



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 23 - 83

RESOLUTION

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE 690 POHUKAINA AFFORDABLE RENTAL AND MIXED-USE PROJECT LOCATED AT 690 POHUKAINA STREET, HONOLULU, HAWAII 96813, TAX MAP KEY: (1) 2-1-051: 041.

WHEREAS, Highridge Costa Development Company, LLC (the "Applicant"), with co-developer Form Partners, LLC, with the approval of the Hawaii Housing Finance and Development Corporation ("HHFDC"), proposes to develop 690 Pohukaina, a high-rise project on a 1.52-acre portion of a 2.17-acre site located at 690 Pohukaina Street in Kakaako, Honolulu, Oahu, identified as Tax Map Key (1) 2-1-051: 041 (the "Project"); and

WHEREAS, as proposed, the Project will contain 625 dwelling units (consisting of 173 studio units, 287 one-bedroom units, 144 two-bedroom units, and 21 three-bedroom units); and

WHEREAS, as proposed, all dwelling units (except for four manager's units) will be rented to households earning 120 percent and below of the area median income for Honolulu, as determined by the U.S. Department of Housing and Urban Development (the "AMI") (21 units at 30 percent or below the AMI, 21 units at 50 percent or below the AMI, 151 units at 60 percent or below the AMI, 86 units at 80 percent or below the AMI, 342 units at 120 percent or below the AMI, and 4 manager's units); and

WHEREAS, all units (except for four manager's units) will remain affordable for the duration of the 75-year ground lease from HHFDC; and

WHEREAS, the Project will also provide a parking structure accommodating approximately 870 parking spaces (of which 760 will be utilized by the Project and 110 will be retained by HHFDC for future use by the Department of Education or others), short-term and long-term bicycle parking spaces, recreational amenities for residents, commercial spaces on the ground floor, and common areas and circulation space; and

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

WHEREAS, on April 13, 2023, the HHFDC Board of Directors approved the Project with its proposed exemptions, including those certain exemptions from the Hawaii Community Development Authority's ("HCDA") Mauka Area Rules (Hawaii



RESOLUTION

Administrative Rules 15-217) and the Kakaako Reserved Housing Rules (Hawaii Administrative Rules 15-218) (collectively, the "HCDA Rules") as listed therein; and

WHEREAS, the City Council ("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 land, and the construction of dwelling 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 March 28, 2023, prepared by SVA Architects, Inc., and submitted to the Council by HHFDC on April 26, 2023; 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 Council of the City and County of Honolulu that it approves the Project, which approval includes, but is not limited to, the exemptions from certain requirements for the Project, as follows:

Application Fees

1. Exemption from Revised Ordinances of Honolulu 2021 ("ROH") § 18-6.1, to allow an exemption from the payment of plan review fees, estimated at \$25,000;
2. Exemption from ROH § 18-6.2, to allow an exemption from the payment of building permit fees, estimated at \$1,084,300;
3. Exemption from ROH § 18A-2.4 to allow an exemption from the payment of grading and grubbing permit fees, estimated at \$1,165 and \$890, respectively;



RESOLUTION

Infrastructure and Public Works Fees and Charges

4. 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, estimated at \$2,917,656;

Fire Department Plan Review Fees

5. Exemption from ROH § 20-1.1, to allow an exemption from the payment of Honolulu Fire Department Plan Review Fees, estimated at \$108,430;

Board of Water Supply Rules and Regulations

6. Exemption from § 1-102, § 2-202(2), and § 2-202(3) of the Board of Water Supply Rules and Regulations, to allow an exemption from the payment of BWS installation and water facilities charges, estimated at \$3,265,920;

City and County of Honolulu's Affordable Housing Requirements

7. Exemption from ROH Chapter 32, to allow an exemption from City's affordable rental housing requirements. The Project will follow the affordable rental housing requirements of HHFDC for § 201H-38, HRS projects; and

BE IT FURTHER RESOLVED that as approved, the Project contains the exemptions from the HCDA Rules as listed in the For Action approved by HHFDC's Board of Directors on April 13, 2023; and

BE IT FURTHER RESOLVED that as used in this Resolution:

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

BE IT FURTHER RESOLVED that this resolution is void unless construction of the Project commences no later than 48 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



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No. 23-83

RESOLUTION

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 or specifications of the building or landscaping may be approved by 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 its 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

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 Highridge Costa Development Company, LLC, 330 W. Victoria Street, Gardena, CA 90248.

INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

APR 27 2023

Honolulu, Hawai'i

Councilmembers