REPORT OF THE COMMITTEE ON ZONING

Voting Members:
Esther Kia'āina, Chair; Tyler Dos Santos-Tam, Vice-Chair;
Radiant Cordero, Val A. Okimoto, Matt Weyer

Committee Meeting Held
January 16, 2025

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

Mr. Chair:

Your Committee on Zoning, which considered Resolution 25-26 entitled:

"RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HALE O LĪPOA AFFORDABLE RENTAL HOUSING DEVELOPMENT PROJECT IN 'AIEA, O'AHU,"

transmitted by Departmental Communication 6 (2025) from the Department of Planning and Permitting ("DPP"), dated December 31, 2024, received by the Council on January 7, 2025, and introduced on January 9, 2025, reports as follows:

The purpose of Resolution 25-26 is to authorize, pursuant to § 201H-38, Hawai'i Revised Statutes ("HRS"), exemptions from certain City application fees, infrastructure or public works fees and charges, development standards, and Transit-Oriented Development ("TOD") Special District standards and requirements for the Hale O Līpoa affordable rental housing project (the "Project").

The DPP processed the 201H application, and transmitted the Project's requested exemptions and deferrals, the DPP's findings and recommendation, and the Project's Preliminary Plans and Specifications to the Council by Departmental Communication 6 (2025).

ADOPTED ON JAN 29 2025

COMMITTEE REPORT NO. 13

PROJECT DESCRIPTION

Līpoa Development LLC (the "Applicant") proposes to develop the Project on approximately 42,000 square feet of land zoned BMX-3 Community Business Mixed Use District and within the 'Aiea-Pearl City TOD Special District, located at 98-150 Līpoa Place in 'Aiea, O'ahu, and identified as Tax Map Key 9-8-014:021.

As proposed, the Project involves an eight-story U-shaped building consisting of 153 dwelling units (152 affordable rental units and one manager unit), 147 vehicle parking spaces (two levels of parking), 100 bicycle parking spaces (20 short-term and 80 long-term spaces), two loading spaces (one standard and one large), and amenities including a gym, mailroom, storage rooms, open-air landscaped deck, resource center, and lounge.

The 152 affordable rental units (studio, one-bedroom, two-bedroom, and three-bedroom units), will be rented under one of two scenarios:

1. If the Project obtains Low Income Housing Tax Credit ("LIHTC") financing, to households earning 60 percent or below of the area median income as determined by the U.S. Department of Housing and Urban Development annually for the Honolulu Metropolitan Statistical Area as adjusted for household size ("AMI") as follows: 16 units rented to households earning 30 percent or below of the AMI, 16 units rented to households earning 31 percent up to 40 percent of the AMI, and 120 units rented to households earning 41 percent up to 60 percent of the AMI); or

2. If the Project obtains Rental Housing Revolving Fund ("RHRF") financing, to households earning 100 percent or below of the AMI as follows: 32 units rented to households earning 80 percent or below of the AMI, and 120 units rented to households earning 81 percent up to 100 percent of the AMI.

All 152 affordable rental units will remain affordable for a minimum period of 61 years.

There are six existing two-story apartment buildings on the Project site (known as the Pepper Tree Apartments) with a total of 48 rental units, which were built in the early 1970's and will be demolished. The Applicant will be offering existing tenants relocation assistance services during Project construction, and will give priority to existing tenants if the tenants' annual household incomes qualify for the Project's affordable rental units.

REQUESTED EXEMPTIONS AND DEFERRALS

The proposed CD1 authorizes exemptions from the payment of building permit plan review fees, building permit fees, grading and grubbing permit fees, trenching permit fees, stormwater quality and erosion and sediment control plan review fees, special assignment inspection fees, storm drain connection fees, and Honolulu Fire Department plan review fees.

The proposed CD1 also authorizes:

1. An exemption from the payment of wastewater system facility charges (attributed to 152 affordable units rented to households earning 60 percent or below of the AMI if the Project is LIHTC-financed; or attributed to 32 affordable units rented to households earning 80 percent or below of the AMI if the Project is RHRF-financed); and

2. A deferral from the payment of wastewater system facility charges until the issuance of a certificate of occupancy for the Project (attributed to one manager unit if the Project is LIHTC financed; or attributed to one manager unit and 120 affordable units rented to households earning 81 percent up to 100 percent of the AMI if the Project is RHRF-financed).

The proposed CD1 further authorizes an exemption from the payment of park dedication in-lieu fees (attributed to 152 affordable units rented to households earning 60 percent or below of the AMI and one manager unit if the Project is LIHTC-financed; or attributed to 32 affordable units rented to households earning 80 percent or below of the AMI if the Project is RHRF-financed).

In addition, the proposed CD1 authorizes a deferral until the installation of a water meter of the payment of water system facility charges and installation of water service fees; provided that all Board of Water Supply ("BWS") requirements are satisfied, with the actual fees to be deferred determined by the BWS during review of the Project's building permit application.

The proposed CD1 authorizes exemptions from Land Use Ordinance ("LUO") development standards and requirements for the BMX-3 Community Business District relating to maximum density (floor area ratio), maximum building height, yards, and height setbacks.

The proposed CD1 also authorizes exemptions from TOD Special District standards and requirements relating to maximum density (floor area ratio); maximum height; requiring the provision of community benefits for projects seeking height or density bonuses; street façade and building placement; building orientation, entrance, access, and location; pedestrian walkways; vehicle parking; and requiring active ground floor activities in parking structures.

The specific exemptions or deferrals from City application fees and infrastructure or public works fees and charges, and exemptions from LUO development standards and requirements and TOD Special District standards and requirements are set forth in the Resolution.

TESTIMONY

At your Committee's meeting on January 16, 2025, the Applicant provided a brief presentation of the Project and responded to questions from Councilmembers.

A DPP representative testified in support of the CD1 version of the Resolution.

Operating Engineers Local Union 3 and the Board of Water Supply testified in support of the Resolution. One individual testified in opposition to the Resolution.

Your Committee also received written testimony in support of the Resolution from Hawaii Regional Council of Carpenters, Housing Hawai'i's Future, Pacific Resource Partnership, the Board of Water Supply, and one individual. Written testimony in opposition to the Resolution was received from Ho'ōla Hou iā Kalauao, Maunalua Fishpond Heritage Center, Malama Pa'akea o Waimalu, and three individuals.

DISCUSSION OF EXEMPTIONS AND DEFERRALS

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

COMMITTEE AMENDMENTS

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

A. Amends the resolution title to read as follows:

"AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HALE O LĪPOA AFFORDABLE RENTAL HOUSING PROJECT IN 'AIEA, O'AHU."

B. In the first WHEREAS clause, references Exhibits A, B, C, D-1 through D-10, and E-1 through E-4, which are attached to the resolution.

C. In the second WHEREAS clause, clarifies the description of the Project.

D. In the third WHEREAS clause, clarifies the area median income ("AMI") levels for the affordable rental units under two different scenarios – the Project obtaining Low Income Housing Tax Credit ("LIHTC") financing, or the Project obtaining Rental Housing Revolving Fund ("RHRF") financing.

E. In the fourth WHEREAS clause, provides that the Project's affordability period is 61 years (instead of 65 years).

F. In the seventh WHEREAS clause, clarifies that the preliminary plans and specifications for the Project are dated September 6, 2024 (instead of September 20, 2024), and provides that the Project's preliminary plans and specifications were submitted by the DPP to the Council on January 7, 2025, by Departmental Communication 6 (2025).

G. In the BE IT RESOLVED clause:

1. Amends Exemption 3, relating to an exemption from the payment of grading and grubbing fees, to reference ROH § 18A-2.4 (instead of ROH § 18-2.4A).

2. Amends Exemption 4, relating to an exemption from the payment of special assignment inspection fees, to reference ROH § 18-3.1(c) and Table 18-A.

3. Amends Exemption 5, relating to an exemption from the payment of stormwater quality review and erosion control and sediment plan review fees, to reference ROH § 18A-1.6(d) (instead of ROH § 14-13.6(d)).

4. Amends Exemption 7, relating to an exemption from the payment of wastewater system facility charges, to provide that:

   a. If the Project is LIHTC financed, the exemption is for the charges attributed to 152 affordable units rented to households earning 60 percent or below of the AMI, estimated at $483,664 (instead of $483,665); or

   b. If the Project is RHRF financed, the exemption is for charges attributed to 32 affordable units rented to households earning 80 percent or below of the AMI, estimated at $101,824.

5. Amends Exemption 8, relating to a deferral of the payment of wastewater system facility charges until the issuance of a certificate of occupancy for the Project, to provide that:

   a. If the Project is LIHTC financed, the deferral is for charges attributed to one manager unit, estimated at $3,182; or

   b. If the Project is RHRF financed, the deferral is for charges attributed to 120 affordable units rented to households earning 81 percent up to 100 percent of the AMI, and one manager unit, estimated at $385,022.

6. Amends Exemption 12, relating to maximum heights, to clarify that the maximum height without an exemption from the LUO requirement is 30 feet (instead of 60 feet).

7. Amends Exemption 14, relating to required yards, to clarify that the allowed encroachment into the south front yard is up to 4.33 feet (instead of 3 feet).

8. Amends Exemption 16, relating to TOD special district density, to allow for a maximum FAR of 3.61 (instead of an FAR of 3.5) without having to obtain a special district permit (instead of a Planned Development-Transit).

9. Amends Exemption 17, relating to TOD special district height, to allow for a maximum height of 90 feet (instead of 60 feet) without having to obtain a special district permit (instead of a Planned Development-Transit).

10. Clarifies Exemption 18, relating to the provision of community benefits for TOD special district projects seeking height or density bonuses, to allow for height and density bonuses without having to provide specific community benefits.

11. Clarifies Exemption 19, relating to TOD special district height setbacks, to allow for Project flexibility with respect to building placement requirements by encroaching up to 46 feet into the building height setback along the east property line, up to 45 feet into the building height setback along the south property line, up to 43 feet into the building height setback along the north property line, and up to 42 feet into the building height setback along the west property line (a setback of 50 feet is required for any portion of the building above 60 feet in height), as generally show in Exhibits D-7 and D-8).

12. Deletes Exemption 24, relating to TOD special district requirements for PD-T project modifications to height and density, because the Project is not a PD-T project. Renumbers the subsequent exemption.

13. Amends renumbered Exemption 24, relating to park dedication requirements, to:

a. Clarify that if the Project is LIHTC financed, the exemption is for park dedication requirements attributed to 152 affordable rental units rented to households earning 60 percent or below of the AMI, and one manager unit, estimated at 16,830 square feet of park space, or the payment of an equivalent in-lieu fee estimated at $2,440,350; or

b. Add that if the Project is RHRF financed, the exemption is for park dedication requirements attributed to 32 affordable units rented to households earning 80 percent or below of the AMI, estimated at 3,520 square feet of park space, or the payment of an equivalent in-lieu fee estimated at $510,400.

H. In the first BE IT FURTHER RESOLVED clause:

1. In Condition A, deletes the lead-in phrase "Except as modified herein," because the Project is not being modified by any of the conditions and adds that the exhibits are attached to the resolution and incorporated by reference.

2. In Condition B, relating to traffic conditions:

a. Conforms the traffic conditions to the standard formatting and language used in similar 201H resolutions;

b. Moves a portion of Condition B.3, relating to a post traffic management plan ("TMP"), to new Condition C.1;

c. Moves Condition B.4, relating to a post traffic impact analysis report ("TIAR"), to new Condition C.2;

d. Moves Condition B.5 and a portion of Condition B.6, relating to vehicle access points and driveways, to new Condition D.1;

e. Moves a portion of Condition B.6, relating to entry gates or guard shacks, to new Condition D.2;

f. Moves a portion of Condition B.6, relating to turning templates for loading, trash pickup, and parking areas, to new Condition D.3; and

g. Deletes Condition B.7, relating to the location of bicycle racks, because the location of the Project's short-term and long-term bicycle parking spaces are indicated on the Exhibits attached to the resolution.

3. Adds a new Condition C to:

   a. Require a post TMP in Condition C.1, and

   b. Require a post TIAR in Condition C.2, and refer to the initial TIAR dated May 13, 2024, prepared by Fehr & Peers.

4. Adds a new Condition D, relating to Project driveways and service areas, to require that:

   a. Vehicular access points to be constructed as City dropped driveways, adequate sight distance to pedestrians and other vehicles be provided from the Project driveway, and driveway grades not exceed five percent for a minimum distance of 25 feet from the back of the designated pedestrian walkway;

   b. Any entry gates or guard shacks be recessed as far into the Project driveway as necessary to avoid queuing onto public streets; and

c. All loading, trash pickup, and parking areas be designed so that vehicles enter and exit front first, adequate turnaround and maneuvering areas be demonstrated by turning templates, and the layout of parking spaces in the loading and trash pickup areas not interfere with large vehicle turning maneuvers or impact driveway operations.

Re-letters the subsequent condition.

I. Makes miscellaneous technical and nonsubstantive amendments.

COMMITTEE FINDINGS AND RECOMMENDATIONS

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

Your Committee on Zoning is in accord with the intent and purpose of Resolution 25-26, as amended herein (the votes for amendment being: Ayes: Cordero, Dos Santos-Tam, Kia'āina, Okimoto – 4: Absent: Weyer – 1), and recommends its adoption in the form attached hereto as Resolution 25-26, CD1. (Ayes: Dos Santos-Tam, Kia'āina, Okimoto – 3; Noes: Cordero – 1; Absent: Weyer – 1.)

Respectfully submitted,

Esther Kiaʻāina
Committee Chair

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **25-26, CD1**

RESOLUTION

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HALE O LĪPOA AFFORDABLE RENTAL HOUSING PROJECT IN ʻAIEA, OʻAHU.

WHEREAS, Līpoa Development LLC (the "Applicant") proposes to develop the Hale O Līpoa affordable rental housing project on approximately 42,000 square feet of land zoned BMX-3 Community Business Mixed-Use District and within the ʻAiea-Pearl City Transit-Oriented Development ("TOD") Special District, located at 98-150 Līpoa Place in ʻAiea, Oʻahu, and identified as Tax Map Key 9-8-014:021, as depicted in Exhibits A, B, C, D-1 through D-10, and E-1 through E-4, attached hereto and incorporated by reference herein (the "Project"); and

WHEREAS, as proposed, the Project involves an eight-story U-shaped building consisting of 153 dwelling units (152 affordable rental units and one manager unit), 147 vehicle parking spaces (two levels of parking), 100 bicycle parking spaces (20 short-term and 80 long-term spaces), two loading spaces (one standard and one large), and amenities including a gym, mailroom, storage rooms, open-air landscaped deck, resource center, and lounge; and

WHEREAS, as proposed, the 152 affordable rental units (studio, one-bedroom, two-bedroom, and three-bedroom units), will be rented under one of two scenarios:

1. If the Project obtains Low Income Housing Tax Credit ("LIHTC") financing, to households earning 60 percent or below of the area median income as determined by the U.S. Department of Housing and Urban Development annually for the Honolulu Metropolitan Statistical Area as adjusted for household size ("AMI") as follows: 16 units rented to households earning 30 percent or below of the AMI, 16 units rented to households earning 31 percent up to 40 percent of the AMI, and 120 units rented to households earning 41 percent up to 60 percent of the AMI); or

2. If the Project obtains Rental Housing Revolving Fund ("RHRF") financing, to households earning 100 percent or below of the AMI as follows: 32 units rented to households earning 80 percent or below of the AMI, and 120 units rented to households earning 81 percent up to 100 percent of the AMI; and

RESOLUTION

WHEREAS, all 152 affordable rental units will remain affordable for a minimum period of 61 years; and

WHEREAS, the Project is eligible to receive consideration under the City's Rules implementing § 201H-38, Hawaii Revised Statutes ("HRS"), which require that at least 20 percent of a project's total units be available to households earning 80 percent or below of the AMI, and at least 31 percent of a project's total units be available to households earning 81 percent and 120 percent of the AMI, or lower; and

WHEREAS, the City Council ("Council") is empowered and authorized to approve the Project, which may include exemptions from statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivision, development and improvement of land, and the construction of units thereon pursuant to HRS §§ 46-15.1 and 201H-38; and

WHEREAS, the Council has reviewed the preliminary plans and specifications for the Project, dated September 6, 2024, prepared by Lowney Architecture (the "Plans and Specifications"), and submitted to the Council by the Department of Planning and Permitting ("DPP") on January 7, 2025, by Departmental Communication 6 (2025); and

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

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

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

WHEREAS, the exemptions authorized herein meet the intent of HRS Chapter 201H, and minimum requirements of health and safety; now, therefore,

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

Application Fees:

1. Exemption from § 18-6.1, Revised Ordinances of Honolulu 2021 ("ROH"), to allow an exemption from the payment of plan review fees, estimated at $25,000.

2. Exemption from ROH § 18-6.2, to allow an exemption from the payment of building permit fees, estimated at $314,800.

3. Exemption from ROH § 18A-2.4, to allow an exemption from the payment of grading and grubbing permit fees, estimated at $1,000.

4. Exemption from ROH § 18-3.1(c) and Table 18-A, to allow an exemption from the payment of special assignment inspection fees, estimated at $1,000.

5. Exemption from ROH § 18A-1.6(d), to allow an exemption from the payment of stormwater quality review and erosion control and sediment plan review fees, estimated at $500.

6. Exemption from ROH § 14-2.1(c), to allow an exemption from the payment of trenching permit fees, estimated at $400.

Infrastructure and Public Works Fees and Charges:

7. Exemption from ROH §§ 43-10.1, 43-10.2, and 43-10.3, to allow an exemption from the payment of wastewater system facility charges as follows:

    a. If the Project is LIHTC financed, attributed to 152 affordable units rented to households earning 60 percent or below of the AMI, estimated at $483,664; or

    b. If the Project is RHRF financed, attributed to 32 affordable units rented to households earning 80 percent or below of the AMI, estimated at $101,824.

8. Deferral from ROH §§ 43-10.1, 43-10.2, and 43-10.3, to allow the deferral of the payment of wastewater system facility charges until the issuance of the certificate of occupancy for the Project as follows:

    a. If the Project is LIHTC financed, attributed to one manager unit, estimated

at $3,182; or

b. If the Project is RHRF financed, attributed to 120 affordable units rented to households earning 81 percent up to 100 percent of the AMI, and one manager unit, estimated at $385,022.

9. Exemption from ROH § 43-11.12(f), to allow an exemption from the payment of storm drain connection fees, estimated at $200.

Fire Department Plan Review Fees:

10. Exemption from ROH § 20-1.1(3), to allow an exemption from the payment of Honolulu Fire Department plan review fees, estimated at $31,480.

BWS Rules and Regulations:

11. Deferral from Sections 1-102 and 2-202 of the BWS Rules and Regulations, to allow a deferral of the payment of the water system facility and installation of water service fees until the installation of the water meter for the Project, estimated at $302,000; provided that all BWS requirements are satisfied. The actual fees to be deferred will be determined by the BWS during its review of the Project's building permit application.

ROH Chapter 21, the Land Use Ordinances ("LUO"):

12. Exemption from ROH § 21-3.120-2(b), Table 21-3.4, and the applicable zoning map, relating to maximum height, to allow for a maximum height of 90 feet (instead of 30 feet). Rooftop structures must conform to ROH § 21-4.60(c).

13. Exemption from ROH § 21-3.120-2(b), Table 21-3.4, relating to density, to allow for a maximum floor area ratio ("FAR") of 3.61 (instead of an FAR of 2.5).

14. Exemption from ROH § 21-3.120-2(b), Table 21-3.4, relating to required yards, to allow the Project to encroach up to 5.33 feet into the east side yard, up to 2 feet into the west side yard, up to 4.33 feet into the south front yard, and up to 3 feet into the north rear yard.

15. Exemption from ROH § 21-3.120-2(c)(2), relating to height setbacks, to allow the Project to encroach up to 5.58 feet into the building height setback along the east property line, up to 5.58 feet into the building height setback along the west property line, up to 5.83 feet into the building height setback along the south property line, and up to 7.17 feet into the building height setback along the north property line.

TOD Special District Standards

16. Exemption from ROH § 21-9.100-8(a)(1)(A), relating to density, to allow a maximum FAR of 3.61 (instead of an FAR of 3.5) without having to obtain a special district permit.

17. Exemption from ROH § 21-9.100-8(a)(1)(D), relating to maximum height, to allow a maximum height of 90 feet (instead of 60 feet) without having to obtain a special district permit.

18. Exemption from ROH § 21-9.100-8(a)(1)(E), relating to the provision of community benefits for projects seeking height or density bonuses, to allow for height and density bonuses without having to provide specific community benefits.

19. Exemption from ROH § 21-9.100-8(a)(3)(D), relating to street façade and building placement, to allow Project flexibility with respect to building placement requirements by encroaching up to 46 feet into the building height setback along the east property line, up to 45 feet into the building height setback along the south property line, up to 43 feet into the building height setback along the north property line, and up to 42 feet into the building height setback along the west property line (a setback of 50 feet is required for any portion of the building above 60 feet in height), as generally shown in attached Exhibits D-7 and D-8).

20. Exemption from ROH § 21-9.100-8(a)(4), relating to building orientation and entrances, access, and location, to allow for Project flexibility with respect to these standards and requirements.

21. Exemption from ROH § 21-9.100-8(a)(6), relating to pedestrian walkways, to allow for Project flexibility with respect to these standards and requirements.

22. Exemption from ROH § 21-9.100-8(c)(1), relating to vehicle parking, to allow the parking garage to be located 9 feet from the front property line (instead of 40 feet).

23. Exemption from ROH § 21-9.100-8(c)(4), relating to active ground floor activities in parking structures, to allow the ground floor of the Project's parking structure to have no active ground floor activities.

Park Dedication Ordinance

24. Exemption from ROH Chapter 22, Article 7, to allow an exemption from park dedication requirements as follows:

    a. If the Project is LIHTC financed, attributed to 152 affordable rental units rented to households earning 60 percent or below of the AMI, and one manager unit, estimated at 16,830 square feet of park space, or the payment of an equivalent in-lieu fee estimated at $2,440,350; or

    b. If the Project is RHRF financed, attributed to 32 affordable units rented to households earning 80 percent or below of the AMI, estimated at 3,520 square feet of park space, or the payment of an equivalent in-lieu fee estimated at $510,400;

    provided that the park dedication requirement attributed to the one manager unit is only exempt if federal or State of Hawai'i funding for the Project, such as the use of low-income housing tax credits, prohibits the use or sale of the manager's dwelling unit as a revenue-generating or profit-generating dwelling unit for the required affordability period, including any extensions thereof; and

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

A. Development must be in general conformance with the approved Project, as described herein and shown on the plans and drawings labeled as Exhibits A, B, C, D-1 through D-10, and E-1 through E-4, attached hereto and incorporated by reference herein. Minor modifications to the Project may be approved by the DPP Director. Major modifications will require approval by the City Council.

B. Prior to the issuance of any building permit for the Project, the Applicant shall submit to the DPP for its review and approval:

1. An overall timeline or phasing plan of the anticipated dates to obtain major building permits for demolition or construction work, including the projected date of occupancy, in a format acceptable to the DPP. The timeline should identify when the construction management plan ("CMP") and traffic management plan ("TMP") will be submitted to the DPP for its review and approval;

2. A CMP that:

   a. Identifies the type, frequency, and routing of heavy trucks and construction related vehicles, and provides remedial measures to minimize impacts from construction vehicles and construction-related activities;

   b. Identifies and limits construction-related vehicular activity to periods outside of the peak periods of traffic, using alternative routes for heavy trucks, provides for on-site or off-site staging areas for construction workers and vehicles to limit the use of on-street parking around the Project site, and includes other traffic mitigation measures to address potential impacts on the surrounding neighborhood during Project construction;

   c. Includes plans for all work within or affecting public streets, and preliminary or conceptual traffic control plans to be implemented during construction; and

   d. Includes documentation of the condition of roadways prior to the start of construction activities and provides remedial measures, as necessary, such as restriping, road resurfacing, or roadway reconstruction, so that the roadway may be restored to its documented condition if its condition deteriorates as a result of the construction-related activities; and

3. A TMP that:

   a. Includes traffic demand management ("TDM") strategies to minimize the number of vehicular trips for daily activities of Project residents; TDM strategies may include carpooling, ride hailing, car sharing, and ride sharing programs; transit, bicycle, and pedestrian incentives; and other similar TDM strategies;

   b. Includes a pedestrian circulation plan that provides accessibility and connectivity to and along the surrounding public sidewalks, street intersections, nearby transit stops, and adjacent properties, and contains the determination of effective sidewalk widths, taking into account the City's Complete Streets initiatives; and

   c. Includes a parking management plan that addresses the locations of pickup and dropoff areas, how delivery trucks would access and egress the Project site, and how these areas will be managed.

C. Approximately one year after the issuance of the certificate of occupancy for the Project, the Applicant shall submit to the DPP for its review and approval:

   1. A post TMP to validate the relative effectiveness of the various TDM strategies identified in the initial TMP; and

   2. A post traffic impact analysis report ("TIAR") that updates the initial TIAR dated May 13, 2024, and prepared by Fehr & Peers, to validate the traffic projections, distribution, and assignment contained in the initial TIAR. If the updated TIAR recommends additional traffic mitigation measures or modifications to address traffic impacts directly attributable to the Project, the Applicant shall implement the updated TIAR recommendations. If the updated TIAR is inconclusive, a second updated TIAR may be required one year after the date of the initial updated TIAR, as the DPP Director determines is necessary.

D. Project driveways and service areas.

   1. All vehicular access points must be constructed as City dropped driveways. Adequate sight distance to pedestrians and other vehicles must be maintained from all driveways. Driveway grades must not exceed

five percent for a minimum distance of 25 feet from the back of the designated pedestrian walkway.

2. Entry gates or guard shacks (if used) must be recessed as far into the Project driveway as necessary to avoid any queuing onto public streets.

3. All loading, trash pickup, and parking areas must be designed so that vehicles enter and exit front first. Turning templates must demonstrate adequate turn-around and maneuvering areas for large vehicles on the Project site, and the layout of parking spaces in the loading and trash pickup areas must not interfere with large vehicle turning maneuvers or impact driveway operations.

E. Prior to the issuance of any building permit for the Project, the Applicant shall execute a 201H Agreement with the DPP Director that includes terms, conditions, and provisions to facilitate the efficient development and monitoring of the Project, and to ensure the Project's ongoing compliance with the requirements of HRS Chapter 201H and this resolution; and

BE IT FURTHER RESOLVED that references to specific statutes, ordinances, or regulations include the respective successor statutes, ordinances, or regulations; and

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

BE IT FURTHER RESOLVED that this resolution is null and void unless construction of the Project commences no later than 60 months after the adoption of this resolution; and

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

RESOLUTION

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

BE IT FURTHER RESOLVED that the DPP Director is authorized to execute and record the 201H Agreement referenced in Condition E, pursuant to the terms, conditions, and provisions approved as to form and legality by the Department of the Corporation Counsel as being necessary, advisable, or desirable for the purpose of carrying out this resolution; and

BE IT FURTHER RESOLVED that the DPP Director is hereby authorized to execute any incidental or related documents to carry out the transactions described above, so long as the documents do not increase, either directly or indirectly, the financial obligations of the City; and

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **25-26, CD1**

RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Dawn Takeuchi Apuna, Director of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i, 96813; Christopher M. Flaherty, Līpoa Development, LLC, 745 Fort Street, Suite 702, Honolulu, Hawai'i, 96813; and Nainoa J. Watson, 'Ikenākea Development LLC, 745 Fort Street, Suite 702, Honolulu, Hawai'i, 96813.

INTRODUCED BY:

Tommy Waters (br)

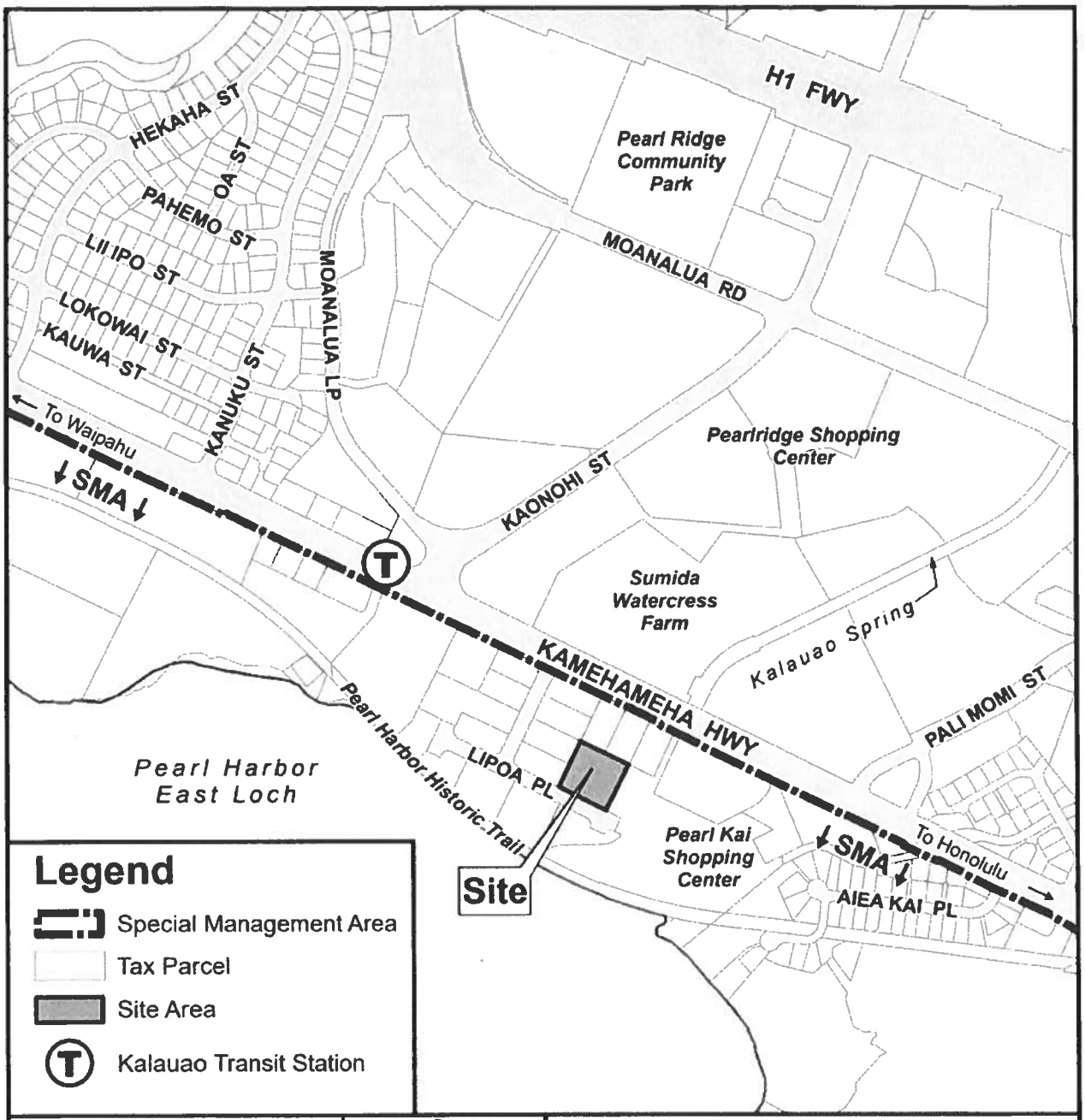
DATE OF INTRODUCTION:

January 9, 2025
Honolulu, Hawai'i

Councilmembers

Report Title:
Exemptions Pursuant to HRS Chapter 201H; Hale O Līpoa; Hale O Lipoa; Affordable Housing; Development; Rental; ʻAiea-Pearl City Transit-Oriented Development ("TOD") Special District; Department of Planning and Permitting ("DPP"); ʻAiea, Oʻahu; Aiea, Oahu

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



LOCATION MAP w/ SMA

AIEA

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

FOLDER NO.: 2024/GEN-18

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

Date Prepared: 10/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

EXHIBIT A

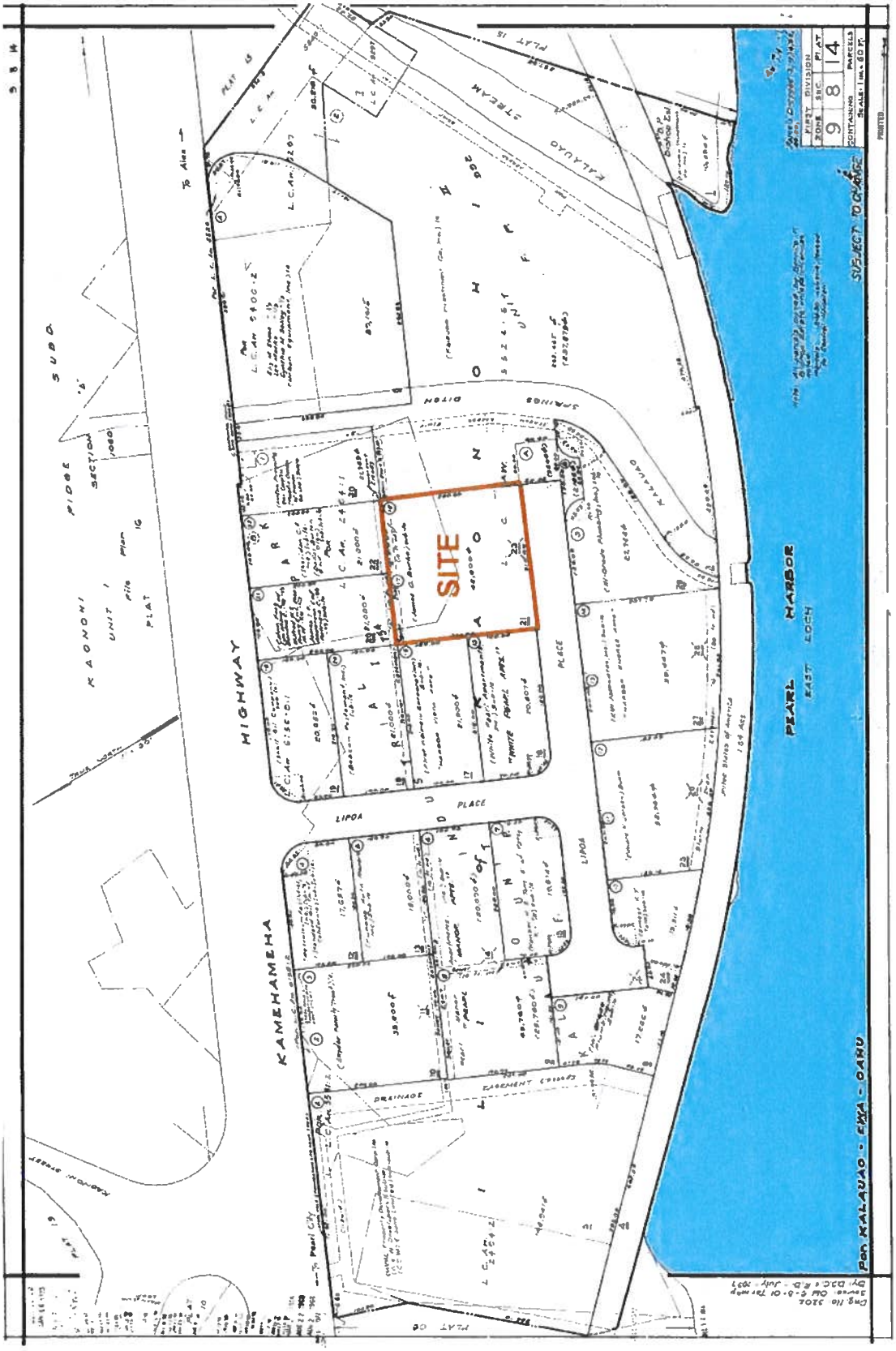
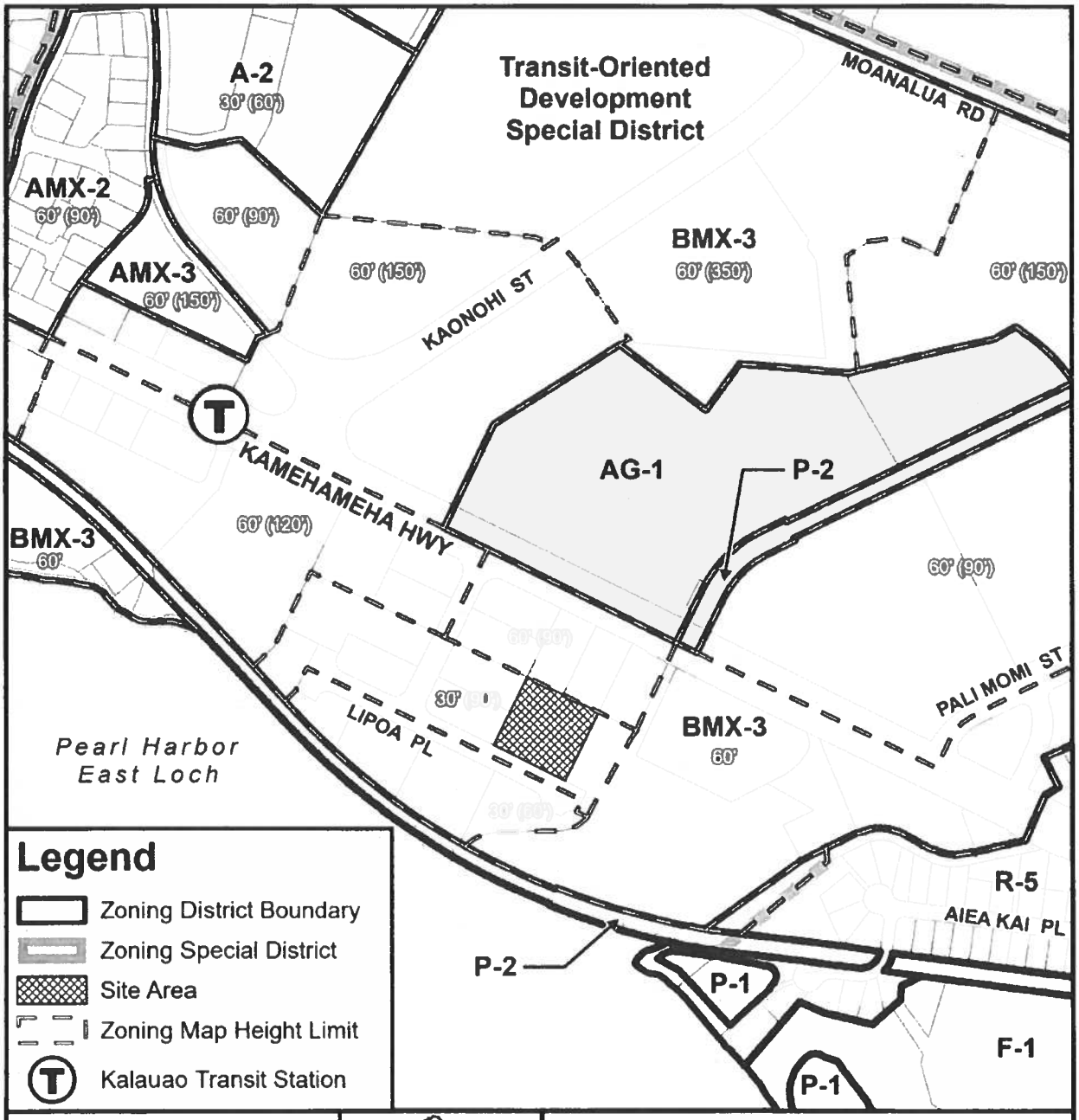


EXHIBIT B **FILE NO.: 2024/GEN-18**



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

Date Prepared: 10/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

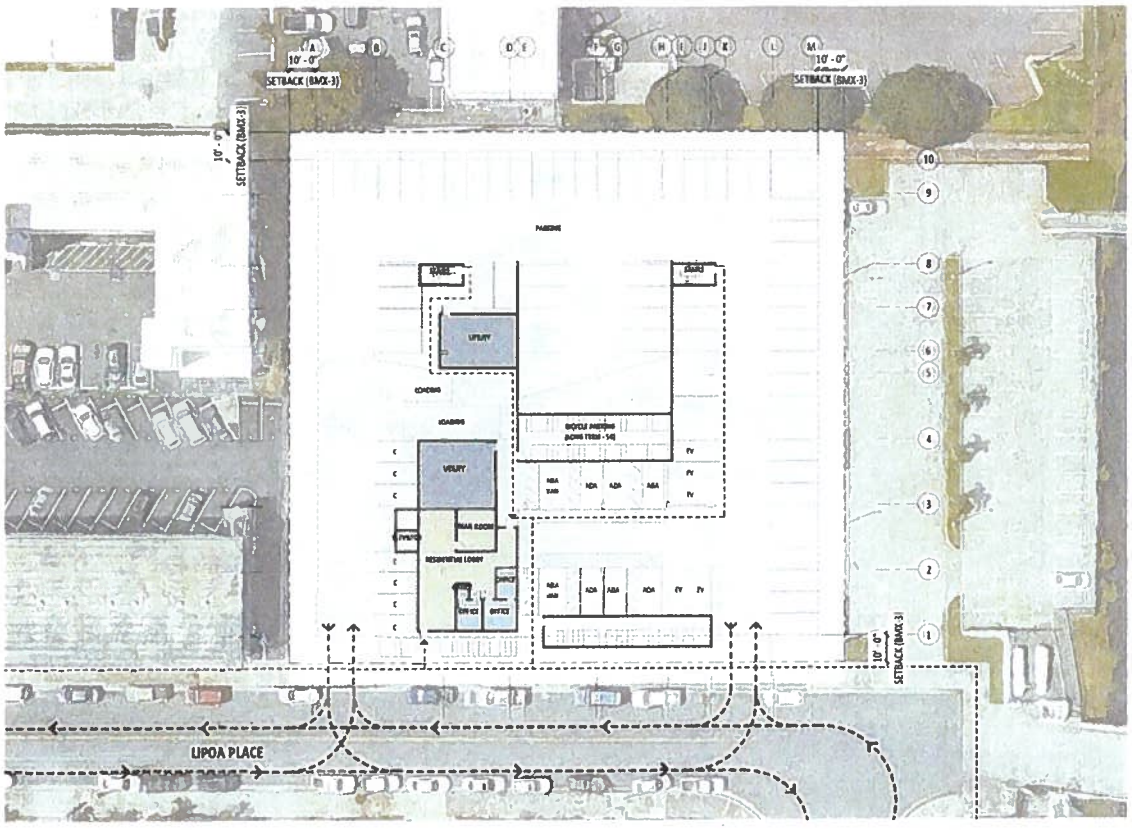
EXHIBIT C



lowney arch IKENAKIA

EXHIBIT D-1

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



CIRCULATION LEGEND

- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- LOBBY ENTRANCE

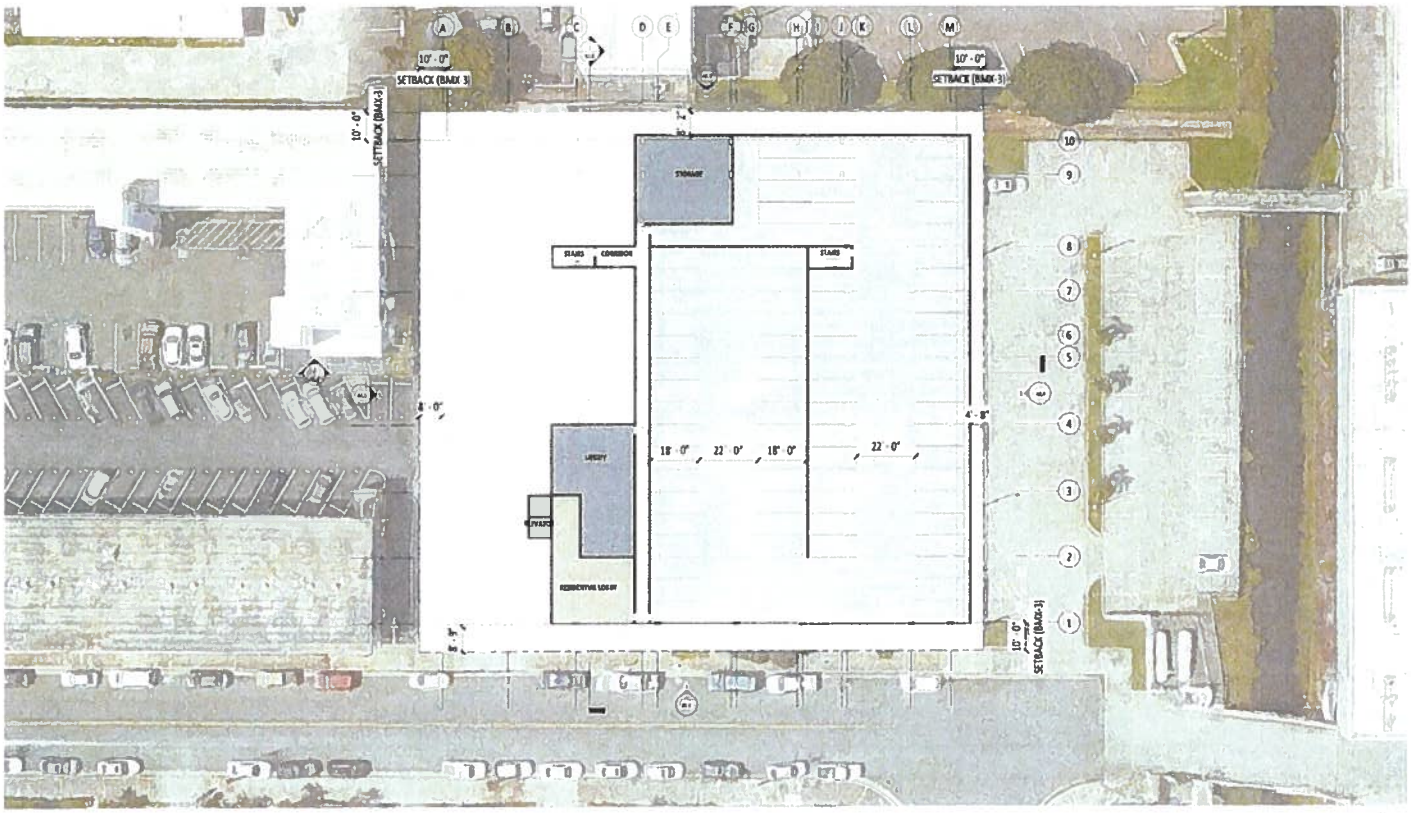
lowney arch

IKENAKEA

EXHIBIT D-2

CIRCULATION A0.3

HALE O LIPOA · 09/06/2024



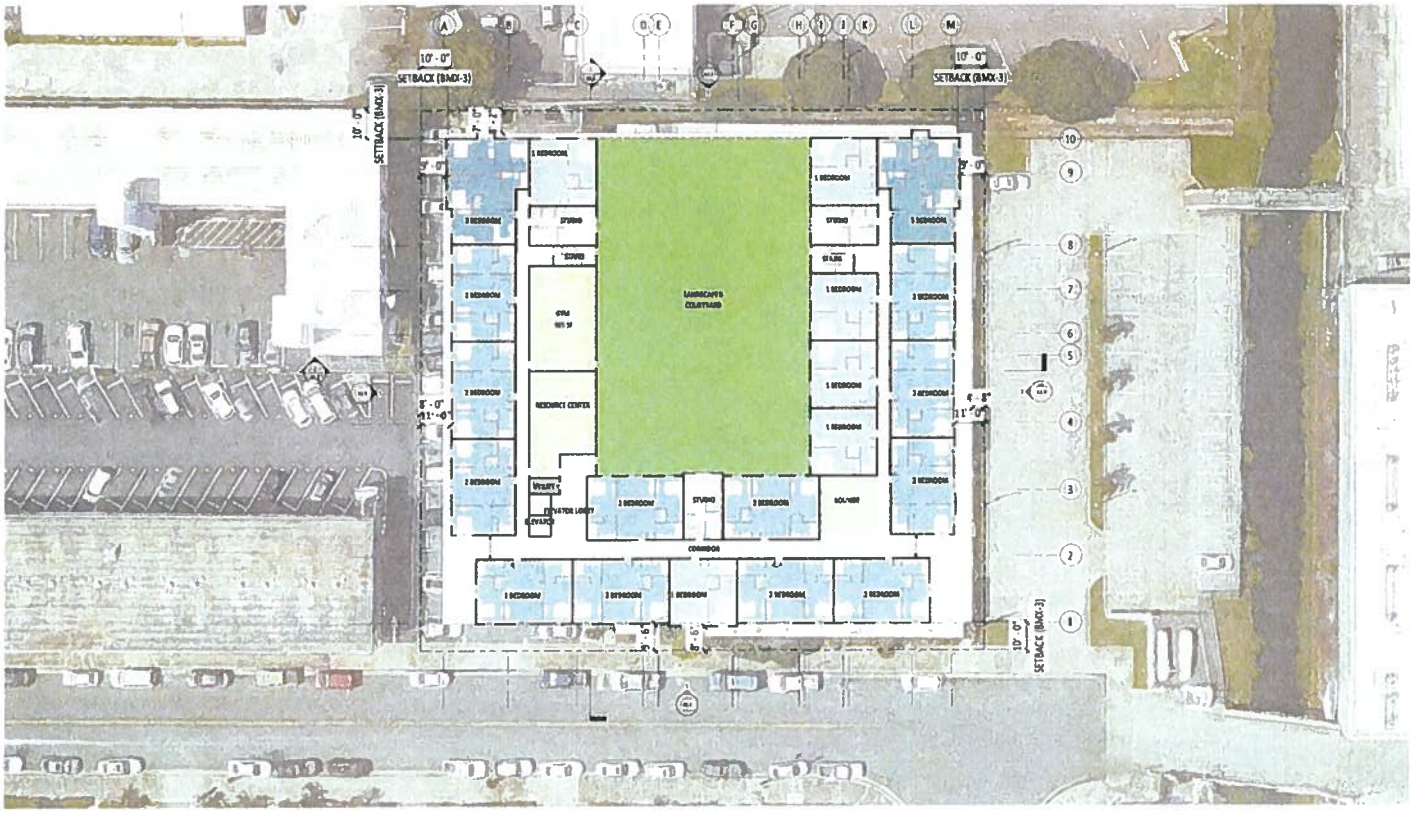
lowney arch

IKENAKEA

EXHIBIT D-3

SECOND FLOOR PLAN **A0.8**

HALE O LIPOA · 09/06/2024



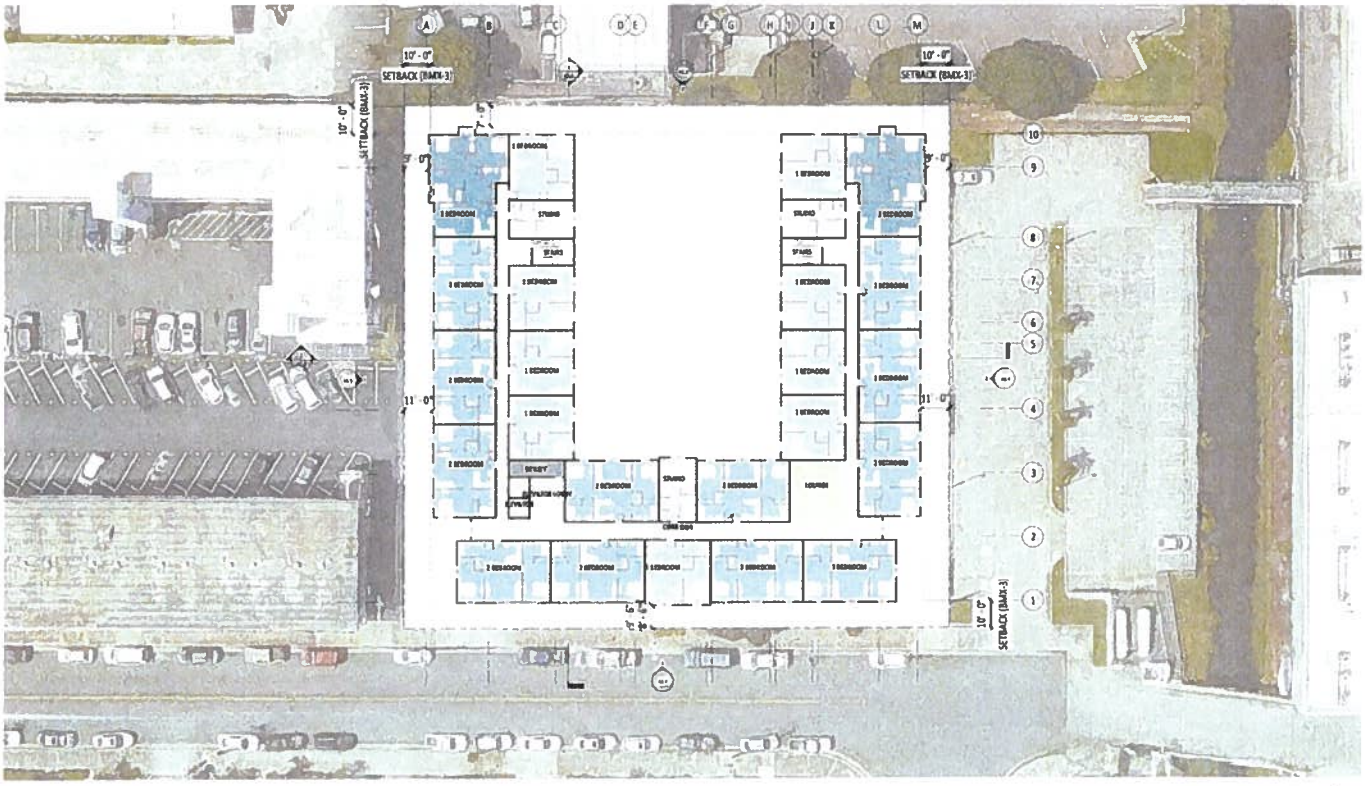
lowney arch

IKENAKEA

EXHIBIT D-4

PODIUM FLOOR PLAN **A0.9**

HALE O LIPOA - 09/06/2024



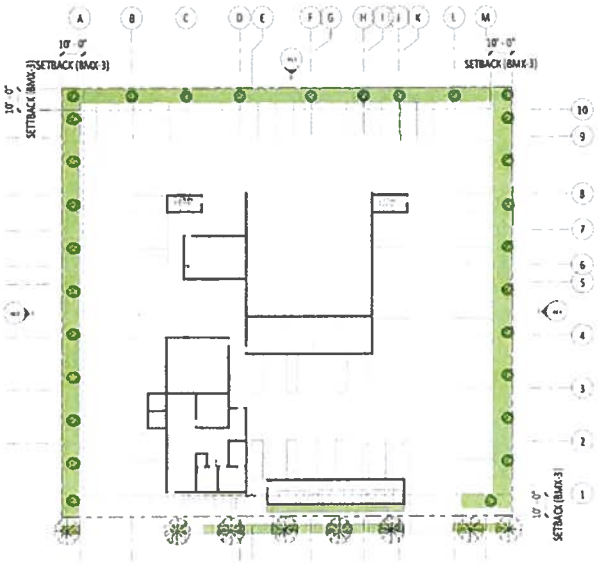
lowney arch

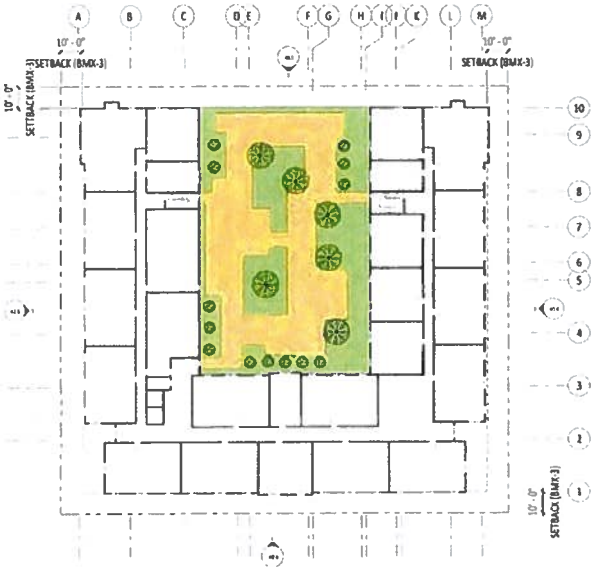
IKENAKEA

EXHIBIT D-5

TYP RESIDENTIAL LEVEL 4-8 PLAN A1.0

HALE O LIPOA - 09/06/2024





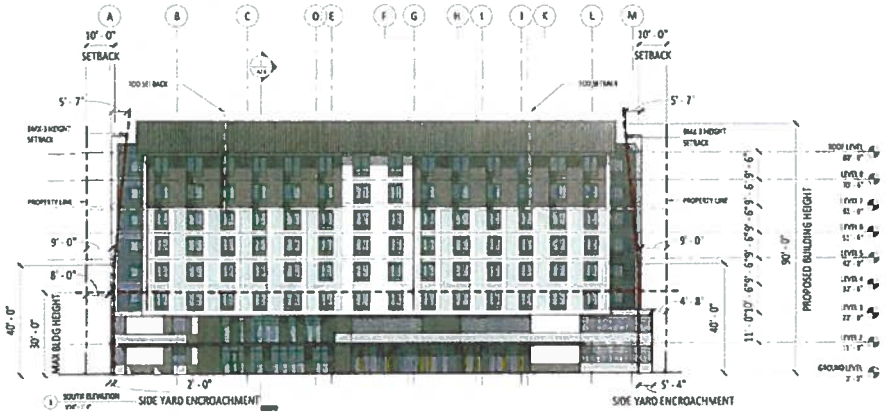
lowney arch

IKENAKEA

EXHIBIT D-6

CONCEPTUAL LANDSCAPE PLAN **A0.6**

HALE O LIPOA · 09/06/2024





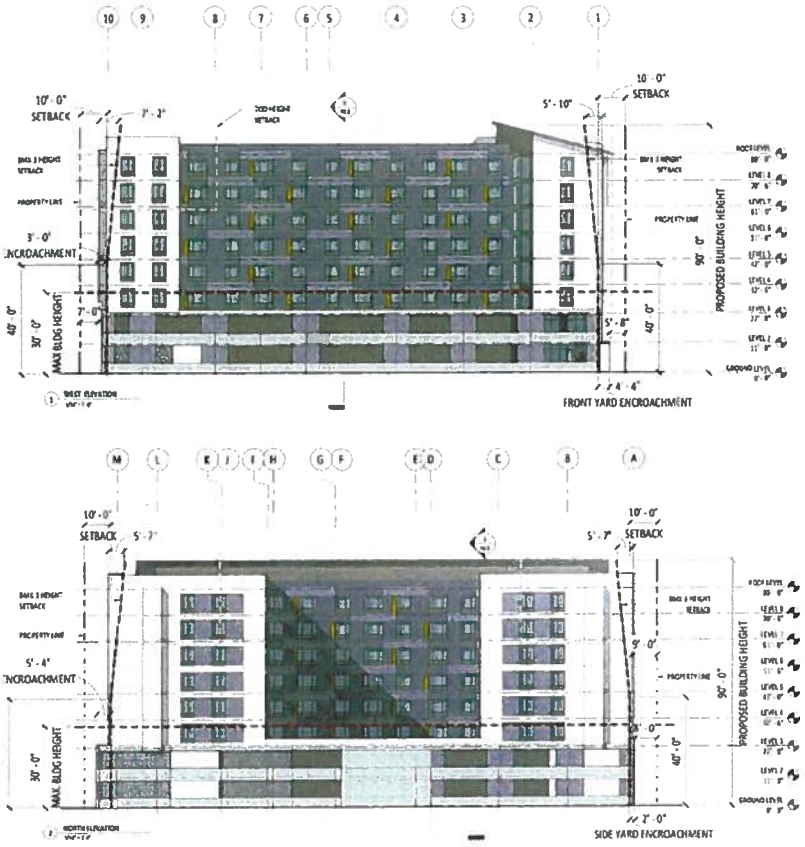
lowney arch

IKENAKEA

EXHIBIT D-7

BUILDING ELEVATIONS **A1.4**

HALE O LIPOA - 09/06/2024



lowney arch

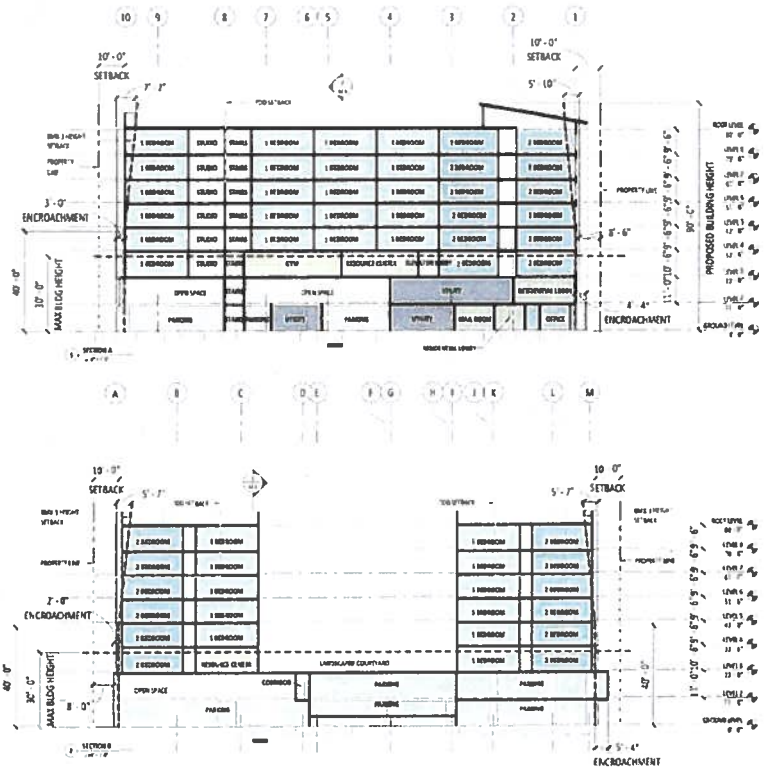
'IKENAKEA

EXHIBIT D-8

BUILDING ELEVATIONS A1.5

HALE O LIPOA · 09/06/2024

EXHIBIT D-9



lowney arch

IKENAKEA

SECTIONS A1.6

HALE O LIPOA · 09/06/2024

EXHIBIT D-10



1 BEDROOM - TYPE 2
~638 SF

STUDIO
~370 SF

1 BEDROOM
~638 SF

2 BEDROOM
~882 SF

3 BEDROOM
~1,127 SF

lowney arch

'IKENAKEA

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



lowney arch

'IKENAKEA

EXHIBIT E-1

3D VIEWS A1.8
HALE O UPOA - 09/06/2024



lowney arch IKENAKEA

EXHIBIT E-2

3D VIEWS
HALE O LIPOA - 09/06/2024
A1.9



Figure 2-19: Project Rendering showing visual simulation on Lipoa Place toward Diamond Head

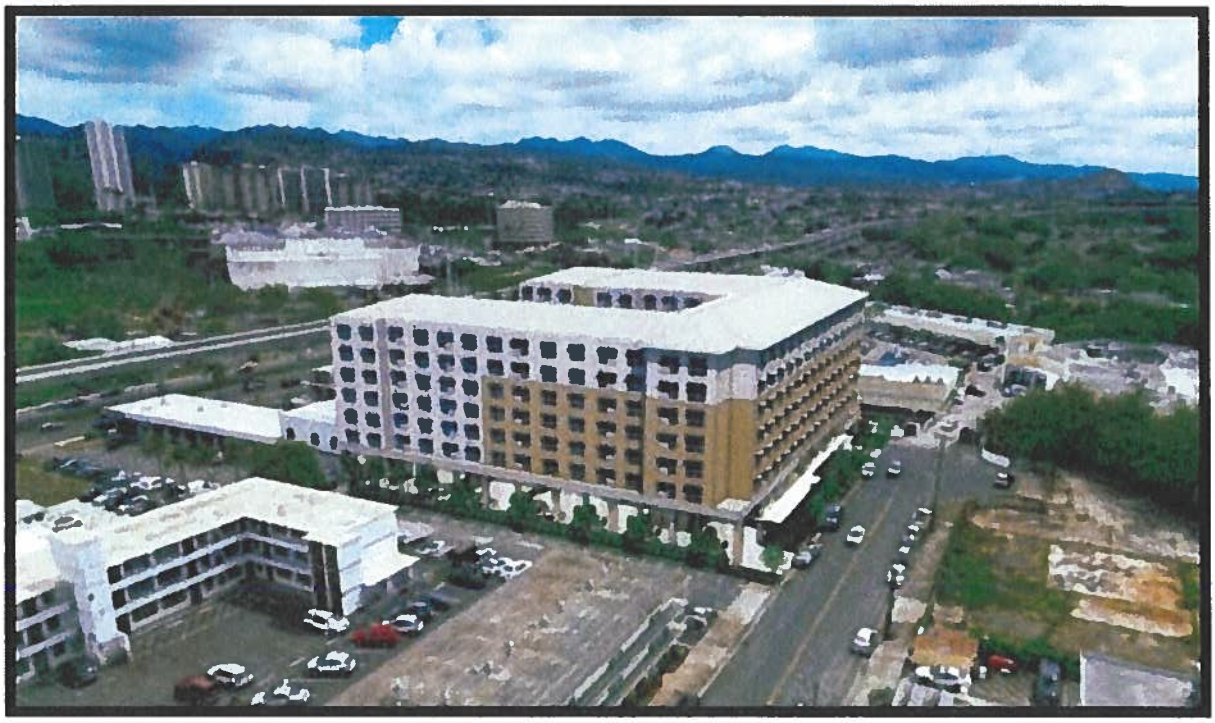


Figure 2-20: Project Rendering showing visual simulation from shoreline toward Diamond Head

EXHIBIT E-3

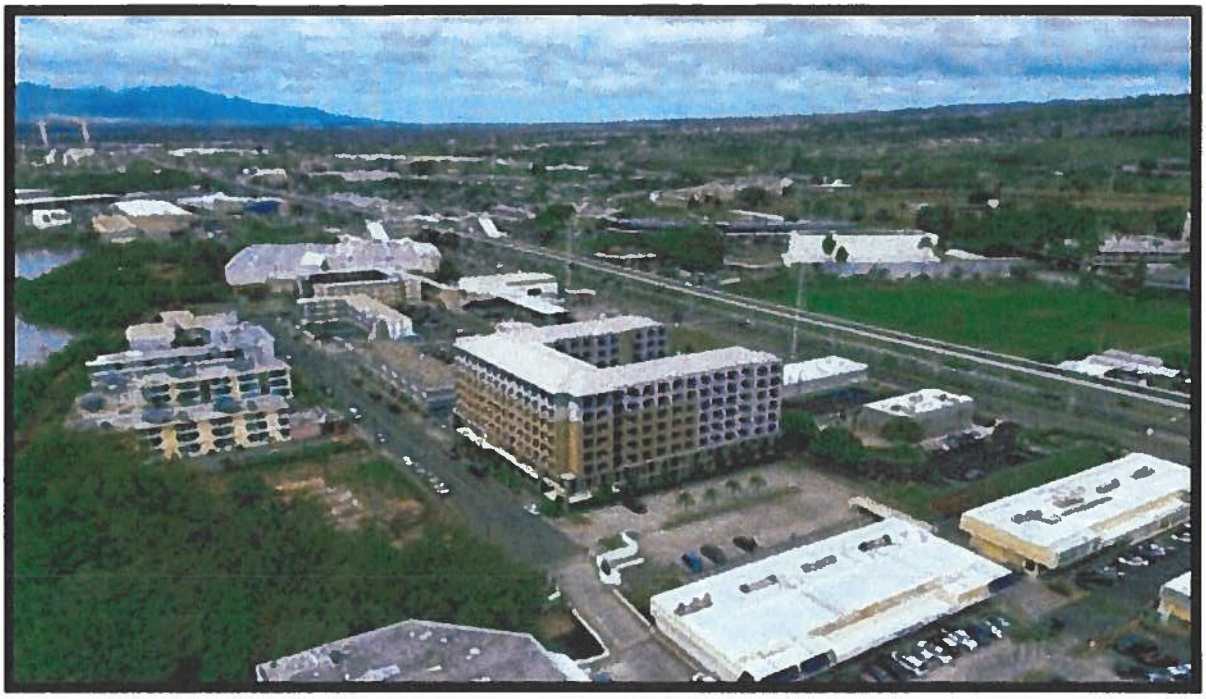


Figure 2-21: Project Rendering showing visual simulation from shoreline toward Ewa



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

EXHIBIT E-4