



Planning Commission

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

Lorraine R. Inouye
Mayor

CERTIFIED MAIL

December 19, 1991

Mr. Warren K. Arakaki
27 Lono Street
Hilo, HI 96720

Dear Mr. Arakaki:

Use Permit Application (UP 91-12)
Applicant: Warren K. Arakaki
Request: Physical Therapy Office and Related Improvements
Tax Map Key: 2-4-28:33

The Planning Commission at its duly held public hearing on December 12, 1991, voted to approve your application, Use Permit No. 91, to allow the establishment of a physical therapy office and related improvements on 18,065 square feet of land within the County's Single-Family Residential-10,000 square foot (RS-10) zoned district. The property is located on the north side of Mohouli Street approximately 550 feet west (mauka) of the Kinoole Street-Mohouli Street intersection, portion of Waiakea, South Hilo, Hawaii.

Approval of this request is based on the following:

The granting of this request will 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 physical therapy office on a property within the State Land Use Urban District and the County's Single Family Residential zoned district may be permitted through the granting of a Use Permit. The site is within the Medium Density Urban Area designated by the General Plan Land Use Pattern Allocation Guide Map. The proposed use is consistent with 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 proposed use is compatible with the local environment in light of the mixed uses of the area.

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The desired 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 property is situated along a main thoroughfare near other non-residential uses. The site is situated between the United Community Church and preschool and the Higashi Hongwanji Mission. While the establishment of a physical therapist's office may have some impact on the adjacent residential uses to the north and south, the effect is expected to be negligible. The property, which is now overgrown, will be upgraded with a new structure, landscaping, and paved parking area.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. This type of health care service may be allowed within residential areas through the granting of a Use Permit. The granting of such a permit is not expected to adversely affect the integrity of the commercial areas of Hilo. Other physical therapy businesses will not be affected by the proposed use.

The desired use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, police and fire protection, and other related infrastructure. The site is provided with all essential utilities and services. The increase in traffic to this area will be minimal since Mohouli Street currently receives a high volume of vehicular traffic. Vehicular access to the property will be subject to the approval of the Department of Public Works. Consulted agencies had no objections to the request.

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

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associated with the physical therapy office. Parking shall comply with the requirements of Chapter 25 (Zoning Code).

3. Construction of the office 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. Use of the physical therapy office shall be limited to a maximum of two physical therapists and staff.
5. Comply with all other laws, rules, regulations and requirements of State and County agencies.
6. 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.
7. 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.

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.

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

Sincerely,

Mike Luce

Mike Luce, Chairman
Planning Commission

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jdk

xc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Plan Approval Section
Planning Director
Mayor