

**DEVELOPMENT PERMIT REQUEST
Modification Hearing Staff Report**

**KAK 23-038: Ward Village Land Block 4, Project 2 (Block E)
(Master Plan Permit No.: PL MASP 13.1.3)**

August 2, 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, Block E (“Project”). The Project site is bounded by Ala Moana Boulevard to the south (“Makai”), Block D site to the west (“Ewa”), Auahi Street to the north (“Mauka”), and the IBM Building property to the east (“Diamond Head”). The Project is located at 1200 Ala Moana Boulevard, in the Mauka Area of the Kaka‘ako Community Development District (“KCDD”) [Tax Map Key Nos. (1) 2-3-005: 006 (portion)]. The Applicant’s Development Permit Application (“Permit Application”) was provided to the Hawai‘i Community Development Authority (“HCDA” or “Authority”) on June 9, 2023, via electronic link. A Presentation Hearing Staff Report with exhibits was transmitted to the Authority Members on July 13, 2023, and the Presentation Hearing took place on July 20, 2023.

The Applicant is requesting the following modifications:

- A. Modification of § 15-22-62 of the Vested Rules, in order to increase the podium height from forty-five (45) feet to sixty-five (65) 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; and
- B. Modification of § 15-22-66 of the Vested Rules, in order to adjust the view corridor setback along Ala Moana Boulevard for the parking and mixed-use podium.

Images 1, 2, and 3 below, are taken from the Permit Application (Exhibits 24, 26 and 27) and show the proposed height to the top of the podium parapet and the top of the accessory structures. The encroaching podium height is noted by the horizontal ‘red’ dashed line indicating the existing 45’ podium height limit.

Image 1: East elevation

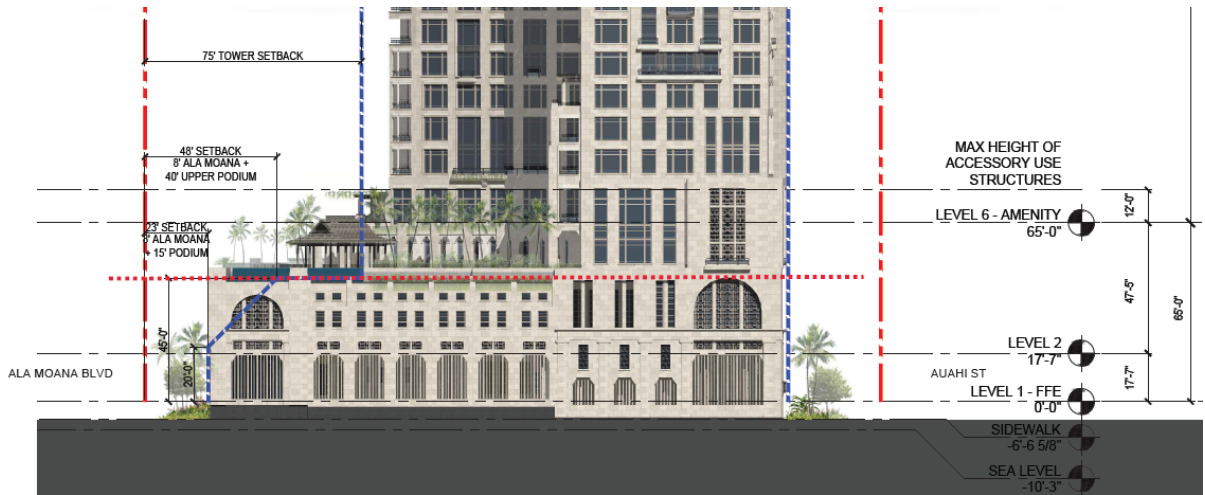


Image 2: South elevation

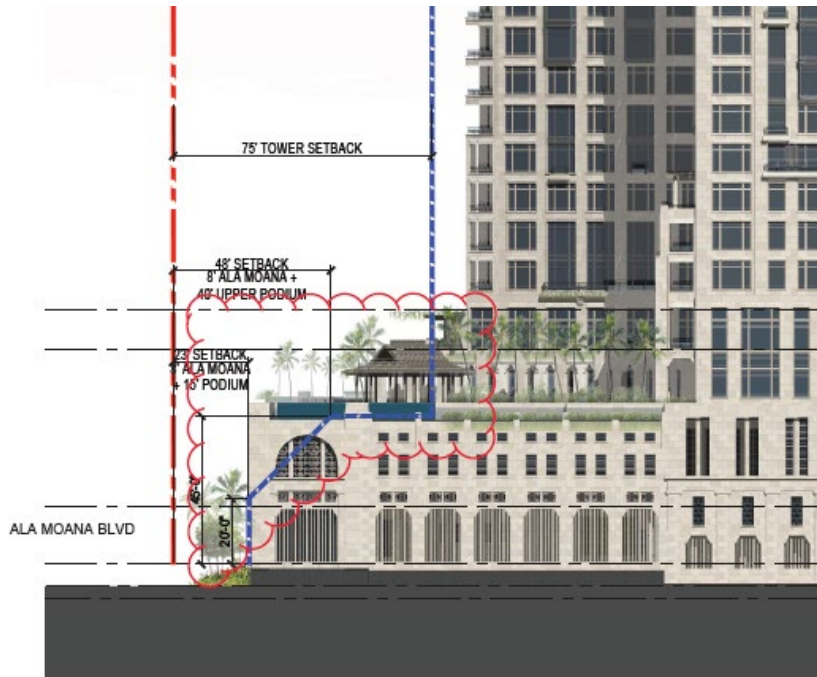


Image 3: North elevation



Image 4, below, is taken from the Permit Application (Exhibit 24). The encroaching structure is clouded in red. A diagram illustrating the view corridor setback requirements in the Vested Rules is attached as Exhibit A.

Image 4 – East elevation, Ala Moana Boulevard view corridor encroachment



Images 5, 6, 7 and 8, below, are taken from the Permit Application (Exhibits 33-36). They illustrate the by-right massing (images on left) as opposed to the alternate massing proposed in the modification request (images on right).

Image 5: Looking makai at Diamond Head corner of Block E from Auahi Street



Image 6: Looking makai at Block E façade from Auahi Street



Image 7: Looking mauka at Diamond Head corner of Block E from Ala Moana Boulevard



Image 8: Looking mauka at Block E façade from Ala Moana Boulevard



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 podium height from forty-five (45) feet to sixty-five (65) feet along Ala Moana Boulevard and to seventy-five (75) feet along other streets within the KCDD (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 such modifications was based on the premise of increasing the podium height allowed for retail, restaurants, office, and residential units to be built within the podium and on moving parking structures up and away from the street. Section 5.1, pages 25 through 31 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 modifications are being sought to:

1. Preserve and enhance the mauka-makai view corridors;
2. Permit various uses within the podium along streets and public spaces;
3. Provide public facilities and features to improve the pedestrian experience at the street level;
4. Move parking uses 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.

The modifications were based on the following premise:

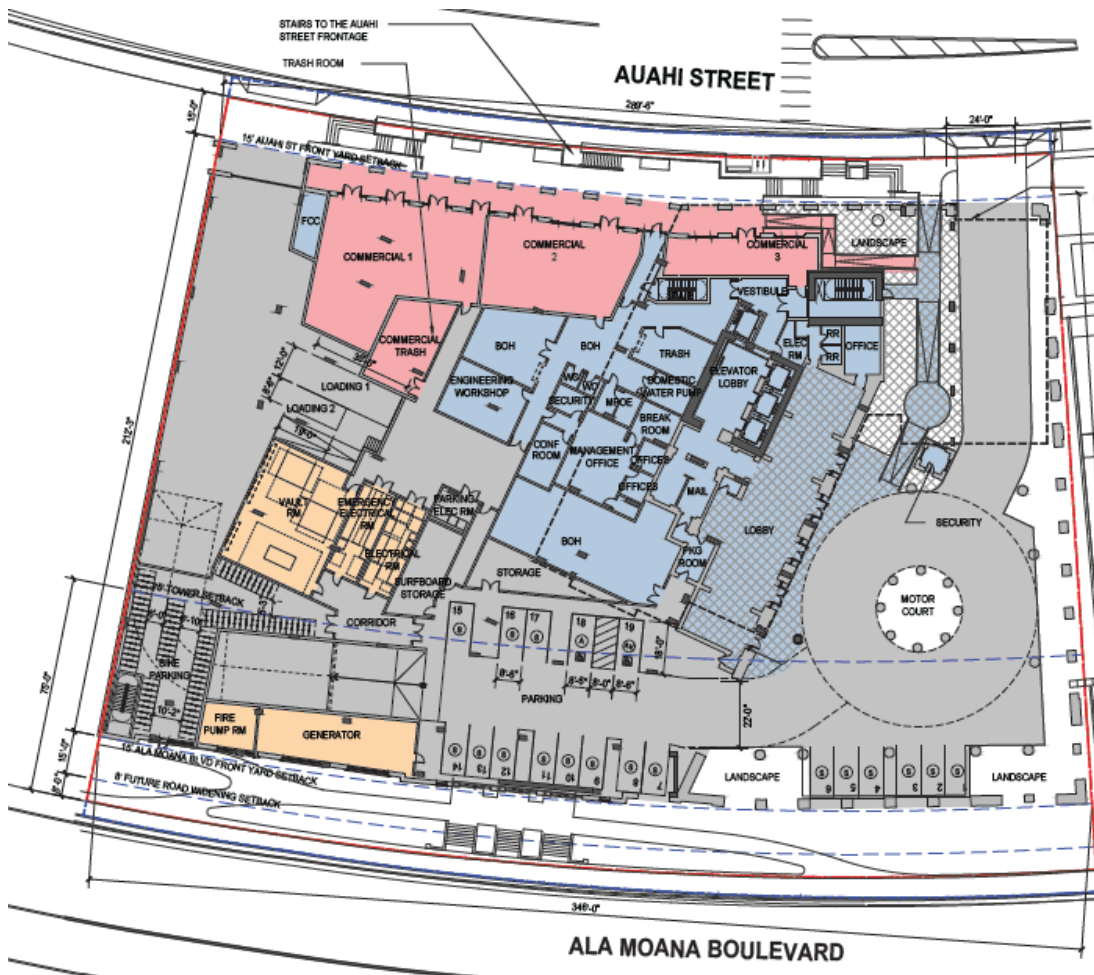
1. Accommodate mixed uses within the podium and create ground floor retail and pedestrian opportunities along Auahi Street;
2. Create the approximately one-acre Diamond Head Plaza park at the Ewa end of the block and preserve the historic IBM Building on the Diamond Head end of the block; and
3. Create continuous and cohesive architectural elements which connect the podium to the proposed street-level retail as well as to the tower.

The applicant noted that the additional podium massing enabled by the view corridor modification facilitated approximately 5,792 square feet of parking area that would be

moved up and away from the street, as well as 16,545 square feet of additional amenity deck area.

Image 9, 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), parking and loading spaces, back of house uses, the residential lobby and access to the Project.

Image 9: 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.

III. DISCUSSION

The podium for the Block E development will encroach into the view corridor setback along its entire frontage facing Ala Moana Boulevard. In total, the podium structure for Blocks D and E will encroach into the view corridor for approximately 69% of the entire length of Land Block 4 (inclusive of the IBM Building and Diamond Head Plaza) – a distance of almost 700 linear feet along Ala Moana Boulevard.

The current buildings along Ala Moana Boulevard are setback approximately 24 to 28 feet from the edge of the sidewalk and rise approximately 33 to 44 feet in height.¹ In contrast, the proposed podium structure will maintain a uniform setback approximately 24 feet from the sidewalk and rise up 65 feet above the finished floor level, plus 12 feet for accessory structures. Since the new finished floor level is about 7 feet above the street level to meet the latest flood hazard regulations, the total height of the new podium, parapet wall, and accessory structures could be as high as 84 feet above the existing street level. For context, note that the existing parking garage along Auahi Street on the subject property is 68 feet in height.

Along Ala Moana Boulevard, the Project provides for ground-level pedestrian activation through a linear park rather than the retail spaces that were proposed in the Ward Village Master Plan. The linear park will incorporate a multi-use path that connects to the existing sidewalk at various points. The park will include native plantings, planted berms and sidewalk seating. The Ala Moana Boulevard streetscape/linear park will be enhanced with landscaping, education signage, a shaded pocket park, benches, amenities for dog and stroller walkers, and/or other features to be approved by HCDA staff during the design review process. The pocket park will be located at an elevation higher than the street and be connected to the sidewalk via access stairs. The linear park will be extended off-site to the front yard area of the adjacent IBM building, thus creating a “harmonious linear botanical garden pathway” along the entire length of Land Block 4 that will unify the IBM Building, Block E, Block D, and the Diamond Head Plaza park and encourage walking, strolling, and gathering, while acting as a visual extension of Ala Moana Regional Park.

¹ Based on applicant material and City and County of Honolulu GIS data.

Auahi Street Frontage

Along Auahi Street, the proposed podium will be articulated via an arched retail colonnade. Above this retail colonnade and along Ala Moana Boulevard, architectural features including recessed fenestration, window openings with decorative screening, awnings, and planter boxes will provide visual character, break up the solid massing, and connect the street level to the residences in the tower above the podium.

The Auahi Street retail promenade will be approximately seven feet above the sidewalk. Activation of this promenade will be facilitated through multiple vertical access stairs and ramps along with outdoor seating areas.

IV. EXHIBITS

- A. Examples of streetscape and park activation informally provided to applicant staff
- B. HCDA Community Outreach Survey, which includes feedback on desired community amenities, informally provided to applicant staff