

SUMMARY OF PROPOSED COMMITTEE DRAFT:

**RESOLUTION 17- 312
AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO
NOHONA HALE AFFORDABLE RENTAL HOUSING DEVELOPMENT
LOCATED AT 630 COOKE STREET, HONOLULU, HI 96813,
TAX MAP KEY: (1) 2-1-051:014.**

THE PROPOSED CD1 makes the following amendments:

- A. Corrects a citation relating to HCDA jurisdiction from HRS Chapter 6E to HRS Chapter 206E.
- B. Adds a WHEREAS clause to clarify that the Project units will remain affordable for 65 years.
- C. Adds a WHEREAS clause to clarify that the Applicant requested exemptions from HCDA's planning and zoning requirements, and waiver or deferral of the City's fee requirements.
- D. Clarifies that the Council received the Project plans and specifications from the HHFDC on October 30, 2017.
- E. Deletes the WHEREAS clause regarding a failure to list or approve exemptions from planning or zoning requirements under the jurisdiction of HCDA.
- F. Corrects references to "Chapter" that should be references to "Section."
- G. Separates the exemption from Fire Department plan review fees into a separate category, and corrects ROH citations by deleting the reference to ROH Section 1.12.8(10).
- H. Corrects ROH citations for the deferral of payment of wastewater system facility charges by deleting references to ROH Sections 14-10.2 and 14-10.6.
- I. Corrects citations to Board of Water Supply Rules and Regulations, regarding the deferral of payment of water system facility and installation of water service fees, by adding references to Sections 2-202(2) and 2-202(3).
- J. Adds standard language providing for a 24-month deadline for commencement of construction of the Project.
- K. Adds the HCDA and the DPP Director as recipients of copies of the Resolution.
- L. Makes miscellaneous technical and nonsubstantive amendments.



RESOLUTION

PROPOSED

AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO NOHONA HALE AFFORDABLE RENTAL HOUSING DEVELOPMENT LOCATED AT 630 COOKE STREET, HONOLULU, HI 96813, TAX MAP KEY: (1) 2-1-051:014.

WHEREAS, 630 Cooke Street Partnership, LP ("Applicant"), with the approval of the Hawaii Housing Finance and Development Corporation ("HHFDC"), proposes to develop Nohona Hale ("Project"), a 111-unit affordable rental housing development on approximately 10,409 square feet of land located at 630 Cooke Street in Honolulu, Oahu, identified as Tax Map Key: (1) 2-1-051: 014, which is owned by the Hawaii Community Development Authority ("HCDA"), a body corporate and a public instrumentality of the State of Hawaii; and

WHEREAS, the Project is within the Kakaako Community Development District, which is under the planning and zoning jurisdiction of the HCDA, pursuant to Chapter 206E, Hawaii Revised Statutes; and

WHEREAS, the proposed 16-story high-rise residential building will contain 110 studio "micro" units, and one 1-bedroom manager unit, a lobby area, management office, community room, lanai, garden, fitness room, ground floor commercial space, and three ground floor parking spaces; and

WHEREAS, pursuant to financing agreements with the HHFDC, upon completion of the Project, 100 percent of the units (except for one resident manager's unit) will be leased to individuals with household incomes at or below 60 percent of the area median income ("AMI") for Honolulu, with 11 of these units (10 percent of the total units to be rented) to be leased to individuals at or below 30 percent of the AMI; and

WHEREAS, all units will remain affordable for a period of 65 years; and

WHEREAS, the Project will help address the critical need for affordably priced rental housing within Honolulu's urban core, with convenient access to employment centers, public transportation, retail amenities, schools, healthcare facilities, parks and services; and

WHEREAS, the Project will be within an approximately five-minute walk of a planned Honolulu rail transit station in Kakaako, and is thus consistent with the City's transit-oriented development goals to integrate new developments within existing communities, and to foster vibrant mixed-use communities along the rail route; and



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

WHEREAS, on October 12, 2017, the HHFDC Board of Directors approved the Project with the proposed exemptions; and

WHEREAS, the City Council is empowered to and authorized to approve the Project, which may include exemptions from statutes, ordinances, charter provisions and rules of any government agency relating to planning, zoning, construction standards for subdivision, development and improvement of the land and the construction of units thereon pursuant to Section 201H-38 of the Hawaii Revised Statutes ("HRS"); and

WHEREAS, the Council has reviewed the preliminary plans and outline specifications for the Project dated July 7, 2017, prepared by WCIT, LLC, and submitted by the HHFDC to the Council on October 30, 2017; and

WHEREAS, the Project is consistent with the housing and community development goals and objectives of the City; and

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

WHEREAS, the Project meets the intent of HRS Chapter 201H, and the minimum requirements of health and safety; 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 of the Revised Ordinances of Honolulu 1990 ("ROH"), to allow an exemption from payment of plan review and building permit fees, at an estimated value of \$221,367.
2. Deferral from ROH Sections 14-10.1 and 14-10.3, to allow a deferral of payment of wastewater system facility charges of approximately \$507,477, until closing of the construction financing for the Project.



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3. Exemption from ROH Section 14-12.12, to allow an exemption from payment of the private storm drain connection license fee, at an estimated value of \$1,000.
4. Exemption from ROH Section 14-14.4, to allow an exemption from payment of grading and grubbing fees, at an estimated value of \$180.
5. Exemption from ROH Section 14-17.1, to allow an exemption from payment of excavation and repair of streets and sidewalks permit fees, at an estimated value of \$5,000.

Fire Department Plan Review Fees

6. Exemption from ROH Section 20-1.1 to allow an exemption from payment of Fire Department plan review fees, at an estimated value of \$2,500.

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 of payment of water system facility and installation of water service fees of approximately \$135,498, until closing of the construction financing for the Project.

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 as used in this Resolution:

- A. References to the HHFDC include any successor agency;
- B. References to the HCDA include any successor agency; and
- C. References to specific statutes, ordinances, or regulations include any respective successor statutes, ordinances or regulations; and



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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 transferrable to any other real property; and

BE IT FURTHER RESOLVED that the final plans and specifications for the Project are approved if those plans and specifications do not substantially deviate from the preliminary plans and specifications submitted to the Council; provided that minor modifications to the design character of the building or landscaping, may be approved by the HHFDC and HCDA 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 and approving the plans and specifications, or in granting the exemptions listed herein; and



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BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Hawaii Housing Finance and Development Corporation, 677 Queen Street, Suite 300, Honolulu, Hawaii 96813; the Hawaii Community Development Authority, 461 Cooke Street, Honolulu, Hawaii 96813; 630 Cooke Street Partnership, LP, 1605 Dr. Martin Luther King Jr. Boulevard, Bronx, NY 10453; and the Director of Planning and Permitting.

INTRODUCED BY:

Ron Menor (br)

DATE OF INTRODUCTION:

November 1, 2017
Honolulu, Hawaii

Councilmembers