



Planning Commission

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

Lorraine R. Inouye
Mayor

CERTIFIED MAIL

December 9, 1992

Pastor Faafetai Nunu
Hilo First Samoan Assembly of God
PO Box 5023
Hilo, HI 96720

Dear Pastor Nunu:

Special Permit No. 829
Applicant: Hilo First Samoan Assembly of God
Request: Church and Related Improvements
Tax Map Key: 1-5-36:144

The Planning Commission at a duly advertised public hearing on November 18, 1992, considered your request for a Special Permit in accordance with Chapter 205-6, Hawaii Revised Statutes, and Rule 6 of the Planning Commission, to allow a church and related improvements on 1.14 acres of land situated within the State Land Use Agricultural District. The project site is located in the Hawaiian Paradise Park Subdivision between Shower Drive and Kaloli Drive off 29th (Poni Mo'i) Ave., Keaau, Puna, Hawaii.

The Commission voted to deny the Special Permit No. 829 based on the following findings:

The desired use will unreasonably burden public agencies to provide public safety and protection. To approve a church with a substandard access would open the door for possible increases in pedestrian injury and traffic hazards. Access from the Keaau-Pahoia Road to the project site is via a private paved road unto a private gravel bed road. Church members may obtain access to the proposed project from the Keaau-Pahoia Road

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directly onto 29th Street, which is a private gravel-bed road with a right-of-way of 40 feet. In addition, access may be gained from Kaloli Boulevard, which is a private paved road with a 40-foot right of way and a pavement width of 21 feet, onto 9th Street. From either direction, church members would have to transverse over portions of the road fronting various homeowners. As in previous similar applications, applicants were required to provide necessary roadway improvements to ensure a minimum pavement width of 16 feet to accommodate the increase in traffic generated by such a use. To date, the applicant has not provided us with verification as to whether the paving of a portion of 29th Street from the Keaau-Pahoa Road, the nearest access to the proposed church site, would be financially feasible for them. This would involve paving approximately 1,970 feet of roadway northwest of the parcel.

The establishment of a church with inadequate access is not consistent with the Zoning Code or the General Plan. The purpose of the Zoning Code is to regulate the use of land for the purpose of promoting the safety and general welfare of the community. In order to accommodate the proposed use, paved roadway access to the property should be provided to ensure the safety of residents and those seeking access to the church. A goal of the Land Use Element of the General Plan is to "Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County". The proposed church is not an appropriate use of property in this area because of the substandard access. Although the roads are privately owned, which would ultimately place maintenance and liability costs on the landowners, public safety departments still provide service to these areas. The increase in traffic resulting from the church members would adversely affect surrounding property owners by accelerating deterioration of the unpaved roadway and increasing traffic hazards to roadway users. It should also be mentioned that approval of this request may result in the proliferation of similar requests within the area that would further worsen an already burdened roadway.

A denial by the Commission of the desired use shall be appealable to the Circuit Court in which the land is situated and shall be made pursuant to the Hawaii Rules of Civil Procedure.

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Should there be further questions on this matter, please feel free to contact Daryn Arai or Susan Gagorik of the Planning Department at 961-8288.

Sincerely,



Mike Luce, Chairman
Planning Commission

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jdk

xc: State Land Use Commission
Corporation Counsel
Mayor
Planning Director
Plan Approval Section