

CERTIFIED MAIL

February 6, 1985

Mr. and Mrs. Pali Wong  
P. O. Box 1374  
Pahoa, HI 96778

Dear Mr. and Mrs. Wong:

Special Permit Application (84-19)  
TMK: 1-5-82:93-96

The Planning Commission at its duly held public hearing on January 31, 1985, voted to approve your application, Special Permit No. 84-19, to allow the establishment of a cultural center on 1.2+ acres of land situated within the State Land Use Agricultural District at Waiakahiula, Puna, Hawaii.

Approval of this request is based on the following:

The cultural center proposal is consistent with the objectives sought to be accomplished by the Land Use Law and Regulations. These objectives are to preserve, protect, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. However, although this designation currently applies, the characteristics of the area and the type of development which created the subdivision and has since been occurring there is more urban in nature. This is recognized by the State Department of Agriculture's Agricultural Lands of Importance to the State of Hawaii (ALISE) Map classification system which designates the subject area as "urban development." Thus, the approval of the subject request will not be removing scarce and valuable agricultural resources nor detrimentally affecting existing or potential agricultural activity in the area. Additionally, by providing a place for furthering cultural traditions, the approval of the subject request could be considered to be an integral part of normal community activity and growth, and consistent with welfare of the people of the State.

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The approval of the subject request will not place unreasonable burdens on the public agencies to provide roads, sewers, water, drainage, school improvements, and police and fire protection. The subject area is in the midst of a developing subdivision which is supplied by much of these services already. Additional service requirements can be expected as the area develops. The approval of the subject request is not expected to create any appreciable increase in the demands placed on these agencies over and above that which may be expected from uses already permitted.

The integration of the subject request into the neighborhood is a major consideration. The area is basically residential and thus the needs and requirements of the surrounding uses must be taken into account to avoid adverse impacts. As shown on the plans submitted, the structure on the southeastern side of the property has been placed very close to the perimeter of the property. This structure will have to be brought into compliance with the minimum setback requirements. The remaining structures, however, may be retained in the present location subject to the requirements of the Building Department. Since the property functions as a single unit, consolidation is not necessary if the ownership remains with the petitioner. However, should any of the lots be sold, the structure(s) on that lot and the adjoining lot shall be brought into compliance with the Zoning Code setback requirements.

Further, while the use of the property for hula or martial arts instruction is not expected to create adverse impacts, it should be made clear that the "cultural activities" covered by this permit are not open ended.

Approval of this Special Permit request is subject to the following conditions:


- 1) The petitioner, its assigns or successors, shall be responsible for complying with all conditions of approval.
- 2) The petitioner shall submit plans for and secure final plan approval in accordance with Sections 25-241 to 25-244 of the Hawaii County Code, as amended, within one year from the effective date of the special permit.
- 3) Should any of the subject lots be sold, all structures on it and any adjoining lots covered by this permit shall be brought into compliance with the Zoning Code setbacks.

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- 4) That the structure on the southeastern side of the subject property, shall comply with the Zoning Code setbacks.
- 5) All other rules, regulations, and requirements including those of the Building Department shall be complied with.
- 6) Except for church or cultural related activities, the holding of commercial gatherings such as receptions, parties, concerts, and similar activities are not allowed by this permit.
- 7) Should the Planning Director determine that any of the foregoing conditions have not been met or complied with in a timely manner, the special permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Donald Thompson  
Chairman, Planning Commission

cc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
State Land Use Commission

bcc: Plan Approval Section