

**MICHAEL J. MATSUKAWA**

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PLA...  
CO... HAWAII

March 9, 2000

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

Re: REZ 798 (enacted 5/23/95), as amended by  
ORD 98-63 (enacted 6/23/98)  
Kealakekua Development Corporation  
Future Progress Report Deadlines

Dear Ms. Goldstein:

As I had stated in a letter to you dated March 1, 2000, being a progress report on Use Permit 121, I am representing Kealakekua Development Corporation at this time. I also this day transmitted another letter regarding that report on Use Permit 121 concerning a correction on the deadline for securing an approved water source (being five (5) years from the date of ORD 98-63, or July 23, 2003).

After meeting with Mrs. Goto, one of the directors for the landowner, Kealakekua Development Corporation, regarding the progress report for the rezoning measure, REZ 798, as amended by ORD 98-63, I wanted to confirm the date when the progress report for the rezoning measure is due.

July 23 ORD 98-63, which amended conditions B, C and Y of REZ 798 only, took effect on June 23, 1998. However, since ORD 98-63 did not amend any other condition, I presume that the anniversary date for progress report purposes remains the same, May 23rd of each year.

Therefore, the progress reports are due as follows on both Use Permit 121 and REZ 798, as amended, as follows:

<i>Permit/Approval</i>	<i>Anniversary Date</i>
Use Permit 121	March 1st
REZ 798	May 23rd

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Ms. Virginia Goldstein  
March 9, 2000  
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In closing, is it possible to coordinate the deadlines for both measures so they coincide on the same date? Thank you very much.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael J. Matsukawa". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael J. Matsukawa

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COUNTY OF HAWAII

March 9, 2000

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

Re: Use Permit 121 (Annual Report)  
Kealakekua Development Corporation  
Progress Report Enclosures Submitted 3/1/2000

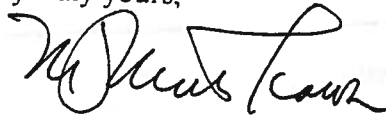
Dear Ms. Goldstein:

On March 1, 2000, I submitted a progress report on this matter together with some enclosures. On March 7, 2000, I had an opportunity to meet with Mrs. Goto, one of the directors for the permit holder-landowner, Kealakekua Development Corporation. Also, I reviewed Ordinance 98-63 once again.

Please note that a correction should be made on the timelines that I set forth in the enclosures. According to Ordinance 98-63, the deadline for securing an approved water source is five (5) years from the date of the "amendment," i.e., Ordinance 98-63, not five years from the original date of the rezoning measure, Ordinance 798 (enacted May 23, 1995). Therefore, under amended condition B, the deadline is five (5) years from the enactment of Ordinance 98-63, i.e., 5 years from June 23, 1998, or June 23, 2003.

The deadline for submitting subdivision plans is likewise tied into this deadline and is five (5) years from June 23, 2003 or June 23, 2008. I have enclosed lined-out corrections for your records. Thank you very much.

Very truly yours,



Michael J. Matsukawa

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# Summary of Major Legislative and Administrative Approvals for Kealahou Development Corporation Development Plan

<i>County Council</i>	<i>Planning Commission</i>
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<b>REZ 798</b> 5/23/95	<b>ORD 98-63</b> 7/2/98	<b>RES 343-96</b> 7/3/96	<b>USE 121</b> 3/1/94	<b>SPP 898</b> 4/17/95
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Allowed  
golf course

Allowed  
recreation  
center

Rezoned land  
in question

**Deadlines**

-----Deadlines-----

Water Source  
Condition (B)  
Deadline:  
5/23/97,  
extended  
to 5/23/2000  
(Ord. 98-63)

6/23  
2003

Amended REZ  
798 to extend  
time deadlines  
set forth in  
Conditions (B)  
(C ) and (Y)

Clarified Water  
System deve-  
lopment require-  
ments for water  
systems put on  
project site

No specific deadlines  
for submittal of plans and  
supporting matter but  
deadlines exist for per-  
formance of certain  
tasks before certificate  
of occupancy obtained  
or opening of golf course

Subdivision  
Plan Submittal  
Condition (C )  
Deadline:  
5/23/2003,  
extended  
to 5/23/2005  
(Ord. 98-63)

6/23  
2008

MAR - 1 2004

# MAJOR CONDITIONS OF APPROVAL FOR KEALAKEKUA DEVELOPMENT CORPORATION PLANS

	<i>Council</i>	<i>Planning Commission</i>	
<b>Event/Task to be Performed</b>	<b>REZ 798 5/23/95</b>	<b>USE 121 3/1/94</b>	<b>SPP 898 4/17/95</b>

Secure approved water source in consultation with designated agencies (2 years from rezoning; extended to 3 years from rezoning)

6/23
2003

Cond. B <del>5/23/2000</del>		Cond. 3
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Submit subdivision plans for Increment #1 (3 years after effective date of rezoning, Condition B, above; extended to 5 years from effective date of rezoning)

6/23
2008

Cond. C <del>5/23/2005</del>		
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Events/Tasks to be performed prior to or together with submittal of subdivision plans -or- to be performed before subdivision is given final approval

*Archaeological sub-plans	Cond. H, I	Cond. 10
*Forest management plan	Cond. S	
*Road Improvements, control, Etc.	Cond. E, K	Cond. 8, 9
*Stubout of internal roads	Cond. L	

**REZ 798**

**USE 121**

**SPP 898**

*Waste water system	Cond. F		Cond. 1
*Drainage system	Cond. G	Cond. 6	Cond. 2
*Solid waste system	Cond. J		
*Ohana/Farm Use covenants	Cond. R		
*Fair Share payments	Cond. P		

**Events/Tasks to be performed on a *continuing or operational* basis**

*A-8000a district	Cond. T		
*Street lights	Cond. U		
*Pest management plan	Cond. V	Cond. 12	
*Recreation plan	Cond. N		
*Fair Share for By-Pass Road	Cond. M		
*Fair Share for regional roadway development	Cond. M		
*Unified Impact Fee Ordinance (if enacted)	Cond. W		
*Groundwater monitoring plan for golf course		Cond. 13	

**REZ 898**

**USE 121**

**SPP 898**

**\*Dust and sediment  
control during  
construction of  
golf course**

**Cond. 14**

**\*Use of off-site  
material for golf  
course**

**Cond. 15**

**\*Public play on  
golf course**

**Cond. 16**

**\*Employee housing  
for golf course**

**Cond. 17**

**\*Job training for  
golf course**

**Cond. 18**

**Comply with all laws and  
rules of the federal, state  
and county government  
and their agencies**

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