December 29, 1993

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

Dear Mr. Choy:

CHAPTER 343, HRS
Environmental Assessment/Determination
Negative Declaration

Recorded Owner/ Applicant: Robert K. and Susan B. Childs
Agent: Law Offices of Cynthia Thielten
Location: 201 A Paiko Drive - Kulioou
Tax Map Key: 3-8-01: 47
Request: Shoreline Setback Variance
Proposal: To construct a second story addition within the shoreline setback
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.

Approved LORETTA K.C. CHEE
Acting Director of Land Utilization

LKCC: ak
G想念chicog.jht
FINAL ENVIRONMENTAL ASSESSMENT

FOR

DR. AND MRS. KULANI CHILDs
201 A PAIKO DRIVE
HONOLULU, HAWAII  96821

TMK: 3-8-01:47

DECEMBER 1993

LAW OFFICES OF CYNTHIA THIELEN

CYNTHIA THIELEN
LAURA THIELEN
KATHLEEN M. DOUGLAS
Pacific Tower, Suite 780
1001 Bishop Street
Honolulu, HI  96813
(808) 599-4141
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I. Applicant

Susie and Kulani Childs
201 A Paiko Drive
Honolulu, Hawaii 96821
II. Project Description

The residential parcel, TMK 3-8-01:47, is located on the Paiko Peninsula and is bordered by the Paiko Lagoon on the north side of the property and by the Pacific Ocean on the south side. The property is 11,631 square feet minus 270 square feet lost to erosion; the resulting net parcel area is 11,361 square feet.

The Childs' proposed project is to construct a partial second story directly over the footprint of the existing ground structure. Presently, a corner of the existing structure protrudes slightly into the 40-foot shoreline setback and is a legitimate non-conforming use. Likewise, a corner of the proposed construction would extend into the 40-foot setback since the proposed lanai and study are directly above the existing structure. (See, Exhibit "A", Addition to the Childs Residence, Kelso Architects, September 7, 1993.)

The property has unique topographical constraints. As the maps indicate, the property is bordered on both the north and south sides by water, with each side effected by erosion, setbacks, and easements. (See, Exhibit "B", Map Showing Shoreline Location of Lot 630 of Land Court Application 578 dated August 29, 1993.) Despite a total land area of 11,631 square feet, erosion, shoreline and yard setbacks effectively remove 7,886 square feet of property, leaving a buildable area
of only 3,745 square feet or 33% of the net parcel area. (See, Exhibit "C", Eligibility for 20-Foot Shoreline Setback, 9.1(c) Worksheet.)

On April 18, 1991, due to the unique circumstances of the Childs' property, the Director of Land Utilization approved the Childs' request for a 20-Foot Shoreline Setback pursuant to Rule 9.1 of the Shoreline Setback Rules and Regulations. (See, Exhibit "D", Letter from Donald A. Clegg to Lisa Kelso, AIA, dated April 18, 1991.) As a result, until the enactment of Ordinance No. 92-34, the parcel qualified for a 20-foot shoreline setback which would not have necessitated the present environmental assessment for the construction of the second floor addition.

The proposed project does not increase the area of existing non-conforming structure on the ground floor. The portion of the second floor addition which would encroach onto the 40-foot setback includes part of a lanai and a small portion of the study as follows:

- Study: 80.08 square feet
- Lanai: 20.2 square feet
- Roof Overhang: 136.4 square feet
- Total Area: 236.68 square feet

(See, Exhibit "E", Letter from Lisa Kelso, AIA, to Kathleen M. Douglas, dated September 9, 1993.)
III. Agencies Consulted

Department of Land and Natural Resources
1351 Punchbowl Street
Honolulu, Hawaii 96813

City and County of Honolulu
Board of Water Supply
630 S. Beretania Street
Honolulu, Hawaii 96813

City and County of Honolulu
Building Department
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of Parks and Recreation
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of Housing and Community Development
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of General Planning
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of Transportation Services
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of Public Works
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Police Department
801 S. Beretania Street
Honolulu, Hawaii 96813

Beti Suetsugu
201 B Paiko Drive
Honolulu, Hawaii 96821
IV. General Description of Projects Technical, Economic, Social and Environmental Characteristics

A. Technical Characteristics

1. Use Characteristics: This property and all surrounding properties are comprised of single family residences.

2. Physical Characteristics: The layout of the property, including lot size, survey, reference datum, existing structures, setbacks and proposed structures can be viewed in Exhibit "A".

3. Construction Characteristics: The proposed construction is designed to the specifications of the 1991 building code, including fully treated board and batten wood siding and stainless steel reinforcements. The design of the addition is a turn-of-the-century, plantation style and has been specifically selected to blend into the architectural design of the existing structure and with the neighborhood design as a whole. Since the proposed construction is a second story on an existing structure, no demolition, grading, filling or clearing will take place.
4. **Other Pertinent Information:** The property has municipal water, electric, sewage and rubbish disposal services. The planned construction will continue to utilize these municipal services and will be installed in compliance with pertinent health and safety codes. The existing water meter serving the project site is adequate and no additional water utility installations will be required.

B. **Economic Characteristics**

The proposed construction will have no economic impact on the community or the State.

C. **Social Characteristics**

The proposed construction will have no social impact on the community or the State.

D. **Environmental Characteristics**

The property is located on the Paiko Peninsula in Maunalua Bay, Oahu. The present State Land Use classification of the property is Urban; the present Development Plan Classification is Residential; and the
present county zoning is R-10. The present structure is located in a Flood Hazard Zone, however, construction of a second story does not alter or increase the existing flood hazard.

The views of the existing structure are shown in the photographs. (See, Exhibit "F", Photographs of the Existing Structure.) The property does not restrict existing public access along the shoreline, and construction of the second story will not alter or disrupt the sight planes for the general public. The property is located on the Paiko Peninsula in an established residential neighborhood. Since the subject lot has an existing structure presently on the site, the proposed second story addition will not pose a threat to endangered species, wildlife, birds or other natural resources.
V. Major Impacts and Alternatives Considered

As previously discussed, the slight protrusion of 236.68 square feet atop an existing residential structure has minimal to no impact on the physical, natural, social and economic environmental characteristics of the property.

The Childs' property has unique topographical constraints since it is bordered by water on both the north and south sides. The buildable area on the property is only 33% of the net parcel area, therefore alternatives for construction are limited. Based on sight lines, construction considerations, including the limited buildable property area and architectural design, it is necessary to construct a second story addition directly above the existing front walls of the home. The alternative of not adding on to their residence was considered and rejected by the Childs due to the size of their family and the need for more space.
VI. Mitigation Measures

The property is a private residence and the second story addition is an integral part of the Childs' living environment. As a result, the Childs will provide maintenance for the structure which will ensure that the structure will have no negative environmental impact in the future. Further, since the proposed project is a second story, the addition will not directly impact on the local environment since the existing structure has been in place for a number of years.

Construction of a second story will not require any clearing or grubbing of the property, therefore, runoff from the present site will not be increased. Disposal of any hazardous wastes, such as paints, will be conducted in accordance with the Environmental Protection Agency (EPA) guidelines as well as any applicable OSHA regulations or Health Department guidelines. Termite control will be provided by ground treatment; all chemicals used are those approved by the EPA. Given the limited nature of the construction as well as the applicable federal, state and city regulations, neither the ocean nor the lagoon should be contaminated with construction debris or runoff.
VII. Determination

Based on a review of the factors discussed in this environmental assessment, it is determined that no significant effect on the environment will occur with the construction of the Childs' proposed second floor addition.
LOT 630
11631 Sq. Ft.
(11426 Sq. Ft.)

EXISTING DWELLING

PATIO

SHORELINE SURVEY
LOT 630
LAND COURT APPLICATION 578
Kuilauou 1st, Honolulu, Oahu, Hawaii
TMK: 3-8-01: 47
August 29, 1993

[Diagram with notations and measurements]

Robert K. Sing
Licensed Professional Land Surveyor
Eligibility for 20-Foot Shoreline Setback

Worksheet

<table>
<thead>
<tr>
<th>Item</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>TK Parcel Area</td>
<td>11,631 sq.ft.</td>
</tr>
<tr>
<td>Less Area Lost to Erosion (if any)</td>
<td>270 sq.ft.</td>
</tr>
<tr>
<td>Less Access Easements (incl. Flag Stem)</td>
<td>0</td>
</tr>
<tr>
<td>Less Open Drainage Easement</td>
<td>0</td>
</tr>
<tr>
<td><strong>Net Parcel Area</strong></td>
<td><strong>11,361 sq.ft.</strong></td>
</tr>
<tr>
<td>Less Area of Shoreline Setback + Yard Setbacks</td>
<td>7,616 sq.ft.</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
<td><strong>3,745 sq.ft.</strong></td>
</tr>
</tbody>
</table>

**BUILDABLE AREA** -- **NET PARCEL AREA** = 33%

(Append maps)
Ms. Lisa Kelso, AIA
Kelso Architects
25 South Kalaheo Avenue
Kailua, Hawaii 96734-2725

Dear Ms. Kelso:

Request for 20-Foot Shoreline Setback
201-A Paiko Drive, Honolulu, Oahu
Tax Map Key: 3-8-01: 47

We have received your request for a 20-foot Shoreline Setback for the south (ocean) side of the above described parcel. The Shoreline Setback Rules and Regulations, Rule 9.1, permits a 20-foot shoreline setback under certain stated conditions.

We have determined that the buildable area of the above parcel is reduced to less than 50 percent after applying the 40-foot shoreline setback and required yard setback lines. Therefore, you are eligible for a 20-foot shoreline setback for the south side of the above described parcel when applying for a city permit.

If you have any questions, please contact Joan Takano of our staff at 527-5038.

Very truly yours,

DONALD A. CLEGG
Director of Land Utilization

DAC:1g

EXHIBIT P
9 September 1993

Ms. Kathleen Douglas
Law Offices of Cynthia Thielen
Pacific Tower, Suite 780
1001 Bishop Street
Honolulu, HI 96813

RE: Childs' Residence

Dear Ms. Douglas:

We have recalculated the area of the proposed second floor addition that projects into the 40 ft. setback area, based on the new shoreline survey by Robert Sing. It is as follows:

Study: 80.08 sq. ft.
Lanai: 20.2 sq. ft.
Roof Overhang: 136.4 sq. ft.

Please let us know how else we may help you. If you have any questions about these numbers please do not hesitate to call.

Sincerely yours,

Lisa Kelso, AIA

cc: Susie and Kulani Childs
Ms. Cynthia Thielen  
Law Offices of Cynthia Thielen  
Pacific Tower, Suite 780  
1001 Bishop Street  
Honolulu, Hawaii 96813

Dear Ms. Thielen:

Subject: Your Letter of September 10, 1993 on the Environmental Assessment (EA) for the Renovation of the Child’s Residence at 201A Paiko Drive, Honolulu, Oahu, TMK: 3-8-01: 47

Thank you for the opportunity to review and comment on the EA for the proposed second floor addition to the Child’s single-family residence.

We have the following comments to offer:

1. There is an existing one-inch water meter serving the project site.

2. The availability of additional water will be determined when the Building Permit Application is submitted for our review and approval. If water is made available, the applicant will be required to pay our Water System Facilities Charges for source-transmission and daily storage, and if necessary, any meter enlargement charges.

3. The fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

If you have any questions, please contact Roy Doi at 527-5235.

Very truly yours,

KAZU HAYASHIDA  
Manager and Chief Engineer

cc: Department of Land Utilization
December 8, 1993

Kazu Hayashida  
City and County of Honolulu  
Board of Water Supply  
630 S. Beretania Street  
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Hayashida:

We received your letter and comments dated October 14, 1993 on the above referenced Draft Environmental Assessment.

We understand that you have no negative comments on the proposed construction, however, you have raised a request for additional information. In response to your request, we have incorporated the additional information in the Final Environmental Assessment. In addition, we are attaching a copy of your comments to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

KATHLEEN M. DOUGLAS

/kmd
Ms. Cynthia Thielen
Pacific Tower, Suite 780
1001 Bishop Street
Honolulu, Hawaii 96813

Dear Ms. Thielen:

This is in response to your request for comments on requests for an environmental assessment for the home of Dr. and Mrs. Kulani Childs.

The project will have no significant impact on the operations of the Honolulu Police Department and we have no comments to make at this time.

Thank you for the opportunity to review this document.

Sincerely,

MICHAEL S. NAKAMURA
Chief of Police

By: EUGENE UEMURA
Assistant Chief of Police
Administrative Bureau
December 8, 1993

Eugene Uemura
City and County of Honolulu
Police Department
801 South Beretania Street
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Uemura:

We received your letter dated October 1, 1993 on the above referenced Draft Environmental Assessment.

We understand that you have no comment to the proposed construction. We are attaching a copy of your letter to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

KATHLEEN M. DOUGLAS

/kmd
November 1, 1993

Ms. Cynthia Thielen
Pacific Tower, Suite 780
1001 Bishop Street
Honolulu, Hawaii 96813

Dear Ms. Thielen:

Subject: Childs Residence - Paiko Drive
Residential Development
TMK: 3-8-01: 47

This is in response to your letter dated September 10, 1993 requesting our comments on a proposed extension to a dwelling on the subject parcel.

Based on our review and an examination of the site, we have no objections to the proposed addition. We understand that there is an existing residence on the site and that the addition will be constructed over the present footprint of the ground floor structure.

If you have any questions, please contact Mel Hirayama of my staff at 523-4119.

Sincerely,

[Signature]

JOSEPH H. MAGALDI, JR.
Director
December 8, 1993

Joseph M. Magaldi, Jr.
City and County of Honolulu
Department of Transportation Services
650 South King Street
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Magaldi:

We received your letter and comments dated November 1, 1993 on the above referenced Draft Environmental Assessment.

We understand that you have no objections to this construction. We are attaching a copy of your letter to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

Kathleen M. Douglas

/kmd
Ms. Cynthia Thielen  
Pacific Tower, Suite 780  
1001 Bishop Street  
Honolulu, Hawaii 96813

Dear Ms. Thielen:

Subject: Environmental Assessment (EA)  
Improvements to Childs’ Property  
TMK:3-8-01:47

We have reviewed the subject EA and have no comments to offer at this time.

Should you have any questions, please contact Mr. Alex Ho, Environmental Engineer, at 523-4150.

Very truly yours,

[Signature]

C. Michael Street  
Director and Chief Engineer
December 8, 1993

C. Michael Sreet
City and County of Honolulu
Department of Public Works
650 South King Street
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Sreet:

We received your letter dated September 27, 1993 on the above referenced Draft Environmental Assessment.

We understand that you have no comment to the proposed construction. We are attaching a copy of your letter to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

[Signature]

KATHLEEN M. DOUGLAS

/kmd
Ms. Cynthia Thilen  
Law Offices of Cynthia Thilen  
Pacific Tower, Suite 780  
1001 Bishop Street  
Honolulu, Hawaii 96813

Dear Ms. Thilen:

Subject: Environmental Assessment for Dr. and Mrs. Kulani Childs

The Department has reviewed the subject Environmental Assessment and has no comments at this time.

Thank you for the opportunity to review and comment.

Sincerely,

[Signature]

E. James Turse  
Director

cc: Dept. of Land Utilization
December 8, 1993

Mr. E. James Turse
City and County of Honolulu
Department of Housing and Community Development
650 South King Street
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Turse:

We received your letter dated September 29, 1983 on the above referenced Draft Environmental Assessment.

We understand that you have no comment to the proposed construction. We are attaching a copy of your letter to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

KATHLEEN M. DOUGLAS

/kmd
The Honorable Loretta K. C. Chee, Acting Director
Department of Land Utilization
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Ms. Chee:

Subject: Shoreline Setback Variance Application (93/SV-14):
Children's Second Story Addition, Kauluwela, Cahu,
TMK: 3-8-01; 47

We have reviewed the application information for the proposed project,
transmitted by your letter dated September 24, 1993, and have the
following comments:

Division of Water and Land Development

The Division of Water and Land Development comments that since the
addition is located in a Flood Hazard Zone, a statement on its flood
hazards should be included in the Final EA.

Division of Aquatic Resources

The Division of Aquatic Resources (DAR) comments that they anticipate no
adverse effects on aquatic resources and habitat, provided that the
applicant follow appropriate mitigating measures to prevent contamination
of lagoon or ocean waters with construction debris and runoff.

However, the applicant does not address in Section V of the EA the
mitigation measures to be utilized during the construction of the
addition. This section needs to describe potential problems that may
occur during construction of the addition. DAR recommends that more
detailed mitigation measures be included.
Historic Preservation Division

The Historic Preservation Division (HPD) comments that a review of their records shows that the proposed project is located at Paiko Pond (State Site 50-80-15-1166). The proposed project would add a second story to an existing residential structure. Since there are no ground-breaking activities associated with this proposal, HPD believes there will be "no effect" on historic sites.

Office of Conservation and Environmental Affairs

The Office of Conservation and Environmental Affairs notes that pursuant to Act 241, Session Laws of Hawaii (SLH) 1992, the subject EA should be designated as a Draft Environmental Assessment.

We have no other comments to offer at this time. Thank you for the opportunity to comment on this matter.

Please feel free to call Steve Tagawa at the Office of Conservation and Environmental Affairs, at 587-0377, should you have any questions.

Very truly yours,

[Signature]

KEITH W. AHU}
December 8, 1993

Keith W. Ahue
Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Ahue:

We received your letter and comments dated November 10, 1993 on the above referenced Draft Environmental Assessment.

We understand that you have no negative comments on the proposed construction, however, you have raised a request for additional information. In response to your request, we have incorporated the additional information in the Final Environmental Assessment. In addition, we are attaching a copy of your comments to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

[Signature]

KATHLEEN M. DOUGLAS

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

FROM: WALTER M. OZAWA, DIRECTOR
DEPARTMENT OF PARKS AND RECREATION

SUBJECT: ENVIRONMENTAL ASSESSMENT FOR ADDITION TO RESIDENCE
OF DR. AND MRS. KULANI CHILDS
201-A PAIKO DRIVE, HONOLULU, HAWAII
TAX MAP KEY 3-8-01: 47

September 29, 1993

Thank you for the opportunity to comment on this environmental assessment. We have completed our review and have no comment to offer.

Should you have questions, please contact Bob Bevacqua of our Advance Planning Branch at extension 6316.

WALTER M. OZAWA, Director

WM:ei
December 8, 1993

Walter M. Ozawa
City and County of Honolulu
Department of Parks and Recreation
650 South King Street
Honolulu, Hawaii 96813

Re: Environmental Assessment for Dr. and Mrs. Kulani Childs

Dear Mr. Ozawa:

We received your letter dated September 29, 1993 on the above referenced draft Environmental Assessment.

We understand that you have no comment to the proposed construction. We are attaching a copy of your letter to the Final Environmental Assessment. Thank you for taking the time to respond.

Sincerely,

KATHLEEN M. DOUGLAS

/kmd