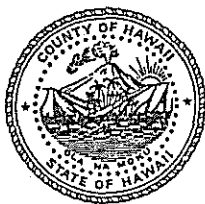


Harry Kim
Mayor



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

June 28, 2004

Mr. Edwin Y. Kuniyoshi
Senior Planner
Belt Collins Hawaii Ltd.
2153 North King Street, Suite 200
Honolulu HI 96819-4554

Dear Mr. Kuniyoshi:

SUBJECT: Non-Significant Zoning Change Application (NZC 04-002)
Applicant: The Maryl Group, Inc.
Landowner: Moana Ikena LLC
The Uplands at Mauna Kea
TMK: 6-2-13:13, 15, 16 and Portion of 7

This is to acknowledge receipt on June 15, 2004 of your request, on behalf of The Maryl Group, for a determination of a non-significant zoning change in accordance with Section 25-2-45 of Chapter 25, Hawaii County Code and Planning Department Rule No. 8.

The subject properties were rezoned by the County Council by Change of Zone Ordinance 95 107 in 1995. Your request is to adjust the zoning boundaries to allow for a new roadway alignment.

The proposed new access roadway requires reconfiguring portions of the Multiple Family (RM) and Open district areas. The original zoning configuration included an anticipated access road that was never implemented.

The zoning adjustment involves one area of the development and there will be no increase or decrease in the land area for each of the affected zoning district. The change is .094 acre of Multiple Family Residential (RM-6) to Open. In addition, .577 acre and .075 acre of Multiple Family Residential (RM-15) would be changed to Open. Total change from Multiple Family Residential (RM) to Open is .746 acre.

Hawai'i County is an equal opportunity provider and employer.

JUL 2 11 2004

Mr. Edwin Y. Kuniyoshi
Senior Planner
Belt Collins Hawaii Ltd.
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June 28, 2004

Concurrently, there is an exchange of .746 acre from Open to Multiple Family Residential (RM-15 only).

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).

Upon review of the request, we have determined that it complies with the criteria set forth in Section 25-2-45(a)(2) of Chapter 25, Hawaii County Code, for determining non-significant zoning changes.

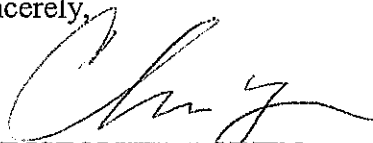
- 1) The adjustment of zoning boundaries will not result in any increase in the zoning densities. The total area of the adjustment for the Multiple Family Residential (RM) and Open districts is an equal .746 acre each.
- 2) The area under review is in compliance with the General Plan. The project site is situated within an area designated as "Urban Expansion" by the General Plan Land Use Pattern Allocation Guide (LUPAG) map.
- 3) The changes will not result in a net increase in the density allowed in the zoning districts containing the affected area. There is no increase or decrease in the land area for each of the affected zoning district.

Based on the above, we hereby administratively grant the requested non-significant zoning changes.

Mr. Edwin Y. Kuniyoshi
Senior Planner
Belt Collins Hawaii Ltd.
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June 28, 2004

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

Sincerely,



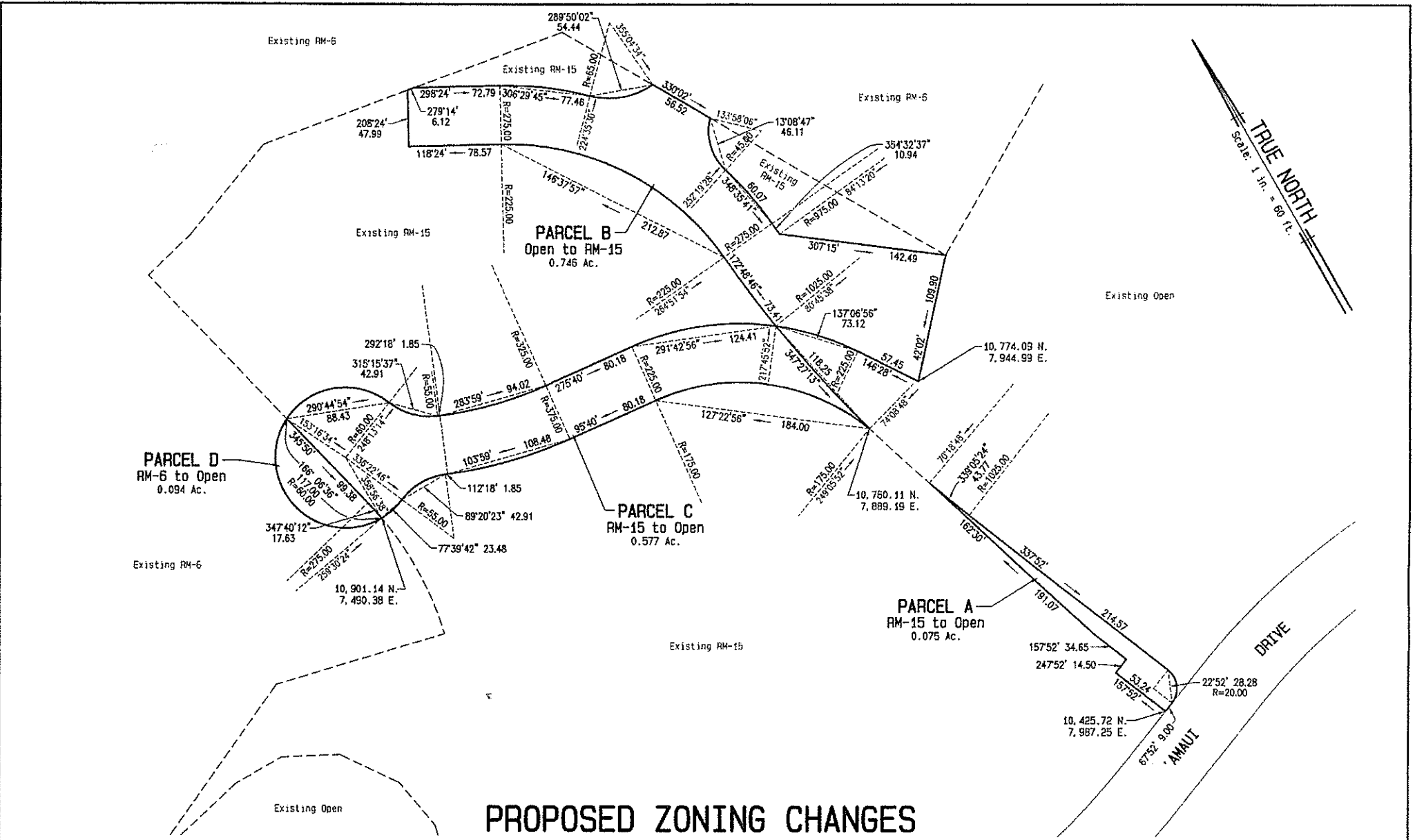
CHRISTOPHER J. YUEN
Planning Director

ETI:cd

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cc: w/app Hawaii County Council
 Real Property Tax Division
 Planning-West Hawaii Office
 Planning-TMK Mapping Section (Hans Santiago)
 Planning-Long Range Section

cc: w/map, M&B description:Planning-GIS Section (Gilbert Bailado)



PROPOSED ZONING CHANGES

Being portions of R.P. 2237, L.C. Aw. 8518-B
 Apana 1 to Kanehoa (Certificate of Boundaries No. 63)

AT OULI, WAIMEA, SOUTH KOHALA,
 ISLAND OF HAWAII, HAWAII

Tax Map Key 6-2-13: 7, 13, 15, 16 and 17

BELT COLLINS HAWAII LTD.
 2153 North King Street
 Suite 200
 Honolulu, Hawaii 96819

NOTE:
 Coordinates referred to "PUAKO" A

May 4, 2004

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