

Whereas the Hawaii County Planning Commission requested Parker School seek "consensus" with Community concerns relating to its proposed campus expansion and enrollment increase, Parker School (hereafter PS) agrees to the following conditions, which conditions shall be included in the Amended Use Permit:

1. Waikoloa Stream Trail. Parker School agrees to transfer to Hawaii County a permanent public easement along the full length of its property on the westerly side of Waikoloa stream for use as a trail/pathway (hereafter Waikoloa Stream Trail), for non-vehicular uses, at no cost to the County. PS agrees for this easement to be at least 30 feet wide, not including the streambed and stream bank, except at the narrowest point by the Pu'uki Road property where the easement may be narrowed to 15 feet, to the extent this decreased width is necessary to provide adequate room for the PS campus trail. The exact location of the easement shall be determined by the County in consultation with Parker School, taking into account environmental and design factors such as the location of the floodplain, significant vegetation along the stream bank, reasonable stream crossing locations to link with the other segments of the proposed Trail, and so as to minimize the need for stream bank hardening. This public easement will not include public access across PS's Lindsey Road parking lot to Lindsey Road, unless agreed to by PS. Upon request of the County, PS shall submit to the County a signed easement deed containing the easement description for a non-vehicular public easement and metes and bounds survey consistent with the above terms, and shall make the easement deed available to the public.
2. Seeking Access Points onto Waikoloa Stream Trail. PS agrees to participate with PATH and other community organizations, and with neighboring property owners, to locate access points to the Waikoloa Trail easement corridor in order to provide public access to this Trail from Mamalahoa Highway and Lindsey Road, e.g. across from Church Row, across Paniolo Inn property, and across the adjoining KTA parcel located on Mamalahoa Highway. Also at no cost to the County, PS agrees to provide additional public easement corridors for non-vehicular uses, of a similar width, across and on the east side of the stream to accommodate future access points to connecting segments of this Waikoloa Stream Trail.
3. Enrollment Limitation. PS agrees to limit enrollment in the portion of the campus within the use permit area (elementary and middle) to 300 students, and agrees the combined limit for the entire PS campus shall be 450 students.
4. Gym Size Limitation. PS agrees to limit the proposed school gymnasium to a

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250-seat capacity. PS agrees to limit outside use of this the gym and the playing fields to weekends, and holidays, and after 6 p.m, unless arrangements are made to accommodate traffic elsewhere (i.e. satellite parking) or by way of arranged bus services, with the exception of minimal additional traffic if prior to 6 p.m. If any after school activity or activities in the use permit area includes persons other than PS students, and may result in 15 or more vehicles arrivals prior to 6 p.m., satellite parking is always required. Community use of the gymnasium will be limited to organized sports up to three times a week (on weekdays: only between 5:00 p.m. and 9:00 p.m.).

5. Traffic Mitigation and Pedestrian Safety Requirement. Prior to increasing its current enrollment capacity, PS shall take such measures as necessary to ensure that as a result of increased enrollment in the use permit area, there is no substantial increase in traffic congestion above current conditions on the roads adjacent to the campus and that there is adequate provision made for safe pedestrian access onto campus, including by way of the following conditions:

a.) Bus shelter: PS agrees to provide funds for a complete Hele-On bus shelter to be located on the north side Kawaihae Road be in a location and at a time specified by the Mass Transit Agency and/or Department of Public Works (PW).

b.) Raised pedestrian crosswalk(s): PS agrees to replace the existing crosswalk across Lindsey Road with one possibly two, six-foot wide raised crosswalk at a location to be determined by PW. PS agrees to pay for the cross walk(s) according to specifications directed by the County. The raised crosswalk(s) shall also be marked for maximum visibility by vehicular traffic as directed by PW, at no cost to the county. Parker School agrees to construct the raised crosswalk(s) before or concurrently with the Lindsey/Kapiolani Road sidewalk construction described in 5.d. Alternatively, to expedite completion of these crosswalks, if agreed to by PS and Public Works, PS shall pay the County the cost of two raised crosswalks (up to the amount of \$10,000.) so that the County can undertake this construction as soon as possible.

c. Sidewalk entrances onto PS campus: PS agrees that pedestrian entrances onto PS campus shall be separate from vehicular driveway entrances including at the following locations: pedestrian access from the Lindsey Road sidewalk adjacent to the Lindsey Road PS parking lot; pedestrian access from future Kapiolani Road sidewalk to the proposed Middle school building and the Kapiolani Road campus generally, which sidewalk shall be located northerly of the existing Kapiolani Road PS driveway entrance; and a separate pedestrian access way at the north end of the campus (near the existing warehouse and driveway entrance).

d.) Sidewalks on adjacent streets: PS agrees to construct sidewalks with curbs and gutters on the east side of Lindsey Road to Kapiolani Road and around the corner at Kapiolani and on Kapiolani Road, at no cost to the County. The

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sidewalk on Kapiolani Road shall extend from Lindsey Road to a point north of a campus sidewalk entrance to be constructed between the present PS driveway and the private home at 65-1145 Kapiolani Road. The PS property boundary beyond that northerly sidewalk entrance shall be blocked from campus access, such as by way of a 5-foot plus high landscaping hedge. Unless required by the County, the sidewalks along Kapiolani need not be of customary width if a narrower width is reasonable and avoids relocating telephone polls and/or minimizes removal of landscaping along the abutting private properties. The road improvements shall be carried out meeting with the approval of PW at no cost to the County, including for pavement widening, concrete curbs, gutter, and sidewalk construction.

e.) Northend Campus Access: PS agrees to provide an on-campus sidewalk entrance for pedestrians and bicycles from the north end of campus that is separate from any vehicular entrance. However so long as PS does not use the warehouse/storage building at the north end of campus for classroom use, PS is not required to provide a sidewalk on Kapiolani adjacent to this PS property boundary.

f.) Relocate Lindsey Road pick-up/drop-off location: As determined by PW, PS agrees to relocate the Lindsey Road pick-up/drop-off zone an additional distance from the intersection with Kawaihae Road so there is no interference with traffic turning onto Lindsey Road and no interference with turning traffic on to Kapiolani, and no queuing of traffic in the traffic lane, and in a manner to avoid interference with private driveways. PS also agrees to provide the cost to re stripe the road consistent with the revised drop off area.

g.) Active traffic management: PS agrees to active manage the Lindsey Road drop off zone during morning drop off and afternoon pick-up periods in a manner designed to prevent congested traffic on this road, prevent queuing of vehicles, and to provide for the safe passage of pedestrians and cyclists. PS agrees to provide for a corresponding pedestrian entrance onto campus as well as to comply with any restrictions required by PW related to this condition. PS also agrees to implement active traffic management measures to direct traffic and facilitate parking during special events, such as by hiring special duty officers or parking attendants. PS agrees to begin active traffic management within 6 months of approval of this use permit application.

h.) Safe access onto Lindsey Road: PS agrees to work with PW to improve the safe entrance and exit from its Lindsey Road parking lot, including by providing pedestrian access locations separate from the vehicular driveway and by providing signage to deter use of the driveway for pedestrian access. PS agrees to implement these proposed changes, for access into and out of the PS campus, within 6 months of approval of this use permit application. Parker School agrees to not increase the capacity of the Lindsey Road parking lot.

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- i.) On-campus pick-up/drop-off for Kapiolani Street traffic: PS agrees to take affirmative steps to require on campus pick-up/drop-off for all Kapiolani Road campus traffic and to take affirmative steps to deter PS vehicular traffic from traveling north beyond the Kapiolani campus driveway.
- j. Mitigation of Impacts To Pu'uki Road. PS agrees to take affirmative steps to deter pick-up/drop-off on and parking along Pu'uki Road and Kapiolani Road.
- k) Street signage: As determined by PW, Parker School agrees to posting speed limit and "No Parking" signs on Kapiolani Road along the PS property boundary north as far as the block of private homes at 65-1145 Kapiolani.
- l.) Street lighting: To the extent not already in place, install street lighting along the south side of Kapiolani and install any signage directed by PW.
- m.) Recessed security gates: Any vehicular security gate(s) at County road approaches shall be recessed a minimum distance of 20 feet exclusive of gate swing from the County right of way, meeting the approval of PW.
- n.) Ped-Bike Plan: PS agrees to create a pedestrian/bike path plan for access to and on the campus, including designation of access points from the surrounding sidewalks and the Waikoloa Stream trail. This ped-bike plan shall be drafted in consultation with PATH (People's Advocacy for Trails Hawai'i), and shall include a study identifying the number of students and faculty within walking/biking distance and include ways PS can encourage routine walking to school or in combination with use of the County bus systems. In drafting this plan, PS will identify necessary sidewalks, crosswalks, and bike lanes required to provide safe pedestrian and bicycle use. PS also agrees to provide bike shelters and bike racks at key locations (e.g. at the elementary, middle, and high school campus locations) in order to provide for bicycle traffic. PS also agrees to work actively to provide for more safe trails for pedestrians and bicycles around Waimea generally.
- o.) Traffic Management Plan to Reduce PS Traffic Congestion: In addition to the Ped-Bike plan, prior to any increases in enrollment, PS agrees to implement a traffic management plan to reduce vehicular traffic including continuing staggered school start times, facilitating carpooling, and actively promoting use of the County bus system. As part of this plan, PS agrees to continue to support County and State traffic circulation projects that would reduce traffic congestion in the area of Parker School, as well as agrees to explore consideration of a round-about at the intersection of Lindsey and Kawaihae Roads and the Parker School driveway entrance and exit. PS also agrees to work with the state, county, community organizations, and other Waimea schools to address common traffic issues, and to seek grants and/or other assistance to optimize the availability of alternatives to single-family drop-off/pick-up during peak traffic periods.

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p.) Parent education: Within 6 months of approval of this use permit application, PS agrees to engage in parent and staff re-education to encourage walking students to school, carpooling, and using the public bus systems, to effectively limit single-family automobile traffic. PS's parent education program will also address the conditions contained in this permit, as well as general consideration of non-PS road and park traffic such as ways to prevent blocking of private driveway entrances in the vicinity of PS.

q.) Supplemental traffic accommodation measures: To counter foreseeable additional traffic from the proposed enrollment increases at the elementary and middle school facilities, PS also agrees to provide effective incentives to its PS population (student, staff, parents, and guests) in order to maximize use of alternative modes of reaching the campus (e.g. walk, carpool, bus, bike) and to provide satellite drop off/pick up locations from which PS will provide PS bus service and/or a "walking bus" program to the campus.

6. Plan Approval for buildings and facilities. Plan approval shall be required when any proposed or existing building is to be constructed or remodeled within the use permit area. At such time as a plan approval application is submitted for construction of the gym and/or the middle school building, sufficient on site parking shall be required to accommodate all school vehicles. Additional parking, above the minimum required in the Zoning Code may be required by the Planning Director during plan approval to achieve this result. Plan approval criteria shall include consistency with the Waimea Design Plan and the South Kohala Community Development Plan concerning building design criteria and will include environmentally sensitive design features, such as light-colored roofs. Particular consideration shall be given to minimize visual and noise impacts on neighboring properties, including during construction. In the event that additional plan approval is not required for construction of the outdoor playing fields and accessory structures, landscaping buffers shall be constructed to create a "noise buffer" for adjacent neighboring properties. A copy of the Plan approval application shall be made available to the public, and neighboring property owners shall be notified and consulted in order to minimize visual and noise impacts.

7. Additional Traffic Study Required: As part of the Plan Approval for the proposed new Middle School and the Gym, PS shall submit a revised traffic study (TIAR) or equivalent Traffic Management Plan along with a traffic management plan, in a form determined by PW. The required traffic study shall be based on the traffic circulation conditions and improvements that exist or are anticipated within the next year, and taking into account improvements and traffic related programs to be implemented by PS within the coming year. The traffic study shall consider the impact of the adult education program (or educational use of the "warehouse", or any other school or community program) to the extent those programs operate on campus prior to 6 p.m. Mondays through Fridays. Regardless of the format used in any future traffic study, to determine whether there has been significant increase in traffic congestion, changes in traffic

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congestion shall be determined with reference to the current base line traffic level of service as represented in the traffic study submitted by PS to the Planning Department as part of its Use Permit application.

8. Annual report. PS shall submit an annual report to the Planning Department detailing compliance with the above conditions until the fifth year following completion of both the proposed gym and middle school.

. That report shall include:

a.) any new traffic mitigation efforts undertaken by PS or in partnership with community organizations and/or the County;

b.) PS efforts to preserve 'Waimea's "sense of place", including preservation of the natural areas and mature trees along Waikoloa stream;

c.) PS efforts relating to emergency preparedness and community resilience;

d.) PS efforts relating to environmental stewardship and sustainability – including as relates to:

1 incorporates water conservation measures;

2. avoids adverse impact to the quality of ground water and coastal waters;

3. incorporates LEED standards for buildings;

4. ensures compliance with outdoor lighting requirements to minimize light pollution;

5. supports water quality monitoring as needed;

6. incorporates measures to reduce likelihood of flooding, run-off and erosion;

7. incorporates alternative energy measures;

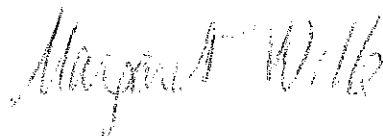
8. incorporates concepts of sustainability, including:

1. respect for the culture, character, beauty and history of Waimea;

2. takes into account environmental, social, and economic concerns;

3. respects the needs of future generations;

4. supports policies that promote food sustainability (e.g. includes landscaping of projects with fruit trees or other types of plants that provide food).



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