Planning Commission

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

Lorraine R. Inouye
Mayor

CERTIFIED MAIL

April 2, 1992

Reverend Barbara Oslin
Life Line Ministries, Inc.
PO Box 400
Kealakekua, HI 96750

Dear Reverend Oslin:

Use Permit Application (UP 92-3)
Applicant: Life Line Ministries, Inc.
Request: Church and Related Improvements
Tax Map Key: 9-5-21:Portion of 6

The Planning Commission at its duly held public hearing on March 24, 1992, voted to approve your application, Use Permit No. 100, to allow the establishment of a church within the former Naalehu Hongwanji Mission and related improvements on approximately 1.310 acres of land situated within the County's Village Commercial-10,000 square foot (CV-10) zoned district. The property is located along the west side of Naalehu Spur Road, adjacent to the south of the Naalehu Shopping Center, Kowala, Kau, Hawaii.

Approval of this request is based on the following:

The proposed church use would be consistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code, and the County General Plan. The establishment of a church and related improvements in the County's Village Commercial and State Land Use Urban District may be allowed through the granting of a Use Permit. The General Plan designates the area for Medium Density Urban uses. Thus, the proposed use will be consistent with planning for the area which allows a range of public uses. The church use will complement the goal of the Land Use Element of the General Plan which states "Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County."

APR 2 1992

The granting of the proposed use will not be materially detrimental to the public welfare nor cause substantial, adverse impact to the community's character or to surrounding properties. The proposed church will be compatible with the existing commercial uses on the property. Adjacent properties are in commercial use or vacant. The charitable services proposed by the applicant are expected to have a positive impact on the community.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. The services offered will supplement existing religious and charitable services in the region.

The granting of the proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, schools, police and fire protection and other related infrastructure. The church structure is already in place. All necessary services are available to the property. The use is consistent with the Land Use Policy of the General Plan to "Promote and encourage the rehabilitation and use of urban and rural areas which are serviced by basic community facilities and utilities." Use of the church on Sundays and one weekday evening will allow for efficient shared use of access and parking facilities with the shopping center.

The Zoning Code requires that parking be provided to serve church use at a rate of one stall per six seats. Therefore, 13 stalls must be provided for the proposed 75 seats. At the time of Plan Approval, the Planning Department will review the applicant's proposal to use parking stalls within the shopping center parking lot. If it is determined that the existing parking lot is not adequate to accommodate additional parking, the applicant will be required to pave additional parking stalls.

Approval of this request is subject to the following conditions:

1. The applicant, successors or assigns shall comply with all of the stated conditions of approval.

2. Final plan approval for the church and related improvements shall be secured from the Planning Department within one year of the effective date of the permit. To assure

adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five (45) days prior to the date for which plan approval must be secured. Plans shall identify the structure, paved parking stalls, and landscaping associated with the church. Plans shall also show all other structures on the 3.64-acre lot. Parking for all functions shall be maintained on the subject property.

3. Any necessary construction shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within one year thereafter.

4. Access shall meet with the approval of the Department of Public Works.

5. All other applicable laws, rules, regulations and requirements shall be complied with.

6. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall address the status of the development and the compliance with the conditions of approval. This condition shall remain in effect until all of the conditions of approval have been complied and the Planning Director acknowledges that further reports are not required.

7. An extension of time for the performance of conditions of the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the General Plan or the Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one addition year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

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

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

Sincerely,

Mike Luce

Mike Luce, Chairman
Planning Commission

7230d
jdk

xc: Mayor
Planning Director
Department of Public Works
Department of Water Supply
County Real Property Tax Division
West Hawaii Office
Plan Approval Section