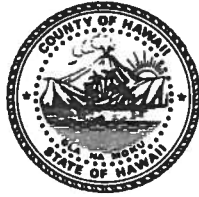


Stephen K. Yamashiro  
Mayor



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) 961-8742

October 8, 1998

Robert W. Cunningham, LPLS  
Belt Collins Hawaii  
680 Ala Moana Blvd., First Floor  
Honolulu, HI 96813-5406

Dear Mr. Cunningham:

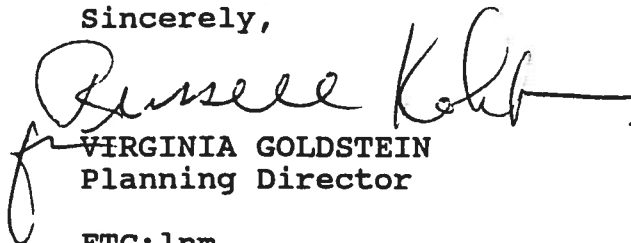
PRELIMINARY PLAT MAP  
SUBDIVIDER: 1250 OCEANSIDE PARTNERS  
"THE VILLAGES OF HOKUKANO, PHASE 1"  
Proposed Consolidation of TMK: 8-1-04:Portion 3 and  
Resubdivision into 387 Lots plus Roadways and  
Designation of Easements at  
Honuaino 4, Hokukano 1&2, Kanaeue 1&2, Halekii,  
Keekee 1&2, Ilikahi, Kanakau 1&2, Kalukalu 1,2&3, and  
Onouli 1, North and South Kona, Island of Hawaii, Hawaii  
TMK: 8-1-004:003 (SUB 98-124)

This is to acknowledge receipt of ten (10) copies each of the preliminary plat maps (Sheets 1,2&3) dated October 2, 1998, and filing fee of \$1,176.00 for the referenced subdivision application.

By a copy of this letter, we are forwarding the application and preliminary plat map to the listed officers for their review and comments. We anticipate responses from those agencies within four (4) weeks of the date of this letter. We will inform you as soon as action is taken on the referenced application.

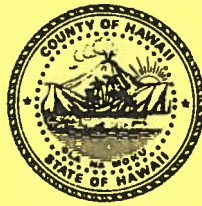
Should you have any questions, please feel free to contact Ed Cheplic of this department.

Sincerely,

  
VIRGINIA GOLDSTEIN  
Planning Director

ETC:lnm  
98124125.ppm  
Enc.-Receipt #9484

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) 961-8742

February 13, 1998

Mr. Robert A. Stuit  
Director of Planning  
Oceanside 1250  
74-5620 A Palani Road Suite 200  
Kailua-Kona, Hawaii 96740-1625

Dear Mr. Stuit:

Change of Zone Ordinance Nos. 96-7 and 96-8 (REZ Nos. 765 and 812)  
Special Management Area Use Permit (SMA No. 356)  
Applicant: Oceanside 1250  
Subject: Annual Progress Report  
Tax Map Key: 7-9-06: Por. 1; 7-9-12: 11, Pors. of 3, 4 & 5; and 8-1-04: Portion of 3

This is to acknowledge receipt of your annual progress report on January 22, 1998 for the above-referenced development. Thank you for complying with this requirement.

By this letter we are transmitting this report to the Planning Commission and the County Council for their review.

For your information, your next annual report will be due on or before January 15, 1999. Should you have any questions regarding this matter, please contact Susan Gagorik or Alice Kawaha at 961-8288.

Sincerely,

*Alice Kawaha*

VIRGINIA GOLDSTEIN

SG:jkg

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*Resub 00581*  
FEB 12 1998

Mr. Robert A. Stuit  
Page 2  
February 12, 1998

cc w/ltr: County Council  
Planning Commission  
West Hawaii Office

721

OCEANSIDE  
1250

January 20, 1998

Ms. Virginia H. Goldstein, Planning Director  
County of Hawaii Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

**Subject: Annual Progress Report**  
**Change of Zone Ordinance 96-7**  
**Change of Zone Ordinance 96-8**  
**Special Management Area Use Permit 356**

Dear Ms. Goldstein:

I am pleased to submit the following progress report for the Change of Zone Ordinances 96-7 and 96-8, and SMA Ordinance 356 relating to The Villages at Hokukano, (the "Project"). This report will indicate the status of the development and compliance with the conditions of approval for Ordinance 96-7, which changed the zoning designation of 756 acres from Unplanned (U) to Agriculture (A-1a), Ordinance 96-8, which changed the zoning designation of 684 acres from Unplanned (U) and Agriculture (A-5a) to Agriculture (A-1a), and SMA Ordinance 356 which was issued to allow development of portions of the agricultural subdivision along with related facilities and infrastructure improvements.

74-5620 A Palani Road

Suite 200

Kailua-Kona, Hawaii

96740-1625

Tel: 808-326-2966

Fax: 808-326-7713

### Members' Lodge Approvals

Since our previous report, Oceanside 1250 received approvals for a State Land Use District Boundary Amendment (Ordinance 97-35) and a Change of Zone (Ordinance 97-36) for approximately 14.8 acres of the "Project" so it may develop a members' lodge. The County also initiated and approved a General Plan Amendment (Ordinance 97-34) for this purpose. All three ordinances were approved and became effective on March 13, 1997.

In July 1997, C.J. Villa filed a lawsuit against the County challenging the lodge approvals. Of the two counts in the suit, one count was dismissed by stipulation among all of the parties. The remaining count was recently heard by the Circuit Court and judgement was granted in favor of both the County defendants and Oceanside.

### Archaeology

Oceanside has requested and received proposals from professional archaeological

00581

Ms. Virginia Goldstein  
January 20, 1998  
Page Two

consultants to prepare the required archaeological mitigation and interpretation plans including a data recovery plan, an interim protection/preservation plan and a long-term preservation plan in consultation with DLNR and Hawaiian community organizations. As required by these conditions in the ordinances, approved mitigation measures will be implemented prior to or in conjunction with any land alteration on the property.

This activity will allow us to fulfill our obligations under Condition H of Ordinance 96-7, Condition G of Ordinance 96-8 and Condition 4 of SMA Ordinance 356.

#### **Mamalahoa Highway Bypass**

The Mamalahoa Highway Bypass is designed to address existing traffic conditions in the area and to provide an alternative route for interregional traffic between North and South Kona in support of the County's long range traffic plan. Oceanside 1250 has refined the Bypass route based on discussions with the various landowners, and currently we are in the process of completing a Draft Environmental Impact Statement (DEIS) for the roadway. The DEIS will be submitted to the County of Hawaii Department of Public Works, who will be the accepting agency for the DEIS as well as the Final Environmental Impact Statement. The Department of Public Works is also the responsible agency for determining the final alignment, roadway standards and construction specifications for the Bypass.

We have not been able to obtain a "right-of-entry approval from the "Kona Trust" property (TMK 7-9-05:09), and until it is obtained, the DEIS cannot be completed.

Oceanside has also initiated discussions with each of the landowners along the route regarding acquisition of right-of-way sufficient to build the road, and in the instance of several landowners, we have finalized options to purchase these portions of the right-of-way.

Progress on the Bypass will allow us to fulfill Condition M in Ordinance 96-7 and Condition L in Ordinance 96-8.

#### **Shoreline Park**

Oceanside is nearing completion of the preparation of a public access and shoreline

Ms. Virginia Goldstein  
January 20, 1998  
Page Three

management plan regarding public access areas, perpetual access covenants, archaeology, marine resources and related improvement measures. Oceanside is refining a final draft of the plan and will again be seeking consultation with community groups before the draft is ready later this year. The plan will then be submitted to the Planning Director and DLNR for their input and comments.

Development of this plan will help allow Oceanside to comply with Condition K in Ordinance 96-7 and Condition H in Ordinance 96-8.

#### **Development Agreement**

Oceanside 1250 has submitted to the County a development agreement between Hawaii County and Oceanside 1250 to identify the obligations of Oceanside, to provide assurance that these obligations are met in a timely manner, to provide assurances to Oceanside that it may complete full development of the "Project", to allow Oceanside and the County to enter a reimbursement agreement for costs associated with the Bypass, and to reduce or eliminate uncertainty in the responsibilities of Oceanside and the County. The scope and purpose of the development agreement is consistent with Ordinance 93-37, the Development Agreement Code and Rule 1, which implements procedures for the application, preparation and administration of development agreements as provided by Ordinance 93-37.

Currently the development agreement is awaiting a public hearing and action by County Council pursuant to Ordinance 93-37.

This progress on the development agreement will, in part, allow us to fulfill the terms of Condition M in Ordinance 96-7 and Condition L in Ordinance 96-8.

#### **Annual Progress Report**

This report is meant to fulfill our obligation to prepare an annual progress report as stated in Condition R of Ordinance 96-7, Condition V in Ordinance 96-8, and Condition 13 in SMA Ordinance 356.

Ms. Virginia Goldstein  
January 20, 1998  
Page Four

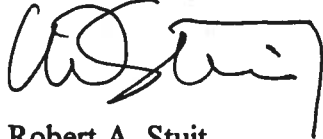
**Other Items**

There are no other items to report that affect the status of the "Project" as it relates to the conditions of these ordinances. Oceanside 1250 intends to meet all of the terms and comply with all of the conditions that are specified within these ordinances. Oceanside will also comply with all applicable laws, rules regulations and requirements in development of the "Project".

I trust the above provides a useful description of the status of development and compliance with the conditions of approval for the ordinances. Should you have any questions regarding this report, or if you require further information regarding the "Project", please contact either myself or Dick Frye, at 326-2966.

Sincerely,

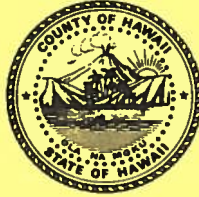
**OCEANSIDE 1250**



Robert A. Stuit  
Director of Planning

cc: L. Anderson  
B. Kudo  
J. Leonard  
Y. Takeda  
B. Tsukazaki

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

October 1, 1997

Mr. Robert A. Stuit, Director of Planning  
Oceanside 1250  
74-5620 A Palani Road Suite 200  
Kailua-Kona, Hawaii 96740-1625

Dear Mr. Stuit:

Special Management Area (SMA) Use Permit No. 356  
Applicant: Oceanside 1250  
Subject: Compliance with Condition No. 13 (Annual Progress Report)  
Tax Map Key: 7-9-12: 11 and Portions of 3 and 4; 8-1-4: Portion of 3

This is to acknowledge receipt of your annual progress report dated September 17, 1997, for the above-referenced SMA Use Permit. Thank you for complying with this requirement.

As Change of Zone Ordinance 96-8 (REZ 765) and SMA Use Permit No. 356 cover the same development and have the same effective date, in the future, it would be acceptable to our Department to combine both annual reports into one report. Please remember to clarify the specific conditions that have been complied with or which conditions are still outstanding.

Please be reminded that, prior to any land altering activities, the following condition in SMA Use Permit No. 356 shall be complied with:

Condition No. 4: Submittal and approval of an Archaeological Data Recovery Plan, Interim Protection/Recovery Plan and Archeological Interpretation Plan.

In addition, prior to securing Final Subdivision Approval for the development, the following conditions in same permit shall be complied with:

*Resp to 9097*  
OCT 3 1997



Mr. Robert A. Stuit, Director of Planning

Oceanside 1250

Page 2

October 1, 1997

1. Condition No. 6: Submittal of a Natural Resources Management Plan.
2. Condition No. 7: Completion of a detailed drainage study and drainage system installed.

Should you have any questions regarding this annual progress report, please contact Susan Gagorik or Phyllis Fujimoto at 961-8288.

Sincerely,



*for* VIRGINIA GOLDSTEIN  
Planning Director

SG:cjf

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cc: County Council  
Planning Commission  
West Hawaii Office  
REZ 765

**OCEANSIDE**

**1250**

97 SEP 18 PM 2 00  
PLANNING DEPARTMENT  
COUNTY OF HAWAII

September 17, 1997

Ms. Virginia H. Goldstein, Planning Director  
County of Hawaii Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

**Subject: Annual Progress Report  
Special Management Area Use Permit 356**

Dear Ms. Goldstein:

I am pleased to submit the following progress report for SMA Ordinance 356 (the "Permit") relating to a portion of the Villages at Hokukano. This report will indicate the status of the development and compliance with the conditions of approval for the "Permit" which was issued to allow the development of subdivision improvements in the makai portion of the 1,540-acre project (the "Project").

### **Members' Lodge Applications**

74-5620 A Palani Road

Suite 200

Kailua-Kona, Hawaii

96740-1625

Tel: 808-326-2966

Fax: 808-326-7713

Since approval of the subject "Permit", Oceanside 1250 applied for and received approvals for a State Land Use District Boundary Amendment (97-35) and a Change of Zone (97-36) for approximately 14.8 acres of the "Project" so it may develop a members' lodge. The County also initiated and approved a General Plan Amendment (97-34) for this purpose. All three ordinances were approved and became effective on March 13, 1997.

### **Archaeology**

The State Historic Preservation Division of DLNR granted final acceptance and approval of the Archaeological Inventory Survey for the entire "Project" in December 1996. This approval will allow Oceanside to fulfill Condition 4 of the "Permit" as Oceanside will now be able to begin preparation of the archaeological mitigation and interpretation plan in consultation with DLNR and Hawaiian community organizations. As required by conditions in the "Permit", approved mitigation measures will be implemented prior to or in conjunction with any land alteration on the property.

09097

Ms. Virginia Goldstein  
September 17, 1997  
Page Two

### **Mamalahoa Highway Bypass**

Oceanside 1250 has completed further study of the route for the bypass roadway, flagged the route in the field, prepared various environmental studies and refined the route based on discussions with the various landowners. Oceanside has also initiated discussions with each of the landowners along the route regarding acquisition of right-of-way sufficient to build the road. As the Hawaii County Department of Public Works is the responsible agency for determining the final alignment, roadway standards and construction specifications for the Bypass, DPW has determined the preferred and acceptable alignment of the Bypass would link Alii Highway in Keauhou, with the Mamalahoa Highway-Napo'opo'o Road intersection at Captain Cook.

Oceanside is currently preparing a Draft Environmental Impact Statement for the roadway, which will be submitted to the County of Hawaii Department of Public Works, who will be the accepting agency for the EIS. Progress on the bypass will help us to fulfill conditions for other County ordinances and permits relating to the "Project".

### **Shoreline Park**

Oceanside has begun preparation of a public access and shoreline management plan regarding public access areas, perpetual access covenants, archaeology, marine resources and related improvement measures. Oceanside is refining a final draft of the plan that will likely be ready later this year. The plan will then be submitted to the Planning Director and DLNR for their input and comments. Development of this plan will help allow Oceanside to comply with conditions in other County ordinances and permits that are related to the "Project."

Ms. Virginia Goldstein  
September 17, 1997  
Page Three

**Other Items**

There are no other items to report that affect the status of the "Project" as it relates to the conditions of the "Permit." Oceanside 1250 intends to meet all of the terms and comply with all of the conditions that are specified within the "Permit".

I trust the above provides a useful description of the status of development and compliance with the conditions of approval for the "Permit." Should you have any questions regarding this report, or if you require further information regarding the "Project", please contact either myself or Dick Frye, at 326-2966.

Sincerely,

**OCEANSIDE 1250**



Robert A. Stuit  
Director of Planning

cc: L. Anderson  
B. Kudo  
J. Leonard  
Y. Takeda  
B. Tsukazaki