

Planning Commission

Larry S. Iannamoto

Mayor

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

CERTIFIED MAIL

November 19, 1990

Ms. Jean Tessmer
Space Options, Inc.
Drawer 1570
Kailua-Kona, HI 96745

Dear Ms. Tessmer:

Special Permit Application
Applicant: Charles Young
Tax Map Key 9-2-84:47

The Planning Commission at its duly held public hearing on November 8, 1990, voted to approve the above application, Special Permit No. 757, to allow the establishment of a laundromat on 60,890 square feet of land situated within the State Land Use Agricultural District at Hawaiian Ocean View Estates Subdivision, Kahuku, Ka'u, Hawaii.

Approval of this request is subject to the following conditions:

1. The applicant, its successors, or assigns shall be responsible for complying with all stated conditions of approval.
2. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. Plans shall identify structures, landscaping, and parking stalls associated with the laundromat. Landscaping shall provide a buffer between structures/parking areas and surrounding properties. Parking shall comply with the requirements of Chapter 25 (Zoning Code). No parking variance from the Code shall be applied for or granted.

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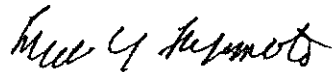
3. Construction of the laundromat and related improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
4. Access, including documentation of adequate site distance, and drainage improvements shall meet with the approval of the Department of Public Works.
5. Lotus Blossom Lane shall be widened to a 20-foot pavement with 6-foot shoulders fronting the subject property, which meets with the approval of the Department of Public Works. These improvements shall be in place prior to the issuance of a certificate of occupancy for the development.
6. Comply with all other applicable laws, rules, regulations, and requirements including those of the Department of Health and the Department of Public Works.
7. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied, and the Planning Director acknowledges that further reports are not required.
8. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

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This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

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

Sincerely,



Fred Y. Fujimoto
Chairman, Planning Commission

xc: Mr. Charles Young
Department of Public Works
Department of Water Supply
County Real Property Tax Division
Planning Office - Kona
State Land Use Commission
State Department of Health
H.O.V.E.-Road Maintenance Corp. (Attn. Jim Gabel)

cc: Plan Approval Section