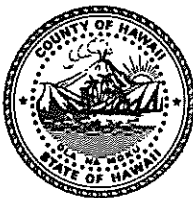


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

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

August 4, 1995

Liliuokalani Trust Estate
c/o First Hawaiian Bank Trust Division
P. O. Box 3200
Honolulu, HI 96847


Dear Sir(s):

Use Permit No. 36
Tax Map Key: 7-4-15:5

Since you have not contested our voiding of Use Permit No. 36, as per our letter dated, April 4, 1995, this is to notify you that Use Permit No. 36 is deemed void.

Should you have any questions on this matter, please feel free to contact Francis Saiki or Alice Kawaha of this office at 961-8288.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

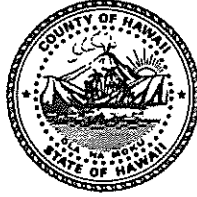
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xc: Planning Commission
West Hawaii Office

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AUG 10 1995

Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

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

CERTIFIED MAIL

April 4, 1995

Liliuokalani Trust Estate
c/o First Hawaiian Bank Trust Division
P. O. Box 3200
Honolulu, HI 96847

Dear Sir:

USE PERMIT NO. 36
TMK: 7-4-15: 5

A review of our files reveals that Use Permit No. 36 was granted to your tenant, Alapa Square Hui, Ltd., on October 22, 1995. Approval of this Use Permit was 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 proposed 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.

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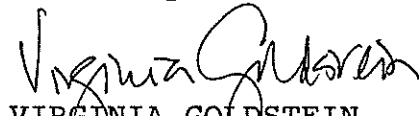
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Liliuokalani Trust Estate
Page 2
April 4, 1995

Our files indicate that only Condition No. 2, as listed above, has been complied with. Therefore, the Planning Department, as per Condition No. 6, is voiding Use Permit No. 36. You have thirty (30) days, upon receipt of this letter, to notify this office by letter that you are contesting the voiding of this permit.

Should you have any questions on this matter, please feel free to contact Francis Saiki or Connie Kiriu of this office at 961-8288.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

FS:dmo
6288D

cc: Planning Commission
Corporation Counsel

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.

OCT 22 1985

Alapa Square Hui, Ltd.
October 22, 1985
Page 2

All essential utilities and services are available to the subject property. As such, it is determined that the proposed 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 proposed 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

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