

**DEVELOPMENT PERMIT REQUEST  
Modification Hearing Staff Report**

**KAK 23-027: Ward Village Land Block 1, Project 6 (Mahana Ward Village)  
(Master Plan Permit No.: PL MASP 13.1.3)**

**July 6, 2023**

**I. MODIFICATION REQUEST**

Victoria Ward, Limited (“VWL” or “Applicant” ) is requesting a Planned Development Permit (“Permit”) to construct a new mixed-use, high-rise development, Mahana Ward Village (“Project”). The Project site is bounded by Queen Street to the north (“Mauka”), an existing VWL parcel to the east (“Diamond Head”), Halekauwila Street to the south (“Makai”), and Ward Avenue to the west (“Ewa”). The Project is located at 423 Ward Avenue, in the Mauka Area of the Kaka‘ako Community Development District (“KCDD”) [Tax Map Key No. (1) 2-3-002:116 (portion)]. The Applicant’s Development Permit Application (“Permit Application”) was provided to the Hawai‘i Community Development Authority (“HCDA” or “Authority”) on May 19, 2023, via electronic link. In addition, a Presentation Hearing Staff Report with exhibits is being transmitted to the Authority Members along with this Modification Hearing Staff Report.

The Applicant is requesting the following modification:

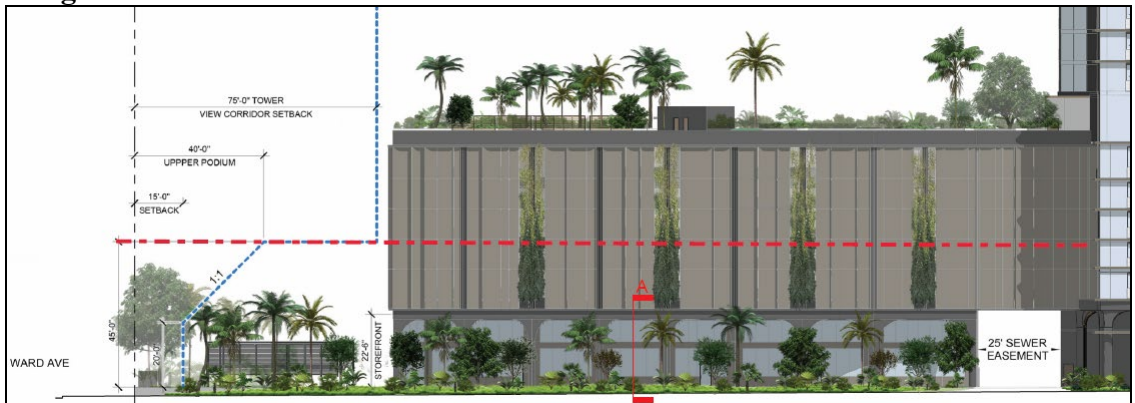
Modification of § 15-22-62 of the Vested Rules, in order to increase the podium height from forty-five (45) feet to seventy-five (75) feet, and (a) an additional twelve (12) feet for accessory use structures, having a total area less than fifteen percent (15%) of the parking and mixed-use podium roof area; and (b) an additional eighteen (18) feet for structures that will house elevator machinery on the parking and mixed-use podium roof; Images 1 and 2, below, are taken from the Permit Application (Exhibits 19 and 21) and show the proposed height to the top of the podium parapet and the top of the accessory structures.

Images 1 and 2, below, are taken from the Permit Application (Exhibit 19 and 21). The encroaching podium height is noted by the ‘red’ dashed line indicating the existing 45’ podium height limit.

**Image 1: North elevation**



**Image 2: South elevation**



Images 3, 4, 5 and 6, below, are taken from the Permit Application (Exhibit 29-32). They illustrate the by-right massing as opposed to the alternate massing proposed in the modification request.

**Image 3: Looking down Halekauwila Street, Diamond Head**



HALEKAUWILA / WARD AVENUE, LOOKING DIAMOND HEAD - ALLOWED BY RIGHT

HALEKAUWILA / WARD AVENUE, LOOKING DIAMOND HEAD - PROPOSED WITH MODIFICATION

**Image 4: Looking mauka on Halekauwila Street**



**Image 5: Looking makai on Ward Avenue**



**Image 6: Looking down Halekauwila Street, ‘Ewa**



Section 15-22-120(7) of the Vested Rules provides that the platform heights may be commensurately modified to exceed forty-five (45) feet where:

1. Subsurface construction is infeasible;
2. Design requirements for ceiling height clearances require height adjustment;
3. Industrial, commercial, residential or community service uses are substantially located within the platform, especially along streets or public spaces; or

4. Significant public facilities or pedestrian features are provided at the street level, especially arcades or publicly accessible open space in excess of the minimum grade-level open space.

Findings of Fact in the Nunc Pro Tunc Ward MP Decision and Order indicate the Applicant's intent to request modification of the platform height from forty-five (45) feet to seventy-five (75) feet for all parcels not directly fronting Ala Moana Boulevard (Findings of Fact #62). The Conclusions of Law section of the Ward Neighborhood Master Plan provides that the Applicant's proposal to modify the Mauka Area Rules may be addressed as part of the planned development review process and shall be evaluated under § 15-22-22 of the Vested Rules (Conclusions of Law #13).

The request for this modification was based on the premise of increasing the allowed podium height, to accommodate mixed uses within the podium and create additional ground floor retail opportunities along the Halekauwila Street and Ward Avenue frontages. The Diamond Head frontage and Queen Street (i.e., Skyline) frontage of the podium will be lined with a series of vertical panels and landscaping that create a multi-dimensional effect. Relocating the parking structure above, not adjacent to, the sidewalk provides a more interactive, vibrant and walkable neighborhood. The additional height also allows more residential units to be located within the podium on floors two through seven; closer to the street-level, resulting in a more aesthetically-pleasing pedestrian realm.

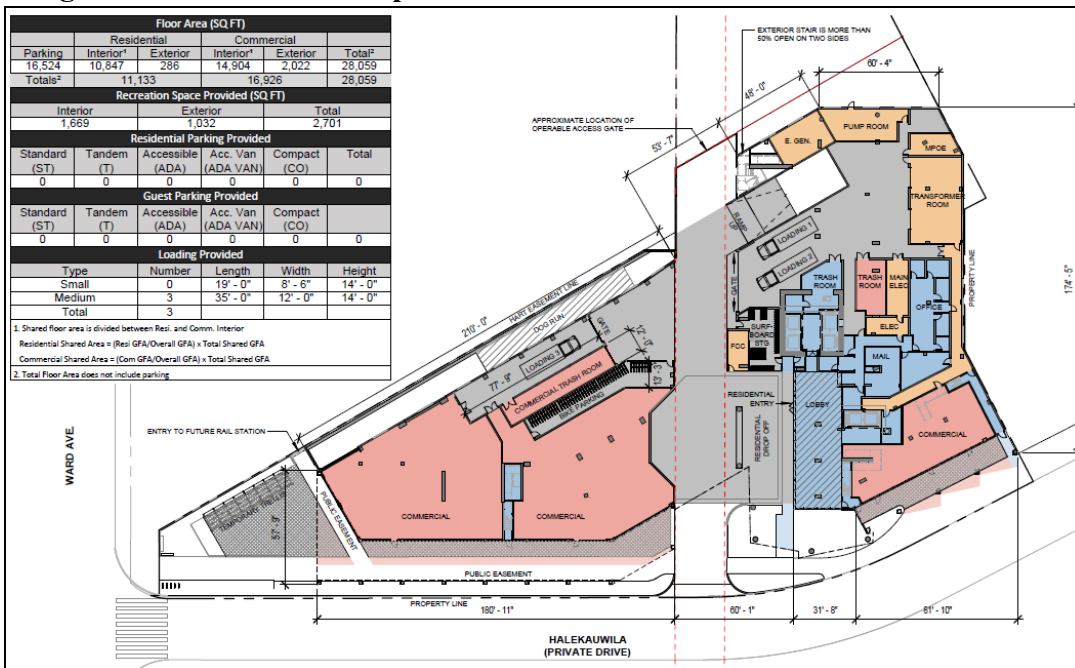
Section 5.1, pages 23 through 27 of the Permit Application, further discusses the Applicant's proposed modification request, including its consistency with several HCDA-approved modifications located nearby.

The Applicant stated that the modification is being sought to:

1. Permit various uses within the podium along streets and public spaces;
2. Provide space for additional residential uses within the podium and closer to the street-level;
3. Provide additional public open space at ground level;
4. Relocate parking facilities up and away from the street; and
5. Prevent subsurface excavation activities associated with underground parking structures in an area with known subsurface sensitivities, including proximity to the water table.

Image 7, below, was provided in the Permit Application as Exhibit 7. It shows the proposed uses within the ground floor of the mixed-use podium. Much of the ground level of the podium is occupied by commercial uses (colored in pink), loading spaces, back of house uses, the residential lobby and access to the Project.

**Image 7: Ground level floor plan**



The Authority shall consider the modification request, pursuant to § 15-22-22 of the Vested Rules which notes that, in order for the Authority to consider the modification of a specific provision, the Applicant must have demonstrated that:

1. The modification would provide flexibility and result in a development that is practically and aesthetically superior to that which could be accomplished with the rigid enforcement of the Vested Rules;
2. The modification would not adversely affect adjacent developments or uses; and
3. The resulting development would be consistent with the intent of the (Vested) Mauka Area Plan.

**II. PUBLIC TESTIMONY**

The HCDA staff will provide the Authority with all public testimony received by the submittal deadline, for the Presentation public hearing for the Permit Application.