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DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU
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May 26, 2023

2023/SMA-7 (MAK)

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
New Single-Family Dwelling
1001 Kaimoku Place – Waiʻalae
Tax Map Key 3-5-058: 011

Enclosed for your consideration are the Department of Planning and Permitting's (DPP) Report and Recommendation, Draft Resolution, written testimony from the public, and the public hearing transcript for the SMA Use Permit application for a new single-family dwelling in the Waiʻalae 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, protected species, and public beach and shoreline preservation.

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.

DEPT. COM. 351

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

Very truly yours,

Dawn Takeuchi Apuna
Director

Enclosure: DPP Report and Recommendation
Exhibits A through I
Draft Resolution
Written Testimony
Public Hearing Transcripts

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

BY

DAVID KIM

FOR A

SPECIAL MANAGEMENT AREA
(SMA) USE PERMIT

File No. 2023/SMA-7 (MAK)

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND RECOMMENDATION

I. APPLICATION

A. Basic Information:

LANDOWNER/ APPLICANT:	David Kim
AGENT:	Eiserloh Architects (Kristan Eiserloh)
LOCATION:	1001 Kaimoku Place – Waiʻalae (Exhibit A)
TAX MAP KEY:	3-5-058: 011
ZONING:	R-7.5 Residential District (Exhibit B)
STATE LAND USE:	Urban
DEVELOPMENT PLAN:	East Honolulu

B. Proposal: The Applicant seeks an SMA Use Permit to allow the demolition of the existing single-family dwelling, and the construction of a new two-story, 17,038-square-foot (sq. ft.) single-family dwelling, including a driveway, three-car garage, swimming pool, and landscaping on the subject property in the Kai Nani neighborhood of Waiʻalae (see Exhibit A and Exhibits C-1 through C-7). The proposed work will also include decommissioning the existing swimming pool within the shoreline setback area by punching holes into the bottom of it and backfilling it with earthen materials excavated from the new swimming pool.

Besides backfilling the existing swimming pool, no work is proposed to the other features within the shoreline setback area, including the walkways, patio, and fountains. Further, the existing security wall surrounding the property and existing retaining wall sections will remain unchanged. There are no proposed changes to the existing seawall and boulder revetment. The Project will cost approximately $5,000,000 and construction will take approximately two years to complete.

C. Background: The subject site is developed with a seawall and boulder revetment (see Exhibits E and F). According to Department of Planning and Permitting (DPP) records the seawall was legally established under Variance No. 67/Z-76 and Building Permit (BP) No. 45637. Additionally, the variance also authorized the existing swimming pool to encroach within the zone of wave action. The boulder revetment was authorized by the State Department of Transportation during the creation of the subdivision and spans along the shoreline of multiple oceanfront properties. However, during the 2019 shoreline survey, it was discovered that the boulder revetment encroaches into the State Lands seaward of the site and that there was an outstanding issue regarding the issuance of an easement for the site (see Exhibit F). On April 10, 1964, the developer of the Kai-Nani subdivision requested approval from the Board of Land and Natural Resources (BLNR) to construct the subject beach protection structure. According to the 1964 submittal, the requested construction right-of-entry permit was planned to be in place while the processing of an easement proposal was underway. Subsequently, Land Division informed the developer of the BLNR's approval and allowed them to proceed with the construction. However, the sale of the easement never happened since 1964. Given this, the Applicant was unable to receive shoreline certification until the shoreline encroachment was resolved by obtaining a land disposition with the State. The Applicant has been working to resolve the issue and on April 14, 2023, the BLNR approved the grant of a 25-year, nonexclusive easement, right-of-entry, and revocable permit. Upon finalizing the easement, the Applicant will also then be able to obtain a certified shoreline survey from the State.

II. FINDINGS OF FACT

On the basis of the evidence presented, the Director of the DPP has found:

Lot Area	27,546 sq. ft.
Lot Shape	Triangular
Topography	Relatively flat with ground surface slopes ranging from approximately 0.3 percent to 1.5 percent. Along the makai face of the site is an approximately 2,894 sq. ft. boulder revetment that extends towards the east. (see Exhibit C-1).

Current Development	Single-family dwelling (vacant) (see Exhibit E)
Surrounding Uses	To the north and east - Single-family dwellings To the west – Wai'alae Country Club To the south - Pacific Ocean
Nearest Body of Water	*Pacific Ocean* - Estuarine and Marine Wetland and Estuarine and Marine Deepwater
Shoreline Survey	Dated September 10, 2019, an uncertified survey shows the presumed shoreline follows along the seaward face of concrete header. Development is approximately 40 ft. from the presumed shoreline and approximately 9.88 ft. above Mean Sea Level (MSL) (see Exhibit C-1). Previous certified shoreline survey, dated November 27, 1997, shows shoreline follows along outer face of boulders (see Exhibit F). [Per Section 13-5(a)(6) and (7) of the DPP Rules Relating to Shoreline Setbacks and the SMA, this previously certified shoreline survey has been utilized to establish the presumed shoreline setback line for purposes of this SMA Permit only.]
Soil Classifications (*mauka to makai*)	*Jaucas Sands* - Zero to 15 percent slopes, excessively drained, calcareous soils that occur as narrow strips on coastal plains, adjacent to the ocean. Permeability is rapid. Runoff is very slow to slow, and the hazard of water erosion is slight, but wind erosion is a severe hazard where vegetation has been removed. [United States Department of Agriculture (USDA) - Natural Resources Conservation Service (NRCS)]
Vegetation	Overgrown Bermuda grass intermixed with scattered ornamental landscape plants. Several species of palm trees and a mango tree are planted throughout the property, which provide minimal canopy cover. Oleander grows as a hedge along the wall bordering the golf course. Naupaka was also observed growing along the base of the seawall (See Exhibit E).

Flood Zone (*mauka to makai*)	*Flood Zone AE* - Areas considered to be the flood fringe area with a Base Flood Elevation (BFE) of nine ft. above MSL. *Flood Zone X* - Areas determined to be outside the two percent annual chance floodplain or outside the 500-year floodplain. *Flood Zone VE* - A coastal high hazard zone subject to high velocity wave action with a BFE of 12 ft. above MSL. (Federal Emergency Management Agency [FEMA] Flood Insurance Rate Map [FIRM] Panel No. 15003C0388G, revised November 5, 2014, see Exhibit D)
Tsunami	Tsunami evacuation zone (See Exhibit I)
Environmental Compliance	An Environmental Assessment (EA) was prepared in accordance with the requirements of Chapter 25, Revised Ordinances of Honolulu (ROH) and the procedural steps of Chapter 343, Hawai'i Revised Statutes (HRS). The DPP issued a Finding of No Significant Impact (FONSI) on August 22, 2022. The Final EA-FONSI was published in "*The Environmental Notice*" on September 8, 2022.
Other Permits and Approvals	*Department of Land and Natural Resources, State Historic Preservation Division* (SHPD) - Section 6E Historic Site Review. *BLNR* - Land Disposition *City DPP* - Demolition Permit, BP, Grading Permit, Erosion and Sediment Control Plan, and National Pollutant Discharge Elimination System (NPDES) General Permit.
Agency Comments	During the EA and SMA process, the DPP routed the proposal to various Federal, State, and City agencies. All letters and comments received have been included in the Project file and incorporated into the Analysis Section, as appropriate.
Neighborhood Board/ Community Association Presentation	The Applicant presented the Project to the Kuliouou-Kalani Iki Neighborhood Board No. 2 on September 1, 2022. The Neighborhood Board meeting minutes were submitted as part of the SMA Permit application.
Public Hearing	The DPP conducted a Public Hearing at 11:30 a.m. on April 28, 2023, at the 'Āina Haina Public Library. Other than the Agent, and the DPP staff members, one member of the public attended the public hearing and did not provide testimony.

III. ANALYSIS

The proposed Project was analyzed in accordance with the objectives, policies, and guidelines established in ROH § 25-3.1 and § 25-3.2, as they read prior to the enactment of Ordinance 23-4, as well as HRS § 205A-2 and § 205A-26.

A. Recreational Resources

Development within the SMA should provide coastal recreational opportunities to the public. Adequate access, by dedication or other means, to beaches, coastal dunes, recreation areas, and natural reserves must be provided to the extent consistent with sound conservation principles. Adequate and properly located public recreation areas and wildlife preserves must be preserved.

Implementation of the Project will not adversely impact coastal recreational opportunities for the public, because the Project will not result in any change to existing beach access, open spaces, recreational resources, or opportunities for hiking, fishing, and cultural practices. Publicly accessible coastal resources in the area include Wailupe Beach Park, located directly east of the site, and Waiʻalae Beach Park, located to the west. While the beach makai of the site remains open to the public, there is no direct public access to the beach through the subject property. However, public access to the beach is still available from Wailupe Beach Park and Waiʻalae Beach Park. The site is also directly adjacent to the Waiʻalae Country Club, which is a private golf course, but impacts to golfers are unlikely, because the new dwelling will be buffered and screened by the existing walls and landscaping. Given this, any impacts to recreational users are unlikely, because the site is located within an existing residential subdivision with properties that are similarly developed. Any nuisances caused by construction-related activities will be temporary and required to follow standard best management practices (BMPs). Therefore, no conditions of approval are included to address coastal recreational resources.

B. Historic and Cultural Resources

Development within the SMA should protect, preserve, and restore natural or human-made historical and cultural resources.

According to the draft archaeological inventory survey (AIS) prepared for the EA, two features were identified during the excavation, a charcoal and ash concentration determined to be Pre-Contact based on radiocarbon dating, and a scatter of Post-Contact ceramic and glass artifact fragments, some of which can be dated from the latter 19th to early 20th century or from the early to mid-20th

Century. Both were assessed as significant for informational content only and were not recommended for preservation. Because of the coastal location of the Project area, however, there remains the possibility of inadvertently encountering additional archaeological sites or Native Hawaiian burials in the sands. Given this, the AIS recommends precautionary archaeological monitoring during any ground disturbing work for the proposed Project. Prior to the issuance of any construction permits or BPs, the Applicant should be required to submit to the DPP an archaeological monitoring plan that has been reviewed and approved by the SHPD. The archaeological monitoring plan should cover any ground disturbing work for the proposed Project. Development permit plans and building plans should note that archaeological monitoring is required during construction. This is recommended as a condition of approval.

In addition, the Project should be subject to the standard stop work condition of approval. This will ensure that if, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant will stop work and contact the SHPD. Work in the immediate area will have to be stopped until the SHPD assesses the impact and makes 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. This is recommended as a condition of approval.

C. Scenic and Open Space Resources

Development within the SMA should protect, preserve, and whenever desirable, restore or improve the quality of coastal scenic and open space resources. Alterations to existing land forms and vegetation, other than for the cultivation of coastal dependent crops, must be limited so they result in minimum adverse impacts on water resources, beaches, coastal dunes, and scenic or recreational amenities. Development that is not dependent on the coast is encouraged to locate mauka of the SMA.

No impacts to any scenic and open space resources are anticipated because the Project area is located within an existing residential subdivision that is similarly developed along the shoreline (see Exhibits C-1 and C-7). Views of Maunalua Bay along Kaimoku Place are limited by vegetation and surrounding residences. The site is currently developed with a residence and no related adverse impacts to scenic and open spaces resources were identified. The Project will also have to meet the development standards of the Land Use Ordinance (LUO), Chapter 21, ROH. Given all this, any substantial impacts to scenic and open space resources are unlikely. Therefore, no conditions of approval are recommended to address scenic and open space resources.

D. Coastal Ecosystems

Development within the SMA should protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes from disruption, and minimize adverse impacts on all coastal ecosystems. Solid and liquid waste treatment and disposition must be managed to minimize adverse impacts on SMA resources.

No significant impacts to coastal ecosystems are expected as a result of the Project because the site is within an existing residential subdivision that is similarly developed along the shoreline. However, flora and fauna within the vicinity of the Project site may be impacted, particularly during construction activities. Therefore, conditions of approval related to flora and fauna should be imposed in order to protect valuable coastal ecosystems, as explained below.

1. Flora: The biological survey report prepared during the EA reported that vegetation on the Project site primarily consisted of Bermuda grass intermixed with scattered ornamental landscape plants. Several species of palm trees and a mango tree are planted throughout the property, which provide minimal canopy cover. Oleander grows as a hedge along the wall bordering the golf course. Naupaka was also observed growing along the base of the seawall. The survey observed no threatened or endangered species on or near the Project area.

   The existing vegetation within the Project area is overgrown and will need to be removed or trimmed to construct the new dwelling. As discussed below, removal or trimming of woody plants greater than 15 ft. should occur outside of the Hawaiian hoary bat birthing and pup rearing season (June 1 through September 15). The Applicant is also proposing new landscaping in the shoreline setback area, which includes native coastal species such as ʻaʻliʻi and naupaka kahakai. The area would also be grassed with seashore paspalum, which is a drought-resistant grass commonly used in the area. No irrigation is necessary or proposed for the shoreline area landscaping.

2. Fauna: During the development of the EA, no land-based species were observed, and most bird species recorded during the survey were non-native species naturalized in Hawaiʻi. However, a few indigenous species were also observed, including white tern, Pacific golden plover, and wandering tattler. According to the United States Fish and Wildlife Service, there are no federally designated critical habitats within the immediate vicinity of the proposed Project. However, they noted that the Hawaiian hoary bat and certain endangered or protected bird species such as the Hawaiian petrel, Newell's shearwater, wedge-tailed shearwater, and white tern may transit through the vicinity of the Project area. It is also possible that marine protected Hawaiian monk seals or

green sea turtles may be present in the Pacific Ocean waters makai of the site.

Lighting can disorient and harm these animals. To mitigate potential lighting impacts, the Applicant should use full cutoff light fixtures for exterior lighting. The International Dark Sky Association has established lighting standards to mitigate ecological impacts. Their Fixture Seal of Approval program requires that lighting have a correlated color temperature of 3,000 degrees kelvin or lower. These standards should be applied to the Project site.

In summary, to minimize impacts to Hawaiian seabirds, the Hawaiian hoary bat, and other species that may frequent or traverse the vicinity of the Project site:

- All new and replacement outdoor light fixtures should not exceed a color temperature of 3,000 degrees kelvin;

- Artificial light from exterior light fixtures on the zoning lot, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is 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 HRS Section 205A-71(b);

- Exterior light fixtures on the zoning lot should be fully shielded, using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture;

- All Project site work and construction activities should be limited to daylight hours;

- Woody plants greater than 15 ft. in height should not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season from June 1 through September 15; and

- All Project-related activities should cease if a Hawaiian monk seal or green sea turtle is within 150 ft. of the work area, or as recommended by State or Federal regulations. Project activities should only recommence after the animal voluntarily leaves the area. Any Project-related debris that may impose an entanglement threat to monk seals and turtles should be removed from the work area at the end of each day and at the conclusion of Project-related activities.

These are recommended as conditions of approval, and should be clearly stated under "Environmental Notes" on any development permit plans and building plans for the proposed Project.

3. Solid and Liquid Waste: Impacts relating to solid and liquid waste are not anticipated. Solid waste collection will continue to be provided by the City and County's Department of Environmental Services. The dwelling will be connected to the municipal sewer system to handle liquid waste. Management of waste related to the demolition of the existing structure on the site will be handled through the demolition permit. Therefore, no further conditions of approval related to solid and liquid waste are recommended.

E. Economic Uses

Development within the SMA should consist of facilities and improvements important to the State's economy, and ensure that coastal-dependent development and coastal-related development are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts within the SMA.

The Project is unlikely to measurably impact the local economy, in that it consists of the construction of a single-family dwelling on a lot zoned for residential use. Therefore, the Project is not anticipated to result in a change to the economic use of the site.

F. Coastal Hazards

Development within the SMA should reduce impacts of coastal hazards on life and property, and must be designed to minimize impacts from landslides, erosion, Sea level rise (SLR), siltation, or failure in the event of earthquake.

1. Flooding: Majority of the Project site is located within Flood Zone X (an area outside the two percent annual chance flood) and surrounded by Flood Zone AE (an area subject to inundation by a one percent annual chance flood) with a base flood elevation of nine feet above MSL (see Exhibit D). The makai portion along the revetment appears to be within Flood Zone VE (the Coastal High Hazard Area, an area subject to inundation by a one percent annual chance flood due to coastal processes, with additional hazards associated with storm waves), with a base flood elevation of 12 ft. above MSL.

   The Project must be designed in accordance with the standards of the Flood Hazard Areas Ordinance, Chapter 21A, ROH, to mitigate hazards

related to flooding. Because it is likely that flood hazards will occur on a lot within the flood fringe area, Chapter 21A, ROH, requires all new construction for residential structures to have the lowest floor, including basements, elevated to or above the BFE. According to the Applicant's submittal, the new dwelling will have a finished floor elevation of 9.88 ft. above MSL, which corresponds to being about a foot above the BFE (see Exhibit C-1). Given this, the new dwelling will be elevated above the BFE, however compliance with Chapter 21A, ROH, will be confirmed during the building and construction permit review.

2. SLR: Based on a review of the University of Hawaii Pacific Island Ocean Observing System SLR Viewer, under scenarios envisioning 0.5, 1.1, 2.0, and 3.2 ft. of SLR only the makai portion of the site located in the shoreline setback area is within the SLR exposure area (SLR-XA) (see Exhibit G). According to the SLR Viewer, much of the lot will be affected by coastal erosion under a scenario envisioning 3.2 ft. of SLR (see Exhibit H). Despite this, the Applicant shows that the new dwelling will be located outside of the SLR exposure area. Therefore, no further conditions of approval are recommended.

3. Storm Surge: The National Storm Surge Hazards Maps indicate that the Project area is not anticipated to be inundated by storm surge in a Category 3 hurricane event. However, as indicated above, a portion of the site is in the coastal high hazard zone, which is susceptible to high velocity wave action at present, and is likely to be subject to additional coastal erosion in the future. Therefore, the storm surge events are likely to impact the site even more as the shoreline recedes further inland. While a seawall and boulder revetment are developed on the makai side of the lot, the owners and occupants of the dwelling should be aware of the inherent risk of shoreline development.

   Additionally, the site is located within the tsunami evacuations zone (see Exhibit I). In such an event, early warning systems are in place to encourage evacuation to the safe zone. As such, no related condition of approval is recommended.

Given all of this, the owners and occupants of the dwelling should be aware of the risk from future inundation of the site from flood, SLR, and storm surge. While the seawall was legally established by a variance, the boulder revetment now encroaches into the State Land Use Conservation District, and therefore its allowance is at the discretion of the State. The Applicant should also be aware that pursuant to ROH § 26-1.8(b)(3)(D), hardship [for a Shoreline Setback Variance (SSV)] shall not be determined as a result of any other discretionary land use permit granted after June 16, 1989. This means that where a discretionary land use permit is used to authorize development, the Applicant cannot later claim hardship as the basis for a SSV to protect that development. This SMA Permit is a discretionary land use permit. Therefore, the Applicant

should be aware that the Shoreline Setback Ordinance prevents the future use of an SSV to protect this Project with new shoreline hardening. This is recommended as a condition of approval to ensure that the Applicant and successor owners or interests are fully aware of this regulatory standard.

G. Managed Development and Public Participation

The development review process should stimulate public awareness, education, and participation in coastal management.

The public was made aware of the Project and was given the opportunity to review the proposed Project during both the EA phase and the processing of the SMA Use Permit Application. The application materials were also posted on the DPP website.

During the EA phase, the Applicant presented to the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 on September 1, 2022. The meeting minutes show that the only questions and comments had to do with whether the house was purchased by the current owners, if there was any work proposed for the revetment, and if the change in weather events has affected the shoreline.

A public hearing was held for the SMA Use Permit application at 11:30 a.m. on Friday, April 28, 2023, at the 'Āina Haina Public Library. Notices of the application and public hearing 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. Written testimony was received prior to the hearing from one member of the public. The written testimony was in opposition to the proposed Project, specifically because the testifier stated more dwellings should be provided on a lot this large. One member of the public attended the public hearing, and did not provided testimony. A transcript of the public hearing has been transmitted with this report and recommendation. Additional opportunities for public input will be available during the City Council meetings. No related conditions of approval are recommended.

H. Beach and Coastal Dune Protection

The Project site is located on areas identified as beaches and coastal dunes, which according to the USDA - NCRS Web Soil Survey are mapped as Jaucas Sands. However, no impacts to beaches and coastal dunes are anticipated as a result of the Project, because the new dwelling will be located within an existing residential subdivision, will not involve the importation of fill materials, and will be located mauka of the shoreline setback line.

While the Applicant is proposing to decommission the existing swimming pool within the shoreline setback, no impacts are anticipated, because no new soil will be brought off-site to be used as fill. The Applicant is proposing to use the fill from the new swimming pool to backfill the area, so the risk of introducing invasive fungal pathogens, vertebrate and invertebrate pest, or invasive plant parts that could harm the coastal ecosystem is unlikely. Additionally, the existing swimming pool was authorized by a variance, so impacts associated with a swimming pool being in the zone of wave action have been already reviewed and approved.

Further, no impacts to drainage patterns or stormwater infiltration as a result of new impervious surfaces are anticipated, because the proposed dwelling is comparable in lot coverage to the existing dwelling. According to the Applicant the amount of impervious surfaces onsite will not exceed 62 percent of the zoning lot, which is well below the maximum 75 percent coverage allowed by the LUO. Given all this, and that BMPs will mitigate any impacts during construction related activities, no impacts to beaches and coastal dunes are anticipated as a result of the Project. Therefore, no condition of approval is recommended.

I. **Marine and Coastal Resources**

Development within the SMA should promote the protection, use, and development of marine and coastal resources to ensure that these resources are ecologically and environmentally sound and economically beneficial. Impacts on water resources, beaches, coastal dunes, and scenic or recreational amenities resulting from the construction of structures must be minimized. Development within wetland areas should be limited to activities that are dependent on or enhance wetlands, or are otherwise approved by appropriate State and federal agencies.

The Project is located on a shoreline lot and does not involve the use or management of marine resources. According to the National Wetlands Inventory of the U.S. Fish and Wildlife Services, this section of the Pacific Ocean is identified as Estuarine and Marine Wetlands and Estuarine and Marine Deepwater. However, no impacts are anticipated as the new dwelling will be approximately 45 ft. away from the presumed shoreline and elevated almost 10 ft. above MSL (see Exhibit C-1). Additionally, there are no known wetlands located on the Project site itself. Stormwater will be managed on site and the proposed total amount of impervious surfaces will not exceed 62 percent of the lot area (see Exhibit C-7). Construction-related activities will also be required to follow standard BMPs relating to stormwater management. No impacts to bays, estuaries, or nearby water features are anticipated. Therefore, marine and coastal resources are unlikely to be negatively impacted as a result of the proposal, and no condition of approval is recommended.

J. Cumulative Impact or Significant Effect and Compelling Public Interest

Development within the SMA should not have any cumulative impact or significant effect, unless minimized to the extent practicable and clearly outweighed by public health, safety, or other compelling public interest.

Substantial or cumulative negative environmental impacts associated with the construction of the new single-family dwelling including a driveway, three car garage, swimming pool, and landscaping are not anticipated. The proposed Project will be located well outside of the 40-ft. shoreline setback area, outside of the anticipated SLR-XA, and will be raised above the nine-ft. BFE. Locating the dwelling outside of these coastal hazard areas not only increases the longevity of the home, but also reduces potential environmental and ecological impacts to the SMA. Any cumulative impacts or significant effects identified in the report will be mitigated to the extent practicable by the proposed conditions of approval. Given this, no condition of approval is recommended.

K. Consistency with Plans and Regulations

Development within the SMA must be consistent with the general plan, development plans, sustainable communities plans, and zoning ordinances; provided that a finding of inconsistency does not preclude concurrent processing of amendments to applicable plans or a zone change.

The proposal is generally consistent with the applicable plans and regulations, as detailed below.

1. LUO: The Project has been designed to comply with the development standards of the LUO. The 27,546-sq. ft. site is located within the R-7.5 Residential District, which allows the single-family dwelling use. As proposed, the new dwelling is of an appropriate size, height, and bulk that meets the development standards for the R-7.5 Residential District. Compliance with the LUO will be confirmed during the BP process.

2. East Honolulu Sustainable Development Plan (EHSDP): The EHSDP urban land use map identifies the Project area as residential. According to Section 3.5.3.1 of the EHSDP, residential development consists of single-family detached and attached homes or townhouses with individual entries that generally do not exceed two-stories in height. Given this, the proposed development is generally consistent with the EHSDP.

3. Oahu General Plan (GP): The Project is generally consistent with the Oahu GP. Public Safety Objective B, Policy No. 2, requires all development in areas subject to floods and tsunamis to be located and

constructed in a manner that will not create any health or safety hazard. The Project will be located outside of Flood Zone VE in compliance with the Flood Hazard Area regulations. Early warning systems are in place to encourage evacuation to the safe zone should a tsunami occur. Therefore, the health and safety impacts related to development within Flood Zone VE and tsunami evacuation zone will be mitigated. The Project also meets Objective F, Policy No. 3, which requires 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 surrounding area and to be in compliance with all applicable development standards.

4. Shoreline Setback Ordinance, Chapter 26, ROH: Under Variance No. 67/Z-76, the previous owner was authorized to construct the existing swimming pool and seawall. The only work proposed within the 40-ft. shoreline setback area involves decommissioning the existing swimming pool by punching holes into the bottom of it and backfilling it with earthen material excavated from the new swimming pool. Backfilling the existing swimming pool reduces the intensity of the use in the shoreline setback area and we find that it does not increase what was previously allowed under the variance. Therefore, it is consistent with the shoreline setback regulations of Chapter 26, ROH.

IV. CONCLUSIONS OF LAW

The proposed development was reviewed under the provisions of ROH § 25-3.1 and § 25-3.2, as they read prior to the enactment of Ordinance 23-4, and HRS § 205A-2 and 205A-26, and found to be consistent with established SMA objectives, policies, and guidelines, subject to the conditions below. Based on the analysis, the proposed Project will not adversely impact SMA resources, provided that appropriate mitigative conditions are implemented as recommended.

V. RECOMMENDATION

Based on the preceding Analysis and Conclusions of Law, it is recommended that this application for a SMA Use Permit be **APPROVED**, subject to the following conditions:

A. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A through I, enclosed hereto and incorporated herein by this reference. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapter 25, HRS Chapter 205A, 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 minor

modification and may be permitted under this resolution, upon review and approval by the Director of the DPP.

B. Upon approval of this SMA Use Permit, neither the Applicant nor any future successor, owner, or interested party may claim hardship due to erosion, SLR, or any other coastal hazard, in order to obtain approval for a new shoreline hardening structure.

C. Prior to the issuance of any construction permits or BPs, the Applicant should be required to submit to the DPP an archaeological monitoring plan that has been reviewed and approved by the SHPD. The archaeological monitoring plan should cover any ground disturbing work for the proposed Project. Development permit plans and building plans should note that archaeological monitoring is required during construction.

D. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant will stop work and contact the SHPD immediately. Work in the immediate area will be stopped until the SHPD assesses the impact and makes 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.

E. To minimize impacts to Hawaiian seabirds, the Hawaiian hoary bat, and other species that may frequent or traverse the vicinity of the Project site:

1. All new and replacement outdoor light fixtures should not exceed a color temperature of 3,000 degrees kelvin;

2. Artificial light from exterior light fixtures on the zoning lot, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is 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 HRS Section 205A-71(b);

3. Exterior lighting fixtures on the zoning lot should be fully shielded, using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture;

4. All Project site work and construction activities should be limited to daylight hours;

5. Woody plants greater than 15 ft. in height should not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season from June 1 through September 15; and

6. All Project-related activities should cease if a Hawaiian monk seal or green sea turtle is within 150 ft. of the work area, or as recommended by State or Federal regulations. Project activities should only recommence after the animal voluntarily leaves the area. Any Project-related debris that may impose an entanglement threat to monk seals and turtles should be removed from the work area at the end of each day and at the conclusion of Project-related activities.

These requirements should be clearly stated under "Environmental Notes" on any development permit plans and building plans for the proposed Project.

F. **The Applicant shall 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:

1. The Director of the DPP may extend this period if the Applicant demonstrates good cause, but the period cannot be extended by the Director beyond one year from the initial deadline set by Council.

2. 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 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:

   a. Sixty days after receipt of the Director's report; or

   b. The Applicant's then-existing deadline for obtaining a development permit,

   the extension will be deemed to be denied.

G. This application has only been reviewed and approved pursuant to the provisions of ROH Chapter 25, and its approval does not constitute compliance with other governmental requirements. The Applicant is responsible for ensuring that the final plans for the Project approved under this permit comply with all applicable governmental provisions and requirements, including the provisions of the LUO.

Dated at Honolulu, Hawai'i, this 26th day of May, 2023.

Department of Planning and Permitting
City and County of Honolulu
State of Hawai'i

By _____
Dawn Takeuchi Apuna
Director

Enclosure: Exhibits A through I

APPROVED:

_____
Michael D. Formby
Managing Director



Project Site

VICINITY MAP

0 150 300 600

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Legend

- Project Site
- Outside SMA
- Within SMA

EXHIBIT A

LOCATION MAP

FILE NO.: 2023/SMA-7

PROJECT: KIM RESIDENCE

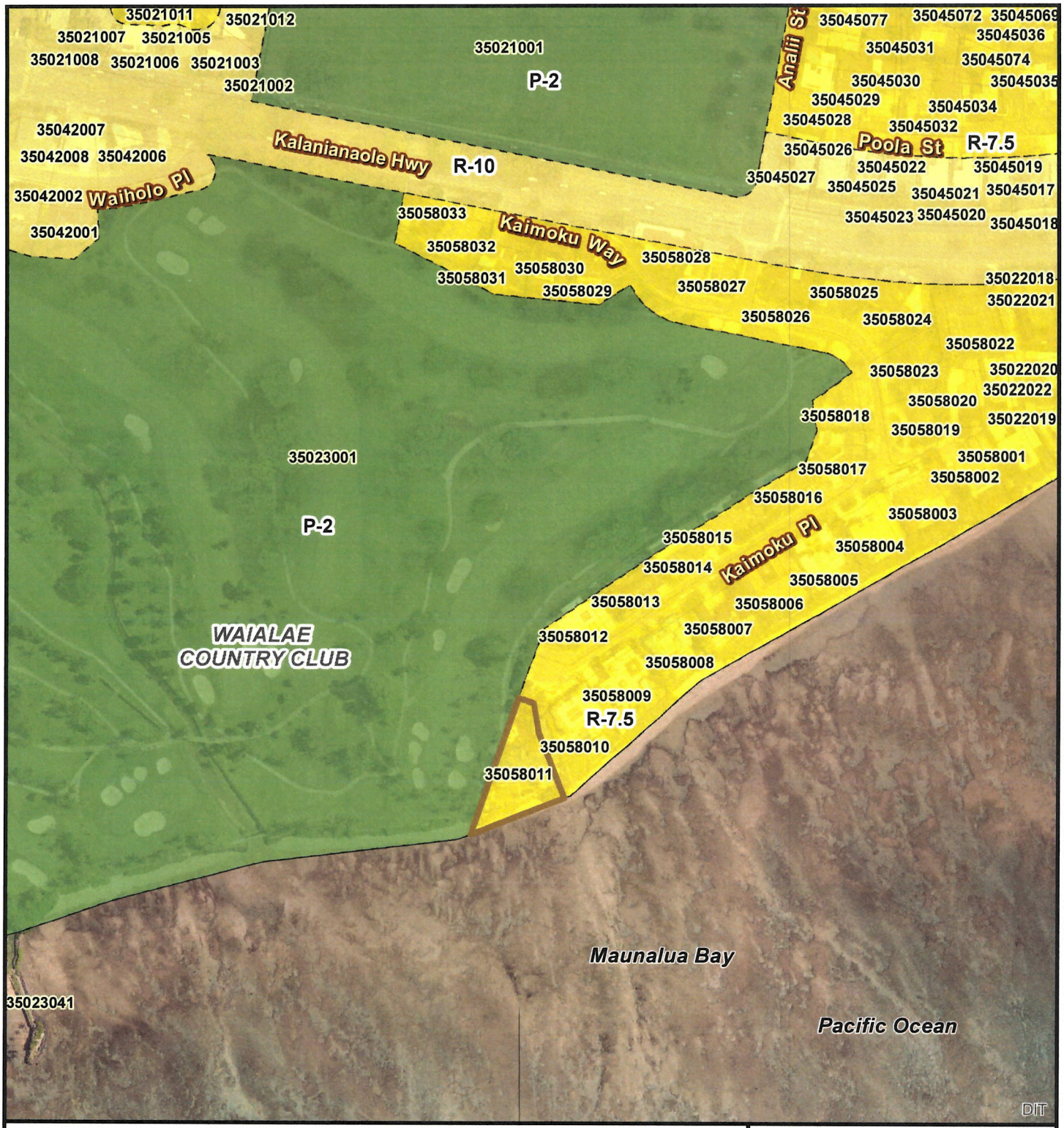
LOCATION: 1001 KAIMOKU PLACE - WAIALAE

TAX MAP KEY: 3-5-058: 011

Prepared by: Department of Planning and Permitting

Date Prepared: April 19, 2023

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Project Site

0 150 300 600

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

VICINITY MAP

Legend

- Project Site
- P-2 District
- R-10 District
- R-7.5 District

EXHIBIT B

ZONING MAP

FILE NO.: 2023/SMA-7

PROJECT: KIM RESIDENCE

LOCATION: 1001 KAIMOKU PLACE - WAIALAE

TAX MAP KEY: 3-5-058: 011

Prepared by: Department of Planning and Permitting

Date Prepared: April 19, 2023

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EXHIBIT C-1



SITE PLAN

ISSUE DATE: DEC 8, 2022

EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
www.eiserlohachitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN C 1

EXHIBIT C-2



LOWER LEVEL FLOOR PLAN

SCALE: 1/8" = 1'-0"

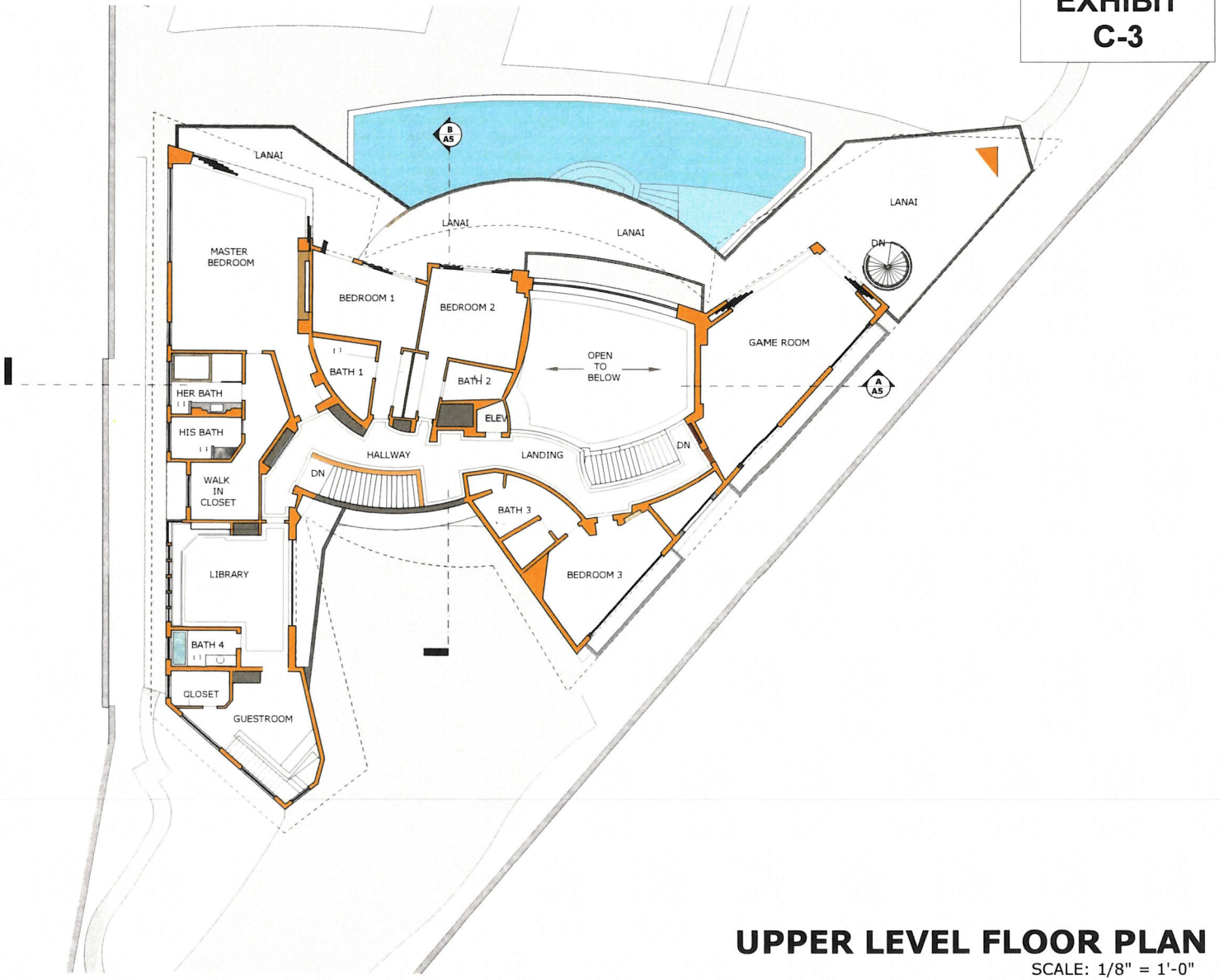
ISSUE DATE: DEC 8, 2022

EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN **A 1**

EXHIBIT C-3



UPPER LEVEL FLOOR PLAN

SCALE: 1/8" = 1'-0"

ISSUE DATE: DEC 8, 2022

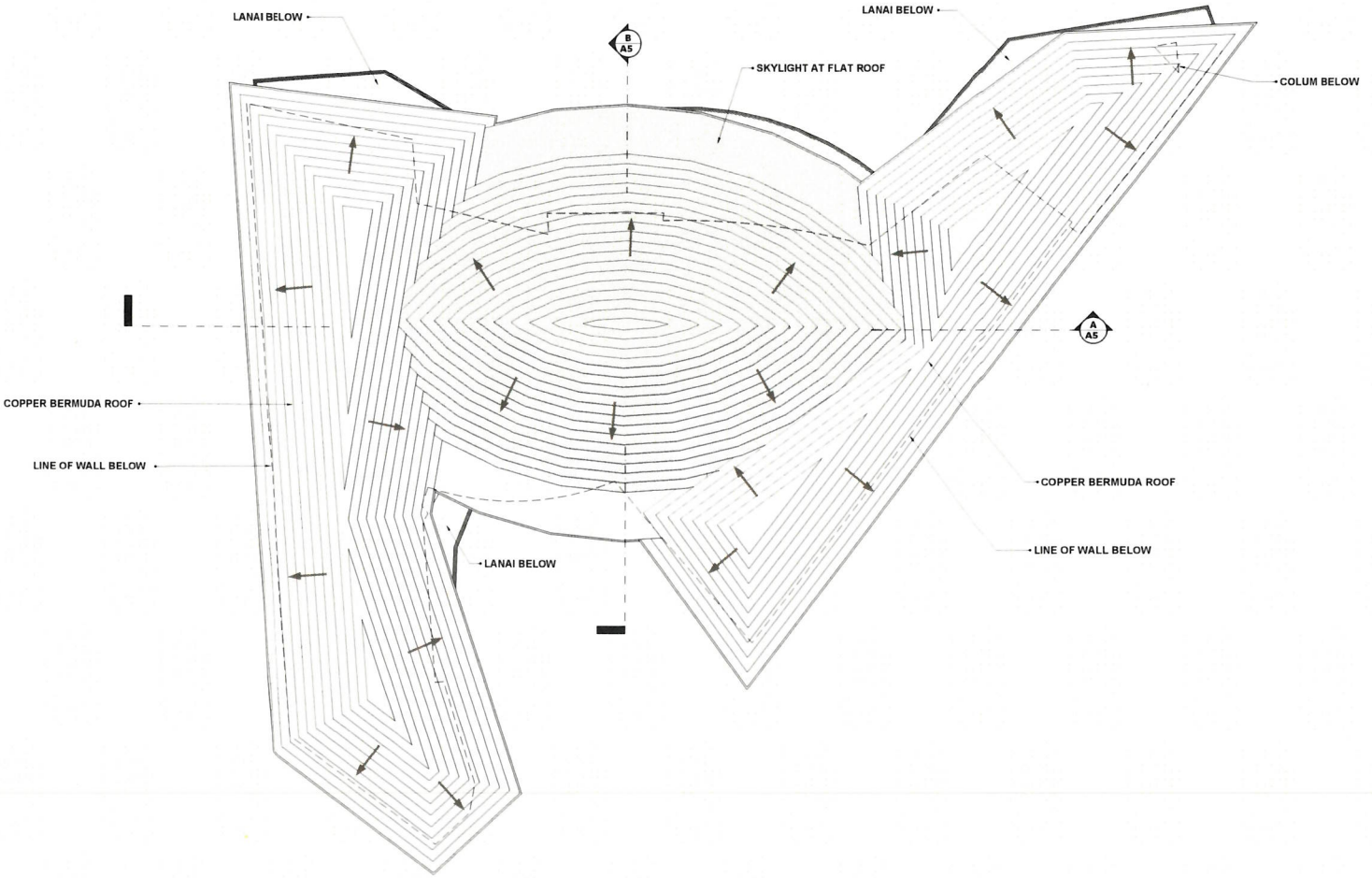
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www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN

A 2

EXHIBIT C-4



ROOF PLAN

SCALE: 1/8" = 1'-0"

ISSUE DATE: DEC 5, 2022

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820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
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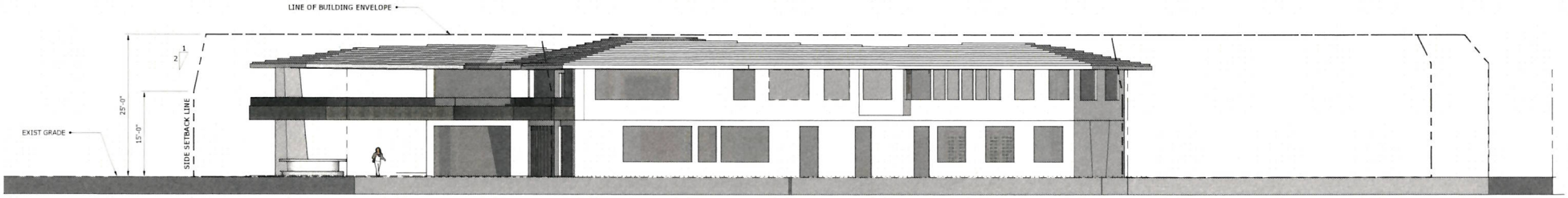
KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN

EXHIBIT C-5



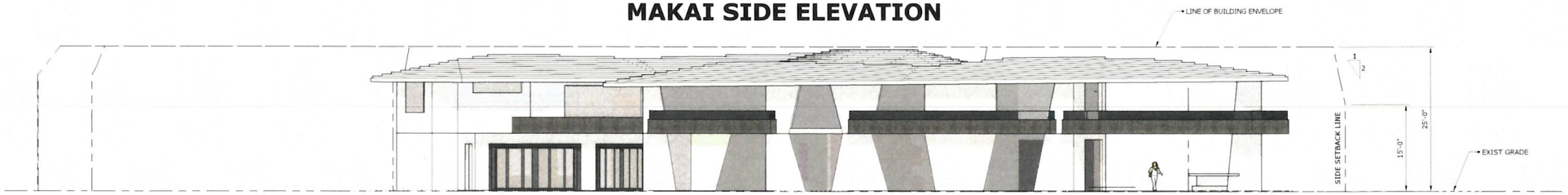
FRONT ELEVATION



KOKO HEAD SIDE ELEVATION



MAKAI SIDE ELEVATION



DIAMOND HEAD SIDE ELEVATION

EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

ISSUE DATE: DEC 6, 2022

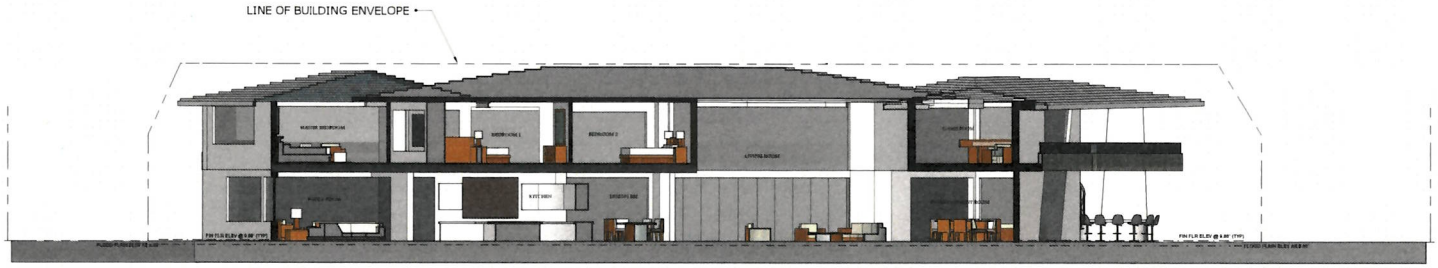
EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN

A 4

EXHIBIT C-6



BUILDING SECTION A



BUILDING SECTION B

BUILDING SECTIONS

SCALE: 1/8" = 1'-0"

ISSUE DATE: DEC 5, 2022

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www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN

EXHIBIT C-7

EISERLOH ARCHITECTS

April 26, 2023

PROPOSED AND EXISTING SIZE/HEIGHT COMPARISSON

1001 KAIMOKU PLACE

LOT SIZE: 27,546 sq. ft.

EXISTING RESIDENCE:

Sq Ftge Calcs:

Lower Level Int:	6,588
Upper Level Int:	6,838
Sub total	13,426
Lower Supported Balcony	804
Sub-total	**14,230**
Upper Lanai	648
Garage:	960
Total	**15,838**

- Floor Area Ratio 14,230 (Floor area) ÷ 27,546 (lot size) = .52
- Lot Coverage: 7,642 (6,838 + 804) ÷ 27,546 = .28
- Stories: 2 stories
- Height: 24'- 10" high

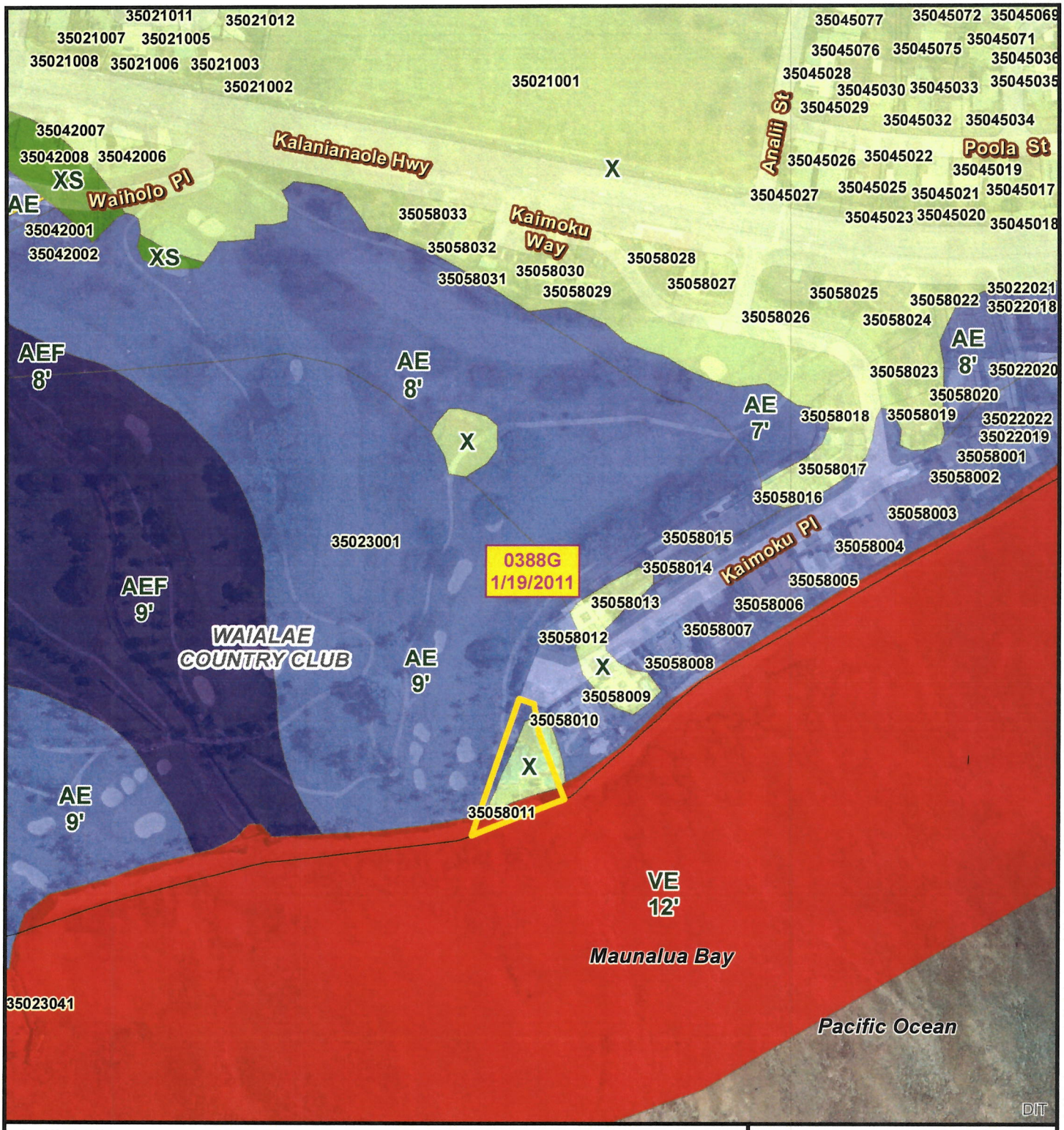
PROPOSED RESIDENCE:

Sq Ftge Calcs:

Lower Level Int:	5,922
Upper Level Int:	6,760
Sub total	**12,682**
Lower Level Lanai:	1,588
Upper level Lanai:	1,931
Garage:	837
Total	**17,038**

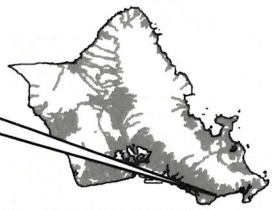
- Floor Area Ratio 12,682 (Floor area) ÷ 27,546 (lot size) = **46%**
- Lot Coverage: 8,032 (6,760 + 1,931) ÷ 27,546 (lot size) = **32%**
- Stories: 2 Stories
- Height: 25'-0" high
- Parking Requirements: 12,682 sq. ft. = **13 stalls**
- Permeable Area: 17,169 ÷ 27,546 = **62%**

820 W. Hind Drive #240139 Honolulu, Hawaii 96824 Tel: (808) 777-9968
email: kris@eiserloharchitects.com website: EiserlohArchitects.com



CITY AND COUNTY OF HONOLULU
STATE OF HAWAII

Project Site



VICINITY MAP

0 150 300 600

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Legend

- Project Site
- Flood Zone AE
- Flood Zone AEF
- Flood Zone VE
- Flood Zone X
- Flood Zone XS

EXHIBIT D

FLOOD HAZARD MAP

FILE NO.: 2023/SMA-7

PROJECT: KIM RESIDENCE

LOCATION: 1001 KAIMOKU PLACE - WAIALAE

TAX MAP KEY: 3-5-058: 011

Prepared by: Department of Planning and Permitting

Date Prepared: April 19, 2023

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EXHIBIT E

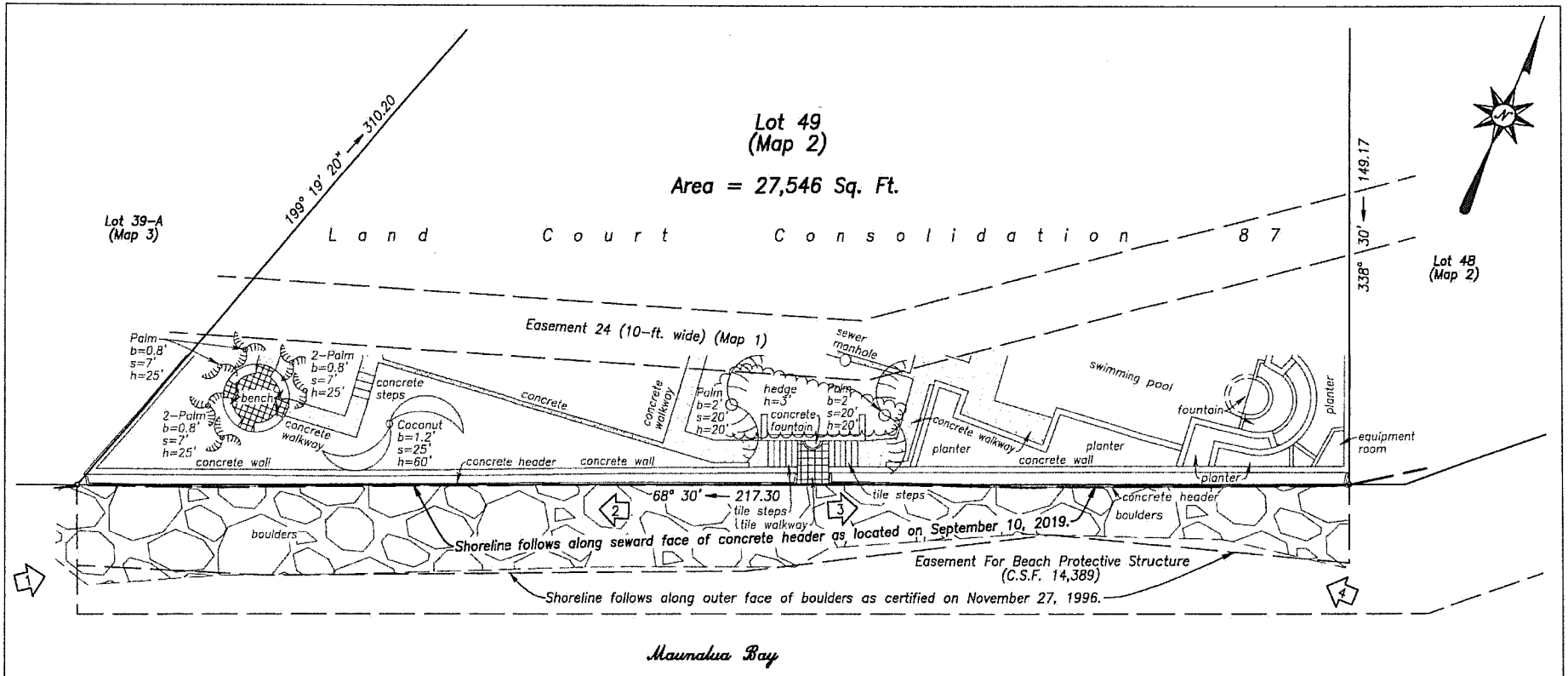
Residence at 1001 Kaimoku Place Photos



Photo 1: View from the southwest



Photo 2: View from the south with pool view



Note:
1 Denotes photo number and direction

PROPERTY ADDRESS: 1001 KAIMOKU PLACE
Honolulu, HI 96821

OWNER: DAVID D. KIM
4 ROBERT S DRIVE
Menlo Park, CA 94025

SHORELINE SURVEY
AT LOT 49 (MAP 2) OF
LAND COURT CONSOLIDATION 87
WAIALAE-IKI, HONOLULU, OAHU, HAWAII

TAX MAP KEY: 3-5-058: 011

SCALE: 1 IN. = 20 FT.

ROSS K. TANAKA
LICENSED PROFESSIONAL LAND SURVEYOR
No. 10744
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

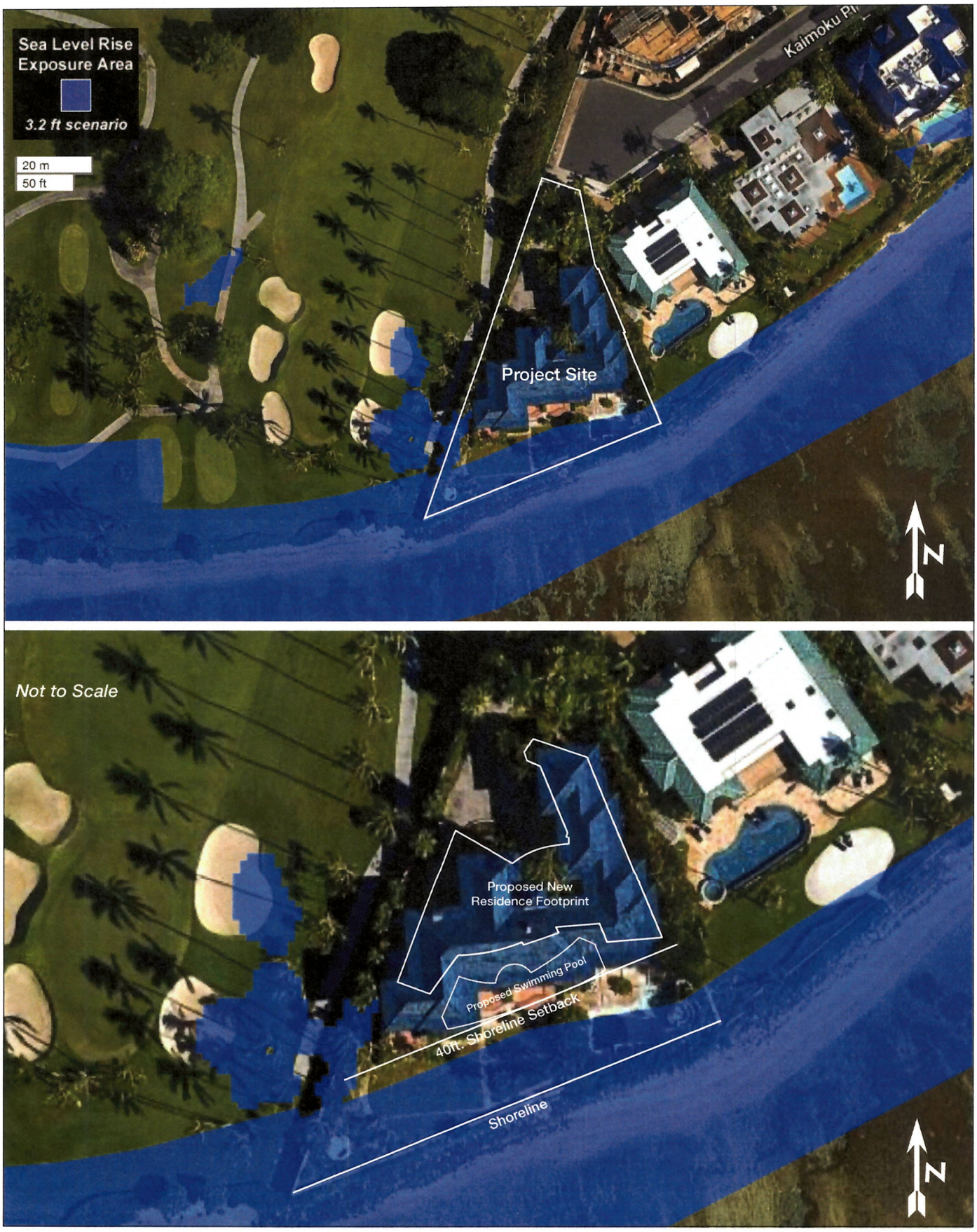
LICENSED PROFESSIONAL LAND SURVEYOR No. 10744

SOURCE: KN Surveying, LLC, 2019

Residence at 1001 Kaimoku Place

EXHIBIT F

Draft Shoreline Survey



Residence at 1001 Kaimoku Place

SOURCE: Pacific Islands Ocean Observing System (PacIOOS), 2022

EXHIBIT G

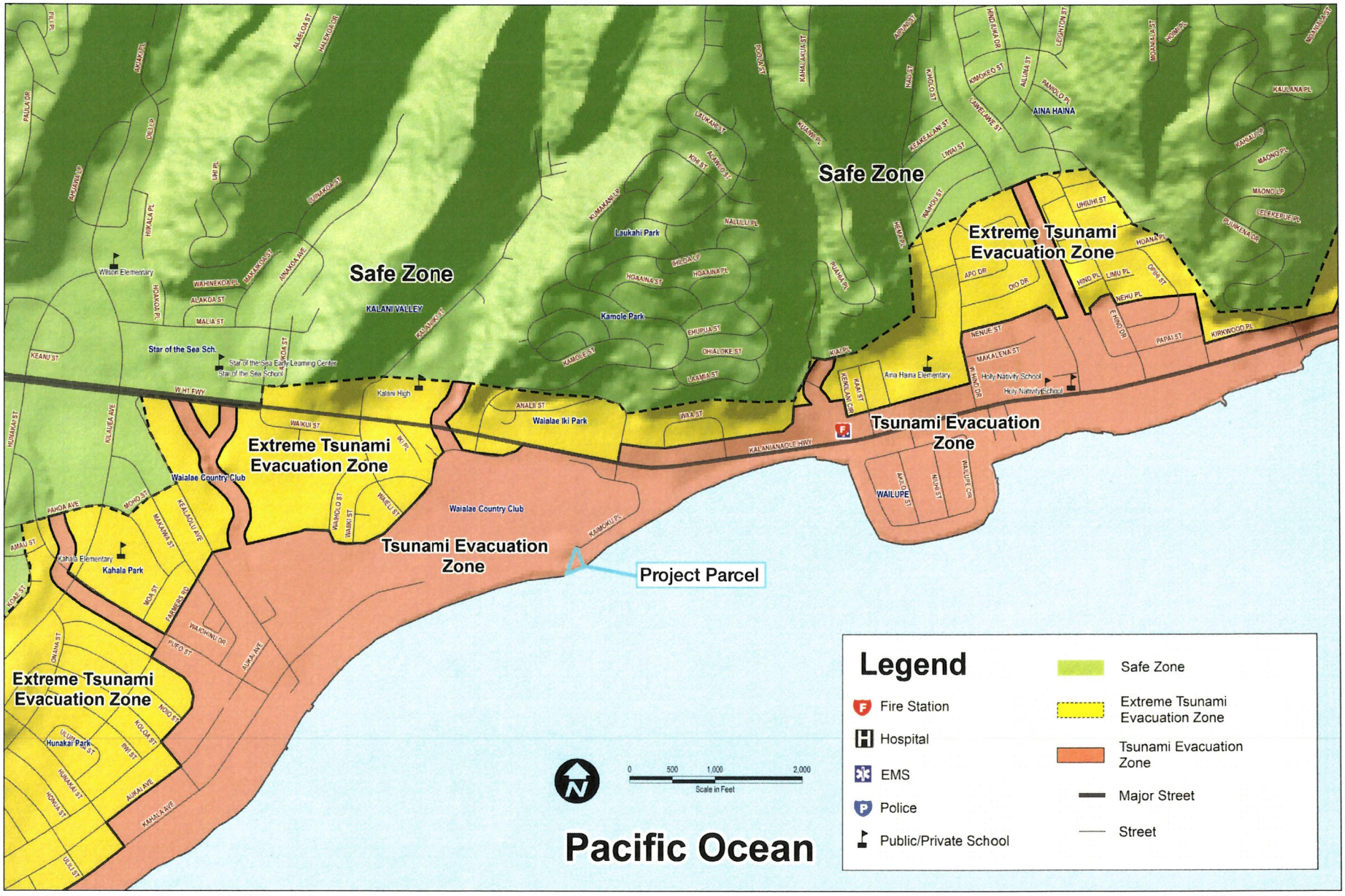
Sea Level Rise Exposure Area (SLR-XA 3.2) Feet Scenario and Site Plan Overlay



Residence at 1001 Kaimoku Place

SOURCE: Pacific Islands Ocean Observing System (PacIOOS), 2022

EXHIBIT H
Coastal Erosion Modeling



SOURCE: City and County of Honolulu April 2015

Residence at 1001 Kaimoku Place

EXHIBIT I

Tsunami Evacuation Zone

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. _____

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA ("SMA") USE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING UNIT AND OTHER IMPROVEMENTS AT TAX MAP KEY ("TMK") 3-5-058: 011 IN WAIʻALAE, OAHU.

WHEREAS, on March 1, 2023, the Department of Planning and Permitting ("DPP") accepted the application (File No. 2023/SMA-7) from David Kim ("Applicant") for an SMA Use Permit to allow for the demolition of an existing single-family dwelling, the construction of a single-family dwelling that includes a new driveway, three car garage, swimming pool, on an approximately 27,546-square-foot shoreline lot, located in the R-7.5 Residential District at 1001 Kaimoku Place in Kai Nani neighborhood of Waiʻalae, and identified as TMK 3-5-058: 011 (hereinafter referred to as the "Project"); and

WHEREAS, on May 20, 2022, the DPP held a public hearing at ʻĀina Haina Public Library, which was attended by the Applicant's agent, the Agent's assistant, the Applicant's architect, and DPP staff; no members of the public were in attendance and no public testimony was offered; and

WHEREAS, on May ____ , 2023, 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 of the Revised Ordinances of Honolulu 1990 ("ROH"), and Sections 205A-2 and 205A-26 of the Hawaiʻi Revised Statues ("HRS"), completed its report and transmitted its findings and recommendation of approval to the City Council ("Council"); and

WHEREAS, the 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. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A through I, enclosed hereto and incorporated herein by this reference. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapter 25, HRS Chapter 205A, 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 minor

modification and may be permitted under this resolution, upon review and approval by the Director of the DPP.

B. Upon approval of this SMA Use Permit, neither the Applicant nor any future successor, owner, or interested party may claim hardship due to erosion, sea level rise (SLR), or any other coastal hazard, in order to obtain approval for a new shoreline protection structure.

C. Prior to the issuance of any construction permits or building permits, the Applicant should be required to submit to the DPP an archaeological monitoring plan that has been reviewed and approved by the State Historic Preservation Division (SHPD). The archaeological monitoring plan should cover any ground disturbing work for the proposed Project. Development permit plans and building plans should note that archaeological monitoring is required during construction.

D. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant will stop work and contact the SHPD immediately. Work in the immediate area will be stopped until the SHPD assess the impact and makes 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.

E. To minimize impacts to Hawaiian seabirds, the Hawaiian hoary bat, and other species that may frequent or traverse the vicinity of the Project site:

1. All new and replacement outdoor light fixtures should not exceed a color temperature of 3,000 degrees kelvin;

2. Artificial light from exterior light fixtures on the zoning lot, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is 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 HRS Section 205A-71(b);

3. Exterior lighting fixtures on the zoning lot should be fully shielded, using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture;

4. All Project site work and construction activities should be limited to daylight hours;

5. Woody plants greater than 15 ft. in height should not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season from June 1 through September 15; and

6. All Project-related activities should cease if a Hawaiian monk seal or green sea turtle is within 150 ft. of the work area, or as recommended by State or Federal regulations. Project activities should only recommence after the animal voluntarily leaves the area. Any Project-related debris that may impose an entanglement threat to monk seals and turtles should be removed from the work area at the end of each day and at the conclusion of Project-related activities.

These requirements should be clearly stated under "Environmental Notes" on any development permit plans and building plans for the proposed Project.

F. **The Applicant shall 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:

1. The Director of the DPP may extend this period if the Applicant demonstrates good cause, but the period cannot be extended by the Director beyond one year from the initial deadline set by Council.

2. 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 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:

   a. Sixty days after receipt of the Director's report; or

   b. The Applicant's then-existing deadline for obtaining a development permit,

   the extension will be deemed to be denied.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. _____

RESOLUTION

G. This application has only been reviewed and approved pursuant to the provisions of ROH Chapter 25, and its approval does not constitute compliance with other governmental requirements. The Applicant is responsible for ensuring that the final plans for the Project approved under this permit comply with all applicable governmental provisions and requirements, including the provisions of the LUO.

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to David Kim, 1288 Ala Moana Boulevard APT 36K, Honolulu, Hawai'i 96814; Dawn Takeuchi Apuna, Director of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

INTRODUCED BY:

_____

_____

_____

_____

_____

_____

DATE OF INTRODUCTION: _____

_____

_____

_____ _____
Honolulu, Hawai'i Councilmembers

DPP23SMA7.R23



Project Site

VICINITY MAP

0 150 300 600

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Legend

- Project Site
- Outside SMA
- Within SMA

EXHIBIT A

LOCATION MAP

FILE NO.: 2023/SMA-7

PROJECT: KIM RESIDENCE

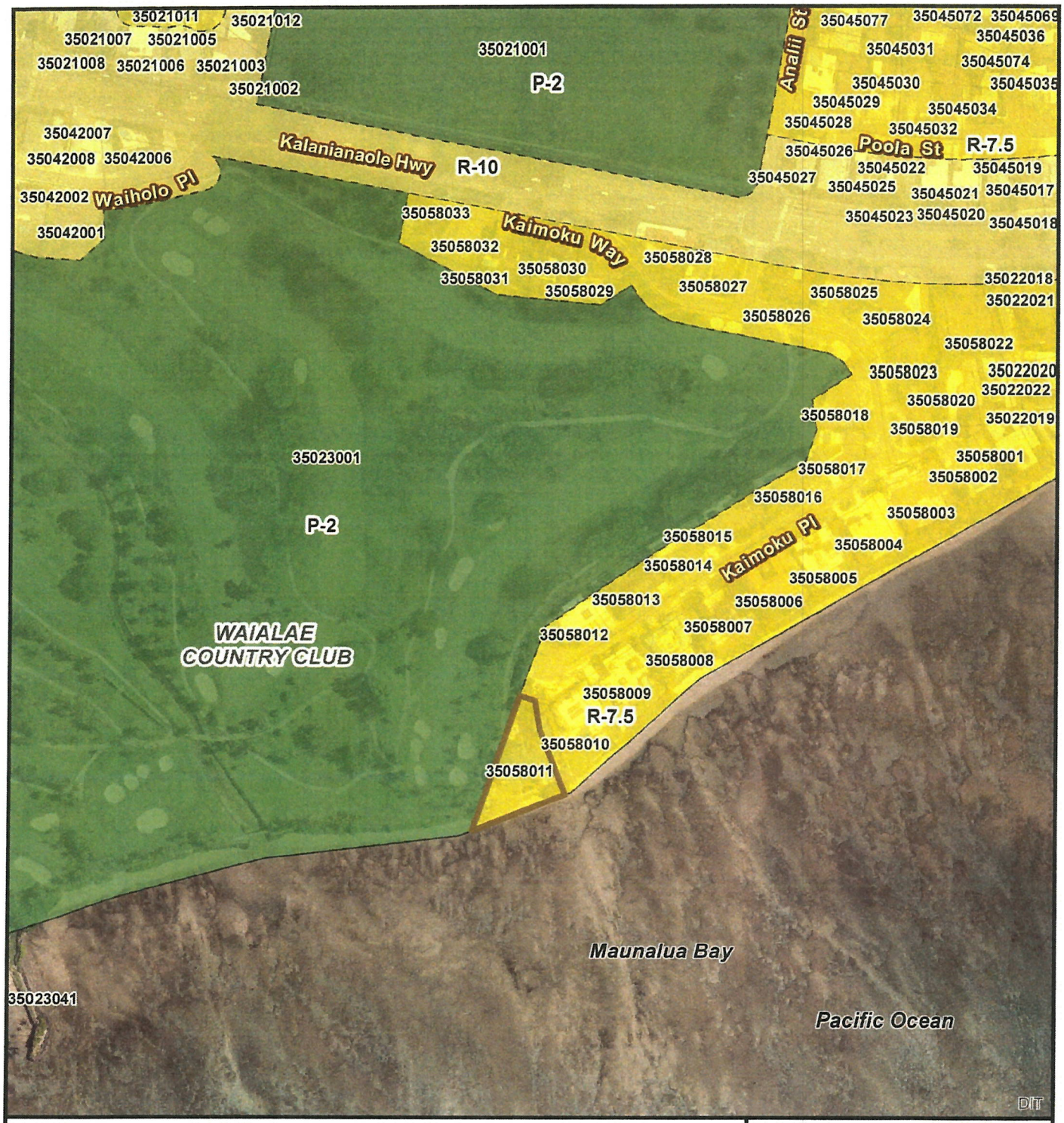
LOCATION: 1001 KAIMOKU PLACE - WAIALAE

TAX MAP KEY: 3-5-058: 011

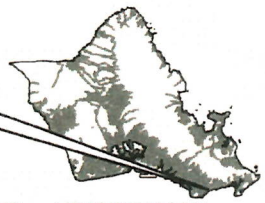
Prepared by: Department of Planning and Permitting

Date Prepared: April 19, 2023

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Project Site



VICINITY MAP

0 150 300 600

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Legend

- Project Site
- P-2 District
- R-10 District
- R-7.5 District

EXHIBIT B

ZONING MAP

FILE NO.: 2023/SMA-7

PROJECT: KIM RESIDENCE

LOCATION: 1001 KAIMOKU PLACE - WAIALAE

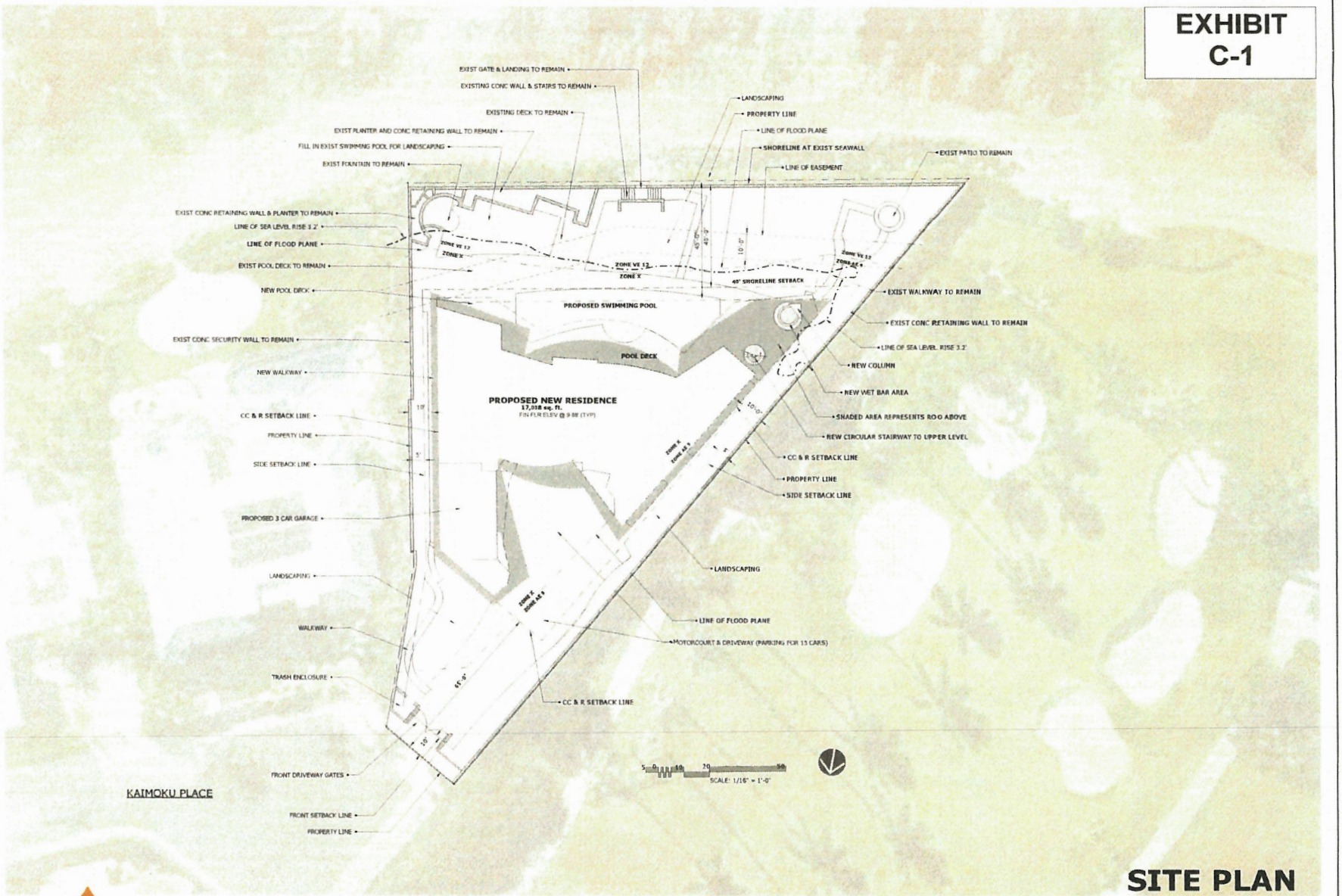
TAX MAP KEY: 3-5-058: 011

Prepared by: Department of Planning and Permitting

Date Prepared: April 19, 2023

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EXHIBIT C-1



SITE PLAN

ISSUE DATE: DEC 8, 2022

EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINDLULU, HAWAII 96821
www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-5B:11

PROPOSED DEVELOPMENT PLAN C 1

EXHIBIT C-2



LOWER LEVEL FLOOR PLAN

SCALE: 1/8" = 1'-0"

ISSUE DATE: DEC 8, 2022

EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN

A 1

EXHIBIT C-3



UPPER LEVEL FLOOR PLAN

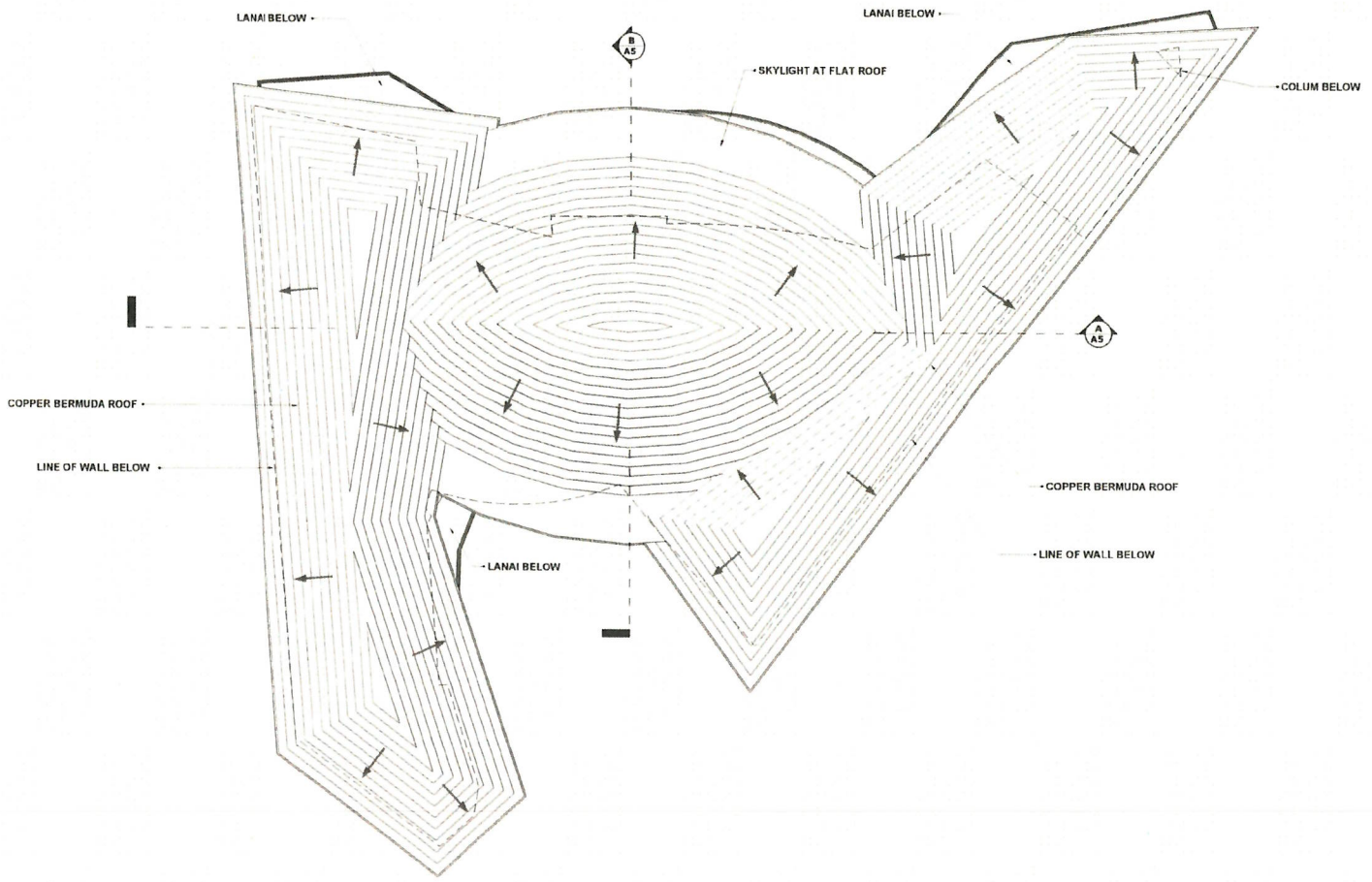
SCALE: 1/8" = 1'-0"

EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
www.eiserloharchitects.com Tel: (808) 777-9968

KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN A 2

EXHIBIT C-4



ROOF PLAN

SCALE: 1/8" = 1'-0"

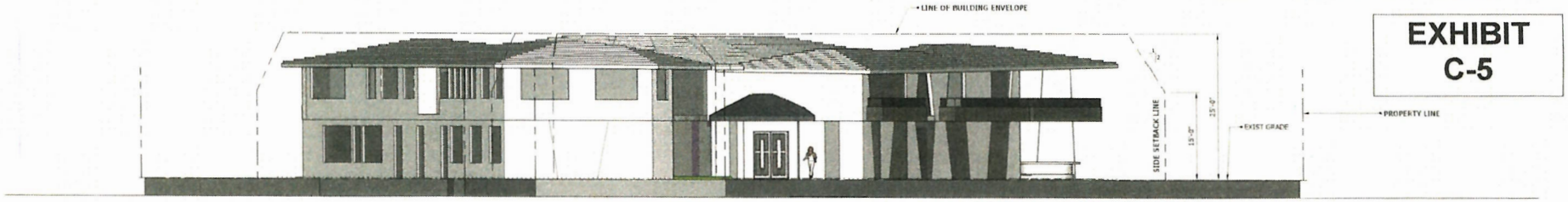
ISSUE DATE: DEC 8, 2022

EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HINOLULU, HAWAII 96821
www.eiserloharchitects.com Tel: (808) 777-9968

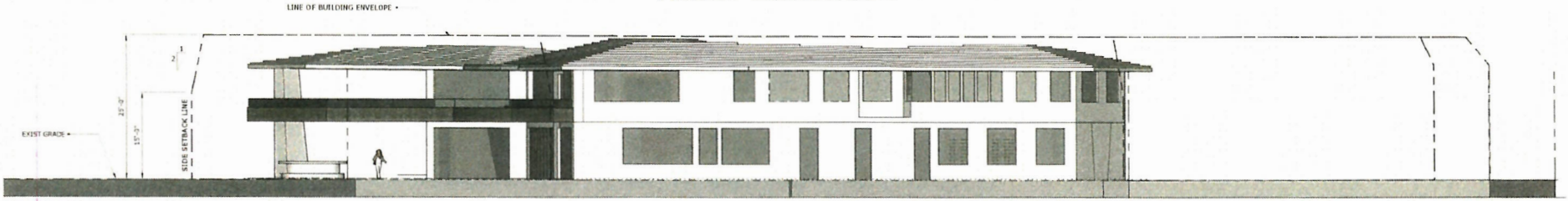
KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 965 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN

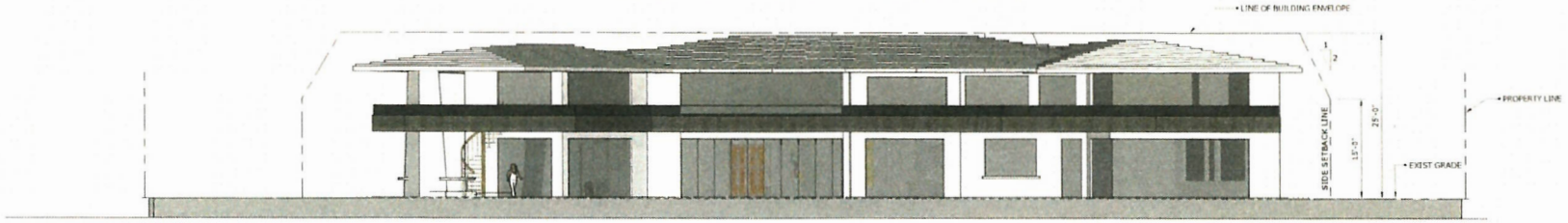
EXHIBIT C-5



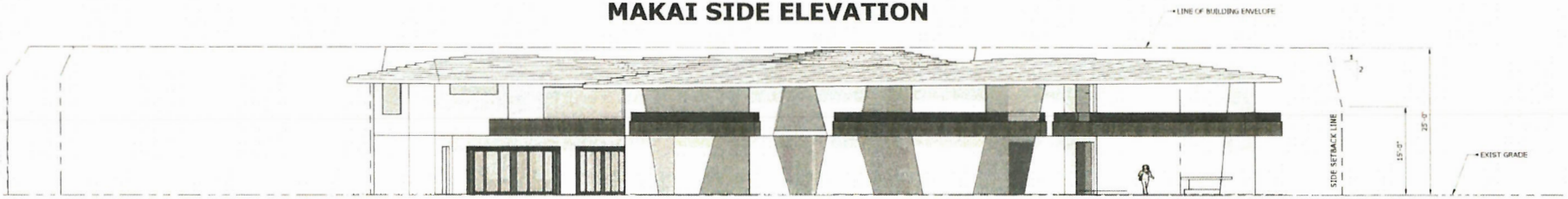
FRONT ELEVATION



KOKO HEAD SIDE ELEVATION



MAKAI SIDE ELEVATION



DIAMOND HEAD SIDE ELEVATION

EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

ISSUE DATE: DEC 6, 2022

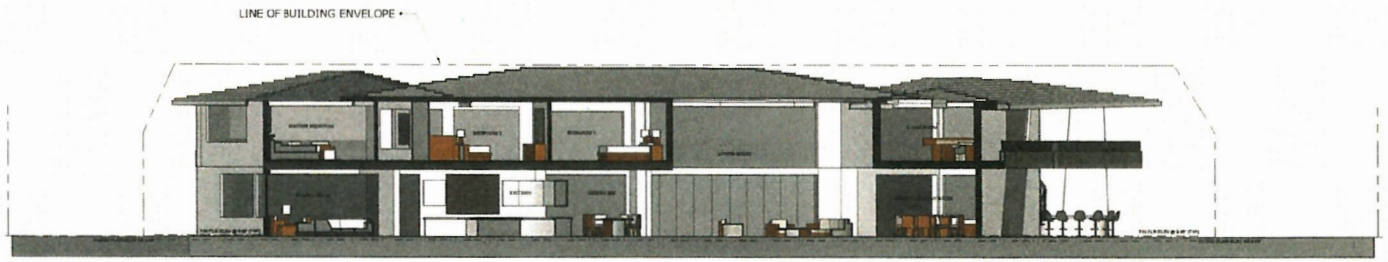
EISERLOH ARCHITECTS
820 W HIND DRIVE #240139 HONOLULU, HAWAII 96821
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KIM RESIDENCE
1001 KAIMOKU PLACE
HONOLULU HAWAII 965 21 T.M.K. # 3-5-58:11

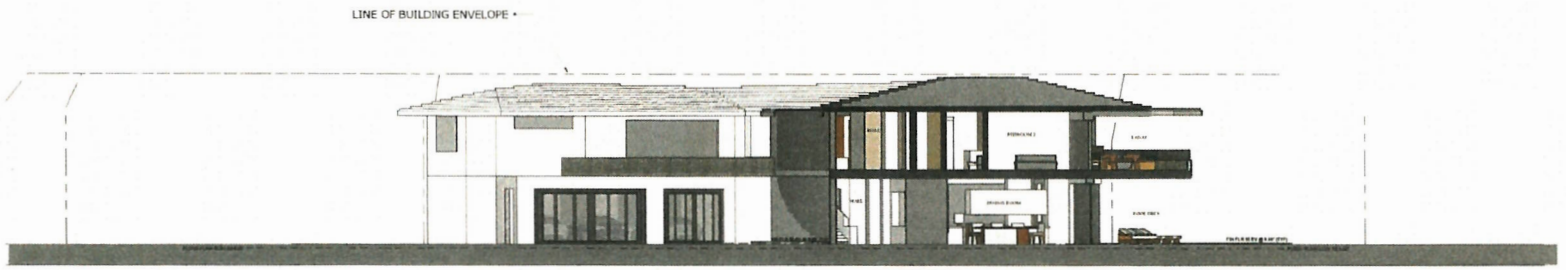
PROPOSED DEVELOPMENT PLAN

A 4

EXHIBIT C-6



BUILDING SECTION A



BUILDING SECTION B

BUILDING SECTIONS

SCALE: 1/8" = 1'-0"

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KIM RESIDENCE
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HONOLULU HAWAII 968 21 T.M.K. # 3-5-58:11

PROPOSED DEVELOPMENT PLAN A 5

EXHIBIT C-7

EISERLOH ARCHITECTS

April 26, 2023

PROPOSED AND EXISTING SIZE/HEIGHT COMPARISSON

1001 KAIMOKU PLACE

LOT SIZE: 27,546 sq. ft.

EXISTING RESIDENCE:

Sq Ftge Calcs:

Lower Level Int:	6,588
Upper Level Int:	6,838
Sub total	13,426
Lower Supported Balcony	804
Sub-total	**14,230**
Upper Lanai	648
Garage:	960
Total	**15,838**

- Floor Area Ratio 14,230 (Floor area) ÷ 27,546 (lot size) = .52
- Lot Coverage: 7,642 (6,838 + 804) ÷ 27,546 = .28
- Stories: 2 stories
- Height: 24'- 10" high

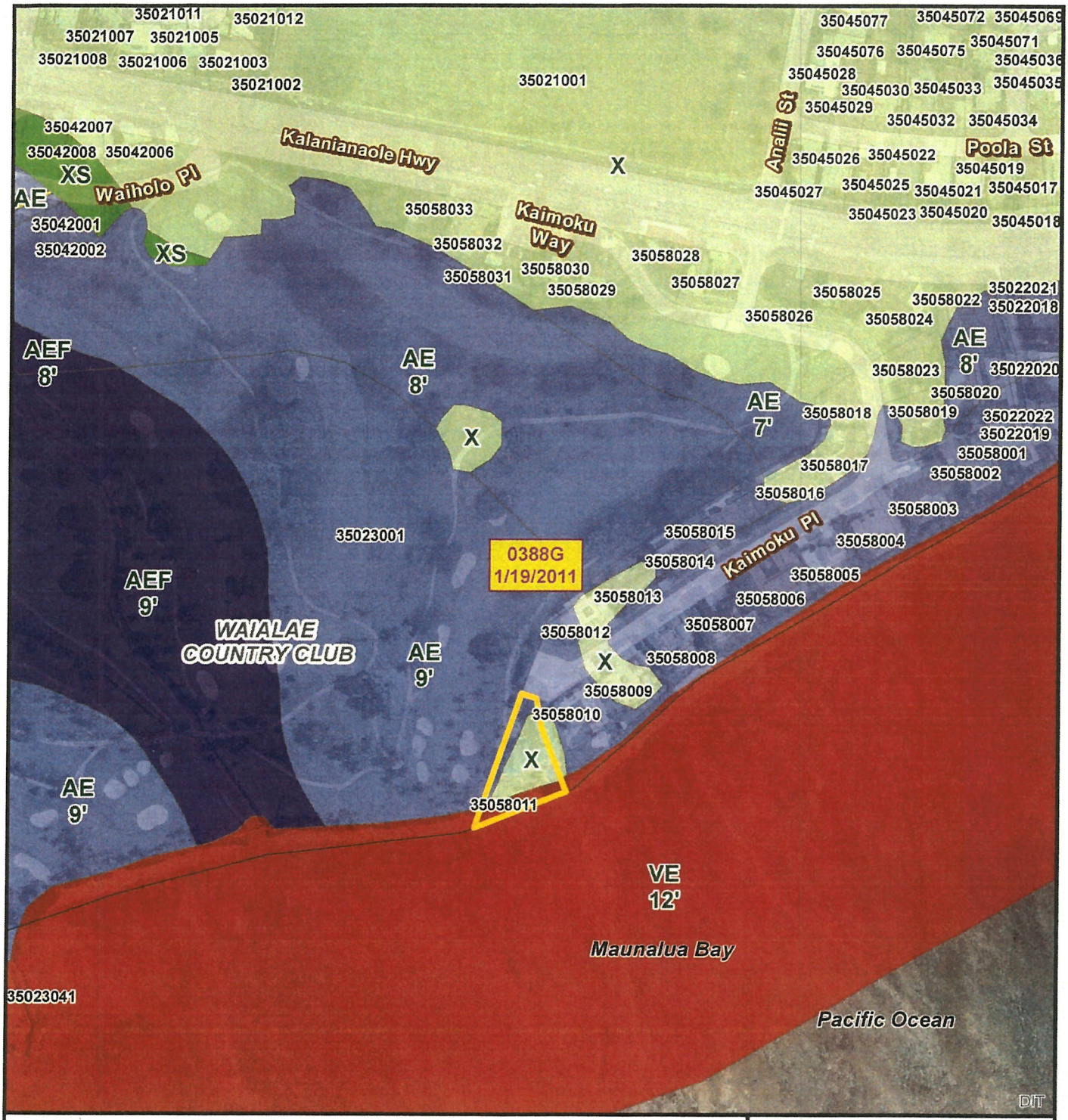
PROPOSED RESIDENCE:

Sq Ftge Calcs:

Lower Level Int:	5,922
Upper Level Int:	6,760
Sub total	**12,682**
Lower Level Lanai:	1,588
Upper level Lanai:	1,931
Garage:	837
Total	**17,038**

- Floor Area Ratio 12,682 (Floor area) ÷ 27,546 (lot size) = **46%**
- Lot Coverage: 8,032 (6,760 + 1,931) ÷ 27,546 (lot size) = **32%**
- Stories: 2 Stories
- Height: 25'-0" high
- Parking Requirements: 12,682 sq. ft. = **13 stalls**
- Permeable Area: 17,169 ÷ 27,546 = **62%**

820 W. Hind Drive #240139 Honolulu, Hawaii 96824 Tel: (808) 777-9968
email: kris@eiserlohharchitects.com website: EiserlohArchitects.com



Legend

- Project Site
- Flood Zone AE
- Flood Zone AEF
- Flood Zone VE
- Flood Zone X
- Flood Zone XS

Project Site

VICINITY MAP

0 150 300 600

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

EXHIBIT D

FLOOD HAZARD MAP

FILE NO.: 2023/SMA-7

PROJECT: KIM RESIDENCE

LOCATION: 1001 KAIMOKU PLACE - WAIALAE

TAX MAP KEY: 3-5-058: 011

Prepared by: Department of Planning and Permitting

Date Prepared: April 19, 2023

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EXHIBIT E

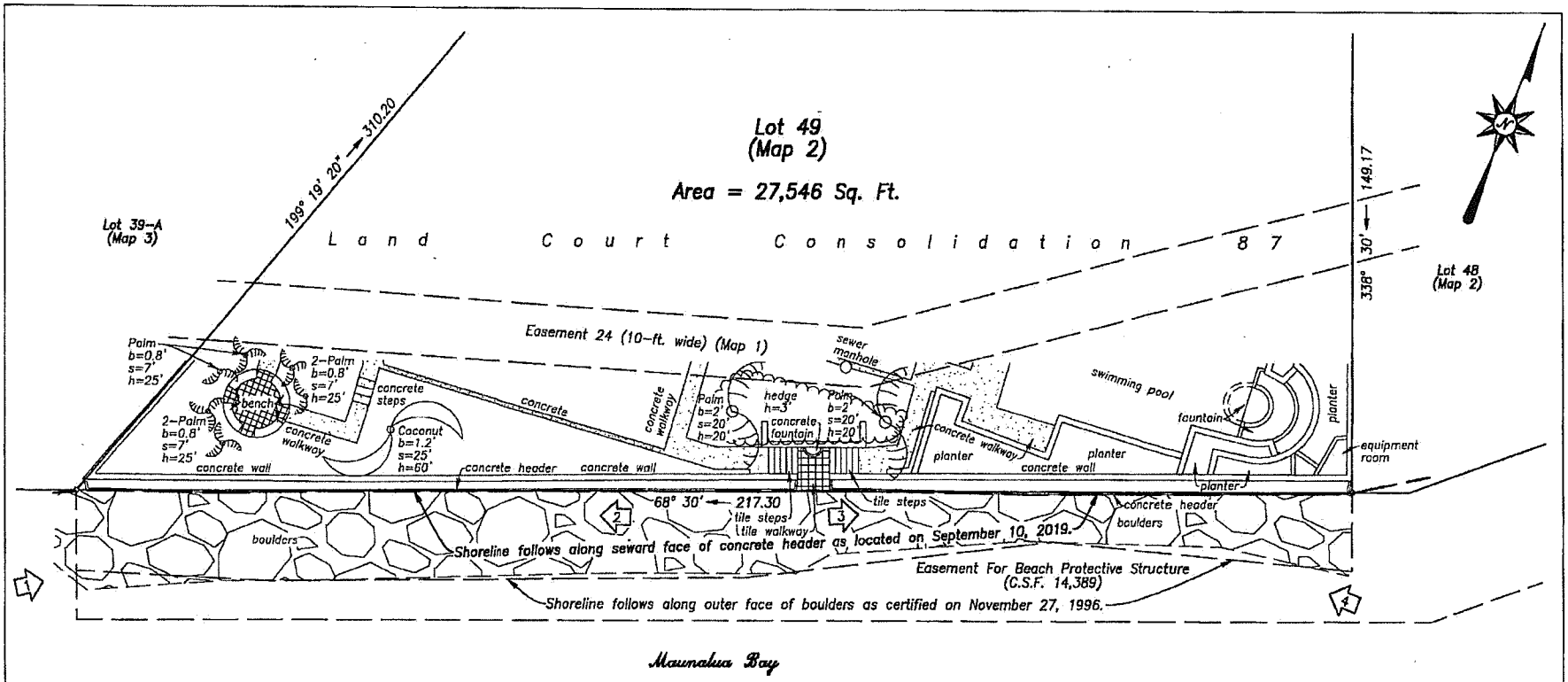
Residence at 1001 Kaimoku Place Photos



Photo 1: View from the southwest



Photo 2: View from the south with pool view



Note:

1 Denotes photo number and direction

PROPERTY ADDRESS: 1001 KAIMOKU PLACE
Honolulu, HI 96821

OWNER: DAVID D. KIM
4 ROBERT S DRIVE
Menlo Park, CA 94025

SHORELINE SURVEY
AT LOT 49 (MAP 2) OF
LAND COURT CONSOLIDATION 87

WAIALAE-IKI, HONOLULU, OAHU, HAWAII

TAX MAP KEY: 3-5-058: 011

SCALE: 1 IN. = 20 FT.

ROSS K. TANAKA
LICENSED PROFESSIONAL LAND SURVEYOR
No. 10744
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

LICENSED PROFESSIONAL LAND SURVEYOR No. 10744

SOURCE: KN Surveying, LLC, 2019

Residence at 1001 Kaimoku Place

EXHIBIT F

Draft Shoreline Survey





Residence at 1001 Kaimoku Place

SOURCE: Pacific Islands Ocean Observing System (PacIOOS), 2022

EXHIBIT G

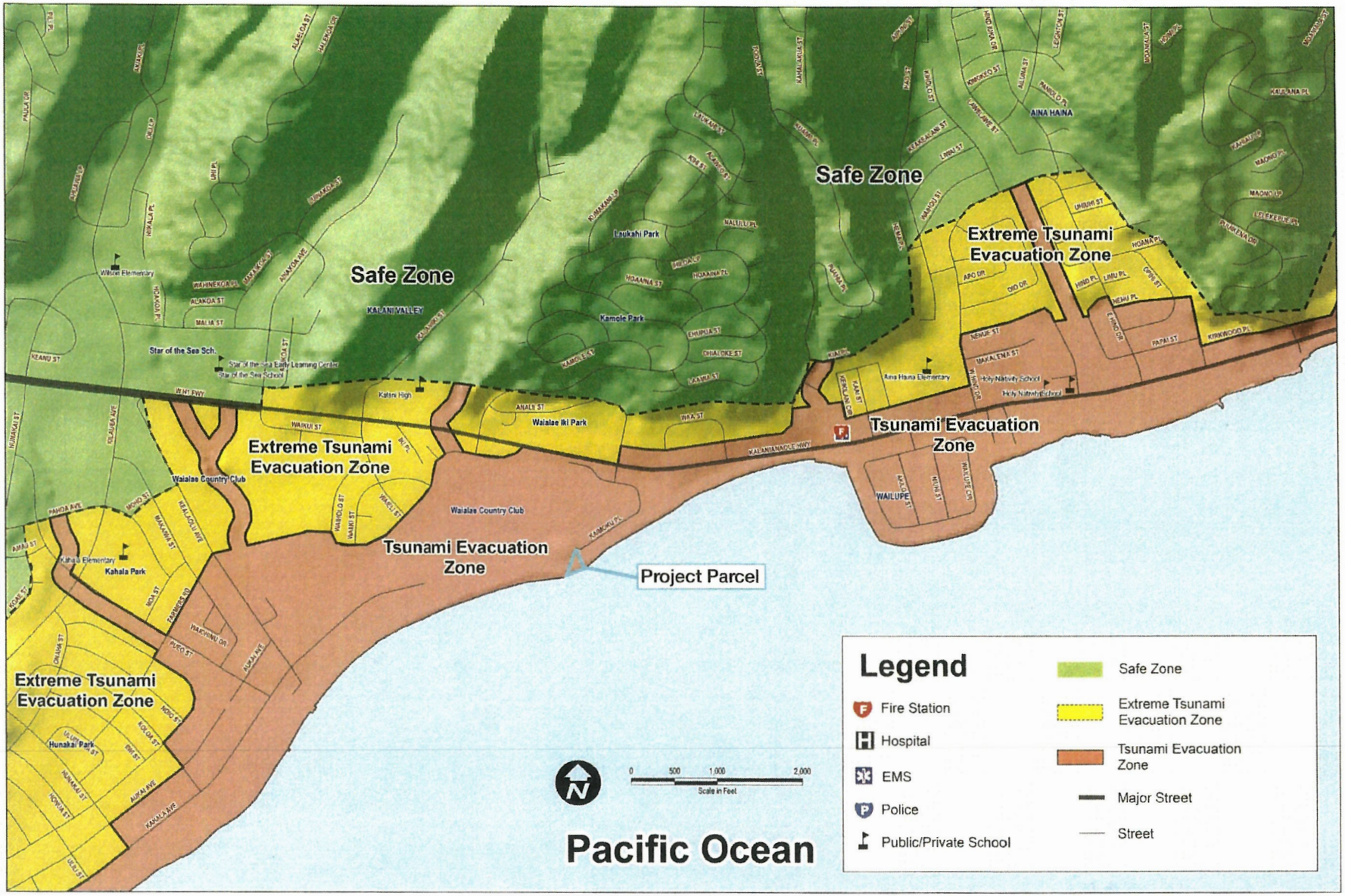
Sea Level Rise Exposure Area (SLR-XA 3.2) Feet Scenario and Site Plan Overlay



Residence at 1001 Kaimoku Place

SOURCE: Pacific Islands Ocean Observing System (PacIOOS), 2022

EXHIBIT H
Coastal Erosion Modeling



Residence at 1001 Kaimoku Place

SOURCE: City and County of Honolulu April 2015

EXHIBIT I

Tsunami Evacuation Zone

Kat, Michael A

From: Dildy, Jordan W
Sent: Monday, April 10, 2023 8:17 AM
To: Kat, Michael A
Subject: FW: Testimony on 2023/SMA-7 (MAK)

FYI. Testimony for your SMA.

From: Bautista, Hokulani S <h.bautista@honolulu.gov> **On Behalf Of** Department of Planning and Permitting
Sent: Monday, April 10, 2023 8:14 AM
To: Phomsouvanh, Lena <lena.phomsouvanh@honolulu.gov>
Cc: Dildy, Jordan W <jdildy@honolulu.gov>
Subject: FW: Testimony on 2023/SMA-7 (MAK)

Hi Lena,

Is this for you?

Please advise.

Thank you!

From: Trey Gordner <gg3@vt.edu>
Sent: Monday, April 10, 2023 7:01 AM
To: Department of Planning and Permitting <dpp@honolulu.gov>
Subject: Testimony on 2023/SMA-7 (MAK)

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

I strongly oppose this SA use permit. Every 17,000 square-foot single-family home we approve is another choice to prioritize the whims of a wealthy few over the needs of the many. This 27,500 square foot lot is in the R-7.5 district. It could hold 3-4 units by right, and significantly more with DPP's permission. I ask the Department to encourage the densest feasible development on this and other parcels as a matter of policy until we end the longstanding deficit of workforce housing units.

Trey Gordner

DEPARTMENT OF PLANNING AND PERMITTING

CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF DAVID KIM, 1001 KAIMOKU PLACE - WAIALAE	FILE NO. 2023/SMA-7

TRANSCRIPT OF PROCEEDING

In the above-entitled matter came on for public hearing at Aina Haina Public Library, Meeting Room, 5246 Kalanianaole Highway, Honolulu, Hawaii, Friday, April 28, 2023, commencing at 11:30 a.m., pursuant to Notice.

BEFORE: JORDAN DILDY, Hearings Officer

MICHAEL KAT, Staff Planner

P R O C E E D I N G

HEARINGS OFFICER DILDY: Good morning, everyone. My name is Jordan Dildy, and I am the hearings officer for today's public hearing. It is 11:40, and we are at the Aina Haina Public Library, Meeting Room. Today we are conducting a public hearing in accordance with Revised Ordinances of Honolulu, Chapter 25, related to the Special Management Area as well as the Hawaii Revised Statutes, Chapter 205A. The purpose of today's public hearing is to hear testimony on an application for a Special Management Area Major permit. The file number for the Special Management Area use permit is 2023/SMA-7. The request is to allow a construction of a new single-family dwelling. Pursuant to Chapter 25 of the ROH, all development in the SMA, subject to reasonable terms and conditions to ensure, 1) that adequate access is provided to publicly owned or used beaches, recreation areas and natural reserves; 2) that provisions are made for solid and liquid waste treatment, disposition and management; and 3) the alterations to land forms and vegetation and construction of structures minimizes adverse affects to SMA resources and cause minimal potential danger relevant to natural disasters.

No development in the SMA may be approved unless it is found that it will not have a substantial adverse

environmental or ecological effect. Development must be consistent with the Coastal zone management objectives, the General Plan, Development Plans and Land Use Ordinance.

Lastly, the City Council must seek to minimize where reasonable, the alteration of any natural shoreline, any development which will reduce the size of any beach or public recreation area, any development which would reduce or risk public access to shoreline resources, any development which would substantially interfere with the line of sight toward the sea from the state highway, and any development which would adversely affect water quality, fishing grounds, wildlife habitats or agricultural uses.

No decision will be made here today. The purpose of this public hearing is to take testimony from the public so that they can have input on the Director's report and recommendation, as well as the City Council's decision-making when they receive the report. You will have an opportunity to provide testimony when the application goes to the City Council for the actual decision-making. Once we close the public hearing, the Department will have 20 calendar days to transmit its report and recommendation to the City Council.

All testimony received today is going to be part of that record. It will be reflected in our report and attached to our report and recommendation along with a full

written transcript of this hearing so City Council can consider what was heard today. You are encouraged to contact the City Clerk if you'd like to attend the hearings held by the City Council.

So the procedure for today's hearing will be Michael Kat will present the basic facts behind the request, then the Applicant will present the project in greater detail then we will take public testimony. Each person will have one opportunity to speak. At the end of the testimony period, DPP staff will have an opportunity to ask questions about the proposal and the Applicant will have an opportunity to address any comments or concerns they have heard. There will not be a discussion period or question and answer period, however, as we receive public testimony, if there any questions, the Applicant will have a chance to address that at the end.

Now, Michael will you present the facts of the project, please.

STAFF PLANNER KAT: Good morning. My name is Michael Kai, and I am the planner assigned to process this SMA use permit application. The Applicant seeks a SMA use permit to allow the construction of a new two-story, 17,038 square foot single-family dwelling including a driveway, three-car garage, swimming pool and landscaping at 1001 Kaimoku PLace in Waialae. The Applicant is also proposing to

decommission the existing swimming pool within the Shoreline Setback Area by punching holes into the bottom of it and backfilling it with earth and materials excavated from the new swimming pool. The project site is a 27,546 square foot lot located within the R-7.5 Residential District. The site is developed with an existing 15,838 square foot single-family dwelling that is vacant and in disrepair.

The site is located at the end of Kaimoku Place in the Kainani neighborhood and directly adjacent to the Waialae Country Club. The site is entirely within the SMA situated on a shoreline lot. According to the FEMA Flood Insurance Maps, the site is located within Flood Zones VE, AE and X; Flood Zone VE is a coastal high hazard zone subject to high volocity wave action. Flood Zone AE is the flood fringe area, and Flood Zone X are areas outside the 2% annual floodplain.

The project area is almost entirely within Flood Zone X with a small portion being within Flood Zone AE. The finished floor elevations of the new dwelling will be approximately 9.88 square feet above mean sea level which is above the Base Flood Elevation of 9 feet.

Additionally, the site is protected by an existing seawall and boulder revetment which were both legally established. However, for reasons unknown, the State never finished processing the sell of the easement for boulder

revetment which now encroaches into the State Land Use Conservation District. The Applicant has been working to resolve the issue, and on April 14th, 2023, the Board of the Land Natural Resources approved the grant of a 25-year nonexclusive easement right-of-entry and revocable permit. Upon finalizing the easement, the Applicant will then be able to finish certifying their shoreline.

A small portion of the site appears to be within the sea level rise exposure area under a scenario with 3.2 feet sea level rise, but not within the project area.

According to the draft Archaeological Inventory Survey prepared for the EA, two features were identified during excavation. A charcoal and ash concentration determined to be pre-contact based on radiocarbon dating and a scatter of post-contact ceramic and glass artifact fragments, some of which can be dated from the later 19th to early 20th century or from the early to mid-20th century. Both were assessed as significant for informational content only and were not recommended for preservation. Because of the coastal location of the project area, however, there remains the possibility of inadvertently encountering native Hawaiian burials in the sand. Given this, precautionary archeological monitoring during any future ground disturbing work in the project area is recommended. Besides the backfilling of the existing swimming pool, construction

activities will be confined to the immediate project area. With construction equipment and materials temporarily stored on site, no other changes to the site are proposed.

That concludes my presentation. Thank you.

HEARINGS OFFICER DILDY: Okay. Thank you, Michael. Would the Applicant like to add or present more details of the project. Please state your name for the record?

MR. EISERLOH: Hello. My name is Kristan Eiserloh with Eiserloh Architects. I am the architect representing the owner on this project. We are asking for approval for the new single-family residence. The residence itself will be replacing an existing residence that's there and under disrepair. It will be a smaller residence then what is there now, and the lot coverage will also be less. We are also going to demolish the existing swimming pool inside the 40-foot setback and fill it in with dirt and then have grass or landscaping in its replacement. There's other concrete structures on the property that will also be removed in the 40-foot setback, but those specific details have not be finalized yet until we consult with our landscape architect or have a final landscape architect plan.

I think overall it will be a much improved project for the neighborhood. It will be visually much better for

the Sony Open when its being aired on TV, and we're all excited to get started with the new project construction.

If there's any questions, I'd love to answer them. Thank you.

SECRETARY-REPORTER TAKARA: Sir, can I please have the spelling of your name for the record, please?

MR. EISERLOH: My name is K-R-I-S-T-A-N, and then the last name is E-I-S-ER-L-O-H.

SECRETARY-REPORTER TAKARA: Thank you.

HEARINGS OFFICER DILDY: Thank you for providing more information. Now, we have public testimony. Would anyone like to testify or have any comments? [no response] Seeing that there are none. Michael, do you have any questions for the Applicant?

STAFF PLANNER KAT: No, I don't.

HEARINGS OFFICER DILDY: Okay. With no further questions, the public hearing is closed.

[Adjourned approximately 11:50 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 Friday, April 28, 2023.

Gloria Takara

Secretary-Reporter

MAY 1, 2023

Date