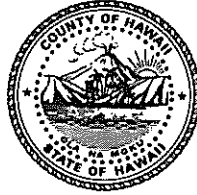


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

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

#### CERTIFIED MAIL

December 30, 1994

Reverend Jerry N. Kamakahi  
Thy Word Ministries, Inc.  
PO Box 5149  
Hilo, HI 96720

Dear Reverend Kamakahi:

Use Permit Application (USE 94-11)  
Applicant: Thy Word Ministries, Inc. dba Faith Center of Hawaii  
Request: Establish Church And Related Uses Within  
An Existing Structure  
Tax Map Key: 6-8-03:7

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The Planning Commission at its duly held public hearing on December 14, 1994, voted to approve the above-referenced application. Use Permit No. 131 is hereby issued to establish a church for conducting worship services in Suite 204 Waikoloa Highlands Center. Waikoloa Highlands Center is located on the makai, Kohala corner of the intersection of Waikoloa Road and Paniolo Avenue, Waikoloa, South Kohala, Hawaii.

Approval of this request is based on the following:

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.

The proposed church use will still 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 Village Commercial (CV-10) zoned district 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 which allows village neighborhood commercial and residential and related functions. Thus the proposed use will be consistent with the existing use for the area which allows a range of public uses.

The church use will complement the following goals and policies of the Land Use Element of the General Plan which state:

- \* Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.
- \* Promote and encourage the rehabilitation and use of urban and rural areas which are serviced by basic community facilities and utilities.
- \* The county shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.

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 situated in a commercial complex adequately serviced by essential utilities and public service agencies. Approval of the proposed church and its related uses will become an integral component for the future growth of this urban/commercial core and the surrounding region.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. The Waikoloa Highlands Center is and

existing commercial complex and the approval of this request is not anticipated to adversely affect similar uses within the surrounding community or region. The location of the project site within the urban/commercial core.

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. All essential utilities and public service is already provided to the Waikoloa Highlands Center.

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, its successors or assigns shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury and death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit.
3. Final Plan Approval for the church and related improvements shall be secured from the Planning Department pursuant to Sections 25-241 through 25-244 of the Zoning Code.
4. The church shall be established and a certificate of occupancy issued within five (5) years from the effective date of the permit.
5. Any structural expansion to the proposed church and related improvements shall be submitted to the Planning Commission as an amendment to this Use Permit.
6. 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

Reverend Jerry N. Kamakahi  
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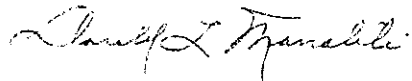
condition to be performed within one year may be extended for up to one additional year).

7. 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 Rodney Nakano of the Planning Department at 961-8288.

Sincerely,



Donald L. Manalili, Chairman  
Planning Commission

RKN:jdk  
LThyWo01.PC

xc: Ms. Donna M. Best  
Honorable Stephen K. Yamashiro, Mayor  
Planning Director  
Department of Public Works  
Department of Water Supply  
Corporation Counsel  
County Real Property Tax Division  
West Hawaii Office  
Plan Approval Section