CERTIFIED MAIL

December 9, 1985

Ms. Lynne K. Kushi
Attorney at Law
140-A Haili Street
Hilo, HI 96720

Dear Ms. Kushi:

Use Permit Application
Applicant: Dr. Richard Shindo
TMK: 2-6-04:12

The Planning Commission at its duly held public hearing on December 2, 1985, voted to approve the application, Use Permit No. 37, to establish a temporary dental laboratory facility within an existing single family dwelling in the Multiple Family Residential (RM-1) zoned district at Puueo, South Hilo, 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 purpose of the Zoning Code, and the County General Plan. The establishment of a temporary dental laboratory facility on a property designated "Urban" by the State Land Use Commission and situated within the County's Multiple Family Residential zone districts may be permitted through the granting of a Use Permit. 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." It is felt that the granting of the request at its particular location will still maintain the present environment of this area of the City of Hilo. The Hawaii Redevelopment Agency recommends approval of the Use Permit Application for a period of 4 years after which time the petitioner intends to relocate the dental technician's laboratory. The Commission also raised concerns about the hours of operation, number of employees and the amount of traffic to be generated by this use. The following findings reflect the evaluation and findings of the Planning Department relative to these concerns. The proposed dental laboratory will be situated within an existing single family dwelling with no public traffic coming to the laboratory. The petitioner intends to live in the rear of the

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existing dwelling, while his son and another employee conducts the dental lab work in the front portion of the dwelling. The building will, therefore, retain its residential character. Additionally, 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 dental laboratory will not have any major physical, or 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 dental laboratory will only consist of converting a portion of an existing single family. As such, there will be no major physical expansion of the existing dwelling. While the establishment of the dental lab may have some impact on the adjacent residential lands, the impacts should be minimal or none at all. The dental laboratory equipment will be completely contained within the existing structure with only 2 employees. The equipment to be used to manufacture and produce the dental prosthetics and orthodontal work is small in size and scale as to not produce any noise or noxious odors as a result of the proposed operation. The subject area of 18,881 square feet of land area and the location of the existing dwelling in the center of the property provides adequate buffers between the adjacent properties.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. Approval of the subject request would enable the petitioner to improve this type of service to the community. The new facility would be tailored to the individual needs of the dentists as well as accommodating the most modern form of dental prosthetics and orthodontics.

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 property is provided with all essential utilities and services. The traffic in the area is not expected to increase as only two full-time employees will be at the lab during the day and the lab will be conducting pick up and delivery services to the dental community. This section of Iliahi Street is a 40-foot wide right-of-way with a 20-foot wide pavement and 10-foot wide sidewalks. As such, while traffic in

the area may increase slightly, it is expected to be quite negligible. It should be noted that none of the other cooperating agencies had any objections to the subject request.

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. Plans, including parking and landscaping plans shall be submitted for Plan Approval within one year from the effective date of approval of the Use Permit.

3. The dental laboratory use shall be established within one year from the effective date of final Plan Approval.

4. This Use Permit shall be effective for a period of 4 years from the date of issuance of the certificate of occupancy for the Dental Technician Laboratory, after which time the use shall be relocated.

5. Any access, drainage, and grading shall be required to comply with the requirements of the Department of Public Works.

6. All other applicable County and State rules, regulations and requirements including those of the Department of Water Supply and State Department of Health shall be complied with.

7. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Use Permit shall be void.

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

Sincerely,

Barbara A. Koi

Barbara A. Koi
Chairman Pro Tem, Planning Commission

cc: Dr. Richard Shindo
Department of Public Works
Department of Water Supply
County Real Property Tax Division

bcc: Plan Approval Section