Stephen K. Yamashiro
Mayor

County of Hawaii

PLANNING COMMISSION

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

CERTIFIED MAIL

August 5, 1993

Mr. Louie Law, Jr., President
Great Shapes, Inc. dba
Pacific Racquetball
PO Box 4040
Kailua-Kona, HI 96745

Dear Mr. Law:

Use Permit No. 51
Applicant: Great Shapes, Inc. dba Pacific Racquetball
Request: Amend Use Permit No. 51 - to allow a Snack Bar & Pro Shop within the existing Racquetball Club
Tax Map Key: 7-4-10:2

The Planning Commission at its duly held public hearing on July 29, 1993, voted to approve the above referenced request. Use Permit No. 51 is hereby amended to allow the addition of a snack bar and pro-shop in the existing racquetball club. The subject property is located on the makai side of Pawai Place (the cul-de-sac end) in the Kona Industrial Subdivision, Keahuolu, North Kona, Hawaii.

Approval of this request is based on the following:

The issuance of Use Permit No. 51 by the Planning Commission to allow the establishment of a racquetball facility was approved in August of 1987. The Final Plan Approval and Building Permit for the construction of the racquetball facility were both granted in 1988 and a Certificate of Occupancy was issued by the Department of Public Works. The Planning Commission's approval of the racquetball facility complied with all the necessary requirements for the establishment of this use within the building on the subject property. The proposal to

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establish the requested pro-shop and snack bar uses are determined to be uses which are accessory uses to the main use which is the racquetball facility. As such, we have determined that the requested accessory uses will not alter nor change the primary use of the racquetball facility as was approved by the Planning Commission in 1987.

Based on the above, the petitioner has responsibly established and conducted the racquetball facility within the conditions set forth by the Planning Commission. In addition, the Planning Department has not received any objections or complaints from any of the surrounding property owners or from any governmental agency which have reviewed the application request.

Approval of this request is subject to the following amendments to Conditions 2, 3 and 5 as follows (new material is underscored and material to be deleted is bracketed):

2. The plans for the proposed racquetball court use and improvements shall be submitted for Final Plan Approval within one year from the effective date of approval of this Use Permit. <u>The plans for the proposed pro-shop and snack bar use and improvements shall be submitted for Final Plan Approval within one year from the effective date of this amendment</u>

3. Construction of the proposed improvements shall commence within one year from the effective date of final Plan Approval and be completed within two years thereafter. <u>Construction of the pro-shop and snack bar improvements shall commence within one year from the effective date of Final Plan Approval and be completed within two years thereafter.</u>

5. All other applicable rules, regulations and requirements, including those of the State Health Department and Department of Public Works shall be complied with. <u>The applicant shall also comply with the requirements of the Liquor Commission.</u>

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

Should you have any questions, please feel free to contact Rodney Nakano of the Planning Department at 961-8288.

Sincerely,

Donald L. Manalili, Chairman
Planning Commission

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xc: Honorable Stephen K. Yamashiro, Mayor
Planning Director
Department of Public Works
Department of Water Supply
County Real Property Tax Division - Kona
West Hawaii Office
Department of Liquor Control
Plan Approval Section