

### CITY COUNCIL CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII

No.

20-174

### RESOLUTION

### APPROVING A CONCEPTUAL PLAN FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT FOR THE KCR DEVELOPMENT CONDOMINIUM AND COMMERCIAL PROJECT.

WHEREAS, on December 18, 2020, the Department of Planning and Permitting ("DPP") accepted the application (DPP Reference Number 2019/SDD-79) of Evershine III, LLP (herein referred to as the "Applicant') for an Interim Planned Development-Transit (IPD-T) Permit to redevelop 56,250 square feet of land with a mixed-use residential and commercial project in the Ala Moana neighborhood on land zoned BMX-3 Community Business Mixed-Use District, located at 1659, 1661, 1663, 1665, 1667, 1673, 1677, 1679, and 1681 Kapiolani Boulevard and 1646 Kona Street, and identified as Tax Map Key(s) 2-3-041: 003 and 004 (herein referred to as the "Project"); and

WHEREAS, the Project will include the demolition of the existing commercial structures and the development of a new tower, with a maximum height of 400 feet, which includes a 529 condo-hotel units, 315 hotel units, and 84 affordable rental housing units, ground floor commercial spaces, and other ground floor pedestrian improvements; and

WHEREAS, on January 24, 2020, the DPP held a Public Hearing which was attended by the Agent, Applicant and its representative, and approximately eight members of the public; with four of them providing testimony; and

WHEREAS, on \_\_\_\_\_\_, the DPP, having duly considered all evidence and reports of said public hearing and the review guidelines established in Section 21-2.110-2 and 21-9.100-5 of the Land Use Ordinance (LUO), completed its report and transmitted its findings and recommendation of approval to the Council by Departmental Communication \_\_\_\_\_ (2020); and

WHEREAS, the conceptual plan for the Project is set forth in the exhibits attached hereto as Exhibits A-1 through A-5, and B-1 through B-16, and is further described in Departmental Communication \_\_\_\_(2020), all of which are incorporated herein by this reference; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on \_\_\_\_\_\_, and having duly considered the matter, desires to approve the conceptual plan for the Project, subject to the conditions enumerated below; now, therefore,

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### CITY COUNCIL CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII

20-174

## RESOLUTION

BE IT RESOLVED by the Council of the City and County of Honolulu that the conceptual plan for the IPD-T Project is approved under the following conditions, subject to the following conditions:

- A. Within 10 working days of City Council approval of the IPD-T Permit for the KCR Development, the Applicant shall submit to the DPP Land Use Permits Division for review and approval, an application for a Major Special District (SD) Permit, including detailed plans and drawings of the Project.
- B. The maximum floor area ratio for the Project is 10.0
- C. The maximum height of the Project is 400 feet. Rooftop structures must conform to LUO Section 21-4.60(c).
- D. The Applicant shall provide updated plans that show compliance with the height setbacks and tower separation requirements, as provided by the Transit Oriented Development (TOD) Plan.
- E. The maximum number of vehicle parking spaces is 50 percent of the LUO parking requirement for the Project.
- F. The minimum number of loading spaces may be reduced to seven. At least three spaces must be full size (12 feet x 35 feet, with 14-foot vertical clearance), and at least four must meet the LUO requirement for smaller loading spaces.
- G. All required parking for the multi-family dwellings, condo-hotel units, and hotel units must be unbundled. No parking spaces dedicated to residential or hotel uses may be sold to individual unit owners. The spaces may be leased but only for periods not exceeding 10 years.
- H. The Project must include a minimum of 51 short-term and 127 long-term Bicycle spaces.
- I. The application for the SD Permit shall include updated plans and documents showing the following:
  - 1. Pedestrian oriented improvements (benches, sitting walls, outdoor dining areas) up to the build-to lines for 70 percent of the frontage along Kapiolani Boulevard.



### CITY COUNCIL CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII

No. 20-174

## RESOLUTION

- 2. Pedestrian amenities along Kona Street.
- 3. The pedestrian pathway along Kapiolani Boulevard should as a linear, unobstructed pathway of at least 12 feet in width.
- 4. Bikeshare station details.
- 5. How the public will be informed and able to access the car-sharing area.
- 6. A landscape plan showing the location and types of plants and trees on the site.
- J. The following community benefits shall be provided:
  - The Applicant must provide at least 169 affordable rental units, or 20 percent of all units (whichever is greater) for families earning no more than 80 percent of the area median income for Honolulu, for a period of no less than 30 years. If the number of total hotel and condo-hotel units changes, 20 percent of all units are required as Bonus Units. Compliance with this condition will be confirmed prior to the issuance of any certificate of occupancy (CO).
  - 2. Bikeshare station. The bikeshare stations must be conveniently located on the site and publicly accessible. Prior to issuance of a CO, compliance will be confirmed upon completion of an agreement with Bikeshare Hawaii, or City bicycle sharing partner, to fund, construct, and provide space for on-site bikeshare stations with a minimum of 20 total spaces, or as deemed appropriate by Bikeshare Hawaii or a City bicycle sharing partner.
  - 3. Ten parking spaces dedicated to car-sharing. The car-share spaces must be publicly accessible at all times and include adequate wayfinding signage to direct the public to the car-share spaces.
  - 4. A monetary contribution of \$94,000 to the City for use to construct a bike lane on Kapiolani Boulevard, or to fund other Complete Streets improvements in the Ala Moana TOD Plan Area.
  - 5. Traffic Demand Management (TDM) measures to encourage use of alternate transportation modes. The Applicant should be required to provide free or reduced fare transit passes for at least one year after the



No.

20-174

# RESOLUTION

hotel is in operation for employees, residents, and guests, to minimize the number of vehicular trips for daily activities of employees, residents and guests.

- K. Application for building permits shall reflect the following:
  - 1. The tower rotated so it is in a mauka-makai orientation and perpendicular to Kapiolani Boulevard.
  - 2. Compliance with LUO height setbacks.
  - 3. The tower setback at least 50 feet from the east and west property lines to comply with the tower separation requirements.
  - 4. The type and location of all short- and long-term bicycle parking. The bicycle parking plans should be modified so that more than half of the short-term bicycle parking spaces are located on the ground floor in publicly accessible areas. The remainder of the short-term bicycle parking stalls may be on the second floor in the parking podium, and should be located near a publicly accessible elevator or vehicle ramp. A sign directing the public to the additional podium short-term bicycle parking will be required. The long-term bicycle parking spaces should be evenly distributed within the parking podium.
- L. Prior to the issuance of a building permit, the Applicant shall coordinate with the City Department of Transportation Services (DTS) and the DPP to:
  - 1. Demonstrate compliance with Complete Streets policies.
  - 2. Ensure that all access driveways are designed with pedestrian and bicycle safety measures in place.
  - 3. Contribute \$94,000 to the City for use to construct a bike lane on Kapiolani Boulevard, or to fund other Complete Streets improvements.
- M. Prior to applying for a grading permit or building permit, whichever comes first, the Applicant shall provide:
  - 1. An Archaeological Inventory Survey report that has been approved by the State Historic Preservation Division, and commit to the approved



20-174

# RESOLUTION

mitigation and protocols of all cultural resources, including iwi, identified on site.

- 2. A right-of-entry agreement from the owner of Kona Street for access rights to use Kona Street.
- N. Prior to applying for a foundation permit, the Applicant shall submit an updated wind study wind tunnel test to quantify the wind conditions and evaluate the effectiveness of any wind mitigation strategies for public areas. The Applicant shall implement the recommendations of the wind study.
- O. Prior to approval of a building permit, the Applicant shall submit for approval:
  - 1. A timeline with anticipated dates for obtaining major building permits for demolition and construction work, including the date of occupancy. This will also identify when a Construction Management Plan (CMP), Traffic Management Plan (TMP), and updates to or validation of the findings of the Traffic Impact Report (TIR).
  - 2. The CMP shall:
    - Identify the type, frequency, and routing of heavy trucks and construction related vehicles, and provide remedial measures, as necessary;
    - b. Identify and limit vehicular activity related to construction outside the peak periods of traffic, utilizing alternate routes for heavy trucks, provisions for on-site or off-site staging areas for construction workers and vehicles;
    - c. Include preliminary or conceptual traffic control plans; and
    - d. Include the condition of roadways prior to the start of construction activities so that the existing roadway can be restored to their original or improved condition upon completion.
  - 3. The TMP should include TDM strategies to limit vehicular trips for daily activities and large events. Measures should include a substantial reduction in the availability of parking spaces, incentives for transit, bicycle, and walking to minimize the amount of vehicular trips for daily



No. \_

20-174

# RESOLUTION

activities by residents and employees, and a Bicycle and Pedestrian Circulation Plan (PCP). The PCP should determine the necessary sidewalk widths and curb, furniture, and pedestrian areas pursuant to the Complete Streets Manual. A post TMP will be required approximately one year after the issuance of the CO to validate the relative effectiveness of the various TDM strategies identified in the initial report.

- 4. The TIR should be updated, or a separate analysis done, to evaluate the impact of the Project. The updated study should be coordinated with the DTS and DPP to provide a pedestrian and multi-modal analysis, discuss compliance with "Complete Streets" design concepts. A post TIR will be required approximately one year after the issuance of the CO to validate the traffic projections, distribution, and assignment contained in the initial TIR. The recommendations of the report should be implemented, in coordination with the DPP. The Applicant should coordinate with the DPP and DTS to ensure that the design of these intersections meets Complete Streets standards and serves all users.
- P. The Applicant must provide mitigation measures to control or restrict thru traffic between Kapiolani Boulevard and Kona Street.
- Q. Prior to the issuance of a CO for the hotel or condo-hotel units, the Applicant must obtain a CO for the affordable housing units.
- R. The Applicant is responsible for the coordination with applicable public agencies and compliance with applicable regulations for the construction of the proposed Project.
- S. Approval of this IPD-T Permit does not constitute compliance with other LUO or governmental agencies' requirements, including building permit approval. They are subject to separate review and approval. The Applicant should be responsible for ensuring that the final plans for the Project approved under this permit comply with all applicable LUO and other governmental provisions and requirements.
- T. The Applicant must obtain a Building Permit for the Project within five years of the date of the SD Permit. Failure to obtain a Building Permit within this period should render this approval null and void, provided that this period may be extended as follows:



# RESOLUTION

- 1. The Director of the DPP may extend this period if the Applicant demonstrates good cause, but the period should not be extended beyond one year from the initial deadline without the approval of the City Council, which may grant or deny the approval in its complete discretion.
- 2. If the Applicant has demonstrated good cause for the extension, the Director shall prepare and submit to the Council a report on the proposed extension, which should include the Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution.
- 3. If the Council fails to take final action on the proposed extension within the first to occur of: (1) Sixty days after receipt of the Director's report, or (2) The Applicant's then-existing deadline for obtaining a building permit; the extension should be deemed denied.
- U. Construction should be in general conformity with the approved plans on file with the DPP. Any change in the size or nature of the Project which significantly alters the proposed development should require a new application. Any change which does not significantly alter the proposed Project should be considered a minor modification and, therefore, permitted under this resolution, upon review and approval of the Director of the DPP.



No.

20-174

## RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Kathy K. Sokugawa, Acting Director of the Department of Planning and Permitting, 650 South King Street, 7<sup>th</sup> Floor, Honolulu, Hawaii, 96813; KCR Development, 1296 Kapiolani Boulevard, Suite 2 Honolulu, Hawaii, 96814; and R. M. Towill Corporation, Attention: Keith Kurahashi, 2024 North King Street, Suite 200, Honolulu, Hawaii, 98619.

INTRODUCED BY:

(br)

DATE OF INTRODUCTION:

JUL 10 2020

Honolulu, Hawaii

Councilmembers









































