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DEPARTMENT OF PLANNING AND PERMITTING
KA ʻOIHANA HOʻOLĀLĀ A ME NĀ PALAPALA ʻAE
CITY AND COUNTY OF HONOLULU

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December 26, 2024

2024/SMA-86(ST)

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

Dear Chair Waters and Councilmembers:

SUBJECT: Special Management Area (SMA) Major Permit
Līpoa Development LLC
Hale O Līpoa Affordable Multi-Family Rental Housing Project
98-150 Līpoa Place – ʻAiea
Tax Map Key 9-8-014: 021

Enclosed for your consideration are the Department of Planning and Permitting's (DPP) Report and Recommendation and Draft Resolution for an SMA Major Permit for the demolition of six existing two-story apartment buildings on a 42,000 square foot property, and the construction of a new eight-story 153-unit multi-family affordable rental housing project, with two-levels of parking, a community center, gym, storage rooms, mailroom, bicycle parking, storage, and a private third-floor open-air landscaped deck.

The DPP recommends approval of the application subject to a City Council approval of the 201H application, standard conditions, including time-extensions, archaeological clearance and stop work conditions, protections for migratory species and invasive species, colors and materials labeling on building permit plans, construction permit timelines, and compliance with other codes and regulations.

Pursuant to Revised Ordinances of Honolulu Chapter 25, the City Council must act within 60 calendar days after receipt of our Report and Recommendation; however, the City Council may extend this period of time upon receipt of a request from the Applicant for an extension.

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

Very truly yours,

FOR: Dawn Takeuchi Apuna
Director

Enclosures: DPP Report and Recommendation
Draft Resolution
Exhibits A, B, C, D-1 through D-10, E-1 through E-4, and F through M

APPROVED BY:

Michael D. Formby, Managing Director
Office of the Managing Director

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

STATE OF HAWAI'I

IN THE MATTER OF THE APPLICATION

BY

LĪPOA DEVELOPMENT LLC

FOR A

SPECIAL MANAGEMENT AREA
(SMA) MAJOR PERMIT

FILE NO. 2024/SMA-86(ST)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION

I. APPLICATION

A. Basic Information:

APPLICANT/AGENT:	Līpoa Development LLC (Keegan Flaherty)
LANDOWNER:	Steve K. Ojiri Revocable Trust and Ray M. Ojiri Revocable Living Trust
LOCATION:	98-150 Līpoa Place – 'Aiea (Exhibit A)
TAX MAP KEY (TMK):	9-8-014: 021 (Exhibit B)
LAND AREA:	42,000 square (sq.) feet (ft.)
ZONING:	BMX-3 Community Business Mixed Use District (Exhibit C)
STATE LAND USE:	Urban District
DEVELOPMENT PLAN:	Primary Urban Center Development Plan (PUCDP)

B. Proposal: The Applicant proposes to demolish six existing two-story apartment buildings containing a total of 48 rental units, and construct a new eight-story, 153-unit multi-family affordable rental housing Project, with two-levels of parking, a community center, a gym, storage rooms, mailroom, bicycle parking, storage, and a private third-floor open-air landscaped deck (see Exhibits D-1 through D-10).

The Project is designed as affordable workforce housing, with studios, as well as one-, two-, and three-bedroom units. According to the Project plans, the total floor area will be 151,784 sq. ft., which is a floor area ratio (FAR) of 3.61 and a building area (lot coverage) of 36,128 sq. ft., or approximately 86 percent of the lot. Upon Project completion, the site will contain approximately 90 percent impervious surface area. Project components include:

- A 90-ft.-high, U-shaped concrete building, with two levels of parking at the base of the structure (podium);
- Six floors of residential units, totaling 153-units, consisting of 18 studios, 51 one-, 71 two-, and 12 three-bedroom units. One unit will be for an on-site property manager. The units do not feature open lanais or balconies.
- A two-level parking podium containing 147 parking spaces, 20 short-term bicycle parking spaces, and 80 long-term bicycle parking spaces (storage). The podium (3rd floor) includes a 9,800-sq.-ft. private open-air landscaped deck which faces mauka (north);
- Two driveway entrances into the parking structure; and
- Street trees installed along the front yard (south) along Līpoa Place. Side and rear yards will be landscaped and irrigated with permanent sprinkler systems.

Due to the building height, the existing soil type, and the water table only two to six ft. below grade, the 24-inch diameter concrete pile foundation piles will be installed 50 to 100 ft. below the existing grade.

The Project cost is estimated at $90 million, and is anticipated to be completed by mid-2027, pending the securing of Low-Income Housing Tax Credits or Rental Housing Revolving Fund financing and the receipt of all required permits.

C. Background: The 42,000-sq.-ft. property is developed with the Pepper Tree Apartments which consist of six two-story apartment buildings with a total of 48 dwelling units. Built in the early 1970s, the apartments include an at-grade parking lot (see Exhibit D-1). According to the Applicant, current tenants within these units will receive relocation assistance as part of the services offered by Ikenākea Development LLC.

II. FINDINGS OF FACT

On the basis of the evidence presented, the Director of the Department of Planning and Permitting (DPP) has found:

Lot Area	42,000 sq. ft. (0.964 acre)
Lot Shape	Rectangular-shaped polygon
Topography	Level land with an elevation of about 4.5 ft. above mean sea level (MSL).
Current Development	Six two-story apartment buildings, at-grade parking.
Surrounding Uses	To the North – Auto repair and eating establishments, and Kamehameha Highway beyond. To the East – Parking lot, Kalauao Spring Canal, Pearl Kai Shopping Center. To the South – Vacant lot, Pearl Harbor Historic Trail (Bike Route), and the East Loch of Pearl Harbor beyond. To the West – Low-rise apartments, hotels, retail establishments, and the transit station beyond (see Exhibits D-1 and E-1).
Nearest Bodies of Water	Pearl Harbor – Estuarine Intertidal Substrate and Estuarine Intertidal Emergent Wetland, 300 ft. away. Kalauao Spring Channel and outlet beyond Līpoa Place, 100 ft. away. Kalaluao Stream, 400 ft. away. Loko Pa 'aiau Fishpond, 850 ft. away (see Exhibits B and G).
Shoreline	The site is not a shoreline property. The shoreline of Pearl Harbor East Loch is approximately 300 ft. south of the site (see Exhibits B, D-1, E-2, and F).
Soil Classifications	Keaau clay, saline – This soil consist of moderate to shallow, with moderate shallow, with slopes from zero to two percent, which are poorly drained with negligible runoff. The ground water is located two to six feet below the ground surface (see Exhibit F). (United States Department of Agriculture [USDA] - Natural Resources Conservation Service [1972])
Vegetation	The site is vegetated with a variety of introduced ornamental plants including various palms, plumeria, and rainbow shower trees.

Flood Zone	Flood Zone X – The site is outside of the 500-year Flood Zone X, as shown on the Federal Emergency Management Agency, Flood Insurance Rate Map (FIRM) Panel No. 15003C0243H, revised November 5, 2014 (see Exhibit H).
Sea Level Rise (SLR)	The site is not anticipated to be impacted by the SLR scenario envisioning 3.2 ft. of SLR by the year 2100 (see Exhibit I).
Shoreline Erosion Rate	The site is not a shoreline lot. There is no erosion rate determined for the Pearl Harbor coastline on the O'ahu Shoreline Change Viewer, so the shoreline setback is 60 ft. for the shoreline lots in the vicinity of the Project site (see Exhibit F).
Hurricane Storm Surge	The site is projected to be impacted by storm surge of greater than three feet during hurricane events up to Category 4 (see Exhibit J). (National Oceanic and Atmospheric Administration Storm Surge Risk Mapper)
Tsunami	The site is not within the Tsunami evacuation zone (see Exhibit J). (Hawai'i Emergency Management Agency Mapper)
Environmental Compliance	An Environmental Assessment (EA) was prepared in accordance with the requirements of Revised Ordinances of Honolulu (ROH) Chapter 25, and the procedural steps of Hawai'i Revised Statutes (HRS) Chapter 343. The DPP issued a Finding of No Significant Impact (FONSI) on August 9, 2024. The Final EA-FONSI was published in "*The Environmental Notice*" on September 8, 2024, by the State Environmental Review Program of the State Office of Planning and Sustainable Development.
Other Permits and Approvals	State Department of Health– National Pollution Discharge Elimination System (NPDES). City DPP - Grading, stockpiling, trenching, and building permits.
Agency Comments	Agency comments were received during the EA process conducted by the DPP in Environmental Disclosure File No. 2023/ED-12. All letters and comments received have been included in the Project file and incorporated into the Analysis Section, as appropriate.

Neighborhood Board (NB)/ Community Association Presentation	On November 14, 2023, March 12, 2024, and April 9, 2024, the Applicant presented the Project to the 'Aiea NB No. 20. Relevant comments are incorporated into the Analysis, as appropriate. The Applicant also hosted a Town Hall meeting on April 3, 2024, at Waimalu Elementary School, and also attended the 'Aiea Community Association meeting on April 15, 2024.
Public Hearing	On October 28, 2024, the DPP conducted a public hearing at 10:30 a.m. in the Fasi Municipal Building, 6th Floor Conference Room, 650 South King Street. Other than the Agent, the Applicant's contractors, and the DPP staff members, no members of the public attended the public hearing. However, written public testimony in opposition to the Project was submitted by 25 individuals and organizations.

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 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.

The Project will not negatively impact existing recreational access or recreational opportunities in this region because the site is not utilized for access to any recreational amenities. The site is located near the Pearl Harbor Historic Trail (i.e., bike route). Neal Blaisdell Park and the 'Aiea Bay State Recreation Area are located about one-half mile to the west and east respectively, and are accessible by vehicle from Kamehameha Highway, or by bicycle or on foot via the Pearl Harbor Historic Trail. Typical shoreline uses, such as fishing or watercraft recreation, are restricted in Pearl Harbor by the U.S. Navy. During construction, the disruption or interruption of street use will require a street usage from the City Department of Transportation Services. The use of standard best management practices (BMPs), including dust fences, siltation barriers, and socks, should prevent general construction related impacts, such as dust, runoff, or erosion, from interfering with this public recreational resource. Therefore, no significant

long term impacts to recreational resources are anticipated and no related condition is required.

B. Historic and Cultural Resources

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

An archaeological literature review and field inspection were conducted during the preparation of the EA. The site is located in the Kalauao Ahupua'a. During the pre-contact period, the low-lying marshy areas along the two waterways were cultivated in taro. The area also contained three fish ponds, the Loko Opu, Loko Pa'aiau, and Loko Pa'akea. Portions of the Project site are actually shown on historic maps to be within the boundaries of Loko Opu. By the late 1800s, these fishponds were filled and replaced with rice, the sugar cane industry, and the O'ahu Railway & Land Company (OR&L). Previous archaeological studies within one kilometer of the Project have revealed lo'i deposits (State Inventory of Historic Places [SIHP] 50-80-09-7150), an OR&L remnant (SIHP 50-80-12-9714), two historic drainage culverts (SIHP 50-80-09-7567), and Loko Opu fish pond (SIHP 50-80-09-109). According to this report, it is likely that materials and deposits will be uncovered. Therefore, archaeological monitoring and a monitoring plan (AMP) was recommended prior to the start of ground disturbing construction. This AMP will be reviewed and approved by the State Historic Preservation Division (SHPD), prior to the issuance of building permits and the start of ground disturbing activities. This is also recommended as a condition of approval.

In addition, as with any project where earth-moving activities are required, there is a possibility for subsurface deposits to be discovered during construction. Therefore, 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 must stop work and contact the SHPD. These are recommended as conditions of approval.

Archival research and ethnographic interviews compiled for the current study reveal that the Kalauao Ahupua'a and surrounding area were important for cultural and traditional activities. Although the interviews did not find that the Project site is directly related to current Hawaiian rights customarily and traditionally exercised, concerns were raised regarding the Project's potential impacts to ground and surface water resources of the Loko Pa'aiau fish pond, which is being restored about 850 ft. to the southeast, on U.S. Navy land at the McGrew Point (TMK 9-8-019: 007) (see Exhibit G). Testimony provided by the Ali'i Pauhi Hawaiian Civic Club, Ho'ōla Hou iā Kalauoa, Malama Pa'ake O Waimalu, and Healani Land Co. Inc. stated that the size and bulk of the Project

over existing low-density development, impacts future generation's opportunity to experience the innovative Native Hawaiian technology and ecology of fishponds. However, given the Project is 850 ft. distance from this fishpond and the fact that direct public access is restricted because it is located on Federal Navy land, the DPP finds the Project will not curtail or impede traditional native Hawaiian access or customary gathering rights or religious practices. Additionally, vehicular and pedestrian access to the fishpond would not use Līpoa Place or any of the lots surrounding the Project site. Concerns regarding potential Project impacts due to drainage, storm runoff and groundwater effect on fishpond water sources ('auwai), are discussed in Section D. Therefore, no related condition is recommended regarding customary and traditional native Hawaiian rights.

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.

The 1987 Coastal View Study designates the site as being within the South Shore Pearl Harbor Viewshed and this segment of Kamehameha Highway is designated as a coastal roadway without coastal views. However, riding along the 40-ft.-high guideway of the Honolulu Rail Transit Project (Skyline), does afford coastal views of Pearl Harbor. In this viewshed, Neal Blaisdell Park to the west and Richardson Park to the east are designated as providing significant stationary views. The Project will be visible from the State Highway and the 40-ft.-high Skyline guideway. The 90-ft.-tall Project will be visually prominent when compared with the surrounding existing development. However, the City Council adopted the 'Aiea-Pearl City Transit Oriented Development (TOD) Special District (SD), which increased the zoning height limit up to 90 ft. to encourage residential development around this transit station, to increase ridership, and to focus development along the rail corridor (see Exhibit L). Furthermore, the adoption of the TOD-SD increased density permissible specifically within this portion of the Kalauao (Pearlridge) Station area. The visual impact of the Project will be minimized through the use of appropriate exterior colors and building materials which consist of natural earth tones and the limited use of reflective surfaces. As a condition of approval, the Applicant should be required to label on the building permit plans the colors and materials being used to ensure natural earth tones are used and bright white and reflective surfaces are avoided.

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.

1. Sensitive Coastal Habitats and Species:

   a. Wetlands and Streams: The closest wetlands are off-site along the shoreline of Pearl Harbor East Loch (300 ft. away), the Kalaluao spring channel (100 ft. away), the Kalaluao Stream (400 ft. away), and the Loko Pa'aiau fishpond, is about 850 ft. to the east of the Project site on U.S. Navy land (see Exhibit G). Pearl Harbor is designated as an Estuarine and Marine Deepwater, while the channel, stream, and fish pond are designated as Estuarine and Marine wetland. The Project will comply with the City Storm Water Run Off regulations. During construction, an NPDES permit will be required for dewatering of the site, and the use of BMPs will be required. Therefore, potential adverse impacts to the near- and off-shore waters of Pearl Harbor, the streams, and the fishpond are unlikely to be affected by this Project. No adverse impacts to the nearby surface waters are anticipated from surface runoff.

   The installation of foundations will require concrete piles up to 100 ft. below the surface because the Pearl Harbor groundwater is located a mere two to six ft. below grade. The community groups who oppose the Project cite declining ground water quality and quantity attributed to development throughout the area (i.e., Pearl Kai and Pearlridge Shopping Centers), which have affected available water sources for fishpond restoration and use. However, in a recent study (Izuka and Rotzoll, 2023), the increase in groundwater salinity was attributed to the increased pumpage of the larger Waimalu system aquifer.

   The Project's pile foundation is not anticipated to reach the bedrock cap of the lower basal cell aquifer where freshwater is in contact with seawater. The Applicant states that the proposed use of pour-in-place foundation piles, versus driven piles without grouting, will act as a plug of the surrounding caprock which minimizes the vertical migration or discharge of groundwater. The Project is not anticipated to affect the up gradient Kalauao Springs or the down gradient outflow near Pearl Harbor. On a temporary basis, the dewatering of the auger holes for the piles can temporarily affect groundwater on a localized basis. Any dewatering will require an

NPDES from the State, which also requires precautionary mitigation of any impacts to water quality. Given all this, no impacts to wetlands and streams are anticipated as a result of this Project and no related conditions of approval are proposed.

b. Flora: The site is sparsely vegetated with a variety of introduced grasses, shrubs, or herbaceous plants and a handful of introduced tree types, mainly ornamental palms interspersed on the site. The Project will replace all existing vegetation. There is no adverse impact to flora that is anticipated and no condition of approval is recommended.

c. Fauna: The U.S. Fish and Wildlife Service (USFWS) commented there are no federally designated critical habitats within the immediate vicinity. However, certain endangered or threatened or protected species, such as the Hawaiian Hoary Bat and certain endangered or protected bird species, including the Hawaiian petrel, band-rumped storm petrel, Newell's shearwater, and wedge-tailed shearwater, may transit through the vicinity of the Project area.

Given that artificial lighting can be disruptive to avifauna and marine life in their navigation, nesting, and reproductive cycles, all outdoor lighting for the Project should be fully shielded, and nighttime work (from sunset to sunrise) must be avoided during the seabird fledgling season from September 15 through December 15. Also, because the Hawaiian Hoary Bat may transit through the vicinity of the Project area, woody plants greater than 15 ft. in height should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15). These are recommended as conditions of approval.

d. Invasive Species: The State Division of Forestry and Wildlife (DOFAW) requests that all government agencies, organizations, and the public be aware of the threat presented in the movement of soils and plant materials between worksites, which may contain detrimental fungal pathogens (e.g., rapid 'ōhia death), vertebrate and invertebrate pests (e.g., little fire ants, coconut rhinoceros beetles, etc.), or invasive plant parts (e.g., Miconia, Pampas Grass, etc.) that could harm native species and ecosystems. The State DOFAW recommends consulting the O'ahu Invasive Species Committee (OISC) to help plan, design, and construct in ways to mitigate their spread. The Applicant should be required to follow OISC education and Decontamination Protocols designed to avoid the spread and impact of invasive species importation in soils and or plant materials. These measures should be included as conditions of approval.

The Applicant will be required to utilize BMPs to prevent the escape of silt, dust, and water into the surrounding areas during construction. Given that BMPs are required for grading and trenching permits, a similar condition of approval is not necessary. Completion of the Project improvements and adherence to required monitoring and reporting requirements will minimize the possibility of negative impacts to near-shore marine life.

2. Reefs, Beaches, and Coastal Dunes: The Project is not located near existing reefs, beaches, and coastal dunes; see Section H, below.

3. Solid and Liquid Waste Treatment and Disposal: The facility will be serviced by the existing municipal system which includes an eight-inch sewer line, connected to three six-inch lateral sewer lines located at the north property boundary. A Sewer Connection Application (SCA) was previously granted to the Applicant (SCA No. 2023/SCA-0514). Solid waste will be removed via private trash collection service. Short-term construction waste will be hauled off-site and disposed of at an appropriate disposal facility. As such, implementation of the Project is not anticipated to result in adverse impacts related to solid or liquid waste disposal. Therefore, no related conditions 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 will provide much needed affordable rental workforce housing, which is important to the State's economy. The Project is generally consistent with the objective of providing new affordable housing in an area that is not exposed to coastal hazards as the site is not subject to flooding and tsunami inundation. As a Project planned within the TOD station area, it realizes the maximum 90 ft. building height and greater densities. Therefore, the proposal meets this objective and no condition regarding the restriction of economic uses is recommended.

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, siltation, or failure in the event of earthquake.

1. Flooding: The site is located outside of current Flood hazard areas and is within the FIRM Flood Zone X, areas outside the 100- and 500-year floodplains. Therefore, the site is not subject to compliance with flood regulations of ROH Chapter 21A. The site is 4.5 ft. above MSL (see Exhibit H). The existing drainage system within the Project site consists of a drainage ditch located along the north (mauka) boundary leading to Kalauao Spring Ditch to the east. There is one storm drain catch basin at the intersection of Līpoa Place, about 150 ft. to the west. The Project will be required to comply with the City's Stormwater Management Standards, no impacts relating to flooding are anticipated and no specific SMA condition is proposed.

2. SLR: Based on a review of the University of Hawai'i Pacific Island Ocean Observing System SLR Viewer, the Project in not projected to be inundated under a scenario envisioning 3.2 ft. of SLR by 2100 (see Exhibit I). It is possible that in the future, passive flooding and annual high wave flooding may be exacerbated by SLR. If that comes to pass, appropriate Project site revisions and new improvements will need to be designed and implemented at that time.

3. Storm Surge: The National Oceanic and Atmospheric Administration, National Storm Surge Hazards Map indicates that the site is anticipated to be inundated by less than three ft. of storm surge during a Hurricane Category 4 event (see Exhibit J). The Project is a multi-family living development which will be occupied by tenants 24-hours-a-day, seven days a week. When a hurricane is approaching a coastal location, early evacuation is the standard mitigation. Therefore, a separate SMA storm surge condition of approval is not required.

4. Tsunami: The entire Project site is not located within the tsunami evacuation zone (see Exhibit I). Therefore, a separate SMA condition regarding tsunami resilience is not required.

G. Managed Development and Public Participation

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

During the EA processing, which preceded the SMA application, the DPP distributed requests for comment to various government agencies. On August 9, 2024, the Final EA and FONSI was issued by the DPP, which was published in the September 8, 2024 issue of *The Environmental Notice*.

Prior to the SMA Permit application submittal, the Applicant presented the Project to the 'Aiea NB No. 20 on three separate occasions: November 14, 2023, March 12, 2024, and April 9, 2024. The NB expressed support for the Project, but raised concerns on the adequacy of parking spaces, timely community engagement, elected official notification, the possibility of below-grade parking (vs. two-level parking podium), and concerns related to the displaced residents and their opportunity for placement in the Project.

Upon the acceptance of the SMA permit application, notices of the application and public hearing were published in the October 7, 2024 edition of the Honolulu Star-Advertiser, and sent to landowners within 300 ft. of the subject property, various community organizations, elected government officials of the area, and other interested parties. The application materials were also posted on the DPP website for public review. Lastly, the DPP held a public hearing on October 28, 2024, pursuant to SMA requirements. No members of the public attended. However, written public testimony was received from 25 individuals and organizations, including the Ali'i Pauhi Hawaiian Civic Club, Ho'ōla Hou iā Kalauoa, Malama Pa'ake O Waimalu, which are non-profit organizations that further native Hawaiian culture, lands, and rights. The Healani Land Co. Inc., a for profit development company, also submitted testimony. All testimony were in opposition to the Project.

The opposition to the Project is focused on its additional height and bulk over the surrounding development, and its potential to contaminate fishpond water sources ('auwai) from the nearby sources such as the Kalauao Springs Ditch and Kalauao Stream to the east of the site, or groundwater which underlie the entire area. However, the Project will implement established short-term construction mitigation and the use of a hydrologic sensitive foundation system which reflects public participation in coastal management. This is consistent with the managed development set forth in the 'Aiea-Pearl City Neighborhood TOD Plan, adopted by the City Council.

Additional opportunities for public input will be available during the City Council meetings.

H. Beach and Coastal Dune Protection

Development within the SMA should facilitate beach management and protection by safeguarding beaches and coastal dunes for public use and recreation, the benefit of ecosystems, and use as natural buffers against coastal hazards. New structures should be located mauka of the shoreline setback line to conserve open space, minimize interference with natural shoreline processes, and minimize the loss of improvements due to erosion.

The Project site is not a beach or coastal dune system identified by the USDA - Natural Resources Conservation Service Web Soil Survey. However, as discussed in Section F of this report, the Project drainage and storm water will be contained on site to protect and preserve the existing Pearl Harbor shoreline, which offers limited public use and recreation. Therefore, the Project will not negatively impact beaches or dunes, and no related 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 National Wetlands Inventory of the USFWS identify the Pearl Harbor East Loch shoreline as Estuarine Intertidal Substrate and Estuarine Intertidal Emergent Wetland offsite (see Exhibit G). The navigable waters of Pearl Harbor East Loch are also protected by Section 10 of the Rivers and Harbors Appropriation Act of 1899 and Section 404 of the Federal Clean Water Act. The Project will be required to utilize and observe existing storm water runoff regulations to prevent the potential impacts to the off-site steam and marine and coastal resources of Pearl Harbor East Loch. The mandatory use of standard BMPs during construction mentioned previously, such as dust and siltation curtains, appropriate grading entry sites, and wash down protocols, will help avoid negative impacts to Pearl Harbor, its estuaries, or nearshore waters. Therefore, nearby riparian, near-shore inter-tidal wetland, and marine and coastal resources are unlikely to be negatively impacted. Therefore, no additional condition of approval is recommended.

J. Cumulative Impact Analysis

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 implementation of the Project along with other past, present, and reasonably foreseeable projects in the Project vicinity are not anticipated. The Project site and other SMA lots within 500 ft. of the Project site perimeter are similarly zoned for community business mixed use and subject development standards of ROH Chapter 21 (see Exhibits C and M). These SMA properties similarly require that development undergo the review for impacts to the sensitive coastal resources previously described in this report. The Project site is within a previously-established multifamily dwelling and business area where access to electricity, water, municipal fire suppression water, and wastewater services are already available.

Only one past SMA Minor Permit to modify an existing eating establishment was identified, and no foreseeable development projects were identified over a five-year span and within a 500-ft. radius of the Project site (see Exhibit M). The potential for site-specific or cumulatively considerable impacts associated with the Project have been evaluated herein, and where necessary, conditions of approval are recommended. Therefore, upon implementation of the recommended conditions of approval and compliance with applicable regulatory requirements, it is not anticipated that the Project will contribute to a significant cumulative impact to SMA resources. As such, no conditions of approval specific to cumulative impacts are 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.

1. O'ahu General Plan (GP): The Project is generally consistent with the GP Objective A policies relating to Housing and Communities - *To ensure a balanced mix of housing opportunities and choices for all residents at prices they can afford.* The relevant policies to achieve this objective include:

   Policy 1 - Support programs, policies, and strategies that will provide decent and affordable homes for local residents, especially those in the lowest income brackets.

Policy 7 - Provide financial and other incentives to encourage private sector to build homes for low- and moderate-income residents.

Policy 13 - Encourage the production and maintenance of affordable rental housing.

The Project is also generally consistent with the GP Objective C policies relating to Housing and Communities – *To provide residents with a choice of living environments that are reasonably close to employment, schools, recreation, and commercial center, and that are adequately served by transportation networks and public utilities.* The relevant policies to achieve this objective include:

Policy 1 - Ensure that residential developments offer affordable housing to people of different income levels and to families of various sizes to alleviate the existing condition of overcrowding.

Policy 2 - Encourage the fair distribution of low- and moderate-income housing throughout the island.

Policy 5 - Support mixed-use development and higher-density redevelopment in areas surrounding rails transit stations.

The proposed Project is consistent with these polices as it will offer 152 affordable rental units for a minimum of 61 years under either one of two scenarios depending on financing the Applicant is able to secure.

Scenario 1: 100 percent to households earning 60 percent or below area median income (AMI); or

Scenario 2: 21 percent to households earning at or below 80 percent AMI, and 79 percent to households earning 80 percent to 100 percent AMI.

Therefore, it is generally consistent with the O'ahu GP; no conditions of approval are recommended.

2. PUCDP - The Project is consistent with the PUCDP (2004) vision to provide the orderly and coordinated public and private sector development in the Primary Urban Center. The Project is within a residential area on the PUCDP designated as low-density apartment/commercial mixed use on the Urban Land Use Map and is consistent with the general policy to provide affordable housing in new residential development.

The PUCDP also allows for urban design flexibility as appropriate for redevelopment in the TOD-SD around the Skyline Stations (See Exhibit L). The Project is appropriate for flexibility including taller height and increased density, due to its proximity to the Kalauao (Pearlridge) Station and the surrounding urban environment. The provision of a mixture of unit types at either 60 percent AMI levels and below, or the workforce housing at or below 80 to 100 percent AMI for 61-year length proposed supports exercising this design flexibility. Therefore, the Project is generally consistent with the PUCDP.

3. ROH Chapter 21, the Land Use Ordinance (LUO). The proposed Project involves several requests for waivers from the requirements of the LUO. These waivers are being requested via the 201H Affordable Housing Program. If the 201H Program was not being used, the waiver requests could be considered under a TOD-SD Permit. The Applicant requests waivers to:

   - Exceed the maximum permitted FAR of 3.5 in the BMX-3 Community Business Mixed Use District. The proposed FAR is 3.61 or 151,784 sq. ft. of total floor area;
   - Exceed the 60-ft. height limit of the Project site. The proposed height is 90 ft.;
   - Encroach a maximum of 5.33 ft. into the required 10-ft. front, side and rear yards;
   - Encroach a maximum of 7.17 ft. into the height setback; and
   - Not provide the required landscaping to allow bicycling parking, paving, and lighting in the required yards.

   These waivers could also be approved by the City Council under a Planned Development – Transit (PD-T) Permit. In relation to the TOD-SD standards, the Project seeks exemptions from the following:

   - TOD-SD objectives LUO §21-9.100-6 (a) through (h);
   - Obtaining a PD-T required for a FAR beyond 3.5 (to 3.61);
   - Obtaining a PD-T required for the maximum height of 90 ft.;
   - Landscaping all yards to allow bicycle parking and narrower sidewalks;
   - Height setbacks to allow a building over 60 ft. to encroach into the required 50-ft. setback along side (east and west) and rear (north)

property lines;

- Building entrance requirements to allow less than three pedestrian entrances from a street; and

- Vehicular parking requirements to allow vehicular parking at ground level within 40 ft. from the street without active ground floor activities.

If the City Council approves the resolution to grant waivers and exemptions under the City's 201H Program and HRS § 201H-38, the Project will be consistent with county zoning. Therefore, the SMA resolution approving the development should include a condition of approval specifying that the development may only proceed if the 201H resolution is approved or if the Applicant applies for and obtains a PD-T Permit.

IV. CONCLUSIONS OF LAW

The proposed development was reviewed under the provisions of ROH §§ 25-3.1 and 25-3.2 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 Conclusion, it is recommended that the application for a SMA Major Permit be **APPROVED**, subject to the following conditions:

A. The 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, B, C, D-1 through D-10, E-1 through E-4, and F through M, enclosed hereto and incorporated herein by this reference. Any change in the size or nature of the Project that has a significant effect on coastal resources addressed in ROH Chapter 25 or HRS Chapter 205A, or both, will require a new application and SMA Major Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and therefore permitted under this resolution, upon review and approval by the Director of DPP.

B. Development of this Project pursuant to this SMA Major Permit may only proceed if the 201H resolution for this Project is approved, or if the Applicant applies for and obtains a PD-T Permit.

C. In order to minimize impacts to known and unknown archaeological, historic, and cultural resources present at the Project site, the Applicant shall comply with the following measures:

1. Prior to the issuance of any development permits, construction, or other earth-moving activities, the Applicant shall provide written confirmation from SHPD of their satisfaction that appropriate evaluations have been completed, mitigative actions and monitoring protocols have been determined; and

2 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 shall stop work, protect the find from further disturbance, and contact the SHPD immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit and building permit plans.

D. In order to minimize impacts to endangered, protected, or threatened avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:

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

2. Artificial light from exterior lighting 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 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 Project site must 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 are limited to daylight hours (sunrise to sunset);

5. Barbless fencing must be used for all fence construction to avoid entanglement of Hawaiian Hoary Bats; and

6. Woody plants greater than 15 ft. in height may not be disturbed, removed, or trimmed during the Hawaiian Hoary Bat birthing and pup rearing season (June 1 through September 15).

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit and building permit plans.

E. To minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:

1. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and leaving a Project worksite, in accordance with the current recommendations from the OISC.

2. Prior to the commencement of any ground-disturbing or construction activities, and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" (Protocols) must be distributed to all workers who will be present at the site, or the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors, or both the distribution and posting of the Protocols is required. All on-site Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities.

3. If, at any time, species on the OISC invasive species target list website at https://www.oahuisc.org/current-targets/, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

F. In order to minimize the visual impact of the Project, the Applicant shall label on the building permit plans the colors and materials being used to ensure natural earth tones are used and bright white and reflective surfaces are avoided.

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

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

2. If the Applicant demonstrates good cause for an extension exceeding one year, the DPP Director shall prepare and submit to the Council a report on the proposed extension, which must include the DPP Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution.

3. If the Council fails to take final action on the proposed extension within the first to occur of:

   a. 60 days after receipt of the Director's report; or

   b. The Applicant's then-existing deadline for obtaining a building permit;

   the extension will be deemed to be denied.

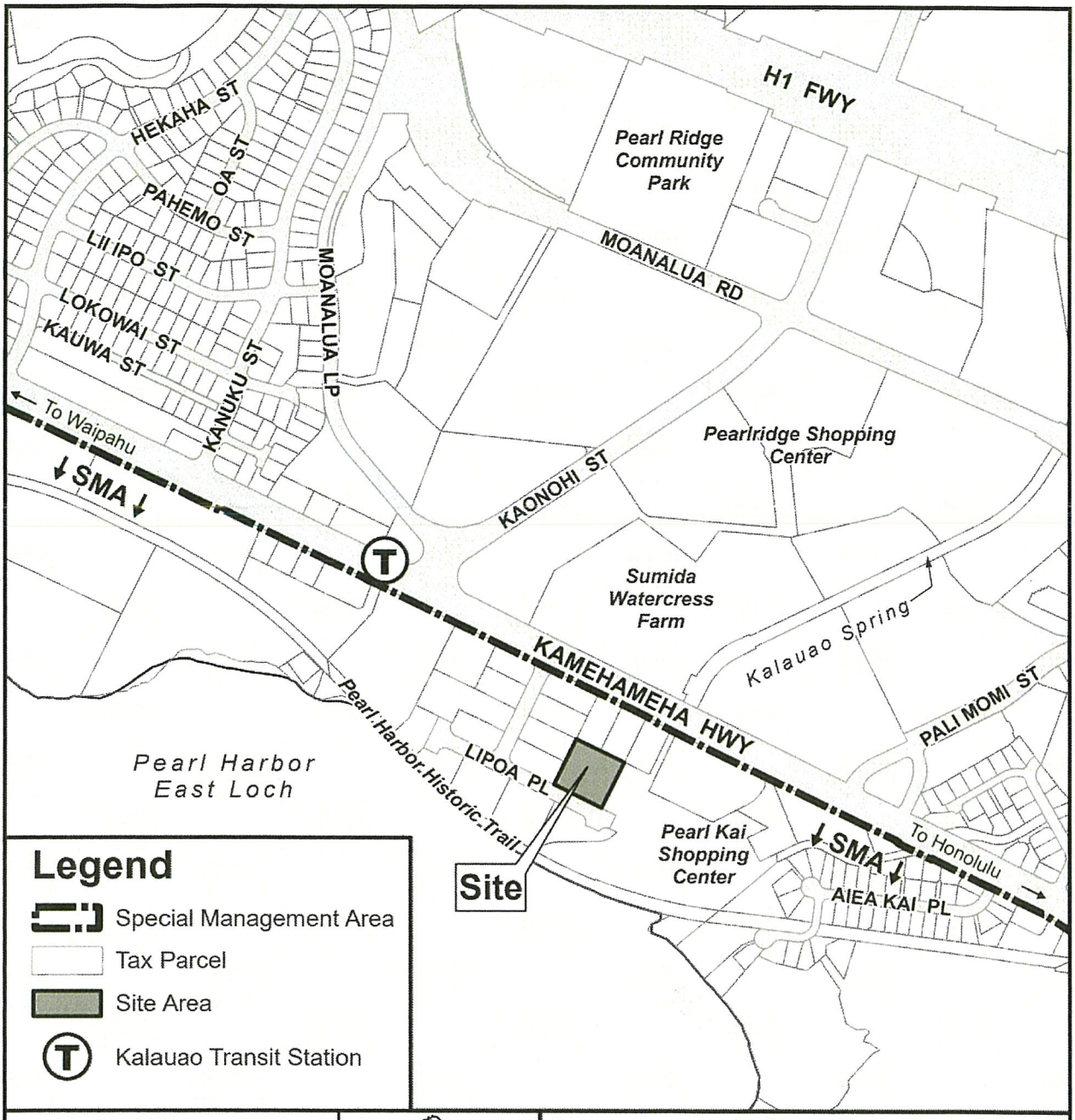
H. Approval of this SMA Major Permit does not constitute compliance with other City ordinances, including but not limited to the LUO and building and construction codes, or other governmental requirements, including but not limited to LUO, building, grading, and grubbing permit approvals. They are subject to separate review and approval. The Applicant shall be responsible for ensuring that the final plans for the Project approved under this SMA Major Permit comply with all applicable City ordinances and other governmental provisions and requirements.

Dated at Honolulu, Hawai'i, this 26th day of December, 2024.

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

By _____
Dawn Takeuchi Apuna
Director

Enclosures: Exhibits A, B, C, D-1 through D-10, E-1 through E-4, and F through M



LOCATION MAP w/ SMA

AIEA

TAX MAP KEY(S): 9-8-014:021

FOLDER NO.: 2024/SMA-86

Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

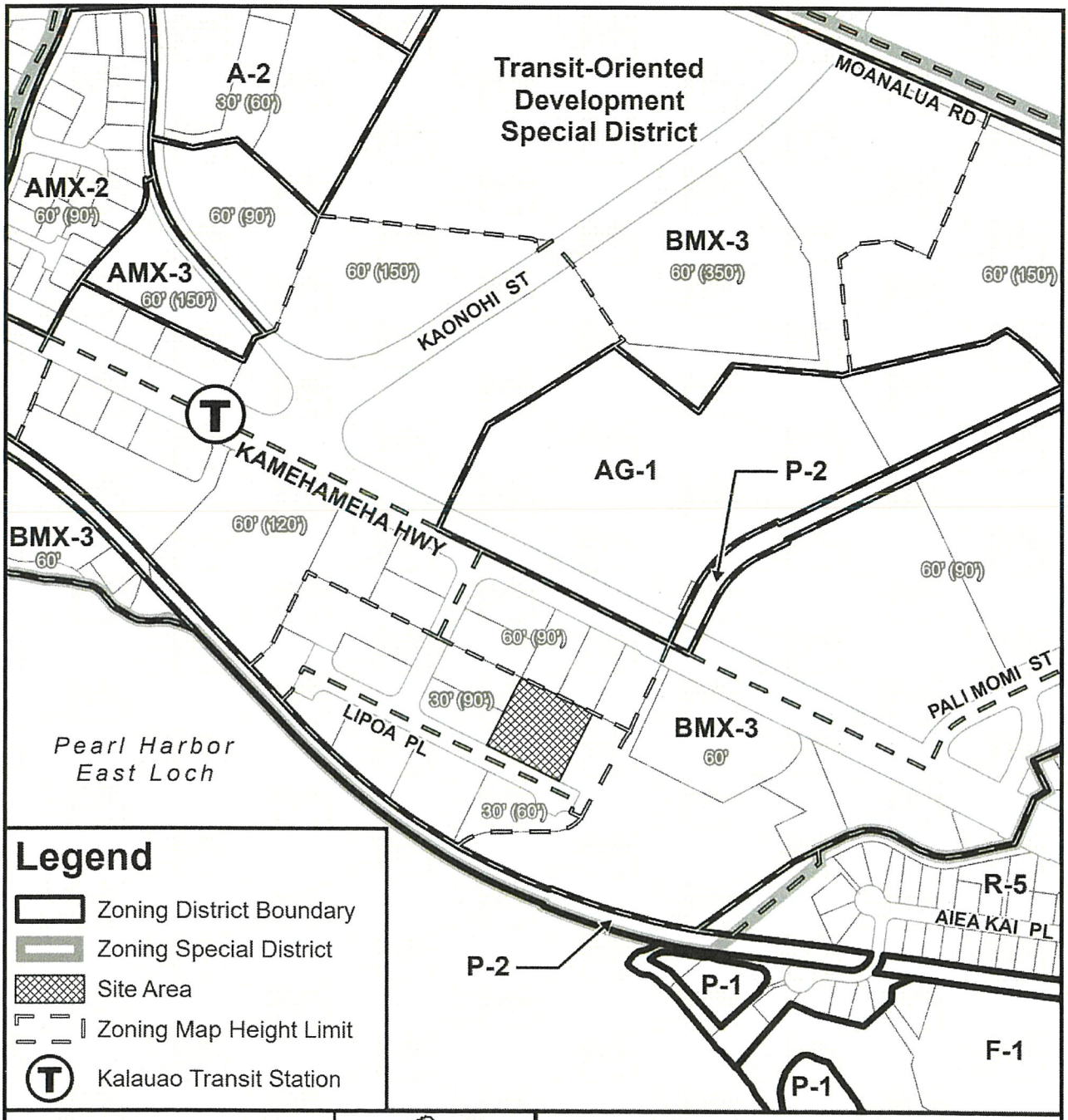
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EXHIBIT A **FILE NO.: 2024/SMA-86**



EXHIBIT B

FILE NO.: 2024/SMA-86



PORTION OF
ZONING MAP
HALAWA - PEARL CITY

TAX MAP KEY(S): 9-8-014:021

FOLDER NO.: 2024/SMA-86

Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

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EXHIBIT C **FILE NO.: 2024/SMA-86**



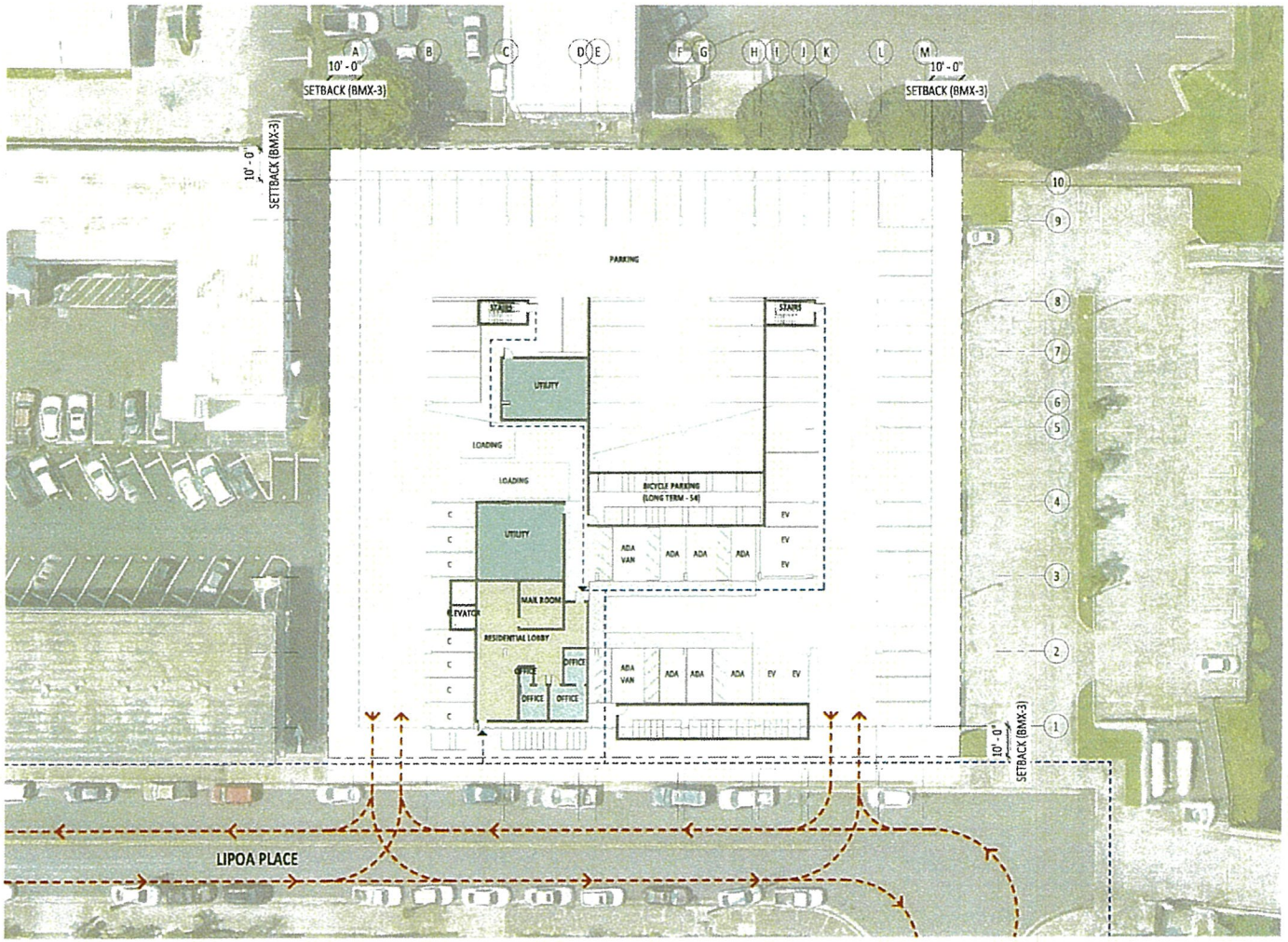
lowney arch

'IKENAKEA

EXHIBIT D-1

AERIAL VIEW G0.8
HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



CIRCULATION LEGEND

- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- LOBBY ENTRANCE

lowney arch

'IKENAKEA

EXHIBIT D-2

CIRCULATION A0.3

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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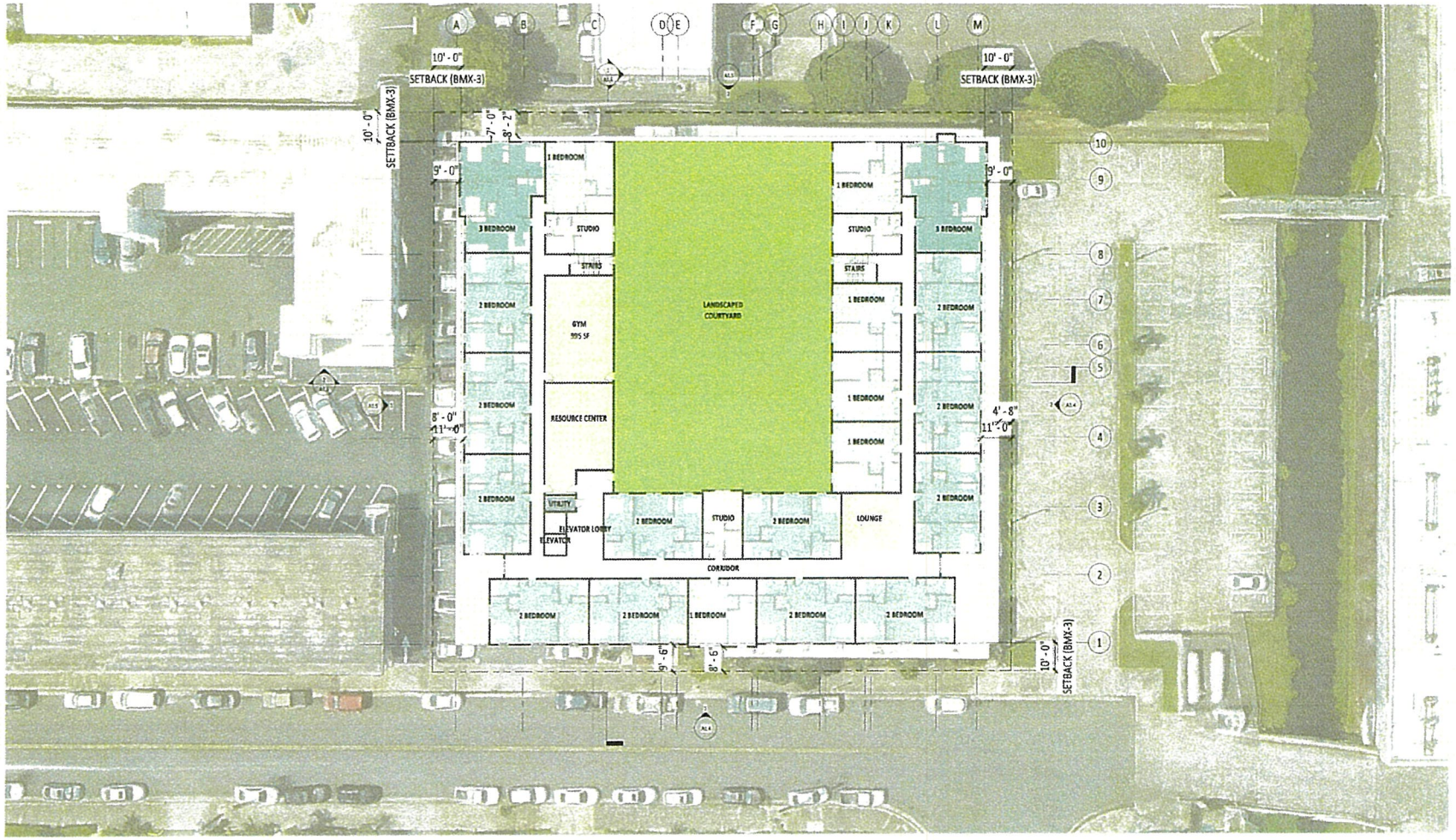
'IKENAKEA

EXHIBIT D-3

SECOND FLOOR PLAN A0.8

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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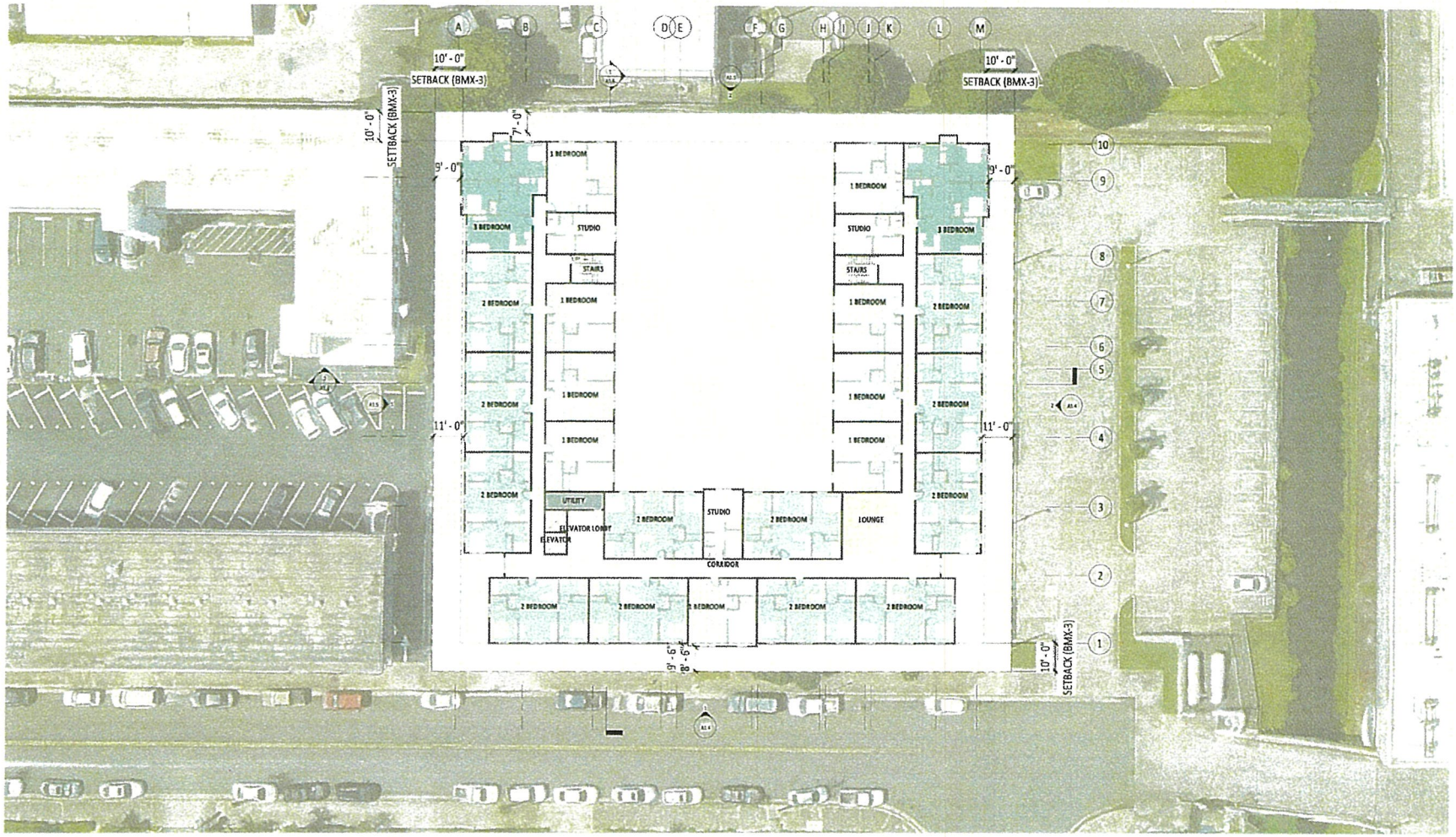
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EXHIBIT D-4

PODIUM FLOOR PLAN A0.9

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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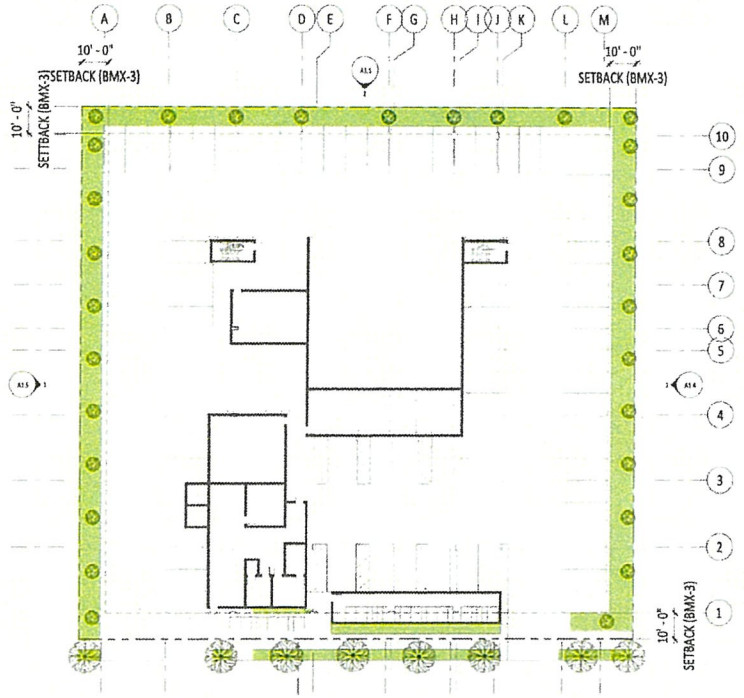
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EXHIBIT D-5

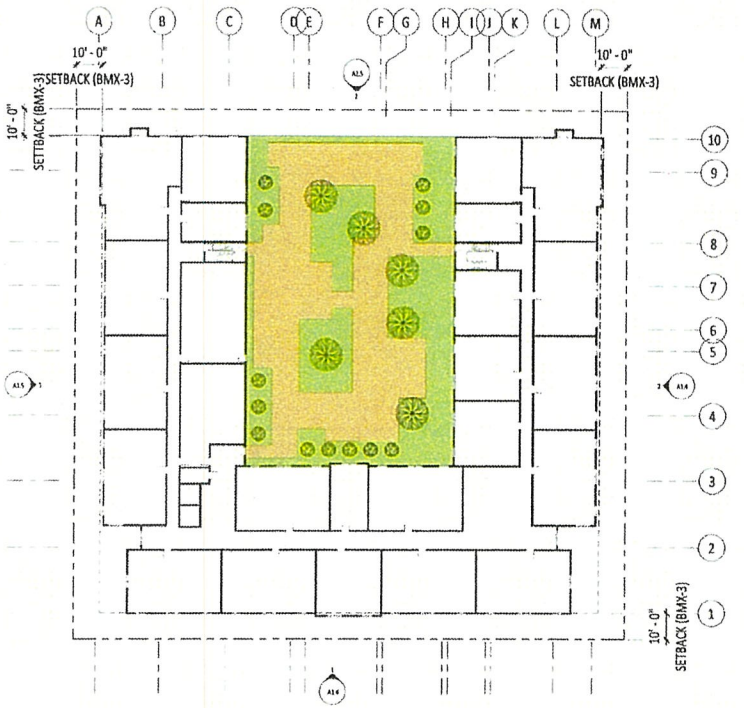
TYP RESIDENTIAL LEVEL 4-8 PLAN **A1.0**

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



GROUND FLOOR LANDSCAPE PLAN



PODIUM LEVEL LANDSCAPE PLAN

FILE NO.: 2024/SMA-86

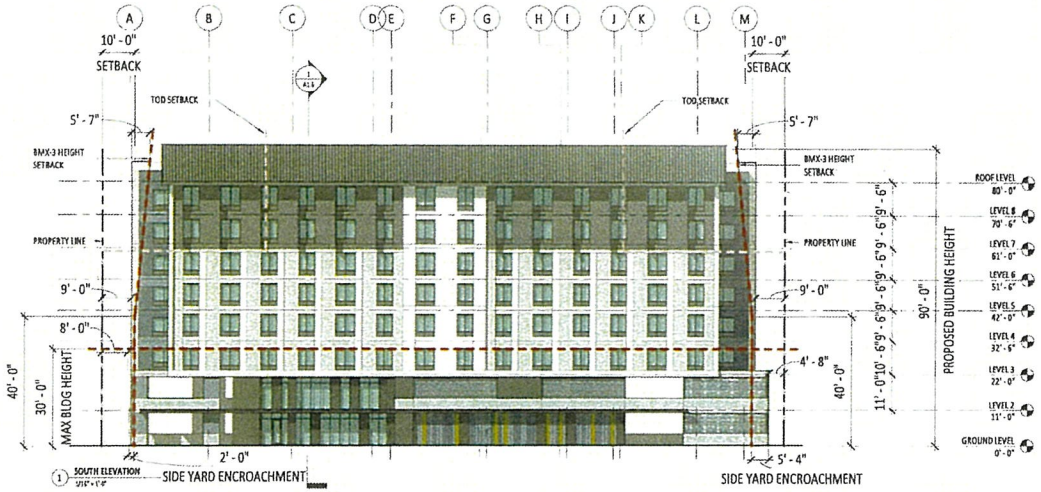
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EXHIBIT D-6

CONCEPTUAL LANDSCAPE PLAN A0.6

HALE O LIPOA - 09/06/2024





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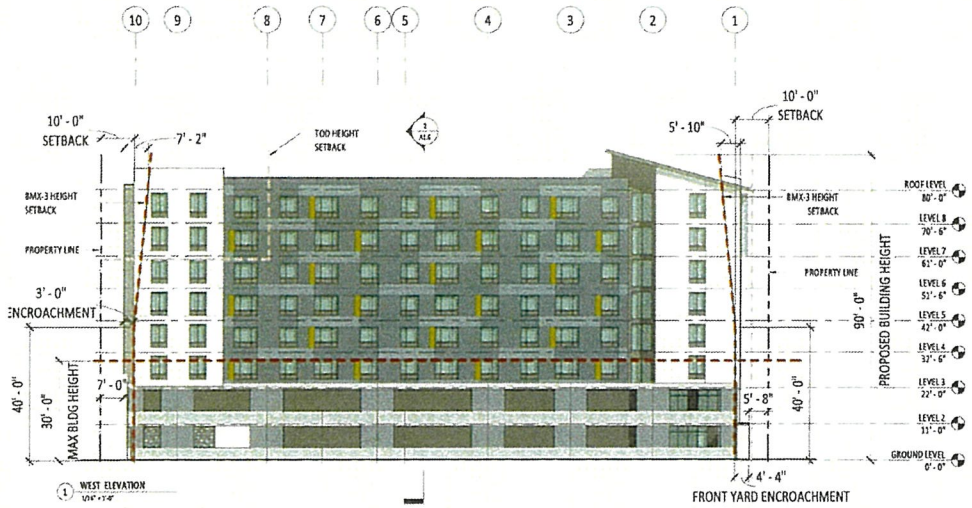
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EXHIBIT D-7

FILE NO.: 2024/SMA-86

BUILDING ELEVATIONS A1.4

HALE O LIPOA - 09/06/2024





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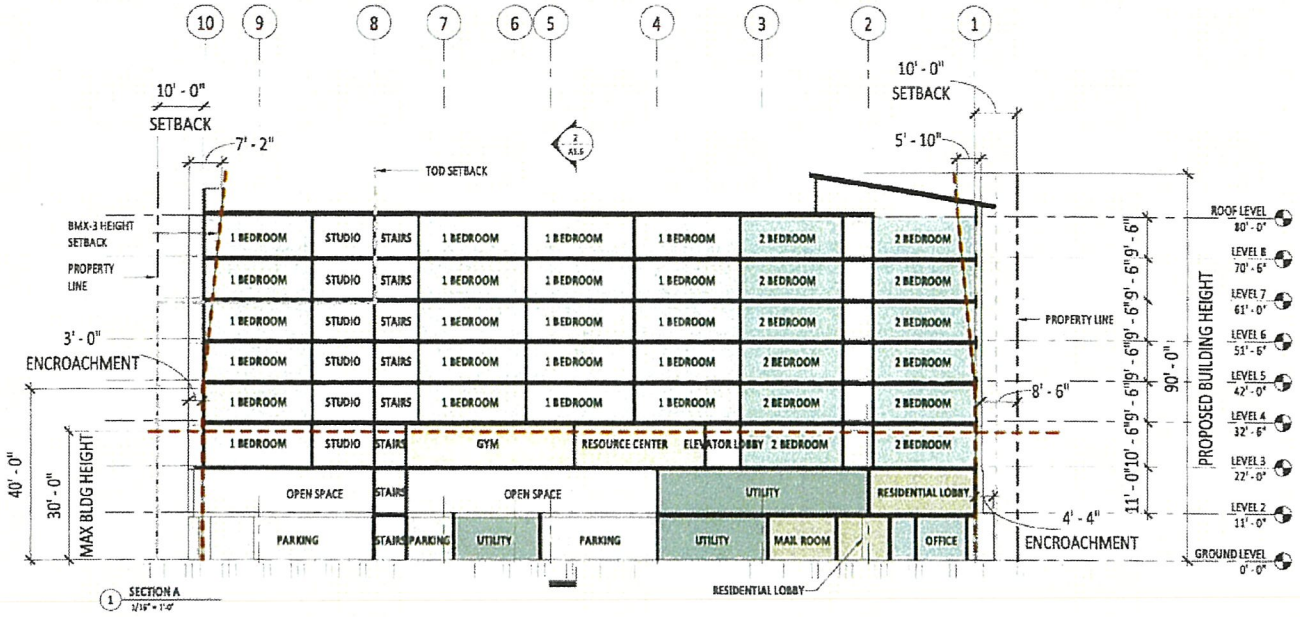
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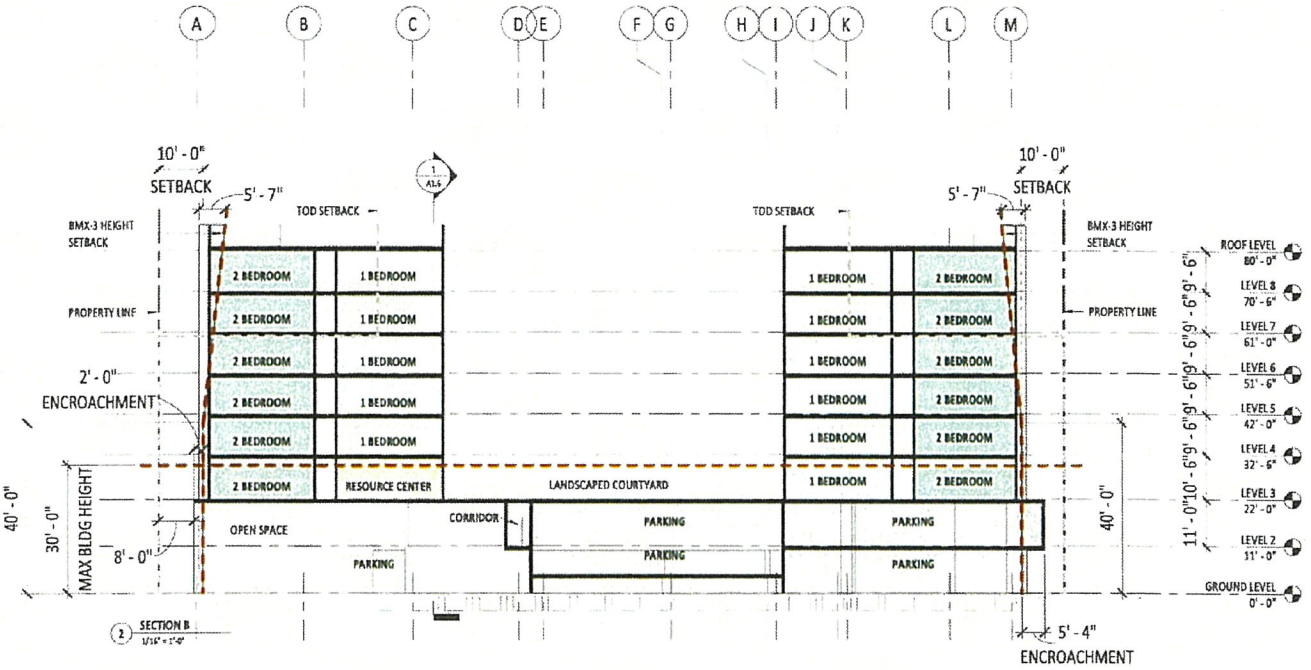
EXHIBIT D-8

BUILDING ELEVATIONS A1.5

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86





lowney arch

IKENAKEA

EXHIBIT D-9

FILE NO.: 2024/SMA-86

EXHIBIT D-10

FILE NO.: 2024/SMA-86

1 BEDROOM - TYPE 2
~638 SF

STUDIO
~370 SF

1 BEDROOM
~638 SF

2 BEDROOM
~882 SF

3 BEDROOM
~1,127 SF

lowney arch

'IKENĀKEA

UNIT PLANS A1.7
HALE O LIPOA - 09/06/2024





EXHIBIT E-1

FILE NO.: 2024/SMA-86



Figure 2-21: Project Rendering showing visual simulation from shoreline toward Ewa



Figure 2-22: Project Rendering showing visual simulation from Kamehameha Highway toward Pearl Harbor

EXHIBIT E-2 **FILE NO.: 2024/SMA-86**

EXHIBIT E-3

FILE NO.: 2024/SMA-86

lowney arch

'IKENAKEA

3D VIEWS A1.8

HALE O LIPOA - 09/06/2024

EXHIBIT E-4

FILE NO.: 2024/SMA-86

lowney arch

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3D VIEWS A1.9

HALE O LIPOA - 09/06/2024

SOILS MAP

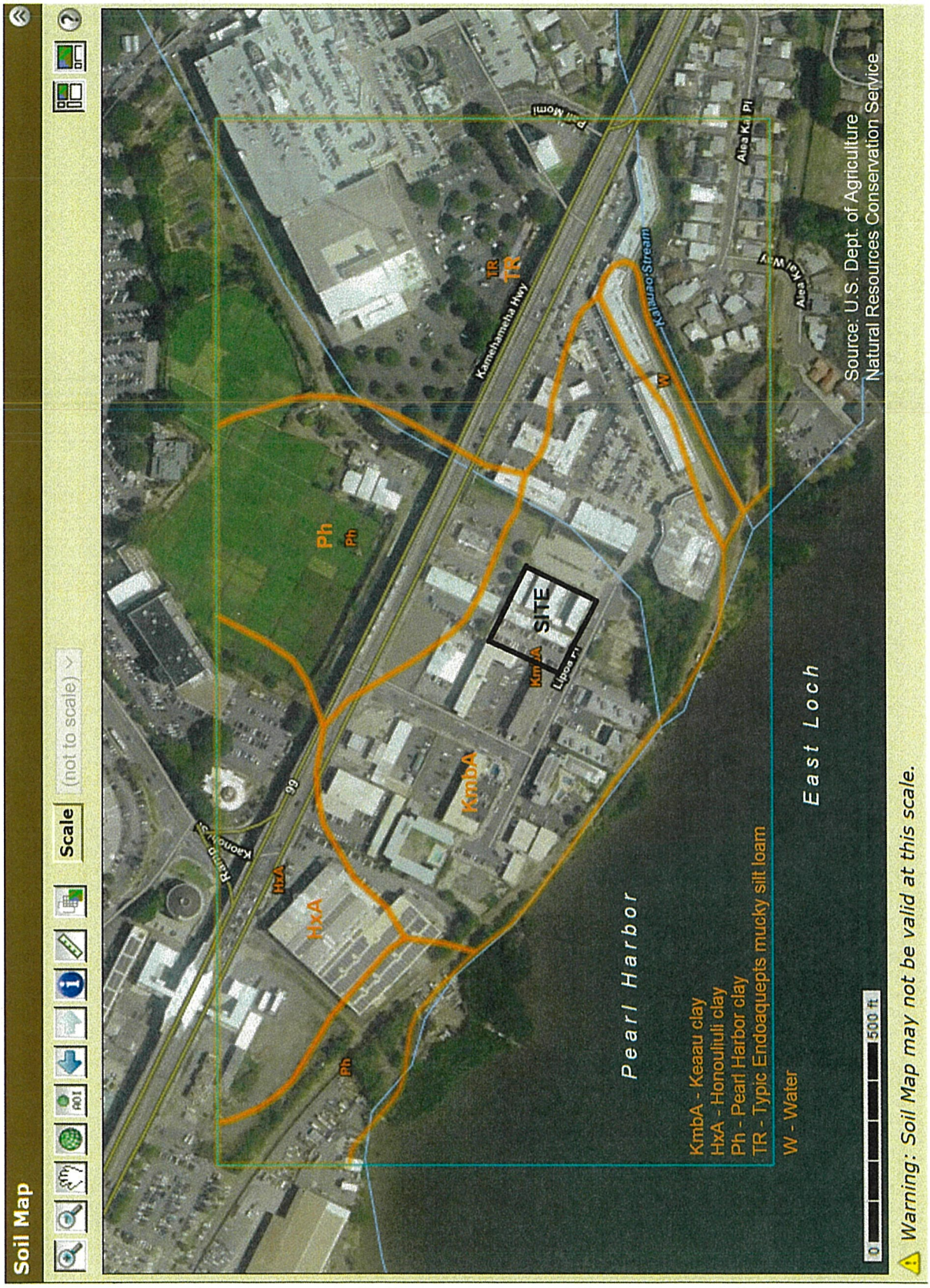


EXHIBIT F

FILE NO.: 2024/SMA-86

U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetlands



December 24, 2024

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

EXHIBIT G

FILE NO. 2024/SMA-86

Flood Hazard Zones:

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood.

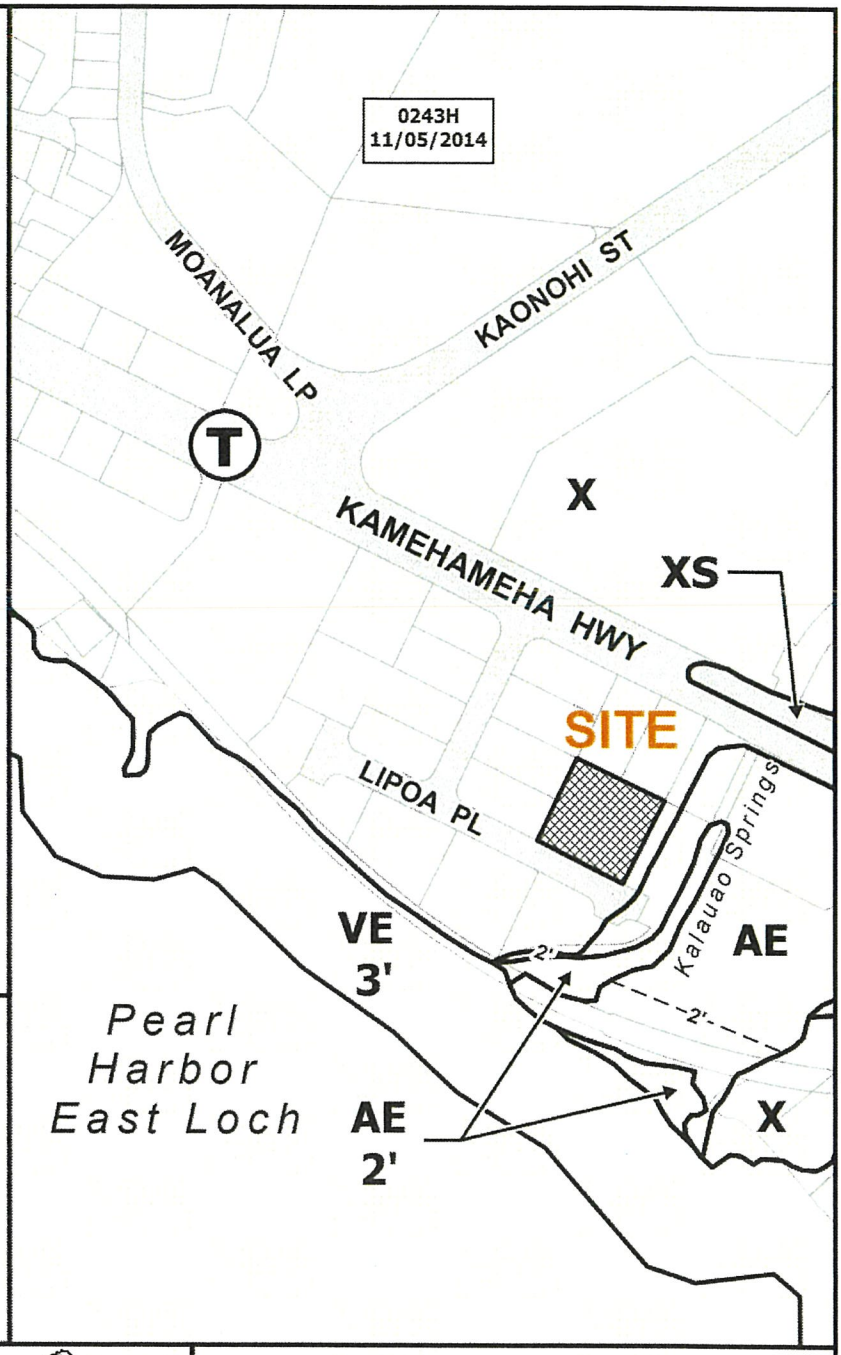
Zone **AE** = BFE determined
Zone **VE** = Costal flood zone with velocity hazard (wave action); BFE determined

Other Flood Areas

Zone **XS** (X shaded) = Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

Other Areas

Zone **X** = Areas determined to be outside the 0.2% annual chance floodplain.

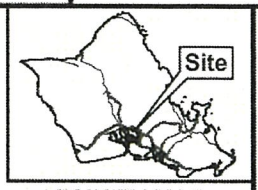


Legend

- Flood Zones
- -6'- Base Flood Elevation
- Tax Parcel
- Site Area
- T Kalauao Transit Station

CITY AND COUNTY OF HONOLULU · STATE OF HAWAII

0 200 400 800
Distance in Feet



VICINITY MAP

PORTION OF
FLOOD HAZARD MAP

FIRM PANEL 15003C0243H

TAX MAP KEY(S): 9-8-014:021

FOLDER NO.: 2024/SMA-86

Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

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EXHIBIT H

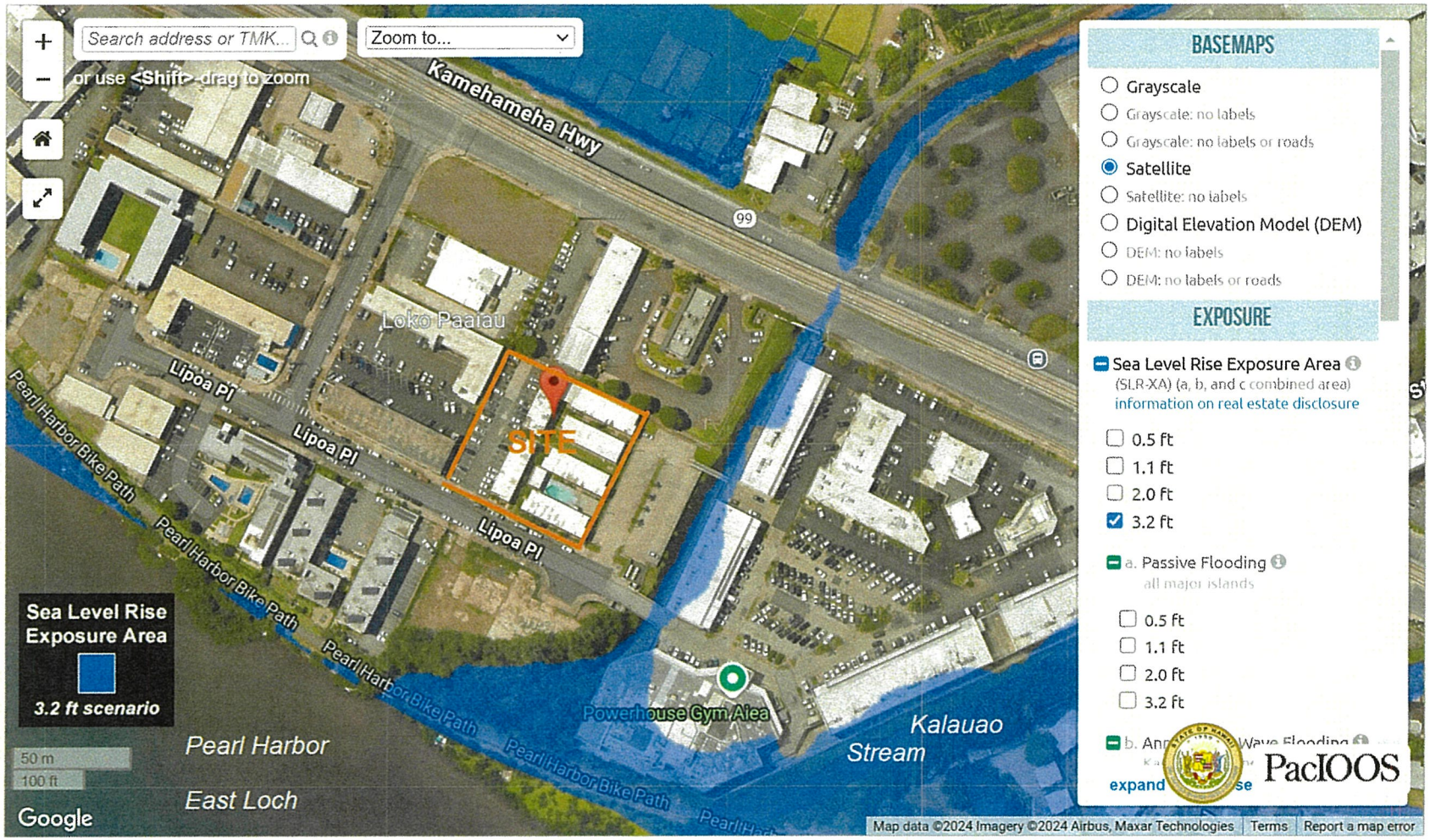
EXHIBIT I

FILE NO.: 2024/SMA-86

Sea Level Rise : State of Hawai'i Sea Level Rise Viewer

An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report

view full-screen map



opacity: 55%

National Hurricane Center
Storm Surge Risk Maps

Category 4

This is not a real-time product. For active tropical cyclones, please see hurricanes.gov and consult local products issued by the Nationa

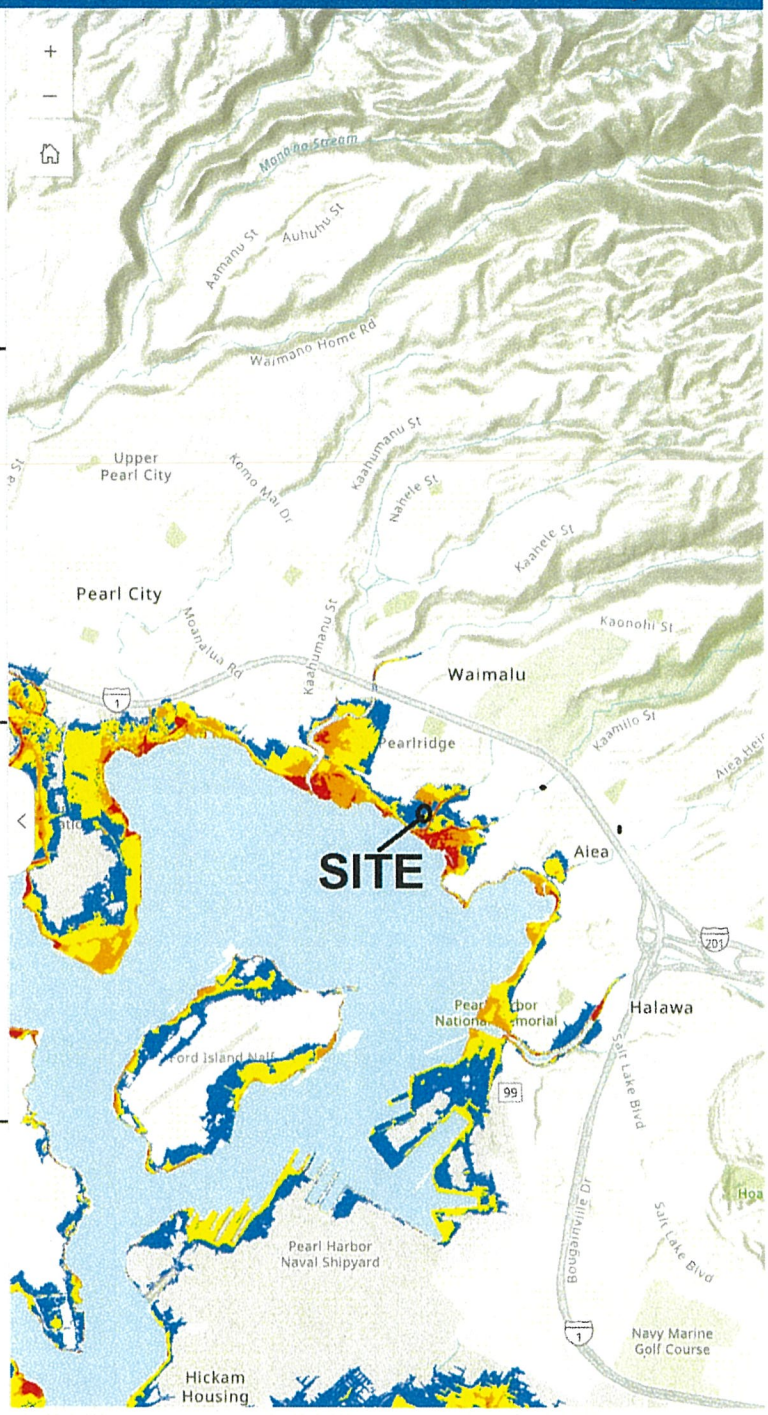
This national depiction of storm surge flooding vulnerability helps people living in hurricane-prone coastal areas. These maps make it clear that storm surge is not just a beachfront problem, with the risk of storm surge extending many miles inland from the immediate coastline in some areas. Storm Surge Risk Maps are provided for the US Gulf and East Coasts, Hawaii, Southern California, US territories - Puerto Rico, US Virgin Islands, Guam and American Samoa. Additional mapped areas include Hispaniola and parts of the Yucatan Peninsula.

Atlantic

- US East and Gulf Coast
- Puerto Rico and USVI
- Hispaniola
- Yucatan

Pacific

- Hawaii (category 1-4)
- Southern California (category 1-2)
- Guam
- American Samoa



Less than 3 feet above ground

Greater than 3 feet above ground

Greater than 6 feet above ground

Greater than 9 feet above ground

Leveed area
Consult local officials for flood risk

EXHIBIT J **FILE NO.: 2024/SMA-86**

TSUNAMI EVACUATION MAP

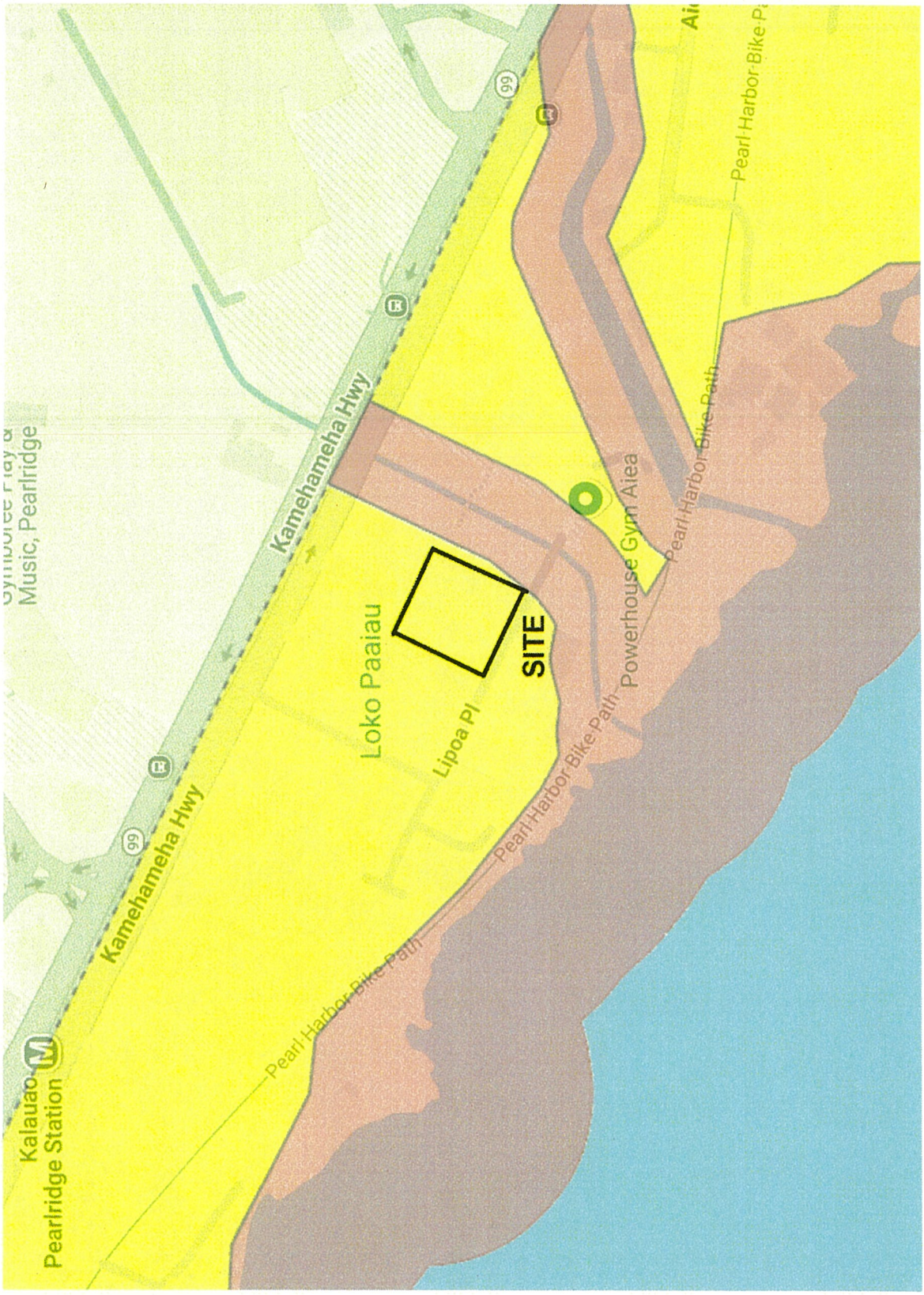


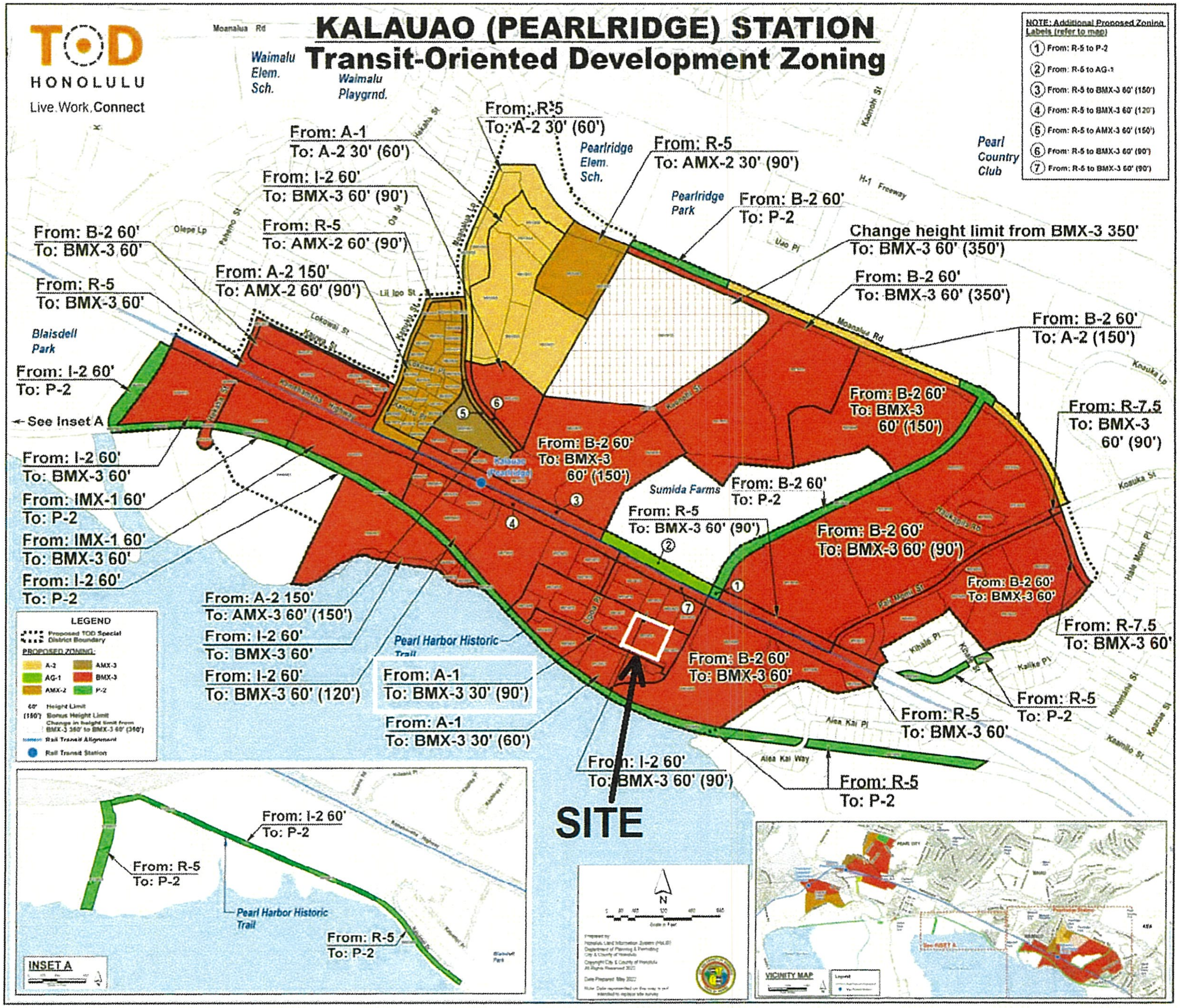
EXHIBIT K

FILE NO.: 2024/SMA-86

G:/SMAS/2024/86LIPOAexhibitWORKING.docx

EXHIBIT L

FILE NO.: 2024/SMA-86



CUMULATIVE IMPACT MAP *(SMA permits issued in the last 5 years)*

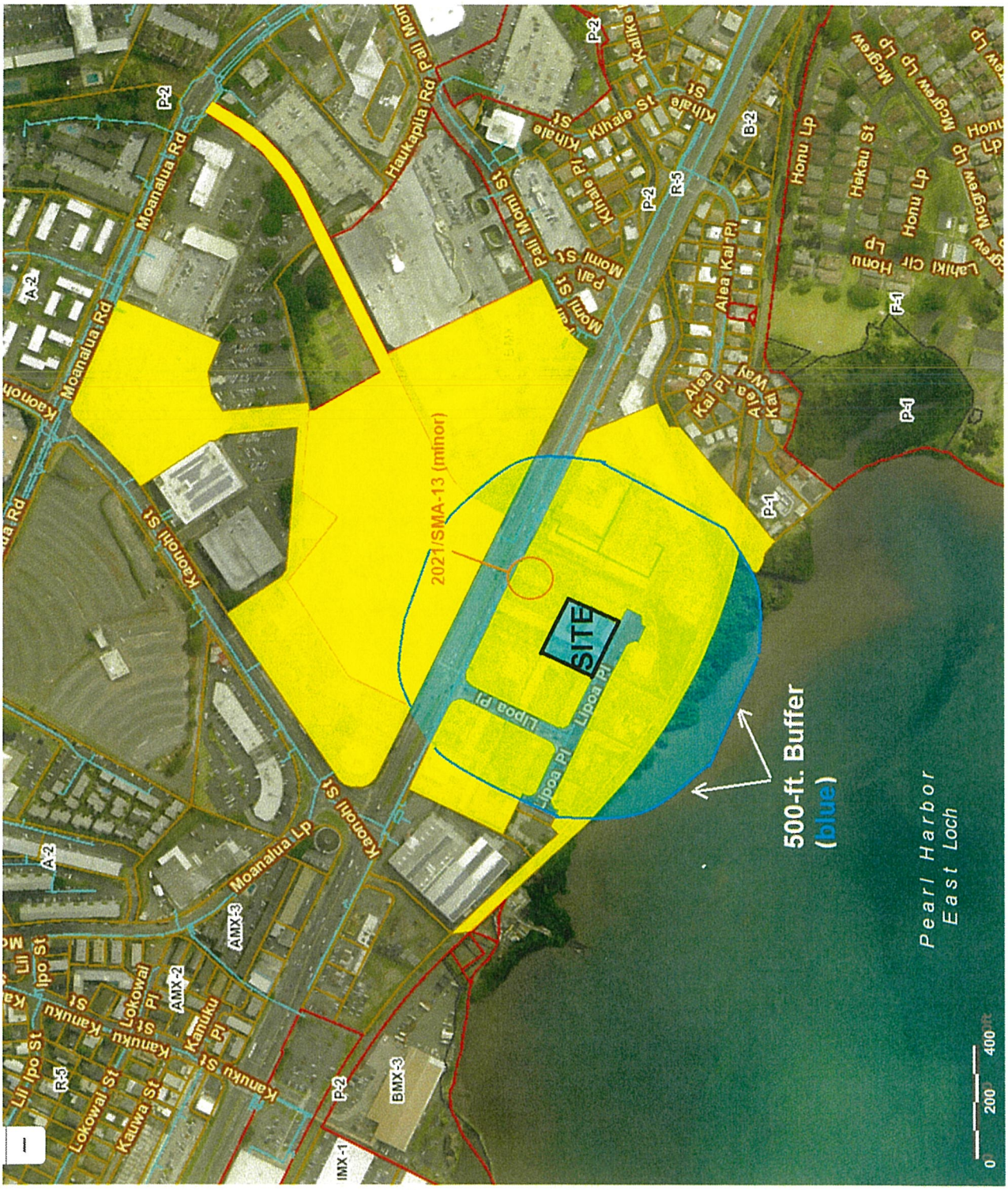


EXHIBIT M **FILE NO.: 2024/SMA-86**

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No._____

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA (SMA) MAJOR PERMIT TO ALLOW THE DEVELOPMENT OF AN EIGHT-STORY MULTI-FAMILY AFFORDABLE RENTAL HOUSING PROJECT IN 'AIEA, O'AHU.

WHEREAS, on August 29, 2024, the Department of Planning and Permitting ("DPP") accepted the application (File No. 2024/SMA-86) of the Līpoa Development LLC (the "Applicant") for an SMA Major Permit to allow the demolition of six existing two-story apartment buildings and construction of the Hale O Līpoa Affordable Rental Housing Project on approximately 42,000 square feet of land zoned BMX-3 Community Business Mixed Use District in the 'Aiea-Pearl City Transit-Oriented Development Special District located at 98-150 Līpoa Place, in 'Aiea, O'ahu, and identified as Tax Map Key 9-8-014: 021, (the "Project"); and

WHEREAS, the Project will be an eight-story U-shaped multi-family building, with 153-units consisting of studio, one-, two-, and three-bedroom units, with two-levels of parking, a community center, gym, storage rooms, mailroom, bicycle parking, storage, and a private third-floor open-air landscaped deck; and

WHEREAS, on October 28, 2024, the DPP held a public hearing on the application at the Fasi Municipal Building 6th Floor Conference Room, which was attended by representatives of the Applicant, the Agent and two associates, and DPP staff. No member of the public attended the public hearing, and no oral testimony was presented, however, written testimony was received from 25 individuals and organizations; and

WHEREAS, on December 26, 2024, within 59 calendar days after the close of the public hearing (the Applicant having requested a 14-day extension of the 45-day calendar day administrative deadline), having duly considered all evidence and the objectives, policies, and guidelines, as established in Revised Ordinances of Honolulu 2021 ("ROH") §§ 25-3.1 and 25-4.1, and Hawai'i Revised Statutes ("HRS") §§ 205A-2 and 205A-26, 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 Major Permit, subject to the conditions enumerated below; now, therefore,

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No._____

RESOLUTION

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

A. The 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, B, C, D-1 through D-10, E-1 through E-4, and F through M, enclosed hereto and incorporated herein by this reference. Any change in the size or nature of the Project that has a significant effect on coastal resources addressed in ROH Chapter 25 or HRS Chapter 205A, or both, will require a new application and SMA Major Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and therefore permitted under this resolution, upon review and approval by the DPP Director.

B. Development of this Project pursuant to this SMA Major Permit may only proceed if the 201H resolution for this Project is approved, or if the Applicant applies for and obtains a Planned Development – Transit Permit.

C. In order to minimize impacts to known and unknown archaeological, historic, and cultural resources present at the Project site, the Applicant shall comply with the following measures:

1. Prior to the issuance of any development permits, construction, or other earth-moving activities, the Applicant shall provide written confirmation from the State Historic Preservation Division ("SHPD") of their satisfaction that appropriate evaluations have been completed, mitigative actions and monitoring protocols have been determined; and

2 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 shall stop work, protect the find from further disturbance, and contact the SHPD immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit and building permit plans.

D. In order to minimize impacts to endangered, protected, or threatened avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:

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

2. Artificial light from exterior lighting 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 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 Project site must 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 are limited to daylight hours (sunrise to sunset);

5. Barbless fencing must be used for all fence construction to avoid entanglement of Hawaiian Hoary Bats; and

6. Woody plants greater than 15 feet in height may not be disturbed, removed, or trimmed during the Hawaiian Hoary Bat birthing and pup rearing season (June 1 through September 15).

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit and building permit plans.

E. To minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:

1. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and

leaving a Project worksite, in accordance with the current recommendations from the O'ahu Invasive Species Committee ("OISC").

2. Prior to the commencement of any ground-disturbing or construction activities, and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" ("Protocols") must be distributed to all workers who will be present at the site, or the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors, or both the distribution and posting of the Protocols is required. All on-site Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities.

3. If, at any time, species on the OISC invasive species target list website at https://www.oahuisc.org/current-targets/, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

F. In order to minimize the visual impact of the Project, the Applicant shall label on the building permit plans the colors and materials being used to ensure natural earth tones are used and bright white and reflective surfaces are avoided.

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

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

2. If the Applicant demonstrates good cause for an extension exceeding one year, the DPP Director shall prepare and submit to the Council a report on the proposed extension, which must include the DPP Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution.

3. If the Council fails to take final action on the proposed extension within the first to occur of:

   a. 60 days after receipt of the Director's report; or

   b. The Applicant's then-existing deadline for obtaining a building permit;

   the extension will be deemed to be denied.

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

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No._____

RESOLUTION

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to Keegan Flaherty, Līpoa Development LLC, 745 Fort Street, Suite 702, Honolulu, Hawai'i 96813; 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:

_____

_____

_____

_____

_____

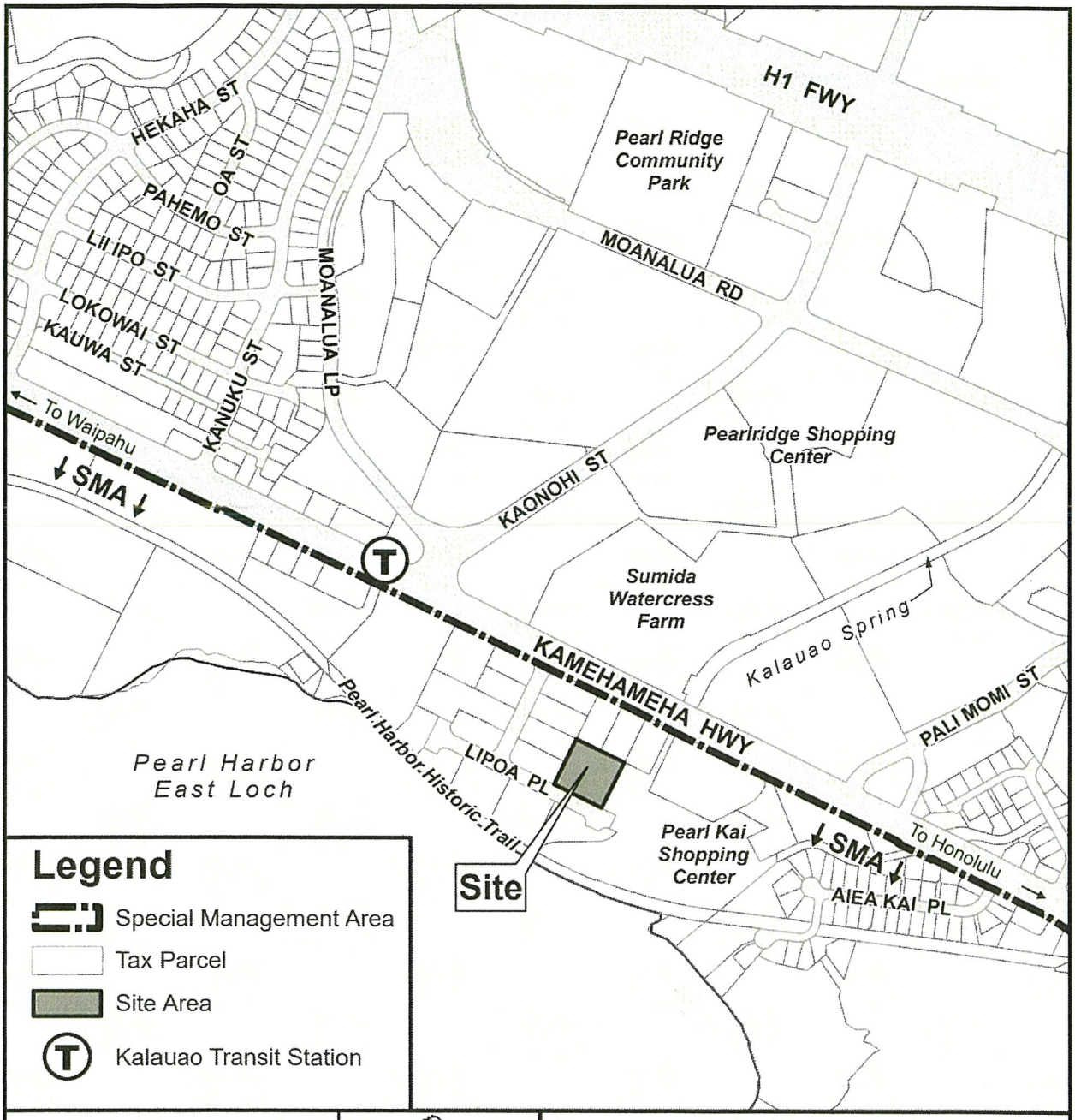
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DATE OF INTRODUCTION: _____

_____

_____ _____

Honolulu, Hawai'i Councilmembers



LOCATION MAP w/ SMA

AIEA

TAX MAP KEY(S): 9-8-014:021

FOLDER NO.: 2024/SMA-86

Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

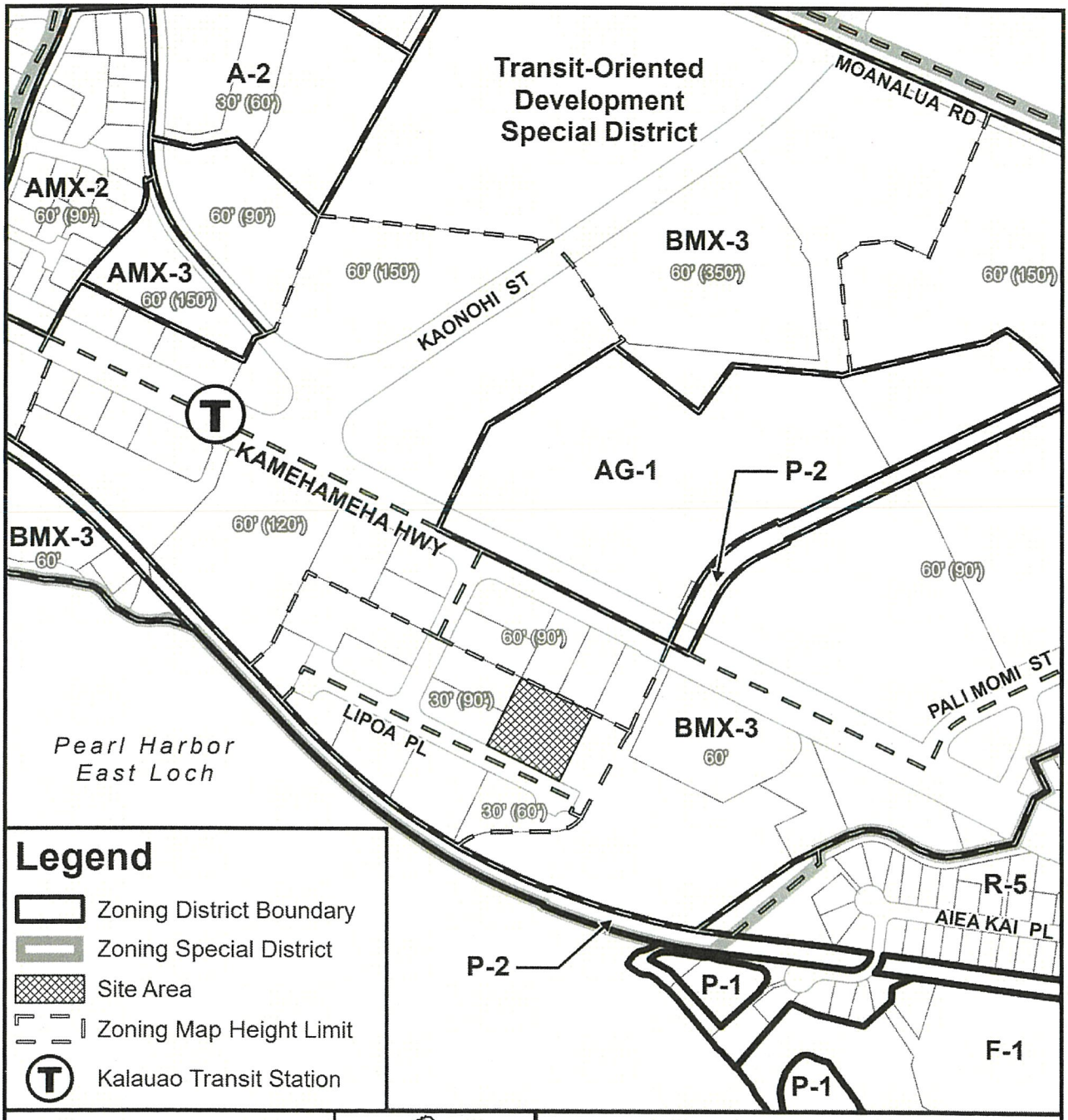
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EXHIBIT A **FILE NO.: 2024/SMA-86**



EXHIBIT B

FILE NO.: 2024/SMA-86



PORTION OF
ZONING MAP
HALAWA - PEARL CITY

TAX MAP KEY(S): 9-8-014:021

FOLDER NO.: 2024/SMA-86

Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

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EXHIBIT C **FILE NO.: 2024/SMA-86**



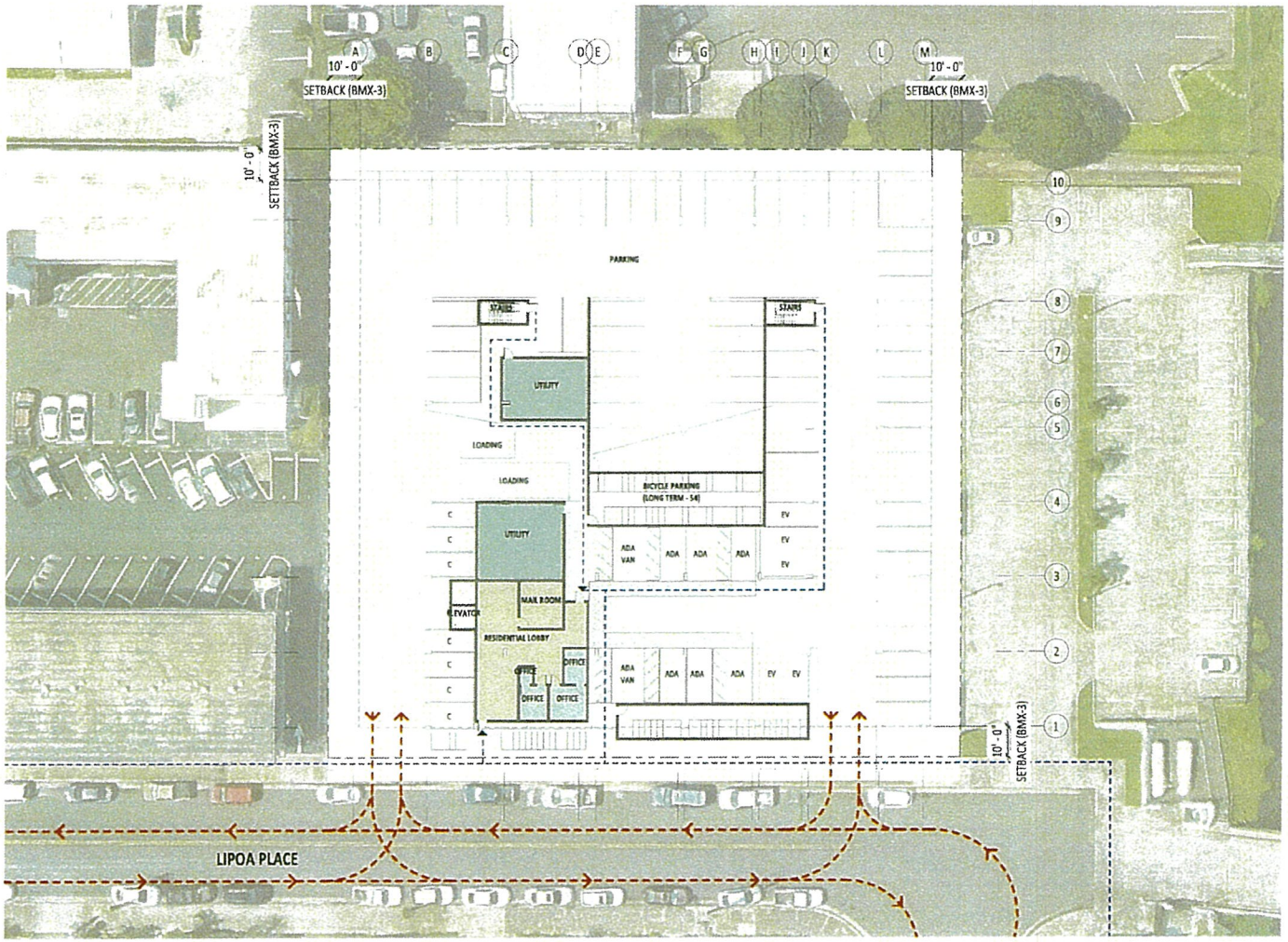
lowney arch

'IKENAKEA

EXHIBIT D-1

AERIAL VIEW G0.8
HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



CIRCULATION LEGEND

- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- LOBBY ENTRANCE

lowney arch

'IKENAKEA

EXHIBIT D-2

CIRCULATION A0.3

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



lowney arch

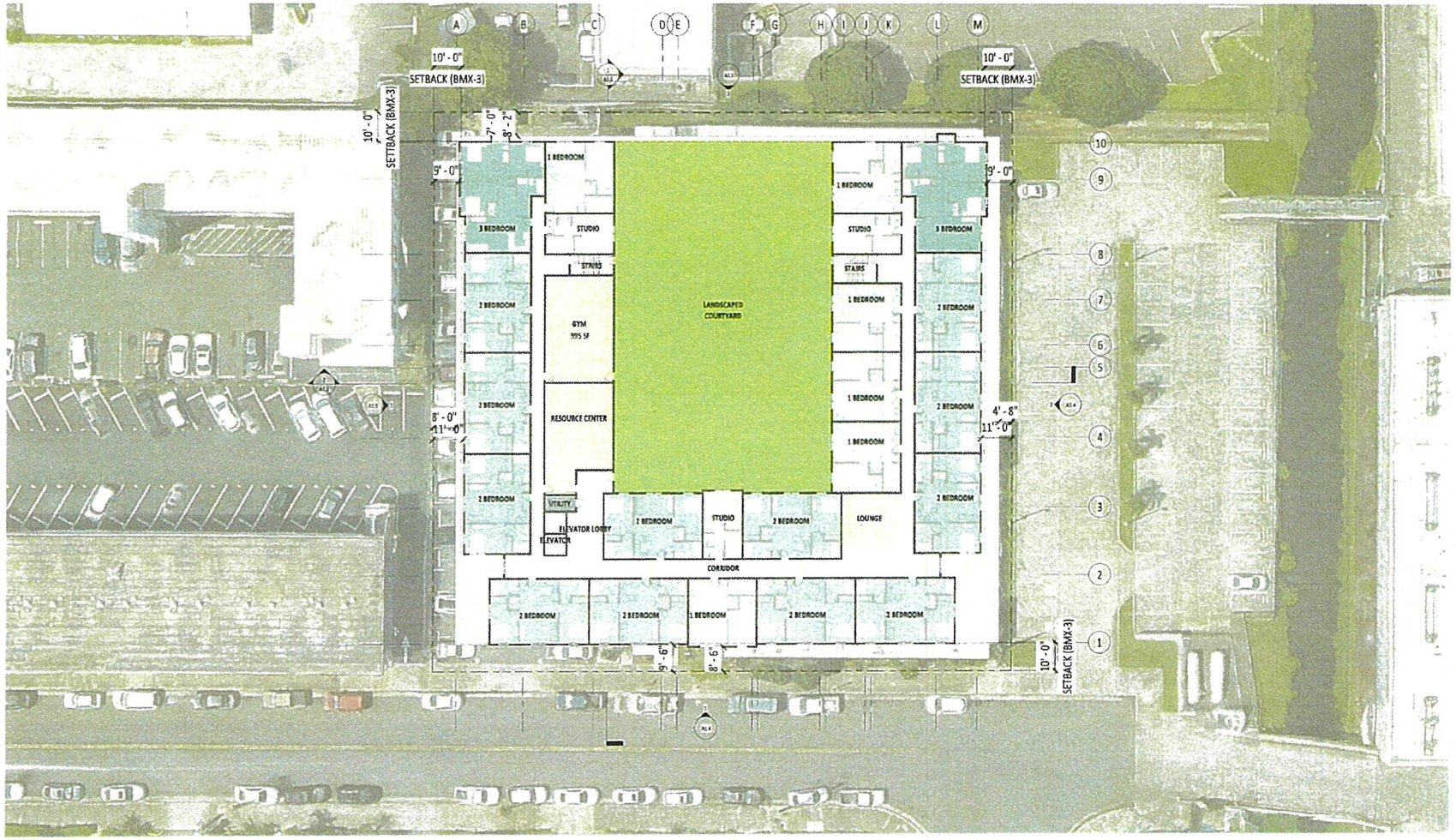
'IKENAKEA

EXHIBIT D-3

SECOND FLOOR PLAN A0.8

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



lowney arch

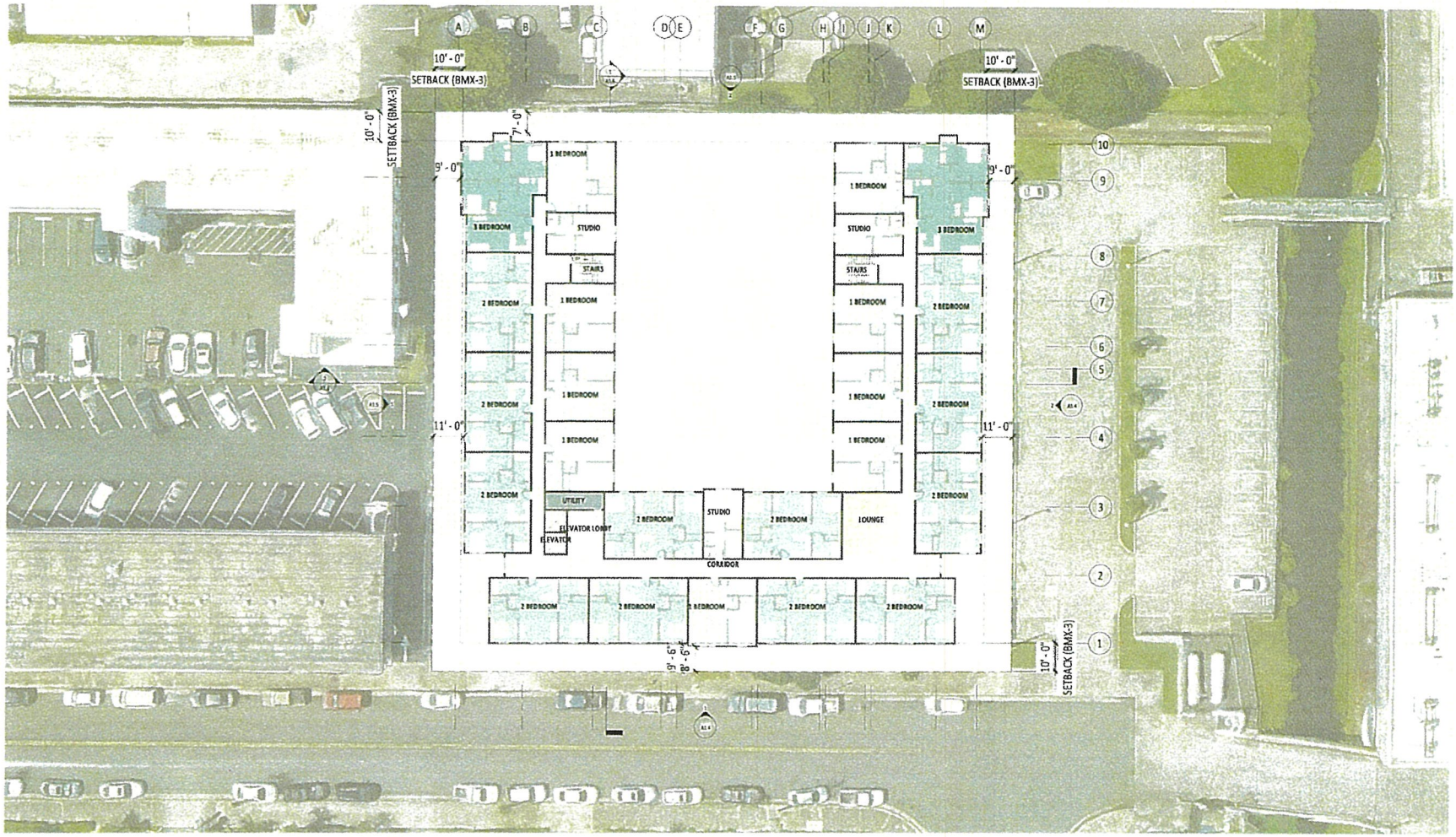
'IKENAKEA

EXHIBIT D-4

PODIUM FLOOR PLAN A0.9

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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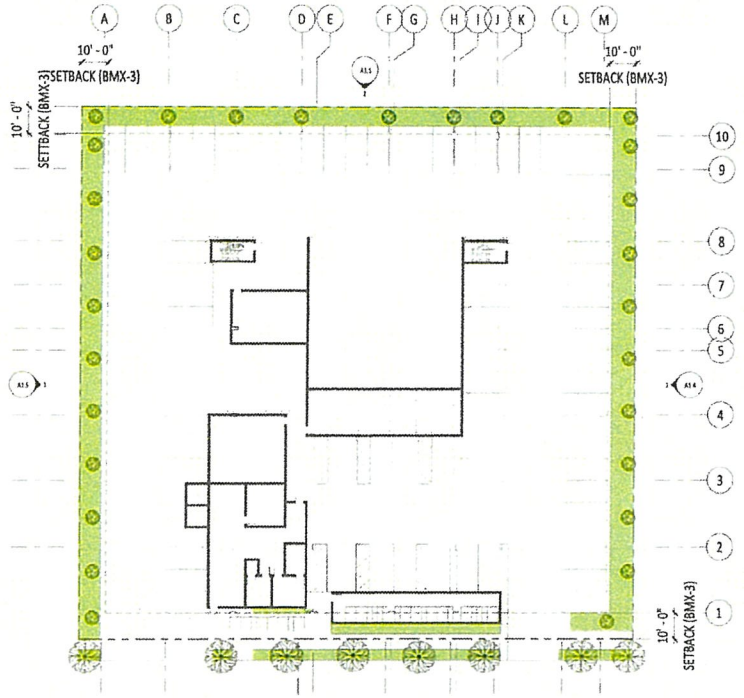
'IKENAKEA

EXHIBIT D-5

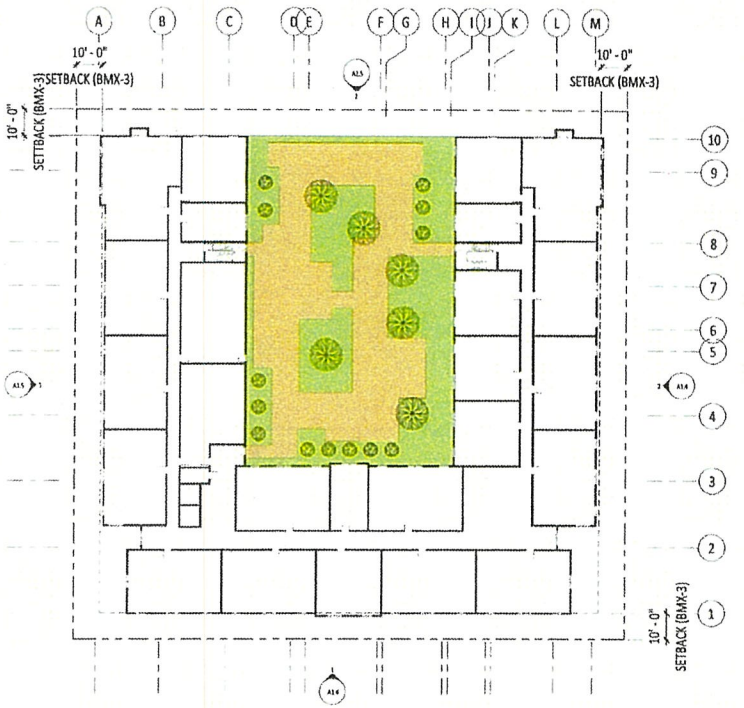
TYP RESIDENTIAL LEVEL 4-8 PLAN **A1.0**

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



GROUND FLOOR LANDSCAPE PLAN



PODIUM LEVEL LANDSCAPE PLAN

FILE NO.: 2024/SMA-86

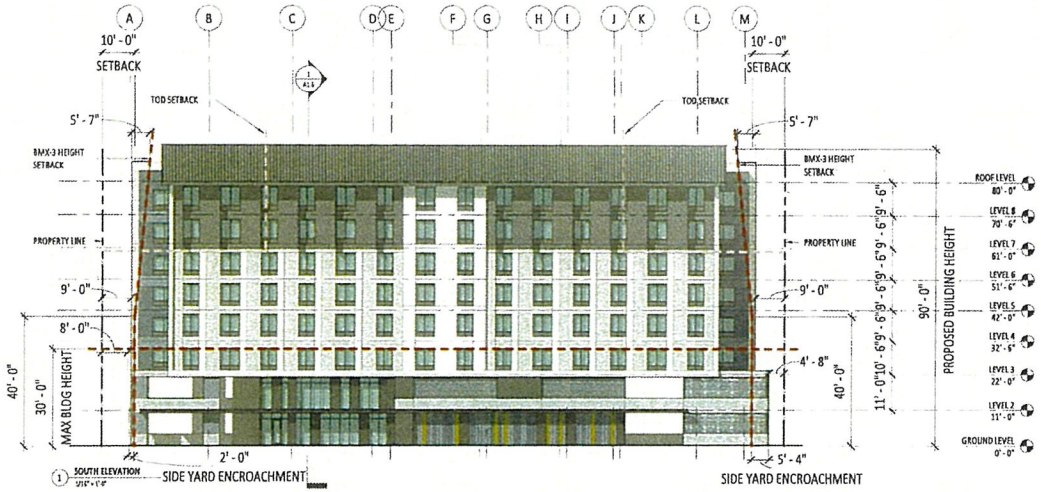
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EXHIBIT D-6

CONCEPTUAL LANDSCAPE PLAN A0.6

HALE O LIPOA - 09/06/2024





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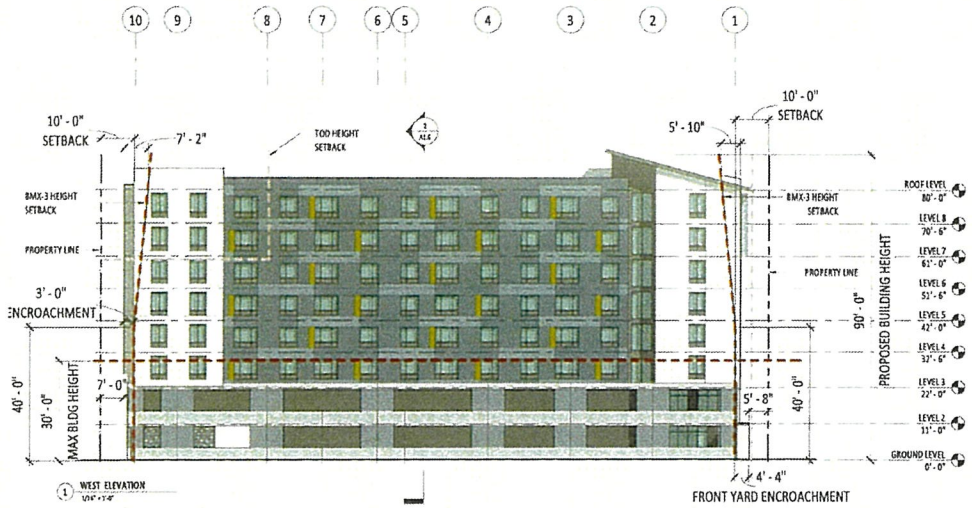
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EXHIBIT D-7

FILE NO.: 2024/SMA-86

BUILDING ELEVATIONS A1.4

HALE O LIPOA - 09/06/2024





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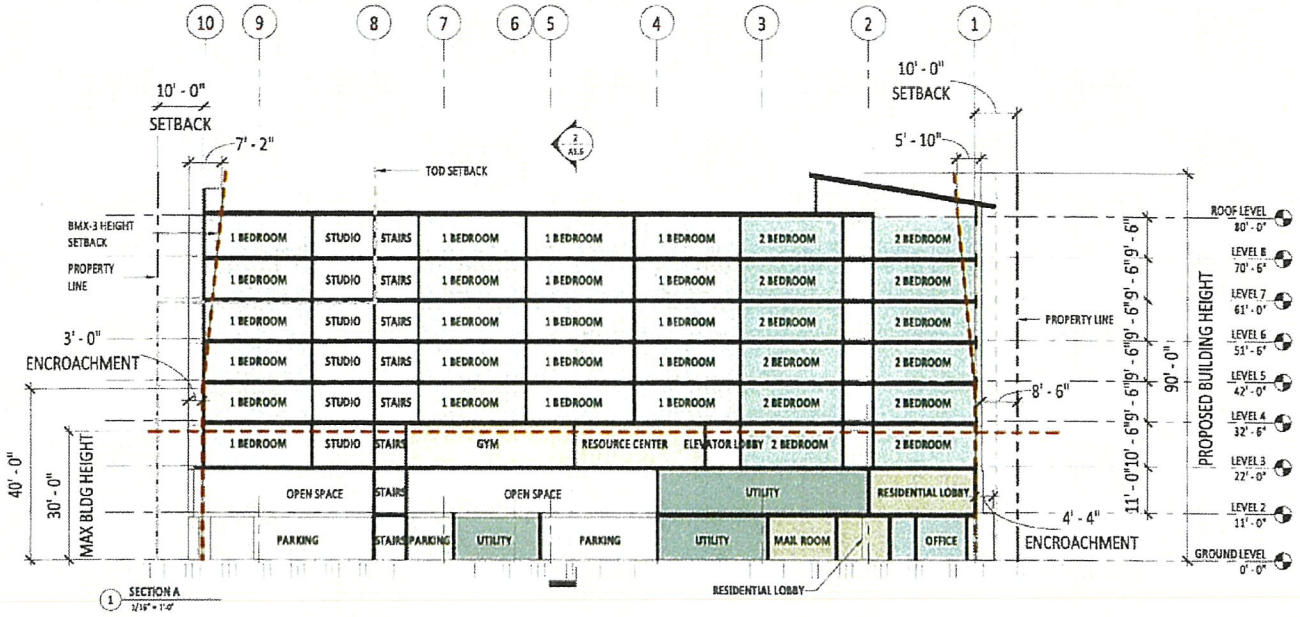
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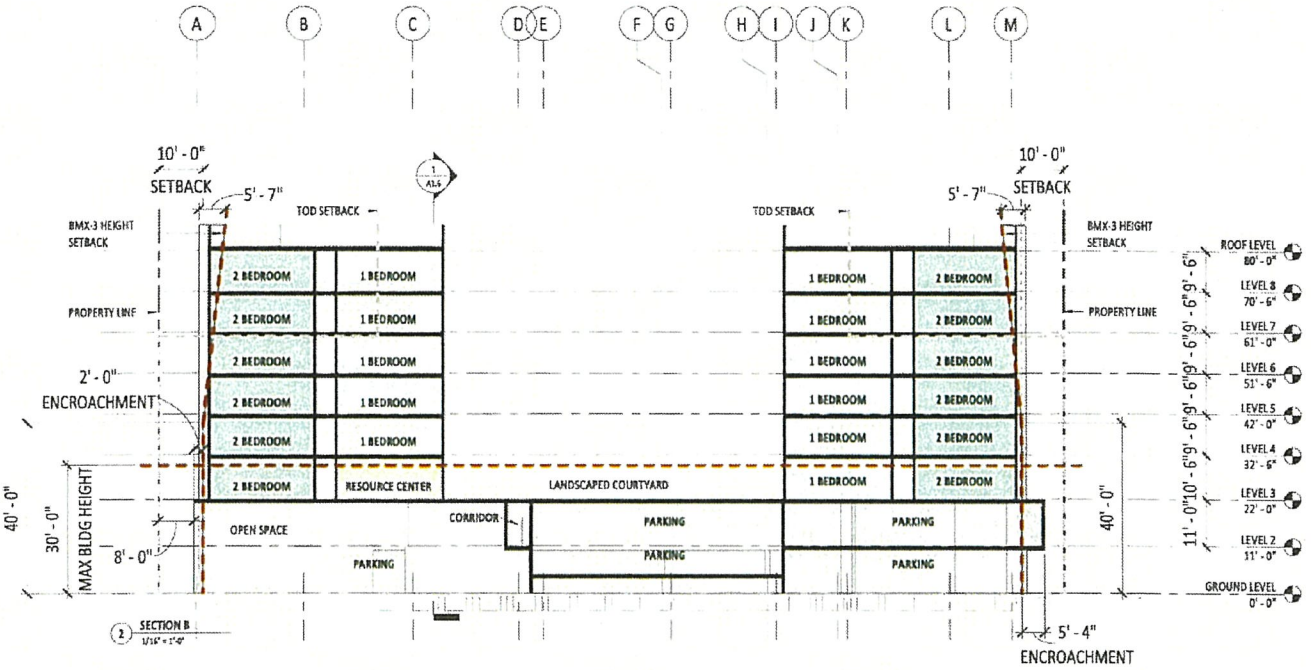
EXHIBIT D-8

BUILDING ELEVATIONS A1.5

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86





lowney arch

IKENAKEA

EXHIBIT D-9

FILE NO.: 2024/SMA-86

EXHIBIT D-10

FILE NO.: 2024/SMA-86

1 BEDROOM - TYPE 2
~638 SF

STUDIO
~370 SF

1 BEDROOM
~638 SF

2 BEDROOM
~882 SF

3 BEDROOM
~1,127 SF

lowney arch

'IKENĀKEA

UNIT PLANS A1.7
HALE O LIPOA - 09/06/2024





EXHIBIT E-1

FILE NO.: 2024/SMA-86



Figure 2-21: Project Rendering showing visual simulation from shoreline toward Ewa



Figure 2-22: Project Rendering showing visual simulation from Kamehameha Highway toward Pearl Harbor

EXHIBIT E-2 **FILE NO.: 2024/SMA-86**

EXHIBIT E-3

FILE NO.: 2024/SMA-86

lowney arch

'IKENAKEA

3D VIEWS A1.8

HALE O LIPOA - 09/06/2024

EXHIBIT E-4

FILE NO.: 2024/SMA-86

lowney arch

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3D VIEWS A1.9

HALE O LIPOA - 09/06/2024

SOILS MAP

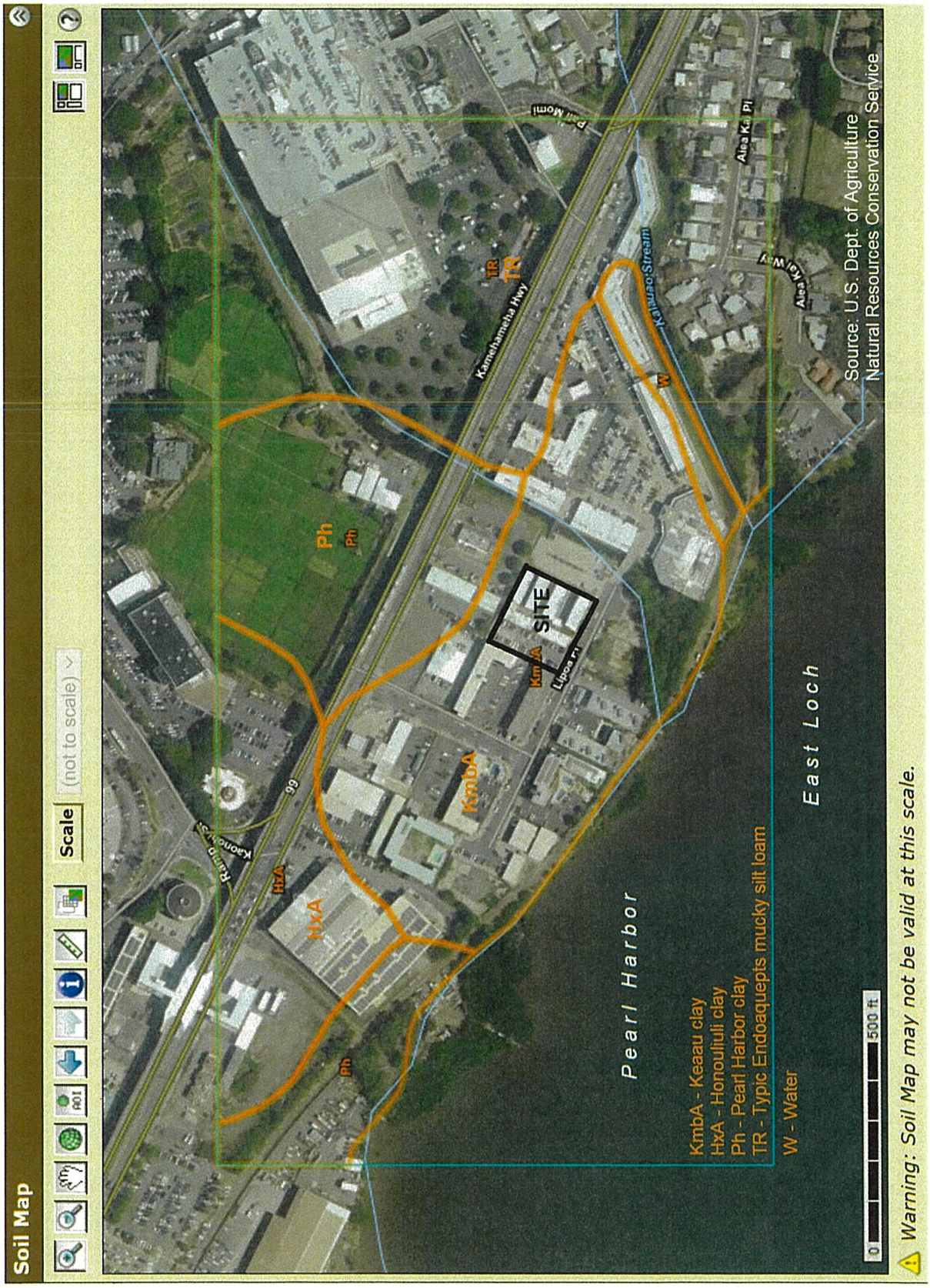


EXHIBIT F

FILE NO.: 2024/SMA-86

U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetlands



December 24, 2024

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

EXHIBIT G

FILE NO. 2024/SMA-86

Flood Hazard Zones:

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood.

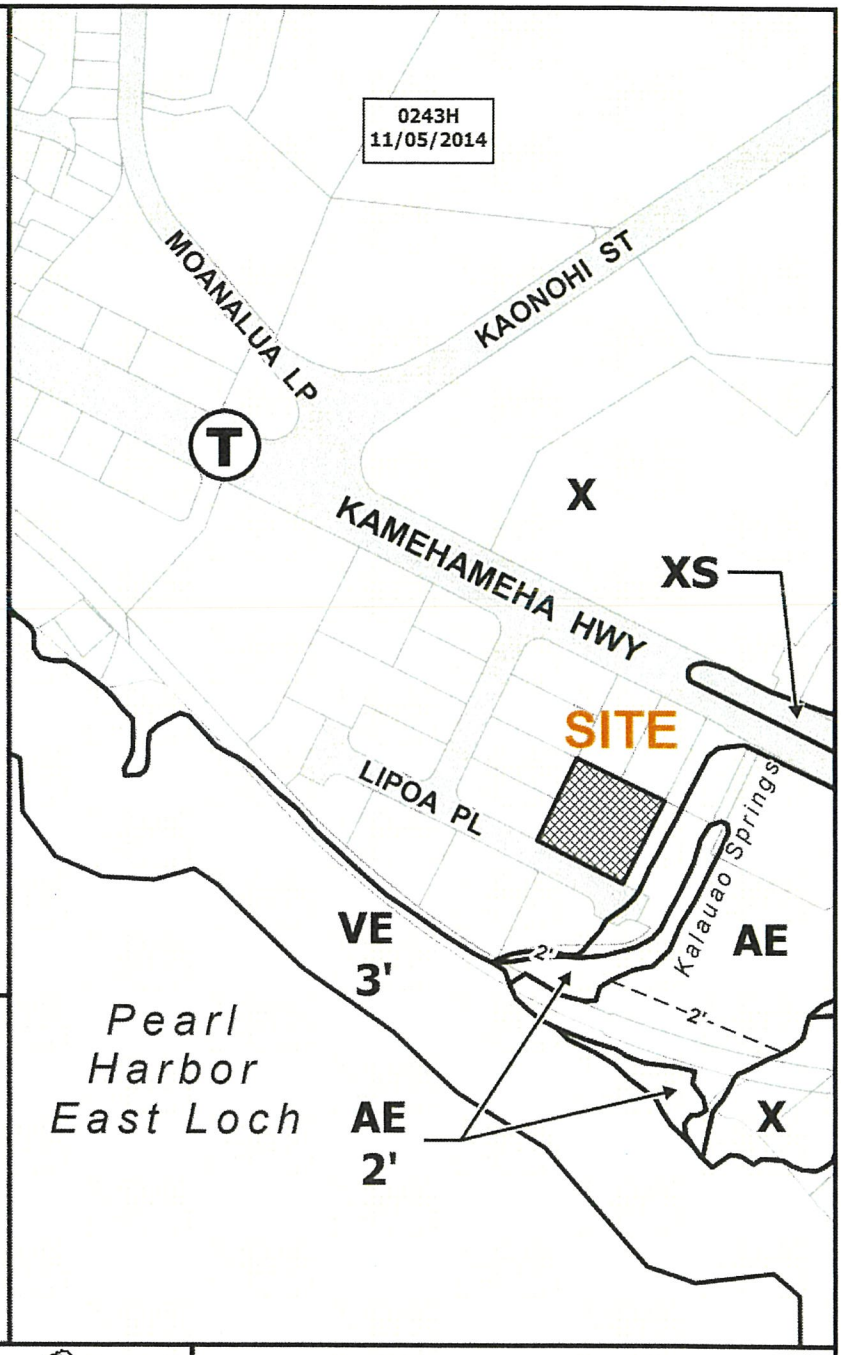
Zone **AE** = BFE determined
Zone **VE** = Costal flood zone with velocity hazard (wave action); BFE determined

Other Flood Areas

Zone **XS** (X shaded) = Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

Other Areas

Zone **X** = Areas determined to be outside the 0.2% annual chance floodplain.

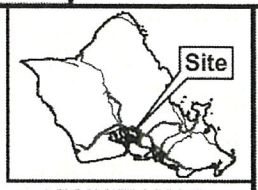


Legend

- Flood Zones
- -6'- Base Flood Elevation
- Tax Parcel
- Site Area
- T Kalauao Transit Station

CITY AND COUNTY OF HONOLULU · STATE OF HAWAII

0 200 400 800
Distance in Feet



VICINITY MAP

PORTION OF
FLOOD HAZARD MAP

FIRM PANEL 15003C0243H

TAX MAP KEY(S): 9-8-014:021

FOLDER NO.: 2024/SMA-86

Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

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EXHIBIT H

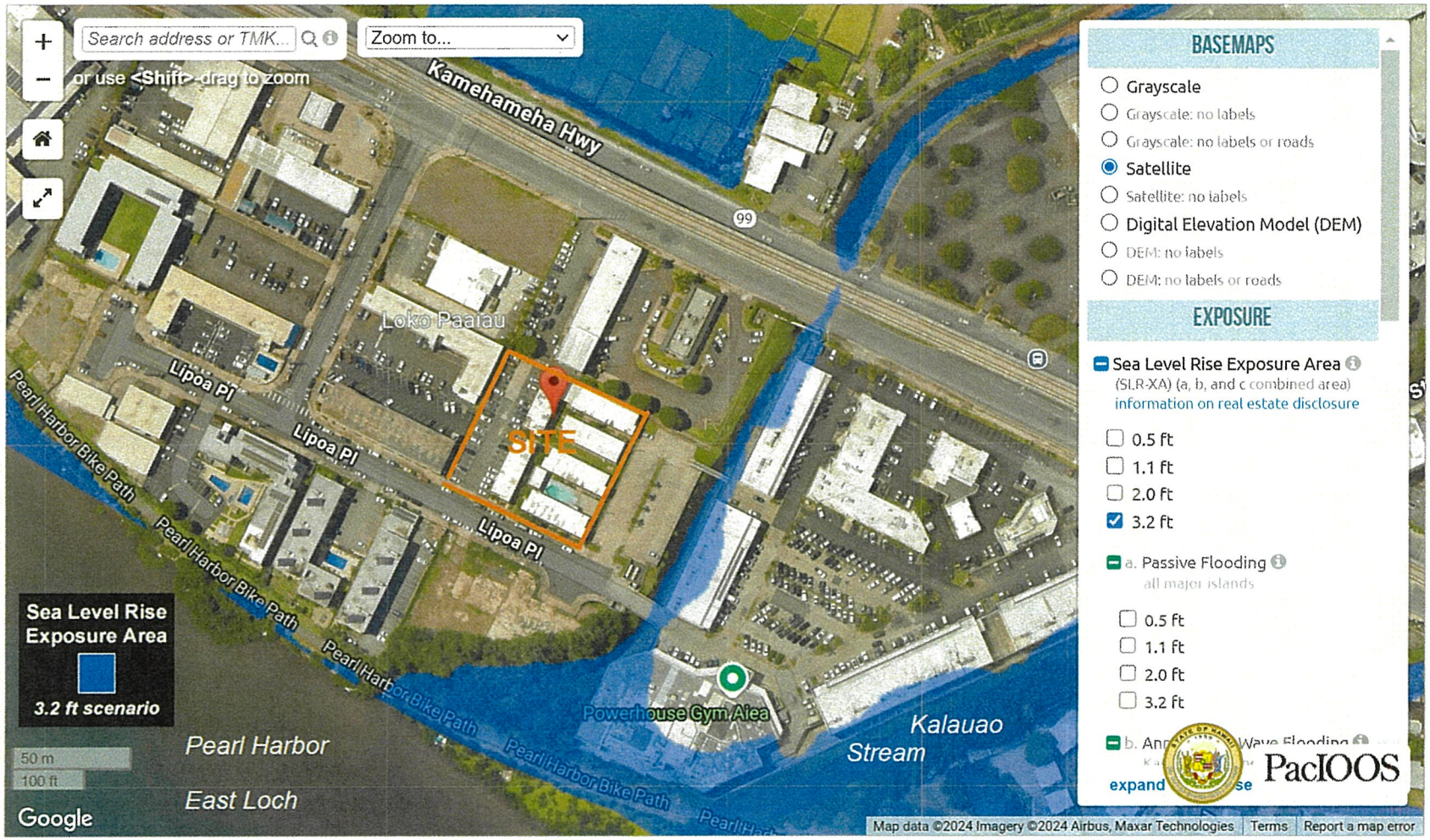
EXHIBIT I

FILE NO.: 2024/SMA-86

Sea Level Rise : State of Hawai'i Sea Level Rise Viewer

An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report

view full-screen map



opacity: 55%

National Hurricane Center
Storm Surge Risk Maps

Category 4

This is not a real-time product. For active tropical cyclones, please see hurricanes.gov and consult local products issued by the Nationa

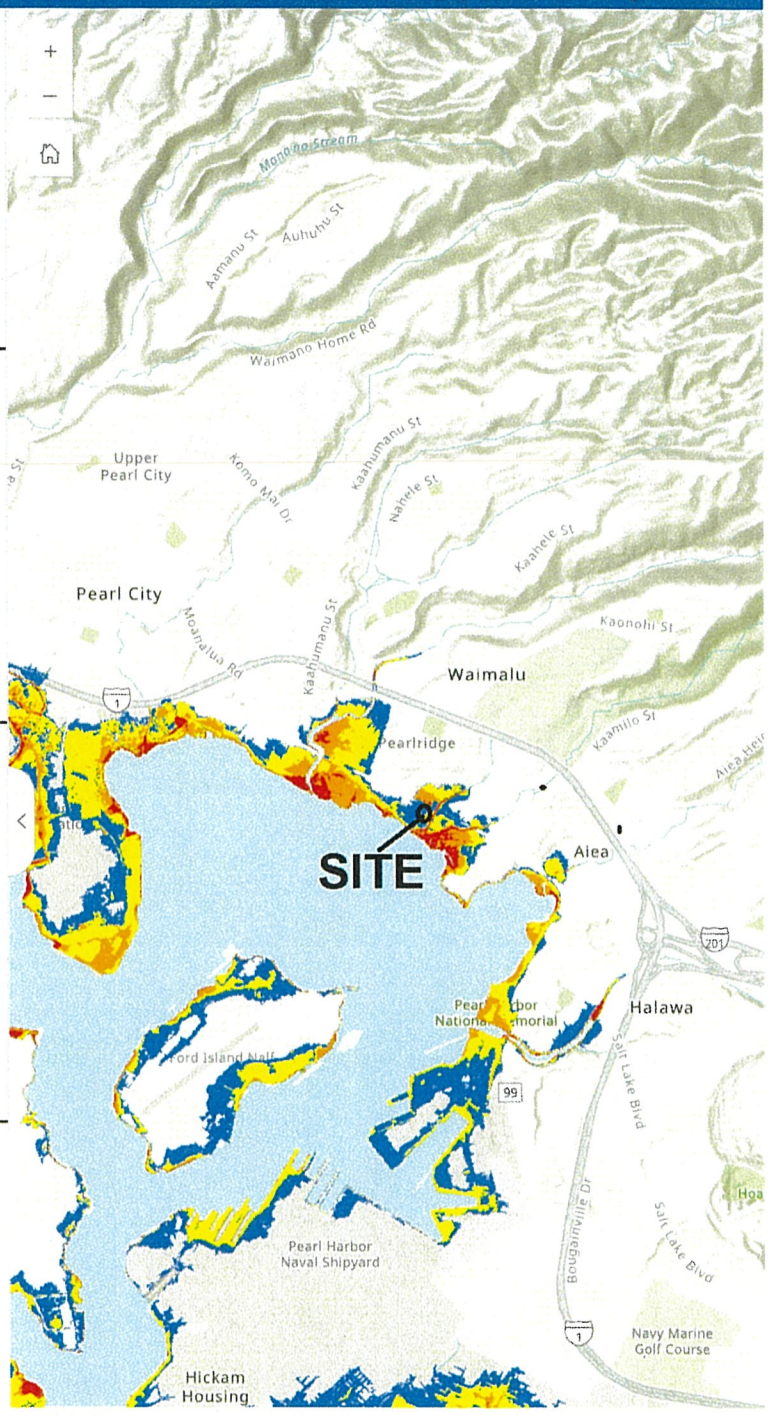
This national depiction of storm surge flooding vulnerability helps people living in hurricane-prone coastal areas. These maps make it clear that storm surge is not just a beachfront problem, with the risk of storm surge extending many miles inland from the immediate coastline in some areas. Storm Surge Risk Maps are provided for the US Gulf and East Coasts, Hawaii, Southern California, US territories - Puerto Rico, US Virgin Islands, Guam and American Samoa. Additional mapped areas include Hispaniola and parts of the Yucatan Peninsula.

Atlantic

- US East and Gulf Coast
- Puerto Rico and USVI
- Hispaniola
- Yucatan

Pacific

- Hawaii (category 1-4)
- Southern California (category 1-2)
- Guam
- American Samoa



Less than 3 feet above ground

Greater than 3 feet above ground

Greater than 6 feet above ground

Greater than 9 feet above ground

Leveed area
Consult local officials for flood risk

EXHIBIT J **FILE NO.: 2024/SMA-86**

TSUNAMI EVACUATION MAP

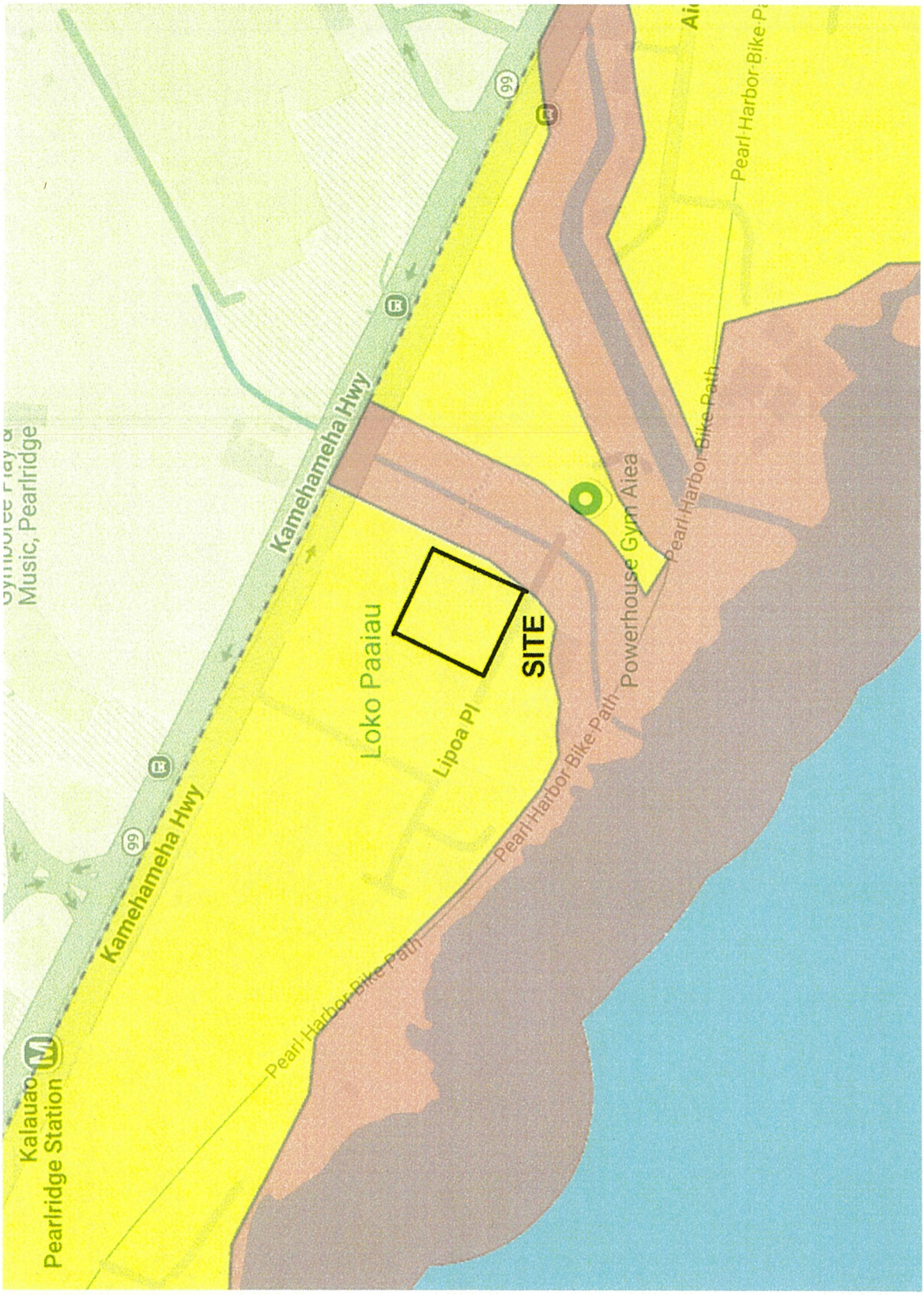
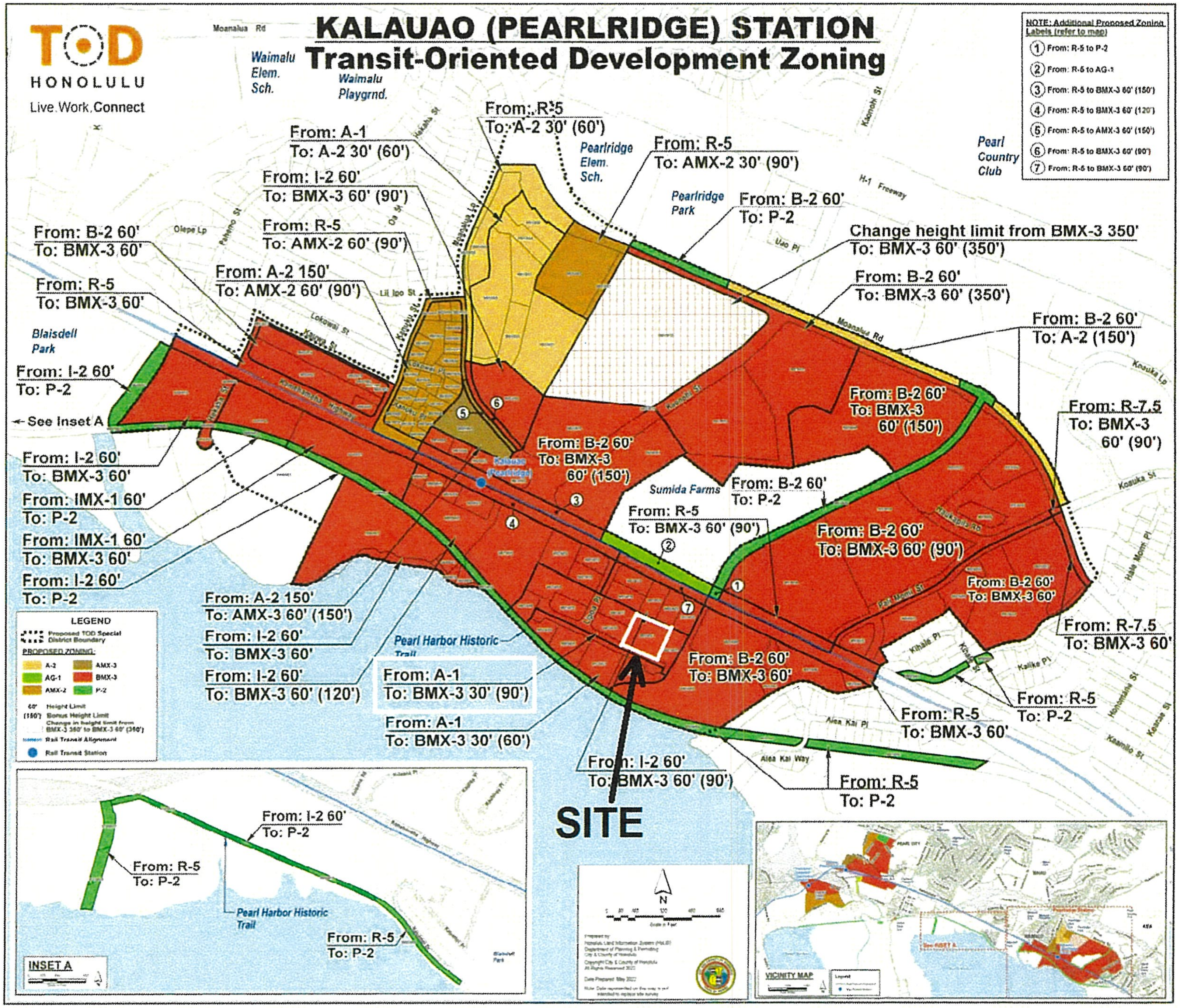


EXHIBIT K

FILE NO.: 2024/SMA-86

G:/SMAS/2024/86LIPOAexhibitWORKING.docx

EXHIBIT L



FILE NO.: 2024/SMA-86

CUMULATIVE IMPACT MAP *(SMA permits issued in the last 5 years)*

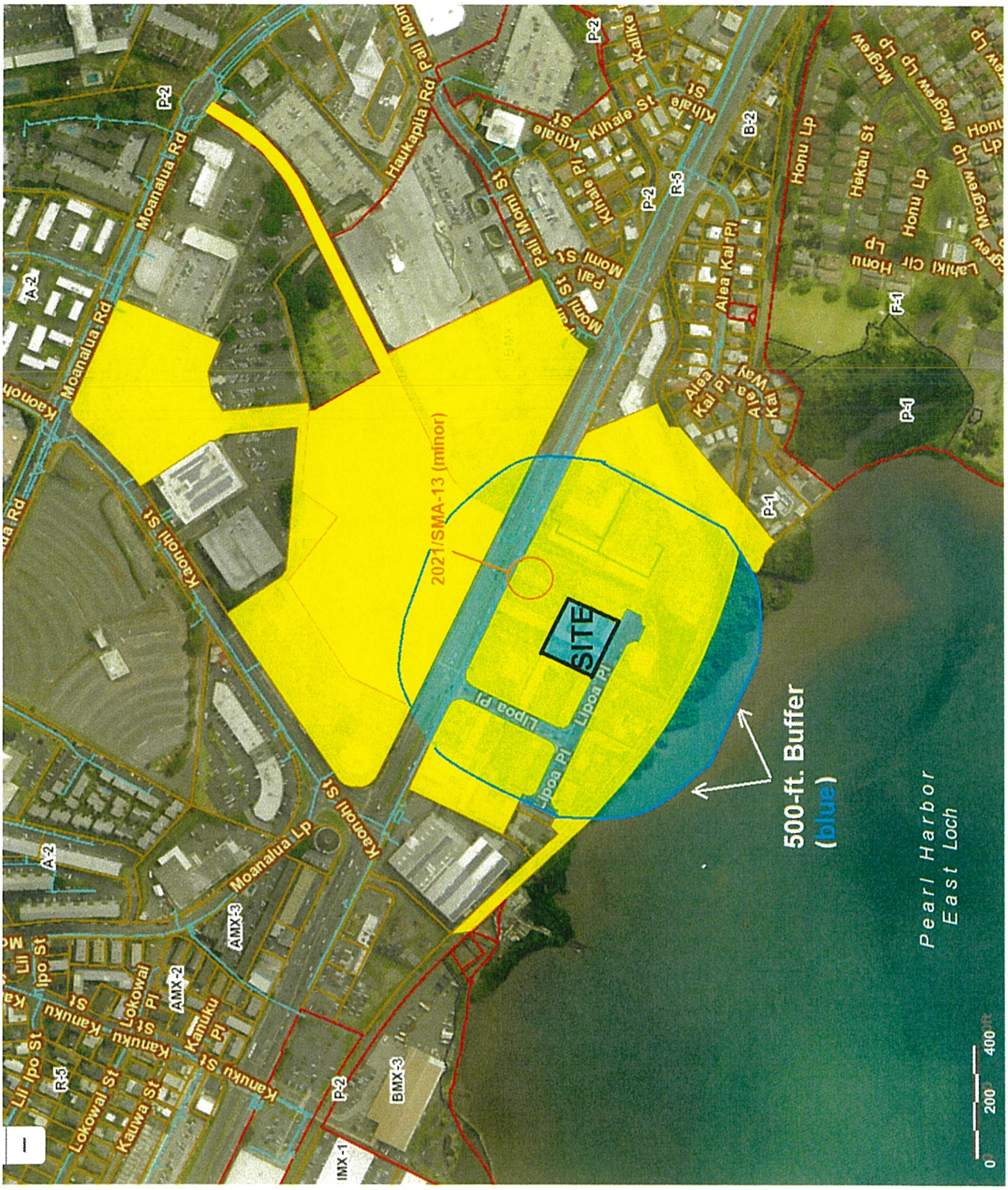


EXHIBIT M **FILE NO.: 2024/SMA-86**