



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

COMMITTEE ON ZONING

Voting Members:

Esther Kia'aina, Chair
Tyler Dos Santos-Tam, Vice Chair
Radiant Cordero
Val A. Okimoto
Matt Weyer

AGENDA
ADDENDUM

REGULAR MEETING
CITY COUNCIL CHAMBER
THURSDAY, JANUARY 16, 2025
9:00 A.M.

Remote and in-person oral testimony will be permitted on all items on the agenda when each agenda item is taken up. Each speaker may not have anyone else read their statement and is limited to a one-minute presentation.

As both English and Hawaiian are official languages of the State of Hawai'i, pursuant to Article XV, Section 4 of the Hawai'i State Constitution and Section 1-13 of the Hawai'i Revised Statutes, members of the public may testify in either language. For oral testimonies offered in 'Ōlelo Hawai'i, additional time as may be necessary will be allowed for the testifier to provide an English translation of their testimony.

Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID: **86448063449** and Passcode: **700398**.
2. To testify by videoconference visit: <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

Although remote oral testimony is being permitted, this is a regular meeting and not a remote meeting by interactive conference technology under HRS Section 92-3.7. Therefore, the meeting will continue notwithstanding loss of audiovisual communication with remote testifiers or loss of the public broadcast of the meeting.

Persons wishing to testify in-person in the Council Chamber are requested to register by 9:00 a.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

Written testimony may be uploaded at <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>, or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, e-mail address, and phone number, will be available to the public at <https://hnlidoc.ehawaii.gov>.

Committee on Zoning Agenda Addendum
Thursday, January 16, 2025

Should you have any questions, please call (808) 768-9230 or send an email to sherry.arca@honolulu.gov.

Meeting materials are accessible at <https://hnlldoc.ehawaii.gov/hnlldoc/browse/agendas> by clicking on the appropriate Committee meeting.

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulu.gov/citycouncil/meetings>; (2) by televised live broadcast on 'Ōlelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. Viewers who experience a loss of viewing signal should try switching to another viewing option.

After the meeting, the meeting will be viewable on demand at <https://www.honolulu.gov/citycouncil/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 768-5822, charges may apply.

If you need auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, please call the Office of the City Clerk Information Section at (808) 768-5822 between 7:45 a.m. and 4:30 p.m. or send an email to sherry.arca@honolulu.gov as soon as possible or at least three (3) business days before the scheduled meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

THIS ADDENDUM PROVIDES PROPOSED CD1 AMENDMENTS TO AGENDA ITEM NO. 3, RESOLUTION 25-23 AND NO. 4, RESOLUTION 25-26.

FOR ACTION

3. **RESOLUTION 25-23 – 98-150 LIPOA PLACE – ‘AIEA (2024/SMA-86)**. Granting a Special Management Area (“SMA”) Major Permit to Līpoa Development LLC (the “Applicant”) to allow for 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 and identified as Tax Map Key 9-8-014: 021. (Applicant: Līpoa Development LLC) (Transmitted by Communication D-1) (Current Deadline: 2/26/25)

PROPOSED CD1 TO RESOLUTION 25-23 (Submitted by Councilmember Kia‘āina)
– The CD1 (OCS2025-0042/1/13/2025 1:48 PM) makes the following amendments:

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

"GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE DEVELOPMENT OF AN EIGHT-STORY MULTI-UNIT AFFORDABLE RENTAL HOUSING PROJECT IN ‘AIEA, O‘AHU."

- B. Amends the second WHEREAS clause to clarify the description of the Project.
- C. Amends the fifth WHEREAS clause to provide that the Project's preliminary plans and specifications were submitted by the DPP to the Council on January 3, 2025, by Departmental Communication 1 (2025).
- D. Amends Condition B to clarify that development of the Project pursuant to the SMA Major Permit may only proceed if the Applicant obtains Council approval of the Project as a 201H project. Deletes the reference to the approval of the Project as a planned development-transit ("PD-T") project because the Project as depicted in the plans would not be able to obtain some of the required exemptions from development standards and requirements under the PD-T process.

- E. In Condition C, relating to archaeological, historical, or cultural resources:
 - 1. Conforms Condition C.1 to the standard language (used in similar SMA Major Permit resolutions) to require the Applicant to submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD") pursuant to HRS § 6E-42.
 - 2. Adds a new Condition C.2 to require the Applicant (in consultation with SHPD) to prepare an archaeological monitoring plan ("AMP") that meets the standards of Chapter 13-279, Hawaii Administrative Rules, and implement the AMP (this AMP requirement was included in the DPP's report).
 - 3. Adds a new Condition C.3 to require the Applicant to consult with SHPD to implement all mitigation protocols approved or otherwise required by SHPD and under the AMP. Renumbers subsequent items in Condition C.

- F. Adds a new Condition E.1 to provide that the Applicant proposes to import material is proposed because the Project will use cast-in-place foundation piles. Renumbers subsequent items in Condition E.

- G. Makes miscellaneous technical and nonsubstantive amendments.

- 4. **RESOLUTION 25-26 – THE HALE O LĪPOA AFFORDABLE RENTAL HOUSING DEVELOPMENT 201H PROJECT.** Authorizing, pursuant to HRS Section 201H-38, exemptions from certain City application fees, infrastructure, or public works fees and charges, and development standards for the development of the Hale O Līpoa Affordable Rental Housing Development 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 within the 'Aiea neighborhood of O'ahu, and identified as Tax Map Key 9-8-014: 021. (Applicant: Līpoa Development LLC) (Transmitted by Communication D-6) (Current Deadline: 2/21/25)

PROPOSED CD1 TO RESOLUTION 25-26 (Submitted by Councilmember Kia'āina)
– The CD1 (OCS2025-0041/1/13/2025 12:46 PM) 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 shack, 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.

ESTHER KIA'ĀINA, Chair
Committee on Zoning