

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Trevor Ozawa, Vice-Chair  
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

---

Committee Meeting Held  
January 14, 2016

Honorable Ernest Y. Martin  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, to which was referred Resolution 16-11 entitled:

“RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KAPOLEI MIXED-USE AFFORDABLE AND MARKET RATE HOUSING PROJECT AT KAPOLEI, OAHU, HAWAII, TAX MAP KEY (1) 9-1-088:021,”

introduced on January 7, 2016, reports as follows:

The purpose of this Resolution is to authorize, pursuant to Section 201H-38, Hawaii Revised Statutes (HRS), exemptions from certain construction and development requirements relating to the Kapolei mixed-use affordable and market rate housing project in the City of Kapolei.

By Miscellaneous Communication No. 3847, dated December 15, 2015, the State of Hawaii’s Hawaii Housing Finance and Development Corporation (HHFDC) transmitted to the Council the request for approval of the proposed exemptions. The HHFDC Board of Directors, on November 12, 2015, approved the Project with the proposed exemptions.

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 27 2016

COMMITTEE REPORT NO. 23

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Trevor Ozawa, Vice-Chair  
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

---

Committee Meeting Held  
January 14, 2016  
Page 2

## PROJECT DESCRIPTION

Coastal Rim Properties Inc. proposes to develop the Kapolei Mixed-Use Development ("Project"), a mixed-use affordable and market rate housing project on 3.036 acres of land located at 1020 Wakea Street in the City of Kapolei, Oahu, identified as Tax Map Key (1) 9-1-088:021.

The proposed Project consists of three components to be built in three phases:

Phase 1 of the Project will include a 150-foot, 13-story multi-family rental apartment building with a total of 154 units serving senior households earning maximum incomes ranging from 30 to 60 percent of the area median income (AMI), as well as 7,412 square feet of ground floor retail space, and 185 parking stalls.

Phase 2 of the Project will include a 150-foot, 13-story multi-family condominium building with a total of 143 units, of which 72 units will be affordable units offered to households earning maximum incomes ranging from 100 to 120 percent of the AMI, as well as 7,086 square feet of ground floor retail space, and 170 parking stalls.

Phase 3 of the Project will include 17,594 square feet of ground floor retail space, 1,249 square feet of associated services space, and 56 parking stalls.

The Project will also include two community/recreation rooms totaling 2,984 square feet, and 30,658 square feet of outdoor recreation space atop the parking podium.

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

JAN 27 2016

COMMITTEE REPORT NO.

23

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Trevor Ozawa, Vice-Chair  
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

---

Committee Meeting Held  
January 14, 2016  
Page 3

## PROCESSING OF APPLICATION

Your Committee notes that this application was transmitted directly to the Council by the HHFDC, and was not processed by the Department of Planning and Permitting (DPP).

## REQUESTED EXEMPTIONS

This Resolution approves exemptions from application fees and infrastructure and/or public works fees and charges; deferral of monthly sewer charges, wastewater system facility charges, and water system facility charges; exemptions from various Land Use Ordinance provisions relating to permitted uses, density, setbacks, and off-street parking; and exemptions from the Kapolei Urban Design Plan guidelines.

## TESTIMONY

At its meeting on January 14, your Committee received testimony in support of the Resolution from the Board of Water Supply.

## DISCUSSION OF EXEMPTIONS

In response to an inquiry by your Committee Chair, representatives of the DPP confirmed that regardless of any exemptions obtained by the Applicant from the Council, particularly with respect to the Kapolei Urban Design Plan (KUDP) guidelines, the Applicant would still need to obtain waivers from the James Campbell Company and Affiliated Companies (JCC Group), the former owner of the property and master developer of the City of Kapolei.

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 27 2016

COMMITTEE REPORT NO. 23

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Trevor Ozawa, Vice-Chair  
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

---

Committee Meeting Held  
January 14, 2016  
Page 4

The unilateral agreement (UA) incorporated into Ordinance 90-30, which rezoned the property to the B-2 Community Business district, required preparation of the KUDP and established design review procedures. The JCC Group and the DPP retain design review and approval authority over all developments in the City of Kapolei.

The KUDP was incorporated into the property's Declaration of Protective Covenants, Conditions and Restrictions (CC&Rs) to meet a condition of Ordinance 90-30 and to ensure design consistency and standards for all property owners. Compliance with applicable terms of the CC&R and the KUDP is enforced privately by the JCC Group as declarant.

The JCC Group retains enforcement rights for the use restrictions, covenants, and reservations of rights in the property's limited warranty deed. The deed specifies that the permitted use of the property is an office building with ground floor retail totaling not less than 200,000 sq. ft.

In a letter dated August 14, 2015, the JCC Group noted that it would not object to the City Council's approval of the 201H exemptions and would be willing to discuss amending the use restrictions contained in the limited warranty deed with the Project's developer.

---

## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 27 2016

COMMITTEE REPORT NO. 23

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Trevor Ozawa, Vice-Chair  
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

---

Committee Meeting Held  
January 14, 2016  
Page 5

## COMMITTEE AMENDMENTS

Your Committee considered a posted CD1 version of the Resolution, which makes the following changes:

- A. Removes the 10<sup>th</sup> WHEREAS clause, relating to consistency with the City's housing and community development goals.
- B. In the BE IT RESOLVED clause, deletes item 4, which reads:  
  
Deferral from ROH Sections 14-6.1 and 14-6.4, to allow a deferral of Board of Water Supply sewer service charges for Phases 1 and 2 of the Project, until a certificate of occupancy is issued for each phase.
- C. Fills in the estimated grading and grubbing permit fees for Phases 1 and 2 of the Project at \$1,045 and \$900, respectively.
- D. Makes miscellaneous technical and nonsubstantive amendments.

## COMMITTEE FINDINGS AND RECOMMENDATIONS

Your Committee finds that the housing benefits to be provided by the Project justify the exemptions authorized by this Resolution, as amended in the foregoing CD1. Accordingly, your Committee acts favorably on this Resolution, as amended.

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 27 2016

COMMITTEE REPORT NO. 23

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Trevor Ozawa, Vice-Chair  
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

---

Committee Meeting Held  
January 14, 2016  
Page 6

Your Committee on Zoning and Planning is in accord with the intent and purpose of Resolution 16-11, as amended herein, and recommends its adoption in the form attached hereto, as Resolution 16-11, CD1. (Ayes: Anderson, Fukunaga, Manahan – 3; Noes: Ozawa – 1; Excused: Kobayashi – 1.)

Respectfully submitted,



\_\_\_\_\_  
Committee Chair

RECEIVED  
CITY OF HONOLULU  
JAN 27 2016 10:30 AM

---

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 27 2016

COMMITTEE REPORT NO. 23



---

## RESOLUTION

---

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KAPOLEI MIXED-USE AFFORDABLE AND MARKET RATE HOUSING PROJECT AT KAPOLEI, OAHU, HAWAII, TAX MAP KEY (1) 9-1-088:021.

WHEREAS, Coastal Rim Properties Inc. (Developer), with the approval of the Hawaii Housing Finance and Development Corporation (HHFDC), proposes to develop Kapolei Mixed-Use Development (Project), a mixed-use affordable and market rate housing project that will include 297 rental and for-sale condominium units, ground floor retail space and parking on 3.036 acres of land located at 1020 Wakea Street in the City of Kapolei, Oahu, identified as Tax Map Key 1) 9-1-088:021; and

WHEREAS, Phase 1 of the Project will include a 13-story multi-family rental apartment building, 150 feet in height, with a total of 154 units serving senior households earning maximum incomes ranging from 30 to 60 percent of the area median income (AMI), as well as 7,412 square feet of ground floor retail space, and 185 parking stalls; and

WHEREAS, Phase 2 of the Project will include a 13-story multi-family condominium building, 150 feet in height, with a total of 143 units, of which 72 units will be affordable units offered to households earning maximum incomes ranging from 100 to 120 percent of the AMI, as well as 7,086 square feet of ground floor retail space, and 170 parking stalls; and

WHEREAS, Phase 3 of the Project will include 17,594 square feet of ground floor retail space, 1,249 square feet of associated services space, and 56 parking stalls; and

WHEREAS, the Project will also contain two community/recreation rooms totaling 2,984 square feet, and 30,658 square feet of outdoor recreation space atop the parking podium; and

WHEREAS, the Project will help address the critical need for affordably priced housing within the City of Kapolei in convenient proximity to health care facilities, retail amenities, educational facilities, public parks, public transportation, and employment centers; and

WHEREAS, on November 12, 2015, the HHFDC Board of Directors approved the Project with the proposed exemptions; and

WHEREAS, the City Council is empowered and authorized to approve the Project, which may include exemptions from statutes, ordinances, charter provisions,



---

## RESOLUTION

---

and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land and the construction of units thereon pursuant to Hawaii Revised Statutes Section 201H-38; and

WHEREAS, the Council has reviewed the preliminary plans and specifications for the Project, prepared by SVA Architects, submitted to the Council by HHFDC; and

WHEREAS, the granting of the requested exemptions is necessary for the timely and successful implementation of the Project; and

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

WHEREAS, the Project does not contravene any safety standards, tariffs, or rates/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 and Infrastructure and/or Public Works Fees and Charges

1. Exemption from Sections 18-6.1 and 18-6.2, Revised Ordinances of Honolulu 1990 (ROH), to allow an exemption from plan review and building permit fees for Phases 1 and 2 of the Project. Plan review fees are estimated at \$25,000 for each phase, and building permit fees are estimated at \$124,000 for Phase 1 and \$130,000 for Phase 2.
2. Exemption from ROH Section 14-14.4, to allow an exemption from grading and grubbing permit fees for Phases 1 and 2 of the Project, estimated at \$1,045 and \$990, respectively.
3. Exemption from ROH Section 14-12.12, to allow an exemption from private storm drain connection license fees for Phases 1 and 2 of the Project, estimated at \$1,000 for each phase.
4. Deferral from ROH Sections 14-10.1 and 14-10.3, to allow a deferral of payment of wastewater system facility charges for Phases 1 and 2 of the Project,



---

## RESOLUTION

---

estimated at \$633,000 and \$588,000 respectively, until a certificate of occupancy is issued for each phase.

### Board of Water Supply Rules and Regulations

5. 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 of payment of water system facility and installation of water service fees for Phases 1 and 2 of the Project, until a certificate of occupancy is issued for each phase.

### Land Use Ordinance

6. Exemption from Land Use Ordinance (LUO) Section 21-3.120-2(b) and Table 21-3.4, to allow residential use in the B-2 Community Business District. Phase 1 of the Project will include 154 senior housing rental units, and Phase 2 will include 143 multi-family condominium units.
7. Exemption from LUO Section 21-3.110-1(c)(4) and Figure 21-3.7, to allow portions of the upper floors of the rental apartment building and condominium building mass to encroach into the building height setback envelope.
8. Exemption from LUO Section 21-6.20 and Table 21-6.1, to allow fewer than the minimum number of required off-street parking spaces. The Project requirement is to provide for a total of 389 parking stalls. The Project provides for 306, or 83 fewer stalls than required.
9. Exemption from LUO Section 21-6.100, to allow fewer than the minimum number of required loading spaces. The Project requirement is to provide for a total of seven loading stalls. The Project provides for five, or two fewer stalls than required.

### Kapolei Urban Design Plan

10. Exemption from the Kapolei Urban Design Plan guidelines (Section 5.2.2.1 - Building Envelopes), to allow an exemption from the requirement for a sloping roof form, and to exceed the 125-foot height limit for the highest occupied floor. The Project includes two towers, each with a height of 130 feet for the highest occupied floor.

and



---

## RESOLUTION

---

BE IT FURTHER RESOLVED that as used in this Resolution,

- a. References to HHFDC include any successor agency; and
- b. References to specific statutes, ordinances, or regulations include any respective successor statutes, ordinances, or regulations;

and

BE IT FURTHER RESOLVED that this Resolution is void unless construction of the Project commences no later than 24 months after the approval date of this Resolution; and

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

BE IT FURTHER RESOLVED that the final plans and specifications for the Project constitute the zoning, building, construction, and subdivision standards for the Project and are approved if those plans and specifications do not substantially deviate from the preliminary plans and specifications submitted to the Council; provided that minor modifications to the design character of the building and/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 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



**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, Hawaii 96813; Coastal Rim Properties, Inc., 16601 Gothard Street, Suite F, Huntington Beach, California 92647; and the Director of the Department of Planning and Permitting.

INTRODUCED BY:

Ernest Martin

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

January 7, 2016  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers