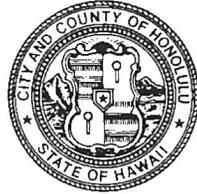


KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

TIMOTHY F. T. HIU  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

RECEIVED

20 OCT -5 AIO :23

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

September 30, 2020

2020/Z-3 (kbh)  
1910048

**MEMORANDUM**

**TO:** Arthur D. Challacombe, Chair  
 and Members of the Planning Commission  
  
**FROM:** Timothy F. T. Hiu, Deputy Director *[Signature]*  
 Department of Planning and Permitting  
  
**SUBJECT:** Request for a Change in Zoning from the  
 P-2 General Preservation District to the  
 R-5 Residential District  
 2835 and 2829 Dole Street  
 Moiliili, Oahu, Tax Map Keys (TMK)s 2-8-030: 038 and 058

Transmitted for appropriate action is our report and recommendation of approval, subject to condition, for a proposed zone change from the P-2 General Preservation District to the R-5 Residential District for two adjacent parcels totaling 0.226 acres in Moiliili.

The Applicants, Lily Ochoco and Wayne and Ann Okubo, propose to rezone two properties, identified as TMKs 2-8-030: 038 (4,912 square feet) and 2-8-030: 058 (4,920 square feet), for the purpose of removing the nonconforming status of the residential use and structures on both parcels. Both parcels were zoned Class A Residential in 1947 when they were each developed with a single-family dwelling, but they have since been rezoned to the P-2 General Preservation District. The use and structures are now considered nonconforming under the Land Use Ordinance, as single-family dwellings are not permitted in the P-2 General Preservation District. Should the proposed zone change be approved, the existing use and structures would no longer be considered nonconforming.

Memo to Arthur D. Challacombe, Chair  
and Members of the Planning Commission  
September 30, 2020  
Page 2

The proposed zone change is consistent with the General Plan, the Primary Urban Center Development Plan, and the purpose and intent of the R-5 Residential District. The proposed zone change was presented twice to the Diamond Head/Kapahulu/St. Louis Neighborhood Board No. 5 on December 18, 2018 and January 10, 2019, and received no objections at either meeting. Reviewing agencies were asked for input and generally have no objections or comments to the proposed zone change. Approval with one condition is recommended.

Please review the report and recommendation and forward them, together with your recommendation through the Mayor, to the City Council.

Should you have any questions, please contact Katherine B. Hernandez, of our staff, at 768-8861 or [k.hernandez@honolulu.gov](mailto:k.hernandez@honolulu.gov).

Attachment

cc: Dennis Silva, Jr., Hawaii Planning LLC

DEPARTMENT OF PLANNING AND PERMITTING  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION )  
 )  
 OF )  
 ) FILE NO. 2020/Z-3  
 LILY OCHOCO )  
 WAYNE AND ANN OKUBO )  
 FOR A ZONE CHANGE FROM THE )  
 P-2 GENERAL PRESERVATION DISTRICT )  
 TO THE R-5 RESIDENTIAL DISTRICT )  
 )

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FINDINGS OF FACT, ANALYSIS,  
CONCLUSIONS OF LAW, AND RECOMMENDATION

I. APPLICATION

A. Basic Information.

PROJECT : Dole Street Zone Change

APPLICANT / LANDOWNER : Lily Ochoco  
Wayne and Ann Okubo

AGENT : Hawaii Planning LLC

LOCATION : 2835 Dole Street, Moiliili, Oahu (Ochoco)  
2829 Dole Street, Moiliili, Oahu (Okubo)  
(Attachment 1)

TAX MAP KEY (TMK) : 2-8-030: 038 (4,912 square feet) (Ochoco)  
2-8-030: 058 (4,920 square feet) (Okubo)

LAND AREA TO BE REZONED : 9,832 square feet (0.226 acres)

STATE LAND USE DISTRICT : Urban

EXISTING ZONING : P-2 General Preservation District (Attachment 1)

DEVELOPMENT PLAN : Within the Urban Community Boundary (UCB) in an  
area designated as Low-Density Residential within  
the Primary Urban Center (PUC) Development Plan  
(DP) area.

SPECIAL MANAGEMENT AREA (SMA)	:	Not in the SMA
SHORELINE SETBACK	:	Not in the Shoreline Setback Area
SPECIAL DISTRICT	:	Not in a Special District
PUBLIC INFRASTRUCTURE MAP (PIM)	:	No PIM symbol on project site (Attachment 1) The nearest PIM, R068 – Secondary Roads in St. Louis Heights, is located approximately 625 feet northeast of the project site.
FLOOD HAZARD DISTRICT	:	Zone X (outside of the 500-year or 0.2 percent annual chance floodplain) (Attachment 1)
EXISTING USE	:	One single-family residential dwelling on each subject parcel
SURROUNDING LAND USES	:	To the north, east, and south is an established residential neighborhood in the R-5 Residential District. To the west, directly abutting the subject properties is Kanewai Community Park in the P-2 General Preservation District.

- B. Proposal. The Applicants propose to rezone the subject properties, identified as TMKs 2-8-030: 038 and 058, from the P-2 General Preservation District to the R-5 Residential District. The total area covered by the zoning application is 0.226 acres. The Applicants are not proposing any new structures or uses on either parcel.

The purpose of the rezoning is to remove the nonconforming status of the residential use and structures on both parcels. Presently, each parcel has one single-family dwelling which is not a permitted use in the P-2 General Preservation District; and the existing structures on both properties encroach into the required yard and height setbacks, and exceed the maximum building area permitted in the P-2 General Preservation District. When the existing dwellings were built in 1947, residential use and structures were allowed. Over time, the underlying zoning was changed from residential to preservation, resulting in the current nonconformities. The proposed zone change would remove the nonconforming status and allow the owners to make repairs to their aging dwellings, which is limited to 10 percent of the current replacement cost of the structure within a 12-month period for a nonconforming use.

- C. Background. The subject parcels were zoned Class ‘A’ residential in 1947 when they were developed with single-family dwellings. Upon the enactment of the Comprehensive Zoning Code on January 2, 1969, both parcels were rezoned to R-6 Residential. Both parcels were then rezoned to P-1 Preservation District on December 23, 1982 (Ordinance No. 82-58). It was at this time the existing single-family dwellings became nonconforming as the P-1 Preservation District did not permit residential uses. On October 22, 1986, with the adoption of the Land Use Ordinance (LUO), the subject parcels were rezoned to the P-2 General Preservation District. This zoning district also does not allow the residential use.

As the single-family dwellings are nonconforming uses in the P-2 General Preservation District, most proposed repairs and alterations would require approved variances prior to building permits application. Repairs or alterations which are usually considered as “ordinary repairs” to a single-family dwelling are limited on the two subject dwellings because of the nonconformities created in the 1980s. Furthermore, the work may not exceed 10 percent of the current replacement cost of the structure within a 12-month period.

The landowner of Parcel 38 has received two variances since being rezoned to the P-2 General Preservation District. The first, Variance No. 95/VAR-57, allowed the Applicant to perform repairs and build an addition to the nonconforming single-family dwelling. The repairs were not considered ordinary repairs and the addition increased the dwelling’s nonconformity. The second variance, Variance No. 98/VAR-43, again allowed alterations that further increased the nonconformity of the single-family dwelling. The variances allow the addition and alterations to encroach into the height and yard setbacks in the P-2 General Preservation District, and increase nonconformity. No variances were issued for the existing nonconforming use and structure on Parcel 58.

Approval of the zone change would allow both Applicants to move forward with their own respective property improvements, provided the proposed work is in compliance with the development standards of the R-5 Residential District. These include the addition of solar panels, replacement of the roof and windows, garage repair, and retro-fitting the house to be hurricane-resistant.

## II. FINDINGS OF FACT

On the basis of the evidence presented, the Director has found:

### A. Description of Site/Surrounding Land Uses.

1. Location and Current Use. The subject parcels are located at 2835 and 2829 Dole Street in Moiliili-Kaimuki. Both parcels are developed with single-family dwellings.

A sewer easement on parcel 58 runs along the eastern edge of the parcel, adjacent to Dole Street, from roughly the center of the property to the southeast corner.

Parcel 38 has two sewer easements, one along the western edge, adjacent to Kanewai Community Park, and one along the eastern edge, adjacent to Dole Street.

Access to the properties is via Dole Street.

2. Topography and Soils. The subject parcels are slightly sloping from the front along Dole Street to the rear along Kanewai Community Park. According to the U.S. Department of Agriculture, Natural Resources Conservation Service’s Soil Survey, the subject properties are located in an area with soils identified as

Kawaihapai clay loam, 0 to 2 percent slope. The permeability is moderate, runoff is slow, and erosion hazard is slight.

3. Surrounding Uses. The project site is located in an urbanized residential area in the PUC. Directly to the west (rear) of the subject parcels, is Kanewai Community Park. To the north, east, and south of the subject parcels are single-family dwellings in the R-5 Residential District. The project site is also in the vicinity of faculty and student housing for the University of Hawaii at Manoa. Approximately 450 feet away to the southeast are low- to mid-rise apartment buildings in the A-1 Low-density Apartment District.
- B. Other Permits/Approvals Required. As the Applicants are not proposing any new structures or uses on the subject properties, no other permits or approvals are required at this time.
- C. Public Agency Notification/Comments. On July 10, 2020, the following public agencies were requested to evaluate the impact of the proposed zone change on their facilities and services. Agencies stating they have “no comments,” “no objections,” or “no impacts on services provided” are identified with an asterisk (\*). Agencies that submitted written comments providing information or identifying concerns are identified with a plus sign (+).

All written agency comments received prior to the signing of this report are included in their entirety in Attachment 2. Comments received after the signing of this report will be transmitted separately to the Planning Commission or to the City Council for their consideration.

1. City Agencies:
  - Board of Water Supply (BWS) \*
  - Department of Environmental Services (ENV) \*
  - Honolulu Emergency Services Department (HES)
  - Honolulu Fire Department (HFD) \*
  - Honolulu Police Department (HPD) \*
  - Department of Parks and Recreation (DPR)\*
  - Department of Transportation Services (DTS) \*
2. State Agencies:
  - Department of Land and Natural Resources (DLNR) \*
  - State Historic Preservation Division (SHPD)
  - Department of Transportation (DOT) \*
  - Office of Planning (OP)
- D. Community and Adjoining Property Owners Notification/Comments. Pursuant to Section 21-2.40-2(b)(2), Revised Ordinances of Honolulu (ROH), the Applicants mailed notices to adjoining landowners on December 18, 2018, informing them of a presentation of the proposal to the Diamond Head/Kapahulu/St. Louis Neighborhood Board No. 5 (NB5).

The Applicant's Agent, Hawaii Planning LLC, presented the zone change proposal to NB5 on two separate occasions; first on September 18, 2018, and then again on January 10, 2019. The second presentation was based on the Department of Planning and Permitting (DPP)'s recommendation to expand the required notices and to update the NB5.

The Agent stated at the NB5 meetings that the proposed zone change would remove the existing nonconformities on the subject properties; and it is consistent with the surrounding neighborhood's residential zoning. The Agent also informed the NB5 that in the event of a natural disaster, the owners would struggle to get insurance with the current P-2 zoning. Board member Michelle Matson asked at both meetings if the Applicants have any intention to convert these dwellings into monster homes. The Agent confirmed at both meetings that there is no intention to convert these dwellings into monster homes.

Pursuant to Section 21-2.40-2(c)(3), ROH, the Applicants' Agent provided written notice of the zone change application to all property owners within 300 feet of the project site, within ten working days of the Director's acceptance of the application on July 10, 2020.

To date, the DPP has only received one written comment from a property owner whose property is within 300 feet of the project site. He opposes the zone change, stating that preservation land should be common for all of Hawaii and that Honolulu has little space for kids to play.

On July 10, 2020, the DPP mailed copies of the zone change application to the NB5, Hawaiian Electric Company, and the Ala Moana Satellite City Hall. Notices about the proposed zone change went out to media sources, area elected officials, islandwide organizations, and other stakeholders.

All written community comments received prior to the signing of this report, and the Applicants' responses to the comments received, are included in their entirety in Attachment 2.

### III. ANALYSIS

#### A. Compliance with State Land Use Legislation.

Chapter 205, Hawaii Revised Statutes (HRS), Land Use Commission. The project site is in the State Land Use Urban District. Section 205-2(a)(4)(b), HRS, states, "Urban districts shall include activities or uses as provided by ordinances or regulations of the county within which the urban district is situated."

Single-family dwellings are permitted in the R-5 Residential District, per the LUO, and therefore permitted in the State Urban District.

B. Compliance with City Land Use Legislation.

1. General Plan (GP) of the City and County of Honolulu, as amended by Resolution 02-205, CD1. The proposed zone change supports the following GP objectives and policies:

I. Population

Objective C: “To establish a pattern of population distribution that will allow the people of Oahu to live and work in harmony.”

Policy 1: “Facilitate the full development of the primary urban center.”

Although no new development is proposed, the proposed rezoning is consistent with the above policy. It is located within the UCB of the PUC DP within an area designated as Lower-Density Residential.

IV. Housing

Objective A: “To provide decent housing for all the people of Oahu at prices they can afford.”

Policy 9: “Encourage the preservation of existing housing which is affordable to low- and moderate-income persons.

The proposed zone change will remove the nonconforming status of the existing single-family dwellings on the subject parcels, thereby preserving existing housing in the PUC. It will allow the Applicants to proceed with property improvements that are not currently allowed in the underlying P-2 General Preservation District.

2. Chapter 24, ROH, Article 2, PUC. Section 24-2.5(c), ROH provides that all proposed developments in the PUC region be reviewed and evaluated against their consistency with the vision, policies, principles, and guidelines of the PUC DP. The proposed zone change is evaluated in this context below:

- a. Vision for the PUC DP. Key elements of the vision relevant to the proposed zone change include the following:

- Section 2.2: Livable Neighborhoods Have Business Districts, Parks and Plazas, and Walkable Streets. The PUC DP calls for an interconnected network of vibrant and distinct neighborhoods. The project site is located in the mauka residential neighborhoods, which consist primarily of single-family homes and townhouses on the edges of the central city. These neighborhoods retain their historically residential character with mostly one- and two-story buildings. The proposed zone change supports this vision by preserving the existing single-family dwelling uses on the subject parcels.

- b. Land Use Policies and Guidelines. The policies relevant to the proposed zone change include the following:
- Section 3.2.2.2, Mauka Residential Neighborhoods. The PUC DP's policies on Neighborhood Planning and Improvement indicate that lower-density residential areas may have single-family residences and townhouse apartments at a density of five to 12 dwelling units per acre, with predominantly two-story building heights. The subject properties are located in a mauka neighborhood and are already developed with two-story single-family dwellings with a 25-foot height limit.
3. Chapter 4, ROH, Article 8, PIM. The PUC PIM does not show any PIM symbol on the project site. The nearest PIM symbol (R068) to the subject properties is related to roadway improvement projects in St. Louis Heights. The proposed zone change is not anticipated to have any significant impact on this PIM project.
4. Chapter 21, ROH, LUO. The proposed compliance with the R-5 Residential District's purpose and intent, as well as permitted uses and development standards, are discussed below.

Residential Districts—Purpose and Intent. Section 21-3.70 of the LUO states, in part:

- “(a) The purpose of the residential district is to allow for a range of residential densities. The primary use shall be detached residences. Other types of dwellings may also be allowed, including zero lot line, cluster and common wall housing arrangements. Nondwelling uses which support and complement residential neighborhood activities shall also be permitted.”
- “(c) The intent of the R-7.5, R-5, and R-3.5 districts is to provide areas for urban residential development. These districts would be applied extensively throughout the island.”

Permitted Uses and Development Standards. Permitted uses and development standards within the R-5 Residential District are listed in Table 21-3 and Table 21-3.2 of the LUO, respectively.

The existing single-family dwellings on the subject properties are a permitted use in the R-5 Residential District. The proposed zone change is consistent with the purpose and the intent of the R-5 Residential District to provide for urban residential development with the primary use being detached residences. As shown on the as-built plans submitted with the proposed zone change application, the existing dwellings are generally in compliance with the development standards of the R-5 Residential District, except for their lot sizes; which is less than the minimum lot sizes for the District, and the existing garage on Parcel 58, which encroaches into the 5-foot front yard setback.

The two zoning variances, Zoning Variance Nos. 95/VAR-57 and 98/VAR-43, approved for the existing dwelling on Parcel 38 include conditions stipulating that the variances shall be for the life of the structure only and the addition shall meet the R-5 Residential District development standards. In addition, pursuant to Condition 1 of Variance No. 95/VAR-57, the landowner of Parcel 38 recorded a restrictive covenant on August 29, 1996, stating that the use of the lot shall be limited to one single-family detached dwelling, as defined in the LUO; and a copy of the restrictive covenant is on file at the DPP. Approval of the proposed zone change would require that the existing dwelling comply with the permitted uses and development standards of the R-5 Residential District, thereby rendering the variances and restrictive covenant moot.

To avoid the potential for confusion and delays during the permit review process in the event that the landowner of Parcel 38 seeks a building permit for repair or alteration in the future, it is recommended that the landowner of Parcel 38 submit a draft restrictive covenant, for DPP's review and approval prior to execution and recordation at the Bureau of Conveyances, to remove and replace the existing Declaration of Restrictive Covenant on file at the Bureau of Conveyances. This shall be a condition of approval for the proposed zone change.

C. Compliance with Environmental Legislation.

1. Chapter 343, HRS, and Title 11, Chapter 200.1, Hawaii Administrative Rules, Environmental Impact Statements. The proposed zone change does not trigger the requirements for an environmental assessment (EA) per Chapter 343, HRS. Section 24-2.1, ROH, requires an EA for projects involving a significant zone change, as defined by that section. In a letter dated September 20, 2018, the DPP determined that the proposed zone change did not qualify as a significant zone change and, therefore, an EA was not required.
2. Chapter 6E-42, HRS, Historic Preservation. The project site is not listed on the Hawaii or National Register of Historic Places. The Applicants are not proposing any changes to existing uses or any new development on the subject parcels, therefore a condition requiring historic preservation is not recommended.
3. Chapter 23, ROH, Shoreline Setback Ordinance and Chapter 25, ROH, SMA Ordinance. The project site is not in the shoreline setback area or the SMA and, therefore, not subject to Chapter 23 or Chapter 25, ROH.
4. Chapter 21A, ROH, Flood Hazard Areas. According to the Federal Emergency Management Agency's current Flood Insurance Rate Map for the area, the project site is in Flood Zone X, which is determined to be an area outside the 500-year or 0.2 percent annual chance floodplain (Attachment 1).
5. Climate Change and Sea Level Rise (SLR). Per the Mayor's Directive No. 18-2, dated July 16, 2018, the proposed zone change is reviewed for potential impacts from climate change and SLR. The project site is not within or adjacent to the 3.2-foot SLR Exposure Area (SLR-XA) as defined by the Sea Level Rise Viewer of the Pacific Islands Ocean Observing System. The site is also outside of the projected 6-foot SLR inundation area as depicted by the National Oceanic and

Atmospheric Administration SLR Viewer. The potential hazard due to SLR is not expected to increase at the subject properties. Therefore a condition regarding climate change or SLR is not recommended.

6. Visual Impacts. The project site does not contain any known landmarks and is not within any public view corridors identified in the PUC DP. The proposed R-5 Residential District has a standard height limit of 25 feet, which the existing single-family dwellings do not exceed. Therefore, a condition regarding visual resources is not recommended.

D. Public Facilities and Services. The review conducted by various agencies was based on the Applicants' zone change proposal. Agency comments received regarding specific public facilities and services are summarized below.

1. Transportation. The project site is accessible from Dole Street, a two-way, two-lane roadway under the City's jurisdiction. It serves the University of Hawaii at Manoa and the surrounding residential neighborhood. The DTS reviewed the application and stated that it has no comments on the proposed zone change. The State DOT responded that it has no objections to the proposed zone change as it does not appear to have an impact on their highways.
2. Water. The project site is serviced by the BWS. The BWS responded that the existing water system is adequate to accommodate the proposed zone change. However, the BWS reserves the right to change its position up until the final approval of a building permit application. The Applicants propose no new structures or uses on the subject parcels; therefore, a condition of approval regarding water is not recommended.
3. Drainage. Stormwater runoff generally sheetflows from the front along Dole Street to the rear toward Kanewai Community Park. The existing drainage pattern on site is not anticipated to change as no change to existing use and structures are proposed as part of the proposed zone change. Therefore, a condition of approval regarding drainage is not recommended.
4. Wastewater. The project site is connected to the City wastewater system. The ENV responded that they do not foresee the proposed zone change having impact on their facilities or services and, therefore, have no objections to the proposal. It added that no new structures should be allowed in the sewer easements on the subject properties. The Applicants propose no new structures on the subject parcels. Therefore a condition of approval regarding wastewater is not recommended.
5. Solid Waste. Solid waste is collected by the City municipal services. As noted above, the ENV responded that they do not foresee an impact to their facilities and services and, therefore, have no objections to the proposed zone change. A condition of approval regarding solid waste is not recommended.
6. Police Services. The project site is in HPD District 7 (East Honolulu), Sector 1 (Manoa Valley/Moiliili). The HPD reviewed the proposed zone change and stated that they have no comments to provide at this time.

7. Fire Services. The McCully-Moiliili Fire Station No. 29, at 2425 Date Street, is approximately 1.3 miles southwest of the project site. The HFD responded that the proposed zone change would have no impact on their ability to deliver emergency services.
8. Parks and Recreation. The project site is adjacent to the Kanewai Community Park. The proposed zone change is not subject to Section 22-7.3, of the ROH, regarding park dedication requirements. The DPR responded that they have no objection to the proposed zone change. Therefore, a condition of approval regarding parks and recreation is not recommended.

E. Social and Economic Impacts.

1. Education. The proposed zone change is not anticipated to generate significant demand on school facilities in the area, as there is no proposed increase in residential development. A condition of approval is not recommended.
2. Employment. No changes in short-term or long-term employment are anticipated from the proposed zone change as no new development is proposed.
3. Affordable Housing. The proposed zone change proposes no changes to the existing use of the subject parcels. By bringing the subject parcels into conformity with respect to the use and structures, the proposed zone change increases the amount of residential zoned land in the PUC by two R-5 parcels. Since no new dwellings are proposed, a condition of approval to provide affordable housing units is not recommended.

#### IV. CONCLUSIONS OF LAW

The Director hereby makes the following conclusions:

1. The proposed zone change from the P-2 General Preservation District to the R-5 Residential District is consistent with State and City land use plans and policies, including the GP and the PUC DP.
2. The proposed zone change is not anticipated to have any significant or adverse social, economic, or environmental impacts on surrounding land uses and the existing services and infrastructure systems are adequate for the existing use.
3. The proposed zone change will supersede the two zoning variances, Nos. 95/VAR-57 and 98/VAR-43, approved for TMK 2-8-030: 038, in their entirety. The variances, which are applicable for the life of the structure, may be revoked upon the approval of the proposed zone change as the nonconformities of use and structure will be removed. The Declaration of Restrictive Covenants, recorded on August 30, 1996, as Document No. 96-126147 at the Bureau of Conveyances, pursuant to Condition 1 of Variance No. 95/VAR-57 stating that the use of the lot shall be limited to one single-family detached dwelling, may also be revoked. With the zone change to the R-5 Residential District, single-family residential use will be a permitted use, making Condition 1 redundant.

## V. RECOMMENDATION

Pursuant to the foregoing Findings of Fact, Analysis, and Conclusions of Law, the Director of the Department of Planning and Permitting (DPP) recommends that a change in zoning from the P-2 General Preservation District to the R-5 Residential District be APPROVED, as shown on the map marked Exhibit A in the attached draft Ordinance (Attachment 3), and subject to the Applicants' execution of a Unilateral Agreement for the project site under the provisions of Section 21-2.80 of the Land Use Ordinance to be recorded with the Bureau of Conveyances of the State of Hawaii. The following condition is recommended:

1. The Applicant and Owner of the parcel identified as Tax Map Key 2-8-030: 038 shall submit a draft covenant for review and approval by the Director of the DPP, requesting the removal of the conditions set forth in the Declaration of Restrictive Covenants, recorded on August 30, 1996, as Document No. 96-126147 at the Bureau of Conveyances. Upon approval of the covenant, it shall be recorded with the Bureau of Conveyances and a conforming copy of the covenant shall be transmitted to the DPP.

Dated at Honolulu, Hawaii, this 30<sup>th</sup> day of September, 2020.

DEPARTMENT OF PLANNING AND PERMITTING  
CITY AND COUNTY OF HONOLULU  
STATE OF HAWAII

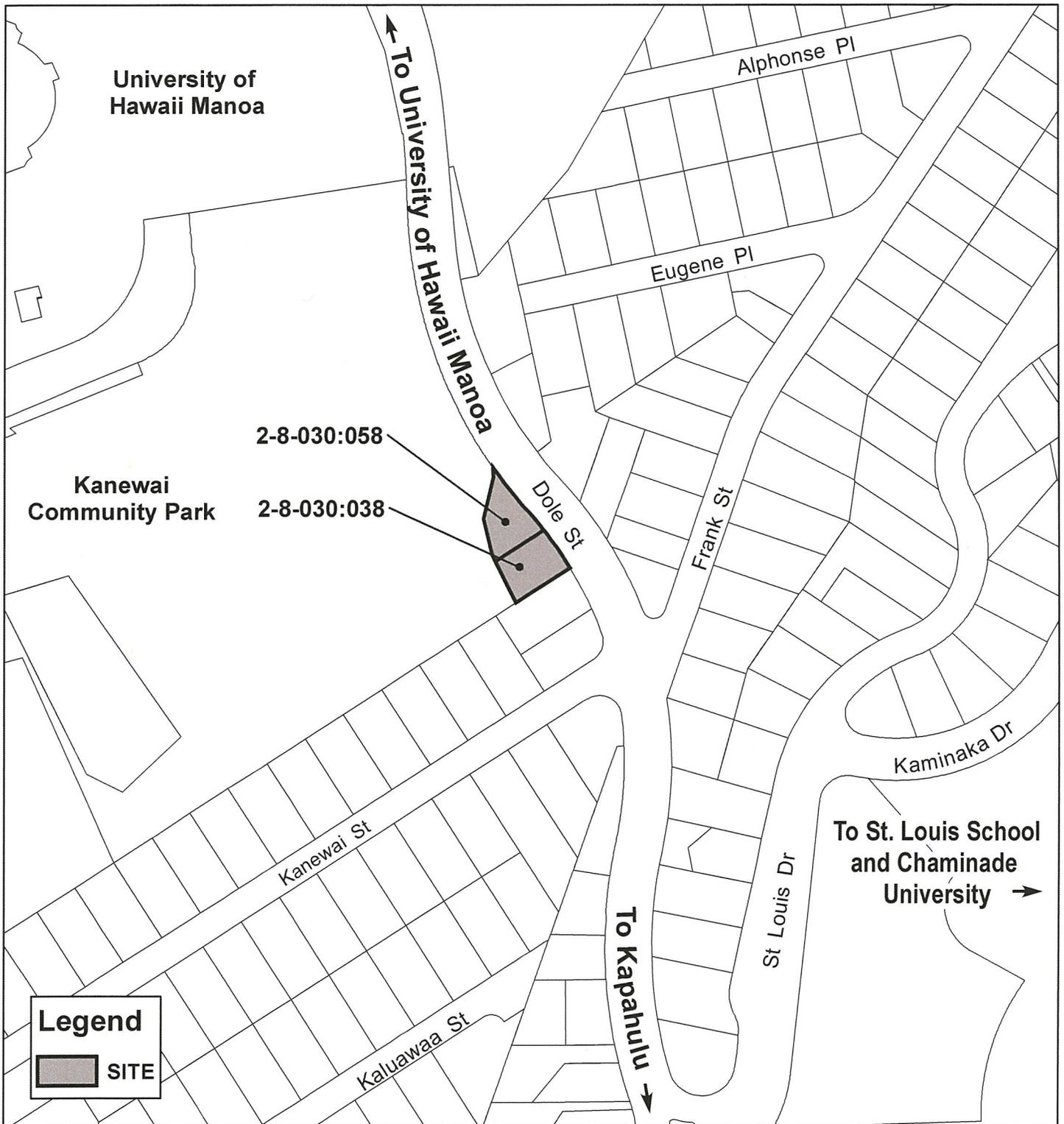
By



\_\_\_\_\_  
Timothy F.T. Hiu  
Deputy Director

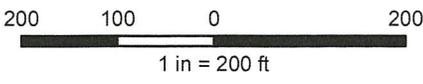
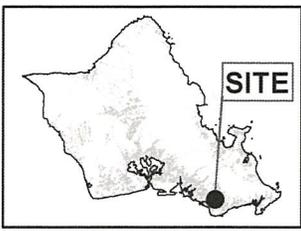
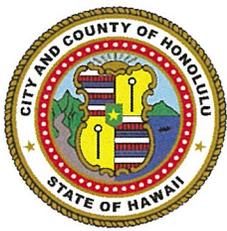
Attachment

ATTACHMENT 1  
MAPS:  
LOCATION MAP  
EXISTING ZONING MAP  
FLOOD HAZARD MAP



**Legend**

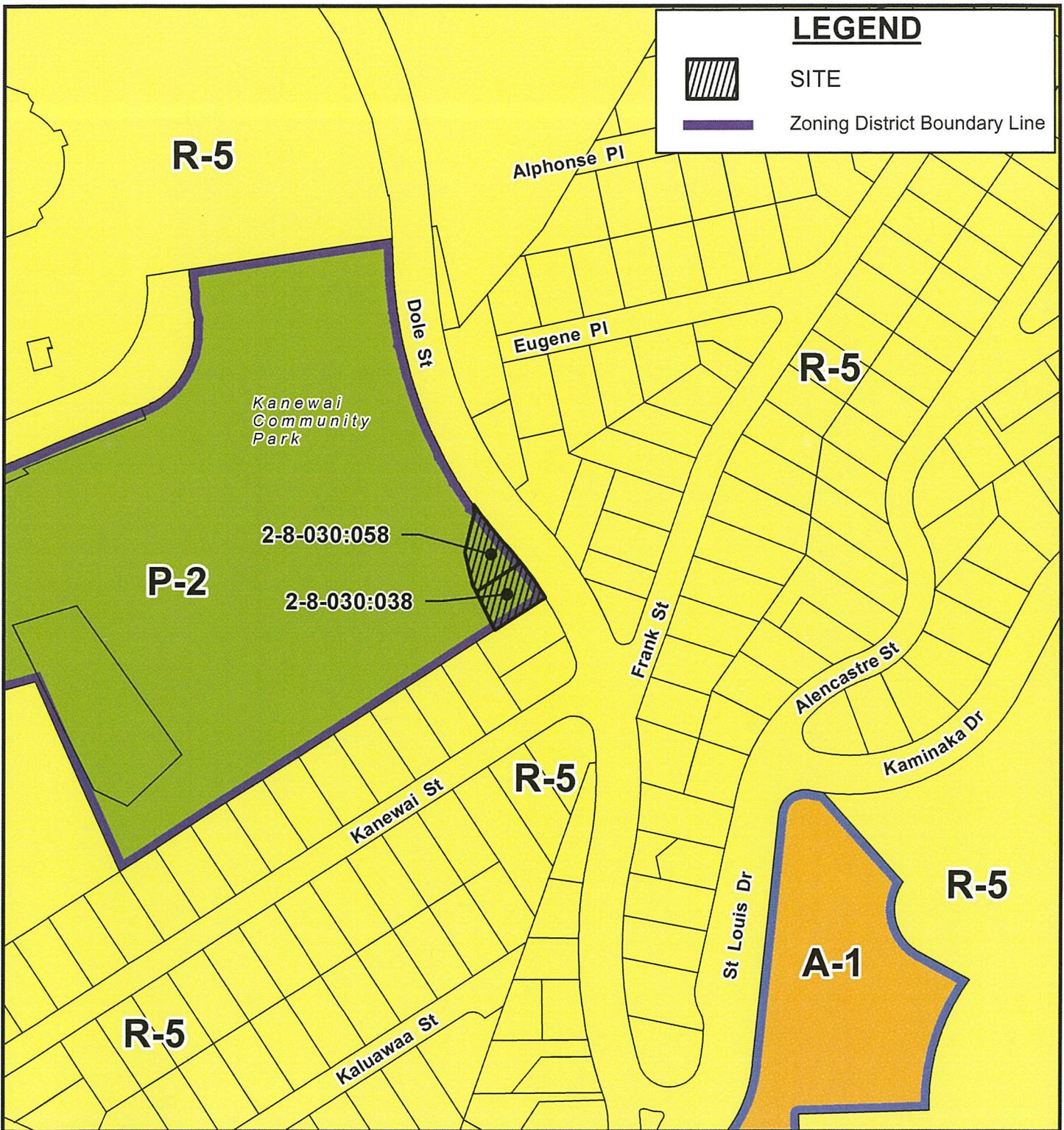
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**LOCATION MAP  
MOILILI - KAIMUKI**

**TAX MAP KEYS: 2-8-030:038 and 058**

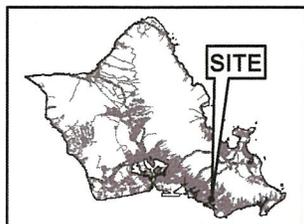
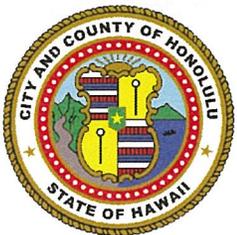
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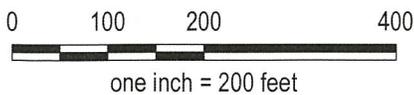
**LEGEND**

 SITE

 Zoning District Boundary Line



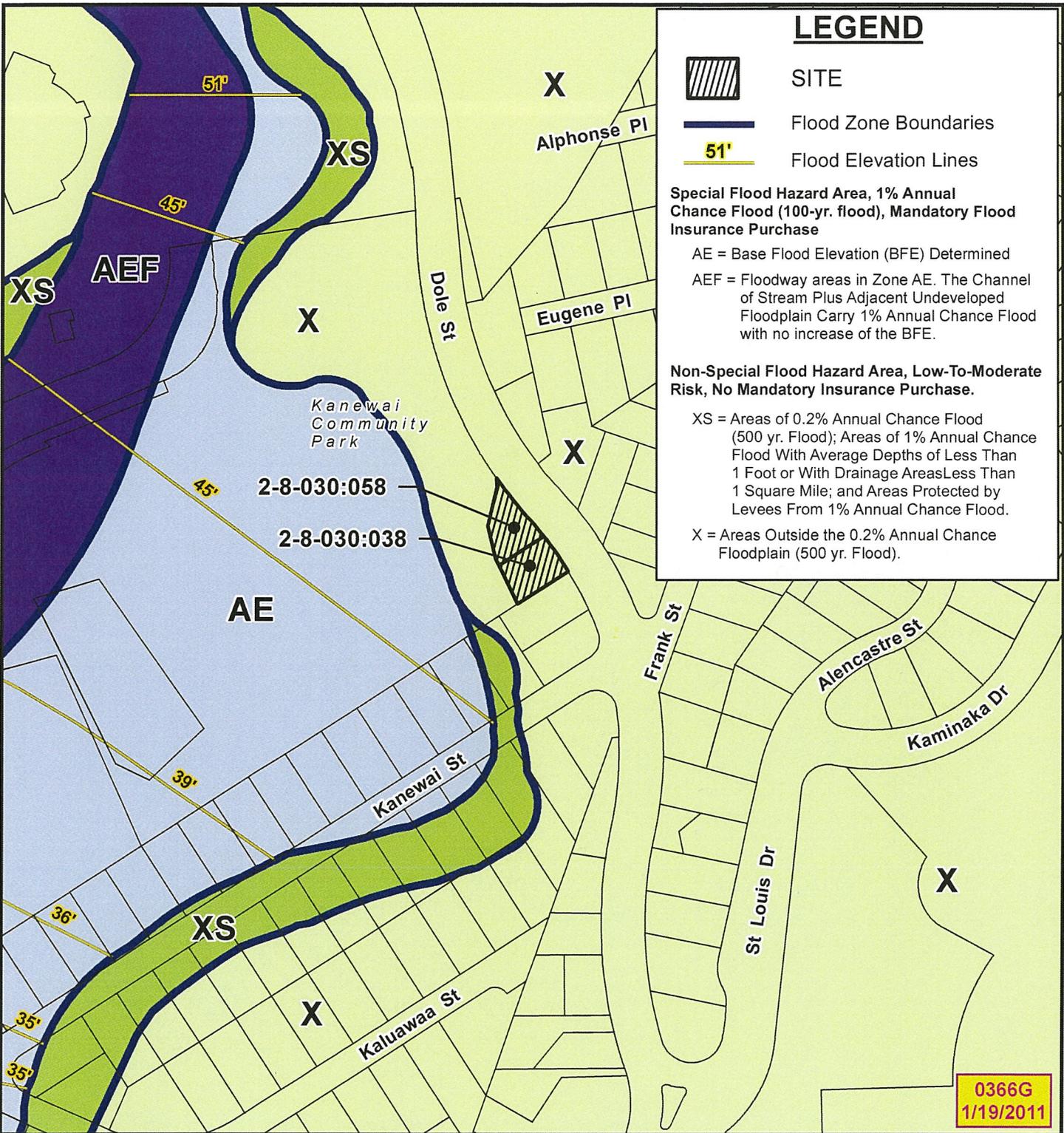
VICINITY MAP



**PORTION OF  
EXISTING ZONING MAP  
MOILIILI - KAIMUKI**

**TAX MAP KEYS: 2-8-030:038 and 058**

**FOLDER NO.: 2020/Z-3**



### LEGEND

**SITE**

**Flood Zone Boundaries**

**51'**  
**Flood Elevation Lines**

**Special Flood Hazard Area, 1% Annual Chance Flood (100-yr. flood), Mandatory Flood Insurance Purchase**

AE = Base Flood Elevation (BFE) Determined

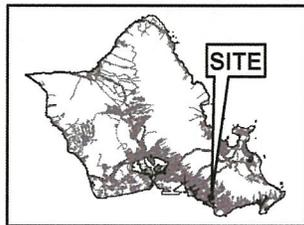
AEF = Floodway areas in Zone AE. The Channel of Stream Plus Adjacent Undeveloped Floodplain Carry 1% Annual Chance Flood with no increase of the BFE.

**Non-Special Flood Hazard Area, Low-To-Moderate Risk, No Mandatory Insurance Purchase.**

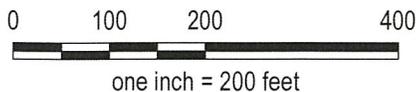
XS = Areas of 0.2% Annual Chance Flood (500 yr. Flood); Areas of 1% Annual Chance Flood With Average Depths of Less Than 1 Foot or With Drainage Areas Less Than 1 Square Mile; and Areas Protected by Levees From 1% Annual Chance Flood.

X = Areas Outside the 0.2% Annual Chance Floodplain (500 yr. Flood).

**0366G**  
**1/19/2011**



VICINITY MAP



## PORTION OF FLOOD HAZARD MAP KAIMUKI, HONOLULU

**FIRM PANEL: 15003C0366G (1/19/2011)**

**TAX MAP KEYS: 2-8-030:038 and 058**

**FOLDER NO.: 2020/Z-3**

ATTACHMENT 2  
AGENCY & COMMUNITY COMMENTS

DEPARTMENT OF PARKS & RECREATION  
**CITY AND COUNTY OF HONOLULU**

1000 Uluohia Street, Suite 309, Kapolei, Hawaii 96707  
Phone: (808) 768-3003 • Fax: (808) 768-3053  
Website: www.honolulu.gov

KIRK CALDWELL  
MAYOR

2020 SEP -8 PM 4:49

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU



MICHELE K. NEKOTA  
DIRECTOR

JEANNE C. ISHIKAWA  
DEPUTY DIRECTOR

September 4, 2020

**MEMORANDUM**

TO: Kathy K. Sokugawa, Acting Director  
Department of Planning and Permitting

ATTN: Lin Wong, Branch Chief  
Development Plans and Zone Change Branch

FROM: Michele K. Nekota   
Director

SUBJECT: Application for Zone Change from the P-2 General Preservation  
District to the R-5 Residential District File Number 2020/Z-3  
2835 and 2829 Dole Street, Honolulu, Oahu  
Tax Map Keys 2-8-030: 038 and 058

Thank you for the opportunity to review and comment on the subject Application for Zone Change.

The Department of Parks and Recreation has no objection to approval of the subject application.

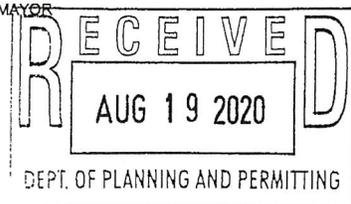
Should you have any questions, please contact Mr. John Reid, Planner, at 768-3017.

MKN:jr  
(819590)

DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR  
HONOLULU, HAWAII 96813  
Phone: (808) 768-8305 • Fax: (808) 768-4730 • web: www.honolulu.gov

KIRK CALDWELL  
MAYOR



WES FRYSZTACKI  
DIRECTOR

JON Y. NOUCHI  
DEPUTY DIRECTOR

TP7/20-819645R

August 12, 2020

**MEMORANDUM**

TO: Kathy K. Sokugawa, Acting Director  
Department of Planning and Permitting

A handwritten signature in black ink, appearing to read "Wes Frysztacki".

FROM: Wes Frysztacki, Director  
Department of Transportation Services

SUBJECT: Application for Zone Change from P-2 General Preservation District  
to the R-5 Residential District  
2835 and 2829 Dole Street, Honolulu, Oahu  
TMK 2-8-030:038 and 058

This responds to your correspondence dated July 8, 2020, requesting our comments and recommendations on the application for a zone change for the subject parcels. We have no comments on the proposed action.

Thank you for the opportunity to review this matter. Should you have any questions, please contact Virginia Sosh, of my staff, at 768-5461.

cc: Lin Wong, DPP

DAVID Y. IGE  
GOVERNOR OF HAWAII



RECEIVED

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

20 AUG 13 18:03

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

August 12, 2020

LD746

Lyn Wong, Branch Chief  
Development Plans and Zone Change Branch  
Department of Planning & Permitting  
City & County of Honolulu  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, HI 96813

via email: [k.hernandez@honolulu.gov](mailto:k.hernandez@honolulu.gov)

Dear Ms. Wong:

**SUBJECT: Project File No. 2020/Z-3  
Application for Zone Change from the P-2 General Preservation  
District to the R-5 Residential District; 2835 and 2829 Dole Street,  
Honolulu, Island of Oahu; TMK (1) 2-8-030:038 and 058**

Thank you for the opportunity to review and comment on the subject project. The Land Division of the Department of Land and Natural Resources (DLNR) distributed copies of your request to DLNR's various divisions for their review and comment, however, no responses have been received.

The Department has no comments at this time. Should you have any questions, please feel free to contact Barbara Lee via email at [barbara.j.lee@hawaii.gov](mailto:barbara.j.lee@hawaii.gov). Thank you.

Sincerely,

*Russell Tsuji*

Russell Y. Tsuji  
Land Administrator

Enclosure(s)

cc: Central Files

# BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843  
www.boardofwatersupply.com



August 11, 2020

KIRK CALDWELL, MAYOR

BRYAN P. ANDAYA, Chair  
KAPUA SPROAT, Vice Chair  
KAY C. MATSUI  
RAY C. SOON  
MAX J. SWORD

ROSS S. SASAMURA, Ex-Officio  
JADÉ T. BUTAY, Ex-Officio

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.  
Deputy Manager and Chief Engineer

TO: KATHY K. SOKUGAWA, ACTING DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

ATTN: LIN WONG, BRANCH CHIEF  
DEVELOPMENT PLANS AND ZONE CHANGE BRANCH

FROM: ERNEST Y. W. LAU, P.E., MANAGER AND CHIEF ENGINEER *eyw*

SUBJECT: ZONE CHANGE APPLICATION 2020/Z-3 FROM P-2 GENERAL  
PRESERVATION DISTRICT TO R-5 RESIDENTIAL DISTRICT AT  
2835 AND 2829 DOLE STREET - TAX MAP KEY: 2-8-030: 038 & 058

The existing water system is adequate to accommodate the proposed zone change action. However, please be advised that this information is based upon current data, and therefore, the Board of Water Supply reserves the right to change any position or information stated herein up until the final approval of the building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval.

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

Water conservation measures are required for all proposed developments. These measures include low-flow plumbing fixtures, utilization of non-potable water for irrigation using rain catchment and chiller/air handler condensate, cooling tower conductivity meters and water softening recycling systems, drought tolerant plants, xeriscape landscaping, efficient irrigation systems and the use of Water Sense labeled ultra-low-flow water fixtures and toilets.

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

If you have any questions, please contact Robert Chun, Project Review Branch of our Water Resources Division at 748-5443.

DEPARTMENT OF ENVIRONMENTAL SERVICES  
**CITY AND COUNTY OF HONOLULU**

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707  
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

2020 JUL 30 PM 4:04  
KIRK CALDWELL  
MAYOR



LORI M.K. KAHIKINA, P.E.  
DIRECTOR

TIMOTHY A. HOUGHTON  
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.  
DEPUTY DIRECTOR

IN REPLY REFER TO:  
PRO 20-065

July 30, 2020

**MEMORANDUM**

TO: Kathy K. Sokugawa, Acting Director  
Department of Planning and Permitting

FROM: ~~Lori M.K. Kahikina, P.E.~~  
Director

SUBJECT: Application for a Zone Change from the P-2 General Preservation  
District to the R-5 Residential District  
2835 and 2829 Dole Street, Honolulu, Oahu  
Tax Map Keys 2-8-030: 038 and 058

We have reviewed the subject document as transmitted to us by your memo dated July 8, 2020, reference no. 2020/Z-3 (kbh) 1874276. We do not foresee an impact to our facilities and services from the proposed zone change, and have no objections. Please note we have sewer easements on these parcels for the existing active 60-inch trunk sewer that goes through these parcels. No new structures should be allowed in the sewer easements.

Should you have any questions, please call Marisol Olaes, Civil Engineer, at 768-3467.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

IN REPLY REFER TO:  
DIR 0665  
HWY-RM 3.96247

July 28, 2020

Ms. Lin Wong, Branch Chief  
Development Plans and Zone Change Branch  
Department of Planning and Permitting  
City and County of Honolulu  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Dear Ms. Wong:

Subject: Application for Zone Change from P-2 to R-5  
2835 and 2829 Residential District  
Tax Map Keys (1) 2-8-030:038 and 058

Thank you for your letter 2020/Z-3(kbh)1874276, requesting comments regarding a planned zoning change for the subject parcels from P-2 to R-5.

The above parcels are not within the vicinity of a State highway. No intensification in the use of the properties is expected beyond the current use as single-family housing. Therefore, the State of Hawaii, Department of Transportation has no objections to this zoning change as it does not appear that it will have an affect on our highways.

Should you have any questions, please contact Travis Tomono, Right-of-Way Agent, of our Highways Division, Right-of-Way Branch at (808) 692-7390 or by email at [Travis.K.Tomono@Hawaii.Gov](mailto:Travis.K.Tomono@Hawaii.Gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jade T. Butay".

JADE T. BUTAY  
Director of Transportation

2020 JUL 31 PM 3:56

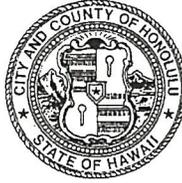
POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 • INTERNET: www.honolulu.org

2020 JUL 24 PM 4:10

CITY AND COUNTY OF HONOLULU

KIRK CALDWELL  
MAYOR



SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
CLYDE K. HO  
DEPUTY CHIEFS

OUR REFERENCE EO-DK

July 23, 2020

**MEMORANDUM**

TO: Kathy Sokugawa, Acting Director  
Department of Planning and Permitting

VIA: Lin Wong, Branch Chief, Development Plans and Zone Change Branch

ATTENTION: Katherine B. Hernandez, Planner V, Policy Planning Branch

FROM: Allan T. Nagata, Assistant Chief of Police, Support Services Bureau

SUBJECT: Application for Zone Change from the P-2 General Preservation District  
to the R-5 Residential District, 2835 and 2829 Dole Street, Honolulu,  
Oahu

This is in response to your agency's memorandum of July 8, 2020, requesting input regarding the subject project.

The Honolulu Police Department has reviewed the plans and has no comments to provide at this time.

If there are any questions, please call Major Joseph Trinidad of District 7 (East Honolulu) at 723-3369.

Thank you for the opportunity to review the plans.

A handwritten signature in black ink, appearing to read "Allan T. Nagata", is written over a horizontal line.

Allan T. Nagata  
Assistant Chief of Police  
Support Services Bureau

HONOLULU FIRE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

636 South Street  
Honolulu, Hawaii 96813-5007  
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

KIRK CALDWELL  
MAYOR



MANUEL P. NEVES  
FIRE CHIEF

LIONEL CAMARA JR.  
DEPUTY FIRE CHIEF

July 23, 2020

TO: LIN WONG, BRANCH CHIEF  
DEVELOPMENT PLANS AND ZONE CHANGE BRANCH  
DEPARTMENT OF PLANNING AND PERMITTING

FROM: SOCRATES BRATAKOS, ASSISTANT CHIEF

SUBJECT: APPLICATION FOR ZONE CHANGE FROM THE P-2 GENERAL  
PRESERVATION DISTRICT TO THE R-5 RESIDENTIAL DISTRICT  
2835 AND 2829 DOLE STREET, HONOLULU, OAHU  
TAX MAP KEYS: 2-8-030: 038 AND 058  
PROJECT FILE NUMBER: 2020/Z-3 (kbh)

In response to your memorandum dated July 8, 2020, regarding the abovementioned subject, the Honolulu Fire Department reviewed the proposed application and determined there will be no additional impact on our ability to deliver emergency services.

Should you have questions, please contact me at [sbratakos@honolulu.gov](mailto:sbratakos@honolulu.gov) or 723-7106.

A handwritten signature in cursive script that reads "Socrates Bratakos".

SOCRATES BRATAKOS  
Assistant Chief

MPN/MI:jl

RECEIVED

20 JUL 28 8 8 :00

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

2020/2209-1500

July 24, 2020

2020 AUG -3 PM 4:00

DEPARTMENT OF PLANNING  
AND PERMITTING  
CITY OF HONOLULU

Kathy K. Sokugawa, Acting director  
Department of Planning and Permitting  
650 South King Street, 7<sup>th</sup> floor  
Honolulu  
Hawaii, 96813

Reference: DPP File Number 2020/Z-3 (I strongly Object)

Dear Madam,

I strongly **OBJECT** to DPP file number 2020/Z-3 that is attempting to rezone 2835 and 2829 Dole street from P-2 general preservation district to R-5 residential.

While I understand that the land currently has a house on it, that does not make a difference it is preservation land and it should be common for all Hawaii. My kids play in that park and it is very unfortunate in Honolulu that there is so little space for them to play.

It is clearly written that the intent of P-2 "providing visual relief and contrast to the city's built environment or serving as outdoor space for the public's use and enjoyment". In addition, there are building restrictions on P-2 land that are far more stringent than R-5 land from max building area to height.

By converting the TMKs to R-5 residential from P-2 allows the owners options to profit from the land by building a larger house or selling it to others that will do that, and if that is not their intention then it should not be an issue to remain P-2 zoned

If the current owners want R-5 land then please go ahead sell their P-2 land and purchase another plot which is R-5 already and leave the P-2 zoning for us all and our children to share equally.

In Conclusion I Gary Rodwell strongly object to rezoning 2835 and 2829 Dole street to residential.

Respectfully

A handwritten signature in black ink, appearing to read 'Gary Rodwell', written in a cursive style.

Gary Rodwell

Saint Louis Drive

Honolulu

Hawaii

96816



**HAWAI'I  
PLANNING  
LLC**

July 13, 2020

RODWELL, GARY D  
1350 SAINT LOUIS DR  
HONOLULU, HI 96816-1724

Subject: Dole Street Zone Change, File Number 2020/Z-3  
2835 and 2829 Dole Street  
Tax Map Keys: 2-8-030: 038 and 058  
Honolulu, Manoa, Oahu, Hawaii

Dear Sir or Madam,

Hawaii Planning LLC, on behalf of Lily Ochoco and Wayne Okubo, is processing an application for a zone change for 2835 and 2829 Dole Street (Tax Map Keys 2-8-030: 038 and 058) from the P-2 General Preservation District to the R-5 Residential District. The zone change is an administrative proposal to bring the two (2) Sites in conformance with the R-5 Residential zoning district and will not consist of new construction.

If you wish to comment on this zone change application to send comments by August 10, 2020, reference the DPP file number 2020/Z-3, and address letters to:

Kathy K. Sokugawa, Acting Director  
Department of Planning and Permitting  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813

Public hearing notices for the Planning Commission and the City Council will be published in the Honolulu Star-Advertiser.

Thank you for participating in the planning process for this project. If you have any questions or need clarification, please contact me at 347-3999 or email [dsilvajr@hawaiiplanningllc.com](mailto:dsilvajr@hawaiiplanningllc.com).

Sincerely,

Dennis Silva, Jr.  
Principal

Enclosure

ATTACHMENT 3  
DRAFT ORDINANCE



---

## A BILL FOR AN ORDINANCE

---

TO REZONE LAND SITUATED AT MOILIILI, OAHU, HAWAII.

BE IT ORDAINED by the People of the City and County of Honolulu.

SECTION 1. Zoning Map No. 3 (Moiliili - Kaimuki), Ordinance No. 86-106, is hereby amended as follows: Lands situated at 2835 and 2829 Dole Street, Moiliili, Oahu, Hawaii, are hereby rezoned from the P-2 General Preservation District to the R-5 Residential District. The boundaries of said Districts shall be described as shown on the map attached hereto, marked "Exhibit A" and made a part hereof, and further identified as Tax Map Keys 2-8-030: 038 and 058.

SECTION 2. A Unilateral Agreement marked "Exhibit B" is by reference incorporated herein and made a part hereof, with regard to Tax Map Key 2-8-030: 038.



A BILL FOR AN ORDINANCE

SECTION 3. This Ordinance shall take effect upon its approval.

INTRODUCED BY:

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

DATE OF INTRODUCTION:

\_\_\_\_\_  
Honolulu, Hawaii

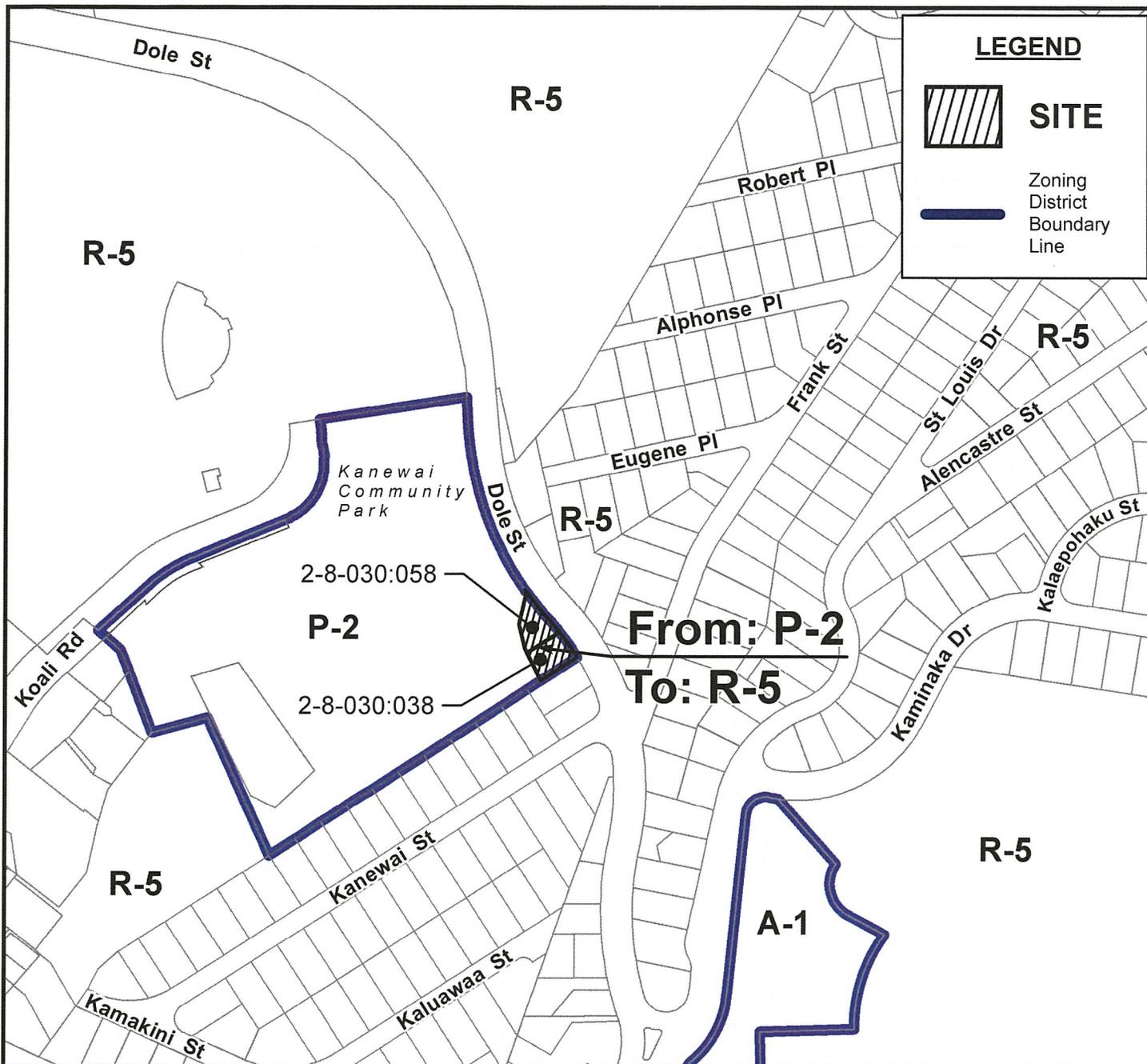
\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu



**LEGEND**

 **SITE**

 Zoning District Boundary Line

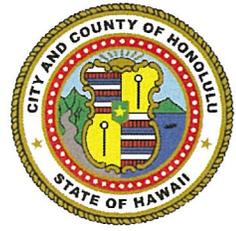
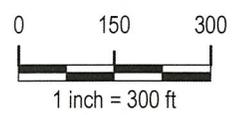
**PORTION OF  
ZONING MAP NO. 3  
(Moiliili - Kaimuki)**

Two land parcels situated along Dole Street in the eastern corner of Kanewai Community Park

**APPLICANT:** Lily Ochoco, Wayne and Ann Okubo  
**TAX MAP KEY:** 2-8-030:038 and 058  
**FOLDER NO.:** 2020/Z-3  
**LAND AREA:** 0.226 ACRES

**PREPARED BY:** DEPARTMENT OF PLANNING & PERMITTING  
 CITY AND COUNTY OF HONOLULU

**PUBLIC HEARING      PLANNING COMMISSION      CITY COUNCIL**



**ORD. NO.**

**EFF. DATE.**

**EXHIBIT A**

**BILL**

## EXHIBIT B

DRAFT UNILATERAL AGREEMENT  
INCORPORATING THE CONDITIONS RECOMMENDED BY  
THE DPP IN THE DIRECTOR'S REPORT

To be prepared by the Applicant and submitted to the Council