

Planning Commission

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

Larry S. Tanimoto
Mayor

CERTIFIED MAIL

November 5, 1990

Urawatandai Hawaii College
139 Kapiolani Street
Hilo, HI 96720

Gentlemen:

Use Permit Application
Tax Map Key: 2-3-12:3 & 62

The Planning Commission at its duly held public hearing on October 25, 1990, voted to approve your application, Use Permit No. 77, to allow the establishment of a private junior college and related improvements on 2.2 acres of land within the Downtown Hilo Commercial (CDH) District, Downtown Hilo, South Hilo, Hawaii.

Approval of this request is based on the following:

The granting of this request will be consistent with general purpose of the zoned district, the intent and purpose of the Zoning Code, Community Development plans, and the County General Plan. The CDH district was established to reinforce and promote downtown Hilo's role as a compact high density area for various commercial, administrative, and cultural activities. The Hilo Community Development Plan and the Downtown Hilo Redevelopment Plan call for the revitalization of the downtown area. The establishment of a residential junior college for foreign students within walking distance of downtown Hilo will be consistent with these goals. Furthermore the proposed use is consistent with the following goals, policies and standards of the General Plan:

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- * Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.
- * Rehabilitation, renewal, and redevelopment of downtown Hilo must be undertaken.
- * Promote and encourage the rehabilitation and use of urban and rural areas which are serviced by basic community facilities and utilities.
- * The County shall identify and encourage primary industries that are consistent with the social, physical, and economic goals of the residents of the County.

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 proposed college will be established at the site of an existing apartment complex. Students will reside at the college, therefore no significant increase in traffic over existing levels is expected. Surrounding uses are mixed with single- and multi-family residential, commercial, a private school, and churches now existing in the area. The nature of the project is such that no significant noise, traffic, visual, or other adverse impacts are anticipated.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. As stated in the applicant's request, the proposed college will complement existing educational facilities in the County.

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. Proximity to the downtown commercial center will encourage non-vehicular access to commercial services by students. All necessary infrastructure is already in place to accommodate the proposed college. Consulted agencies had no objection to the request. The Department of Public Works has stated that the sidewalk fronting the property is in need of repair. In keeping with the General Plan goal of rehabilitation of the

downtown Hilo urban area, it is recommended that the applicant repair the sidewalk along the frontage of the property.

Based on the above considerations, it is determined that the establishment of an private junior college would not be contrary to the objectives sought to be accomplished by the County Zoning Code and General Plan and should, therefore, be approved.

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. The applicant shall remit the required water commitment payment to the Department of Water Supply, in accordance with the Department's "Water Commitment Guidelines Policy," within ninety (90) days of the effective date of this permit.
3. Final approval of the consolidation of the subject properties shall be secured within 6 months of the effective date of this permit.
4. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of consolidation approval. 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 paved parking stalls associated with the college. Parking shall comply with the requirements of Chapter 25 (Zoning Code). No parking variance from the Code shall be applied for or granted.
5. Construction of improvements or renovation (building permit) shall commence within one year of receipt of Final Plan Approval and shall be completed within two years thereafter.


6. Sidewalk improvements along the Kapiolani Street frontage of the subject property, as approved by the Department of Public Works, shall be completed prior to establishment of use.
7. Comply with all other laws, rules, regulations and requirements of State and County agencies.
8. 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.
9. 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,



Fred Y. Fujimoto
Chairman, Planning Commission

xc: Stephen J. Menezes, Esq.
Department of Public Works
Department of Water Supply
County Real Property Tax Division

Bcc: Plan Approval Section