Stephen K. Yamashiro
Mayor

County of Hawaii

PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
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CERTIFIED MAIL
P 008 113 381

May 8, 1995

Wanda G. Meurs, M.D.
200-A Kalona Street
Hilo, HI 96720

Dear Dr. Meurs:

Use Permit Application 95-3
Applicant: Wanda G. Meurs, M.D.
Request: Establish Medical Office
Tax Map Key: 2-3-32:3

The Planning Commission at its duly held public hearing on April 26, 1995, voted to approve the above-referenced application. Use Permit No. 135 is hereby issued to allow the establishment of a medical office and related improvements on approximately 12,148 square feet of land situated within the County's Single-Family Residential-10,000 square foot (RS-10) zoned district at 1205 Waianuenue Avenue across from the Hilo Medical Center, Piihonua, 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 pediatric medical facility on a parcel located 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 project site is located within an area designated for Single Family Residential-10,000 square feet (RS-10) by the Hilo Community Development Plan and Low Density Urban by the General Plan Land Use Pattern Allocation Guide (LUPAG) Map. The General Plan LUPAG Map designation of Low Density Urban would allow for uses which are single family residential in character, ancillary community and public uses, and convenience-type commercial uses. Therefore, the proposed

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use would be consistent with the Low Density Urban designation. Mindful of the type of service the applicant will provide to residents of East Hawaii, the proposed use will complement 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" and to ". . . . encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment."

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. The proposed pediatric medical facility will be a benefit to the general public welfare. Public sentiment has consistently been directed towards the provision of sufficient medical facilities to adequately service the growing needs of the general public. Approval of the requested use in this particular location will only serve to complement the existing medical services provided by other practitioners within this section of Piihonua.

While scattered single family residential homesites and vacant lands are located adjacent to or in the immediate vicinity of the project site, the predominant use within the area are the institutional uses established by the Hilo Hospital, Hilo Medical Group complex and other institutional medical facilities located directly opposite of the subject property along Waianuenue Avenue. The establishment of a pediatric medical office on the subject property would not be out of character with these uses located within the immediate area nor would noise or visual impacts generated by the proposed facility adversely affect surrounding properties. The proposed facility will complement the existing institutional character of the surrounding area. According to the applicant, the proposed medical facility will have hours of operation from 8:30 a.m. to 4:30 p.m. during the weekdays and a half-day on Saturdays. These hours and days of operation will not impose upon the evening hours when most residents within the general area are at home. To ensure that potential single family residential lots which may be created on surrounding lands zoned RS-10 are not adversely affected by any potential noise and visual impacts associated with the proposed facility, it is recommended that appropriate landscaping be provided along the east, west and south boundaries of the subject property.

The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region. The establishment of a pediatric medical facility will benefit the residents of East Hawaii. Existing uses within the immediate region include a hospital,

rehabilitative care and medical practitioners of many disciplines and specialties. This portion of the City of Hilo is maturing into regional medical community which provides a vast range of services to the populace of South Hilo and beyond. Approval of the requested use in this particular location will not adversely affect existing similar uses and will assist the County in promoting the availability of comprehensive medical care to our residents.

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. Water and roads systems are adequate to accommodate the proposed facility. Traffic generated by the proposed facility is anticipated to have minimal adverse impact to traffic movements along Waianuenue Avenue. It is recommended, however, that curbs, gutters and sidewalk improvement be provided along the subject property's Waianuenue Avenue frontage. The County recognizes that curb, gutter and sidewalk improvements are not provided along this portion of Waianuenue Avenue in the vicinity of the project site and fronting the other health care facilities within the area, with the exception of the proposed 120-bed long-term intermediate care and skilled nursing facility approved under Use Permit No. 117 which required the installation of pavement, curb, gutter and sidewalk improvements as conditions of its approval. The provision of such basic infrastructural improvements have been consistently sought by the Planning Commission for similar uses approved through the issuance of a Use Permit. To defer such improvements for an extended period of time would be contrary to the findings of the Commission that the proposed use will not unreasonably burden public agencies to provide roads and street improvements. However, the applicant may seek to establish an Improvement District or the effectuation of an agreement together with the appropriate bond, surety or other security deemed acceptable by the Planning Director or County Council, whichever is applicable, to ensure the provision of these necessary infrastructural improvements to support the proposed development in a timely manner. 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. The applicant shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns,

officers, employees, contractors and agents under this permit or relating to or connected with the approval of this permit.

3. Final Plan Approval for the proposed facility shall be secured from the Planning Director. Plans shall identify proposed structures and/or improvements to existing structures, paved driveway access and paved parking stalls associated with the approved use. Landscaping along the project site's eastern, western and southern boundaries shall also be indicated on plans and be provided for the purpose of mitigating any adverse noise or visual impacts to adjacent properties.

4. Construction of the proposed facility shall be completed (certificate of occupancy) within three (3) years from the effective date of this permit.

5. The applicant shall provide curb, gutter, sidewalk and pavement widening improvements along the project site's entire frontage with Waianuenue Avenue, exclusive of access points, in a manner meeting with the approval of the Department of Public Works, concurrent with the installation of curbs, gutters and sidewalk improvements for the proposed 120-bed, long-term care facility as approved under Use Permit No. 117, but no later than five (5) years from the date of approval of this permit.

6. An initial 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).

7. 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 or Connie Kiriu of the Planning Department at 961-8288.

Sincerely,

Wilton K. Wong, Chairman
Planning Commission

CRK:syw
LMeurs01.PC

xc: Honorable Stephen K. Yamashiro, Mayor
Planning Director
Department of Public Works
Department of Water Supply
County Real Property Tax Division/Hilo
Plan Approval Section