JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
HONOLULU, HAWAII 96813
PHONE: (808) 587-0620

IN REPLY REFER TO:
26DEV/069

September 10, 2026

The Honorable Tommy Waters
Council Chair
Honolulu City Council
City and County of Honolulu
530 S. King Street, Room 202
Honolulu, Hawaii 96813

'26SEP14 PM12:54 CITY CLERK

Dear Chair Waters:

Re: **Request to Amend Resolution 23-83, CD1, which Approved Certain Exemptions Pursuant to Section 201H-38, Hawaii Revised Statutes for the Pohukaina Commons Mixed-Use Project Located in Kakaako, Oahu, Hawaii, Tax Map Key (1) 2-1-051:047 (Project parcel; formerly identified as a portion of (1) 2-1-051:041)**

The Hawaii Housing Finance and Development Corporation (HHFDC) transmits for the Council's consideration the action taken by the HHFDC Board of Directors on July 9, 2026, concerning the Pohukaina Commons Affordable and Mixed-Use Housing Project, together with HHFDC's request that the Council amend Resolution 23-83, CD1. The Project was approved by the Council through Resolution 23-83, CD1, adopted June 7, 2023, which approved exemptions from certain requirements under Section 201H-38, Hawai'i Revised Statutes (HRS), including exemptions from the Hawaii Community Development Authority (HCDA) Mauka Area Rules (Hawai'i Administrative Rules Chapter 15-217) that were approved by the HHFDC Board.

On July 9, 2026, following consultation with HCDA and the Developer, the HHFDC Board approved modifications to the previously granted Mauka Area Rules exemptions. The modifications replace the list of Mauka Area Rules exemptions in the April 13, 2023, For Action with an updated list of 30 requested exemptions dated February 20, 2026. So that the amended resolution may incorporate the updated exemptions by reference, HHFDC requests that the amended resolution provide that the Mauka Area Rules exemption list approved on April 13, 2023, is replaced by the February 20, 2026, list.

HHFDC further requests that the Council amend Resolution 23-83, CD1, to extend the deadline for commencement of Phase 1 construction by 36 months, from 48 months to 84 months after the

effective date of Resolution 23-83, CD1. The current deadline is June 7, 2027. The requested extension would establish a revised deadline of June 7, 2030. The basis for the extension is described in the enclosed report.

No changes are requested to the exemptions from payment of City application fees, infrastructure and public works fees, Fire Department plan review fees, or Board of Water Supply fees approved in Resolution 23-83, CD1, or to the exemption from the Kakaako Reserved Housing Rules (Hawaii Administrative Rules Chapter 15-218). Those items remain as previously approved.

HHFDC also notes a change to the Project's parcel Tax Map Key (TMK) number. Resolution 23-83, CD1, identifies the Project site as a 1.525-acre portion of the 2.168-acre State-owned zoning lot then identified as TMK (1) 2-1-051:041. On May 12, 2023, the State subdivided that lot, and the parcel on which the Project is being developed is now identified as TMK (1) 2-1-051:047. HHFDC requests that the amended resolution update the parcel identification to TMK (1) 2-1-051:047, so that the Project is correctly identified in the amended resolution and in future records. This change is explained further in the enclosed report.

HHFDC also notes that the Project plans were refined after Resolution 23-83, CD1, was adopted. The unit counts by phase changed from 429 rental units (and three manager units) in Phase 1 and 192 rental units (and one manager unit) in Phase 2, to 428 rental units (and three manager units) in Phase 1 and 193 rental units (and one manager unit) in Phase 2. The affordability mix changed from 86 units at 80 percent of the area median income (AMI) and 342 units at 120 percent of the AMI, to 87 units at 80 percent of the AMI and 341 units at 120 percent of the AMI. The total number of Project units remains at 625 units, and the unit-type mix is unchanged.

Attached for the Council's review are: a report describing the requested amendments and the rationale for the construction commencement extension; the HHFDC For Action approved July 9, 2026; and the May 14, 2026, request letter submitted by PBR HAWAII & Associates, Inc. on behalf of the Developer. Should you have any questions, please contact Cameron Lowry at (808) 587-0547.

Sincerely,

Dean C. Minakami
Executive Director

Attachment(s): Exhibit A – Report on the Requested Amendments to Resolution 23-83, CD1
Exhibit B – For Action, approved by HHFDC Board on July 9, 2026

Exhibit C – May 14, 2026 Letter Requesting HHFDC Board Action

c: Mohannad Mohanna, Highridge Costa
Monte Heaton, Highridge Costa
Leslie Weiss, Highridge Costa
Chris Deuchar, Form Partners
Michael Saines, Form Partners
Tom Schnell, PBR Hawaii

REPORT ON THE REQUESTED AMENDMENTS TO RESOLUTION 23-83, CD1

Pohukaina Commons Affordable and Mixed-Use Housing Project

690 Pohukaina Street, Kakaako, Oahu | TMK (1) 2-1-051:047 (formerly TMK (1) 2-1-051:041)

Background

On June 7, 2023, the Honolulu City Council adopted Resolution 23-83, CD1, authorizing exemptions from certain requirements under Section 201H-38, HRS, for the Pohukaina Commons Affordable Housing Project, a mixed-use affordable rental housing development in Kakaako. The Resolution incorporated by reference certain exemptions from the Hawaii Community Development Authority ("HCDA") Mauka Area Rules, as listed in the Hawaii Housing Finance and Development Corporation ("HHFDC") For Action that was approved by the HHFDC Board on April 13, 2023. The Resolution conditioned the approval on commencement of Phase 1 construction no later than 48 months after the effective date of the Resolution, a deadline that falls on June 7, 2027.

The Project site was originally described in Resolution 23-83, CD1, as a 1.525-acre portion of a 2.168-acre State-owned zoning lot then designated as Tax Map Key (1) 2-1-051:041, with the remaining portion reserved for a future State educational facility. On May 12, 2023, the State subdivided that lot into two parcels. The parcel on which the Project is being developed, Lot 3-B, contains 66,423 square feet and is now designated as Tax Map Key (1) 2-1-051:047. The identifier used in Resolution 23-83, CD1, therefore predates the subdivision, and the Project parcel is now correctly identified as Tax Map Key (1) 2-1-051:047.

Following adoption, the Developer continued to coordinate with HCDA and to refine the Project design. That coordination extended over approximately two years and produced a series of revised exemption requests and design refinements responding to HCDA's comments on building frontage occupancy, build-to-line setbacks, screening of parking and electrical transformers, and fence height along Pohukaina Street and Keawe Street. By letter dated May 1, 2026, HCDA confirmed its continued support for the Project and for the proposed Section 201H-38 exemptions and acknowledged that the Developer had adjusted the design where possible to address HCDA's concerns.

HCDA reviewed the current exemption request against the version of the Mauka Area Rules in effect when the Project was originally approved in 2023, which had been in place since 2011. That approach is consistent with the original approval, notwithstanding later amendments to the Mauka Area Rules that took effect on January 13, 2025, and January 23, 2026.

Requested Amendments

The following amendments to Resolution 23-83, CD1 are requested:

1. Replacement of the Mauka Area Rules exemption list. The list of Mauka Area Rules exemptions in the April 13, 2023, For Action would be replaced by the updated list of 30

requested exemptions dated February 20, 2026, which the HHFDC Board approved on July 9, 2026. The amended resolution would incorporate the replacement list by reference.

2. Extension of the construction commencement deadline. The deadline for commencement of Phase 1 construction would be extended by 36 months, from 48 to 84 months after the effective date of Resolution 23-83, CD1, establishing a revised deadline of June 7, 2030.

3. Update to the property identification. As described above, the Project parcel was identified as Tax Map Key (1) 2-1-051:041 in Resolution 23-83, CD1, and, following the May 12, 2023, subdivision of the State-owned zoning lot, is now designated as Tax Map Key (1) 2-1-051:047. The amended resolution should reflect the current Tax Map Key number so that the Project is correctly identified going forward. This is a conforming update to the property identification and does not change the scope of the Project or the approval.

4. Update to the unit counts and affordability mix. After Resolution 23-83, CD1 was adopted, the Project plans were refined. The unit counts by phase changed from 429 rental units (and three manager units) in Phase 1 and 192 rental units (and one manager unit) in Phase 2 to 428 rental units (and three manager units) in Phase 1 and 193 rental units (and one manager unit) in Phase 2. The affordability mix changed from 86 units at 80 percent of the area median income (AMI) and 342 units at 120 percent of the AMI to 87 units at 80 percent of the AMI and 341 units at 120 percent of the AMI. The Project total remains 625 units, and the unit-type mix of 173 studio, 287 one-bedroom, 144 two-bedroom, and 21 three-bedroom units is unchanged. The current information is reflected in the July 9, 2026, For Action, and HHFDC requests that the amended resolution reflect this change. This is a conforming update to the Project description and does not change the scope of the approval.

Rationale for the Construction Commencement Extension

When Resolution 23-83, CD1 was adopted, 48 months was reasonably expected to provide sufficient time to commence Phase 1 construction. Two unexpected developments since 2023, neither within the Developer's control, extended the Project's pre-construction schedule beyond what was contemplated at the time of approval.

Electrical infrastructure coordination. In April 2024, the Developer learned that the existing electrical infrastructure serving the area, at the Iwilei and Kewalo substations, had reached maximum capacity, and that the Project would be required to bear the cost of bringing new electrical lines to the site. In response, the Developer relocated the Project's electrical switchgear vaults, one serving Phase 1 and one serving Phase 2, to the nearest point of connection to the new lines along Pohukaina Street. Relocating the vaults required Hawaiian Electric Company (HECO) approval to site the vaults and to provide access for HECO maintenance, a process that took approximately one year. The relocation also required redesign of the Project's electrical, civil, and landscape plans, which in turn drove several of the revised and additional Mauka Area Rules exemption requests on the February 20, 2026 list.

Archaeological inventory survey coordination. An archaeological inventory survey testing plan was submitted to the State Historic Preservation Division (SHPD) in December 2023. In summer 2024, SHPD advised that the plan would not be approved until consultation with lineal descendants had occurred. Descendant consultation began in fall 2024, with additional descendants identified in early 2025. After a descendant raised concerns about the adequacy of the testing coverage, the number of test trenches was increased, first from 24 to 40 and, following further consultation with SHPD and descendants through the end of 2025, to a final approved plan of 45 trenches.

These developments delayed completion of the Project's final design and the issuance of final building permits. Because final building permits would not be issued until the requested Mauka Area Rules exemptions are incorporated by reference in the amended Resolution, the current deadline of June 7, 2027, does not allow adequate time to complete the remaining pre-construction milestones and commence Phase 1 construction. For these reasons, HHFDC respectfully requests that the Council extend the construction commencement deadline by 36 months, to June 7, 2030.

Reviewed and Approved by the Executive Director _____
July 9, 2026

FOR ACTION

I. REQUEST

Approve Modifications to the Previously Granted Exemptions from Statutes, Ordinances, and Rules Pursuant to Section 201H-38, Hawaii Revised Statutes Regarding Exemptions from the Hawaii Community Development Authority's Mauka Area Rules for the Pohukaina Commons Mixed-Use Project Located at 690 Pohukaina Street in Kakaako, Oahu, TMK No.: (1) 2-1-051: 047

II. FACTS

Project Name:	Pohukaina Commons (formerly known as 690 Pohukaina)		
Applicant:	Highridge Costa Development Company, LLC		
TMK and Location:	690 Pohukaina St., Kakaako, Oahu TMK No.: (1) 2-1-051: 047		
HHFDC Involvement:	DURF, Rental Housing Revolving Fund, Ground Lessor, 201H Exemptions		
Landownership:	State of Hawaii - Fee Owner Hawaii Housing Finance and Development Corporation (HHFDC) - Executive Order Not ceded land		
Type:	New construction; mixed-use affordable rental housing plus commercial space		
Target Population:	Family		
Project Unit Type Mix:	*Units*	*Type*	*Sq. Ft. (approx.)*
	173	Studio, 1 Bath	392
	287	1-Bed, 1 Bath	644
	144	2-Bed, 2 Bath (incl. 4 mgr. units)	802
	21	3-Bed, 2 Bath	1,181
	625	Total	
Phase 1 Unit Type Mix:	*Units*	*Type*	*Sq. Ft. (approx.)*
	106	Studio, 1 Bath	392
	210	1-Bed, 1 Bath	644
	102	2-Bed, 2 Bath (incl. 3 mgr. units)	802
	13	3-Bed, 2 Bath	1,181
	431	Total	
Phase 2 Unit Type Mix:	*Units*	*Type*	*Sq. Ft. (approx.)*
	67	Studio, 1 Bath	392
	77	1-Bed, 1 Bath	644
	42	2-Bed, 2 Bath (incl. 1 mgr. units)	802
	8	3-Bed, 2 Bath	1,181
	194	Total	

Project Affordability Mix:	*Units*	*Area Median Income (AMI)*
	21	30% AMI
	21	50% AMI
	151	60% AMI
	87	80% AMI
	341	120% AMI
	4	Mgr
	625	Total
Phase 1 Affordability Mix:	*Units*	*Area Median Income (AMI)*
	87	80% AMI
	341	120% AMI
	3	Mgr
	431	Total
Phase 2 Affordability Mix:	*Units*	*Area Median Income (AMI)*
	21	30% AMI
	21	50% AMI
	151	60% AMI
	1	Mgr
	194	Total
Parking:	870 total parking stalls Phase 1: 626 stalls Phase 2: 244 Stalls	
Developer:	Highridge Costa Development Company, LLC Contact: Mohannad H. Mohanna 330 West Victoria Street Gardena, CA 90248	
Co-Developer:	Form Partners, LLC Contact: Chris Deuchar 900 Fort Street Mall, Suite 1140, Honolulu, HI 96813 (808) 330-5032	

A. The State of Hawaii owns the 94,423-square-foot parcel of land located at 690 Pohukaina Street in Kakaako, Oahu (Land) (See **Exhibit A**). Pursuant to Executive Order 4533, dated May 19, 2017, the Land was set aside to HHFDC for educational and affordable housing purposes.

B. On November 17, 2021, HHFDC published Request For Proposals No. 21-005-DEV (the RFP) which contemplated reserving approximately 28,000 square feet of the Land for future educational use (the Educational Portion) and the development of affordable housing on the remainder of the Land (the Residential Portion), approximately 66,423 square feet. On March 15, 2022, Highridge Costa Development Company, LLC (Developer) submitted a proposal (Proposal) contemplating the development of the Residential Portion with 100% affordable rental housing, totaling 631 units including 4 manager's units, parking, and commercial retail space on the ground floor (the Project, formerly 690 Pohukaina aka Pohukaina Commons) (See **Exhibit B**). On September 8, 2022, HHFDC approved the Developer and its Proposal for the Project.

C. On April 13, 2023, the HHFDC Board of Directors (Board) approved: (1) an application for exemptions from statutes, ordinances, and rules Pursuant to Section 201H-38, Hawaii Revised Statutes (HRS) (with a revised Project total unit count of 625); (2) the certification of the Developer, or other successor entity approved by the Executive Director, as an Eligible Developer pursuant to § 15-307-24, Hawaii Administrative Rules (HAR); (3) the revised project Proposal;

and (4) the execution of development documents for the Project. The For Action dated April 13, 2023, is attached as **Exhibit C**.

D. On April 24, 2023, HHFDC and the Developer executed a Development Agreement (DA) for the Project relating to the RFP award and the 201H Exemptions.

E. On May 12, 2023, the Land was subdivided into two lots, Lot 3-A and Lot 3-B, with Lot 3-B (Property) being 66,423 square feet and being shown on Copy of Survey Furnished No. 26,006, which is attached as **Exhibit D** and further identified as TMK No. (1) 2-1-051: 047.

F. On June 7, 2023, the Honolulu City Council adopted Resolution 23-83, CD1 which approved the Project, authorizing certain exemptions from statutes, ordinances, and rules Pursuant to Section 201H-38, HRS, including certain exemptions from Hawaii Community Development Authority (HCDA) Mauka Area Rules (MAR). The Project approval was subject to certain conditions, including the requirement that construction of Phase 1 commence no later than 48 months from the effective date of the Resolution. Resolution 23-83, CD 1 is attached as **Exhibit E**.

III. DISCUSSION

A. Initial Consultation with HCDA Regarding 201H-38 Exemptions

1. By letter dated March 15, 2023, as an agency consulted for review of the 201H-38 application, HCDA provided comments on the Project to HHFDC and PBR Hawaii & Associates, Inc. (PBR) as preparer of the application on behalf of the Developer, noting provision of needed affordable housing in the Kakaako Community Development District, but expressing reservations about certain design elements, particularly building form and needs for enhancement of the makai edge of the Project to activate street level uses and to better align with the vision of Pohukaina Street as a promenade street.

2. By way of a 2nd response letter dated March 31, 2023, HCDA noted efforts to address provided comments and concerns through design refinements and modified exemptions requests and expressed overall support for the Project. HCDA requested updates from the Developer and continued consideration of concerns and design preferences as the Project advanced and design evolved, particularly so that HCDA could review and comment on any substantial design changes.

B. Initial Consultation with HCDA Subsequent to Approval of 201H-38 Exemptions

1. On March 26, 2024, the Developer submitted the requested revised designs and additional exhibits to the HCDA and received the agency's comments on May 14, 2024.

2. On November 11, 2024, the Developer submitted further design revisions and clarification regarding outstanding concerns and received comments from HCDA on December 6, 2024.

3. The dialogue and iterative design refinements focused largely on conformance with MAR requirements and exemptions requests related to Pohukaina Street frontage occupancy, build-to-line setbacks, screening of parking and electrical transformers, and the proposed fence height along

Pohukaina Street and Keawe Street. The issues were summarized by letter from HCDA dated December 23, 2024.

C. Additional Design Refinements and Updated Exemption List

1. The Developer responded with further design refinements, an updated exemption list, and drawings submitted on December 4, 2025, which were reviewed with HCDA at a meeting on December 5, 2025.

2. Subsequently an updated exemption list was submitted on December 17, 2025 and reviewed at a meeting with HCDA on January 29, 2026.

3. On March 2, 2026, a submittal was made to HCDA comprised of an updated list of 30 requested MAR exemptions, architectural drawings, and a draft LEEDV4 BD+C sustainability scorecard.

D. HCDA Support for the Proposed 201H Exemptions

1. By letter dated May 1, 2026, to PBR, with a copy to HHFDC, HCDA reiterated its support for the Project and the provision of much needed affordable housing in the Kakaako Community Development District, and offered support for the modifications to the 201H exemption list and the specific exemptions from the MAR as currently proposed in this For Action.

2. HCDA had previously expressed concerns about granting exemption requests particularly related to building frontage occupancy, an increased build-to-line, lack of screening for parking and transformers, and the proposed 8-foot fence along Pohukaina Street and Keawe Street. HCDA articulated recognition that the Developer had adjusted the design where possible to address these concerns and to improve the relationship between the Project and the surrounding streetscape where possible. Specific comments relating to the corresponding exemptions are summarized as follows:

   a. Relating to exemption requests number 9 and 10 (see **Exhibit F** for a full listing of requested exemptions), the Developer is requesting exemptions from HAR § 15-217-53, Figure 1.13, and Figure NZ.6 to have less than a 60% frontage occupancy and to exceed the build-to-lines of 10-feet along Pohukaina Street and 5-feet along Keawe Street. Along Pohukaina Street, the proposed structures are approximately 54- to 59-feet back from the sidewalk. Along Keawe Street, the proposed build-to-line is approximately 23-feet from the edge of the sidewalk. These exemption requests are being mitigated by additional features to promote the activation of both Pohukaina Street and Keawe Street, including additional seating areas, additional benches, and changes to the plaza design.

   b. Relating to exemption requests number 5, 6, and 15, the Developer is requesting exemptions related to parking and transformer screening. Exemption number 5 from HAR § 15-217-24, Figure 1.8, and Figure BT.10 to conceal parking areas from view at street frontages with non-habitable space on less than three sides of the building, are being offset with additional aesthetic treatment along the Diamond Head elevation of the parking structure , which will be particularly visible until the Department of Education completes their project on their parcel.

Specifically with respect to the screening of electrical transformers, HCDA recognizes the logistical difficulties with getting approval by the Hawaiian Electric Company (HECO) to conceal the transformers that will be located along the Pohukaina Street promenade fronting. HCDA has encouraged the Developer to continue to explore methods to mitigate the visual impacts of the transformers, such as artistic decoration or movable planters.

c. Relating to exemption request number 13, the Developer is requesting an exemption from HAR § 15-217-55 and Figures 1.6A, 1.6B, and 1.13 to construct fences greater than four feet in height in front and side yards that face thoroughfares. HCDA recognizes that the fences have been reduced from 8-feet as originally approved to 6-feet.

3. HCDA noted that the previous HHFDC and Honolulu City Council approvals were based on the November 1, 2011 version of the MAR at the time of approval, and that subsequent amendments to the MAR took effect on January 13, 2025, and January 23, 2026. However, despite some definitional shifts and other changes in requirements, the proposed exemptions to the MAR were evaluated by HCDA based on the 2011 requirements and align with the intention of the MAR as currently in effect.

E. Request to HHFDC to Consider Modifications to the 201H Approvals

1. On May 14, 2026, PBR submitted a request on behalf of the Developer to HHFDC to modify the approved exemption list by replacing the MAR specific section of the exemptions with the exemptions list as currently proposed.

2. PBR noted that there are no requested amendments with respect to the City application fees, infrastructure and public works fees, Fire Department plan review fees, or Board of Water Supply fees authorized in Resolution 23-83, CD 1, which remain as approved.

3. PBR also offered additional context to some of the requested exemptions as they were driven in part by the April 2024 determination by HECO that the existing electrical infrastructure at the Iwilei and Kewalo substations had reached maximum capacity and that the Project would be required to absorb the cost of bringing new electrical lines to the site. This directly led to the relocation of the Project's electrical switchgear vaults (one serving Phase 1 and one servings Phase 2) to the nearest point of connection to the new electrical lines, along Pohukaina Street. The previous design had located the Phase 2 vault on Keawe Street and the Phase 1 vault on Pohukaina Street. Relocating the vaults required HECO approval to site the vaults and to provide suitable access to HECO. The HECO approval process took approximately one year, and the relocation also necessitated the redesign of the Project's electrical, civil, and landscape plans, which is reflected in several of the revised and additional MAR exemption requests.

F. The updated exemption list balances iterative design refinements addressing HCDA concerns with ongoing efforts to maintain compliance with MAR requirements. The updated list introduces several new exemptions, removes those

no longer applicable or where MAR requirements are met, and reflects amendments to the approved exemption language (**Exhibit G)**.

G. No other amendments are requested to the Developer's 201H application, project proposal, or exemptions. The Project's proposal continues to meet the requirements under Chapter 201H, HRS, and the HAR as previously approved.

H. None of the exemptions recommended for approval affect health and safety, nor do they contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission or the various boards of water supply.

I. Minor modifications to the Project and the approved 201H exemptions may be approved by the Executive Director.

J. Under § 201H-38 (a) (1), HRS, Housing development; exemption from statutes, ordinances, charter provisions, and rules, HHFDC may develop on behalf of the State or with an eligible developer, or may assist under a government assistance program in the development of housing projects that shall be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon, provided that: (1) the corporation finds the housing project is consistent with the purpose and intent of this chapter, and meets minimum requirements of health and safety; and (2) the development of the proposed housing project does not contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission for public utilities or of the various boards of water supply authorized under chapter 54, HRS. The Project and its proposed exemptions from statutes, ordinances, charter provisions, and rules may be approved, approved with modification, or disapproved by the legislative body of the county in which the Project is located within 45 days, provided that the legislative body shall not impose stricter conditions, impose stricter median income requirements, or reduce fee waivers that will increase the cost of the Project beyond those approved by the corporation.

K. Resolution 23-83, CD1 was adopted on June 7, 2023, that included a provision that the resolution is null and void unless construction of Phase 1 of the Project commences no later than 48 months after the effective date of the resolution, which is June 7, 2027. The Project has experienced significant delays, including the aforementioned HECO approval process and the associated ongoing required HECO infrastructure improvements that would appear to have compromised the Project's ability to meet the current construction commencement deadline. If this For Action is approved, HHFDC will include a deadline extension in its transmittal package to the Honolulu City Council.

L. HHFDC finds the following:

1. That the Project primarily includes housing units affordable to households with incomes at or below 140% of the AMI;

2. That the Developer, or other newly formed, sole purpose entities or affiliates of Developer, is an Eligible Developer pursuant to § 15-307-24, HAR;

3. That the Project and proposed exemptions are consistent with the purpose and intent of Chapter 201H, HRS, and meets minimum requirements of health and safety; and

4. That the exemptions recommended for approval do not contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission for public utilities or the various boards of water supply authorized under Chapter 54, HRS.

IV. RECOMMENDATION

That the HHFDC Board of Directors approve the following:

A. Approve modifications to the previously granted exemptions from statutes, ordinances, and rules pursuant to section 201H-38, HRS regarding exemptions from the HCDA's MAR.

B. Authorize the Executive Director to take all actions necessary to effectuate the purposes of this For Action.

Subject to the following:

A. Approval with or without modification by the Honolulu City Council pursuant to Section 201H-38, HRS.

B. Compliance with all applicable laws, rules, regulations, and such other terms and conditions as may be required by the Executive Director.

Attachments:
Exhibit A – Location Map
Exhibit B – Site Plan
Exhibit C – Approved For Action Dated April 13, 2023
Exhibit D – Subdivision Survey
Exhibit E – Resolution 23-83, CD1
Exhibit F – List of Requested 201H Exemptions
Exhibit G – List of Approved 201H Exemptions with Requested 201H Exemptions in Redline

Prepared by: Cameron Lowry, Housing Development Specialist CL

Reviewed by: Albert Palmer, Development Section Chief AP

Randy Chu, Development Branch Chief RC

Approved by the Board of Directors as

☒ Circulated ☐ Amended

On July 9, 2026

Development Branch

Please take necessary action.

Executive Director

LOCATION MAP



EXHIBIT A

CURRENT SITE PLAN



SITE TOWER ORIENTATION DIAGRAM

EXHIBIT B

SITE RENDERING



Oriented North-East

EXHIBIT B

Reviewed and Approved by the Interim Executive Director
April 13, 2023

FOR ACTION

I. REQUEST

Authorize an Application for Exemptions from Statutes, Ordinances, and Rules Pursuant to Section 201H-38, Hawaii Revised Statutes, and Approve: (1) the Certification of Highridge Costa Development Company, LLC, or Other Successor Entity Approved by the Executive Director, as an Eligible Developer Pursuant to Section 15-307-24, Hawaii Administrative Rules; (2) The Project Proposal; and (3) Execution of Development Documents for Approved Exemptions for the 690 Pohukaina Mixed-Use Project Located at 690 Pohukaina Street in Kakaako, Oahu, TMK No.: (1) 2-1-051: 041

II. FACTS

Project Name:	690 Pohukaina (aka Pohukaina Commons)		
Applicant Name:	Highridge Costa Development Company, LLC		
TMK and Location:	(1) 2-1-051: 041 690 Pohukaina St., Honolulu, Hawaii 96813		
HHFDC Involvement:	Lessor 201H Exemptions		
Landownership:	State of Hawaii (HHFDC controls via Executive Order)		
Type:	New construction; mixed-use, affordable rental housing plus commercial space		
Target Population:	Family		
Length of Affordability:	Duration of Lease(s) (75 years)		
No. of Units:	625 (previously approved: 631)		
Unit Type Mix (Previously Approved):	Units	Type	Sq. Ft. (approx. range)
	144	Studios	345-390
	239	1-Bed	525-616
	202	2-Bed	616-804
	46	3-Bed	1,033-1,071
	631	Total units	
Unit Type Mix (Revised):	Units	Type	Sq. Ft. (approx. range)
	173	Studios	319-633
	287	1-Bed	577-649
	144	2-Bed	963-987
	21	3-Bed	1,106
	625	Total units	

EXHIBIT C

Affordability Mix (Previously Approved):	Units Affordability 21 30% AMI and below 21 50% AMI and below 154 60% AMI and below 87 80% AMI 344 120% AMI 4 Manager's units 631 Total units
Affordability Mix (Revised):	Units Affordability 21 30% AMI and below 21 50% AMI and below 151 60% AMI and below 86 80% AMI 342 120% AMI [1] 4 Manager's units 625 Total units
Development Concept:	Affordable rental housing in 2 phases, a 30-story tower and a 9-story tower on top of a connected 9-story parking garage (39 stories and 18 stories total), with approx. 5,027 GSF of commercial space on the ground floor, tenant amenities on the garage rooftop level, and a pedestrian plaza at the corner of Keawe Street and Pohukaina Street.
Parking:	870 parking stalls (previously approved: 890)
Est. Completion:	Phase 1: Q3 2027. Phase 2: Q2 2027.
Developer:	Highridge Costa Development Company, LLC Contact: Moe Mohanna 330 W. Victoria Street, Gardena, CA 90248 (424) 258-2906
Co-Developer:	Form Partners, LLC Contact: Chris Deuchar 900 Fort Street Mall, Suite 1140, Honolulu, HI 96813 (808) 330-5032
Application Preparer:	PBR Hawaii & Associates, Inc. Contact: Tom Schnell 1001 Bishop Street, Suite 650, Honolulu, HI 96813 (808) 521-5631

A. The State of Hawaii owns a 94,423 square feet parcel of land at 690 Pohukaina Street in Kakaako, Oahu (Property) (See **Exhibit A** and **Exhibit B**). Pursuant to Executive Order 4533, the Property was set aside to the Hawaii Housing Finance and Development Corporation (HHFDC) for educational and affordable housing purposes.

B. On November 17, 2021, HHFDC published Request For Proposals No. 21-005-DEV (the RFP) which contemplated reserving approximately 28,000 square feet of land for future educational use (the Educational Portion) and the development of affordable housing on the remainder of the Property (the Residential Portion), approximately 66,423 square feet. On March 15, 2022, Highridge Costa Development Company, LLC (the Applicant) submitted a proposal (Proposal) contemplating the development of the Residential Portion with 100% affordable

[1] The Project's RHRF Tier 2 award requires the Phase 1 units at 120% AMI to be further restricted to 100% AMI. The Project shall comply with the stricter of the two requirements provided the Project utilizes the RHRF funds.

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rental housing, totaling 631 units including 4 manager's units, parking, and commercial retail space on the ground floor (the Project, known as 690 Pohukaina aka Pohukaina Commons) (See **Exhibit C** and **Exhibit D**). On September 8, 2022, HHFDC approved the Applicant and its Proposal for the Project.

C. On January 3, 2023, the Applicant submitted an application to HHFDC for approvals from certain exemptions from statutes, ordinances, and rules for the Project pursuant to Section 201H-38, Hawaii Revised Statutes (HRS) (Application).

III. DISCUSSION

A. The Applicant was previously approved as an Eligible Developer for the Project pursuant to Section 15-307-24, Hawaii Administrative Rules (HAR) at the Board's September 8, 2022 meeting. There has been no change to the structure or qualifications of the Applicant since then.

B. The Project will be developed in two phases. Phase 1 is on the South-East side of the site and consists of the 30-story tower and associated parking garage area. Phase 2 is on the North-West side of the site and consists of the 18-story tower and associated parking garage area. A single-purpose entity owned by AHED Foundation, a Hawaii-based 501(c)3 non-profit corporation, will be the lessee entity for Phase 1, with development services provided by the Applicant and the Applicant's co-developer, Form Partners, LLC, through a to-be-formed joint development entity. A to-be-formed single-purpose tax credit partnership entity will be the lessee for Phase 2, which the Applicant shall control and have sole decision-making control in. The Applicant will enter into an agreement that it will provide all the financial guarantees required by the lenders.

C. Following refinement of the Project's design, the unit mix has been modified slightly. The proportional affordability mix by percentage of units remains unchanged. The unit mix and affordability mix by phase, and the changes from the September 8, 2022 For Action, are as follows:

Unit Type	Phase 1	Phase 2	Total	Change
0-Bed	106	67	173	+29
1-Bed	210	77	287	+48
2-Bed	102	42	144	-58
3-Bed	13	8	21	-25
Total	431	194	625	-6

D. On November 10, 2022, HHFDC's Board of Directors approved an award of a Rental Housing Revolving Fund (RHRF) Tier 2 loan for Phase 1 of the Project in the amount of $67,500,291 for interim and permanent financing. The AMI levels required by the RHRF Tier 2 program and the AMI levels required by the 201H program shall each apply separately, and so the below table shows each of them separately. Phase 1 shall comply with the more stringent of the two AMI requirements provided that Phase 1 utilizes the RHRF Tier 2 financing.

EXHIBIT C

AMI Mix	Phase 1		Phase 2	Total	
	201H Reqmt	RHRF Reqmt		201H Reqmt	Most Stringent
30%	0	0	21	21	21
50%	0	0	21	21	21
60%	0	0	151	151	151
80%	86	86	0	86	86
100%	0	342	0	0	342
120%	342	0	0	342	0
Mgr	3	3	1	4	4
Total	431	431	194	625	625

E. The proposed Budget (Use of Funds) for Phase 1, and the changes from the September 8, 2022 For Action, are as follows:

Budget Item - Phase 1	9/8/22 For Action	Current	Difference
Acquisition	-	-	-
Construction - Sitework	17,535,816	1,556,534	(15,979,282)
Construction - Vertical	125,372,817	143,248,442	17,875,625
Construction - OH, P, & GR[2]	19,150,794	18,816,464	(334,330)
Interim & Soft Costs	7,575,000	21,441,613	13,866,613
Financing & Syndication Costs	13,804,890	985,146	(12,819,744)
Developer Fee & Overhead	21,095,023	21,095,023	-
Project Reserves	-		-
Contingency	15,031,612	15,281,612	250,000
Total Budget	**219,565,952**	**222,424,834**	**2,858,882**

F. The proposed Budget (Use of Funds) for Phase 2, and the changes from the September 8, 2022 For Action, are as follows:

Budget Item - Phase 2	9/8/22 For Action	Current	Difference
Acquisition	-	-	-
Construction - Sitework	7,097,513	7,097,513	-
Construction - Vertical	56,781,092	56,781,092	-
Construction - OH, P, & GR	8,943,004	8,943,004	-
Interim & Soft Costs	4,743,000	9,141,286	4,398,286
Financing & Syndication Costs	5,261,287	613,001	(4,648,286)
Developer Fee & Overhead	6,600,000	6,600,000	-
Project Reserves	775,573	775,573	-
Contingency	7,071,132	7,321,132	250,000
Total Budget	**97,272,601**	**97,272,601**	-

[2] Contractor overhead, profit, & general requirements.

G. The proposed Budget (Use of Funds) for the combined Project, and the changes from the September 8, 2022 For Action, are as follows:

Budget Item - Phases 1 & 2	9/8/22 For Action	Current	Difference
Acquisition	-	-	-
Construction - Sitework	24,633,329	8,654,047	(15,979,282)
Construction - Vertical	182,153,909	200,029,534	17,875,625
Construction - OH, P, & GR	28,093,798	27,759,468	(334,330)
Interim & Soft Costs	12,318,000	30,582,899	18,264,899
Financing & Syndication Costs	19,066,177	1,598,147	(17,468,030)
Developer Fee & Overhead	27,695,023	27,695,023	-
Project Reserves	775,573	775,573	-
Contingency	22,102,744	22,602,744	500,000
Total Budget	**316,838,553**	**319,697,435**	**2,858,882**

H. The proposed Financing Structure (Source of Funds) for Phase 1 is as follows:

Source - Phase 1	Interim	Permanent
DOE Parking Reimbursement	5,774,234	5,774,234
501(c)(3) Bond- Tranche A	108,606,467	116,517,550
RHRF (Tier 2)	67,500,291	67,500,291
501(c)(3) Bond- Tranche B	19,448,819	19,448,819
501(c)(3) Bond- Tranche C	-	-
Income During Lease-Up	-	2,636,429
Deferred Developer Fee	21,095,023	10,547,511
Deferred Developer Overhead / Other	-	-
Total	**222,424,834**	**222,424,834**

1. Phase 1 proposes an innovative financing approach utilizing 501(c)(3) bond financing which is not part of the State of Hawaii's bond cap. The issuer of the tax-exempt bonds is the Public Finance Authority, a governmental entity established in the State of Wisconsin. The underwriters are Citicorp USA, Inc. and Align Finance Partners who have provided letters of commitment to finance the Tranche A and Tranche B bonds, respectively.

2. On November 10, 2022, HHFDC's Board of Directors approved an award of a Rental Housing Revolving Fund (RHRF) Tier 2 loan for the Project in the amount of $67,500,291 for interim and permanent financing.

I. The proposed Financing Structure (Source of Funds) for Phase 2 is as follows:

Source - Phase 2	Interim	Permanent
LIHTC Equity	11,847,234	45,103,245
HMMF Bond	52,390,627	23,031,561
RHRF	26,659,167	28,317,137
Deferred Developer Fee	5,600,000	820,658
Other Deferred Costs	775,573	-
Total	**97,272,601**	**97,272,601**

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J. The proposed Financing Structure (Source of Funds) for the combined Project is as follows:

Source - Phases 1 & 2 Combined	Interim	Permanent
LIHTC Equity	11,847,234	45,103,245
DOE Parking Reimbursement	5,774,234	5,774,234
HMMF Bond	52,390,627	23,031,561
501(c)(3) Bond- Tranche A	108,606,467	116,517,550
RHRF	94,159,458	95,817,428
501(c)(3) Bond- Tranche B	19,448,819	19,448,819
501(c)(3) Bond- Tranche C	-	-
Income During Lease-Up	-	2,636,429
Deferred Developer Fee	26,695,023	11,368,169
Deferred Developer Overhead / Other	-	-
Other Deferred Costs	775,573	-
Total	**319,697,435**	**319,697,435**

1. The Applicant will be utilizing the $2,000,000 Dwelling Unit Revolving Fund (DURF) loan contemplated in the RFP for pre-development costs. The DURF loan is expected to be repaid in full at the time of the construction loan closing and so is not shown as an interim or permanent source in the Project financing structure(s) shown above. Remaining pre-development costs will be funded by the Applicant.

K. The estimated schedule for the Project is as follows:

Board Approval of 201H Exemptions	Apr 2023
SHPD Approval	Feb 2024
Building Permit	Feb 2025
Construction Financing Closing	Mar 2025
Construction Start Date	Mar 2025
Occupancy Permit Date	Ph 1: Aug 2027 / Ph 2: Apr 2027
Placed in Service Date	Ph 1: Aug 2027 / Ph 2: Apr 2027
100% Occupancy	Ph 1: Dec 2028 / Ph 2: Jan 2028
95% Stabilized Occupancy	Ph 1: Dec 2028 / Ph 2: Jan 2028

1. The primary contingencies to timely completion are the award of financing for the Project and discretionary and ministerial reviews such as building permits, State Historic Preservation Division review, Condominium Property Regime creation, and the approval, disapproval, or approval with modifications of 201H exemptions by the City Council.

L. Proposed members of the Developer's team include:

1. Applicant / Developer – Highridge Costa Development Company, LLC
2. Co-Developer – Form Partners, LLC
3. Consultant – PBR HAWAII & Associates, Inc.
4. Architect – SVA Architects
5. General Contractor – Hawaiian Dredging Construction Company, Inc.
6. Property Manager – The Michaels Organization

M. The Project site is currently improved with one existing building which is occupied by Fisher Hawaii, Inc., under revocable permit from HHFDC. Other portions of the site are currently occupied by Hawaiian Dredging Construction

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Company, inc., under revocable permit from HHFDC. The existing building will be demolished as part of the Project. The current revocable permit tenants have been aware of the pending redevelopment of the Property for several years.

1. A Phase 1 Environmental Site Assessment dated October 31, 2022, did not find any Recognized Environmental Conditions and did not recommend any further investigation. Due to the age of the existing building, there is a potential that asbestos-containing material and/or lead-based paint may be present, and the Applicant will need to plan accordingly during demolition.

N. On December 1, 2022, the Applicant requested that HHFDC provide a determination that the Project is exempt from the preparation of an Environmental Assessment or Environmental Impact Statement pursuant to Chapter 11-200.1, Hawaii Administrative Rules (HAR). An exemption noticed is scheduled to be published in the April 8, 2023 edition of The Environmental Notice.

O. By letter dated November 15, 2022, the City and County of Honolulu's (City's) Department of Planning and Permitting confirmed that the Application was ineligible for processing by the City.

P. By letter dated February 15, 2023, HHFDC accepted the Application for processing pursuant to Section 201H-38, Hawaii Revised Statutes (HRS), and requested that the Applicant forward its exemption request to the agencies listed on the attached **Exhibit E** for review and comment. On February 16, 2023, the Applicant sent the Project materials to the review agencies which were given four weeks to provide comments.

Q. On November 22, 2022, the Applicant presented the Project to the Ala Moana-Kakaako Neighborhood Board No. 11. On February 15, 2023, the Applicant held a public town hall meeting for the Project.

R. This For Action seeks the HHFDC Board of Directors' approval of the exemptions from statutes, ordinances, and rules pursuant to Section 201H-38, HRS, for the Project. The exemptions requested are listed in **Exhibit F**. A summary of agency comments received is listed in **Exhibit G**. Some of the comments are discussed below:

1. The Hawaii Department of Transportation (HDOT) commented regarding the Project's proximity to Daniel K. Inouye International Airport. The Project will comply with applicable HDOT and Federal Aviation Administration (FAA) rules and regulations pertaining to projects near airports, including but not limited to any required mitigation. The Applicant submitted form 7460 to the FAA and has received in response Determinations of No Hazard to Air Navigation for the Project. Some marking lights will be required.

2. The Hawaii Community Development Authority (HCDA)

   a. HCDA provided a comment letter dated March 15, 2023 Their comments included requests to remove the curb cuts along Pohukaina Street, remove the porte-cochere along Pohukaina Street, pull the first floor façade closer to the street along Pohukaina and Keawe streets, address the treatment of the side of the building which will face the future DOE educational component, provide street trees as outlined in the Mauka Area Rules (MAR), and utilize permeable paving in yard areas. The

Applicant has made some changes to the Project's ground floor design to address these comments. The curb cuts proposed along Pohukaina Street have been reduced from what was originally shown in the Applicant's RFP Proposal. Per consultation with the Applicant's consultants, it would not be feasible to eliminate the curb cut for the garage entry along Pohukaina Street, as the size of the Project calls for a 2nd entry/exit from the parking garage, and also because each phase of the Project is designed to be constructible physically independent of the other phase. Upon request from HHFDC staff, the Applicant explored the possibility of removing the Porte-Cochere along Pohukaina Street, but determined that doing so would cause backup of pick-up and drop-off traffic on Pohukaina Street, which in addition to being problematic would not satisfy DPP's (defined below) comments on the Project. The Applicant has changed the ground floor façade to pull it closer to the street along both Pohukaina and Keawe streets, and has added some articulation to the façade massing. The Applicant is planning on commissioning artistic screening for the side of the garage facing the future DOE educational component (will be visible from Mother Waldron Park prior to construction of the DOE educational component). A street tree plan is being developed in consultation with HCDA. The Applicant is requesting an exemption from the MAR requirement for permeable pavement in yard areas, but notes that a certain percentage of the plaza is landscaping planters which will drain to the ground, and that the Project will comply with all State and City stormwater requirements. The Applicant is also requesting an exemption from the MAR requirement for parking stalls to have a minimum width of 8'-6". The Applicant is proposing to comply with the City's Land Use Ordinance (LUO) which requires a minimum width of 8'-3" and allows the protrusion of columns into the parking stall width. HCDA commented that in this case parking stalls should have a clear width (exclusive of any protrusions) of at least 8'-3"; the Applicant shall comply with this request to the extent feasible.

b. HCDA provided a second letter dated March 31, 2023, acknowledging that the Applicant has addressed some of HCDA's concerns, stating HCDA's support for the Project, and referencing HCDA's outstanding comments.

3. The Office of Planning and Sustainable Development (OPSD) stated their support for the Project's 201H application, request for HRS 343 exemption, and Floor Area Ratio (FAR) exemption. OPSD requested clarification on the AMI levels as there was some inconsistency between different parts of the Application regarding the units at 120% AMI or 100% AMI. Phase 1 of the Project shall comply with the more stringent of the AMI requirements approved herein under the 201H program for these units (120% AMI) or those of the RHRF Tier 2 program (100% AMI) provided that Phase 1 utilizes the RHRF Tier 2 funding. OPSD requests that the Project take into consideration ride sharing services and promoting bicycle usage. Regarding sustainability, OPSD commented that they would prefer permeable pavement be used, that the Applicant prepare a consolidated list of green building and sustainability features, and relocation on-site of mature trees which are removed. The Applicant is seeking an exemption from the MAR requirement for permeable pavement in yard areas, but notes that a certain percentage of the plaza is landscaping planters which will drain to the ground, and that the Project

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will comply with all State and City stormwater requirements. The Applicant's landscape architect or an arborist will evaluate the mature trees on the Project site and make appropriate recommendations to relocate or transplant these trees either on site or off site to the extent possible. Native and/or indigenous plant species will be used for landscaping when feasible.

4. The Honolulu Department of Planning and Permitting (DPP) stated no objection to the requested fee exemptions and stated that the existing wastewater system is adequate to serve the Project. DPP requested that the Applicant make multiple submissions to DPP before and after construction, detailed further in **Exhibit G**, relating to construction timeline, traffic management plan, traffic impact assessment report, and pedestrian assessment report. DPP also requested that the length of the porte-cochere be designed to prevent overflow of vehicles onto Pohukaina Street, and that it be wide enough to allow moving vehicles to pass stationary ones; the design of the porte-cochere will take these comments into consideration.

5. Staff received a draft (unsigned) comment letter from The Honolulu Department of Transportation Services (DTS) on March 30, 2023 (after the deadline). A formal comment letter has not been received as of the date of the drafting of this For Action. DTS' draft letter contained numerous comments pertaining to items falling under DTS' purview. The Applicant is not seeking any exemptions from DTS regulations.

6. The Honolulu Board of Water Supply (BWS) noted that the existing water system is currently adequate to accommodate the proposed Project, but advised the Applicant about reduced capacity due to the shutdown of the Halawa Shaft pumping station. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval. The Project will comply with BWS' requested voluntary 10% water reduction from baseline for all new developments, and will comply with other requirements of BWS including use of water hammer arrester or expansion tank if booster pumps are required, separate domestic water meters and laterals serving residential and non-residential spaces, and submission of construction drawings and a water conservation and on-site reuse report to BWS for approval.

7. Senator Sharon Moriwaki provided a letter supporting the Project but listing some concerns. The Senator questioned the basis for the set-aside of 110 parking stalls for DOE, and that the number of parking stalls provided for the current Project (residential portion) does not encourage tenants to use public transportation or other alternatives. Staff notes that the number of parking stalls set aside to DOE is as requested by DOE. HHFDC supports the use of public and alternative transportation, and in the future the Project will benefit from the nearby rail station, however the rail station is not anticipated to be operational until well after the Project's completion. The Senator asked if the AMI levels could be lowered to provide more units in the 30% to 50% AMI range. Staff notes that projects making use of HHFDC's Low-Income Housing Tax Credit (LIHTC) program (the majority of HHFDC projects), including Phase 2 of this Project, service residents in said AMI range, and that Phase 1 of this

Project will provide needed units at "missing middle" AMI levels of 80% - 120% AMI in accordance with the RHRF Tier 2 award.

S. Affordable rental units shall be subject to HHFDC restrictions for affordability, including the requirement that such rental units shall remain affordable for the duration of the lease(s). Land use restrictions as required by HHFDC shall be placed on the Project to ensure that the units remain affordable for the required affordability period (Restrictions). The Applicant has indicated that they intend to submit for General Excise Tax (GET) exemption for the eligible portions of the Project. Should the Restrictions be prematurely terminated for any reason prior to the end of the affordability period and should HHFDC approve any GET exemptions for development of the Project, HHFDC reserves the right to recapture from the Applicant and/or the Project a prorated portion of any exemptions from GET approved by HHFDC for the development of the Project.

T. The Developer has provided a letter from Aon Risk Management Services, Inc, of Hawaii dated September 22, 2022, stating that Liberty Mutual Insurance Company (Liberty Mutual) and Zurich American Insurance Company (Zurich American) will entertain issuing Performance and Labor and Material Payment Bonds in the amount of 100% of the contract sum. Issuance of said bonds will be subject to the sureties' usual underwriting criteria prior to construction.

U. A market overview assessment dated July 2022 was provided, covering Phase 1. The assessment estimates an 18-month lease-up period.

V. Under Section 201H-38 HRS, Housing development; exemption from statutes, ordinances, charter provisions, and rules, HHFDC may develop on behalf of the State or with an eligible developer, or may assist under a government assistance program in the development of, housing projects that shall be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; provided that:

1. The corporation finds the housing project is consistent with the purpose and intent of this chapter, and meets minimum requirements of health and safety;

2. The development of the proposed housing project does not contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission for public utilities or of the various boards of water supply authorized under chapter 54;

3. The legislative body of the county in which the housing project is to be situated shall have approved the project with or without modifications:

   a. The legislative body shall approve, approve with modification, or disapprove the project by resolution within forty-five days after the corporation has submitted the preliminary plans and specifications for the project to the legislative body. If on the forty-sixth day a project is not disapproved, it shall be deemed approved by the legislative body;

   b. No action shall be prosecuted or maintained against any county, its officials, or employees on account of actions taken by them in reviewing, approving, modifying, or disapproving the plans and specifications; and

EXHIBIT C

c. The final plans and specifications for the project shall be deemed approved by the legislative body if the final plans and specifications do not substantially deviate from the preliminary plans and specifications. The final plans and specifications for the project shall constitute the zoning, building, construction, and subdivision standards for that project.

4. The land use commission shall approve, approve with modification, or disapprove a boundary change within forty-five days after the corporation has submitted a petition to the commission as provided in section 205-4, HRS. If, on the forty-sixth day, the petition is not disapproved, it shall be deemed approved by the commission.

For the purposes of this section, "government assistance program" means a housing program qualified by the corporation and administered or operated by the corporation or the United States or any of their political subdivisions, agencies, or instrumentalities, corporate or otherwise.

W. Section 15-307-24(b), HAR, provides that the HHFDC Board may certify that the applicant is an eligible developer for the purposes of development of housing projects approved by the corporation under Chapter 201H, HRS, if the Board finds that the applicant:

1. Has demonstrated compliance with all laws, ordinances, rules, and other governmental requirements that the applicant is required to meet;

2. Has the necessary experience;

3. Has adequate and sufficient financial resources and support and has secured or has demonstrated the ability to secure a performance or payment bond, or other surety to develop housing projects of the size and type which the applicant proposes to develop; and

4. Has met all other requirements that the corporation determines to be appropriate and reasonable.

X. HHFDC finds the following:

1. That the Project primarily includes housing units affordable to households with incomes at or below 140% of the area median family income;

2. That the Applicant, or other newly formed, sole purpose entity or affiliate of Applicant, is an Eligible Developer pursuant to Section 15-307-24, HAR; and

3. That the proposal and Application for exemptions from statutes, ordinances, and rules meets minimum proposal requirements pursuant to Section 15-307-26, HAR;

4. That the Project and proposed exemptions are consistent with the purpose and intent of Chapter 201H, HRS, and meets minimum requirements of health and safety; and

5. That the exemptions recommended for approval do not contravene any safety standards, tariffs, or rates and fees approved by the public utilities

commission for public utilities or the various boards of water supply authorized under Chapter 54, HRS.

IV. RECOMMENDATION

That the HHFDC Board of Directors approve the following:

A. Applicant, or other successor entity approved by the Executive Director, as an Eligible Developer pursuant to Section 15-307-24, HAR;

B. Development of the Project with the proposed exemptions from statues, ordinances, and rules as recommended for approval herein, pursuant to Section 201H-38, HRS;

C. Execution of any Development Agreement and Restrictions for such exemptions as required by the Executive Director;

D. Authorize the Executive Director to take all actions necessary to effectuate the purposes of this For Action;

Subject to the following:

E. Approval with or without modification by the Honolulu City Council pursuant to Section 201H-38, HRS;

F. Exemptions from BWS' Rules and Regulations are subject to the approval of BWS;

G. Execution of a Development Agreement and Restrictions within two (2) months from the date of this approval, unless otherwise extended at the sole discretion of the Executive Director. The Development Agreement will include deadlines for commencement and completion of construction;

H. Approval as to form of the applicable development documents and Restrictions by the Department of the Attorney General and execution by the Executive Director;

I. The Project shall not be sold, transferred, or otherwise used to satisfy the reserved housing or affordable housing requirement for any other project at any other location;

J. Compliance with all applicable laws, rules, regulations, and such other terms and conditions as may be required by the Executive Director.

Attachments:
Exhibit A – Location Map
Exhibit B – C.S.F. No. 25,233
Exhibit C – 3-D Renderings
Exhibit D – Selected Preliminary Drawings
Exhibit E – List of Review Agencies
Exhibit F – List of Requested Exemptions
Exhibit G – Summary of Agency Comments
Exhibit H – September 8, 2022 For Action

Prepared by: Albert Palmer, Housing Development Specialist AP

Reviewed by: Randy Chu, Interim Development Branch Chief RC

Approved by the Board of Directors at its meeting
on April 13, 2023

Development Branch

Please take necessary action.

EXHIBIT C

EXECUTIVE DIRECTOR

LOCATION MAP

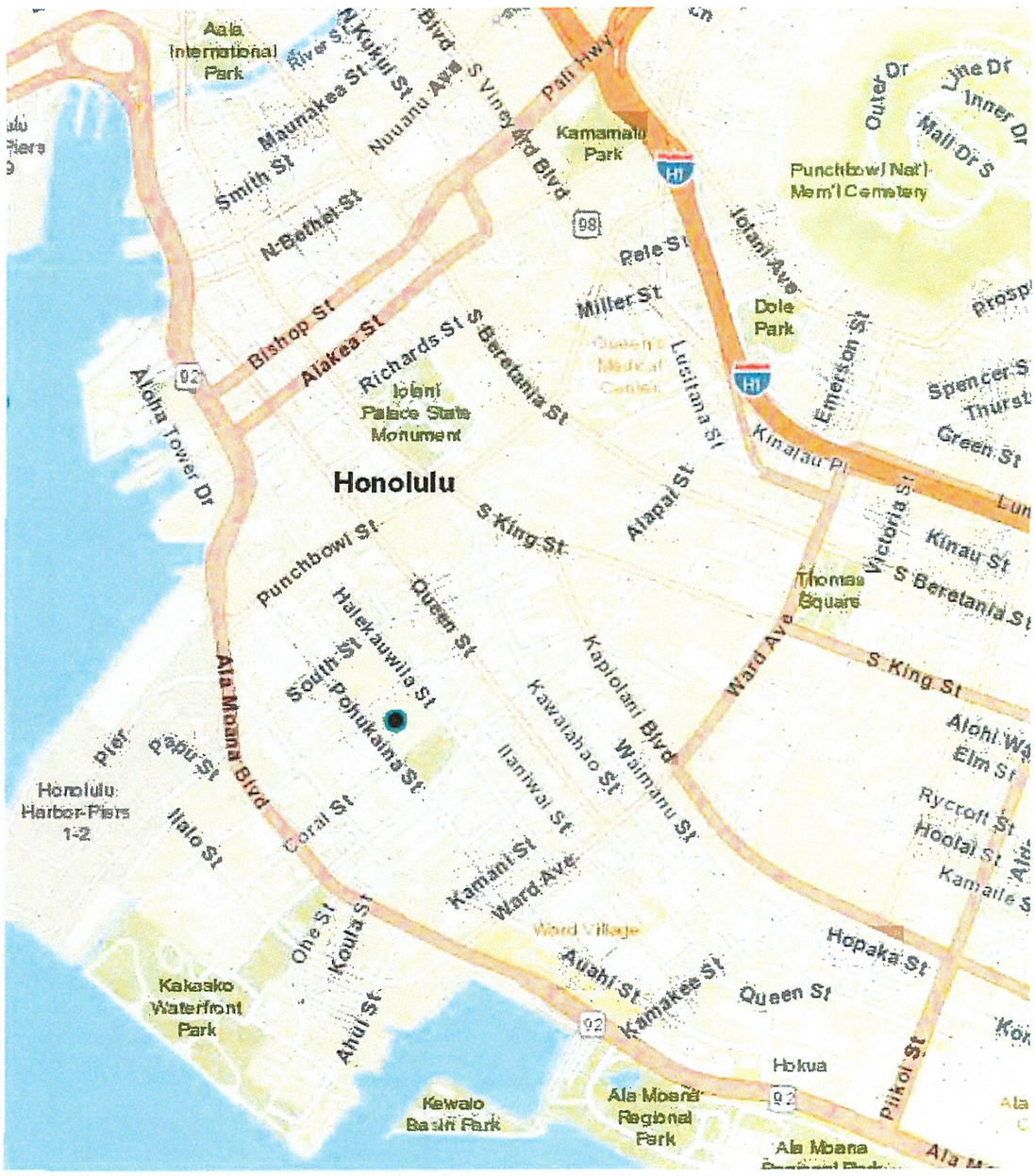


EXHIBIT A

EXHIBIT C

C.S.F. No. 25,233

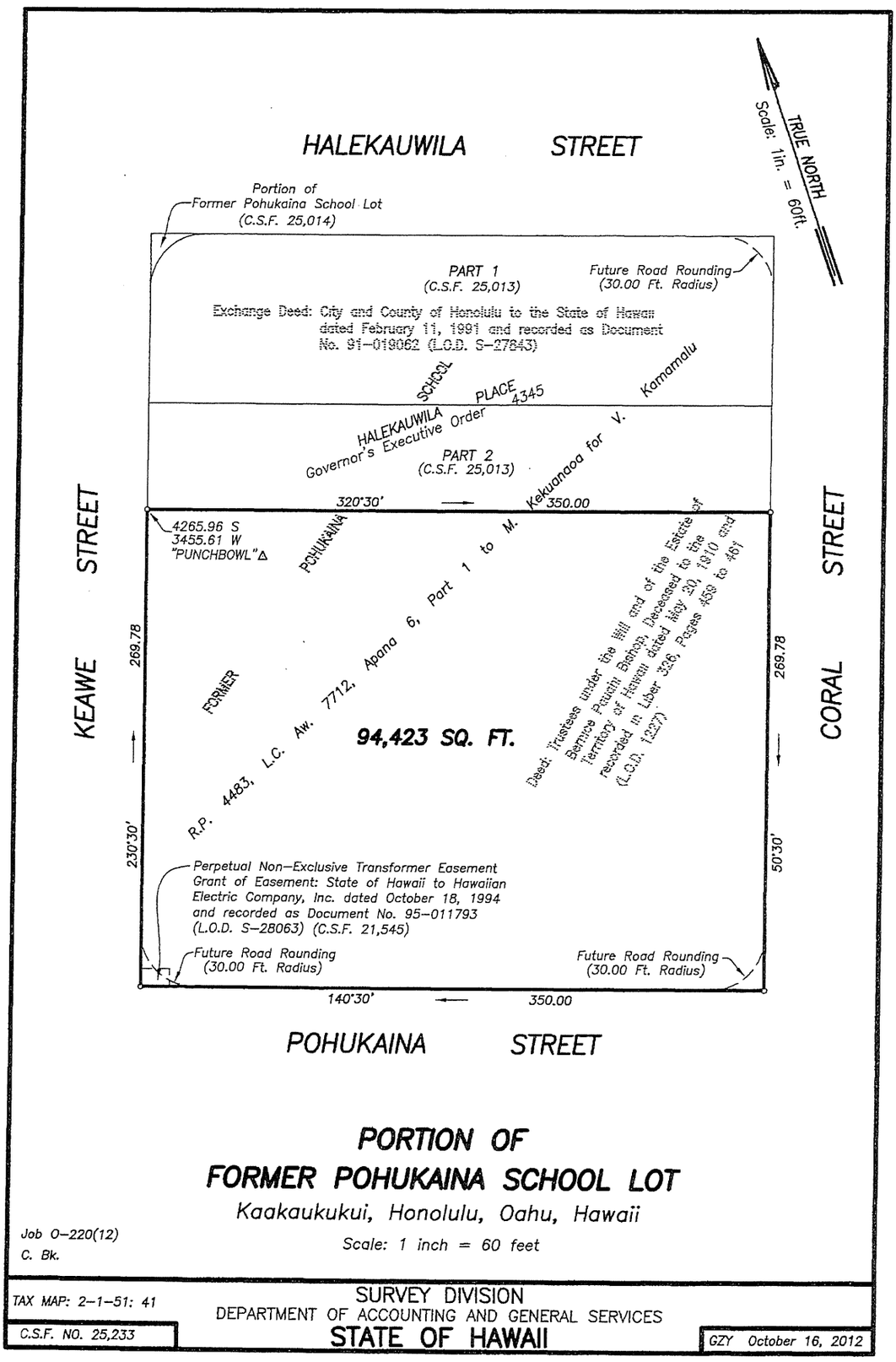


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3-D RENDERING



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3-D RENDERING

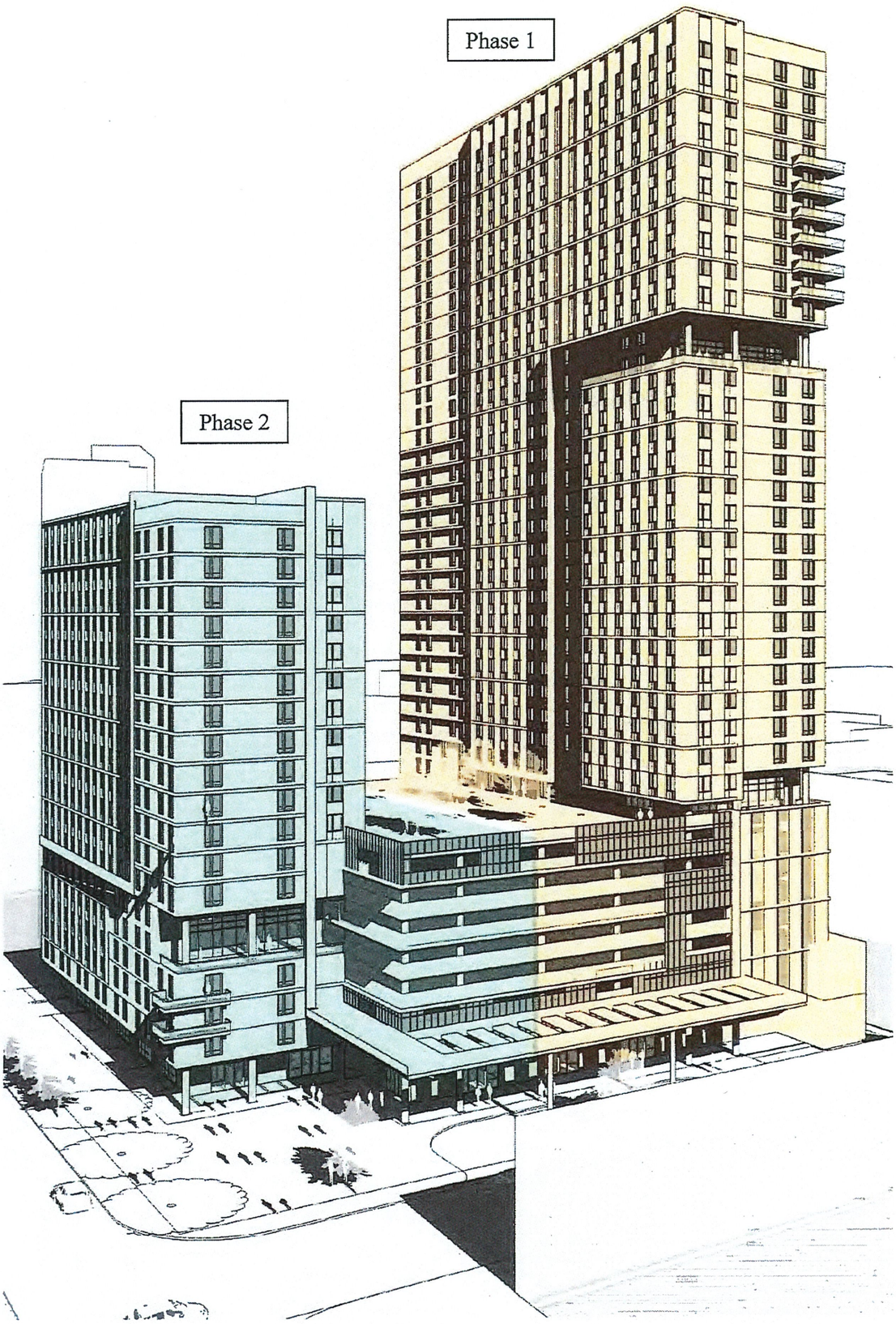


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SELECTED PRELIMINARY DRAWINGS
FIRST FLOOR PLAN

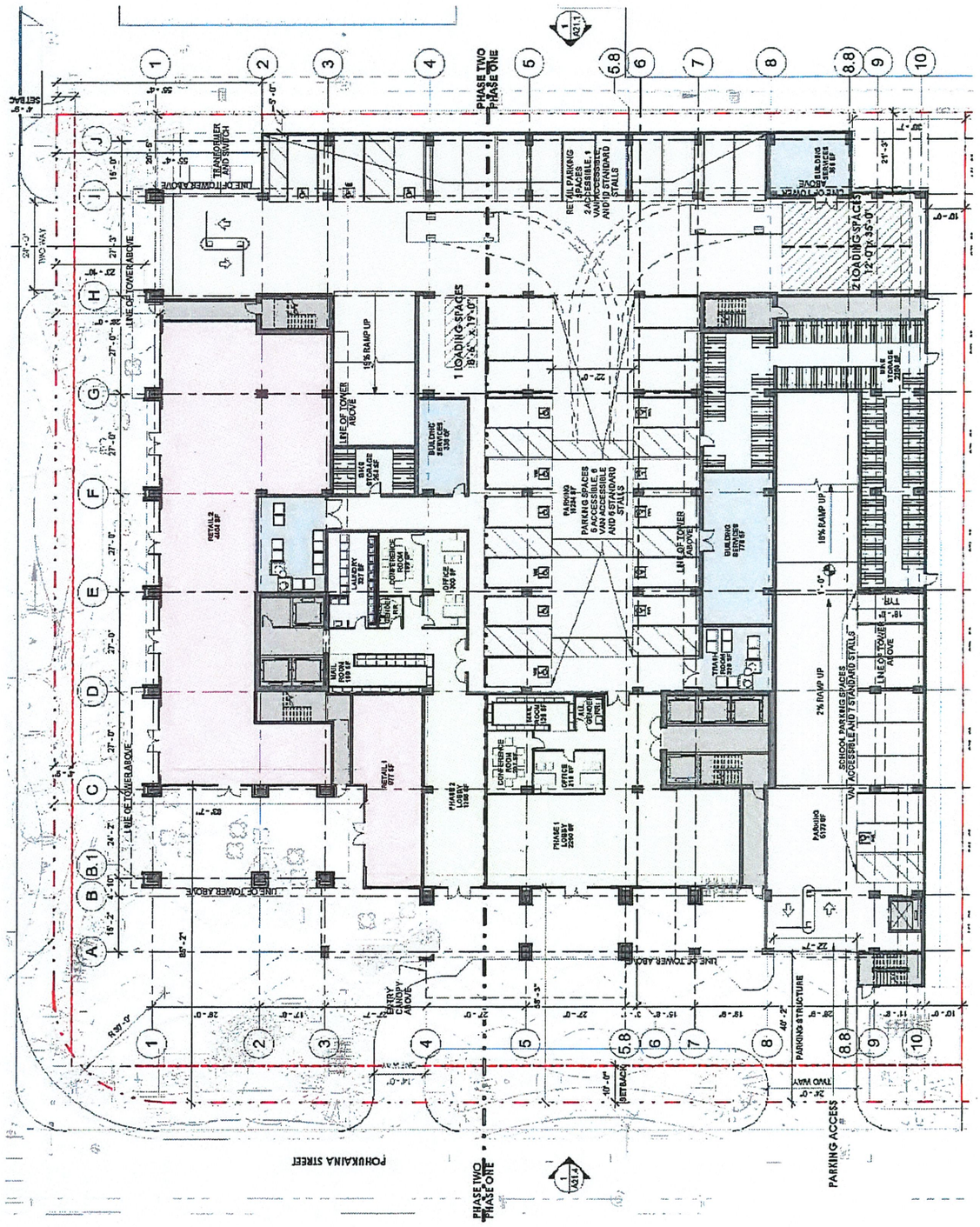


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EXHIBIT C

SELECTED PRELIMINARY DRAWINGS
TYPICAL PARKING GARAGE FLOOR PLAN

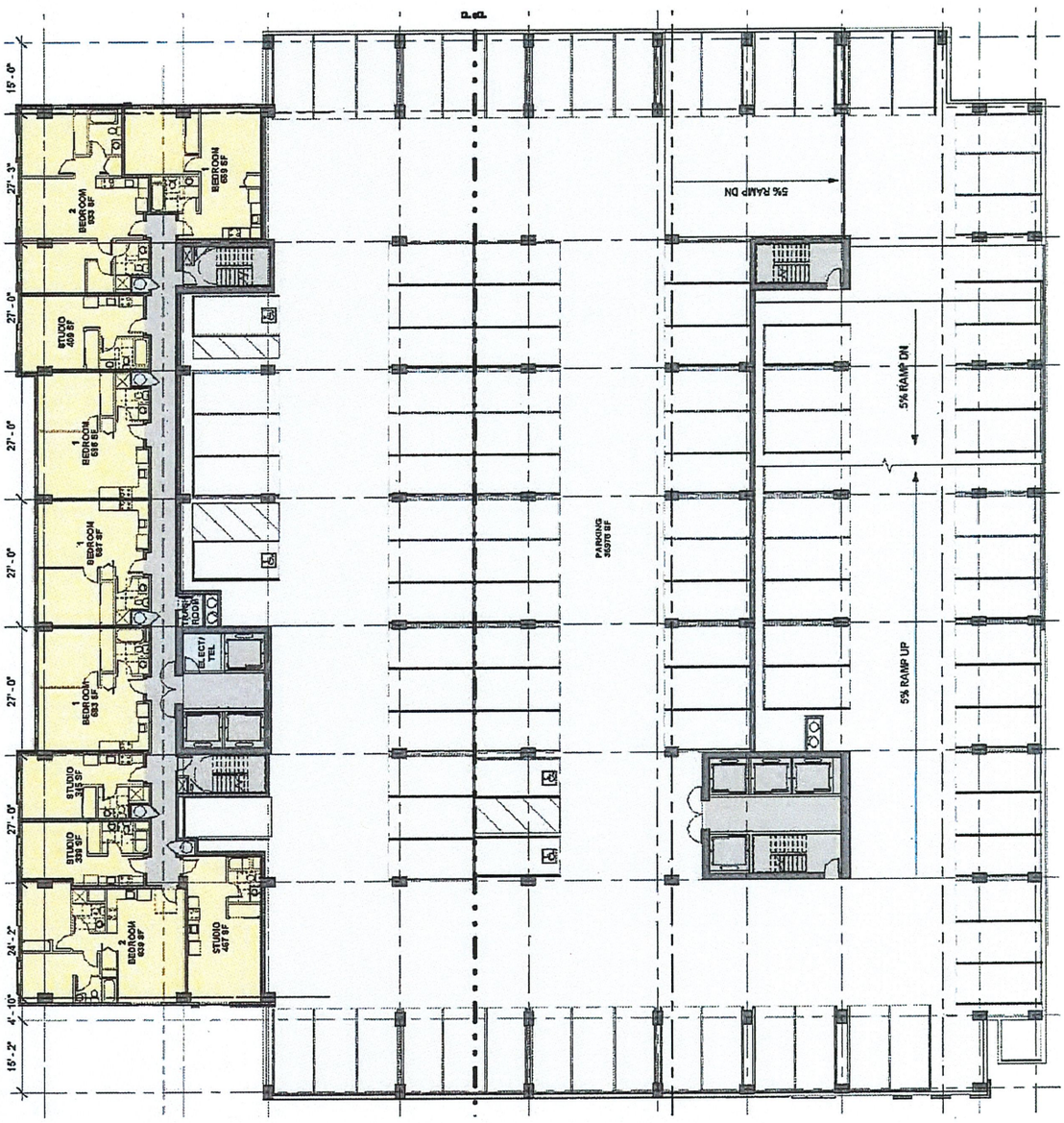


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SELECTED PRELIMINARY DRAWINGS
10TH FLOOR PLAN

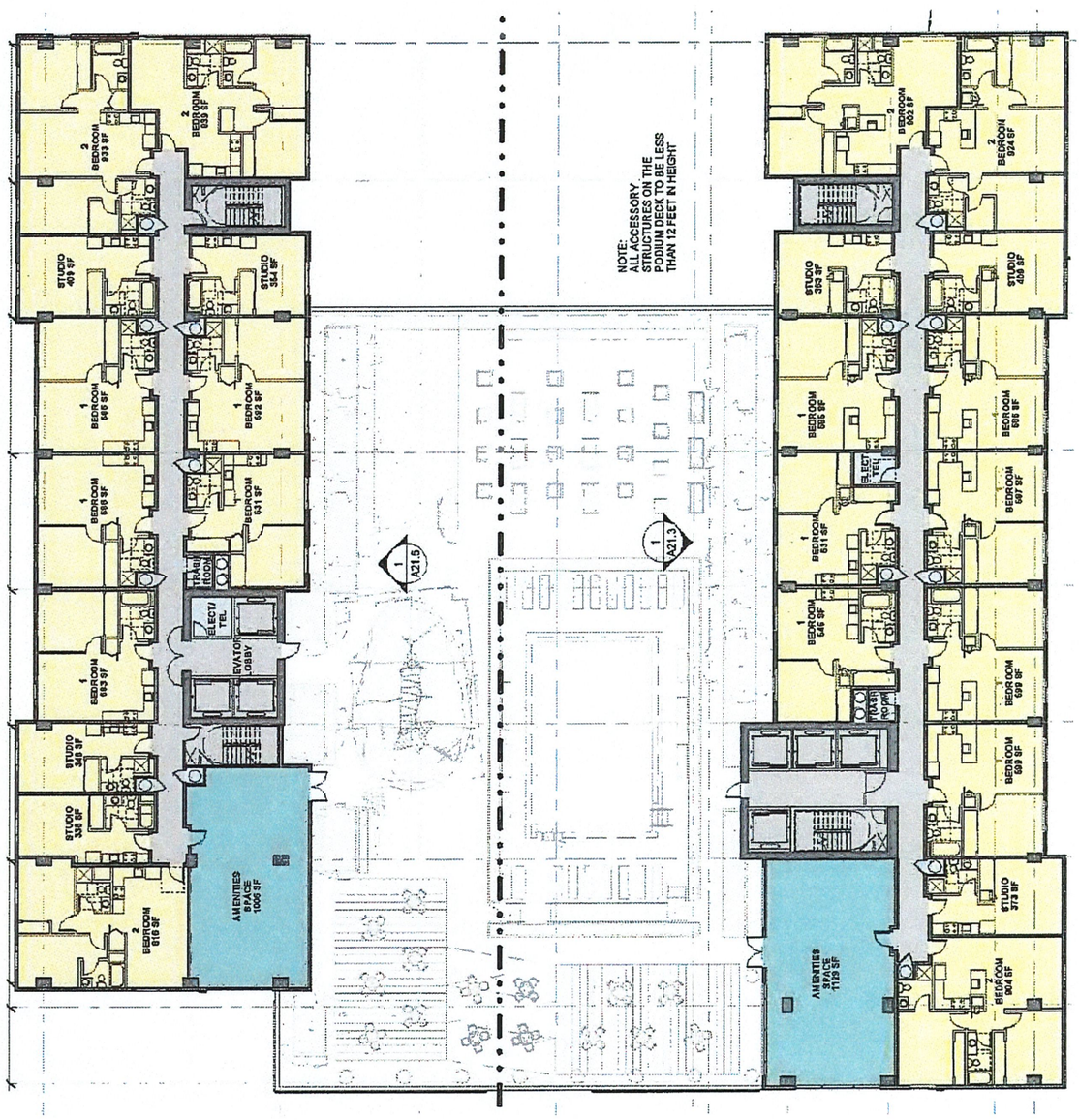


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EXHIBIT C

SELECTED PRELIMINARY DRAWINGS
TYPICAL TOWER FLOOR PLAN



EXHIBIT C

LIST OF REVIEW AGENCIES

Federal Government

- Federal Aviation Administration

State of Hawaii

- Superintendent, Department of Education
- Department of Health
- Department of Transportation *
- Hawaii Community Development Authority *
- Office of Planning and Sustainable Development *
- Department of Land and Natural Resources *

City & County of Honolulu

- Fire Department *
- Police Department *
- Department of Planning and Permitting *
- Department of Parks & Recreation
- Department of Environmental Services
- Department of Community Services *
- Department of Design and Construction *
- Department of Facility Maintenance *
- Department of Transportation Services **
- Office of Housing
- Department of Land Management
- Board of Water Supply *
- Honolulu Authority for Rapid Transportation

Elected Officials

- Area Senator – District 12, Sharon Y. Moriwaki *
- Area Representative – District 25, Scott K. Saiki
- Area Councilmember – District 6, Tyler Dos Santos-Tam

* = Received Comments
** = Received draft comments (formal letter not received as of the date of drafting of this For Action)

EXHIBIT E

EXHIBIT C

LIST OF REQUESTED EXEMPTIONS

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
§15-217-6, Compliance with Other Regulations	(b) The following provisions of the subtitle 4, title 15 apply within the mauka area and may be referenced herein: (1) HCDA's rules of practice and procedure; and (2) Chapter 218 (Kakaako reserved housing rules).	**Requested Exemption #1**: 201H Exemption requested to process the proposed Project under HHFDC and Chapter 201H, HRS instead of HCDA, HAR §15-217-6(b)(2) (Compliance with Other Regulations), and HAR §15-218 (Reserved Housing Rules).
§15-217-23(a)(6), Pauahi Zone **Figure NZ.6, Pauahi PA) Zone**	The regulating plan is divided into neighborhood zones corresponding to the mauka area plan. These neighborhood zones and their corresponding development and use rules and guidelines are as follows: 6. Pauahi zone (see Figure NZ.6 (Pauahi). The Pauahi zone will transition into a mixed-use urban village of significantly increased building heights and density. The Pauahi neighborhood will also continue to provide important link from the makai area of Kakaako's waterfront up toward mauka. Walkability will be improved through the insertion of new thoroughfares or passageways.	Complies with Figure NZ.6 Pauahi Zone and Figure 1.3 Development Standards Summary, except for 3.5 FAR. **Requested Exemption #2:** 201H Exemption requested to increase the FAR of the Project Site from 3.5 to 8. TMK Parcel Area: 94,423 SF DOE site: (28,000) Project Site: 66,423 Allowable area per permitted FAR: 66,423 SF x 3.5 = 232,481 SF Proposed area per proposed FAR: 66,423 SF x 8 = 531,384 SF
§15-217-24 Building types **Figure 1.8 Maximum Height Plan** **Figure BT.10, Podium High Rise**	C. Parking Design and Location 1. Parking shall be located in the Allowed Parking Zone (Figure 1.10-B) for the first two stories. 2. Parking access shall be as per Section 15-217-63, Parking and Loading. 3. For above-ground garages, parking shall be concealed from view at street frontages through a liner of habitable space on at least three sides of the building; service streets and alleys excluded. Where exposed to the street, above-ground garages shall be screened from view at the street frontage by landscaping, green screens, or cladding; service streets and alleys excluded. 4. Parking podium may be detached from the Podium High Rise building. E. Landscape 1. When front yards have a 20' build to Line, a minimum of one field stock canopy tree shall be planted per 40 lineal feet of frontage line or fraction thereof.	Complies with Figure BT.10 Podium High Rise. Parking is located in the Allowed Parking Zone (Figure 1.10-B) for the first two stories, set back at least 40 feet from the parcel line. See Section 15-217-63, Parking and Loading, below. **Requested Exemption #3:** 201H Exemption requested to conceal parking areas from view at street frontages with non-habitable space on less than three sides of the building. Complies with Figure BT.10 Podium High Rise. **Requested Exemption #4:** 201H Exemption requested to have no trees in the side yard.

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
	2. Front yard trees shall be a single species to match the species of street trees in the furnishing zone. 3. When side yards are present, one 25-gallon minimum size canopy tree per 30 lineal feet to protect privacy of neighbors. 4. Six five-gallon size shrubs, 10 one-gallon size shrubs and turf or acceptable native or dry climate ground cover is required for every required tree.	
§15-217-53 Building placement **Figure 1.13, Building Placement and Encroach-ments** **Figure NZ.6, Pauahi (PA) Zone**	(b) Wherever a build to line is equal to or greater than fifteen feet, a terrace front frontage type (see Figure FT.8 (terrace front) shall be used.	b) **Requested Exemption #5:** 201H Exemption requested to use Gallery frontage type and Arcade frontage type in lieu of Terrace Front frontage type.
§15-217-54 Building form **Figure 1.12, Building Form** **Figure NZ.6, Pauahi (PA) Zone** **Figure 1.3, Development Standards Summary** **Figure 1.8, Maximum Height Plan**	(c) Where the floor plate ratio identified in Figures BT.1 to BT.10 indicate a value of less than one hundred per cent, the remainder value of setback area is considered the building void (see Figure 1.12-C (illustrative building void and floor plate diagrams). At least twenty-five per cent of the building void shall be located along the facade and have a minimum depth of ten feet, as measured from the facade toward the rear lot line; provided, however, that this minimum depth from the facade shall be increased by three feet for every ten feet of building height. (f) All new principal buildings shall be designed with a street front element conforming to Figure 1.3-D (development standards summary-building form). See Figure 1.12-A (illustrative building form diagram) and attached at the end of this chapter, for an illustrative example of a street front element.	(c) **Requested Exemption #6:** 201H Exemption requested to increase floor plate to 11,908 SF for Phase 1 tower and 10,403 SF for Phase 2 tower in lieu of BT.10 allowable 10,000 SF. Project lot area is 66,423 SF. (f) **Requested Exemption #7:** 201H Exemption requested to increase street front element height to 86'-1" in lieu of 65' noted in Figure 1.3.
§15-217-55, Architectural Design. **Figure 1.6A, View Corridors**	(k) Windows: (3) For floors one through ten, all principal building windows shall be operable;	(3) **Requested Exemption #8:** 201H Exemption requested for windows on the ground level (lobby and retail spaces) to be inoperable. The ground floor lobby and retail spaces will have glazing and doors but not operatable windows.

EXHIBIT C

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
Figure 1.6B, View Preservation **Figure 1.13, Building Placement and Encroachments**	(l) View preservation: (4) A proposed tower shall be located a minimum of three hundred feet from an existing tower, when any portion of the proposed tower falls within the existing tower's mauka-makai zone (see definitions section and Figure 1.6B (view preservation); (5) No tower shall be less than eighty feet from another tower; and (m) Storefronts and windows for retail: (3) Street front elements shall have a depth of forty to eighty feet of usable commercial space with potential for dividing walls at least every thirty feet;	(4) **Requested Exemption #9:** 201H Exemption requested to be no less than 40 feet from the nearest tower. (5) **Requested Exemption #10:** 201H Exemption requested to be no less than 40 feet from the nearest tower. (3) **Requested Exemption #11:** 201H Exemption requested to reduce retail depth to 20' in lieu of 40'-to 80'. The retail space along Keawe street will have multiple entrances and ranges from approximately 21' to 41' deep.
§15-217-56 Landscape and Recreation Space	(a) All yards shall be landscaped with native or adapted plant species and/or hardscaped with permeable material. (d) Residential projects requiring a development permit shall provide fifty-five square feet of recreation space per dwelling unit. The required onsite recreation space, if provided outdoors, may be used to satisfy the open space requirement	(a) **Requested Exemption #12:** 201H Exemption requested for use of non-permeable pavement in lieu of permeable pavement. The Project will comply with all State and City stormwater requirements. (d) Required: 34,595 SF (630 units x 55 SF per unit = 34,650 SF) Provided: 22,289 SF **Requested Exemption #13**: 201H Exemption requested to provide less than the required amount of recreation space.
§15-217-59, Green Building	(c) Green building standards: (1) A project shall qualify for the applicable base LEED rating system at the appropriate certification level (e.g., new construction projects shall qualify for LEED for new construction) ; (2) The applicable base rating system shall be chosen by the applicant based on the construction type, size, and use of the proposed project; (3) The project shall document the achievement of at least one LEED point in either sustainable sites, stormwater design, quantity control; or stormwater design, quality control; (4) The project shall document the achievement of at least one LEED point in either sustainable sites, heat island effect, nonroof, or roof; (5) The project must document the achievement of at least one point	(c) **Requested Exemption #14:** 201H Exemption requested. The Project will be designed to meet LEED Certified criteria for multifamily housing to the extent possible; however, at this stage in the design process, it is not known which specific LEED criteria will be achieved.

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
	in water efficiency, (WE) credit I: water efficient landscaping; (6) The applicant shall submit documentation and sustainability calculations showing that the proposed development meets the applicable base LEED rating system at the appropriate certification level. Based on these materials, the authority shall determine compliance with this section in conjunction with the accompanying development approval; (7) If the U.S. Green Building Council changes the LEED rating system, the executive director shall identify the new points and rating systems that are relevant to this section; and (8) Applicant may use a green building evaluation system, other than the LEED rating system, as appropriate and as approved by the executive Director.	
§15-217-63 Parking and Loading, **Figure 1.10, Parking**	(c) Curb cuts (1) The number of curb cuts shall be minimized, especially along alternative parking access streets, to the maximum practicable extent. Shared alleys, access drives and parking arrangements are encouraged to reduce the need for new curb cuts; (2) Maximum width of new curb cuts shall be twenty-five feet for a two-way driveway and twelve feet for a one-way driveway, except that driveways for front yard houses and all other detached dwellings shall be no more than ten feet in width; and (3) Curb cuts shall be setback a minimum of twenty-two feet from adjacent properties. Lots with less than one hundred linear feet of frontage are exempt from this provision.	(c)(1) **Requested Exemption #15**: To the maximum extent practicable, curb cuts are minimized. Two curb cuts are located on Pohukaina Street (Alternative Parking Access Street), both of which are necessary to facilitate a convenient drop off area for residents and their guests. There are currently four existing curb cuts on Pohukaina Street providing access to the property; thus, the project will reduce the number of curb cuts on Pohukaina Street. A new curb cut is located on Keawe Street. (c)(2) **Requested Exemption #16:** 201H Exemption requested for curb cuts to comply with City and County Standard driveways for two-way driveways (24 feet) and one-way driveways 14 feet). (c)(3) **Requested Exemption #17:** 201h Exemption requested for curb cuts to be located within 22 feet of adjacent properties.
	(d) Placement (1) Parking shall be a minimum of forty feet behind any lot line, unless indicated otherwise in Figure 1.10 (parking) ; (2) Parking lots and structures shall not front a civic space; and	(d) **Requested Exemption #18:** 201H Exemption requested for parking located within 40 feet of a lot line. Parking is not located within the front yard setback area.

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
	(3) Parking is prohibited within any building front setback or front yard, except in the CK neighborhood zone. (h) Aisle and space dimensions: (1) Each standard parking space shall be no less than 8.5 feet wide and eighteen feet long; (2) Each compact parking space shall be no less than 7.5 feet wide and sixteen feet long and shall be marked as a compact space; and (3) Ingress and egress aisles shall be provided to a thoroughfare and between parking bays. Minimum aisle widths for parking bays shall be: (A) Parking at 0 - 44 degrees: 12 feet; (B) Parking at 45 - 59 degrees: 13.5 feet; (C) Parking at 60 - 69 degrees: 18.5 feet; (D) Parking at 70 - 79 degrees: 19.5 feet; (E) Parking at 80 - 89 degrees: 21 feet; and (F) Parking at 90 degrees: 22 feet; Notwithstanding the foregoing, for a parking angle of ninety degrees, the minimum aisle width may be reduced by one foot for every six inches of additional parking space width above the minimum width, to a minimum aisle width of nineteen feet.	(h) **Requested Exemption #19:** 201H Exemption requested for standard parking spaces to have a minimum width of 8'-3" in lieu of the 8'-6" standard parking space width required under §15-217-63(h)((1), HAR. Parking space minimum width will be as allowed under Section 21-6.50(a), Revised Ordinances of Honolulu. To the extent possible, parking spaces shall have a clear with of at least 8'-3".
§15-217-65 Public Facilities Dedication Fee	(b) Dedication requirement. As a condition precedent to the issuance of an improvement permit or development permit, the developer shall dedicate land for public facilities. The dedication of land for public facilities shall be subject to the maximum ceiling in land or money in lieu thereof calculated in accordance with the formula designated in subsections (d) to (f) herein.	(d) **Requested Exemption #20:** 201H Exemption requested to exempt the project from public facilities dedication land and fee requirements. If required, the Project would be required to dedicate 164 SF in public facilities (5,455 SF of commercial floor area x 3.0% = 164 SF).

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
§15-217-80 Improvement and Development Permits	(a) Applicability. All new improvement projects and developments shall require a permit unless waived in accordance with section 15-217-90 (minor changes) or eligible for a rules clearance under section 15-217-79. (b) Initiation. A developer may apply for an improvement permit or development permit by filing an application with the executive director. (c) Types. There shall be two types of permits - improvement and development. Each type shall be subject to the decision-maker review and action pursuant to Figure 1.1 (approval requirements matrix): (1) Improvement permits shall apply to improvement projects and are subject to executive director review and action; and; (2) Development permits shall apply to developments and are subject to authority review and action.	**Requested Exemption #21:** 201H Exemption requested to process the proposed Project through HHFDC and under Chapter 201H, HRS instead of HCDA and HAR §15-217-80 (Improvement and Development Permits).
Kakaako Reserved Housing Rules 15-218, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
§15-218-1 through §15-218-55		**Requested Exemption #22:** 201H Exemption requested to process the proposed Project through HHFDC and under Chapter 201H, HRS instead of HCDA and HAR §15-218 (Reserved Housing Rules).

CITY AND COUNTY OF HONOLULU	
ITEM/ROH REF.	**EXEMPTION REQUEST**
Application Fees and Infrastructure and Public Works Fees and Charges	
Purpose: Exemptions from application fees and infrastructure and public works fees and charges are requested to provide affordable homes to households within the target AMI ranges and make the Pohukaina Commons Affordable Housing Project financially viable.	
Building Plan Review Fees Section 18-6.1	**Requested Exemption #23:** Exemption from Revised Ordinances of Honolulu (ROH) Section 18-6.1 to allow an exemption from payment of plan review fees, estimated at $25,000.
Building Permit Fees Section 18-6.2	**Requested Exemption 24:** Exemption from ROH Section 18-6.2 to allow an exemption from payment of building permit fees, estimated at $1,084,300.
Grading and Grubbing Permit Fees Section 18A-2.4	**Requested Exemption #25:** Exemption from ROH Section 18A-2.4 to allow an exemption from grading and grubbing permit fees, estimated at $1,165 and $890, respectively.
Wastewater System Facility Charges Sections 43.10.1, 43-10.2, and 43-10.3	**Requested Exemption #26:** Exemption from ROH Sections 43-10.1, 43-10.2, and 43-10.3 to allow an exemption from payment of wastewater system facility charges, estimated at $2,917,656.
Fire Department Fire Plans Review Fee	

Purpose: An exemption from the from Honolulu Fire Department Fire Plans Review Fee is requested to provide affordable homes to households within the target AMI ranges and make the Pohukaina Commons Affordable Housing Project financially viable.	
Fire Plans Review Fee Section 20-1.1	**Requested Exemption #27:** Exemption from ROH Section 20-1.1 to allow an exemption from Honolulu Fire Department Fire Plans Review Fee, estimated at $108,430.
Board of Water Supply (BWS) Rules and Regulations	
Purpose: Exemptions from the from the BWS Rules and Regulations to exempt payment of water system facility charges, installation charges, and the water system facilities charge are requested to provide affordable homes to households within the target AMI ranges and make the Pohukaina Commons Affordable Housing Project financially viable.	
Board of Water System Facility Charges Sections 1-102, 2-202(2), and 2-202(3)	**Requested Exemption #28:** Deferral from Sections 1-102, 2-202(2), and 2-202(3) of the BWS Rules and Regulations to exempt payment of water system facility charges, installation charges, and the water system facilities charge attributable to the affordable dwelling units, estimated at $3,265,920.
CITY AND COUNTY OF HONOLULU'S AFFORDALBE HOUSING REQUIREMENTS	
Purpose: An exemption from the City and County of Honolulu's affordable housing requirements is requested to provide affordable homes in accordance the Hawaii Housing Finance & Development Corporation's (HHFDC) affordable housing requirements.	
City Affordable Housing Requirements Sections 201H-47, 201H-49, and 201H-50	**Requested Exemption #29:** Exemption from ROH Chapter 29, relating the City and County of Honolulu's affordable housing requirements, to allow the Project to be developed, marketed, and rented or sold in accordance all HHFDC affordable housing requirements, including all provisions under Sections 201H-47, 201H-49, and 201H-50, HRS.

EXHIBIT C

SUMMARY OF AGENCY COMMENTS

HAWAII DEPARTMENT OF TRANSPORTATION (HDOT)

Response letter dated March 13, 2023

Consolidated Comments (their letter did not break down their comments by division)

- The proposed project is approximately three miles from the property boundary of Daniel K. Inouye International Airport (HNL). All projects within five miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link: http://files.hawaii.gov/dbedt/op/docs/TAM-FAADOT-Airports_08-01-2016.pdf.

- The project site is approximately 17,429 feet from the end of Runway 26L at HNL. Federal Aviation Administration (FAA) regulation requires the submittal of FAA Form 7460-1 Notice of Proposed Construction or Alteration pursuant to the Code of Federal Regulations, Title 14, Part 77.9, if the construction or alteration is within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 feet. Construction equipment and staging area heights, including heights of temporary construction cranes, shall be included in the submittal. The form and criteria for submittal can be found at the following website: https://oeaaa.faa.gov/oeaaa/external/portal.jsp.

- Due to the proximity to HNL, the applicant and future residents and/or tenants should be aware of potential single event noise from aircraft operations. There is also a potential for fumes, smoke, vibrations, odors, etc., resulting from occasional aircraft flight operations over or near the project. These incidences may increase or decrease over time and are dependent on airport operations.

- The project site is within the 60-65 DNL (Day Night Level) noise contours on the HNL 2008 Noise Exposure Map (attached). The HDOT recommends that noise reduction measures be incorporated into the building's design to achieve interior noise levels of 45 DNL or less.

- The proposed development shall not provide landscape and vegetation that will create a wildlife attractant, which can potentially become a hazard to aircraft operations. Please review the FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports for guidance. If the development's landscaping creates a wildlife attractant, the developer shall immediately mitigate the hazard upon notification by the HDOT and/or FAA.

- HDOT supports affordable housing projects, reduced parking space requirements, and other features like secure bike storage that encourages the use of alternative modes of transportation.

- No direct impacts to State highways are anticipated to result from the project.

HAWAII COMMUNITY DEVELOPMENT AUTHORITY (HCDA)

1st response letter dated March 15, 2023

- Curb-cuts – The Project should remove the curb-cuts along Pohukaina Street, in order to facilitate pedestrian and bicycle movements along this designated Promenade street. As proposed, there are two curb-cuts along Pohukaina Street. The Diamond Head curb-cut is designed as a two-way entrance and exit to the parking structure as well as the entrance to the porte-cochere. The Ewa curb-cut is designed as a one-way exit from the porte-cochere. Both curb-cuts should be removed. Without any major design alteration to the

proposed design, cars could enter and exit the parking structure off Keawe Street. The removal of these two curb-cuts would make Pohukaina Street more pedestrian friendly and ensure that Pohukaina Street becomes a promenade street, as outlined in the MAR. Per the MAR and Mauka area Plan, promenade streets are intended to create continuous pathways, and curb-cuts for vehicular driveways would be allowed only when there is no alternative access to the lot. The Project can access the lot off Keawe Street.

The project should also entertain the idea of removing the proposed curb-cut along Keawe Street and sharing Halekauwila Place's existing curb-cut that is located right next to the Project's proposed curb-cut.

- **Enhancement of Makai Edge of Project** – Per the MAR and the Mauka Area Plan, Pohukaina Street is planned as a tree-lined promenade street and has a particular importance as a public space. Pohukaina Street is planned to have wide sidewalks with ample canopies of street trees and other pedestrian amenities. Therefore, the Project should remove the sweeping porte-cochere along Pohukaina Street that occupies most of the frontage. The current proposal makes Pohukaina Street a pedestrian intolerant environment and does not have any of the qualities that support a promenade street. Shifting the building to the Ewa/Makai corner and placing all vehicular access off of Keawe Street should provide enough space for a drop-off area along the Mauka edge of the property. Lobby access could still be provided off of Pohukaina Street.

- **Building Form** – The MAR has building form requirements with the intention of creating outstanding pedestrian realms and active uses at the street level. These provisions not only promote active uses and pedestrian-scaled buildings at the street level but allow for a seamless transition between the building towers and the street. The MAR and Mauka Area Plan have building form requirements ranging from street front elements to street frontages to create a consistent street wall that defines the street as a public space. These requirements not only help in creating outstanding streetscapes but also help in creating a sense of place.

  As proposed, the Project does not comply with the Building Form provisions of the MAR, and it does not comply with the massing requirement noted under Figure BT.10 and Figure 1.12. for all its street frontages. The Project gives focus to automobiles and parking access rather than the pedestrian. As proposed, along Pohukaina Street, the building has an extensive setback to make room for the porte-cochere and, in the instances that the building is brought closer to the street, is for the parking structure and to facilitate its access. Similarly, along Keawe Street, even though the Project has retail, it does not comply with the Building Form and Placement noted in the MAR. Generally, the building lacks articulation and both the street level frontages and the façade can easily be amended without major alteration to the Proposal. The Project should remove the porte-cochere off Pohukaina Street, pull the building closer to the street, and have land uses such a retail that are inviting to pedestrians and advance the MAR's and Mauka Area Plan's goal of having Pohukaina Street as a promenade street. The Project might also want to break up the massing of the podium and the tower on the Keawe Street side. Liner units along the Pohukaina Street façade would also be more desirable.

- **Building Placement** – The Project should not disregard the fact that it is sharing a lot with a future school. As proposed, the Project has not considered the possible needs of a school, such as a drop-off area, that will influence the Project. The Project should show how these two uses can co-exist. As this Project is being proposed prior to the development of the school, it should show how it is complementing the adjacent Mother Waldron Park in scale, orientation, and façade treatment. In addition, the Proposal does not discuss how the future school will be added to the site. It is not clear whether they will be sharing a wall or if there will be a space between the two buildings. Similarly, the Proposal does not discuss how the Project's Diamond Head edge will be treated to complement Mother Waldron Park in the interim. Note that there might also be historic

preservation concerns associated with the Project's adjacency to the Mother Waldron Park, which is listed on the National Register of Historic Places.

- **Concerns Regarding Exemptions** – The Project proposes a series of exemptions from the MAR. The HCDA staff finds the exemptions relating to parking space dimensions for standard stalls [Section 15-217-63 (h)(1)] and hardscaping yards with permeable material [(Section 15-217-56(a)] concerning.

  The Project is requesting to reduce the width of the standard parking stall to 8'-3" from the required 8'-6" and allow structural columns to encroach into a stall. Having parking stalls with a width less than 8.5 feet with structural columns encroaching into a portion of a stall will essentially render the stall usable only by compact cars. Over the years, the HCDA staff has noted that residential developments that have allowed structural columns to encroach into a parking stall have rendered the stall unusable by tenants and has become a matter of litigation. The Project should follow HCDA's MAR requirement for parking dimension. At a minimum, if a structural column encroaches into a parking stall, the stall should have a clearance (width) of 8'-3" as measured from the interior edge/face of the column to the interior line of the stall.

  The Project is requesting to use non-permeable pavement in lieu of permeable pavement. Studies have shown that the environmental damages caused by impervious surfaces outweigh the cost related with permeable surfaces. As proposed, the Project has large hardscaped areas, and having non-permeable surfaces will not only increase water runoffs but will also produce a "heat island". There are different efficient and cost-effective technologies relating to permeable surfaces that the Project can implement.

- **Trees** – The Project should provide street trees, as required by the MAR, and follow the spacing as outlined in the MAR -- especially along Pohukaina Street. Having trees with the proper canopy and spacing will not only "cool" the environment but will also create a pedestrian-friendly environment.

- Phasing – If Phase 2 of the Project is not to be built concurrently with Phase 1, please indicate any plans for the interim site condition. Tree protection or other mitigation measures should be indicated. Consideration should also be given to developing the side of the building closest to Keawe Street as Phase 1, in order to realize the Project's benefits on the urban pedestrian realm.

2nd Response letter dated March 31, 2023

- On March 30, 2023, HCDA received additional details about your revised proposal for the development of the Project. Thank you for addressing some of our concerns that were detailed in our March 15, 2023 letter to PBR Hawaii & Associates (PBR) and HHFDC.

- PBR has since updated the requested exemptions from the MAR, which is permitted under 201H-38, HRS.

- HCDA supports this Project, since it will provide needed affordable housing within the Kakaako Community Development District. We still stand on our prior comments to PBR and HHFDC, however, and request their consideration as the design details of the Project evolve. PBR shall update HCDA as the Project progresses and allow time for HCDA review and comment on substantial design changes.

OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT (OPSD)
Response letter dated March 22, 2023

- Based on its review of the 201H Application, OPSD supports the project's Chapter 201H application, which will provide long-term affordable rental housing for households earning from 30 to 120% of AMI. OPSD limits its comments on the Application and exemption requests to the following items.

    - Clarification of the highest AMI targeted population. Exhibit C, Operating Income, of the 201H Application estimates operating income for all Phase 1 units based on units with rental rates affordable to households earning no more than 80 and 100% AMI. However, the Application states in the Summary Table and elsewhere that Phase 1 units will include units targeted for those earning no more than 120% AMI. This apparent discrepancy should be explained or the Application corrected to align the Operating Income table with the project rental rate mix.

    - Exemption from preparation of an Environmental Assessment under Chapter 343, HRS. OPSD supports this exemption request as discussed in a separate response to HHFDC's request for comments on this request, dated February 17, 2023.

    - Exemption from permitted floor area ratio (FAR). OPSD supports the applicant's request to raise the project FAR from the permitted 3.5 FAR to 8 FAR. This permits much higher density and the production of more affordable housing units consistent with TOD objectives.

    - Features that promote multi-modal transportation alternatives, enhanced connectivity, and pedestrian orientation. Retail space at the ground level along the Keawe Street frontage, the planned public plaza, and reduced curb cuts will activate the streetscape and enhance the user experience for those traveling to and from the planned Ka 'ākaukukui rail station on the adjacent block.

      OPSD supports reduced parking for projects in proximity to transit stations and parking structure design that permits the repurposing of parking structures for other uses over time. Should space constraints limit the use of flat plates for the parking structure, OPSD recommends a parking management plan be utilized to use parking stalls for public parking for transit users, car share, and rideshare services to promote transit ridership and facilitate travel mode shift to transit.

      Planned bicycle storage and assurance of ready access from bike storage areas to travel lanes will facilitate bike usage. Consideration should be given to incorporating carshare and other mobility services for residents in the project as is provided in other development projects in the vicinity. According to the application, Pohukaina Street is designated as a pedestrian promenade street in HCDA's Mauka A rea Plan and also as a Priority 2 bicycle facility in the 2019 Oahu Bike Plan. Therefore, consideration should be given to design and material treatment for the building pullout and parking access that would improve safety for pedestrian, bicycle, and micromobility users along the Pohukaina Street frontage.

    - Exemption from non-permeable pavement. OPSD would prefer that non-permeable pavement be minimized to enhance planned onsite stormwater retention features.

    - Exemption from Green Building Standards. The Requested Exemption notes the project will be designed to meet LEED Certified criteria for multi-family housing to the extent possible, but that it is not known which criteria will be achieved until later. Furthermore, the application is not internally consistent with respect to the sustainability features that will be incorporated in the project. OPSD recommends that a consolidated list of green building and sustainability features, including

renewable energy systems, be adopted that could be used to evaluate project performance in attaining sustainability objectives. OPSD also notes there is a growing awareness of the contribution that gas appliances and heating make to greenhouse gas emissions and indoor air quality. If gas is being proposed for project appliances, consideration should be given to mitigation of future costs of retrofitting gas appliances with electrical appliances or substitution of electric appliances.

- Removal of mature trees and drought tolerant plantings. The application states that mature trees will need to be removed for project development. OPSD recommends that arrangements be made to relocate or transplant these trees either onsite or offsite to the extent possible. Specifications for native or indigenous plant species should also prioritize drought tolerant species.

- Income-segregated towers and project amenities. OPSD would prefer the provision of mixed-income units within each tower, although we recognize that the financing packages for the two phases complicate this type of integrated project. OPSD suggests consideration be given to promoting community and resident well-being by: (1) providing broadband and computers in a common room in Phase 2 to provide access to essential online health, employment, and educational services residents might not otherwise have access to; and (2) creating a common residential lobby for the two towers.

- OPSD Approval of TOD Conceptual Development Plans. HRS § 225M-2(b)(10) designates OPSD as the lead agency for coordinating and advancing State smart growth and TOD planning statewide. Under HRS § 225M(b)(10)(H), OPSD is responsible for approving State agency development plans (conceptual land use plans) for parcels along the Honolulu rail corridor. Pursuant to its TOD lead agency responsibilities, by this memorandum, OPSD supports the project's 201H Application and the specific exemptions discussed above, conditioned by developer/project adherence to applicable code requirements and use of best practices and proposed mitigation measures in final project design and construction as suggested or represented in the 201H Application and subsequent performance standards adopted for the project.

DEPARTMENT OF LAND AND NATURAL RESOURCES (DLNR)
Response letter dated March 23, 2023

- At this time, the DLNR, including its Engineering Division (response enclosed), has no comments to offer on the above subject matter.

HONOLULU FIRE DEPARTMENT (HFD)
Response letter dated March 6, 2023

- The Honolulu Fire Department (HFD) reviewed the submitted information and requires that the following be complied with:

  - Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 feet (46 meters) from fire department access roads as measured by an approved route around the exterior of the building or facility. (National Fire Protection Association [NFPA] 1; 2018 Edition, Sections 18.2.3.2.2 and 18.2.3.2.2.1, as amended.)

    A fire department access road shall extend to within 50 feet (15 meters)of at least one exterior door that can be opened from the outside and that provides access to the interior of the building. (NFPA 1; 2018Edition, Section 18.2.3.2.1.)

- The fire department access roads shall be in accordance with NFPA 1; 2018 Edition, Section 18.2.3.

- An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into the jurisdiction. The approved water supply shall be in accordance with NFPA 1; 2018 Edition, Sections 18.3 and 18.4.

- Submit civil drawings to the City and County of Honolulu's Department of Planning and Permitting and route them to the HFD for review and approval.

- The abovementioned provisions are required by the HFD. This project may necessitate that additional requirements be met as determined by other agencies.

HONOLULU POLICE DEPARTMENT (HPD)
Response letter dated March 17, 2023

- The HPD recommends that all necessary signs, lights, barricades, and other safety equipment be installed and maintained by the contractor during the construction phase of the project. The impact of the ingress and egress of construction vehicles, equipment, and deliveries should be evaluated to ensure the traffic flow is not adversely affected.

- The HPD also recommends that the developer work with the Neighborhood Board, as it is envisioned to accommodate up to 625 rental units and 870 parking spaces when completed. Due to this project adding to the growing area of Kakaako, there may be an increase in calls for services.

HONOLULU DEPARTMENT OF PLANANING AND PERMITTING (DPP)
Response letter dated March 17, 2023

- We have no objections to the requested exemption from plan review fees and building permit fees.

- We have no objections to the requested exemption from grading and grubbing permit fees. Please be aware that the project should comply with the prevailing soil erosion and storm water quality rules and drainage standards. The project's compliance with these rules and standards will be verified at the time that the grading and construction plans are submitted to the DPP for review and approval.

- We have no objections to the proposed exemption from the Wastewater System Facility Charge (WSFC). A request to waive the WSFC for affordable housing should be submitted to the Department of Environmental Services for approval.

  The existing wastewater system is adequate to serve the project. On September 9, 2022, the OPP approved a Sewer Connection Application (2022/SCA-1153) for 631 multi-family dwelling units on the site.

- We recommend that HHFDC require the applicant to submit for review and approval an overall timeline or phasing plan, construction management plan, and traffic management plan. Additionally, HHFDC should ensure that the final site plans show the driveways are designed appropriately to prevent overflow onto public streets, that bicycle parking is provided in safe and convenient places, and pedestrian walkways are designed to meet the area demand. Given this, OPP recommends the following Conditions of approval be adopted:

- An overall timeline or phasing plan should be provided for the proposed phases of the development. This overall timeline should include the components of each phase. Each of the phases should have its own time line or phasing plan of the anticipated dates to obtain major building permit(s) for demolition/construction work, including the projected date of occupancy, should be prepared by the applicant in a format acceptable to the Department. The time line should identify when the construction management plan (CMP), the traffic management plan (TMP), updates and/or validation to the findings of the initial traffic impact analysis report (TIAR) and off-site roadway work will be submitted for review and approval in relation to when approvals for construction plans, building and occupancy permits will be necessary. Typically, the CMP should be submitted for review and approval prior to the issuance of demolition/building permits for major construction work. The TMP or subsequent updates should be submitted and approved prior to the issuance of the (temporary) certificate of occupancy (CO). A new TIAR may be required if there is a significant change to the scope or timing of the major work items contained in the initial report.

- The CMP should identify the type, frequency and routing of heavy trucks and construction related vehicles. Every effort should be made to minimize impacts from these vehicles and related construction activities. The CMP should identify and limit vehicular activity related to construction to periods outside of the peak periods of traffic, utilizing alternate routes for heavy trucks, provisions for either on-site or off-site staging areas for construction related workers and vehicles to limit the use of on-street parking around the project site and other mitigation measures related to traffic and potential neighborhood impacts. Preliminary or conceptual traffic control plans should also be included in the CMP. The applicant should document the condition of roadways prior to the start of construction activities and provide remedial measures, as necessary, such as restriping, road resurfacing and/or reconstruction if the condition of the roadways has deteriorated as a result of the related construction activities.

- A TMP should include traffic demand management (TDM) strategies to minimize the amount of vehicular trips for daily activities by residents and employees. TOM strategies could include carpooling and ride sharing programs, transit, bicycle and pedestrian incentives and other similar TDM measures. A pedestrian and bicycle circulation plan should also be included to provide accessibility and connectivity to and along the surrounding public sidewalks and at street intersections, as it relates to complete streets initiatives. A post TMP will be required after the near term build-out, and after full build-out, to validate the relative effectiveness of the various TDM strategies identified in the initial report.

- Updates to the TIAR will be required approximately one year after the issuance of the CO for the project, to validate the traffic projections, trip reduction rates, distribution and assignment contained in the initial TIAR. If additional traffic mitigation measures or modifications are necessary to support related traffic impacts directly attributable to this development, the applicant will be required to implement these measures.

- Construction plans for all work within or affecting public streets should be submitted for review and approval. Traffic control plans during construction should also be submitted for review and approval, as required. All vehicular access points should be constructed as standard City dropped driveways. Adequate vehicular sight distance should be provided and maintained at all driveways to pedestrians and other vehicles.

- Driveway grades should not exceed five percent (5%) for a minimum distance of 25-feet from the back of the designated pedestrian walkway. Any entry gates or guard shacks, if used, should be recessed as far into the driveway as necessary to

avoid any queuing onto public streets. All loading and parking areas should be designed such that vehicles enter and exit, front first.

- The length of the porte-cochere should be designed to prevent any overflow of vehicles onto Pohukaina Street and should be wide enough to allow a moving vehicle to safely pass a stationary parked vehicle. A minimum width of 20-feet is typically acceptable for this maneuver, including provisions for vehicles turning into and out of the porte-cochere. Vehicle turning templates, and a queuing layout, should be used to demonstrate that these can be adequately achieved using the anticipated type of vehicles. The TMP should address minimizing the average dwell time for users of the porte-cochere, to assure vehicles do not queue onto Pohukaina Street.

- Bicycle parking or bike racks should be provided within this project and should be located in a safe and convenient location.

- A 30-foot property line radii with a 28-foot curb radii should be provided at the Coral St./Pohukaina St. and Keawe St./Halekauwila St. corners. The right-of-way width for Pohukaina Street should be 60 feet.

- A pedestrian assessment report should be provided to the OPP to determine the sidewalk widths needed to accommodate the increased pedestrian activity around the project site. This should be done prior to final design so wider sidewalks, if needed, can be incorporated into the design.

- Pedestrian walkways should lead to pedestrian crossings or bus stops locations.

HONOLULU DEPARTMENT OF COMMUNITY SERVICES (DCS)
Response letter dated February 27, 2023

- The Department of Community Services (DCS) notes no objection to the requested exemption from City affordable housing requirements (Revised Ordinances of Honolulu Chapter 29), with the understanding that the project will remain responsible for compliance with affordable housing requirements administered by the State's Hawaii Housing Finance and Development Corporation. Regarding other requested exemptions pertaining to the City, DCS defers to more relevant entities representing City interests, including but not limited to the Department of Planning and Permitting, Honolulu Fire Department, and Board of Water Supply.

- Additionally, our review indicates that the proposed project is located approximately three blocks from a property on Quinn Lane that DCS leases out for the provision of special needs housing. We ask that this project take into consideration the health, safety, accessibility, and long-term wellbeing of people living nearby and/or involved with activities in the surrounding neighborhood.

HONOLULU DEPARTMENT OF DESIGN AND CONSTRUCTION (DDC)
Response letter dated March 3, 2023

- The Department of Design and Construction has no comments to offer at this time.

HONOLULU DEPARTMENT OF FACILITY MAINTENANCE (DFM)
Response letter dated March 21, 2023

- We have no objections at this time to the subject application as we have no facilities or easements on the subject property. During construction and upon completion of the project: any damages/ deficiencies along the sidewalks and/or roadways on Pohukaina

Street and Keawe Street shall be repaired to City Standards and accepted by the city at no cost to the City.

HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES (DTS) *
* Draft (unsigned) comment letter received on March 30, 2023 (after deadline). Formal (signed) comment letter has not been received as of the date of drafting of this For Action.

- Traffic Impact Analysis Report (TIAR).
    - The applicant shall specify the multi-modal (i.e., estimated transit trips, bicycle trips, etc.) in the peak hour trip generation.
    - The applicant shall submit all native files (e.g., Synchro, Excel, etc.) for the raw multi-modal counts (in the format specified at https://geocounts.com/api/format/ and the example file at https://bit.ly/DTS-count-sample) and accompanying analyses to the Department of Transportation Services Regional Planning Branch (RPB) at dtsplanningdiv@honolulu.gov. Please refer to the Department of Transportation Services (DTS) Transportation Impact Assessment (TIA) Guide for multimodal assessment tools and recommended analyses. The TIA Guide can be found at http://www4.honolulu.gov/docushare/dsweb/View/Collection-7723.
- Transportation Demand Management (TDM) Strategies. The applicant must develop and submit a TDM Strategy to DTS, incorporating the following elements:
    - Page 19 of the City's TIA Guide requires sponsors of projects that generate 100 or more net new a.m. or p.m. peak period vehicle trips and contain ongoing operational strategies to submit an annual TDM compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City and County of Honolulu. The annual report should document the status and effectiveness of the transportation improvements including the actual vehicle trip reduction.
    - Pages 20-22 of the City's TIA Guide describes recommended TDM strategies, including, but not limited to: providing subsidized transit passes to residents and employees; informing residents, staff, and visitors of vanpool and car share programs to promote alternate modes of transportation; unbundled parking; and parking cash out.
- Pedestrian Improvements.
    - Kaakaukukui Civic Center Rail Station (rail station). The forthcoming rail station will be located within 200 feet of the Project site and will be a terminal station with numerous multi-modal connections. As such, the applicant must construct sidewalk and pedestrian crossing improvements allowing for better and safer pedestrian access to/from the forthcoming rail station.
    - Sidewalks. All internal Project sidewalks/pedestrian paths and those fronting the Project site shall have a minimum of 5-foot, 8-foot preferred, pedestrian clear zone separate from the furniture and utility zone. Sidewalks shall incorporate the standards of the Honolulu Complete Streets Design Manual, including the placement of street furniture such as landscaping, signage, and lighting, which is intended to provide added protection for pedestrians. New sidewalks, curb ramps, curbs, and gutters must meet current Americans with Disabilities Act standards.
    - Installation of lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape consistent with the Complete Streets furniture zone; and trash

receptacles per the Honolulu Complete Streets Design Manual, Oahu Pedestrian Plan, and any applicable streetscape plan.

- The developer may construct Complete Streets improvements as recommended by the TIAR or make a financial contribution equal to the cost of construction in lieu of such.

- Bicycle Improvements.

  - Refer to the Right-of-Way Widths for Planned Street Improvements Plan and map for data on street types including future bicycle, pedestrian, and transit priority configurations at: https://www.honolulu.gov/completestreets/guidance.html.

  - Pohukaina Street fronting the project site is classified as a "Street" planned to have sidewalks, bike lanes, two travel lanes, and metered on-street parking. The typical future street cross section will resemble in concept the second design on Page 77 of the City's Complete Streets Design Manual. Additionally, a Priority 2 Bike Lane project (Project ID 2-153 in the 2019 Oahu Bike Plan) is located on Pohukaina Street fronting the project site, which is to be installed with an upcoming rehabilitation of streets project. Any driveways or improvements shall be designed to minimize the number and size of potential conflict areas between bicyclists and turning vehicles.

  - Keawe Street fronting the project site is classified as a "Main Street" planned to have sidewalks, bike route, two travel lanes, and on-street parking. The typical future street cross section will resemble in concept the third design on Page 76 of the City's Complete Streets Design Manual. Additionally, a Priority 1 Bike Route proposed project (Project ID 1-89 in the 2019 Oahu Bike Plan) is located on Keawe Street fronting the project site. The project should consider conversion of the unmanaged parking to provide Bike Lanes along the project frontage. Any driveways or improvements shall be designed to minimize the number and size of potential conflict areas between bicyclists and turning vehicles.

- Parking.

  - A discussion regarding off-street parking and site generated parking demand shall be added to this application.

  - Keawe Street fronting the Project site has unmanaged and ineffective on-street parking. As such, the applicant shall coordinate with DTS to either convert the on-street parking stalls to paid parking, or remove for other uses such as bike lanes, loading zones, or another priority transportation purpose.

  - The DTS does not support the proposed 870 parking stalls. Per Ordinance 20-41, Bill 2 (2020), CD1, FD1, of the Revised Ordinances of Honolulu, Section 21-6.20(a), no off-street parking is required in any zoning district within one-half mile of an existing or future Honolulu rail transit station. As such, applicant should consider that the Institute of Transportation Engineers' Parking Generation Manual, 5th Edition, calculates an approximate average parking demand of 291 spaces for the multifamily housing high-rise and commercial space. Additionally, the project should consider Transit Oriented Development (TOD) core principals. The January 2017 report, Trip and Parking Generation at Transit-Oriented Developments Number NITC-RR-767, concludes that less parking is required than suggested in the Institute of Transportation Engineers (ITE) Parking Generation Manual for sites that are dense, mixed use, with low stress pedestrian environments, and adjacent to a high quality transit stop. We recommend the

applicant minimize the parking ratio, given that the Project falls within a TOD area and is in close proximity to the future rail station.

- The DTS requires a Shared Parking Analysis, based on the Urban Land Institute Shared Parking model, and a shared parking strategy. The analysis should include a qualitative description of how the applicant will monitor and manage opportunities for shared parking between the various users (residents, visitors, and employees) of the parking structure.

- Page 27 of the City's TIA Guide requires that when proposed parking for the project exceeds the trip generation estimate, the parking generation estimate should be used after adjusting for the time of day distribution for parking demand. This conclusion is supported by research (Millard-Ball A, West J, Rezaei N, Desai G. What do residential lotteries show us about transportation choices? Urban Studies. March 2021. doi:10.1177/0042098021995139), which concludes that parking supply is positively correlated with car ownership and negatively correlated with transit usage.

- Street Usage Permit. A street usage permit from the DTS should be obtained for any construction-related work that may require the temporary closure of any traffic lane or pedestrian mall on a City street.

- Neighborhood Impacts. The area representatives, neighborhood board, as well as the area guests, businesses, emergency personnel (fire, ambulance, and police), Oahu Transit Services, Inc. (TheBus and TheHandi-Van), etc., should be kept apprised of the details and status throughout the project and the impacts that the project may have on the adjoining local street area network.

- Disability and Communication Access Board (DCAB). Project plans (vehicular and pedestrian circulation, sidewalks, parking and pedestrian pathways, vehicular ingress/egress, etc.) should be reviewed and approved by DCAB to ensure full compliance with Americans with Disabilities Act requirements.

HONOLULU BOARD OF WATER SUPPLY (BWS)
Response letter dated March 10, 2023

- The existing water system is currently adequate to accommodate the proposed mixed-use development. However, please be advised that the existing Honolulu water system capacity has been reduced due to the shut-down of the Halawa Shaft pumping station as a proactive measure to prevent fuel contamination from the Navy's Red Hill Bulk Storage Tank fuel releases. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval, pending evaluation of the water system conditions at that time on a first-come, first-served basis. The Board of Water Supply (BWS) reserves the right to change any position or information stated herein up until the final approval of the building permit application.

- We continue to request 10% voluntary water conservation of all customers until new sources are completed and require water conservation measures in all new developments. If water consumption significantly increases, progressively restrictive conservation measures may be required to avoid low water pressures and disruptions of water service.

- Presently, there is no moratorium on the issuance of new and additional water services. Water distributed via the BWS water systems remains safe for consumption. The BWS is closely monitoring water usage and will keep the public informed with the latest findings. Please visit our website at http://www.boardofwatersupply.com and http://www.protectoahuwater.org for the latest updates and water conservation tips.

- When water is made available, the applicant will be required to pay our Water System Facilities Charges (WSFC) for resource development, transmission, and daily storage.

- Water conservation measures are required for all proposed developments. These measures include utilization of non-potable water for irrigation using rain catchment, drought tolerant plants, xeriscape landscaping, efficient irrigation systems, such as a drip system and moisture sensors, and the use of Water Sense labeled ultra-low flow water fixtures and toilets. Prior to BWS approval of water availability, the developer is required to submit a Water Conservation and on-site Reuse Report for BWS review and approval.

- High-rise buildings with booster pumps will be required to install water hammer arrestors or expansion tanks to reduce pressure spikes and potential main breaks in our water system.

- Proposed mixed-use developments are required to install separate domestic water meters and laterals serving the residential and non-residential spaces.

- The construction drawings should be submitted for our approval, and the construction schedule should be coordinated to minimize impact to the water system.

- The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

- The BWS may waive the WSFC and new meter cost for qualified on-site affordable and homeless dwelling units, up to 500 dwelling units per year. The waivers will be evaluated when the building permit is submitted for approval. To qualify, the dwelling units must be certified as either affordable or homeless dwelling units by the appropriate agency of the City and County of Honolulu. Waiver of the WSFC will apply only to fixture units associated with the certified dwelling units. The amount of the meter waiver shall be calculated as a percentage of the number of certified dwelling units to the total number of dwelling units in the project. If the annual cap of 500 dwelling units has not been reached and a project is proposed that would qualify for more than the remaining number of dwelling units in that year, the Manager and Chief Engineer has the discretion to increase that year's limit. This waiver provision shall expire on June 30, 2023.

SENATOR SHARON MORIWAKI
Response letter dated March 14, 2023

- As a long-time advocate of affordable rental housing, I welcome the addition of 625 affordable rental units to our housing inventory in Kaka'ako Mauka for individuals and families earning 30% to 120% of the Area Median Income (AMI) for the full term of the 75-year ground lease.

- I do have some concerns about Pohukaina Commons (Project).

- The 2022 Hawai'i Housing Profile by the National Low Income Housing Coalition reported that 37,911 renter households are in the extremely low-income category, which is at or below 30% AMI. It also reported a shortage of 23,492 rental homes that are affordable and available for those in this AMI category. This Project allocates only 21 rental units in the 30% AMI category and 21 rental units in the 50% AMI category. Could more units be made available in these very low-income groups?

- I am also supportive of the Project 's plans to provide accessible and adaptable units for those in need of special accommodations.

- As originally envisioned, this Project included an educational component. I understand it has since changed with a Memorandum of Agreement between the Hawai'i Housing

Finance and Development Corporation (HHFDC) and the Department of Education (DOE), making DOE responsible for financing and building the educational facility. While no longer a part of the Project, a DOE school on the adjacent lot will be a beneficial asset in the community—much needed by the children in the district.

- I understand that parking for the DOE facility will still be built at the Project site, with DOE providing a grant of $5,774,234 to build 110 parking spaces. Will you be involved in the buildout of the parking spaces? Will the additional stalls unduly burden the design or integrity of the Project? The additional 697 tenant stalls provided by the project appears to promote continued use of private vehicles instead of encouraging tenants to use public transit, bike, walk, carpool, car share, and employ other "green" transportation modes. Why are so many stalls being offered when the Project is located in Honolulu's urban core, near transportation hubs?

- Assuming that there are valid reasons for having so many parking stalls, I question whether setting aside only 5% or the stalls for electric vehicle charging is sufficient.

- I applaud the Project offering open space with picnic areas, playground, pool, lounge area, trellis-covered seating areas, community gardens, landscaped areas, and other amenities. It adds to the inventory of parks at Mother Waldron Neighborhood Park, Kaka'ako Waterfront Park, and Ala Moana Regional Park. Any and all public, open space is always much-needed and welcomed.

- I recognize the many challenges of our extensive regulatory framework and requirements. It can be an expensive, arduous, and time-consuming endeavor. Pohukaina Commons is the kind of project that other developers should emulate to provide much needed affordable housing in Kaka'ako through careful use of State lands and thoughtful requests for exemptions from HCDA Mauka Area Rules, Kaka'ako Reserved Housing Rules, and City fees, and providing long-term relationships with tenants at affordable cost to tenants.

- Notwithstanding the concerns and questions raised, I support the Pohukaina Commons Project and its application for exemptions under Chapter 201H, HRS.

Reviewed and Approved by the Executive Director _____
September 8, 2022

FOR ACTION

I. REQUEST

Approve: (1) Highridge Costa Development Company, LLC (Highridge), or Other Successor Entity Approved by the Executive Director, as the Successful Offeror of the Request For Proposals No. 21-005-DEV for the 690 Pohukaina Mixed-Use Project Located at 690 Pohukaina Street in Kakaako, Oahu, TMK No.: (1) 2-1-051: 041; (2) Certification of Highridge as an Eligible Developer Pursuant to Section 15-307-24, Hawaii Administrative Rules; (3) Negotiation and Execution of a Development Agreement, Right of Entry, Leases, Regulatory Agreements, Mortgage Consents, and Other Related Transaction Documents, and to Undertake any Actions Related Thereto; (4) Creation of a Condominium Property Regime to Separate the Residential and Educational Portions of the Site; (5) Conveyance by Lease of the Residential Portion of the Site to the Successful Offeror and the Educational Portion of the Site to the Department of Education; and (6) Grant and Approval of Such Easements as May be Necessary

II. FACTS

Project Name:	690 Pohukaina
Applicant Name:	Highridge Costa Development Company, LLC
TMK and Location:	(1) 2-1-051: 041 690 Pohukaina St., Honolulu, Hawaii 96813
HHFDC Involvement:	Lessor
Landownership:	Fee owner - State of Hawaii HHFDC controls the property by Executive Order, set aside for affordable housing and educational purposes. The property is not ceded land.
Type:	Mixed-used project – affordable housing with commercial space, and an educational component
Target Population:	100% affordable rental housing at 30% to 140% AMI[1]
No. of Units:	631 units
Length of Affordability:	Duration of Lease (75 years)[2]
Unit Type Mix:	Units Type — Sq. Ft. (approx. range) 144 0-Bed (studios) — 345-390 239 1-Bed — 525-616 202 2-Bed — 616-804 46 3-Bed — 1,033-1,071 631 Total

[1] AMI = Area Median Income
[2] It's anticipated that a lease of a to-be-determined duration will be issued prior to the creation of the condominium property regime which will be cancelled and replaced with the 75-year lease(s) for the condominium unit(s).

EXHIBIT H

EXHIBIT C

Affordability Mix:	Units Affordability 21 30% AMI 21 50% AMI 154 60% AMI 87 80% AMI 344 120% AMI 4 Manager's Units (2BR) 631 Total
Development Concept:	Affordable rental housing in 2 phases, a 29-story tower and an 11-story tower, on top of a connected 9-story parking garage (38 stories total), with 4,500 GSF of commercial space on the ground floor, tenant amenities on the garage rooftop level, and a pedestrian plaza at the corner of Keawe Street and Pohukaina Street. Reservation of 28,000 GSF of land area for DOE's school.
Parking:	890 stalls including 110 for DOE
Est. Completion:	Phase 1 - 2026; Phase II - 2027
Developer:	Highridge Costa Development Company, LLC Contact: Mohannad H. Mohanna 330 W Victoria St., Gardena, CA 90248 (424) 258-2906

A. The State of Hawaii owns a 93,423 square feet parcel of land at 690 Pohukaina Street in Kakaako, Oahu (Property) (See **Exhibit A** – Location Map). Pursuant to Executive Order 4533, the Property was set aside to the Hawaii Housing Finance and Development Corporation (HHFDC) for educational and affordable housing purposes.

B. In January 2013, Forest City Hawaii, LLC (Forest City) was initially selected by the Hawaii Community Development Authority (HCDA) through a Request For Proposals (RFP) to develop the 690 Pohukaina project (Project), a mixed-use market and affordable residential apartment project, at the Property. To enable a 75-year leasehold development, HCDA and Forest City collaborated with HHFDC for a public-private partnership for the leasehold development which would incorporate residential units, a parking garage, and an educational complex to be developed by HHFDC with the Department of Education (DOE) in a 2nd phase under a Condominium Property Regime (CPR).

C. Subsequently, HCDA's Board deferred an action to approve Term Sheets between HCDA and Forest City and on October 13, 2016, the HHFDC Board discussed HHFDC's consideration, in the event of a termination of the HCDA RFP, to negotiate a development agreement with Forest City. HHFDC's Board approved successor entity Alakai Development LLC at its November 10, 2016 meeting.

D. On February 17, 2017, HCDA cancelled the award for its RFP and the Board of Land and Natural Resources (BLNR) approved the set aside of the Property to HHFDC for educational and affordable housing purposes; authorized HHFDC to create a CPR for the Project; authorized the method of payment for compensation for the use of the Property; and rescinded the prior BLNR action of August 24, 2012, which had approved in concept the conveyance of the Property to HCDA in fee simple for a proposed mixed-use project to be developed under HCDA's RFP.

E. Due to funding issues primarily related to the inclusion of the educational component, the Project was not able to move forward and negotiations with Alakai were halted. At its October 14, 2021 Meeting, the HHFDC Board

EXHIBIT H

EXHIBIT C

approved staff's request to issue a new RFP for master site planning and development of the residential and parking portions of the Project, with the educational component to be developed in the future by DOE, and also approved a budget of up to $2 million from the Dwelling Unit Revolving Fund (DURF) for development costs and an interim loan.

F. A new Memorandum of Agreement between HHFDC and DOE was also executed on April 4, 2022, with DOE's major responsibilities being to participate in the master site planning process (subsequent to selection of the Successful Offeror), and to be responsible for securing all funds required for the development and construction of the educational component. DOE has confirmed that the cost of DOE's respective parking spaces is allocated within their Capital Improvement Project budget.

G. The RFP was published on November 17, 2021. Two addendums to the RFP were issued on December 15, 2021 and February 22, 2022, respectively.

H. On March 15, 2022, five (5) proposals were received in response to the RFP. All proposals met the minimum submittal requirements.

I. In accordance with the RFP, a Selection Committee comprised of staff from HHFDC, DOE, and HCDA, held interviews with the top three (3) Offerors (the Priority-Listed Offerors) between June 20 and 24, 2022. The proposals were scored in accordance with the evaluation criteria specified in the RFP, as follows:

Criteria		Points
A.	Offeror Qualifications	20
B.	Project Design Concept and Strategy	20
C.	Ability to Meet Time and Budget Requirements	15
D.	Number of Affordable Units Proposed & Community Benefits	15
E.	Financial Proposal	15
F.	Management Proposal	15
TOTAL		100

J. On August 12, 2022, the Selection Committee completed its evaluation of the Best and Final Offers (BAFOs) of the Priority-Listed Offerors and recommends the selection of Highridge as the Successful Offeror in accordance with the RFP.

III. DISCUSSION

A. Offerors Qualifications

Highridge has submitted a complete and thorough response, evidencing compliance with each of the offeror qualifications described in the RFP, and has demonstrated that they have the capability to undertake the Project including the design, financing, entitlement, construction, and property management.

Highridge is a privately owned and managed real estate development firm that focuses on affordable housing. Highridge is a recognized leader in the development of affordable housing and the syndication of Low-Income Housing Tax Credits (LIHTC), being involved in the development of over 30,000 affordable housing units since 1994. Highridge's recent involvement with HHFDC includes the Kapolei Mixed Use (Phases 1 & 2), Kokua Senior, and Liloa Hale projects.

Highridge's development team (subject to change) includes:

1. Co-Developer – Form Partners
2. Phase 1 Lessee Entity – AHED Foundation
3. General Contractor – Hawaiian Dredging Construction Company
4. Architect – SVA Architects, and RMA Group
5. Landscape Architect & Archeology Consultant – PBR Hawaii
6. Legal Counsel – Settle Meyer Law LLC
7. Property Management – Michaels Management

B. Project Design Concept and Strategy

Highridge's masterplan concept meets the project's objectives and requirements in the RFP. The proposed Project is a mixed-use affordable housing project consisting of two high-rise residential towers, being 29 stories and 11 stories respectively, above a 9-story parking structure (38 stories tall in total), with approximately 4,500 gross square feet (GSF) of commercial space on the ground floor. Both towers are oriented in the Mauka-Makai direction, minimizing the number of units which face into the existing adjacent Halekauwila Place tower. The parking garage contains two entrances, off of Keawe Street and Pohukaina Street. The tower massing has been crafted to break down the scale as it relates to the adjacent buildings. An outdoor terrace has been placed on level 5 fronting the corner plaza, and a resident recreation deck tops the parking garage at level 10.

The 28,000 GSF reservation of space for DOE's educational component is of a rectangular shape, located at the property edge along the Coral Street right-of-way. One hundred ten of the parking stalls will be provided to DOE. A CPR will be created with one unit for DOE's educational component and one or more units for the residential and parking components. The educational condominium unit will be conveyed to DOE by a 75-year lease, with the remaining condominium units conveyed by a 75-year lease to the Successful Offeror or special purposes affiliate entities thereof.

A setback of approximately 22 feet to the property line is provided at the ground floor along Keawe Street and contains landscaped sections (similar to the existing condition across the street at Keauhou Lane) which will preserve existing mature street trees. Along Pohukaina Street, a setback of approximately 40 feet to the property line provides space for a covered drop-off / pick-up loop. An approximately 6,300 GSF corner plaza will be created at the corner of Keawe Street and Pohukaina Street, lined with retail space which continues along Keawe Street. The corner plaza will bridge Keauhou Lane with the planned streetscape improvements along Cooke Street, and will be one of the largest publicly-accessible corner plazas in the neighborhood. Highridge intends to work with local artists on visual art to enhance the street experience, such as murals, fabricated screens, or sculptures. Moveable outdoor seating opportunities will be available both at the corner plaza and along Keawe Street. In all, the proposal preserves an impressive amount of open space at the ground floor level while also providing a large number of units. The concept is to maximize the space and provide as much affordable housing as possible within the proximity to mass transit, employment centers, and a wide variety of services that are within walking distance.

The Project will be developed in two phases. Phase 1 is on the Makai side of the site and consists of the 29-story tower above a portion of the 9-story parking garage. Phase 2 is on the Mauka side of the site and consists of the 11-story tower above a portion of the 9-story garage, with residential units on garage levels 2 through 9 and commercial space on the ground floor along Keawe Street. The taller Phase 1 tower has been placed further from Keawe Street to reduce the scale

of the development along the pedestrian edge along Keawe Street. The Phase 2 tower massing creates a relief at the intersection of Keawe Street and Pohukaina Street which forms the corner plaza. (See **Exhibit B** – Design Concept).

The proposed Project is 100% affordable rental housing for family households earning from 30% to 140% of the Area Median Income (AMI) for the full term of the 75-year ground lease. A breakdown of the unit mix and project phasing is as follows:

		Phase 1	Phase 2	Total
Unit Type Mix:	0-Bed	86	58	144
	1-Bed	174	65	239
	2-Bed	144	58	202
	3-Bed	29	17	46
	Total	433	198	631
AMI Mix:	30%	0	21	21
	50%	0	21	21
	60%	0	154	154
	80%	87	0	87
	120%	344	0	344
	Mgr	2	2	4
	Total	433	198	631
Parking Stalls:[3]		671	219	890
Total Bldg GSF:		568,468	245,962	814,430

Highridge intends to submit to HHFDC a request for exemption from preparation of an Environmental Assessment in accordance with Chapter 11-200.1, Hawaii Administrative Rules (HAR) as an affordable housing project with the sole trigger being the use of State lands or funds.[4] Such request will be processed after it is received and approval of this For Action does not obligate HHFDC to approve any such exemption(s).

A single-purpose entity owned by AHED Foundation, a Hawaii-based 501(c)3 non-profit corporation, will be the lessee entity for Phase 1, with development services provided by Highridge and Form Partners through a to-be-formed joint development entity. A to-be-formed single-purpose tax credit partnership entity will be the lessee for Phase 2, of which Highridge will be a partial owner of the managing general partner, Form Partners and AHED Foundation will be partial owners of the administrative general partner, and there will also be a limited partner tax credit investor entity. Highridge will enter into an agreement that it will provide all the financial guarantees required by the lenders.

As part of the RFP, the Successful Offeror will engage in a master site planning process with DOE and HHFDC following award of the RFP, and details of the Project's design may change during this process. Changes to the Project's design may result in changes to various numbers such as the exact unit count, unit mix, affordability mix, unit sizes, number of parking spaces, etc. This is an expected part of the process and was identified in the RFP.

[3] The cost of parking for Phase 1 is charged separately from tenant rent and is estimated at $165/stall.
[4] Additionally, the Project site was previously included in the 2015 Kakaako Community Development District TOD Overlay Plan Final Environmental Impact Statement published on July 8, 2015.

C. Ability to Meet Time and Budget Requirements

The Highridge team has demonstrated a history of accomplishment in completing projects of diverse scale and product types on time and within budget. In the highly complex housing tax credit industry, the Highridge team is one of the most knowledgeable and experienced in the nation. The company has extensive experience in federal Section 42 LIHTC, tax-exempt mortgage-backed revenue bonds, state and local housing finance programs, and grants.

Highridge will provide for liquidated damages in the event of delays and will commit to commencement and completion deadlines. The contingency amount of 7.1%[5] is the highest among the Priority-Listed Offerors and will provide cushion against unforeseen cost increases. As part of their BAFO, Highridge re-evaluated their financial proposal and updated their financial projections to take into account recent price increases.

D. Amenities and Community Benefits

One of the project amenities proposed is the corner plaza (approximately 6,300 GSF) which will be a place to socialize. There will be ample seating under the shade of canopies where the community can gather with friends and families. A small stage allows for entertainment programming from live music to storytelling. Art will also be integrated around the plaza for the enjoyment and enrichment of the public. The ground floor along Keawe Street and along the corner plaza will be lined with commercial retail. The amenity deck will be approximately 14,680 GSF in size and situated atop the parking podium on level 10. A community garden will allow residents to grow various vegetables, herbs, and flowers. A shaded play structure will allow young children to play as residents enjoy time together. Indoor amenity rooms will also be located at this level, providing space for a community meeting room with a kitchenette. Mid-level residential amenities will allow residents to enjoy views of the city, mountains, and Mother Waldron Park. Bicycle parking will be provided for residents and guests, and a new bike share station is proposed.

The Project's location allows it to meet some of the most important sustainability goals such as reuse of a brownfield parcel, in proximity to mass transit, employment, services, and promotion of alternative transportation methods such as bicycling and electric vehicles. The specific sustainability features of Highridge's proposal include, among others: (1) 5% of its parking stalls for electric vehicle charging; (2) the open space of the site will not be completely hardscaped; (3) the landscaping will include lower-maintenance plantings and Hawaiian plants; (4) water fixtures will provide for at least a 20% reduction from baseline usage and fixtures will be WaterSense labeled when possible; (5) enhanced commissioning will be done on mechanical, electrical, and plumbing systems; (6) the Project will utilize advanced energy metering; (7) the Project will include renewable energy systems such as a photovoltaic system to offset electricity usage; (8) low-VOC materials will be used; (9) thermal comfort for occupants will meet ASHRAE 55-2010; and (10) use of LED fixtures for interior lighting.

E. Financial Proposal

Highridge is proposing a hard lease rent payment in accordance with the minimum lease rent policy adopted by the Board at its November 18, 2021 meeting. Additionally, Highridge is proposing two soft lease payments to

[5] This contingency amount is as listed in Highridge's BAFO and may be different at construction financing closing based on lender requirements and other factors.

HHFDC. Soft Lease Payment 1 will equal 5% of available cash flow from Phase 1, before payment of the Rental Housing Revolving Fund (RHRF) loan. Soft Lease Payment 2 will equal 25% of available cash flow from Phase 1, after payment of RHRF, prior to cash distributions to the owner(s). These lease payments combined over the term of the lease will have an estimated value of $608 million (net present value of approximately $47 million at a 5% discount rate)[6]. It is anticipated that the majority or all of the lease rent payments received by HHFDC for this Project will be remitted to the Department of Land and Natural Resources (DLNR), subject to discussions with DLNR subsequent to the approval of this For Action.

The cost per unit and cost per square foot were the lowest of the BAFOs received from the Priority-Listed Offerors and are detailed below.

The proposed Budget (Use of Funds) for Phase 1 is as follows:

Budget Item - Phase 1	Amount	Per GSF	Per Unit	Total Cost %
Acquisition	0	0	0	0%
Construction – Sitework	17,535,816	30.84	40,498	7.99%
Construction – Vertical	125,372,817	220.48	289,545	57.10%
Construction – OH, P, & GR[7]	19,150,794	33.68	44,228	8.72%
Interim & Soft Costs	7,575,000	13.32	17,494	3.45%
Financing & Syndication	13,804,890	24.28	31,882	6.29%
Developer Fee & Overhead	21,095,023	37.10	48,718	9.61%
Project Reserves	0	0	0	0%
Contingency	15,031,612	26.43	34,715	6.85%
Total Budget	**219,565,952**	**386.12**	**507,081**	**100%**

Phase 1 GSF = 568,641 including structured parking; Phase 1 Units = 433

The proposed Budget (Use of Funds) for Phase 2 is as follows:

Budget Item - Phase 2	Amount	Per GSF	Per Unit	Total Cost %
Acquisition	0	0	0	0%
Construction – Sitework	7,097,513	28.86	35,846	7.30%
Construction – Vertical	56,781,092	230.85	286,773	58.37%
Construction – OH, P, & GR	8,943,004	36.36	45,167	9.19%
Interim & Soft Costs	4,743,000	19.28	23,995	4.88%
Financing & Syndication	5,261,287	21.39	26,572	5.41%
Developer Fee & Overhead	6,600,000	26.83	33,333	6.79%
Project Reserves	775,573	3.15	3,917	0.80%
Contingency	7,071,132	28.75	35,713	7.27%
Total Budget	**97,272,601**	**395.48**	**491,276**	**100%**

Phase 2 GSF = 245,962 including structured parking; Phase 2 Units = 198

[6] As with all forward-looking projections, these estimates are subject to change and will be affected by factors like increases in development costs or operating expenses and varying inflation rates. These estimates are not guaranteed.

[7] Contractor overhead, profit, & general requirements

The proposed Budget (Use of Funds) for the combined Project is as follows:

Budget Item - Phases 1&2	Amount	Per GSF	Per Unit	Total Cost %
Acquisition	0	0	0	0%
Construction – Sitework	24,633,329	30.24	39,039	7.77%
Construction – Vertical	182,153,909	223.61	288,675	57.49%
Construction – OH, P, & GR	28,093,798	34.49	44,523	8.87%
Interim & Soft Costs	12,318,000	15.12	19,521	3.89%
Financing & Syndication	19,066,177	23.41	30,216	6.02%
Developer Fee & Overhead	27,695,023	34.00	43,891	8.74%
Project Reserves	775,573	0.95	1,229	0.24%
Contingency	22,102,744	27.13	35,028	6.98%
Total Budget	**316,838,553**	**388.95**	**502,121**	**100%**

Total GSF = 814,603 including structured parking; Total Units = 631

The anticipated pre-development cost for the Project is approximately $5 million. Highridge will be utilizing the DURF loan of up to $2 million, as noted in section II.E. of this For Action, during the predevelopment phase. The DURF loan will be repaid in full at the time of the construction loan closing and so is not shown as an interim or permanent source in the Project budget below. The remaining $3 million will be funded by Highridge.

The proposed Financing Structure (Source of Funds) for Phase 1 is as follows:

Source- Phase 1	Interim	Permanent
DOE Parking Reimbursement	5,774,234	5,774,234
501c3 Bond- Tranche A	120,447,876	123,637,185
RHRF	52,800,000	57,521,774
501c3 Bond- Tranche B	19,448,819	19,448,819
501c3 Bond- Tranche C	0	10,547,511
Income During Lease-Up	0	2,636,429
Deferred Developer Fee	10,547,512	0
Deferred Developer Overhead / Other	10,547,511	0
Total	**219,565,952**	**219,565,952**

Phase 1 proposes an innovative financing approach utilizing 501(c)(3) bond financing which is not part of the State of Hawaii's bond cap. The issuer of the tax-exempt bonds is the Public Finance Authority, a governmental entity established in the State of Wisconsin. The underwriters are Citicorp USA, Inc. and Align Finance Partners who have provided letters of commitment to finance the Tranche A and Tranche B bonds, respectively. The only financing that will be coming from HHFDC for Phase 1 is the Tier 2 RHRF recently signed into law by the Governor in July 2022 (subject to application and award). DOE will fund the $5.7 million cost for the 110 parking spaces to be allotted to DOE. Highridge's original proposal (prior to their BAFO) did not include RHRF Tier 2 funding and requested an additional $9 million DURF loan. If the Project does not receive an RHRF Tier 2 award, the financing for Phase 1 will be re-evaluated, and Highridge may submit a request for additional DURF funding.

The proposed Financing Structure (Source of Funds) for Phase 2 is as follows:

Source- Phase 2	Interim	Permanent
LIHTC Equity	11,847,234	45,103,245
HMMF Bond	52,390,627	23,031,561
RHRF	26,659,167	28,317,137
Deferred Developer Fee	5,600,000	820,658
Other Deferred Costs	775,573	0
Total	**97,272,601**	**97,272,601**

Phase 2 targets families with incomes that are at 60% AMI or below and will be applying to HHFDC for non-competitive 4% LIHTC, a Hula Mae Multi-Family (HMMF) bond, and an RHRF loan. Commitment letters have been obtained for the HMMF bond and the LIHTC equity.

The proposed Financing Structure (Source of Funds) for the combined Project is as follows:

Source - Phases 1 & 2	Interim	Permanent
LIHTC Equity	11,847,234	45,103,245
DOE Parking Reimbursement	5,774,234	5,774,234
HMMF Bond	52,390,627	23,031,561
501(c)(3) Bond- Tranche A	120,447,876	123,637,185
RHRF	79,459,167	85,838,911
501(c)(3) Bond- Tranche B	19,448,819	19,448,819
501(c)(3) Bond- Tranche C	0	10,547,511
Income During Lease-Up	0	2,636,429
Deferred Developer Fee	16,147,512	820,658
Deferred Developer Overhead / Other	10,547,511	0
Other Deferred Costs	775,573	0
Total	**316,838,553**	**316,838,553**

F. Management Proposal

As noted above regarding the entity organization, Highridge and Form Partners will provide development and construction management services to AHED Foundation (for Phase 1) and to the special-purpose entity established for the ownership of Phase 2. Construction of the Project will be undertaken by Hawaiian Dredging Construction Company (HDCC), a highly experienced builder that has worked on numerous HHFDC affordable housing projects. HDCC will provide estimation and consultation services throughout the duration of the drafting of the schematic design, design development, and contract document drawings.

Property and operations management will be conducted by Michaels Management, a highly experienced property manager with multiple affordable housing projects in Hawaii under management and extensive experience with HHFDC projects.

G. The proposed timetable for the Project is as follows:

Milestone	Phase 1	Phase 2
Award of project	Sep 2022	Sep 2022
RHRF Tier 2 award	Nov 2022	N/A
Execute HHFDC project documents	Feb 2023	Feb 2023
Approval of 201H Exemptions	May 2023	May 2023
LIHTC, HMMF, & RHRF Award	N/A	Aug 2024
Building permits received	Feb 2024	Apr 2025
Construction financing closing	Feb 2024	Apr 2025
Construction start date	Feb 2024	Apr 2025
Certificate of Occupancy	Jun 2026	Feb 2027
Achievement of stabilized occupancy	Jul 2027	Mar 2028

Highridge intends to submit an application to HHFDC for certain exemptions pursuant to Section 201H-38, Hawaii Revised Statutes. HHFDC will review the application after submission and is not seeking Board approval for the exemptions at this time. The Project has been designed to embrace the vision and spirit of the Kakaako Transit-Oriented Development Overlay Plan. The exact exemptions requested will be identified in Highridge's application but are expected to include exemptions such as floor area ratio, setbacks, transitional height setbacks, parking requirements, and various fees. Highridge will participate in a neighborhood board meeting prior to approval of the 201H exemptions.

The primary contingencies to timely completion are the award of financing for the Project and discretionary and ministerial reviews such as building permits, State Historic Preservation Division review, Condominium Property Regime creation, and the approval, disapproval, or approval with modifications of 201H exemptions by the City Council.

H. HHFDC finds the following:

1. That Highridge is an Eligible Developer pursuant to Section 15-307-24, HAR; and

2. That the Project proposal meets the minimum requirements of the RFP.

IV. RECOMMENDATION

That the HHFDC Board of Directors approve the following:

A. Proposal submitted by Highridge for the development of the Project;

B. Highridge, or other successor entity approved by the Executive Director, as the Successful Offeror of to the RFP;

C. Certification of Highridge, or other successor entity approved by the Executive Director, as an Eligible Developer pursuant to Section 15-307-24, HAR;

D. Negotiation and execution of a development agreement, leases, regulatory agreements, mortgage consents, and other related transaction documents, and authorization for the Executive Director to undertake any actions related thereto;

E. Grant of an immediate management right-of-entry to the Successful Offeror for planning and design;

F. Creation of a Condominium Property Regime to separate the residential and educational portions of the Project site;

G. Conveyance by lease of the Residential Portion of the site to the Successful Offeror and the Educational Portion of the site to DOE;

H. Grant and approval of such easements as may be necessary; and

I. Authorize the Executive Director to undertake all tasks necessary to effectuate the purposes of this For Action.

Subject to the following:

J. Execution of a development agreement within six (6) months from the date of this approval, unless otherwise extended at the sole discretion of the Executive Director. The development agreement will include deadlines for commencement and completion of construction;

K. Approval as to form of the development agreement, leases, regulatory agreements, mortgage consents, and other related transaction documents by the Department of the Attorney General and execution by the Executive Director. HHFDC reserves the right without liability to disqualify and/or cease negotiations with the Developer if HHFDC determines that, at its sole discretion, to be in the best interest of the State. The Successful Offeror assumes the sole risk and responsibility connected with the negotiation process;

L. Approval of the Project proposal does not obligate HHFDC to make any award from any of its financing programs, such as HMMF Bonds, LIHTC, RHRF, or any additional DURF other than the approved $2 million pre-development loan;

M. Approval by the Board of Land and Natural Resources, if necessary; and

N. Compliance by the Successful Offeror with all laws and rules, and such other terms and conditions as may be required by the Executive Director.

Attachments: Exhibit A – Location Map
Exhibit B – Design Concept

Prepared by: Cheryl Kajitani, Housing Development Specialist CK

Albert Palmer, Housing Development Specialist AP

Reviewed by: Randy Chu, Development Section Chief RC

Dean Minakami, Development Branch Chief DM

Approved by The Board of Directors at its meeting
on September 8, 2022
Development Branch
Please take necessary action.

EXECUTIVE DIRECTOR

EXHIBIT H

EXHIBIT C

LOCATION MAP

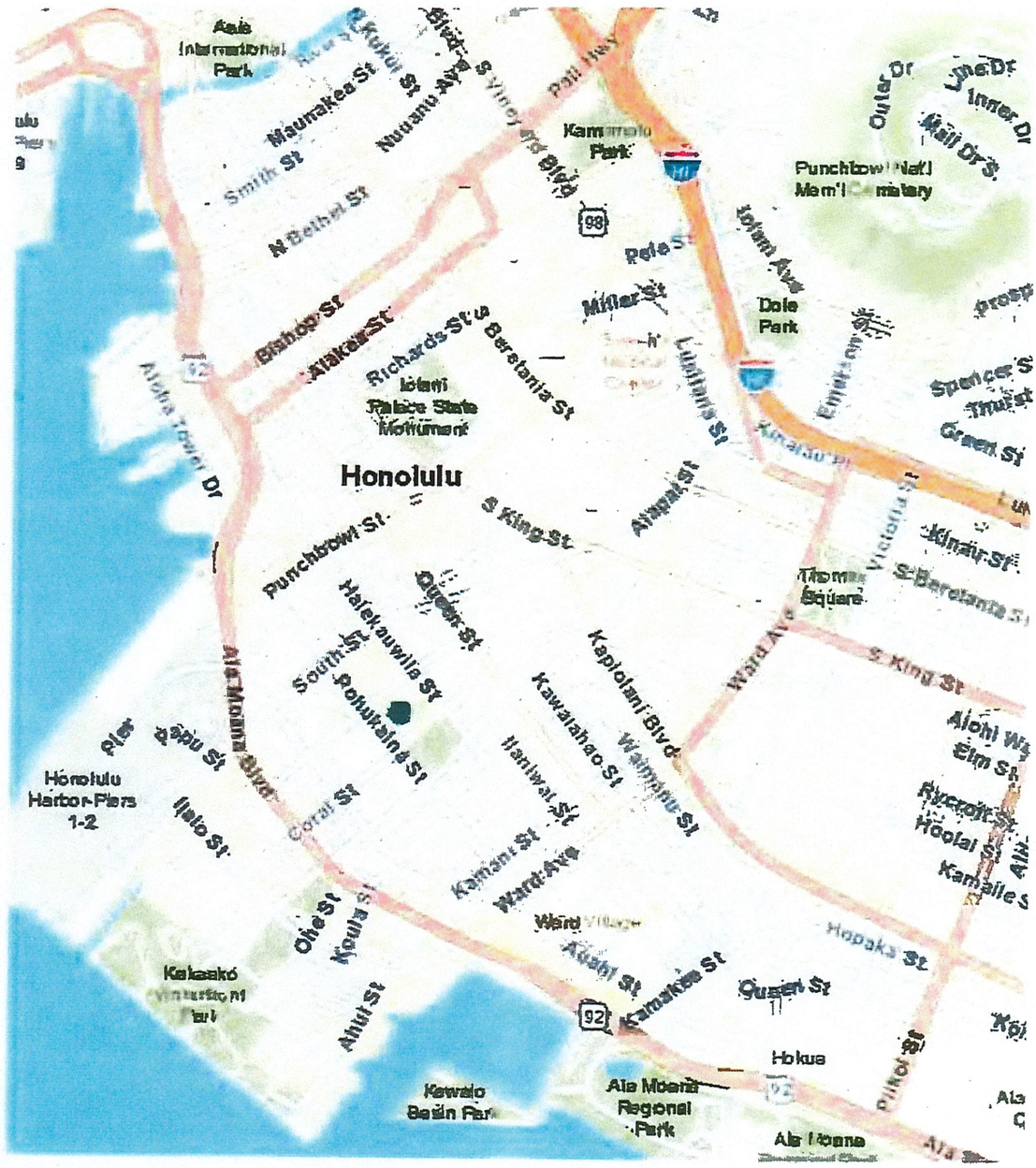


EXHIBIT A

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
PERSPECTIVE 1



EXHIBIT B

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
PERSPECTIVE 2



EXHIBIT B

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
PHASING DIAGRAM

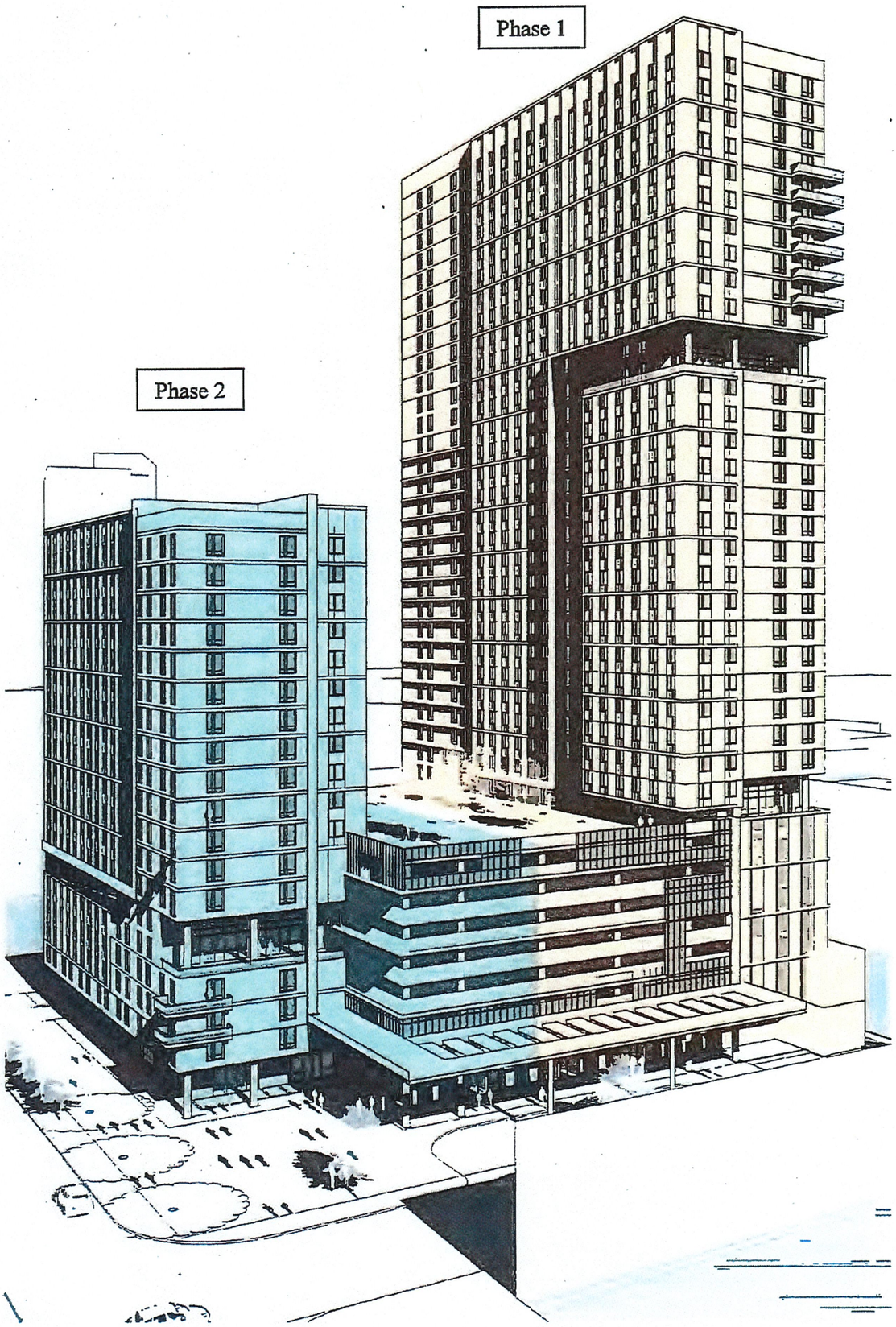


EXHIBIT B

EXHIBIT H

EXHIBIT C

EXHIBIT B

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
SITE PLAN

DEVELOPMENT PLAN **ILLUSTRATIVE SITE PLAN**

690 POHUKAINA STREET MULTI-FAMILY AFFORDABLE HOUSING
HONOLULU, HAWAII

FORM I 11

DESIGN CONCEPT
GROUND FLOOR PLAN

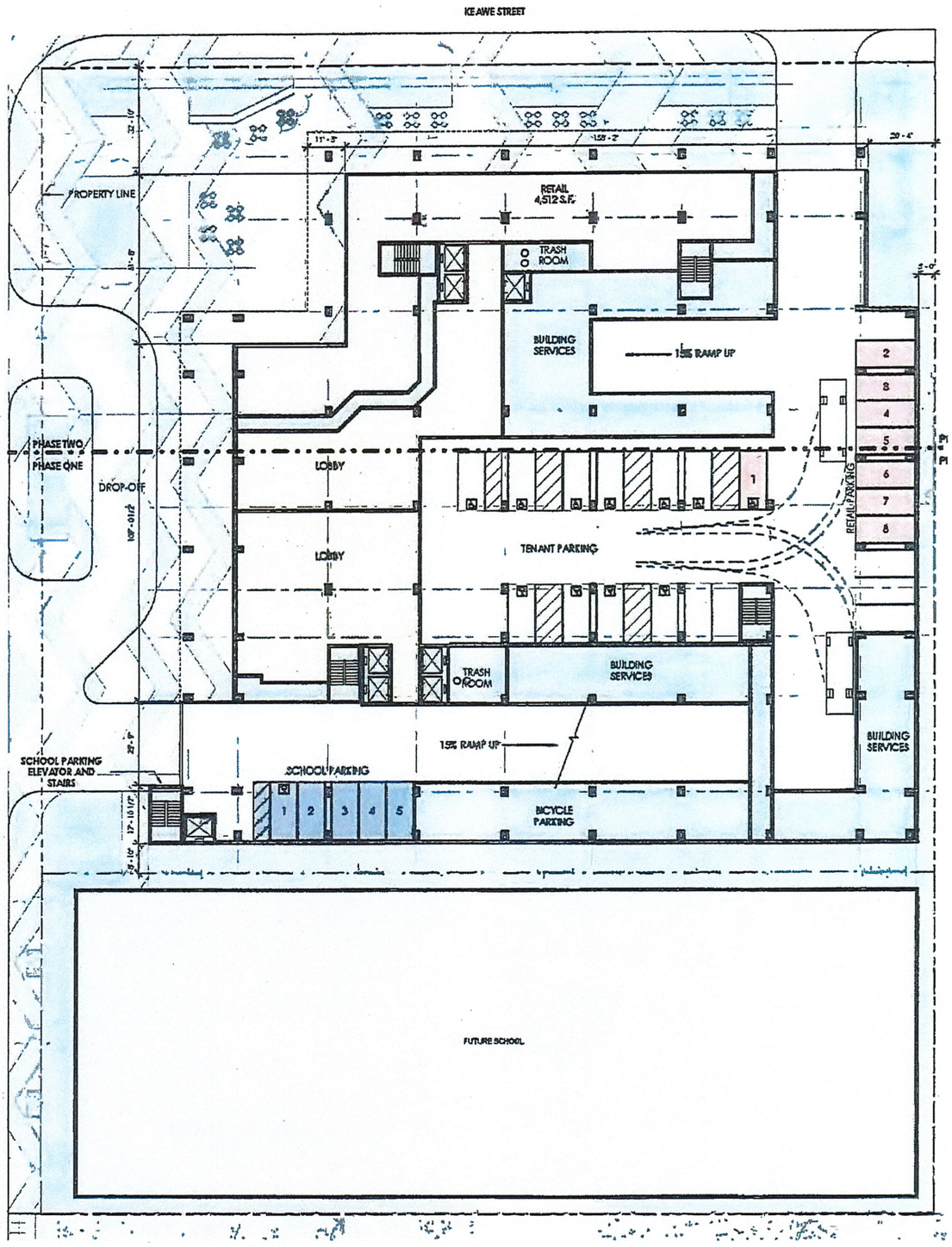
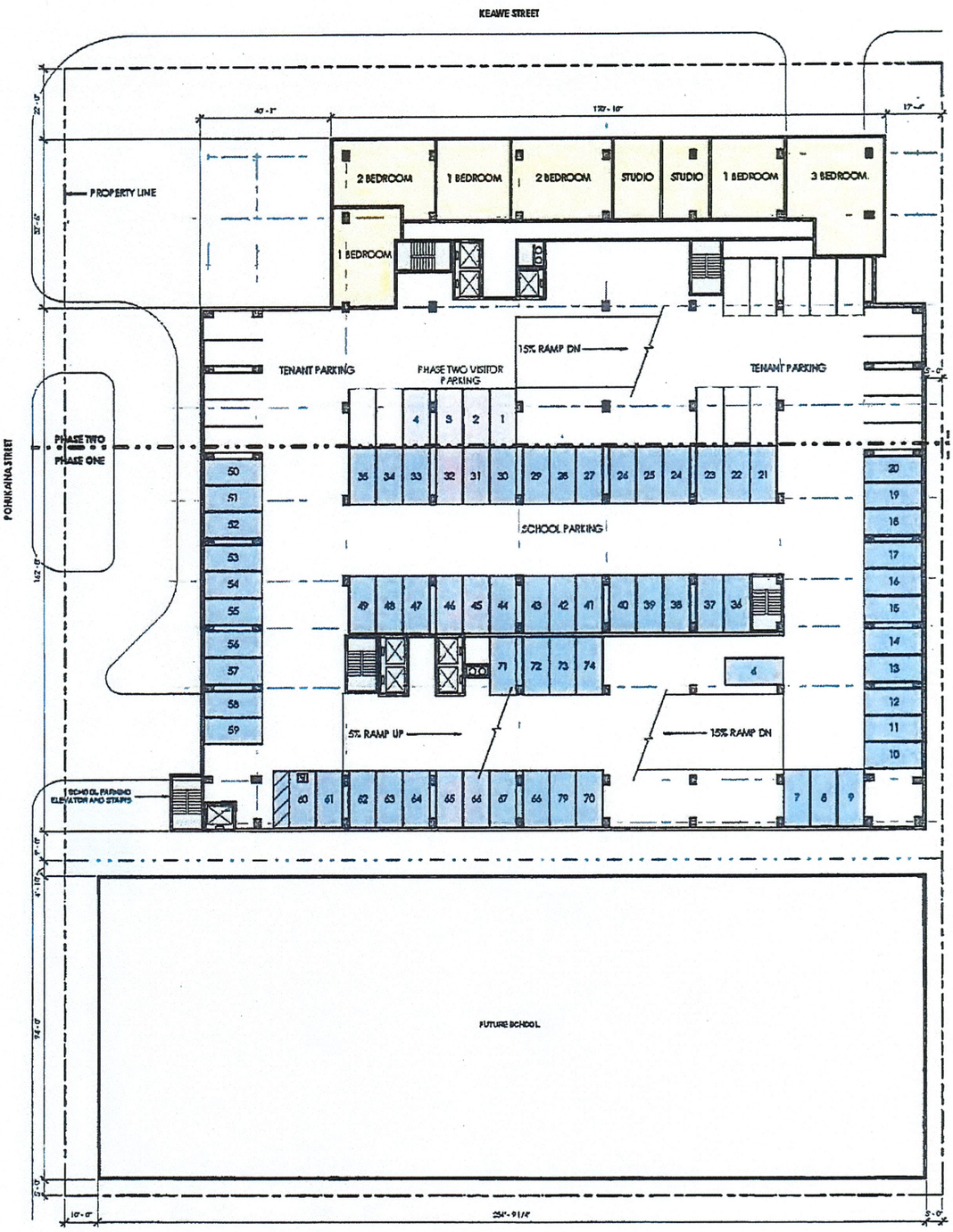


EXHIBIT B

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
2ND FLOOR PLAN



LEVEL 2 FLOOR PLAN
NOT TO SCALE

EXHIBIT B

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
GARAGE ROOFTOP FLOOR PLAN

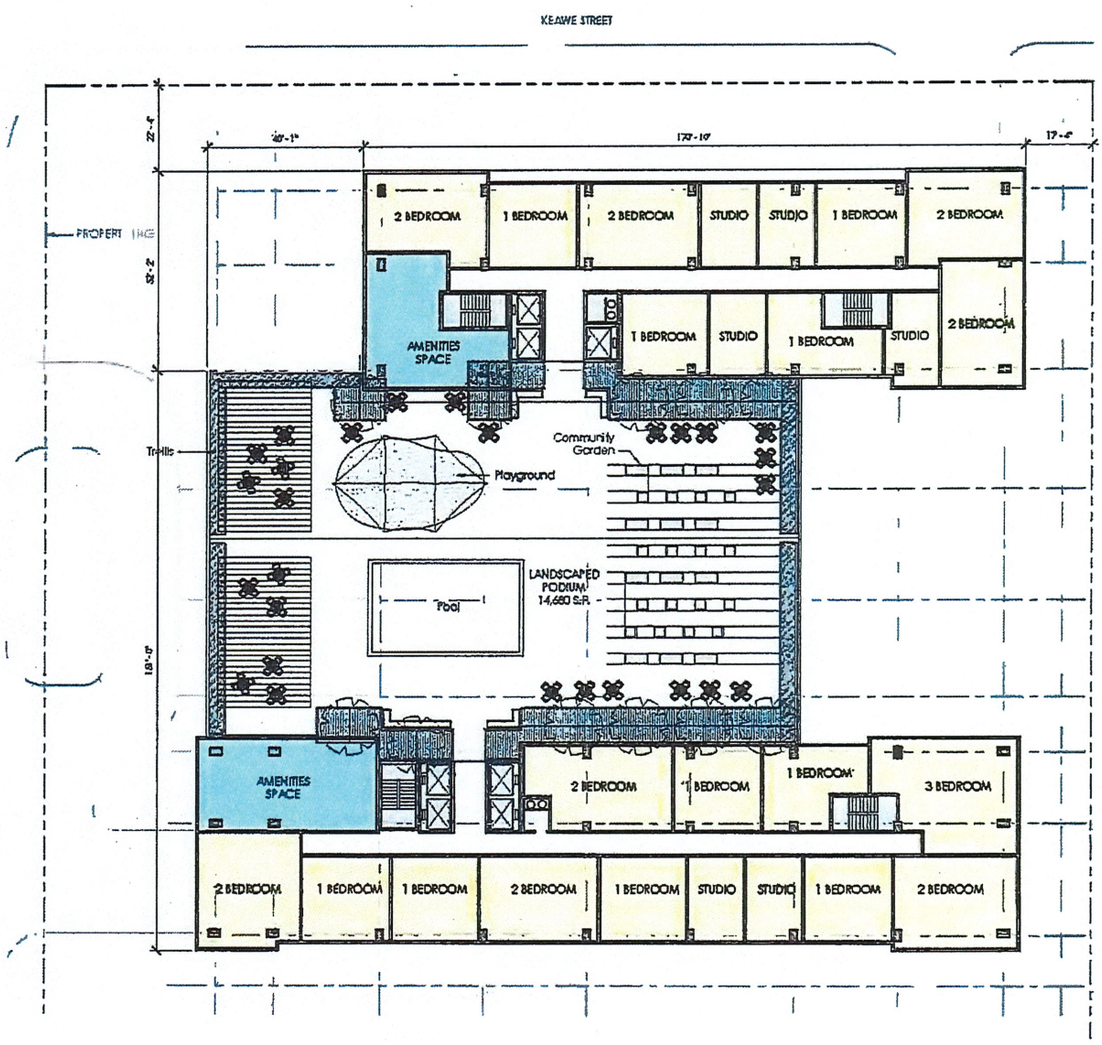
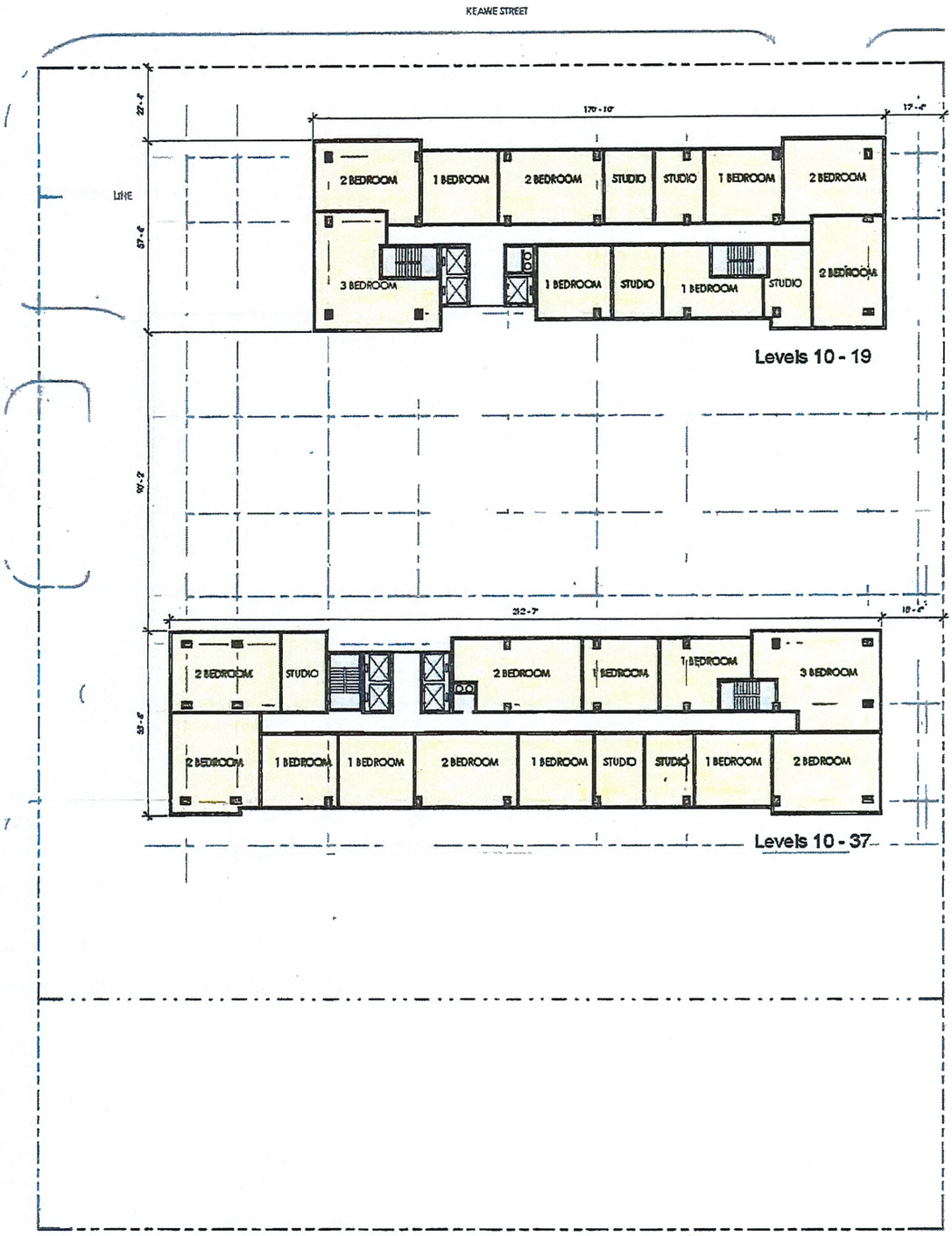


EXHIBIT B

EXHIBIT H

EXHIBIT C

DESIGN CONCEPT
TYPICAL TOWER FLOOR PLAN



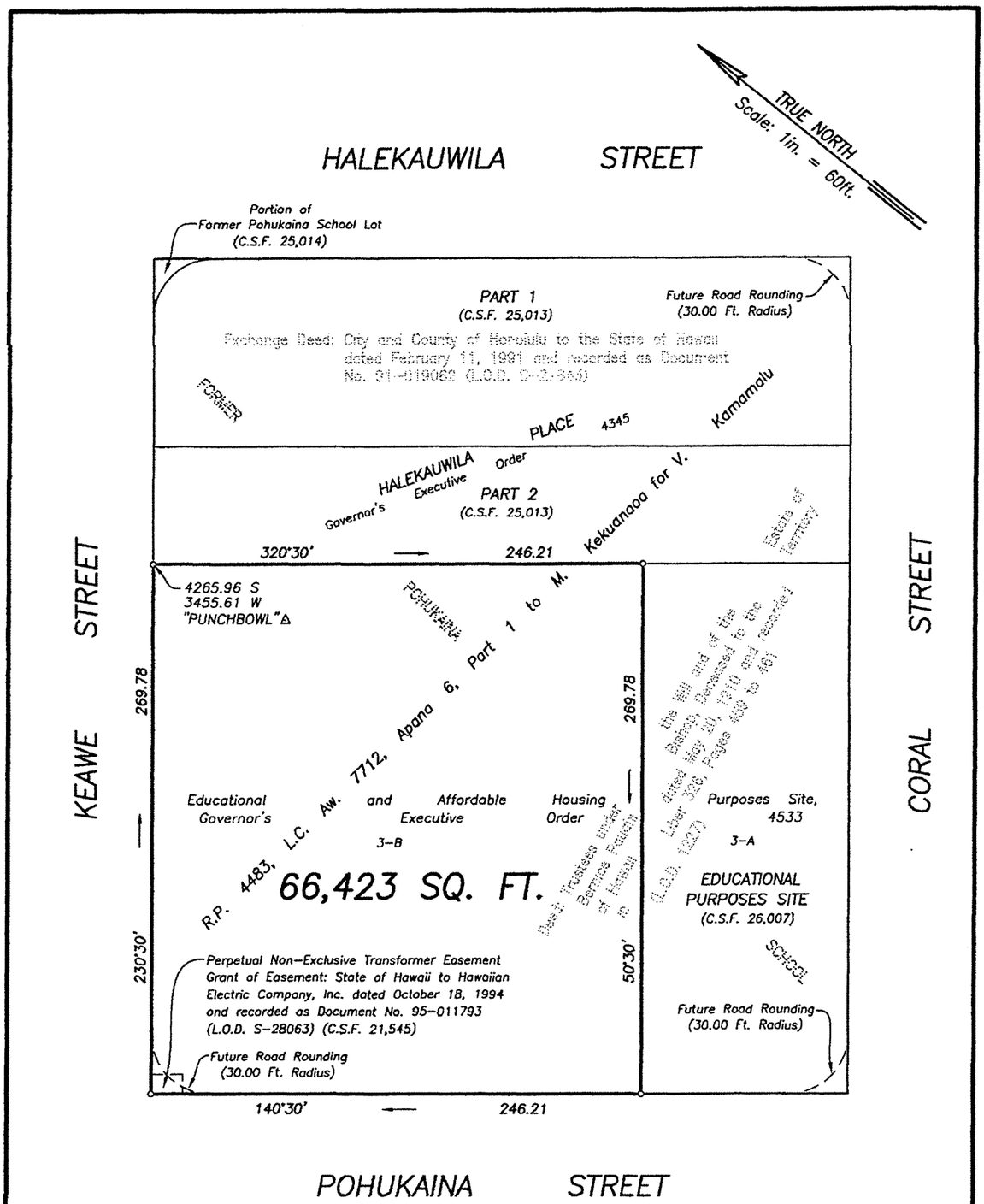
TYPICAL UPPER LEVEL
NOT TO SCALE

EXHIBIT B

EXHIBIT H

EXHIBIT C

SUBDIVISION SURVEY



AFFORDABLE HOUSING PURPOSES SITE

Kaakaukukui, Honolulu, Oahu, Hawaii

Scale: 1 inch = 60 feet

Job 0-122(23)
C. Bk.

TAX MAP: 2-1-51: Por. 41

C.S.F. NO. 26,006

LAND SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

MAC July 20, 2023

EXHIBIT D

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAI'I

No. 23-83, CD1

RESOLUTION

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE POHUKAINA COMMONS AFFORDABLE RENTAL AND MIXED-USE PROJECT IN KAKA'AKO, O'AHU.

WHEREAS, Highridge Costa Development Company, LLC (the "Applicant"), with co-developer Form Partners, LLC, and with the approval of the Hawaii Housing Finance and Development Corporation ("HHFDC"), proposes to develop Pohukaina Commons, a high-rise mixed-use project on a 1.525-acre portion of a 2.168-acre zoning lot owned by the State of Hawai'i ("State"), located at 690 Pohukaina Street in Kaka'ako, Honolulu, O'ahu, and identified as Tax Map Key (1) 2-1-051:041, as depicted in Exhibits A, B, C-1, C-2, and D-1 through D-4, attached hereto and made a part hereof (the "Project"); and

WHEREAS, the Project is within the Kaka'ako Community Development District, which is under the planning and zoning jurisdiction of the Hawaii Community Development Authority ("HCDA"), pursuant to Chapter 206E, Hawaii Revised Statutes ("HRS"); and

WHEREAS, as proposed, the Project involves a 39-story residential tower with 429 rental units (constructed in Phase 1 on the southeast side of the Project site) and an 18-story residential tower with 192 rental units (constructed in Phase 2 on the northwest side of the Project site); the first nine floors of each tower will include portions of a connecting parking podium with a total of 870 parking spaces (the Project will use 760 parking spaces and 110 parking spaces will be retained by the HHFDC for future use by the State Department of Education in connection with a separate educational facility on the remaining 0.643-acre portion of the zoning lot); and

WHEREAS, as proposed, the Project will contain a total of 625 dwelling units (consisting of 173 studio units, 287 one-bedroom units, 144 two-bedroom units, and 21 three-bedroom units); all dwelling units (except for four manager units) will be rented to households earning 120 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") (21 units at 30 percent or below of the AMI, 21 units at 50 percent or below of the AMI, 151 units at 60 percent or below of the AMI, 86 units at 80 percent or below of the AMI, 342 units at 120 percent or below of the AMI, and four manager's units); and

WHEREAS, the HHFDC awarded the Applicant a Rental Housing Revolving Fund Tier 2 loan for Phase 1 of the Project, which requires the Phase 1 affordable units to be rented to households earning 100 percent or below of the AMI (instead of 120 percent and below of the AMI); and

EXHIBIT E

RESOLUTION

WHEREAS, all units (except for four manager's units) will remain affordable for the duration of the 75-year ground lease from the HHFDC; and

WHEREAS, the Project also involves short-term and long-term bicycle parking spaces, recreational amenities for residents, 5,000 square feet of commercial space on the ground floor (a public plaza at the corner of Keawe Street and Pohukaina Street), and common areas and circulation space; and

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

WHEREAS, the exemptions requested by the Applicant include exemptions from the HCDA's planning and zoning requirements, and waiver or deferral of the City fees and charges; and

WHEREAS, on April 13, 2023, the HHFDC Board of Directors, by approval of a For Action, approved the Project with its proposed exemptions, including certain exemptions from the HCDA's Mauka Area Rules (Hawaii Administrative Rules 15-217) and the Kaka'ako Reserved Housing Rules (Hawaii Administrative Rules 15-218) (collectively, the "HCDA Rules") as listed in the For Action; 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, construction standards for subdivision, development and improvement of land, and the construction of dwelling units thereon pursuant to HRS § 201H-38; and

WHERAS, the Council has reviewed the preliminary plans and specifications for the Project dated March 28, 2023, prepared by SVA Architects, Inc., and submitted to the Council by the HHFDC on April 26, 2023; 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

RESOLUTION

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 set forth in the preliminary 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 $1,084,300.

3. Exemption from ROH § 18A-2.4, to allow an exemption from the payment of grading and grubbing permit fees, estimated at $1,165 and $890, respectively.

Infrastructure and Public Works Fees and Charges

4. 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 279 affordable units (86 affordable units in Phase 1 and 193 units in Phase 2) rented to households earning 80 percent or below of the AMI, estimated at $269,086.

5. Deferral from ROH § 43-10.1, § 43-10.2, and § 43-10.3, to allow a deferral until the issuance of a certificate of occupancy for Phase 1 of the Project of the payment of wastewater system facility charges attributed to 342 affordable units rented to households earning more than 80 percent of the AMI and four manager's units (342 affordable units and three manager's units in Phase 1, and one manager's unit in Phase 2), estimated at $1,616,289.

Fire Department Plan Review Fees

6. Exemption from ROH § 20-1.1(3) to allow an exemption from the payment of Honolulu Fire Department plan review fees, estimated at $108,430.

Board of Water Supply Rules and Regulations

7. Deferral from Sections 1-102, 2-202(2), and 2-202(3) of the Board of Water Supply Rules and Regulations, to allow a deferral from the payment of water system facility charges and installation of water service fees until the installation of the water meter, estimated at $3,265,920; provided that all Board of Water Supply requirements are satisfied. The actual fees to be deferred will be determined by the Board of Water Supply during review of the Project's building permit application.

Land Use Ordinance

8. 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 includes exemptions from the HCDA Rules as listed in the For Action approved by HHFDC's Board of Directors on April 13, 2023; and

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

A. Except for the exemptions from certain City application fees and infrastructure or public works fees and charges provided herein, and the exemptions from certain HCDA Mauka Area Rules development standards listed in the For Action approved by the HHFDC's Board of Directors, the Project must comply with all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; including but not limited to right-of-way improvement requirements.

B. Prior to the issuance of any building permits for the Project, the Applicant shall submit to the Department of Planning and Permitting ("DPP") for its review and approval:

   1. An overall timeline or phasing plan that includes the components of each Project phase, and a timeline for each phase with anticipated dates to obtain major building permits for demolition and construction work, including the projected date of occupancy for that phase, in a format

acceptable to the DPP. The timeline for each phase must identify when the construction management plan ("CMP") and traffic management plan ("TMP") will be submitted to the DPP.

2. A CMP (submitted prior to the issuance of demolition building permits for major construction work for each phase) 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, and provides for either onsite or offsite staging areas for construction-related workers and vehicles to limit the use of on-street parking surrounding the Project site;

   c. Includes plans for all work within or affecting public streets, and preliminary or conceptual traffic control plans; 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 if the condition of the roadways has deteriorated as a result of the construction-related activities.

3. A TMP (submitted prior to the issuance of a temporary certificate of occupancy for each phase) that must include transportation mode share performance targets and a schedule for achieving such targets relating to:

   a. Traffic demand management ("TDM") strategies to minimize the number of vehicular trips for daily activities by tenants and employees, which may include carpooling and ride sharing programs; transit, bicycle, and pedestrian incentives; and other similar TDM strategies;

   b. A pedestrian circulation plan and bicycle circulation plan that provides accessibility and connectivity to surrounding public sidewalks, bus stops, crossings at street intersections, and the future rail station; and a determination of effective sidewalk widths

taking into account the increased pedestrian activity and the City's Complete Streets initiatives; and

c. Post TMPs required after the near-term build-out of Phase 1 and after the full build-out of Phase 2 to validate the relative effectiveness of the various TDM strategies identified in the initial TMP.

C. Post traffic impact analysis reports ("TIARs") will be required approximately one year after the issuance of a certificate of occupancy for each Project phase to validate the traffic projections, trip reduction rates, and distribution and assignment data contained in the initial TIAR. The Applicant shall prepare the post TIARs in consultation with the Department of Transportation Services ("DTS") and the DPP. If the post TIAR for any Project phase recommends additional traffic mitigation measures or modifications to address traffic impacts directly attributable to the Project, the Applicant shall implement the post TIAR recommendations.

D. Bicycle parking spaces or racks must be located in safe and convenient locations on the Project site.

E. Vehicular access points and driveways.

1. All vehicular access points must be constructed as City dropped driveways.

2. Adequate sight distance to pedestrians and other vehicles must be maintained from all driveways.

3. Driveway grades must not exceed five percent for a minimum distance of 25 feet from the Project site property line.

4. Entry gates and ticket dispensers must be recessed as far into the driveway as necessary to avoid queuing of vehicles onto the public streets.

5. All driveways must be designed to minimize potential conflict areas between exiting/turning vehicles and bicyclists using the future bicycle lanes to be located on Pohukaina Street and Keawe Street fronting the Project site.

F. All loading, parking, and trash pickup areas must be designed so that vehicles enter and exit front first. Adequate turn-around areas for large vehicles must be provided 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.

G. A 30-foot property line radii with a 28-foot curb radii must be provided at the intersection of Coral Street and Pohukaina Street, and the intersection of Keawe Street and Halekauwila Street. A 60-foot right-of-way width is required for Pohukaina Street.

H. The length of the porte-cochere must be designed to prevent any overflow of vehicles onto Pohukaina Street, and the porte-cochere must be wide enough to allow a moving vehicle to safely pass a stationary parked vehicle. A minimum 20-foot width is typically acceptable for this maneuver, including provisions for vehicles turning into and out of the porte-cochere. Vehicle-turning templates and a queuing layout must be used to demonstrate that the anticipated types of vehicles using the porte-cochere will be adequately accommodated. To ensure that vehicles do not cue onto Pohukaina Street, the TMP must address minimizing the average dwell time for users of the porte-cochere.

I. The Applicant shall comply with all Federal Aviation Administration ("FAA") and State Department of Transportation ("HDOT") regulations, rules, requirements, and guidelines regarding development and activities in close proximity to airports and airport runways.

1. The Project must include marking lights as required by the FAA in response to the Applicant's submittal of FAA Form 7460-1 Notice of Proposed Construction or Alteration.

2. The Project must not include landscaping that creates a wildlife attraction, which may become a hazard to aircraft operations (see FAA Advisory Circular 150/5200-33C Hazardous Wildlife Attractants on or Near Airports). If the Project's landscaping creates a wildlife attraction, the Applicant shall immediately mitigate the hazard upon notification by the FAA or HDOT.

3. The Applicant shall inform all prospective Project renters, lessees, or tenants of potential aircraft flight and airport activity and related impacts, including but not limited to noise, fumes, smokes, vibrations, and odors; and

BE IT FURTHER RESOLVED that as used in this resolution:

i. References to the HHFDC include any successor agency;

ii. References to the HCDA include any successor agency; and

iii. References to specific statutes, ordinances, or regulations include any respective successor statutes, ordinances, or regulations; and

BE IT FURTHER RESOLVED that this resolution is null and void unless construction of Phase 1 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 or specifications 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

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAI'I

No. 23-83, CD1

RESOLUTION

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; and Highridge Costa Development Company, LLC, 330 W. Victoria Street, Gardena, CA 90248.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

April 27, 2023
Honolulu, Hawai'i

Councilmembers

EXHIBIT E

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 23-83, CD1

Introduced: 04/27/23 By: TOMMY WATERS - BY REQUEST Committee: ZONING (ZON)

Title: AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE POHUKAINA COMMONS AFFORDABLE RENTAL AND MIXED-USE PROJECT IN KAKA'AKO, O'AHU.

Voting Legend: * = Aye w/Reservations

04/27/23	INTRO	Introduced.
05/03/23	ZON	Postponed. 4 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY 1 ABSENT: WEYER
05/24/23	ZON	Reported out for adoption as amended in CD1 form. CR-153 5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY, WEYER
06/07/23	CCL	Committee report and Resolution as amended were adopted. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, 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

EXHIBIT E

Pohukaina Commons Affordable Housing
Requested Exemptions
Revised February 20, 2026

HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
§15-217-6, Compliance with Other Regulations	(b) The following provisions of the subtitle 4, title 15 apply within the mauka area and may be referenced herein: (1) HCDA's rules of practice and procedure; and (2) Chapter 218 (Kakaako reserved housing rules).	**Requested Exemption #1**: 201H Exemption requested to process the proposed Project under HHFDC and Chapter 201H, HRS instead of HCDA, HAR §15-217-6(b)(2) (Compliance with Other Regulations), and HAR §15-218 (Reserved Housing Rules).
§15-217-23(a)(6), Pauahi Zone **Figure NZ.6, Pauahi PA) Zone**	The regulating plan is divided into neighborhood zones corresponding to the mauka area plan. These neighborhood zones and their corresponding development and use rules and guidelines are as follows: 6. Pauahi zone (see Figure NZ.6 (Pauahi). The Pauahi zone will transition into a mixed-use urban village of significantly increased building heights and density. The Pauahi neighborhood will also continue to provide important link from the makai area of Kakaako's waterfront up toward mauka. Walkability will be improved through the insertion of new thoroughfares or passageways.	**Complies** with Figure NZ.6 Pauahi Zone and Figure 1.3 Development Standards Summary, except for 3.5 FAR. **Requested Exemption #2:** 201H Exemption requested to increase the FAR of the Project Site from 3.5 to 8. TMK Parcel Area: 94,423 SF DOE site: (28,000) Project Site: 66,423 Allowable area per permitted FAR: 66,423 SF x 3.5 = 232,481 SF Proposed area per proposed FAR: 66,423 SF x 8 = 531,384 SF Proposed Project: 507,246 SF / 66,423 SF = 7.64 FAR
§15-217-24 Building types **Figure 1.8 Maximum Height Plan** **Figure BT.10, Podium High Rise**	B. Pedestrian Access 1. On Promenade Streets, the entrance to each ground floor space shall be directly from the street and occur at a maximum interval of 60 feet. On all other thoroughfares, access to ground floor podium spaces may occur at the 60 foot interval or may be through a street level lobby. 2. Circulation to all spaces above the ground level shall be through an interior corridor or lobby. 3. All retail spaces should be accessed from a ground floor, single-tenant entry along a thoroughfare, courtyard, or passageway. C. Parking Design and Location 1. Parking shall be located in the Allowed Parking Zone (Figure 1.10-B) for the first two stories. 2. Parking access shall be as per Section 15-217-63, Parking and Loading. 3. For above-ground garages, parking shall be concealed from view at street frontages through a liner of habitable space on at least three sides of the building; service streets and alleys excluded. Where exposed to the street, above-ground garages shall be screened from view at the street frontage by	**Complies** with Figure BT.10 Podium High Rise. Circulation to all spaces above the ground floor is through an interior corridor or lobby. All retail spaces are accessed via the ground floor. **Requested Exemption #3**: 201H Exemption requested to have entrances to ground floor spaces along Pohukaina Street at a maximum interval of 70 feet. See Section 15-217-63, Parking and Loading, below. **Requested Exemption #4:** 201H Exemption requested to have parking located within 40 feet of a parcel line. **Requested Exemption #5:** 201H Exemption requested to conceal parking areas from view at street frontages with non-habitable space on the north, south, and east elevations. **Requested Exemption #6:** 201H Exemption requested to not use landscaping, green screens, or cladding to screen above-ground parking garages from view at street frontages.

<table>
<tr><td></td><td>landscaping, green screens, or cladding; service streets and alleys excluded.

4. Parking podium may be detached from the Podium High Rise building.</td><td></td></tr>
<tr><td></td><td>E. Landscape

1. When front yards have a 20' build to Line, a minimum of one field stock canopy tree shall be planted per 40 lineal feet of frontage line or fraction thereof.

2. Front yard trees shall be a single species to match the species of street trees in the furnishing zone.

3. When side yards are present, one 25-gallon minimum size canopy tree per 30 lineal feet to protect privacy of neighbors.

4. Six five-gallon size shrubs, 10 one-gallon size shrubs and turf or acceptable native or dry climate ground cover is required for every required tree.</td><td>Complies with Figure BT.10 Podium High Rise.

Requested Exemption #7: 201H Exemption requested to have no trees in the side yard.</td></tr>
<tr><td></td><td>G. Building Massing

1. See Section 15-217-55(1), View Preservation, for standards regarding view preservation and tower placement.

2. At least 65% of one edge of the tower must be flush with a facade of the building/street front element, except in the following cases:

A) Where the tower is directly adjacent to two View Corridor streets;

B) Where a development lot is bounded by only two streets; and/or

C) Where conformance with view preservation standards pursuant to Section 15-217-55(1) make this rule impossible to achieve.

3. Ratio of lot size to tower floor plate size for all podium high rise buildings shall be:

Table BT.10-1
<table><tr><th>Lot Size (Actual Development Lot)</th><th>Floor Plate</th></tr><tr><td>< 40,000 SF</td><td>8,000 SF</td></tr><tr><td>40,000 SF - 80,000 SF</td><td>8,000 SF - 10,000 SF</td></tr><tr><td>80,000 SF - 120,000 SF</td><td>10,000 SF - 12,000 SF</td></tr><tr><td>120,000 SF - 160,000 SF</td><td>12,000 SF - 16,000 SF</td></tr><tr><td>> 160,000 SF</td><td>16,000 SF</td></tr></table></td><td>Complies with Figure BT.10 Podium High Rise.

See Section 15-217-55 below.

At least 65% of the Phase 2 tower is flush with the façade of the podium

Requested Exemption #8: 201H Exemption requested to have a combined floor plate of up to 24,000 SF instead of the single 10,000 SF floor plate allowed in Table BT.10-1 for lots between 40,000 SF – 80,000 SF. Project lot size is 66,423 SF. The Phase 1 tower is approximately 12,501 SF and the Phase 2 tower is approximately 10,436 SF. The combined area of the two floor plates is approximately 22,937SF.</td></tr>
<tr><td>§15-217-53 Building placement

Figure 1.13, Building Placement and Encroachments

Figure NZ.6, Pauahi (PA) Zone</td><td>(a) Facades shall be built parallel to a build to line with a minimum frontage occupancy as per Figure 1.13-C (building placement and encroachments).

(b) Wherever a build to line is equal to or greater than fifteen feet, a terrace front frontage type (see Figure FT.8 (terrace front) shall be used.</td><td>(a) Requested Exemption #9: 201H Exemption requested to have less than a 60% frontage occupancy.

Requested Exemption #10: 201H Exemption requested to exceed the build to lines of 10'-0" at Pohukaina Street and 5'-0" along Keawe Street

(b) Requested Exemption #11: 201H Exemption requested to use Shopfront frontage type and Arcade frontage type in lieu of Terrace Front frontage type.</td></tr>
</table>

Pohukaina Commons Affordable Housing
Requested Exemptions
Revised February 20, 2026

§15-217-54 Building form Figure 1.12, Building Form **Figure NZ.6, Pauahi (PA) Zone** **Figure 1.3, Development Standards Summary** **Figure 1.8 Maximum Height Plan**	(c) Where the floor plate ratio identified in Figures BT.1 to BT.10 indicate a value of less than one hundred per cent, the remainder value of setback area is considered the building void (see Figure 1.12-C (illustrative building void and floor plate diagrams). At least twenty-five per cent of the building void shall be located along the facade and have a minimum depth of ten feet, as measured from the facade toward the rear lot line; provided, however, that this minimum depth from the facade shall be increased by three feet for every ten feet of building height.	(c) N/A – The floor plate ratio identified in Figure BT.10 Podium High Rise (Table BT.10-1) indicates floor plate areas, not percentage values. Table BT.10-1 is satisfied via Exemption #8.
	(f) All new principal buildings shall be designed with a street front element conforming to Figure 1.3-D (development standards summary-building form). See Figure 1.12-A (illustrative building form diagram) and attached at the end of this chapter, for an illustrative example of a street front element.	(f) **Requested Exemption #12:** 201H Exemption requested to increase street front element height to 90'-6" in lieu of 65' noted in Figure 1.3.
§15-217-55, Architectural Design. **Figure 1.6A, View Corridors** **Figure 1.6B, View Preservation** **Figure 1.13, Building Placement and Encroachments**	(e) Fences, walls, and hedges: (1) Fences, walls, and hedges may be constructed or installed to a height of six feet in any side yard or rear yard and to a height of four feet in any portion of a front yard or a side yard that faces a thoroughfare, except where the rear yard or side yard abuts a parking lot or industrial use, a maximum six-foot tall fence, hedge or wall is permitted; (2) Retaining walls shall be constructed out of masonry or stone or another equally durable material; (3) Fences shall be constructed out of ornamental iron, steel, wood pickets and/or a synthetic wood product (such as wood filled Recycled plastic lumber) and may have stucco or masonry piers; (4) Chain link, barbed wire, vinyl, plastic or exposed cinder block walls are prohibited within front yards abutting any boulevard, avenue, or promenade street; and (5) Fences in front yards or side yards facing a thoroughfare shall be painted or constructed out of a decorative material compatible with the materials of the principal building.	e) **Requested Exemption #13**: 201H Exemption Request to construct fences greater than four feet in height in front and side yards that face thoroughfares. **Requested Exemption #14**: 201H Exemption Request to construct aluminum picket fences instead of fences constructed of ornamental iron, steel, wood pickets, or synthetic wood.
	(i) Service functions: (1) Utilities, service elements, recycling and trash elements shall be located off alleys (where present), or in structured parking garages where they exist. Alternatively, they may be located at least ten feet behind the facade of a principal building or screened from view from a thoroughfare other than an	(i) **Complies** — Service functions, utilities, recycling, and trash elements are located within the podium and side yard and are not visible from thoroughfares or public areas. **Requested Exemption #15**: 201H Exemption requested to allow electrical transformers and switches visible from Pohukaina

	alley or service street, with a hedge, landscaping, low wall, or fence; (2) Prohibited materials for constructing recycling or trash enclosures include: chain link, fencing with slats mesh screen, cinderblocks, or unpainted wood; (3) Utilities and service elements that are visible from thoroughfares shall be incorporated in the building structure in a manner accessible to the trash collection service provider, but shall not be visually intrusive through use of the following strategies: (A) Burying underground (utility wires, meters, transformers); (B) Incorporation into the building or parking garage as a utility room (meters, transformers) ; (C) Screening behind building (meters, terminal boxes); and (D) Clustering on roof within a mechanical enclosure (HVAC); and (4) Recycling or trash enclosures shall be of a similar material and color with the principal building.	Street and Keawe Street without screening hedges landscaping, low walls, or fences.
	(k) Windows: (3) For floors one through ten, all principal building windows shall be operable;	(3) **Requested Exemption #16:** 201H Exemption requested for windows on the ground level (lobby and retail spaces) to be inoperable. The ground floor lobby and retail spaces will have glazing and doors but not operatable windows.
	(l) View preservation: (3) The tower floor plate shall not exceed a horizontal plan projection dimension of one hundred and fifty feet on one direction and a maximum length of two hundred and ten feet between two farthest points of the tower floor plate. The plan projection dimension measured perpendicular to the horizontal projection may exceed one hundred and fifty feet provided that the maximum dimension between two farthest points on the tower foot print do not exceed two hundred and ten feet in length; (4) A proposed tower shall be located a minimum of three hundred feet from an existing tower, when any portion of the proposed tower falls within the existing tower's mauka-makai zone (see definitions section and Figure 1.6B (view preservation); (5) No tower shall be less than eighty feet from another tower; and	(l) **Complies –** Mauka and makai views to the mountains and the waterfront will be preserved through orientation of towers with the long side of the tower parallel to the mauka-makai axis. (3) **Requested Exemption #17**: 201H Exemption requested to have a tower floor plate dimension of greater than 150 feet in one direction and greater than 210 feet between the two farthest points of the tower floor plate. (4) **Requested Exemption #18:** 201H Exemption requested to be no less than 40 feet from the nearest tower. (5) **Requested Exemption #19:** 201H Exemption requested to be no less than 40 feet from the nearest tower.

Pohukaina Commons Affordable Housing
Requested Exemptions
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	(m) Storefronts and windows for retail: (2) Stores that occupy greater than sixty feet of frontage shall incorporate multiple entrances along the street; (3) Street front elements shall have a depth of forty to eighty feet of usable commercial space with potential for dividing walls at least every thirty feet;	(2) **Requested Exemption #20:** 201H Exemption requested to have one entrance along street frontages that are greater than 60 feet. (3) **Requested Exemption #21:** 201H Exemption Request to reduce retail depth to 20' in lieu of 40'-to 80'. The retail space along Keawe street will have multiple entrances and ranges from approximately 29' to 34' deep.
§15-217-56 Landscape and Recreation Space	(a) All yards shall be landscaped with native or adapted plant species and/or hardscaped with permeable material. (d) Residential projects requiring a development permit shall provide fifty-five square feet of recreation space per dwelling unit. The required onsite recreation space, if provided outdoors, may be used to satisfy the open space requirement	(a) **Requested Exemption #22:** 201H Exemption requested for use of non-permeable pavement in lieu of permeable pavement. The project will comply with all State and City stormwater requirements. (d) Required: 34,595 SF (625 units x 55 SF per unit = 34,375 SF) Provided: 22,911 SF **Requested Exemption #23**: 201H Exemption requested to provide less than the required amount of recreation space.
§15-217-59, Green Building	(c) Green building standards: (1) A project shall qualify for the applicable base LEED rating system at the appropriate certification level (e.g., new construction projects shall qualify for LEED for new construction) ; (2) The applicable base rating system shall be chosen by the applicant based on the construction type, size, and use of the proposed project; (3) The project shall document the achievement of at least one LEED point in either sustainable sites, stormwater design, quantity control; or stormwater design, quality control; (4) The project shall document the achievement of at least one LEED point in either sustainable sites, heat island effect, nonroof, or roof; (5) The project must document the achievement of at least one point in water efficiency, (WE) credit I: water efficient landscaping; (6) The applicant shall submit documentation and sustainability calculations showing that the proposed development meets the applicable base LEED rating system at the appropriate certification level. Based on these materials, the authority shall	(c) **Requested Exemption #24:** 201H Exemption requested. The Project will be designed to meet LEED Certified criteria for multifamily housing to the extent possible; however, at this stage in the design process, it is not known which specific LEED criteria will be achieved.

	determine compliance with this section in conjunction with the accompanying development approval; (7) If the U.S. Green Building Council changes the LEED rating system, the executive director shall identify the new points and rating systems that are relevant to this section; and (8) Applicant may use a green building evaluation system, other than the LEED rating system, as appropriate and as approved by the executive director.	
§15-217-63 Parking and Loading, **Figure 1.10, Parking**	(c) Curb cuts (1) The number of curb cuts shall be minimized, especially along alternative parking access streets, to the maximum practicable extent. Shared alleys, access drives and parking arrangements are encouraged to reduce the need for new curb cuts; (2) Maximum width of new curb cuts shall be twenty-five feet for a two-way driveway and twelve feet for a one-way driveway, except that driveways for front yard houses and all other detached dwellings shall be no more than ten feet in width; and (3) Curb cuts shall be setback a minimum of twenty-two feet from adjacent properties. Lots with less than one hundred linear feet of frontage are exempt from this provision.	(c)(1) **Complies** - Curb cuts are minimized as there are only two curb cuts on Pohukaina Street (Alternative Parking Access Street), both of which are necessary to facilitate a convenient drop off area for residents and their guests. There are currently four existing curb cuts on Pohukaina Street providing access to the property; thus, the project will reduce the number of curb cuts on Pohukaina Street. A new curb cut is located on Keawe Street. (c)(2) **Requested Exemption #25:** 201H Exemption requested for curb cuts to comply with City and County Standard driveways for two-way driveways (24 feet) and one-way driveways 14 feet). (c)(3) **Complies** – Curb cuts are set back a minimum of 22 feet from adjacent properties.
	(d) Placement (1) Parking shall be a minimum of forty feet behind any lot line, unless indicated otherwise in Figure 1.10 (parking) ; (2) Parking lots and structures shall not front a civic space; and (3) Parking is prohibited within any building front setback or front yard, except in the CK neighborhood zone. (h) Aisle and space dimensions: (1) Each standard parking space shall be no less than 8.5 feet wide and eighteen feet long; (2) Each compact parking space shall be no less than 7.5 feet wide and sixteen feet long and shall be marked as a compact space; and (3) Ingress and egress aisles shall be provided to a thoroughfare and	(d) **Requested Exemption #26:** 201H Exemption requested for parking located within 40 feet of a lot line. Parking does not front a civic space and is not located within the front yard setback area. (h) **Requested Exemption #27:** 201H Exemption requested for standard parking spaces to have a minimum width of 8'-3" in lieu of the 8'-6" standard parking space width required under §15-217-63(h)((1), HAR. Parking space minimum width as allowed under Section 21-6.50(a), Revised Ordinances of Honolulu, which allows for encroachment of structural columns into a portion of parking spaces.

	between parking bays. Minimum aisle widths for parking bays shall be: (A) Parking at 0 - 44 degrees: 12 feet; (B) Parking at 45 - 59 degrees: 13.5 feet; (C) Parking at 60 - 69 degrees: 18.5 feet; (D) Parking at 70 - 79 degrees: 19.5 feet; (E) Parking at 80 - 89 degrees: 21 feet; and (F) Parking at 90 degrees: 22 feet; Notwithstanding the foregoing, for a parking angle of ninety degrees, the minimum aisle width may be reduced by one foot for every six inches of additional parking space width above the minimum width, to a minimum aisle width of nineteen feet.	
§15-217-65 Public Facilities Dedication Fee	(b) Dedication requirement. As a condition precedent to the issuance of an improvement permit or development permit, the developer shall dedicate land for public facilities. The dedication of land for public facilities shall be subject to the maximum ceiling in land or money in lieu thereof calculated in accordance with the formula designated in subsections (d) to (f) herein.	(d) **Requested Exemption #28:** 201H Exemption requested to exempt the project from public facilities dedication land and fee requirements. If required, the Project would be required to dedicate 174 SF in public facilities. 5,791 SF of commercial floor area (5,791 sf) x 3.0% = 173.73 SF public facilities dedication requirement.
§15-217-80 Improvement and Development Permits	(a) Applicability. All new improvement projects and developments shall require a permit unless waived in accordance with section 15-217-90 (minor changes) or eligible for a rules clearance under section 15-217-79. (b) Initiation. A developer may apply for an improvement permit or development permit by filing an application with the executive director. (c) Types. There shall be two types of permits - improvement and development. Each type shall be subject to the decision-maker review and action pursuant to Figure 1.1 (approval requirements matrix): (1) Improvement permits shall apply to improvement projects and are subject to executive director review and action; and; (2) Development permits shall apply to developments and are subject to authority review and action.	**Requested Exemption #29:** 201H Exemption requested to process the proposed Project through HHFDC and under Chapter 201H, HRS instead of HCDA and HAR §15-217-80 (Improvement and Development Permits).
Kakaako Reserved Housing Rules 15-218, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**

Pohukaina Commons Affordable Housing
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§15-218-1 through §15-218-55		**Requested Exemption #30:** 201H Exemption requested to process the proposed Project through HHFDC and under Chapter 201H, HRS instead of HCDA and HAR §15-218 (Reserved Housing Rules).

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HAWAII COMMUNITY DEVELOPMENT AUTHORITY		
MAUKA AREA RULES 15-217, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
§15-217-6, Compliance with Other Regulations	(b) The following provisions of the subtitle 4, title 15 apply within the mauka area and may be referenced herein: (1) HCDA's rules of practice and procedure; and (2) Chapter 218 (Kakaako reserved housing rules).	**Requested Exemption #1**: 201H Exemption requested to process the proposed Project under HHFDC and Chapter 201H, HRS instead of HCDA, HAR §15-217-6(b)(2) (Compliance with Other Regulations), and HAR §15-218 (Reserved Housing Rules).
§15-217-23(a)(6), Pauahi Zone **Figure NZ.6, Pauahi PA) Zone**	The regulating plan is divided into neighborhood zones corresponding to the mauka area plan. These neighborhood zones and their corresponding development and use rules and guidelines are as follows: 6. Pauahi zone (see Figure NZ.6 (Pauahi). The Pauahi zone will transition into a mixed-use urban village of significantly increased building heights and density. The Pauahi neighborhood will also continue to provide important link from the makai area of Kakaako's waterfront up toward mauka. Walkability will be improved through the insertion of new thoroughfares or passageways.	**Complies** with Figure NZ.6 Pauahi Zone and Figure 1.3 Development Standards Summary, except for 3.5 FAR. **Requested Exemption #2:** 201H Exemption requested to increase the FAR of the Project Site from 3.5 to 8. TMK Parcel Area: 94,423 SF DOE site: (28,000) Project Site: 66,423 Allowable area per permitted FAR: 66,423 SF x 3.5 = 232,481 SF Proposed area per proposed FAR: 66,423 SF x 8 = 531,384 SF Proposed Project: 507,246 SF / 66,423 SF = 7.64 FAR
§15-217-24 Building types **Figure 1.8 Maximum Height Plan** **Figure BT.10, Podium High Rise**	B. Pedestrian Access 1. On Promenade Streets, the entrance to each ground floor space shall be directly from the street and occur at a maximum interval of 60 feet. On all other thoroughfares, access to ground floor podium spaces may occur at the 60 foot interval or may be through a street level lobby. 2. Circulation to all spaces above the ground level shall be through an interior corridor or lobby. 3. All retail spaces should be accessed from a ground floor, single-tenant entry along a thoroughfare, courtyard, or passageway. C. Parking Design and Location 1. Parking shall be located in the Allowed Parking Zone (Figure 1.10-B) for the first two stories. 2. Parking access shall be as per Section 15-217-63, Parking and Loading. 3. For above-ground garages, parking shall be concealed from view at street frontages through a liner of habitable space on at least three sides of the building; service streets and alleys excluded. Where exposed to the street, above-ground garages shall be screened from view at the street frontage by landscaping, green screens, or cladding; service streets and alleys excluded. 4. Parking podium may be detached from the Podium High Rise building.	**Complies** with Figure BT.10 Podium High Rise. ~~Parking is located in the Allowed Parking Zone (Figure 1.10-B) for the first two stories, set back at least 40 feet from the parcel line.~~ Circulation to all spaces above the ground floor is through an interior corridor or lobby. All retail spaces are accessed via the ground floor. **Requested Exemption #3**: 201H Exemption requested to have entrances to ground floor spaces along Pohukaina Street at a maximum interval of 70 feet. See Section 15-217-63, Parking and Loading, below. **Requested Exemption #4:** 201H Exemption requested to have parking located within 40 feet of a parcel line. **Requested Exemption #~~3~~5:** 201H Exemption requested to conceal parking areas from view at street frontages with non-habitable space on ~~less than three sides of the building~~ the north, south, and east elevations. **Requested Exemption #6:** 201H Exemption requested to not use landscaping, green screens, or cladding to screen above-ground parking garages from view at street frontages.

<table>
<tr>
<td></td>
<td>E. Landscape

1. When front yards have a 20' build to Line, a minimum of one field stock canopy tree shall be planted per 40 lineal feet of frontage line or fraction thereof.

2. Front yard trees shall be a single species to match the species of street trees in the furnishing zone.

3. When side yards are present, one 25-gallon minimum size canopy tree per 30 lineal feet to protect privacy of neighbors.

4. Six five-gallon size shrubs, 10 one-gallon size shrubs and turf or acceptable native or dry climate ground cover is required for every required tree.</td>
<td>Complies with Figure BT.10 Podium High Rise.

Requested Exemption #47: 201H Exemption requested to have no trees in the side yard.</td>
</tr>
<tr>
<td></td>
<td>G. Building Massing

1. See Section 15-217-55(1), View Preservation, for standards regarding view preservation and tower placement.

2. At least 65% of one edge of the tower must be flush with a facade of the building/street front element, except in the following cases:

A) Where the tower is directly adjacent to two View Corridor streets;

B) Where a development lot is bounded by only two streets; and/or

C) Where conformance with view preservation standards pursuant to Section 15-217-55(1) make this rule impossible to achieve.

3. Ratio of lot size to tower floor plate size for all podium high rise buildings shall be:

Table BT.10-1
<table>
<tr><th>Lot Size (Actual Development Lot)</th><th>Floor Plate</th></tr>
<tr><td>< 40,000 SF</td><td>8,000 SF</td></tr>
<tr><td>40,000 SF - 80,000 SF</td><td>8,000 SF - 10,000 SF</td></tr>
<tr><td>80,000 SF - 120,000 SF</td><td>10,000 SF - 12,000 SF</td></tr>
<tr><td>120,000 SF - 160,000 SF</td><td>12,000 SF - 16,000 SF</td></tr>
<tr><td>> 160,000 SF</td><td>16,000 SF</td></tr>
</table></td>
<td>Complies with Figure BT.10 Podium High Rise.

See Section 15-217-55 below.

At least 65% of the Phase 2 tower is flush with the façade of the podium

Requested Exemption #8: 201H Exemption requested to have a combined floor plate of up to 24,000 SF instead of the single 10,000 SF floor plate allowed in Table BT.10-1 for lots between 40,000 SF – 80,000 SF. Project lot size is 66,423 SF. The Phase 1 tower is approximately 12,501 SF and the Phase 2 tower is approximately 10,436 SF. The combined area of the two floor plates is approximately 22,937SF.</td>
</tr>
<tr>
<td>§15-217-53 Building placement

Figure 1.13, Building Placement and Encroachments

Figure NZ.6, Pauahi (PA) Zone</td>
<td>(b) Facades shall be built parallel to a build to line with a minimum frontage occupancy as per Figure 1.13-C (building placement and encroachments).

(b) Wherever a build to line is equal to or greater than fifteen feet, a terrace front frontage type (see Figure FT.8 (terrace front) shall be used.</td>
<td>(a) Requested Exemption #9: 201H Exemption requested to have less than a 60% frontage occupancy.

Requested Exemption #10: 201H Exemption requested to exceed the build to lines of 10'-0" at Pohukaina Street and 5'-0" along Keawe Street

(b) Requested Exemption #511: 201H Exemption requested to use ~~Gallery~~ Shopfront frontage type and Arcade frontage type in lieu of Terrace Front frontage type.</td>
</tr>
</table>

Pohukaina Commons Affordable Housing
Requested Exemptions
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§15-217-54 Building form Figure 1.12, Building Form **Figure NZ.6, Pauahi (PA) Zone** **Figure 1.3, Development Standards Summary** **Figure 1.8 Maximum Height Plan**	(c) Where the floor plate ratio identified in Figures BT.1 to BT.10 indicate a value of less than one hundred per cent, the remainder value of setback area is considered the building void (see Figure 1.12-C (illustrative building void and floor plate diagrams). At least twenty-five per cent of the building void shall be located along the facade and have a minimum depth of ten feet, as measured from the facade toward the rear lot line; provided, however, that this minimum depth from the facade shall be increased by three feet for every ten feet of building height.	~~(c) **Requested Exemption #612:** 201H Exemption requested to increase floor plate to 11,908 SF for Phase 1 tower and 10,403 SF for Phase 2 tower in lieu of BT.10 allowable 10,000 SF. Project lot area is 66,423 SF.~~(c) N/A – The floor plate ratio identified in Figure BT.10 Podium High Rise (Table BT.10-1) indicates floor plate areas, not percentage values. Table BT.10-1 is satisfied via Exemption #8.
	(f) All new principal buildings shall be designed with a street front element conforming to Figure 1.3-D (development standards summary-building form). See Figure 1.12-A (illustrative building form diagram) and attached at the end of this chapter, for an illustrative example of a street front element.	(f) **Requested Exemption #~~7~~12:** 201H Exemption requested to increase street front element height to ~~86'-1"~~ 90'-6" in lieu of 65' noted in Figure 1.3.
§15-217-55, Architectural Design. **Figure 1.6A, View Corridors** **Figure 1.6B, View Preservation** **Figure 1.13, Building Placement and Encroachments**	(e) Fences, walls, and hedges: (1) Fences, walls, and hedges may be constructed or installed to a height of six feet in any side yard or rear yard and to a height of four feet in any portion of a front yard or a side yard that faces a thoroughfare, except where the rear yard or side yard abuts a parking lot or industrial use, a maximum six-foot tall fence, hedge or wall is permitted; (2) Retaining walls shall be constructed out of masonry or stone or another equally durable material; (3) Fences shall be constructed out of ornamental iron, steel, wood pickets and/or a synthetic wood product (such as wood filled Recycled plastic lumber) and may have stucco or masonry piers; (4) Chain link, barbed wire, vinyl, plastic or exposed cinder block walls are prohibited within front yards abutting any boulevard, avenue, or promenade street; and (5) Fences in front yards or side yards facing a thoroughfare shall be painted or constructed out of a decorative material compatible with the materials of the principal building.	e) **Requested Exemption #13**: 201H Exemption Request to construct fences greater than four feet in height in front and side yards that face thoroughfares. **Requested Exemption #14**: 201H Exemption Request to construct aluminum picket fences instead of fences constructed of ornamental iron, steel, wood pickets, or synthetic wood.
	(i) Service functions: (1) Utilities, service elements, recycling and trash elements shall be located off alleys (where present), or in structured parking garages where they exist. Alternatively, they may be located at least ten feet behind the facade of a principal building or screened from view from a thoroughfare other than an alley or service street, with a hedge, landscaping, low wall, or fence;	(i) **Complies** — Service functions, utilities, recycling, and trash elements are located within the podium and side yard and are not visible from thoroughfares or public areas. **Requested Exemption #15**: 201H Exemption requested to allow electrical transformers and switches visible from Pohukaina Street and Keawe Street without screening hedges landscaping, low walls, or fences.

	(2) Prohibited materials for constructing recycling or trash enclosures include: chain link, fencing with slats mesh screen, cinderblocks, or unpainted wood; (3) Utilities and service elements that are visible from thoroughfares shall be incorporated in the building structure in a manner accessible to the trash collection service provider, but shall not be visually intrusive through use of the following strategies: (A) Burying underground (utility wires, meters, transformers); (B) Incorporation into the building or parking garage as a utility room (meters, transformers) ; (C) Screening behind building (meters, terminal boxes); and (D) Clustering on roof within a mechanical enclosure (HVAC); and (4) Recycling or trash enclosures shall be of a similar material and color with the principal building.	
	(k) Windows: (3) For floors one through ten, all principal building windows shall be operable;	(3) **Requested Exemption #~~8~~16:** 201H Exemption requested for windows on the ground level (lobby and retail spaces) to be inoperable. The ground floor lobby and retail spaces will have glazing and doors but not operatable windows.
	(l) View preservation: (3) The tower floor plate shall not exceed a horizontal plan projection dimension of one hundred and fifty feet on one direction and a maximum length of two hundred and ten feet between two farthest points of the tower floor plate. The plan projection dimension measured perpendicular to the horizontal projection may exceed one hundred and fifty feet provided that the maximum dimension between two farthest points on the tower foot print do not exceed two hundred and ten feet in length; (4) A proposed tower shall be located a minimum of three hundred feet from an existing tower, when any portion of the proposed tower falls within the existing tower's mauka-makai zone (see definitions section and Figure 1.6B (view preservation); (5) No tower shall be less than eighty feet from another tower; and	(l) **Complies –** Mauka and makai views to the mountains and the waterfront will be preserved through orientation of towers with the long side of the tower parallel to the mauka-makai axis. (3) **Requested Exemption #17**: 201H Exemption requested to have a tower floor plate dimension of greater than 150 feet in one direction and greater than 210 feet between the two farthest points of the tower floor plate. (4) **Requested Exemption #~~9~~18:** 201H Exemption requested to be no less than 40 feet from the nearest tower. (5) **Requested Exemption #~~10~~19:** 201H Exemption requested to be no less than 40 feet from the nearest tower.

Pohukaina Commons Affordable Housing
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	(m) Storefronts and windows for retail: (2) Stores that occupy greater than sixty feet of frontage shall incorporate multiple entrances along the street; (3) Street front elements shall have a depth of forty to eighty feet of usable commercial space with potential for dividing walls at least every thirty feet;	(2) **Requested Exemption #20:** 201H Exemption requested to have one entrance along street frontages that are greater than 60 feet. (3) **Requested Exemption #~~11~~21:** 201H Exemption Request to reduce retail depth to 20' in lieu of 40'-to 80'. The retail space along Keawe street will have multiple entrances and ranges from approximately ~~21'~~ 29' to ~~41'~~ 34' deep.
§15-217-56 Landscape and Recreation Space	(a) All yards shall be landscaped with native or adapted plant species and/or hardscaped with permeable material. (d) Residential projects requiring a development permit shall provide fifty-five square feet of recreation space per dwelling unit. The required onsite recreation space, if provided outdoors, may be used to satisfy the open space requirement	(a) **Requested Exemption #~~12~~22:** 201H Exemption requested for use of non-permeable pavement in lieu of permeable pavement. The project will comply with all State and City stormwater requirements. (d) Required: 34,595 SF (~~630~~625 units x 55 SF per unit = ~~34,650~~34,375 SF) Provided: ~~22,289~~22,911 SF **Requested Exemption #~~13~~23**: 201H Exemption requested to provide less than the required amount of recreation space.
§15-217-59, Green Building	(c) Green building standards: (9) A project shall qualify for the applicable base LEED rating system at the appropriate certification level (e.g., new construction projects shall qualify for LEED for new construction) ; (10) The applicable base rating system shall be chosen by the applicant based on the construction type, size, and use of the proposed project; (11) The project shall document the achievement of at least one LEED point in either sustainable sites, stormwater design, quantity control; or stormwater design, quality control; (12) The project shall document the achievement of at least one LEED point in either sustainable sites, heat island effect, nonroof, or roof; (13) The project must document the achievement of at least one point in water efficiency, (WE) credit I: water efficient landscaping; (14) The applicant shall submit documentation and sustainability calculations showing that the proposed development meets the applicable base LEED rating system at the appropriate certification level. Based on these materials, the authority shall determine compliance with this section in conjunction with the	(c) **Requested Exemption #~~14~~24:** 201H Exemption requested. The Project will be designed to meet LEED Certified criteria for multifamily housing to the extent possible; however, at this stage in the design process, it is not known which specific LEED criteria will be achieved.

	accompanying development approval; (15) If the U.S. Green Building Council changes the LEED rating system, the executive director shall identify the new points and rating systems that are relevant to this section; and (16) Applicant may use a green building evaluation system, other than the LEED rating system, as appropriate and as approved by the executive director.	
§15-217-63 Parking and Loading, **Figure 1.10, Parking**	(c) Curb cuts (1) The number of curb cuts shall be minimized, especially along alternative parking access streets, to the maximum practicable extent. Shared alleys, access drives and parking arrangements are encouraged to reduce the need for new curb cuts; (2) Maximum width of new curb cuts shall be twenty-five feet for a two-way driveway and twelve feet for a one-way driveway, except that driveways for front yard houses and all other detached dwellings shall be no more than ten feet in width; and (3) Curb cuts shall be setback a minimum of twenty-two feet from adjacent properties. Lots with less than one hundred linear feet of frontage are exempt from this provision.	(c)(1) ~~**Requested Exemption #15:** 201H Exemption requested: To the maximum extent practicable, curb cuts are minimized. Two curb cuts are located on Pohukaina Street (Alternative Parking Access Street), both of which are necessary to facilitate a convenient drop off area for residents and their guests. There are currently four existing curb cuts on Pohukaina Street providing access to the property; thus, the project will reduce the number of curb cuts on Pohukaina Street. A new curb cut is located on Keawe Street~~ **Complies** - Curb cuts are minimized as there are only two curb cuts on Pohukaina Street (Alternative Parking Access Street), both of which are necessary to facilitate a convenient drop off area for residents and their guests. There are currently four existing curb cuts on Pohukaina Street providing access to the property; thus, the project will reduce the number of curb cuts on Pohukaina Street. A new curb cut is located on Keawe Street. (c)(2) **Requested Exemption #~~16~~25:** 201H Exemption requested for curb cuts to comply with City and County Standard driveways for two-way driveways (24 feet) and one-way driveways 14 feet). (c)(3) ~~**Requested** **Complies** **Exemption #17:** –~~ ~~201H~~ Curb cuts are set back a minimum of 22 feet from adjacent properties. ~~Exemption requested for curb cuts to be located within 22 feet of adjacent properties.~~
	(d) Placement (1) Parking shall be a minimum of forty feet behind any lot line, unless indicated otherwise in Figure 1.10 (parking) ; (2) Parking lots and structures shall not front a civic space; and	(d) **Requested Exemption #~~18~~26:** 201H Exemption requested for parking located within 40 feet of a lot line. ~~Parking is not located within the front yard setback area.~~ Parking does not front a civic space and is not located within the front yard setback area.

	(3) Parking is prohibited within any building front setback or front yard, except in the CK neighborhood zone. (h) Aisle and space dimensions: (1) Each standard parking space shall be no less than 8.5 feet wide and eighteen feet long; (2) Each compact parking space shall be no less than 7.5 feet wide and sixteen feet long and shall be marked as a compact space; and (3) Ingress and egress aisles shall be provided to a thoroughfare and between parking bays. Minimum aisle widths for parking bays shall be: (A) Parking at 0 - 44 degrees: 12 feet; (B) Parking at 45 - 59 degrees: 13.5 feet; (C) Parking at 60 - 69 degrees: 18.5 feet; (D) Parking at 70 - 79 degrees: 19.5 feet; (E) Parking at 80 - 89 degrees: 21 feet; and (F) Parking at 90 degrees: 22 feet; Notwithstanding the foregoing, for a parking angle of ninety degrees, the minimum aisle width may be reduced by one foot for every six inches of additional parking space width above the minimum width, to a minimum aisle width of nineteen feet.	(h) **Requested Exemption #~~19~~27:** 201H Exemption requested for standard parking spaces to have a minimum width of 8'-3" in lieu of the 8'-6" standard parking space width required under §15-217-63(h)((1), HAR. Parking space minimum width as allowed under Section 21-6.50(a), Revised Ordinances of Honolulu, which allows for encroachment of structural columns into a portion of parking spaces. ~~To the extent possible, parking spaces shall have a clear with of at least 8'-3".~~
§15-217-65 Public Facilities Dedication Fee	(b) Dedication requirement. As a condition precedent to the issuance of an improvement permit or development permit, the developer shall dedicate land for public facilities. The dedication of land for public facilities shall be subject to the maximum ceiling in land or money in lieu thereof calculated in accordance with the formula designated in subsections (d) to (f) herein.	(d) **Requested Exemption #~~20~~28:** 201H Exemption requested to exempt the project from public facilities dedication land and fee requirements. If required, the Project would be required to dedicate ~~164~~174 SF in public facilities. ~~5,455~~5,791 SF of commercial floor area (~~54555~~,791 sf) x 3.0% = ~~164~~173.73 SF public facilities dedication requirement.
§15-217-80 Improvement and Development Permits	(a) Applicability. All new improvement projects and developments shall require a permit unless waived in accordance with section 15-217-90 (minor changes) or eligible for a rules clearance under section 15-217-79. (b) Initiation. A developer may apply for an improvement permit or development permit by filing an application with the executive director. (c) Types. There shall be two types of permits - improvement and development. Each type shall be subject to the decision-maker review and action pursuant to Figure 1.1 (approval requirements matrix):	**Requested Exemption #29~~21~~:** 201H Exemption requested to process the proposed Project through HHFDC and under Chapter 201H, HRS instead of HCDA and HAR §15-217-80 (Improvement and Development Permits).

	(1) Improvement permits shall apply to improvement projects and are subject to executive director review and action; and; (2) Development permits shall apply to developments and are subject to authority review and action.	
Kakaako Reserved Housing Rules 15-218, HAR	**REQUIREMENTS (ALLOWABLE)**	**PROPOSED (690 Pohukaina)**
§15-218-1 through §15-218-55		**Requested Exemption #30~~22~~:** 201H Exemption requested to process the proposed Project through HHFDC and under Chapter 201H, HRS instead of HCDA and HAR §15-218 (Reserved Housing Rules).

PBR HAWAII
& ASSOCIATES, INC.

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President / Chairperson

VINCENT SHIGEKUNI
Executive Vice-President / Principal

GRANT T. MURAKAMI, AICP, LEED® AP BD+C
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Senior Vice-President / Principal

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Principal Emeritus

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Principal Emeritus

W. FRANK BRANDT, FASLA
Founding Partner

May 14, 2026

Mr. Dean Minakami, Executive Director
Hawai‘i Housing Finance and Development Corporation
677 Queen Street, Suite 300
Honolulu, Hawai‘i 96813

SUBJECT: REQUEST FOR NEW FOR ACTION FOR THE HONOLULU CITY COUNCIL TO AMEND RESOLUTION 23-83, CD1 POHUKAINA COMMONS AFFORDABLE HOUSING, 690 POHUKAINA STREET, HONOLULU, HAWAI‘I (TMK (1) 2-1-051:041, PORTION)

Dear Mr. Minakami:

On behalf of Highridge Costa Development Company, LLC (the Developer), PBR HAWAII & Associates, Inc. (PBR HAWAII) respectfully requests that the Hawai‘i Housing Finance and Development Corporation (HHFDC) prepare a new For Action for the Pohukaina Commons Affordable Housing Project (the "Project") to facilitate two amendments to Honolulu City Council Resolution 23-83, CD1, adopted June 7, 2023:

1. **Replacement of the Mauka Area Rules exemption list.** That the list of exemptions from the Hawai‘i Community Development Authority's ("HCDA's") Mauka Area Rules (Hawai‘i Administrative Rules Chapter 15-217) (Mauka Area Rules or MAR) in the April 13, 2023 HHFDC For Action be replaced by the updated list of 30 requested exemptions dated February 20, 2026 (Attachment 1 and Attachment 2 (redline version); and

2. **Extension of the construction commencement deadline.** That the Phase 1 construction commencement deadline in Resolution 23-83, CD1 be extended by 36 months, from 48 months to 84 months following the effective date of the Resolution, establishing a revised deadline of June 7, 2030.

No amendments are requested with respect to the City application fees, infrastructure and public works fees, Fire Department plan review fees, or Board of Water Supply fees authorized in Resolution 23-83, CD1, or to the exemption from the Kaka‘ako Reserved Housing Rules (HAR Chapter 15-218). These items remain as previously approved.

Background and Chronology

On April 13, 2023, the HHFDC Board of Directors approved a For Action authorizing development of the Project under Section 201H-38, Hawai‘i Revised Statutes (HRS), including exemptions from the HCDA Rules as listed in Exhibit F to the For Action. By letter dated March 31, 2023, HCDA expressed support for the Project and confirmed that the Project would provide needed affordable housing within the Kaka‘ako Community Development District. On June 7, 2023, the Honolulu City Council adopted Resolution 23-83, CD1, authorizing the requested exemptions and approving the Project subject to certain conditions, including the requirement that construction of Phase 1 commence no later than 48 months after the effective date of the Resolution.

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In the period following the adoption of Resolution 23-83, CD1, the Developer continued to advance the Project through coordination with reviewing agencies and the refinement of the Project design. PBR HAWAII submitted revised plans to HCDA on March 26, 2024 and November 11, 2024, to which HCDA responded with comments on May 14, 2024 and December 6, 2024, respectively. By letter dated December 23, 2024, HCDA summarized its outstanding concerns regarding several exemption requests, including those related to building frontage occupancy, build-to-line setbacks, screening of parking and electrical transformers, and the proposed fence height along Pohukaina Street and Keawe Street.

The Developer responded with further design refinements in three subsequent submittals to HCDA: an updated exemption list and drawings submitted on December 4, 2025 (reviewed at a meeting with HCDA on December 5, 2025); an updated exemption list submitted on December 17, 2025 (reviewed at a meeting with HCDA on January 29, 2026); and the current submittal, transmitted on March 2, 2026, comprising the updated list of 30 requested Mauka Area Rules exemptions dated February 20, 2026 (Attachment 1 and Attachment 2 (redline version), architectural drawings dated February 20, 2026 (Attachment 3), and a draft LEEDv4 BD+C sustainability scorecard dated December 18, 2025 (Attachment 4).

By letter dated May 1, 2026 (Attachment 5), HCDA confirmed its continued support for the Project and the proposed §201H exemptions and acknowledged that the Developer had adjusted the design where possible to address HCDA’s prior concerns. As noted in HCDA’s May 1, 2026 letter, the Mauka Area Rules were amended on January 13, 2025 and January 23, 2026; however, because the Project was originally approved by HHFDC and the Honolulu City Council in 2023 based on the Mauka Area Rules then in effect (which had been in place since November 11, 2011), HCDA has reviewed the current exemption request against those 2011 Mauka Area Rules. The February 20, 2026 list of requested exemptions follows the same approach.

Drivers of the Revised and Additional Exemption Requests

The principal driver of the revisions to the exemption list is the relocation of electrical infrastructure in response to HECO requirements. In April 2024, the Developer learned that the existing electrical infrastructure at the Iwilei and Kewalo substations had reached maximum capacity, and that the Project would be required to absorb the cost of bringing new electrical lines to the site. In light of this, the Developer determined that it was prudent to relocate the Project’s electrical switchgear vaults — one serving Phase 1 and one serving Phase 2 — to the nearest point of connection to the new electrical lines, both of which are located along Pohukaina Street. The previous design had located the Phase 2 vault on Keawe Street and the Phase 1 vault on Pohukaina Street.

Relocating the vaults required HECO approval to site the vaults along Pohukaina Street and to provide suitable access for HECO maintenance. The HECO approval process spanned approximately one year. The relocation also necessitated the redesign of the Project’s electrical, civil, and landscape plans to accommodate the new vault locations and access requirements. These design changes are reflected in several of the revised and additional Mauka Area Rules exemption requests on the February 20, 2026 list, including:

- **Service functions and screening of utilities (HAR §15-217-55).** Requested Exemption #15 (new) is necessitated by the relocation of HECO transformers and switches to the Pohukaina

Street and Keawe Street frontages. HCDA's May 1, 2026 letter recognizes the logistical difficulty of concealing transformers in a manner acceptable to HECO and encourages the Developer to continue exploring mitigation measures such as artistic treatments and moveable planters.

- **Building placement and frontage occupancy (HAR §15-217-53; Figures 1.13 and NZ.6).** Requested Exemptions #9 and #10 (revised/expanded) reflect the increased setbacks along Pohukaina Street (approximately 54 to 59 feet from the back of sidewalk) and Keawe Street (approximately 23 feet from the edge of sidewalk), which accommodate the relocated electrical vaults, the porte cochère and drop-off area, and the expanded corner plaza. The Developer has incorporated additional outdoor seating, benches, and plaza features to activate both street frontages, which HCDA acknowledges in its May 1, 2026 letter.

- **Parking and transformer screening (HAR §15-217-24; Figures 1.8 and BT.10).** Requested Exemption #6 (revised) is necessitated by the placement of habitable space on fewer than three sides of the parking structure given the relocated vault layout. The revised design includes additional aesthetic treatment along the Diamond Head elevation of the parking structure, which HCDA has acknowledged.

- **Building form and tower floor plates (HAR §15-217-24, Figure BT.10; §15-217-55(l)).** Requested Exemptions #8, # 17, #18, and #19 (revised) reflect the current tower configuration and floor plate dimensions, which were refined in response to design coordination.

The remaining exemptions on the February 20, 2026 list address other design refinements and updates to numerical figures (e.g., unit counts, recreation space provided, fence height and materials, public facilities dedication calculations) reflecting the current Project. A complete description of each exemption, with the relevant Mauka Area Rules section and the proposed treatment, is provided in the attached February 20, 2026 list.

Construction Commencement Extension

When Resolution 23-83, CD1 was adopted on June 7, 2023, the Developer reasonably anticipated that 48 months would provide sufficient time to commence construction of Phase 1. Since that time, two principal factors have extended the Project's pre-construction schedule beyond what was contemplated in 2023, neither of which was within the Developer's control:

1. **Electrical infrastructure coordination.** As described above, the discovery in April 2024 of substation capacity limitations required the Developer to relocate the Project's electrical switchgear vaults and pursue an approximately one-year HECO approval process, with associated electrical, civil, and landscape redesign.

2. **Archaeological inventory survey coordination with the State Historic Preservation Division ("SHPD") and lineal descendants.** An archaeological inventory survey (AIS) testing plan consisting of 24 test trenches was submitted to SHPD in December 2023. In summer 2024, SHPD notified the Project's archaeological consultant, Keala Pono, that the testing plan would not be approved until consultation with descendants had occurred. Initial descendant consultation meetings took place in Fall 2024, with additional descendants identified in early 2025. In March 2025, a descendant submitted a letter expressing concerns

regarding the adequacy of the proposed testing coverage. In response, Keala Pono submitted a revised plan to SHPD in May 2025 increasing the testing trenches from 24 to 40. Following further consultation with SHPD and descendants through the end of 2025, a final testing plan consisting of 45 trenches was approved.

These factors have, in turn, delayed the completion of final design and the issuance of final building permits. Because final building permits cannot be issued until the requested Mauka Area Rules exemptions are confirmed through the amended Resolution, the 48-month deadline in Resolution 23-83, CD1 (which expires June 7, 2027) does not provide adequate time for the Developer to complete the remaining pre-construction milestones and commence Phase 1 construction. In recognition of these added costs and schedule impacts, HHFDC approved a Dwelling Unit Revolving Fund (DURF) grant and an expansion of the existing DURF loan to the Project in January 2026.

Based on the foregoing, the Developer requests an extension of the construction commencement deadline by 36 months, from 48 to 84 months following the effective date of Resolution 23-83, CD1, establishing a revised deadline of June 7, 2030.

Recommended Treatment in the New For Action

To facilitate the City Council’s adoption of an amended Resolution, we respectfully recommend that the new For Action states that the list of Mauka Area Rules exemptions in the April 13,2023 For Action is replaced by the February 20, 2026 list of Mauka Area Rules exemptions, so that the amended Resolution may incorporate the replacement list by reference. We further recommend that the new For Action provide for the requested 36-month extension of the Phase 1 construction commencement deadline.

We appreciate HHFDC’s continued partnership in advancing the Pohukaina Commons Affordable Housing Project. Please contact me at (808) 521-5631 or tschnell@pbrhawaii.com with any questions or to request additional information that may be helpful in preparing the new For Action.

Sincerely,

PBR HAWAII

Tom Schnell, AICP
Vice President

Attachments:

1. Requested Exemptions, revised February 20, 2026 (30 Mauka Area Rules exemptions)
2. Requested Exemptions, revised February 20, 2026 (30 Mauka Area Rules exemptions)(redline)
3. Architectural drawings dated February 20, 2026 (SVA Architects).
4. Pohukaina Commons LEEDv4 BD+C draft sustainability scorecard, dated December 18, 2025
5. HCDA letter to PBR HAWAII dated May 1, 2026.

cc: Albert Palmer, Development Section Chief, HHFDC
Cameron Lowry, Project Manager, HHFDC
Craig K. Nakamoto, Executive Director, HCDA (courtesy copy)
Monte Heaton, Highridge Costa Development Company, LLC
Michael Saines, Form Partners, LLC