

CERTIFIED MAIL

April 18, 1985

Mr. Larry J. Hansen  
Senior Vice President  
Transcontinental Development Co.  
1001 Bishop Street, Suite 2610  
Honolulu, HI 96813

Dear Mr. Hansen:

Transcontinental Development Co.  
Change of Zone (R 84-39)  
Special Management Area Use Permit (SMA 84-17)  
Shoreline Setback Variance (SSV 84-8)  
Use Permit (UP 84-7)  
Amendment to Change of Zone Ordinance No. 265  
Amendment to SMA Use Permit No. 25

The Planning Commission at its duly held public hearing on April 9, 1985, voted to recommend approval to the County Council on the Change of Zone application and amendment to certain conditions of Ordinance No. 265. The Planning Commission also voted to approve the various other permits mentioned above.

The approval recommendation for change of zone application is subject to the following conditions:

- A. The petitioner, successors or its assigns shall comply with the stated conditions of approval.
- B. All applicable conditions of Change of Zone Ordinance No. 265, as amended, shall be complied with.
- C. The consolidation/resubdivision plan for the affected area shall be submitted for tentative approval within one (1) year from the effective date of the accompanying Special Management Area (SMA) Use Permit.

Plans for plan approval shall be submitted for the proposed development within one year from the effective date of the accompanying Special Management Area (SMA) Use Permit.

APR 18 1985

2. The permit shall not become effective until the accompanying change of zone application is adopted.
3. Comply with any requirements of the Department of Public Works relative to Flood Ordinance No. 778.
4. All other applicable rules, regulations and requirements shall be complied with.
5. Should any of the foregoing conditions not be met or substantially complied with in a timely fashion, this permit shall be void.

C. Use Permit

1. The petitioner, successors or its assigns shall be responsible for complying with all of the stated conditions of approval, including those applicable conditions spelled out in the accompanying change of zone.
2. The permit shall not become effective until the accompanying change of zone application is adopted.
3. The exact siting of the helipad and related improvements shall take into consideration the safety of the visitors and employees of the proposed hotel, the general public utilizing Ala Ihi Road, and to the golfers.
4. All other applicable rules, regulations and requirements be complied with.
5. Should any of the foregoing conditions not be met or substantially complied with in a timely fashion, this permit shall be void.

The Commission also voted to amend Condition No. 1 of SMA Use Permit No. 25 to read as follows:

- "1. That the overall development shall conform substantially to the plans submitted and the representations made by the petitioner and as described in the environmental impact statement, hereinafter identified as 'File Exhibit 1' on file in the Planning Department, except as further amended by subsequent ordinances and permits."

A requirement for a change of zone, as part of our recommendation to the County Council, is the inclusion of a legal description of the subject area in map and written form by metes and