

CERTIFIED MAIL

November 9, 1983

Mr. Rikio Nishioka
State Department of Accounting and
General Services
Division of Public Works
P. O. Box 119
Honolulu, HI 96810

Dear Mr. Nishioka:

Variance Application (V83-36)
Variance From Minimum Front Yard Setback Requirements
Tax Map Key 2-2-42:17

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your variance request to allow the construction of a library extension addition to the existing Waiakea Waena School Administration/Library Building with a front yard setback of 20 feet in lieu of the minimum front yard setback of 30 feet as required by the Zoning Code in the Waiakea Homestead House Lots, South Hilo, Hawaii.

The approval is based on the following:

Special and Unusual Circumstances

The existing Library/Administration building was constructed in 1956. Approximately 4.198 acres of the northern portion of the subject property is utilized for the Waiakea Waena Playground recreational facilities which is administered by the County's Department of Parks and Recreation. The remaining 3.8 acres on the southern portion of the property includes the existing 10-classroom buildings, the cafeteria building, the administration/library building and a parking area. The playground and gym area functions as the school's

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open space and play area as well as for the community's recreational facilities. Thus, the only reasonable developable area is on the existing school side of the property. However, the siting of the existing buildings, the parking area and the close distances between the existing classroom buildings are limiting factors in planning the proposed library building on the 3.8 acres portion. The existing buildings are situated such that the design of the library, which meets the minimum standards of the Department of Education, could not be adequately sited elsewhere from a physical and functional standpoint.

The Transportation element of the Hilo Community Development Plan does address and recommends the improvement of Kilauea Avenue to its proposed 80-foot right-of-way. However, the County's Capital Improvement Program does not include this project in their present schedule. The Department of Public Works also does not foresee the inclusion of this road-widening project in the CIP schedule in the near future.

The Hilo Community Development Plan also does not recommend any immediate additional urbanization of this Planning Area (Planning Area No. 20). In addition, the Hilo CDP states in an analysis made in the form of "Number of Automobiles and expected trips per day by Planning Area," that Planning Area 20 has a automobile "zoning saturation" of 13,350 units. In the high range projection for the period of 1980-1985, it was estimated that a total of 4,880 automobile units would be expected in this planning area as compared to the 3,820 automobile units calculated in 1972. Also for Planning Area 20, the trips per day "zoning saturation" point was projected to be 53,400-trip units. The high range projection for the years 1980-1985 was expected to be 19,500-trip units compared to the 15,920-trip units per day calculated in 1972.

In terms of the Planning Area of the Hilo CDP, a total of 20,540 automobile units were calculated in 1972 and a automobile "zoning saturation" point of 89,280 automobile units was projected. The median total projected for the period between 1980-1985 was 26,350 automobile units. In terms of trips per day for the Planning Area of the CDP, a total "zoning saturation" point of 357,100-trip units was projected. The median projected for the period between 1980-85 was 105,400 units.

According to the County Treasurer's office, there was a total of 34,400 registered vehicles in the District of South Hilo as of January 1983. So in terms of the high range

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projections made in 1972, the projected level of automobiles for the Hilo CDP Planning Area is exceeded by 8,050 automobiles. However, relative to the "zoning saturation" point, it is 54,880 units less than what is projected for the entire Planning Area covered by the CDP. Therefore, based on the projections indicated in the CDP, we have determined that Planning Area 20 may still function adequately with the existing streets although the effort to implement the CDP's programs should not be interpreted to be diminished by this single action.

As such, there exists special and unusual circumstances in two respects. First, the existing roadway improvements are adequate to handle the existing demands on this portion of Kilauea Avenue. Secondly, there are no plans to further urbanize this area in the near future and no time commitment from government to implement the proposed road widening of Kilauea Avenue. Furthermore, we have determined that the existing 4-lane Kilauea Avenue will suffice to serve the immediate traffic demands for this area and not warrant the imposition of any road widening at this time.

Based on the foregoing, we have concluded that these are special and unusual circumstances which unreasonably interferes with the best use or manner of development of the property.

Alternatives

The petitioner does have other design alternatives. Relocation and redesign are two alternatives the petitioner did consider in the site analysis for the development of the proposed library. However, the petitioner's decision to locate the library addition in its proposed location is primarily due to its functional relationship to the existing administration and library building. Additionally, the extent of development on the existing campus forces the petitioner to site the building in this area.

The redesign alternative for a smaller facility would not satisfy the minimum design standards of the Department of Education. The location of the library addition to any other portion of the existing building would also have unreasonable design constraints to deal with, in light of the location of the existing windows and door exits, buildings etc.

The proposed design is traditional in the sense that it is attempting to maintain these similar type of uses in the same area. The proposed addition is a one-story building, approximately 25 feet in height and totaling 5,480 square feet

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in size, located 20 feet from the front property line. More importantly, the proposed library is intended to enhance the educational environment for the students of the school. Therefore, we have determined that the proposed library structure will be a relatively minor and compatible structural development in light of the institutional and residential character of the area.

Therefore, although other alternatives are available, we have determined that the most reasonable alternative is the one proposed by the petitioner.

Intent and Purposes

The intent and purpose of delineating future road widening lines is to ensure that sub-standard road and street rights-of-way in the County will be provided with the adopted minimum right-of-way standards. This method of anticipatory planning strives to ensure that minimum standards for roadways adopted by the County will be implementable when and if an area is being prepared for development. The intent and purpose of the setback requirements is to ensure that air, light, physical and visual circulatory functions are available between structural developments and property lines. It is a regulatory tool which is also used in determining design compatibility and functional solutions.

In this particular application, the proposed design solution will still provide a reasonable area for these functions, although it would not meet the minimum requirements imposed by the Zoning Code. The proposed 20-foot front yard setback off of Kilauea Avenue would still employ and afford the air, light, and circulatory functions that is the basis of requiring setbacks. The distances from front property lines is compatible with the normal single family residential setback requirements and will ensure that both visual and physical impacts are minimized to the point where it should have a minor rather than a major impact on the area in light of the 20-foot front yard setback being granted for this variance.

Additionally, since the area is relatively a developed area and the County has no plans to prepare the area for any further intensive urbanization, it would be unreasonable and excessive to impose such conditions upon the petitioner at this time.

Consequently, we have determined that the granting of the variance shall be consistent with the general purpose of the zoning district, the intent and purposes of the Zoning Code and

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the General Plan. The analysis of the above issues also has concurred that granting of the variance will not be materially detrimental to the public's welfare nor cause any substantial or adverse impact to the area's character or to adjoining properties.

The variance request is approved, subject to the following conditions:

- A. The petitioner, its successors or assigns, shall be responsible for complying with all stated conditions of approval.
- B. The plans for the proposed library extension addition shall be submitted for Plan Approval within one year from the effective date of approval of this Variance Permit.
- C. *or 8/6/84* The construction of the proposed improvements shall commence within one year from the effective date of final Plan Approval and be completed within two years thereafter.
- D. All other applicable State and County rules and regulations shall be complied with.

Should any of the above conditions not be complied with, the variance shall automatically be deemed void.

If you have any questions on this matter, please feel free to contact us.

Sincerely,



SIDNEY M. FUKU
Planning Director

BHY:gs
Enc: Background Report

cc: Planning Commission w/enc.
Kaoru Higaki, DAGS, Hilo w/enc.
Russell Oda

bcc: Masa/Billy