HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **24-297, CD1**

RESOLUTION

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE 1142 KĪNA'U STREET AFFORDABLE RENTAL HOUSING PROJECT IN HONOLULU, O'AHU.

WHEREAS, Āhē Group (the "Applicant") proposes to develop the 1142 Kīna'u Street affordable rental housing project on approximately 18,750 square feet of land zoned A-2 Medium Density Apartment District, located at 1142 Kīna'u Street in Honolulu, O'ahu, and identified as Tax Map Key 2-4-012:029, as depicted in Exhibits A, B, C, D-1 through D-12, and E, attached hereto and incorporated by reference herein (the "Project"); and

WHEREAS, as proposed, the Project involves a 20-story tower consisting of 204 affordable rental dwelling units (one-bedroom and two-bedroom units) and two manager units, 28 vehicle parking spaces, one loading space, 126 bicycle parking spaces (22 short-term and 104 long-term spaces), a mailroom, two lobbies, a function room, and a communal laundry room; and

WHEREAS, the 204 affordable dwelling units will be rented to households earning 100 percent or below of the area median income 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: 11 units rented to households earning 30 percent of the AMI, 10 units rented to households earning 50 percent of the AMI, 179 units rented to households earning 60 percent of the AMI, and four units rented to households earning 100 percent of the AMI; and

WHEREAS, all 204 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 between 81 percent and 120 percent of the AMI, or lower AMI; 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 August 7, 2024, prepared by Design Partners Incorporated (the "Plans and Specifications"), and submitted to the Council by the Department of Planning and Permitting ("DPP") on December 24, 2024, by Departmental Communication 856 (2024); 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:

Plan Review and Permit Fees:

1. Exemption from Revised Ordiances of Honolulu ("ROH") § 14-2.1(c), to allow an exemption from the payment of trenching permit fees, estimated at $375.

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

3. Exemption from ROH § 18A-2.4, to allow an exemption from the payment of grading and grubbing permit fees, estimated at $560.

4. Exemption from ROH § 18-6.1, to allow an exemption from the payment of building permit plan review fees, estimated at $25,000.

5. Exemption from ROH § 18-6.2, to allow an exemption from the payment of building permit fees, estimated at $410,742.

6. 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.

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 attributed to the 204 affordable rental units rented to households earning 100 percent or below of the AMI, estimated at $912,006.

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 attributed to two manager units until the issuance of a certificate of occupancy for the Project, estimated at $8,941.

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 $41,074.

BWS Rules and Regulations:

11. Deferral from §§ 1-102 and 2-202 of the BWS Rules and Regulations, to allow a deferral of the payment of water system facility and the installation of water service fees until the installation of the Project's water meter, estimated at $257,044; provided that all BWS requirements are satisfied. The actual fees to be deferred will be determined by the BWS during review of the Project's building permit application.

ROH Chapter 21, the Land Use Ordinance:

12. Exemption from ROH § 21-3.80-1(b) and Table 21-3.3, relating to building area (zoning lot coverage), to allow for a maximum building area of 60 percent of the zoning lot, or approximately 11,250 square feet (instead of 50 percent of the zoning lot, or approximately 9,375 square feet).

13. Exemption from ROH § 21-3.80-1(b), Table 21-3.3, and the applicable zoning map, relating to maximum height, to allow for a maximum height of 200 feet (instead of 150 feet). Rooftop structures must conform to ROH § 21-4.60(c).

14. Exemption from ROH § 21-3.80-1(b) and Table 21-3.3, relating to density, to allow for a maximum floor area ratio ("FAR") of 9.6 (instead of a FAR of 1.475).

15. Exemption from ROH § 21-3.80-1(c)(1) and Table 21-3.3, relating to landscaped yards, to allow for no landscaping on a portion of the west side yard (landscaping is required in all required yards), as generally shown in the attached Exhibits.

16. Exemption from ROH § 21-3.80-1(c)(2) and Table 21-3.3, relating to height setbacks, to allow the Project to encroach up to 16 feet into the building height setback along the west property line, up to 14 feet into the building height setback along the east property line, and up to 14 feet into the building height setback along the north property line (instead of above 40 feet, an additional 1-foot setback for each additional 10 feet of height), as generally shown in the attached Exhibits.

17. Exemption from ROH § 21-4.30(d), relating to permitted uses within yards and street setbacks, to allow the vehicle parking spaces and loading space to encroach up to 8 feet into the required 10-foot east side yard.

18. Exemption from ROH § 21-6.80(a), relating to surface parking, to allow one parking space in the uncovered surface parking area to encroach up to 8 feet into the required 10-foot east side yard.

19. Exemption from ROH § 21-6.90(b), relating to structured parking, to allow 20 parking spaces in the covered structured parking area to encroach up to 8 feet into the required 10-foot east side yard, and to provide for less than the required vertical-form trees to screen the structured parking (a vertical-form tree is required to be planted for every 50 linear feet of structured parking building length facing a required yard, but the Project is providing vertical-form trees that

are concentrated along the west side yard and rear yard, not the east side yard, into which the structured parking encroaches).

20. Exemption from ROH § 21-6.110 and Table 21-6.5, relating to off-street loading space requirements, to allow the Project to provide one standard loading space (instead of one standard and one large loading space).

Park Dedication Ordinance:

21. Exemption from ROH Chapter 22, Article 7, to allow an exemption from park dedication requirements attributed to the Project's 204 affordable rental units and two manager units, estimated at 22,660 square feet of park space, or the payment of an equivalent in-lieu fee estimated at $5,833,138; provided that the park dedication requirement attributed to the two manager units are 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 plans and drawings labeled as Exhibits A, B, C, D-1 through D-12, and E 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 traffic hours using alternative routes for heavy trucks, provides for onsite or offsite 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 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 existing roadway may be restored if its condition deteriorates as a result of the construction-related activities.

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; and

   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 Street initiatives.

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 TIA that updates the initial traffic impact analysis ("TIA") dated October 4, 2024, and prepared by Wilson Okamoto Corporation, to validate traffic projections, distribution, and assignment contained in the initial TIA. If the updated TIA recommends additional traffic mitigation measures or modifications to address traffic impacts directly attributable to the Project, the Applicant shall implement the updated TIA recommendations. If the updated TIA is inconclusive, a second updated TIA may be required one year after the date of the updated TIA, 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

RESOLUTION

BE IT FURTHER RESOLVED that references to specific statutes, ordinances, or regulations include 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

BE IT FURTHER RESOLVED that no action may be prosecuted or maintained against the City and County of Honolulu, its officials or 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 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. **24-297, 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; and Keith Ishida, Āhē Group, 157 Makawao Street, Kailua, Hawai'i 96734.

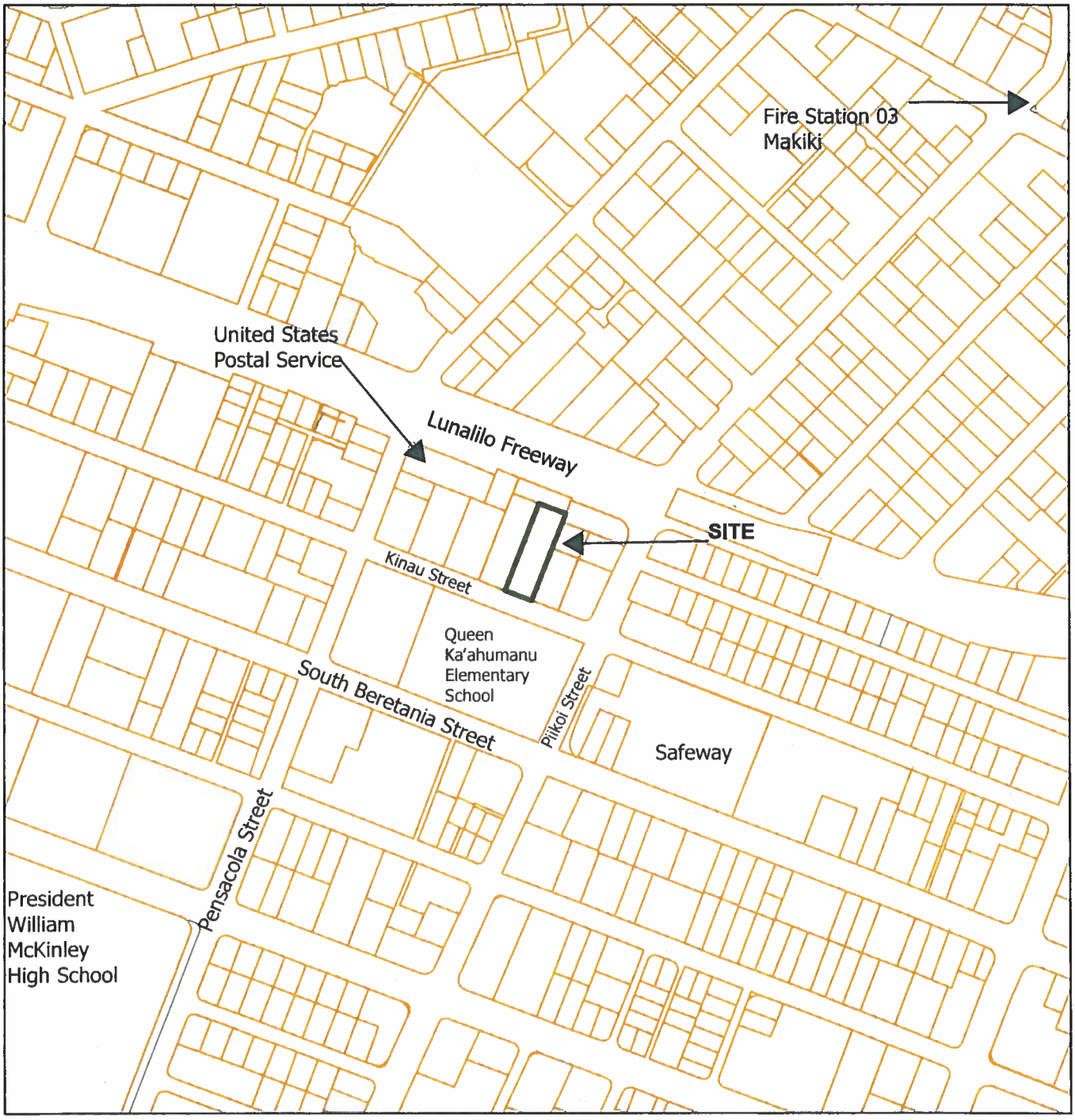
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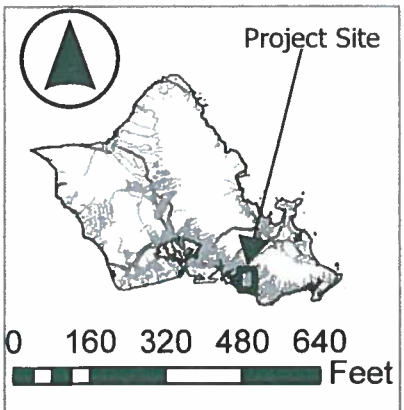
Tommy Waters (br)

DATE OF INTRODUCTION:

December 26, 2024
Honolulu, Hawai'i

Councilmembers





Location Map Exhibit A
File No.: 2024/GEN-10

Project: 1142 Kinau Street
Affordable Housing Project
Location: 1142 Kinau Street - Honolulu
TMK: 2-4-012:029

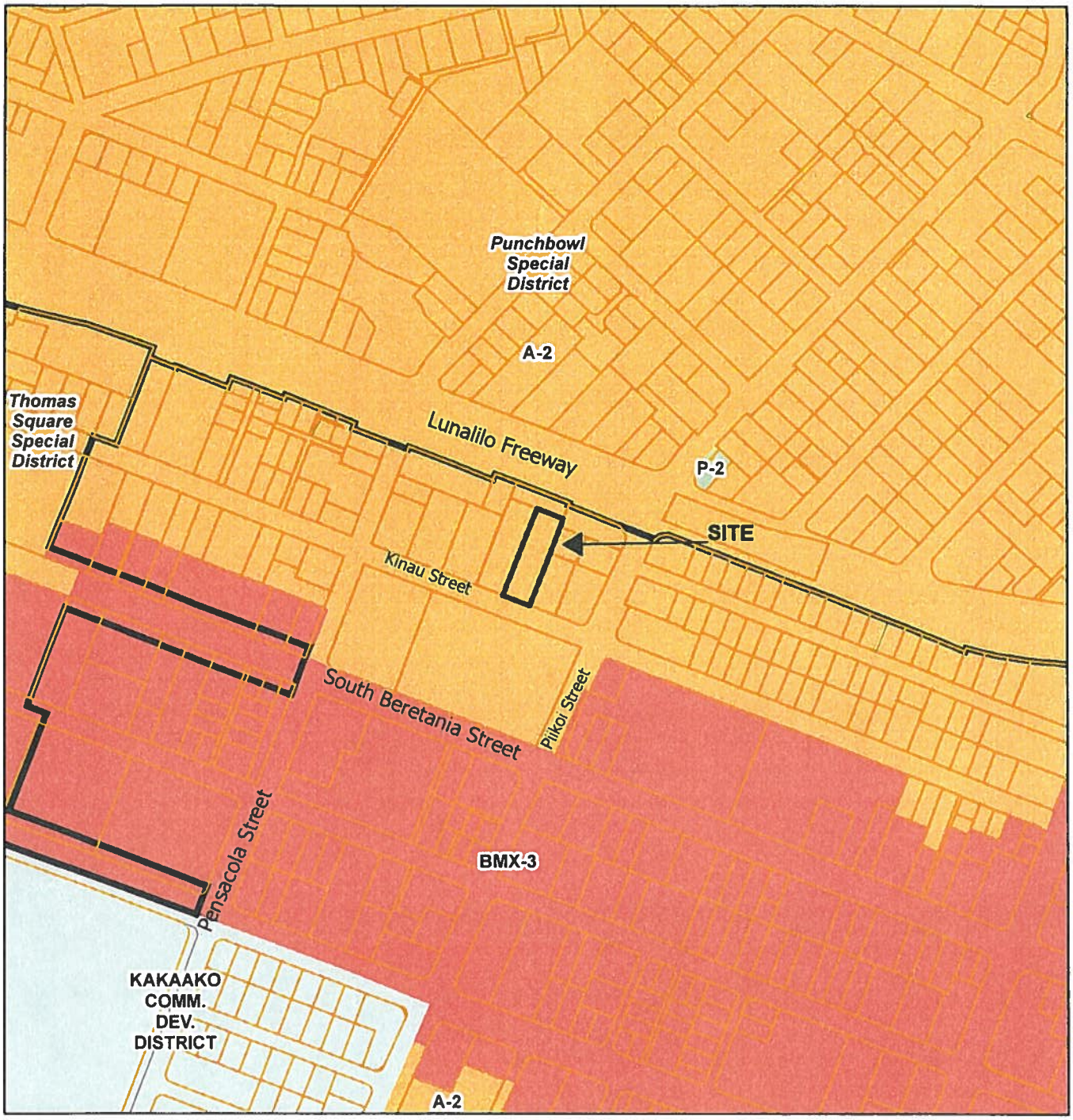
City and County of Honolulu

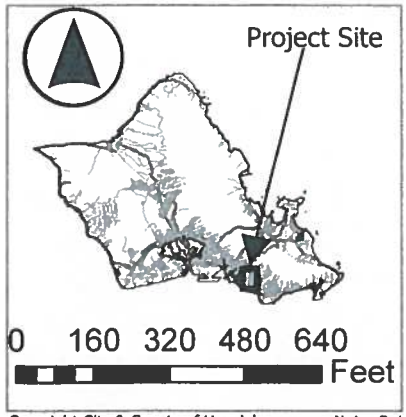
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Note: Data Represented on this map is not intended to replace site survey.

Prepared by: Department of Planning and Permitting

October 2024





Zoning Map Exhibit B
File No.: 2024/GEN-10

Project: 1142 Kinau Street
Affordable Housing Project
Location: 1142 Kinau Street - Honolulu
TMK: 2-4-012:029

Legend

- Zoning Special District
- A-2
- BMX-3
- KAKAAKO COMM. DEV. DISTRICT
- P-2
- R-5

City and County of Honolulu

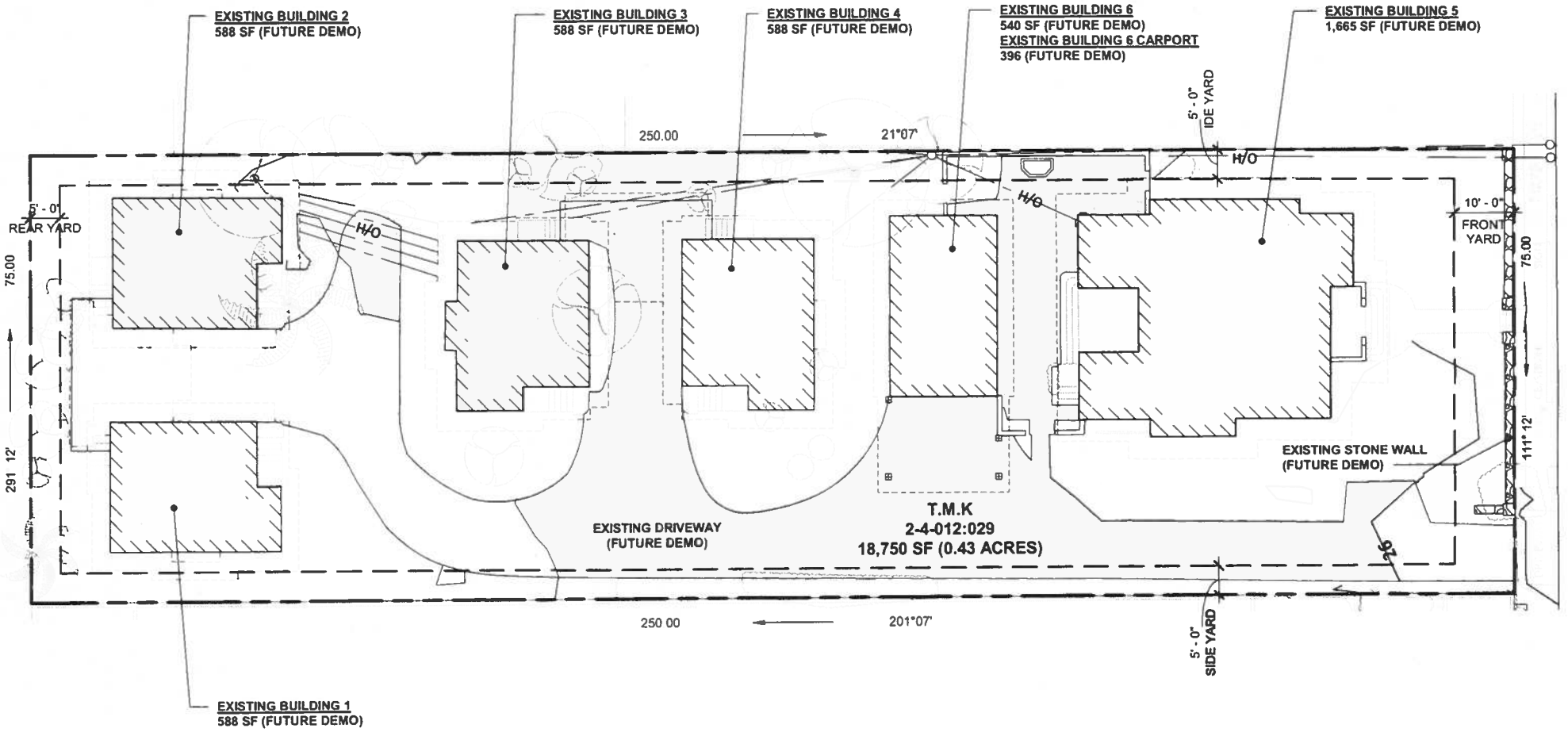
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Note: Data Represented on this map is not intended to replace site survey.

Prepared by: Department of Planning and Permitting

October 2024

Exhibit C



PLAN
NORTH

0 8' 16' 32'
SCALE: 1/16" = 1'-0"

Exhibit D-1

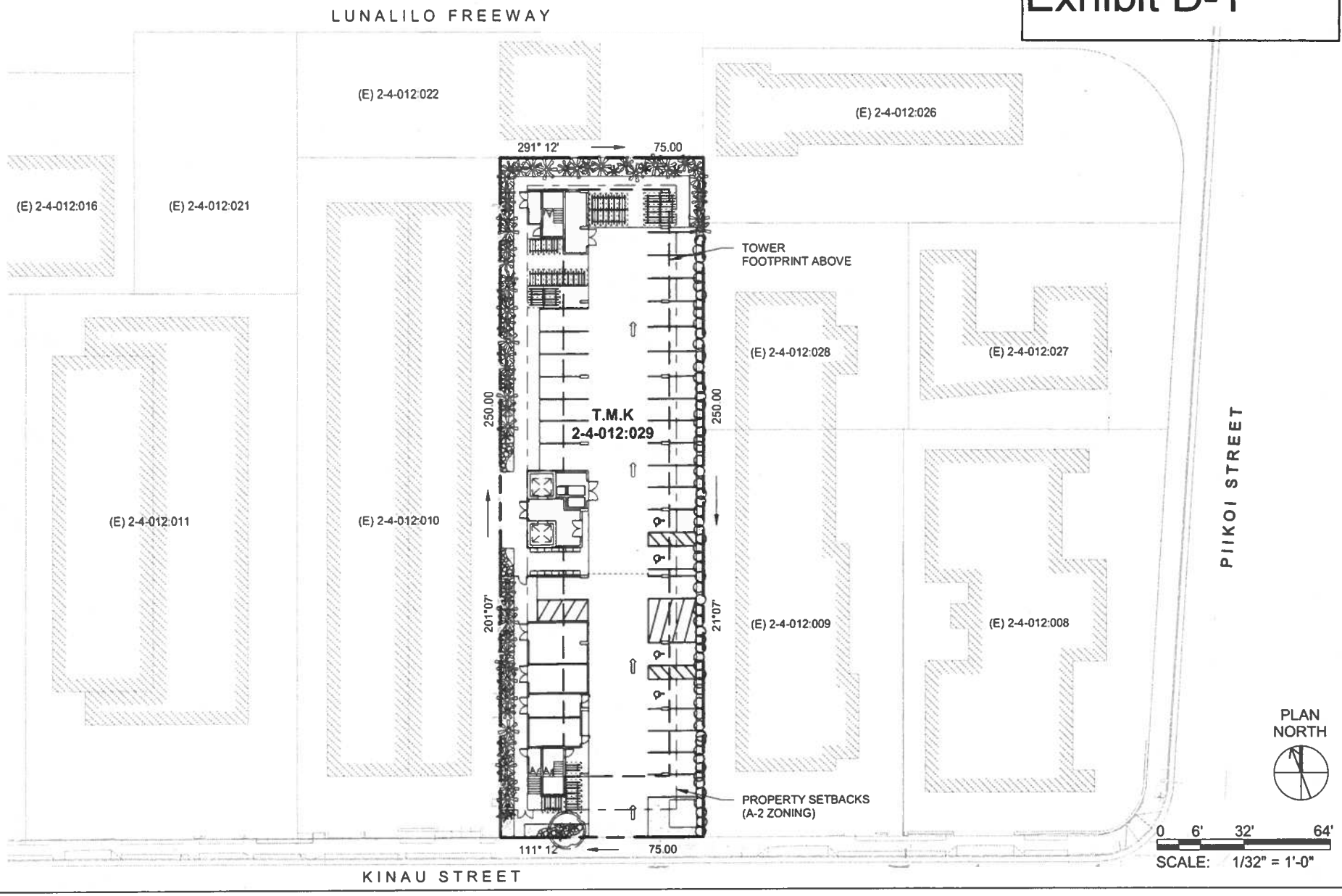
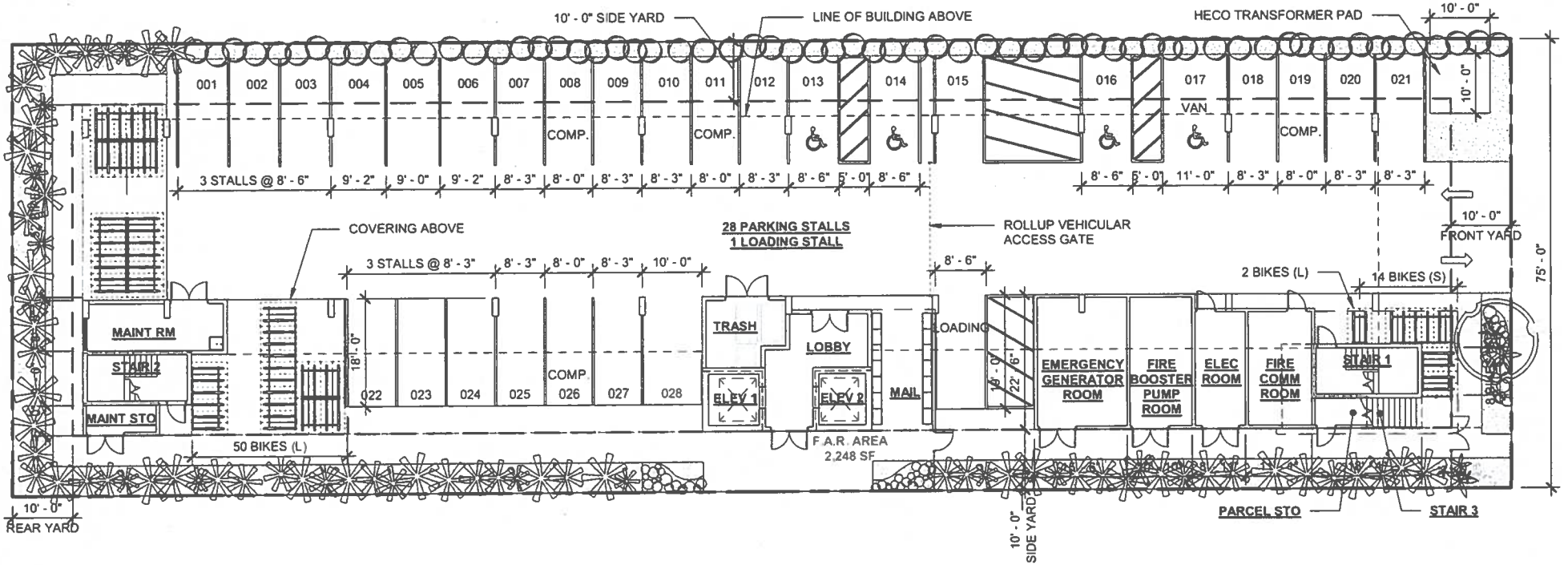

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(E) 2-4-012:026
291° 12'
75.00
(E) 2-4-012:016
(E) 2-4-012:021
TOWER
FOOTPRINT ABOVE
(E) 2-4-012:028
(E) 2-4-012:027
250.00
T.M.K
2-4-012:029
250.00
(E) 2-4-012:011
(E) 2-4-012:010
PIIKOI STREET
201°07'
21°07'
(E) 2-4-012:009
(E) 2-4-012:008
PROPERTY SETBACKS
(A-2 ZONING)
111° 12'
75.00
KINAU STREET
PLAN
NORTH
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SCALE: 1/32" = 1'-0"

Exhibit D-2



LEGEND

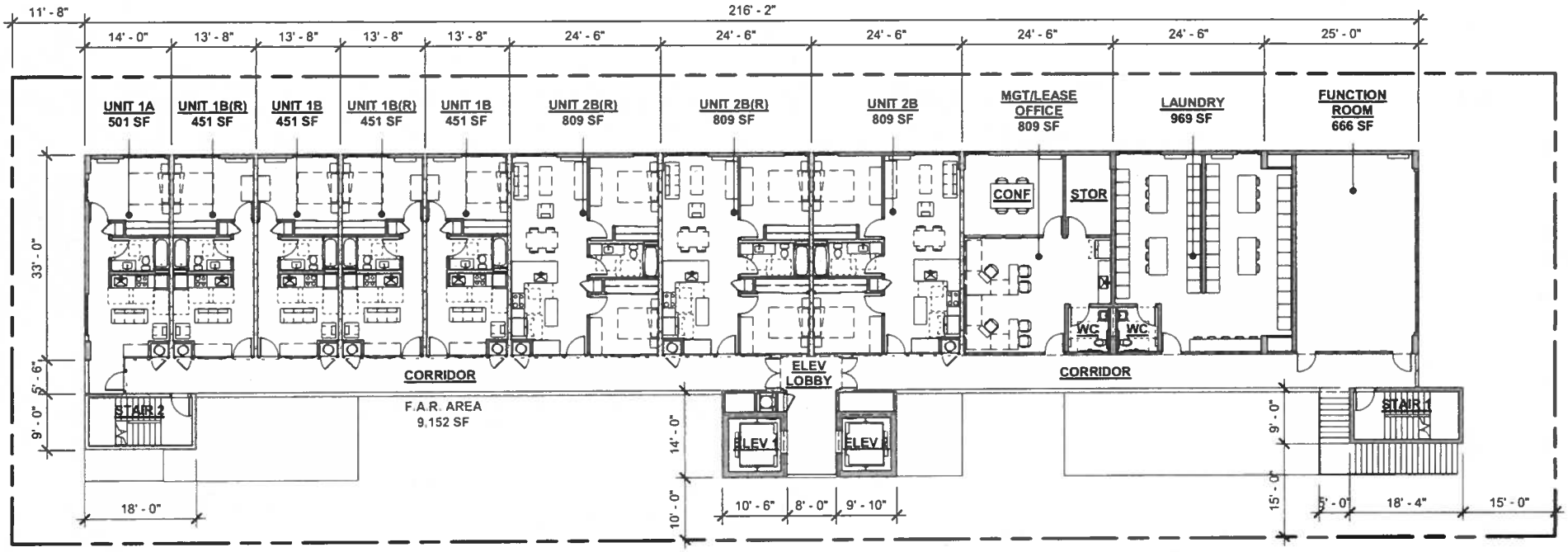
⊏⊐ FAR AREA

PLAN NORTH

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SCALE: 1/16" = 1'-0"

Exhibit D-3



LEGEND

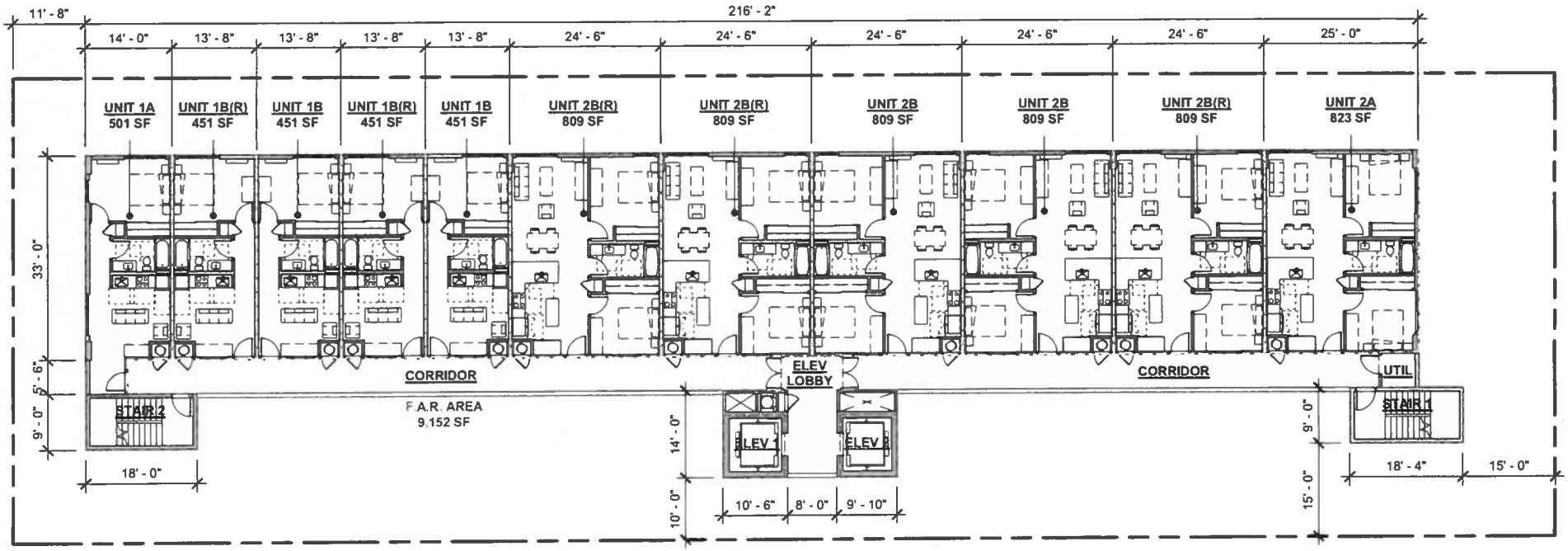
⊏⊐ FAR AREA

PLAN NORTH

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SCALE: 1/16" = 1'-0"

Exhibit D-4



LEGEND

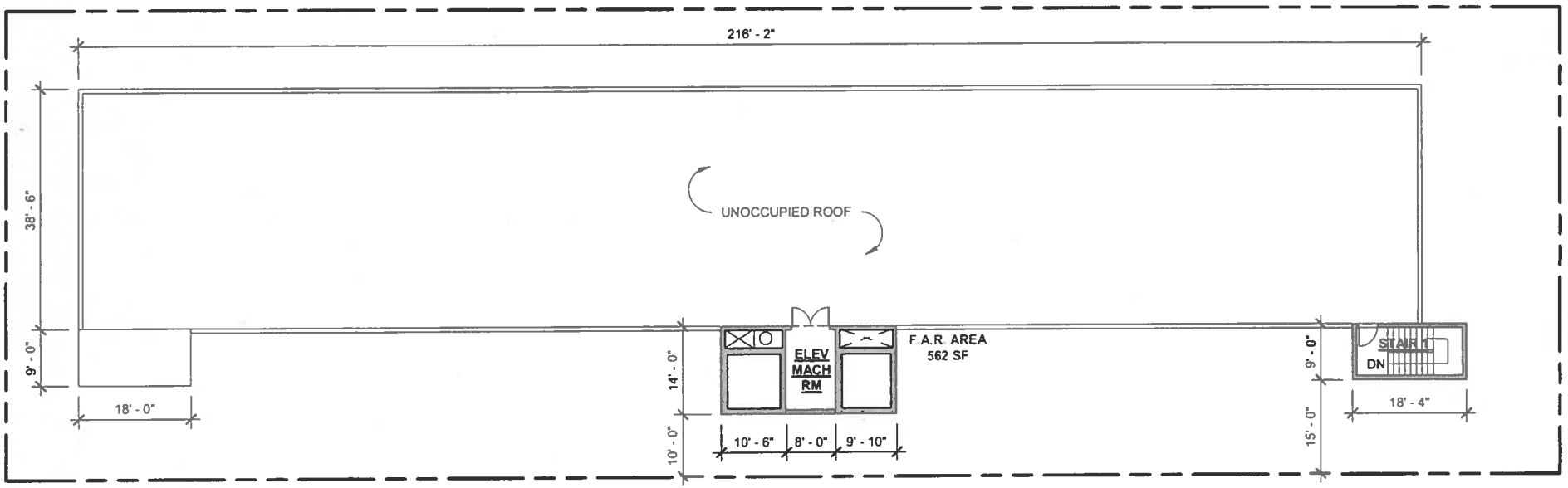
⊏⊐ FAR AREA

PLAN NORTH

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SCALE: 1/16" = 1'-0"

Exhibit D-5



LEGEND

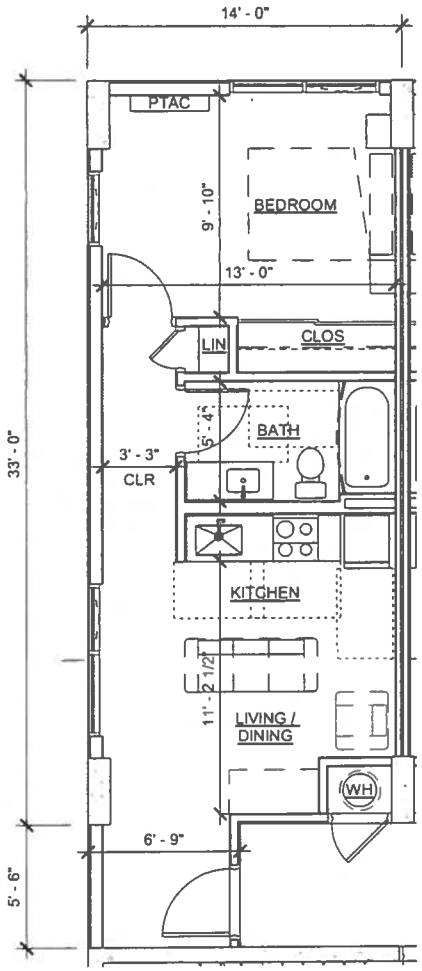
FAR AREA

PLAN NORTH

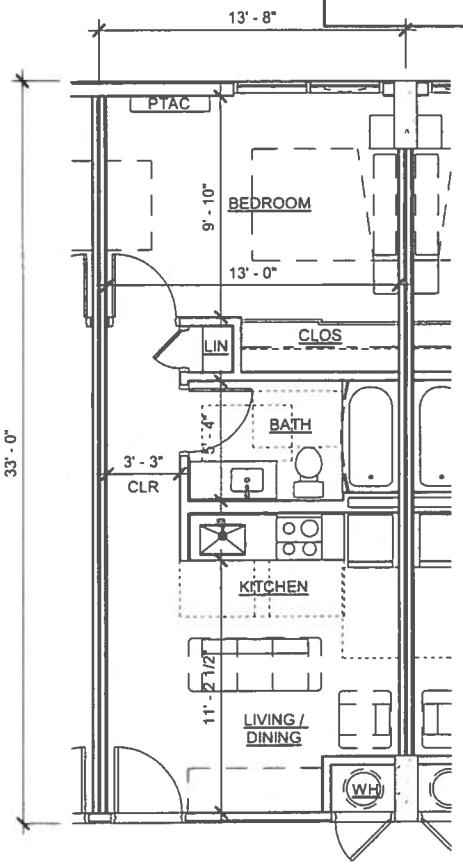
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SCALE: 1/16" = 1'-0"

Exhibit D-6



UNIT TYPE '1A'

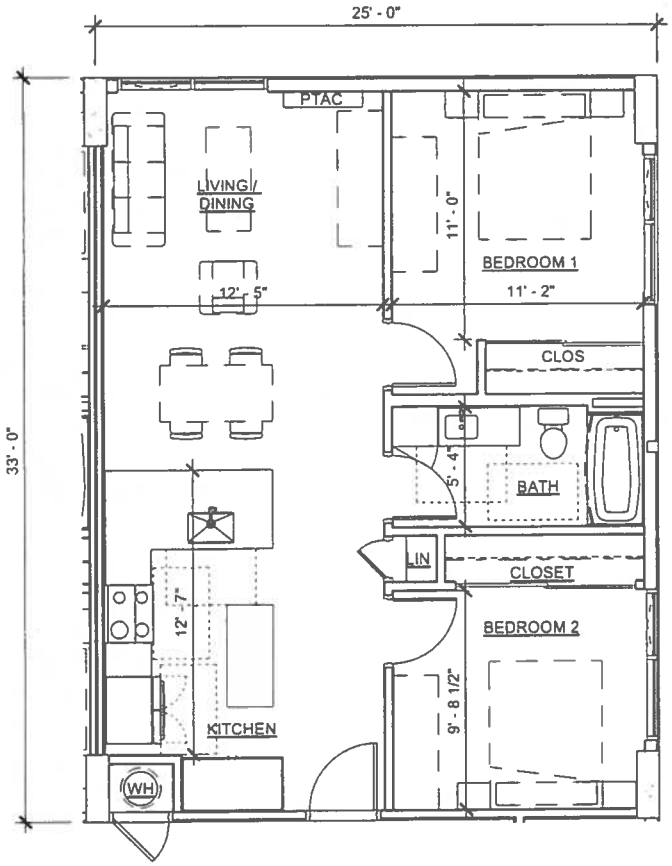


UNIT TYPE '1B'

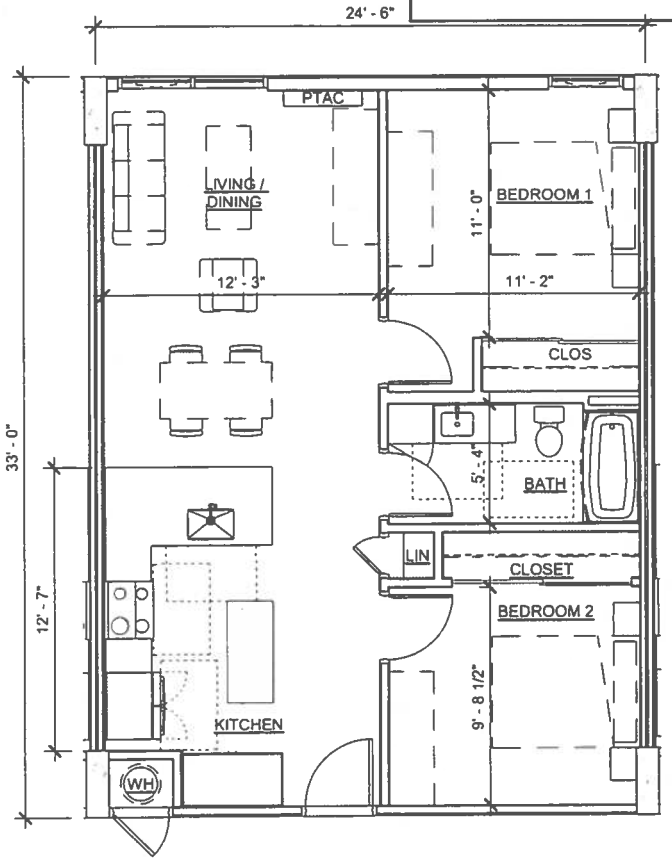
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Exhibit D-7



UNIT TYPE '2A'

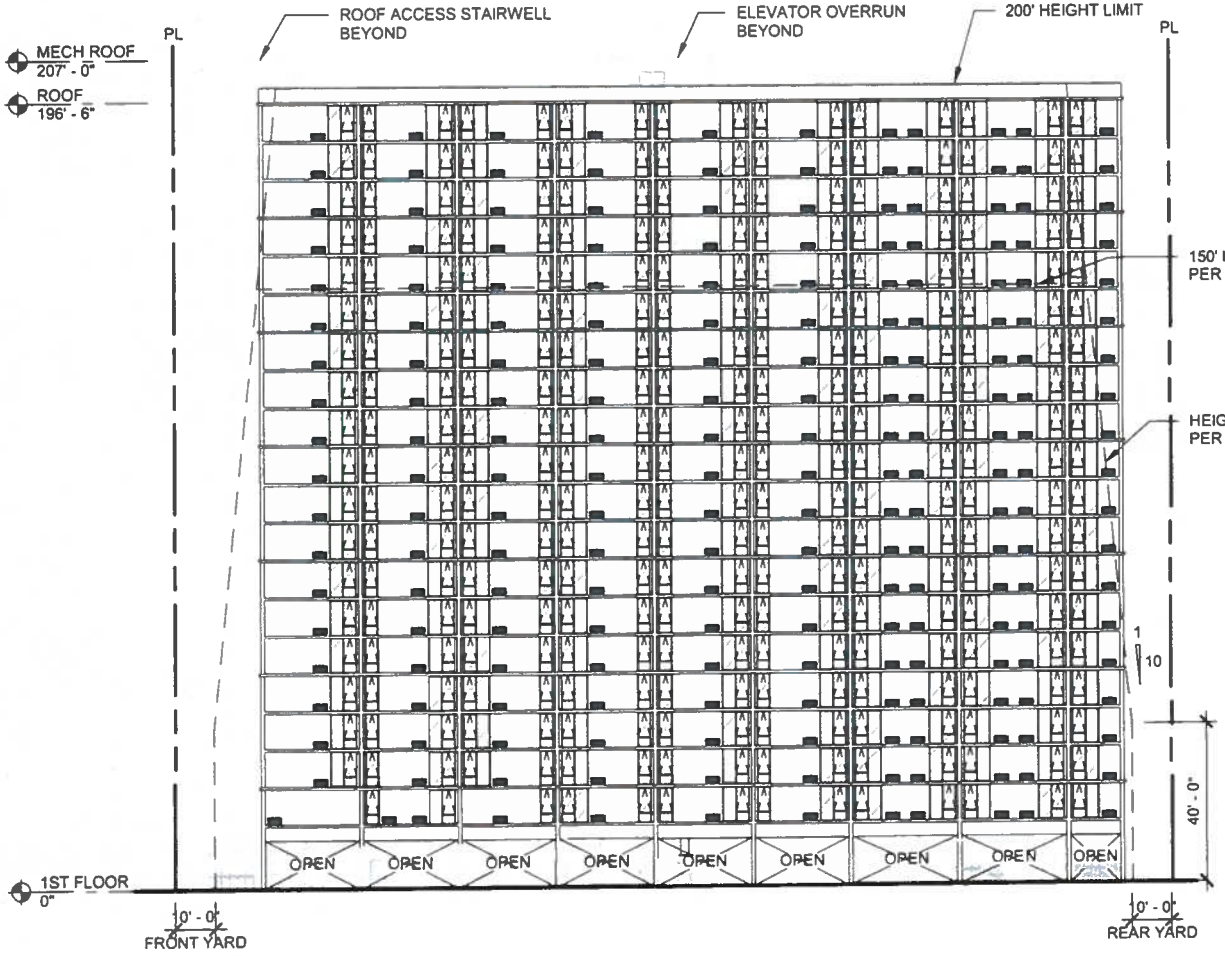


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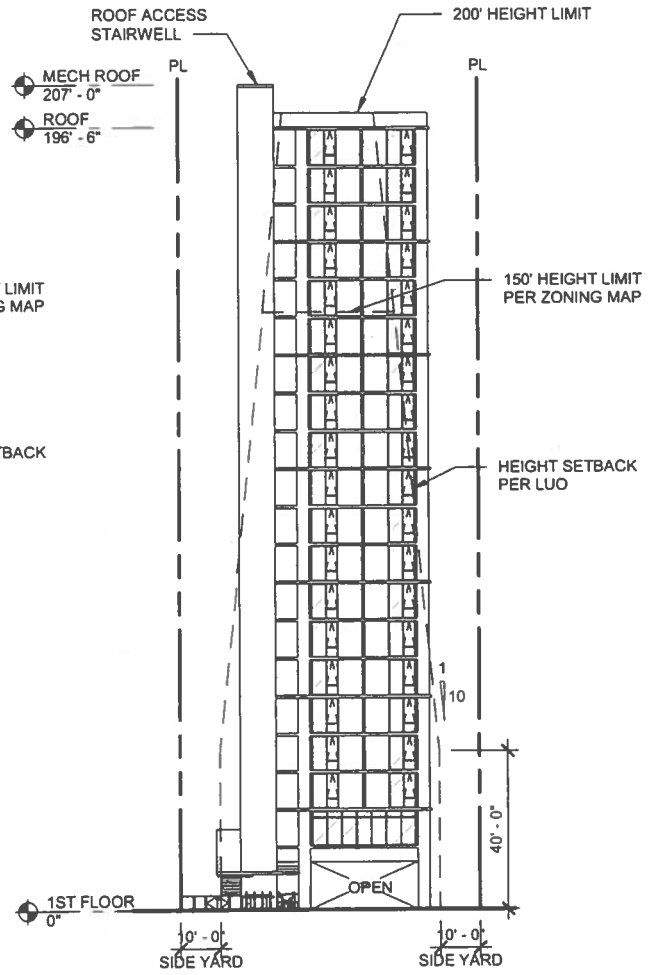
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SCALE: 3/16" = 1'-0"

Exhibit D-8



EAST ELEVATION

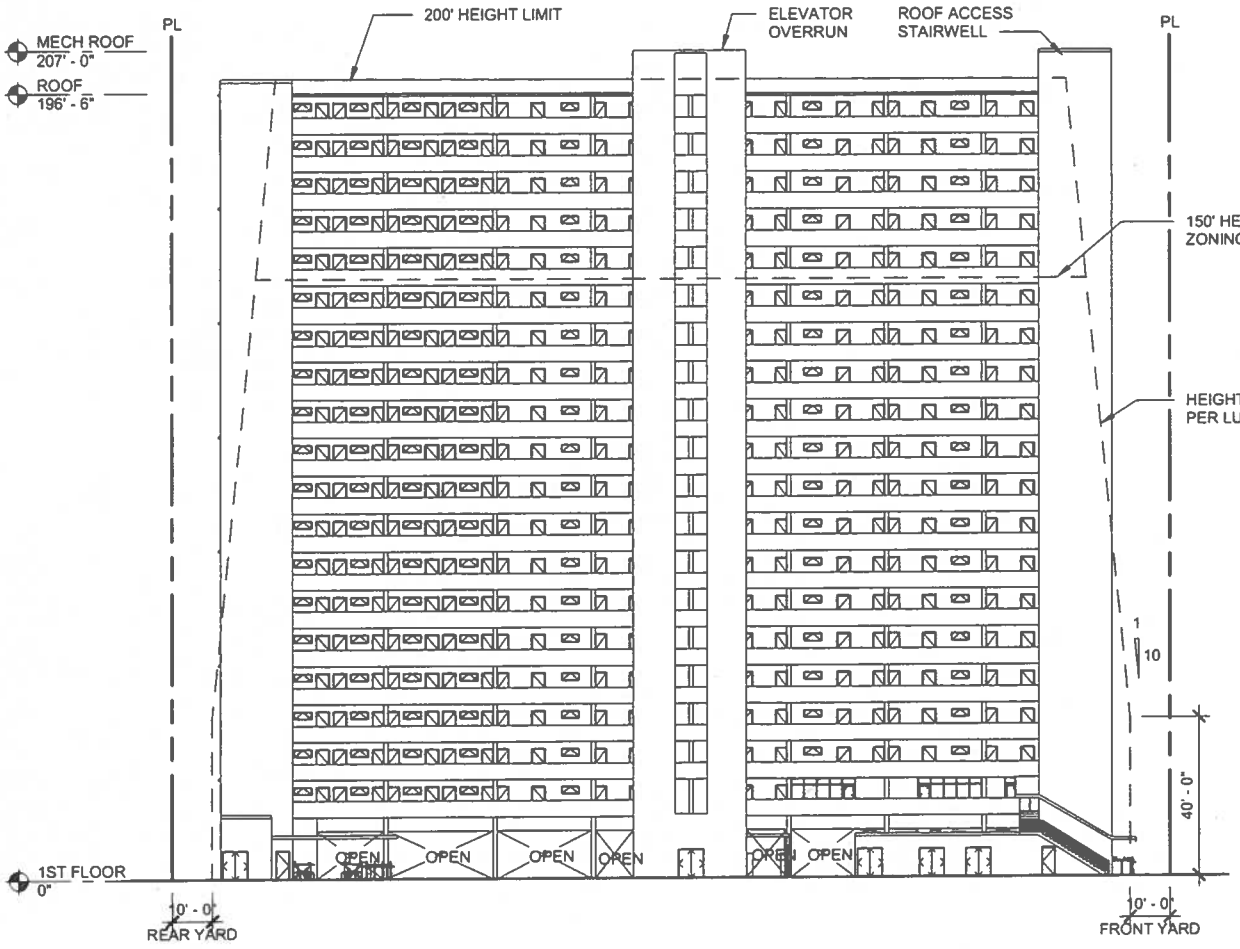


SOUTH ELEVATION

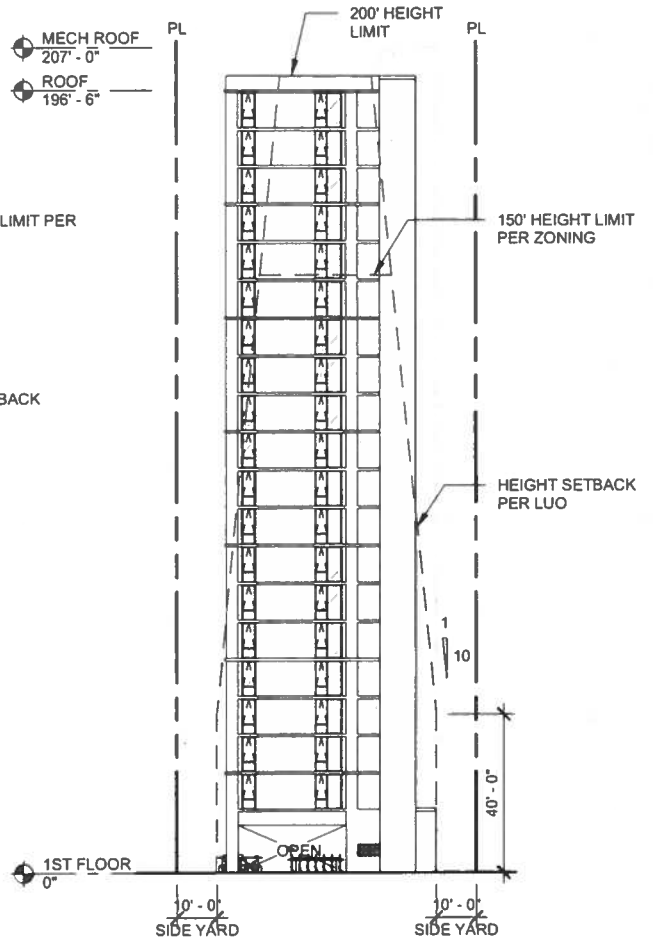
0 30' 60'

SCALE: 1" = 30'-0"

Exhibit D-9



WEST ELEVATION

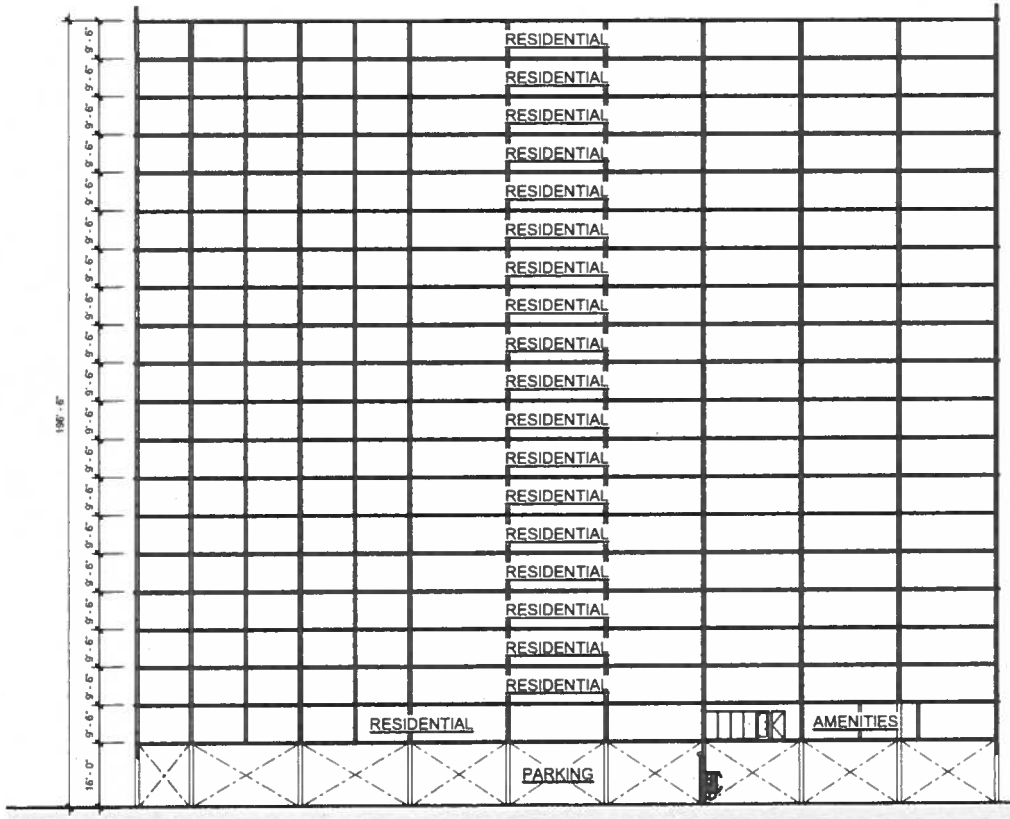


NORTH ELEVATION

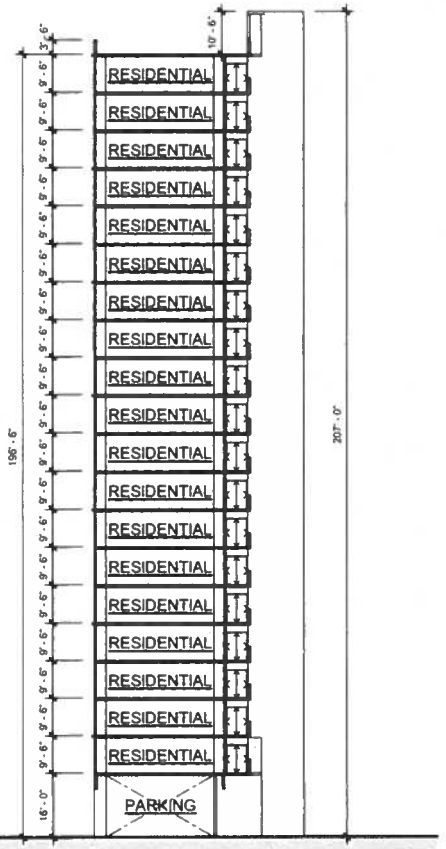
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SCALE: 1" = 30'-0"

Exhibit D-10



LONGITUDINAL SECTION

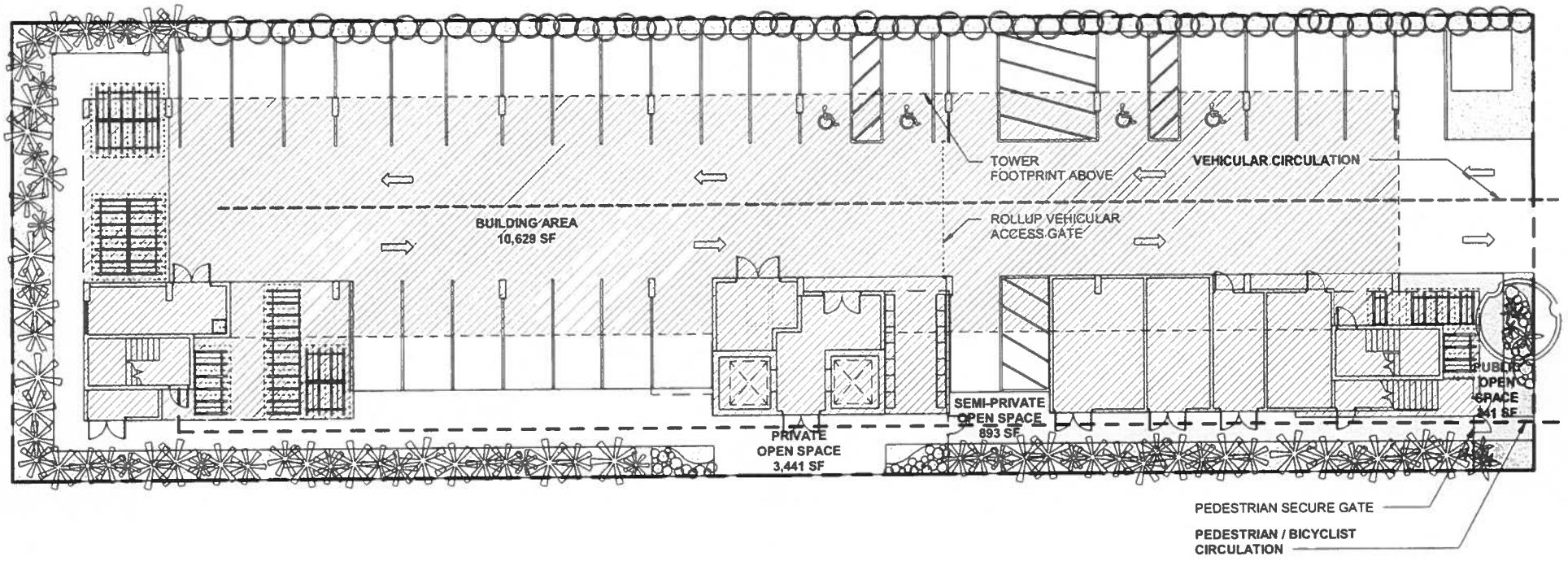


CROSS SECTION

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SCALE: 1" = 30'-0"

Exhibit D-11



LEGEND

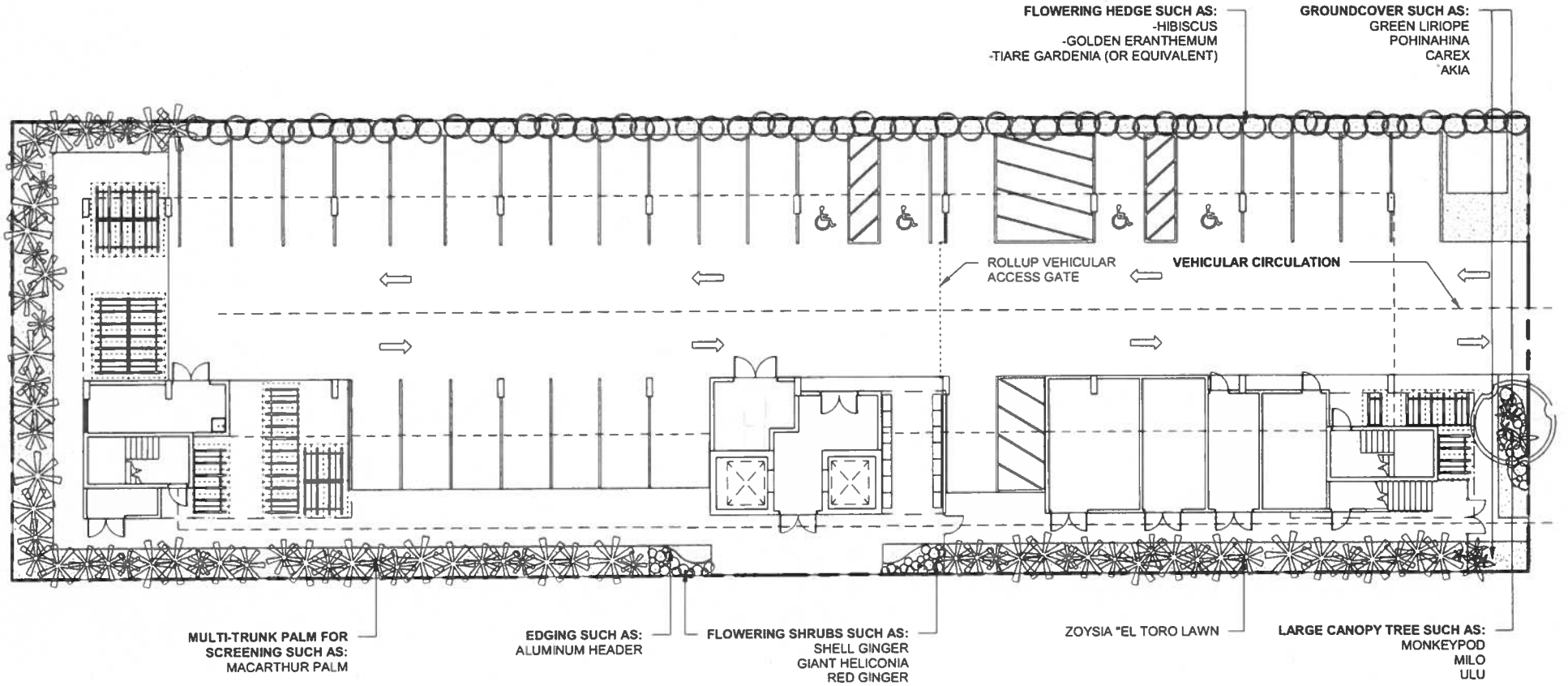
- BUILDING AREA
- PUBLIC OPEN SPACE
- SEMI-PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE
- VEHICULAR CIRC.
- PED./CYCLE CIRC.

PLAN NORTH

0 8' 16' 32'

SCALE: 1/16" = 1'-0"

Exhibit D-12



PLAN NORTH

0 8' 16' 32'

SCALE: 1/16" = 1'-0"

Exhibit E



DESIGN PARTNERS INCORPORATED

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 24-297, CD1

Introduced: 12/26/24 By: TOMMY WATERS - BY REQUEST Committee: ZONING (ZON)

Title: AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE 1142 KĪNA'U STREET AFFORDABLE RENTAL HOUSING PROJECT IN HONOLULU, O'AHU.

Voting Legend: * = Aye w/Reservations

12/26/24	INTRO	Introduced.
01/02/25		Councilmember Nishimoto took office on January 2, 2025.
01/16/25	ZON	Reported out for adoption as amended in CD1 form. CR-11(25) 5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, WEYER
01/29/25	CCL	Committee report and Resolution as amended were adopted. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

GLEN I. TAKAHASHI, CITY CLERK

TOMMY WATERS, CHAIR AND PRESIDING OFFICER