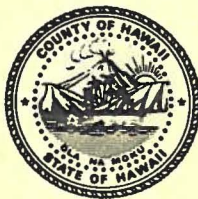


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director  
Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-9615

August 26, 1997

Ms. Brenda Lam  
Mr. Larry Walker  
P.O. Box 5182  
Kailua-Kona, HI 96745

Dear Ms. Lam and Mr. Walker:

Special Management Area Use Permit Assessment Application No. 97-21  
Special Management Area Minor Use Permit No. 63  
Applicants: James Larry Walker and Brenda Lam  
Request: To Allow the Establishment of a Golf Driving Range, Golf Putting Course,  
Baseball Batting Cage and Related Facilities and Improvements on  
Approximately 13 acres of Land  
Tax Map Key: 7-4-08: Portion of 2; Keahuolu, North Kona, Hawaii

This letter will follow-up our April 11, 1997, letter to you regarding the subject application and the establishment of a golf driving range and related facilities and improvements on approximately 13 acres of land adjacent to the Old Kona Industrial subdivision. This letter will also notify you of our issuance of Special Management Area (SMA) Minor Use Permit No. 62, as attached, to allow the above-mentioned improvements within the subject property.

While the original SMA Use Permit Assessment Application only reflected the development of a golf driving range, the subsequent submittal of a Use Permit Application (USE 97-19) with the Planning Commission included the addition of a baseball batting cage and golf putting course within the same project site. By facsimile dated August 20, 1997, you provided this office with a revised cost estimate for the proposed revised project which was valued below the \$125,000 valuation limit for consideration of an SMA Minor Use Permit. Your consistency analysis with the County's SMA regulations as detailed within the SMA Use Permit Assessment Application are still applicable to the revised project and were utilized in the issuance of SMA Minor Use Permit No. 62.

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Ms. Brenda Lam  
Mr. Larry Walker  
Page 2  
August 26, 1997

Thank you for your patience during our processing of your application. Should you have any questions please contact Daryn Arai of this office at 961-8288.

Sincerely,

  
for VIRGINIA GOLDSTEIN  
Planning Director

DSA:cjf  
f:\wpwin\christin\blam2.dsa

Attach: SMM 63 & USE 97-19

xc w/attach: West Hawaii Office  
USE 97-19 (pending)

xc: Mr. Peter Boucher, DPW-Wastewater Division

Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

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# SPECIAL MANAGEMENT AREA MINOR USE PERMIT NO. 63

#### **Approved Development** (describe in detail):

To allow the construction of a lighted golf driving range, golf putting course, baseball batting cages, snack bar, administrative office and cashier area, a 26-stall parking lot and other related improvements on approximately 13 acres of land situated within a larger 960-acre parcel. The driving range will occupy approximately 11 acres with the remaining improvements encumbering the remaining 2 acres. Site grading will be minimal due to the relatively flat topography of the property. The existing ironwood trees will be maintained with additional landscaping to be installed to replace existing plants removed during site preparation.

**Applicant's Name:** James Larry Walker and Brenda Lam

**TMK/Ahupua'a/District:** 7-4-08: Portion of 2; Keahuolu, North Kona, Hawaii **Land Area:** 13.0 ac.

#### **Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes regarding the Special Management Area**

Check all objectives and policies found to be consistent with proposed development.

Issuance of SMA Minor Use Permit requires that activity be consistent with all objectives & 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 Zoning Code.



**Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes  
regarding the Special Management Area**

Check all objectives and policies found to be consistent with proposed development.

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Issuance of SMA Minor Use Permit requires that activity be consistent with all objectives & policies.

- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, Hawaii Revised Statutes 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 tsunامي, 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.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, Hawaii Revised Statutes relating to:
- ☒ Recreational resources
  - ☒ Historic resources
  - ☒ Scenic and Open Space resources
  - ☒ Coastal Ecosystems
  - ☒ Economic Uses
  - ☒ Coastal Hazards
  - ☒ Managing Development
  - ☒ Public Participation
  - ☒ Beach Protection

## Conditions of Approval

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1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the approval of this permit.
3. The proposed golf driving range, batting cages and related improvements shall be constructed in a manner as generally represented in the applicants' Use Permit Application No. 97-19 dated July 11, 1997. All improvements shall be completed within five (5) years from the date of this permit.
4. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings or walls be encountered, work in the immediate area shall cease and the Planning Director shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Director when it finds that sufficient mitigative measures have been taken.
5. The construction of the driving range, batting cages and related improvements shall comply with all applicable governmental requirements, including those conditions of approval of the accompanying Use Permit (USE 97-19).
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 original reasons for the granting of the permit; and
  - c) 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).
7. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director may revoke this permit.

### APPROVAL:

  
for **VIRGINIA GOLDSTEIN**  
**Planning Director**

AUG 29 1997

\_\_\_\_\_  
**Date**