



## RESOLUTION

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AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE WAIAKOA AFFORDABLE AND MARKET RATE HOUSING PROJECT IN HONOLULU, O'AHU.

WHEREAS, Castle & Cooke Waiakoa, LLC and co-developer KP Waiakoa GP, LLC, and with the approval of the Hawaii Housing Finance and Development Corporation ("HHFDC"), proposes to develop Waiakoa, a mixed-use project consisting of two 42-story, high-rise towers on a 8-story parking structure complex on 4.18 acres of land located at 756 Auahi Street in Honolulu, O'ahu, identified as Tax Map Key (1) 2-3-053: 032, as depicted in Exhibits \_\_, attached hereto and made a part hereof (the "Project"); and

WHEREAS, as proposed, the Project's affordable units will be offered for sale as follows: 200 units to households earning up to 120 percent of the AMI and 420 units to households earning up to 140 percent of the AMI; and

WHEREAS, the Project's affordable units will consist of 165 studios, 235 one-bedroom units, 186 two-bedroom units, and 34 three-bedroom units; and

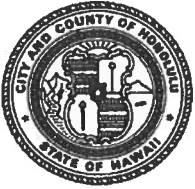
WHEREAS, all affordable for-sale units will remain affordable for a minimum of 10 years and will be subject to the HHFDC's buy-back and shared appreciation restrictions; and

WHEREAS, as proposed, the Project will also provide a central community plaza and promenade of open, at-grade recreation space; over 68,000 square feet of street level, storefront commercial space; a parking structure accommodating approximately 1,667 parking spaces and ten loading spaces; and long-term and short-term bicycle parking spaces; and

WHEREAS, the Project will help address the critical need for affordably priced housing within Central Honolulu's urban core in convenient proximity to a comprehensive range of educational facilities, employment centers, and multiple shopping, dining, and family services opportunities; and

WHEREAS, on \_\_, the HHFDC Board of Directors approved the Project with its proposed exemptions; 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 governmental agency relating to planning, zoning,



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construction standards for subdivision, development and improvement of the land, and the construction of units thereon pursuant to Section 201H-38, Hawaii Revised Statutes ("HRS"); and

WHEREAS, the Council has reviewed the preliminary plans and specifications for the Project dated \_\_, respectively, prepared by Design Partners, Inc., and submitted to the Council by the HHFDC on \_\_, by Miscellaneous Communication \_\_; 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

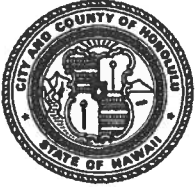
WHEREAS, the requested exemptions meet minimum requirements of health and safety; and

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; 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 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 \$2,267,800.
3. Exemption from ROH § 18A-2.4, to allow an exemption from the payment of grading and grubbing permit fees, estimated at \$505.
4. Exemption from ROH § 18-3.1 and Table 18-A, to allow an exemption from



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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 \$250.
6. Exemption from ROH § 14-2.1, to allow an exemption from the payment of trenching permit fees, estimated at \$195.

Infrastructure and Public Works Fees and Charges:

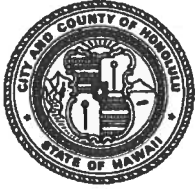
7. Exemption from ROH § 43-10.1, 43-10.2 and 43-10.3, to allow an exemption from the payment of wastewater system facility charges attributed to the 620 affordable units sold to households earning 140 percent and below of the AMI, estimated at \$2,871,344.
8. Deferral from ROH § 43-10.1, 43-10.2 and 43-10.3, to allow the deferral until the issuance of a certificate of occupancy for the Project of the payment of wastewater system facility charges attributed to the 412 market units, estimated at \$1,908,054.
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 \$226,780.

Board of Water Supply ("BWS") Rules and Regulations:

11. Exemption from Sections 1-102 and 2-202 of the Board of Water Supply Rules and Regulations regarding payment of water system facility and installation of water service fees attributed to the 620 affordable units, estimated at \$1,296,000. Deferral from Sections 1-102 and 2-202 of the Board of Water Supply Rules and Regulations, to allow a deferral of the payment of water system facility and installation of water service fees attributed to the 412 market units, estimated at \$126,554; provided that all BWS requirements are



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satisfied. The actual fees to be exempted and deferred will be determined by the BWS during review of the Project's building permit application.

Park Dedication Ordinance:

12. If applicable, exemption from ROH Chapter 22, Article 7, to allow an exemption from park dedication requirements attributed to the 1,032 dwelling units.

Disability and Communication Access Board (DCAB) Review Fees:

13. Exemption from HRS § 103-50 to allow an exemption from the payment of DCAB review fees, estimated at \$3,000.

City and County of Honolulu Affordable Housing Requirements:

14. Exemption from ROH Chapter 29, relating to the City and County of Honolulu's affordable housing requirements, to allow the Project to be developed, marketed, and sold in accordance with HHFDC affordable housing requirements, including pursuant to HRS § 201H-47, § 201H-49, and § 201H-50; and

Building Energy Conservation Code Requirements:

15. Exemption from ROH § 16B-1.1.C409 relating to electrical vehicle (EV) infrastructure to provide 169 EV charger ready stalls or the equivalent 169 compliance points, which is 50% of the EV requirement.

Land Use Ordinance:

16. With respect to land uses and development standards, the Project is under the jurisdiction of the HCDA; therefore, no exemptions from the Land Use Ordinance, ROH Chapter 21, are needed; and

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



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

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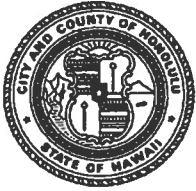
BE IT FURTHER RESOLVED that the affordable housing units are approved to be utilized as affordable housing credits in accordance with HRS §46-15.1 (Act 31, SB 1170); and

BE IT FURTHER RESOLVED that this resolution is null and void unless construction of the Project commences no later than 48 months after the effective date of this resolution; and

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

BE IT FURTHER RESOLVED that the final plans and specifications for the Project constitute the zoning, building, construction, and subdivision 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 of the building or landscaping may be approved by the HHFDC 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 its employees, on account of the actions taken by them in reviewing or approving the plans and specifications, or in granting the exemptions listed herein; and



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

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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Hawaii Housing Finance and Development Corporation, 677 Queen Street, Suite 300, Honolulu, Hawai'i 96813; Castle & Cooke Waiakoa, LLC, 688 Iwilei Road, Suite 510, Honolulu, Hawai'i 96817 and Isaiah Sato, R.M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819.

INTRODUCED BY:

*Tony Wahne*

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DATE OF INTRODUCTION:

**FEB 24 2025**

Honolulu, Hawai'i

Councilmembers