Planning Commission

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

Lorraine R. Inouye
Mayor

November 12, 1992

CERTIFIED MAIL

Pastor George Kamakahi
Thy Word Ministries, Inc.
PO Box 5149
Hilo, HI 96720-1149

Dear Pastor Kamakahi:

Use Permit Application 92-11
Applicant: Thy Word Ministries, Inc.
Request: Establish a church & related improvements
Tax Map Key: 6-4-6:9

The Planning Commission at its duly held public hearing on October 29, 1992, voted to approve your application, Use Permit No. 105, to establish a church and related improvements within the Uilani Plaza located on approximately 1.014 acres of land situated within the Commercial Neighborhood (CN-10) zoned district. The property is located on the Kohala side of the Mamalahoa Highway in Kamuela, South Kohala, 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 Neighborhood Commercial and the 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. Thus the proposed use will be consistent with the 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."

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 and no different from the existing commercial uses on the property. Adjacent properties are also in commercial use. In addition, the charitable services

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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. Presently, members commute to Hilo or Kona to attend services. The services offered by the church 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 would be situated in an existing office building with necessary services already 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 two weekday evenings will allow for sufficient shared use of access and parking facilities for the Uilani Plaza.

The Zoning Code requires that parking be provided to serve church uses at a rate of one stall per six seats. At the time of Plan Approval, the Planning Department will review the applicant's proposal to use parking stalls within the existing parking lot.

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. The applicant shall submit the required water commitment payment to the Department of Water Supply in accordance with its "Water Commitment Guidelines Policy" within ninety days from the date of approval of the use permit.

3. 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 days prior to the date for which plan approval must be secured. Plans shall identify the existing office building, office spaces to be occupied by the church, and paved parking stalls associated with the church. Plans shall also indicate all other office spaces located in the office building. Parking for all functions shall be maintained on the subject property and comply with the requirements of Chapter 25 (Zoning Code).

4. Any necessary construction or renovations to the spaces leased by the applicant shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within one year thereafter.

5. Driveway access shall meet with the approval of the Department of Public Works.

6. The applicant shall provide fire protection standards meeting with the approval of the Fire Department prior to the issuance of a certificate of occupancy.

7. Preschool or day-care activities shall not be permitted.

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

9. 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 with and the Planning Director acknowledges that further reports are not required.

10. An extension of time for the performance of conditions of the permit may be granted by the Planning Director upon the following circumstances: 1) 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 extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

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

Should you have any questions, please feel free to contact Connie Kiriu or Susan Gagorik of the Planning Department at 961-8288.

Sincerely,

Mike Luce

Mike Luce, Chairman
Planning Commission

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

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