

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 89-3

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

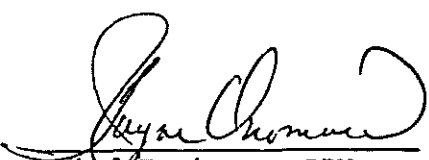
The Planning Director completed on March 16, 1989, an assessment on the application of GEORGE MADDEN & JOHN TOLMIE for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is ~~XXX~~: To allow them to erect a small wooden office building and paved parking for six (6) vehicles for a small auto rental business establishment in South Hilo, TMK: 2-2-53:4.

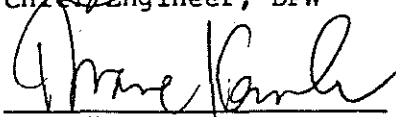
As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

SEE ATTACHED CONDITIONS


Chief Engineer, DPW


Planning Director

Attachment

6257A-5/84

SMA Minor Permit No. 89-3
APPLICANTS: GEORGE MADDEN & JOHN TOLMIE
Conditions

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. The applicant shall complete the construction within one year.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) 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; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) 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).

BACKGROUND

2554Q 3/15/89

George Madden and John Tolmie are requesting a Special Management Area (SMA) Permit to allow them to erect a small wooden office building and paved parking for six (6) vehicles. These improvements would be used for a small auto rental business to be established on the property. The structure will be located on the makai (east) end of the 21,342 square foot parcel. The subject parcel is along the makai side of Kilauea Street, between the intersections with Mohouli and Lanihuli Streets, a portion of Waiakea ahupua'a, South Hilo, TMK: 2-2-53:4.

More specifically, the applicant proposes to erect a 10' x 16', 14' high, post and pier building about 58 feet from the existing office structure. The new parking area will be an expansion of the existing paved 11 stall office parking area. Total cost for these improvements is \$4,000.

The State Land Use Classification for the property is Urban. The General Plan Land Use Plan Allocation Guide (LUPAG) Map designates the area for High Density Urban Development. County zoning for the property is General Commercial with a minimum lot size of 750 square feet per unit (CG-.75). The subject property is currently used for office purposes (Dentist and formerly CPA). The proposed equipment rental yard and office are permitted uses in this zone.

Surrounding properties are County zoning of General Commercial (CG-7.5), Commercial Office (CO-20) and Limited Industrial (ML-20). Uses entertained on these properties include office; equipment rentals; service station; auto dealership (sales, storage and

repair); residential (single family and multifamily); drive-in restaurant; primary school; mini-golf amusement center; and vacant property.

The Flood Insurance Rate Map (FIRM), prepared by the U.S. Army Corps of Engineers (May 2, 1982 Edition) indicates that the subject property falls into Zone C or Areas of Minimal Flooding. The U.S. Geological Survey Tsunami Inundation Map depicts the 100-year Tsunami Inundation Line to be 500-700 feet makai of the subject property.

The existing office building occupies much of the northwest portion of the parcel. The property contains two terraced levels: (1) the narrow yard fronting Kilauea Street which lies about 4 feet above; and (2) the rear yard and parking lot. The existing office extends onto each terrace.

The property is mapped as containing Keaukaha Series Soil, a Lithic Tropofolist. These soils are of organic derivation (Histosols) overlying pahoehoe lava, and they are considered well-drained and of slight erosion hazard.

The median annual rainfall at the site is about 140 inches, as interpolated from an isohyet map in "Median Rainfall: State of Hawaii, Circular C-88, Department of Land and Natural Resources, State of Hawaii." Drainage on the property is improved by means of a dry well near the parking lot.

The vegetated parts of the property are occupied by lawn, a planted shrub and perennial herb front section and discontinuous perimeter plantings of ti, hapu'u and croton, and scattered weeds.

The neighborhood reflects considerable recent historic development for residential and other development purposes, consequently it is highly unlikely that either endangered species or historical sites remain on the subject parcel.

RECOMMENDATION

An SMA Minor Use Permit is issued based on the following findings:

1. The total valuation of the proposal will not exceed \$65,000; and
2. The proposal will not result in a significant adverse effect on the Special Management Area.

The proposed construction and use is not anticipated to have any adverse environmental or ecological effects.

The proposed action is consistent with the Special Management Area objectives, policies, and guidelines. These were established to provide guidance for the preservation, protection and development of the coastal resources of the State and County. The guidelines identify several areas of management concerns including recreational, historic, scenic and open space resources, coastal ecosystems, economic uses, and coastal hazards. Due to the limited nature of the project, it is determined that the granting of this request will not impact on the identified resources.

The proposed construction and use are consistent with the present Urban district and General Commercial zoning.

Based on the above, it is determined that the granting of the request will not create a significant adverse effect on the environment and, therefore, will not be contrary to the purpose and

intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. The applicant shall complete the construction within one year.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) 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; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) 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).