

November 13, 1985

Mr. Fred Fiedler
Tiki Construction
154 Holomua Street
Hilo, HI 96720

Dear Mr. Fiedler:

Special Management Area Use Permit No. 188 ✓
Applicant: Cutler-Hanley Joint Venture
Effective Date: September 16, 1982
Tax Map Key 2-2-06:27

A review of our files shows that the subject permit was approved by the Planning Commission on September 16, 1982, which allowed certain renovations to the existing service station facility and the conversion of the existing building into a convenience store.


Condition No. 3 states "That the construction of the improvements shall commence within one (1) year from the receipt of Final Plan Approval and shall be completed within one (1) year thereafter." Since Final Plan Approval was granted on September 15, 1983, construction should have begun on or before September 15, 1984. However, that period has lapsed with no record of a building permit having been issued.

As you are aware, the subject permit also reads "Should any of the foregoing conditions not be met, this Special Management Area Use Permit shall be void."

Given the above findings, SMA Use Permit No. 188 has been determined to be void due to non-compliance of the conditions.

Should you have any questions or concerns regarding this nullification, please do not hesitate to contact this office.

Sincerely,


ALBERT LONO LYMAN
Planning Director

CRK:lv

cc: Cutler-Hanley Joint Venture
Department of Public Works
Department of Water Supply

bcc: Plan Approval No. 1964

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CERTIFIED MAIL

September 17, 1982

Mr. Fred Fiedler
Tiki Construction
154 Holomua Street
Hilo, Hawaii 96720

Dear Mr. Fiedler:

Special Management Area Use Permit Application
Petitioner: Cutler-Hanley Joint Venture
TMK: 2-2-06:27

The Planning Commission at its duly held public hearing on September 16, 1982, voted to approve the above application, Special Management Area (SMA) Use Permit No. 188, to allow certain renovations to the existing service station facility which include the installation of new fiberglass non-corrosive storage tanks with fiberglass non-corrosive piping, the installation of electronic automatic self-serve facilities, and to allow the conversion of the existing building into a convenience store operation at Downtown Hilo, Kukuau 2nd, South Hilo, Hawaii.

Approval of this request is based on the following:

That the subject development will not have any substantial adverse environmental or ecological effect. The proposed improvements will involve the renovation of an existing one-story service station and related improvements. As such, the subject site and surrounding areas have been extensively developed in the past and currently serve the primary commercial center of Hilo. Consequently, the proposed improvements will not increase the degree of environmental impact which now exists.

The proposed improvements are consistent with the Objectives, Policies and Special Management Area (SMA) Guidelines. These objectives, policies, and guidelines were established by Chapter 205-A, Hawaii Revised Statutes, to

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provide guidance for preservation, protection, and development of the coastal resources of the State and County. They identify several areas of management concern including historic, recreational, scenic resources, coastal ecosystems, economic uses, and coastal hazards. Because of the limited nature of the proposed improvements and the prior development of the subject and surrounding areas, the granting of this request will not impact on the identified resources.

The subject area is situated within the potential tsunami inundation zone and is within the designated Flood Safety District. However, the construction of the proposed improvements would have to comply with the requirements of the Department of Public Works.

That the proposed development is consistent with the General Plan, the Zoning Code and other applicable ordinances. The proposed improvements are in accordance with the General Plan High Density Urban designation, the General Commercial (CG-7.5) zoned district as well as the Hawaii Redevelopment Agency's "Open/Limited Commercial Zone."

Based on the foregoing, it is therefore determined that the proposed development will not have any significant adverse environmental or ecological effect on the SMA. Furthermore, its approval will be consistent with the objectives and policies of Chapter 205-A, HRS, Relating to Coastal Zone Management and Rule 9 of the Planning Commission Relating to the Special Management Area, the County Zoning Code and Kaiko'o Urban Renewal Plan.

Approval of this SMA Use Permit request is subject to the following conditions:

1. That the petitioner, or its authorized representative, will be responsible for complying with all of the stated conditions.
2. That plans for the proposed improvements shall be submitted to the Planning Department for Plan Approval within one (1) year from the effective date of the Special Management Area Use Permit.
3. That the construction of the improvements shall commence within one (1) year from the receipt of Final Plan Approval and shall be completed within one (1) year thereafter.

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4. That the petitioner or its authorized representative shall comply with the requirements of the Department of Public Works regarding construction within Flood Hazard Districts.
5. That all other applicable rules, regulations and requirements shall be complied with.

Should any of the foregoing conditions not be met, this Special Management Area Use Permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



ALMEDO ORITA
CHAIRMAN, PLANNING COMMISSION

lgv

cc: Cutler-Hanley Joint Venture
Department of Public Works

bcc: Plan Approval Section