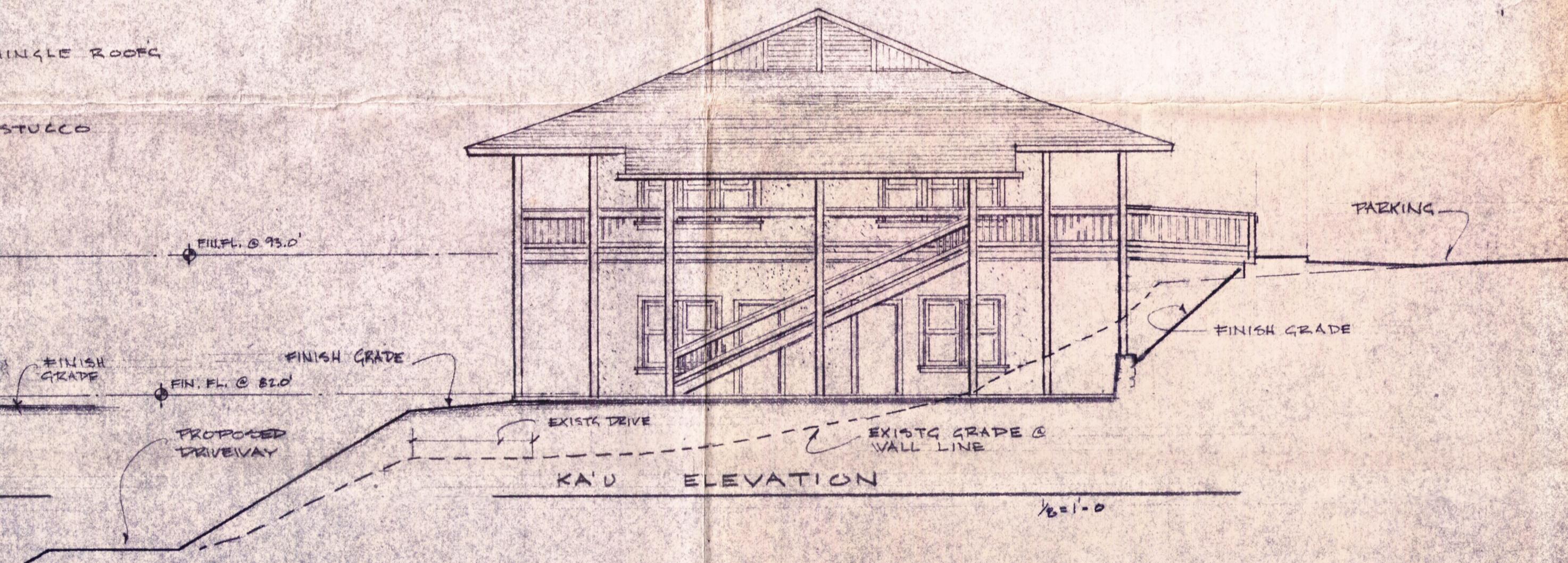
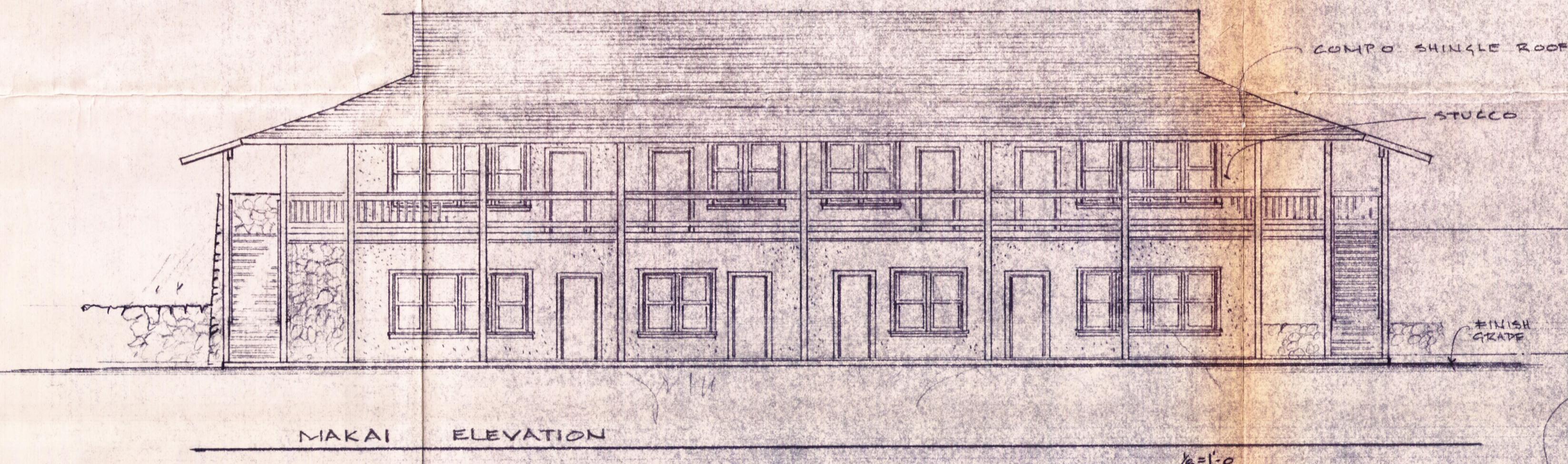


ELEVATIONS



APPROVALS	PROPOSED CLASSROOM AND DAY CARE FACILITY AN ADDITION TO THE KONA BAPTIST CHURCH		REVISIONS	PROJECT 77-0523 DATE: 3-24-78
	BY:	DATE:		
BY:	DATE:			
BY:	DATE:			
BY:	DATE:			

EXHIBIT W

3
OF THREE



* B P 0 5 4 7 8 * 5478

KONA BAPTIST CHURCH

SPECIAL PERMIT ~ CLASSROOM BUILDING ~



VIEW FROM PUULOA ROAD



VIEW FROM KOAKINI HIGHWAY



EXHIBIT U

5P78-320 Kona Baptist Church



LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

April 20, 1979

COMMISSION MEMBERS:

James Carras
Colette Machado
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell
Edward Yanai

GORDAN FURUTANI
Executive Officer

Mr. Sidney Fuke
Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Subject: SP78-320 - KONA BAPTIST CHURCH

In reference to our letter to you dated
October 20, 1978, enclosed is a copy of the
Decision and Order on SP78-320 for your information
and records.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

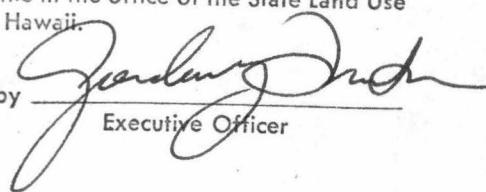
cc: Kona Baptist Church

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the) SP78-320
Petition for Special Permit)
of KONA BAPTIST CHURCH) KONA BAPTIST CHURCH
)
)

This is to certify that this is a true and correct copy of the
Decision and Order on file in the office of the State Land Use
Commission, Honolulu, Hawaii.

APR 20 1979
Date

by 
Executive Officer

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the) SP78-320
Petition for Special Permit)
of KONA BAPTIST CHURCH) FINDINGS OF FACT,
) CONCLUSIONS OF LAW AND
) DECISION AND ORDER

The Land Use Commission of the State of Hawaii,
having duly considered the entire record in the above entitled
matter, makes the following findings of fact and conclusions
of law.

FINDINGS OF FACT

1. The Petition for Special Permit was filed by the KONA BAPTIST CHURCH, to allow the construction of a classroom building on approximately 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-07: 60.

2. The subject property is situated along the makai side of the Kuakini Highway, at the northern corner of the Puuloa Road and Kuakini Highway intersection at Keauhou 1st, North Kona.

3. The subject area is the site of the present KONA BAPTIST CHURCH. The existing church building and pastorium were constructed in 1967 through an Interim Zoning Variance issued by the County of Hawaii.

4. The proposed classroom building would be two (2) stories in height, with a gross floor area of 5,760 square feet. The building would include 12 classrooms, a kitchen, office, library and restrooms.

5. Present County Zoning for the subject property is Unplanned (U).

6. The Land Study Bureau's overall master productivity soil rating for agricultural uses is Class "E" or "Very Poor" for the subject site.

7. Surrounding land uses include vacant areas, single family dwellings and some diversified agricultural activities. The subject area is situated at the entrance to the Puuloa Subdivision which is built up with single family dwellings.

8. Access to the subject site will be from Puuloa Road which has a 40-foot right-of-way and a 16-foot pavement.

9. The State Department of Health and County Department of Public Works have cited applicable regulations with which the Petitioner must comply.

10. The County Department of Water Supply, Fire Department, Police Department, Department of Parks and Recreation, State Department of Transportation, Department of Education and Hawaii Electric Light Company, Inc., had no objections to the application for Special Permit.

11. The County Planning Department has recommended approval of the Special Permit request.

12. The Hawaii County Planning Commission conducted a public hearing on the application for Special Permit on August 3, 1978. At that time, a representative of the Petitioner spoke in support of the request. No other persons testified regarding the application.

CONCLUSIONS OF LAW

1. "Unusual and reasonable" uses other than those which are permitted in an Agricultural District may be permitted by Special Permit pursuant to HRS Chapter 205-6, and the State Land Use Commission District Regulation, Part V.

2. The approval of the subject request will be consistent with the State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soil and other related characteristics. According to the United States Department of Agriculture, Soil Conservation Service's Soil Survey Report, the soils of the subject area are of the Punaluu Series. These soils consist of thin, well-drained peat over pahoehoe lava. The Capability Class rating for these soils is Class VII. Class VII soils have severe limitations that make them unsuited to cultivation and that restricts their use largely to pasture or range, woodland, or wildlife. The Land Study Bureau's overall master productivity rating for these soils is Class "E" or "Very Poor" which also reflects the poor potential for conducting agricultural activities in the area. In addition, the subject area is already developed and is currently being used for church and related activities which were permitted under Interim Zoning Variance 137, granted on May 31, 1966.

3. Given the present use of the subject area and the poor quality of the soil for agricultural purposes, it is concluded that the expansion of the church facilities by allowing the construction of the classroom building will not be contrary to the objectives of the State Land Use Law and

Regulations and the above-cited criterion for determining the Agricultural District classification.

4. The proposed use will not adversely affect surrounding properties. The subject area has been used for church and related activities since approximately 1967. The granting of this request will not alter the essential character of the area, but will allow the construction of new classroom facilities in order to better serve the congregation of the church. The surrounding land uses include scattered single-family dwellings and open areas. In addition, the subject area is situated at the entrance of the Puuloa Subdivision which is built-up with single-family residences. Consequently, it is concluded that the granting of this request, and the continued use of this area for the existing activities will not have any adverse impact on the surrounding land uses.

5. The proposed use will not unreasonably burden public agencies to provide public roads, water and other infrastructure and services. All essential utilities and services are or will be available to the subject area.

6. The use described in the Petition is an unusual and reasonable use pursuant to HRS Chapter 205-6 and State Land Use Commission District Regulation, Part V.

DECISION AND ORDER

IT IS HEREBY ORDERED that Special Permit Number 78-320 for the construction of a classroom building on approximately 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-07: 60, be approved subject to the following conditions:

1. That the proposed development shall conform substantially to the representations made by the Petitioner and the plans submitted with the application.
2. That the Petitioner or its authorized representative shall submit plans for Plan Approval within one (1) year from the effective date of approval of the Special Permit.
3. That construction of the classroom facility shall commence within one (1) year from the date of receipt of final Plan Approval and be completed within two (2) years thereafter.
4. That all other applicable rules, regulations and requirements shall be complied with.
5. That should any of the foregoing conditions not be met, action may be initiated to nullify the Special Permit.

DATED: Honolulu, Hawaii, April 18, 1979.

LAND USE COMMISSION

By C. W. Duke
C. W. DUKE
Chairman and Commissioner

By Shinichi Nakagawa
SHINICHI NAKAGAWA
Vice Chairman and Commissioner

By James R. Carras
JAMES R. CARRAS
Commissioner

By Shinsei Miyasato
SHINSEI MIYASATO
Commissioner

By Mitsuo Oura
MITSUO OURA
Commissioner

By George R. Pascua
GEORGE R. PASCUA
Commissioner

By Carol B. Whitesell
CAROL B. WHITESELL
Commissioner

328
322, 327,
319, ~~320~~

NO. 974916

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

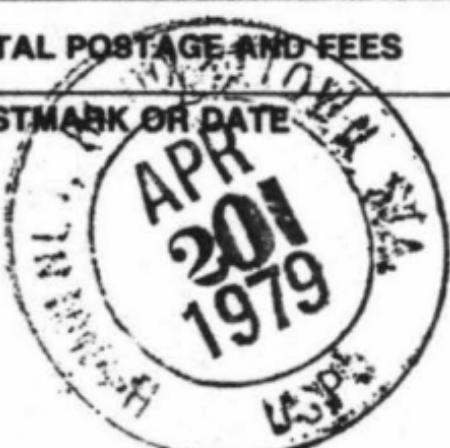
SENT TO
SIDNEY FUKE

STREET AND NO.

25 Aupuni St.

P.O., STATE AND ZIP CODE

Hilo, Hawaii 96720

POSTAGE		\$ 1.71
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	.80¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	.45¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		\$ 2.96
POSTMARK OR DATE		

● SENDER: Complete items 1, 2, and 3.

Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered. _____

Show to whom, date, and address of delivery. _____

RESTRICTED DELIVERY

 Show to whom and date delivered. _____

RESTRICTED DELIVERY.

 Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

SIDNEY FUKE

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	974916	

(Always obtain signature of addressee or agent)

I have received the article described above.

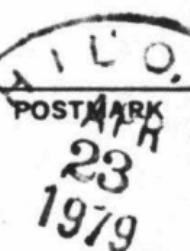
SIGNATURE Addressee Authorized agent

4.

DATE OF DELIVERY

4/23/79

5. ADDRESS (Complete only if requested)



6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

No.

974919

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO

WILLIAM RUSSELL

STREET AND NO.

Route 1, Box 200

P.O., STATE AND ZIP CODE

Kailua-Kona, HI 96740

POSTAGE	\$.41
CERTIFIED FEE	.80¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
OPTIONAL SERVICES	
SHOW TO WHOM AND DATE DELIVERED	.45¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	\$ 1.66

POSTMARK OR DATE



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, afix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on
reverse.

1. The following service is requested (check one).

Show to whom and date delivered.....—¢

Show to whom, date, and address of delivery. _____

RESTRICTED DELIVERY

RESTRICTED DELIVERY.

Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

WILLIAM W. RUSSELL, PASTER
KONA BAPTIST CHURCH

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.
974919

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE **Addressee** **Authorized agent**

William Russell

Black Books

4. DATE OF DELIVERY

4. DATE OF DELIVERY 11/23/79 K5 POSTMARK 23

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE. \$300



**RETURN
TO**



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

(Name of Sender)

(Street or P. O. Box)

(City, State, and ZIP Code)

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition) SP78-320
for Special Permit of)
) KONA BAPTIST CHURCH
KONA BAPTIST CHURCH)
)
)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use
Commission's Decision and Order was served upon the follow-
ing by certified mail:

SIDNEY FUKE, Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

WILLIAM W. RUSSELL, Pastor
Kona Baptist Church
Route 1, Box 200
Kailua-Kona, Hawaii 96740

DATED: Honolulu, Hawaii, this 20th day of April, 1979.


GORDAN Y. FURUTANI
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

October 19, 1978 - 9:30 a.m.

Approved

Senate Conference Room No. 5
2nd Floor, State Capitol
Honolulu, Hawaii

FEB 21 1979

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
James Carras
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell

COMMISSIONERS ABSENT: Colette Machado
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

ADDITION TO AGENDA

Upon motion by Commissioner Pascua, seconded by Commissioner Carras, it was unanimously agreed to add to the agenda a discussion of the archaeological study which had been submitted by the Moana Corporation, A76-418.

A76-418 - MOANA CORPORATION (Archaeological Study)

Mr. Walton Hong, representing the petitioner, noted that copies of the archaeological and biological surveys, prepared by the Archaeological Research of Hawaii, Inc., relative to the subject petition had been transmitted to the Commission. He recalled that the Commission, in approving the petition, had imposed a condition that archaeological and biological studies be conducted by the petitioner prior to development of the site. Thus, it was explained by Mr. Hong, he was appearing before the Commission to request a determination as to whether this condition had been satisfactorily met.

Following a lengthy discussion concerning Mr. Hong's request, Deputy Attorney General Allan Kawada counselled the

SP78-320 - KONA BAPTIST CHURCH

SPECIAL PERMIT APPLICATION TO ALLOW THE CONSTRUCTION OF A
CLASSROOM BUILDING AT KEAUHOU 1ST, NORTH KONA, HAWAII

Following the presentation of a summary report of the subject request by Mr. Yasui, it was moved by Commissioner Carras, seconded by Commissioner Pascua, and unanimously agreed to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission.

A lunch recess was called by the Chairman at 12:14 p.m.

1:35 p.m.

A78-438 - GROVE FARM COMPANY, INC.

Commissioner Oura was excused from participating in the discussion of this petition since he was not present at the hearing proceedings.

In the matter of the boundary amendment petition by Grove Farm Company, Inc., Docket A78-438, on which a hearing was held on August 15, 1978, the Commission discussed the following document which had been previously distributed to the Commission members, prior to taking action on the petition:

1. Petitioner's Proposed Findings of Fact, Conclusions of Law and Decision.

It was announced that the Chair would entertain a motion regarding the request, after which the Commission will proceed to adopt appropriate findings and conclusions.

It was moved by Commissioner Pascua and seconded by Commissioner Carras to approve the request by Grove Farm Co., Inc. to reclassify 61 acres from the Agricultural District into the Urban District at Lihue, Kauai. The Commissioners were polled as follows:

Ayes: Commissioners Carras, Nakagawa, Whitesell, Pascua
Miyasato, Chairman Duke

The motion was carried.

Thereafter, Mr. Allan Kawada counselled the Commission in its adoption of the findings and conclusions.

During the discussion, deletions, amendments, additions, etc. were made to the petitioner's proposed document. It was pointed out by Commissioner Whitesell that the findings should be as succinct as possible and that only the most pertinent and relevant facts required to arrive at a conclusion should be included therein.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP78-320 - KONA BAPTIST CHURCH DATE October 19, 1978
PLACE Senate Conf. Room #5 TIME 9:30 a.m.
State Capitol, Honolulu

	NAME	YES	NO	ABSTAIN	ABSENT
	WHITESELL, CAROL	X			
	MACHADO, COLETTE				X
	OURA, MITSUO	X			
S	PASCUA, GEORGE R.	X			
	MIYASATO, SHINSEI	X			
	NAKAGAWA, SHINICHI	X			
M	CARRAS, JAMES	X			
	YANAI, EDWARD				X
	DUKE, CHARLES	X			

Comments: I move that this Special Permit be approved, subject to the conditions set forth by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: LAND USE COMMISSION

October 19, 1978

FROM: Staff

SUBJECT: SP78-320 - Kona Baptist Church

The petitioner, Kona Baptist Church, is requesting a Special Permit to allow the construction of a classroom building on approximately 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-07: 60. The subject property is located along the makai side of the Kuakini Highway, on the northern corner of the Puuloa Road-Kuakini Highway intersection at Keauhou 1st, North Kona.

The area under consideration is the site of the present Kona Baptist Church. The existing church building and pastorium were constructed in 1967 through an Interim Zoning Variance issued by the County of Hawaii. The present church structure has a capacity for 133 persons and is used as the main assembly hall as well as a classroom/day care center. While the Interim Zoning Variance allowed for the development of a church building, pastorium, and classroom structure, the latter was never constructed.

The proposed classroom structure would be two (2) stories in height, with a ground floor area of 2,880 square feet and a gross floor area of 5,760 square feet. It would consist of 12 classrooms, a kitchen, office, library and restrooms. The building will be used for Sunday School classes and as a day care center.

In support of the request, the petitioner has in part stated the following:

"This is a formal request for permission to expand our present buildings to include a classroom building in a subject area that is zoned Unplanned and within the State Land Use Agricultural District.

"The classroom building will be used in the same way that the present building is being used. There will be no change in the present use only fulfilling our need for additional space to care for a growing congregation.

"Our expanding congregation is placing an overload in the use of our present building and services. We feel that it will be a building that will be used to continue with the same intent as expressed in the Interim Use Permit granted for the church building approved on May 31, 1966 (N.137)."

Present County Zoning for the subject area is Unplanned (U).

The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "E" or "Very Poor" for the subject site. The Soil Conservation Service's Soil Capability Rating for these soils is Class VII. Class VII soils have severe limitations that make them unsuited to cultivation and restrict their use largely to pasture, woodland or wildlife.

Surrounding land uses include vacant areas, single family dwellings and some diversified agricultural activities mauka of the subject area, across Kuakini Highway. The subject area is situated at the entrance to Puuloa Subdivision which is built up with single family dwellings.

Access to the subject site will be from Puuloa Road which has a 40-foot right-of-way and a 16-foot pavement.

The petitioner intends to site the proposed classroom building in such a way as to minimize slope considerations in the area. The structure will be situated on a level area with relatively steep banks above and below the structure. Consequently, access from the parking lot will be directly to the upper floor of the proposed structure.

Pertinent comments from governmental agencies:

1. Department of Health

"Recommend consultation with Department of Social Services regarding their Day Care Regulations requirements."

2. Department of Water Supply

The Department of Water Supply noted the following:

"The existing parcel and facilities are presently serviced with a 5/8-inch meter and a 1-inch meter.

"It is not anticipated that there will be an increase in water usage or a request for an additional meter as a consequence of the building additions.

"Therefore, we have no objections to this Special Permit request."

3. Department of Public Works

The Department of Public Works stated the following:

"We have reviewed the subject application and our comments are as follows:

"Structure shall meet all requirements of C-1 occupancy, U.B.C. Rooms for day care purposes, kindergarten, first or second grade pupils shall not be located above the 1st story. Provisions for the handicapped required."

Other cooperating agencies including the Hawaii Electric Light Company, Inc., Department of Transportation, Fire Department, Police Department, Department of Education, and Department of Parks and Recreation had no objections to the permit request.

A public hearing was held by the Hawaii County Planning Commission on August 3, 1978. Mr. Glenn Morphis, representing the Kona Baptist Church, spoke in support of the permit request. No other persons testified concerning the request. For the Commission's information, the August 3, 1978 hearing transcript has been attached (County Exhibit P-2).

On August 31, 1978, the Hawaii County Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission based on the following findings:

"That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soil and other related characteristics. According to the United States Department of Agriculture, Soil Conservation Service's Soil Survey Report, the soils of the subject area are of the Punaluu Series. These soils consist of thin, well-drained peat over pahoehoe lava. The Capability Class rating for these soils is Class VII. Class VII soils have severe limitation that make them unsuited to cultivation and that restricts their use largely to pasture or range, woodland, or wildlife. The Land Study Bureau's overall capability rating for these soils is Class 'E' or 'Very Poor' which also reflects the poor potential for conducting agricultural

activities in this area. In addition, the subject parcel as well as the surrounding areas makai of Kuakini Highway are shown as lands of 20% or over in the General Plan Facilities Map. Finally, the subject area is already developed and is currently being used for church and related activities which were permitted under Interim Zoning Variance 137, granted on May 31, 1966.

"Therefore, given the present use of the subject area, the steepness of the property and the poor quality of the soil for agricultural purpose, it is determined that the expansion of the church facilities by allowing the construction of the classroom building will not be contrary to the objectives of the State Land Use Law and Regulations and the above-cited criterion for determining the Agricultural District classification.

"That the proposed use will not adversely affect surrounding properties. The subject area has been used for church and related activities since approximately 1967. The granting of this request will not alter the essential character of the area, but will allow the construction of new classroom facilities in order to better serve the congregation of the church. The surrounding land uses include scattered single-family dwellings and open areas. In addition, the subject area is situated at the entrance of the Puuloa Subdivision which is built-up with single-family residences. Consequently, the areas surrounding the subject area can be characterized as rural or urbanizing in nature. Churches and related activities are compatible with this character. Consequently, it is determined that the granting of this request, and the continued use of this area for the existing activities will not have any adverse impact on the surrounding land uses.

"Further, the subject area is over two (2) acres in area and is relatively steep in character as evidenced by its inclusion as lands of 20% or over in the General Plan Facilities Map. The reasonable size and the steepness of the parcel allow the siting of the proposed classroom facilities in such a way as to minimize the visual impact of the structure on the surrounding areas.

"That the proposed use will not unreasonably burden public agencies to provide public road, water and other infrastructures and services. All essential utilities and services are or will be available to the subject area."

For the Commission's information, the meeting minutes of August 31, 1978 have been attached (County Exhibit Y).

The favorable recommendation was subject to the following conditions:

- "1. That the proposed development shall conform substantially to the representations made by the petitioner and the plans submitted with the application.
- "2. That the petitioner or its authorized representative shall submit plans for Plan Approval within one (1) year from the effective date of approval of the Special Permit.
- "3. That construction of the classroom facility shall commence within one (1) year from the date of receipt of final Plan Approval and be completed within two (2) years thereafter.
- "4. That all other applicable rules, regulations and requirements shall be complied with."

It was further stated by the Planning Commission that:
"Should any of the foregoing conditions not be met, action may be initiated to nullify the Special Permit."

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
August 3, 1978

A regularly advertised public hearing, on the application of Kona Baptist Church, was called to order at 6:08 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami
Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Virginia Goldstein, Planner
Ilima Piianaia, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward Harada
Lionel Meyer, Deputy Corporation Counsel

and approximately 8 people in attendance

CHAIRMAN: We'll move on to item three under public hearings. Public hearing on the application of Kona Baptist Church for a Special Permit to allow the construction of a classroom building within the State Land Use Agricultural District. The area involved is along the makai side of Kuakini Highway on the northern corner of Puuloa Road-Kuakini Highway intersection, Keauhou 1st, North Kona, TMK: 7-8-07:60. Staff?

MOORE: (Presented background on file.)

CHAIRMAN: Thank you, Mr. Moore. Commissioners, any questions of the staff on the background report of the Kona Baptist Church for a Special Permit? If there are no questions of the staff, the Chair at this time would like to ask the applicant or a representative of the applicant to come forward. Mr. Morphis, we'll have to swear you in. Do you swear to tell the truth and nothing but the truth on this matter now before the Hawaii County Planning Commission?

MORPHIS: Yes, I do.

CHAIRMAN: Would you state your name into the microphone please.

MORPHIS: I'm Glen Morphis.

CHAIRMAN: Thanks. Mr. Morphis, you have heard the staff's background report on your application for a Special Permit, is there anything that you'd like to add for the benefit of the Commission?

MORPHIS: No, the report was very thorough, and I, you know, I don't feel that would cause any, you know, any more use of any facilities or anything else on the County, such as water or anything like that; and it's just in keeping with the normal use of the building now.

CHAIRMAN: I see. So this is just an expansion of your keikiland program?

MORPHIS: Yes, in our education program and in our Sunday School.

CHAIRMAN: Do you anticipate any change in the traffic into the church? Is it going to appreciably increase the traffic in and out?

MORPHIS: We have in the plans additional parking space and whatever they would require plus a circular driveway to allow one-way traffic getting out. There will be driveway access to both levels of the building.

CHAIRMAN: So actually you're going to improve the traffic circulation pattern there?

MORPHIS: I think it would, yes.

CHAIRMAN: Good. Commissioners, do you have any further questions of the applicant? Staff, did you have any questions of the applicant?

MOORE: No, we don't.

CHAIRMAN: Thank you, Mr. Morphis. This is a public hearing. Ladies and gentlemen, this is a public hearing on the application of the Kona Baptist Church for a Special Permit. The Chair at this time would like to invite anyone from the audience who would like to testify either for or against this application to please so identify himself. If there is no testimony to come before the Commission, the Chair will entertain a motion to either continue the public hearing or to close the public hearing.

PARIS: Mr. Chairman?

CHAIRMAN: Commissioner Paris.

PARIS: I move that we close the public hearing.

CHAIRMAN: Is there a second to the motion?

ORITA: Mr. Chairman, I second the motion.

CHAIRMAN: It has been moved by Commissioner Paris, seconded by Commissioner Orita that the public hearing on the application of the Kona Baptist Church for a Special Permit be closed. All those in favor so signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? The public hearing is closed.

Public hearing adjourned at 6:15 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

ATTEST:

W.F. Mielcke

William F. Mielcke
Chairman, Planning Commission

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
August 31, 1978

The Planning Commission met in regular session at 9:12 a.m. in the Conference Room, First Hawaiian Bank, Kailua, North Kona, Hawaii, and at 1:15 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, and at 4:30 p.m. in the Conference Room, Waimea Civic Center, Waimea, South Kohala, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke (Left at 5:36 p.m.)	ABSENT: Shigeru Fujimoto Haruo Murakami
J. Walsh Hanley	Ex-officio Member
Lorraine R. Jitchaku	Akira Fujimoto
Bert H. Nakano	
Alfredo Orita	
William J. Paris, Jr.	
Charles H. Sakamoto (Left at 3:15 p.m.)	
Sidney M. Fuke, Director	
Ilima Piianaia, Planner	
William Moore, Planner	
Lionel Meyer, Deputy Corporation Counsel (Left at 5:36 p.m.)	
David Murakami, representing Ex-officio Member Edward Harada (Left at 5:36 p.m.)	

And approximately 8 people at 9:12 a.m., 44 people at 1:15 p.m. 7 people at 4:30 p.m. and 6 people at 7:00 p.m.

MINUTES: It was moved by Commissioner Orita and seconded by Commissioner Sakamoto that the minutes of August 10 and 16, 1978, be approved as circulated; motion was carried.

The Chair announced that the meeting place for the scheduled 1:00 p.m. public hearing of Kainalu Development Corporation has been changed to the Kealakehe School Cafetorium.

All those testifying were duly sworn in.

SPECIAL PERMIT <u>KONA BAPTIST</u> CHURCH KEAUHOU 1ST, . NORTH KONA	Application of Kona Baptist Church for a Special Permit to allow the construction of a classroom building within the State Land Use Agricultural District. The area involved is along the makai side of Kuakini Highway on the northern corner of the Puuloa Road-Kuakini Highway intersection, Keauhou 1st, North Kona, TMK: 7-8-07:60.
---	--

EXHIBIT Y

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

October 6, 1978

Mr. Sidney Fuke, Planning Director
Hawaii County Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petitions

SP75-224 - Church of Jesus Christ of Latter-Day Saints (Time Extension)

SP76-255 - Stanley Shimizu (Time Extension)

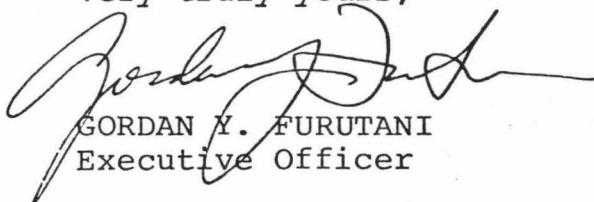
SP78-319 - Yamada and Sons, Inc.

SP78-320 - Kona Baptist Church

will be acted on at that time.

Should you have any question on these matters, please contact this office.

Very truly yours,



GORDAN Y. FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

October 6, 1978

Mr. William W. Russell, Pastor
Kona Baptist Church
Route 1, Box 200
Kailua, Kona, Hawaii 96740

Dear Mr. Russell:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petition

SP78-320 - KONA BAPTIST CHURCH

will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME & PLACE

October 19, 1978 - 9:30 a.m.
Senate Conference Room No. 5
2nd Floor, State Capitol
Honolulu, Hawaii

A G E N D A

I. ACTION

1. SP75-224 - Church of Jesus Christ of Latter-Day Saints (Time Extension) (Hawaii)

To allow a six (6) month time extension to commence construction of a church on approximately seven (7) acres of land situated within the State Land Use Agricultural District at Keopu 3rd, North Kona, Hawaii.

2. SP76-255 - Stanley Shimizu (Time Extension) (Hawaii)

To allow a six (6) month time extension to commence construction of a freezer/storage and office facility on approximately one (1) acre of land situated within the State Land Use Agricultural District at Ke'e 2nd, South Kona, Hawaii.

3. SP78-319 - Yamada and Sons, Inc. (Hawaii)

To allow the establishment of a rock crusher on approximately 20 acres of land situated within the State Land Use Agricultural District at Kapulena, Hamakua, Hawaii.

4. SP78-320 - Kona Baptist Church (Hawaii)

To allow the construction of a classroom building on approximately 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii.

5. A78-438 - Grove Farm Company, Inc. (Kauai)

To reclassify approximately 61 acres of land from the Agricultural District to the Urban District at Lihue, Kauai, for the development of a multi-phase regional, mall-type shopping center.

II. MISCELLANEOUS

1. Preview of Draft Slide-Tape Presentation on the State Land Use Law
2. Discussion of Defective Filing Guidelines and Special Permit procedures
3. Adoption of Minutes AUG 15 1978
4. Meeting Schedule



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

COUNTY OF
HAWAII

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

October 4, 1978

Mr. Gordan Furutani
Executive Officer
Land Use Commission
190 South King St., Suite 1795
Honolulu, HI 96813

SP78-320

LAND USE COMMISSION
STATE OF HAWAII
OCT 5 10 55 AM '78

Dear Mr. Furutani:

Special Permit Application
Petitioner: Kona Baptist Church

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the decision and findings of the County Planning Commission on the above application.

The special permit request was to allow the construction of a classroom building within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-07:60.

The Planning Commission at a duly advertised public hearing held on August 3, 1978 in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, discussed the subject request. The Commission on August 31, 1978, voted to recommend the approval of the special permit to the Land Use Commission based on the following findings:

That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soil

and other related characteristics. According to the United States Department of Agriculture, Soil Conservation Service's Soil Survey report, the soils of the subject area are of the Punaluu Series. These soils consist of thin, well-drained peat over pahoehoe lava. The Capability Class rating for these soils is Class VII. Class VII soils have severe limitation that make them unsuited to cultivation and that restricts their use largely to pasture or range, woodland, or wildlife. The Land Study Bureau's Overall Capability rating for these soils is Class "E" or "Very Poor" which also reflects the poor potential for conducting agricultural activities in this area. In addition, the subject parcel as well as the surrounding areas makai of Kuakini Highway are shown as lands of 20% or over in the General Plan Facilities Map. Finally, the subject area is already developed and is currently being used for church and related activities which were permitted under Interim Zoning Variance 137, granted on May 31, 1966.

Therefore, given the present use of the subject area, the steepness of the property and the poor quality of the soil for agricultural purpose, it is determined that the expansion of the church facilities by allowing the construction of the classroom building will not be contrary to the objectives of the State Land Use Law and Regulations and the above-cited criterion for determining the Agricultural District classification.

That the proposed use will not adversely affect surrounding properties. The subject area has been used for church and related activities since approximately 1967. The granting of this request will not alter the essential character of the area, but will allow the construction of new classroom facilities in order to better serve the congregation of the church. The surrounding land uses include scattered single-family dwellings and open areas. In addition, the subject area is situated at the entrance of the Puuloa Subdivision which is built-up with single-family residences. Consequently, the areas surrounding the subject area can be characterized as rural or urbanizing in nature. Churches and related activities are compatible with this character. Consequently, it is determined that the granting of this request, and the continued use of this area for the existing activities will not have any adverse impact on the surrounding land uses.

Further, the subject area is over two (2) acres in area and is relatively steep in character as evidenced by its inclusion as lands of 20% or over in the General Plan

Facilities Map. The reasonable size and the steepness of the parcel allow the siting of the proposed classroom facilities in such a way as to minimize the visual impact of the structure on the surrounding areas.

That the proposed use will not unreasonably burden public agencies to provide public road, water and other infrastructures and services. All essential utilities and services are or will be available to the subject area.

The favorable recommendation was also subject to the following conditions:

1. That the proposed development shall conform substantially to the representations made by the petitioner and the plans submitted with the application.
2. That the petitioner or its authorized representative shall submit plans for Plan Approval within one (1) year from the effective date of approval of the Special Permit.
3. That construction of the classroom facility shall commence within one (1) year from the date of receipt of final Plan Approval and be completed within two (2) years thereafter.
4. That all other applicable rules, regulations and requirements shall be complied with.

Should any of the foregoing conditions not be met, action may be initiated to nullify the Special Permit.

Enclosed are copies of the Exhibits from the subject docket.

Sincerely,



WILLIAM F. MIELCKE
Chairman, Planning Commission

lgy
Enclosures

cc Mr. William W. Russell, Kona Baptist Church
Land Use Division, DPED
Kona Service Office

LIST OF EXHIBITS - KONA BAPTIST CHURCH

- A. Petitioner's transmittal 6/20/78
- A-1. Application form
- A-2. Petitioner's reasons 6/19/78
- B. Departmental acknowledgement letter 6/29/78
- C. Memo to the agencies 6/29/78
- D. HELCO 7/5/78
- E. Public Works 7/5/78
- E-1. Memo from the staff for the files 7/26/78
- F. DOT, Land 7/6/78
- G. Fire 7/7/78
- H. Police 7/10/78
- I. Soil Conservation Service 7/10/78
- J. Water Supply 7/12/78
- K. Health 7/13/78
- L. Dept. of Education 7/18/78
- M. P & R 7/18/78
- N. Letter to the surrounding property owner - Bishop Estate-7/21/78
- O. Letter to petitioner 7/21/78
- O-1. Public Hearing Notice
- OO. Memo from the staff for the files 7/24/78
- P. Voting Sheet - closed hearing
- P-1. Minutes 8/3/78
- P-2. Transcript 8/3/78
- Q. Letter to petitioner 8/4/78
- R. Letter to petitioner 8/17/78
- S. Staff background
- T. Staff recommendation

- U. Photographs
- V. Location Map
- W. Elevation Map
- X. Voting Sheet - approved to LUC
- Y. Minutes 8/31/78
- Z. Letter to petitioner 9/1/78

TRANSMITTAL

LETTER

AIA DOCUMENT G810

*h
Norm*

PROJECT:
(name, address) KONA BAPTIST CHURCH
CLASSROOM BUILDING ADDITION

ARCHITECT'S
PROJECT NO: 77-0523

TMK: 7-8-07: 60

DATE: June 20, 1978

TO: Planning Department
County of Hawaii
25 Aupuni
ATTN: Hilo, Hawaii 96720
L Sidney Fuke

If enclosures are not as noted, please
inform us immediately.

If checked below, please:

(Acknowledge receipt of enclosures.
(Return enclosures to us.

WE TRANSMIT:

herewith (under separate cover via _____
(in accordance with your request _____

FOR YOUR:

approval distribution to parties (information
 review & comment (record
(use _____

THE FOLLOWING:

Drawings (Shop Drawing Prints (Samples
(Specifications (Shop Drawing Reproducibles (Product Literature
(Change Order Application for Special Permit

COPIES	DATE	REV. NO.	DESCRIPTION	ACTION CODE
16	3-24-78		Plot Plan and Location Map	
16	3-24-78		Exterior Elevations	
16	6-6-78		Landscape Plan and Floor Plans	
16	6-19-78		Applications for Special Permit	
1	6-19-78		Check in the amount of \$100.00 for processing fee	

ACTION A. Action indicated on item transmitted
CODE B. No action required
C. For signature and return to this office

D. For signature and forwarding as noted below under REMARKS
E. See REMARKS below

REMARKS Please contact or notify Glen Morphis at 329-3178 or William W. Russell
at the Kona Baptist Church (322-9119 or 3223355) concerning any matters in
reference to this Special Permit Application.

COPIES TO: Kona Baptist Church (with enclosures)
c/o Glen Morphis

John P. Dinmore Architect
PO Box 2964
Kailua Kona Hi 96740

BY:

John P. Dinmore

PLICATION FOR SPECIAL PERMIT

Lue

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

Kona Baptist Church

APPLICANT: _____

APPLICANT'S SIGNATURE: William W. Russell

William W. Russell, Pastor

ADDRESS: _____

Route 1, Box 200

Kailua-Kona, Hawaii 96740

TELEPHONE: 322-9119 / 322-3355

TAX MAP KEY: 7-8-07:60 AREA: 2.409 acre

(size of Parcel)

OWNER: Kona Baptist Church

OWNER'S SIGNATURE: William W. Russell

William W. Russell, pastor

APPLICANT'S INTEREST, IF NOT OWNER: Authorized signature for Church

REQUESTED USE: Classroom building

Building will be used as present building is being used. The request is for ~~additionat~~ additional space to handle more people as the result of continued growth.

APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: (Please attach)

NOTE: The applicant must show that:

- (a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
- (b) the desired use shall not adversely affect surrounding properties;
- (c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
- (g) the proposed use will make the highest and best use of the land involved for the public welfare.

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.

For Official Use:

Date received _____
 120th day _____
 Public Hearing date _____
 Action date _____
 To Land Use Commission _____

EXHIBIT A-1

RECEIVED

78 JUN 26 PM 2 38

PLANNING DEPT.
COUNTY OF HAWAII
FILE NO.

KONA BAPTIST CHURCH

ROUTE 1, BOX 200

KAILUA-KONA, HAWAII 96740

June 19, 1978

Planning Department
County of Hawaii
25 Aupuni Street
Hilo Hawaii 96720

Dear Sirs:

Kona Baptist Church
Classroom Building Addition
TMK: 7-8-07:60

This is a formal request for permission to expand our present buildings to include a classroom building in a subject area that is zoned Unplanned and within the State Land Use Agricultural District.

The classroom building will be used in the same way that the present building is being used. There will be no change in the present use only fulfilling our need for additional space to care for a growing congregation.

Our expanding congregation is placing an overload on the use of our present building and services. We feel that it will be a building that will be used to continue with the same intent as expressed in the Interm Use Permit granted for the church building approved on May 31, 1966(N.137):

Yours,

William W. Russell

EXHIBIT A-2

June 29, 1978

Rev. William W. Russell
Route 1, Box 200
Kailua-Kona 96740

Dear Rev. Russell:

Special Permit - Kona Baptist Church
Classroom Building/Day Care Use
TMK: 7-8-07:60

This is to acknowledge receipt on June 26, 1978 of the above described special permit application.

The County Planning Commission shall conduct a public hearing on the request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission shall then act on the application not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter. Should the Planning Commission recommend favorably on the request, it will then be forwarded to the State Land Use Commission for final action.

However, the Planning Commission may deny the request if it is found that the proposed use does not meet the special permit guidelines. In this case, their decision is final. In accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a denial by the Planning Commission may be appealable to the Circuit Court of the circuit in which the land is situated, in this case, the Third Circuit Court.

Notice of the time and place of the public hearing shall be forwarded when the application is scheduled for Commission action.

Should any questions arise, please contact Ilima Piianaia or Keith Kato of this department at 961-8288.

Sincerely,

Sidney Fukue
SIDNEY FUKUE
Director

IP:ak

EXHIBIT B

JUN 30 1978

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW POLICE HELCO Date: June 29, 1978
DWS FIRE SOIL CONSERVATION
R & D HIGHWAYS DEPT. OF AGRICULTURE
P & R HEALTH DEPT. OF EDUCATION

From: DIRECTOR *[Signature]*

Subject: Special Permit - Kona Baptist Church
Classroom Building/Day Care Use
TMK: 7-8-07:60

The attached application for a special permit is forwarded for your review. May we please have written comments within two weeks.

Thank you very much.

agk
Attachment

EXHIBIT C

HAWAII ELECTRIC LIGHT COMPANY, INC.
P. O. BOX 1027 HILO, HAWAII-96720



July 5, 1978

County of Hawaii
Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney M. Fuke
Director

Gentlemen:

SUBJECT: Special Permit - Kona Baptist Church
Classroom Building/Day Care Use
TMK: 7-8-07:60

We have no comments to the above application as per
your memorandum of June 29, 1978.

Very truly yours,

Jitsuo Niwao, Manager
Engineering Department

JN:cmh

EXHIBIT D

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE July 5, 1978

Memorandum

TO : Planning Department

FROM : Chief Engineer

SUBJECT: Application for Special Permit
Applicant: Kona Baptist Church
Location: North Kona, Hawaii
TMK: 7-8-07:60

We have reviewed the subject application and our comments are as follows:

Structure shall meet all requirements of C-1 occupancy, U.B.C. Rooms for day care purposes, kindergarten, first or second grade pupils shall not be located above the 1st story. Provisions for the handicapped required.

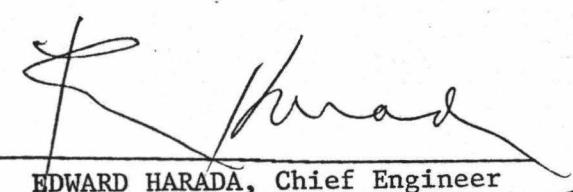

EDWARD HARADA, Chief Engineer

EXHIBIT E

MEMO

July 26, 1978

To: File

From: Bill

Re: Kona Baptist Church. Special Permit

UMK: 7-8-07:60

I spoke to Dave Nakamani regarding the DPW's comments on this Special Permit.

The C-1 occupancy relates to the use of the building, specifically for educational buildings. Because different uses have different structure, ventilation, safety, etc. requirements, the code differentiates between the uses.

Regarding the requirement that no day care purpose be located above the first floor, because there should be no problem. DPW interpret the lower level of the structure to be a basement. Consequently either level may be used for the proposed purpose.

GEORGE R. ARIYOSHI
GOVERNOR



Ryokichi Higashionna,
XXXXXXXXXXXX
DIRECTOR

DEPUTY DIRECTORS
DOUGLAS S. SAKAMOTO
WALLACE AOKI

Charles O. Swanson

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
HAWAII DISTRICT
50 MAKALA STREET
P. O. BOX 4277
HILO, HAWAII 96720

IN REPLY REFER TO:

LT-H 78-2.781

July 6, 1978

MEMORANDUM:

TO: Director, Planning Department
County of Hawaii

FROM: District Engineer, Hawaii

SUBJECT: () Change of Zone Application
() Variance Application
() Subdivision Application No.
() Special Permit Application
Kona Baptist Church
TMK: 7-8-07:60

We have no comments on the proposed action for the subject application.

A. Hayashi

✓ CHAS L. SCHUSTER

EXHIBIT F

HAWAII FIRE DEPARTMENT • COUNTY OF HAWAII • HILO, HAWAII 96720

DATE July 7, 1978

Memorandum

TO : Planning Department

FROM : Hiroshi Shishido, Deputy Fire Chief

SUBJECT: SPECIAL PERMIT - KONA BAPTIST CHURCH
CLASSROOM BUILDING/DAY CARE USE
TMK: 7-8-07:60

We have no objections to building the classroom.

Hydrants are located on Kuakini Highway and Puuloa Street. Kailua Fire Station is located approximately four miles away.

Hiroshi Shishido

HIROSHI SHISHIDO
DEPUTY FIRE CHIEF

HS/mo

EXHIBIT G



POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720



OUR REFERENCE

GUY A. PAUL

YOUR REFERENCE

CHIEF OF POLICE

July 10, 1978

TO : SIDNEY FUKE, PLANNING DIRECTOR
FROM : GUY A. PAUL, CHIEF OF POLICE
SUBJECT: SPECIAL PERMIT-KONA BAPTIST CHURCH
CLASSROOM BUILDING/CARE USE
TMK: 7-8-07:60

The application submitted by the above applicant has been reviewed and from the police standpoint, we can foresee no adverse effects from the requested land use.


GUY A. PAUL
CHIEF OF POLICE

RG/RLP/k

EXHIBIT H

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

P. O. Box 636, Kealakekua, Hi. 96750

July 10, 1978

• Sidney M. Fuke, Director
Planning Department
County of Hawaii
Hilo, Hawaii 96720

Dear Mr. Fuke,

Subject: Special Permit, Kona Babtist Church
Classroom Building/Day Care Use
TMK: 7-8-07: 60

Subject preparation notice has been reviewed and the following comments are offered for your consideration:

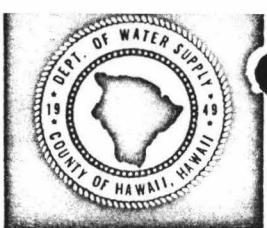
1. The subject parcel of land at present time is in ornamental plants, ohia, paper bark, kukui, etc.
2. Information on soils can be found on map #102 and a description on page 48 of the "Soils Survey of the Island of Hawaii, State of Hawaii" published in 1973 by the USDA Soil Conservation Service in 1973.
3. The latest flood analysis study for North Kona does not show that the parcel in question is in any flood prone area. Elevation is about 1200 feet; rainfall is over 40 inches annually.
4. Information on Agricultural Lands of Importance to the State of Hawaii can be found on sheet H-8 which was prepared by the College of Tropical Agriculture, University of Hawaii, with assistance from the USDA Soil Conservation Service.

Thank you for the opportunity to review this document.

Sincerely,

O. M. Mabry
O. M. Mabry
District Conservationist

EXHIBIT I



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

July 12, 1978

TO: Planning Department
FROM: Manager
SUBJECT: APPLICATION FOR SPECIAL PERMIT
APPLICANT - KONA BAPTIST CHURCH
TAX MAP KEY 7-8-07:60
CLASSROOM BUILDING/DAY CARE USE

The existing parcel and facilities are presently serviced with a 5/8-inch meter and a 1-inch meter.

It is not anticipated that there will be an increase in water usage or a request for an additional meter as a consequence of the building additions.

Therefore, we have no objections to this Special Permit request.

Akira Fujimoto
Akira Fujimoto
Manager

GK

... Water brings progress...

EXHIBIT J

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW POLICE HELCO Date: June 29, 1978
DWS FIRE SOIL CONSERVATION
R & D HIGHWAYS DEPT. OF AGRICULTURE
P & R ✓ HEALTH DEPT. OF EDUCATION

From: DIRECTOR *Harold Matsuura*

Subject: Special Permit - Kona Baptist Church
Classroom Building/Day Care Use

TMK: 7-8-07:60

The attached application for a special permit is forwarded for your review. May we please have written comments within two weeks.

Thank you very much.

Department of Health
Hilo, Hawaii
July 13, 1978

agk

Attachment Recommend consultation with Dept. of Social Service regarding
their Day Care Regulations requirements.

Harold Matsuura
HAROLD MATSUURA
Chief Sanitarian, Hawaii

EXHIBIT K

HAWAII DISTRICT
Department of Education

Date: July 18, 1978 *Plim*

TO: Hawaii County
Department of Planning

FROM: Hawaii District
Department of Education

SUBJECT: Special Permit -- Kona Baptist Church, Classroom Bldg/Day Care Use

TMK: 7-8-07:60

✓ Hawaii District Department of Education has no objection to the application.

Hawaii District Department of Education recommends the following:

Schools Affected:

For the Department of Education:

Herbert S. Watanabe
Herbert S. Watanabe
Staff Specialist
Business & Facilities

EXHIBIT L

DEPARTMENT OF PARKS & RECREATION
COUNTY OF HAWAII

W. Iliman
Date: July 18, 1978

TO: PLANNING DEPARTMENT
FROM: DEPARTMENT OF PARKS & RECREATION
RE: CHANGE OF ZONE APPLICATION
 SPECIAL PERMIT APPLICATION - Church Classroom
 USE PERMIT APPLICATION
 VARIANCE

FOR: Kona Baptist Church TMK 7-8-07:60

We have reviewed the subject request and have no adverse comments to offer. Thank you for the opportunity to review the application.

The building plans are being returned for your future use.

for Dan K. Messum
Milton T. Hakoda
Director

attach.

EXHIBIT M



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF
HAWAII

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

July 21, 1978

Dear Property Owner: B. P. Bishop Estate

Special Permit Application
Keauhou 1st, North Kona, Hawaii
Tax Map Key 7-8-07:60

You are hereby notified that a request for a special permit to allow the construction of a classroom building situated within the State Land Use Agricultural District has been submitted by the petitioner, Kona Baptist Church.

The property involved is along the makai side of Kuakini Highway on the northern corner of the Puuloa Road-Kuakini Highway intersection, Keauhou 1st, North Kona, Hawaii.

A public hearing on the subject among others will be held beginning at 3:30 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Sincerely,

Sidney M. Fuke
Planning Director

smn

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT N

July 21, 1978

Mr. William W. Russell
Kona Baptist Church
Route 1, Box 200
Kailua-Kona, HI 96740

Dear Mr. Russell:

Notice of a Public Hearing
Special Permit Application
Tax Map Key 7-8-07:60

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 3:30 p.m. on Thursday, August 3, 1978, in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the hearing notice and agenda is enclosed for your information.

Sincerely,

Sidney M. Fuke

Sidney M. Fuke
Director

smn

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT O

JUL 21 1978

PUBLIC HEARINGS
PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii

DATE: Thursday, August 3, 1978

TIME: 3:30 p.m.

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. PETITIONER: LEE HALL

LOCATION: At the mauka end and on the southern side of Makole-a Street, Makole-a Subdivision, Kahalu'u, North Kona.

TMK: 7-8-14:93

PURPOSE: Change of zone for 15,230 square feet of land from a Single Family - 7,500 square foot (RS-7.5) to a Multiple Family Residential - 3,000 square foot (RM-3) zoned district.

2. PETITIONER: KONA BAPTIST CHURCH

LOCATION: Along the makai side of Kuakini Highway on the northern corner of the Puuloa Road-Kuakini Highway intersection, Keauhou 1st, North Kona.

TMK: 7-8-07:60

PURPOSE: Special Permit application to allow the construction of a classroom building on 2.409 acres of land situated within the State Land Use Agricultural District.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION,
WILLIAM F. MIELCKE, Chairman
By SIDNEY M. FUKE
Planning Director

(Hawaii Tribune-Herald: July 24 and August 1, 1978)

Memo

To: S.I.

~~To:~~ From: Bill

Re: Kona Baptist church; S.P.
Link: 7-87-60

Glen Morphus called on July 24 on this matter. He stated that the proposed classroom structure will be used only for Sunday School Classes and possibly as a preschool facility at a later date depending on demand. The building will not be used as an elementary school.

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date August 3, 1978

Petitioner Kona Baptist Church - Special Permit

Preliminary hearing Public hearing Request Action

ACTION: Approve
Deny
Defer
Continue
Schedule for public hearing

Other: Closed

Commissioners	Aye	No	Excused	Abstain
FUJIMOTO, Shigeru			<input checked="" type="checkbox"/>	
HANLEY, J. Walsh	<input checked="" type="checkbox"/>			
JITCHAKU, Lorraine R.			<input checked="" type="checkbox"/>	
MURAKAMI, Haruo			<input checked="" type="checkbox"/>	
NAKANO, Bert H.				
ORITA, Alfredo	<input checked="" type="checkbox"/>			
PARIS, William Jr.	<input checked="" type="checkbox"/>			
SAKAMOTO, Charles				
MIELCKE, William F.	<input checked="" type="checkbox"/>			

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
August 3, 1978

The Planning Commission met in regular session at 12:30 p.m. in the Civic Center Conference Room, Waimea, South Kohala, Hawaii, and at 3:06 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT:	William F. Mielcke	ABSENT:	Shigeru Fujimoto
	J. Walsh Hanley (From 3:06 p.m.)		Lorraine R. Jitchaku
	Bert H. Nakano		Haruo Murakami
	Alfredo Orita		
	William J. Paris, Jr.		Ex-officio Member
	Charles H. Sakamoto		Akira Fujimoto

Sidney M. Fuke, Director (From 2:00 p.m.)
Virginia Goldstein, Planner (From 2:00 p.m.)
Ilima Piianaia, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward
Harada
Lionel Meyer, Deputy Corporation Counsel

and about 17 people in attendance at 12:30 p.m., 18 people
at 3:06 p.m., 37 people at 3:47 p.m. and 14 people at
6:48 p.m.

The Planning Director at this time suggested the public hearing be continued pending the receipt of a survey being conducted by the Department of Public Works on the traffic situation and informed the Commission that he has already spoken to the petitioner's representative, Vernon Arney.

It was moved by Commissioner Sakamoto and seconded by Commissioner Hanley that the public hearing be continued; motion was carried.

SPECIAL PERMIT
KONA BAPTIST

CHURCH
KEAUHOU 1ST,
NORTH KONA

Public hearing on the application of Kona Baptist Church for a Special Permit to allow the construction of a classroom building within the State Land Use Agricultural District. The area involved is along the makai side of Kuakini Highway on the northern corner of the Puuloa Road-Kuakini

Highway intersection, Keauhou 1st, North Kona, TMK: 7-8-07:60.

Staff presented background on file. The petitioner's representative, Glen Morphis, pointed out that the project would be in keeping with the normal use, such as water requirements, and that it is an expansion of their education program and Sunday School. He added that they do have plans which would improve the traffic circulation pattern.

There was no one from the public testifying on the application.

It was moved by Commissioner Paris and seconded by Commissioner Orita that the public hearing be closed; motion was carried.

At this time, 6:35 p.m., the Chair proceeded to the next scheduled public hearing.

SMA USE PERMIT
COUNTY OF HAWAII

PLANNING
DEPARTMENT
KAHALU'U,
NORTH KONA

North Kona, TMK: 7-8-14:4.

Public hearing on the application of the County of Hawaii Planning Department for a Special Management Area (SMA) Use Permit to allow the archaeological restoration and maintenance of the Kuemanu Heiau complex. The area involved is located along the makai side of Ali'i Drive, on the northerly shore of Kahalu'u Bay, Kahalu'u,

Staff presented background and recommendation for approval with conditions on file.

The petitioner's representative, Virginia Goldstein, pointed out that the Department is in the process of drawing up the contract; however, two of the specifications are that they have a supervisor who has had experience in Hawaiian masonry and that they have a qualified archaeologist. She added that although there are no funds committed for the maintenance, they are considering the Department of Parks and Recreation to maintain the property.

The Planning Director informed the Commissioners that although the Department would not be able to get maintenance funds under the Coastal Zone Management Program this year, there is excellent justification for using those funds once the heiau is restored.

Under public testimonies, Keoni DeLeon, John Funk, Julia Kalua-u, John Kalua-u, and Laura Kahumoku spoke in favor of the project. Keoni

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
August 3, 1978

A regularly advertised public hearing, on the application of Kona Baptist Church, was called to order at 6:08 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami

Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Virginia Goldstein, Planner
Ilima Piianaia, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward Harada
Lionel Meyer, Deputy Corporation Counsel

and approximately 8 people in attendance

CHAIRMAN: We'll move on to item three under public hearings. Public hearing on the application of Kona Baptist Church for a Special Permit to allow the construction of a classroom building within the State Land Use Agricultural District. The area involved is along the makai side of Kuakini Highway on the northern corner of Puuloa Road-Kuakini Highway intersection, Keauhou 1st, North Kona, TMK: 7-8-07:60. Staff?

MOORE: (Presented background on file.)

CHAIRMAN: Thank you, Mr. Moore. Commissioners, any questions of the staff on the background report of the Kona Baptist Church for a Special Permit? If there are no questions of the staff, the Chair at this time would like to ask the applicant or a representative of the applicant to come forward. Mr. Morphis, we'll have to swear you in. Do you swear to tell the truth and nothing but the truth on this matter now before the Hawaii County Planning Commission?

MORPHIS: Yes, I do.

CHAIRMAN: Would you state your name into the microphone please.

MORPHIS: I'm Glen Morphis.

EXHIBIT P-2

CHAIRMAN: Thanks. Mr. Morphis, you have heard the staff's background report on your application for a Special Permit, is there anything that you'd like to add for the benefit of the Commission?

MORPHIS: No, the report was very thorough, and I, you know, I don't feel that would cause any, you know, any more use of any facilities or anything else on the County, such as water or anything like that; and it's just in keeping with the normal use of the building now.

CHAIRMAN: I see. So this is just an expansion of your keikiland program?

MORPHIS: Yes, in our education program and in our Sunday School.

CHAIRMAN: Do you anticipate any change in the traffic into the church? Is it going to appreciably increase the traffic in and out?

MORPHIS: We have in the plans additional parking space and whatever they would require plus a circular driveway to allow one-way traffic getting out. There will be driveway access to both levels of the building.

CHAIRMAN: So actually you're going to improve the traffic circulation pattern there?

MORPHIS: I think it would, yes.

CHAIRMAN: Good. Commissioners, do you have any further questions of the applicant? Staff, did you have any questions of the applicant?

MOORE: No, we don't.

CHAIRMAN: Thank you, Mr. Morphis. This is a public hearing. Ladies and gentlemen, this is a public hearing on the application of the Kona Baptist Church for a Special Permit. The Chair at this time would like to invite anyone from the audience who would like to testify either for or against this application to please so identify himself. If there is no testimony to come before the Commission, the Chair will entertain a motion to either continue the public hearing or to close the public hearing.

PARIS: Mr. Chairman?

CHAIRMAN: Commissioner Paris.

PARIS: I move that we close the public hearing.

CHAIRMAN: Is there a second to the motion?

ORITA: Mr. Chairman, I second the motion.

CHAIRMAN: It has been moved by Commissioner Paris, seconded by Commissioner Orita that the public hearing on the application of the Kona Baptist Church for a Special Permit be closed. All those in favor so signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? The public hearing is closed.

Public hearing adjourned at 6:15 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

ATTEST:


William F. Mielcke
Chairman, Planning Commission

August 4, 1978

Mr. William W. Russell, Pastor
Kona Baptist Church
Rte 1, Box 200
Kailua-Kona, Hawaii 96740

Dear Mr. Russell:

Special Permit Application-Kona Baptist Church
Tax Map Key 7-8-07:60

The Planning Commission at its meeting of August 3, 1978, held a duly advertised public hearing on your application for a special permit to allow the construction of a classroom building within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii.

In accordance with the provisions of Section 205-6, Hawaii Revised Statutes, the Commission shall act on such petition not earlier than fifteen (15) days after the said public hearing.

We shall notify you when the Commission is ready to take action on your request.

Sincerely,



WILLIAM F. MIELCKE
Chairman, Planning Commission

lgy
cc State Land Use Commission
Land Use Division, DPED

EXHIBIT Q

August 17, 1978

Mr. William W. Russell
Kona Baptist Church
Route 1, Box 200
Kailua-Kona, HI 96740

Dear Mr. Russell:

Special Permit Application
Tax Map Key 7-8-07:60

Your application will again be discussed on Thursday, August 31, 1978, by the Planning Commission. The meeting will be held in the Conference Room, First Hawaiian Bank, Kailua, North Kona, Hawaii, and is scheduled to begin at 9:00 a.m.

You will be notified of the Commission's decision.

A copy of the agenda is enclosed for your information.

Sincerely,

Sidney M. Fuke

Sidney M. Fuke
Planning Director

smn

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT R

SPECIAL PERMIT/KONA BAPTIST CHURCH

The Kona Baptist Church is requesting a Special Permit to allow the construction of a classroom building on 2.409 acres of land situated within the State Land Use Agricultural District. The area under consideration is the site of the present Kona Baptist Church facilities situated along the makai side of Kuakini Highway on the northern corner of the Puuloa Road-Kuakini Highway intersection, Keauhou 1st, North Kona (TMK: 7-8-7:60).

The proposed classroom structure would be two stories in height, has a ground floor area of 2,880 square feet and a gross floor area of 5,760 square feet. The building would consist of 12 classrooms, a kitchen, office, library, and restrooms. The building will be used for Sunday School classes and as a day care center.

In support of this request, the petitioner submitted the following:

"This is a formal request for permission to expand our present buildings to include a classroom building in a subject area that is zoned Unplanned and within the State Land Use Agricultural District.

"The classroom building will be used in the same way that the present building is being used. There will be no change in the present use only fulfilling our need for additional space to care for a growing congregation.

"Our expanding congregation is placing an overload in the use of our present building and services. We feel that it will be a building that will be used to continue with the same intent as expressed in the Interim Use Permit granted for the church building approved on May 31, 1966 (N.137)."

For the Commissioners' information, the interim Zoning Variance mentioned above allowed the development and construction of a church building with related classrooms and a pastorum. The church building and pastorum were constructed in 1967 under this permit, while the classroom was never constructed. This 2,868-square foot church building is presently used as the classroom/day care center as well as being the main assembly hall. This church has a capacity of 133 persons.

Surrounding land uses include vacant areas, single family dwellings and some diversified agricultural activities mauka of the subject area, across Kuakini Highway. The subject area is situated at the entrance to Puuloa Subdivision which is built up with single family dwellings.

The subject area is situated within the Unplanned (U) zoned district. Under the County Zoning Code, churches and schools are permitted in the Unplanned zoned district as a "Conditionally Permitted Use."

The soils of the subject area are of the Punaluu series which consist of well-drained, thin organic soils over pahoehoe bedrock. Rock outcrops occupy 40 to 50 percent of the surface.

The surface layer is rapidly permeable. The Pahoehoe lava is very slowly permeable, although water moves quickly through the cracks. Runoff is slow and the erosion hazard is slight. The Soil Conservation Service's Soil Capability Rating for these soils is Class VII. Class VII soils have severe limitation that make them unsuited to cultivation and restrict their use largely to pasture or range, woodland or wildlife. The Land Study Bureau's Overall Capability Rating for the area is Class "E" or "Very Poor."

Although a portion of the subject area along Kuakini Highway is relatively level, the parcel as well as surrounding areas are shown as Lands of 20% Slope or Over on the General Plan Facilities Map. The petitioner intends to site the proposed classroom building in such a way as to minimize the slope considerations. The structure will be situated on a level area with relatively steep banks above and below the structure. Consequently, access from the parking lot will be directly to the upper floor of the proposed structure.

Access to the subject area will be from Puuloa Road which has a forty (40) foot right-of-way and a 16-foot pavement.

The Department of Public Works reviewed the subject request and commented as follows:

"Structure shall meet all requirements of C-1 occupancy, U.B.C. Rooms for day care purposes, kindergarten, first or second grade pupils shall not be located above the 1st story. Provisions for the handicapped required."

The Fire Department had no adverse comments on the request. They stated that hydrants are located on Kuakini Highway and Puuloa Street while the Kailua Fire Station is located approximately 4 miles away.

Upon review of the request, the Department of Water Supply stated:

"The existing parcel and facilities are presently serviced with a 5/8-inch meter and a 1-inch meter.

"It is not anticipated that there will be an increase in water usage or a request for an additional meter as a consequence of the building addition.

"Therefore we have no objections to this Special Permit request."

All other cooperating agencies had no comments on or objections to the subject request.

RECOMMENDATION: KONA BAPTIST CHURCH

Upon careful review of the subject request against the guideline for considering Special Permits, staff recommends it be given favorable consideration based on the following findings:

That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soil and other related characteristics. According to the United States Department of Agriculture, Soil Conservation Service's Soil Survey report, the soils of the subject area are of the Punaluu Series. These soils consist of thin, well-drained peat over pahoehoe lava. The Capability Class dating for these soil is Class VII. Class VII soils have severe limitation that make them unsuited to cultivation and that restricts their use largely to pasture or range, woodland, or wildlife. The Land Study Bureau's Overall Capability rating for these soils is Class "E" or "Very Poor".

which also reflects the poor potential for conducting agricultural activities in this area. In addition, the subject parcel as well as the surrounding areas makai of Kuakini Highway are shown as lands of 20% or over in the General Plan Facilities Map. Finally, the subject area is already developed and is currently being used for church and related activities which were permitted under Interim Zoning Variance 137, granted on May 31, 1966.

Therefore, given the present use of the subject area, the steepness of the property and the poor quality of the soil for agricultural purpose, it is determined that the expansion of the church facilities by allowing the construction of the classroom building will not be contrary to the objectives of the State Land Use Law and Regulations and the above-cited criterion for determining the Agricultural District classification.

2. That the proposed use will not adversely affect surrounding properties. The subject area has been used for church and related activities since approximately 1967. The granting of this request will not alter the essential character of the area, but will allow the construction of new classroom facilities in order to better serve the congregation of the church. The surrounding land uses include scattered single-family dwellings and open areas. In addition, the subject area

is situated at the entrance of the Puuloa Subdivision which is built-up with single-family residences. Consequently, the areas surrounding the subject area can be characterized as rural or urbanizing in nature. Churches and related activities are compatible with this character. Consequently, it is determined that the granting of this request, and the continued use of this area for the existing activities will not have any adverse impact on the surrounding land uses.

Further, the subject area is over two (2) acres in area and is relatively steep in character as evidenced by its inclusion as lands of 20% or over in the General Plan Facilities Map. The reasonable size and the steepness of the parcel allow the siting of the proposed classroom facilities in such a way as to minimize the visual impact of the structure on the surrounding areas.

3. That the proposed use will not unreasonably burden public agencies to provide public road, water and other infrastructures and services. All essential utilities and services are or will be available to the subject area.

It is further recommended that the request be approved subject to the following conditions:

1. That the proposed development shall conform substantially to the representations made by the petitioner and the plans submitted with the application.

2. That the petitioner or its authorized representative shall submit plans for Plan Approval within one (1) year from the effective date of approval of the Special Permit.
3. That construction of the classroom facility shall commence within one (1) year from the date of receipt of final Plan Approval and be completed within two (2) years thereafter.
4. That all other applicable rules, regulations and requirements shall be complied with.

Should any of the foregoing conditions not be met, action may be initiated to nullify the Special Permit.

Exhibit U

"

V

"

W

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date August 31, 1978

Petitioner KONA BAPTIST CHURCH - Special Permit

Preliminary hearing Public hearing Request Action

ACTION: Approve

Deny

Defer

Continue

Schedule for public hearing

Other: _____

Commissioners	Aye	No	Excused	Abstain
FUJIMOTO, Shigeru			✓	
HANLEY, J. Walsh	✓			
JITCHAKU, Lorraine R.	✓			
MURAKAMI, Haruo			✓	
NAKANO, Bert H.	✓			
ORITA, Alfredo	✓			
PARIS, William Jr.	✓			
SAKAMOTO, Charles	✓			
MIELCKE, William F.	✓			

EXHIBIT X

September 1, 1978

Mr. William W. Russell
Kona Baptist Church
Rte. 1, Box 200
Kailua-Kona, Hawaii 96740

Dear Mr. Russell:

Special Permit Application
Kona Baptist Church
Tax Map Key 7-8-07:60

The Planning Commission at its regular meeting of August 31, 1978 considered your application for a special permit to allow the construction of a classroom building within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii.

The Commission voted to forward a favorable recommendation to the Land Use Commission subject to the following conditions:

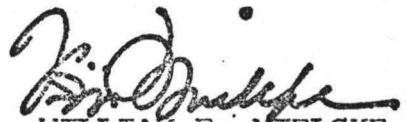
1. That the proposed development shall conform substantially to the representations made by the petitioner and the plans submitted with the application.
2. That the petitioner or its authorized representative shall submit plans for Plan Approval within one (1) year from the effective date of approval of the Special Permit.
3. That construction of the classroom facility shall commence within one (1) year from the date of receipt of final Plan Approval and be completed within two (2) years thereafter.
4. That all other applicable rules, regulations and requirements shall be complied with.

Mr. William W. Russell
September 1, 1978
Page 2

Should any of the foregoing conditions not be met, action may be initiated to nullify the Special Permit.

In the meantime, should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,



WILLIAM F. MIELCKE
Chairman, Planning Commission

lgv

cc State Land Use Commission
Land Use Division, DPED
Kona Service Office

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
August 31, 1978

The Planning Commission met in regular session at 9:12 a.m. in the Conference Room, First Hawaiian Bank, Kailua, North Kona, Hawaii, and at 1:15 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, and at 4:30 p.m. in the Conference Room, Waimea Civic Center, Waimea, South Kohala, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke (Left at 5:36 p.m.)	ABSENT: Shigeru Fujimoto Haruo Murakami
J. Walsh Hanley	Ex-officio Member
Lorraine R. Jitchaku	Akira Fujimoto
Bert H. Nakano	
Alfredo Orita	
William J. Paris, Jr.	
Charles H. Sakamoto (Left at 3:15 p.m.)	

Sidney M. Fuke, Director
Ilima Piianaia, Planner
William Moore, Planner

Lionel Meyer, Deputy Corporation Counsel (Left at 5:36 p.m.)
David Murakami, representing Ex-officio Member Edward
Harada (Left at 5:36 p.m.)

And approximately 8 people at 9:12 a.m., 44 people at
1:15 p.m. 7 people at 4:30 p.m. and 6 people at 7:00
p.m.

MINUTES: It was moved by Commissioner Orita and seconded
by Commissioner Sakamoto that the minutes of
August 10 and 16, 1978, be approved as circulated; motion was carried.

The Chair announced that the meeting place for the scheduled 1:00 p.m. public hearing of Kainalu Development Corporation has been changed to the Kealakehe School Cafetorium.

All those testifying were duly sworn in.

SPECIAL PERMIT
KONA BAPTIST
CHURCH
KEAUHOU 1ST,
NORTH KONA
Keauhou 1st, North Kona, TMK: 7-8-07:60.

Application of Kona Baptist Church for a Special Permit to allow the construction of a classroom building within the State Land Use Agricultural District. The area involved is along the makai side of Kuakini Highway on the northern corner of the Puuloa Road-Kuakini Highway intersection,

EXHIBIT Y

October 20, 1978

Mr. William W. Russell, Pastor
Kona Baptist Church
Route 1, Box 200
Kailua, Kona, Hawaii 96740

Dear Mr. Russell:

The original of the attached letter is on file in the office of the Hawaii County Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Please be advised that failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP78-319 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

October 20, 1978

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on October 19, 1978, the Land Use Commission voted to approve a Special Permit request by Kona Baptist Church (SP78-320) to allow the construction of a classroom building on approximately 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-07: 60.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission. Please be advised that the petitioner's failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP78-320 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encls.

cc: Kona Baptist Church

October 20, 1978

Department of Planning and
Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on October 19, 1978, the Land Use Commission voted to approve a Special Permit request by Kona Baptist Church (SP-78-320) to allow the construction of a classroom building on approximately 2.4 acres of land situated within the State Land Use Agricultural District at Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-07: 60.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission.

Please note that a copy of the Land Use Commission's Decision and Order on this matter is on file at the Commission's office.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

cc: Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Office of Environmental Quality Control
Division of Land Management, DLNR
Real Property Tax Assessor, Dept. of Taxation