



Planning Commission

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

Lorraine R. Inouye
Mayor

CERTIFIED MAIL

March 11, 1992

Ms. Susan Maley
Bay Clinic
101 Aupuni Street, #314
Hilo, HI 96720

Dear Ms. Maley:

Use Permit Application (UP92-2)
Applicant: Bay Clinic
Request: Establish Community Health Center
Tax Map Key: 2-1-06:17

The Planning Commission at its duly held public hearing on February 27, 1992, voted to approve your application, Use Permit No. 98, to allow the establishment of a community health center within the former AYH Youth Hostel complex situated within the State Land Use Urban District and the County's Resort-Hotel-750 square feet per unit with Safety Flood Hazard (V-S-.75) zoned district. The subject property, consisting of 90,604 square feet, is located along the northwest (makai) side of Kalaniana'ole Street, approximately 130 feet southwest of the Kalaniana'ole Street-Keaa Street intersection, 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 community health center on a property within the State Land Use Urban District and the County's Resort-Hotel zoned district may be permitted through the granting of a Use Permit. 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 applicant proposes to utilize the former Hilo Bay AYH Hostel building for the proposed use. No improvements are proposed to the structure nor are any land alteration activities being considered. In light of the various industrial uses within the surrounding area, it is not anticipated that the proposed use will have an adverse effect on the character of surrounding properties or the community. Given the services to be provided by the applicant, it is anticipated that the proposed use will have a positive effect on the welfare of the public.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. No Use Permits have been granted by the Planning Commission for similar or related uses within the region. The applicant currently provides community health services from its current Hilo Lagoon Centre location. Relocation of the center, should it be approved, will simply allow for the continuance of a use already established in this community.

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. 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 existing structures, landscaping, and parking stalls associated with the community health

center. Parking shall comply with the requirements of Chapter 25 (Zoning Code).

3. The applicant shall secure the necessary building permit(s) to allow the change in occupancy from a hostel to a community health center within one year from the date of receipt of Final Plan Approval and establish (Certificate of Occupancy) the proposed use within one year thereafter.
4. Comply with all other laws, rules, regulations and requirements of State and County agencies.
5. 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.
6. 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

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