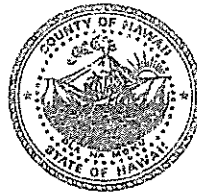


Harry Kim  
*Mayor*



Christopher J. Yuen  
*Director*

Roy R. Takemoto  
*Deputy Director*

**County of Hawaii**  
**PLANNING DEPARTMENT**  
101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

April 27, 2004

Mr. Wayne Kamitaki  
BF Hilo Partners  
333 Kilauea Avenue, Suite 214  
Hilo, HI 96720

Dear Mr. Kamitaki:

**Special Management Area Use Permit Assessment Application (SMAA 04-15)**  
**Special Management Area Minor Permit No. 153**  
**Applicant: BF Hilo Partners**  
**Owner: Hawaii County, Department of Parks and Recreation**  
**Request: Construction of a 33-Stall Parking Lot Extension**  
**Tax Map Key: 2-2-7:Portion of 18, South Hilo, Hawaii**

This is in response to the above-referenced Special Management Area Use Permit Assessment Application for the construction of a 33-stall parking lot extension on the subject parcel.

This parcel is zoned Open by the County and designated Urban by the State Land Use Commission. The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the area as Open.

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)(A)(v) relating to Special Management Area, the construction of a parking lot extension consisting of 33 stalls is considered "Construction, reconstruction, or alteration of the size of any structure" and defined as "development". Therefore, a Special Management Area Minor Permit is required. For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No.153 is hereby issued to allow for the construction of a parking lot

Mr. Wayne Kamitaki  
BF Hilo Partners  
Page 2  
April 27, 2004

extension consisting of 33 stalls, subject to the applicant's compliance with the conditions of approval as specified in the permit.

Finally, all other applicable Zoning and Building Code requirements must also be satisfied.

Should you have questions, please feel free to contact Esther Imamura or Larry Brown of this department at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

ETI:pak  
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Enclosures - SMM No. 153  
Department of Public Works April 2, 2004 Memo

xc w/encls: Planning Commission  
Department of Parks & Recreation  
Hilo Engineering  
/ Long Range Planning – Ms. Susan Gagorik

## **Special Management Area Minor Permit No. 153**

**Project:** Parking Lot Extension Consisting of 33 Stalls  
**Applicant:** BF Hilo Partners  
**Owner:** Hawaii County, Department of Parks and Recreation  
**Location:** South Hilo, Hawaii  
**TMK:** (3) 2-2-7:Portion of 18 **Land Area:** 7.043 acres

### **Applicant's Request**

#### **1. Project Description:**

BF Hilo Partners, with the consent of the Hawaii County, Department of Parks and Recreation, proposes to establish a parking lot extension consisting of 33 stalls on the subject parcel. The project area is located on the embankment adjacent to the Ben Franklin parking lot. It is located at the southwest corner of the subject parcel and adjacent to the Waiolama Canal/Alenaio Stream drainage area. Existing elevations range from eight feet to nineteen feet.

#### **2. Purpose of Project:**

The objective is to provide additional parking spaces for employees of tenants of the Ben Franklin building and to provide space for public parking associated with the recreational use of the Bayfront area.

#### **3. Project Valuation: \$83,100.00**

#### **4. Determination:**

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)(A)(v) relating to the Special Management Area (SMA), the construction, reconstruction, or alteration of the size of any structure is defined as "development." Therefore, the project to construct a parking lot extension consisting of 33 stalls requires a SMA Minor Permit.

### State and County Plans

1. **State Land Use District:** The subject property is designated Urban by the State Land Use Commission.
2. **General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the project site for Open uses, which allows for parks and historic sites.
3. **County Zoning:** The project site is zoned Open by the County.
4. **Special Management Area:** The subject property is located in the SMA.
5. **Flood Zone:** According to the current Flood Insurance Rate Map (FIRM), the project area is not located in the Special Flood Hazard Area.

### Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area

The project site is not a shoreline property. Therefore, the proposed improvements will not affect the recreational resources available to the public.

Check all objectives and policies found to be consistent with proposed development. Issuance of SMA Minor Permit requires that activity be consistent with all objectives & policies.

The proposed development is consistent with the following objectives and policies:

- ☒ Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawaii County General Plan and the Zoning Code.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS, to:
  - ☒ Provide coastal recreational opportunities accessible to the public.
  - ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
  - ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
- ☒ Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.

- ☒ Provide public or private facilities and improvements important to the State's economy in suitable locations.
- ☒ Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence and pollution.
- ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- ☒ Stimulate public awareness, education, and participation in coastal management.
- ☒ Protect beaches for public use and recreation.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
  - ☒ Recreational Resources
  - ☒ Historic Resources
  - ☒ Scenic and Open Space Resources
  - ☒ Coastal Ecosystems
  - ☒ Economic Uses
  - ☒ Coastal Hazards
  - ☒ Managing Development
  - ☒ Public Participation
- ☒ Beach Protection
- ☒ Marine Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, Environmental Impact Statements.

<b>Findings</b>
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As discussed above, the proposed development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest.

The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.

The estimated project cost of approximately \$83,100 is not in excess of \$125,000.

A Declaration of Exemption from the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR has been submitted by the County of Hawaii, Department of Parks and Recreation.

The project site is on sloping ground which resulted from the implementation of Project Kaiko'o. It is also adjacent to the Waiolama Canal/Alenaio Stream drainage area. However, upon review of the subject application by the Department of Public Works, Engineering Division, the project is in compliance with Chapter 27, Flood Control, of the Hawaii County Code.

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 153** is hereby approved to allow the construction of a parking lot extension consisting of 33 stalls on the parcel, subject to the applicant's compliance with the conditions of approval as specified below.

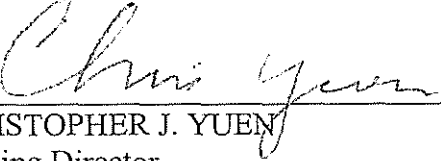
<b>Conditions of Approval</b>
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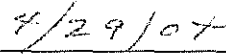
The Planning Director has approved **SMA Minor Permit No. 153** subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure and record an access easement across TMK: 2-2-7:43 to the proposed parking lot extension on TMK: 2-2-7:18. A copy of the recorded document shall be filed with the Planning Department upon its receipt from the Bureau of Conveyances.
3. The applicant shall secure Plan Approval from the Planning Department for the proposed development.
4. All construction activities in connection with this project shall be completed within one (1) year from the date of approval of this permit. The applicant shall immediately notify the Planning Department, in writing, upon the completion of the construction activities.
5. The applicant(s), its successors or assigns shall comply with all other laws, rules, regulations and requirements, including the Department of Public Works.
6. An extension of time for the performance of the conditions contained herein 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 original reasons for the granting of the permit; and

- c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
7. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:

  
\_\_\_\_\_  
CHRISTOPHER J. YUEN  
Planning Director

  
\_\_\_\_\_  
Date

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: April 2, 2004

Memorandum

2004 APR 5 AM 8 21

PLANNING DEPARTMENT  
COUNTY OF HAWAII

TO: Christopher J. Yuen, Planning Director

FROM: *for* *OK* Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SMAA 04-15)

Applicant: BF Hilo Partners

Landowner: Hawaii County Department of Parks & Recreation

Request: Construction of a Parking Lot Extension

TMK: 2-2-07: Portion of 018

We have reviewed the subject application for compliance with Chapter 27, Flood Control, forwarded by your memo dated March 30, 2004, and confirm the construction plan attached thereto has been approved by this department and has met the requirements of Chapter 27.

Questions may be referred to Kelly Gomes of our Engineering Division at ext. 8327.

KG

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