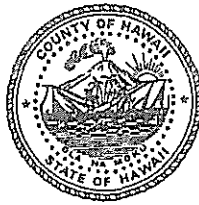


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

December 28, 2005

Mr. Sidney M. Fuke  
Planning Consultant  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Dear Mr. Fuke:

Subject: Non-significant Zoning Change Application No. 03-000001 (NZC 03-01)  
Applicant: Westpro Holdings, LLC  
Project: Lokahi Makai Subdivision  
TMK: 7-3-010:048; Ooma 1st, North Kona, Hawai'i

This is in regards to the subject Non-Significant Zoning Change Application filed with this office on April 14, 2003, on behalf of Westpro Holdings, LLC. By our letter dated May 30, 2003 we deferred action on this application pending the completion of a concurrent Planned Unit Development (PUD) and other subdivision applications affecting the subject property. Although PUD 70 was approved by the Planning Director on November 18, 2003, Phase III subdivision applications (SUB 04-117 & 04-125) remain pending. However, with our receipt on November 29, 2005 of the revised NZC maps for the affected parcel, we have determined that we are now able to complete processing of the subject application. It should be understood that another NZC may be required if the lot lines represented on the final plat maps for the above-referenced subdivisions are not consistent with the revised NZC map.

The request is to adjust the zoning boundaries for several areas within the subject parcel to eliminate the multiple zoning designations resulting from the completed and proposed lot configurations. According to the summary table produced below, 39.987 acres of land within the subject property are involved in this zoning boundaries adjustment request. Specifically, the following summarizes the changes to land area within the respective zoning districts:

Category	Existing Zoning (Acres)	Proposed Zoning Refinement (Acres)	Net Change (Acres)	% Change
RS-10	13.351	13.238	-0.113	-0.85%
RM-4	26.636	26.749	+0.113	+0.42%
Total	39.987	39.987	0.000	

According to Section 25-2-45 of the Zoning Code regarding Non-Significant Zoning Changes, the Planning Director may administratively grant non-significant zoning changes that must comply with the designations for the property set forth in the General Plan and any development plan adopted by ordinance, and must either:

- (1) Not result in a net increase in the density allowed in the zoning district(s) containing the affected area; *or*
- (2) Be the lesser of a five percent or one acre increase or decrease in the area of any zoning district(s).

Approval of the requested Non-Significant Zone Change is in compliance with the General Plan. The project site is situated within an area designated for resort, low density urban, and urban expansion uses by the General Plan Land Use Pattern Allocation Guide (LUPAG) map.

Approval of the non-significant zone change will provide for approximately 13 acres of Single-Family Residential (RS) zoned lands and 27 acres of Multi-Family (RM) zoned lands. Therefore, approval of this request will be consistent with the classification of the subject property by the 2005 LUPAG map.

Approval of the Non-Significant Zone Change will not result in a net increase in the density allowed in the zoning districts containing the affected area. The differential between existing and proposed zone district areas is 0.113 acres, which results in a net decrease of 0.85% of land area in the RS-10 zoning district. Also, the request is for less than one acre of increase or decrease in the area of each zoning district.

Upon review of the request, we have determined that it complies with the criteria set forth in Section 25-2-45(a)(1) of Chapter 25, Hawaii County Code, for determining non-significant zoning changes. The adjustment of zoning boundaries will not result in the increase in the zoning densities. Based on the above, we hereby administratively grant the requested non-significant zoning changes.

Mr. Sidney M. Fuke  
Planning Consultant  
Page 3  
December 29, 2005

Should you have any questions, please feel free to contact Larry Brown or Esther Imamura of this office at 961-8288.

Sincerely,



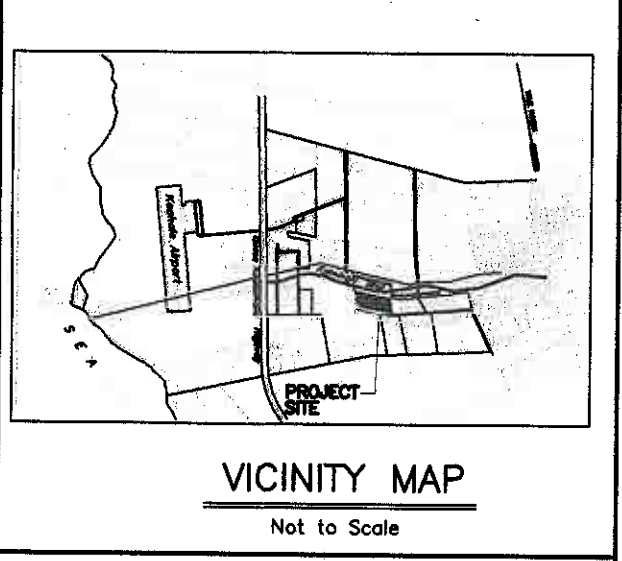
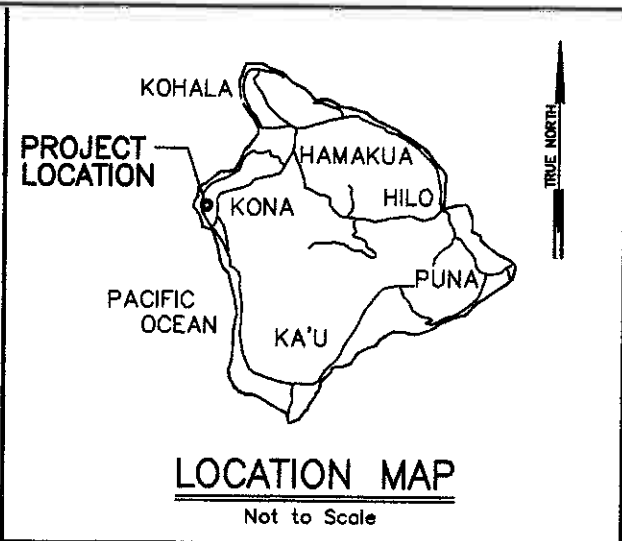
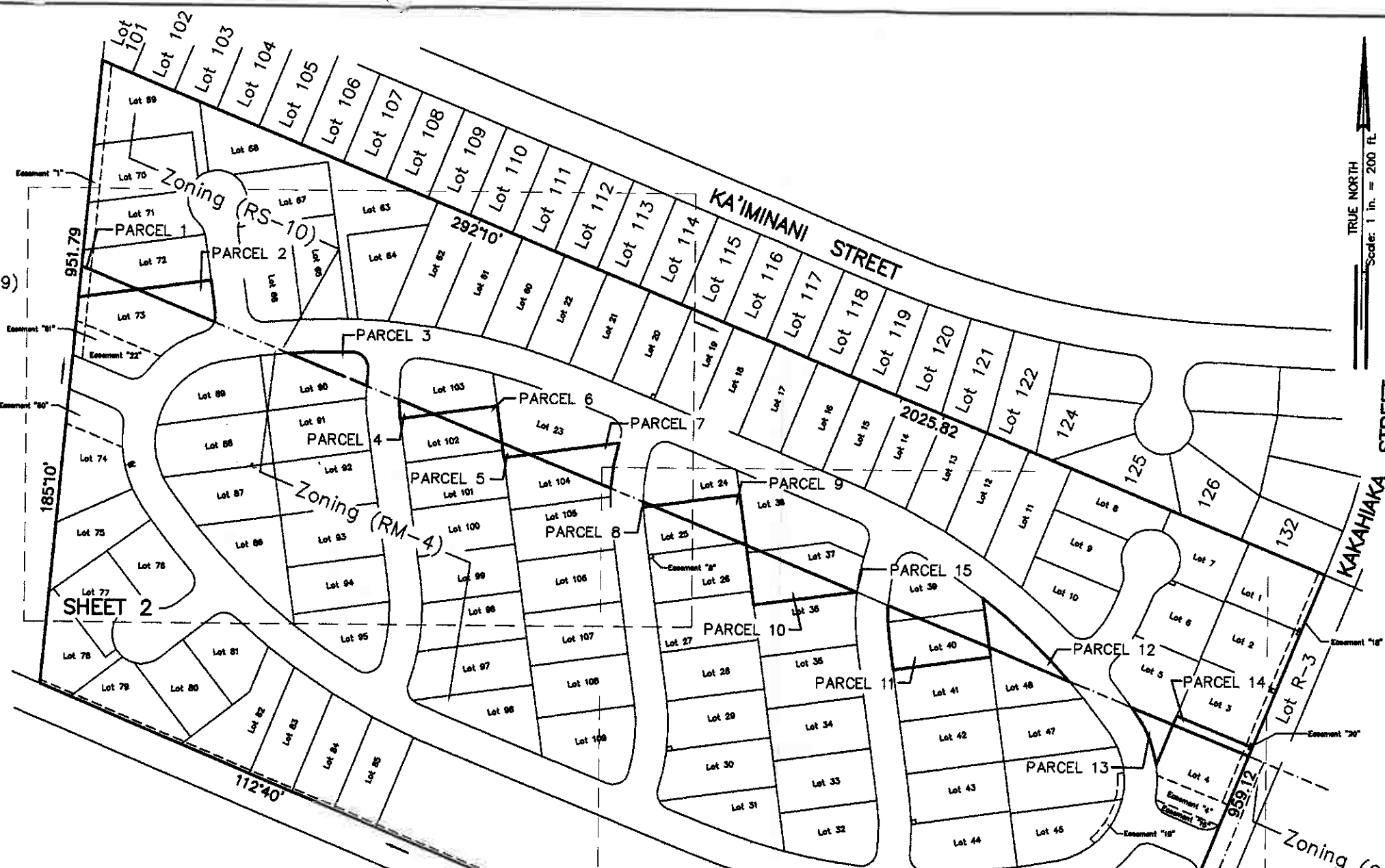
CHRISTOPHER J. YUEN  
Planning Director

LMB:cd

P:\Wpwin60\NonSignificantZone(NZC)\Letters\03-001 WestPro-LokahiMakai 7-3-10-48.doc

cc: w/maps    Hawaii County Council  
                  Real Property Tax Division  
                  Planning-West Hawaii Office  
                  Planning-TMK Mapping Section (H. Santiago)

cc: w/maps, m&b description & CD: Planning-GIS Section (G. Bailado)



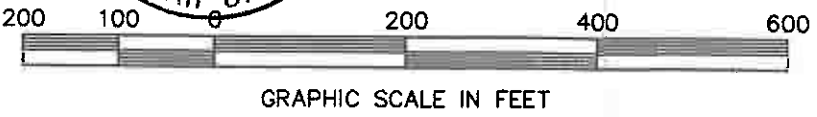
**PROPOSED (NON-SIGNIFICANT) CHANGE OF ZONING  
OF PORTIONS OF LOT 13  
OF PU'UHONUA SUBDIVISION  
PHASE II, INCREMENT 1-A (FILE PLAN 2327)  
Being a portion of Grant 2972 to Kaapau and Kama  
FROM RM-4 TO RS-10  
AND RS-10 TO RM-4**

At Kalaa 5th, North Kona, Island of Hawaii, Hawaii  
Tax Map Key (3rd.Division): 7-3-10: 48

This work was prepared by me  
or under my direct supervision

**PETER H. SOUZA, JR.**  
LICENSSED PROFESSIONAL  
LAND SURVEYOR  
No. 9279

*[Signature]*  
Peter H. Souza Jr.  
Licenssed Professional Surveyor  
Certificate Number 9279



OWNER: WESTPRO DEVELOPMENT, INC.  
ADDRESS: P.O. BOX 2808  
KAILUA-KONA, HAWAII 96745

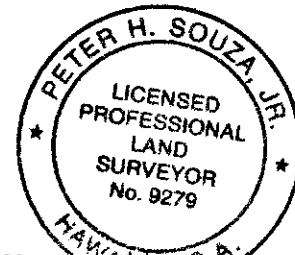
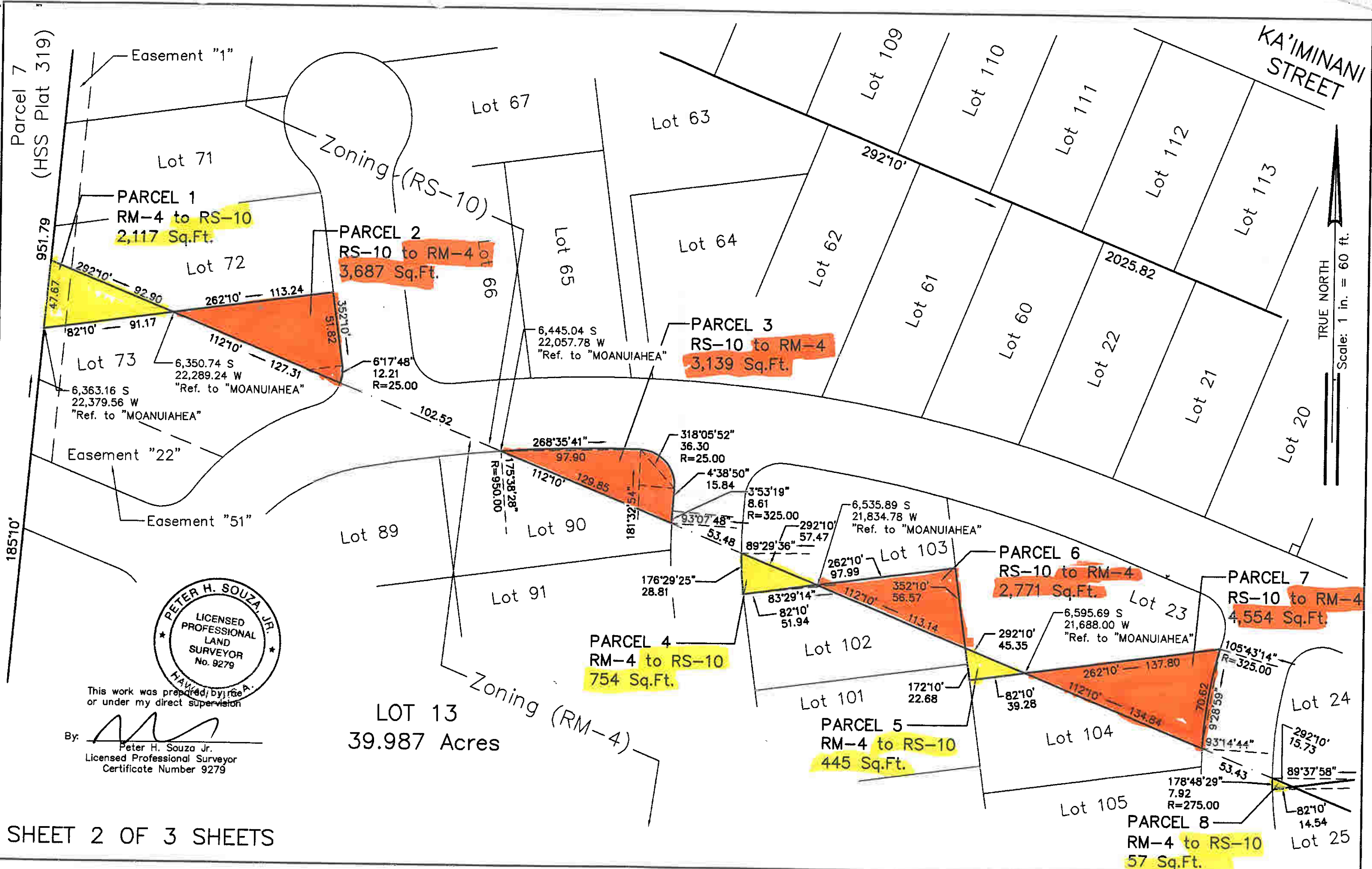
ZONING CHANGE	TOTAL AREA
RM-4 TO RS-10 =	21,168 Sq.Ft.
RS-10 TO RM-4 =	26,089.1 Sq.Ft.
<b>NET AREA (RM-4)</b>	<b>4921.1 Sq.Ft.</b>

- NOTES:**
1. Azimuths and Coordinates are referred to Government Survey Triangulation Station "MOANUIAHEA"
  2. Map is compiled from records found at the State Survey Office, County of Hawaii Real Property Tax Mapping Section and Bureau of Conveyances.

**SHEET 1 OF 3 SHEETS (INDEX)**

Parcel 7  
(HSS Plat 319)

KA'IMINANI STREET

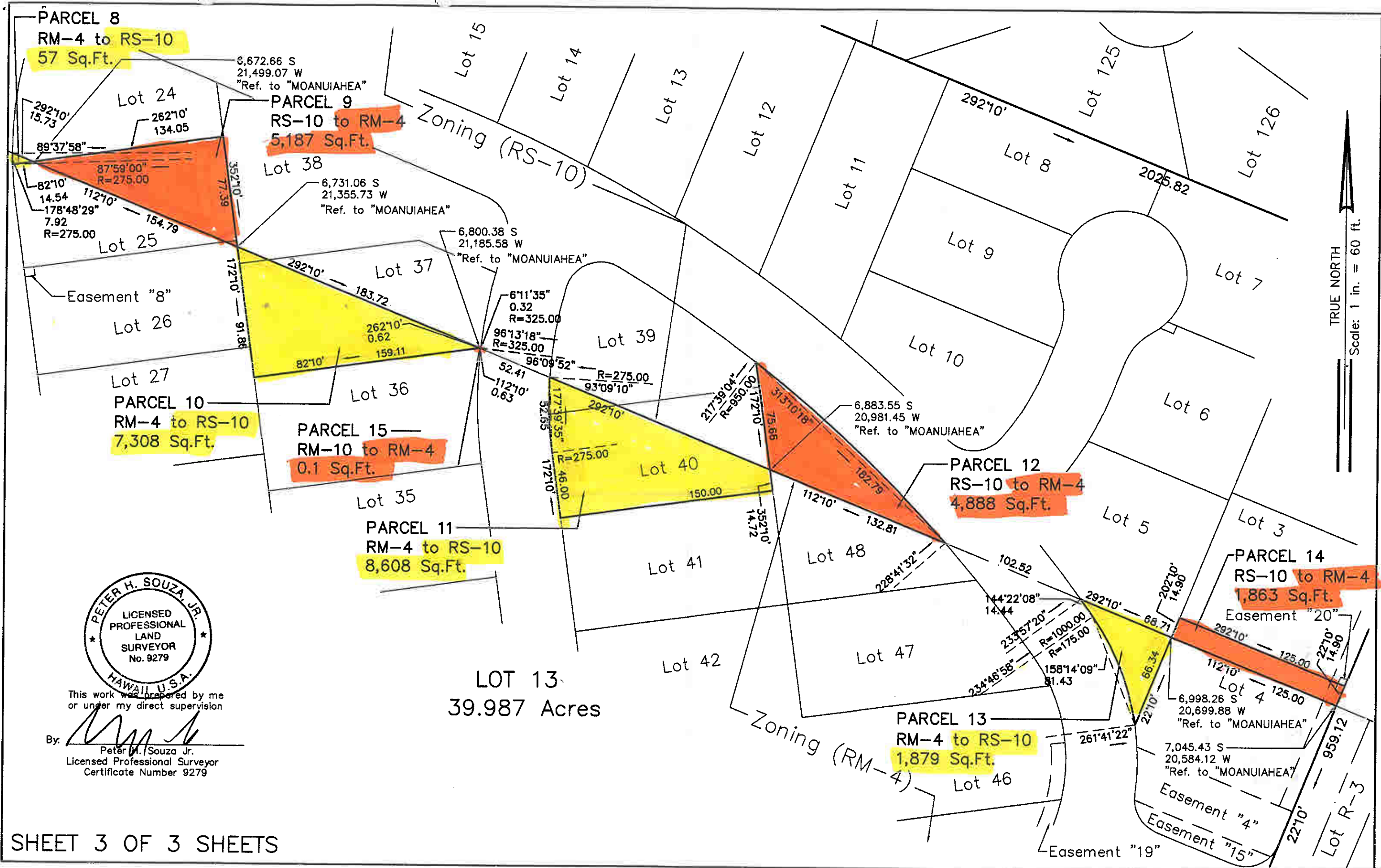


This work was prepared by me or under my direct supervision

By: *[Signature]*  
Peter H. Souza Jr.  
Licensed Professional Surveyor  
Certificate Number 9279

LOT 13  
39.987 Acres  
Zoning (RM-4)

SHEET 2 OF 3 SHEETS



PARCEL 8  
RM-4 to RS-10  
57 Sq.Ft.

PARCEL 9  
RS-10 to RM-4  
5,187 Sq.Ft.

PARCEL 10  
RM-4 to RS-10  
7,308 Sq.Ft.

PARCEL 15  
RM-10 to RM-4  
0.1 Sq.Ft.

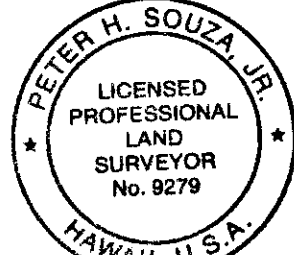
PARCEL 11  
RM-4 to RS-10  
8,608 Sq.Ft.

PARCEL 12  
RS-10 to RM-4  
4,888 Sq.Ft.

PARCEL 14  
RS-10 to RM-4  
1,863 Sq.Ft.

PARCEL 13  
RM-4 to RS-10  
1,879 Sq.Ft.

LOT 13  
39.987 Acres



This work was prepared by me or under my direct supervision

By: *[Signature]*  
Peter H. Souza Jr.  
Licensed Professional Surveyor  
Certificate Number 9279

SHEET 3 OF 3 SHEETS