

DEVELOPMENT PERMIT

for

803 Waimanu Street

Approved by the

HAWAII COMMUNITY DEVELOPMENT AUTHORITY
461 Cooke Street
Honolulu, Hawaii 96813

on

January 8, 2014

Pursuant to Chapter 206E, Hawaii Revised Statutes

DEVELOPMENT PERMIT NO.: KAK 13-091

Exhibit B

I. PROJECT SUMMARY AND ENTITLEMENTS

Refer to the attached Table 1, *Project Summary and Entitlements*, as Exhibit A.

II. RESERVED HOUSING

The Applicant shall comply with the provisions of Hawaii Administrative Rules, Title 15, Subtitle 4, Chapter 218, and Kakaako Reserved Housing Rules. The Applicant shall designate no less than twenty percent (20%) of the residential units in the Project as reserved housing units for purchase or rental according to income requirements and qualifying conditions established by Subchapter 3 of the Kakaako Reserved Housing Rules.

The Applicant may submit a reserved housing credit program for additional reserved housing credit for the Authority's consideration at a later time.

The Applicant shall execute an agreement with the HCDA as to how the Project conforms to the provisions of the Kakaako Reserved Housing Rules and such agreement shall be binding upon the Applicant and any successors in interest. No construction of the Project shall commence unless the Applicant has provided satisfactory documentation to the HCDA that the Project conforms to the provision of the Kakaako Reserved Housing Rules.

III. INFRASTRUCTURE IMPROVEMENTS

Infrastructure improvements can be divided into two categories: (1) infrastructure improvements or requirements which are immediately necessary to proceed with the Project; and (2) improvements which are necessary to improve and upgrade the vicinity in total through the HCDA District-Wide Improvement Program.

- A. Improvements Necessary to Proceed with the Project:** With regard to infrastructure improvements or requirements which are necessary to proceed with the Project, the Applicant shall be responsible for providing necessary developer improvements.
- B. Improvements Proposed for the HCDA District-Wide Infrastructure Improvement Program:** As part of the HCDA District-Wide Improvement Program, road and utility improvements are being undertaken in increments throughout the Kakaako District, financed in part through an Improvement District Program.

In this regard, the Project shall be subject to assessments for its pro rata share of the cost of improvements which may, in the future, be necessarily undertaken in the vicinity of the respective projects under the HCDA or other government agencies' improvement

programs. The Project will be assessed under the same methods and in the same manner as other properties in the area.

In order to ensure the participation of the Project, the Applicant, and its successors and assigns, shall agree to participate in the HCDA District-Wide Improvement Program at the time said program is implemented. The terms specified in the agreement shall be made a part of all condominium and conveyance documents for the Project and said documents shall be reviewed and approved by the HCDA prior to submission to the Real Estate Commission and execution.

IV. DECISION

The staff report for the Development Permit application dated January 8, 2014 is hereby incorporated into this Development Permit and made part of this Permit. The Development Permit for the Project is hereby approved, subject to the following conditions:

- A. Provide a Development Agreement with the HCDA that binds the Applicant, and its successors and assigns, individually and collectively, to develop and to maintain the Project site in conformity with the provisions of this Development Permit and with the Mauka Area Rules. This Agreement shall be recorded as a covenant running with the land with the Bureau of Conveyances or the Assistant Registrar of the Land Court. Proof of such recordation in the form of copies of the covenants certified by the appropriate agency shall be submitted to the HCDA.
- B. Comply with all applicable requirements of Subchapter 2 (Regulating Plan and Neighborhood Zone) of the Mauka Area Rules.
- C. Comply with all applicable requirements of Subchapter 3 (Thoroughfare Plan and Standards) of the Mauka Area Rules.
- D. Comply with all applicable requirements of Subchapter 4 (Area-Wide Standards) of the Mauka Area Rules.
- E. Comply with all applicable requirements of the Kakaako Reserved Housing Rules, Hawaii Administrative Rules, Title 15, Subtitle 4, Chapter 218.
- F. Comply with all requirements as specified under Parts I., II. and III. of this Permit.

- G. Conduct an Archaeological Inventory Survey that is acceptable to Department of Land and Natural Resources, State Historic Preservation Division prior to HCDA approval of the initial building permit for the Project. Comply with all Conditions imposed by the Authority with respect to any Historic Properties, Aviation Artifacts or a burial site that may be discovered at the Project site.
- H. Comply with any other terms and conditions as required by the HCDA Executive Director to implement the purpose and intent of the Rules.

All conditions shall be met prior to the issuance of the initial Building Permit for the Project.

Dated at Honolulu, Hawaii, this 8th day of January, 2014.

HAWAII COMMUNITY DEVELOPMENT
AUTHORITY, State of Hawaii

By 

Brian Lee, Chairperson

Attachment: Exhibit A - Table 1, *Project Summary and Entitlements*

I. PROJECT SUMMARY AND ENTITLEMENTS

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Neighborhood Zone and Land Use	HAR §15-217-23(a)(2) Neighborhood Zones, Figure 1.2 Regulating Plan, Figure 1.9 Land Use	Central Kakaako ("CK")	CK housing project	Project conforms to Rules; residential use is permitted in all zones.
Site Area	N.A.	N.A.	Oahu TMKs: 2-1-049: 50, 70 and 72 21,192 SF	See Project Plans Sheet A-1.1.
Density	Figures 1.3 & NZ.5 D Building Form, Maximum Density	21,192 SF (Site Area) x 3.5 FAR = 74,172 allowable SF; Reserved Housing ("RH") excluded from floor area calculation, per §15-218-18(1).	71,012 SF, excluding floor area for RH. RH floor area is 17,994 SF.	Project conforms to Rules; see Sheet A-1.2.
Reserved Housing	HAR §15-218-17(a)	At least 20% of the total residential floor area to be allocated for RH units (i.e., 17,896 SF in this project).	Excluded floor area for RH is 17,994 SF.	Project conforms to Rules; see Sheet A-1.2. Applicant may submit a separate proposal for additional reserved housing credit to the Authority at a later time for its consideration.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Maximum Height	Figures 1.3 & NZ.5.1	65 FT from "Ground Elevation", excluding rooftop mechanical room (Block 24 on map).	65 FT from "Ground Elevation", excluding rooftop mechanical room and stair(s).	Project conforms to Rules.
Building Type	Figures 1.3 & NZ.5 A Building Types, and BT-8 Urban Block	Urban Block	Urban Block	Project conforms to Rules.
Frontage Types	Figures 1.3 & NZ.5 B Frontage Types	Stoop; Dooryard; Terrace Front; Forecourt; Shopfront; Chinatown Shopfront; Kakaako Frontage	Stoop frontage on both frontages, as allowed in Figure FT-2.	Project conforms to Rules.
Frontage Occupancy	Figure 1.3 Building Placement Frontage Occupancy at Build-to-Line	No build-to-line specified at Kawaiahao and Waimanu frontages, but requirement is 75% occupancy if build-to-line were required.	Project places frontage at property line on both the Waimanu and Kawaiahao frontages; ground level contains about 75% occupancy by active uses.	Project conforms to Rules.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Building Placement	Figure NZ.5 CK and Figure NZ.5-1	Build-to-lines at Waimanu and Kawaiahao – Not Specified Side and Rear Setbacks – 0 FT	Building built to property line except for recessed “stoops” at levels R-1 and R-1.5 areas at Waimanu and Kawaiahao frontages (see Sheet A-1.2).	Project conforms to Rules.
Floor Plate	Table BT-8.1, Maximum Floor Plate Ratios for Urban Block buildings	100% lot coverage allowed on floors 1 through 4 (21,192 SF in this project); average of 60% coverage on floors 5 through 7.	20,229 SF on Levels R-2; 12,136 SF (average 60%) on Levels R5 through R7 (see Sheet A-1.2 and A-3.1).	Project conforms to Rules.
Open Space	Figure BT.8 Urban Block E. Open Space	15% of Site Area = 3,179 SF 40 FT minimum dimension.	8,477 SF, with 40 FT Dimension on R2 and R5 (i.e., 3,148 SF on R2 and 2,953 SF + 2376 SF on R5).	Project conforms to Rules.
Recreation Space	§15-217-56 Landscape and Recreation Space	55 SF of recreation space per dwelling; 55 SF x 153 dwellings = 8,415 SF in this project; if outdoors, may be used to satisfy open space requirements.	8,477 SF, with 40 FT Dimension on R2 and R5 (i.e., 3,148 SF on R2 and 2,953 SF + 2376 SF on R5).	Project conforms to Rules. See Sheet A-1.2 and L-1.1.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Off-Street Parking	§15-217-63(e)(2) §15-218-18(a)(3) §15-218-55(b)	No off-street parking required in CK zone, but RH requires 1 parking stall per unit; 24 RH units in this project.	91 parking stalls in multilevel unattended semi-automated mechanical parking including 24 parking stalls (12 standard and 12 compact) for the 24 RH units; see Sheets A-1.2 and A-2.1.	Project conforms to Rules.
Off-Street Loading	§15-217-63(l)(1) and (5) Loading Spaces	1 loading stall for 20,000-150,000 SF of floor area; one stall to have minimum dimensions of 12 FT x 35 FT and 14 FT vertical clearance.	1 handicap van loading space and 1 loading space with dimensions of 12 FT x 35 FT and 14 FT vertical clearance provided in garage; see Sheet A-2.1.	Project conforms to Rules.
Bicycle Parking	§15-217-63(m) Bicycle Parking	Short- and long-term bicycle parking to be provided within 400 FT of building entrance 400 FT of building entrance. Front facades to have at least one encroaching element (e.g., porch, balcony) for at least 10% of facade.	Short-term bicycle parking provided. Short-term and long-term bicycle parking provided in parking garage on ground level of parking garage.	Project conforms to Rules.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Building Massing	Figure BT.8 H	Front facades to have at least one encroaching element (e.g., porch, balcony) for at least 10% of facade.	Plane break provided.	Project conforms to Rules.
Public Facilities Dedication	§15-217-65(d)	4% of total residential floor area less RH (2,840 SF in this project).	866 SF provided in widened sidewalk along Kawaiahao frontage (see Sheet A-1.2 and A-2.1.	Request for remaining requirement to be satisfied by payment of in lieu fee, per §15-217-65(d)(3) approved by the Authority at its January 8, 2014 Public Hearing.
Landscaping	§15-217-56 Landscape and Recreation Space; Figure 1.7 Street Tree Plan	Provide automatic irrigation system with rain or moisture sensor; no street trees required on Waimanu Street, but Tulipwood tree required on Kawaiahao Street.	For landscaped open space, automatic irrigation system with rain sensor control; two Tulipwood trees provide on Kawaiahao Street.	Project conforms to Rules.
Green Building Standards	§15-217-59 Requirement for Green Building standards	Qualify for base LEED rating; document achievement of LEED points.	Project will meet base LEED rating.	Project conforms to Rules for basic certified standard; see LEED rating sheet.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Parking Placement	Figure 1.10B Parking Placement Figure BT.8 Urban Block	Place parking with allowed parking zone, per map; upper floors of parking to be screened from view of the public frontage by a liner building or by landscaping, green screens or cladding.	Parking placed within allowed parking zone; ground floor parking concealed by liner of habitable space on Levels R-1 and R- 1.5.	Project conforms to Rules.
Parking Access	§15-217-63(c)(3) Figures 1.14 and PZ.5	Curb cuts shall be set back a minimum of 22 FT from adjacent properties.	Driveways are more than 22 FT from side property lines on both frontages (see Sheet A-2.1).	Project conforms to Rules.
Pedestrian Zone Treatment	Figures 1.14 and PZ.5	Pedestrian Zone width standards: Waimanu Street (service street) sidewalk to have 6-foot wide Throughway; Kawaiahao Street (street) sidewalk to have 2-foot wide Frontage, 6-foot wide Throughway, and 5-foot wide Furnishing zones.	Pedestrian Zone on Waimanu frontage to retain existing improvements, except for relocation of driveway curb cut; Kawaiahao frontage improved to conform to prescribed Pedestrian Zone standards.	Project conforms to Rules; see Sheet L-1.1.