



Planning Commission

LORRAINE R. INOUYE
Mayor

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

CERTIFIED MAIL

April 15, 1991

Mr. George Yokoyama
Hawaii County Economic
Opportunity Council
34 Rainbow Drive
Hilo, HI 96720

Dear Mr. Yokoyama:

Use Permit Application
Tax Map Key: 4-5-18:11

The Planning Commission at its duly held public hearing on April 4, 1991, voted to approve your application, Use Permit No. 83, to allow the establishment of a pre-school within an existing building and related improvements on 6.4+ acres of land situated within the State Land Use Urban District and the County's Agricultural-1 acre (A-1a) zoned district. The property involved is the site of Our Lady of Lourdes Catholic Church, Namoku, Hamakua, Hawaii.

Approval of this request is based on the following:

The granting of the proposed use will be consistent with the general purpose of the zoned district, the intent and the purpose of the Zoning Code, and the County General Plan. The establishment of a preschool on a property designated "Urban" by the State Land Use Commission and situated within the County's Agricultural - 1 acre (A-1a) zoned district may be permitted through the granting of a Use Permit. Establishment of the facility will further the goal of the Land Use Element of the General Plan to "Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County." The property is located within the commercial core of Honokaa. Establishment of the proposed pre-school at this site would provide an essential service at a central location that is convenient for area residents. Approval of the proposal would further the policy of

APR 16 1991.

Mr. George Yokoyama
April 15, 1991
Page 2

the General Plan that "The county shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment."

The granting of 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. The applicant proposes to use existing classroom facilities on church grounds to house the Head Start Early Childhood Education/Child Care service. The subject property is large enough to accommodate the proposed use with adequate access for pick-up and drop-off. An existing rock wall buffers the school from adjacent residents to the west. It is recommended that a landscaping buffer be established between the classrooms and playground and adjoining properties to the west to further mitigate noise impacts to neighboring residents.

The granting of the proposed use will not adversely affect similar or related uses within the surrounding area, community or region. The applicant's program will provide a valuable service to low-income residents of the community. Related educational services will only be positively impacted by the program's contributions to early childhood education and health care.

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. The site is served by all essential utilities and services. Access to the site is from Plumeria Road, which has a pavement width of 18 feet within a 50-foot right-of-way. A paved driveway and parking area will provide access to the site from the road with an on-site pick-up and drop-off area. Consulted agencies had no objection to the request.

Approval of this request is subject to the following conditions:

1. The applicant, successors or assigns shall comply with all of the stated conditions of approval.
2. Final Plan Approval for the proposed preschool and related improvements shall be secured from the Planning Department within one year from the effective date of the permit. To

Mr. George Yokoyama
April 15, 1991
Page 3

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, parking stalls, and drop-off area associated with the proposed use. Plans shall show a landscaping buffer between preschool facilities and adjacent properties to the north. Parking shall comply with the requirements of Chapter 25 (Zoning Code). No parking variance from the Code shall be applied for or granted. Parking for all functions shall be maintained on the subject property.

3. Building permit(s) to allow a change in occupancy shall be secured within one year from the date of receipt of Final Plan Approval. The use shall be established (certificate of occupancy) within two years thereafter.
4. Comply with all other applicable laws, rules, regulations and requirements.
5. An annual progress report shall be submitted to the Planning Director prior to the anniversary date 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 with and the Planning Director acknowledges that further reports are not required.
6. An initial 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) the 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).

Mr. George Yokoyama
April 15, 1991
Page 4

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.

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,



Mike Luce, Pro Tem Chairman
Planning Commission

6219d
jdk

xc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Department of Health
Department of Human Services
Fire Department

Ecc: Plan Approval Section