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

May 29, 1996

Mr. Richard Riegels
Vice President, Construction
Nansay Hawaii, Inc.
64-1032 Mamalahoa Hwy., Suite 204
Kamuela, HI 96743

Dear Mr. Riegels:

Use Permit No. 82
Applicant: Nansay Hawaii, Inc.
Request: Three Year Extension of Time to Condition No. 2
Tax Map Key: 6-2-1:18, 74 and 75

This is to acknowledge receipt of your letter on May 16, 1996 requesting a time extension to Condition No. 2 of Use Permit No. 82.

Effective March 25, 1993, the Planning Commission approved your request for a time extension to Condition No. 2 subject to, the following amendments:

"2. Final Plan Approval for the proposed golf course and related improvements shall be secured from the Planning Department within three years from the effective date of the approval of this request. To assure adequate time for Plan Approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. The Planning Department shall determine the related improvements and accessory uses to the golf course not inconsistent with the applicable provisions of the Zoning Code at the time of plan approval review."

Based on the above, Plan Approval should have been secured by March 25, 1996.

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Condition No. 16 of the approved Use Permit No. 82 permit allows the Planning Director to grant an extension of time for performance of conditions within the permit. You have informed us that the golf course frontage real estate has been depressed making it unfeasible to pursue your development plans. You have however, continued your efforts in affordable housing and expect the market to turn favorable, in the future. The Planning Director has determined that non-performance is a result of circumstances beyond the control of the applicant and not a result of fault or negligence, and hereby grants you a one year extension of time until March 25, 1999, in which to comply with Condition No. 2.

Please be aware that if an additional extension of time is needed, your request must be forwarded to the County Planning Commission through this office. A $100 filing fee shall be submitted when requesting an additional extension of time together with an original and 20 copies of the request.

Also, please be aware, that you are required to comply with all conditions as stated in the Use Permit No. 82 within their appropriate timetables.

Should you have any questions regarding the above, please contact Susan Gagorik or Alice Kawaha of this office at 961-8288.

Sincerely,

Alice A. Kawaha

VIRGINIA GOLDSTEIN
Planning Director

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xc w/ltr: Planning Commission
Plan Approval Section

NANSAY
HAWAII, INC.

May 15, 1996

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PLANNING DEPT.
COUNTY OF HAWAII

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

Re: Ouli Country Club
Use Permit No. 82
Time Extension Request

Dear Ms. Goldstein:

We are requesting a three (3) year time extension to comply with the plan approval requirements of Use Permit No. 82. The reasons for this request are as follows:

1) The market for golf course frontage real estate has been depressed for several years which has made it unfeasible to pursue our development plans. These circumstances are clearly beyond the control of Nansay Hawaii.

2) In spite of the softness in the golf course market, we have continued our efforts in affordable housing. The Ouli Ekahi Low Income Tax Credit project was completed in 1995 and has been turned over to the county for operations. The 33 single family rental units are fully occupied and represent the first use to be established on the subject property. The completion of this first phase of our affordable housing program demonstrates Nansay's commitment to the community's needs and a continuing interest in the development of the Ouli property.

3) We expect that the market will turn favorable in the future and would like the opportunity to develop the golf course at that time. Development of the golf course at a later date would still fulfill the General Plan and zoning goals which were originally expressed in the Planning Commission's approval of the golf course use permit.

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☐ HONOLULU OFFICE
Davies Pacific Center 841 Bishop Street, Suite 1000 Honolulu, Hawaii 96813
808-599-4774 Fax 808-599-5744

☐ BIG ISLAND OFFICE Kamuela Business Center P.O. Box 111222, Suite 727 Kamuela, Hawaii 96743-0020 808-885-5300 Fax 808-885-7186

We believe that the conditions prompting the commission to grant the original approval are valid today and therefore request a three (3) year extension to the time requirements for securing Plan Approval for the golf course project.

Please contact Keith Kato at 885-5300 if you have any questions concerning this request.

Sincerely,

NANSAY HAWAII, INC.

Richard Riegels
Vice President, Construction