HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **25-23, CD1**

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE DEVELOPMENT OF AN EIGHT-STORY MULTI-UNIT AFFORDABLE RENTAL HOUSING PROJECT IN ʻAIEA, OʻAHU.

WHEREAS, on August 29, 2024, the Department of Planning and Permitting ("DPP") accepted the application (File No. 2024/SMA-86) of Līpoa Development LLC (the "Applicant") for a Special Management Area ("SMA") Major Permit to allow for the demolition of six existing two-story apartment buildings, and the 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, within the ʻAiea-Pearl City Transit-Oriented Development Special District, located at 98-150 Līpoa Place, in ʻAiea, Oʻahu, and identified as Tax Map Key 9-8-014:021, (the "Project"); and

WHEREAS, the Project involves an eight-story U-shaped multi-unit building consisting of 153 dwelling units (152 affordable rental units and one manager unit), 147 vehicle parking spaces (on 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, on October 28, 2024, the DPP held a public hearing on the application at the Fasi Municipal Building, which was attended by the Applicant, the Applicant's agent, and DPP staff; no members of the public attended the public hearing, and no verbal testimony was received (25 individuals and organizations submitted written testimony); 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 administrative deadline), the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in §§ 25-3.1 and 25-4.1, Revised Ordinances of Honolulu 2021 ("ROH"), and §§ 205A-2 and 205A-26, Hawaii Revised Statutes ("HRS"), completed its report and transmitted its findings and recommendation of approval to the City Council ("Council"); and

WHEREAS, the Council, having received the findings and recommendation of the DPP on January 3, 2025, by Departmental Communication 1 (2025), 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,

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, F, G, H, I, J, K, L, and M, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that has a significant effect on coastal resources, as 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 may be considered a minor modification and may be permitted under this resolution, upon review and approval by the DPP Director.

B. Development of the Project pursuant to this SMA Major Permit may only proceed if the Applicant obtains Council approval of the Project as a 201H project.

C. To minimize impacts to archaeological, historic, or cultural resources that may be present on the Project site, the Applicant shall comply with the following:

1. Prior to the issuance of any construction permit or building permit for the Project, the Applicant shall submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD") stating that SHPD has completed its review of the impact of the Project on historic properties pursuant to HRS § 6E-42, and has determined whether any mitigative actions and protocols are required;

2. The Applicant, in consultation with SHPD, shall prepare an archaeological monitoring plan ("AMP") that meets the standards of Chapter 13-279, Hawaii Administrative Rules, and implement the AMP during ground-disturbing activity and Project construction to ensure that archaeological, historic, and cultural resources are properly identified and treated. The AMP must include the onsite presence of a SHPD-approved archaeologist during excavation work to ensure that any discoveries of iwi kūpuna or

other archaeological, historic, or cultural resources are appropriately handled;

3. The Applicant shall consult with SHPD to implement all mitigation protocols approved or otherwise required by SHPD and under the AMP, for all archaeological, historic, and cultural resources (including iwi kūpuna) discovered on the Project site. Prior to the commencement of ground-disturbing activity and Project construction, a coordination meeting must be conducted among the Project's archaeological consultants, the construction contractor, and the applicable subcontractors to ensure that the construction contractor and the applicable subcontractors have been informed of all mitigation protocols required by SHPD and under the AMP; and

4 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 SHPD immediately. Work in the immediate area must be stopped until SHPD has assessed the impact and has made further recommendations for mitigative activity.

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

D. 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 light fixtures on the Project site, 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 §205A-71(b);

3. Exterior light 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 the 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 plans 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 proposes to import approximately 1,400 cubic yards of soil fill material. No importation of structural fill material is proposed and the Project will use cast-in-place foundation piles;

2. 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");

3. 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. All onsite Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities; and

4. 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. To minimize the visual impact of the Project, the Applicant shall use appropriate exterior colors and building materials that consist of natural earth tones and that avoid bright white and reflective surfaces. Exterior colors and building materials must be shown on the Project's building permit plans.

G. The Applicant shall obtain a construction permit or building permit for the Project within 60 months after the effective date of this SMA Major Permit. Failure to obtain a construction permit or building 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; provided that the DPP Director may not extend the period beyond one year from the initial deadline set by the 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 that includes the DPP Director's findings and recommendations thereon. The Council may approve the proposed extension, approve 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. Sixty days after receipt of the Director's report; or

   b. The Applicant's then-existing deadline for obtaining a construction permit or 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-related approvals, and building, grading, and grubbing permit approvals, which 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; and

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **25-23, CD1**

RESOLUTION

BE IT FINALLY RESOLVED 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 Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the State Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

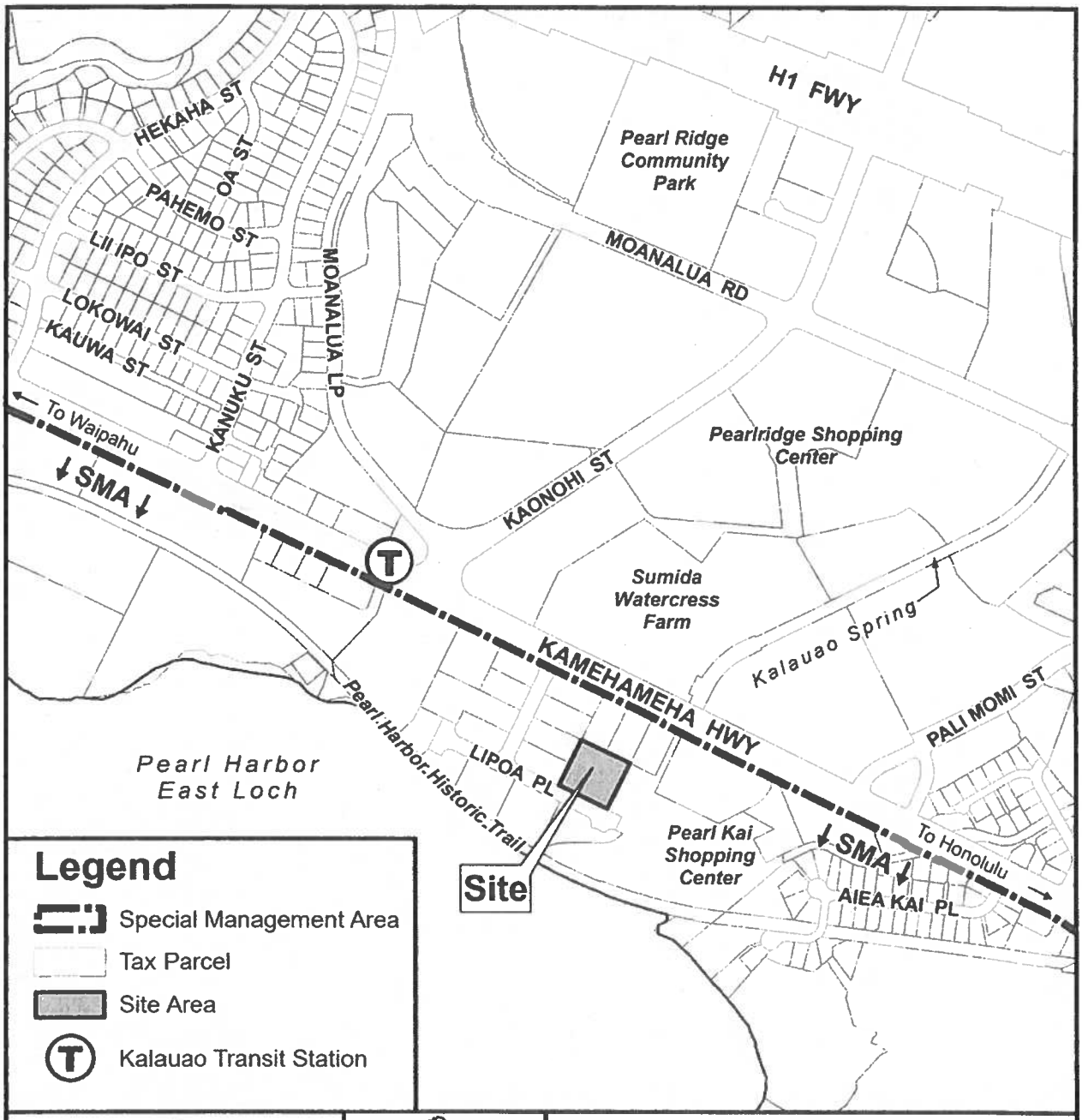
INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

January 7, 2025
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**

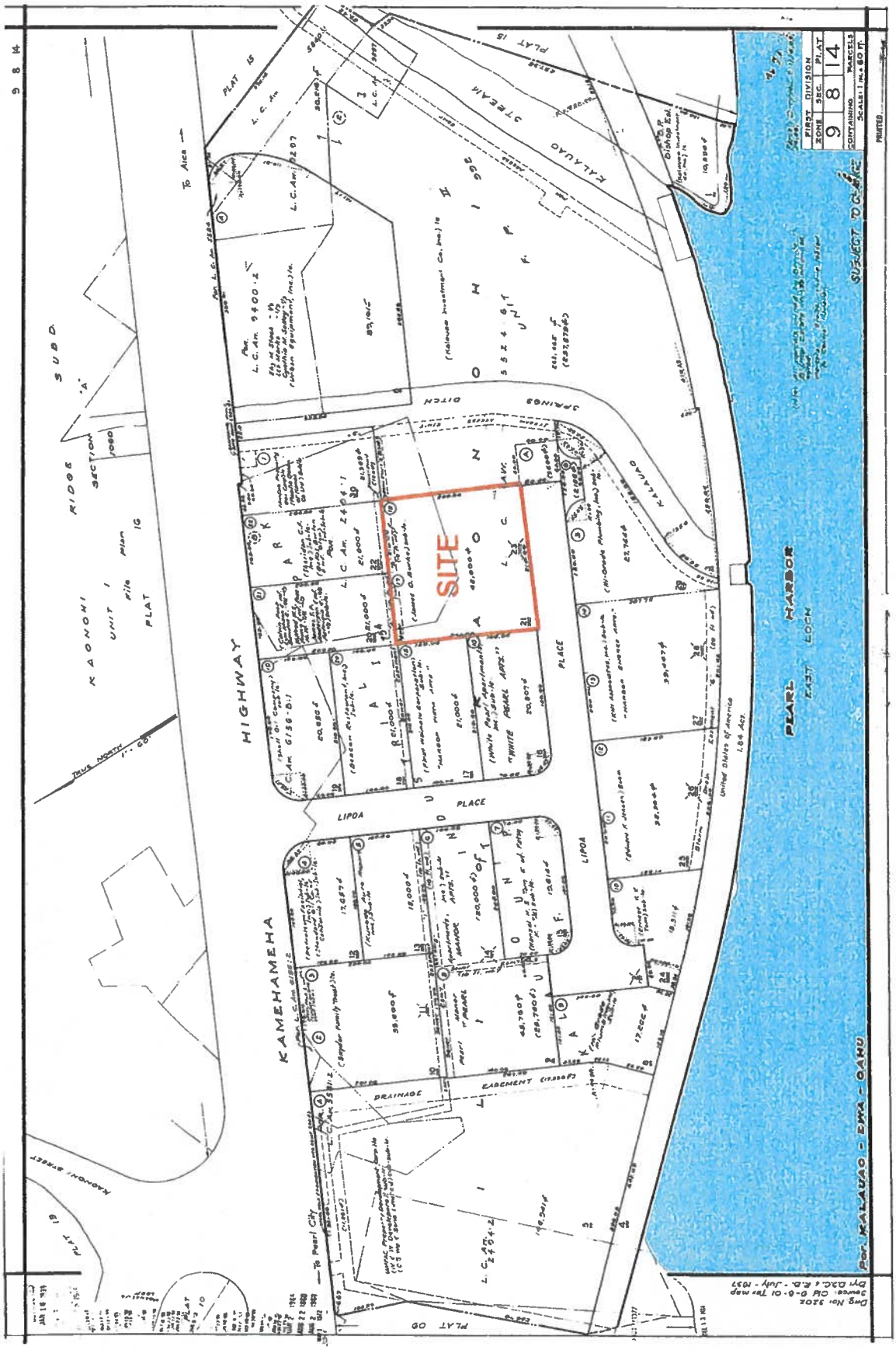
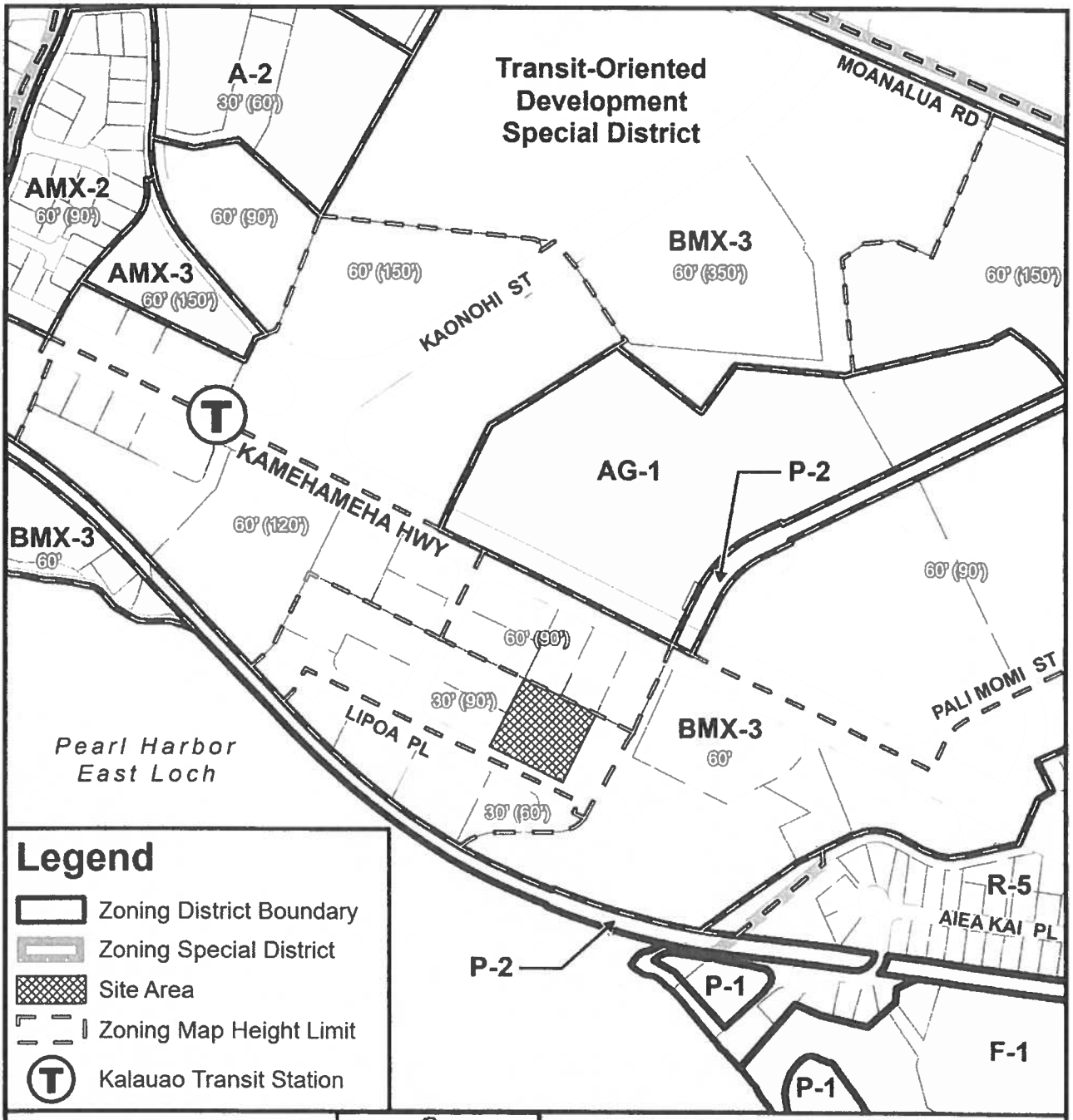


EXHIBIT B

FILE NO.: 2024/SMA-86

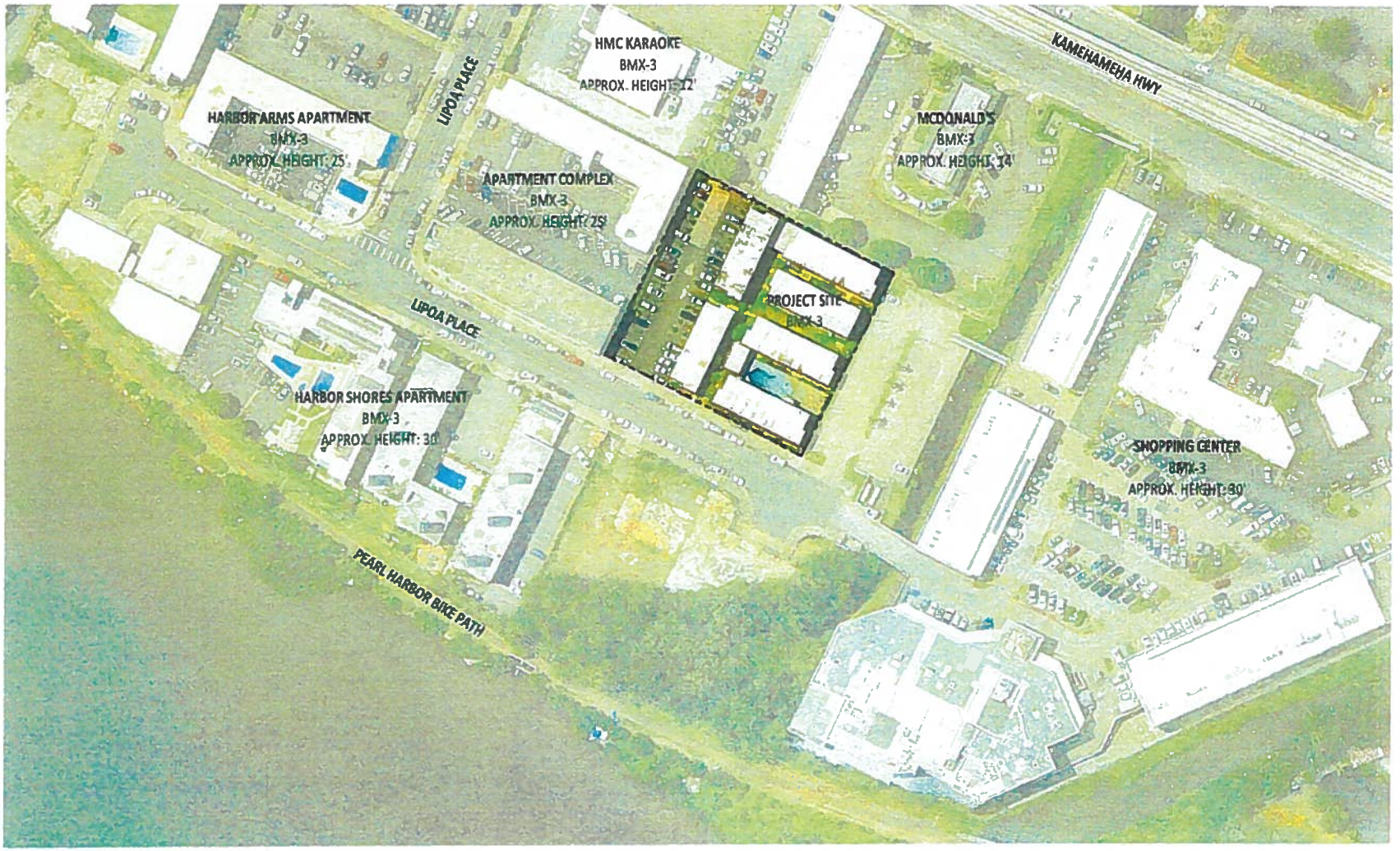


Prepared by: Honolulu Land Information System (HoLIS) - CS
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 10/2024

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



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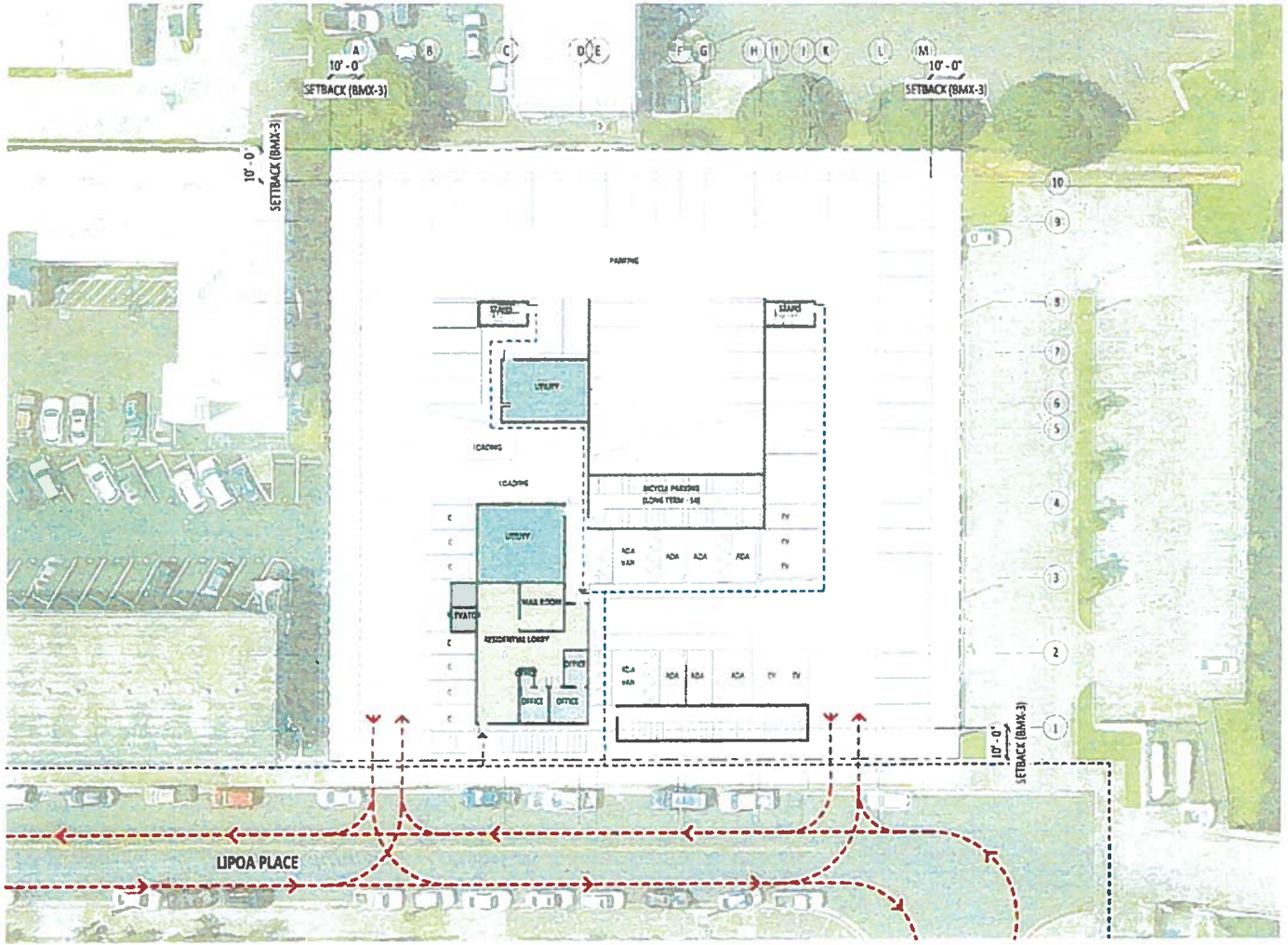
IKENAKEA

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

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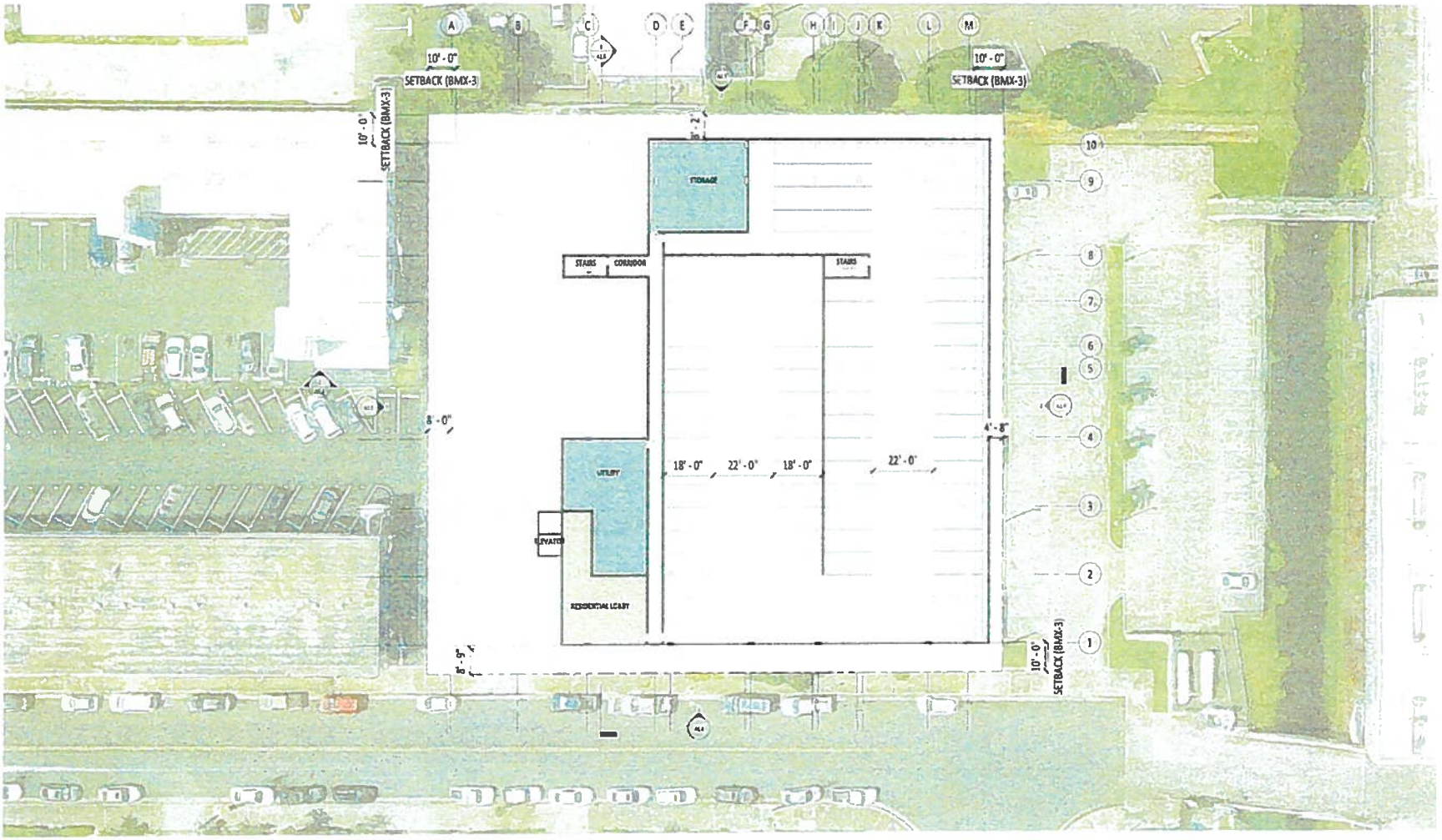
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EXHIBIT D-2

CIRCULATION A0.3

HALE O LIPOA · 09/06/2024

FILE NO.: 2024/SMA-86



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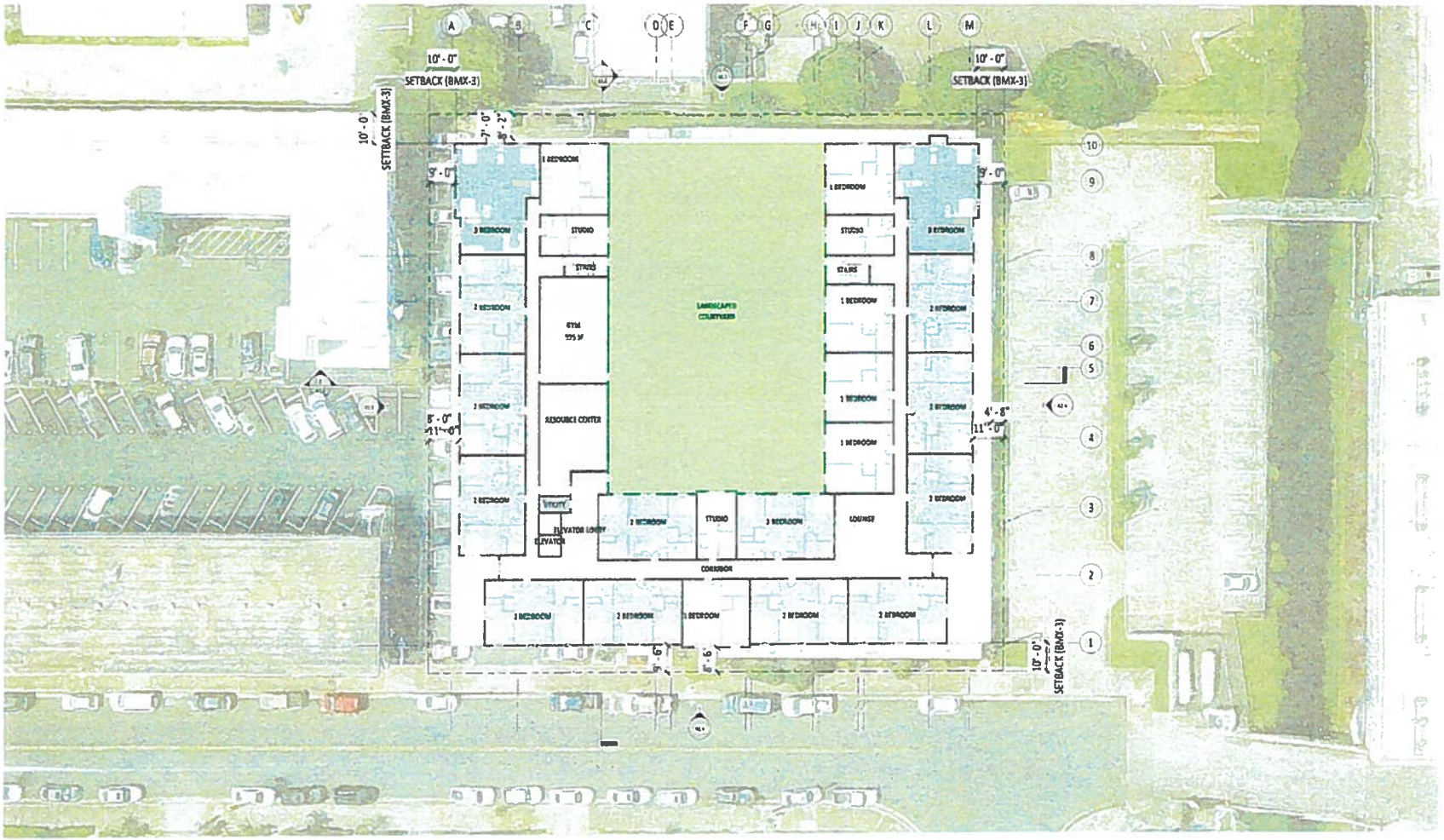
IKENAKEA

EXHIBIT D-3

SECOND FLOOR PLAN **A0.8**

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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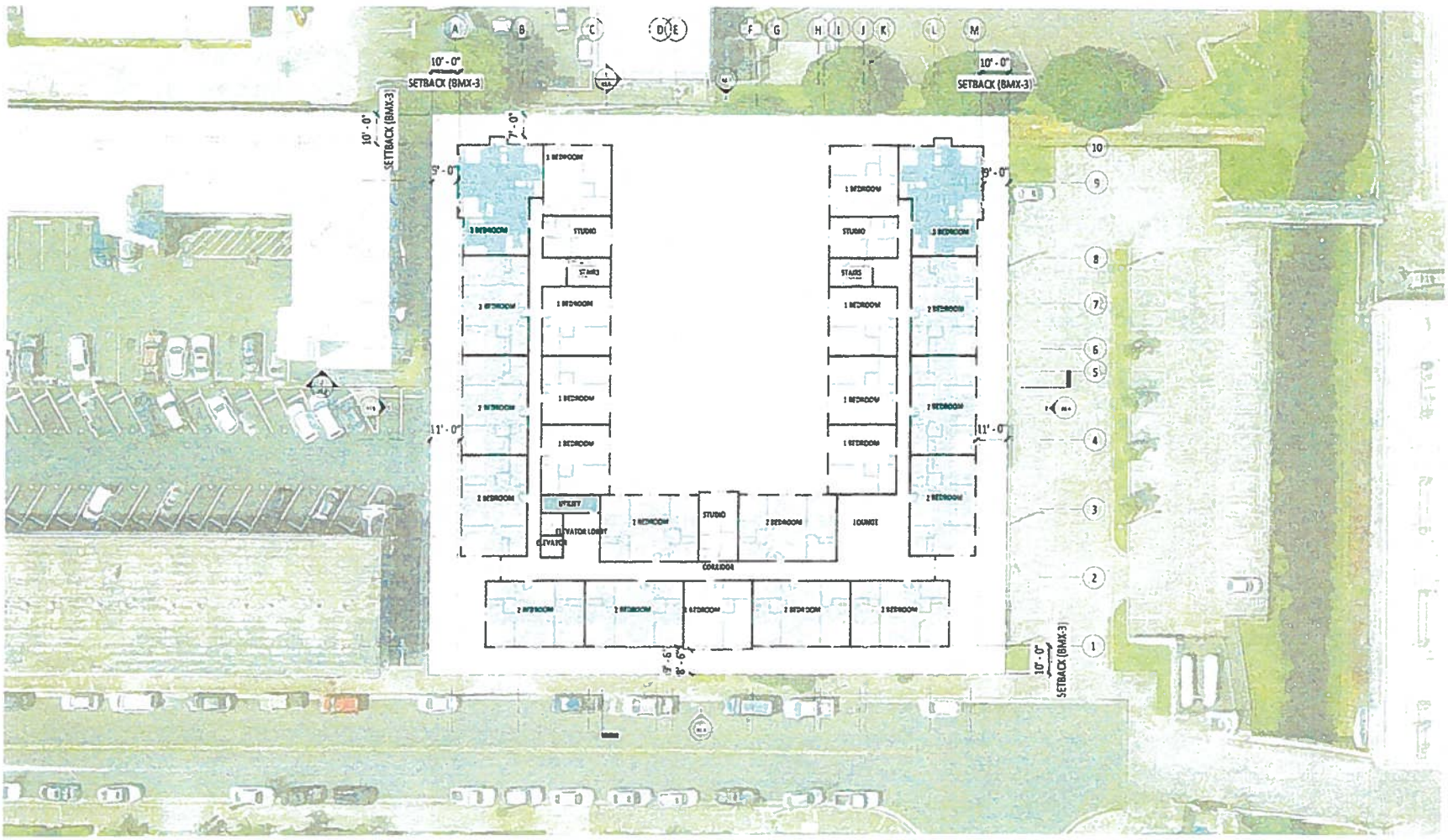
'IKENAKEA

EXHIBIT D-4

PODIUM FLOOR PLAN A0.9

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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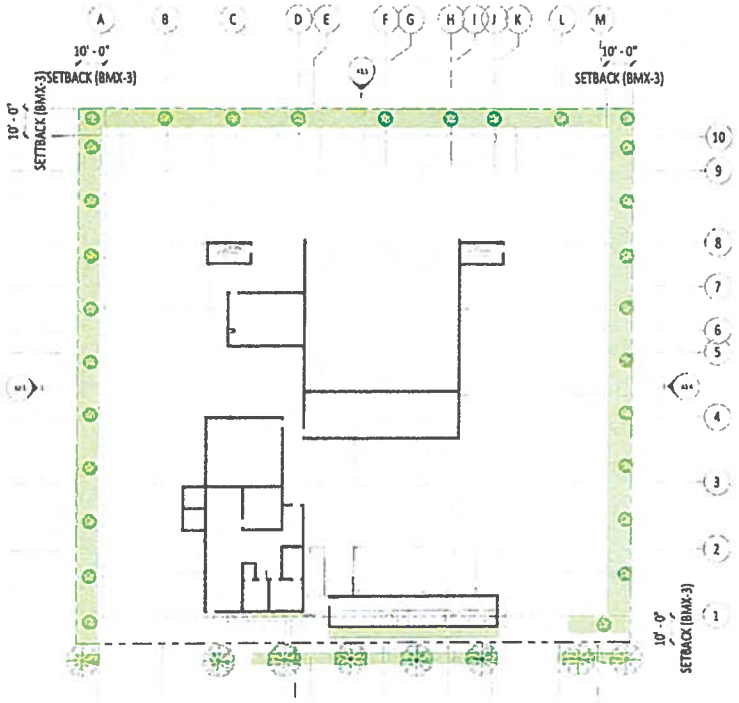
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EXHIBIT D-5

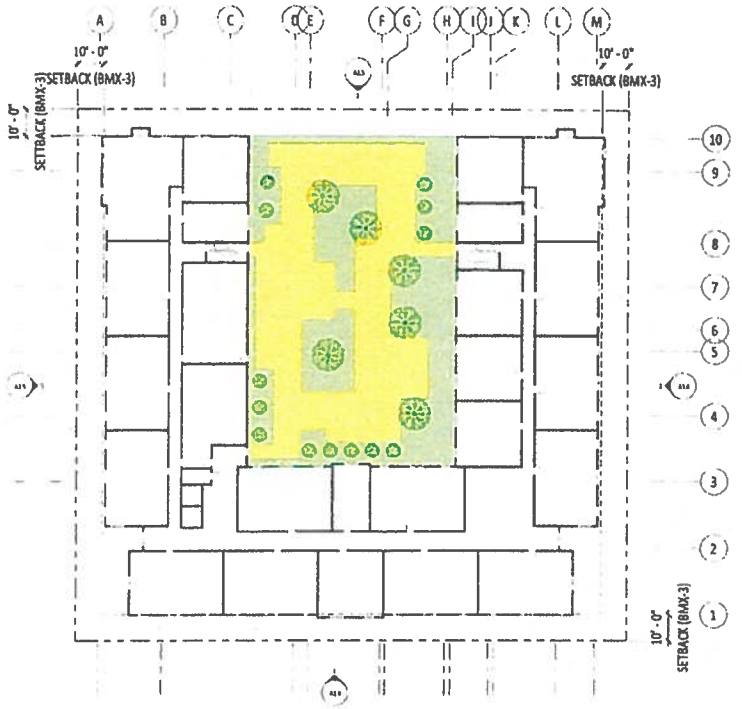
TYP RESIDENTIAL LEVEL 4-8 PLAN **A1.0**

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



GROUND FLOOR LANDSCAPE PLAN



PODIUM LEVEL LANDSCAPE PLAN

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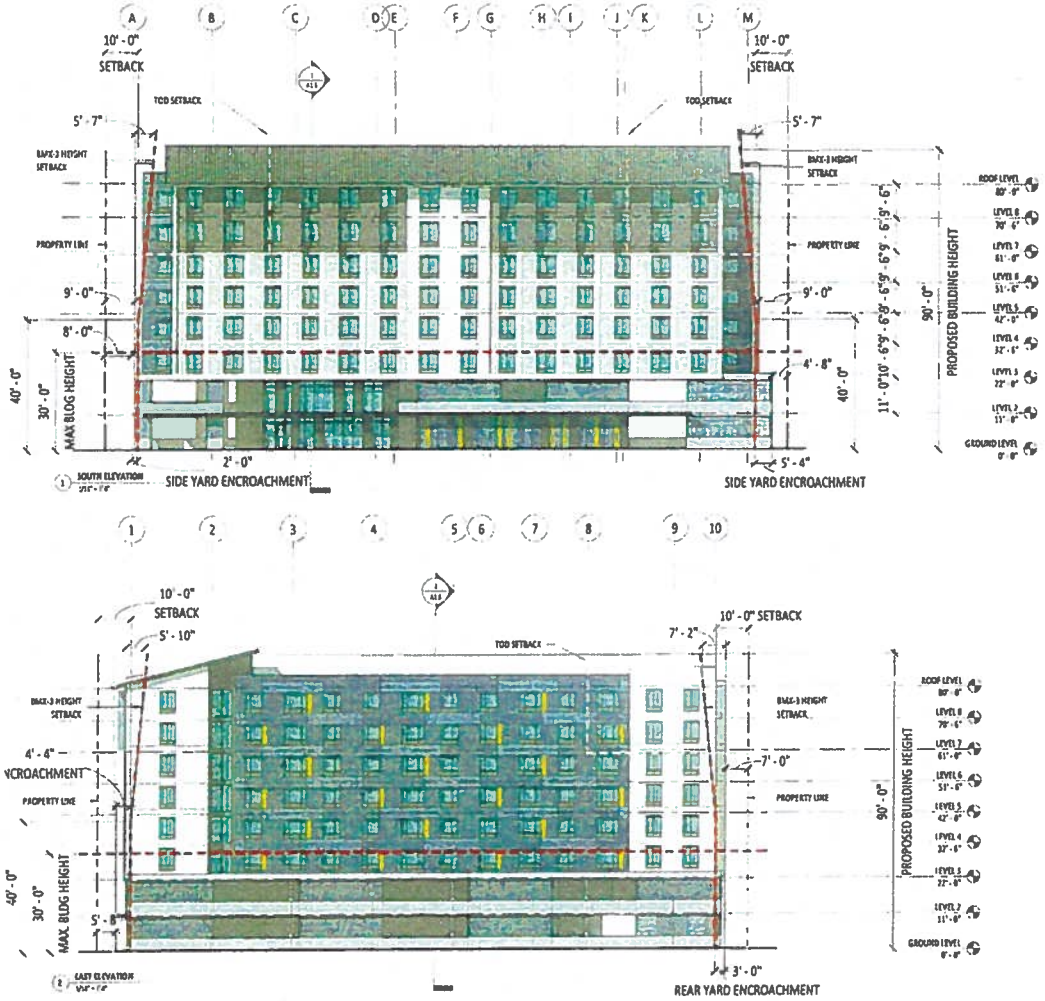
IKENAKEA

EXHIBIT D-6

CONCEPTUAL LANDSCAPE PLAN A0.6

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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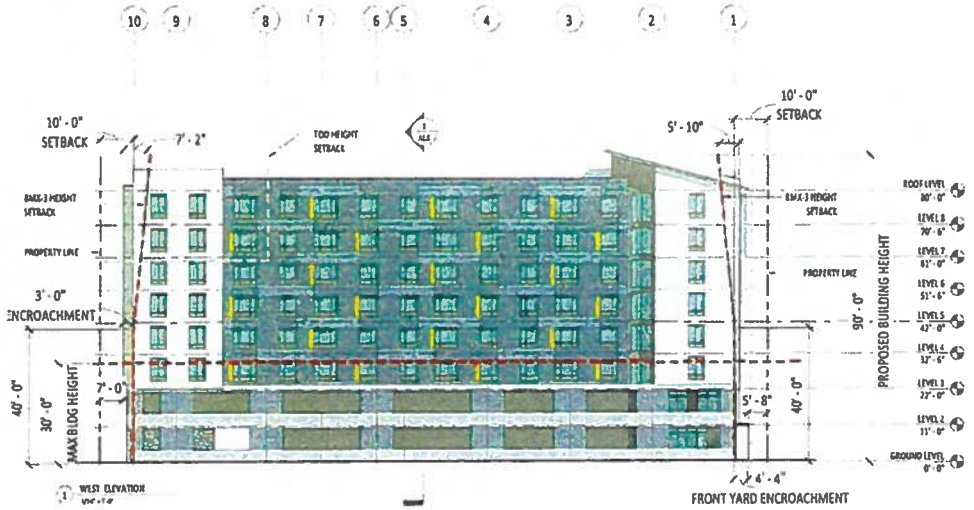
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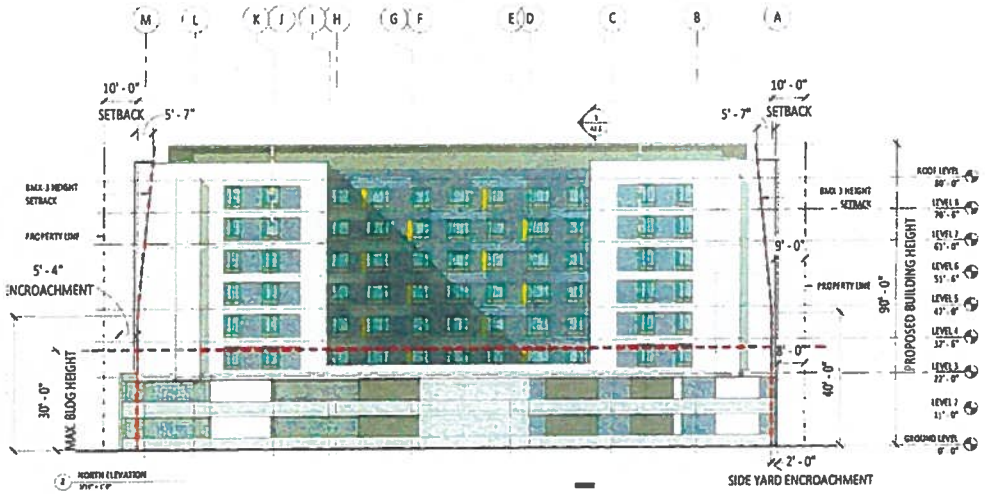
EXHIBIT D-7

BUILDING ELEVATIONS A1.4

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86





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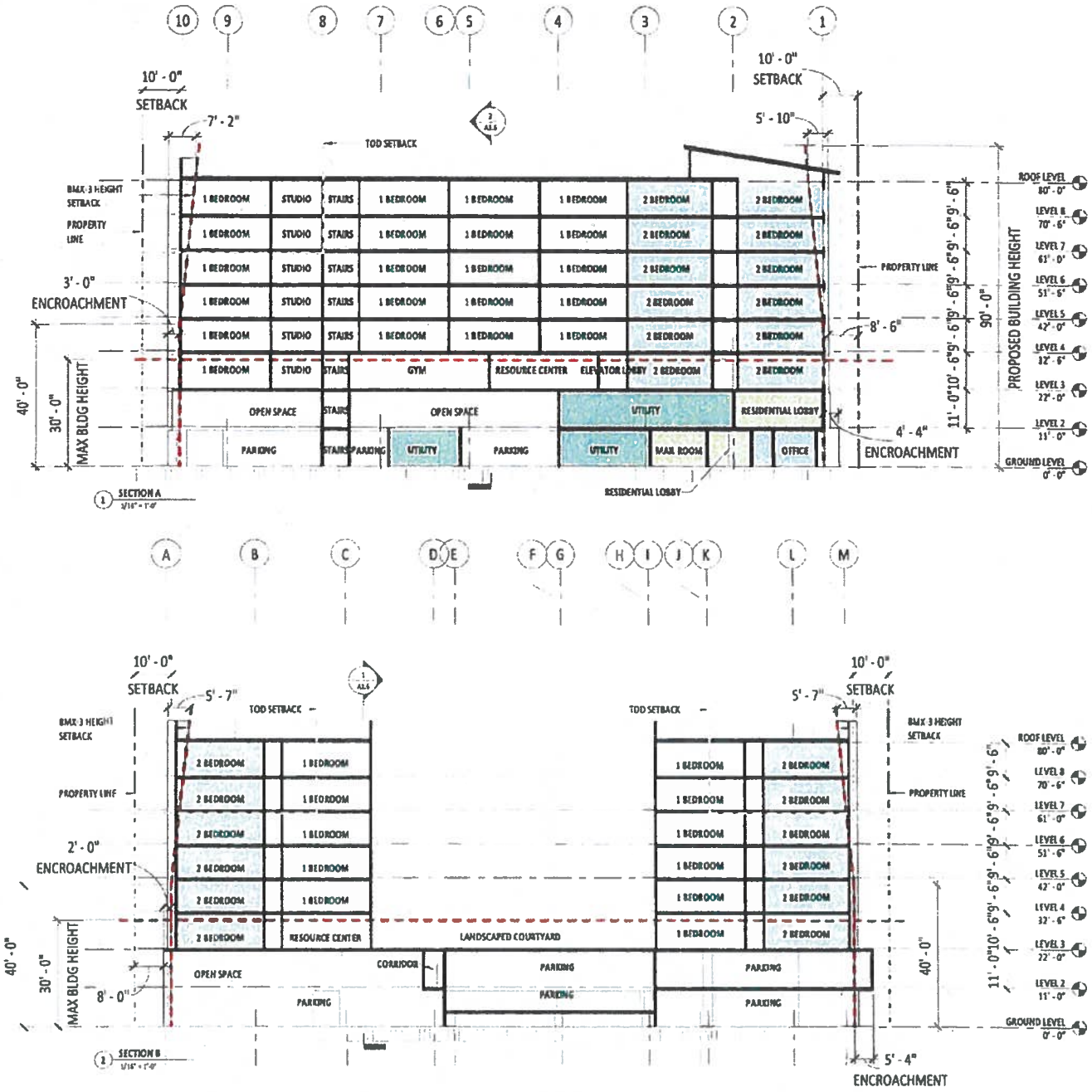
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EXHIBIT D-8

BUILDING ELEVATIONS A1.5

HALE O LIPOA - 09/06/2024

FILE NO.: 2024/SMA-86



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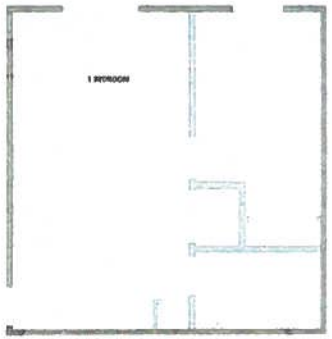
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EXHIBIT D-9

FILE NO.: 2024/SMA-86

EXHIBIT D-10

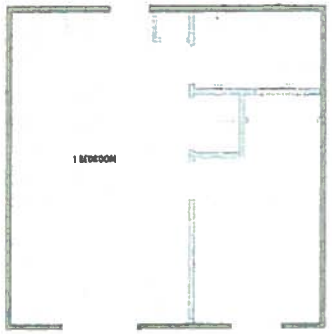
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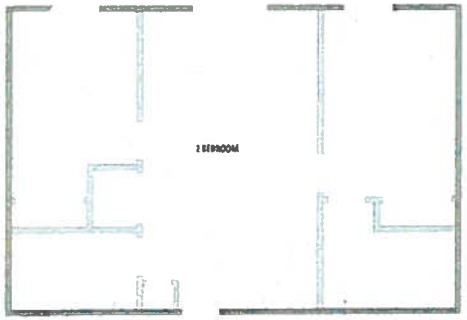
1 BEDROOM - TYPE 2
~638 SF



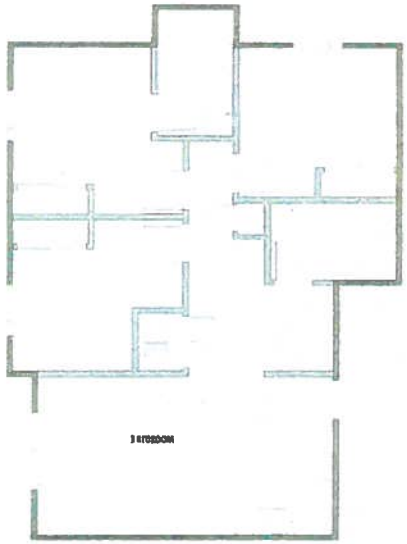
STUDIO
~370 SF



1 BEDROOM
~638 SF



2 BEDROOM
~882 SF



3 BEDROOM
~1,127 SF

lowney arch

IKENAKEA

UNIT PLANS 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



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'IKENAKEA

3D VIEWS A1.8

HALE O LIPOA - 09/06/2024

EXHIBIT E-4

FILE NO.: 2024/SMA-86



lowney arch

IKENAKEA

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

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.

Wetlands

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

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.

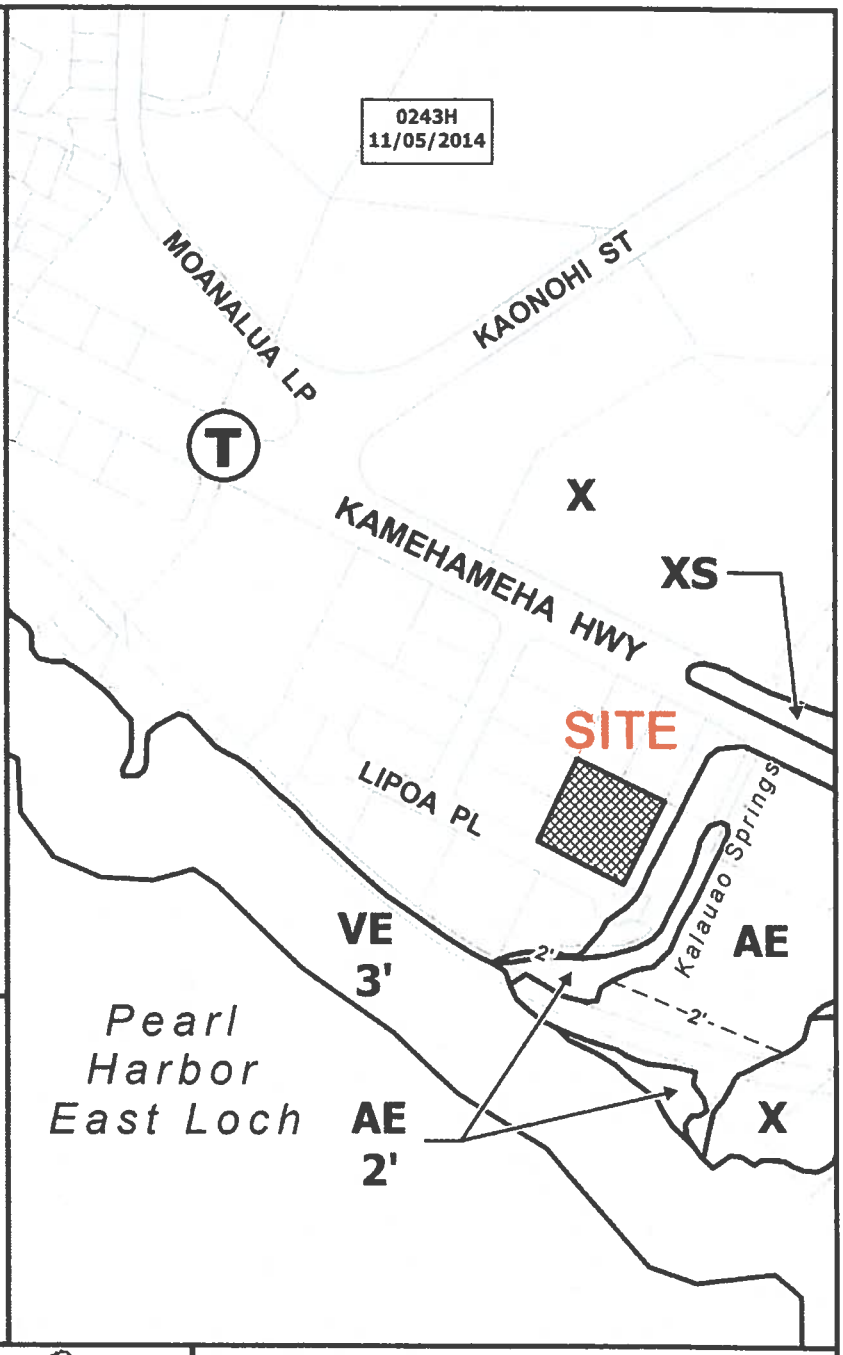
Zone **AE** = BFE determined
Zone **VE** = Costal flood zone with velocity hazard (wave action); BFE determined

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

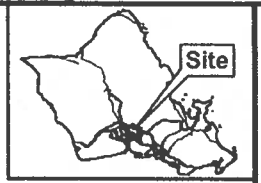
Zone **X** = Areas determined to be outside the 0.2% annual chance floodplain.



Legend

- Flood Zones
- -6'- Base Flood Elevation
- Tax Parcel
- Site Area
- Kalauao Transit Station

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

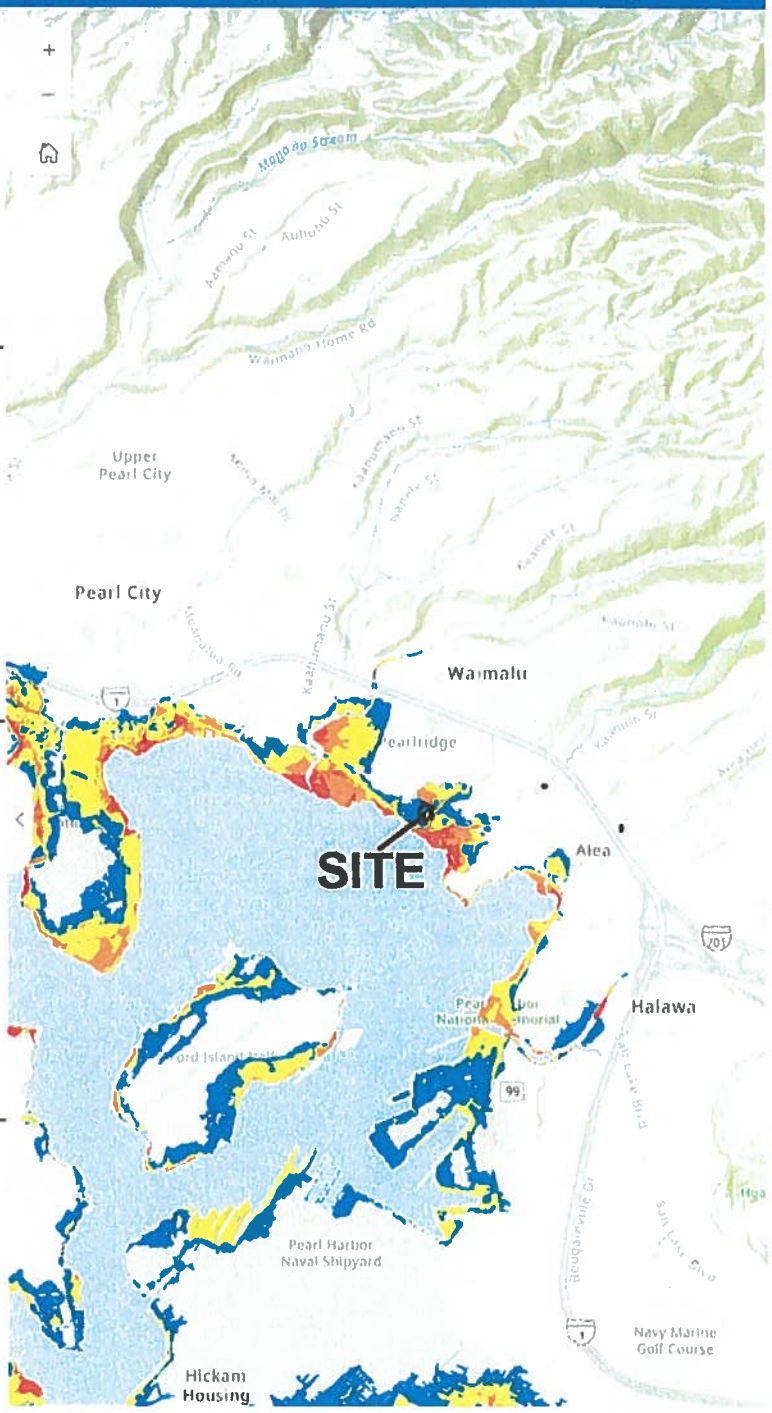
This national depiction of storm surge flooding vulnerability helps people living in hurricane-prone coastal areas. These maps make it clear that storm surge is not just a beachfront problem, with the risk of storm surge extending many miles inland from the immediate coastline in some areas. Storm Surge 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

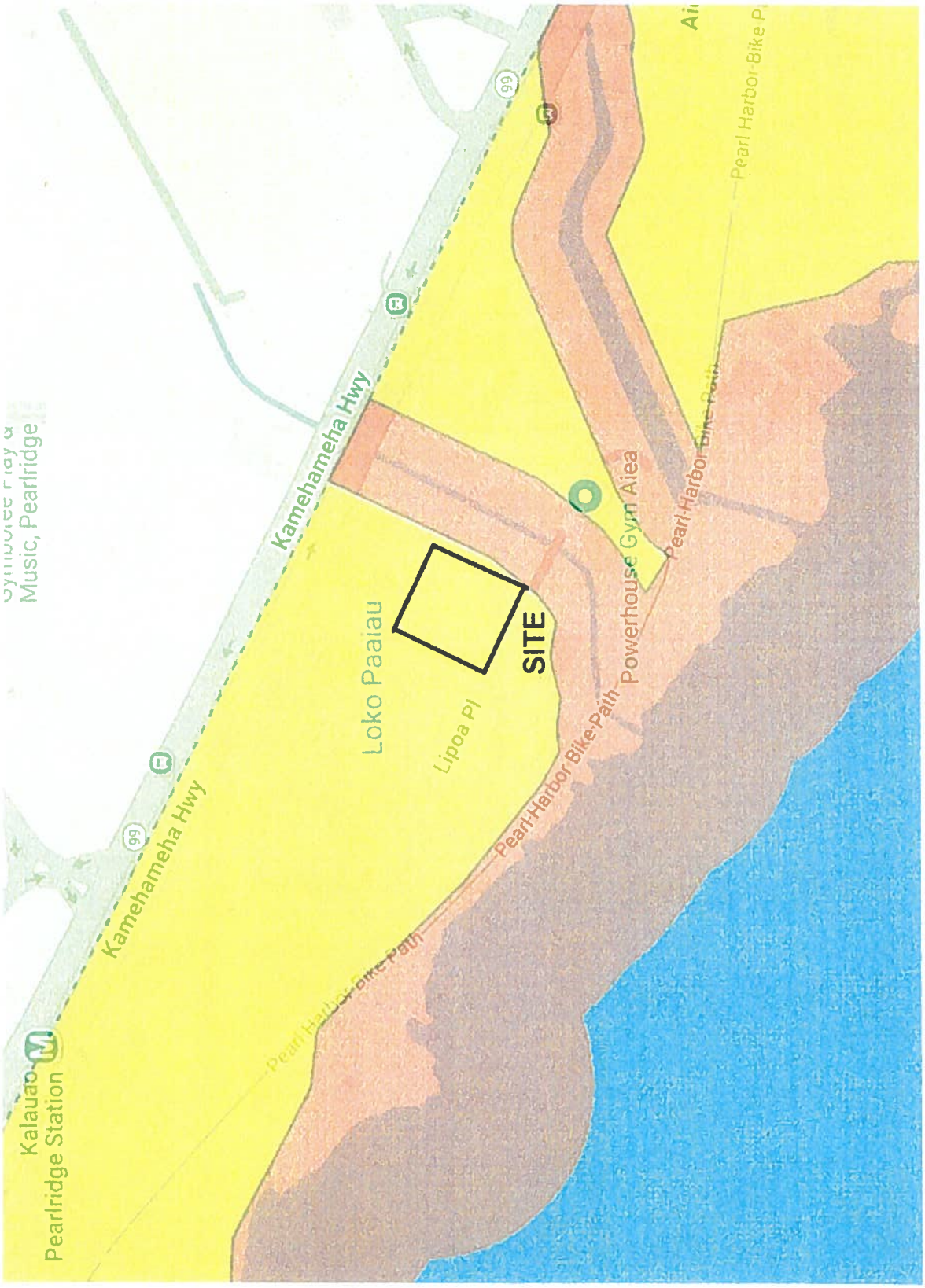


EXHIBIT K

FILE NO.: 2024/SMA-86

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**

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 25-23, CD1

Introduced: 01/07/25 By: TOMMY WATERS - BY REQUEST Committee: ZONING (ZON)

Title: 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.

Voting Legend: * = Aye w/Reservations

01/07/25	INTRO	Introduced.
01/16/25	ZON	Amended to CD1. 5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, WEYER
01/16/25	ZON	Reported out for adoption as amended in CD1 form. CR-12 4 AYES: DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, WEYER 1 NO: CORDERO
01/29/25	CCL	Committee report and Resolution as amended were adopted. 8 AYES: DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER 1 NO: CORDERO

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