

CERTIFIED MAIL

June 5, 1987

Mr. Ludvik Limberg
P. O. Box 500
Kealahou, HI 96750

Dear Mr. Limberg:

Use Permit No. 50
Tax Map Key 8-1-03:62 and Portion of 64

The Planning Commission at its duly held public hearing on June 2, 1987, voted to approve your Use Permit No. 50, to allow the establishment of a school (University of Hawaii at Hilo, West Hawaii Branch) on a 1.5-acre area zoned Village Commercial - 7,500 square feet, along Halekii Street, adjacent to the former Foodland Building, Kona Scenic Subdivision, Halekii, South Kona, Hawaii.

Approval of this request is based on the following:

The proposed school use would be consistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code, and the County General Plan. The establishment of a school and related improvements situated in the County's Village Commercial and State Land Use "Urban" zone district may be allowed through the granting of a Use Permit approved by the County Planning Commission. It should be further noted that the goals of the Land Use element of the General Plan states to "Designate and allocate land uses in appropriate proportions and in keeping with the social, cultural, and physical environments of the County." The County General Plan designates this area for Medium Density uses and the Kona Regional Plan Land Use concept map designates this area for Village Commercial uses.

Based on the above issues, we would have no objections to the establishment of the proposed school use on these properties.

JUN 5 1987

Mr. Ludvik Limberg
Page 2
June 5, 1987

The proposed school use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties. The lands to the east and north have all commercial type developments. The lands to the south are in the residential zoned district. However, with the topographical differences and landscaping between the subject property and the property to the south, any impacts from the school use should be minimal. The limited use of the existing and proposed buildings for a school facility during weekdays and weekends as represented by the petitioner will also serve to minimize any social, physical or environmental impacts to the area.

The granting of the proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, schools, police and fire protection and other related infrastructure. Since all essential utilities and services are available to the property, the granting of this request will also be in the direction of fulfilling the land use policy of the General Plan which states to promote and encourage the utilization of urban areas which are serviced by basic community facilities and utilities. As such, from an impact standpoint, the introduction of this new school facility will not have any major physical impacts on this area. The property is provided with all essential utilities and services. The traffic in the area is expected to increase. However, Halekii Street which serves as the main access to the subject property is an 80-foot right-of-way with approximately 64 feet of pavement and sidewalks on both sides of the street. As such, while traffic in the area may increase, it is expected to be quite negligible in terms of the overall traffic flow.

Approval of this use permit request is subject to the following conditions:

1. The petitioner, successors or its assigns shall comply with all of the stated conditions of approval.
2. The plans for the proposed school facility on parcel 62, including an off-street parking plan shall be submitted for Plan Approval review within one year from the effective date of approval of the Use Permit. The plans for the proposed school facility on lot A of parcel 64, including a detailed landscaping and parking plan shall be submitted for Plan Approval review within one year from the effective date of final subdivision approval. The necessary driveway

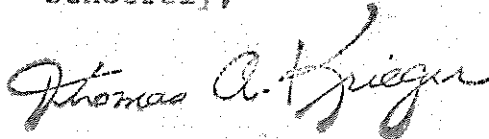
Mr. Ludvik Limberg
Page 3
June 5, 1987

easement and parking agreement documents for the development on Lot A of parcel 64 must be submitted and approved prior to the issuance of any final Plan Approval.

3. The construction and establishment of the school on parcel 62 and on lot A of parcel 64 shall commence within one year from the effective date of final Plan Approval and be completed within two years thereafter.
4. All other applicable County and State rules, regulations and requirements shall be complied with, including those of the Department of Public Works, Department of Water Supply and the State Department of Health.
5. The Planning Director may administratively grant a single two-year extension to the foregoing conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the Director shall initiate procedures to nullify the Use Permit.

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

Sincerely,



Thomas A. Krieger
Chairman, Planning Commission

cc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office
Mr. Edgar Torigoe

bcc: Plan Approval Section