### '21DEC23 AM 10:17 CITY CLERK

### DEPARTMENT OF PLANNING AND PERMITTING CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI MAYOR



December 21, 2021

DEAN UCHIDA DIRECTOR

DAWN TAKEUCHI APUNA DEPUTY DIRECTOR

EUGENE H. TAKAHASHI DEPUTY DIRECTOR

2021/SMA-59(CK)

The Honorable Tommy Waters Chair and Presiding Officer and Members Honolulu City Council 530 South King Street, Room 202 Honolulu, Hawaii 96813

Dear Chair Waters and Councilmembers:

SUBJECT: Special Management Area (SMA) Use Permit Application File No. 2021/SMA-59 830 Mokulua Single-Family Residence 830 Mokulua Drive - Lanikai Beach Tract Tax Map Key 4-3-008: 045

Enclosed is the Department of Planning and Permitting's (DPP) report to the City Council, and Draft Resolution, recommending conditional approval of the SMA application to allow for the demolition of an existing, single-family dwelling and construction of a new single-family residence and garage, and repairs in an existing in-ground swimming pool on a shoreline lot in Lanikai.

The DPP accepted a Final Environmental Assessment (EA) and issued a Finding of No Significant Impact September 16, 2021. During the EA process, the Applicant evaluated three alternatives for implementing the proposed Project. The EA analysis concluded that the preferred alternative was to construct a new single-family residence outside of the shoreline setback area.

The DPP recommends that the Project be approved, as proposed, subject to compliance with recommended conditions, which primarily consist of standard conditions relating to archaeological resources and protected species quality. A special condition regarding the design of the foundation to address potential coastal erosion impacts is also included.

The Honorable Tommy Waters Chair and Presiding Officer and Members December 21, 2021 Page 2

Pursuant to Chapter 25, Revised Ordinances of Honolulu, the City Council must act within 60 calendar days after receipt of our Findings and Recommendation; however, the City Council may extend this period of time upon receipt of a request from the Applicant for an extension. The extension is not automatic and thus, if an extension of time is not requested in a timely manner, the application may be denied due to the Council's deadline.

Should you have any questions, please contact me at (808)768-8000.

Very truly yours,

Director

Enclosure

APPROVED BY:

Michael D. Formby Managing Director

DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION

ΒY

PACIFIC COAST REAL ESTATE INVESTMENT SERVICES, LLC

FOR A

SPECIAL MANAGEMENT AREA USE PERMIT 2021/SMA-59(CK)

### FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

## I. APPLICATION

LANDOWNER:	Pacific Coast Real Estate Investment Services, LLC
AGENT:	Long and Associates Architects Interiors, Inc. (Shae Grimm)
LOCATION:	830 Mokulua Drive - Lanikai Beach Tract (Exhibit A)
TAX MAP KEY:	4-3-008: 045
LAND AREA:	11,138 square feet
ZONING:	R-10 Residential District (Exhibit B)
DEVELOPMENT PLAN:	Koolau Poko Sustainable Communities Plan
STATE LAND USE DISTRICT:	Urban District (Exhibit C)

EXISTING USE:	Residential single-family dwelling, pool, garage
SURROUNDING LAND USES:	Residential single-family dwellings, Pacific Ocean

- Β. Proposal: The Applicant seeks a Special Management Area (SMA) Use Permit to demolish the existing single-family dwelling and construct a new single-family dwelling at the subject property, and to repair and/or refinish an existing swimming pool on a 11,138-square-foot (sq. ft.) shoreline lot within the R-10 Residential District (R-10 District) and the SMA (Project). Specifically, the proposed new single-family dwelling will consist of two stories with approximately 4,700-sq. ft. of floor area, including four bedrooms, five bathrooms, a family room, a kitchen, a wet bar, a laundry room, a swimming pool, and five parking spaces, inclusive of a two-car garage (see Exhibits D1 through D12). The Project plans show the new dwelling unit is proposed to be constructed on deepened foundation piers supporting a structural concrete slab (see Exhibits D11 and D12). Prior to the construction of the new dwelling, grading and clearing would be required to prepare the site for placement of the proposed foundation and structural support system (see Exhibit D-10). Approximately 1.650-sg. ft. of the existing single-family dwelling is located within the 40-ft. shoreline setback area and will be removed (see Exhibits D-1 and D-13). The Applicant's submittal states the existing dwelling is largely beyond conservation, such that repair costs to bring the structural and architectural insufficiencies up to current building codes would far exceed the allowable 50 percent repair limits within the shoreline setback. Therefore, the Project will bring the site into greater compliance with the Shoreline Setback Ordinance. Chapter 23. Revised Ordinances of Honolulu (ROH). Construction activities will be confined to the immediate Project area, with construction equipment and materials temporarily stored onsite. The Project is estimated to cost \$2.1 to 2.5 million and anticipated to take approximately 14 months to complete once construction commences.
- C. <u>Background</u>: On January 25, 1980, Shoreline Variance No. 80/SV-3 was issued to allow for backfill and placement of a rock revetment makai of the existing dwelling to address shoreline-related erosion issues. Building Permit No. 134604 was issued February 5, 1980 to allow the "protective boulder rip-rap [wall] for erosion control."

### II. FINDINGS OF FACT

- On the basis of the evidence presented, the Director of the Department of Planning and Permitting (DPP) has found:
  - A. <u>Site and Surrounding Uses</u>: The Project site consists of an 11,138-sq. ft. (0.256-acre) zoning lot located within a low-density, residential community on the northwestern side of Lanikai. The site is a shoreline lot located entirely within the SMA, the R-10 Residential District, and the State Land Use Urban District (see

Exhibits A through C). It is currently developed with a single-family residence, an in-ground swimming pool, other accessory structures, and a shoreline revetment seawall (see Exhibit D1). A shoreline survey certified by the State of Hawaii on August 23, 2021, shows that the regulatory shoreline runs along the bottom face of the revetment/seawall, as surveyed on May 25, 2021 (see Exhibit D-13). Surrounding properties to the north, west, and south are also zoned R-10 District and are developed with large single-family residences. The adjoining properties in both directions also have shoreline hardening structures (see Exhibits A and B). The property is bounded by the Pacific Ocean to the east, which is classified as Estuarine and Marine Deepwater. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Panel No. 15003C0290H, the Project site is located entirely in Flood Zone X, which corresponds to areas outside of the 500-year flood level.

- B. <u>Topography and Soil</u>: The Project site is relatively level, and lies at an elevation ranging from approximately 9 to 11 feet above mean sea level (MSL). According to the U.S. Department of Agriculture Natural Resources Conservation Service web soil survey, soils on approximately 75 percent of the mauka portion of the Project site consist of Jaucas sand, with zero to 15 percent slopes. The permeability of these sands is rapid, and runoff is "very slow" to "slow". Soils on the makai portion of the lot consist of beaches, which consist of sandy shores that are washed and rewashed by waves, and may be partly covered with water during high tide or storms (see Exhibit E).
- C. <u>Biological Resources</u>: Existing vegetation around the property is limited to ornamental landscaping. There are landscaping trees along portions of the Project site's perimeter. The site is not designated as critical habitat on the Oahu Critical Habitat mapping website and no native, rare, or endangered flora species were identified on the site. However, according to the application materials, the following Federally protected endangered or threatened fauna species may occur in the Project area: The Hawaiian Hoary Bat, Green Sea Turtle or *Honu*, Band-Rumped Storm-Petrel or *Akeake*, Hawaiian Petrel or *Uau*, Newell's Shearwater or *Ao*, and Wedgetailed Shearwater or *Uau kani*.
- D. <u>Cultural and Archaeological Resources</u>: The existing single-family dwelling is not listed or eligible for listing on the State historic register. According to the Environmental Assessment (EA) prepared for the Project, in January 2021, Keala Pono Archaeological Consulting conducted a site visit, and reviewed available archaeological resources and cultural impact assessment interviews to identify the archaeological qualities of the Project site, and what impacts Project implementation might have on these resources. They concluded there are no known significant cultural or historic sites located on the Project Site, although subsurface features have previously been identified in Lanikai. This is discussed further in the analysis below.

- E. <u>Coastal Hazards</u>: As discussed in detail in the analysis section below, the site is shown as being susceptible to coastal impacts by various mapping tools, particularly the Pacific Islands Ocean Observing System (PacIOOS) Sea Level Rise Exposure Area (SLR-XA) viewer, the FEMA Flood Insurance Rate Map, the Oahu Tsunami Evacuation Map, and the National Oceanic and Atmospheric Administration's National Storm Surge Hazard Maps (see Exhibits F and G).
- F <u>Environmental Compliance</u>: Pursuant to the requirements of Chapter 25, ROH an EA was prepared in accordance with the procedural steps set forth in Chapter 343, Hawaii Revised Statutes (HRS). The Draft EA was published in the Environmental Notice and made available to the public on May 8, 2021. The DPP issued a Finding of No Significant Impact (FONSI) on September 16, 2021, and the Final EA - FONSI was published in "*The Environmental Notice*" on September 23, 2021.

During the EA process, the Applicant evaluated three alternatives for implementing the proposed Project, including the No Action Alternative, under which no development would occur, the proposed Project, and development of the Project site with a larger single-family dwelling up to 0.7 Floor Area Ratio (FAR). The EA analysis concluded that the preferred alternative was to replace the existing deteriorating dwelling with a new dwelling below a density of 0.5 FAR, and outside of the 40-ft. shoreline setback area.

- G. <u>Applicable Plans, Policies, and Regulations</u>: As discussed in the analysis section below, the Project must be in compliance with the Oahu General Plan (GP), the Koolau Poko Sustainable Communities Plan (KPSCP), Chapter 21, ROH the Land Use Ordinance (LUO), and Chapter 23, ROH the Shoreline Setback Ordinance. The Project must also be reviewed in light of Mayor's Directive 18-2, which requires all City agencies to use the SLR Guidance and Hawaii SLR Vulnerability and Adaptation Report in planning decisions, and to develop and implement land use policies, hazard mitigation actions, and design and construction standards to mitigate and adapt to the impacts of climate change and SLR.
- H. <u>Other Permits and Approvals</u>: The Project will require building permits, a Sewer Connection Approval, a Street Usage Permit, and a Residential Stormwater Management Plan.
- I. <u>Public Hearing Testimony, Agency Comments, and Community Comments</u>: Pursuant to Section 25-5.1(b), ROH, prior to submitting an application for an SMA Use Permit, the Applicant must present the Project to the applicable Neighborhood Board (NB) and/or Community Association unless the NB or Community Association fails to provide the Applicant with an opportunity to present the Project within 60 days of the date of the written request or they provide the Applicant with written notice that it has no objection to the Project or no presentation is necessary. The Agent issued written letter requests for

pre-consultation to the Kailua NB No. 31 and Lanikai Association on March 12 and 16, 2021, respectively. No response to the written request was received from the Kailua NB. The Agent received a "no objection" letter, dated April 20, 2021, from the Lanikai Association. The Applicant's Agent also discussed the proposal over the phone with a member of the Kailua NB, followed by an email to Chair of the Kailua NB, on April 21, 2021. The Kailua NB declined a presentation by phone, and no response was received to the subsequent email request. This satisfies the requirement for a presentation and the correspondence has been included in the Project file.

A Public Hearing for the Project was conducted at the Mission Memorial Auditorium at 10:30 a.m. on November 1, 2021. The hearing was attended in person by the DPP staff members and Department of Information Technology support staff. Three representatives of the Agent, as well as an agent for a separate agenda item attended the meeting virtually. No members of the public were present and no public testimony was received. A transcript of the hearing has been included as an enclosure.

Notices of the application and public hearing notices were published in the Honolulu Star-Advertiser and sent to neighbors within 300 feet of the subject property, various public agencies, elected officials for the area, and other interested parties. Several public agencies provided written comment letters, which primarily consisted of required compliance with existing regulatory requirements. In addition, a comment letter from the State Office of Planning noted that the Project, as proposed, would be located within the 3.2-foot SLR-XA, and stated that additional information should be provided on how the proposal would mitigate potential coastal hazards impacts. A representative of the University of Hawaii (UH) at Manoa School of Ocean and Earth Science and Technology also provided comments regarding the presence of the sandy beach and coastal dunes, the opportunity for beach restoration should the seawall be removed, and the debate surrounding residential development of shoreline lots. All letters and comments received have been included in the Project file and incorporated into the analysis, as appropriate.

### III. ANALYSIS

The proposed Project was analyzed in accordance with the objectives, policies, and guidelines established in Sections 25-3.1 and 25-3.2, ROH, as well as Sections 205A-2 and 205A-26, HRS.

A. <u>SMA Objectives and Policies</u>: The Project was analyzed based on the objectives and policies of the Coastal Zone Management (CZM) and SMA regulations (Section 205A-2, HRS, and Section 25-3.1, ROH, respectively).

- 1. <u>Recreational Resources</u>: Development in the SMA should provide coastal recreational opportunities to the public. The Project will be located on a privately-owned site and will not prohibit any coastal recreational activity. It will not generate additional demands on existing public parks or beaches, or restrict access to or adversely affect the existing coastal recreational recreational resources or their uses by the public. Therefore, the Project is not anticipated to result in adverse impacts to recreational resources, and no conditions related to recreational resources are recommended.
- 2. Historic and Cultural Resources: Development within the SMA should protect, preserve, and restore natural or manmade historical and cultural resources. According to the Keala Pono Archaeological Consulting report in the EA, no pre-contact (traditional Hawaiian, pre-1778) surface archaeological resources were observed during the site visit. Previous archaeological research in Lanikai identified subsurface features, such as human burials, a cultural layer, and a hearth, but the KPSCP indicates there are no known significant cultural or historic sites located at or near the Project Site. Based on the information available to them, Keala Pono concluded that because of the modern use of the Project site as a single-family home with a swimming pool and landscaped lawn, any remaining pre-contact surface archaeological resources are not likely to remain, and are not anticipated to be found during Project construction activities. Therefore, the proposed Project is not anticipated to adversely impact cultural resources.

Nonetheless, there is potential for previously unknown historical or archaeological resources to be uncovered during construction. Therefore, to ensure that the proposed activities do not have an impact on archaeological or historic properties, the EA states that Archaeological Monitoring will be conducted during earth moving construction activities, following guidance recommended by the State Historic Preservation Division (SHPD). Further, should cultural or human remains be discovered during construction, the Applicant must comply with standard stop work requirements until appropriate mitigation actions are determined by the SHPD. These measures are included as conditions of approval.

3. <u>Scenic and Open Space Resources</u>: *Development should protect coastal scenic and open space resources*. The Project consists of the removal and replacement of a single-family dwelling that will be consistent with the 25-ft. height limit for the R-10 Residential District. The Project site is not located within a scenic view shed on the KPSCP Open Space Map. In addition, the Project site is not located along a ridgeline, coastal headland, major road, or public park or open space where the proposed structures would affect scenic view planes. The Project will not result in any change to existing open spaces, parks, or access thereto as compared to the existing conditions. Therefore, the Project is not anticipated to result in adverse impacts to scenic or open space resources.

4. <u>Coastal Ecosystems</u>: *Development within the SMA should minimize impacts to valuable coastal ecosystems.* Existing vegetation around the property is limited to ornamental landscaping with trees along portions of the perimeter. According to the EA, no native, rare, or endangered floral species were identified on the site. The Project site is also not designated as critical habitat on the Oahu Critical Habitat mapping website. Given this, it is not anticipated that the Project construction will result in significant impacts to sensitive flora species or habitats. Therefore, no conditions related to sensitive flora species are recommended.

Several federally protected endangered or threatened species may occur in the Project area. Night-time work could have adverse impacts on roosting bats or seabirds because the lighting may distract and disorient avifauna and marine species. Therefore, construction hours should be limited to day-time hours. Removal of tall trees may similarly impact Hawaiian hoary bats and migratory birds, so the Applicant should not disturb, remove, or trim woody plants during the hoary bat birthing and pup rearing season (June 1 through September 15). These items should be required as conditions of approval.

In the long run, artificial lighting in or around the proposed development could be disruptive to avifauna and marine life in their navigation, nesting, and reproductive cycles. The Applicant has indicated that outdoor lights will be designed to comply with the Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife responsible lighting practices to ensure the light is not visible from the beach or water line. Tinting and/or automatic window shades will be provided for exterior windows that face the ocean, and any fences on the makai side of the dwelling will be dark to minimize reflection. Therefore, as a condition of approval, the building permit plans should show that any outdoor lights will be fully shielded. Upon implementation of these conditions, the Project is not anticipated to result in adverse impacts to sensitive fauna species.

Approximately 1,650-sq. ft. of the existing structure will be removed from the 40-ft. shoreline setback area. The increased setback area and new dwelling constructed to comply with current code standards could therefore result in a decreased likelihood of structural collapse or release of debris from deterioration into the coastal ecosystem. Any impacts to nearshore coastal waters and marine habitats as a result of construction-phase runoff will be mitigated by construction and post-construction Best Management Practices (BMPs) to address runoff from the site to nearshore waters. Compliance with the DPP's "Rules Relating to Water Quality" will be verified during the building permit review process. Upon compliance with mandatory water quality protection measures, Project construction is not anticipated to result in adverse impacts to sensitive marine species.

- 5. <u>Economic Uses</u>: Development in the SMA should provide public or private facilities and improvements important to the economy in appropriate locations. The Project is unlikely to measurably impact the local economy, in that it consists of the replacement of one single-family dwelling for use by the same family who have owned the property for many years. Therefore, the Project is not anticipated to result in a change to the economic uses of the site.
- 6. <u>Coastal Hazards</u>: Development in the SMA should reduce hazards to life and property from coastal hazards. The mapping tools relating to flooding and SLR indicate the site is:
  - In Flood Zone X, which is outside the 100-year floodplain;
  - Outside the projected Storm Surge Hazard Area for Category 1 through 3 hurricane events, but within the area that could be impacted by a Category 4 hurricane event with storm surge of up to three feet above ground level and potential inundation greater than six feet above ground along the shoreline area (see Exhibit G);
  - Within the tsunami evacuation zone;
  - Outside the area likely to be impacted by passive flooding under the 3.2-foot SLR modeling scenario (see Exhibit D-2);
  - Within the area likely to be impacted by annual high wave flooding along the makai edge of the lot under the 3.2-ft. SLR scenario (see Exhibit D-2);
  - Within the area likely to be impacted by coastal erosion under the 3.2-ft. SLR scenario (see Exhibits D-2 and F); and
  - 60 percent within the area impacted by cumulative SLR impacts by 2100 under a 3.2-ft. SLR scenario (see Exhibit F).

About 40 percent of the lot and about 30 percent of the future dwelling will be located within the area modeled to be impacted by coastal erosion. This projected erosion scenario assumes the shoreline is allowed to retreat naturally, and linearly. However, the site has a shoreline rock revetment approved under Shoreline Setback Variance (SSV) No. 80/SV-3. The Applicant notes that the rock revetment is designed to be resistant to wave damage and the sloping design results in less wave reflection and attendant scour than a vertical seawall. The Applicant further contends that the existing revetment is formed of two layers of armor stone and is therefore likely to mitigate the effects of coastal hazards on the Project site and the proposed structures.

In a May 24, 2021 letter, the DLNR Office of Conservation and Coastal Lands (OCCL) stated:

It should not be assumed that the existing seawall will remain effective over the proposed project's lifespan. Therefore, it cannot be assumed that the seawall will remain intact as a barrier against sea level rise and other associated coastal hazards impacts. Therefore, the proposed project should better account for and provide mitigation measures to address the potential for failures of the existing project site's seawalls with the projected impacts of sea level rise over the proposed project's lifespan."

Although the revetment/seawall was approved through a SSV, the Applicant notes that the Project design does not assume that the rock revetment will remain effective over the proposed project's lifespan. Rather, they have incorporated several design measures to mitigate the impacts of SLR. The Applicant also contends that because over 60 percent of the subject property falls within the 3.2-ft. SLR-XA, and they must comply with zoning setback and off-street parking requirements, moving the proposed dwelling entirely outside the SLR-XA erosion area is not feasible at this site. As such, to address the concerns of the DPP and DLNR OCCL, the Applicant has proposed the following design features to reduce risks and increase resiliency to SLR impacts:

- Demolish approximately 1,650-sq. ft. of existing, nonconforming structure from the shoreline setback area;
- Replace an existing, deteriorating structure with a new structure designed and built in compliance with current building codes;
- Site the new structure approximately 47 feet mauka of the certified shoreline and outside of the 40-ft. shoreline setback area;
- Incorporate a redesigned foundation that includes deepened concrete Foundation Piers that extend below the projected 3.2-foot SLR erosion line (see Exhibits D-11 and D12). The proposed design was reviewed by Hayes Structural Design engineers to confirm the structure has been designed to withstand the projected levels of coastal erosion resulting from SLR. The findings of this review indicate that without special foundation design, potential loss of sand under the foundation could lead to collapse of the makai end of the building. However, incorporation of the proposed foundation piers supporting a structural concrete slab will allow the building to remain self-supported in the event of erosion of the sand beneath it; and
- Revise the original proposal to remove and replace the existing swimming pool, and simply refurbish the existing pool to minimize ground disturbance. The Applicant notes that the portion of the existing pool located within the 3.2-foot SLR-XA is capable of

withstanding the anticipated impacts of SLR because it is constructed out of concrete up to five feet deep.

These mitigation measures are likely to make the dwelling similarly resilient in the event of a Category 4 hurricane. These proposals, which are reflected on the plans, will be required through the standard condition relating to conformity with the approved plans. Further, compliance with similar or improved coastal erosion foundation engineering design measures should be required as a condition of approval.

[Note: Evacuation during a tsunami warning period will be enforced based on guidelines issued by the Department of Emergency Management. Therefore, no conditions related to tsunami events are proposed.]

- 7. <u>Managed Development and Public Participation</u>: Development in the SMA should take measures to improve development review processes and increase public awareness of coastal management. Project compliance with public participation requirements are discussed in Section II.H of this report. The public has been made aware of and participated in the process. Additional opportunities for public input will be available during the City Committee and Council meetings during the consideration of the SMA application.
- 8. <u>Beach Protection</u>: *Development within the SMA should protect beaches for public use and recreation.* The Project does not propose any activities that would restrict or preclude access to, or use of, public beaches or recreational opportunities. No development or activity is proposed in regard to the existing revetment or to lands seaward of the subject property within the State Land Use Conservation District. The Project will remove an existing encroachment in the shoreline setback area thereby reducing the amount of impervious surface within the shoreline setback. No new development is proposed within the shoreline setback upon removal of the dwelling.

As noted above, however, approximately 40 percent of the site, including approximately 30 percent of the land area below the proposed dwelling structure, is projected to be lost to coastal erosion as a result of 3.2 feet of SLR by the year 2100 as the shoreline retreats. Lands makai of the regulatory shoreline become the property of the State of Hawaii, located within the State Land Use Conservation District. The Project proposes to stabilize the dwelling structure through the use of deepened concrete foundation piers, and the Applicant contends that the existing rock revetment will slow the projected rate of erosion at the site. Nonetheless, should coastal erosion result in the shoreline retreating mauka of any privately-owned structures, such structures will become encroachments into State Lands, resulting in potential adverse impacts to public beach access and opportunities for beach recreation. In addition, as stated in the *Guidance for Using the SLR-XA in Local Planning and Permitting Decisions* (UH Sea Grant College Program and State Office of Conservation and Coastal Lands, 2020), structures encroaching into the State Land Use Conservation District beach or submerged lands present a regulatory challenge for the State Board of Land and Natural Resources, under which they must either enforce removal of the encroachment or recommend approval to the State Legislature of a term lease for the area of public trust lands under the encroachment. Therefore, a condition of approval is recommended in order to ensure the Applicant and any successor owners are aware of the potential for loss of land area, that the State may require removal of the structure or a lease for encroachments extending into State lands; and that lands within the State Land Use Conservation District are public lands and must remain available for public use and recreational activities.

- 9. <u>Marine Resources</u>: Development within the SMA should promote the protection of marine and coastal resources, such as coastal land, coastal ecosystems, minerals, oil, gas, and sand, to ensure their sustainability. The Project's potential impacts to marine biological resources are discussed in Section III.4.c of this report. In addition, the Project is required to prepare a Residential Storm Water Management Plan, and will be required to comply with the DPP's "Rules Relating to Water Quality." This will be verified during the building permit review process. Apart from the potential impacts and conditions addressed above, the Project is not anticipated to result in adverse impacts to marine resources are proposed.
- B. <u>SMA Guidelines</u>: The Project was analyzed based on the guidelines of the CZM regulations and the SMA (Section 205A-26, HRS, and Section 25-3.2, ROH, respectively).
  - 1. <u>Access to Beaches and Natural Areas, Open Space, and Recreational</u> <u>Resources</u>: As previously discussed, the Project does not propose any activities that would restrict or preclude access to or use of public beaches, open space, or recreational opportunities. Therefore, the Project is not anticipated to result in adverse impacts regarding public access and no related conditions of approval are recommended.
  - 2. <u>Liquid and Solid Waste Provisions</u>: The site is served by the City's municipal sewer system and implementation of the Project is not anticipated to result in a change in the demand for or use of the existing wastewater infrastructure as the Applicant will utilize existing wastewater connections and infrastructure. Solid waste collection services are provided by the City's Department of Environmental Services and are not

expected to change in the long run. Short-term construction waste will be hauled off-site and disposed of at an appropriate facility. As such, implementation of the Project is not anticipated to result in changes to solid or liquid waste generation or adverse impacts related to their disposal and no related conditions are recommended.

- 3. <u>Alterations to Existing Landforms</u>: The Applicant proposes only minor short-term grading and subsurface excavation related to the removal of the existing dwelling unit, and installation of the structural slab and support infrastructure for the proposed dwelling unit and garage. As noted above, the existing site is relatively flat, ranging in elevation from approximately 9 to 11 feet above MSL, and will require grading to an elevation of 10 feet to create a level building pad (see Exhibit D-10). No offsite import or export of soil is proposed, however, grading and other earth-moving plans will be subject to review during the building and development permit review process. Proposed repairs to the existing swimming pool are not anticipated to result in any landform alterations. Therefore, no adverse impacts are anticipated and no additional conditions of approval are recommended.
- 4. <u>Substantial or Cumulative Environmental Impact and Compelling Public</u> <u>Interest</u>: The Project is not anticipated to result in significant adverse cumulative impacts on the environment. The Project site is already developed, and any adverse impacts related to the Project will primarily be limited within the property boundary and can be adequately mitigated through conditions of approval. The Project does not involve a commitment for larger actions, and due to the low-density residential nature of the general area, other significant cumulative development projects in the Project vicinity are not anticipated.

The Project does propose the placement of a habitable structure on a shoreline lot which falls partially within the 3.2-ft. SLR-XA, has an existing shoreline hardening structure, and is partially located on soils identified as beach sands. Due to the slightly elevated topography of the immediate vicinity, the primary SLR concern identified in SLR projections is not passive flooding or wave action, but relatively high rates of coastal erosion. Because these factors create a similar scenario applicable to neighboring lots throughout the elevated portions of the Lanikai shoreline. any development in the area has the potential, both individually and cumulatively, to result in adverse impacts to public beaches, beach access, sandy shorelines and sand dunes, and natural shoreline replenishment processes. However, as discussed above, the Applicant has provided supporting documentation showing that the proposed Project has been designed to address potential coastal hazards impacts at the site-specific level, thereby minimizing the Project's potential contribution to adverse cumulative shoreline and coastal hazards impacts.

Further, denial of a request for development of a new dwelling in the mauka portion of the Project site would likely result in the existing, deteriorating structure to remain in place within the shoreline setback area, which may result in greater damage to public shoreline SMA resources. As such, the incremental effects of the proposed Project combined with the effects of other past, present, and reasonably foreseeable future actions are not considered cumulatively considerable. Therefore, no conditions specific to cumulative or public interest impacts are recommended.

- 5. <u>Consistency with Plans and Regulations</u>: The proposal is generally in compliance with the applicable plans and regulations, as detailed below.
  - a. <u>Oahu GP</u>: The Project is generally consistent with the Oahu GP because it has been designed to meet *Public Safety Objective B - Policy 2 - Require all developments in areas subject to floods and tsunamis to be located and constructed in a manner that will not create any health or safety hazard.* Implementation of the Project will result in development on the site that is both located further mauka of the shoreline and is constructed to meet current building and development codes. Therefore, Project implementation would result in more resilient and safer development.

The Project also meets *Physical Development and Urban Design Objective E - Policy 5 - Require new developments in stable, established communities and rural areas to be compatible with the existing communities and areas.* The Project has been designed to be compatible with the low-density residential nature of the surrounding community, and to be in compliance with all applicable building codes and development standards applicable to the R-10 Residential District.

b. <u>KPSCP</u>: The Project is consistent with the KPSCP, which identifies the Project site as a low-density residential area within the shoreline area from Alala Point to Wailea Point (Lanikai). The KPSCP notes that severe erosion is occurring at either end of Lanikai Beach, where adjacent residential property owners have built seawalls and revetments along most of the shoreline. The KPSCP states that private projects should "*analyze the possible impact of SLR and incorporate, where appropriate and feasible, measures to reduce risks and increase resiliency to impacts of SLR*." As discussed in Section III.6.b above, the Project was designed to do this.

- c. <u>Land Use Ordinance</u>: The Project site has been designed to comply with the LUO development standards for R-10 Residential District. The plans indicate general compliance with the LUO, which will be confirmed during the building permit phase.
- d. <u>Shoreline Setback Ordinance</u>: No new development is proposed within the shoreline setback and some current encroachments are being removed. Therefore the Project will result in increased compliance with the provisions of Chapter 23, ROH.
- e. <u>Mayor's Directive 18-2</u>: The EA process along with the SMA Use Permit process have created an opportunity to review the proposal in light of SLR Guidance and Hawaii SLR Vulnerability and Adaptation Report. The proposed hazard mitigation conditions will increase the Project's ability to adapt to the impacts of climate change and SLR.
- 6. <u>Alterations to Bays, Estuaries, and Other Water Features</u>: The Project does not involve any alterations to any water features.
- 7. <u>Reductions to Beach or Recreation Areas</u>: The Project will not involve reductions to the beach or recreational areas.
- 8. <u>Reductions or Restrictions to Ocean or Tidal Areas</u>: The Project does not propose any activities within the ocean or tidal areas, and would not reduce or restrict access to ocean or tidal areas.
- Scenic Resources and View Sheds: As discussed above, the Project is not anticipated to result in adverse impacts related to scenic resources or view sheds.
- 10. <u>Water Quality and Habitats</u>: As discussed above, upon implementation of required water quality and erosion BMPs, as well as recommended conditions of approval regarding sensitive species, the Project is not anticipated to result in adverse impacts related to coastal water quality or habitats.

## IV. CONCLUSIONS OF LAW

The Director of the DPP hereby makes the following Conclusions of Law: The proposed Project was reviewed under the provisions of Sections 25-3.1 and 25-3.2, ROH, and Sections 205A-2 and 205A-26, HRS, and is found to be consistent with established objectives, policies, and guidelines, provided certain conditions of approval are imposed. Based on the Analysis, subject to the recommended conditions of approval, the proposed construction of a new single-family dwelling and garage and the

refurbishment of an existing in-ground swimming pool at the subject property are not anticipated to adversely impact SMA resources.

### V. RECOMMENDATION

Based on the preceding Analysis and Conclusion of Law, it is recommended that the application for a SMA Use Permit for replacement of a single-family dwelling unit and garage and refurbishment of an existing pool at the Project site, as shown on Exhibits D1 through D12, be **APPROVED**, subject to the following conditions:

- A. Construction must be in general conformity with the Project as recommended by the DPP, in the DPP findings and recommendation referenced-above, and as depicted in Exhibits A through G, enclosed hereto and incorporated herein by reference. Any change in the size or nature of the Project that has a significant effect on coastal resources addressed in Chapter 25, ROH, or Chapter 205A, HRS or both, will require a new application and SMA Use Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and, may be, permitted under this resolution, upon review and approval of the Director of the DPP.
- B. In order to ensure that archaeological resources are identified and treated properly, archaeological monitoring must be conducted in consultation with the State Historic Preservation Division (SHPD) during ground-disturbing construction activities, as detailed in the Archaeological Assessment Report prepared by Keala Pono for the proposed Project in January 2021. This requirement must be clearly stated on any earth-moving development permit plans and building plans for the proposed Project.
- C. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, paving, or walls) are encountered, the Applicant must stop work and contact the SHPD immediately. Work in the immediate area must stop until the SHPD is able to assess the impact and make further recommendations for mitigative activity. This requirement must be clearly stated on any earth-moving development permit plans and building plans for the proposed Project.
- D. In order to address potential impacts to Hawaiian seabirds, the hoary bat, nearshore marine species (endangered green sea turtles, monk seals) that may frequent or traverse the vicinity of the Project site, the Applicant must implement the following:
  - 1. Artificial light from exterior light fixtures, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes are prohibited if the light directly illuminates or is directed to project across property boundaries toward the shoreline and ocean

waters, except as may otherwise be permitted pursuant to Section 205A-71(b), HRS;

- 2. The Project's building permit plans must show all outdoor lighting fixtures fully shielded with the light directed downward in compliance with Section 25-63(a), ROH, to avoid illuminating onsite or nearby tree canopies or the shoreline and waters of the Pacific Ocean; and
- 3. All Project site work and construction activities are limited to day-time hours.

This requirement must be stated on any development permit plans and building plans for the proposed Project.

- E. To minimize potential impacts to the Hawaiian hoary bat habitat and migratory bird roosting area, the Applicant must take special care when trimming or clearing woody plants greater than 15 feet in height, and woody plants greater than 15 feet in height must not be disturbed, removed, or trimmed during the hoary bat birthing and pup rearing season from June 1 through September 15. This requirement must be stated on any development permit plans and building plans for the proposed Project.
- F. To minimize potential for adverse impacts related to SLR and coastal erosion, the Applicant must incorporate a structural foundation design sufficient such that the proposed structures will remain sound throughout their operational lifespan. This proposed design must provide equal or greater protection against damage from coastal erosion as the foundation design plans shown in Exhibits D11 and D12. Proposed designs must be accompanied by a statement to such effect stamped by a registered civil engineer. Compliance with this structural foundation design requirement must also be stated on any earth-moving development permit plans and building plans for the proposed Project.
- G. To minimize potential for adverse impacts related to public beach access and recreation, as well as account for the potential shift of R-7.5 Residential Land to State Conservation Land as a result of coastal erosion, the following statement must be included on the building permit plans for the proposed Project:

"In choosing to implement construction activities at Tax Map Key 4-3-008: 045, the Landowner hereby acknowledges that land makai of the regulatory shoreline is State public land, falls within the State Land Use Conservation District, and must remain available for public use and recreational activities. The Landowner further acknowledges that should any portion of a structure encroach into State Land, the State Board of Natural Resources may require removal of the structure or a lease for encroachments extending into State Land. As a result of this acknowledgement, successor owners and interested parties are hereby notified of this same information." H. The Applicant must obtain a development permit for the Project within two years after the effective date of this SMA Use Permit. Failure to obtain a development permit within this period will render this SMA Use Permit null and void, provided that this period may be extended as follows: The Director of the DPP may extend this period if the Applicant demonstrates good cause.

If the Applicant demonstrates good cause for an extension exceeding one year, the Director must prepare and submit to the Council a report on the proposed extension, which report must include the Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution. If the Council fails to take final action on the proposed extension within the first to occur of: (1) 60 days after receipt of the Director's report; or (2) the Applicant's then-existing deadline for obtaining a development permit, the extension will be deemed to be denied.

I. Approval of this SMA Use Permit does not constitute compliance with the LUO or other governmental requirements, including but not limited to grading, grubbing, and building permit approvals. Each are subject to separate review and approval. The Applicant is responsible for ensuring that the final plans for the Project approved under this SMA Use Permit comply with all applicable LUO and other governmental provisions and requirements.

Dated at Honolulu, Hawaii, this 21st day of December, 2021.

Department of Planning and Permitting City and County of Honolulu State of Hawaii

Bv

Dean Uchida Director

Enclosures



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SITE PLAN-EXISTING 1/8" = 1'-0"



![](_page_23_Picture_4.jpeg)

This work was prepared by me or under my supervision, and construction of this project will be under my observation, as defined by the Department of Commerce And Consumer Affairs, 16-1152.

Signature APRIL 30, 2022 Expiration Date of the Licen

> © 2021 LONGHOUSE

DESIGN + BUILD

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OF SMA USE PERMIT

> 10-08-2021 **ISSUE DATE**

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![](_page_33_Figure_2.jpeg)

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ATA ENGINEERS, SURVEYORS \* HONOLULU, WAILUKU, HAWAII

Topographic Survey/DWG\20-348 830 Т Mokulua 830 -348 \2020\20-348 { DB NO.: 20-3

![](_page_35_Picture_0.jpeg)

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![](_page_36_Figure_0.jpeg)

PacIOOS PACIFIC ISLANDS OCEAN OBSERVING SYSTEM

## **EXHIBIT F - 3.2-FOOT SLR-XA - WITH COASTAL EROSION LAYERS**

# Hawaii Storm Surge Inundation SLOSH MOMs

Central Pacific Hurricane Center

## Central Pacific Hurricane Center

![](_page_37_Picture_3.jpeg)

Hawaii Category 4

![](_page_37_Figure_5.jpeg)

**EXHIBIT G - CATEGORY 4 STORM SURGE INUNDATION MAP** 

1 DEPARTMENT OF PLANNING AND PERMITTING 2 CITY AND COUNTY OF HONOLULU 3 STATE OF HAWAII 4 FILE NO. 2021/SMA-59 (CK) IN THE MATTER OF THE ) 5 ) APPLICATION OF PACIFIC ) 6 COAST REAL ESTATE INVESTMENT ) 7 ) SERVICES, LLC ) 8 ) 9 TRANSCRIPT OF PROCEEDING 10 11 In the above-entitled matter came on for public 12 hearing at Mission Memorial Auditorium, Mission Memorial 13 Building, 550 S. King Street, Honolulu, Hawaii, Monday, 14 November 22, 2021, commencing at 10:30 a.m., pursuant to 15 Notice. 16 17 18 19 20 21 22 23 24 BEFORE: ALEX BEATTY, Hearings Officer 25 CHRISTINA KELLER, Staff Planner

PROCEEDING 00:27:31.348 --> 00:27:38.219 HEARINGS OFFICER BEATTY: Okay. Let's begin. My name is Alex Beatty, and I am the hearings officer for today's public hearing 00:27:38.219 --> 00:27:41.699 for Major Special Management Area Use Permit, DPP's 00:27:41.699 --> 00:27:45.929 File Nos. 2021/SMA-59 and 2021/SMA-56. 00:27:45.929 --> 00:27:49.078 It is 00:27:49.078 --> 00:27:55.078 10:33 a.m., and we are in the Mission Memorial Auditorium. 

00:27:56.308 --> 00:28:05.038 The Notice for this public hearing was published in the Honolulu Star-Advertiser, and we have posted Notices on the doors leading to the meeting rooms. 00:28:05.038 --> 00:28:09.058 We just had some folks walk in. Are you guys--ENV? 00:28:09.058 --> 00:28:21.898 Okay, great. UNKNOWN MALE (via online): We're part of the presentation team. Shae is on there. You just mentioned our reference number so I thought I would give you an introduction here, if and when you're ready. 00:28:21.898 --> 00:28:25.348 HEARINGS OFFICER BEATTY: Fantastic, thank you very much. 00:28:25.348 --> 00:28:35.459 So, for the public hearing, Notices were published in the

Honolulu Star-Advertiser, and we have posted Notices on the doors leading into the meeting room, and they were sent to the surrounding neighbors. 00:28:35.459 --> 00:28:44.038 For the record, it is noted that except for DPP staff and DIT staff, 00:28:44.038 --> 00:28:47.818 and the agent, applicant and all of the associates 00:28:47.818 --> 00:28:50.969 for the projects, no one from the public is present 00:28:50.969 --> 00:28:54.419 for the hearing to present any testimony. 00:28:54.419 --> 00:28:57.778 Interrupt me if that's incorrect. 

00:28:57.778 --> 00:29:03.388 Would the applicant or agent for 00:29:03.388 --> 00:29:06.598 2021/SMA-59 00:29:06.598 --> 00:29:10.798 please unmute themselves or step forward and state your name for the record? 00:29:10.798 --> 00:29:17.429 UNKNOWN MALE (via online): Shae, can you go online, please. MR. GRIMM: Yes. Shae Grimm. 00:29:17.429 --> 00:29:20.699 I'm their agent for 830, SMA/59. 00:29:20.699 --> 00:29:25.618

HEARINGS OFFICER BEATTY: 59 or 56? 00:29:25.618 --> 00:29:29.308 UNKNOWN MALE (via online): 59. MR. GRIMM: 59. 00:29:29.308 --> 00:29:33.388 HEARINGS OFFICER BEATTY: Okay, great. Thank you. 00:29:33.388 --> 00:29:38.548 Ordinarily our staff planner would--who is Steve Tagawa for that item 00:29:38.548 --> 00:29:41.878 would normally present the relevant information behind the request. 00:29:41.878 --> 00:29:45.358 MR. GRIMM: I think Christi Keller is the--

00:29:45.358 --> 00:29:53.429 HEARINGS OFFICER BEATTY: I'm sorry, backwards. Yes, you're right. Ordinarily our staff planner Christi Keller would present the relevant information behind the request. 00:29:53.429 --> 00:29:57.628 Being that everyone present is familiar with the request, 00:29:57.628 --> 00:30:01.229 would you have any objections to foregoing the presentations? 00:30:01.229 --> 00:30:09.358 MR. GRIMM: No objections. HEARINGS OFFICER BEATTY: Would you like to make any additional statements that are not part of the application? 00:30:09.358 --> 00:30:13.979

being prepared. [Meeting adjourned approximately 10:38 a.m.] I certify that the foregoing is a true and correct transcript of the proceeding, prepared to the best of my ability of the meeting held on Monday, November 22, 2021. Gloria Takara Secretary-Hearings Reporter Dec. 8,2021 Date 

![](_page_46_Picture_0.jpeg)

No. \_\_\_\_\_

# RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA (SMA) USE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING UNIT WITH A GARAGE AND REPAIRS TO AN EXISTING SWIMMING POOL AT TAX MAP KEY (TMK) 4-3-008: 045 IN LANIKAI.

WHEREAS, on October 1, 2021, the Department of Planning and Permitting (DPP) accepted the application (File No. 2021/SMA-59) from the Pacific Coast Real Estate Investment Services, LLC (Applicant) for an SMA Use Permit to allow the demolition and removal of an existing, deteriorating single-family dwelling unit, and the construction of a new single-family dwelling unit and garage, and refurbishment of an existing, in-ground swimming pool, located in the R-10 Residential District at 830 Mokulua Drive in Lanikai, and identified as TMK 4-3-008: 045;

WHEREAS, on November 22, 2021, the DPP held a public hearing which was attended in person by DPP staff members, and the Department of Information Technology support staff, and attended virtually online by the agent for the Applicant, and attended by no members of the public; and

WHEREAS, on December 21, 2021, within 20 working days after the close of the Public Hearing, the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in Sections 25-3.1 and 25-3.2, Revised Ordinances of Honolulu (ROH), and Sections 205A-2 and 205A-26, Hawaii Revised Statues (HRS), completed its report and transmitted its findings and recommendation to the City Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on \_\_\_\_\_\_, by Departmental Communication No. \_\_\_\_\_\_, and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Use Permit with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that an SMA Use Permit be issued to the Applicant for the Project, subject to the following conditions:

A. Construction must be in general conformity with the Project as recommended by the DPP, in the DPP findings and recommendation referenced-above, and as depicted in Exhibits A through G, enclosed hereto and incorporated herein by reference. Any change in the size or nature of the Project that has a significant effect on coastal resources addressed in Chapter 25, ROH, or Chapter 205A, HRS or both, will require a new application and SMA Use Permit. Any change

![](_page_47_Picture_0.jpeg)

No. \_\_\_\_\_

# RESOLUTION

that does not have a significant effect on coastal resources will be considered a minor modification and, may be, permitted under this resolution, upon review and approval of the Director of the DPP.

- B. In order to ensure that archaeological resources are identified and treated properly, archaeological monitoring must be conducted in consultation with the State Historic Preservation Division (SHPD) during ground-disturbing construction activities, as detailed in the Archaeological Assessment Report prepared by Keala Pono for the proposed Project in January 2021. This requirement must be clearly stated on any earth-moving development permit plans and building plans for the proposed Project.
- C. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, paving, or walls) are encountered, the Applicant must stop work and contact the SHPD immediately. Work in the immediate area must stop until the SHPD is able to assess the impact and make further recommendations for mitigative activity. This requirement must be clearly stated on any earth-moving development permit plans and building plans for the proposed Project.
- D. In order to address potential impacts to Hawaiian seabirds, the hoary bat, nearshore marine species (endangered green sea turtles, monk seals) that may frequent or traverse the vicinity of the Project site, the Applicant must implement the following:
  - Artificial light from exterior light fixtures, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes are prohibited if the light directly illuminates or is directed to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to Section 205A-71(b), HRS;
  - 2. The Project's building permit plans must show all outdoor lighting fixtures fully shielded with the light directed downward in compliance with Section 25-63(a), ROH, to avoid illuminating onsite or nearby tree canopies or the shoreline and waters of the Pacific Ocean; and
  - 3. All Project site work and construction activities are limited to day-time hours.

![](_page_48_Picture_0.jpeg)

No. \_\_\_\_\_

# RESOLUTION

This requirement must be stated on any development permit plans and building plans for the proposed Project.

- E. To minimize potential impacts to the Hawaiian hoary bat habitat and migratory bird roosting area, the Applicant must take special care when trimming or clearing woody plants greater than 15 feet in height, and woody plants greater than 15 feet in height must not be disturbed, removed, or trimmed during the hoary bat birthing and pup rearing season from June 1 through September 15. This requirement must be stated on any development permit plans and building plans for the proposed Project.
- F. To minimize potential for adverse impacts related to sea level rise and coastal erosion, the Applicant must incorporate a structural foundation design sufficient such that the proposed structures will remain sound throughout their operational lifespan. This proposed design must provide equal or greater protection against damage from coastal erosion as the foundation design plans shown in Exhibits D11 and D12. Proposed designs must be accompanied by a statement to such effect stamped by a registered civil engineer. Compliance with this structural foundation design requirement must also be stated on any earth-moving development permit plans and building plans for the proposed Project.
- G. To minimize potential for adverse impacts related to public beach access and recreation, as well as account for the potential shift of R-7.5 Residential Land to State Conservation Land as a result of coastal erosion, the following statement must be included on the building permit plans for the proposed Project:

"In choosing to implement construction activities at Tax Map Key 4-3-008: 045, the Landowner hereby acknowledges that land makai of the regulatory shoreline is State public land, falls within the State Land Use Conservation District, and must remain available for public use and recreational activities. The Landowner further acknowledges that should any portion of a structure encroach into State Land, the State Board of Natural Resources may require removal of the structure or a lease for encroachments extending into State Land. As a result of this acknowledgement, successor owners and interested parties are hereby notified of this same information."

H. The Applicant must obtain a development permit for the Project within two years after the effective date of this SMA Use Permit. Failure to obtain a development permit within this period will render this SMA Use Permit null and void, provided that this period may be extended as follows: The Director of the

![](_page_49_Picture_0.jpeg)

No. \_\_\_\_\_

# RESOLUTION

DPP may extend this period if the Applicant demonstrates good cause, but the period must not be extended by the Director beyond one year from the initial deadline set by the City Council.

If the Applicant demonstrates good cause for an extension exceeding one year, the Director must prepare and submit to the Council a report on the proposed extension, which report must include the Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution. If the Council fails to take final action on the proposed extension within the first to occur of: (1) 60 days after receipt of the Director's report; or (2) the Applicant's then-existing deadline for obtaining a development permit, the extension will be deemed to be denied.

H. Approval of this SMA Use Permit does not constitute compliance with the Land Use Ordinance (LUO) or other governmental requirements, including but not limited to grading, grubbing, and building permit approvals. Each are subject to separate review and approval. The Applicant is responsible for ensuring that the final plans for the Project approved under this SMA Use Permit comply with all applicable LUO and other governmental provisions and requirements.

![](_page_50_Picture_0.jpeg)

No. \_\_\_\_\_

## RESOLUTION

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to Shae Grimm, Long and Associates Architects Interiors, Inc., 1100 Alakea Street, Third Floor, Honolulu, Hawaii 96813; Dean Uchida, Director of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813; and Mary Alice Evans, Director of the Office of Planning, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawaii 96804-2359.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

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Copyright City & County of Honolulu All Rights Reserved 2008

![](_page_54_Figure_1.jpeg)

SITE PLAN-EXISTING 1/8" = 1'-0"

![](_page_55_Figure_1.jpeg)

![](_page_55_Picture_4.jpeg)

This work was prepared by me or under my supervision, and construction of this project will be under my observation, as defined by the Department of Commerce And Consumer Affairs, 16-1152.

Signature APRIL 30, 2022 Expiration Date of the Licen

> © 2021 LONGHOUSE

DESIGN + BUILD

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OF SMA USE PERMIT

> 10-08-2021 **ISSUE DATE**

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![](_page_57_Figure_0.jpeg)

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3/4" = 1'-0"		

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ATA ENGINEERS, SURVEYORS \* HONOLULU, WAILUKU, HAWAII

Topographic Survey/DWG\20-348 830 Т Mokulua 830 -348 \2020\20-348 { DB NO.: 20-3

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![](_page_68_Figure_0.jpeg)

PacIOOS PACIFIC ISLANDS OCEAN OBSERVING SYSTEM

## **EXHIBIT F - 3.2-FOOT SLR-XA - WITH COASTAL EROSION LAYERS**

# Hawaii Storm Surge Inundation SLOSH MOMs

Central Pacific Hurricane Center

## Central Pacific Hurricane Center

![](_page_69_Picture_3.jpeg)

Hawaii Category 4

![](_page_69_Figure_5.jpeg)

**EXHIBIT G - CATEGORY 4 STORM SURGE INUNDATION MAP**