

Larry S. Tanimoto

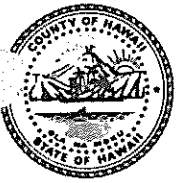
Mayor

Duane Kanuha

Director

William L. Moore

Deputy Director



## Planning Department

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

CERTIFIED MAIL

May 11, 1990

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Mr. George Yoshida, Director  
Department of Parks & Recreation  
County of Hawaii  
25 Aupuni Street  
Hilo, HI 96720

Dear Mr. Yoshida:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 90-9  
Tax Map Key 7-5-05:83 (PA 1181)

Upon careful review of your SMA Use Permit request, we have found that it complies with the requirements for a Minor Permit set forth in Rule 9.7 of the Planning Commission's Rules and Regulations Relating to Special Management Area.

Accordingly, please find enclosed an SMA Minor Use Permit No. 90-9 to allow the construction of a radio-controlled model car track on the grounds of the Kailua Park at the Old Kona Airport location. The subject site is a portion of a 14.082 acre parcel of State land encumbered by Hawaii County Department of Parks and Recreation under Governor's Executive Order No. 2876, and is located 3500 feet makai of Queen Kaahumanu Highway at Keahuolu, North Kona, Hawaii, TMK: 7-5-05:83.

Please note that the permit approval is also subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.
3. Construction of the proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter.

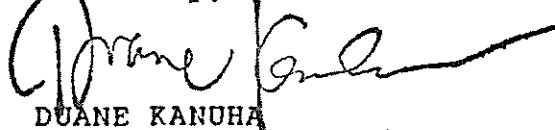
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Mr. George Yoshida, Director  
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4. All other applicable rules, regulations and requirements shall be complied with.
5. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.
6. An extension of time for the performance of conditions within the permit 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 General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) 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). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

Should you have any questions regarding the above, please do not hesitate to contact this department at 961-8288.

Sincerely,



DUANE KANUHA  
Planning Director

FRW:lm  
Enclosures

cc/encs: Chief Engineer  
Kona Planning Dept.  
SMA Section✓

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 90-9

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on April 6, 1990, an assessment on the application of COUNTY OF HAWAII DEPT. OF PARKS & RECREATION 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 for: The construction of a radio-controlled model car track on the grounds of the Kailua Park at the Old Kona Airport location. The subject site is a portion of a 14.082 acre parcel of State land encumbered by Hawaii County Dept. of Parks & Recreation under Governor's Executive Order No. 2876, and is located 3500 feet makai of Queen Kaahumanu Highway at Keahuolu, North Kona, Hawaii, TMK: 7-5-05:83.

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

*Herbert Dagon*  
for Chief Engineer, DPW  
*Doone Kane*  
Planning Director

Attachment

6257A-5/84

SMA Minor Permit No. 90-9  
COUNTY OF HAWAII DEPT. OF PARKS & RECREATION  
Conditions

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.
3. Construction of the proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter.
4. All other applicable rules, regulations and requirements shall be complied with.
5. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.
6. An extension of time for the performance of conditions within the permit 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 General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) 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). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.