

CERTIFIED MAIL

August 6, 1982

Mr. Paul A. Tom, Executive Director
State Hawaii Housing Authority
1002 North School Street
Honolulu, Hawaii 96817

Dear Mr. Tom:

Variance Application (V82-28)
Minimum Parking Requirements
Tax Map Key 2-3-12:8 & 61 (Consolidated)

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your variance request to allow fourteen (14) parking stalls in lieu of the minimum required fifty (50) parking stalls in South Hilo, Hawaii.

The approval is based on the following:

1. That there are special and unusual circumstances which apply to the property which exists to a degree that deprive the applicant of substantial property rights that would otherwise be available and to a degree which obviously interferes with the best use or manner of development of the property.

The locational aspect of the subject site in the urban form of the City of Hilo lends a special factor. This special factor is its proximity to existing shopping facilities, availability of public transportation, health care, other social services, as well as varied commercial businesses in this area. These services available nearby together with the existing urban amenities of curbs, gutters and sidewalks, in addition to the availability of public transportation promote the pedestrian movements and decrease the need for individual automobiles for the elderly.

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Furthermore, the County of Hawaii's Aging Coordinated Services Program provides various transportation services for the elderly. For example, transportation for shopping assistance, chore services, "meals on wheels," doctors appointments, banking services etc. are certain areas in which this program plays a dramatic role in further reducing the elderly tenants reliability on the automobile. This certainly affects in terms of numbers, the amount of vehicle parking required for the development.

The requirement of the project to meet the minimum parking as stipulated by the Zoning Code would thus, serve no meaningful purpose in enhancing the design concept which focuses on the elderly. The Zoning Code is also inflexible from this standpoint and the stringent adherence to the minimum requirements would be unreasonable and foreclose any options in the development of the property for the intended use. The proposed fourteen (14) stalls based on approximately one (1) parking stall for every three (3) units is thus determined to be adequate and reasonable, in light of the constraints and circumstances being applied to the property.

Even though there is no factual evidence to show that a majority of tenants who will live in this elderly rental housing project do not own vehicles, it has been the experience of the Hawaii Housing Agency who manages several such developments within the State that the normal parking requirements are not applicable in these types of developments. The factor of experience rather than factual evidence should be given consideration.

In summary, the location of the subject property in close proximity to the urban core, the pedestrian improvements available, the elderly transports services being provided, together with the generally lower parking needs for elderly constitute unusual circumstances related to the proposed development and to the subject site.

These circumstances related to the project and site cumulatively serve to reduce the need for parking and thus to provide un-needed parking areas would interfere with the best manner of development of the subject project and site.

2. There are no other reasonable alternatives to resolve this difficulty. The design concept of the proposed development is based on the needs and factors surrounding the elderly, the focus of which is to design a development which is easily accessible from unit to unit, and unit to shopping, public transportation, health care and social services. In order for the petitioner to comply with the required parking, the buildings would have to be elevated to two or possibly three stories. Structures at more than one story would also require additional access or structural requirements (elevators, etc.). Therefore, although construction and site design alternatives are available, said alternatives could not be considered reasonable nor compatible with the needs of the elderly in light of the special circumstances previously identified.
3. The granting of the variance shall be consistent with the general purpose of the zoning district, the intent and purpose of the Zoning Code and the General Plan.

The General Plan states specific goals, policies and courses of actions related to elderly housing. These are as follows:

a. Goals

- 1) Encourage safe, sanitary, and livable housing.
- 2) To attain diversity of socio-economic housing mix throughout the different parts of the County.
- 3) Maintain a housing supply which allows a variety of choice.

b. Policies

- 1) It shall be the policy of the County of Hawaii to assure that safe, sanitary, and livable housing is available to persons of all ages, income and ethnic groups and to provide a variety of choice as to location and types.
- 2) The construction of specially designed facilities for elderly persons needing institutional care and for active elderly persons shall be encouraged.

Based on our review of the circumstances applying to this elderly project and to the potential needs of the residents, it is felt that the approval of the request would allow the provision of elderly units meeting these General Plan objectives.

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The reduction of paved parking areas in developments such as these afford more opportunity for the HHA to provide for other amenities which serves a social, economical, and even psychological needs for the elderly, such as garden plots, passive recreation areas, etc.

The one (1) story design with the reduced paved area would enhance the visual appearance of the development and afford social opportunities for this segment of our society to live in more pleasant surroundings.

The intent and purpose of the minimum parking requirements is to ensure that:

- a. All commercial, industrial, recreational, multiple residential facilities provide an area on-site and off-street, for vehicular parking and circulation.
- b. On-street parking and street congestion to be minimized and reduce the conflict between vehicular circulation between these factors.

While it can be conceded that the the surrounding developments are business, religious and residential uses which depend heavily on vehicular traffic, this should not obscure the fact that the generation factor of the elderly housing project can be evaluated on that same level of intensity. Therefore, the design solution and the underlying circumstances for this design concept still provides for a certain amount of parking for the development and thus employ and afford some opportunity for this particular function. Futhermore, the evaluation of these issues has concurred that the granting of the variance would not be considered to be materially detrimental to the public's welfare nor cause any substantial or adverse impact to the area's character or to adjoining properties.

This variance is approved subject to the following conditions:

1. That the petitioner or authorized representative shall be responsible for complying with all the stated conditions of approval.
2. That plans including a detailed landscaping plan be submitted to the Planning Department for final "Plan Approval" within one (1) year from the effective date of approval of the Variance and be completed within two (2) years thereafter.

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3. That a loading and unloading zone be designed into the parking area for transient traffic. This shall be included with the plans to be submitted for final "Plan Approval."
4. That the Department of Public Works, Water Supply and the State Department of Health's requirements be complied with.
5. That all other applicable County and State rules, regulations and requirements be complied with.

Should any of the foregoing conditions not be met, the Variance Permit shall be deemed void.

If you have any questions on this matter, please feel free to contact us.

Sincerely,



SIDNEY M. DUKE
Planning Director

RHY/KK:lgv

cc: Planning Commission