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January 28, 2025

Mohannad Mohanna, President
HCDC Hawai'i Development LLC
330 W. Victoria Street
Gardena, CA 90248

RE: 201H Application for Ka Lei Momi Lanakila Affordable Housing Project at Hilo, Hawai'i,
TMK: (3) 2-4-028:007 (por.)

The Ka Lei Momi Lanakila Affordable Housing Project site is situated in Hilo [an approximate 8.65-acre portion of Tax Map Key No.: (3) 2-4-028:007 (por.)]. The site is currently vacant and is located adjacent to the existing Hawai'i Public Housing Authority (HPHA) property.

The HPHA, in partnership with HCDC Hawai'i Development LLC (Applicant), is proposing to redevelop the site into three-story garden style apartments comprised of 258 units to be built across 22 buildings in two phases (the "Project"). Except for the two manager's units, all the units will be affordable to households earning up to 60 percent of the Area Median Income (AMI).

On January 9, 2025, the Hawai'i Housing Finance and Development Corporation (HHFDC) approved the For-Action to grant certain exemptions pursuant to Chapter 201H-38, Hawai'i Revised Statutes (HRS) and Governor Josh Green's Tenth Emergency Proclamation Relating to Affordable Housing dated December 7, 2024, as amended.

Section 201H-38, HRS, provides for the development of affordable housing, where housing projects may be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; provided that the project meets minimum requirements for health and safety.

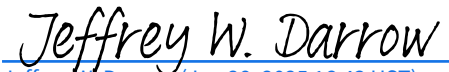
The Tenth Emergency Proclamation Relating to Affordable Housing dated December 7, 2024, as amended, suspends Section 201H-38(a)(3), HRS, for state affordable housing projects and allows the County Planning Directors to approve, approve with modification, or disapprove the project within 45 days of the receipt of the HHFDC approval, which occurred on January 9, 2025. While the Planning Director is authorized to act on the 201H application under the Tenth Emergency Proclamation Relating to Affordable Housing, to gain public input, the Project was presented to the Hawai'i County Council at the November 7, 2024 Governmental Operations and External Affairs Committee meeting. On November 20, 2024, the Council voted to approve Resolution No. 691 24 urging HHFDC and the Planning Director to approve the Project.

Mohannad Mohanna, President
HCDC Hawai'i Development LLC
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Based upon the transmittals from the HHFDC and the representations of the HPHA and the Applicant, the Planning Director of the County of Hawai'i **APPROVES** the Project exemptions pursuant to Chapter 201H-38, HRS, and the Tenth Emergency Proclamation Relating to Affordable Housing dated December 7, 2024, as amended, provided that the Applicant shall comply with all statutes, ordinances, charter provisions, and rules of government agencies relating to planning, zoning, construction standards, for subdivisions, development and improvement of land, and the construction of units thereon, except for the requested Project exemptions specified in "**Exhibit A**" attached.

If you have any questions, please feel free to contact me at 808-961-8158.

Sincerely,


[Jeffrey W. Darrow \(Jan 28, 2025 16:43 HST\)](#)
Jeffrey W. Darrow
Planning Director

Attachment: Exhibit A

ATTACHMENT A.
201H-38 REQUESTED EXEMPTIONS FOR
KA LEI MOMI LANAKILA HOMES AFFORDABLE HOUSING PROJECT

(Revised on January 27, 2025)

As a primarily 100 percent affordable housing project, HCDC Hawai'i Development LLC (Applicant) is seeking an affordable housing project approval pursuant to the Governor's Ninth Emergency Proclamation Relating to Affordable Housing dated October 10, 2024 (as may be amended). The Applicant requests exemptions from certain conditions relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon.

No.	Development Standard or Requirement	Hawai'i County Code (HCC) Section	Requested Exemption	Rationale	Estimated Value of Exemption
1	Change of Zone	HCC Section 25-2-42	An exemption is requested from the change of zone application requirements to change the County Zoning districts from RD-3.75 and RS-10 to RM-1.25 to allow 258 multi-family dwelling units (vs. 97 single-family or double-family residential units allowed by the current zoning) for the 8.65-acre project site (approximately 1,460 s.f. per unit).	This exemption would allow the Applicant to maximize the number of affordable housing units available at the project site.	Not estimated.
1-A	Development Standards for Minimum Yards	HCC Section 25-5-36 (RM Minimum Yards)	An exemption is sought from RM minimum yards requirement to build within the required minimum front and rear yards (20 ft.) and side yards (8 ft. for one-story building, plus an additional 2 ft. for each additional story). The proposed yards are minimum 7 ft. for front, minimum 5 ft. for rear, and minimum 5 ft. for side yards.	This exemption would allow the Applicant to maximize the number of affordable housing units and number of parking stalls available for the project.	Not estimated.

No.	Development Standard or Requirement	Hawai'i County Code (HCC) Section	Requested Exemption	Rationale	Estimated Value of Exemption
2	Minimum Right-of-Way (ROW) Width and Street Cross Sections	HCC Section 23-41, Section 23-46 and Department of Public Works (DPW) Standard Details R-17.	These sections require a minimum of 50 ft. width for County ROWs on minor streets when making improvements to existing streets. An exemption is sought to allow to keep the existing 40 ft. width for Ululani Street, Akahi Street, and Hema Street within the project site. An exemption is also requested from the DPW Standard Details to allow deviation from the design standards related to sidewalk, curb and gutter, bike lanes, etc.	This exemption would allow the Applicant to maximize the number of affordable housing units available at the project site.	Not estimated.
3	Minimum Sidewalk Width	HCC Section 23-89 and DPW Standard Details R-17.	An exemption is sought from the sidewalk width requirement (8 feet) along Hema, Akahi, and Ululani Streets where on-street angled parking is proposed to allow the sidewalk width to be a minimum of 4 feet.	This exemption would allow the Applicant to maximize the number of affordable housing units and number of parking stalls available for the project.	Not Estimated.
4	Minimum Aisle Widths for Parking Bays	HCC Section 25-4-53(c).	This section of HCC requires the minimum width of 24 ft. for aisle width for perpendicular parking. An exemption from the minimum aisle width of 24 ft. is requested to allow a 22 ft. aisle width.	This exemption would allow the Applicant to retain the quantity of currently proposed housing units and parking stalls as much as possible.	Not estimated.
5	Plan Approval	HCC Section 25-2-71 (a) and (c)(1).	A Plan Approval is required prior to construction of any structures and development with some exceptions. An exemption is sought to allow construction of the proposed project without a Plan Approval.	This exemption would allow timely implementation of the project.	Not estimated.

No.	Development Standard or Requirement	Hawai'i County Code (HCC) Section	Requested Exemption	Rationale	Estimated Value of Exemption
6	Minimum Off-Street Parking Requirement	HCC Section 25-4-51 (6).	An exemption is sought from the off-street parking requirement for multi-family dwellings (one and one quarter stall for each unit for multi-family dwellings which would require 322.5 off-street parking stalls for the proposed 258 units) to allow 312 off-street parking stalls and 66 on-street angle parking stalls (a total of 378 stalls). This exemption will provide approximately 1.465 off-street and on-street parking stalls per unit. It is noted that the Applicant is coordinating with the County to confirm and finalize the breakdown of on-street angled parking and off-street parking and there may be slight changes in the final numbers.	This exemption would allow the Applicant to maximize buildable area, encouraging bike and multi-modal transportation.	Not estimated.
7	Off-Street Parking Standards and Improvements	HCC Section 25-4-54.	HCC requires that access to any individual parking space shall not be directly from or to a street but must be reached from onsite access driveway. An exemption is sought to allow direct access to the proposed 66 on-street angle parking stalls off of Akahi Street, Hema Street, and Ululani Street.	This exemption would maximize the number of parking stalls at the project site.	Not estimated.

No.	Development Standard or Requirement	Hawai'i County Code (HCC) Section	Requested Exemption	Rationale	Estimated Value of Exemption
8	Dimension of Loading Spaces	HCC Section 25-4-58.	Two (2) small/large loading stalls will be provided to meet the County requirement. An exemption is sought from the loading space dimension requirements to allow the small loading stall to be 8.5 ft. x 19 ft. (vs. 10 ft. x 22 ft. per HCC) and the large loading stall to be 12 ft. x 35 ft. (vs. 12 ft. x 50 ft. per HCC).	This exemption would allow the Applicant to maximize the number of parking/loading stalls available for the project.	Not estimated.
9	Permit Fees	HCC Section 5-7-3.	An exemption is sought from Permit Fees.	The exemption will provide cost savings and will advance the affordability objectives of the project.	Approximately \$318,048 (based on construction cost estimates of \$4.0 million for horizontal construction and \$101,947,520 for vertical construction).
10	Grading Permit Fees	HCC Section 10-11.	An exemption is sought from Grading Permit Fees.	The exemption will provide cost savings and will advance the affordability objectives of the project.	\$71 (approximately 25,000 cubic yard of grading is assumed).
11	Raised Crosswalk Design	Department of Public Works (DPW) Standard Details for Crosswalk Designs (TR-6 through TR-6e)	The DPW Standard Details define the design of crosswalks. An exemption is sought to provide a wider raised crosswalk on Ululani Street.	A wider, raised crosswalk is provided for improved pedestrian safety and better connectivity between the large central open spaces divided by Ululani Street.	Not estimated.

**GOVERNOR'S EMERGENCY PROCLAMATION RELATING TO
AFFORDABLE HOUSING (AS AMENDED)**

**REQUESTED EXEMPTIONS FOR
KA LEI MOMI LANAKILA HOMES AFFORDABLE HOUSING PROJECT**

As a primarily 100 percent affordable housing project, the Applicant is also seeking suspension of certain State laws pursuant to the Governor's Ninth Emergency Proclamation Relating to Affordable Housing (as amended).

No.	Development Standard or Requirement	Hawai'i Revised Statutes (HRS) Section	Requested Exemption	Rationale
1	Impact Fees	Sections 46-143 and 46-136, HRS.	Exemptions from impact fees relating to wastewater connection and park dedication.	The exemption will provide cost savings and will advance the affordability objectives of the project.
2	Approval from Hawai'i County Council	Section 201H-38(a)(3), HRS.	The Governor's EP allows the County's planning director to approve the project, with or without modifications, within 45 days of the receipt of the Hawai'i Housing Finance and Development (HHFDC) Board's recommendation for approval.	The exemption would expedite the delivery of affordable workforce housing.