



RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA (SMA) USE PERMIT TO RENOVATE THE FORMER HENRY J. KAISER ESTATE, INVOLVING THE RENOVATION OF TWO LARGE EXISTING SINGLE-FAMILY DWELLINGS, THE CONSTRUCTION OF A LARGE NEW SINGLE-FAMILY DWELLING AND VARIOUS IMPROVEMENTS AND THE REPAIR OF EXISTING NONCONFORMING STRUCTURES WITHIN THE 40-FOOT SHORELINE SETBACK AREA.

WHEREAS, on February 19, 2016, the Department of Planning and Permitting (DPP) accepted the application (File No. 2015/SMA-48) of Evershine II LP, herein referred to as the "Applicant," for a Special Management Area (SMA) Use Permit, to allow the renovation of two large existing dwellings, the construction of a large new dwelling and ancillary buildings including a pool pavilion, staff house, garage and guest houses, and various improvements, including the repair of existing structures within the 40-foot shoreline setback at 567 Portlock Road, Honolulu, Oahu, and identified as Tax Map Keys 3-9-26: 44, 45, 46, 47, and 48, Reference Number 2015/SMA-48; and

WHEREAS, on April 8, 2016, the DPP held a Public Hearing which was attended by the three representatives of the Applicant and 11 members of the public; public testimony was offered by five members at the Public Hearing; and

WHEREAS, on May 6, 2016, within 20 working days after the close of the Public Hearing, the DPP having duly considered all evidence and the objectives, policies, and guidelines as established in Sections 25-3.1 and 25-3.2, Revised Ordinances of Honolulu (ROH), and Sections 205A-2 and 205A-26, Hawaii Revised Statutes (HRS), completed its report and transmitted its findings and recommendation of approval to the Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on May 10, 2016, and at its meeting of August 3, 2016, having duly considered all of the findings and reports on the matter, approved the subject application for an SMA Use Permit with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that a SMA Use Permit be issued to the Applicant under the following conditions:

- A. Renovation of two large existing single-family dwellings, construction of a large new dwelling and various improvements within the SMA, and repair existing structure within the shoreline setback area shall be in general conformity with the Project as described in the Report and Recommendation by the Director of the DPP, as depicted in Exhibits A-1 through C-3. Any changes in the size or nature



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of the Project which have a significant effect on coastal resources addressed in Chapter 25, Revised Ordinances of Honolulu, and Chapter 205-A, HRS, shall require a new application. Any changes which do not have a significant effect on coastal resources shall be considered a minor modification and therefore permitted under this resolution, upon review and approval of the Director of the DPP.

- B. Prior to the issuance of any development permit for the Project, the Applicant shall obtain from the DPP a Minor Shoreline Setback Permit, as required for the Project.
- C. The Applicant shall maintain the footbridge in the closed position allowing pedestrian access at all times, except during the ingress or egress of watercraft. Prolonged retraction of the footbridge beyond a reasonable period (i.e., 20 minutes), shall be construed as a violation of this approval and constitute grounds for the revocation of this approval.
- D. The Applicant shall take special care when trimming or clearing woody plants greater than 15 feet tall in order to minimize possible impacts to potential breeding of the hoary bats. Furthermore, between June 1 and September 15, woody plants greater than 15 feet tall shall not be disturbed.
- E. All landscaped areas, landscaping and irrigation shall be contained and maintained within the property lines of the lot of origin, and shall under no circumstances extend seaward of the shoreline as depicted on the certified shoreline survey for the lot dated June 18, 2015.
- F. The Applicant shall obtain building permit for any unauthorized structures on the site (i.e., fence).
- G. Artificial light from exterior lighting fixtures, including, but not necessarily limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes shall be prohibited if the light directly illuminates, or is directed to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to Section 205A-71(b), HRS.
- H. **The Applicant shall obtain a development permit for the proposed development within two years of the date of this permit.** Failure to obtain a development permit within this period shall render this permit null and void, provided that this period may be extended as follows: The Director of the DPP may extend this period if the Applicant demonstrates good cause, but the period shall not be extended beyond one year from the initial deadline set by the City Council.



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- I. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work and contact the Department of Land and Natural Resources, State Historic Preservation Division (SHPD) immediately. Work in the immediate area shall be stopped until the SHPD is able to assess the impact and make further recommendations for mitigative activity.

- J. Approval of this SMA Use Permit does not constitute compliance with the Land Use Ordinance (LUO) or other governmental requirements, including building permit and/or grading permit approval. They are subject to separate review and approval. The Applicant will 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.



RESOLUTION

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this resolution be transmitted to Kurt Mitchell, Kober Hanssen Mitchell Architects, Inc., 77 Merchant Street, Honolulu, Hawaii 96813; Evershine II, L.P., 19620 Stevenson Creek Boulevard, Suite 200, Cupertino, California 95014; George I. Atta, Director of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813; and Leo R. Asuncion, Jr., Acting Director of the Office of Planning, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawaii 96804.

INTRODUCED BY:

[Handwritten Signature]

_____ (br)

DATE OF INTRODUCTION:

MAY 10 2016

Honolulu, Hawaii

Councilmembers

2016 MAY 10 10:30 AM

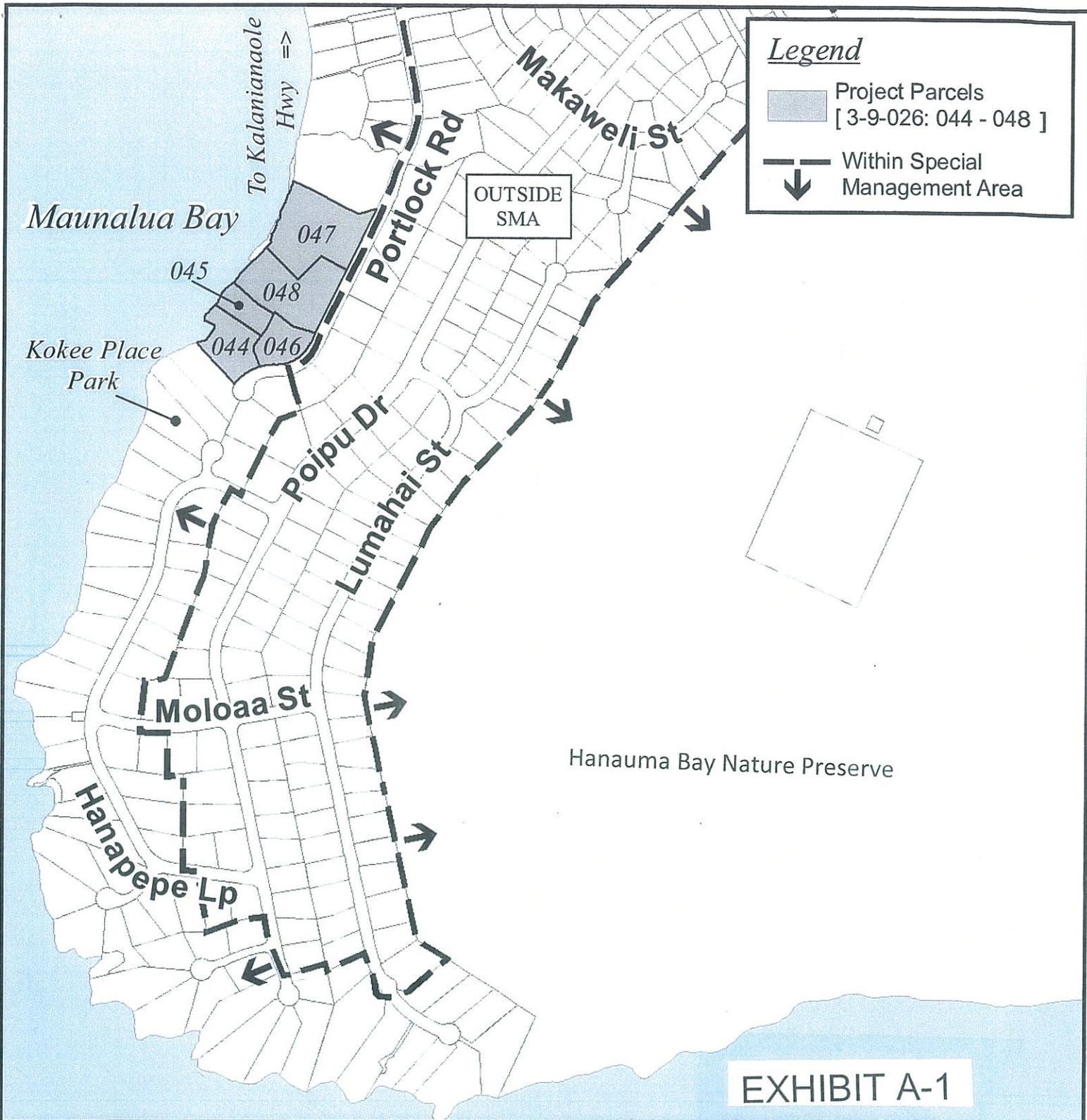
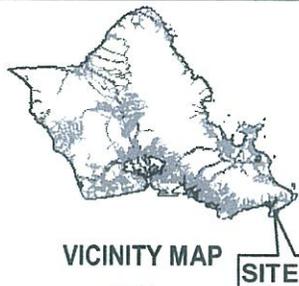


EXHIBIT A-1



VICINITY MAP

SITE



500 250 0 500



Scale in Feet

LOCATION MAP

Portlock / Koko Head

TAX MAP KEY(S): 3-9-026: 044 to 048

FOLDER NO.: 2015/SMA-48

Legend

 Zoning Boundary

 Project Parcels
[3-9-026: 044 - 048]

Maunalua Bay

P-2
(Kokee Pl. Park)

R-10

P-1

Hanauma Bay Nature Preserve

EXHIBIT A-2



VICINITY MAP **SITE**

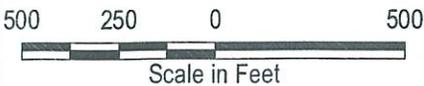
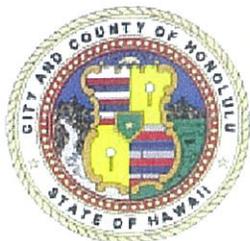
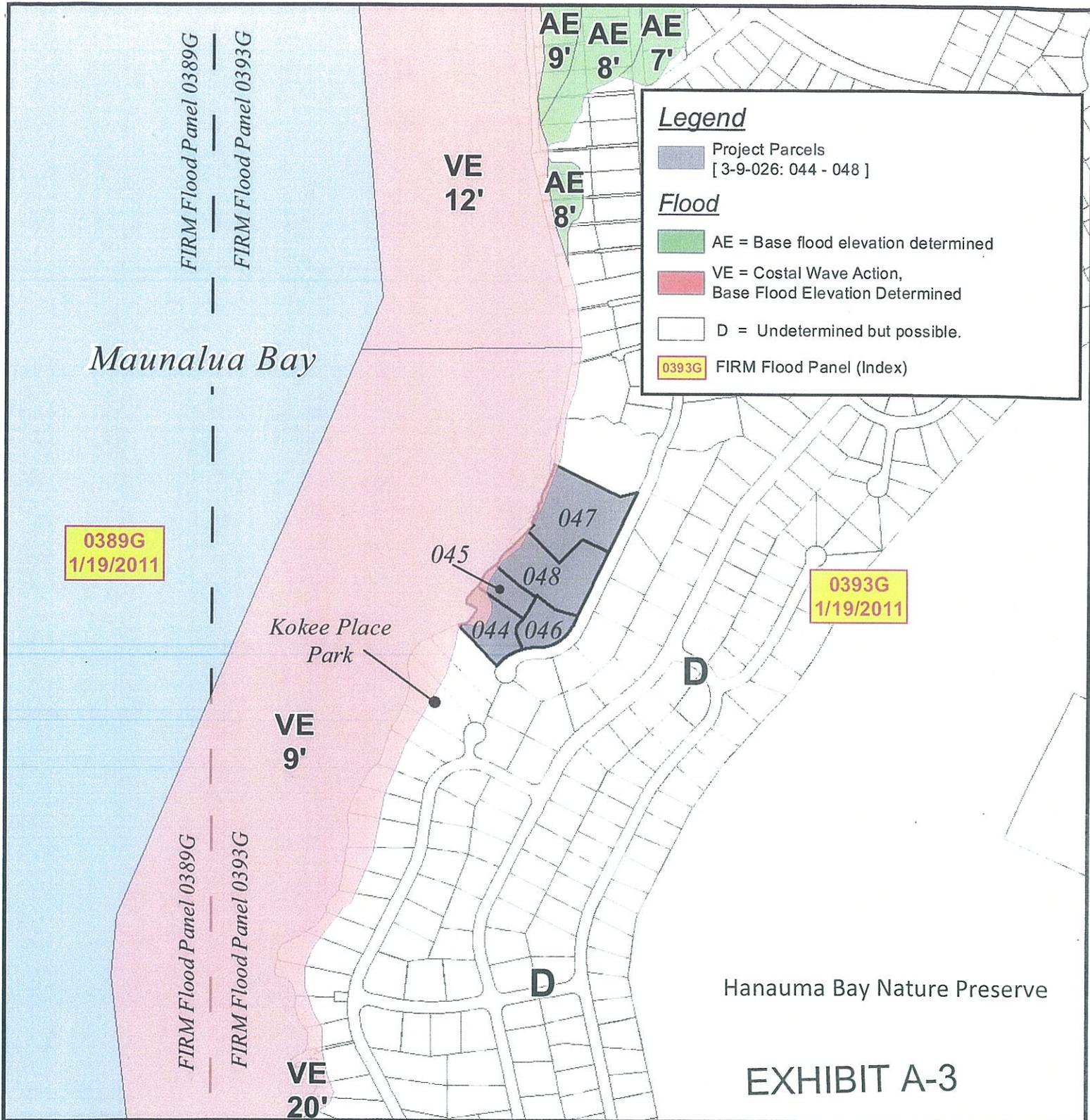


500 250 0 500
Scale in Feet

**Portion of:
EXISTING ZONING MAP
Hawaii Kai**

TAX MAP KEY(S): 3-9-026: 044 to 048

FOLDER NO.: 2015/SMA-48



Portion of:
FLOOD MAP
Hawaii Kai

TAX MAP KEY(S): 3-9-026: 044 to 048

FOLDER NO.: 2015/SMA-48

M a u n a l u a

B a y

SITE

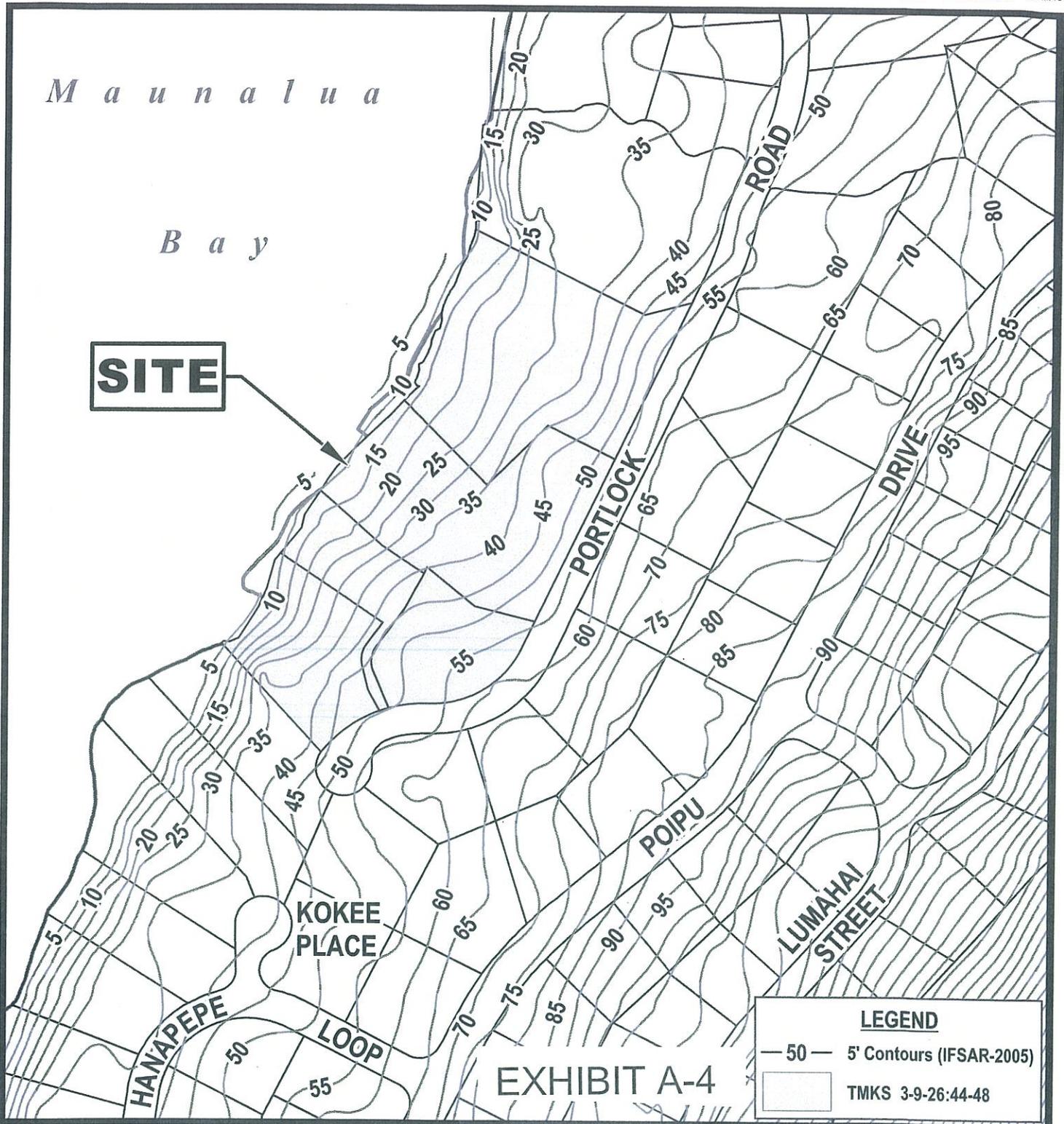
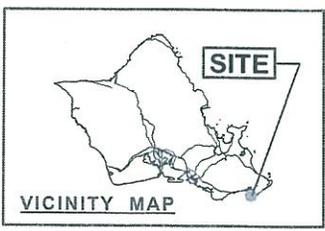


EXHIBIT A-4

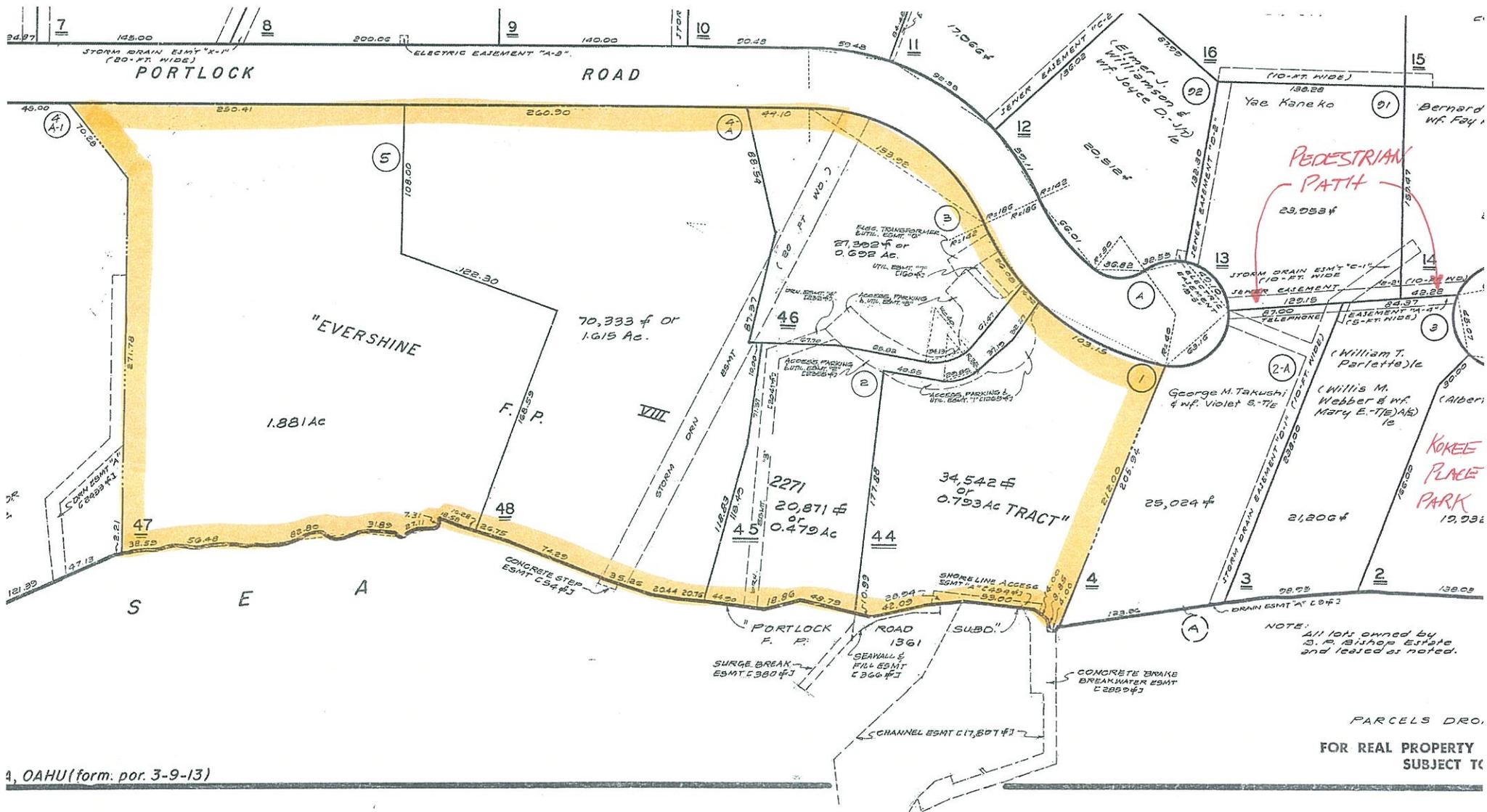
LEGEND

- 50 — 5' Contours (IFSAR-2005)
- [Box] TMKS 3-9-26:44-48



Portion of
TOPOGRAPHIC MAP
Hawaii Kai

FOLDER NO: 2015/SMA - 48
 TAX MAP KEY(S): 3-9-026:044-048
 Date Prepared: February 2016



4, OAHU (form. por. 3-9-13)

EXHIBIT A-5
2015/SMA-48

JOHN WAIHEE
GOVERNOR



1996 SEP 16 PM 2:11

DEPT. OF LAND UTILIZATION
CITY & COUNTY OF HONOLULU

EDWARD Y. HIRATA
DIRECTOR

DEPUTY DIRECTORS
JOHN K. UCHIMA
RONALD N. HIRANO
DAN T. KOCHI

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HARBORS DIVISION

79 SO NIMITZ HWY • HONOLULU HAWAII 96813

IN REPLY REFER TO:

June 1, 1987

HAR+B 4523

527-1861
June 1, 1987
Mr. Jake Peppers
Manager
525 Portlock Road
Honolulu, Hawaii 96825

Dear Mr. Peppers:

This is in response to your inquiry regarding the responsibility of the owner of the property at 525 Portlock Road to provide public pedestrian access along the shoreline.

The Harbors Division issued Shore Waters Construction Permit No. 1186 to Mr. Henry J. Kaiser to dredge a boat channel and turning basin at his Portlock property. Mr. Kaiser agreed to construct a footbridge across the channel to satisfy the condition of the permit requiring that public pedestrian access be provided along the shoreline fronting his property.

The responsibility to maintain public access along the shoreline of this property (TMK:3-9-26:1,2) rests with the property owner as long as the boat channel remains in existence. The public access requirement pertains only to maintenance of the footbridge and pathway fronting the property to allow pedestrian traffic to proceed from one side of the property to the other. Public access is not required to be provided to any other portion of the property or other structures constructed as part of the boat basin facility.

Should you have any further questions, please do not hesitate to contact me at 548-2838.

Very truly yours,

Handwritten signature of D. E. Parsons in cursive.

D. E. PARSONS
State Boating Manager

EXHIBIT A-6

2015/SMA-48



RICHARD MANION
ARCHITECTURE INC.

RICHARD MANION, AIA

PROJECT TITLE AND ADDRESS:

KAISER PROJECT

525 PORTLOCK ROAD
HONOLULU, HI 96825

NOTES:

REVISION DATE:

DATE: 10/22/2015

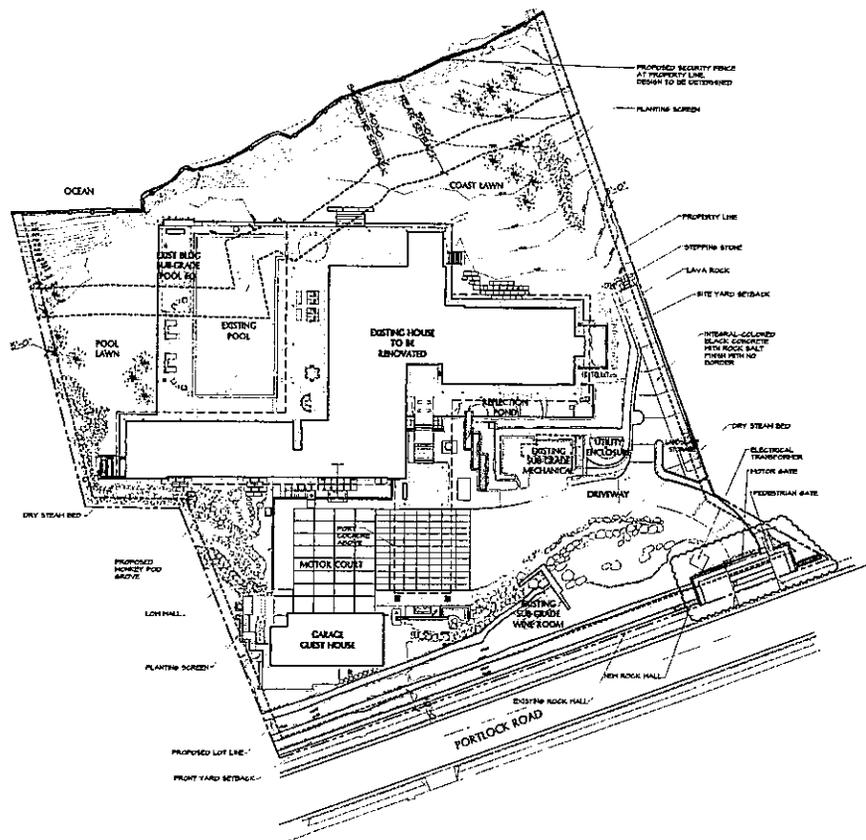
SHEET NAME AND SCALE:

SITE PLAN

DRAWING DATA:

PROJECT NO: 1106
ISSUE DATE: 10-22-2015
DRAWN BY:

SHEET NUMBER:



PORTLOCK RESIDENCE

EXHIBIT B-2

2015/SMA-48

TRUE NORTH



BAR SCALE



SITE PLAN SCALE 1/8"=1'-0"

1



RICHARD MANION
ARCHITECTURE INC.

RICHARD MANION, AIA DATE

PROJECT TITLE AND ADDRESS

KAISER PROJECT

525 PORTLOCK ROAD
HONOLULU, HI 96815

NOTES

REVISION DATE

SHEET NAME AND SCALE

SITE SECTION

DRAWING DATA

PROJECT NO: 1304
ISSUE DATE: 04-14-2016
DRAWN BY:

SHEET NUMBER:

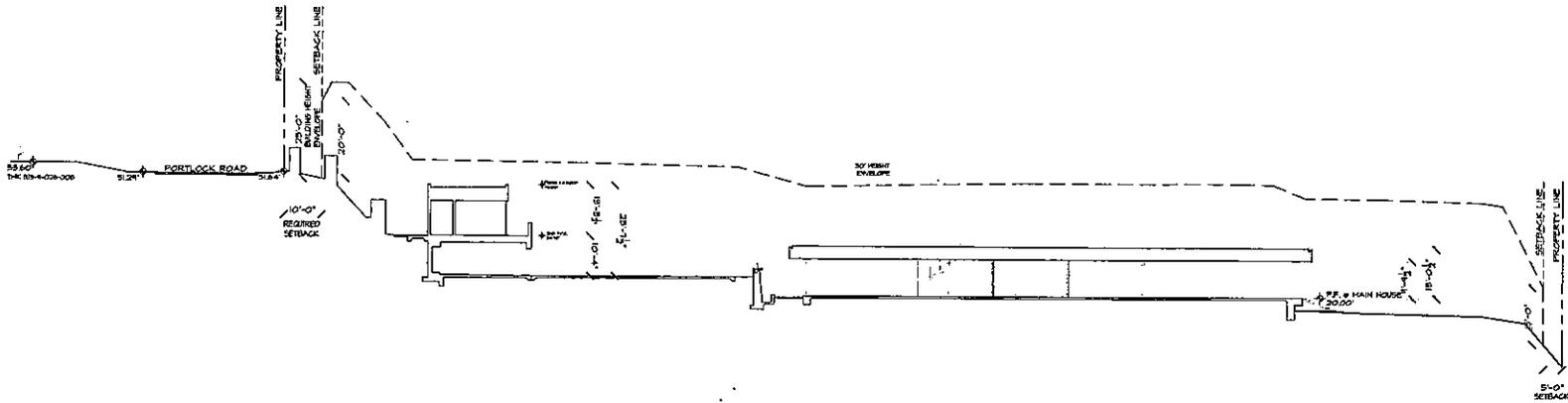
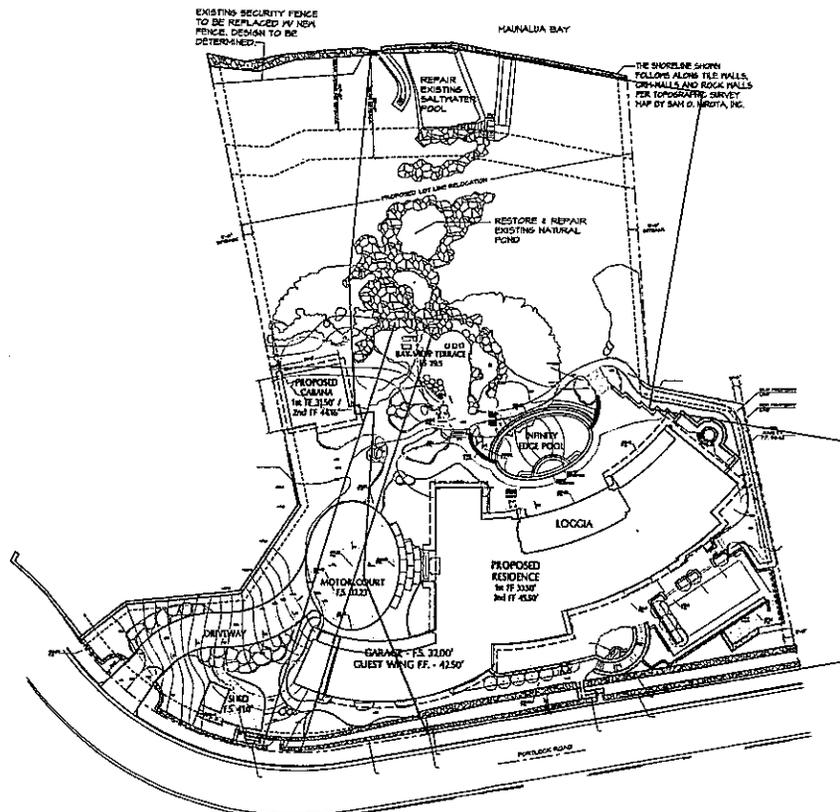


EXHIBIT B-3

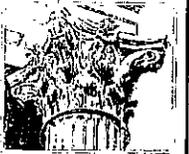
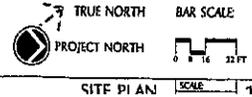
2015/SMA-48



SITE SECTION SCALE: 1/8"=1'-0" 1



BAY VILLA
 EXHIBIT B-4
 2015/SMA-48



RICHARD MANION
 ARCHITECTURE INC.

RICHARD MANION, AA

PROJECT TITLE AND ADDRESS:

BAY VILLA

535 PORTLOCK ROAD
 HONOLULU, HI 96825

NOTES:

REVISION DATE:

04-22-2016 REV. 1
 04-28-2016 REV. 2

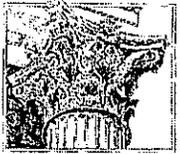
SHEET NAME AND SCALE:

SITE PLAN

DRAWING DATA:

PROJECT NO: 1108
 ISSUE DATE: 04-14-2015
 DRAWN BY:

SHEET NUMBER:



RICHARD MANION
ARCHITECTURE INC.

RICHARD MANION, AIA

PROJECT TITLE AND ADDRESS:

BAY VILLA

533 PORTLOCK ROAD
HONOLULU, HI 96825

NOTES:

REVISION DATE:

SMA SUBMITTAL

SHEET NAME AND SCALE:

SITE SECTIONS

DRAWING DATA:

PROJECT NO: 1105
ISSUE DATE: 04-14-2018
DRAWN BY:

SHEET NUMBER:

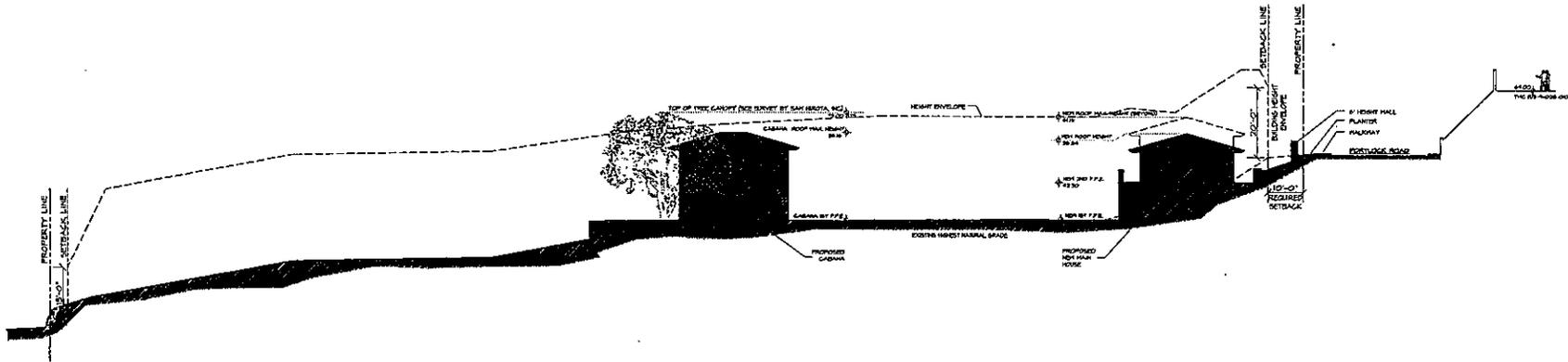


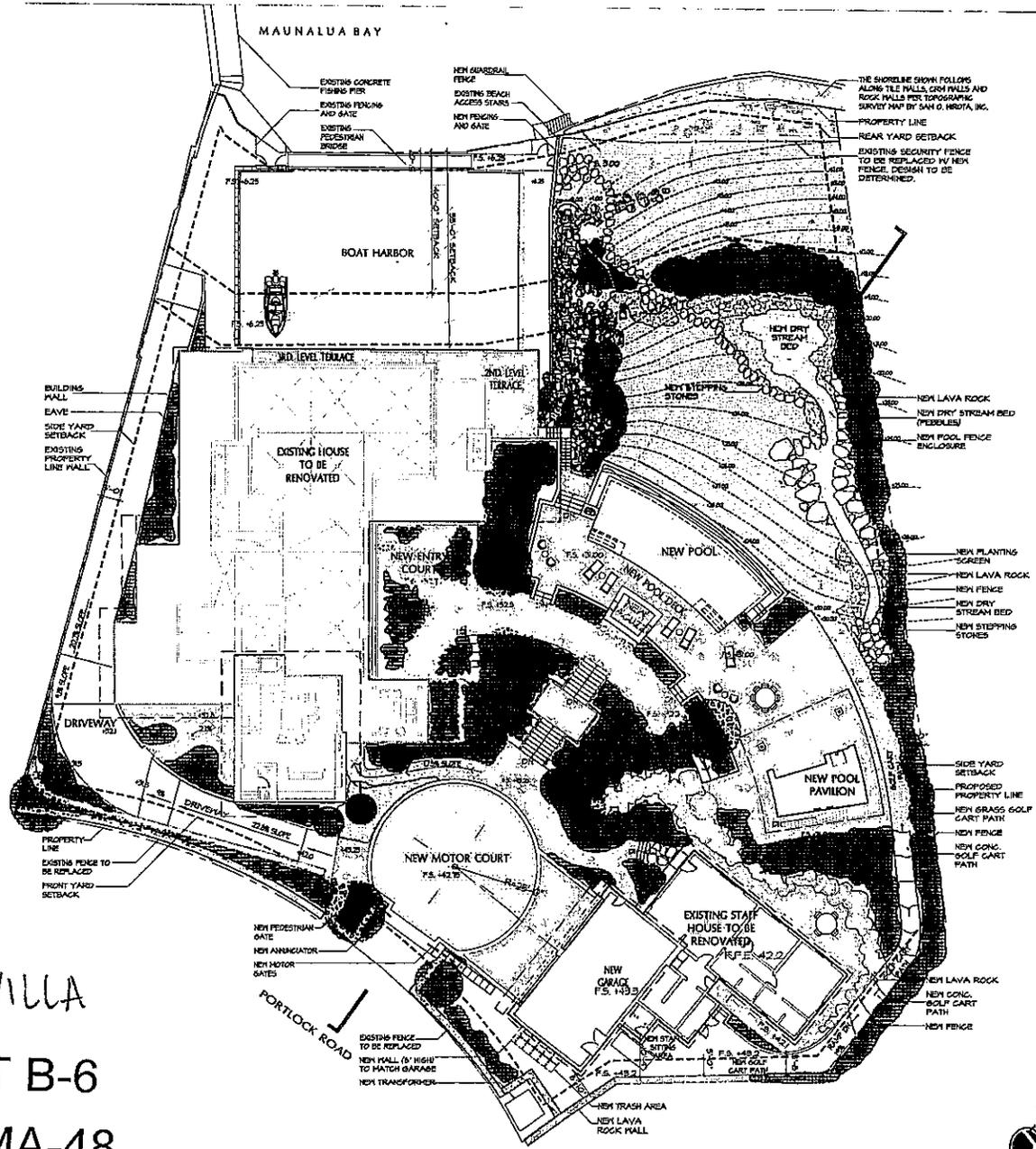
EXHIBIT B-5 2015/SMA-48

BAR SCALE



SITE SECTIONS SCALE: 3/8" = 1'-0" 1

HARBOR VILLA
 EXHIBIT B-6
 2015/SMA-48



RICHARD MANION
 ARCHITECTURE INC.

RICHARD MANION, AIA DATE

PROJECT TITLE AND ADDRESS:

HARBOR VILLA

567 PORTLOCK ROAD
 HONOLULU, HI 96825

NOTES:

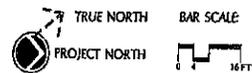
REVISION DATE:
 04-22-2016 REV. 1

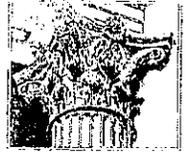
SHEET NAME AND SCALE:

SITE PLAN

DRAWING DATA:
 PROJECT NO: 1110
 ISSUE DATE: 04-14-2016
 DRAWN BY:

SHEET NUMBER:





RICHARD MANION
ARCHITECTURE INC.

RICHARD MANION, AIA

PROJECT TITLE AND ADDRESS:

HARBOR VILLA

567 PORTLOCK ROAD
HONOLULU, HI 96825

NOTES:

REVISION DATE:

SMA 1P 48

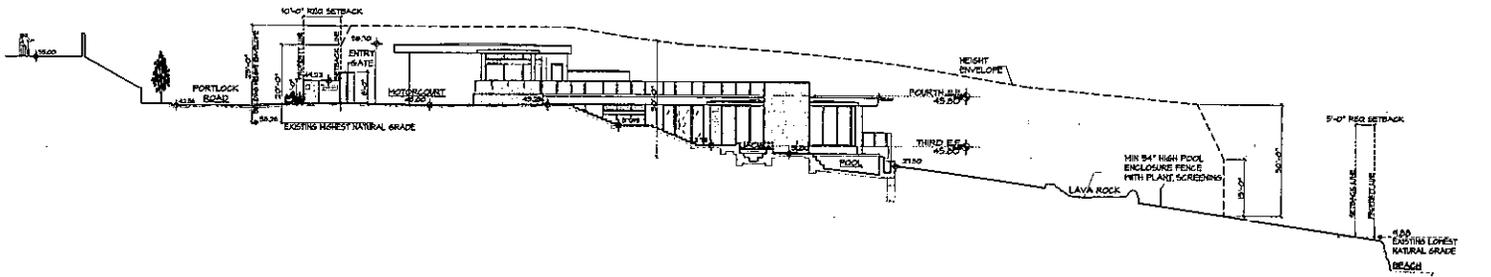
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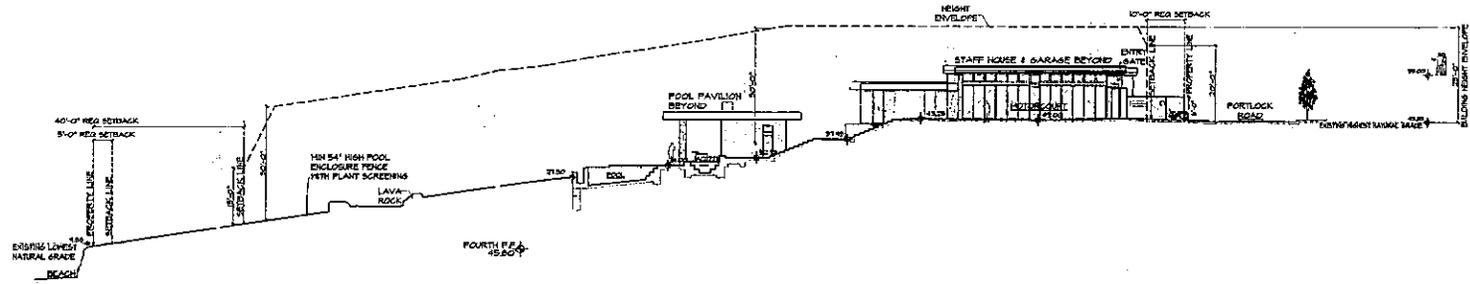
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PROJECT NO: 1110
ISSUE DATE: 04/14/2016
DRAWN BY:

SHEET NUMBER:



TOWARD HARBOR VILLA



TOWARD ACCESSORY BUILDINGS

EXHIBIT B-7 2015/SMA-48



SITE SECTIONS SCALE 1/8" = 1'-0" 1

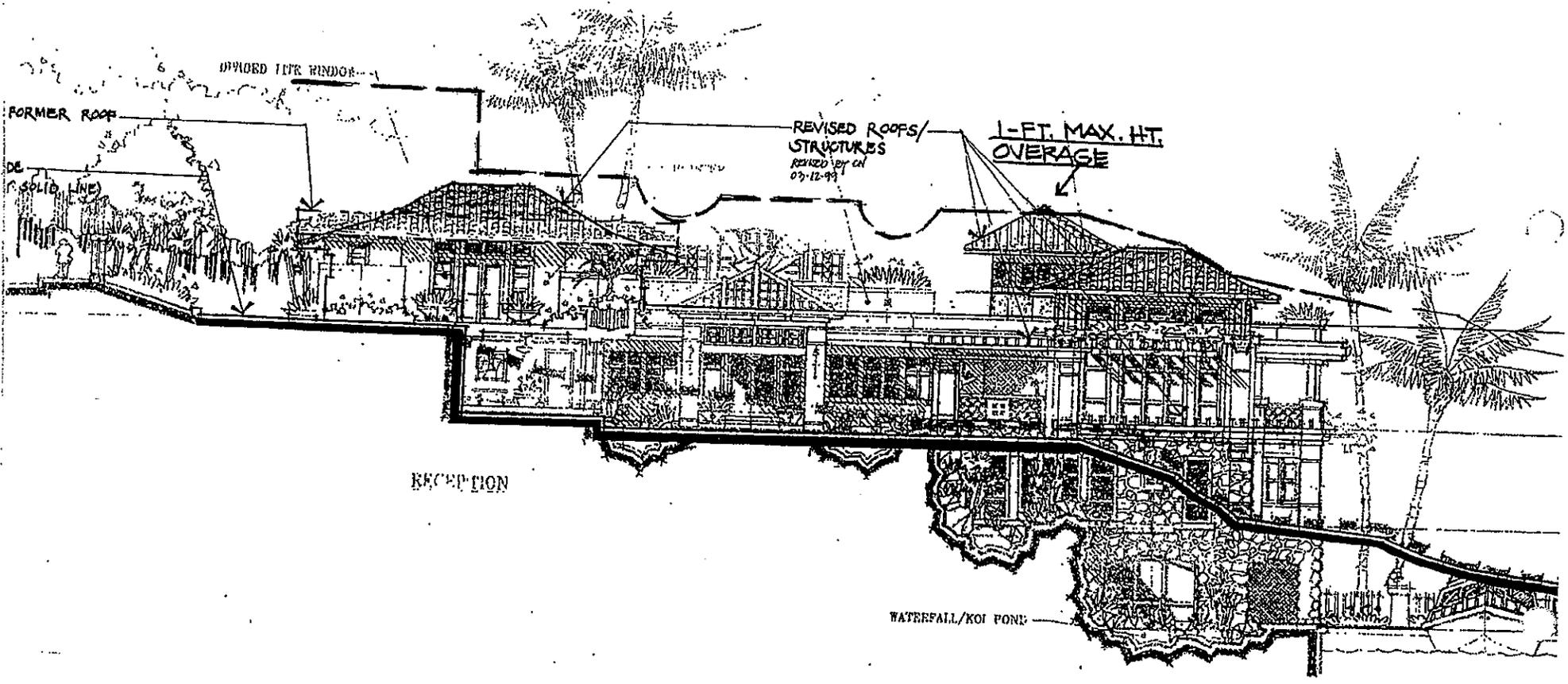
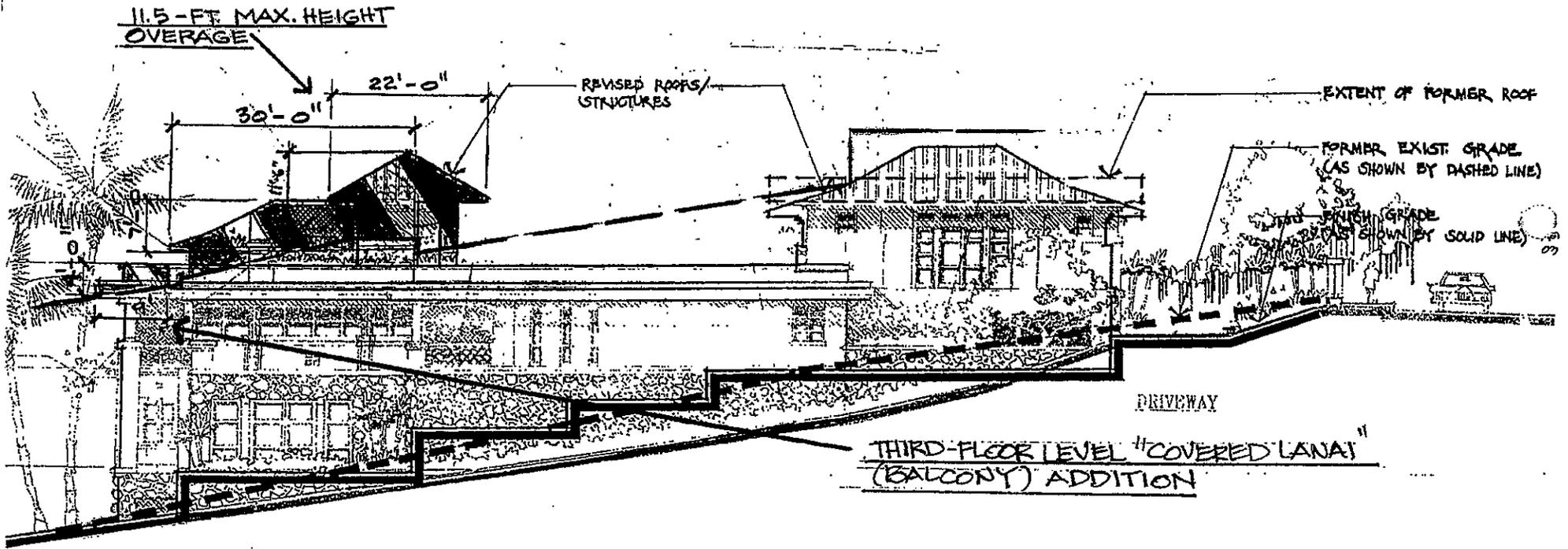


EXHIBIT C-1

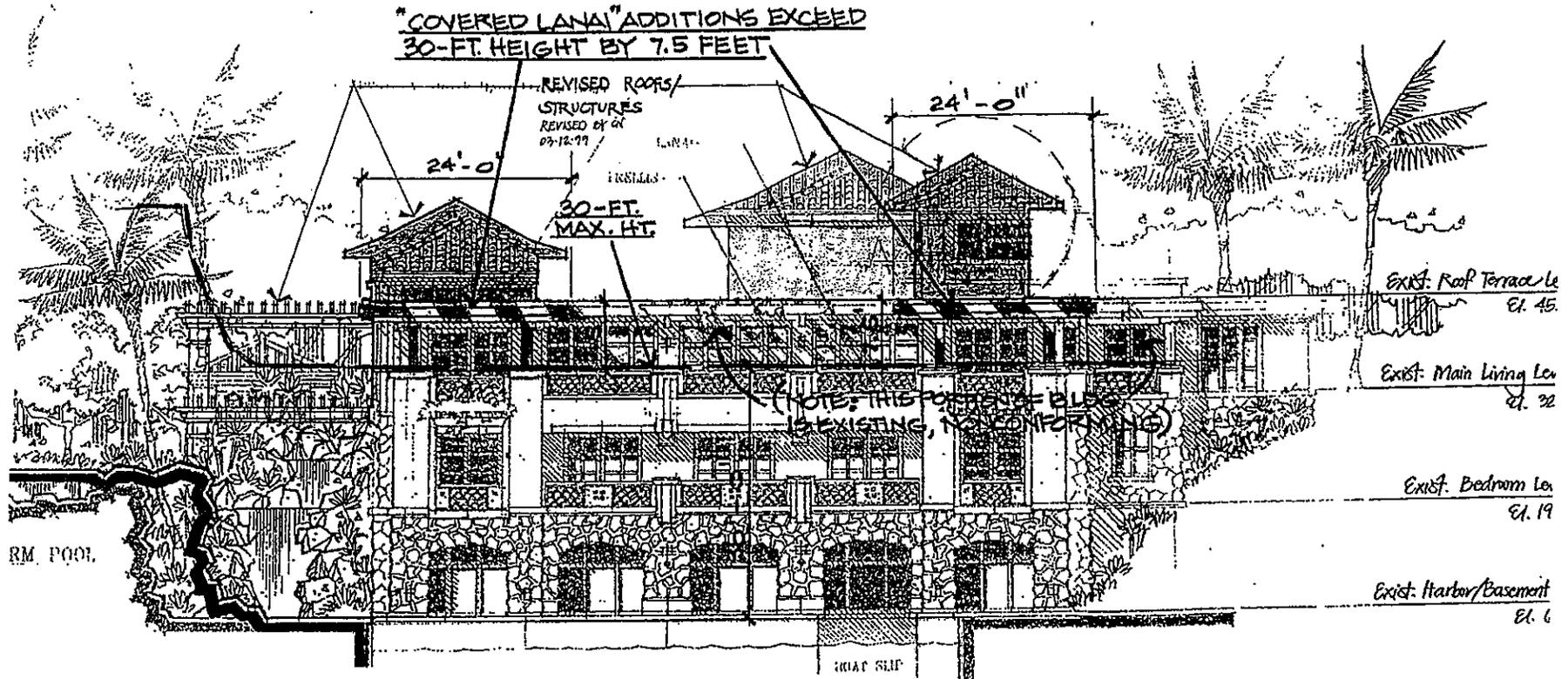
Harbor Villa

NORTH (RIGHT) ELEVATION



SOUTH ELEVATION
(LEFT SIDE)

Harbor Villa
EXHIBIT C-2
(REVISED), 2



REAR ELEVATION
(MAKAI/DOWNSLOPE SIDE)

Harbor Villages
 EXHIBIT C-3
 (REVISED)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 16-127

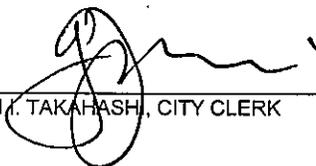
Introduced: 05/10/16 By: ERNEST MARTIN – BY REQUEST Committee: ZONING AND PLANNING

Title: RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA (SMA) USE PERMIT TO RENOVATE THE FORMER HENRY J. KAISER ESTATE, INVOLVING THE RENOVATION OF TWO LARGE EXISTING SINGLE-FAMILY DWELLINGS, THE CONSTRUCTION OF A LARGE NEW SINGLE-FAMILY DWELLING AND VARIOUS IMPROVEMENTS AND THE REPAIR OF EXISTING NONCONFORMING STRUCTURES WITHIN THE 40-FOOT SHORELINE SETBACK AREA.

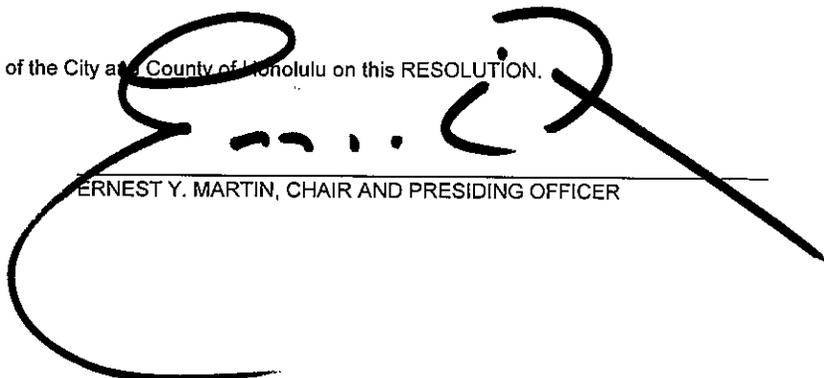
Voting Legend: * = Aye w/Reservations

05/19/16	ZONING AND PLANNING	CR-186 - REQUESTING 120-DAY EXTENSION OF TIME.
06/01/16	COUNCIL	CR-186 WAS ADOPTED. 8 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 ABSENT: ANDERSON.
07/13/16	SPECIAL ZONING AND PLANNING	CR-218 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
08/03/16	COUNCIL	CR-218 AND RESOLUTION 16-127 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

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



ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER