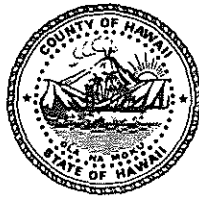


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 Fax (808) 961-9615

#### CERTIFIED MAIL

September 20, 1993

Ms. Erica Kuehn-Radke  
PO Box 217  
Mt. View, HI 96771

Dear Ms. Kuehn-Radke:

Special Permit Application (SPP 93-12)  
Applicant: Erica Kuehn-Radke  
Request: Sanctuary  
Tax Map Key: 1-8-10:Portion of 94

The Planning Commission at a duly advertised public hearing on August 26, 1993, 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 the establishment of an "I AM" Sanctuary (place of worship) on land situated in the State Land Use Agricultural District. The property is located on the south (towards Volcano) side of North Glenwood Road approximately 500 feet from its intersection with Volcano Highway, Oloo, Puna, Hawaii.

The Planning Commission on August 26, 1993, voted to deny your request for a Special Permit. And at their September 16, 1993 meeting the Commission reaffirmed the following findings for the denial:

The proposed use does not meet the criteria for which the Planning Commission may approve a Special Permit. Rule 6 of the Planning Commission relative to Special Permits state:

"The Planning Commission shall not approve a Special Permit unless it is found that the proposed use:

- "a. Is an unusual and reasonable use of land situated within the Agricultural or Rural District, whichever the case may be; and

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"b. Would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended.

"The Planning Commission shall also consider the criteria listed under Section 6.3(b)(5)(A) through (G) (of Rule 6, Planning Commission Rules)."

While a proposed use must meet all of these criteria for approval by the Planning Commission, a denial may be made upon a finding of conflict with any of those criteria.

The proposed use will unreasonably burden public agencies to provide roads and streets, water and other related infrastructure.

The traffic flow characteristics of North Glenwood Road would be adversely impacted by this use. North Glenwood Road has an existing pavement width of nine (9) feet within a thirty (30) foot ROW. Such a pavement width cannot accommodate two way traffic and would not be the best interest of promoting the safety and general welfare of the community.

The inadequacy of existing roadways to safely accommodate the additional traffic to be generated would not be consistent with the following policies of the Land Use Element of the County General Plan:

- \* Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.
- \* The county shall encourage the maintenance of communities meeting the needs of its residents in balance with the physical and social environment.

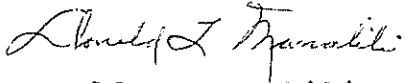
The proposed use will substantially alter or change the essential character of the land and the present use. A L-shaped building with covered walkways and lanais greater than 6900 square feet is proposed. Neighbors had testified of such a structure being out of character and inconsistent with the existing physical environment of this agricultural/residential area.

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.

Ms. Erica Kuehn-Radke  
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Should there be further questions on this matter, please feel free to contact Rodney Nakano or Susan Gagorik of the Planning Department at 961-8288.

Sincerely,



Donald L. Manalili, Chairman  
Planning Commission

RKN:jdk  
LKuehn01.PC

xc: Honorable Stephen K. Yamashiro, Mayor  
Planning Director  
Corporation Counsel  
State Land Use Commission  
Corporation Counsel  
Plan Approval Section