



Planning Commission

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

LORRAINE R. INOUE
Mayor

CERTIFIED MAIL

May 6, 1991

Hawaii Baptist Convention
on behalf of Kealakehe Baptist Mission
2042 Vancouver Drive
Honolulu, HI 96822

Gentlemen:

Special Permit Application 91-1
Applicant: Hawaii Baptist Convention
Request: Establishment of a church and related improvements
Tax Map Key: 7-4-7:75

The Planning Commission at its duly held public hearing on April 25, 1991, voted to approve your application Special Permit No. 775, to allow the establishment of a church and related improvements on 1.036 acres of land situated within the State Land Use Agricultural District. The property is located at the north end of Kealakaa Street, adjacent and to the north of the La'lani Housing Project, Kealakehe, North Kona, Hawaii.

Approval of this request is based on the following:

The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. The State Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District not only includes lands with a high capacity or potential for agricultural use, but also lands which are not used for or are not suited to agriculture and ancillary activities by reason of topography, soils, and other related characteristics. The parcel is classified as "Other Important Agricultural Land" by the ALISH map system and is rated "E" or "Poor" by the Land Study Bureau's Productivity Rating system. It is possible that some agricultural pursuits may be conducted

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on the property. However, given the low agricultural potential of the property and its proximity to an urban area, the proposed church use of the property is not an unwarranted intrusion in the agricultural district and will not affect agricultural activities in the region. Approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations.

The desired use will not adversely affect the surrounding properties, provided visual and noise impacts are mitigated. The nearest residences are at the La'ilani Housing development on the adjacent property to the south. Kealakaa Street provides a buffer area between the church site and neighboring properties to the east. In order to mitigate potential visual and noise impacts to existing and future neighboring residents, it is recommended that landscaping buffers be required between the church and parking area and property lines. It is also recommended that the parking area for the church be paved prior to establishment of use to minimize noise and dust. With the adoption of the above mitigation measures, the proposed church use is not expected to adversely affect surrounding lands nor significantly affect the character of the area.

The desired use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, police and fire protection. All essential services are available to the property. Kealakaa Street is a County standard road which is adequate to serve the proposed use. The facility will be used on Sunday mornings and one weekday evening. No day care activities are proposed. Traffic generated by the proposed use will not conflict with the heavy volume of traffic experienced during weekdays. None of the consulted agencies had objections to the request.

The request is not contrary to the General Plan or community development plans. It is consistent with the goals and policies of the Land Use Element of the General Plan to "Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County" and "The county shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment."

Approval of this request is subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. Final Plan Approval for phase one of the development shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. Plans shall identify structures, landscaping, and paved parking stalls associated with the church. Landscaping shall provide noise and visual buffers from surrounding properties. Parking shall comply with the requirements of Chapter 25 (Zoning Code). No parking variance from the Code shall be applied for or granted. Parking for all functions shall be maintained on the subject property.
3. Construction of phase one of the church and related improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
4. Final Plan Approval for phase two of the development shall be secured from the Planning Department within two years from completion of construction of phase one. Plans shall be submitted as described in Condition No. 2 above.
5. Construction of phase two of the church and related improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
6. Regular church services involving the full membership shall not be held during peak traffic hours between 7:00 am and 6:00 pm, Monday through Friday.
7. Preschool or day care activities shall not be permitted.
8. Driveway access to the property shall meet with the approval of the Department of Public Works.

9. Comply with all other laws, rules, regulations and requirements of State and County agencies.
10. 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 include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied and the Planning Director acknowledges that further reports are not required.
11. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for 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.

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

Sincerely,

Mike Luce

Mike Luce, Pro Tem Chairman
Planning Commission

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jdk

xc: Mr. Ardie Ikeda
Department of Public Works
Department of Water Supply
County Real Property Tax Division
West Hawaii Office
State Land Use Commission

Bcc: Plan Approval Section