

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

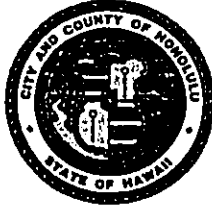
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432

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FRANK F. FASI  
MAYOR

OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL



DONALD A. CLEGG  
DIRECTOR

LORETTA K.C. CHEE  
DEPUTY DIRECTOR

93-04361 (ASK)

July 19, 1993

Mr. Brian J. J. Choy, Director  
Office of Environmental Quality Control  
220 S. King Street, 4th Floor  
Honolulu, Hawaii 96813

Dear Mr. Choy:

**ENVIRONMENTAL ASSESSMENT/DETERMINATION  
CHAPTER 343, HRS  
Negative Declaration**

Recorded Owner : ASA Properties Hawaii, Inc.  
Applicant : The Contemporary Museum  
Agent : The CJS Group Architects, Ltd.  
Location : 2411 Makiki Heights Drive, Honolulu  
Tax Map Key : 2-5-08:02  
Proposed Action: The applicant proposes to use an existing  
historic structure as an  
administration/training building and as  
residence for visiting artists. Also  
included in the proposal is a 57 space  
parking area.  
Request : Conditional Use Permit, Type 2  
Determination : A Negative Declaration is issued

Attached and incorporated by reference is the Final Environmental Assessment prepared by the applicant for the project. Based on the significance criteria outlined in Chapter 200, State Administrative Rules, we have determined that preparation of an Environmental Impact Statement is not required.

Please be advised that contained in a January 12, 1993 letter in the Final Environmental Assessment, the Department of Land and Natural Resources (DLNR), Historic Preservation Division expressed concern regarding proposed physical alterations. We note that the applicant has generally not altered the proposal in consideration of these concerns.

Mr. Brian J. J. Choy  
page 2  
July 19, 1993

Approval of the proposal by the DLNR, Historic Preservation Division is a minimum development standard for the requested Conditional Use Permit (CUP). As such, concurrence by that office is required prior to our acceptance of the CUP for processing.

If you have any questions, please contact Ardis Shaw-Kim of our staff at 527-5349.

Very truly yours,



DONALD A. CLEGG  
Director of Land Utilization

DAC:ak  
A:contemp.as5

1993-08-08-0A-*FEA-Contemporary Museum - Makiki Heights* AUG 8 1993

# ENVIRONMENTAL ASSESSMENT REPORT

NEGATIVE DECLARATION

---

USE OF HISTORIC STRUCTURE

**A.T. COOKE & P.E. SPALDING HISTORIC PROPERTY**

Formerly JOHNSON RESIDENCE

Location: 2447 Makiki Heights Drive  
Honolulu, HI 96822

TMK : 2-5-08 : 02

Applicant: THE CONTEMPORARY MUSEUM

Agent:

 **the cjs group architects ltd.**  
1188 Fort St. Suite 200 Honolulu, HAWAII 96813

---

Date: JUNE, 1993

The CJS Group Architects Ltd.

June 17, 1993

Mr. Donald Clegg, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

Re: ENVIRONMENTAL ASSESSMENT REPORT - Negative Declaration  
A. T. Cooke & P. E. Spalding Historic Property (formerly  
Johnson Residence)  
TMK: 2-5-8:02

Dear Mr. Clegg:

On behalf of The Contemporary Museum, we submit the following documents as part of this application for your use and review:

1. TCM letter of Authorization of Agent
2. Narrative
3. Appendix to Environmental Assessment Report
4. Department of Land and Natural Resources, State of Hawaii, confirmation letter of placement of project property on the Hawaii Register of Historic Places
5. Locality Plan
6. Tax Map for 2:5:08
7. Area Plan
8. Historic Property Site Plan
9. Civil and Topographic Survey of Historic Property
10. Interior Plans - Existing Building
11. Interior Plans - Adaptive Re-Use
12. Preliminary Landscape Plan
13. Drive Court Plan
14. Parking Lot Plan
15. Proof of Ownership and Lease Agreement for TMK 2-5-08:01 (Museum Property)
16. Proof of Ownership and Lease Agreement for TMK 2-5-08:02 (Historic Property)
17. South Boundary 10' Setback Agreement
18. Photographs

1188 Fort St., Suite 200  
Honolulu, Hawaii 96813  
Tel. 808 524 4485  
Fax 808 5244 460

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS  
BEEN REPHOTOGRAPHED TO ASSURE  
LEGIBILITY  
SEE FRAME(S)  
IMMEDIATELY FOLLOWING

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DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

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The CJS Group Architects Ltd.

June 17, 1993

Mr. Donald Clegg, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

Re: ENVIRONMENTAL ASSESSMENT REPORT - Negative Declaration  
A. T. Cooke & P. E. Spalding Historic Property (formerly  
Johnson Residence)  
TMK: 2-5-8:02

Dear Mr. Clegg:

On behalf of The Contemporary Museum, we submit the following documents as part of this application for your use and review:

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17. South Boundary 10' Setback Agreement
18. Photographs

1188 Fort St., Suite 200  
Honolulu, Hawaii 96813  
Tel. 808 524 4485  
Fax 808 5244 460

Mr. Donald Clegg, Director  
Department of Land Utilization  
Page 2  
June 17, 1993

Kindly telephone our office at 524-4485 if you have any questions  
or require additional information.

Sincerely,



Louisa J. Potgieter  
Project Architect

Enclosures

cjgpn 74702pr.007



H E C O N T E M P O R A R Y M U S E U M

June 29, 1992

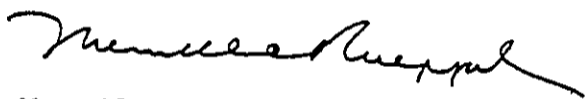
Mr. Donald Clegg, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

Re: Conditional Use Permit Application for Use of Historic  
Structure - Authorization of Agent

Dear Mr. Clegg:

I am writing to inform you that I hereby authorize The CJS  
Group Architects, Ltd. to act as agent on our behalf with  
regard to the Conditional Use Permit Application for use of  
the A. T. Cooke and P. E. Spalding Historic Property  
(formerly Johnson Residence).

Sincerely yours,



Merrill C. Rueppel  
Director



June 17, 1993

**A. T. COOKE AND P. E. SPALDING HISTORIC PROPERTY,  
TMK 2-5-08:02  
ENVIRONMENTAL ASSESSMENT - Negative Declaration  
NARRATIVE**

**OBJECTIVE:**

The Applicant seeks a Negative Declaration that will in conjunction with a Conditional Use Permit Type 2 permit the use of a Historic Registered Residential Structure as an administration building. The Historic Structure is currently in a R-10 Residential District.

**OWNERSHIP:**

ASA Properties Hawaii, Inc. owns the Historic Property,  
TMK 2-5-08:2.

**LOCATION:**

The Historic Property is located at 2447 Makiki Heights Drive, Honolulu, Hawaii, 500 ft. east (mauka) of the Mott-Smith/Makiki Heights junction and adjacent to the access road between it and the Museum Property. It is located in a R-10 Residential District. It borders residential properties to the south and north. In addition, the property adjoins the Makiki Forest Recreation Area to the east. The access road to the west of the property provides access to flag lots, TMK: 2-5-08:3 and TMK: 2-5-08:8.

**I. APPLICATION INFORMATION**

**A. Type of Application:**

Application for a Negative Declaration in conjunction with a Conditional Use Permit Type 2:  
"Use of Historic Structure"

**B. Applicant:**

The Contemporary Museum  
2411 Makiki Heights Drive, Honolulu, HI 96822  
Tel: 526-1322

1188 Fort St., Suite 200  
Honolulu, Hawaii 96813  
Tel. 808 524 4485  
Fax 808 524 460

C. Recorded Fee Owner:

ASA Properties Hawaii, Inc.  
P.O. Box 3110  
Honolulu, HI 96802  
Tel: 524-8048

D. Authorized Agent:

The CJS Group Architects, Ltd.  
1188 Fort Street Mall, Suite 200  
Honolulu, HI 96813  
Tel: 524-4485

E. Location:

2447 Makiki Heights Drive, Honolulu, Hawaii 96822

F. Tax Map Key:

2-5-08:2

G. Land Area:

51,039 s.f. (1.17 acres)

H. State Land Use District:

Urban

I. Development Plan Map:

Residential

J. Public Facilities Map:

Future project for sewer improvement: "Project Makiki Heights & Puowaina Drive I.D." Tentative construction date is 1998.

K. Existing Zoning:

R-10 Residential District

L. Land Use Relationship:

The existing land use is comprised of a 1.17 acre residential estate with two dwellings, a primary residence and a cottage, totalling approximately 7,872 s.f. of floor space. Extensive gardens with mature trees and large lawn areas occupy 44,633 s.f. of property, inclusive of a

swimming pool and drive court. Surrounding land use is comprised of single-family dwellings on varied lot sizes served by Makiki Heights Drive and an access road to the flag lots.

The area of the Makiki Forest Reserve bordering the Historic Property on the east consists of a steep, inaccessible slope covered in dense vegetation.

The Contemporary Museum is located west of the Historic Property and was granted permission to operate in a Residential District under Conditional Use Permit 86/CUP-10 in 1986.

## II. NARRATIVE DESCRIPTION:

### A. Project Description:

#### 1. Details of Operation, Occupancy:

The newly-acquired property will be managed by a staff of six to ten, who will occupy the building during regular office hours, 8:00 a.m. to 5:00 p.m. The designated "Meeting Room" will be used for informal meetings, docent training, and monthly Board meetings.

The existing cottage, inclusive of a two-car garage, will be used for the "Artist in Residence" program.

The existing Drive Court immediately adjacent to the entrance will be expanded to meet the minimum parking requirements for the Administration Building. Due to proposed docent training programs and Board meetings, additional parking is required. An accessory Parking Lot is proposed to the rear of the property on an existing lawn area. This will provide 57 stalls. Drive Court and Parking Lot use will occur mainly during standard office hours, but will include some evening functions.

#### 2. Details of Site, Landscaping, Existing and Proposed Structures:

The property has a streetfront dimension of 114.80 ft., depth of 276.79 ft., and is irregular in shape. The streetfront area of the site, inclusive of buildings, is relatively level and two terraces step down to a gently sloping lawn area. A steep drop off occurs on the east (mauka) side of the property. (See topographic survey.)

The existing Historic structures will remain unaltered. The primary Residence has a total of 6,600 s.f., with a first floor of 5,134 s.f., inclusive of covered lanais, and a second floor of 1,466 s.f. No major construction work is required to alter the interior for use as offices. The existing stair will be rotated 180 degrees to facilitate better circulation from the proposed reception area to the new offices, which were formerly bedrooms. The living and dining areas will be used for a waiting area and general administrative meetings. The existing five bathrooms will be retained for use as staff and guest restrooms.

The Cottage, a one-story structure, inclusive of the garage, totals 1,272 s.f. of floor area.

The proposed Drive Court and Parking Lot improvements to the property will meet the requirements of LUO, Section 3:80, Landscaping and Screening Regulations, Parking Stall Dimensions and On-Site Maneuvering Areas. Construction will include cut and fill, grading, and retaining walls, as required.

3. LUO General and Minimum Standards:

3.1 Setbacks:

The existing residential setbacks are increased:

Street:	30 ft.
Side and Rear:	15 ft.

Parking spaces on the south boundary overlap 5 ft. into the new setback area. 3 ft. is allowed as vehicle overhang, 2 ft. encroaches. This impacts the neighbor (and previous owner) adjacent to the subject lot, TMK 2-5-08:8. They have indicated no objections and have agreed to a 10 ft. setback condition incorporating a "landscape berm" in the South Boundary Setback Agreement (refer to enclosed document).

3.2 Retaining Walls:

A retaining wall of approximately 5 ft. high at the Drive Court will be constructed within the north property boundary.

Other retaining walls are well within the setback areas. The Parking Lot wall on the east side (Makiki Forest Recreation Area) of the property will vary from 5 ft. to 8 ft. in height. Due to the steep slope, this wall is required to retain parking lot fill. Existing dense vegetation will block the visual impact of the wall on the site. Safety railings will be provided.

3.3 Maximum Building Area:

The allowed maximum building area is 50% of lot area:

50% of 51,039 s.f. = 25,519 s.f.

The existing Lot Coverage of 12.5% is calculated as follows:

Lot area: 51,039 s.f.

House, cottage and garage,  
total 1st floor area: 6,406 s.f.

Calculation: 
$$\frac{\text{Total Footprint Area}}{\text{Lot Area}} \times 100\%$$

3.4 Maximum Height:

The existing building height is approximately 24 ft. and conforms to the 25 ft. residential height restriction.

The Cottage building height from grade to the ridge line is approximately 15 ft.

3.5 Permitted Uses and Structures:

Historic Structures Allowed

3.6 Parking Requirements:

Administrative Offices - One (1) parking space per 400 s.f. A floor area total of 6,600 s.f. requires 17 parking spaces. A total of 57 spaces are provided for the Historic Property use and two (2) existing garage parking spaces for the Cottage. 40% Compact, 16 ft. x 7 1/2 ft., and 60% Regular, 19 ft. x 8 1/2 ft., stalls are provided at 90 degree parking.

Three (3) Handicap Parking Spaces are provided at the Drive Court.

One (1) Loading Space of 19 ft. x 8-1/2 ft. is provided at the Drive Court.

A new 23 ft. wide all-weather paved entry to the Drive Court from Makiki Heights Drive will be created. A new 18 ft. wide access lane will be created within the Historic Property boundaries to the Parking Lot.

3.7 Landscaping and Screening:

Grasscrete type paving allowing grass to grow through will be used in combination with hardscape paving for the Drive Court and Parking Lot. A trellis with appropriate landscaping will reduce the visual impact of some of the parking on the site. The major existing mature shade trees will be retained. Additional trees and screening hedges are proposed. See Preliminary Landscaping Plan (CUP 2) enclosed.

3.8 Signs:

LUO, Section 3:90, signage requirements will be met.

B. Applicant's Justifications:

1. Character of Surrounding Area:

The existing residential character of the neighborhood will not be altered as the existing buildings will remain intact. The expansion of the Drive Court and construction of the Parking Lot will not be in view from Makiki Heights Drive and will be landscaped to blend in with the existing vegetation of the area.

2. Welfare of Community:

Community Meetings may be held at the Administration Building and the community may upon request use the Drive Court and Parking Lot for special event parking, when these facilities are not in use. This may be arranged with the Director's approval.

C. Infrastructure Requirements:

1. Waste Water Disposal:

Two (2) existing cesspools on the property adequately handle waste water from the five (5) existing bathrooms. No change to the existing conditions are proposed.

2. Water Needs:

The existing water supply demand for residential use will not be increased. Additional irrigation requirements will be offset by the introduction of some hardscape in the parking lot.

3. Drainage:

The property is not a flood zone area.

Natural percolation of rainwater into excellent volcanic ash subsoil conditions most effectively accomplishes storm water dissipation. No storm water system is in effect on the subject property. The grasscrete paving for the parking areas will allow the natural percolation system to remain effective.

Construction will involve the following cut, fill and grading outline: See Site Plan.

At the Drive Court, existing levels will be mostly maintained. The Kitchen Garden north of the residence will be removed and 3-4 ft. of soil excavated to accomplish the extension of the Drive Court Parking area.

The Parking Lot to the south of the residence will follow the existing gentle slope in two levels. The lower parking level will be approximately 3 ft. below the upper level. Immediately adjacent to the Lawn Terrace rock wall 3-4 ft. of excavation will occur to facilitate transition from the access road to the parking stalls and to achieve sufficient height for a trellis-covered parking area. This allows a person to view across the trellis from the lanai and adjacent Lawn Terrace. The direction of the existing slope will be maintained in stepped terraces, graded in the direction of the natural slope.

4. Streets and Transportation:

Mass Transit, Park & Ride facilities are excluded from this area.

D. Environmental Requirements:

1. Historic Site:

The A.T. Cooke and P.E. Spalding Residence was nominated for placement on the Hawaii Register of Historic Places at the June 28, 1992 Hawaii Historic Places Review Board meeting. This was confirmed by the Chairman, Mr. Ikeda, on July 5, 1992.



2. Chapter 343, HRS, EIS Law:

This project is subject to an assessment under Chapter 343, HRS. The Department of Land Utilization is the accepting agency.

E. Impacts:

None of the following are impacted by the proposed project:

1. Public Services
2. Housing and Population
3. Employment
4. Parks and recreation
5. Day care

F. Social Impact Requirements:

See Appendix A.

G. Drawings and Plans:

1. Site Plans:

Locality Plan  
Area Plan  
Historic Property Site Plan  
Civil and Topographic Survey

2. Elevation Plans:

Not Required

3. Floor Plans:

Interior Plans - Existing Buildings  
Interior Plans - Adaptive Re-use

4. Landscape Plans:

Preliminary Landscape Plan

5. Parking Plans:

Drive Court and Parking Lot Plans

H. Photos:

Enclosed

III. MITIGATIVE MEASURES:

See Appendix A.

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**APPENDIX**

to

**ENVIRONMENTAL ASSESSMENT REPORT**

for

**A. T. COOKE AND P. E. SPALDING HISTORIC PROPERTY**

**TMK: 2-5-08:02**

**June 1993**

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**APPENDIX A: RESPONSE TO AGENCY COMMENTS**  
**APPENDIX B: DRAINAGE REPORT AND RUN-OFF MAP**  
**APPENDIX C: TRAFFIC ASSESSMENT REPORT**

**The CJS Group Architects, Ltd.**  
**1188 Fort Street Mall, Suite 200**  
**Honolulu, HI 96813**

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

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COMMENT B:

Office of Environmental Quality Control, 12/31/92

COMMENT C:

Department of Public Works, 1/8/93

COMMENT D:

Department of Land and Natural Resources, 1/12/93

COMMENT E:

Department of Transportation Services, 1/19/93

COMMENT F:

Board of Water Supply, 1/21/93

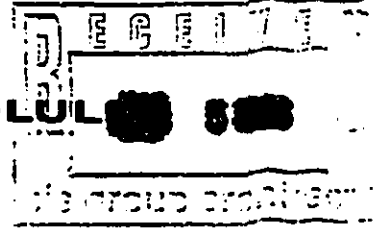
COMMENT G:

Fire Department, 1/21/93

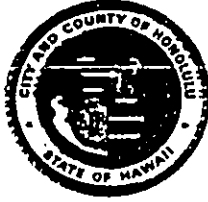
COMMENT H:

Makiki Heights Community Association, 2/7/93

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432



FRANK F. FASI  
MAYOR



DONALD A. CLEGG  
DIRECTOR  
LORETTA K.C. CHEE  
DEPUTY DIRECTOR  
(ASK)

December 23, 1992

Ms. Louisa Potgieter  
Project Architect  
1188 Fort Street Mall, Suite 200  
Honolulu, Hawaii 96813

Dear Ms. Potgieter:


We have reviewed the Environmental Assessment (EA) documents which were submitted to our office on December 4, 1992 as part of your application for a Conditional Use Permit Type 2, use of a historic structure. You propose to use the existing residential property for office and meeting facilities, a 57 space parking lot, and a residence for visiting artists.

The documents which you have submitted does not meet the content requirements of Chapter 200, Administrative Rules and should be amended as follows:

- Social impacts including traffic and noise impacts and proposed mitigation should be described.
- Page 8 should indicate that the project is subject to an assessment under Chapter 343, HRS. As the processing agency, we have determined that Chapter 343 is applicable. Page 8 should be amended accordingly.
- The Department of Land Utilization must be identified as the accepting agency.
- Describe alternatives that were considered.

Should you have questions regarding the above, you may contact Ardis Shaw-Kim of our staff at 527-5349.

Very truly yours,

  
DONALD A. CLEGG  
Director of Land Utilization

DAC:ct

a:sakiki.ask

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT A - Department of Land Utilization, 12/23/92

1. Social, Traffic, Noise Impacts and Proposed Mitigation:  
See Appendix A, Comment B, Item 3.
2. Amendment of Page 8 of Environmental Assessment (EA) Report:  
See amended page 8 of EA.
3. Identification of Accepting Agency:  
See amended Page 8 of EA.
4. Alternatives Considered:  
Alternative uses and plans were not considered by the Owner,  
as the project presented in this report reflects the Owner's  
requirements and program for an administrative facility and  
parking lot.

JOHN WAIHEE  
GOVERNOR



BRIAN J. J. CHOY  
Director

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
220 SOUTH KING STREET  
FOURTH FLOOR  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 586-4185

December 31, 1992

1993 JAN 5 AM 11 00  
DEPARTMENT OF LAND UTILIZATION  
HONOLULU, HAWAII

Mr. Donald A. Clegg  
Director  
Department of Land Utilization  
650 South King Street  
Honolulu, Hawaii 96813

SUBJECT: MAKIKI HEIGHTS DRIVE CONTEMPORARY MUSEUM  
ADMINISTRATION/TRAINING BUILDING, HONOLULU, OAHU

Dear Mr. Clegg,

We have reviewed the Draft Environmental Assessment (EA) for the above project and have the following comments. Pursuant to Title 11, Chapter 200 of the Hawaii Administrative Rules, §11-200-10, please include the following information:

- Identification of agencies (as well as community groups) consulted in making the assessment,
- General description of the action's economic (proposed timing/phasing of project) and social (e.g., how does the project affect the community) characteristics;
- Identification and summary of major impacts (construction, noise, traffic and other impacts), and
- Findings and reasons to support the determination.

We recommend that the State Historic Preservation Division be consulted, if not yet done so. If you have any questions, please contact Karen Mau at 586-4185. Thank you for your cooperation.

Sincerely,

Brian J. J. Choy  
Director

BC:km

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT B - Office of Environmental Quality Control, 12/31/92

1. Identification of Agencies and Community Groups Consulted in Making the Assessment:
  - A. Agencies:
    1. Department of Land Utilization  
Deputy Director Loretta Chee, Keith Kurahashi  
Zoning Adjustments Branch: Calvin Ching, Sharon Chigawa  
Environmental Affairs Branch: Art Challacombe, Ardis Shaw-Kim
    2. Fire Department
    3. Department of Transportation Services
    4. Department of Transportation
    5. Department of Public Works
    6. Board of Water Supply
    7. Department of Land and Natural Resources,  
Historic Sites Division
  - B. Community Groups & Individual Makiki Residents:
    1. Makiki Heights Community Association (Meeting Notes attached, see Appendix A, Comment H.)
    2. Lynne and Blake Johnson, adjacent neighbors.
2. General Description of the Action's Economic and Social Characteristics:
  - A. Economic Characteristics:

The proposed timing of the project is indicated on the attached schedule. The owner proposes to start construction on the parking lot December, 1993 and foresees completion around January of 1994, provided

the projected period for obtaining necessary permits is not extended. Construction start up is also dependent on available funding.

Minor construction will occur within the Historic structure during this time, primarily re-finish of existing conditions will occur.

Surrounding residential property values will not be negatively impacted. The existing buildings are not altered and maintain the residential character of the neighborhood. The refinish and consistent maintenance of these historic structures will enhance the neighborhood. It is well-known that a historic structure listed on the National and State Register is considered a treasure worthy to be preserved for future generations and is, as such, respected.

B. Social Characteristics:

The social effects of this project will be positive.

The community will have access to a meeting place with adequate parking for community meetings, upon arrangement with the Director.

The community will be relieved of the occasional situation of roadside parking during special events at the Contemporary Museum. The Director of the museum will utilize the Historic Property parking lot as a temporary parking facility during these special events.

The community will also have scheduled access to the parking lot for larger, individual events.

The community will not experience significant additional traffic in the neighborhood as board meetings, docent training, and discussion groups are currently held at the Museum property.

The public infrastructure will not be significantly affected.

Traffic patterns are discussed in the Traffic Study. See Appendix C.

Adequate sight lines are provided at the entrance to the Historic Property as well as sufficient "stacking space" for vehicles turning into or leaving the property. Full use of the parking lot will not occur during peak travelling hours, except during Board meetings and special events.

Public infrastructure pertaining to water use, sewage,



storm water drainage and power use is addressed under the related agency comments and Drainage Study, Appendix B.

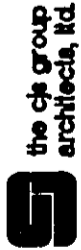
3. Identification and Summary of Major Impacts (Construction, Noise, Traffic and Other):
  1. Construction will occur within the historic structure that will not impact the neighborhood at all. Some excavation and grading will occur in the proposed parking lot, however an estimated 4'-5' deep excavation near the residence is proposed in an isolated area deep within the property. Mostly fill will occur to achieve the parking lot levels. Apart from the construction of retaining walls, stairway and walkways, paving, and landscaping, the impact of construction activity in the neighborhood is minimal.
  2. The property has a street front dimension of 114.80 feet. It adjoins two residential lots on the North and South, the open valley of the Makiki forest reserve on the East and an existing private road to the west side. It is relatively isolated. The vegetation is dense. Only the two adjoining neighbors on the North and South boundaries will be somewhat affected by construction activity and related noise. The major portion of the limited construction activity, as discussed under No. 1 above, occurs deep within the property away from Makiki Heights Drive. Minor disruption to the community is thus expected.
  3. Visual impact on the community is expected to be an enhancement due to the fresh refinish of a known unchanged residential structure and improvement in landscaping with the introduction of new flowering trees and tropical vegetation whilst retaining old and significant existing trees.
  4. Parking spaces created is hidden from public view due to the location of buildings, however by reviewing the landscaping layout enclosed in the report, it is clear that the use of "grass-crete", limited paving and sensitive planting seriously diminishes the impact that the parking lot could have had on the site.
  5. Drainage impact is discussed in the Drainage Study, Appendix B.

4. Findings and Reasons to Support the Determination:

Apart from all the elements discussed in the report and Appendix A, the following reason to support the determination should not be overlooked; in fact, it must be emphasized.

The owner proposes to maintain a historic property with a use intended to serve the larger community of Hawaii.

The alternative, and certainly more lucrative alternative, would be to subdivide the lot, demolish the existing buildings, and build two new residences; thus, to ignore the significance of the property in the history of one of Hawaii's most prominent families, and visually compartmentalize what is now a large green space. The alternative would also limit the enjoyment of the property and great vistas to two individual families, instead of the broader community.



the cjs group  
architects, llc

ESTIMATED PROJECT SCHEDULE

TCM-HISTORIC PROPERTY AT COOKE & PESPALDING RESIDENCE C/SPN 90747.02

JUNE 15, 1993

TASK	1993	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY
01 DUJ REVIEW EA DOCUMENT		██████████							
02 ACCEPTANCE NOTICE TO OEGC									
03 DUJ ISSUE NEG. DECLARATION									
04 DUJ PRELIM CUP2 REVIEW		██████████							
05 DUJ ACCEPTS CUP2									
06 DUJ REVIEW CUP2									
07 PUBLIC HEARING									
08 DUJ RESPONSE TO CUP2									
09 CONSTRUCTION DOCUMENTS PARBORG									
10 PERMITS									
11 BID & CONTRACTOR NEGOTIATION									
12 CONSTRUCTION PARBORG LOT									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

FLEXIBLE (DUJ HAS 90 DAYS TO COMPLETE CUP REVIEW PROCESS)

CUP 2 APPROVAL

SUBMIT BUILDING PERMIT

DEMOLITION & GRADING

1188 Fort Street, Suite 200, Honolulu, Hawaii 96813

ALL DATES ARE ESTIMATES ONLY AND SUBJECT TO CHANGE. SCHED/TCMS12

———— REQUIRED TASKS  
- - - - - VARIABLE

10-00124

DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813

FRANK F. FASI  
MAYOR



93 JUN 11 11 00 AM '93  
DEPT. OF LAND UTILIZATION  
C. MICHAEL STREET  
DIRECTOR AND CHIEF ENGINEER  
FELIX B. LIMTIACO  
DEPUTY DIRECTOR  
93-10

January 8, 1993

MEMORANDUM

TO: MR. DONALD A. CLEGG, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: C. MICHAEL STREET, DIRECTOR AND CHIEF ENGINEER

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT (DEA)  
COOKE & P.E. SPALDING PROPERTY  
TMK:2-5-08:02

We have reviewed the subject DEA and have the following comments:

1. The DEA should address the storm water discharge associated with construction activities on water quality of the receiving waters.
2. The DEA should also state what structural or non-structural best management practices (BMP) will be provided to control and reduce the discharge of pollutants as outlined in the National Pollutant Discharge Elimination System (NPDES) regulations (40 CFR Part 122, Subpart B for municipal storm sewer system).
3. If dewatering activity is anticipated during the construction, dewatering permits will be required from the State Department of Health as well as the Department of Public Works, City and County of Honolulu.
4. Construction within the City's right-of-way should be in accordance with City standards.

MR. DONALD A. CLEGG  
PAGE 2  
JANUARY 8, 1993

5. Currently, the subject property is not serviced by the municipal sewer system. However, preliminary plans have been made to sewer the area under the Makiki Heights and Puowaina Drive Sewers Improvement District Project. Construction funds for this project have tentatively been programmed for Fiscal Year 1996.

*C. Michael Street*

C. MICHAEL STREET  
Director and Chief Engineer

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT C - Department of Public Works, 1/8/93

1. Stormwater Discharge and Quality of Receiving Waters:  
Refer to Drainage Study, Appendix B.
2. Best Management Practices for Pollutant Control:  
Refer to Drainage Study, Appendix B.
3. Dewatering Activity:  
No dewatering activity will occur due to the location of the property, which is located on a mountain slope.
4. Construction Within the City's Right-of-Way:  
No construction, apart from the upgrade of an existing access to the property will occur within the City's Right-of-Way. All work in this area will conform to City Standards.
5. Municipal Sewer Systems Tentatively Programmed for 1996:  
The subject property will join the Municipal Sewer System when it becomes available. The present sewer arrangement is adequate to serve the project.

JOHN WAIHEE  
GOVERNOR OF HAWAII



'93 JAN 13 PM 1 21

LAND UTILIZATION  
HONOLULU  
STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
STATE HISTORIC PRESERVATION DIVISION  
33 SOUTH KING STREET, 6TH FLOOR  
HONOLULU, HAWAII 96813

January 12, 1993

75-110  
WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCE

DEPUTIES

JOHN P. KEPPELER, II  
DONA L. HANAKE

AQUACULTURE DEVELOPMENT  
PROGRAM

AQUATIC RESOURCES  
CONSERVATION AND

ENVIRONMENTAL AFFAIRS  
CONSERVATION AND

RESOURCES ENFORCEMENT  
CONVEYANCES

FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
DIVISION

LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

LOG NO.: 7150  
DOC NO.: 9301CO10

Mr. Donald A. Clegg  
Director of Land Utilization  
City & County of Honolulu  
650 South King Street  
Honolulu, Hawaii 96813

Dear Mr. Clegg:

SUBJECT: Cooke & P. E. Spalding Property  
TMK 2-5-08:02, Honolulu, Hawaii

Thank you for your letter of 23 December 1992, and the Draft Environmental Assessment. We have the following comments:

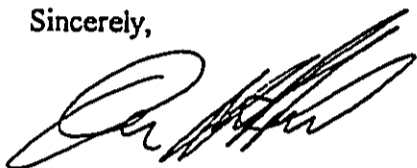
- 1) The additional parking stalls appears to be quite excessive. We understand that additional parking beyond the 17 (seventeen) required spaces is desirable if the building will be used for meeting purposes, but the proposed parking is over 3 times that required for the building. The proposal would adversely effect the setting and landscaping of the existing site.
- 2) The proposed parking would also demolish a large portion of the existing pergola walk, which was a contributing feature in the landscaping of the property.
- 3) The rotation of the interior stair should be avoided. With some minor modifications in the space planning, the original stairway could be maintained.

Donald A. Clegg  
January 12, 1993  
Page 2

In sum, the proposal for the layout of the building and uses appear to be compatible with historic preservation concerns; although our comments regarding parking need to be addressed.

Thank you for the opportunity to comment. If we can be of any further assistance, do not hesitate to contact Carol Ogata of my staff at 587-0004.

Sincerely,



DON HIBBARD, Administrator  
State Historic Preservation Division

CO:aal



APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT D - Department of Land and Natural Resources, 1/12/93

1. Excessive Parking Stalls:

Appendix A, Response B (Items 3 and 4) address this issue. Additionally, the projected event attendance clarifies why this project proposes 57 parking spaces:

Board Meeting:	20
Docent Training:	25-35
Administrative staff:	6-10
Interest Group:	50

At a given moment in time, 50 people may visit the facility. Being that attendees mostly individually attend events, it seems unreasonable to calculate two persons per vehicle on average. To avoid non-peak traffic hour parking to occur on the street, this project adequately provides for parking needs.

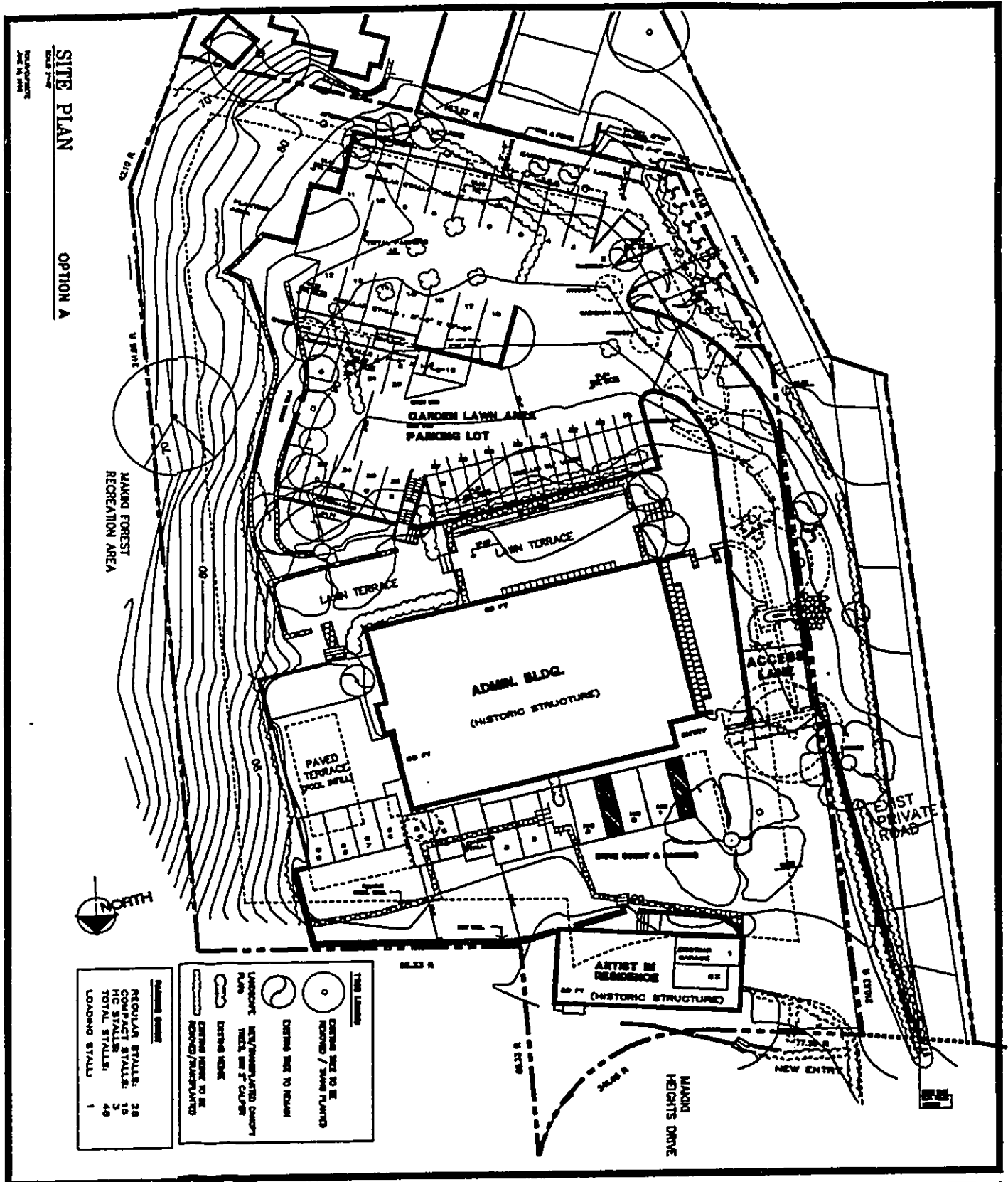
Careful landscaping, refer to the Preliminary Landscaping Plan in the EA report, and the use of limited paving, grasscrete, a trellis and preserving and transplanting of existing trees as well as introducing additional trees will adequately maintain the green openness of the site.

2. Demolition of Existing Pergola Walk:

Owner may consider Option A, see drawing attached. This option reduces the parking count in the Parking Lot with 11 cars. This decision is dependent on financial considerations that will be assessed in the future.

3. Rotation of the Interior Stair:

The rotation of the interior stair markedly improves circulation within the building and will not in any way detract from the historic quality of the building. The existing stair connects service areas with the floor above.

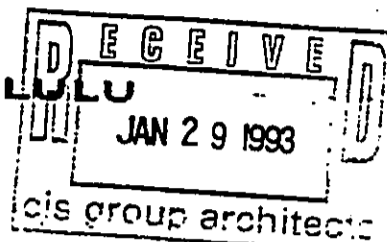


**A.T. COOKE & P.E. SPALDING HISTORIC PROPERTY**  
 2447 MAKIKI HEIGHTS DRIVE  
 HONOLULU, HAWAII 96822  
 TEL: 808-922-1111



DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU

HONOLULU MUNICIPAL BUILDING  
850 SOUTH KING STREET  
HONOLULU HAWAII 96813



JOSEPH M. MAGALDI, JR.  
DIRECTOR

ANAN SAPPAL  
DEPUTY DIRECTOR

TE-5288  
PL92.1.454

January 19, 1993

MEMORANDUM

TO: DONALD A. CLEGG, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: JOSEPH M. MAGALDI, JR., DIRECTOR

SUBJECT: COOKE & P. E. SPALDING PROPERTY  
DRAFT ENVIRONMENTAL ASSESSMENT (DEA)  
TMK: 2-5-08: 02

1993 JAN 21 PM 4 20  
RECEIVED  
DEPARTMENT OF LAND UTILIZATION

This is in response to your memorandum dated December 23, 1992 requesting our comments on the subject project.

Based on our review, we have the following comments:

1. The access road grade should not exceed 5 percent (5%) for a minimum distance of 30 feet from the property line, and adequate sight distance should be provided to pedestrians and other vehicles.
2. Landscaping should be placed in locations where it does not obstruct vehicular sight lines.
3. The appropriate neighborhood board should be informed of the intended use of the property.

Should you have any questions, please contact Lance Watanabe of my staff at local 4199.

JOSEPH M. MAGALDI, JR.

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT E - Department of Transportation Services, 1/19/93

1. Access Road Grade and Sight Lines:

The access road grade does not exceed five percent (5%) for a distance of 30 feet from the property line. Adequate sight lines to see pedestrians or traffic is available, see Appendix C, Traffic Assessment Report.

2. Landscaping/Vehicular Sight Lines:

No large trees, walls, or hedges occur at the entrance to the property and adequate sight lines to assess pedestrian and vehicular movements are provided.

3. Neighborhood Board To Be Informed:

The Neighborhood Board was informed of this project by DLU action, as part of the Review Process.

BOARD OF WATER SUPPLY  
CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU HAWAII 96843



January 21, 1993

D E C E I V E	
KAZU HAYASHIDA Manager and Chief Engineer	
JAN 29 1993	
MAURICE H. YAMASATO Vice Chairman	
SISTERLY DAV. YIN AH CHICK O.S.P.	
Group architects	
MELISSA Y. L. LIM	
C. MICHAEL BIRRET	

TO: DONALD A. CLEGG, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: KAZU HAYASHIDA, MANAGER AND CHIEF ENGINEER  
BOARD OF WATER SUPPLY

SUBJECT: YOUR MEMORANDUM OF DECEMBER 23, 1992 REGARDING THE  
DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED USE OF A  
HISTORIC STRUCTURE - A.T. COOKE & P.E. SPALDING HISTORIC  
PROPERTY (FORMERLY JOHNSON RESIDENCE), TMK: 2-5-8: 2, MAKIKI  
HEIGHTS DRIVE

93 JAN 29 PM 1 47  
DEPARTMENT OF LAND UTILIZATION  
HONOLULU

Thank you for the opportunity to comment on the proposed use of the Cooke & Spalding Historic Property. We have the following comments:

1. There is a one-inch meter currently serving the project site.
2. The availability of additional water will be confirmed when the building permit application is submitted for our review and approval. If additional water is made available, the applicant will be required to pay the prevailing Water System Facilities Charges and any applicable meter installation charges.
3. If a three-inch or larger meter is required to accommodate the project, construction drawings showing the installation of the meter should be submitted for our review and approval.
4. The proposed project will be subject to Board of Water Supply cross-connection control requirements prior to the issuance of the building permit application.

If you have any questions, please contact Bert Kuioka at 527-5235.

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT F - Board of Water Supply, 1/21/93

1. One-inch Meter is Currently Serving the Project Site:  
Correct.
2. Additional Water Assessment:  
If it becomes necessary to apply for additional water, the Owner will pay for the applicable meter upgrade at current Water Systems Facilities Charges at the time of submitting construction plans.
3. Meter Upgrade Requirement:  
At the time of submitting building plans for review, the water demand and required meter size will be indicated on the drawings.
4. Cross-Connection Control Requirement:  
Cross connection control requirements will be met when the application for building permit is made. The potable water and irrigation systems will be designed to meet these requirements.

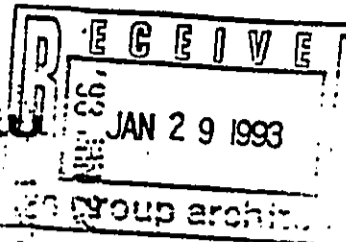
FIRE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

3275 KAPAKA STREET, SUITE 400  
HONOLULU, HAWAII 96819-1989



January 21, 1993

FRANK F. PASI  
MAYOR



RECEIVED  
JAN 29 1993  
DONALD S. M. CHANG  
FIRE CHIEF  
RICHARD R. SETO MOOK  
DEPUTY FIRE CHIEF

TO : DONALD A. CLEGG, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM : RICHARD R. SETO-MOOK  
FIRE DEPUTY CHIEF

SUBJECT : DRAFT ENVIRONMENTAL ASSESSMENT  
FOR USE OF A HISTORIC STRUCTURE  
COOKE & P.E. SPALDING PROPERTY; TAX MAP KEY: 2-5-08: 02

We have reviewed the application and made an on-site assessment of the above subject request, and have no objections to the proposal.

Should additional information or assistance be required, please call Acting Captain Stephen Kishida of our Fire Prevention Bureau at 523-4186.

*Richard R. Seto-Mook*  
RICHARD R. SETO-MOOK  
Fire Deputy Chief

RRS-M/SK:kc

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT G - Fire Department, 1/21/93

No comments.



75 0062

Makiki Heights Community Association  
2177 Molt Smith Drive  
Honolulu, HI 96822

'93 FEB 9 PM 2 18

February 7, 1993

DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

Mr. Donald Clegg, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King St  
Honolulu, HI 96813

Dear Mr. Clegg,

The "Application for Conditional Use Permit, Type 2 for use of a Historic Structure - A. T. Cooke & P. E. Spalding Historic Property ( formally Johnson Residence)" dated August 17, 1992 does not meet the standards of an environmental assessment as set forth in Hawaii Revised Statutes 543 and applicable agency administration rules.

The proposed use of the property would entail significant environmental impact to the surrounding residences and to the public infrastructure. These would include a negative socio-economic impact on the neighborhood, including the possible lowering of property values, and significant negative traffic impacts. Further we are concerned that the expansion of parking for the contemporary museum on the adjoining property (TMK 2-5-08-002) would create a traffic safety hazard.

We ask that the environmental assessment be rejected as inadequate, or alternatively a finding of significant impact be made.

Sincerely,

  
Dwight M. Rush, Secretary

APPENDIX A - RESPONSE TO AGENCY COMMENTS  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

COMMENT H - Makiki Heights Community Association, 2/7/93

1. Significant Environmental Impact to Surrounding Residences, Public Infrastructure, Negative Socio-Economic Impact, Lowering of Property Values, Traffic Impact, and Traffic Safety Hazards:

The project does not make a significant impact on items as listed. Refer to Appendix A, Comment B for detail clarification and justification of this statement.

During meetings with representation from the Makiki Heights Community Association (see meeting notes attached), no concerns as direct and significant were raised.

At all stages of planning, the representative of the Makiki Heights Community Association, Ms. Caroline Allerdice, was included. Being invited to and attending Board meetings to familiarize the community with the project, they were always aware of the extent and nature of the project. No significant concerns were raised to date.

MEETING NOTES  
MAKIKI HEIGHTS COMMUNITY ASSOCIATION

*The CJS Group Architects Ltd.*

Date: 6/14/92 Time: 4:00 p.m.-5:30 p.m.  
Place: Residence of Dwight Rush  
2177 Mott-Smith Drive  
Honolulu, HI

The following are the issues discussed at the meeting. As there was no set agenda, the exchange of information was random. Consequently, I have reconstructed the general conversations regarding the topics that were discussed. Also recognize that as this individual was the primary participant, the recollection of events may not be complete. After distribution of the notes, I welcome corrective input, if necessary.

1. PARKING

- 1.1 Explanation by both Chris Smith, FAIA, (CJS) and Carolyn Allerdice, AIA, of the processing of the CUP 1, which involves only the parking request.
- 1.2 It was mentioned that this CUP 1 for parking does not require a public hearing and that any residence that wishes to only increase parking may apply to do so.
- 1.3 It was suggested by CJS that any concern of the group could be directed to Ms. Loretta Chee, Deputy Director at the DLU, even though there are no scheduled public hearings. Concerns of the neighbors should be recorded.
- 1.4 CJS explained that the additional approximately 47 stalls have been designed to accommodate what is recognized as an occasional parking problem that occurs during some special events and periodically during the public free admission day.
- 1.5 Different methods were discussed from the use of permanent "No Parking" signs to the use of temporary signs to alleviate the problem. CJS has investigated utilizing temporary parking markers during special events. A request can be made one week in advance of the event for temporary "No Parking" signs, at no cost. The difficulty appears to be in getting the agreement of and coordination with the other owners. Perhaps a master schedule can be developed that will allow the affected owners to pre-sign requests, or the Department of Transportation may allow an affidavit to be used for the requests by TCM. In any case, it appears that there may be a workable solution to the off-street parking issue. It was also discussed that while parking on the perimeter of TCM's property is its responsibility, the Museum cannot assist in monitoring street parking for other properties. The

1188 Fort St., Suite 200  
Honolulu, Hawaii 96813  
Tel. 808 524 4485  
Fax 808 524 4460

police have advised us they have no way of knowing if the parked car in front of other properties are their guests or visitors to the Museum. Thus, temporary "No Parking" signs may be the answer.

1.6 The use of bus/vans was discussed and it was recognized that difficulty arose during the peak periods of need when the majority of guests wished to leave and long lines occurred. There seemed to be an agreement that little or no resolution to this specific difficulty can be found.

1.7 There was a brief discussion regarding the ability of the surrounding neighborhood residents to use the existing or proposed parking for their personal use. The general policy of the TCM has been to allow the use of parking for neighbors to accommodate their party needs, if used after hours and recognized that TCM is to be held harmless should any problem arise from that use.

## 2. CAFE USE

2.1 As explained, the Cafe is required to be ancillary to the museum use. Like the Museum Shop, while providing benefit to the visitor, it also is intended to provide financial support to the museum. It is recognized that a proper balance of use has to be maintained, i.e., the visitor utilizing the cafe in combination with the overall visitor count for the museum.

2.2 Price adjustments have been made to make it more expensive for non-members to eat at the Cafe and visitors no longer can enter from the parking lot.

2.3 TCM's Board is presently reviewing other procedures to maintain the integrity of the ancillary use of the Cafe.

2.4 It was discussed with the Association that there are no plans at present to relocate the Museum Shop or the Cafe. CJS reminded the group that any adjustments to the original CZC would require not only DLU approval but public hearings, part of the process, to obtain input from all constituents.

## 3. JOHNSTON RESIDENCE

3.1 TCM will be submitting a CUP 2 shortly for the readaptive use of the Johnston residence. The Association will be advised of the progress of this application. A public hearing will be held for all interested parties to have an opportunity to voice their opinion. It is our intent to meet with the Association prior to the public hearing to discuss any issues that the association may have regarding the application.

3.2 In addition to the new parking, the desire of TCM is to relocate existing functions that are presently occurring in the present administration and main building. As an example, the board room and library now share the same space and it would be advantageous to have the functions separated. In addition, new security requirements and expanded program needs have caused TCM to seek additional space to handle current functions.

3.3 As a condition of this CUP 2, no additional space will be added to the existing building.

4. PLANNED AGENCY REVIEW

4.1 It is the intent of the DLU to initiate a new comprehensive design review by their agency in concert with the City Council for all museums. This new process is called Planned Agency Review, and will require an amendment to the existing governing ordinances.

4.2 It is now a great opportunity to review the existing CZC document and see what programmatic changes would benefit the museum.

5. OTHER COMMENTS

5.1 It is the intent of the architect, with the consensus of TCM, to communicate as much as possible regarding ongoing architectural activities with the museum.

5.2 It was suggested, since the Makiki Heights Community Association does not meet on a regular basis, that perhaps a quarterly meeting schedule could be developed to discuss issues affecting the museum.

END OF NOTES.

Christopher J. Smith, FAIA

cjspn 74701pr.003

APPENDIX B - DRAINAGE REPORT  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

**CALVIN KIM & ASSOCIATES, INC.**  
CIVIL ENGINEERS  
1050 QUEEN STREET SUITE 300  
HONOLULU, HAWAII 96814  
(808) 528-3770

DRAINAGE REPORT

PROJECT DESCRIPTION

The project consist of the renovation of an existing building and the addition of a paved parking area at the rear of the site on Makiki Heights Drive. The development is seeking a Conditional Use Permit to allow the use of a Historic Structure as an administrative building.

EXISTING CONDITIONS

The area of the site is 1.17 Ac and located on the slopes of Mt. Tantalus. The ground slopes from Makiki Hights Drive toward the south. Assumed ground elevations range from 100 at Makiki Heights Drive to about 63 along the south border.

Soils on the site consist of volcanic ash and material weathered from cinders. Runoff for this soil is considered medium and may be considered fairly permeable.

PROPOSED IMPROVEMENTS

Drain inlets will be located along the perimeter of the paved parking area to collect storm runoff. The drain inlets will be interconnected with 24-inch perforated drain pipe. The perforated pipe will allow the runoff collected by the drain inlets to disperse through a gravel blanket and percolate into the ground. A gravel blanket will extend to the weep holes in the new retaining wall along the southeast portion of the parking area. This will prevent buildup of hydrostatic pressure against the retaining wall and allow the runoff collected in the parking area to disperse down the slope of the mountain at several locations and at a reduced rate.

Bench Mark  
1/2" Pipe  
Elev. = 100.00  
(assumed)

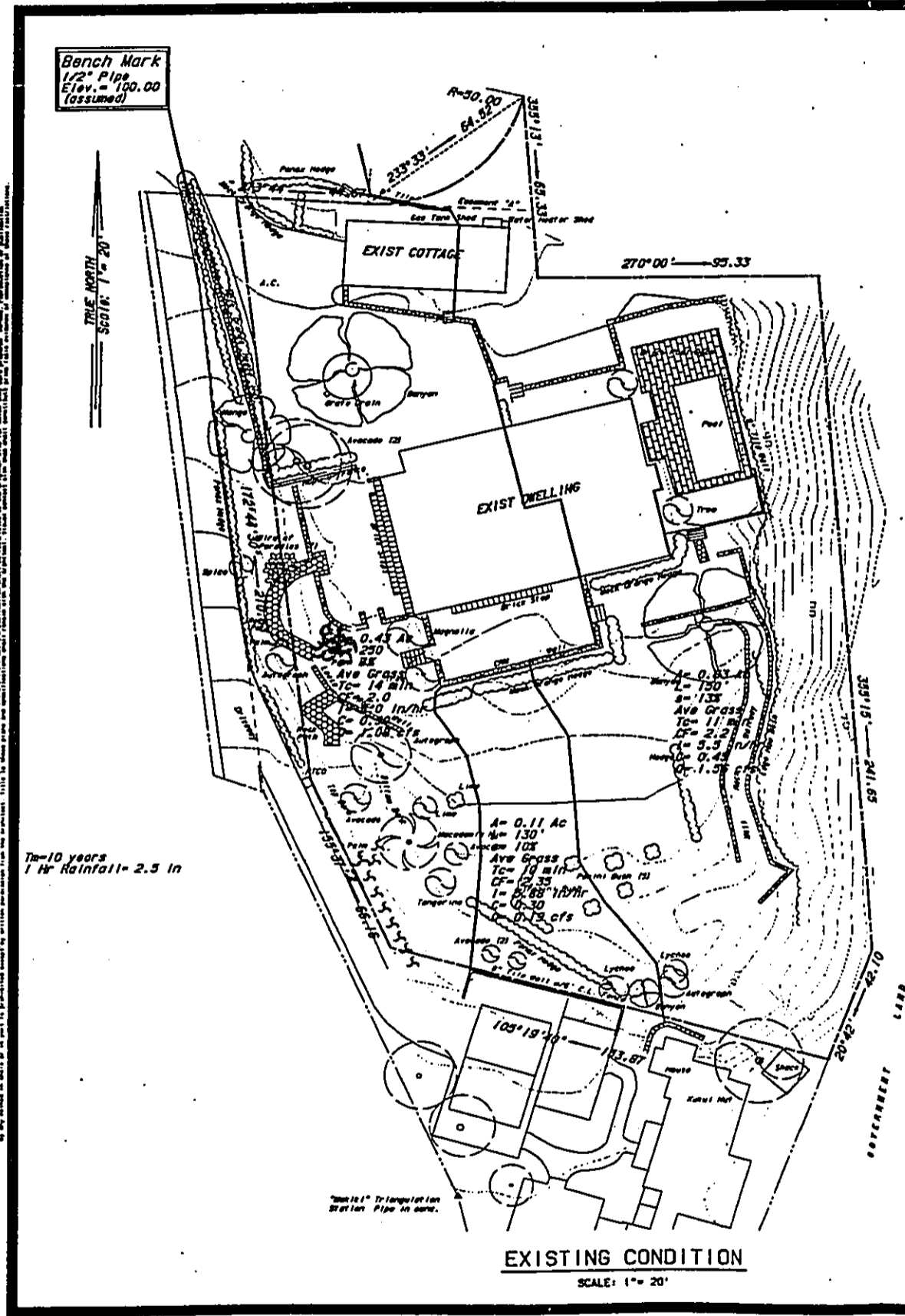
Bench Mark  
1/2" Pipe  
Elev. = 100.00  
(assumed)

Vertical text on the left margin, likely a project title or reference number, oriented vertically.

TRUE NORTH  
SCALE: 1" = 20'

TRUE NORTH  
SCALE: 1" = 20'

T<sub>10</sub> = 10 years  
1 Hr Rainfall = 2.5 in

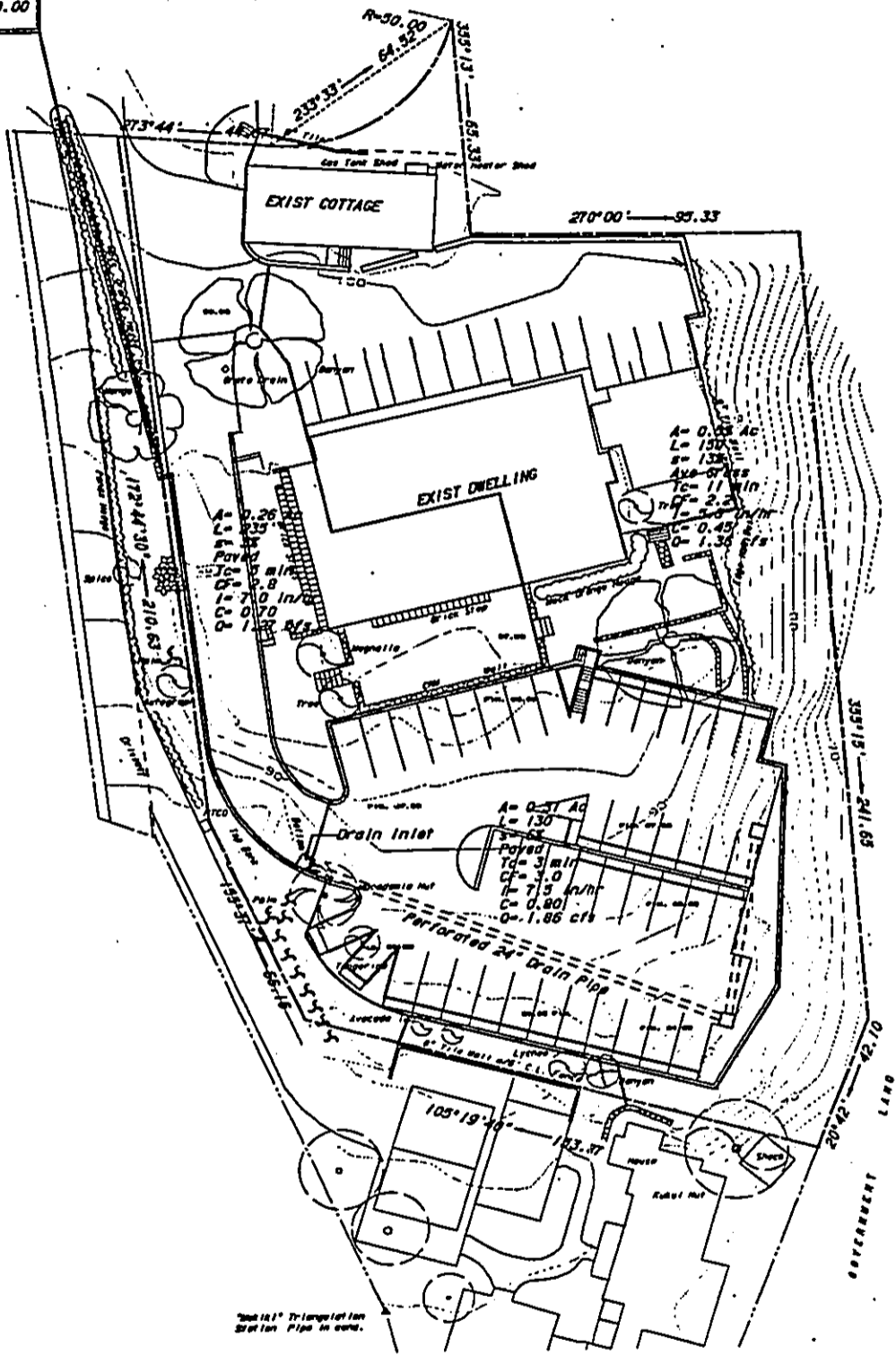


EXISTING CONDITION  
SCALE: 1" = 20'



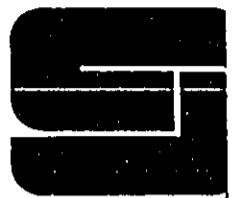
Bench Mark  
 1/2" Pipe  
 Elev. = 100.00  
 (assumed)

TRUE NORTH  
 Scale: 1" = 20'



AFTER CONSTRUCTION

SCALE: 1" = 20'



the cjs group  
 architects ltd

Set in 300mm x 300mm grid  
 1160 Part 3/2000, Honolulu, Hawaii 96822  
 Telephone (808) 839-1400

TITLE  
 A.T. COOKE & P.B. SPALDING HISTORIC PROPERTY  
 2447 MAKIKI HEIGHTS DRIVE  
 HONOLULU, HAWAII 96822  
 TMK: 2-5-08:02

DATE \_\_\_\_\_ REVIEW \_\_\_\_\_

SHEET CONTENT  
 DRAINAGE MAP

100 NUMBER \_\_\_\_\_

DRAWN BY \_\_\_\_\_ CHECKED \_\_\_\_\_

SHEET NUMBER

D-1

APPENDIX C - TRAFFIC ASSESSMENT REPORT  
Environmental Assessment Report  
A. T. Cooke and P. E. Spalding Historic Property  
TMK: 2-5-08:02

**TRAFFIC ASSESSMENT REPORT  
CONDITIONAL USE PERMIT, TYPE 2**

**A.T. COOKE & P.E. SPALDING HISTORIC PROPERTY  
2447 MAKIKI HEIGHTS DRIVE**

**T.M.K. 2-5-08: 02**

**HONOLULU, HAWAII**

**prepared by: Julian Ng, Inc.  
May 1993**

The Contemporary Museum proposes to use a residential structure located at 2447 Makiki Heights Drive, Honolulu, Hawaii, as an administration building. The property includes two historic structures<sup>1</sup> and is located approximately 300 feet east of the existing site at 2411 Makiki Heights Drive that is used by The Contemporary Museum. This traffic assessment has been prepared for The CJS Group Architects, Ltd., as an addendum to the *Application for Conditional Use Permit, Type 2: Use of Historic Structure* for the subject property.

The property is located in Makiki Heights, a primarily residential area, and access is provided by Makiki Heights Drive (Exhibit 1). Interior renovations are proposed to adapt the larger structure for office use, and modifications to vehicular circulation on the site and increased parking has been proposed. The potential traffic impacts of the proposed project are identified in this traffic assessment.

**Existing Traffic Conditions**

Makiki Heights Drive is a two-lane local street winding through portions of Makiki Heights and Makiki Valley and terminating in T-intersections at Tantalus Drive at its north and Makiki Street at its south ends. Mott-Smith Drive, which serves the lower portion of Makiki Heights, ends in a T-intersection with Makiki Heights Drive. Each of these intersections is controlled by a stop sign on the stem of the "T". The nearest traffic signal is at the intersection of Mott-Smith Drive and Nehoa Street.

Twenty-four hour traffic count data from the City and County of Honolulu Department of Transportation Services show daily traffic volume at the upper end of Mott-Smith Drive was 600 vehicles in June 1985, prior to the opening of the Contemporary Museum at 2411 Makiki Heights Drive. A December 1990 count of the approaches to the intersection of Mott-Smith Drive and Nehoa Street showed a total of 18,450 vehicles using the intersection in one day. Based on this count, the north leg is estimated to carry 3,900 vehicles per day (vpd).

The highest 15-minute volume in one direction counted in 1985 at the upper end of Mott-Smith Drive was 10 vehicles. Peak hourly volume at the southbound approach to Nehoa Street on Mott-Smith Drive was about 120 vehicles per hour (vph). Field observations indicate that capacities are adequate for minimal delays at all intersections in the vicinity, although long delays sometimes occur because of a long signal cycle at the Mott-Smith Drive and Nehoa Street intersection.

No new counts were taken as part of this assessment. Existing and future traffic volumes would be affected by new uses that have occurred since the DTS counts were taken. For the purposes of the traffic analyses, traffic volumes on Makiki Heights Drive fronting the subject property were estimated to be no more than 50% higher than the 1985 volumes counted at the upper end of Mott-Smith Drive.

### Project Traffic

Although Tantalus and Puowaina Drives behind Punchbowl crater provide access to the vicinity of the site, most drivers are expected to use Mott-Smith Drive. The analyses, therefore, includes Mott-Smith Drive as well as the proposed site driveway. The proposed use<sup>2</sup> of the property includes offices with a staff of up to ten persons, an "Artist in Residence" program, docent training programs, and board meetings. Although most of the use would be during regular office hours (8:00 a.m. to 5:00 p.m.), some evening activities are expected. The site would also be used for overflow parking from the existing museum property at 2411 Makiki Heights Drive (six times per year).

Based on the uses described, peak day traffic is estimated from potential turnover of the parking spaces. Assuming that the average parking space is used 1.5 times per day, daily traffic generated by the proposed 46 spaces is 70 vehicles entering and 70 vehicles exiting. Total peak hourly volumes in and out are estimated to be less than 60 vph. Three conditions were evaluated, each of which would occur over a period less than one hour. Project traffic volumes, stated in equivalent hourly rates for the capacity analyses, are shown in Table 1.

Table 1  
TRAFFIC GENERATION

(in equivalent vehicles per hour)	Entering Traffic	Exiting Traffic
Case 1 - before major event	150	12
Case 2 - after major event	24	160
Case 3 - between two events	75	75

Based on information received from the architect, Case 3 is unlikely, but it was evaluated as a worst case situation. These estimated volumes include traffic generated by the existing site (2411 Makiki Heights Drive) which will use parking be provided at the subject property (2477 Makiki Heights Drive).

These driveway volumes were added to the estimated volumes on Makiki Heights Drive and Mott-Smith Drive. To consider a worst-case situation at the project driveway, all site-generated traffic was assumed to be left turns. To consider impacts at driveways or side streets along Mott-Smith Drive, all project traffic was assumed to use Makiki Heights Drive and Mott-Smith Drive to reach Nehoa Street. Although some of the counted volume on Mott-Smith Drive at Nehoa Street was due to activities at the adjacent Roosevelt High School, the project traffic was added to the count volume and assumed to represent volumes at the unsignalized intersection of Mott-Smith Drive and Mauna Place.

The project traffic could increase daily traffic at the upper end of Mott-Smith Drive by as much as 25% over the counted (1985) daily volume. The project traffic would be about 4% of the Mott-Smith Drive (1990) traffic at Nehoa Street. If all of the project traffic were new traffic, total volume at the signalized intersection of Mott-Smith Drive and Nehoa Street would increase by less than one percent (140/18,450).

#### Capacity Analyses

Each location was analyzed using the Unsignalized Intersection Analysis procedure from the *Highway Capacity Manual*<sup>3</sup> to determine peak period conditions. The analysis determines the capacity of the left turn into the side street (or driveway) and the capacity of the exiting movement by estimating the number of adequate gaps available in the uncontrolled movements at the intersection (driveway). The volumes wishing to make these movements are deducted from the capacity, and the difference, or "reserve capacity" determines a level of service. Table 2 summarizes the level of service criteria.

Table 2  
LEVEL OF SERVICE CRITERIA

<u>Reserve Capacity</u>	<u>Level of Service</u>	<u>Expected Delay to Controlled Movement</u>
≥ 400	A	Little or no delay
300 - 399	B	Short traffic delays
200 - 299	C	Average traffic delays
100 - 199	D	Long traffic delays
0 - 99	E	Very long traffic delays

Source: *Highway Capacity Manual*, Table 10-3

At the site driveway, the analyses found Level of Service (LOS) A conditions for both entering and exiting left turns with the assumption that all traffic made left turns. Higher reserve capacities would be available for the more realistic situation which includes right turns. At the Mauna Place intersection, Mauna Place traffic was estimated based on the number of units served by the street and all of this traffic was assumed to go to or come from Nehoa Street. All movements were found to have sufficient reserve capacity for LOS A conditions. Table 3 summarizes the findings of the analyses, assuming that left and right turns at the stop control share a single lane.

Table 3  
UNIGNALIZED INTERSECTION LEVELS OF SERVICE

	<u>Reserve Capacity</u>	<u>Level of Service</u>
Case I - before major event		
Left turn into 2447 Makiki Heights Drive	462	A
Shared driveway lane out of site	486	A
Left turn into Mauna Place	794	A
Shared lane out of Mauna Place	498	A
Case II - after major event		
Left turn into 2447 Makiki Heights Drive	575	A
Shared driveway lane out of site	454	A
Left turn into Mauna Place	918	A
Shared lane out of Mauna Place	480	A
Case III - between two events (unlikely)		
Left turn into 2447 Makiki Heights Drive	529	A
Shared driveway lane out of site	500	A
Left turn into Mauna Place	865	A
Shared lane out of Mauna Place	507	A

As indicated above, each location would have adequate capacity to accommodate all movements at a good level of service. Little or no delay would be expected for the movements which would stop or yield to oncoming traffic. At other sidestreets or driveways where volumes are less, conditions would be the same or better than those shown for Mauna Place.

### **Driveway Location**

Currently, vehicular access to the subject property is through a paved driveway that encroaches into a roadway easement which serves two rear lots. The proposed project would relocate the subject property's driveway entirely within the property with vehicular access directly off of the street (Exhibit 2). In doing so, however, the driveway will be located closer to a horizontal curve in the roadway alignment.

Downhill traffic using the curve turns right approximately 120 degrees at a radius of approximately 35 feet; approach speed observed in the field is about 20 miles per hour. Preliminary calculations using *A Policy on Geometric Design of Highways and Streets*<sup>4</sup> published by the American Association of Highway and Transportation Officials indicate that this speed would require a minimum stopping sight distance of 125 feet for vehicles on the street. For this speed, exiting drivers turning left onto Makiki Heights Drive should be able to see 220 feet to the right (uphill) in order to ascertain that an acceptable gap is available. Because sight distances to the right for exiting drivers and the perception of the driveway for drivers on Makiki Heights Drive approaching the curve are limited by trees, a bank one to three feet high, and a mock orange hedge located alongside the roadway, alternatives to improve visibility or to restrict driveway movements were considered.

The lot frontage on the street is less than 115 feet, of which approximately 70 feet is along the outside of the curve. Placement of the driveway in the curved portion, which would enhance exiting sight distance and perception of the driveway for drivers on the street, is restricted because of the location of the smaller of the historic structures on the site. Alternatively, sight distances could be increased by trimming the hedge located along the west side of the Makiki Heights Drive, north of the curve. Locating the driveway as close to the curve (east) would maximize sight distances.

Restriction of left turns at the driveway would reduce the problem of a driver traveling downhill suddenly stopping or slowing to turn into the site, or encountering a slow moving vehicle which just turned left from the driveway. However, the restriction of the exiting left turn would inconvenience many users and would probably result in additional traffic as drivers turn around at other driveways to the north or at the Tantalus Drive intersection. Additional warning signage or beacons were also considered to call attention to the driveway. These warning devices shall conform to the requirements of the *Manual on Uniform Traffic Control Devices*<sup>5</sup> or should be similar to those already in use in Honolulu. The low volumes of traffic on Makiki Heights Drive do not appear to warrant turn restrictions or the use of a beacon.

The roadway curve and a bank one to three feet high adjacent to the edge of the road, however, limits sight distance approaching the curve to about 75 feet, at which an appropriate speed is 15 miles per hour.

### Use of City Buses

The proposed project is not expected to generate any significant increase in bus patronage. Users of the bus system, however, would have access to the site on the Makiki Heights route (Route 15) and bus stops are located on both sides of Makiki Heights Drive within 300 feet of the site's driveway.

### Conclusions and Recommendations

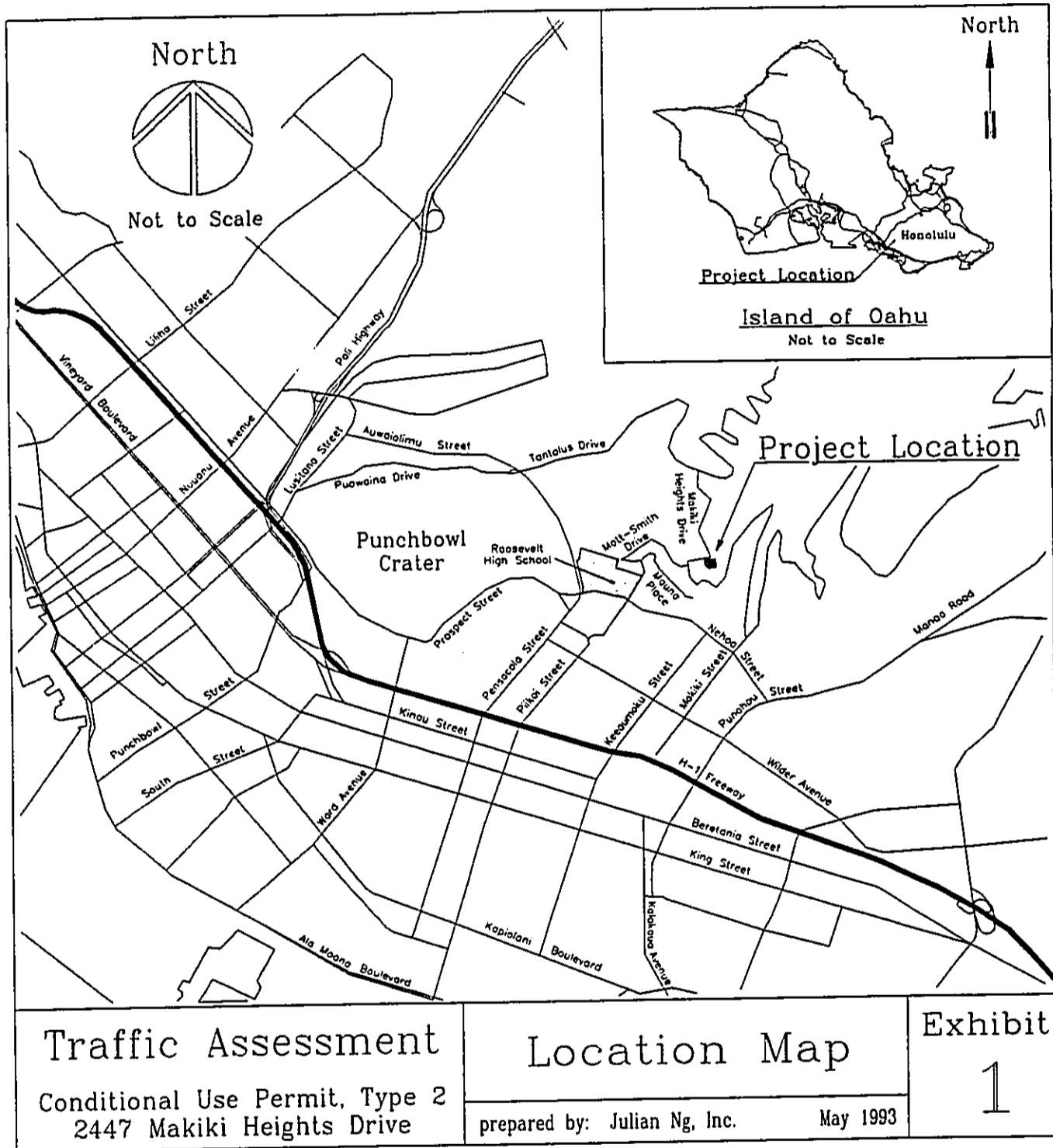
The proposed project is not expected to adversely affect traffic conditions in the area. While total project-related traffic could be a large portion of existing non-project traffic, very good operating conditions were found in the analyses of the project driveway and of an unsignalized intersection along Mott-Smith Drive. Capacity analyses show Level of Service A, or little or no delay, describing all controlled movements. At the nearest signalized intersection, the project would add less than 1% of the existing approach volume. The project's peak traffic impact is not expected to coincide with other peaks on area streets caused by commuting or school trips.

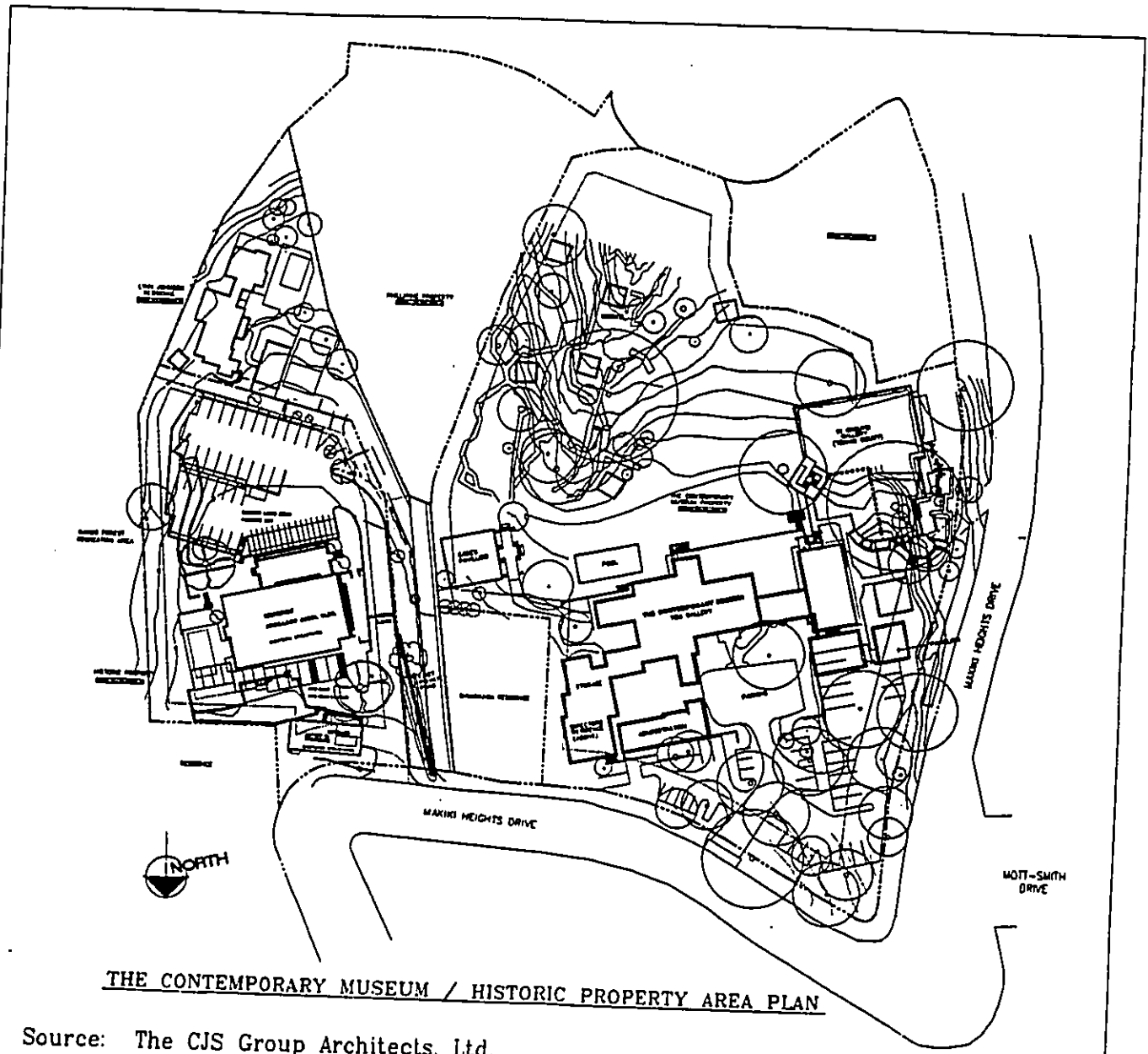
The driveway connection should be designed to accommodate the largest vehicle expected to use the driveway. The driveways should be located such that adequate sight distances are available along Makiki Heights Drive. Turn restrictions are not recommended because of the low volume of traffic on Makiki Heights Drive. Preliminary observations indicate that an appropriate speed for the curve is 15 miles per hour; the addition of a "15 M.P.H." speed advisory plate to an existing warning sign located on the downhill approach to the curve and the installation of a new "Driveways Ahead" warning sign are also recommended.

### References

1. "Site Plan (Preliminary), A.T. Cooke & P.E. Spalding Historic Property," prepared by The CJS Group Architects, Ltd., July 1992.
2. The CJS Group Architects, Ltd., *Application for Conditional Use Permit, Type 2: Use of Historic Structure*, August 1992.
3. Transportation Research Board, National Research Council, *Highway Capacity Manual*, Special Report 209, Washington, D.C. 1985.
4. American Association of State Highway and Transportation Officials, *A Policy on Geometric Design of Highways and Streets*, 1990.
5. U. S. Department of Transportation, Federal Highway Administration, *Manual on Uniform Traffic Control Devices for Streets and Highways*, 1988 and as amended.







<p>Traffic Assessment</p> <p>Conditional Use Permit, Type 2</p> <p>2447 Makiki Heights Drive</p>	<p>Vicinity Map</p> <p>prepared by: Julian Ng, Inc.      May 1993</p>	<p>Exhibit</p> <p style="font-size: 2em;">2</p>
--	---	---

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

End of Appendix

JOHN WAIHEE  
GOVERNOR OF HAWAII



WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

KEITH W. AHUE  
MANABU TAGOMORI  
DANT T. KOCHI

AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
PROGRAM  
LAND MANAGEMENT  
STATE PARKS  
WATER RESOURCE MANAGEMENT

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES  
STATE HISTORIC PRESERVATION DIVISION

33 SOUTH KING STREET, 6TH FLOOR  
HONOLULU, HAWAII 96813

November 22, 1991

NOV 25 1991

CJS group architects

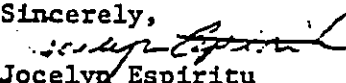
Ms. Louisa Potgieter  
CJS Group Architects Ltd.  
1188 Fort Street, Suite 200  
Honolulu, Hawaii 96813

Dear Ms. Potgieter:

Per your request I am sending you a copy of the letter of placement on the register for the Cooke-Spalding Residence.

If you need more information please free feel to call us at 587-0047.

Sincerely,

  
Jocelyn Espiritu  
Review Board Secretary

July 5, 1991

K.C. McCarthy Trust  
c/o Lynn & Blake Johnson  
2445 Makiki Heights Road  
Honolulu, Hawaii 96822

Dear Mr. & Mrs. Johnson:

SUBJECT: A.T. Cooke & P.E. Spalding Residence

The Hawaii Historic Places Review Board is pleased to inform you that at its meeting on June 28, 1991 a decision was made to place the property described above on the Hawaii Register of Historic Places and to recommend to the State Historic Preservation Officer that he nominate the A T. Cooke & P.E. Spalding Residence for placement on the National Register of Historic Places.

If you have any questions, please do not hesitate to call 587-0047.

Sincerely yours,

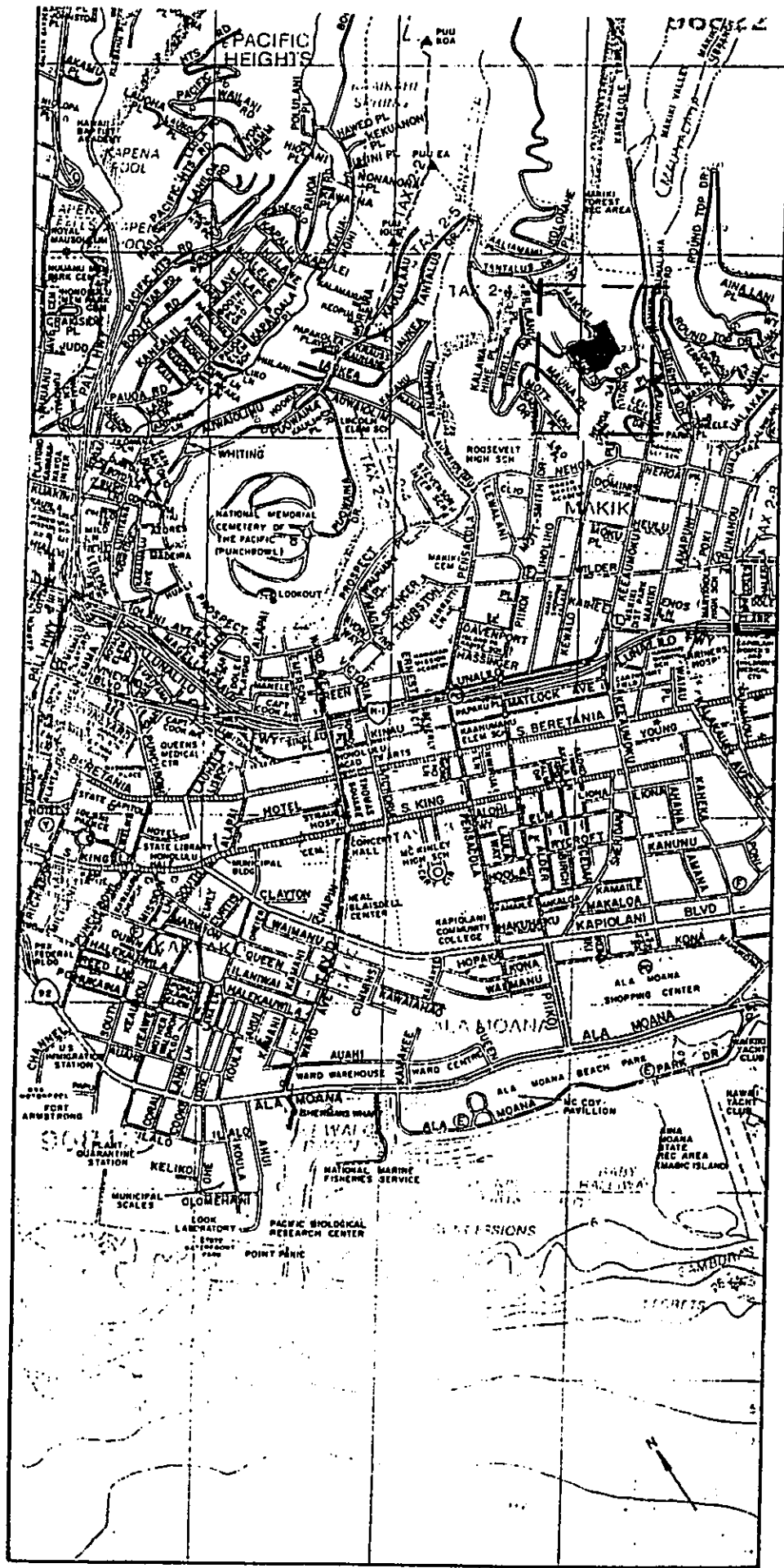
CHAIRMAN, HAWAII HISTORIC  
PLACES REVIEW BOARD

KIYOSHI IKEDA  
Chairperson

cc: County of Oahu  
Planning Department

KI:jle 7/5/91  
0791r

JUL - 8 1991



PROJECT SITE  
 THE CONTEMPORARY  
 MUSEUM & A.T. COOKE  
 & P.E. SPALDING HISTORIC  
 PROPERTY  
 SEE TMK 2-5-08:1&2

LOCALITY PLAN

CORRECTED  
APR 22 1933

RECORDED  
APR 22 1933  
JAN 23 1933  
FEB 23 1933  
MAY 23 1933  
AUG 23 1933  
NOV 23 1933

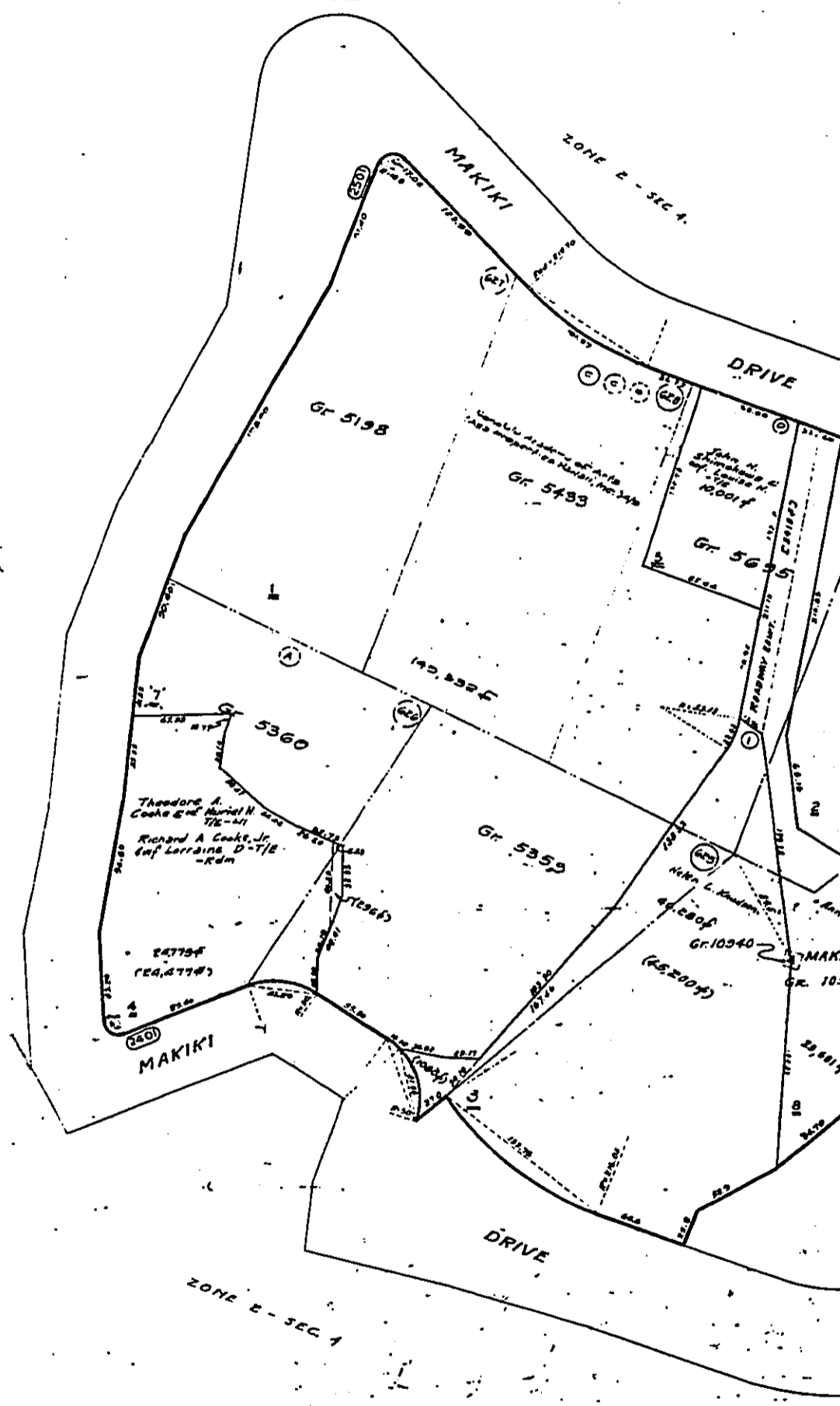
Dwg. No: 1405  
By: R.C.P.B. - April, 1933  
Source: Taxation Maps Bureau

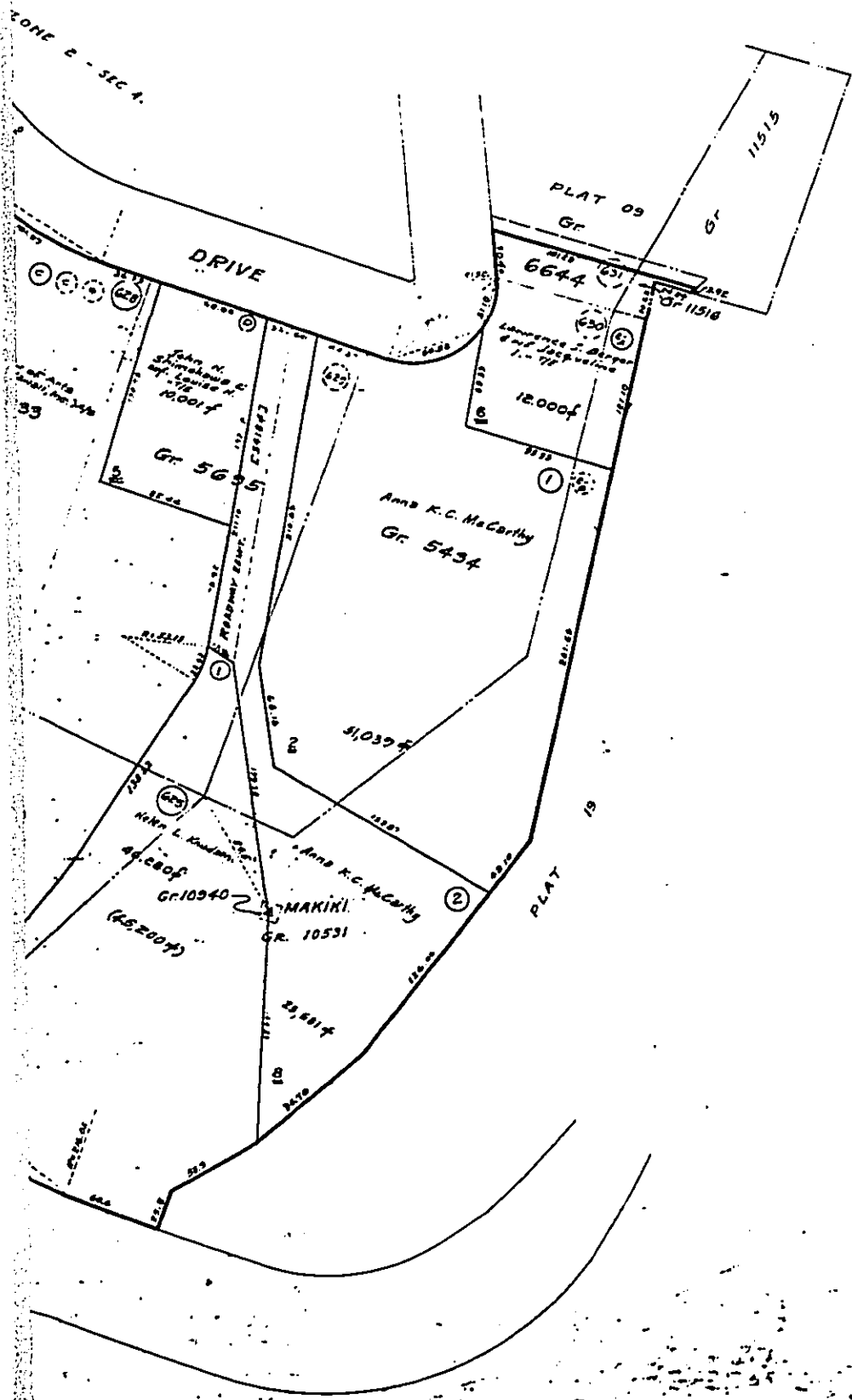
MAKIKI HEIGHTS LOTS

ZONE E - SEC 1

ZONE E - SEC 1

ZONE E - SEC 1





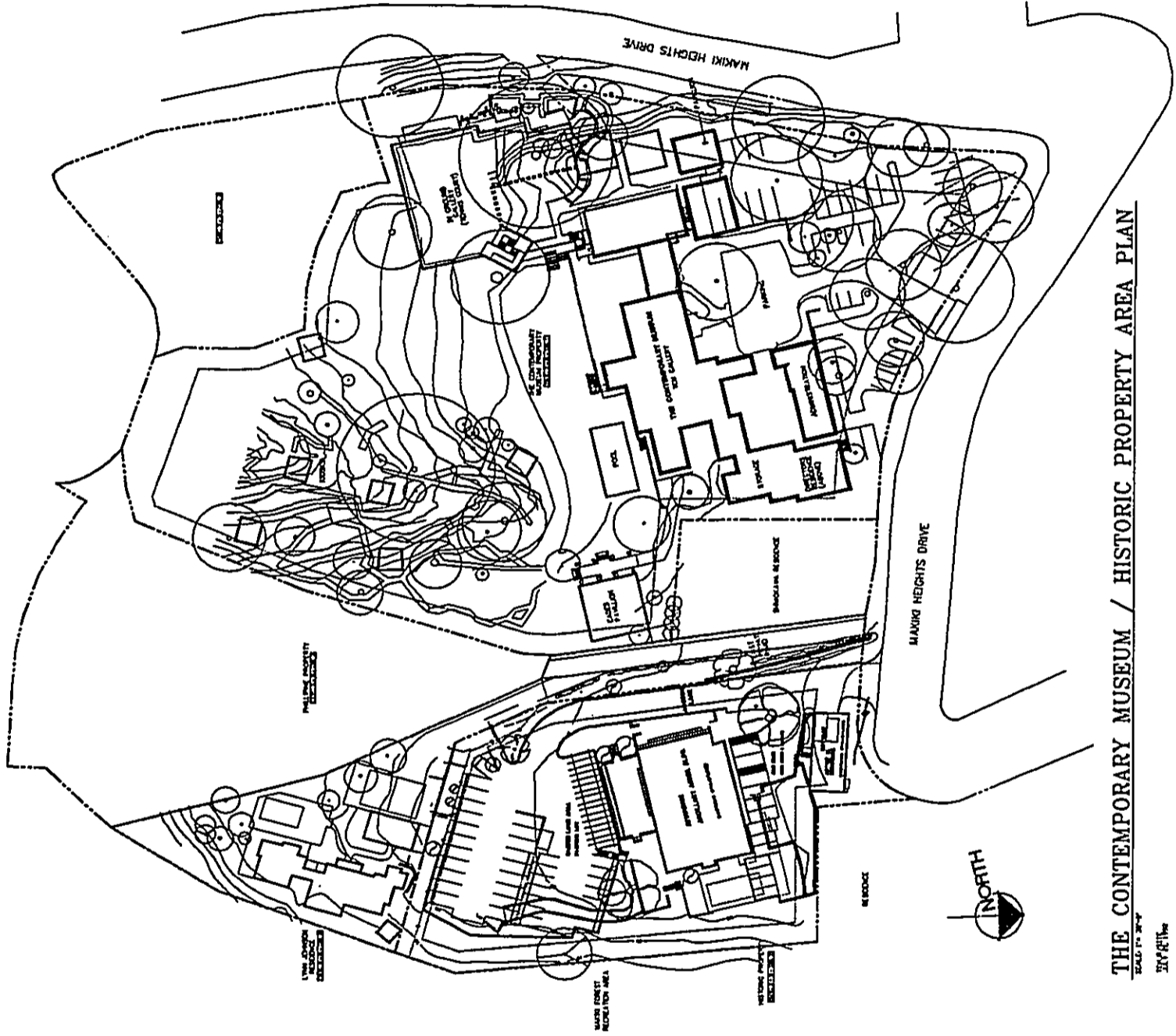
Owner's, lessor's & vendee's names recorded on this tax map prior may not be current. Please refer to ownership history sheets and title books for current status.

**ADVANCE SHEET  
SUBJECT TO CHANGE**

FIRST DIVISION		
ZONE	SEC.	PLAT
2	5	08
CONTAINING 2 PARCELS		
SCALE: 1" = 50'		

PRINTED MAY 1 - 6-88





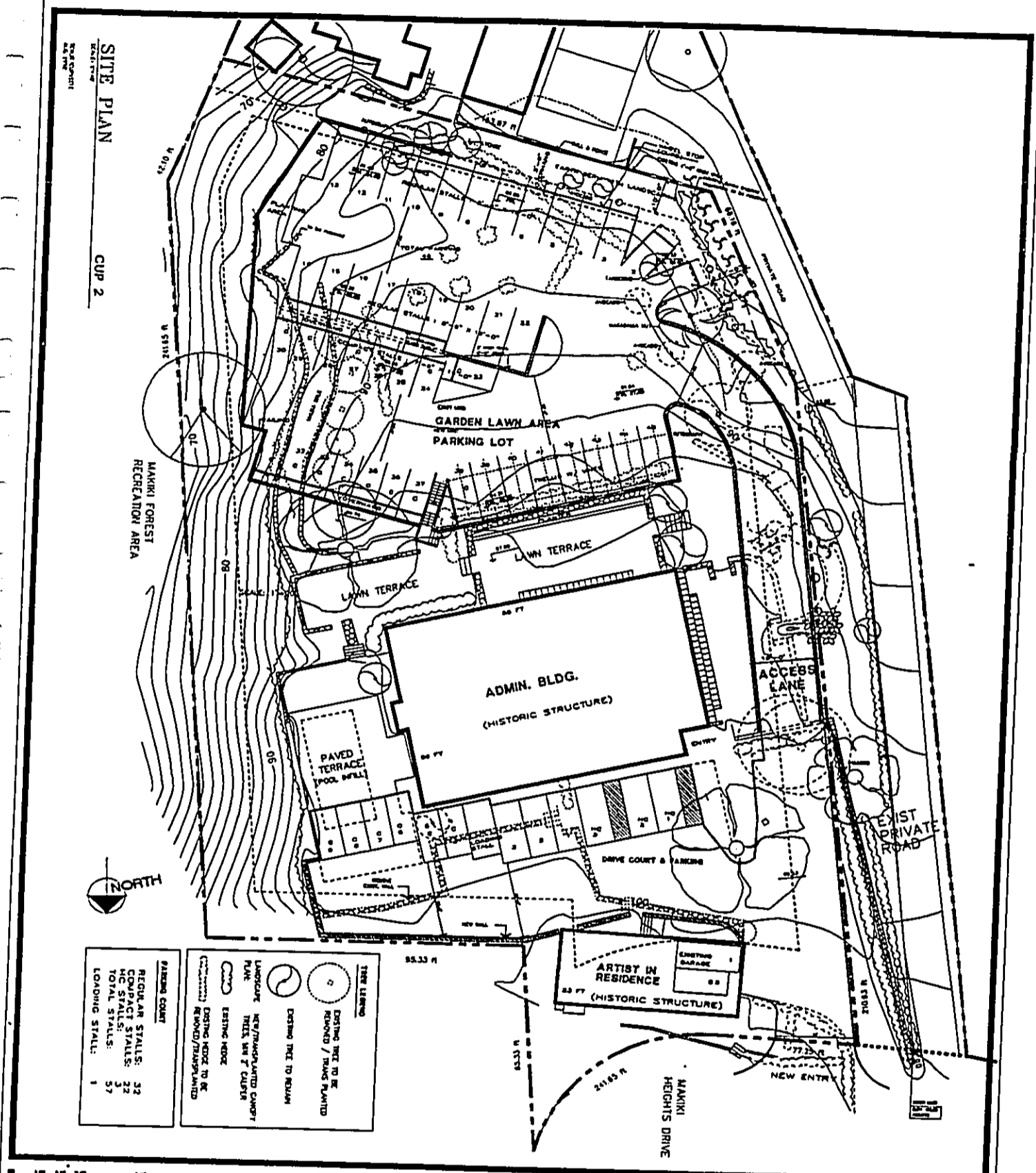
**THE CONTEMPORARY MUSEUM / HISTORIC PROPERTY AREA PLAN**

SCALE: 1/4" = 1'-0"

2008

**SITE PLAN**  
 EASTING  
 NORTHING

CUP 2

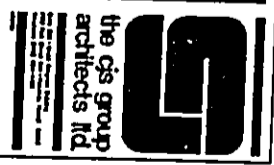


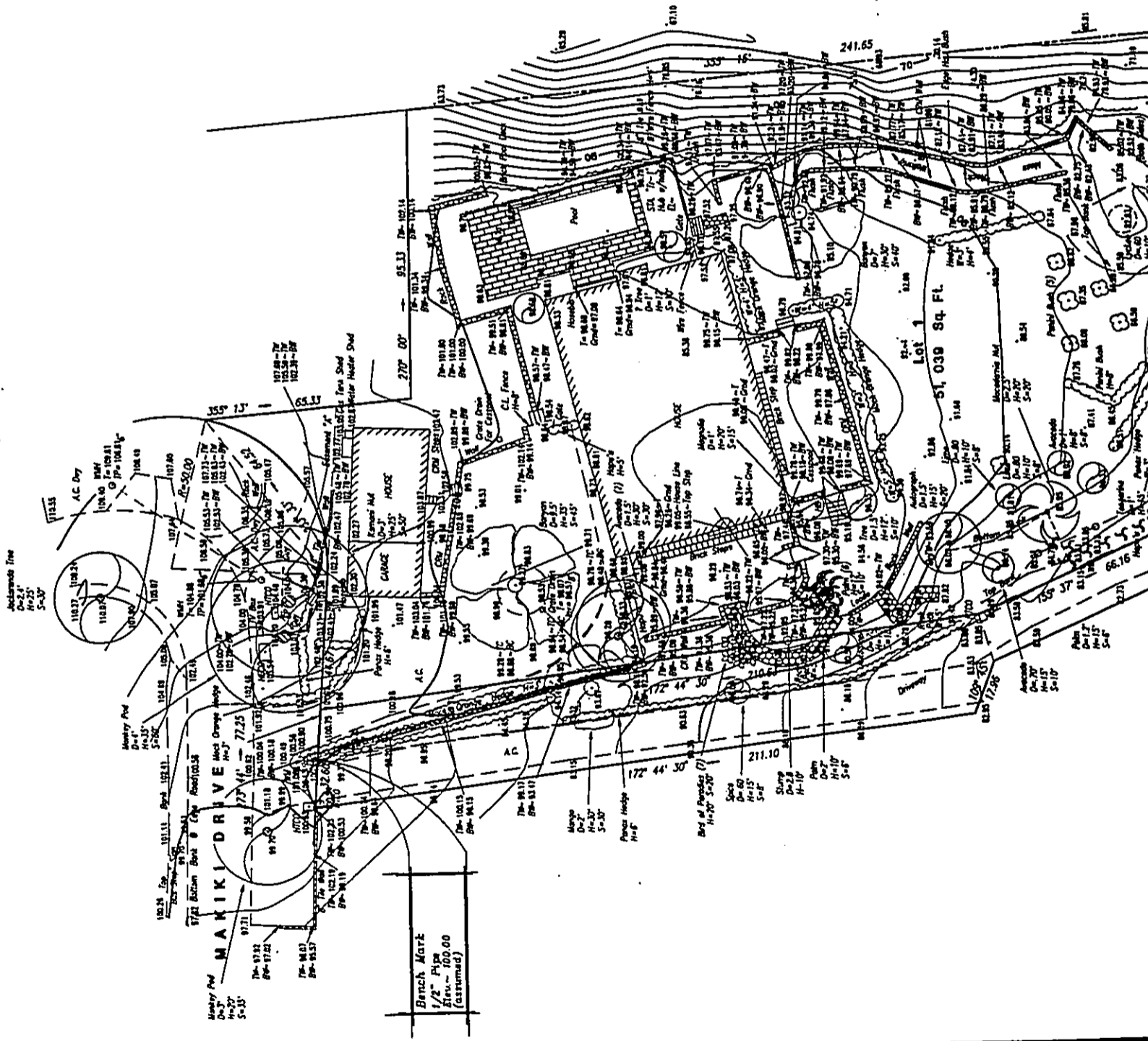
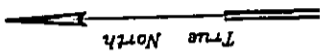
PARKING COURT	
REGULAR STALLS:	32
COMPACT STALLS:	32
HC STALLS:	37
TOTAL STALLS:	37
LOADING STALL:	1

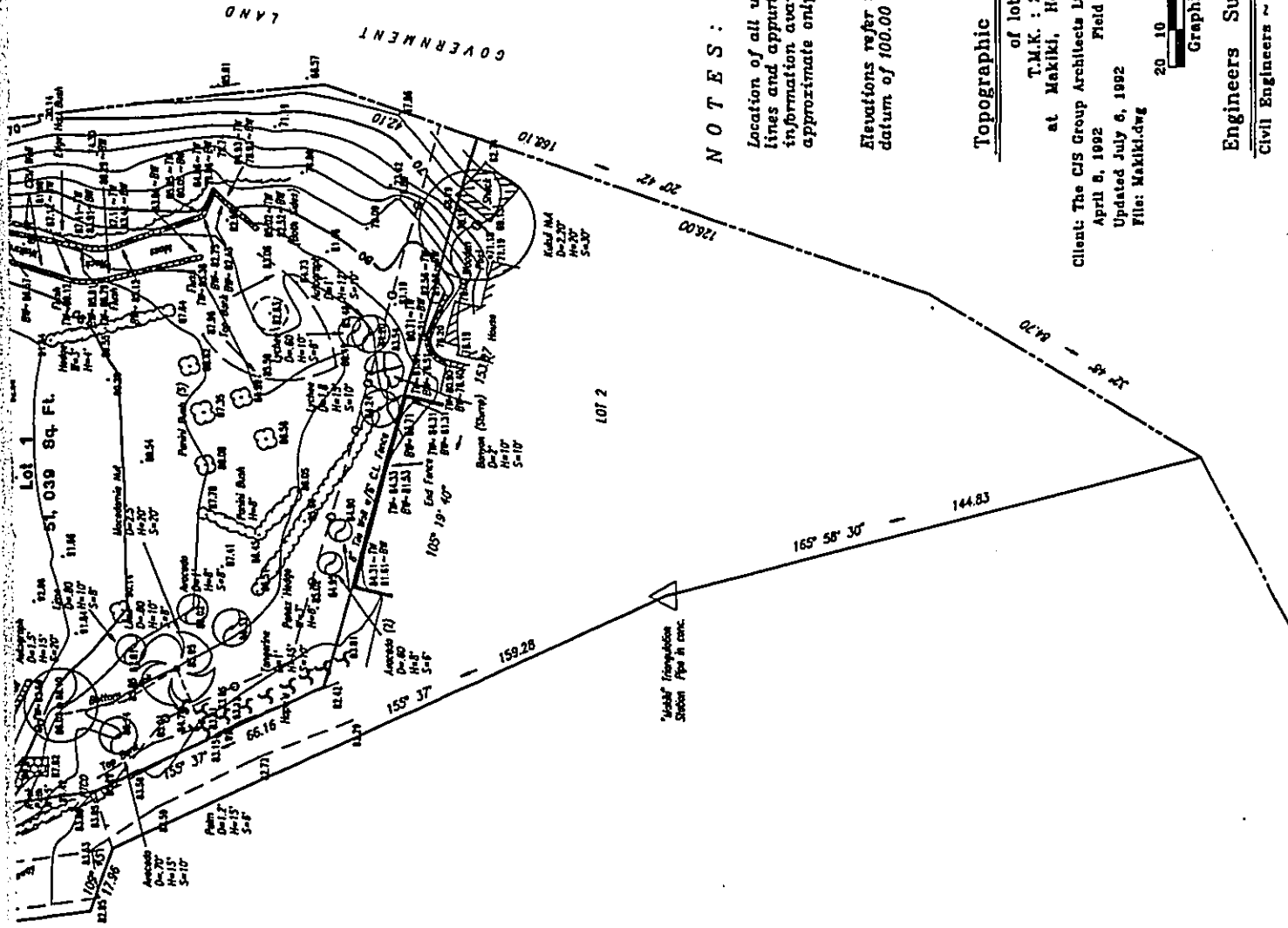
TREE LEGEND	
(Circle with dot)	EXISTING TREE TO BE REMOVED / TRUNK PLANTED
(Circle with cross)	EXISTING TREE TO REMAIN
(Circle with diagonal lines)	NEW/REPLANTED COMPRT PLANT
(Circle with horizontal lines)	EXISTING HEDGE
(Circle with vertical lines)	EXISTING HEDGE TO BE REMOVED/REPLANTED

**A.T. COOKE & P.E. SPALDING HISTORIC PROPERTY**  
 2447 MAKIKI HEIGHTS DRIVE  
 HONOLULU, HAWAII 96822  
 THU 2-8-06 2 ZONE R10





LAND



**NOTES:**

Location of all underground utility lines and appurtenances from record information available and are approximate only.

Elevations refer to an ASSUMED vertical datum of 100.00 feet on a 1/2" pipe PL corner found.

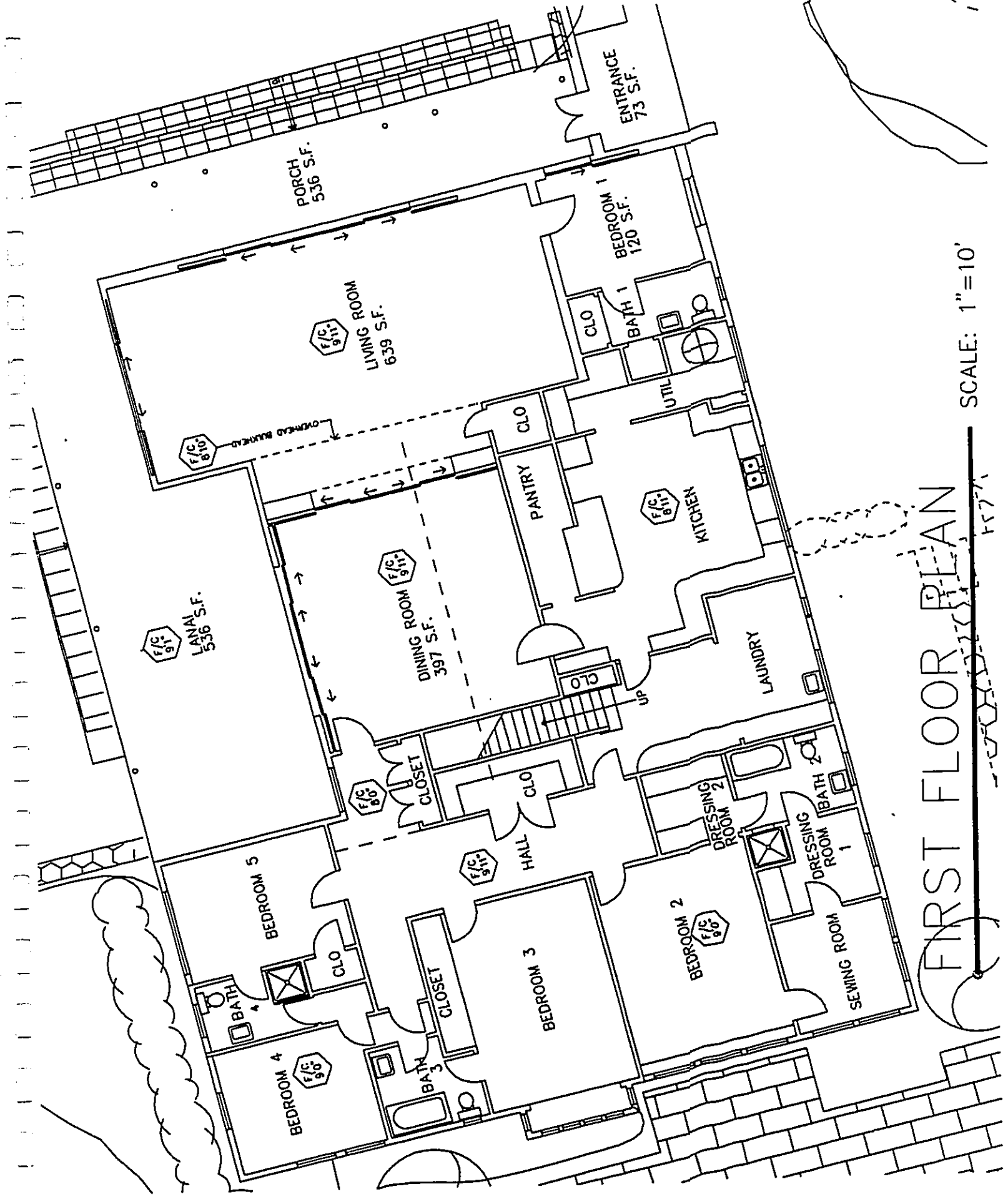
**Topographic Survey Worksheet**

of lot 1 Grant 5434  
 T.M.K. : 2-5-8 : portion 2  
 at MAKIKI, Honolulu, Oahu, Hawaii  
 Client: The CIS Group Architects Ltd. (Louisa Foglieter) Job No. 77.02  
 April 6, 1992 Field Book : 855 / pages 00-19, 29-34 & 74  
 Updated July 6, 1992 Field Book : 882 / pages 36-39  
 File: Makiki.dwg



**Engineers Surveyors Hawaii, Inc.**  
 Civil Engineers ~ Land Surveyors ~ Planners

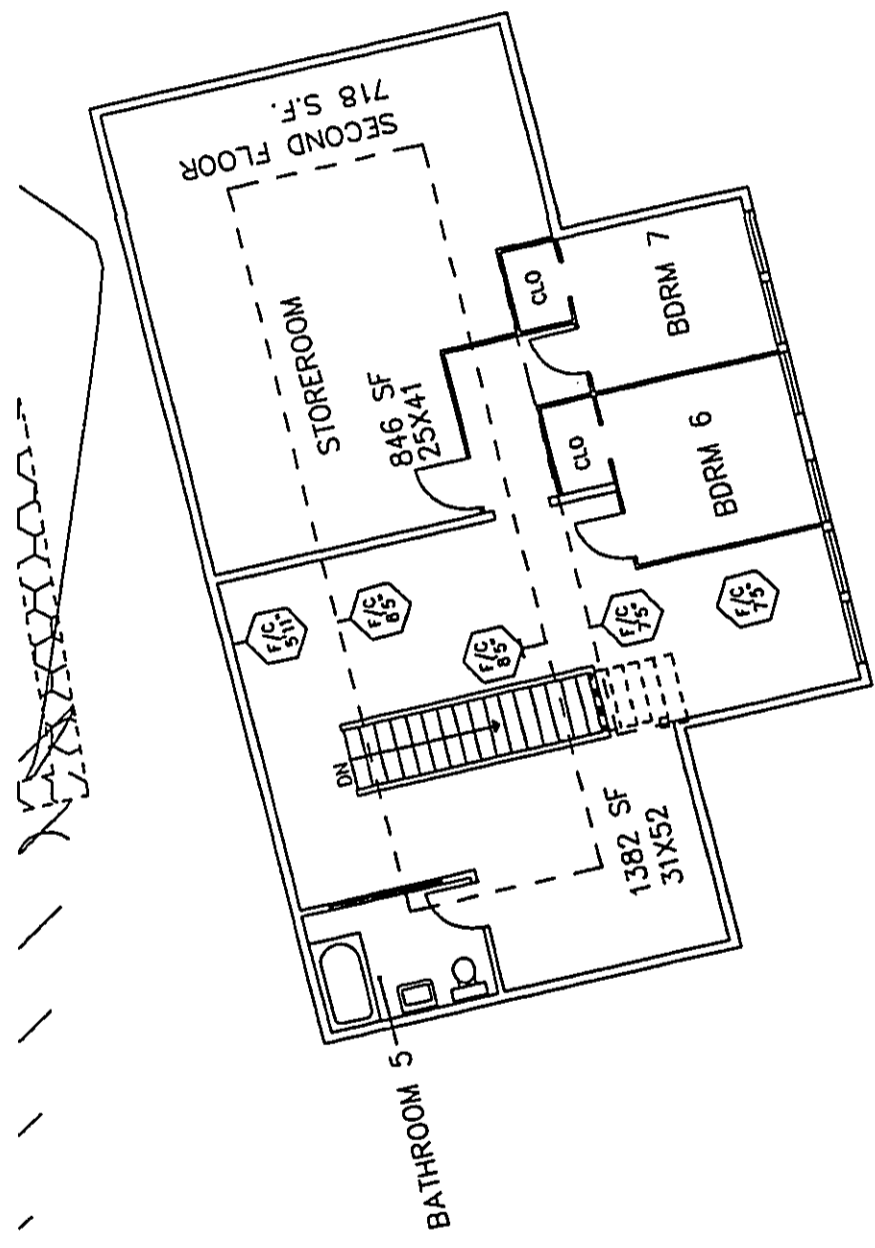
HISTORIC PROPERTY  
Existing Building  
Interior Plans



# FIRST FLOOR PLAN

SCALE: 1"=10'

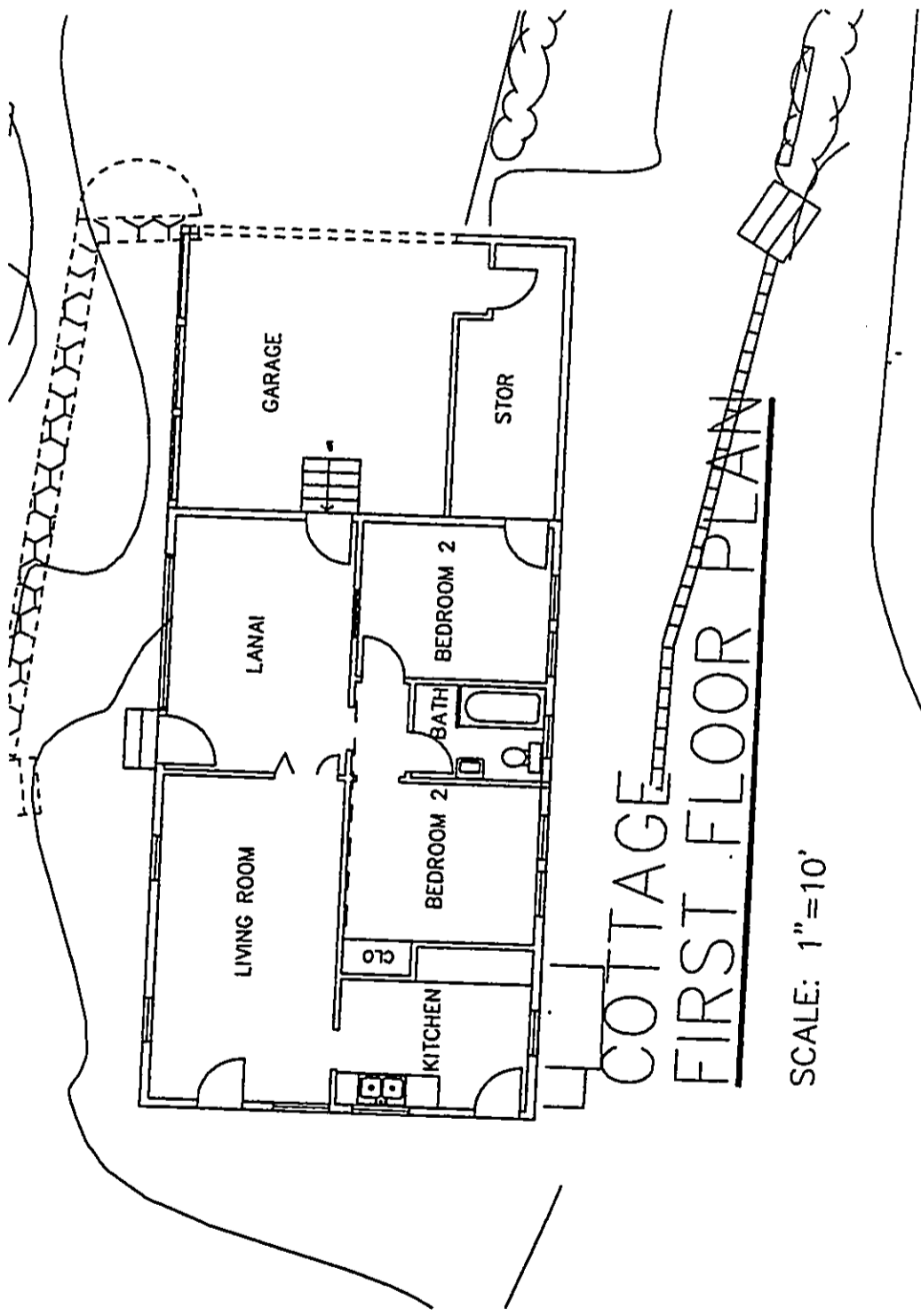
F5771



SECOND FLOOR  
718 S.F.

# SECOND FLOOR PLAN

SCALE: 1"=10'



COTTAGE  
FIRST FLOOR PLAN

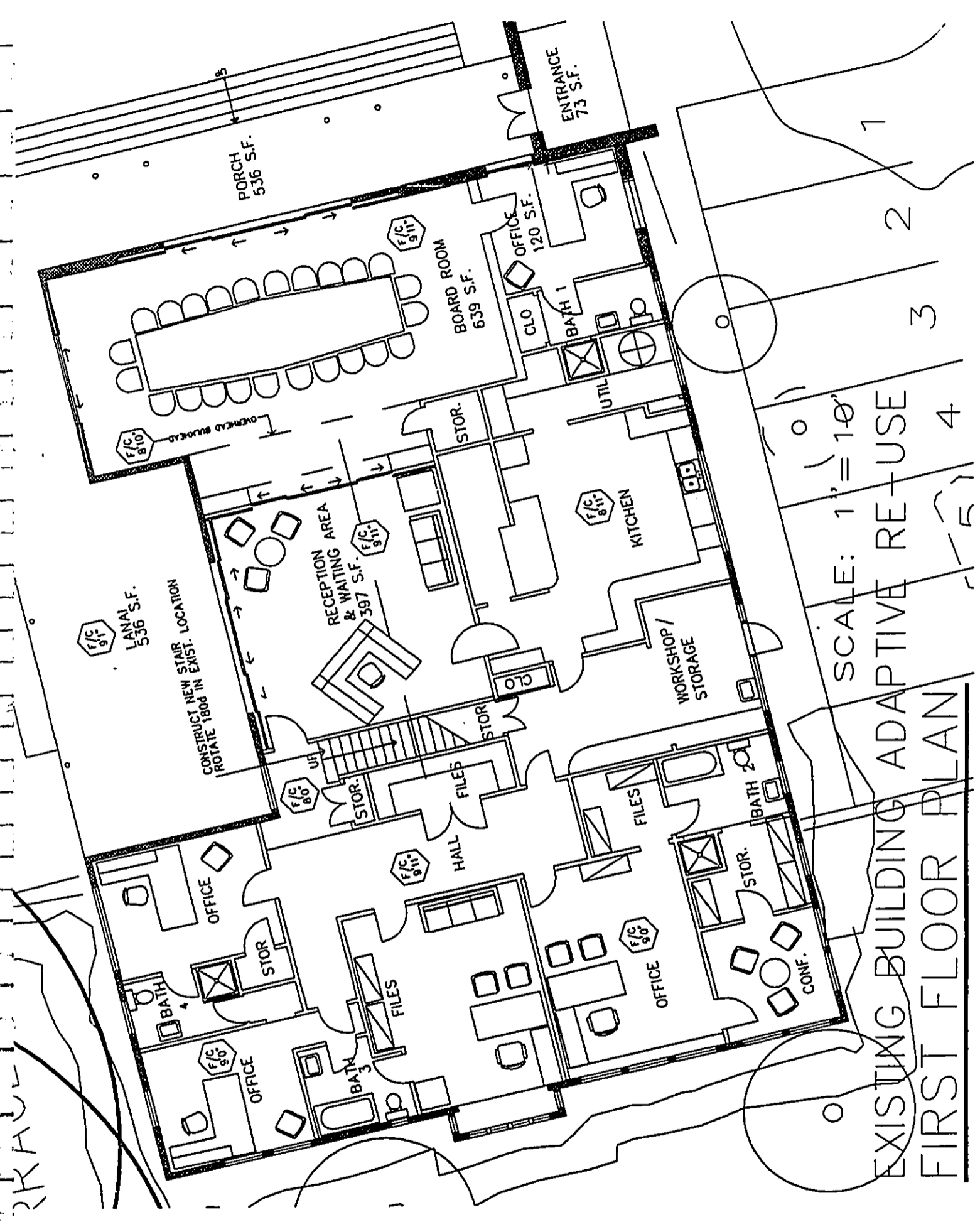
SCALE: 1"=10'



HISTORIC PROPERTY

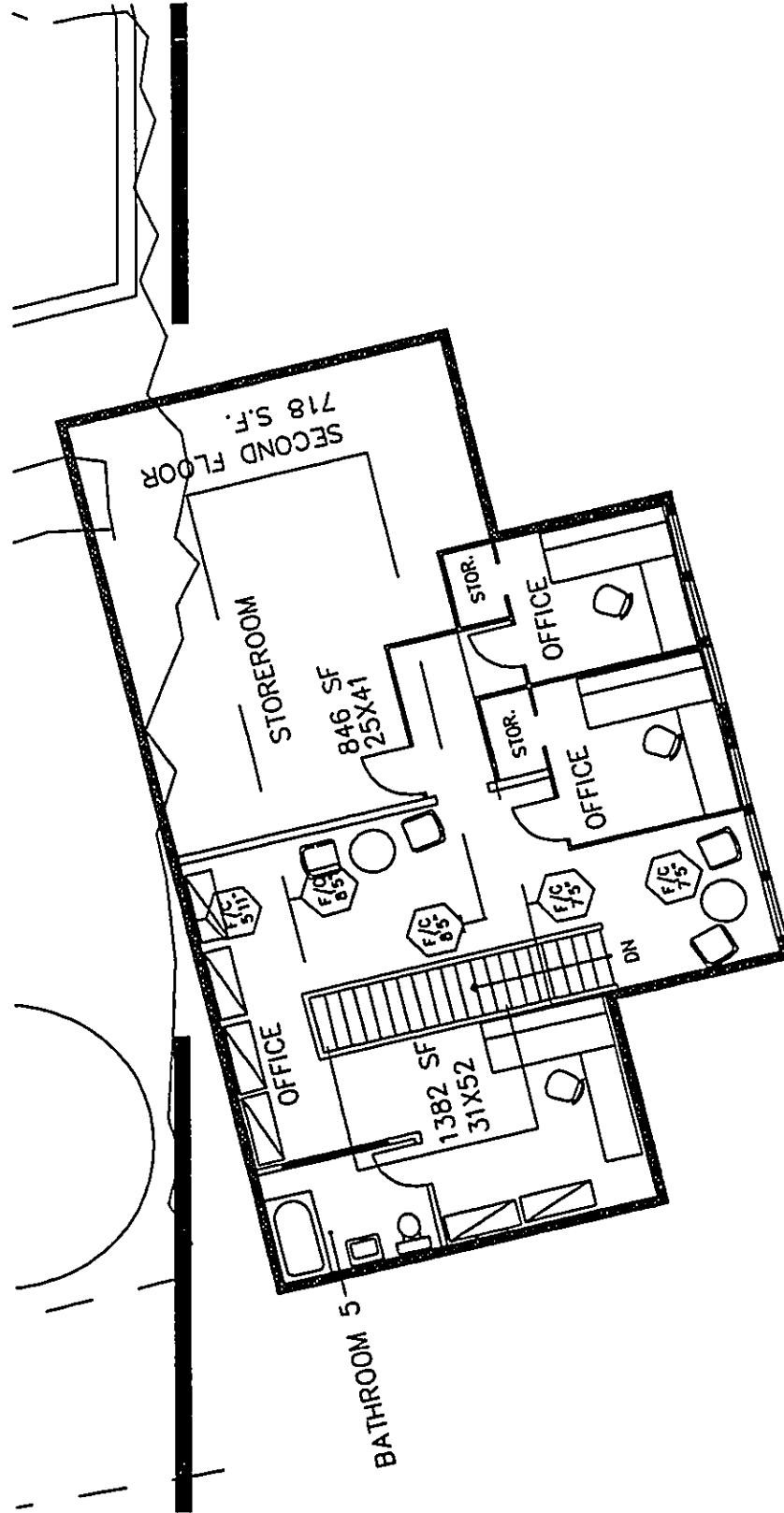
Existing Building  
Adaptive Re-use  
Interior Plans

DRAGGLES



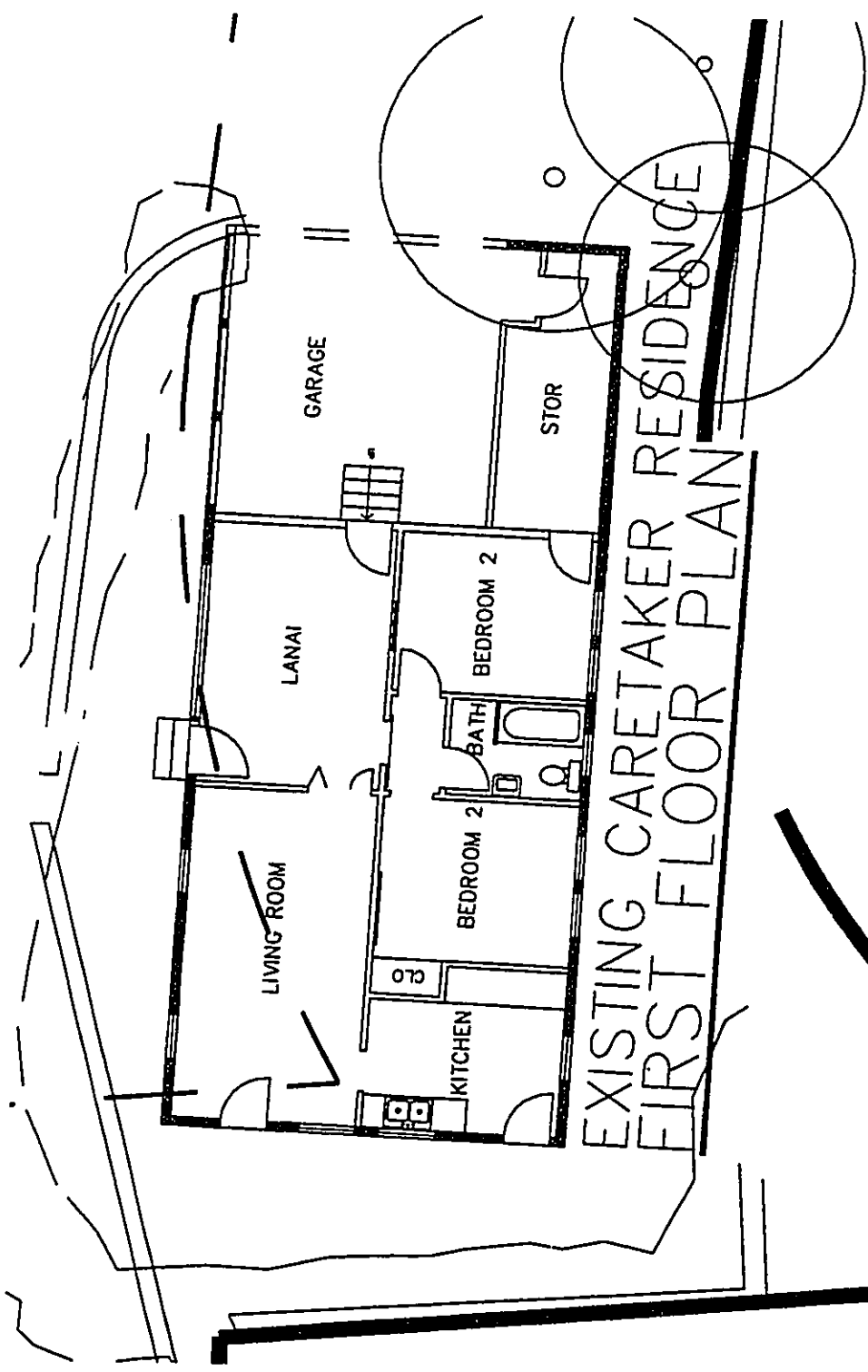
SCALE: 1" = 10'

EXISTING BUILDING ADAPTIVE RE-USE  
FIRST FLOOR PLAN



EXISTING BUILDING ADAPTIVE RE-USE  
SECOND FLOOR PLAN

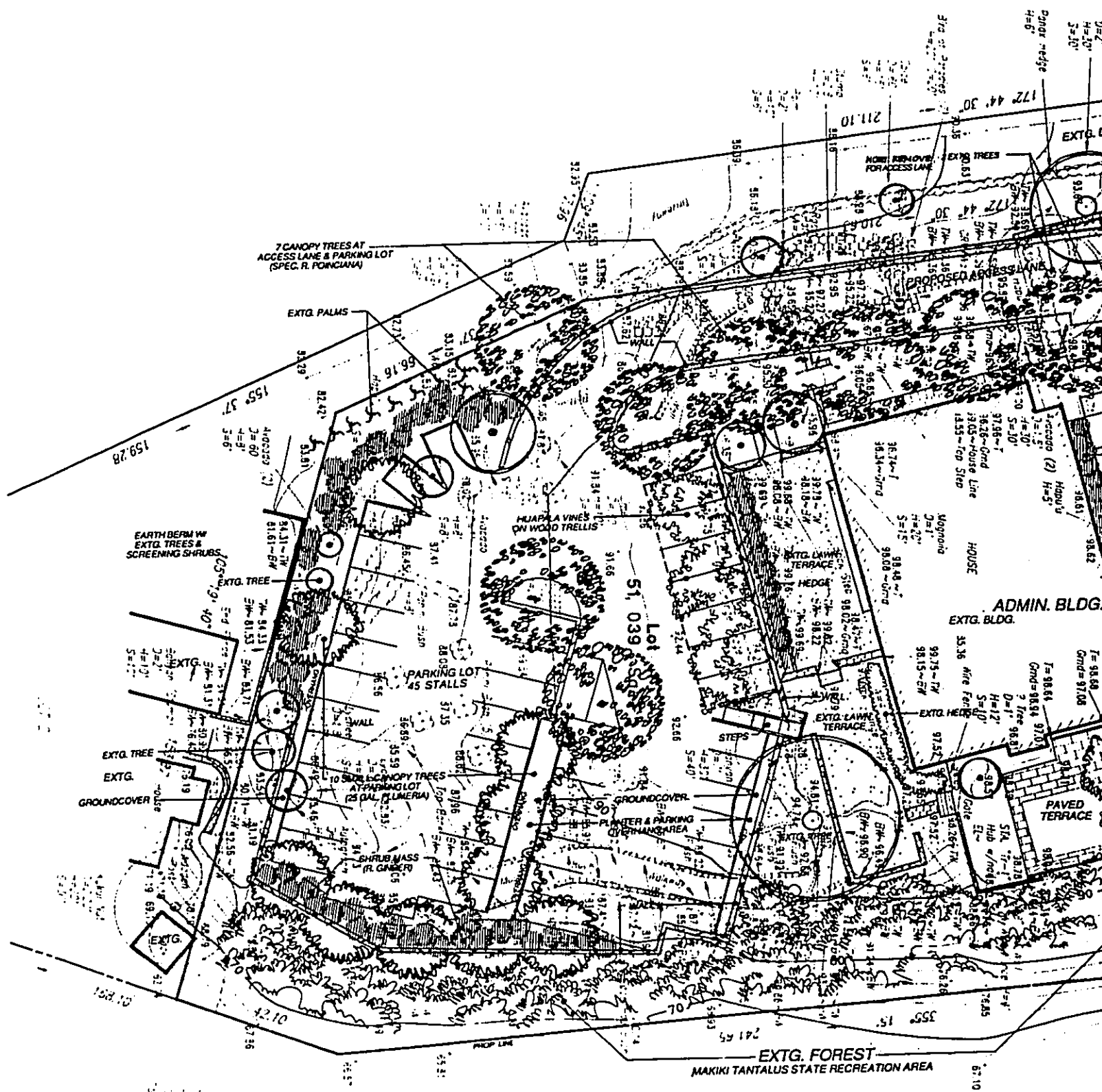
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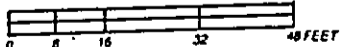
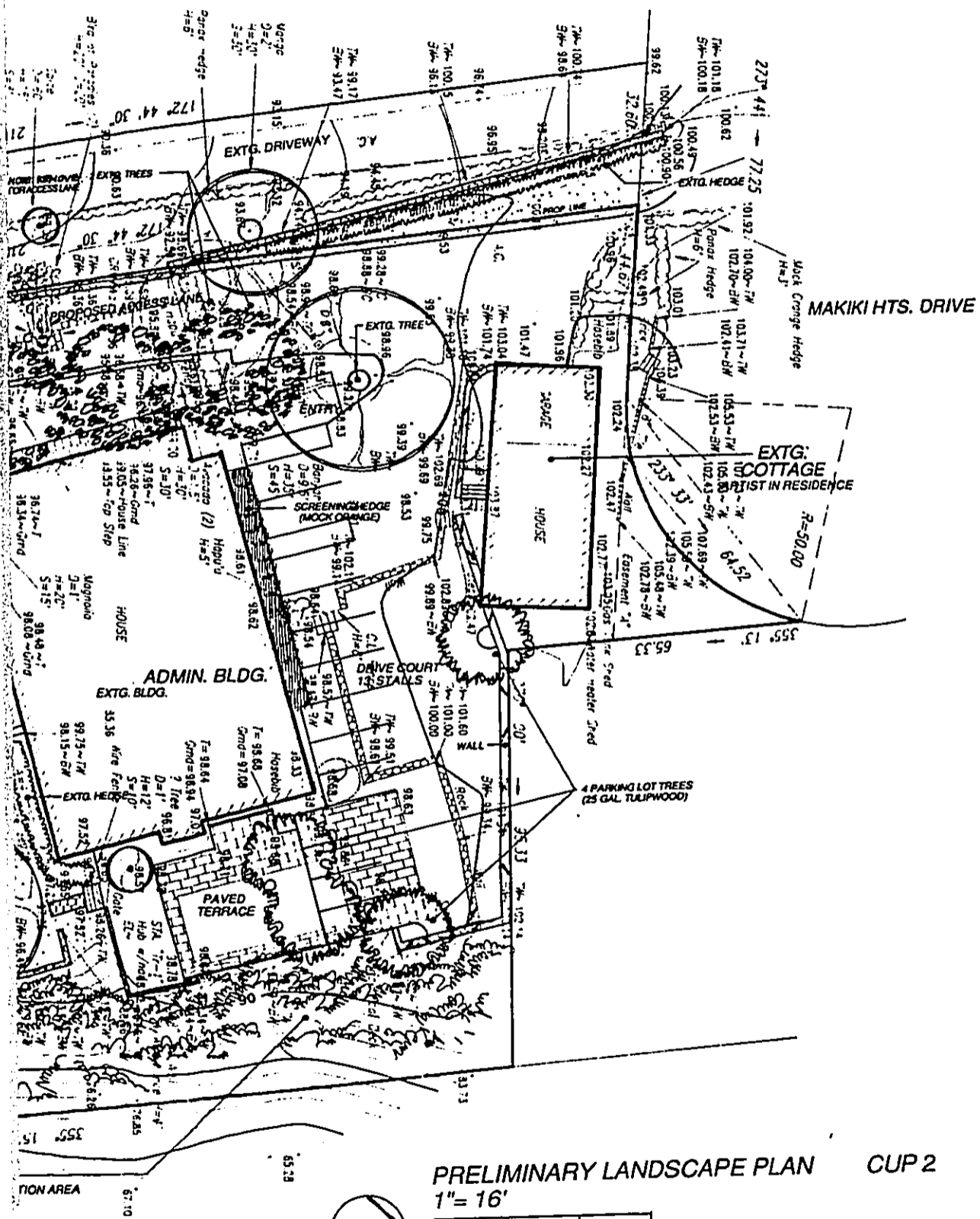


EXISTING CARETAKER RESIDENCE  
FIRST FLOOR PLAN

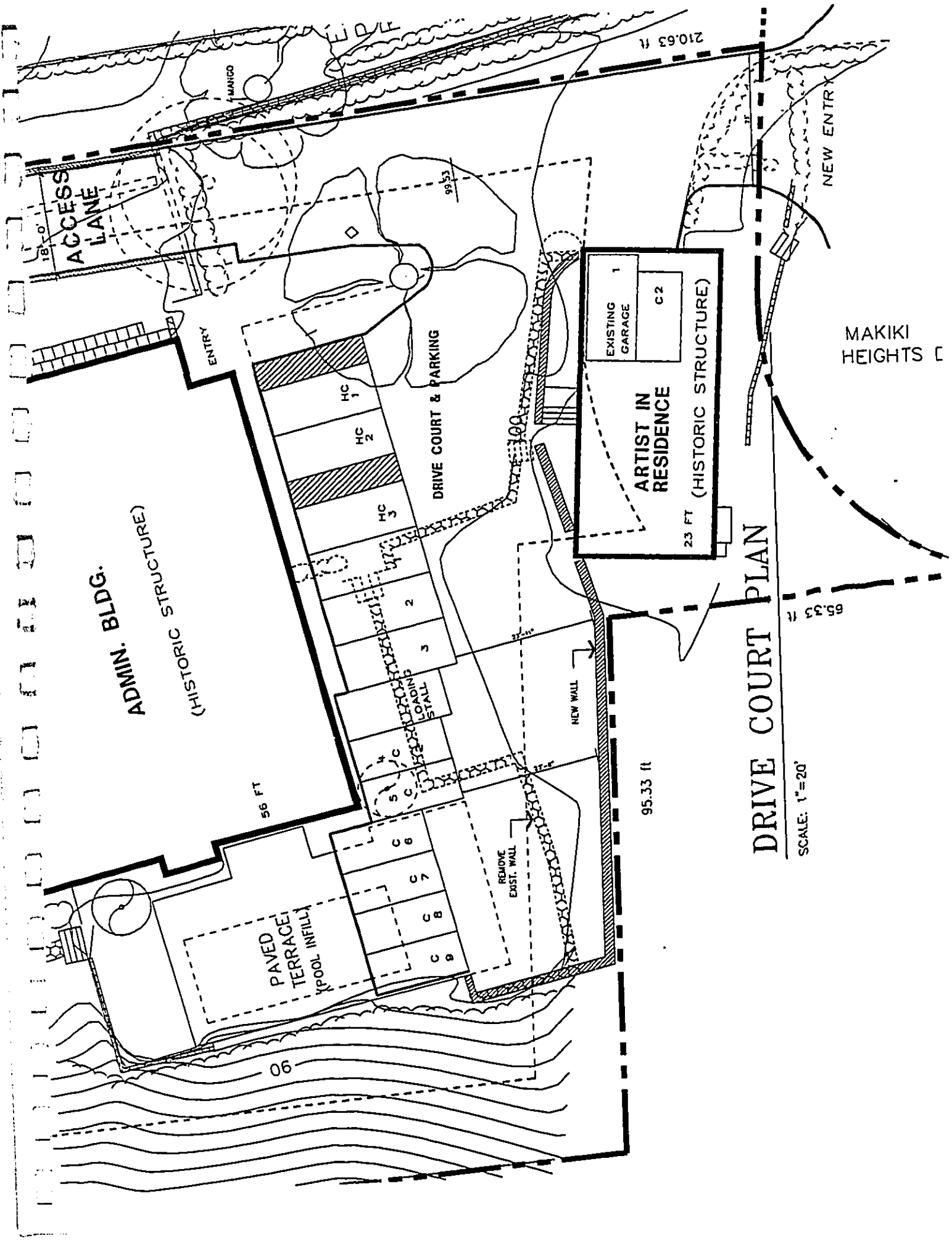
SCALE: 1" = 10'  
TCMJR/JRINT

EXTG. CONTEMPORARY MUSEUM





Michael S. Chu, Land Architect  
 Aug 1992



ADMIN. BLDG.  
(HISTORIC STRUCTURE)

EXISTING GARAGE  
1  
C 2  
ARTIST IN RESIDENCE  
(HISTORIC STRUCTURE)  
23 FT

DRIVE COURT PLAN

SCALE: 1"=20'

MAKIKI HEIGHTS

ACCESS LANE  
18'-0"

ENTRY

DRIVE COURT & PARKING

NEW ENTRY

56 FT

95.33 ft

65.33 ft

210.63 ft

06

PAVED TERRACE  
(POOL INFILL)

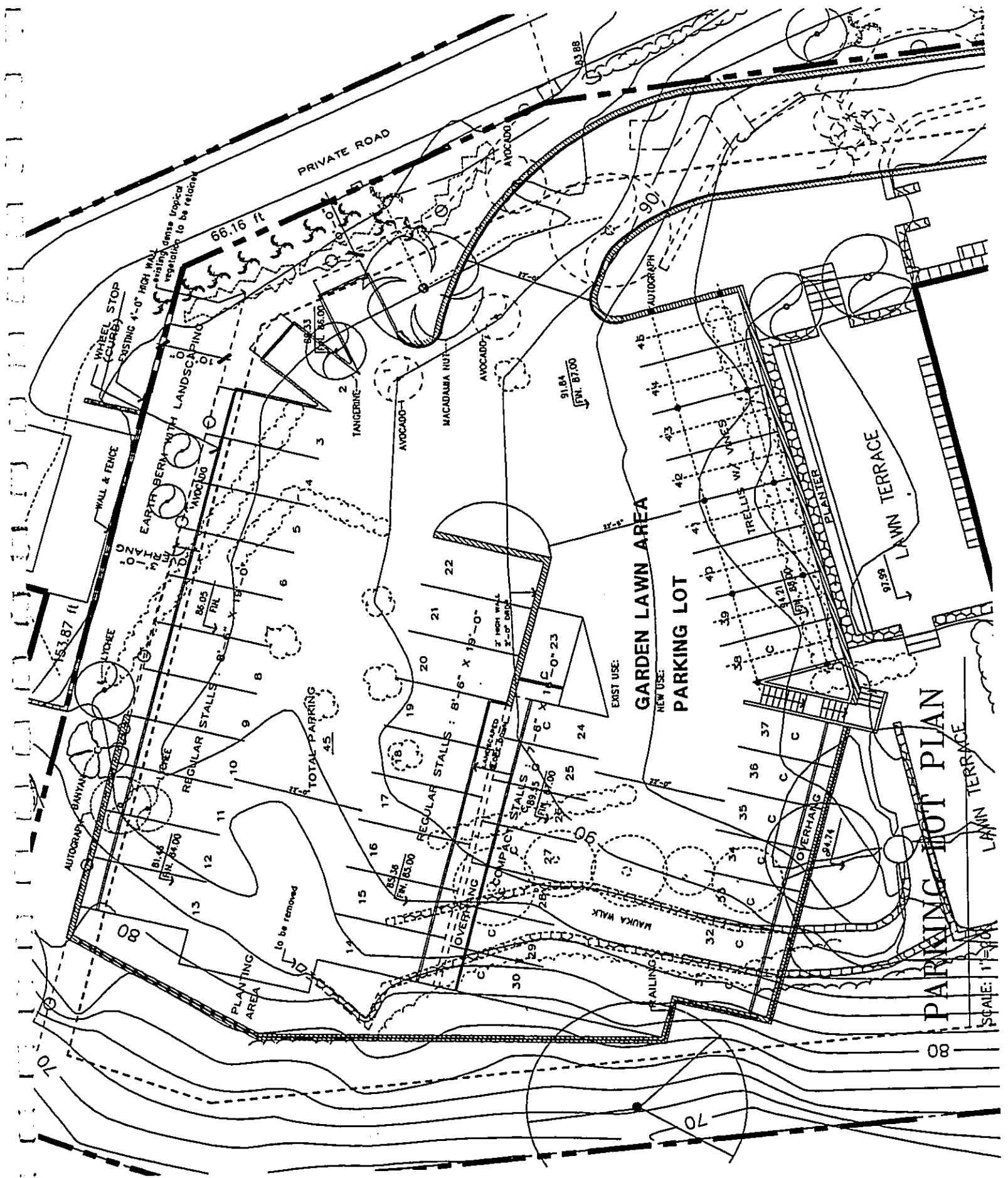
REMOVE EXIST. WALL

NEW WALL

HC 1  
HC 2  
HC 3  
C 1  
C 2  
C 3  
C 4  
C 5  
C 6  
C 7  
C 8  
C 9

LOADING STALL

MANICO



EXIST USE:  
GARDEN LAWN AREA  
NEW USE:  
PARKING LOT

PARKING LOT PLAN

SCALE: 1"=40'

WHEEL STOP (CURB)  
EXISTING 4'-0" HIGH WALL  
existing dense tropical  
vegetation to be retained

PRIVATE ROAD

EARTH BERM WITH LANDSCAPING

AUTOCOURT

PLANTING AREA

TOTAL PARKING 45

to be removed

REGULAR STALLS: 8'-6" X 19'-0"

COMPACT STALLS: 8'-6" X 11'-0"

LAWN TERRACE

LAWN TERRACE

HAUKA WALK

TERRILLING

OVERHANG

TRELLIS W/ VINES

PLANTER

BANYAN

LYNCH

AVOCADO

TANGERINE

AVOCADO

MACADAMIA NUT

AVOCADO

AUTOCOURT

153.87 ft

66.16 ft

91.84  
FIN. 87.00

97.99

70

70

80



PROOF OF OWNERSHIP AND  
LEASE AGREEMENT for TMK 2-5-08:01  
(MUSEUM PROPERTY)

Owner: ASA Hawaii Properties, Inc.  
Lessee: The Contemporary Museum

AGREEMENT EXTENDING LEASE

AN AGREEMENT, made in Honolulu, Hawaii, on August 1, 1992, by Asa Properties Hawaii, Inc. (Landlord) and The Contemporary Museum (fka Contemporary Arts Center)(Tenant).

WHEREAS, by a contract dated November 1, 1986 the landlord leased to the Tenant the land and improvements situated at 2377 Makiki Heights Drive, for a term of one year to commence on November 1, 1986, at noon, and to end at noon on October 31, 1987; and

WHEREAS, by a contract dated October 1, 1987, the term of the lease was extended for a period of one (1) year to commence on October 31, 1987, at noon, and to end at noon on October 31, 1988; and

WHEREAS, by a contract dated September 23, 1988, the term of the lease was extended for a period of one (1) year to commence October 31, 1988 and continuing thereafter from year to year, except that either party may cancel said lease upon giving the other party ninety (90) days prior written notice thereof; and

WHEREAS, the Tenant represents and warrants that it is the owner of the lease, said lease recorded in Liber 22511 Page 111; and

WHEREAS, the Tenant and the Landlord finds it in their mutual best interests to set more specific terms of said lease;

NOW THEREFORE, IT IS MUTUALLY AGREED that the afore-referenced lease is confirmed and the term of lease shall, effective August 1, 1992, be for a five (5) year period commencing August 1, 1992 to July 31, 1997, and automatically renewed for like terms thereafter, subject however that either party may cancel this lease and terminate any lease term upon giving either party ninety (90) days written notice thereof. In all other respects, said lease, as amended and extended, shall be as previously contracted.

Dated August 14, 1992 at Honolulu, Hawaii.

Asa Properties, Hawaii  
Landlord

THE CONTEMPORARY MUSEUM  
Tenant

By *J. M. Uemura*

By *Charles J. ...*  
Treasurer

Recordation Requested by:

The Contemporary Museum

24

88-157534

OCT 28 PM 1:30

22511 110

REGISTRAR

After Recordation, return to:

Asa Properties Hawaii, Inc.  
P.O. Box 3110  
Honolulu, HI 96802

Return by: Mail (xx) Pickup ( )

Requestor to fill space above this line for Registrar's use

In accordance with the provisions of Section  
502-31, Hawaii Revised Statutes, this page  
is attached to that certain instrument,  
dated October 1, 1988

Asa Properties Hawaii, Inc.

and

The Contemporary Museum

## AGREEMENT EXTENDING LEASE

AN AGREEMENT, made in Honolulu, Hawaii, on October 1, 1988, by Asa Properties Hawaii, Inc. (Landlord) and The Contemporary Musuem (fka Contemporary Arts Center) (Tenant).

WHEREAS, by a contract dated November 1, 1986 the landlord leased to the Tenant the land and improvements situated at 2377 Makiki Heights Drive, for a term of one year to commence on November 1, 1986, at noon, and to end at noon on October 31, 1987; and

WHEREAS, by a contract dated October 1, 1987, the term of the lease was extended for a period on one (1) year to commence on October 31, 1987, at noon, and to end at noon on October 31, 1988; and

WHEREAS, the Landlord represents and warrants that it is the owner of the land and improvements at 2377 Makiki Heights Drive; and

WHEREAS, the Tenant represents and warrants that it is the owner of the lease, said lease recorded in Liber 20246 Page 173; and

WHEREAS, the Tenant desires to extend, and the Landlord is willing to extend the term of the lease for a period of one (1) year beginning October 31, 1988 and continuing thereafter from year to year, as provided below:

NOW, THEREFORE, IT IS MUTUALLY AGREED, AS FOLLOWS:

1. That the Landlord leases to the Tenant, and the Tenant hires from the Landlord the land and improvements situated at 2377 Makiki Heights Drive shall automatically renew from year to year except that either party may cancel this lease upon giving the other party ninety (90) days prior written notice thereof, at the annual rental of one dollar (\$1.00), to be paid by the Tenant to the Landlord, which the Tenant covenants to pay to the Landlord, at its principal office in Honolulu, subject, nevertheless, to and upon all the terms, covenants and conditions contained in the lease now existing between the Landlord and the Tenant, a copy of which is attached, marked "Exhibit A", and made a part of this instrument; and all of the terms, covenants and conditions contained in the lease are incorporated in, and made a part, of this lease, with the exception of the covenant for renewal or extension now contained in this lease.

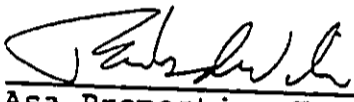
2. That if, prior to October 31, 1988, the Tenant shall breach any of the terms, covenants or conditions contained in the now existing lease between the Landlord and the Tenant, and if the Landlord, in pursuance of the rights, powers and

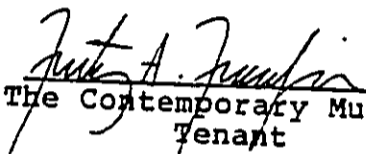
and if the Landlord, in pursuance of the rights, powers and privileges vested in it under and by the now existing lease, shall elect to cancel and terminate the now existing lease, then this agreement shall immediately become null and void in all respects, anything to the contrary notwithstanding.

That this agreement shall bind the parties, and their respective executors, administrators, successors and assigns.

Dated, September 23, 1988, Honolulu, Hawaii

Paul deVille, President

  
Asa Properties Hawaii, Inc.  
Landlord

  
The Contemporary Museum  
Tenant

PROOF OF OWNERSHIP AND  
LEASE AGREEMENT for TMK 2-5-08:02  
(HISTORIC PROPERTY)

Owner: ASA Hawaii Properties, Inc.  
Lessee: The Contemporary Museum

AGREEMENT EXTENDING LEASE

AN AGREEMENT, made in Honolulu, Hawaii, on August 1, 1992, by Asa Properties Hawaii, Inc. (Landlord) and The Contemporary Museum (fka Contemporary Arts Center)(Tenant).

WHEREAS, by a contract dated January 3, 1992 the landlord leased to the Tenant the land and improvements situated at 2447 Makiki Heights Drive, for a term of one year to commence on January 2, 1992, at noon, and to end at noon on January 1, 1993; and

WHEREAS, the Tenant and the Landlord finds it in their mutual best interests to extend said lease;

NOW THEREFORE, IT IS MUTUALLY AGREED that the afore-referenced lease is confirmed and the term of lease shall, effective August 1, 1992, be for a five (5) year period commencing August 1, 1992 to July 31, 1997, and automatically renewed for like terms thereafter, subject however that either party may cancel this lease and terminate any lease term upon giving either party ninety (90) days written notice thereof. In all other respects, said lease, as amended and extended, shall be as previously contracted.

Dated August 14, 1992 at Honolulu, Hawaii.

Asa Properties, Hawaii  
Landlord

THE CONTEMPORARY MUSEUM  
Tenant

By *James P. Warner*

By *Stanley K. ...*  
Treasurer

**LEASE AGREEMENT**

AN AGREEMENT, made in Honolulu, Hawaii on January 3, 1992 by ASA PROPERTIES HAWAII, INC. (Landlord) and THE CONTEMPORARY MUSEUM (Tenant),

WHEREIN IT IS MUTUALLY AGREED, AS FOLLOWS:

FIRST: That Landlord leases to Tenant, and Tenant hires from Landlord, land and improvements situated at 2447 Makiki Heights Drive (Exhibit A), for a term of one (1) year (or until the term shall sooner cease under the provisions of this Agreement) to commence on January 2, 1992 at noon, and to end at noon on January 1, 1993 at the annual rental of one dollar (\$1.00), which Tenant covenants to pay to Landlord, at its principal office in Honolulu, and such term shall automatically renew for a like period thereafter unless notice of termination is provided to the other party as provided herein;

SECOND: This shall be an absolute net lease. Tenant shall be responsible for all property taxes and assessments, insurance (having coverage limits as required by Landlord and with Landlord named as additional insured), all repairs and maintenance of the property, and all improvements thereon, and all other operating costs of the property and improvements;

THIRD: That this lease is subject to all present or future mortgages or deeds of



trust affecting the demised premises.

FOURTH: That this letting is upon the following express conditions, each of which Tenant covenants will be kept, observed and performed throughout the term, and any violation of any of them, if followed by written notice so declaring, given by Landlord, or its duly authorized agent, and served upon Tenant, or left upon the demised premises, shall terminate the estate granted, viz:

(a) The premises leased shall be used and occupied by Tenant as and for museum operations and parking as allowed by law and for no other purpose;

(b) Without the prior written consent of Landlord, the term demised shall not be assigned or transferred by operation of law, or otherwise, nor shall Tenant let, underlet, or permit to be used by others for hire, the leased premises, or any part of them, without the like prior written consent;

(c) Tenant shall not make any alterations in, additions or improvements to the leased premises, without the prior written consent of Landlord; and

(d) Tenant and the agents, clerks, servants and visitors of Tenant shall faithfully comply with and keep and observe the rules and regulations set forth below or to be made in the future, in accordance with the provisions of this lease.

FIFTH: That the parties covenant, as follows:

(a) In the case the leased premises shall be deserted or vacated, Landlord shall have the right to enter the same as the agent of Tenant, either by force, or otherwise, without being liable to any prosecution therefore, and to relet the same as the agent of Tenant, and to receive the rent for the leased premises, and to apply the

same to the payment of the rent due under this lease, holding Tenant liable for any deficiency.

(b) Tenant shall take good care of the leased premises and, at the expiration, or other termination, of the term, shall surrender the premises in as good condition as reasonable use will permit.

(c) All injury to the building caused by moving the property of Tenant into, in or out of the building, and all breakage or other injury done by Tenant, or the agents, clerks, servants or visitors of Tenant, as well as any damage caused by the overflow or escape of water, steam, gas, electricity or other substance, due to the negligence of Tenant, or of the agents, clerks, servants or visitors of Tenant, shall be repaired by Landlord at the expense of Tenant. The cost shall be determined on statements rendered by Landlord to Tenant, and the sum so determined shall be payable to Landlord upon the delivery of such statement, and, if not paid by Tenant within ten (10) days thereafter, the sum shall become so much additional rent for the succeeding month, payable with the installment of rent next becoming due, and collectible as such.

(d) All alterations, additions to or improvements upon the leased premises, or the building, made by either party (except movable furniture put in at the expense of Tenant, and movable without defacing or injuring the building or leased premises), shall become the property of Landlord, and shall remain upon, and be surrendered with, the premises as a part of them at the end of the term, without disturbance, molestation or injury.

(e1) In case of injury to the demised premises or appurtenances by fire or other cause, Tenant shall give immediate notice of such to Landlord. If the demised premises shall be damaged by fire or other cause, without the fault or neglect of Tenant, or of the agents, clerks, servants or visitors of Tenant, the injury shall be repaired, at the expense of Landlord, as speedily as possible, after such notice; but if, without such fault or neglect, the demised premises shall be rendered untenable by the elements, or by any other cause, the rent shall cease until the same shall be repaired as provided above.

(e2) If, without such fault or neglect, the building shall be destroyed by the elements or any other cause, or so nearly destroyed as to require rebuilding, the rent shall be paid up to the time of such destruction, and from that time forward this lease shall cease and come to an end.

(e3) No compensation or claim will be allowed or paid by Landlord, by reason of inconvenience, annoyance or injury to business arising from the necessity or repairing any portion of the building, however the necessity may occur.

(f) Landlord shall not be liable for any damage to property or person at any time in the leased premises or building from steam, gases or electricity, or from water, rain or snow, whether they may leak into, issue or flow from any part of said building, or from the pipes or plumbing works of the same or from any other place or quarter. Tenant shall give to Landlord, or to its agent, prompt written notice of any accident to, or defect in, the water pipes, warming apparatus or electric wires, and the same will be remedied by Landlord, with due diligence, subject to the provisions of the

subparagraph number "(b)" above.

(g) While Landlord intends over time to gift the land and improvements to Tenant, by way of protection for Tenant and to further induce Tenant to enter into this Agreement, Landlord hereby grants Tenant the right of first refusal should Landlord be prepared to accept a bona fide offer from a third party to purchase the property. Tenant shall have thirty (30) days after receiving notice of such offer, detailing the terms and conditions of said offer, in which to accept and match said offer or to reject it.

SIXTH: (a) That Tenant shall pay the charges for such water and electricity, monthly, upon bills rendered by Landlord to Tenant, and, if not paid, the amount of those charges shall be added to and become additional rent for the month succeeding that wherein such water and electricity were used, and shall be collectible as such.

(b) That Landlord reserves the privilege of stopping the service of the steam, water and lighting system or systems, at such times as may be necessary, by reason of accident, repairs, alterations or improvements desirable or necessary to be made, until such time as such repairs, alterations or improvements shall have been completed.

SEVENTH: That Landlord, or its agents, shall have the right to enter the leased premises, at reasonable hours in the day, to examine the same, or to make such alterations and repairs as may be deemed necessary, or to exhibit the same for hire to applicants, and to put on them the usual notice "To Let," which said notice shall not be removed by Tenant during the three (3) months next preceding the time of the

expiration of the lease.

EIGHTH: That Tenant covenants that the following rules, regulations and stipulations, and such other and further rules, regulations as Landlord may make, being, in Landlord's judgment, needful for the safety, care and cleanliness of the building and premises, or the comfort of Tenants, shall be faithfully kept, observed and performed by Tenant, and by the agents, clerks, servants and visitors of Tenant, unless waived in writing by Landlord, viz:

(a) The sidewalks, entries, passages, and staircases shall not be obstructed or used for any other purposes than ingress and egress.

(b) The windows, glass doors and any lights or skylights that reflect or admit light into the halls or other places of the building shall not be covered or obstructed.

(c) The water and wash closets and urinals shall not be used for any other purpose than those which they were constructed, and the expense of any breakage, stoppage or damaged resulting from a violation of this rule shall be borne by Tenant, who, or whose clerks, agents, servants or licensees, shall have caused it.

(d) Except for the purpose of performing any duties under this lease, Tenant shall not mark, paint, drill into, or, in any way, deface the walls, ceilings, partitions, floors, wood, stone or iron work.

(e) Tenant shall not do nor permit anything in the premises, nor bring nor keep anything in them that shall, in any way, increase the rate of fire insurance on the building or on the property kept in it, nor obstruct nor interfere with the rights of other tenants, nor in any way injure or annoy them or those having business with them, nor

conflict with the regulations of the Fire Department, or the fire laws, or with any insurance policy upon the building or any part of it, or with any rules and ordinances established by the Board of Health or other government authorities.

NINTH: (a) That Tenant further agrees that its covenants and agreements shall be deemed conditional limitations as well as covenants, and, if default shall be made in any of such covenants and agreements, this lease shall then become null and void, if Landlord shall so elect, by notice served upon Tenant, and Landlord shall have the right to take possession of the demised premises, either by force or otherwise, and dispossess and remove Tenant, or other occupants, and their effects, and to hold the premises as if this lease had not been made.

(b) That in case of such default and resumption of possession, or in case the term shall cease upon the breach of any of the conditions of this lease and notice, or in case Tenant shall be dispossessed for any cause, the rent shall be paid up pro rata to the time of such resumption of possession, dispossession or cessation of the term; and, thereafter, at the end of each month during the stated term, Tenant shall pay to Landlord the difference between the receipts by Landlord up to that time for rent of the premises as compared with the full amount receivable by the Landlord up to the time for such rent under the foregoing provisions; but such payments shall be returned to Tenant at the end of the term, so far as may be, out of any excess of rents received by Landlord from the premises over the rents receivable according to the provision during the term.

(c) That no right of redemption shall be exercised under any present or future

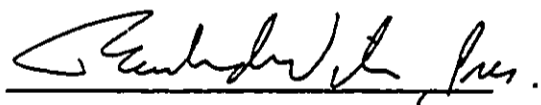
law, in case Tenant shall be dispossessed for any cause, or if Landlord shall, in any other manner, obtain possession of the demised premises in consequence of the violation of the covenants and agreements of Tenant.

(d) That Landlord may restrain any threatened breach of the covenants to observe the conditions of this lease, or of any other covenants contained in this lease, but the mention of any particular remedy shall not preclude Landlord from any other remedy it might have either in law or in equity; nor shall consent to one (1) act that would otherwise be a violation, or waiver of, or redress for, one (1) violation, either of covenant or condition, prevent a subsequent act that would originally have constituted a violation from having all the force and effect of an original violation.

TENTH: That the provisions of this lease and addendum hereto shall bind the parties, and shall bind and inure to the legal representatives, successors and assigns of the parties, respectively.

ASA PROPERTIES HAWAII, INC.

THE CONTEMPORARY MUSEUM



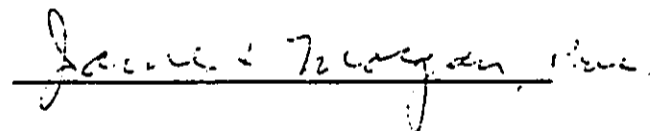


EXHIBIT A

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Land Patent Grant Number 10,531 to C. Brewer and Company, Limited; Land Patent Grant Number 5,434 to F. L. Hadley; and Land Patent Grant Number 5,695 to Mabel C. Gregory) situate, lying and being on the southerly side of Makiki Drive, at Makiki, Honolulu, City and County of Honolulu, State of Hawaii, being LOT 1, and thus bounded and described as per survey of Jerry S. Nakagawa, Registered Professional Land Surveyor, dated November 18, 1977, to-wit:

Beginning at the northwest corner of this parcel of land on the southerly side of Makiki Drive, the coordinates of which referred to Government Survey Triangulation Station "MAKIKI" being 358.43 feet north and 75.80 feet west and running by azimuths measured clockwise from true South:

1.	273°	44'	44.67'	feet along the southerly side of Makiki Drive;	
				thence along the southerly side of Makiki Drive, on a curve to the left with a radius of 50.00 feet; the chord azimuth and distance being:	
2.	233°	33'	64.52'	feet; thence:	
3.	355°	15'	65.33'	feet along remainder of Grant 5434 to E. L. Hadley;	
4.	270°	00'	95.33'	feet along remainder of Grant 5434 to E. L. Hadley and Grant 10531 to C. Brewer and Co., Ltd.;	
5.	355°	15'	241.65'	feet along Government Land;	
6.	20°	42'	42.10'	feet along Government Land;	
7.	105°	19'	40'	153.87'	feet along remainder of Grant 10531 to C. Brewer and Co., Ltd. and Grant 5434 to E. L. Hadley;



8. - 155° 37' 667.15' feet along remainder of Grant 5434 to E. L. Hadley;

9. - 172° 44' 30" 211.63' feet along remainder of Grant 5434 to E. L. Hadley and Grant 5695 to Mabel C. Gregory to the point of beginning and containing an area of 51,039 square feet, more or less.

BEING THE PREMISES DESCRIBED IN DEED

GRANTOR : LYNNE JOHNSON and R. BLAKE JOHNSON, JR., as Co-Trustees under that certain unrecorded Self-Trusteed Trust made by Anna Karen McCarthy dated December 21, 1979.

GRANTEE : THE CONTEMPORARY MUSEUM, a Hawaii non-profit corporation

EXHIBIT A (Cont.)

SOUTH BOUNDARY 10' SETBACK AGREEMENT

with Property TMK: 2-5-08:08

LAND COURT SYSTEM

REGULAR SYSTEM

Return by: Mail [ ] Pickup [ ] To:

GUARDIAN ESCROW SERVICES, INC.

(DO NOT WRITE IN THIS SPACE)

2447 MAKIKI HEIGHTS DRIVE  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("this Declaration"), made this 23<sup>rd</sup> day of Dec., 1991, by LYNNE JOHNSON and R. BLAKE JOHNSON, JR., whose residence and post office address is 2445-A Makiki Heights Drive, Honolulu, Hawaii 96822, Co-Trustees of that certain unrecorded Self-Trusteed Trust made by Anna Karen McCarthy, dated December 21, 1979 (the "Declarant").

WHEREAS, the Declarant is the owner in fee simple of that certain real property situated at 2447 Makiki Heights Drive, Honolulu, Hawaii 96822, hereinafter referred to as ("the

Property"), being Lot 1, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference with full powers to sell, lease, mortgage and deal with the subject property in any manner and;

WHEREAS, Declarant desires and intends to cause the subject property to be sold and developed as a museum or for residential purposes; and

WHEREAS, in order to insure that the use and development of the subject property does not intrude onto the privacy of the property located at 2445-A Makiki Heights Drive, Honolulu, Hawaii more particularly described in Exhibit "B" attached hereto and incorporated herein by reference, (the "Adjacent Property"), the Declarant desires to subject the Property to the covenants, conditions and restrictions as set forth in this Declaration; which covenants, conditions and restrictions will be binding upon and inure to the benefit of all present and future owners of any right, title and interest in and to the Property or any portion of the Property.

NOW, THEREFORE, the Declarant hereby declares that all of the Property shall be held, sold, encumbered, leased, occupied and improved subject to the covenants, conditions and restrictions set forth in this Declaration, all of which are established, declared and agreed to be for the purposes of enhancing, protecting and preserving the value, desirability, and attractiveness of the Property and to be for the direct, mutual and reciprocal benefit of the Adjacent Property. Each of the covenants, conditions and restrictions contained in this Declaration shall constitute a covenant running with the Property and shall be binding on and for

the benefit of all persons having or who acquire any right, title or interest in or to all or any portion of the Property or Adjacent Property and their respective heirs, personal representatives, successors and assigns. The said covenants, conditions and restrictions are as follows:

1. The Property shall be developed and/or utilized exclusively as either a museum and accessory uses or for residential uses unless this use restriction is terminated by and at the sole discretion of the then owner of the Adjacent Property. Provided, however, that the owners of the Property agree and shall use reasonable efforts to utilize a portion of the Property for a museum restaurant.

2. No building, structural improvements, or parking lot, except as specifically provided for herein, shall be constructed upon the area, designated for descriptive purposes, as "Building and Improvement Set-Back Area for Restrictive Covenant", and cross-hatched on Exhibit "C", attached hereto and incorporated herein by reference; being a building and improvement set-back approximately 215 feet long and ten (10) feet from and parallel to southerly boundaries of the Property and ten (10) feet from and parallel to the southwesterly boundaries of the Property.

3. The ten (10) foot setback area aforescribed in paragraph 2 above, shall be maintained as close as reasonably possible in its present condition and manner, except that the Owner of the Property, within a reasonable period of time from the date of this instrument, shall construct (a) a four (4) to six (6) foot high earth berm and plant and thereafter maintain thereon a thick hedge, with the northerly edge of such berm located approximately

on such setback line to the extent such setback line is parallel to the southerly boundary of the Property; provided, however, that no part of such berm shall be constructed within the Adjacent Property and that such berm need not be constructed on the easterly portion of such setback line outside the presently manicured portion of the Property as shown on Exhibit "C"; and constructed on the existing elevation of said setback boundary line; the height of the berm to be no lower than four feet above the highest elevation on said setback line with the height of the berm being raised for the remainder of the berm to be level with height of the berm four feet above the highest existing elevation on said setback line, but in no event need the berm be more than six (6) feet above the present elevation grade adjacent to such berm, (b) if mutually agreed upon by the respective owners of the Property and the Adjacent Property on or before December 31, 1992, after consultation with a Landscape Architect a continuation of such berm/hedge along such setback line to the extent such setback line is parallel to the southwesterly boundary of the Property and extending at an angle to "Twigg's pipe"; provided, however, that the existing macadamia and tangerine trees may be relocated from their present location, as shown in Exhibit "C", only to the same general vicinity and only under the appropriate supervision of a person qualified to do so. The intent of such landscaping is to provide an open-landscaped, visual set-back from the earth berm/hedge to the shared southern boundary of the Property and the Adjacent Property; and a lush, tropical landscaped area similar to the existing landscape plantings in the ten (10) foot setback area parallel to the southwesterly boundary of the Property and along

the access to Lot 1 as shown on Exhibit "C" thereby providing security and privacy to the owners of the Adjacent Property.

4. So long as the Property is used as a museum the Property or any portion thereof shall neither be subdivided nor submitted to a Condominium Property Regime without the prior written consent of the owners of the Adjacent Property in their sole discretion.

5. No provision of this Declaration shall be construed to excuse any person or entity from observing any law or regulation of any governmental body having jurisdiction over such person or entity or over the Property or any part thereof. Anything in this Declaration to the contrary notwithstanding, if any use to which the Property may be put under the provisions hereof is illegal under the applicable zoning ordinances and statutes, said Property shall remain subject to all other provisions of this Declaration which lawfully apply to the Property.

6. This Declaration shall remain in full force and effect until the earlier of (a) the expiration of twenty-one (21) years from the death of the last survivor of Andrew Charles Johnson, Heather Melelani Johnson, Ralph Sorenson Cushnie, Brian Alexander Cushnie, Juliet May Johnson-Moore and Allison Starr Johnson-Moore living as of the date of this Declaration, or (b) termination by and at the sole discretion of the then owner of the Adjacent Property in a writing, recorded in said Bureau of Conveyances of the State of Hawaii.

7. All of the covenants, conditions and restrictions contained in this Declaration shall continue in full force and

effect with respect to the Property and all owners, their heirs, successors and assigns, unless terminated as provided above.

8. (a) Any owner of the Adjacent Property shall have the right to enforce the covenants, conditions and/or restrictions of this Declaration upon any owner, or against any portion, of the Property. The cost of enforcement hereunder, including attorneys' fees and costs, shall be paid by any owner of the Property who violated any such covenant, condition or restriction.


(b) Every act or omission which results in the violation of any covenant, condition or restriction contained in this Declaration, in whole or in part is hereby declared to be and to constitute a nuisance and may be enjoined or abated, whether or not the relief sought is for negative or affirmative action, by any owner of the Adjacent Property.

(c) The remedies provided for in this Declaration are cumulative and non-exclusive.

(d) The failure in any case to enforce any covenant, condition or restriction of this Declaration shall not constitute a waiver of any right to enforce the same in another case against or with respect to the same owner or Property.

IN WITNESS OF WHEREOF, the Declarant has executed this Declaration as of the date set forth above.

  
LYNNE JOHNSON, Co-Trustee Aforesaid

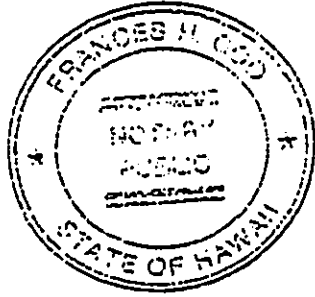
  
R. BLAKE JOHNSON, JR., Co-Trustee  
Aforesaid

"Declarant"



STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) SS.

On this \_\_\_\_\_ day of DEC 18 1991, 199\_\_\_\_, before me personally appeared LYNNE JOHNSON, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

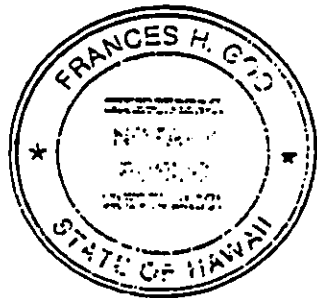


Frances H. Gidd  
Notary Public, State of Hawaii

My commission expires: SEP 21 1992

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) SS.

On this \_\_\_\_\_ day of DEC 23 1991, 199\_\_\_\_, before me personally appeared R. BLAKE JOHNSON, JR., to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.



Frances H. Gidd  
Notary Public, State of Hawaii

My commission expires: SEP 21 1992

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Land Patent Grant Number 10,531 to C. Brewer and Company, Limited; Land Patent Grant Number 5,434 to F. L. Hadley; and Land Patent Grant Number 5,695 to Mabel C. Gregory) situate, lying and being on the southerly side of Makiki Drive, at Makiki, Honolulu, City and County of Honolulu, State of Hawaii, being LOT 1, and thus bounded and described as per survey of Jerry S. Nakagawa, Registered Professional Land Surveyor, dated November 18, 1977, to-wit:

Beginning at the northwest corner of this parcel of land on the southerly side of Makiki Drive, the coordinates of which referred to Government Survey Triangulation Station "MAKIKI" being 358.43 feet north and 76.80 feet west and running by azimuths measured clockwise from true South:

- |    |      |     |        |  |
|----|------|-----|--------|--|
| 1. | 273° | 44' | 44.67  | feet along the southerly side of Makiki Drive;   |
|    |      |     |        | thence along the southerly side of Makiki Drive, on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being: |
| 2. | 233° | 33' | 64.52  | feet, thence;  |
| 3. | 355° | 15' | 65.33  | feet along remainder of Grant 5434 to E. L. Hadley;  |
| 4. | 270° | 00' | 95.33  | feet along remainders of Grant 5434 to E. L. Hadley and Grant 10531 to C. Brewer and Co., Ltd.;  |
| 5. | 355° | 15' | 241.65 | feet along Government Land;  |
| 6. | 20°  | 42' | 42.10  | feet along Government Land;  |
| 7. | 105° | 19' | 40"    | 153.87 feet along remainders of Grant 10531 to C. Brewer and Co., Ltd. and Grant 5434 to E. L. Hadley;                                     |

**EXHIBIT**     "A"

8. 155° 37' 66.16 feet along remainder of Grant 5434 to E. L. Hadley;
9. 172° 44' 30" 210.63 feet along remainders of Grant 5434 to E. L. Hadley and Grant 5695 to Mabel C. Gregory to the point of beginning and containing an area of 51,039 square feet, more or less.

BEING THE PREMISES DESCRIBED IN DEED

GRANTOR : ANNA KAREN COOKE McCARTHY, wife of William Wood McCarthy

GRANTEE : ANNA KAREN McCARTHY, Trustee under that certain unrecorded Self-Trusteed Trust made by Grantor dated December 21, 1979

DATED : April 16, 1980

RECORDED : Liber 14668 Page 588

SUBJECT, HOWEVER, to the following:

1. Real Property Taxes,  
  
Tax Key: 2-5-008-002 (1)
2. Terms, conditions and provisions contained in that certain unrecorded Self-Trusteed Trust made by Anna Karen McCarthy dated December 21, 1979.

**EXHIBIT** "A -2"

3. Easement "A" for utility purposes, as set forth in DEED dated October 29, 1952, recorded in Liber 2634 at Page 195, being more particularly described as follows:

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Grant Number 5434 to E. L. Hadley) situate, lying and being on the south side of Makiki Drive, State of Hawaii, being EASEMENT "A", and thus bounded and described:

Beginning at the end of Course 6 of Lot 2-A above described and running thence by azimuths measured clockwise from true South:

- |    |          |       |  |
|----|----------|-------|--|
| 1. | 355° 15' | 42.09 | feet along Lot 2-A, along the remainder of Grant 5434 to E. L. Hadley; |
| 2. | 93° 44'  | 55.50 | feet along the remainder of Grant 5434 to E. L. Hadley;                |

Thence along the south side of Makiki Drive on a curve to the left with a radius of 50.00 feet, the azimuth and distance of the chord being:

- |    |          |       |   |
|----|----------|-------|---|
| 3. | 233° 33' | 64.52 | feet to the point of beginning and containing an area of 633 square feet. |
|----|----------|-------|---|

**EXHIBIT** "A-3"

All of that certain parcel of land (portions of the lands described in and covered by Land Patent Grant Number 5434 to E. L. Hadley, Land Patent Grant Number 5695 to Mabel C. Gregory, Land Patent Grant Number 10531 to C. Brewer and Co., Ltd. and Land Patent Grant Number 10940 to Alice Cooke Spalding) situate, lying and being on the southerly side of Makiki Drive, at Makiki, Honolulu, City and County of Honolulu, State of Hawaii, being LOT 2, and thus bounded and described:

Beginning at the northeast corner of this parcel of land on the southerly side of Makiki Drive, the coordinates of which referred to Government Survey Triangulation Station "MAKIKI" being 358.43 feet north and 76.80 feet west and running by azimuths measured clockwise from true South:

- |    |      |     |     |        |  |
|----|------|-----|-----|--------|--|
| 1. | 352° | 44' | 30" | 210.63 | feet along remainders of Grant 5695 to Mabel C. Gregory and Grant 5454 to E. L. Hadley;  |
| 2. | 355° | 37' |     | 66.16  | feet along remainder of Grant 5434 to E. L. Hadley;  |
| 3. | 285° | 19' | 40" | 153.87 | feet along remainders of Grant 5434 to E. L. Hadley and Grant 10531 to C. Brewer and Co., Ltd.;  |
| 4. | 20°  | 42' |     | 126.00 | feet along Government Land;  |
| 5. | 32°  | 48' |     | 84.70  | feet along Government Land;  |
| 6. | 165° | 58' | 30" | 144.83 | feet along remainders of Grant 10531 to C. Brewer and Co., Ltd. and Grant 10940 to Alice Cooke Spalding to a pipe in concrete ("MAKIKI" Triangulation Station);      |
| 7. | 155° | 37' |     | 159.28 | feet along remainders of Grant 10940 to Alice Cooke Spalding, Grant 10531 to C. Brewer and Co., Ltd., Grant 5434 to E. L. Hadley and Grant 5695 to Mabel C. Gregory; |
| 8. | 109° | 45' |     | 17.96  | feet along remainder of Grant 5695 to Mabel C. Gregory;  |

**EXHIBIT "B"**

9. 172° 44' 30" 211.10 feet along remainder of Grant 5695 to Mebl C. Gregory;
10. 273° 44' 32.60 feet along the southerly side of Makiki Drive to the point of beginning and containing an area of 25,581 square feet, more or less.

Said above described parcel of land having been acquired in the following manner:

1. An undivided 1/2 interest to R. BLAKE JOHNSON, JR., unmarried, by the following Deeds of ANNA KAREN COOKE McCARTHY, husband of William Wood McCarthy:
  - (A) DEED dated December 28, 1978, recorded in Liber 13378 at Page 714;
  - (B) DEED dated October 16, 1979, recorded in Liber 14083 at Page 299; and
  - (C) DEED dated January 21, 1980, recorded in Liber 14434 at Page 414; and
2. An undivided 1/2 interest to LYNNE JOHNSON, wife of Randolph Graves Moore, as Tenant in Severalty, by DEED of LYNNE JOHNSON, Trustee under that certain unrecorded Amended and Restated Self-Trusteed Trust Agreement dated April 10, 1985, dated June 23, 1988, recorded in Liber 22075 at Page 782.

EXHIBIT "B-2"

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Real Property Taxes,

Tax Key: 2-5-008-008 (1) Area assessed: 25,581 sq. ft.

2. Existing Roadway Easement (16 feet wide) as shown on survey map dated May 12, 1977, prepared by Jerry S. Nakagawa, Registered Professional Surveyor, described as follows:

Beginning at the northwest corner of this easement being the end of Course Nine (9) of Lot 2 and running by azimuths measured clockwise from true South:

1. 273° 44' 16.30 feet along the southerly side of Makiki Drive;
2. 352° 44' 30" 216.15 feet along remainder of Grant 5695 to Mabel C. Gregory;
3. 109° 45' 17.96 feet along remainder of Grant 5695 to Mabel C. Gregory;
4. 172° 44' 30" 211.10 feet along remainder of Grant 5695 to Mabel C. Gregory to the point of beginning and containing an area of 3,418 square feet.

3. "MAIKIKI" Triangulation Station as shown on the survey map dated May 12, 1977, prepared by Jerry S. Nakagawa, Registered Professional Surveyor.

4. MORTGAGE AND FINANCING STATEMENT

MORTGAGOR : R. BLAKE JOHNSON, JR., unmarried, and LYNNE JOHNSON, wife of Randolph Graves Moore

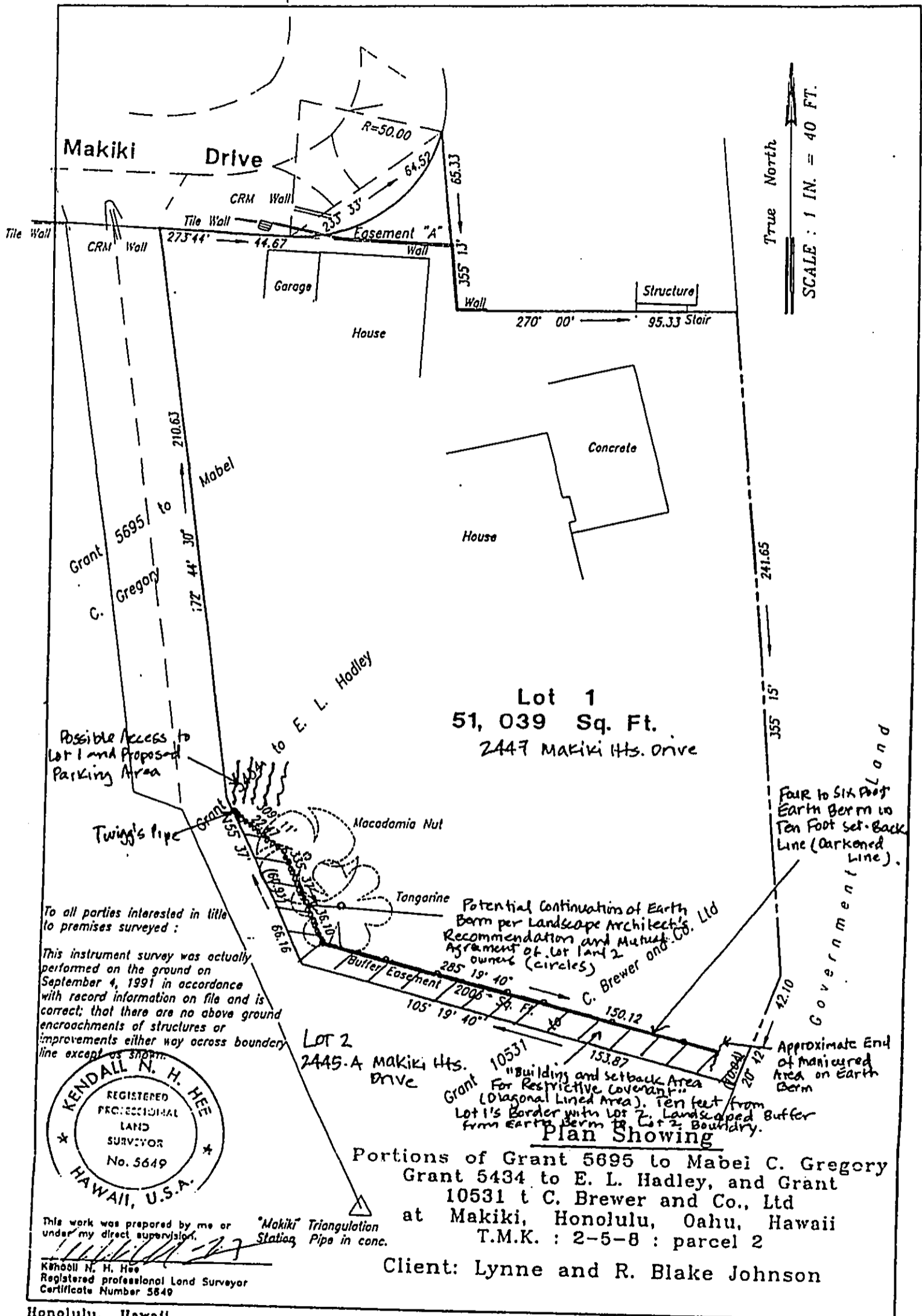
MORTGAGEE : HONOLULU FEDERAL SAVINGS AND LOAN ASSOCIATION, a federal savings and loan association, now known as HONFED BANK, A FEDERAL SAVINGS BANK

EXHIBIT "B-3"

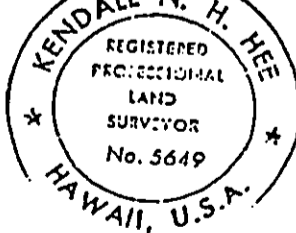
DATED : July 5, 1988  
RECORDED : Liber 22126 Page 554  
AMOUNT : \$253,000.00

EXHIBIT "B-4"





To all parties interested in title to premises surveyed:  
 This instrument survey was actually performed on the ground on September 4, 1991 in accordance with record information on file and is correct; that there are no above ground encroachments of structures or improvements either way across boundary line except as shown.



This work was prepared by me or under my direct supervision.  
 KENNED N. H. HEE  
 Registered Professional Land Surveyor  
 Certificate Number 5649

"Makiki" Triangulation Station Pipe in conc.

Potential Continuation of Earth Berm per Landscape Architect's Recommendations and Mutual Agreement of Lot Land 2 owners (circles)

Grant 10531 "Building and setback Area For Restrictive Covenant" (Diagonal Lined Area). Ten feet from Lot 1's Border with Lot 2. Landscaped Buffer from Earth Berm to Lot 2 Boundary.

Portions of Grant 5695 to Mabel C. Gregory  
 Grant 5434 to E. L. Hadley, and Grant 10531 to C. Brewer and Co., Ltd  
 at Makiki, Honolulu, Oahu, Hawaii  
 T.M.K. : 2-5-8 : parcel 2

Client: Lynne and R. Blake Johnson

Honolulu, Hawaii  
 77-62

ENGINEERS SURVEYORS HAWAII, INC.  
 CIVIL ENGINEERS ~ LAND SURVEYORS ~ PLANNERS

1020 Auahi Street  
 September 3, 1991

EXHIBIT "C"

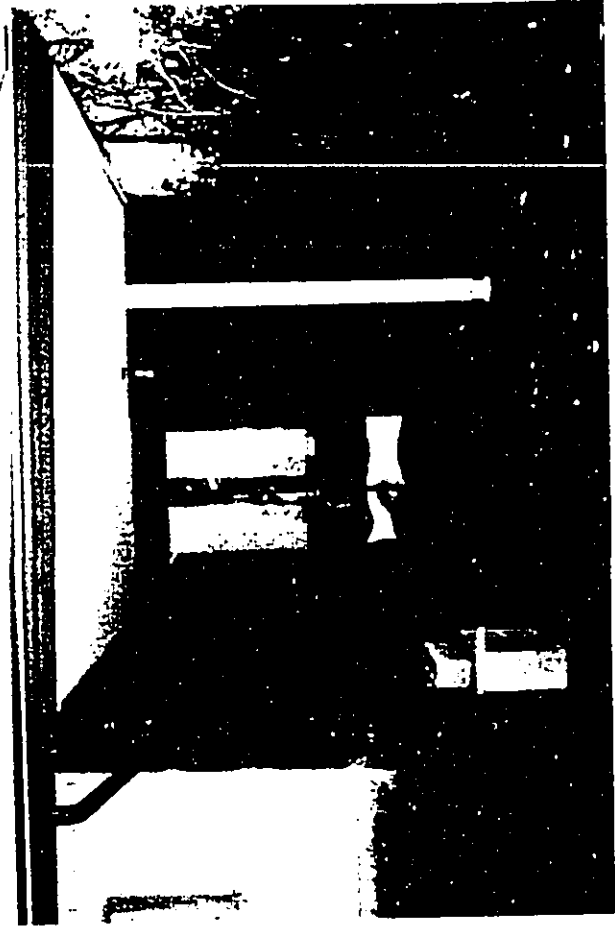


CASTLEVIEW COTTAGE

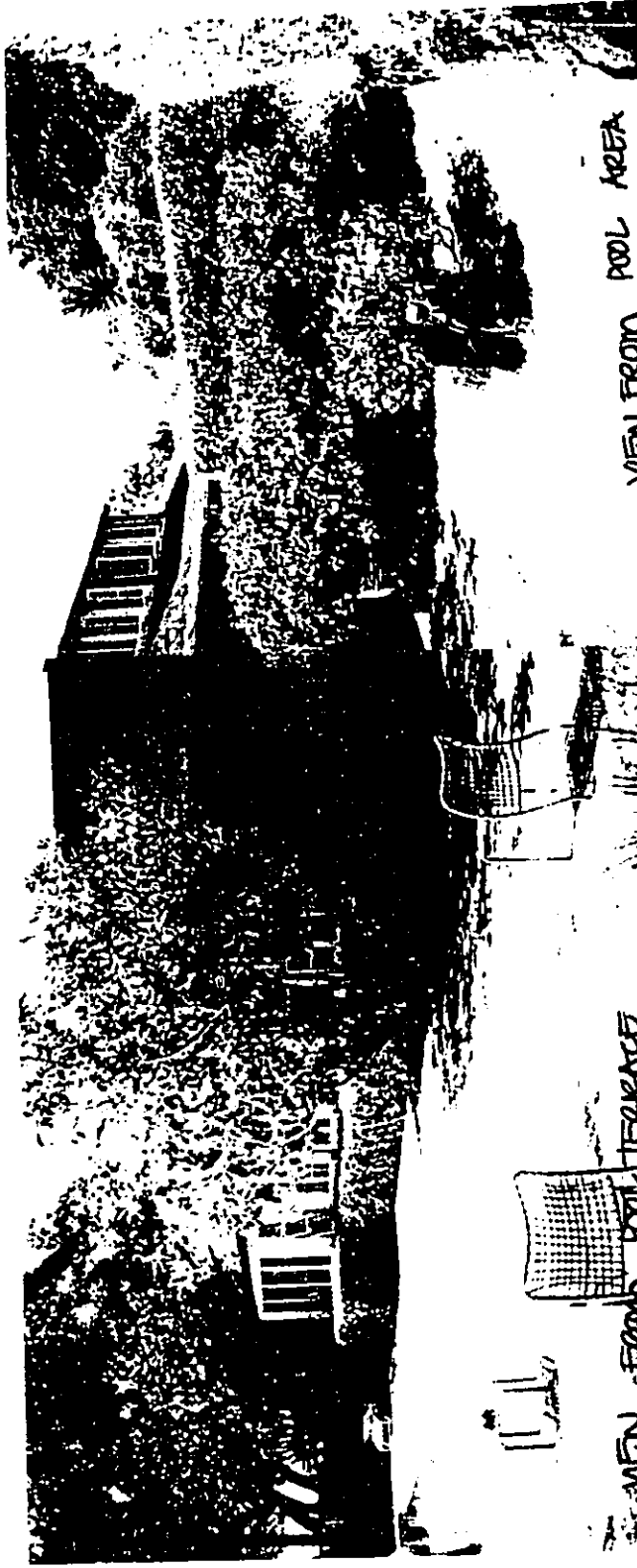


COTTAGE

ENTRANCE



ENTRANCE  
ELEVATION

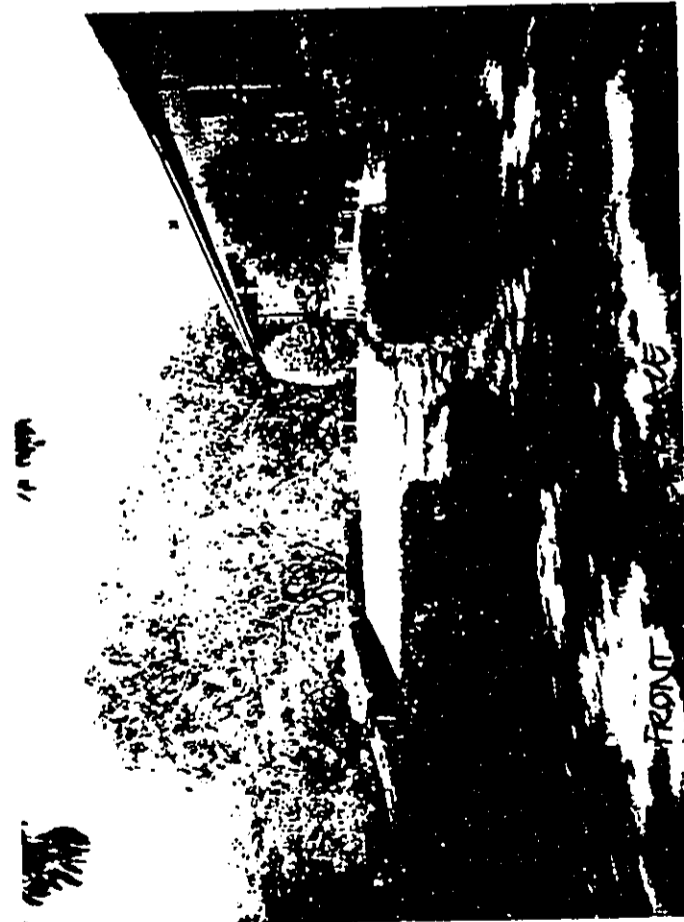


VIEW FROM POOL AREA

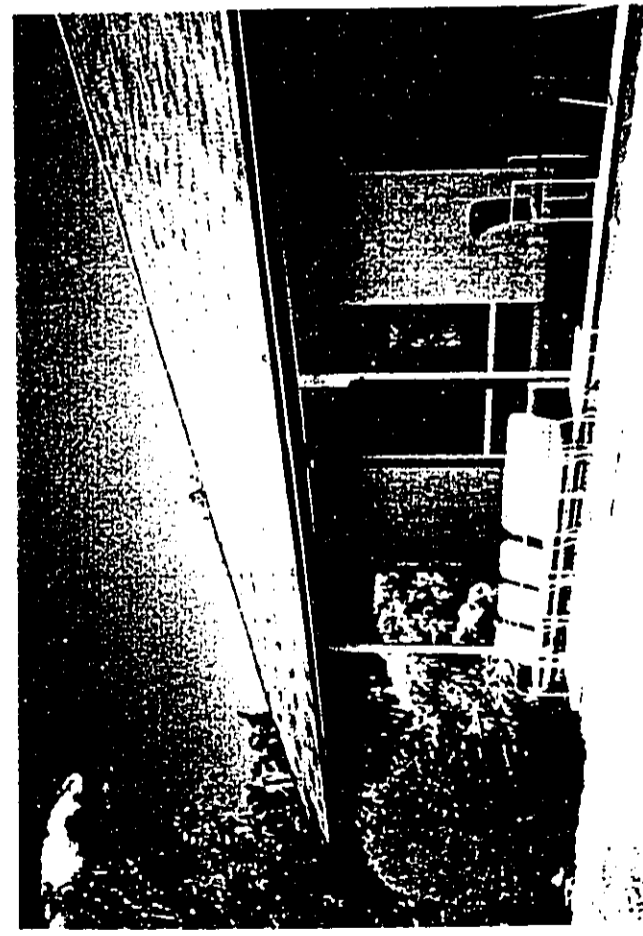
VIEW FROM POOL DECK



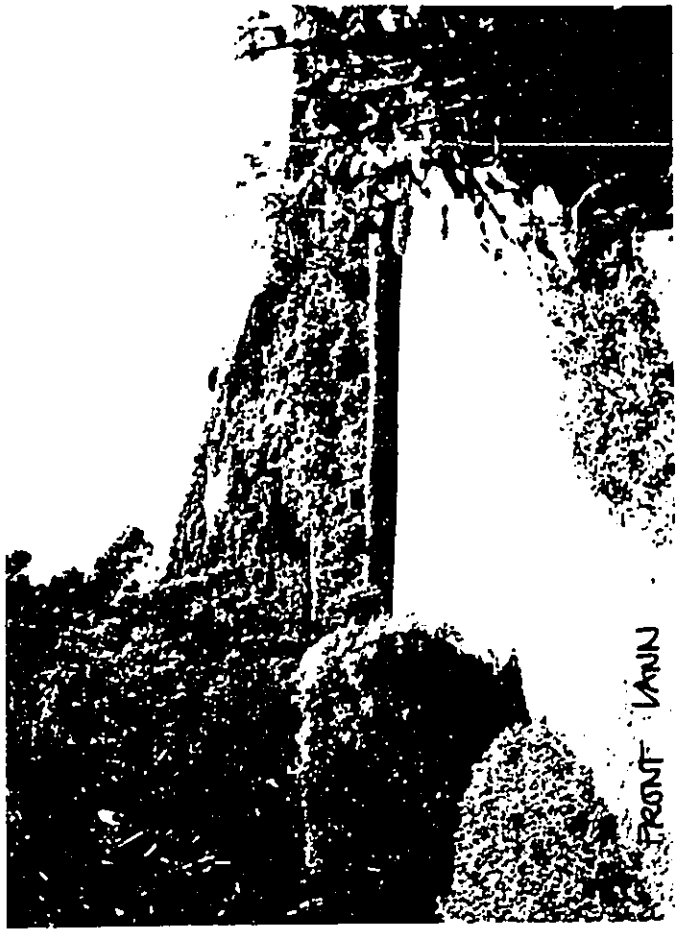
FRONT ELEVATION



FRONT



FRONT : LANA



FRONT LANNIN



1st Floor



SIDE LANAU  
TERRACE / LANAU

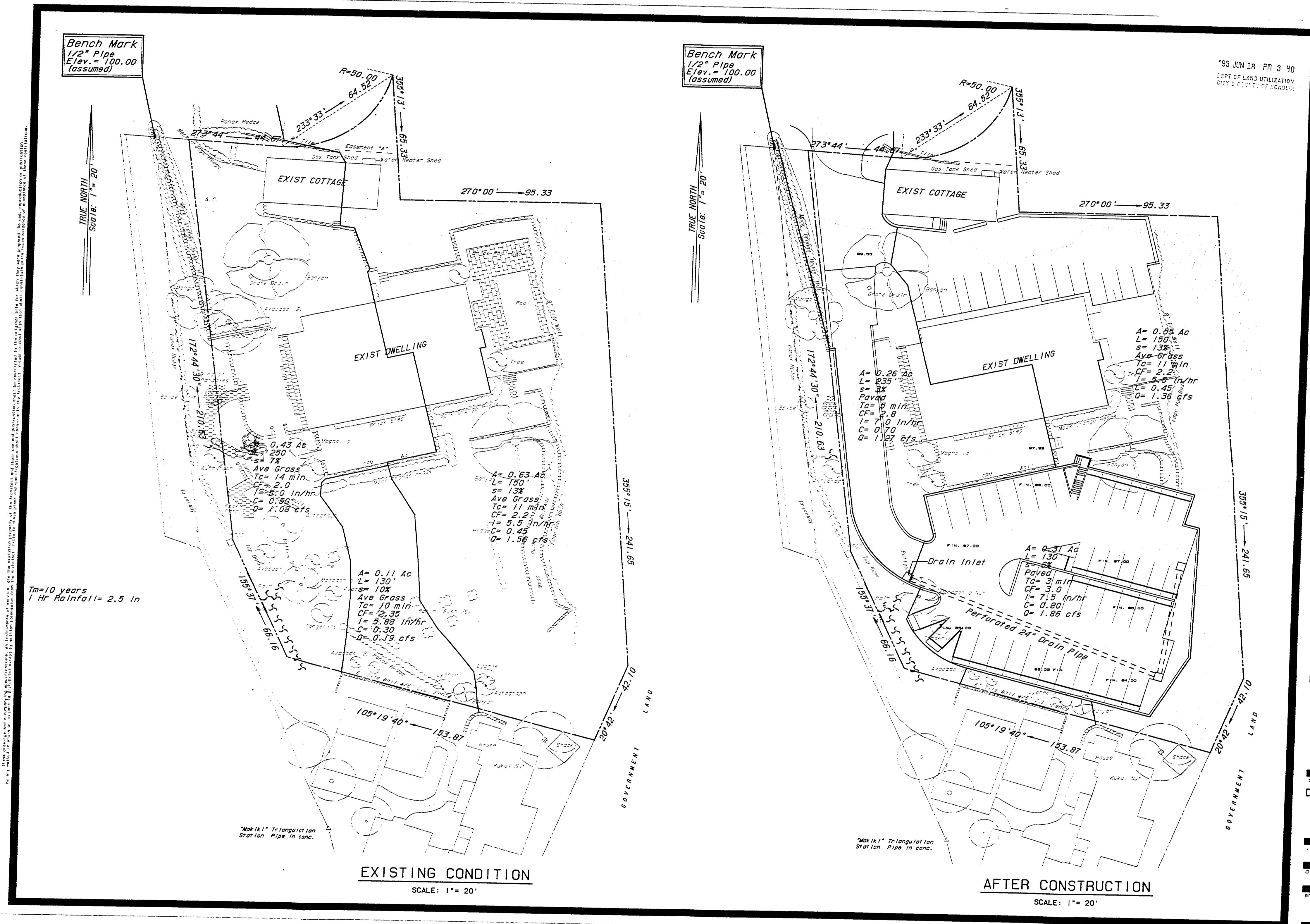


**OVERSIZED  
DRAWING/MAP**

**PLEASE SEE  
35MM ROLL**

00076

RECEIVED AS  
FOLLOWS



Bench Mark  
1/2" Pipe  
Elev. = 100.00  
(assumed)

Bench Mark  
1/2" Pipe  
Elev. = 100.00  
(assumed)

'83 JUN 18 PM 3 40  
DEPT. OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

TRUE NORTH  
Scale: 1" = 20'

TRUE NORTH  
Scale: 1" = 20'

MAKE SURE YOU HAVE THE LATEST EDITION OF THE HAWAIIAN ZONING ORDINANCES. THE HAWAIIAN ZONING ORDINANCES ARE THE BASIS FOR THE CITY ENGINEER'S REVIEW OF THIS PLAN. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CITY ENGINEER'S OFFICE AT 515 KALANOAUAVENUE, HONOLULU, HAWAII 96813.

Tm=10 years  
1 Hr. Rainfall= 2.5 in

EXISTING CONDITION  
SCALE: 1" = 20'

AFTER CONSTRUCTION  
SCALE: 1" = 20'



Suite 200 #1001 Progress Building  
1188 Fort Street Honolulu, Hawaii 96813  
Telephone 829-4448

A.T. COOKE & P.F. SPALDING HISTORIC PROPERTY  
 2447 MAKIKI HEIGHTS DRIVE  
 HONOLULU, HAWAII 96822  
 TMK: 2-5-08-02

DATE: \_\_\_\_\_ REVISION: \_\_\_\_\_

SHEET CONTENT:  
DRAINAGE MAP

JOB NUMBER: \_\_\_\_\_

DRAWN BY: \_\_\_\_\_ CHECKED: \_\_\_\_\_

SHEET NUMBER: \_\_\_\_\_

D-1

00076

**OVERSIZED  
DRAWING/MAP**

**PLEASE SEE  
35MM ROLL**

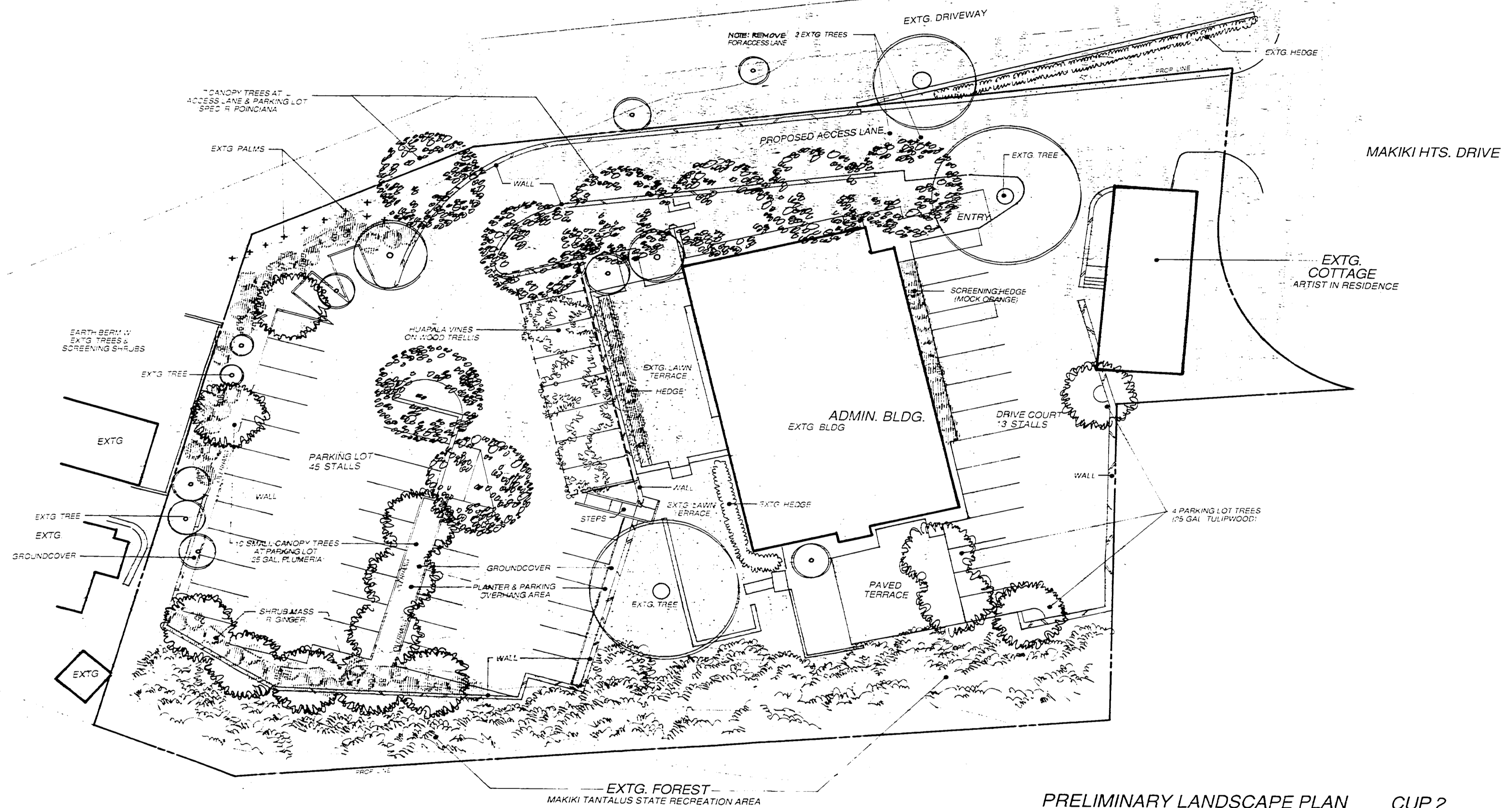
00077



RECEIVED AS  
FOLLOWS

1993 JUN 18 PM 3 40  
DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

EXTG. CONTEMPORARY MUSEUM



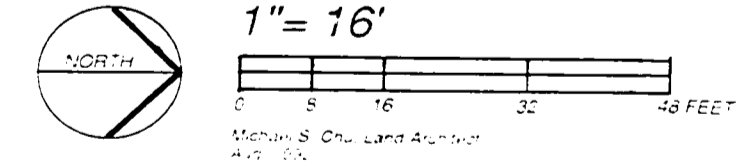
MAKIKI HTS. DRIVE

EXTG. COTTAGE  
ARTIST IN RESIDENCE

ADMIN. BLDG.  
EXTG. BLDG.

PRELIMINARY LANDSCAPE PLAN CUP 2

1" = 16'



Stamp area with a rectangular border.

title

A.T. COOKE & P.E. SPALDING HISTORIC PROPERTY  
2447 MAKIKI HEIGHTS DRIVE  
HONOLULU, HAWAII 96822  
TRM 2-5.08-2 ZONE H-10

sheet content

job number date

drawn by checked by

sheet number of

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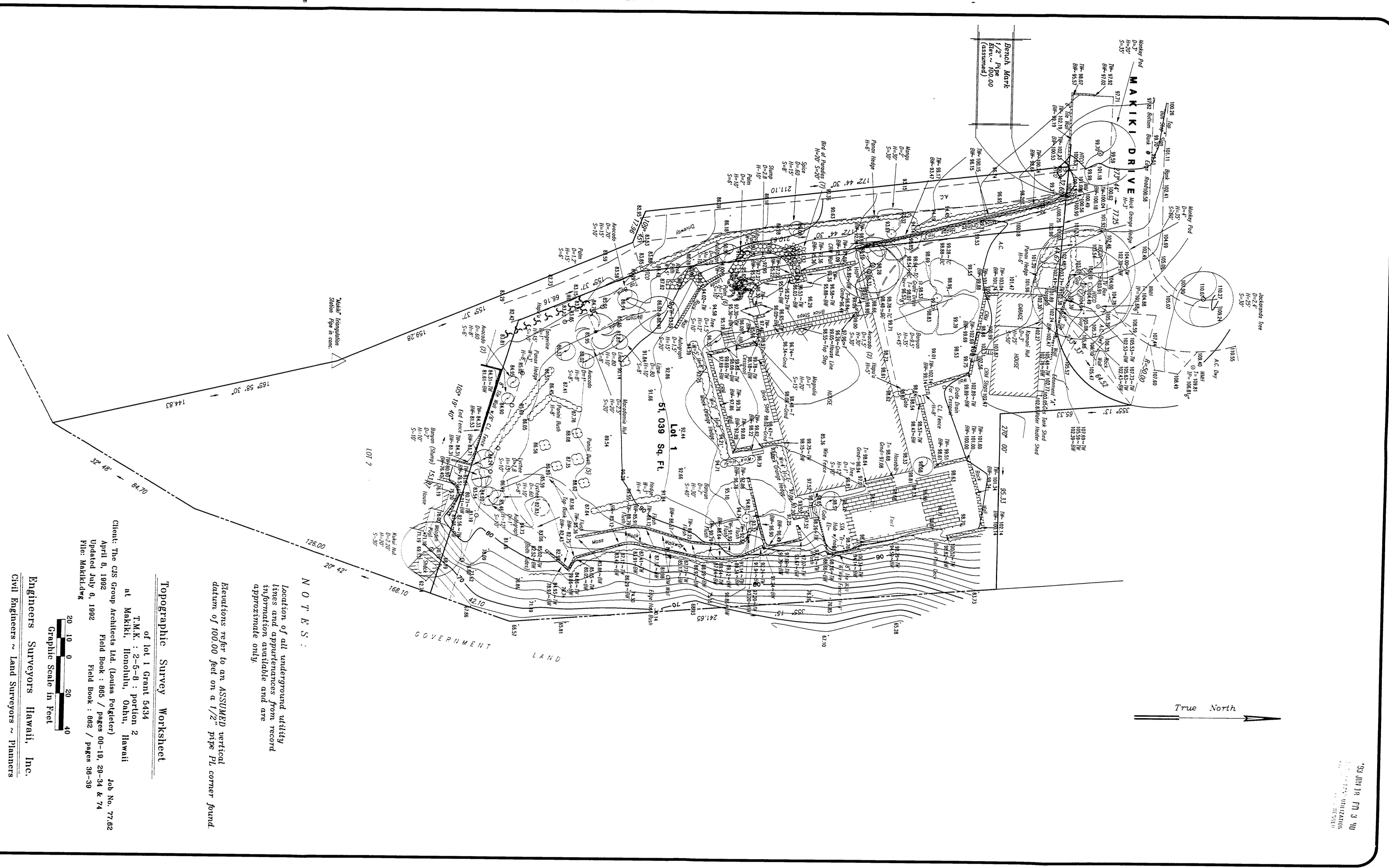
PRELIMINARY NOT FOR CONSTRUCTION

**OVERSIZED  
DRAWING/MAP**

**PLEASE SEE  
35MM ROLL**

00078

RECEIVED AS  
FOLLOWS



50 000 1/4 IN. 3 1/8  
SURVEYING  
PLANS

**N O T E S :**  
Location of all underground utility lines and appurtenances from record information available and are approximate only.

Elevations refer to an ASSUMED vertical datum of 100.00 feet on a 1/2" pipe PL corner found

**Topographic Survey Worksheet**  
of lot 1 Grant 5434  
T.M.K. : 2-5-8 : portion 2  
at Makiki, Honolulu, Oahu, Hawaii

Client: The CIS Group Architects Ltd. (Louisa Pokler) Job No. 77.02  
April 8, 1992 Field Book : 605 / pages 00-19, 29-34 & 74  
Updated July 6, 1992 Field Book : 602 / pages 38-39  
Pln: MAKIKI.dwg

Graphic Scale in Feet  
20 10 0 20 40

**Engineers Surveyors Hawaii, Inc.**  
Civil Engineers ~ Land Surveyors ~ Planners

**OVERSIZED  
DRAWING/MAP**

**PLEASE SEE  
35MM ROLL**

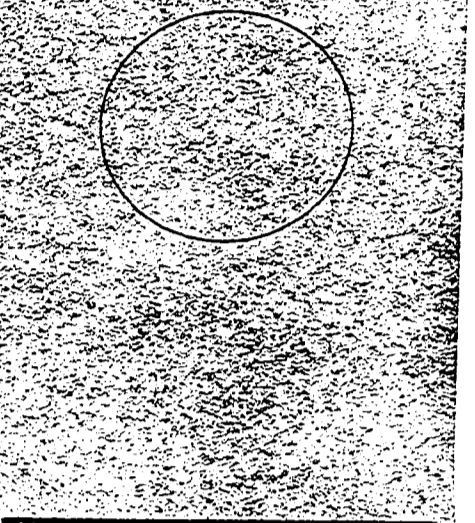
00079



'93 JUN 18 PM 3 40  
 LEFT OF LAND UTILIZATION  
 CITY & COUNTY OF HONOLULU



Stamp

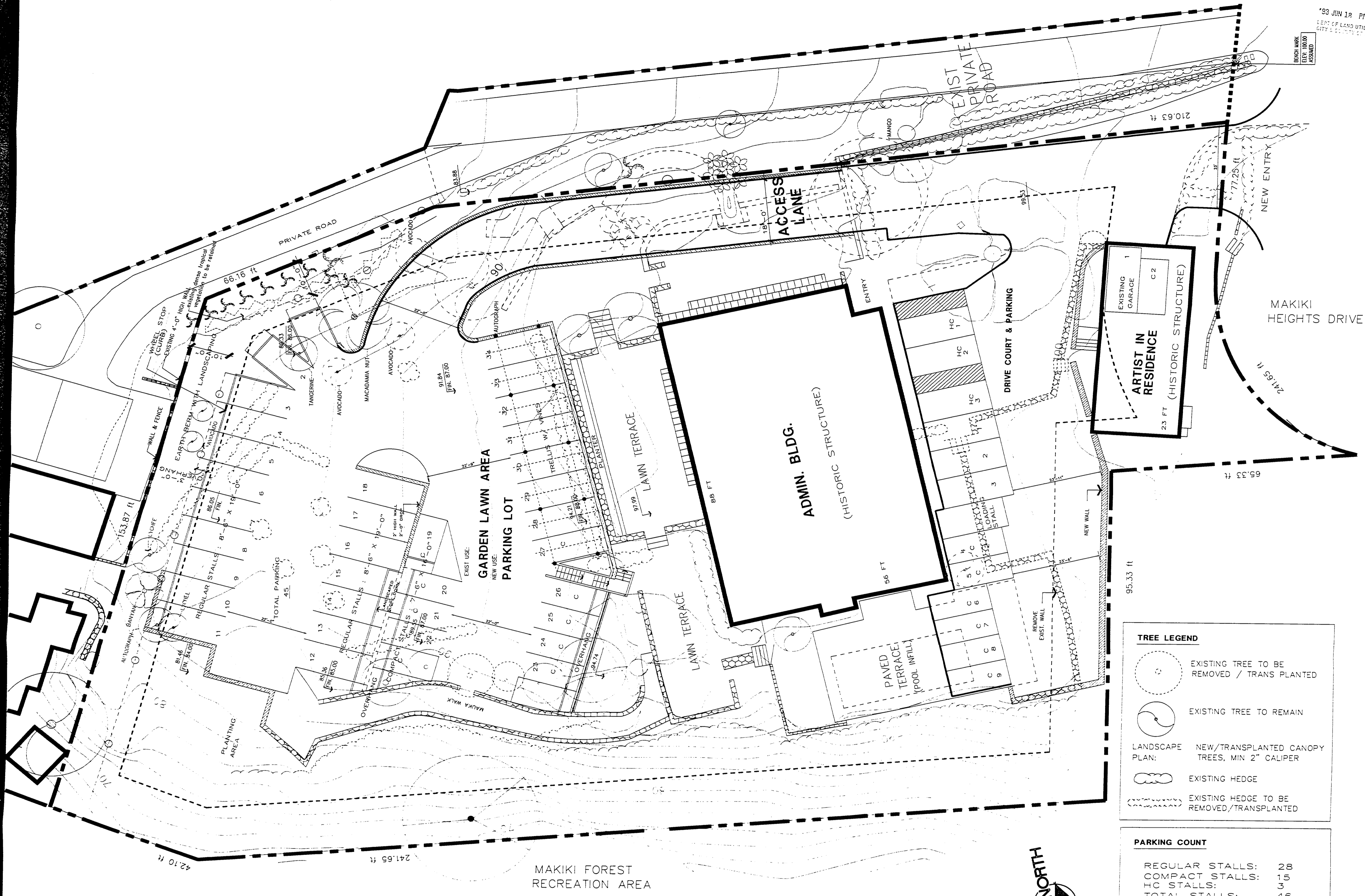


A.T. COOKE & P.E. SPALDING HISTORIC PROPERTY  
 2447 MAKIKI HEIGHTS DRIVE  
 HONOLULU, HAWAII 96822

date revision

sheet content  
 100 number date  
 Drawn by Checked by  
 sheet number of  
 PRELIMINARY NOT FOR CONSTRUCTION

00079

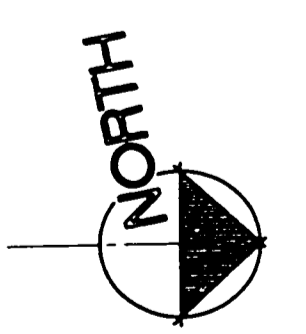


**TREE LEGEND**

- EXISTING TREE TO BE REMOVED / TRANS PLANTED
- EXISTING TREE TO REMAIN
- LANDSCAPE PLAN: NEW/TRANSPLANTED CANOPY TREES, MIN 2" CALIPER
- EXISTING HEDGE
- EXISTING HEDGE TO BE REMOVED/TRANSPLANTED

**PARKING COUNT**

REGULAR STALLS:	28
COMPACT STALLS:	15
HC STALLS:	3
TOTAL STALLS:	46
LOADING STALL:	1



**SITE PLAN**      **OPTION A**

SCALE: 1"=40'

TCMJR/CUP3SITE  
 HNF 14, 1003

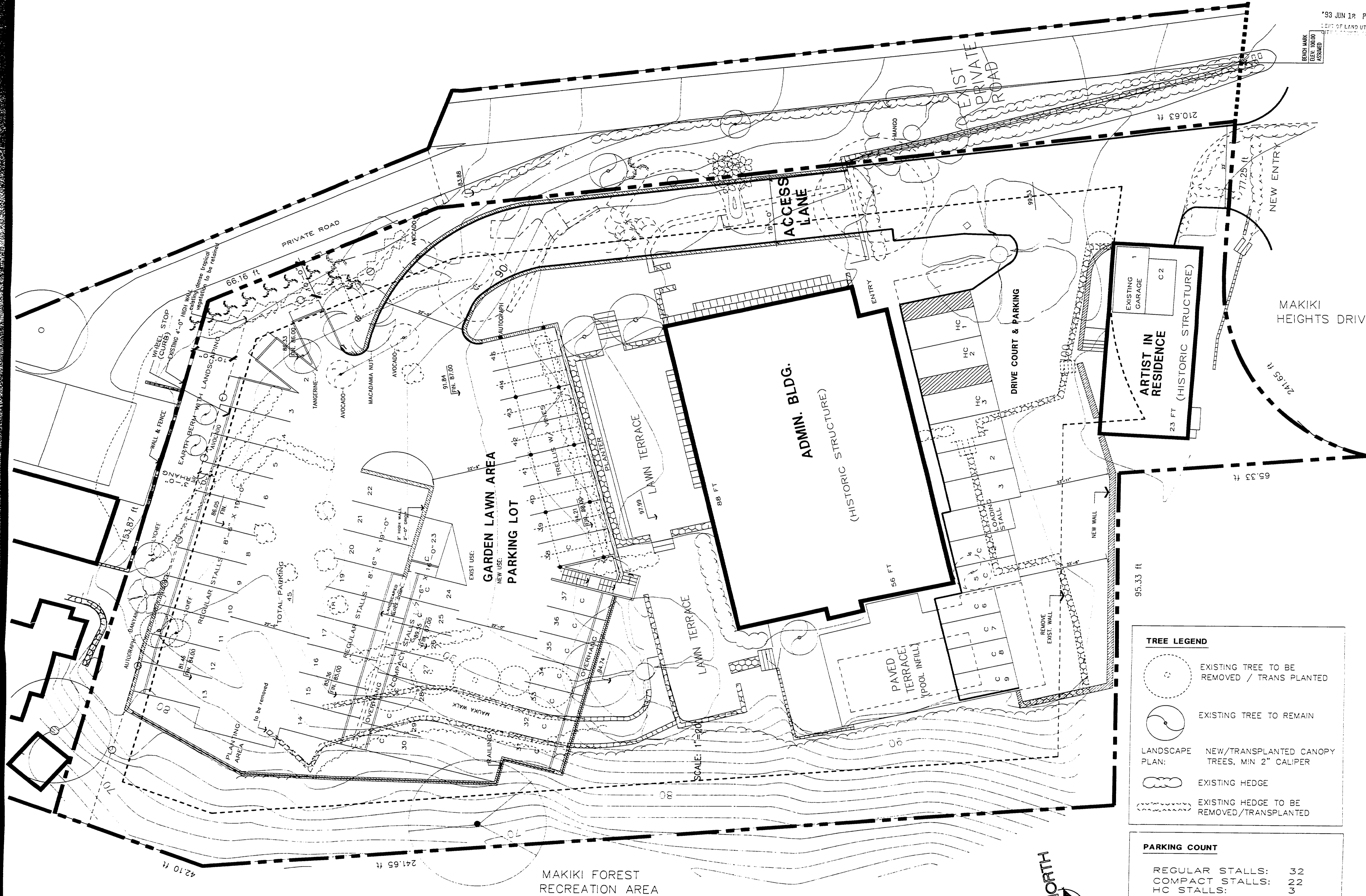
© 1993 TCMJR

**OVERSIZED  
DRAWING/MAP**

**PLEASE SEE  
35MM ROLL**

00080





**TREE LEGEND**

- EXISTING TREE TO BE REMOVED / TRANSPLANTED
- EXISTING TREE TO REMAIN
- LANDSCAPE PLAN: NEW/TRANSPLANTED CANOPY TREES, MIN 2" CALIPER
- EXISTING HEDGE
- EXISTING HEDGE TO BE REMOVED/TRANSPLANTED

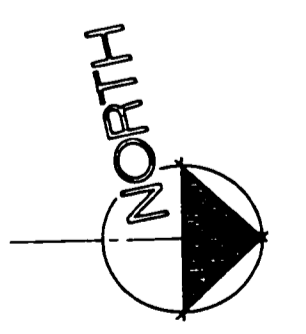
**PARKING COUNT**

REGULAR STALLS:	32
COMPACT STALLS:	22
HC STALLS:	3
TOTAL STALLS:	57
LOADING STALL:	1

**SITE PLAN**  
 SCALE: 1" = 10'-0"

**CUP 2**

TCHJR/CUPISITE  
 # 1 V. 1002



DATE: JUN 18 1993

JOB NUMBER: 00080

DRAWN BY: TCHJR

CHECKED BY: CUPISITE

SHEET NUMBER: 1 OF 1

PRELIMINARY not for construction

00080