

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

West Hawai'i Office
74-5044 Ane Keohokālole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563



County of Hawai'i

PLANNING DEPARTMENT

Zendo Kern
Director

Jeffrey W. Darrow
Deputy Director

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

January 25, 2023

Emily Murai
c/o Munekiyo Hiraga
735 Bishop Street, Unit 412
Honolulu, HI 96813
VIA EMAIL

Dear Ms. Murai:

SUBJECT: Special Management Area (SMA) Use Permit Assessment Application (PL-SAA-2023-000141) and Issuance of SMA Exemption Determination
Applicant(s): Emily Murai
Landowner(s): Waterhouse Family Trust & Kim Schaefer Waterhouse
Project: Removal and Replacement of Fuel Dispensers
TMK: (3) 2-1-006:042, Waiākea, South Hilo, Hawai'i

We have reviewed the subject Special Management Area (SMA) Use Permit Assessment Application (PL-SAA-2023-000141), received by this office on January 9, 2023. The 0.42-acre subject parcel is zoned Resort-Hotel District-7,500 square feet (sf) (V-.75) by the County and designated Urban by the State Land Use Commission (LUC). The subject parcel is designated as Resort Node (res) by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) map.

The parcel is situated entirely within the Special Management Area (SMA); however, the project site is not located within the "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS).

Proposed Project:

The applicant is proposing to conduct the following improvements in the proposed project:

- Remove and replace the existing fuel dispensers.
- Remove and replace the Under Containment Units (UDC).
- Replace 450 square feet of asphalt.

Existing Land Uses:

A review of our files indicates that there is an existing service station and storage garage that is located on the subject parcel. The existing service station was permitted and constructed in 1948.

Special Management Area Determination:

1. Pursuant to Hawai‘i Revised Statutes (HRS) §205A-22, as amended, relating to the Special Management Area, *“Development means any of the [listed] uses, activities, or operations on land or in or under water within the special management area.”* According to the application, the following definitions of “Development” can be applied to the proposed use:
 - *Placement or erection of any solid material or any gaseous liquid, solid, or thermal waste;*
 - *Grading, removing, dredging, mining, or extraction of any materials.*
2. Pursuant to Hawai‘i Revised Statutes (HRS) §205A-22, as amended, “Development” does not include the following uses, activities, or operations, and therefore is determined to be exempt from the definition of “Development”:
 - *Repair, maintenance, or interior alterations to existing structures or relating to existing uses.*
3. Pursuant to Planning Commission Rule 9-4(e)(4), *“whenever the Director finds that any excluded use, activity, or operation may have a cumulative impact, or a significant adverse environmental or ecological effect on the Special Management Area, that use, activity, or operation shall be defined as “Development” for the purposes of this rule.”*
 - Based on the information provided, the Director finds that the proposed project will not have a cumulative impact, or significant adverse environmental or ecological effect on the Special Management Area.

Please note that any substantive changes to the proposed project, as well as any subsequent phases or activities may require further review by this office and possibly the submittal of another SMA Use Permit Assessment Application.

Future Special Management Area Determinations:

While further review of the proposed activities against the Special Management Area rules and regulations will not be required at this time, all other applicable Zoning and Building Code requirements must be satisfied.

Additionally, pursuant to Planning Commission Rule 9-10(g), “*the Director may impose certain conditions with the exemption determination to assure that the proposed use, activity, or operation does not have a substantial adverse effect on the Special Management Area.*” The Director has added the following conditions for the proposed project:

Director’s Conditions:

1. The applicant(s), its successor(s), or assign(s) (“Applicant”) shall be responsible for complying with all stated conditions of approval.
2. The Applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
3. Other than the proposed project as described in this determination, no further work is permitted under this approval.
4. The Applicant shall secure and finalize all necessary permits with the Department of Public Works – Building Division for the proposed project within two (2) years from the date of this determination. If permits have not been secured within that two (2) year period, this determination is automatically null and void, and a new Special Management Area Assessment Application must be submitted for review and approval.
5. All earthwork and grading activity shall conform to Chapter 10, Erosion and Sedimentation Control of the Hawai‘i County Code.
6. All construction and maintenance activities on the subject parcel shall comply with Chapter 27, Floodplain Management, of the Hawai‘i County Code.
7. In the event that surface or subsurface historic resources, including human skeletal remains, structural remains (e.g., rock walls, terraces, platforms, etc.), cultural deposits, marine shell concentrations, sand deposits, or sink holes are identified during the demolition and/or construction work, the Applicant shall cease work in the immediate vicinity of the find, protect the find from additional disturbance and contact the State Historic Preservation Division at (808) 933-7651. Subsequent work shall proceed upon

an archaeological clearance from DLNR-SHPD when it finds that sufficient mitigation measures have been taken.

8. Any further development, including but not limited to, the construction of structures or improvements not included in this determination shall require further review and approval as provided under Chapter 205A, HRS, and Rule 9, Planning Commission Rules of Practice and Procedure.
9. That in issuing this determination, the Department has relied on the information and data that the Applicant has provided in connection with this determination. If, subsequent to this determination, such information and data prove to be false, incomplete, or inaccurate, this determination may be modified, suspended, or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings.
10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director may initiate procedures to revoke this determination or require additional review against the Special Management Area rules and regulations.

If you have any questions, please contact Tracie-Lee Camero of this office at (808) 961-8166 or via email at Tracie-Lee.Camero@hawaiicounty.gov.

Sincerely,

Zendo Kern

Zendo Kern (Jan 25, 2023 14:28 HST)

ZENDO KERN
Planning Director

TC:jaa

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Enclosure: Exhibit 1 (Site Plan)

Cc (via email): GIS Section

PROPOSED DISPENSER AND UDC REPLACEMENT FOR

KAMEHAMEHA AVE 76 GAS STATION

SITE 61203

1801 KAMEHAMEHA AVE, HILO, HAWAII 96720

TMK: 2-1-006:042

COFFMAN ENGINEERS
1745 Fort Street, Suite 400
Honolulu, HI 96813
PH 808.887.8884
www.coffman.com



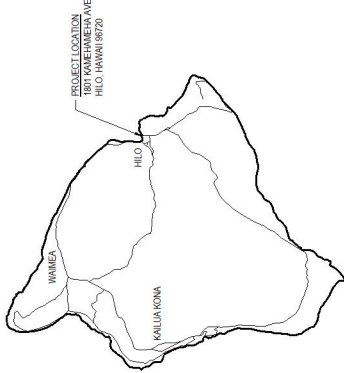
THIS WORK WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF HAWAII.
David S. Coffman
April 24, 2022
Expiration Date of the License

PROPOSED DISPENSER AND UDC REPLACEMENT FOR: KAMEHAMEHA AVE 76 GAS STATION SITE 61203

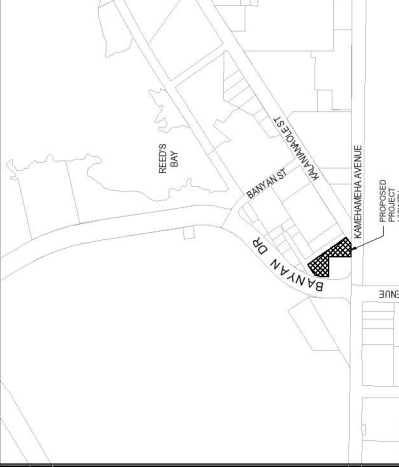
1801 KAMEHAMEHA AVE.
HILO, HAWAII 96720

TMK: 2-1-006:042
PAR PACIFIC HAWAII PROPERTY CO., LLC
825 TOWN & COUNTRY LN,
STE 1500
HOUSTON TX 77204

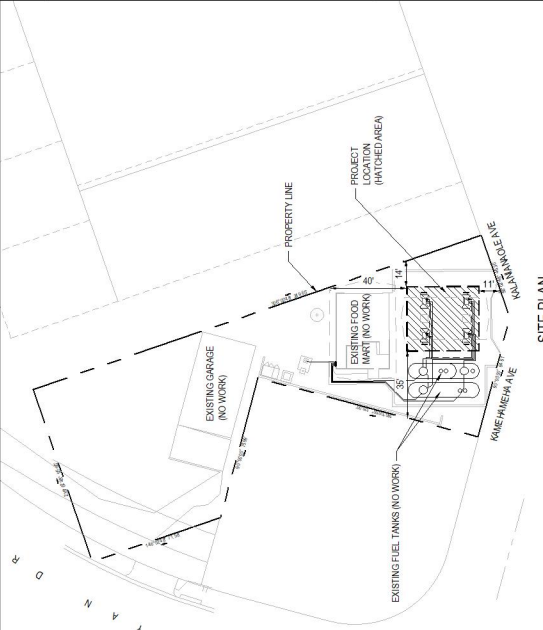
LOCATION MAP



VICINITY MAP



SITE PLAN



1"=30'-0"

SITE PLAN

PROJECT SCOPE

THIS PROJECT CONSISTS OF THE REPLACEMENT OF FOUR (4) EXISTING FUEL DISPENSERS AND UNDER DISPENSER CONTAINMENT (UDC) UNITS. THE EXISTING POWER, CONTROLS, SENSORS, AND PIPING WILL BE CONNECTED TO THE NEW DISPENSERS.

THIS PROJECT HAS BEEN DESIGNED IN ACCORDANCE WITH THE ADA GUIDELINES.

PROJECT TEAM

OWNERS:
MR PETROLEUM INC
PAR PACIFIC HAWAII PROPERTY CO., LLC
825 TOWN & COUNTRY LN, STE 1500
HOUSTON TX 77204

ENGINEERS:
COFFMAN ENGINEERS, INC.
1745 FORT STREET, SUITE 400
HONOLULU HI 96813
(808) 887-8884

CONSULTANTS:
CIVIL: JAMISON BORTA, P.E.
MECHANICAL: WILLIAM LEE, P.E.
ELECTRICAL: KERRY DOW, P.E.

DEPARTMENT OF PUBLIC WORKS CODE DATA

JURISDICTION: HAWAII COUNTY, HAWAII
GOVERNING BUILDING CODES:
INTERNATIONAL BUILDING CODE 2006, WITH CURRENT AMENDMENTS
STATE ENERGY CONSERVATION CODE
HAWAII ADMINISTRATIVE RULES, CH 3-181.1, PER HRS. SEC. 107.28
HAWAIIAN CONSTRUCTION CODE 2015, WITH CURRENT AMENDMENTS
N.E.C.
NATIONAL ELECTRICAL CODE 2017, WITH CURRENT AMENDMENTS.
NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 969, WITH CURRENT AMENDMENTS
2012 NFPA WITH LOCAL AMENDMENTS
FIRE CODE
2012 NFPA WITH LOCAL AMENDMENTS
SEISMIC ZONE D
WIND LOADS: CATEGORY C
GROUND BUILDING AREA: WA

GENERAL NOTES

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE COUNTY OF HAWAII DEPARTMENT OF PUBLIC WORKS STANDARD DETAILS FOR PUBLIC WORKS.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND DETAILS SHOWN ON THE DRAWING PRIOR TO STARTING CONSTRUCTION. DATED SEPTEMBER 1986, AND APPLICABLE SECTIONS OF THE "HAWAII STANDARD SPECIFICATIONS FOR PUBLIC WORKS" SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.
- THE CONTRACTOR SHALL PROVIDE SMOOTH RENDING ROADWAYS, SIDEWALKS, DRIVEWAYS AND OTHER FACILITIES AS NECESSARY, AND AS MAY BE DIRECTED BY THE ENGINEER.
- THE CONTRACTOR SHALL KEEP AT LEAST ONE LANE OPEN TO TRAFFIC AT ALL TIMES BETWEEN 8:30 AM AND 5:00 PM. ALL LANE CLOSURES SHALL BE KEPT OPEN TO TRAFFIC DURING OTHER HOURS.
- EXISTING DATCH BASIN GRATES THAT ARE REPAIRED SHALL BE SALVAGED, CLEANED AND DELIVERED TO THE COUNTY OF HAWAII, HIGHWAY MAINTENANCE DIVISION BASE AND.
- THE ENGINEER RESERVES THE RIGHT TO MAKE CHANGES TO THE DRAINAGE SYSTEM AS SUCH CHANGES ARE FOUND TO BE NECESSARY AS THE WORK PROGRESSES AND EROSION CONTROL.
- THE CONTRACTOR SHALL CONDUCT TESTS AS REQUESTED BY THE ENGINEER AND BE RESPONSIBLE FOR ALL EXPENSES INCURRED IN CONDUCTING THESE TESTS.

HAWAII ONE CALL CENTER

- THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY AND LOCATE UNDERGROUND UTILITIES PRIOR TO BEGINNING EXCAVATION TO PREVENT DAMAGES.
- THE CONTRACTOR SHALL UTILIZE THE "HAWAII ONE CALL CENTER" TO VERIFY LOCATIONS OF UTILITIES PRIOR TO EXCAVATION. TO CALL FOR A LOCATE REQUEST DIAL 811 OR (808) 435-1281.
- ONLINE SERVICE TICKET REQUESTS ARE ALSO AVAILABLE AROUND THE CLOCK AT [WWW.HAWAIIOC.COM](http://www.hawaiioc.com).

- IN THE EVENT OF DAMAGES DUE TO HIS CONSTRUCTION PRACTICES, WHENEVER UTILITY CONNECTIONS ARE REQUIRED, THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF UTILITIES DUE TO HIS CONSTRUCTION PRACTICES. THE CONTRACTOR SHALL COORDINATE HIS WORK WITH THE RESPECTIVE UTILITY COMPANIES.
- THE CONTRACTOR SHALL COORDINATE HIS WORK WITH ALL AFFECTED UTILITY COMPANIES, PROPERTY OWNERS, POLICE, RESIDENCES, BUSINESSES, HILO DOWNTOWN REDEVELOPMENT AGENCY AS MAY BE NECESSARY. THE CONTRACTOR SHALL PROVIDE REASONABLE ACCESS TO PROPERTIES AND/OR BUSINESSES ADJACENT TO HIS WORK.
- THE CONTRACTOR SHALL TONE THE WORK AREAS PRIOR TO ALL EXCAVATION AND TRENCHING TO VERIFY THE LOCATION OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF

PROJECT TITLE:
TITLE SHEET,
VICINITY MAP,
AND SITE PLAN

Planning Dept.
Exhibit 1

SHEET NO.
T001

SHEET 6 OF 15



THIS WORK WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF HAWAII.
Kamehameha
APR 24, 2022
Expiration Date of the License

**PROPOSED DISPENSER
AND UDC
REPLACEMENT FOR:
KAMEHAMEHA AVE 76
GAS STATION
SITE 61203**

1801 KAMEHAMEHA
AVE.
HILO, HAWAII 96720

TMK: 2-1-006.042

PAR PACIFIC HAWAII
PROPERTY CO., LLC
825 TOWN & COUNTRY LN,
STE 1500
HOUSTON TX 77204

REV	DATE	DESCRIPTION

PROJ. NO.	201253
DRAWN	ASN
CHECKED	JSG
DATE	04/09/21

© COFFMAN ENGINEERS INC.

**DEMOLITION AND
EROSION AND
SEDIMENT
CONTROL PLAN**

SHEET NO.

C101

SHEET 1 OF 15

- LEGEND**
- EXISTING CONCRETE
 - REMOVE EXISTING
 - SAWCUT LINE
 - PROPERTY LINE
 - EXISTING FUEL PIPING
 - BOROSIL FILTER

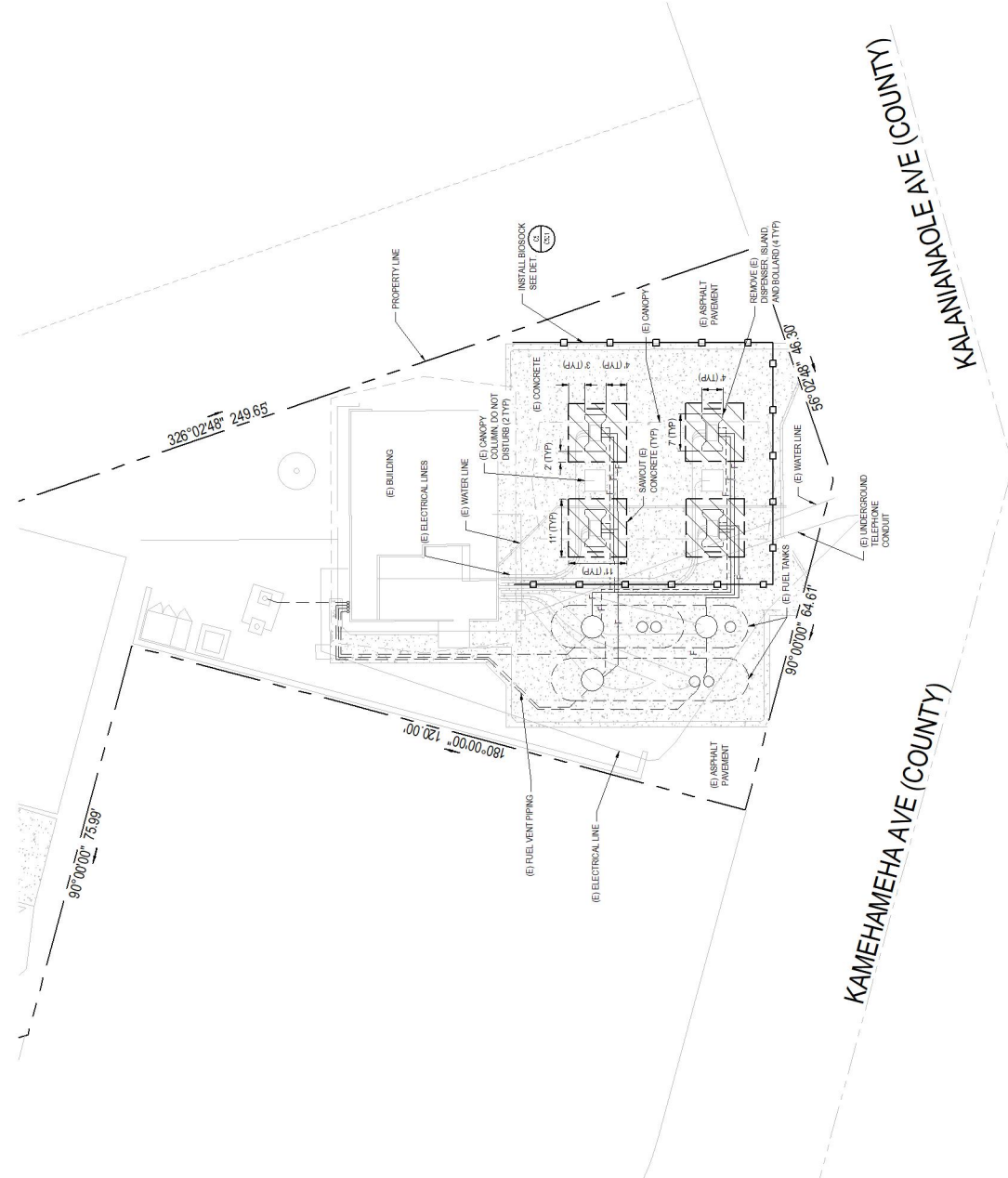
NOTES:

1. THE CONTRACTOR MAY ADJUST THE LOCATION OF SAWCUT LINES AND LIMITS OF DEMOLITION AS NECESSARY BASED ON ACTUAL FIELD LOCATIONS OF PIPING TO BE REMOVED AND TO CREATE STABLE EXCAVATIONS.
2. (E) SITE FEATURES OUTSIDE THE WORK AREA SHALL NOT BE DISTURBED.
3. CONTRACTOR SHALL TAKE ALL PRECAUTIONS TO ENSURE THAT THE PROPOSED EXCAVATION SITE IS FREE OF UTILITIES. CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND MARKING PRIOR TO START OF EXCAVATION WORK.
4. CONTRACTOR SHALL COORDINATE WITH OWNER ON ALL UTILITIES AND ADJUST EXCAVATION LIMITS WITH NEW EXCAVATION PRIOR TO START OF WORK.
5. THE CONTRACTOR SHALL ADJUST BOROSIL AS NECESSARY TO MAINTAIN PROPER GRADING. THE CONTRACTOR SHALL REMOVE AND REPLACE BOROSIL AS NEEDED TO ALLOW VEHICULAR ACCESS TO THE WORK AREA.

**BEST MANAGEMENT
PRACTICE (BMP) NOTES.**

1. GOOD HOUSEKEEPING SHALL BE UTILIZED TO ENSURE PROTECTION OF ROADWAYS FROM MUD, DIRT, AND DEBRIS.
2. THE CONTRACTOR AT HIS OWN EXPENSE, SHALL KEEP THE PROJECT AREA AND ADJACENT AREAS FREE FROM DUST AND RESIDUES FREE FROM DUST NUISANCE.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED PER THIS PLAN AND BE MAINTAINED UNTIL COMPLETION OF THE PROJECT.
4. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED WITH PAVING AND/OR GRASSING.
5. STOCKPILES OF MATERIALS WITHIN THE ROADWAY PAVEMENT IS PROHIBITED.
6. AREAS OF EXPOSED GROUND SHALL BE STRICTLY CONTROLLED AND LIMITED.
7. DUST CONTROL SHALL BE ACCOMPLISHED BY WATERING WITH TRUCKS OR A TEMPORARY SPRINKLER SYSTEM.
8. GRADED AREAS SHALL BE THOROUGHLY WATERED AFTER CONSTRUCTION ACTIVITY HAS COMPLETED FOR THE DAY AND ON WEEKENDS AND HOLIDAYS.

* THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING EXISTING UTILITIES PRIOR TO EXCAVATION. EXISTING UTILITIES SHOWN IN THE DRAWINGS ARE TO BE USED FOR REFERENCE ONLY.



A2 C101 DEMOLITION AND EROSION AND SEDIMENT CONTROL PLAN



1"=10'-0" SCALE 1" = 10'-0"



THIS WORK WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMPLIES WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS.
David S. Coffman
Professional Engineer
April 24, 2023
Expiration Date of the License

**PROPOSED DISPENSER
AND UDC
REPLACEMENT FOR:
KAMEHAMEHA AVE 76
GAS STATION
SITE 61203**

1801 KAMEHAMEHA
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HILO, HAWAII 96720

TMK: 2-1-006.042

PAR PACIFIC HAWAII
PROPERTY CO., LLC
825 TOWN & COUNTRY LN,
STE 1500
HOUSTON TX 77204

REV.	DATE	DESCRIPTION

PROJ. NO.	201253
DRAWN	RSN
CHECKED	JSG
DATE	04/09/21

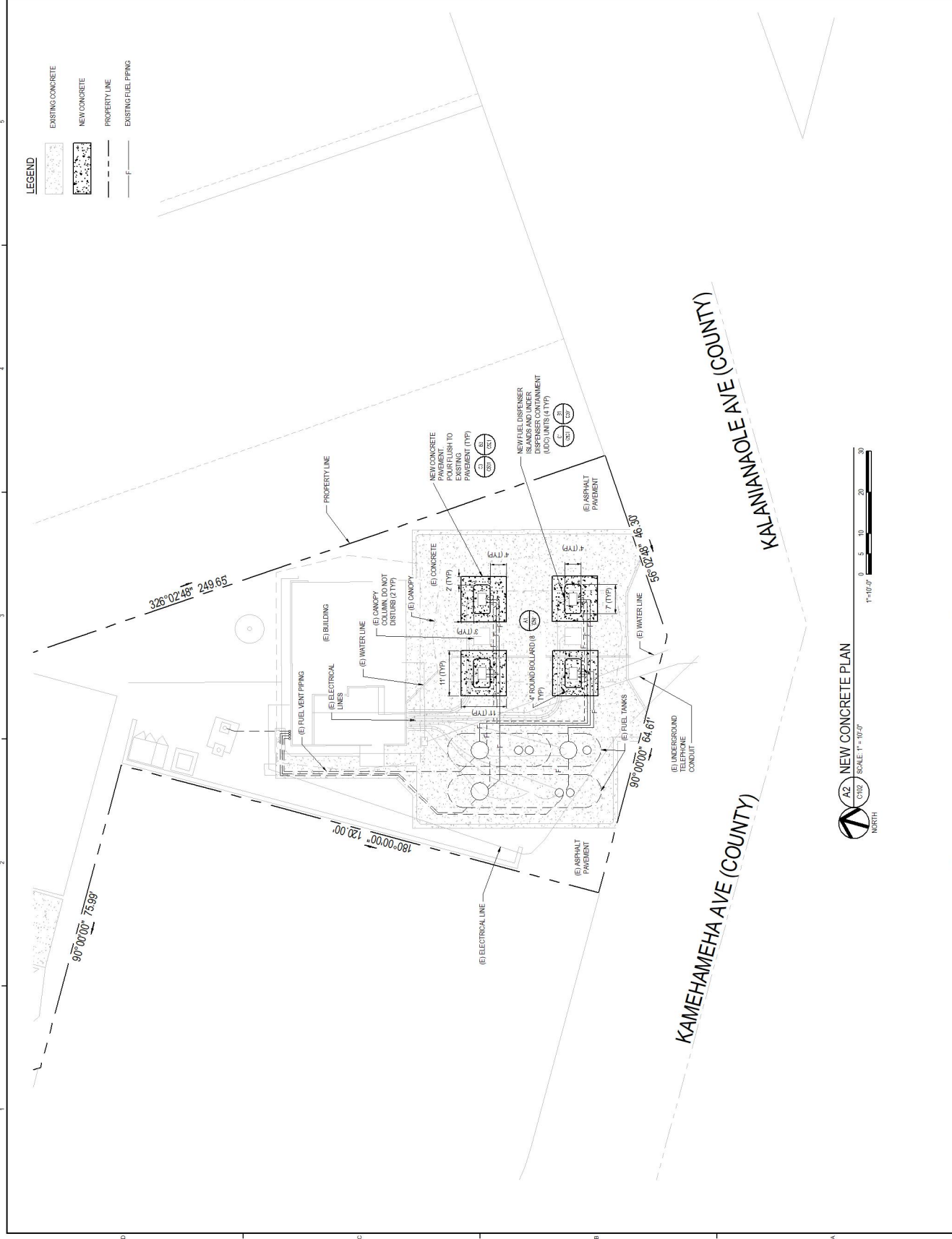
COFFMAN ENGINEERS, INC.

SHEET TITLE:
**NEW CONCRETE
PLAN**

SHEET NO.

C102

SHEET 4 OF 15



A2 NEW CONCRETE PLAN
SCALE 1" = 10'-0"
NORTH

1" = 10'-0"