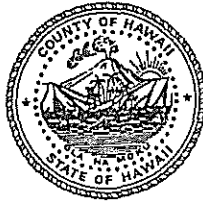


Harry Kim
Mayor



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

April 1, 2005

Mr. Christopher J. Yuen
Planning Director
County of Hawaii
Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720

Dear Mr. Yuen:

**SUBJECT: Planning Director Initiated (NZC 005-001)
Request: Nonsignificant Zoning Change
from Multiple Family Residential (RM-3.5) To Open
Landowner: Kamehameha Investment Corporation
TMK: 7-8-10:Portion of 2, Keauhou 1st, North Kona, Hawai'i**

This is in regards to the above-referenced nonsignificant zoning change along a portion of the right-of-way alignment for the proposed Kahului-Keauhou Parkway (Ali'i Highway) Phase 2, in the vicinity just north of Makolea Street.

As you are aware, on December 27, 1999 the Planning Director approved a Nonsignificant Zoning Change (NZC 99-4) to Kamehameha Development Corporation for adjustments to the zoning boundaries of several areas of the subject property. The adjustments were to accommodate the original right-of-way alignment for the proposed Kahului-Keauhou Parkway.

Subsequently, subdivision of the right-of-way alignment for Phase 2 was approved in June 2002. A portion of this current right-of-way alignment moved slightly makai of the original alignment, and thereby created split zoning, two slivers of land area along the mauka portion of the alignment with a Multiple Family Residential (RM-3.5) zoning while the remaining area as

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Open. Due to the County's realignment of the right-of-way, the Planning Director has initiated the nonsignificant zoning change to those two land areas. The nonsignificant zoning change will be from RM-3.5 to Open for the two areas - Parcel A, consisting of 18,939.2974 square feet, and Parcel B, consisting of 53,189.9411 square feet.

According to Section 25-2-45 of the Zoning Code, Nonsignificant Zoning Change may be administratively granted for any 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 this nonsignificant zoning change, we have determined that:

1. The allowed density in the RM-3.5 district is one dwelling or rentable unit per 3,500 square feet of land area. The Open district does not allow any uses for dwelling or rentable units. Therefore, the proposed zoning change will not result in a net increase in the density allowed in the zoning districts containing the affected area.
2. The project site is situated within an area designated for "Low Density Urban" and "Resort Node" uses by the General Plan Land Use Pattern Allocation Guide (LUPAG) Map. Therefore, the area under review is in compliance with the designations set forth in the General Plan.

Based on the reasons mentioned above and that the proposed zoning change meets the requirements of §25-2-45(a)(1) of the Zoning Code, the subject nonsignificant zoning change for the land area is hereby approved. We have enclosed a copy of the metes and bounds description and map for your records.

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Should you have any questions, please feel free to contact Alice Kawaha or Susan Gagorik of this department at 961-8288.

Sincerely,

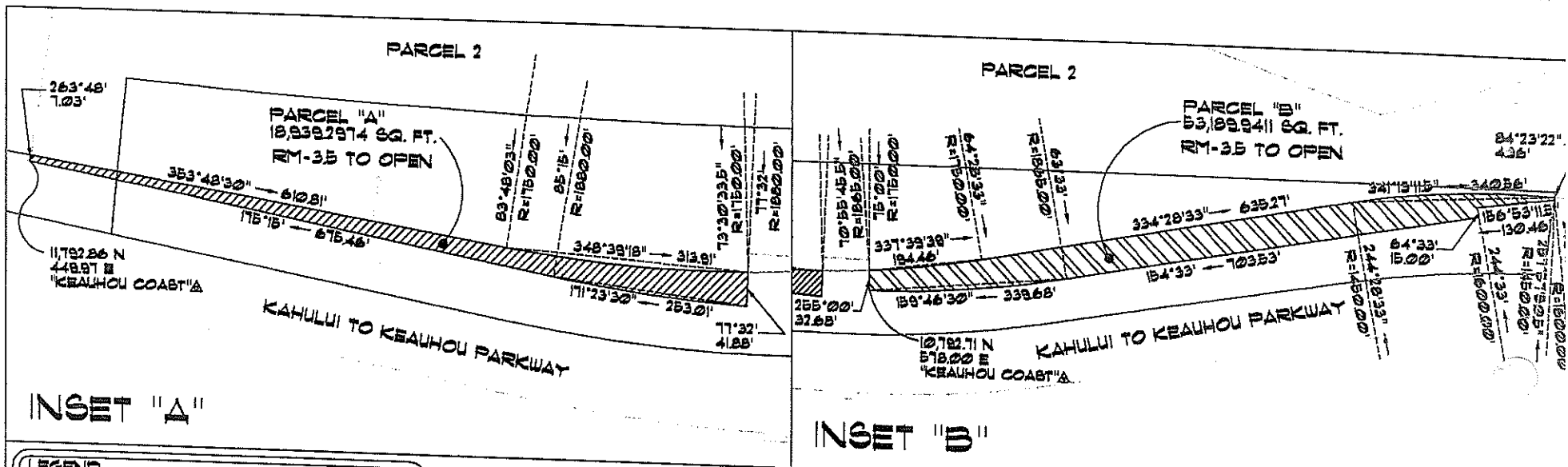


ROY R. TAKEMOTO
Deputy Planning Director

AGK:cd
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Enclosure

cc w/Encls: Hawaii County Council
Steven S. C. Lim, Esq.
Finance Department, Real Property Tax Division
West Hawaii Planning Office
Mr. Gilbert Bailado, GIS Section
Ms. Alice Kawaha, Long Range Planning Division



LEGEND:

- Ordinance No. 98-30 Boundary
- NZC 99-4 Boundary
- Subdivision 7565-Y Boundary

