



PLANNING COMMISSION

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF
HAWAII

CERTIFIED MAIL

September 30, 1988

Mr. Clifford Dodo
Dodo Mortuary
199 Wainaku Ave.
Hilo, HI 96720

Dear Mr. Dodo:

Change of Zone and Use Permit Applications
Tax Map Key: 2-6-08:10 and Portion of 25

The Planning Commission at its duly held public hearing on September 27, 1988 voted to approve your use permit application, Use Permit No. 62, to allow the establishment of a mortuary/chapel facility at Puueo, South Hilo, Hawaii. The Commission also voted to recommend the approval of your change of zone application for 1.7 acres of land from the Multiple Family Residential - 1,000 square foot (RM-1) and Open (O) zoned districts to an Agricultural 3-acre (A-3a) zoned district to the County Council.

The approval of the use permit and favorable recommendation on the change of zone applications are based on the following findings:

The requested zone change and accompanying use permit to allow the establishment of a mortuary and related improvements conform to the applicable goals, policies and standards of the General Plan. One of the goals of the General Plan is to "designate and allocate land uses in appropriate proportions and in keeping with the social, cultural, and physical environments of the County." The General Plan also states to "allocate appropriate requested zoning in accordance with the existing or projected needs of neighborhood, community, region and county." While the change of zone request is to an agricultural zoned district, the basic intent is to allow the establishment of a mortuary facility through the use permit process. It is felt that the granting of the requests at its particular location will

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still maintain the present environment of this area of Hilo. The original funeral home had been established in 1965, approximately twenty-three years ago, and has provided the community an important and necessary social service. Additionally, the establishment of this particular use in this location has not proven to be detrimental to the surrounding properties, in large part, because of the street improvements of Wainaku Street and the buffer that it provides. The property is also surrounded by Clem Akina park, an open space area to the south, sugar cane fields to the south and west, which assists in fitting the mortuary development within the physical environment of this area.

The requests will also conform to the Downtown Hilo Redevelopment Plan which recommended that the area under consideration be rezoned from RM-1 to Agricultural in order to allow the existing mortuary to operate as a conforming use.

All essential utilities and services are available to the property. Therefore, the granting of these requests 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, the replacement of the old facility with this new mortuary complex will not have any major physical, cultural or social impacts on this area.

The proposed use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties. As stated previously, the establishment of the new mortuary facility is meant to eventually replace the existing mortuary which has been established since 1965. While the establishment of the mortuary facility may have some impact on the adjacent residential lands, the impacts should be minimal. The proposed mortuary facility will be established within a new one-story structure. The area under consideration and the mauka area totaling 4.9+ acres are of sufficient size to allow for adequate setbacks and buffers to be established to minimize any impacts to the adjoining properties.

The granting of the change of zone and proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, schools, police and fire

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protection and other related infrastructure. The property is provided with all essential utilities and services. The traffic in the area is expected to increase slightly with this new development; however, with the provision of the additional parking area, it should only improve the existing situation. Wainaku Street is a two-lane roadway with sidewalks and on-street parking. This roadway will be able to handle the slight increase of traffic in this area. As such, while traffic in the area may increase, it is expected to be quite negligible in terms of the overall traffic flow.

Based on the above, it is determined that the granting of the change of zone and use permit would result in an appropriate land use pattern that will further the public necessity and convenience and the general welfare.

The Commission's approval of the use permit and favorable recommendation to the County Council on the change of zone are subject to the following conditions:

- A. The applicant, successors or its assigns shall comply with all of the stated conditions of approval.
- B. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of the change of zone. 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. Parking shall comply with the requirements of Chapter 25 (Zoning Code). No parking variance from the Code shall be applied for or granted.
- C. Construction of the mortuary/chapel building and related improvements shall commence within one year from the official date of receipt of Final Plan Approval and be completed within two years thereafter.
- D. A drainage system shall be installed meeting with the approval of the Department of Public Works.
- E. Access(es) to the property from Wainaku Street shall meet with the approval of the Department of Public Works.
- F. All other applicable County and State laws, rules, regulations and requirements, including those of the State Department of Health, shall be complied with.

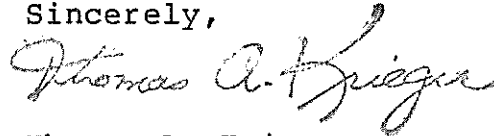
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- G. Should the council adopt a Unified Impact Fees ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein may, at the developer's election, be satisfied by performance in accordance with the requirements of the Unified Impact Fees Ordinance.
- H. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the effective date of the zone change. The report shall address the status of the development and the compliance with the conditions of approval. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.
- I. An initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicants, successors or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the change of zone; and 4) 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); and 5) if the applicant should require an additional extension of time, the Planning Director shall submit the applicant's request to the County Council for appropriate action. Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate rezoning of the area to its original or more appropriate designation.

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Should you have any questions regarding the above, please
feel free to contact the Planning Department at 961-8288.

Sincerely,



Thomas A. Krieger
Chairman, Planning Commission

xc: Rodney Kawamura
Department of Public Works
Department of Water Supply

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