CERTIFIED MAIL

October 22, 1985

Alapa Square Hui, Ltd.
c/o Mr. Richard Ishida
Goodsill Anderson Quinn & Stifel
P. O. Box 2639
Kailua-Kona, HI 96745

Dear Mr. Ishida:

Use Permit Application
TMK: 7-4-15:5

The Planning Commission at its duly held public hearing on October 15, 1985, voted to approve your application, Use Permit No. 36, to allow the establishment of a Fitness Center within the General Industrial - 1 acre (MG-1a) zoned district at Kailua-Kona, Keahuolu, North Kona, Hawaii. The approval is for a period of one year in order to assess the parking situation.

Approval of this request is based on the following:

The area under consideration is the Kailua industrial area which is the site of numerous industrial and related activities. The lots in this area have been extensively developed and have already established the character of the area as being one of a service industrial use. The proposed use will not adversely affect this character since the major impacts of the proposed use would be noise generated, traffic encouraged, and parking required. Given the industrial nature of many of the uses in this area, any additional noise created would not adversely affect surrounding land uses. The traffic generated should be readily accommodated since the area has been developed to current standards.

Parking has been previously identified as one area of potential problem. The petitioner, however, is now able to provide the minimum parking requirement for the existing and proposed use on the property. With the provision of adequate number of parking stalls, it is determined that the request will not be materially detrimental to the public welfare nor cause substantial, adverse impact to the community's character or to surrounding uses and properties; nor would the use adversely affect similar or related existing uses within the surrounding area, community or region.

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All essential utilities and services are available to the subject property. As such, it is determined that the propose use would not place unusual burden on public agencies to provide additional public facilities and services.

Finally, given the above findings and the General Plan Recreational Element goal which is to "Provide a wide variety of recreational opportunities for the residents of the County," it is determined that the proposed use is consistent with the General Plan, and the intent and purpose of the Zoning Code.

Approval of this Use Permit request is subject to the following conditions:

1. The petitioner, successors or its assigns shall be responsible for complying with all of the stated conditions of approval.

2. Plans for the proposed use, including the revised parking layout, shall be submitted to the Planning Department for Plan Approval review within one year from the effective date of the Use Permit.

3. The propose use shall not be in operation until the required number of parking stalls have been physically provided on the property.

4. The Fitness Center use shall be effective for a period of one year from the date of receipt of an occupancy permit.

5. All other applicable rules, regulations, and requirements shall be complied with.

6. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Use Permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,

Barbara A. Koi

Barbara A. Koi
Chairman Pro Tem, Planning Commission

cc: Ed Crook
Department of Public Works
Department of Water Supply
County Real Property Tax Division
County of Hawaii, Kona Office

bcc: Plan Approval Section
Delbert Ishimaru