Planning Commission

Lorraine R. Inouye
Mayor

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

CERTIFIED MAIL

December 9, 1992

Mr. Sidney Fuke
Sidney Fuke & Associates
100 Pauahi Street, Suite 212
Hilo, HI 96720

Dear Mr. Fuke:

Use Permit Application (UP 92-14)
Applicant: Federal-Veteran Affairs
Request: Establish Clinical Treatment Center for War Veterans within Existing 35-bed Dormitory/Convent
Tax Map Key: 2-4-55:1

The Planning Commission at its duly held public hearing on November 18, 1992, voted to approve the above application, Use Permit No. 108, to allow the temporary use (five years) of the St. Joseph Catholic Church convent facility for an in-patient, clinical treatment center for war veterans on land zoned Double-Family Residential (RD-3.75) by the Hawaii County Zoning Code. The project site, consisting of 2.4 acres, is located along the southwest (mauka) side of Kapiolani Street, between Hualalai and Wailoa Streets, Waiakea, St. 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 temporary facility for in-patient clinical treatment for Post-Traumatic Stress Disorder may be permitted within the State Land Use Urban District and the County's residential-zoned district through the granting of a Use Permit. The site is within an area designated for multiple-family residential uses by the Hilo Community Development Plan and Medium Density Urban by the General Plan LUPAG Map. The site, which was formerly used as a convent, will experience a greater intensity of use by the very nature of its care-giving services. This particular site, however, is serviced by all basic utilities, including water. Roadway infrastructure is adequate to meet the intended use of the property. Kapiolani Street has recently been resurfaced and the affected portions of the property

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fronting both Kapiolani and Hualalai Streets are constructed with curbs, gutters and sidewalks. Thus, this approval is consistent with the General Plan goal which reads "Promote and encourage the rehabilitation and utilization of urban areas which are serviced by basic community facilities and utilities."

The desired use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or surrounding properties. Surrounding uses include a school and residences. The establishment of a temporary treatment center within an existing convent will not change the character of the already-built community. With a nearby school, the police station, and other businesses in close proximity, the site is conveniently located to the dense urban core, but still retains its low-key character.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. The applicant states that the center will meet needs of war veterans from Guam, American Samoa, and Hawaii. While other states have similar facilities, this facility will be the only in-patient service of its kind in the Pacific Basin. Therefore, this approval complements the policy of the General Plan that says "The county shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment."

Finally, 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. As mentioned previously, water and roads systems are adequate for to accommodate the project. All other utilities and services are available to the subject property.

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 and proposed structures, landscaping, and parking stalls associated with the proposed use. Parking shall comply with the requirements of Chapter 25 (Zoning Code).

3. Renovations to the proposed facility shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.

4. Access to the property shall meet with the approval of the Department of Public Works.

5. The life of this permit shall be for a period of five years from the date of issuance of a certificate of occupancy or to the expiration date of tentative understanding, whichever occurs first.

6. Comply with all applicable laws, rules, regulations and requirements.

7. 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 the extent to which the conditions of approval are being complied. 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.

8. An extension of time for the performance of conditions within the permit, with the exception of Condition No. 5, 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.

Should you have any questions, please feel free to contact Daryn Arai of the Planning Department at 961-8288.

Sincerely,

Mike Luce

Mike Luce, Chairman
Planning Commission

jdk

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

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