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OFC. OF ENVIRONMENTAL  
QUALITY CONTROL

DEPARTMENT OF LAND UTILIZATION  
91/SV-006 (DJK)  
September 9, 1991

CHAPTER 343, HRS  
Environmental Assessment/Determination  
Negative Declaration

Recorded Owner : Ace Kogyo Co., Ltd.  
Applicant : Takatoshi Takemoto  
Agent : Gerald Park  
Location : 4663 Kahala Avenue, Kahala, Oahu  
Tax Map Key : 3-5-5: 6  
Request : To Replace Existing Chain Link Fence  
which Encloses a Portion of the Parcel's  
Rear Yard  
Determination : Environmental Impact Statement (EIS) Not  
Required

Attached and incorporated by reference is the environmental  
assessment prepared by the applicant for the project.

On the basis of the environmental assessment, we have determined  
that an Environmental Impact Statement is not required.

APPROVED Donald A. Clegg  
DONALD A. CLEGG  
Director of Land Utilization

DAC:lg

1991-09-23-0A-FBA - Takatoshi Chain link Fence - Shoreline  
Setback

**FILE COPY**

ENVIRONMENTAL ASSESSMENT  
AND REQUEST FOR SHORELINE SETBACK VARIANCE

SHORELINE FENCE

WAIALAE NUI, HONOLULU, OAHU, HAWAII

Submitted in Partial Fulfillment  
of the Requirements of the  
Shoreline Setback Rules and Regulations  
of the City and County of Honolulu

Prepared by

Gerald Park Urban Planner

April, 1991

TABLE OF CONTENTS

	<u>Page</u>
<u>GENERAL INFORMATION</u>	
<u>SECTION 1</u> <u>DESCRIPTION OF THE PROPOSED ACTION</u>	1
A.    Description of the Proposed Improvements	1
<u>SECTION 2</u> <u>DESCRIPTION OF THE AFFECTED ENVIRONMENT</u>	5
<u>SECTION 3</u> <u>POTENTIAL ENVIRONMENTAL IMPACTS AND MEASURES TO                   MITIGATE ADVERSE EFFECTS</u>	7
<u>SECTION 4</u> <u>REQUEST FOR SHORELINE SETBACK VARIANCE</u>	8
<u>REFERENCES</u>	

LIST OF FIGURES

<u>NO.</u>	<u>TITLE</u>	<u>PAGE</u>
1	LOCATION MAP	2
2	FENCE PLAN	4

GENERAL INFORMATION

Applicant: Takatoshi Takemoto  
4663 Kahala Avenue  
Honolulu, Hawaii 96816

Phone: Unlisted

Recorded Fee Owner: Ace Kogyo Co., Ltd.  
4663 Kahala Avenue  
Honolulu, Hawaii 96816

Agent: Gerald Park Urban Planner  
1245 Young Street, Suite 201  
Honolulu, Hawaii 96814

Phone: 533-0018

Tax Map Key: 3-5-5:6

Lot Area: 55,937 Square Feet

Agencies Consulted in Preparing the Assessment:

State Department of Land and Natural Resources

County Department of General Planning  
Department of Land Utilization

SECTION 1

DESCRIPTION OF THE PROPOSED PROJECT

Takatoshi Takemoto (hereafter referred to as applicant) requests a Shoreline Setback Variance to replace an existing shoreline fence located in the shoreline setback at Waiālae Nui, Honolulu, Oahu, Hawaii

Located at 4663 Kahala Avenue, the Takemoto property is bounded by the Pacific Ocean to the south (makai), Kahala Avenue to the north, and single-family residences to the east and west (see Figure 1). The perimeter is enclosed by a 6'-0" high CMU wall to the east (partial), north, west, and 120 feet of white sand beach to the south. Existing improvements include one single-family dwelling and a tennis court.

Identified by tax map as First Division 3-5-5:06, the rectangular shaped parcel is comprised of three lots:

<u>Lot</u>	<u>Area</u>	<u>Location</u>	<u>Use</u>
3	25,547 SF	Interior lot	Residence
3A	6,790 SF	Beachfront lot	Beach
30	23,600 SF	Kahala Avenue lot	Tennis court

Access is taken off Kahala Avenue via a shared driveway on the Diamond Head side of the property. The driveway is actually a recorded sewer easement (TMK: 3-5-5:75) in favor of the City and County of Honolulu.

A. Description of the Proposed Improvements

Applicant proposes to replace existing chain link fencing enclosing portions of the property's rear yard (Lot 3-A). The fencing to be replaced includes: 40 LF of 2'-0" high chain link fence and fence posts on the Koko Head side of the property; approximately 118 LF of 2'-0" high chain link fence, fence posts, and two gates along the oceanfront; and 52 LF of 6'-0" high chain link fence and fence posts along the Diamond Head property line.

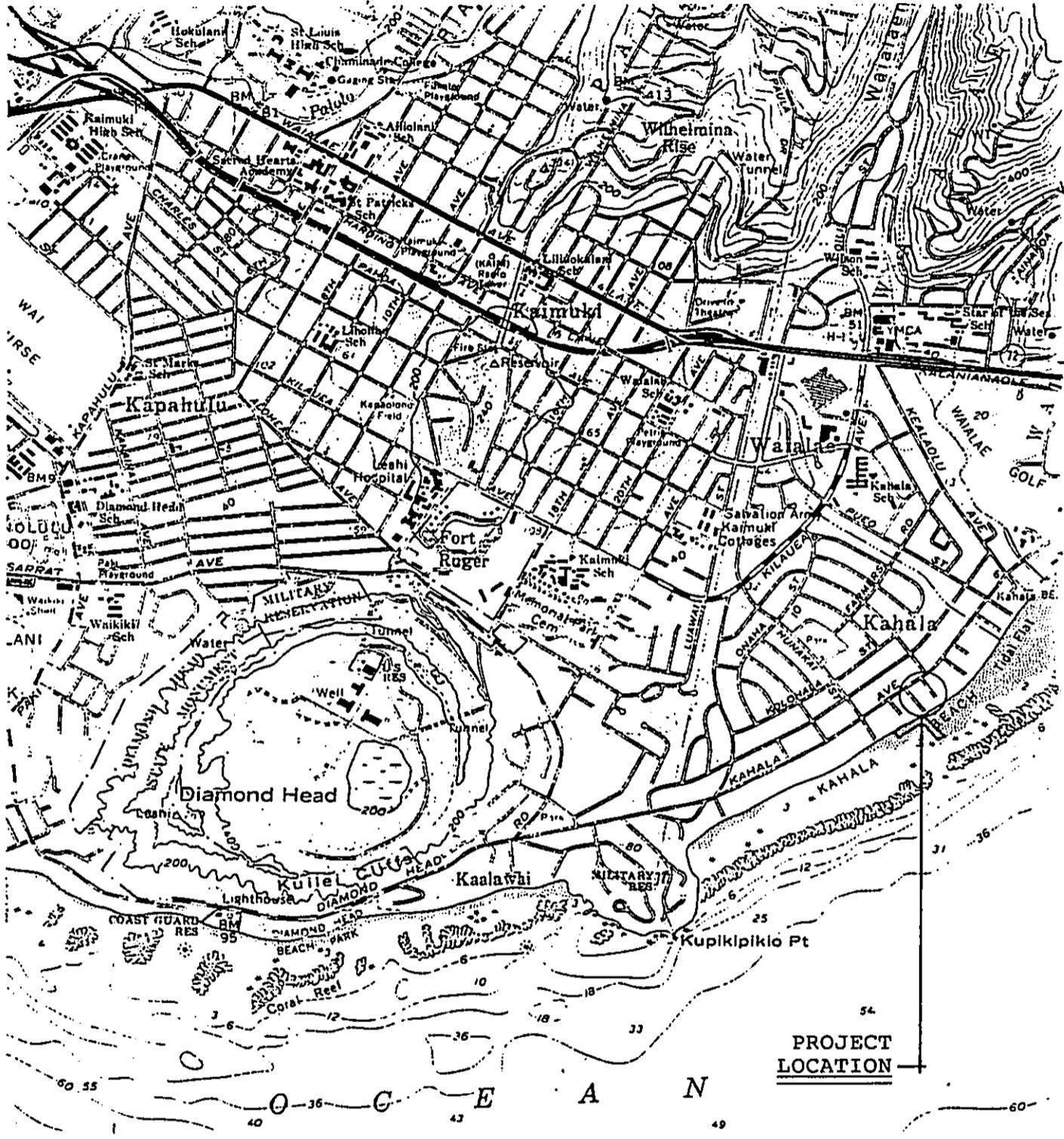


Figure 1  
Location Map

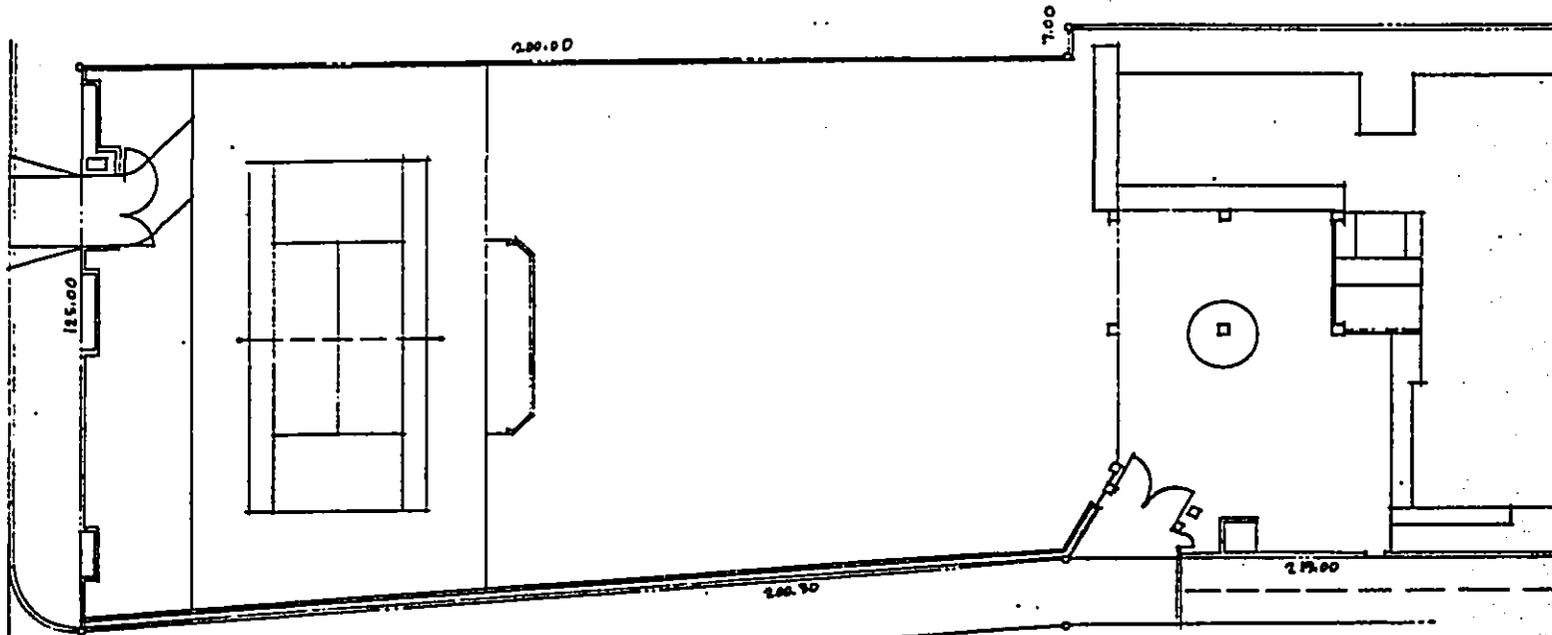
Applicant recently completed construction of a new dwelling on the premises and the fence will protect the property and applicant from trespassers and other intruders.

The fencing to be removed will be replaced by a 6'-0" high metal fence. All fence posts and railings will be made of copper. Ornamental "J" shaped copper straps will be welded to the frame to reduce all openings to 5" wide. Two 4' wide x 6' high single swing gates will be placed at opposite ends of the fence fronting the shoreline to allow access to the beach.

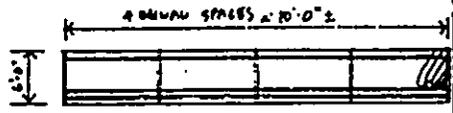
Fence posts will be spaced 10' apart and set in concrete footings 3' deep x 1'-6" wide. A 9" wide x 9" deep continuous concrete header would be placed inside the property at varying distances from the certified shoreline. The header is needed to separate landscape plantings from the sand bank. A 5" clear space between the bottom fence rail and the top of the concrete header is planned. No change to existing grades and ground elevation is proposed. The fence plan and details are shown in Figure 2.

The cost of improvements is estimated at \$15,000.00 and will be borne by applicant. Construction will commence after all necessary approvals are received and should be completed in two months. No public lands (owned or used) will be committed to the action.

KARALA AVENUE



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

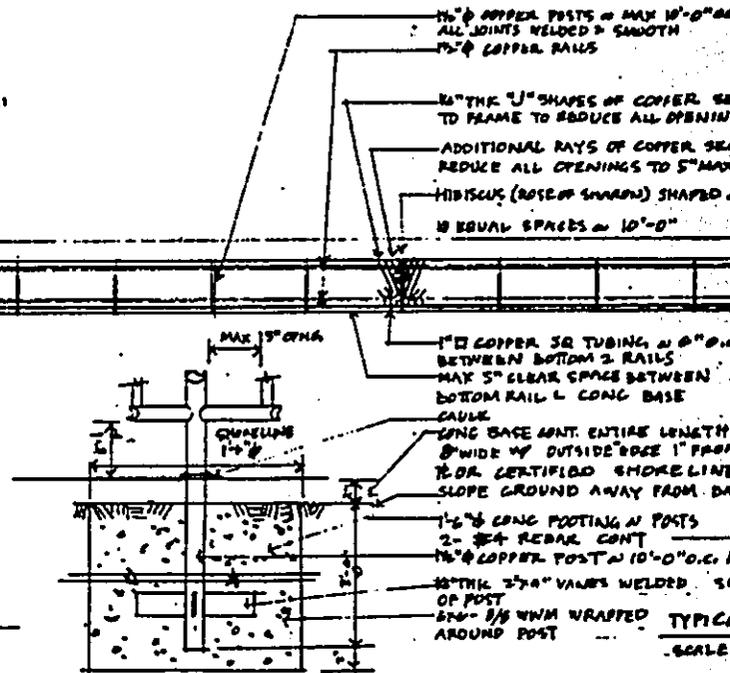


KKH FENCE  
SCALE: 1"=10'-0"



FEET  
STREPLINE

TYPICAL POST FOOTING  
SCALE: 1/4"=1'-0"





SECTION 2

DESCRIPTION OF THE AFFECTED ENVIRONMENT

In 1988, applicant received after-the-fact approval for improvements made in the shoreline setback without proper permits. The Department of Land Utilization approved construction of a 2-foot high aluminum chain link fence along the length of the 40-foot shoreline setback on the northeast property line and along the entire 118-foot beach frontage. Ground light fixtures and luau gas torches with underground electrical and gas lines also were approved.

The chain link fence lies approximately 20 to 22 feet inland of the makai (south) property line. An erosion area of 1,410 square feet occurs between the certified shoreline and the south property line.

The property stands about 7 feet above sea level. A low embankment (+6.5 feet) separates the backyard from a gentle sloped beach below (+4.8 feet). The embankment is covered by beach naupaka about 2 - 2-1/2 feet tall.

Jaucus sand comprises the major soil type (Soil Conservation Service, 1972), however, the soil has long since been amended to support an established landscape and lawn.

The entire property lies in Flood Zone AO which is defined as areas of 100 year shallow flooding (FEMA, 1987). A flood height of 1'-0" has been estimated for this area. The property does not lie in a coastal high hazard area.

There are no historic or cultural sites on the property or within the shoreline setback.

Vegetation in the setback consists of common Bermuda grass, coconut palms, mondo grass, and lau'ae fern. The vegetation line is marked by thick growing beach naupaka which covers the existing chain link fence.

Utility lines--electrical lines to existing ground light fixtures, gas lines to luau torches, and irrigation lines--are all placed underground.

The property is designated Urban by the State Land Use Commission, general planned Residential, and zoned for residential use (R-5 zoning district). The Development Plan Public Facilities Map for the Primary Urban Center depicts construction improvements within the Kahala Avenue right-of-way beyond 6 years.

The property lies outside the Diamond Head Special District but falls within the County delineated Special Management Area.

Surrounding properties are similar in size and shape and each is occupied by one single-family dwelling. The property to the west has a 3-foot high chain link fence along its beach frontage and is landscaped by a dense naupaka hedge. The property to the east has no fence or hedge along its beach frontage.

There are no public beach rights-of-way adjacent to the property. An existing beach right-of-way is located approximately 2 blocks west opposite the Hunakai Street/Kahala Avenue intersection.

The Coastal View Study (Chu and Jones, 1987) does not identify any significant views of the ocean from Kahala Avenue fronting the Takemoto residence. The ocean cannot be seen from Kahala Avenue because of boundary walls (6 feet high), dense vegetation, the depth of the property, and established residential uses in general.

SECTION 3

POTENTIAL ENVIRONMENTAL IMPACTS  
AND MEASURES TO MITIGATE ADVERSE EFFECTS

Removal of the existing fence and installation of the new fence will damage plant materials on applicant's property, uproot existing vegetation (naupaka), and alter portions of the sand embankment upon which the existing fence line stands. This latter impact would be most pronounced in proximity to each fence post which requires post holes to be dug for poured in place concrete footings.

Some noise can be expected primarily from generators needed to energize welding equipment. The "crackling" sound of metal being welded would be faintly audible for the time it takes to complete this aspect of the project.

Upon completion, the sand embankment will be restored, damaged vegetation replanted, and beach vegetation trimmed and replanted as necessary. These actions should restore the work site to near pre-construction conditions.

The new fence will not affect recreation use of or lateral access along the beach fronting applicant's property. The fence will stand well above and away from a sandy beach used by swimmers, sunbathers, and strollers.

Naupaka will revegetate the embankment thus precluding erosion. The bank is fairly stable and generally not subjected to severe wave wash. Placed on high ground away from the beach, the fence should neither affect onshore-offshore sand exchange and longshore transport nor be affected by same.

In the long-run, naupaka regrowth will conceal the fence (except for the gates) from public view. Located away from the beach, the fence will not interfere significantly with views along the shoreline.

SECTION 4

REQUEST FOR SHORELINE SETBACK VARIANCE

Applicant requests a variance from Rule 13, Section 13.3 (Structures Not Permitted) of the Shoreline Setback Rules and Regulations, City and County of Honolulu.

Honolulu's Shoreline Setback Rules and Regulations do not prohibit facilities, structures, and activities in the shoreline setback. Variances to the rules and regulations can be requested with substantiation that:

- (a) the structure, activity, or facility requested is in the public interest, or
- (b) hardship will be caused to the applicant if the proposed structure, activity, or facility is not allowed on that portion of the land within the shoreline setback.

Applicant acquired the property in 1986 and has since implemented significant improvements for the personal enjoyment of the premises by family and friends. The most significant improvement occurred in 1990 when a new residence was constructed. To help safeguard the premises, security devices were installed inside and outside the house. An electronic controlled wrought iron gate across the driveway controls vehicle access to and from the premises. CMU walls (6-foot high) have been constructed both to replace aged and dilapidated wooden fencing and to provide security and privacy. A chain link fence was erected in the backyard within the shoreline setback in 1987 to deter animals from straying onto the property.

Applicant desires to improve overall site security by replacing the 2-foot high chain link fence with a 6-foot high fence. The higher fence will provide necessary protection from trespassers (which the existing chain link fence does not) and other intruders. The potential for trespass is amplified because of the new dwelling and because a swimming pool has been constructed facing the backyard. A 6-foot high fence has been erected across the open end (ocean facing) of the pool. Although this fence prevents entry into the pool, it does not prevent entry onto the property from Kahala Beach.

Applicant too uses the beach fronting his property and values the openness of the backyard and sandy beach below. However, to assure the safety of his family and the security of his residence and property he requests approval to replace the existing fence with a taller fence.

The location of the fence on his property (the rear yard) neither precludes lateral access along the beach nor public use of the beach. The new fence will allow applicant the reasonable enjoyment of his property without the threat of outside nuisances. Thus for reasons of personal safety and security applicant believes their request meets the tests of hardship and does not violate the spirit and intent of the Shoreline Setback Rules and Regulations.

REFERENCES

Chu, Michael S. and Robert B. Jones. 1987. Coastal View Study. Prepared for Development of Land Utilization, City and County of Honolulu.

Department of Land Utilization, City and County of Honolulu. 1988. 88/SV-1 (mstm).

Federal Emergency Management Agency. 1987. Flood Insurance Rate Map. City and County of Honolulu.

U.S. Department of Agriculture, Soil Conservation Service. 1973, Soil Survey of Islands of Kauai, Oahu, Maui, Molokai, and Lanai; State of Hawaii. In cooperation with University of Hawaii Agriculture Experiment Station. U.S. Government Printing Office. Washington, D.C.