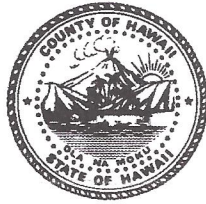


Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

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County of Hawai'i

PLANNING DEPARTMENT

Zendo Kern
Director

Jeffrey W. Darrow
Deputy Director

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March 1, 2021

Mr. Bob Wessels
Aina Le'a, LLC
P. O. Box 385050
Waikoloa, HI 96738- 5041

Dear Mr. Wessels:

Change of Zone Ordinance 96-153 (REZ 734)

Applicant: Aina Le'a, LLC (For Lulana Gardens Project)

Subject: Request for an Update Annual Progress Report

Tax Map Keys: (3) 6-8-001: 036, Waikoloa, South Kohala, Hawai'i

This letter is sent to request that an updated annual progress report be submitted to the Planning Department. This requirement has not been complied with since the submittal of the 2016 report on January 17, 2016, and we are unaware of the status of many conditions within the above referenced ordinance.

Condition Z of Change of Zone Ordinance No. 96-153 requires that an annual progress report be submitted prior to each anniversary date of the approval of the change of zone, which is December 5, 1996.

We are requesting that this report addresses each condition separately and specifically, and include specific references to actions, reports, letters, dates, etc., documenting compliance with each condition. Please include letters and/or reports that verify compliance with a specific condition as an exhibit.

As part of this report, please update the status and the timing of the following:

1. Submittal of a Condominium Report and recordation, and timing for creation of the sub-parcels under the condominium to allow for sales.
2. Approval of the channelization of the Queen Ka'ahumanu Highway from DOT for access to Lulana Gardens and associated improvements to complete construction.

Mr. Bob Wessels
Aina Lea, LLC
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March 1, 2021

3. Approved onsite access improvements from DPW, including paved roadway and parking improvements to complete construction.
4. Provide assurance of a permanent water system from Hawai'i Water Service, approved by the PUC for the project and associated improvements, to complete construction.
5. Approved wastewater system by the Department of Health and associated improvements to complete construction.
6. Information for additional requirements within the ordinance including, but not limited to, paying the fair share contribution for 432 units, submitting a master park plan, paying the pro rata share for school facilities as required by DOE, etc..

We are considering the initiation of a Memorandum of Agreement (MOA) between the applicant and the County to specifically identify the requirements that will need to be completed by the applicant for the Lulana Garden's project before the County will sign off on the Certificate of Occupancy. We will need the information provided in the above requested annual progress report before we can initiate the MOA.

Thank you for your consideration in these matters. Please do not hesitate to call me if you have any questions.

Sincerely,



ZENDO KERN
Planning Director

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cc: Lee E. Lord, Managing Director
Robert H. Command, Deputy Managing Director
Renee Schoen, Deputy Corporation Council
John Mukai, Deputy Corporation Council
Susan Kunz, Housing Administrator
Deanna Sako, Finance Director
Jeffrey W. Darrow, Deputy Planning Director