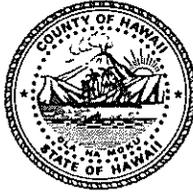


Stephen K. Yamashiro
Mayor



County of Hawaii

PLANNING COMMISSION

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

CERTIFIED MAIL

November 5, 1993

Mr. Robert K. Kawasaki, Branch Manager
Watch Tower Bible and Tract Society
2055 Kamehameha IV Road
Honolulu, HI 96819

Dear Mr. Kawasaki:

Use Permit Application (USE 93-10)
Applicant: Watch Tower Bible and Tract Society
Request: Establish Church and Related Improvements
Tax Map Key: 7-4-14:114

The Planning Commission at a duly advertised public hearing on October 28, 1993, considered your request for a Use Permit in accordance to Chapter 25, (Zoning Code), Hawaii County Code 1983, as amended and Rule 7 of the Planning Commission Rules of Practice and Procedure, to allow the establishment of a church on approximately 1.26 acres of land in the Single Family Residential - 10,000 square foot (RS-10) zoned district. The property is located on the makai side of Palani Road approximately 1300 feet mauka of its intersection with Kealakaa Street, Kealakehe Homesteads, 1st Series, Kealakehe, North Kona, Hawaii.

The Commission voted to deny Use Permit No. 116 based on the following findings:

In considering a Use Permit for any proposed use, Rule 7 of the Planning Commission relating to Use Permits require that such action conform to the following guidelines:

- (A) The proposed use will still be consistent with the general purpose of the zoned district, the intent and purpose of this chapter, and the County General Plan;
- (B) 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;

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- (C) The proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region; and
- (D) 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.

Non-conformance with any of the above-mentioned guidelines would require that the requested Use Permit be denied.

The granting of the proposed use will unreasonably burden public agencies to provide roads and police protection in the area and would be materially detrimental to the public welfare. Although the applicant anticipates 20-45 additional cars to be generated during the proposed hours of church use, there will be impact to the existing traffic flow along Palani Road. Palani Road is a two-lane roadway with a 40-foot right-of-way and serves as a main corridor for traffic entering Kailua-Kona from subdivisions north of the subject property. Cars are moving in a downhill direction at a relatively even speed. There are existing accesses along Palani Road for residential and other approved uses. There is also an existing roadway adjacent along the south property boundary. The Police Department expressed concerns with a single access being used for ingress and egress from the subject property and backup of traffic along Palani Road. The Department of Public Works recommended that access be secured from an existing adjacent road.

As a result of these agency concerns, the applicant proposes a deceleration lane fronting the property and two separate accesses along Palani Road with right turns permitted only. A southern access would permit entry only with no left turns onto the subject property from Palani Road; and a northern exit would not permit left turns onto Palani Road. Appropriate signs would be posted by the applicant. These mitigative measures, as proposed by the applicant, would alleviate some traffic concerns for right turn movements into the subject property, but there are still concerns for traffic backup and safety along Palani Road. The difficulty is in monitoring left turn movements with a posted sign. Should this request be approved, new accesses would be created fronting Palani Road and add to existing traffic flow, thus creating a potential danger to oncoming traffic; particularly, for left turn movements. In addition, approval of this request may set precedent for other requests along Palani Road, which would have a cumulative effect on traffic flow. Such a request may be appropriate at a future

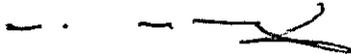
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time, when a mid-level arterial or other north-south roadways are opened to handle mauka traffic flow and alleviate the burden on Palani Road. Until that time, the Planning Director recommends that this request for a church on the subject property be denied.

The Commission's denial decision is appealable to the Board of Appeals within thirty days after receipt of the Planning Commission's decision pursuant to its rules.

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,



Wilton Wong, Vice Chairman
Planning Commission

DSA:jdk
LWatch01.PC

xc: Honorable Stephen K. Yamashiro, Mayor
Planning Director
Corporation Counsel
Plan Approval Section
West Hawaii Office
Mr. Ricky Kamimura