE
LICENSED PROFESSIONAL LAND SURVEYOR No. 10735
HAWAII, U.S.A.
Expires 4/30/18

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION.

DATE: 8/18/17
REVISED TO SHOW WATER METERS 3/02/18

Erik Lange L.S.
75-5810 Pua Keni Keni Place
Kailua-Kona, HI 96740
Phone (808) 896-7925

Planning Dept.
Exhibit 4

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

December 18, 2020

COH PLANNING DEP
DEC 21 2020 PM2:2

REC'D HAND DELIVERI

TO: Mr. Zendo Kern, Director
Planning Department

FROM: Keith K. Okamoto, Manager–Chief Engineer

SUBJECT: **Special Permit Application (SPP 20-000221)**
Applicant – Pablo Penazola
Request – To Operate a Childcare Center/Preschool Facility and Construct a Playground for Student Use & as an "Event Venue" to be Rented Commercially
Tax Map Key 7-5-017:045

We have reviewed the subject application and have the following comments and conditions.

The Department requests that the applicant submit estimated maximum daily water usage calculations for review and approval. The water usage calculations shall be prepared by a professional engineer licensed in the State of Hawai'i and should include the estimated peak flow in gallons per minute (GPM) and the total estimated maximum daily water usage in gallons per day, including all irrigation/landscaping use.

Upon receipt of the water usage calculations above, the Department will make a determination as to the water commitment deposit amount and prevailing facilities charge (subject to change) to be paid, if necessary. Based on the water demand calculations, the Department will determine the appropriate service lateral and meter size required.

The proposed zoning will require the installation of a reduced pressure type backflow prevention assembly within five (5) feet of the meter on private property. If a larger or additional meter is required, a backflow prevention assembly will also be required for the that meter. The installation of the backflow prevention assembly(s) must be inspected and approved by the Department before the commencement/continuation of water service.

Please be informed that the existing 8-inch waterline fronting the subject parcel is inadequate to provide the required 2,000 gallons per minute flow for fire protection, as per the Department's Water System Standards.

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at 961-8070, extension 255.

Planning Dept.
Exhibit 5

Sincerely yours,

Okamoto

Keith K. Okamoto, P.E.
Manager--Chief Engineer

SCANNED
DEC 22 2020
By: 138644

TS:dmj

copy – Pablo Penazola

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

Ramzi I. Mansour
Director

COH PLANNING DEPT
DEC 24 2020 PM2:47

REC'D HAND DELIVERED

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720
Ph: (808) 961-8083 · Fax: (808) 961-8086
Email: cohdem@hawaiicounty.gov

MEMORANDUM

TO: Zendo Kern, Director
Planning Department

FROM: Ramzi I. Mansour, Director
Environmental Management Department

DATE: December 16, 2020

SUBJECT: Special Permit Application (SPP 20-000221)
Applicant: Pablo Penazola
Request to Operate a Childcare Center/ Preschool Facility and Construct a Playground for Student Use and as an Event Venue to be Rented Commercially
Tax Map Key: (3) 7-5-017-045

The Solid Waste Division has reviewed the subject application and offers the following comments and/or recommendations (contact the Solid Waste Division for details):

(X) No comments.
( ) Commercial operations, State and Federal agencies, religious entities and non-profit organization may not use transfer stations for disposal.
( ) Aggregates and any other construction/demolition waste should be responsibly reused to its fullest extent.
( ) Ample and equal room should be provided for rubbish and recycling.
( ) Green waste may be transported to the green waste sites located at the West Hawai'i Organics Facility and East Hawai'i Organics Facility, or other suitable diversion programs.
( ) Construction and demolition waste is prohibited at all County Transfer Stations.
( ) Submit Solid Waste Management Plan in accordance with attached guidelines.
( ) Existing Solid Waste Management Plan is to be followed. Provide update to the department on current status.
( ) Other: _____

SCANNED
DEC 28 2020
By: 138791

SPP-20-221

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

March 17, 2021

COH PLANNING DEP
MAR 18 2021 PM2:4
REC'D HAND DELIVERE

Mr. Mark Morrison, P.E.
P.O. Box 529
Hōlualoa, HI 96725

Dear Mr. Morrison:

Subject: Water Usage Calculations for the Alaka'i Academy
Applicant – Pablo Penazola
Tax Map Key 7-5-017:045

We have received the water demand calculations for the subject project and have the following comments.

Please be informed that the Department requests that the engineer submit revised estimated average daily water demand calculations.

Enclosed is a marked-up copy of the water usage calculations with our comments noted in red.

Please be informed that the water availability in the area of the subject parcel provides for the same number of water units as the number of lots allowable under the current zoning.

Based on the above information, the subject parcel is limited to the one (1) existing 5/8-inch meter (Account No. 890-05581, allotted one [1] equivalent unit of water) assigned to the parcel. For your information, one (1) unit of water is equal to an average daily usage of 400 gallons, which is suitable for only one (1) single-family dwelling.

The Department acknowledges that potable water is Hawai'i Island's most precious resource and encourages our communities to promote water conservation and reserve the highest quality of water for the most valuable end use, which is the sustenance of life. Alternate methods (i.e. reclaimed or reused water) for non-potable demand of water or irrigation should be implemented.

The proposed use will require the installation of a reduced pressure type backflow prevention assembly, within five (5) feet of the meter on private property. The installation of the backflow prevention assembly must be inspected and approved by the Department before the commencement/continuation of water service.

SCANNED
MAR 22 2021
By: 140564

Please be informed that the existing 8-inch waterline fronting the subject parcel is inadequate to provide the required 2,000 gallons per minute flow for fire protection, as per the Department's Water System Standards.

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at 961-8070, extension 255.

Sincerely yours,

Keith K. Okamoto, P.E.
Manager–Chief Engineer

TS:dfg

Enc.

copy – Pablo Penazola
Planning Department

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

Steven Ikaika Rodenhurst, P.E.
Director

County of Hawai'i
DEPARTMENT OF PUBLIC WORKS
Aupuni Center
101 Pauahi Street, Suite 7 · Hilo, Hawai'i 96720-4224
(808) 961-8321 · Fax (808) 961-8630
public_works@hawaiicounty.gov

CGH PLANNING DEP
DEC 28 2020 AM8:12

MEMORANDUM

Date: December 23, 2020

To: Zendo Kern, Planning Director

From: Department of Public Works, Engineering Division

Subject: Special Permit Application (SPP 20-000221)
Applicant: Pablo Penaloza
Request: To Operate a Childcare Center/Preschool Facility and Construct a Playground for Student Use & as an "Event Venue" to be Rented Commercially
Tax Map Key: 7-5-017:045

We have reviewed the subject application and our comments are as follows:

1. DPW Engineering feels that the traffic count inflation for COVID and School Closure is too low. DPW Engineering will leave further comment on this to DPW Traffic Division and the State DOT as they are the jurisdictional agencies over Hualalai Road and Queen Kaahumanu Highway, respectively.

2. Special Flood Hazard Areas AE and AEF affect the subject parcel as designated by the Flood Insurance Rate Map (FIRM). Improvements in a floodplain will be subject to the requirements of Chapter 27 – Floodplain Management – of the Hawaii County Code.

3. All earthwork and grading shall conform to Chapter 10 – Erosion and Sedimentation Control – of the Hawaii County Code.

4. All work within the County Right-of-Way shall conform to Chapter 22 – County Streets – of the Hawaii County Code.

5. All development generated runoff shall be disposed of on site and shall not be directed toward any adjacent properties. Additionally, the project generated runoff shall not be directed toward Kakalina Road, the access easements, nor the Waiaha Drainageway & Waiaha Drainageway Splitflow No. 1. A drainage report shall be prepared and submitted to DPW Engineering for review and approval.

Planning Dept.
Exhibit 6

Please feel free to contact our Kona Engineering Division office at 323-4850 with any questions.

NW
Copy: ENG-HILO/KONA

SCANNED
DEC 28 2020
By: 138795

DAVID Y. IGE
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 916
HILO, HI 96721-0916

In reply, please refer to:
File:

COH PLANNING DEP
JAN 6 2021 PM4:0
REC'D HAND DELIVER

MEMORANDUM

DATE: January 5, 2021

TO: Mr. Zendo Kern
Planning Director, County of Hawaii

FROM: Eric Honda
District Environmental Health Program Chief

SUBJECT: Special Permit Application (SPP 20-000221)
Applicant: Pablo Penazola
Request: To Operate a Childcare Center/Preschool Facility and Construct a Playground for Student Use & as an "Event Venue" to be Rented Commercially.
TMK: 7-5-017:045

The applicant would need to meet the requirements of our Department of Health Air Pollution Rules, Chapter 60.1, Title 11, State of Hawaii for fugitive dust control. If there is need to discuss these requirements, please contact our Clean Air Branch staff at Ph. 933-0401.

The proposed kitchen needs to meet the requirements of Chapter 50, Food Safety Code. Please call our office (Ph. 933-0917) for consultation and additional information.

Wastewater Branch is unable to make comments to the proposed project at this time. Before we can offer any comments, the applicant needs to address the following:
a. The amount of wastewater to be generated by the project.
Please have your engineer submit to WWB wastewater calculations and management plans.

Planning Dept.
Exhibit 7

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of the subject document on December 15, 2020. The CWB has reviewed the limited information contained in the subject document and offers the following comments:

Permit Issuance

SCANNED
JAN 07 2021
By 139077

* Any project and its potential impacts to State waters must meet the State's:
1) Antidegradation policy, which requires that the existing uses and the level

JAN 07 2021
JAN 07 2021

of water quality necessary to protect the existing uses of the receiving State water be maintained and protected;

2) Designated uses, as determined by the classification of the receiving State waters; and
3) Water quality criteria [Hawaii Administrative Rules (HAR), Chapter 11-54],

* A Section 401 Water quality Certification (WQC) is required if your project/activity:
  - Requires a federal permit, license, certificate, approval, registration, or Statutory exemption; and
  - May result in a discharge into State waters. The term "discharge" is defined in Clean Water Act, Subsections 502(16), 502(12), and 502(6). Examples of "discharge" include, but are not limited to, allowing the following pollutants to enter State waters from the surface or in-water: solid waste, rock/sand/dirt, heat, sewage, construction debris, any underwater work, chemicals, fugitive dust/spray/paint, agricultural wastes, biological materials, industrial wastes, concrete/sealant/epoxy, and washing/cleaning effluent.

Determine if your project/activity requires a federal permit, license, certificate, approval, registration, or statutory exemption by contacting the appropriate federal agencies (e.g. Department of the Army (DA), U.S. Army Corps of Engineers (COE), Pacific Ocean Division Honolulu District Office (POH) Tel: 808-835-4303; U.S. Environmental Protection Agency Tel: 415-947-8021; Federal Energy Regulatory Commission Tel: 866-208-3372; U.S. Coast Guard Office of Bridge Programs Tel: 202-372-1511).

To request a Section 401 WQC, you must complete and submit the Section 401 WQC application. This application is available on the e-Permitting Portal website located at: https://cha-cloud.doh.hawaii.gov/epermit/.

Please see HAR, chapter 11-54 for the State' Water Quality Standards and for more information on the Section 401 WQC. HAR, Chapter 11-54 is available on the CWB website at: http://health.hawaii.gov/cwb/.

- National Pollutant Discharge Elimination System (NPDES) permit coverage is required for:
  -Storm water associated with construction activities for land disturbances of one (1) acre or more. Land disturbance includes, but is not limited to, clearing, grading, grubbing, excavation, demolition, uprooting of vegetation, equipment staging, and storage areas.

  -Storm water associated with industrial activities for facilities with Standard Industrial Classification Codes regulated in 40 CFR 122.26(b)(14)(i) through (ix) and (xi).

  -Storm water and certain non-storm water from a small Municipal Separate Storm Sewer System.

-Discharges of water pollutants into State surface waters. Examples of these discharges include, but are not limited to, cooling water, hydrotesting waters, dewatering effluent, and process wastewater.

-Discharges from the application of pesticides (including pesticides, herbicides, fungicides, rodenticides, and various other substances to control pest) to State waters.

An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge or start of construction activities. To request and NPDES individual permit, you must complete and submit the NPDES individual permit application. This application is available on the e-Permitting Portal website located at: https://eha-cloud.doh.hawaii.gov/epermit/.

A Notice of Intent (NOI) for coverage under a specific NPDES general permit must be submitted at least 30 calendar days before the commencement of the discharge or start of construction activities. To request NPDES general permit coverage, you must complete and submit the NOI. The NOI is available on the e-Permitting Portal website located at: https://eha-cloud.doh.hawaii.gov/epermit/.

Please see HAR, Chapter 11-55 for more information on the NPDES individual permit and NPDES general permits. The specific NPDES general permits located in HAR, Chapter 11-55, Appendices B through M. HAR, Chapter 11-55 and HAR, Chapter 11-55, Appendices B through M are available on the CWB website at: http://health.hawaii.gov/cwb/.

- According to State law, all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards.

Monitoring

- Effluent discharge and/or receiving water monitoring may be required as conditions of Section 401 Water Quality Certifications and NPDES General and Individual permits.

Enforcement

- Noncompliance with water quality requirements contained in HAR, Chapter 11-54 and/or permitting requirements specified in HAR, Chapter 11-55 may be subject to penalties of $25,000 per day per violation.

- Violations of Hawaii Revised Statutes 342D and 342E may elicit administrative, civil and criminal penalties for such violations.

Polluted Runoff Control

- Manage projects identified in watershed-based plans that reduce polluted runoff and educate the public about nonpoint source pollution. Projects are selected through an annual request for proposals. Funding is provided by the EPA through the Clean Water Act. For more information on projects and funding opportunities, please visit: www.hawaii.gov/doh/pollutedrunoffcontrol.

If you have any questions, please contact Ms. Joanne Seto, Supervisor of the Engineering Section, CWB, at (808) 586-4309.

Construction activities must comply with the provisions of Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control."

1. The contractor must obtain a noise permit if the noise levels from the construction activities are expected to exceed the allowable levels of the rules.

2. Construction equipment and on-site vehicles requiring an exhaust of gas or air must be equipped with mufflers.

3. The contractor must comply with the requirements pertaining to construction activities as specified in the rules and the conditions issued with the permit.

Should there be any questions on this matter, please contact the Department of Health at 933-0917.

Lands formerly used for sugarcane production are now being developed into communities where residential homes, schools and commercial businesses are being constructed. Chemicals associated with the sugarcane industry persist in soil today and may be a threat to public health and the environment. Elevated arsenic levels were discovered in soil at former sugarcane production areas on the islands. The HEER Office has identified former sugarcane production areas for assessment throughout the state and plans to work with property owners to conduct environmental assessments to identify and address elevated soil arsenic levels prior to finalizing development plans for the properties.

We recommend that you review all of the Standard Comments on our website:

http://hawaii.gov/health/environmental/env-planning/landuse/landuse.html. Any comments specifically applicable to this project should be adhered to.

The same website also features a Healthy Community Design Smart Growth Checklist (Checklist) created by Built Environment Working Group (BEWG) of the Hawaii State Department of Health. The BEWG recommends that state and county planning departments, developers, planners, engineers and other interested parties apply the healthy built environment

principles in the Checklist whenever they plan or review new developments or redevelopments projects. We also ask you to share this list with others to increase community awareness on healthy community design.

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

Robert R.K. Perreira
Acting Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

CCH PLANNING DEP
DEC 17 2020
REC'D BY EMA

December 17, 2020

TO: ZENDO KERN, PLANNING DIRECTOR

FROM: ROBERT R. K. PERREIRA, ACTING FIRE CHIEF

SUBJECT: Special Permit Application (SPP 20-000221)
Applicant: Pablo Penazola
Request: To Operate a Childcare Center/Preschool Facility and Construct A Playground for Student Use & as an "Event Venue" to be Rented Commercially
Tax Map Key: (3) 7-5-017:045

In regards to the above-mentioned request, the following shall be in accordance:

NFPA 1, UNIFORM FIRE CODE, 2006 EDITION
Note: Hawai'i State Fire Code, National Fire Protection Association 2006 version, with County of Hawai'i amendments. County amendments are identified with a preceding "C~" of the reference code.

Chapter 18 Fire Department Access and Water Supply

18.1 General. Fire department access and water supplies shall comply with this chapter.

For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, and the AHJ may require additional safeguards including, but not limited to, additional fire appliance units, more than one type of appliance, or special systems suitable for the protection of the hazard involved.

Planning Dept.
Exhibit 8

18.1.1 Plans.

18.1.1.1 Fire Apparatus Access. Plans for fire apparatus access roads shall be submitted to the fire department for review and approval prior to construction.

SCANNED
DEC 17 2020
By 38606

18.1.1.2 Fire Hydrant Systems. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

C~ 18.1.1.2.1 Fire Hydrant use and Restrictions. No unauthorized person shall use or operate any Fire hydrant unless such person first secures permission or a permit from the owner or representative of the department, or company that owns or governs that water supply or system. Exception: Fire Department personnel conducting firefighting operations, hydrant testing, and/or maintenance, and the flushing and acceptance of hydrants witnessed by Fire Prevention Bureau personnel.

18.2 Fire Department Access.

18.2.1 Fire department access and fire department access roads shall be provided and maintained in accordance with Section 18.2.

18.2.2* Access to Structures or Areas.

18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security.

18.2.2.2 Access to Gated Subdivisions or Developments. The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system.

18.2.2.3 Access Maintenance. The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.1 or 18.2.2.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access.

18.2.3 Fire Department Access Roads. (*may be referred as FDAR)

18.2.3.1 Required Access.

18.2.3.1.1 Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.

18.2.3.1.2 Fire Department access roads shall consist of roadways, fire lanes, parking lots lanes, or a combination thereof.

18.2.3.1.3* When not more than two one- and two-family dwellings or private garages, carports, sheds, agricultural buildings, and detached buildings or structures 400ft^2 (37 m^2) or less are present, the requirements of 18.2.3.1 through 18.2.3.2.1 shall be permitted to be modified by the AHJ.

18.2.3.1.4 When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.

18.2.3.2 Access to Building.

18.2.3.2.1 A fire department access road shall extend to within in 50 ft (15 m) of at least one exterior door that can be opened from the outside that provides access to the interior of the building. Exception: 1 and 2 single-family dwellings.

18.2.3.2.1.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.1 shall be permitted to be increased to 300 feet.

18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).

18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

18.2.3.4 Specifications.

18.2.3.4.1 Dimensions.

C~ 18.2.3.4.1.1 FDAR shall have an unobstructed width of not less than 20ft with an approved turn around area if the FDAR exceeds 150 feet. **Exception:** FDAR for one and two family dwellings shall have an unobstructed width of not less than 15 feet, with an area of not less than 20 feet wide within 150 feet of the structure being protected. An approved turn around area shall be provided if the FDAR exceeds 250 feet.

C~ 18.2.3.4.1.2 FDAR shall have an unobstructed vertical clearance of not less then 13ft 6 in.

C~ 18.2.3.4.1.2.1 Vertical clearances may be increased or reduced by the AHJ, provided such increase or reduction does not impair access by the fire apparatus, and approved signs are installed and maintained indicating such approved changes.

C~18.2.3.4.1.2.2 Vertical clearances shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.

C~ 18.2.3.4.2 Surface. Fire department access roads and bridges shall be designed and maintained to support the imposed loads (25 Tons) of the fire apparatus. Such FDAR and shall be comprised of an all-weather driving surface.

18.2.3.4.3 Turning Radius.

C~ 18.2.3.4.3.1 Fire department access roads shall have a minimum inside turning radius of 30 feet, and a minimum outside turning radius of 60 feet.

18.2.3.4.3.2 Turns in fire department access road shall maintain the minimum road width.

18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.

18.2.3.4.5 Bridges.

18.2.3.4.5.1 When a bridge is required to be used as part of a fire department access road, it shall be constructed and maintained in accordance with county requirements.

18.2.3.4.5.2 The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.

18.2.3.4.5.3 Vehicle load limits shall be posted at both entrances to bridges where required by the AHJ.

18.2.3.4.6 Grade.

C~ 18.2.3.4.6.1 The maximum gradient of a Fire department access road shall not exceed 12 percent for unpaved surfaces and 15 percent for paved surfaces. In areas of the FDAR where a Fire apparatus would connect to a Fire hydrant or Fire Department Connection, the maximum gradient of such area(s) shall not exceed 10 percent.

18.2.3.4.6.2* The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.

18.2.3.4.6.3 Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane.

18.2.3.4.7 Traffic Calming Devices. The design and use of traffic calming devices shall be approved the AHJ.

18.2.3.5 Marking of Fire Apparatus Access Road.

18.2.3.5.1 Where required by the AHJ, approved signs or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof of both.

18.2.3.5.2 A marked fire apparatus access road shall also be known as a fire lane.

18.2.4* Obstruction and Control of Fire Department Access Road.

18.2.4.1 General.

18.2.4.1.1 The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

18.2.4.1.2 Minimum required widths and clearances established under 18.2.3.4 shall be maintained at all times.

18.2.4.1.3* Facilities and structures shall be maintained in a manner that does not impair or impede accessibility for fire department operations.

18.2.4.1.4 Entrances to fire departments access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 shall not be obstructed by parked vehicles.

18.2.4.2 Closure of Accessways.

18.2.4.2.1 The AHJ shall be authorized to require the installation and maintenance of gates or other approved barricades across roads, trails, or other accessways not including public streets, alleys, or highways.

18.2.4.2.2 Where required, gates and barricades shall be secured in an approved manner.

18.2.4.2.3 Roads, trails, and other access ways that have been closed and obstructed in the manner prescribed by 18.2.4.2.1 shall not be trespassed upon or used unless authorized by the owner and the AHJ.

18.2.4.2.4 Public officers acting within their scope of duty shall be permitted to access restricted property identified in 18.2.4.2.1.

18.2.4.2.5 Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals that have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with, or otherwise vandalized in any manner.

18.3 Water Supplies and Fire Hydrants

18.3.1* A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the

facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

EXCEPTIONS:

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2 as amended in the code.
3. When there are not more than two dwellings, or two private garage, carports, sheds and agricultural. Occupancies, the requirements of section 18.3.1 may be modified by AHJ.

18.3.2* Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other approved systems capable of providing the required fire flow shall be permitted.

18.3.3* The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road on the site of the premises or both, in accordance with the appropriate county water requirements.

18.3.4 Fire Hydrants and connections to other approved water supplies shall be accessible to the fire department.

18.3.5 Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ.

18.3.6 Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

18.3.7 The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request.

C~ 18.3.8 Minimum water supply for buildings that do not meet the minimum County water standards:

Buildings up to 2000 square feet, shall have a minimum of 3,000 gallons of water available for Firefighting.

Buildings 2001- 3000 square feet, shall have a minimum of 6,000 gallons of water available for Firefighting.

Buildings, 3001- 6000 square feet, shall have a minimum of 12,000 gallons of water available for Firefighting.

Buildings, greater than 6000 square feet, shall meet the minimum County water and fire flow requirements.

Multiple story buildings shall multiply the square feet by the amount of stories when determining the minimum water supply.

Commercial buildings requiring a minimum fire flow of 2000gpm per the Department of Water standards shall double the minimum water supply reserved for firefighting.

Fire Department Connections (FDC) to alternative water supplies shall comply with 18.3.8 (1)-(6) of *this code.*

NOTE: In that water catchment systems are being used as a means of water supply for firefighting, such systems shall meet the following requirements:

1) In that a single water tank is used for both domestic and firefighting water, the water for domestic use shall not be capable of being drawn from the water reserved for firefighting;

2) Minimum pipe diameter sizes from the water supply to the Fire Department Connection (FDC) shall be as follows:
   a) 4" for C900 PVC pipe;
   b) 4" for C906 PE pipe;
   c) 3" for ductile Iron;
   d) 3' for galvanized steel.

3) The Fire Department Connection (FDC) shall:
   a) be made of galvanized steel;
   b) have a gated valve with 2-1/2 inch, National Standard Thread male fitting and cap;
   c) be located between 8 ft and 16 ft from the Fire department access. The location shall be approved by the AHJ;
   d) not be located less than 24 inches, and no higher than 36 inches from finish grade, as measured from the center of the FDC orifice;
   e) be secure and capable of withstanding drafting operations. Engineered stamped plans may be required;

f) not be located more than 150 feet of the most remote part, but not less than 20 feet, of the structure being protected;
g) also comply with section 13.1.3 and 18.2.3.4.6.1 of *this code.*

4) Commercial buildings requiring a fire flow of 2000gpm shall be provided with a second FDC. Each FDC shall be independent of each other, with each FDC being capable of flowing 500gpm by engineered design standards. The second FDC shall be located in an area approved by the AHJ with the idea of multiple Fire apparatus'conducting drafting operations at once, in mind.

5) Inspection and maintenance shall be in accordance to NFPA 25.

6) The owner or lessee of the property shall be responsible for maintaining the water level, quality, and appurtenances of the system.

EXCEPTIONS TO SECTION 18.3.8:

1) Agricultural buildings, storage sheds, and shade houses with no combustible or equipment storage.

2) Buildings less than 800 square feet in size that meets the minimum Fire Department Access Road requirements.

3) For one and two family dwellings, agricultural buildings, storage sheds, and detached garages 800 to 2000 square feet in size, and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 1000 feet.

4) For one and two family dwellings, agricultural buildings, and storage sheds greater than 2000square feet, but less than 3000 square feet and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 500 feet.

5) For buildings with an approved automatic sprinkler system, the minimum water supply required may be modified.

If there are any questions regarding these requirements, please contact Assistant Fire Chief Ian Smith at (808) 932-2907.

ROBERT R. K. PERREIRA
Acting Fire Chief

MJ-KL
JAN 07 2021
JAN 07 2021

DAVID Y. IGE
GOVERNOR OF HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 18, 2020

MEMORANDUM

FROM:

~~TO:~~ **DLNR Agencies:**
___Div. of Aquatic Resources
___Div. of Boating & Ocean Recreation
X Engineering Division (DLNR.ENGR@hawaii.gov)
X Div. of Forestry & Wildlife (rubyrosa.t.terrago@hawaii.gov)
___Div. of State Parks
X Commission on Water Resource Management (DLNR.CWRM@hawaii.gov)
___Office of Conservation & Coastal Lands
X Land Division – Hawaii District (gordon.c.heit@hawaii.gov)

TO:

~~FROM:~~ Russell Y. Tsuji, Land Administrator *Russell Tsuji*
SUBJECT: Special Permit Application (SPP 20-000221)
Request to Operate a Childcare Center/Preschool Facility and Construct a Playground for Student Use & as an "Event Venue" to be Rented Commercially
LOCATION: Hualalai Road, Kailua-Kona, Island of Hawaii; TMK: (3) 7-5-017:045
APPLICANT: County of Hawaii on behalf of Pablo **Penazola**

Transmitted for your review and comment is information on the above-referenced subject matter. Please submit comments by **January 7, 2021.**

If no response is received by the above date, we will assume your agency has no comments. Should you have any questions about this request, please contact Darlene Nakamura at darlene.k.nakamura@hawaii.gov. Thank you.

( ) We have no objections.
( ) We have no comments.
(✓) Comments are attached.

Signed: *GSC*
Print Name: Carty S. Chang, Chief Engineer
Division: Engineering Division
Date: Dec 29, 2020

Attachments
cc: Central Files

Planning Dept. Exhibit 9

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/Russell Y. Tsuji
Ref: Special Permit Application (SPP 20-000221)
Request to Operate a Childcare Center/Preschool Facility and Construct a Playground for Student Use & as an "Event Venue" to be Rented Commercially
Location: Hualalai Road, Kailua-Kona, Island of Hawaii
TMK(s): (3) 7-5-017:045
Applicant: County of Hawaii on behalf of Pablo Penazola

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high risk areas). State projects are required to comply with 44CFR regulations as stipulated in Section 60.12. Be advised that 44CFR reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards.

The owner of the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zones are designated on FEMA's Flood Insurance Rate Maps (FIRM), which can be viewed on our Flood Hazard Assessment Tool (FHAT) (http://gis.hawaiinfip.org/FHAT).

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7253.
- Kauai: County of Kauai, Department of Public Works (808) 241-4896.

Signed: _____
CARTY S. CHANG, CHIEF ENGINEER

Date: Dec 29, 2020

DAVID Y. IGE
GOVERNOR

JADE T. BUTAY
DIRECTOR

Deputy Director
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

IN REPLY REFER TO:
STP 20-144
HWY-PS 2.4807

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

January 14, 2021

COH PLANNING DEPT
JAN 14 2021 PM
RECD BY EH

Mr. Zendo Kern
Director
Department of Planning
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Attention: Mr. Alex Roy

Dear Mr. Kern:

Subject: Request for Comments for Special Permit Application
Alakai Academy Preschool Facility (SPP20-000221)
75-477 Hualalai Highway –Kailua-Kona, Hawaii
Tax Map Key No.: (3) 7-5-017: 045

Thank you for your letter dated December 11, 2020, requesting for our review and comments of the Special Permit Application.

The proposed request is to allow the development of a Preschool and Childcare Center with a daily 9:00 a.m. to 5:00 p.m. operation. The applicant is licensed to allow up to 72 children and 15 staff with plans for future growth to include increased enrollment count. The request also includes a secondary use to allow public rental of the site for events, parties, and performances within the 2-acre portion of a 5.3-acre site during school closure. The proposed work includes the construction of 3 building structures totaling 10,800 square feet, as well as an outdoor parking lot and a playground.

The site is a flag lot with a primary access on Kakalina Street; a private road and is accessible to the nearby State Queen Kaahumanu Highway (State Route 11) via a County-owned, Hualalai Road.

Planning Dept.
Exhibit 10

The Hawaii Department of Transportation (HDOT) has the following comments:

1. We have reviewed the Traffic Impact Analysis Report (TIAR) dated November 4, 2020. While the proposed project does not appear to significantly impact the State highway system, we note that there are several issues of concern as follows:

   a. In accordance with Hawaii Administrative Rules, HAR 16-115-9, the Engineer is required to provide a Certification Statement: "THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION."

SCANNED
JAN 14 2021
By 139239

MJ - AK
JAN 19 2021 JAN 20 2021

b. The application stated that the operation is licensed and anticipated to have up to 72 students and 15 staff with upcoming plans to increase the enrollment count. However, the trip generation in the TIAR was based on 55 students and 11 staff. Therefore, the study should be revised to be consistent with the application, which should include a discussion of enrollment expansion plans and timelines.

c. An analysis is missing and should be provided in the study to identify trip generated impacts by the secondary uses proposed for public events from the project site onto the nearest State Queen Kaahumanu Highway. Provide also, any mitigation measures that may be required.

d. A revised TIAR should be submitted to the HDOT for review and acceptance.

   i. However, in the event the Special Permit application is approved, we advise that a condition should be required that any future expansion or intensification of land use beyond what is presented under this application, will require a revised or updated TIAR to be submitted to the HDOT for review and acceptance, and to determine any traffic impacts generated by the project onto the State Kaahumanu Highway. The project shall mitigate its traffic impacts at no cost to the State.

2. The application should provide evidence of access rights for the use of Kakalina Street under Item J.

3. In Item E of the application relating to the Flood Hazard Assessment Report, it appears that the property's roadway access to Hualalai Road is impacted by potential flood concerns in several locations. A discussion should be provided on how the development will address flooding/drainage concerns and to identify any potential impacts to the nearby State Kaahumanu Highway.

4. The applicant shall coordinate with the Highways Division, Hawaii District Engineer on any further requirements or permits.

If you have any questions, please contact Jeyan Thirugnanam, Systems Planning Engineer, Highways Division, Planning Branch at (808) 587-6336 or by email at jeyan.thirugnanam@hawaii.gov. Please reference file review number PS 2020-192.

Sincerely,

JADE T. BUTAY
Director of Transportation

DAVID Y. IGE
GOVERNOR OF
HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD., STE 555
KAPOLEI, HI 96707

July 29, 2020

IN REPLY REFER TO:
Log No. 2020.01308
Doc. No. 2007NM01
Archaeology

Mr. Kyle Honda
County of Hawaii
Department of Public Works
Engineering Division
74-5044 Ane Kaeohokalole Hwy
Building D
Kailua-Kona, HI 96740
Kylej.Honda@hawaiicounty.gov

Dear Mr. Honda:

SUBJECT: **Chapter 6E-42 Historic Preservation Review –**
County of Hawaii Grubbing and Grading Permits for Pablo Penaloza
Archaeological Inventory Survey
Wai'aha 1st Ahupua'a, North Kona District, Hawai'i Island
TMK: (3) 7-5-017:045

This letter provides the State Historic Preservation Division's (SHPD's) review of two permit applications and a draft archaeological inventory survey (AIS) report titled, *Archaeological Inventory Survey Report for 4.25-Acres Located in Wai'aha 1st Ahupua'a, North Kona District, Hawai'i Island, Hawai'i [TMK: (3) 7-5-017:045]* (Escott, June 2020). SHPD received this submittal on June 8, 2020 (Log. No. 2020.01308). On November 15, 2019, SHPD received a grubbing permit application, a notice of authorization for disposal of grubbing material, project maps, a SHPD HRS 6E Submittal Form, and the draft AIS report (Log No. 2019.02536). Subsequently, SHPD received a second submittal on January 14, 2020, which included a grading permit application, an updated plan showing the proposed house layout on Lot 2-B, and duplicates of the materials included in the earlier submittal (Log No. 2020.00079). SHPD requested revisions to the draft AIS in a letter dated April 27, 2020 (Log No. 2019.02536, 2020.00079, Doc. No. 2004NM02).

The grubbing permit application and HRS 6E Submittal Form indicates a 4-acre portion of the 5.352-acre parcel will be grubbed to remove vegetation. The grading permit application and HRS 6E Submittal Form indicates the same area will be graded to support construction of a house pad. The Grade Plan identifies the property as Lot B-2, portion of Waiaha 1st to Puapuaanui 1st Land Court Award 387. In contrast, the AIS report (Escott, June 2020) indicates the owner proposes to build a daycare center (preschool) and a farm dwelling which would serve as a residence and a bed and breakfast. On July 17, 2020, Mr. Penaloza confirmed via email (Nicole Mello [SHPD] and Glenn Escott [SCS]) that he contacted Mr. Honda to inform him that the project plans are as described in the AIS and the County accepted the change in plans.

Scientific Consultant Services, Inc. (SCS) conducted the AIS on behalf of the owner. The AIS fieldwork consisted of 100% pedestrian survey coverage of the 4-acre portion. A single Historic property, Site #50-10-28-31118, was identified, consisting of a stacked stone wall remnant and an unimproved road. The road is described as a ranch road, likely dating from the Historic period to present. The wall is described as 3-5 courses high and 3-4 courses wide and not as a remnant of a once longer wall but as a wall in which construction was abandoned before being finished. Either end of the wall is described as unfinished. Site -31118 retains integrity of location, design, materials and workmanship and is assessed as significant under Criterion d (information) pursuant to HAR §13-284-6, as adequately documented and, thus, no further archaeological work is recommended. SHPD concurs with the site significance assessment and the recommendation of no further work.

Planning Dept
Exhibit ___

The revised AIS adequately addresses the issues and concerns raised in our previous correspondence (Log No. 2019.02536, 2020.00079, Doc. No. 2004NM02). This AIS report satisfies the requirements of HAR §13-276-5. **It is accepted**. Please send two hard copies of the document, clearly marked FINAL, along with a text-searchable PDF version, to the Kapolei SHPD office, attention SHPD Library. Please also send a PDF version of this report to Lehua.K.Soares@hawaii.gov.

Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence and historic preservation review ends. The historic preservation review process is ended. The permit issuance process may proceed.

SHPD herby notifies the County that the AIS has been accepted. No further archaeological work is required. The historic preservation review process is ended. The permit issuance process may proceed.

Please attach to the permit: In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 933-6751.

Please contact Nicole A. Mello, Hawaii Island Historic Preservation IV, at Nicole.Mello@hawaii.gov for matters regarding archaeological resources or this letter.

Aloha,
Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Natalie Whitworth, Natalie.Whitworth@hawaiicounty.gov
Dion Gonzales, Dion.Gonzales@hawaii.gov
Leilani Lewi, Leilani.Lewi@hawaiicounty.gov
Pablo Penaloza, ppenaloza@gmail.com
Glenn Escott, ggescott@scshawaii.com

COH PLANNING DEP
FEB 26 2021 PM12:3
REC'D BY EMA

MARK MORRISON, P.E.
P.O. Box 529
Holualoa, HI 96725
(808) 960-2089 - fax (888) 958-2377
mfaloha@aloha.net

February 22, 2021

County of Hawaii - Department of Water Supply
Attn: Keith K. Okamoto
345 Kekuanaoa Street, Suite 20
Hilo, HI 96720

SUBJECT: ***Alaka'i Academy, Special Permit Application (SPP 20-000221)***
Applicant - Pablo Penaloza
TMK# 7-5-017:045

Dear Keith,

I have completed water usage calculations for obtaining water service for this project.

Calculations for Domestic Water consumption are as follows:
Average Daily Consumption = 2270 gallons/day
Max. daily consumption = 3800 gallons/day
Estimated Peak hour flow = 368 gallons = 6.1 GPM
(based on actual fixture counts and historical usage; includes irrigation)

Please advise if any other information is needed for this project.

Very truly yours,

Mark Morrison, P.E.

Planning Dept.
Exhibit 12

SCANNED
MAR 04 2021
140148

COH PLANNING DEP
FEB 26 2021 PM12:3
RECD BY EMA

Carty Chang
Engineering Division
State of Hawaii DLNR
PO Box 621
Honolulu, HI 96809

Reference: Special Permit Application SPP 20-000221 (TMK 3-7-5-017:045)

January 20, 2021

Attention Engineering Division

Our property is shaped as a flag. We are aware that the "pole" section of the lot, which would be used to access the preschool, is located in an area designated as flood zone. Since I have known the property, we have not seen any floodwater flowing at all. At this point, the access road follows the contour of the land. Our plan includes monitoring the impacted access area every time it rains. If we notice any flooding, we will work with engineering to address the issues without any delay.

Thank you for your comments.

~ Pablo Penaloza

SCANNED
MAR 04 2021
By. 140146

COH PLANNING DEP
FEB 25 2021 PM 12:2
REC'D BY EM

Hawaii Fire Department
25 Aupuni Street, Suite 2501
Hilo, HI 96720

Reference: Special Permit Application SPP 20-000221 (TMK 3-7-5-017:045)

January 20, 2021

Dear Robert Perreira,

Comments Response:

Thank you for your comments and research supplied regarding the regulations regarding fire protection requirements. I will be sure to have each comment incorporated by our design/engineering team.

Mahalo,

~ Pablo Penaloza

SCANNED
MAR 04 2021
By: 140147

COH PLANNING DEP
FEB 26 2021 PM12:3
REC'D BY EMAIL

Department of Water Supply
345 Kekuanaoa Street
Hilo, HI 96720

Reference: Special Permit Application SPP 20-000221 (TMK 3-7-5-017:045)

January 20, 2021

Dear Keith Okamoto,

Comments Response:

I have hired an engineering firm to conduct a water usage calculation study. I will forward that as soon as I have the report.

A backflow prevention assembly will be installed as required.

We acknowledge that the 8-inch main water line won't be sufficient to provide the 2,000gpm flow for fire protection. We will work with our design/engineering team and fire department to ensure adequate fire protection is put in place.

Thank you for your comments.

~ Pablo Penaloza

SCANNED
MAR 05 2021
By 140202