

*To: Planning Department
Fr: Margaret Wille, co-chair
Re: WCA Planning & Design Review Committee Meeting
Date: 4-2-10*

Re: Review of Daniel Bal 's Request to operate an auto repair business within an existing steel building on approximately two acres of land, located in vicinity of NAPA store off Mamalahoa Highway" TMK 6-4-6-1

A copy of Daniel Bal's permit was sent to interested members of the Waimea community (approximately 70) and a meeting of the Planning and Design Review Committee was held on March 30th. Based on community input, we make the following suggestions. I reviewed these suggestions with the Applicant and he is agreeable. I do want to emphasize that our review is in the context of consistency with the provisions and policies in the Waimea Design Plan and the South Kohala Community Development Plan, and that we have not reviewed any specific County zoning or permit regulations.

All community members present voiced support for granting a Special Permit, provided the following conditions are included in the permit:

- 1. the permit is specifically for an auto repair shop in the existing steel building on two acres of land;*
- 2. no additional building structures will be built or incorporated for use in this business for the life of the permit, without first obtaining an amendment to this use permit;*
- 3. no additional hardscape (paved area) will be constructed for use in this business for the life of the permit, without first obtaining an amendment to this use permit;*
- 4. no more than 24 vehicles will be parked on the property at any time;*
- 5. waste liquids will continue to be disposed of off site in an environmentally safe fashion, and otherwise the business must remain in compliance with all environment regulations;*

6. Any sign posted on the property be consistent with the sign ordinance and placed in a location and manner that does not interfere with visibility to or from the property driveway.
7. continue to limit operations to reasonable working hours 6 days a week, closed on Sundays, with customary work day ending by 6 pm.

Community members believe the permit should be issued for no more than 10 years.

Community members gave the following reasons for supporting this application :

1. When the Applicant started this business here, he first made a diligent search for an appropriate location (rental property); this location was the only place he found.
2. The property is adjacent to other commercial buildings off Mamalahoa in the east end commercial area of Waimea town;
3. Applicant (as lessee) and the property owner were willing pursue a rezoning. However that is not possible because there is no land available to widen the driveway so as to provide for whatever commercial business activity might eventually be located here. [A rezoning to commercial would not be limited to an auto repair business.] For this particular type of operation, with this fixed limitation in number of vehicles, the existing 20-foot wide drive way seems adequate.
4. The remainder of the lot is grassy with trees and there will be no additional hardscape added for any reason;
5. There is a limitation on the number of automobiles allowed which will keep the business to a reduced size and will minimize disturbances to the land that would cause erosion or any run-off.
6. Surrounding buildings are commercial. One adjoining lot that has several commercial buildings and no “greenspace” does have two second floor apartments. That property however is not used for any agricultural purposes.

7. *This is not a situation where the Applicant built a new commercial structure on Agriculturally zoned land. Likewise, this is not a situation where the Applicant is starting up this business in an area in the midst of agricultural operations.*

Based on the above reasons, community members agreed this Special Permit request is consistent with the Waimea Design Plan and the South Kohala Community Plan.

Signed:

Date: 3-31-10

Margaret Wille, co-chair Planning & Design Review Committee

Sherman Warner Waimea Community Association President.