

**Harry Kim**  
Mayor

**Roy Takemoto**  
Managing Director

**Barbara J. Kossow**  
Deputy Managing Director



**Duane Hosaka**  
Housing Administrator

**Alisa A. Hanselman**  
Assistant Housing Administrator

**County of Hawai'i**  
**Office of Housing and Community Development**

1990 Kino'ole Street, Suite 102 • Hilo, Hawai'i 96720 • (808) 961-8379 • Fax (808) 961-8685  
Existing Housing: (808) 959-4642 • Fax (808) 959-9308  
Kona: (808) 323-4300 • Fax (808) 323-4301

February 19, 2020

Via Electronic and U.S. Mail

Katherine A. Garson  
Carlsmith Ball LLP  
121 Waiianuenue Avenue  
Hilo, Hawai'i 96720  
e-mail: [kgarson@carlsmith.com](mailto:kgarson@carlsmith.com)

Dear Ms. Garson:

Re: University of Nations, Kona, Inc. ("UNK")  
TMK Nos: (3) 7-5-010:085 and (3) 7-5-17:006 ("Property")

This letter is to confirm the discussion at the meeting with you, Julie and Allen Anjo General Counsels for the UNK, Deputy Corporation Counsels Malia Hall and Ronald Kim, and myself on February 7, 2020.

The County of Hawai'i Office of Housing and Community Development reviewed the enclosed "Concept Master Plan" dated February 2020 ("Master Plan") and there are no residential or industrial use proposed in the Master Plan. Dorms are not "residential uses" under the Hawai'i County Code, Chapter 11 ("Housing Code").

Therefore, if the UNK does not establish residential uses on the Property and the Property is zoned or rezoned to the RS, RD, RM, RCX, RA, FA, APD, CG, CV, CN or PD districts, then it would not be subject to an affordable housing requirement under the Housing Code.

However, because the Housing Code and plans for rezoning may change, we will respectfully request that the Land Use Commission maintain Condition 1 in the August 8, 2003 Findings of Fact, Conclusions of Law, and Decision and Order for State Land Use District Boundary Amendment in Docket No. A02-737, which reads:

*1. Affordable Housing. Petitioner shall provide affordable housing opportunities for residents of the State of Hawaii in accordance with applicable housing requirements for the Project of the County of Hawaii. The location and distribution of the affordable housing or other provisions for affordable housing*



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*shall be under such terms as may be mutually agreeable between the Petitioner  
and the County of Hawaii.*

Please let us know if you have any questions.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'D. Hosaka', written in a cursive style.

DUANE HOSAKA  
Housing Administrator

Enclosure

cc (via electronic mail only):  
Malia Hall  
Ron Kim

**LEGEND:**

- EXISTING BUILDINGS
- PHASE I
- PHASE II
- PHASE III

