

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023

Honorable Tommy Waters  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning, which considered Resolution 22-298, entitled:

"RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KUILEI PLACE AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT LOCATED AT 2599 KAPIOLANI BOULEVARD, HONOLULU, HAWAII, 96826, TAX MAP KEYS: (1) 2-7-022:011; 015; 031 -049,"

transmitted by Miscellaneous Communication 530 (2022), dated December 20, 2022, from the Hawaii Housing Finance and Development Corporation ("HHFDC"), and introduced on December 29, 2022, reports as follows:

The purpose of Resolution 22-298 is to authorize, pursuant to Section 201H-38, Hawaii Revised Statutes ("HRS"), exemptions from certain City application fees, infrastructure or public works fees and charges, and development standards for the Kuilei Place affordable and market rate condominium project (the "Project").

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 25 2023

COMMITTEE REPORT NO. 8

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'aina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 2

## PROCESSING OF APPLICATION

Your Committee notes that this application was transmitted directly to the Council by the HHFDC and was not processed by the Department of Planning and Permitting ("DPP").

The HHFDC processed the 201H application, and transmitted to the Council the Project's requested exemptions and preliminary plans and specifications by Miscellaneous Communication 530 (2022).

## PROJECT DESCRIPTION

2599 Kapiolani LLC (the "Applicant") proposes to construct a mixed-use development consisting of a 12-story tower, a 43-story tower, and a 13-story parking structure complex on a 3.15-acre site zoned A-2 Medium Density Apartment District, located at 2599 Kapiolani Boulevard in Moiliili, and identified as Tax Map Keys (1) 2-7-022:011, 015, and 031 through 049.

As initially proposed and submitted, the Project consists of 1,005 dwelling units (148 one-bedroom, 382 two-bedroom, and 73 three-bedroom units). 603 affordable units would be offered as follows: 13 units to households earning 80 percent or below of the area median income ("AMI") for Honolulu; 28 units to households earning 90 percent or below of the AMI; 75 units to households earning 100 percent or below of the AMI; 61 units to households earning 110 percent or below of the AMI; 69 units to households earning 120 percent or below of the AMI; 182 units to households earning 130 percent or below of the AMI; and 175 units to households earning 140 percent or below of the AMI. The Project would also include 402 market-rate units and a commercial component.

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 25 2023

COMMITTEE REPORT NO. 8

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 3

The Applicant has offered to adjust the affordability levels of the for-sale units as follows: 41 units offered to households earning 80 percent or below of the AMI; 91 units offered to households earning 100 percent or below of the AMI; 219 units offered to households earning 120 percent or below of the AMI; 252 units offered to households earning 140 percent or below of the AMI; and 402 market-rate units.

As initially proposed and submitted, the Applicant would have retained the option to provide 165 of the affordable for-sale units as rental units for households earning between 80 and 100 percent of the AMI. The Applicant did not obtain financing from the HHFDC's Rental Housing Revolving Fund, so the Applicant stated that the affordable rental housing is no longer an option.

## REQUESTED EXEMPTIONS

The resolution authorizes exemptions from the payment of plan review fees, building permit fees, grading and grubbing permit fees, Honolulu Fire Department ("HFD") plan review fees, trenching permit fees, utility connection fees, private storm drain connection fees, wastewater system facility charges (attributed to 351 affordable units offered for-sale to households earning 120 percent and below of the AMI), and park dedication in-lieu fees (attributed to 351 affordable units offered for-sale to households earning 120 percent and below of the AMI).

The resolution also authorizes a deferral of the payment of water system facility and installation of water service fees; provided that all Board of Water Supply ("BWS") requirements are satisfied, with actual fees to be deferred to be determined by BWS during review of the Project's building permit application.

The resolution further authorizes exemptions from Land Use Ordinance ("LUO") development standards and requirements applicable to the A-2 District relating to

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 25 2023

COMMITTEE REPORT NO. 8



# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K. Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 4

maximum density, maximum height, height setbacks, maximum building area, and permitted uses (to allow commercial uses in the A-2 District).

In addition, the resolution authorizes an exemption from the Primary Urban Center Development Plan requirements for high-density residential mixed uses, to allow for a density of 321 units per acre.

Finally, the resolution authorizes an exemption from ROH Chapter 29, relating to the City's affordable housing requirements, to allow the Project to be developed, marketed, and sold in accordance with HHFDC affordable housing requirements.

## TESTIMONY

At your Committee's meeting on January 11, 2023, the Applicant provided a brief presentation of the Project and responded to questions from the Councilmembers.

The Applicant emphasized the critical need for moderately-priced workforce housing for local families and noted the existence of similarly-sized high-rise developments in proximity to the Project site. The Applicant committed to assisting current Project site residents who will be displaced by the Project to find alternative rental accommodations, providing significant complete streets improvements along Kapiolani Boulevard, providing new electrical vehicle charging stations, and undertaking an innovative grey-water reuse system for the Project, which may serve as a model for other developments.

The DPP Director declined to comment on the Project, stating that the Project had been processed by the HHFDC rather than by the DPP.

A Board of Water Supply representative testified in support of the resolution and offered comments.

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

**JAN 25 2023**

COMMITTEE REPORT NO. **8**

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'aina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 5

The Board of Water Supply; Housing Hawaii's Future; Pacific Resource Partnership; Hawaii Operating Engineers Industry Stabilization Fund; Hawaii Regional Council of Carpenters; and seven individuals testified in support of the Resolution. The Outdoor Circle and one individual offered comments on the Resolution.

Your Committee received written testimony in support of the Resolution from Housing Hawaii's Future; Hawaii Laborers & Employers Cooperation and Education Trust Fund; Pacific Resource Partnership; A-1 Electrician, Inc.; Hawaii Regional Council of Carpenters; Hawaii Operating Engineers Industry Stabilization Fund; the Board of Water Supply; and 477 individuals. Written testimony in opposition to the Resolution was received from the McCully-Moiliili Neighborhood Board and three individuals. The Outdoor Circle; Young Progressives Demanding Action; and one individual submitted comments on the Resolution.

## DISCUSSION OF EXEMPTIONS

In the discussion of the requested exemptions, your Committee's members agreed that the Project would be an important step towards meeting Honolulu's affordable housing goals.

## COMMITTEE AMENDMENTS

Your Committee has prepared a CD1 version of the resolution, which makes the following amendments:

- A. Amends the resolution title to read as follows:

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

JAN 25 2023

COMMITTEE REPORT NO.

8

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 6

### "AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KUILEI PLACE AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT IN MOILIILI."

- B. In the first, second, and third, WHEREAS clauses, clarifies the description of the Project, as proposed, and references Exhibits A-1 to A-3, B, C, and D-1 to D-7, which are attached to the resolution.
- C. Deletes the fourth WHEREAS clause, relating to the possible offering of 165 affordable units as rental units to households earning between 80 percent and 100 percent of the AMI (the Applicant did not obtain financing for rental units from the HHFDC's Rental Housing Revolving Fund).
- D. Adds a new fourth WHEREAS clause to provide that the Applicant has offered to modify the affordability levels of the Project's for-sale units as follows: 41 units offered to households earning 80 percent (or below) of the AMI, 91 units to households earning 100 percent (or below) of the AMI, 219 units to households earning 120 percent (or below) of the AMI, 252 units to households earning 140 percent (or below) of the AMI, and 402 units may be market-rate units.
- E. Adds a new sixth WHEREAS clause to provide that all affordable for-sale units will remain affordable for a minimum of 10 years and will be subject to the Hawaii Housing Finance and Development Corporation's ("HHFDC") buy-back and shared appreciation restrictions.
- F. In the eleventh WHEREAS clause, provides that the Council received the Project's preliminary plans and specifications on November 1, 2022, by Miscellaneous Communication 485 (2022).

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

**JAN 25 2023**

COMMITTEE REPORT NO. **8**



# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 7

- G. In the last WHEREAS clause, provides that the Project does not contravene any safety standards, tariffs, or rates and fees approved by the Public Utilities Commission or the Board of Water Supply.
- H. In the BE IT RESOLVED clause:
1. Separates the exemptions for "infrastructure and public work fees and charges" and "Board of Water Supply Rules and Regulations" from the exemptions for "application fees." Renumbers exemptions accordingly.
  2. In renumbered Exemption 6, provides for an exemption from the payment of wastewater system facility charges attributed to 351 affordable units offered for sale to households earning 120 percent and below of the AMI, estimated at \$1,625,551; and the deferral until the issuance of a certificate of occupancy for the Project of payment of wastewater system facility charges attributed to 654 Project units offered to households earning more than 120 percent of the AMI, estimated at \$3,028,674 (instead of an exemption from the payment of wastewater charges for all 1,005 Project units, estimated at \$4,654,356).
  3. In renumbered Exemption 9, provides for a deferral (instead of an exemption) from the payment of Board of Water Supply ("BWS") water system facility and installation of water service fees, estimated at \$3,031,328; provided that all BWS requirements are satisfied (the BWS will determine the actual fees to be deferred during review of the Project's building permit application).

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 25 2023

COMMITTEE REPORT NO. 8

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 8

4. In Exemption 10, provides for an exemption from the payment of park dedication requirements attributed to 351 affordable units offered for sale to households earning 120 percent and below of the AMI, totaling 38,610 square feet of park space or payment of an equivalent in-lieu fee estimated at \$8,108,100 (instead of 110,550 square feet of park space or an equivalent in-lieu fee estimated at \$23,215,500 for all Project units)
5. In Exemption 12, relating to maximum height, provides for a maximum height of up to 400 feet for the Project's makai tower (instead of 150 feet), and adds that rooftop structures must conform to LUO Section 21-4.60(c).
6. In Exemption 13, relating to height setbacks, provides that the Project may provide for no height setbacks (instead of above 40 feet, an additional 1-foot setback for each additional 10 feet of height).
7. In Exemption 14, relating to maximum building area, clarifies that the maximum building area is 56 percent of the total zoning lot area (instead of 40 percent of the total zoning lot area).
8. In Exemption 15, relating to permitted uses, clarifies that the Project may include up to 7,211 square feet of commercial use (commercial uses are not permitted in the A-2 District).
9. In Exemption 16, provides for an exemption from Section 3.2.2.3 of the Primary Urban Center Development Plan, to allow for a density of up to 321 dwelling units per acre (instead of up to 140 dwelling units per acre).

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

**JAN 25 2023**

COMMITTEE REPORT NO. **8**



# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 9

10. Adds a new Exemption 17 to provide an exemption from ROH Chapter 29, relating to the City's affordable housing requirements, to allow the Project to be developed, marketed, and sold in accordance with HHFDC affordable housing requirements.
- I. Adds a new first BE IT FURTHER RESOLVED clause to add the following conditions of approval:
  1. The Project must comply with the following affordability requirements: 41 units must be offered to households earning 80 percent (or below) of the AMI, 91 units must be offered to households earning 100 percent (or below) of the AMI, 219 units must be offered to households earning 120 percent (or below) of the AMI, 252 units must be offered to households earning 140 percent (or below) of the AMI, and 402 units may be market-rate units.
  2. Except for the exemptions from certain City application fees, infrastructure or public works fees and charges, and development standards provided in the resolution, the Project must comply with all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; including but not limited to right-of-way improvement requirements and bicycle parking space requirements.
  3. Prior to the issuance of any building permits for the Project, the Applicant is required to submit to the Department of Planning and Permitting ("DPP") for its review and approval: a timeline or phasing plan, a construction management plan ("CMP"), and traffic management plan ("TMP").

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 25 2023

COMMITTEE REPORT NO. 8

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'aina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 10

4. Approximately one year after the issuance of the certificate of occupancy for the Project, the Applicant is required to submit to the DPP for review and approval an update to the initial traffic impact analysis ("TIA").
  5. The Applicant is required to construct the section of the proposed Kapiolani Boulevard Tier 1 Walkway project fronting the Project site.
  6. All Project sidewalks and sidewalks fronting the Project site must have a minimum of 6 to 8 feet of clear zone separate from the furniture, utilities, and landscaping area.
  7. The Applicant is required to make a contribution for complete streets improvements as recommended by the initial TIA.
  8. All Project driveways or streetscape improvements must be designed to minimize potential conflict between vehicles and bicyclists using the Priority 1 Protected Bicycle Lane located on Kapiolani Boulevard fronting the Project site.
- J. In the third BE IT FURTHER RESOLVED clause, provides that the resolution is null and void unless construction of the Project commences no later than 24 months after the effective date of the resolution, and deletes any discretionary approval of an extension of time by the DPP Director (Council approval is required for any requested extension of time).
- K. Makes miscellaneous technical and nonsubstantive amendments.

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 25 2023

COMMITTEE REPORT NO. 8

# REPORT OF THE COMMITTEE ON ZONING

## Voting Members:

Calvin K.Y. Say, Chair; Tyler Dos Santos-Tam, Vice-Chair;  
Radiant Cordero, Esther Kia'āina, Matt Weyer

---

Committee Meeting Held  
January 11, 2023  
Page 11

## COMMITTEE FINDINGS AND RECOMMENDATIONS

Your Committee finds that the housing benefits to be provided by the Project justify the exemptions and deferrals authorized by this Resolution, as amended in the attached CD1. Accordingly, your Committee recommends favorable Council action on this Resolution, as amended.

Your Committee on Zoning is in accord with the intent and purpose of Resolution 22-298, as amended herein, and recommends its adoption in the form attached hereto as Resolution 22-298, CD1 (Ayes: Cordero, Dos Santos-Tam, Kia'āina, Say, and Weyer; Noes: None.)

Respectfully submitted,

  
Committee Chair

At the 1/25/23 Council meeting, the Resolution was further amended and subsequently adopted as Resolution 22-298, CD1, FD1.

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

**JAN 25 2023**

COMMITTEE REPORT NO. **8**





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-298, CD1

## RESOLUTION

---

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KUILEI PLACE AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT IN MOILIILI.

WHEREAS, 2599 Kapiolani, LLC (the "Applicant"), with the approval of the Hawaii Housing Finance and Development Corporation ("HHFDC") proposes to develop Kuilei Place, a mixed-use project consisting of a 12-story mid-rise tower, 43-story high-rise tower, and 13-story parking structure complex on 3.15 acres of land located at 2599 Kapiolani Boulevard in the Moiliili District of Central Honolulu, Oahu, identified as Tax Map Keys (1) 2-7-022:011; 015; and 031 through 049, as depicted in Exhibits A-1 to A-3, B, C, and D-1 to D-7, attached hereto and made a part hereof (the "Project"); and

WHEREAS, the two proposed towers will contain a total of 1,005 for-sale residential units, of which 603 units (60 percent of the total units) will be offered to households earning between 80 percent and 140 percent or below the U.S. Department of Housing and Urban Development Area Median Income ("AMI") for Honolulu; and 402 units (40 percent of the total units) will be market-rate units offered to households earning an approximate average 180 percent of the AMI; and

WHEREAS, as proposed, the Project's affordable units will be offered for sale as follows: 13 units to households earning 80 percent of the AMI; 28 units to households earning 90 percent of the AMI; 75 units to households earning 100 percent of the AMI; 61 units to households earning 110 percent of the AMI; 69 units to households earning 120 percent of the AMI; 182 units to households earning 130 percent of the AMI; and 175 units to households earning 140 percent of the AMI; and

WHEREAS, the Applicant has offered to modify the affordability levels of the Project's for-sale units as follows: 41 units offered to households earning 80 percent (or below) of the AMI, 91 units to households earning 100 percent (or below) of the AMI, 219 units to households earning 120 percent (or below) of the AMI, 252 units to households earning 140 percent (or below) of the AMI, and 402 units may be market-rate units; and

WHEREAS, the Project's affordable units will consist of 148 one-bedroom units, 382 two-bedroom units, and 73 three-bedroom units; and

WHEREAS, all affordable for-sale units will remain affordable for a minimum of 10 years and will be subject to the HHFDC's buy-back and shared appreciation restrictions; and



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-298, CD1

## RESOLUTION

---

WHEREAS, as proposed, the Project will also provide 1.16 acres (37 percent of the total Project site area) of open, at-grade resident recreation space; 7,211 square feet of street level, storefront commercial space fronting Kapiolani Boulevard; a parking structure accommodating 1,670 parking spaces and seven loading spaces; and long-term and short-term bicycle parking spaces; and

WHEREAS, the Project will help address the critical need for affordably priced housing within Central Honolulu's urban core in convenient proximity to a comprehensive range of educational facilities, employment centers, and multiple shopping, dining, and family services opportunities; and

WHEREAS, on October 13, 2022, the HHFDC Board of Directors approved the Project with its proposed exemptions; and

WHEREAS, the City Council is empowered and authorized to approve the Project, which may include exemptions from statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivision, development and improvement of the land, and the construction of units thereon pursuant to Section 201H-38, Hawaii Revised Statutes ("HRS"); and

WHEREAS, the Council has reviewed the preliminary plans and specifications for the Project dated May 17, 2022 and February 2022, respectively, prepared by Design Partners, Inc., and submitted to the Council by the HHFDC on November 1, 2022, by Miscellaneous Communication 485 (2022); and

WHEREAS, the Project is consistent with the housing and community development goals and objectives of the City; and

WHEREAS, the granting of the exemptions is necessary for the timely and successful implementation of the Project; and

WHEREAS, the requested exemptions meet minimum requirements of health and safety; and

WHEREAS, the Project does not contravene any safety standards, tariffs, or rates and fees approved by the Public Utilities Commission or the Board of Water Supply; now, therefore,

BE IT RESOLVED by the City Council of the City and County of Honolulu that it approves the Project, which approval includes exemptions from certain requirements for the Project, as follows:



## **RESOLUTION**

---

### Application Fees

1. Exemption from § 18-6.2, Revised Ordinances of Honolulu 2021 ("ROH"), to allow an exemption from the payment of building permit fees, estimated at \$1,948,300.
2. Exemption from ROH § 18-6.1, to allow an exemption from the payment of plan review fees, estimated at \$389,660.
3. Exemption from ROH § 18A-2.4, to allow an exemption from the payment of grading, grubbing, and stockpiling fees, estimated at \$40,000.
4. Exemption from ROH § 14-2.1(c), to allow an exemption from the payment of trenching permit fees, estimated at \$30,000.
5. Exemption from ROH § 14-2.1(c), to allow an exemption from the payment of utility connection fees, estimated at \$10,000.

### Infrastructure and Public Works Fees and Charges

6. Exemption from ROH § 43-10.1, § 43-10.2, and § 43-10.3, to allow an exemption from the payment of wastewater system facility charges attributed to 351 affordable units offered for sale to households earning 120 percent and below of the AMI, estimated at \$1,625,551; and to allow the deferral until the issuance of a certificate of occupancy for the Project of the payment of wastewater system facility charges attributed to 654 Project units offered to households earning more than 120 percent of the AMI, estimated at \$3,028,674.
7. Exemption from ROH § 43-11.12(f), to allow an exemption from the payment of private storm drain connection fees, estimated at \$10,000.

### Fire Department Plan Review Fees

8. Exemption from ROH § 20-1.1, Item 3, to allow an exemption from the payment of Honolulu Fire Department plan review fees, estimated at \$194,830.

### Board of Water Supply Rules and Regulations:

9. Deferral from Sections 1-102, 2-202(2), and 2-202(3) of the Board of Water Supply Rules and Regulations, to allow a deferral of the payment of water system facility and installation of water service fees, estimated at \$3,031,328;





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-298, CD1

## RESOLUTION

---

provided that all Board of Water Supply requirements are satisfied. The actual fees to be deferred will be determined by the Board of Water Supply during review of the Project's building permit application.

### Park Dedication Ordinance Requirements

10. Exemption from ROH Chapter 22, Article 7, to allow exemption from park dedication requirements attributed to 351 affordable units offered for sale to households earning 120 and below of the AMI, totaling 38,610 square feet of park space or payment of an equivalent in-lieu fee estimated at \$8,108,100 (instead of 110,550 square feet of park space or an equivalent in-lieu fee estimated at \$23,215,500 for all Project units).

### Land Use Ordinance ("LUO")

11. Exemption from LUO § 21-3.80-1(b) and Table 21-3.3, relating to maximum density, to allow for a maximum floor area ratio ("FAR") of 8.5 (instead of an FAR of 1.9).
12. Exemption from LUO § 21-3.80-1(b), Table 21-3.3, and the applicable zoning map relating to maximum height, to allow for a maximum building height of 400 feet for the Project's makai tower (instead of 150 feet). Rooftop structures must conform to LUO § 21-4.60(c).
13. Exemption from LUO § 21-3.80-1(c)(3) and Table 21-3.3, relating to height setbacks, to allow for no height setbacks – the Project will encroach into all required setbacks (above 40 feet, an additional 1-foot setback for each additional 10 feet of height).
14. Exemption from LUO § 21-3.80-1(b) and Table 21.3.3, relating to maximum building area, to allow a maximum building area of 56 percent of the total zoning lot area (76,594 square feet) (instead of 40 percent of the total zoning lot area).
15. Exemption from LUO § 21-3.80-1(a) and Table 21.3.3, relating to permitted uses in the A-2 Medium Density Apartment zoning district, to allow for up to 7,211 square feet of commercial use in the A-2 District (commercial uses are not permitted in the A-2 District).
16. Exemption from Section 3.2.2.3 of the Primary Urban Center Development Plan, relating to density for high-density residential mixed uses, to allow for a density of up to 321 dwelling units per acre (instead of up to 140 dwelling units per acre).



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-298, CD1

## RESOLUTION

### City and County of Honolulu Affordable Housing Requirements

17. Exemption from ROH Chapter 29, relating to the City and County of Honolulu's affordable housing requirements, to allow the Project to be developed, marketed, and sold in accordance with HHFDC affordable housing requirements, including pursuant to HRS § 201H-47, § 201H-49, and § 201H-50; and

BE IT FURTHER RESOLVED that the Project is approved subject to the following conditions:

- A. The Project must comply with the following affordability requirements: 41 units must be offered to households earning 80 percent (or below) of the AMI, 91 units must be offered to households earning 100 percent (or below) of the AMI, 219 units must be offered to households earning 120 percent (or below) of the AMI, 252 units must be offered to households earning 140 percent (or below) of the AMI, and 402 units may be market-rate units.
- B. Except for the exemptions from certain City application fees, infrastructure or public works fees and charges, and development standards provided herein, the Project must comply with all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; including but not limited to right-of-way improvement requirements and bicycle parking space requirements.
- C. Prior to the issuance of any building permits for the Project, the Applicant shall submit to the Department of Planning and Permitting ("DPP") for its review and approval:
1. A time line or phasing of the anticipated dates to obtain major building permits for demolition and construction work, including the projected date of occupancy, in a format acceptable to the DPP. The time line should identify when the construction management plan ("CMP") and traffic management plan ("TMP") will be submitted to the DPP for its review and approval.
  2. A CMP that identifies the type, frequency, and routing of heavy trucks and construction-related vehicles. The Applicant shall make every effort to minimize impacts from construction vehicles and related construction activities. The CMP must identify and limit construction-related vehicular activity to periods outside of the peak traffic hours using alternative routes for heavy trucks, provisions for either onsite or offsite staging areas for



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-298, CD1

## RESOLUTION

---

construction-related workers and vehicles to limit the use of on-street parking around the Project site, and other mitigation measures related to traffic and potential neighborhood impacts. The CMP must also include plans for all work within or affecting public streets and preliminary or conceptual traffic control plans. The Applicant shall document the condition of roadways prior to the start of construction activities and provide remedial measures, as necessary, such as restriping, road resurfacing or roadway reconstruction if the condition of the roadways has deteriorated as a result of the construction-related activities.

3. A TMP that includes traffic demand management ("TDM") strategies to minimize the number of vehicular trips for daily activities. TDM strategies may include carpooling and ride sharing programs; transit, bicycle, and pedestrian incentives; and other similar TDM strategies. The TMP must include a pedestrian circulation plan that provides accessibility and connectivity to the surrounding public sidewalks, and includes a determination of effective sidewalk widths taking into account City complete streets initiatives. A post TMP will be required approximately one year after the issuance of the Project's certificate of occupancy ("CO") to validate the relative effectiveness of the various TDM strategies identified in the initial TMP. An annual TDM compliance report will be required for the first five years following the issuance of the Project's CO.
- D. Approximately one year after the issuance of the certificate of occupancy for the Project, the Applicant shall submit to the DPP for review and approval an update to the initial traffic impact analysis ("TIA") (dated March 2022, and prepared by Wilson Okamoto Corporation) to validate the traffic projections, distribution, and assignment contained in the initial TIA. If the updated TIA recommends additional traffic mitigation measures or modifications to address traffic impacts directly attributable to the Project, the Applicant shall implement the updated TIA recommendations. If the updated TIA is inconclusive, a second updated TIA may be required one year after the date of the updated TIAR, as the DPP Director determines is necessary.
- E. The Applicant shall construct the section of the proposed Kapiolani Boulevard Tier 1 Walkway project fronting the Project site.
- F. All Project sidewalks and sidewalks fronting the Project site must have a minimum of 6 to 8 feet of clear zone separate from the furniture, utilities, and landscaping area.





## RESOLUTION

---

- G. The Applicant shall make a contribution for complete streets improvements as recommended by the initial TIA.
- H. All Project driveways or streetscape improvements must be designed to minimize potential conflict between vehicles and bicyclists using the Priority 1 Protected Bicycle Lane located on Kapiolani Boulevard fronting the Project site; and

BE IT FURTHER RESOLVED that as used in this Resolution:

- 1. References to HHFDC include any successor agency; and
- 2. References to specific statutes, ordinances, or regulations include any respective successor statutes, ordinances or regulations; and

BE IT FURTHER RESOLVED that this resolution is null and void unless construction of the Project commences no later than 24 months after the effective date of this resolution; and

BE IT FURTHER RESOLVED that the exemptions granted for this Project are not transferrable to any other real property; and

BE IT FURTHER RESOLVED that the final plans and specifications for the Project constitute the zoning, building, construction, and subdivision standards for the Project, and are approved if those plans and specifications do not substantially deviate from the preliminary plans and specifications submitted to the Council; provided that minor modifications to the design character of the building or landscaping may be approved by the HHFDC if such modifications are consistent with the prevailing neighborhood character; and

BE IT FURTHER RESOLVED that no action may be prosecuted or maintained against the City and County of Honolulu, its officials or employees, on account of the actions taken by them in reviewing or approving the plans and specifications, or in granting the exemptions listed herein; and



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-298, CD1

## RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Hawaii Housing Finance and Development Corporation, 677 Queen Street, Suite 300, Honolulu, Hawaii 96813, and 2599 Kapiolani, LLC, Waikiki Business Plaza, 2270 Kalakaua Avenue, Suite 1788, Honolulu, Hawaii 96815.

INTRODUCED BY:

Tommy Waters (br)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

December 29, 2022  
Honolulu, Hawaii

Councilmembers

Google Maps  
2601 Kapiolani Blvd  
Kuliei Place



EXHIBIT A-1





EXHIBIT A-2

## VICINITY MAP

KUILEI PLACE

Address: 2601 KAPIOLANI BLVD  
HONOLULU HI 96826

Project Number: 21046 | Date: 5/17/2022



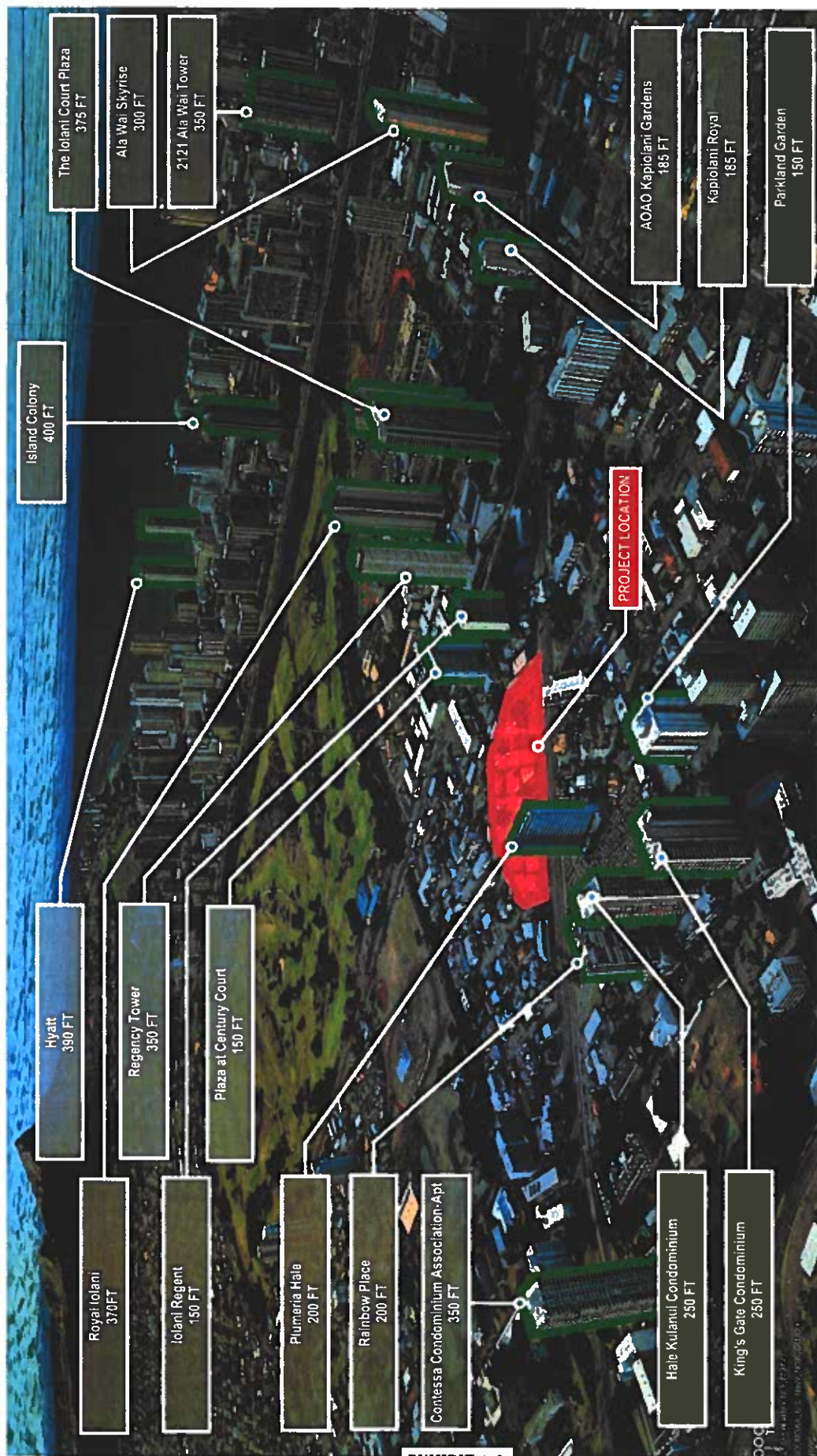


EXHIBIT A-3

## EXISTING SURROUNDING BUILDING HEIGHTS

KUILEI PLACE

Scale:

Address: 2601 KAPOLANI BLVD  
HONOLULU, HI 96826

Project Number: 21046 | Date: 5/17/2022

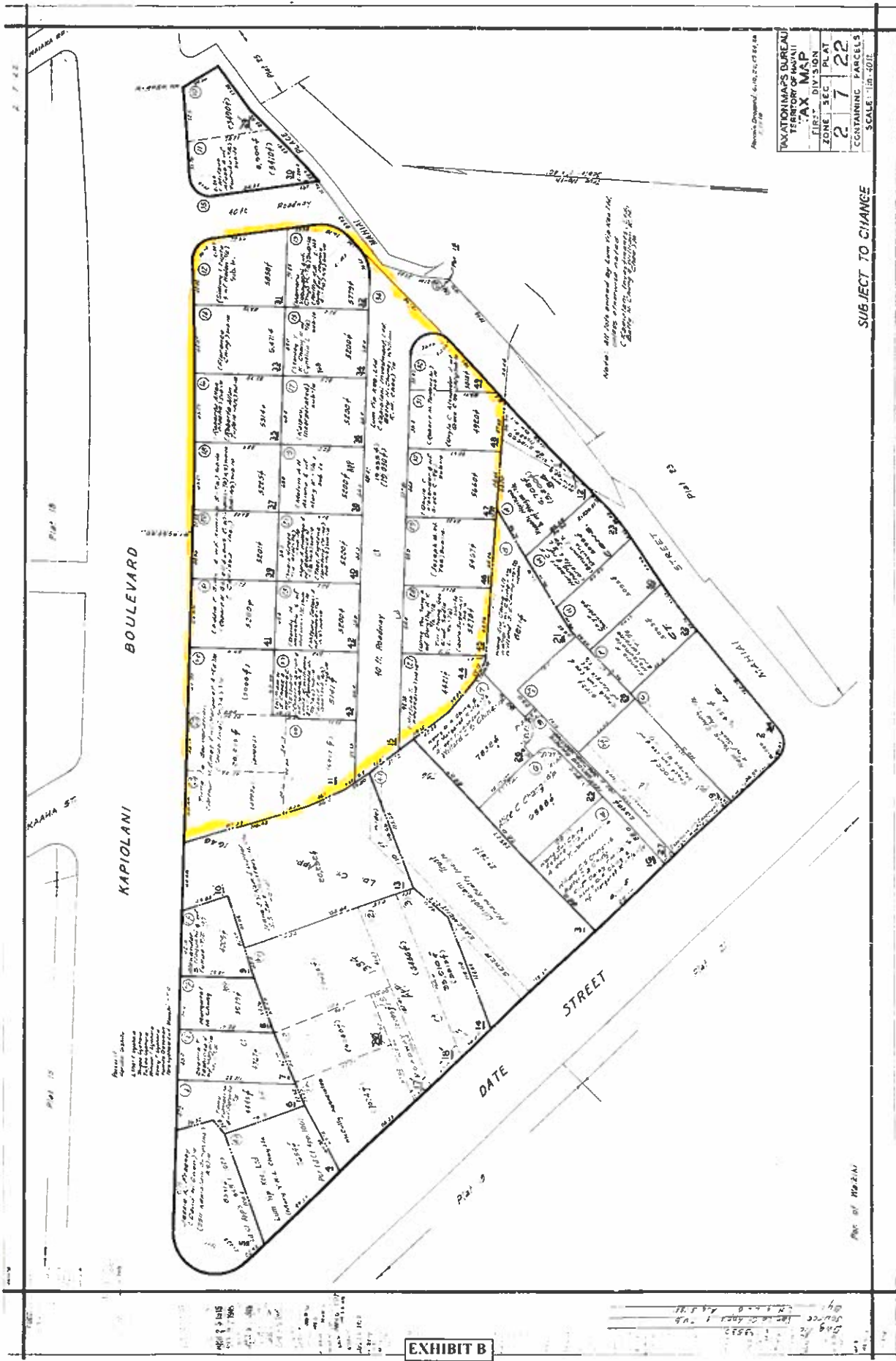
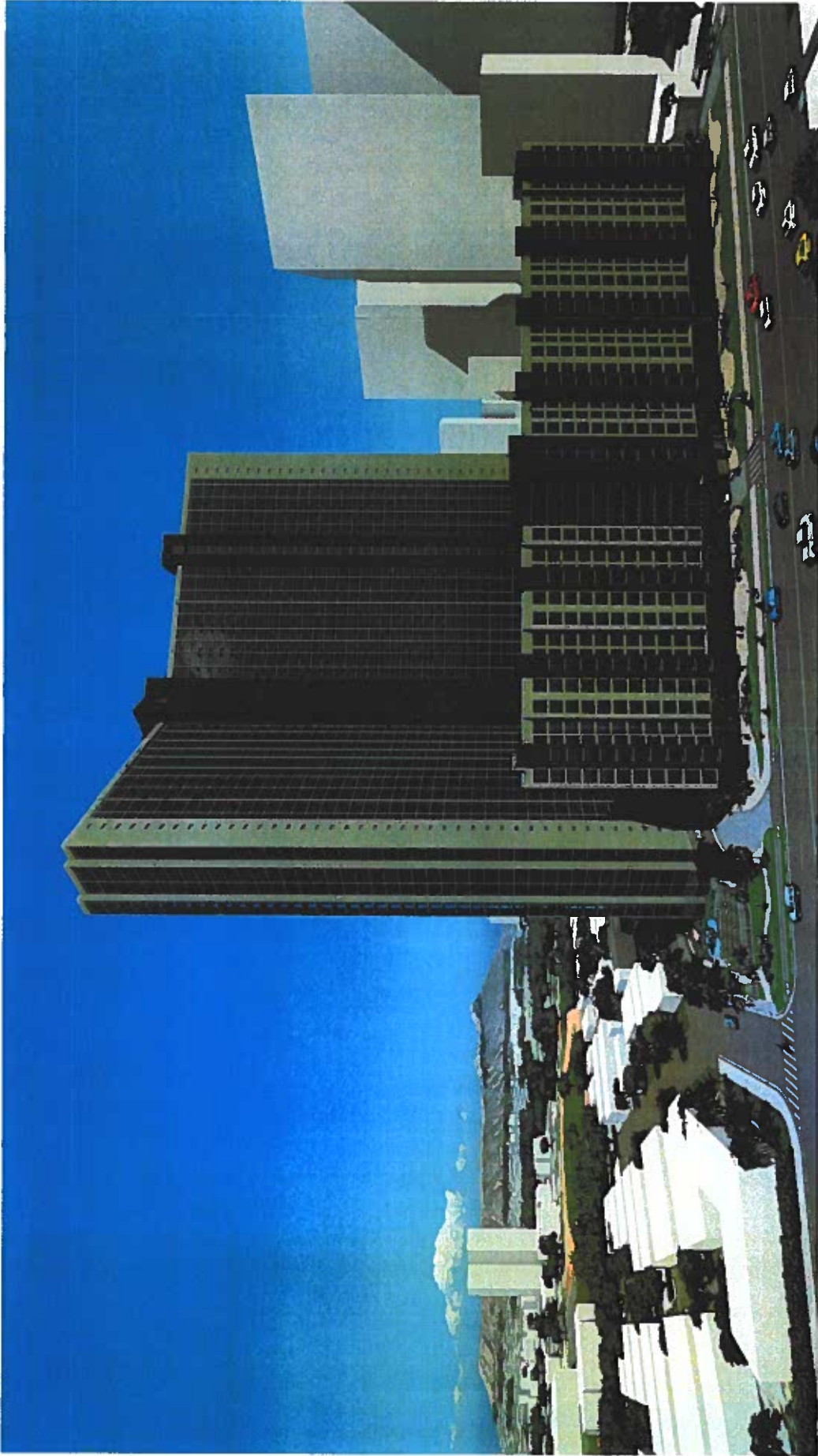


EXHIBIT B





## 3D VIEW

KUILEI PLACE

Scale:

Address: 2601 KAPIOLANI BLVD  
HONOLULU, HI 96826

Project Number: 21046 | Date: 5/17/2022

## EXHIBIT C





KAPIOLANI BLVD



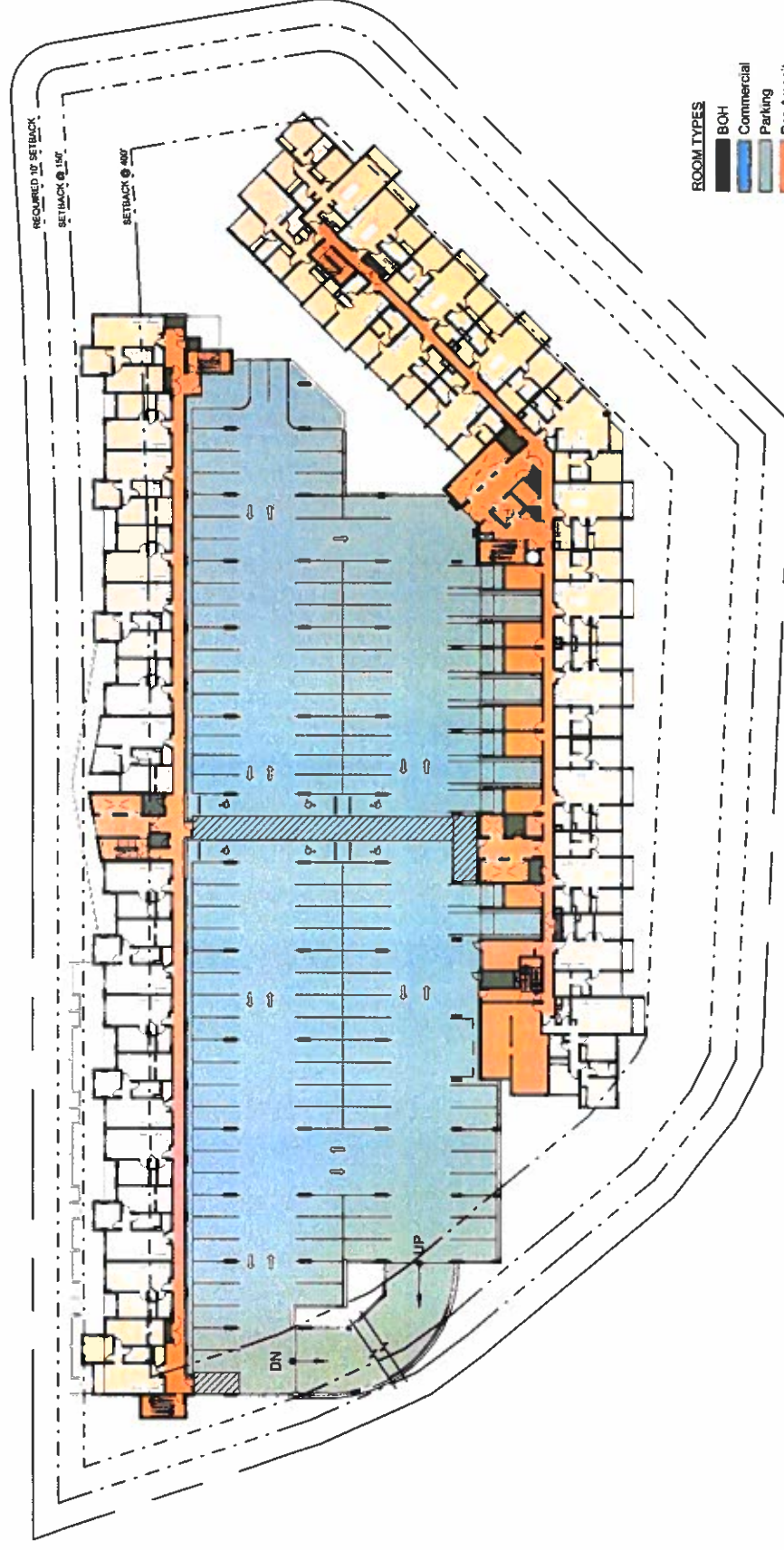
EXHIBIT D-2

## FIRST FLOOR PLAN

KULEI PLACE  
Address: 2601 KAPIOLANI BLVD  
HONOLULU HI 96826

Scale: 1" = 40'-0"

Project Number: 21046 | Date: 5/17/2022



- ROOM TYPES**
- BOH
  - Commercial
  - Parking
  - Res Amenity
  - Residential



PLAN  
NORTH

EXHIBIT D-3

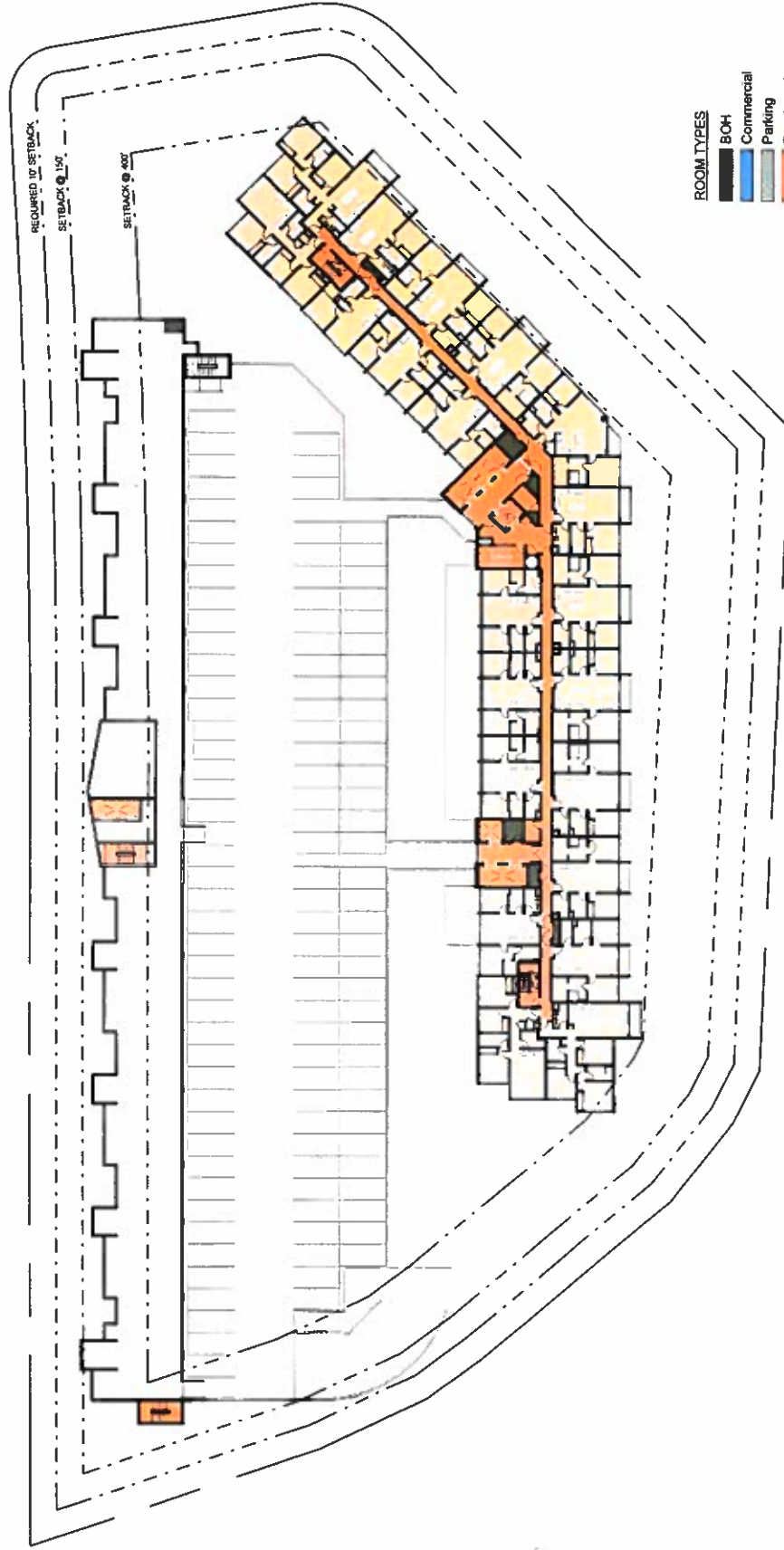
## 2ND THROUGH 12TH FLOOR PLAN

KUILEI PLACE | Address: 2601 KAPOLANI BLVD | Project Number: 21046 | Date: 5/17/2022  
HONOLULU, HI 96826

Scale: 1" = 40'-0"







ROOM TYPES  
 BOH  
 Commercial  
 Parking  
 Res Amenity  
 Residential

PLAN  
 NORTH



EXHIBIT D-4

## 13TH FLOOR PLAN

KUILEI PLACE  
 Address: 2601 KAPOLANI BLVD  
 HONOLULU HI 96825

Scale: 1" = 40'-0"

Project Number: 21046 | Date: 5/17/2022

DESIGN PARTNERS  
 INCORPORATED

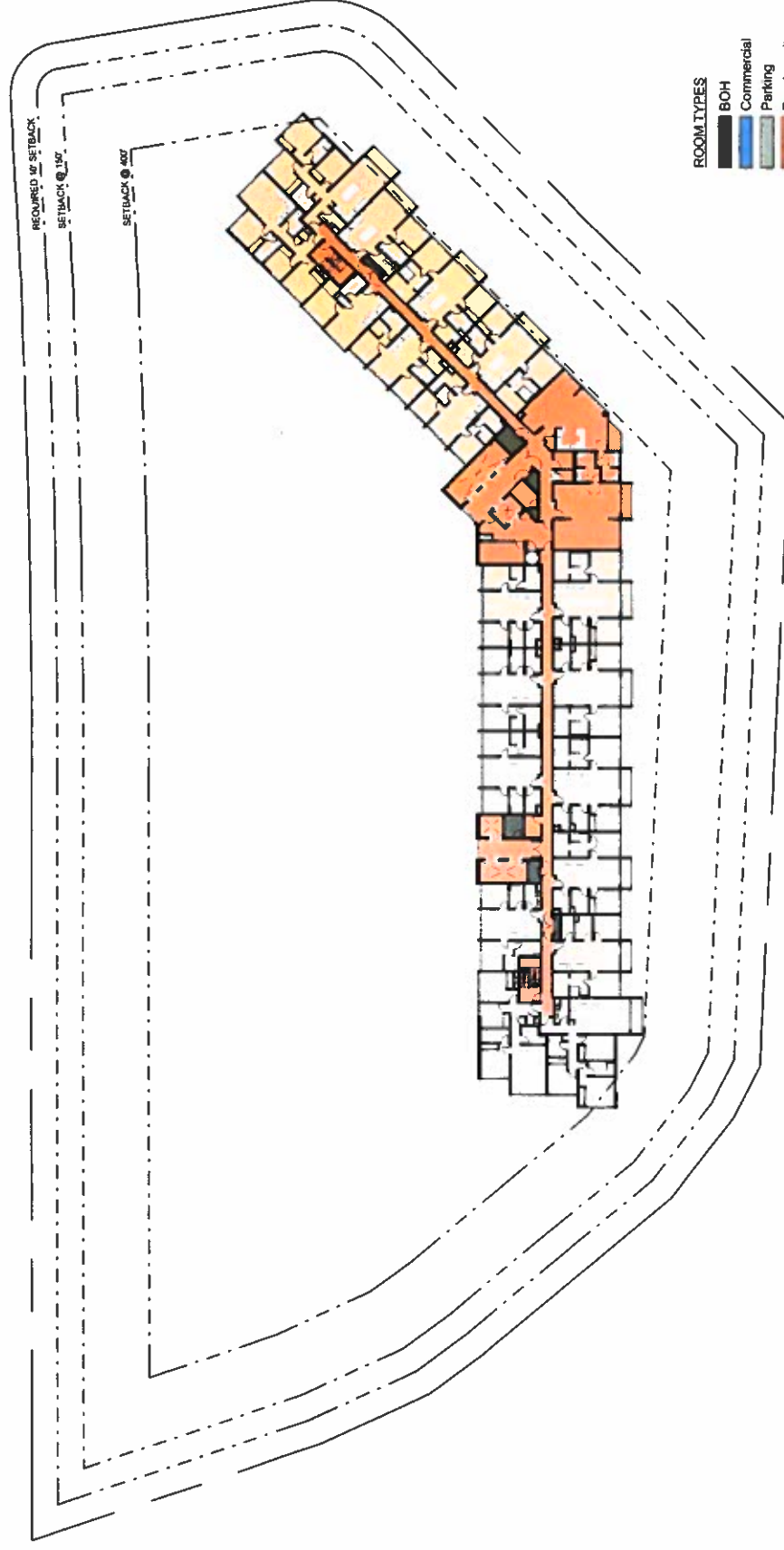


EXHIBIT D-5

# 43RD FLOOR PLAN

KUILEI PLACE  
 2501 KAPIOLANI BLVD  
 HONOLULU, HI 96826

Scale: 1" = 40'-0"

Project Number: 21046 | Date: 5/17/2022

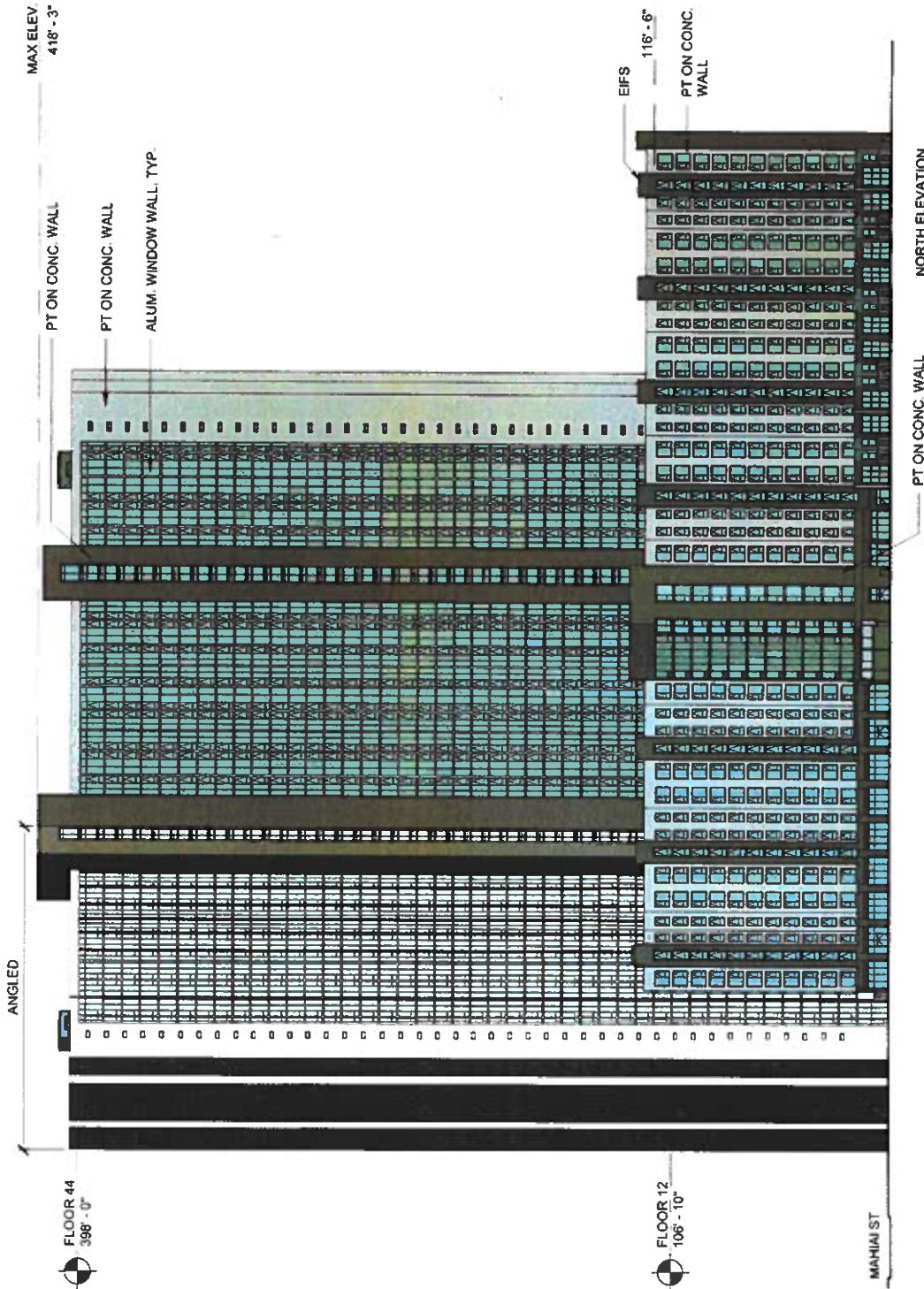


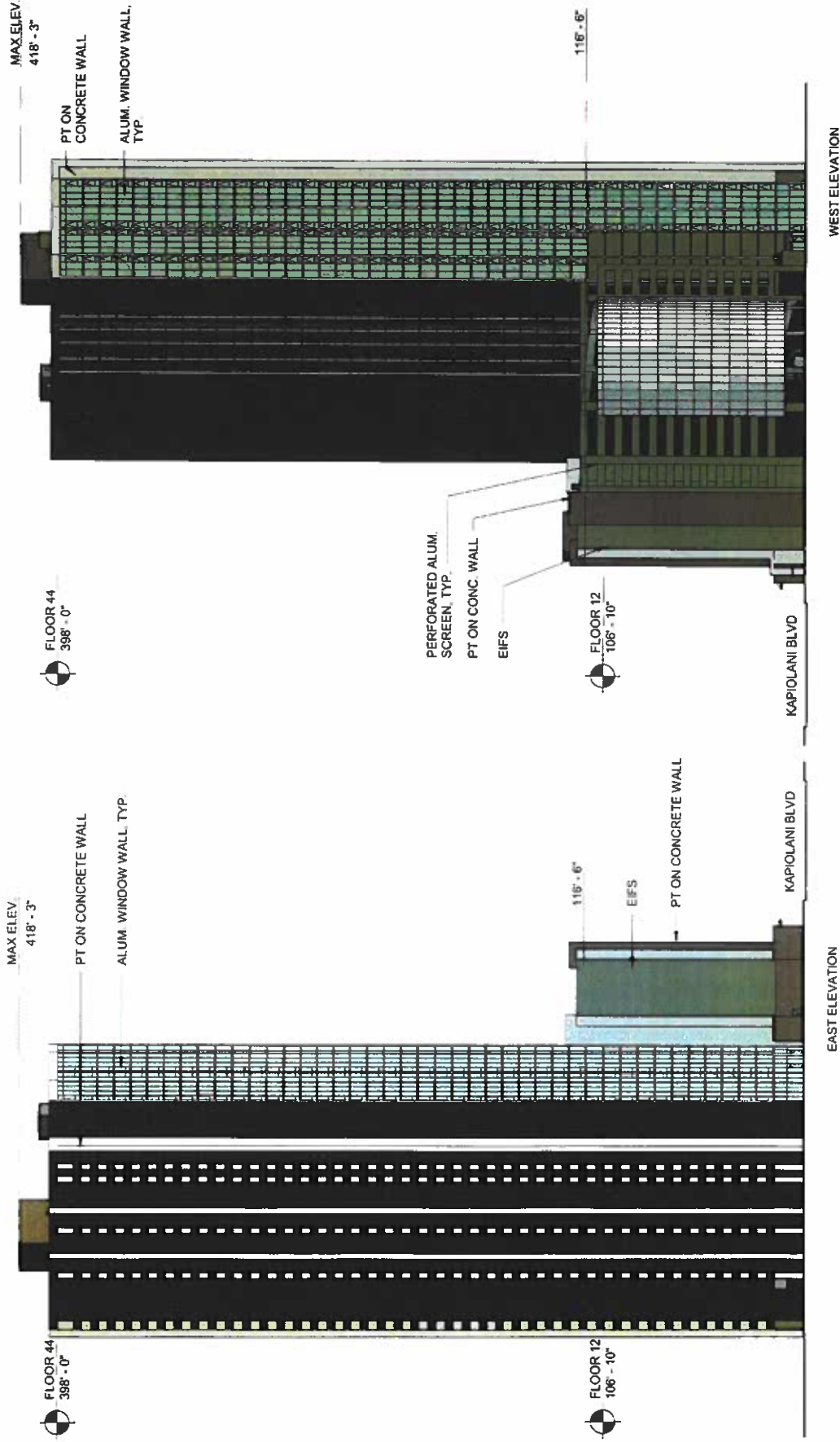
EXHIBIT D-6

# BUILDING ELEVATIONS

KUILEI PLACE  
 Address: 2601 KAPIOLANI BLVD  
 HONOLULU, HI 96826  
 Scale: 1" = 50'-0"

Project Number: 21046 | Date: 5/17/2022





WEST ELEVATION

EAST ELEVATION

EXHIBIT D-7



# BUILDING ELEVATIONS

KUILEI PLACE | Address: 2601 KAPIOLANI BLVD  
HONOLULU, HI 96826

Project Number: 21046 | Date: 5/17/2022

Scale: 1" = 50'-0"