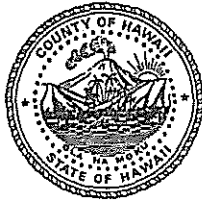


Harry Kim
Mayor



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 29, 2005

Ms. Anne L. Mapes
Belt Collins Hawaii Ltd.
2153 North King Street, Suite 200
Honolulu HI 96819-4554

Dear Ms. Mapes:

SUBJECT: Non-Significant Zoning Change Application (NZC 05-003)
Applicant: Waikoloa Development Co.
Waikoloa Beach Resort
TMK: 6-2-13:13, 15, 16 and Portion of 7

TMK: 6-9-08: 7 and 9

This is to acknowledge receipt on March 21, 2005 of your request, on behalf of Waikoloa Development Co., 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. Also acknowledged is receipt of revised zoning changes on April 13, 2005.

The subject properties were rezoned by the County Council by Change of Zone Ordinance 91-112 in 1991. Your request is to adjust the zoning boundaries to accommodate plans for the Cultural Gardens Marketplace at Waikoloa Resort. The zoning areas were reconfigured so that open space along Waikoloa Beach Drive may be retained.

Areas of the current zonings are as follows:

CV-10	10.774 acres
Open	79.847 acres
RM-6	<u>19.675 acres</u>
Total:	110.296 acres

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

MAY 03 2005

Proposed changes to the zoning areas are as follows:

Area	CV-10	Open	RM-6
1	-1.622	+1.622	
2	+4.526	-4.526	
3	-4.228	+4.228	
4		+5.774	-5.774
5	+1.861		-1.861
6		-7.635	+7.635
Area of Change	+5.537 acre	-5.537 acre	0
5 % of Area	.5387 acre	3.99 acres	

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:

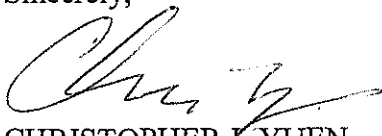
- 1) The adjustment of zoning boundaries is the lesser of a five percent or one acre increase or decrease in the area of any zoning district. The CV change of +.537 acre is less than five percent of 10.774 acres or .5387 acre. The Open change of -.537 acre is also less than five percent of 79.847 acres or 3.99 acres. Finally, there was no increase or decrease in the land area for the RM zone. The total area of the RM adjustment is an equal 7.635 acres each.
- 2) The area under review is in compliance with the General Plan. The County of Hawaii General Plan (2005) became effective on February 9, 2005. The subject parcel is now designated as "Resort Node" on the Land Use Pattern Allocation Guide (LUPAG) Map.

Ms. Anne L. Mapes
Belt Collins Hawaii Ltd.
Page 3
April 29, 2005

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

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

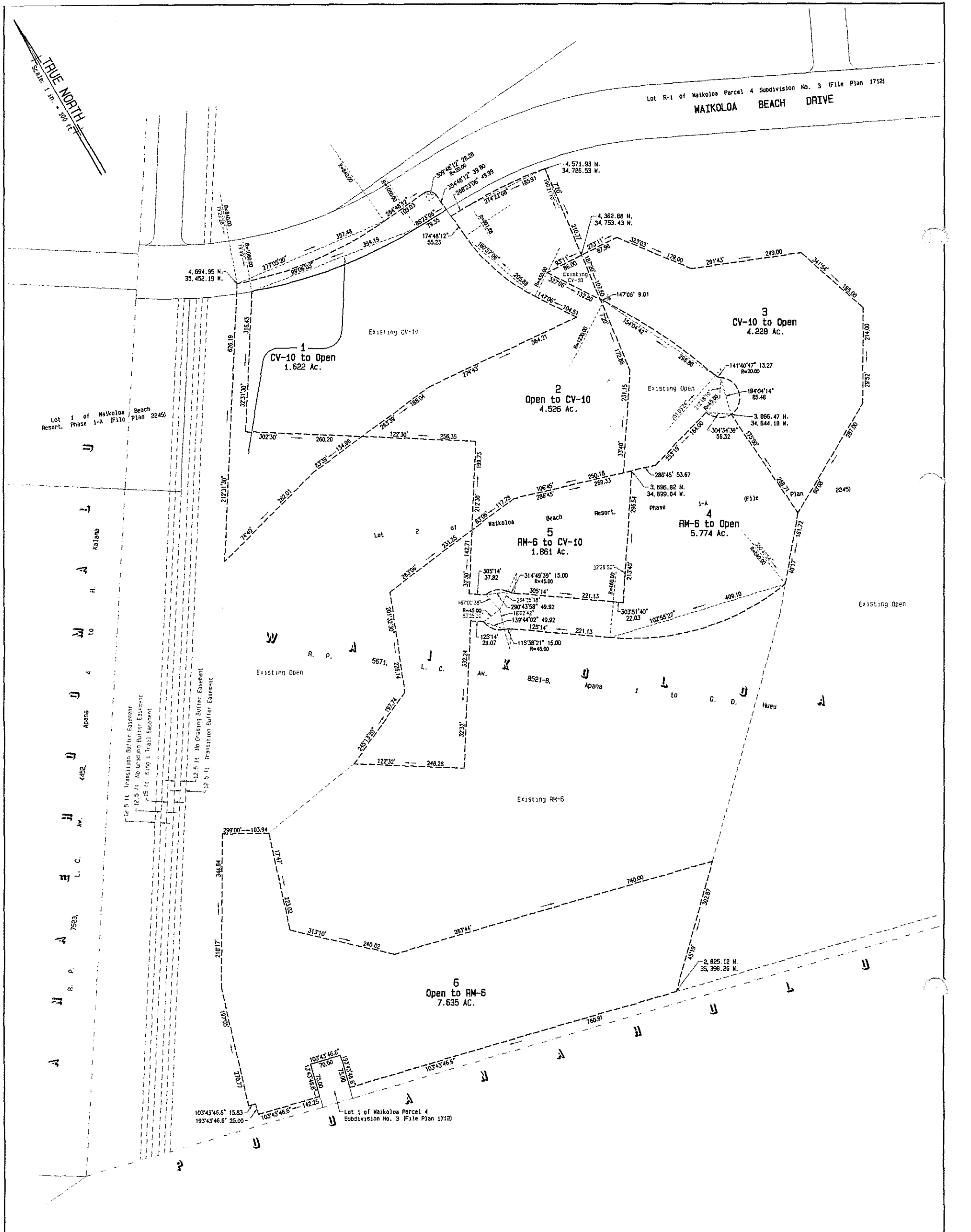
ETI:cd
P:\WPWIN60\ETI\NonSigZChange\Mapes Waikoloa Cultural Gardens Marketplace.rtf

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)

TRUE NORTH
Scale: 1 in. = 300 ft.

Lot R-1 of Waikoloa Parcel 4 Subdivision No. 3 (File Plan 1712)
WAIKOLOA BEACH DRIVE



PROPOSED ZONING CHANGES AT WAIKOLOA BEACH RESORT

Being portions of R.P. 5671, L.C. Aw. 8521-B, Apana 1 to G.D. Hueu
Being, also, portions of Lot 2 of Waikoloa Beach Resort, Phase 1-A (File Plan 2245)
and Lot R-1 of Waikoloa Parcel 4 Subdivision No. 3 (File Plan 1712)

AT WAIKOLOA, SOUTH KOHALA, ISLAND OF HAWAII, HAWAII
Tax Map Key 6-9-08: 7 and 9

NOTE:
Coordinates and azimuths referred to "PUU HINAI" A

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

Revised Parcels 2 and 3: April 11, 2005
January 28, 2005