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

August 15, 2000

Alan Okamoto, Esq.
Nakamoto, Yoshioka & Okamoto
Attorneys at Law
187 Kapiolani street
Hilo, HI 96720

Dear Mr. Okamoto:

Draft Environmental Impact Statement (EIS)
Special Permit Application (SPP 00-034)
Request: Allow for the Establishment of a 40-Unit Lodge, Indoor Sports/Spa Complex, Beach Club, Chalets (125 units), Retail and Other Commercial Uses, and Wastewater Treatment Plant
Use Permit Application (USE 00-004)
Request: Allow for an 18-Hole Championship Golf Course and Related Golf Uses; Including Golf Driving Range, Golf Maintenance Buildings and Golf Club House
Applicant: A & O International Corporation
Tax Map Key: 1-4-02:13

This is to inform you that we have received the above-captioned Special Permit and Use Permit application on July 18, 2000. Enclosed is a receipt for the filing fee.

We also have received copies of the Draft Environmental Impact Statement (EIS) on same date for the proposed development in accordance with the requirements of HRS, Chapter 343, Environmental Impact Statements. The trigger for this request is the use of State or County lands or funds – more specifically, the proposed improvements to the existing Red Road. We have forwarded the required four (4) copies to the Office of Environmental Quality Control for publication in the September 23, 2000 Bulletin.

Resp to 6924 + 6925
AUG 16 2000

As discussed with Mr. Roy Takemoto, although, we will forward the Use Permit, Special Permit and Draft EIS to agencies for review, we will defer scheduling your request for a public haring until after Chapter 343 requirements are complied with.

Please be informed, that in accordance with the Planning Commission's Rule 4. Contested Case Procedure, within (10) days after filing an application with the Planning Commission, you are required to serve notice of your application on surrounding property owners and lessees of record within 500 feet of the perimeter boundary of the building site, as required in the Hawaii County Zoning Code, Section 25-2-4.

In addition, upon notice by our department that the hearing date has been set, you are again required to notify all owners and lessees of record within 500 feet of the perimeter boundary of the building site. This second notice shall be served within (10) days after receiving notice from the director of the date of the scheduled hearing but not less than ten (10) days prior to the date of the scheduled hearing.

Both notices shall include the following information:

1. Name of the applicant;

2. Precise location of the property involved, including tax map key identification, location map and site plan;

3. Nature of the application and the proposed use of the property;

4. Date on which the application was filed with the director or the commission;

5. Inform the landowner or lessee that they have a right to submit a written request for a contested case procedure. Should they seek to intervene as a party, they shall file a written request on the form, "Petition for Standing in Contested Case Hearing." The request shall be filed with the Planning Commission at 25 Aupuni Street, Room 109, Hilo, Hawaii 96720; and accompanied by a filing fee of $100 payable to the Director of Finance. The required information shall be submitted no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application;

6. Inform the landowner or lessee that should they choose not to submit a written request for a contested case procedure, they may express their support/opposition in writing or by oral testimony at the Planning Commission public hearing to be scheduled;

7. Date, time and place that the public hearing will be held to consider the application (include in second notice); and

8. Contact name and phone number should there be any questions.

Please also inform the owner that the application is available at the Planning Department for public review.

Prior to the date of the hearing, the applicant is required to file with the Commission certified mail receipts, affidavits, declarations or other similar proof of mailing of both notices.

According to Planning Commission Rule 7 and the County Zoning Code, Chapter 25-2-63 (Use Permits), the Commission shall conduct a public hearing on the request within a period of not more than sixty days from the date of receipt of the application or within a longer period as may be agreed to by the applicant

According to Planning Commission Rule 6 (Special Permits), the Commission shall conduct a public hearing on the request within a period of not more than 90 days from the date of receipt of the application. Within a reasonable time frame, not to exceed thirty days after the close of the hearing, or within a longer period as may be agreed to by the applicant, the Commission shall render a recommendation.

As discussed with the consultant, Roy Takemoto, we will defer the public hearing process for both applications until after Chapter 343 requirements have been complied with.

We will notify you as to the date of the hearing as soon as it has been determined.

Should you have any questions regarding the above, please do not hesitate to contact Susan Gagorik or Phyllis Fujimoto of this department.

Sincerely,

Alice S Kawaha

VIRGINIA GOLDSTEIN
Planning Director

SG:jkg
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Enclosures

cc: David Matsuura
Roy Takemoto

NOTES 1

RECEIPT DATE AUG 15 2000 NO. 9636
RECEIVED FROM A + O International Corp.

NOTES 1

RECEIPT DATE AUG 15 2000 NO. 9635
RECEIVED FROM A + O International Corp.
ADDRESS 458 Ponahawai St., Hilo 96720-2659
$ 100.00
FOR SPP00-34 filing fee — TMK: 1-4-2:13

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID	100	—	CHECK	# 2061	
BALANCE DUE			MONEY ORDER		

BY J. Garcia

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