

# HAWAII ARCHITECT

January 1990

Architecture and Government  
Floor Coverings

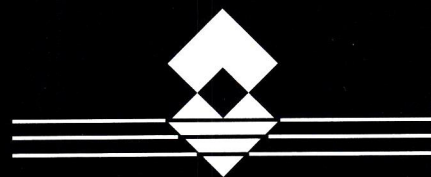
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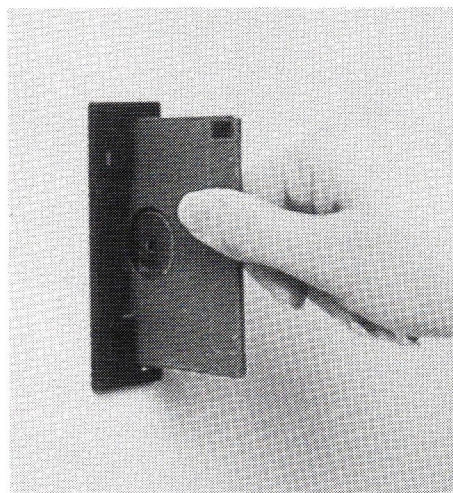


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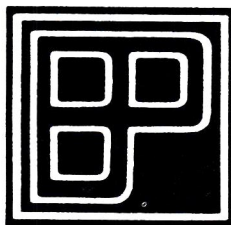
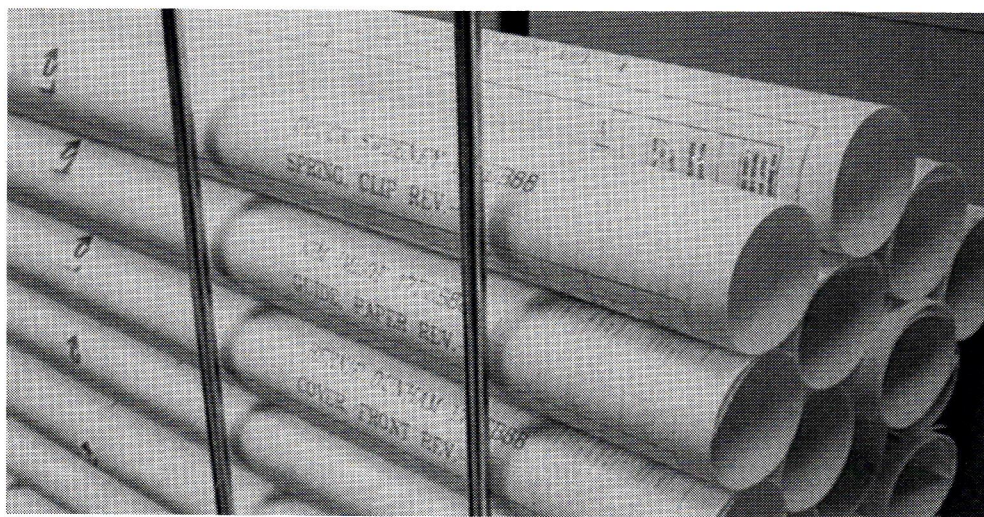


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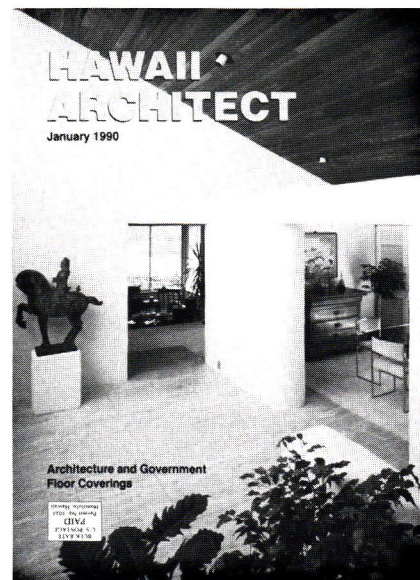
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*Cover: The entryway, atrium and lanai of Donald Chapman's home feature 2 foot by 2 foot squares of Roman travertine marble which was filled, honed and not polished. Photo by Augie Salbosa*

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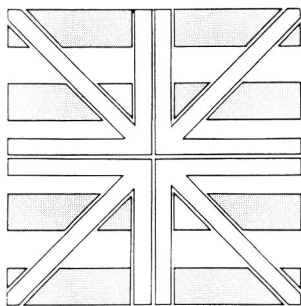


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## President's Message

# When One Becomes Two

by Shirley L. Cruthers  
Executive Vice President  
Honolulu Chapter/AIA

At the Hawaii Society/AIA annual membership meeting, ratification of the Hawaii Council bylaws and 1990 budget and dues rates climaxed more than two years of study and preparation for the restructuring of the Society.

For a state to have multiple AIA Chapters, there must be a state component. So for Maui to have Chapter status, a layer — the Hawaii Council — was added locally.

All members belong to a Chapter or section. For example, the Big Island is a section which belongs to the Honolulu Chapter. The only Hawaii Council/AIA members are the two Chapters — Honolulu and Maui.

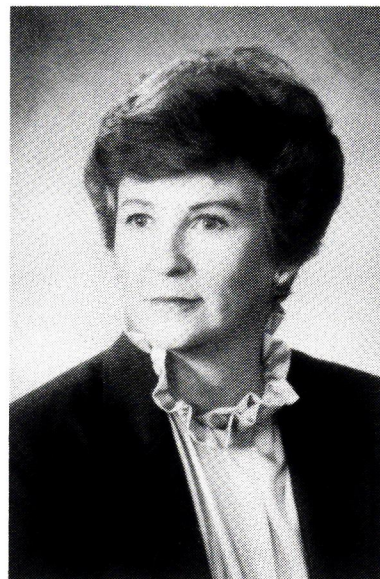
The primary responsibilities of the Hawaii Council/AIA are *Hawaii Architect* magazine and to provide assistance and information to state governmental, legislative and regulatory bodies.

The Hawaii State Council/AIA also will administer all member benefit programs, health insurance, etc.

Following adjournment of the HS/AIA meeting, Honolulu and Maui Chapter members met separately to ratify their respective bylaws and elect 1990 officers and directors.

Carol S. Sakata presided as president pro-tem of the Honolulu Chapter. The following members were elected to office:

Glenn E. Mason, AIA,  
president-elect; John M. Okita,



Shirley L. Cruthers

AIA, treasurer; and Fred L. Creager, AIA, J. Norman Lacayo, AIA, and Robert A. Luersen, AIA, directors.

With Hans H. Riecke presiding as president pro-tem, the Maui Chapter elected the following: Barry Allan Rand, AIA, president-elect; Warren M. Matsui, AIA, secretary; and Marie E. Kimmey, Assoc., treasurer.

Resolution No. 89-1, Relating to A Dues Increase, was passed. The increase, effective Jan. 1, 1990, is as follows:

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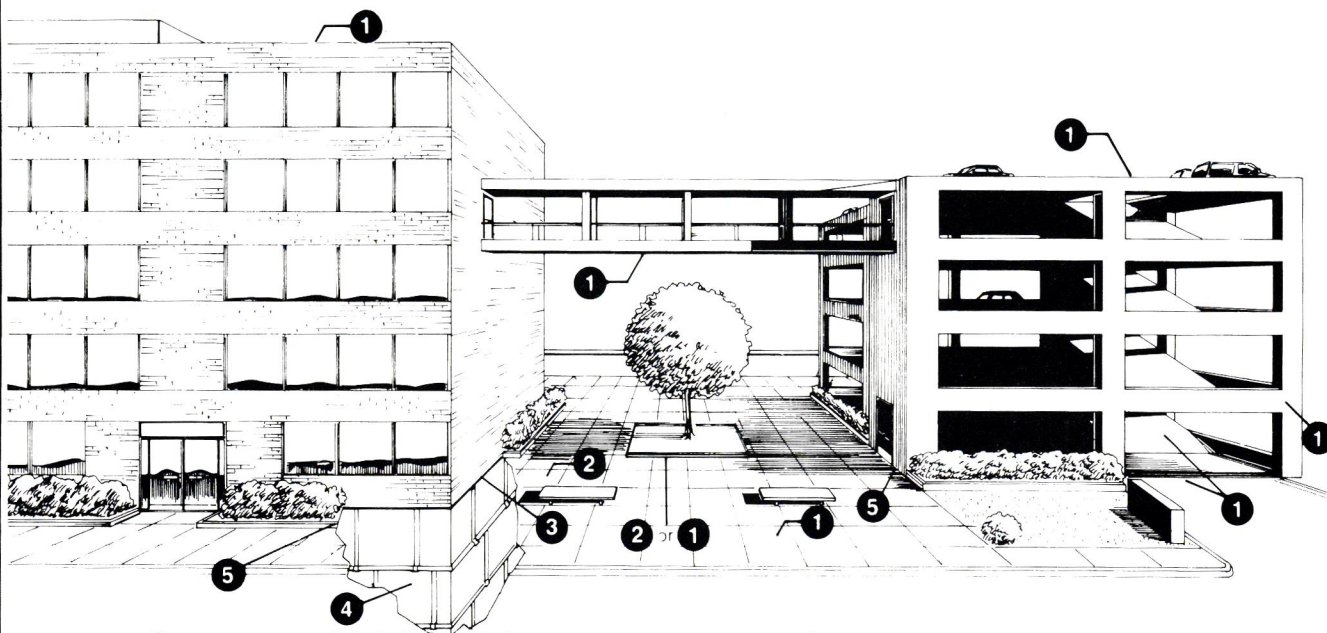
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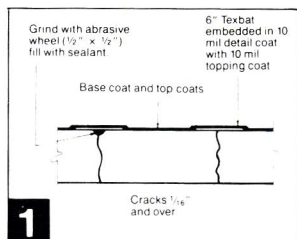




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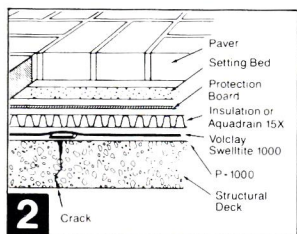
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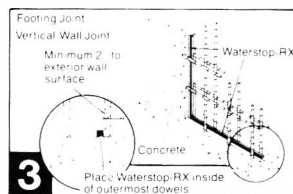
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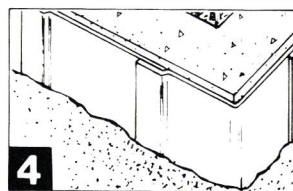
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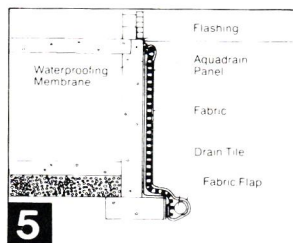
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# The Honolulu Chapter/ AIA: Our Journey Begins Now

by Theodore E. Garduque, AIA

From Round Top Drive on Mount Tantalus, I gazed down at the beautiful city of Honolulu, slowly comprehending the depth and scale. While picking out landmarks, I cataloged in my mind the pattern of urban texture. What does the future, I wondered, hold for our city, architecture and the professionals who practice the high art and science?

profession. So do the 25 members of the Hawaii Island section.

Like the struggle to see the islands on the horizon, the effort to visualize the future of the Honolulu Chapter and the Hawaii Island section is difficult. Yet, it is there. What becomes of our future is what we make of today. And so, with the help of the officers and directors of this chapter, we have fashioned a plan that will take us closer to our

dedicated ourselves to better understanding the relationship between people and government. We realize skills and opinions can make a difference. We are committed to supporting the Hawaii Council/AIA so that we influence the Legislature with one unified voice.

We will navigate our way using our conscience, guided by our passion for design excellence and our oath to continually advance



## Honolulu Chapter THE AMERICAN INSTITUTE OF ARCHITECTS

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I glanced seaward to the east on the slim chance I would make out the shapes of our sister islands — Maui, Molokai, Lanai and the Big Island — and westward to Kauai. Even though it was a clear day, it was too distant from where I stood. I could only imagine the islands on the horizon. A ceremonial gesture, perhaps.

Honolulu is home to a million or so people. More than 700 of them are highly trained professional architects, associates, professional affiliates and students, of the newly formed Honolulu Chapter/AIA. Each has unique needs, desires and aspirations for their city and their

destination.

We have charted a course which answers our need for fellowship, professional development and membership services. We have formed a plan for a new leadership involving the energy of our younger members and the wisdom of our experienced ones.

We have not forgotten our duties to educate the public about architects and architecture, look after our environment and concern ourselves with the historical and physical beauty of our land.

We have outlined goals to participate in government and

the art and science of architecture.

We may not yet see that island on the horizon, but there is a shining star of aspiration high above, marking the way. Together, with your involvement and support, we will travel into the next decade with a sense of purpose.

This is the moment to dedicate yourself to the service of your community, your profession. This is the moment to revisit those promises made by us all, to make our world a better place. Our journey starts now. **HA**

*Theodore E. Garduque is the 1990 Honolulu Chapter/AIA president.*



# 1990 Organizational Chart

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# The Maui Chapter/ AIA: In Control of Our Destiny

by Stanley S. Gima, AIA

One day in 1971, Tosh Ishikawa, Hans Riecke and I were having lunch at The Landing (now The Chart House) near Kahului Harbor. The sparkling turquoise ocean and verdant West Maui Mountains were a fitting backdrop for our discussion on aesthetics and local Maui issues.

Each of us had come out of the solitariness of our own work — Riecke and I as architects, Ishikawa as county deputy planning director — to discuss problems we were trying to solve. Because our time together was stimulating and supportive, we decided to meet regularly. Little did we know what would grow from that first seed.

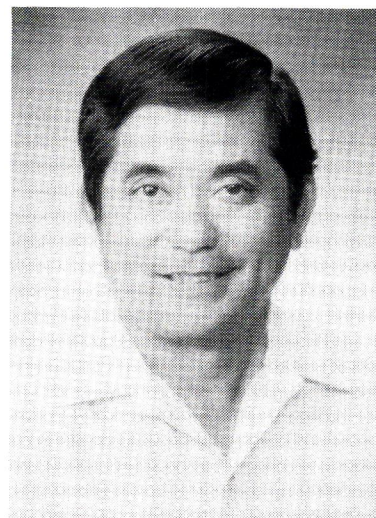
As we continued to meet, other professionals were invited to join us for informal get-togethers held *pau hana* in the restaurant's club car about once a month.

Gradually, we formed the nucleus of what evolved into P.A.L.M. (Planners, Architects, Landscape Architects of Maui).

After a few years, there were enough architects to constitute a subgroup, and at the P.A.L.M. meetings, part of the time was allocated for the architects' meeting. As the number of AIA members rose, that arrangement proved too cumbersome, and the architects decided to establish a separate group.

Our desire was to become better AIA members. We organized informal committees to keep track of certain issues and apprise the rest of us. If someone wrote a letter on an issue, we all signed in support. We invited other professionals and government officials to participate in our meetings.

We soon discovered the benefit of that practice. When a county

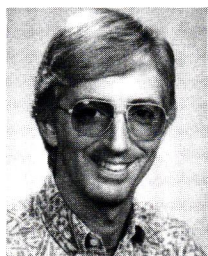


Stanley S. Gima

official came and heard why architects were against an issue, it made him rethink it and sometimes rewrite the ordinance.

As county officials began to appreciate the professionalism of our input, our clout grew. When we explained why something was

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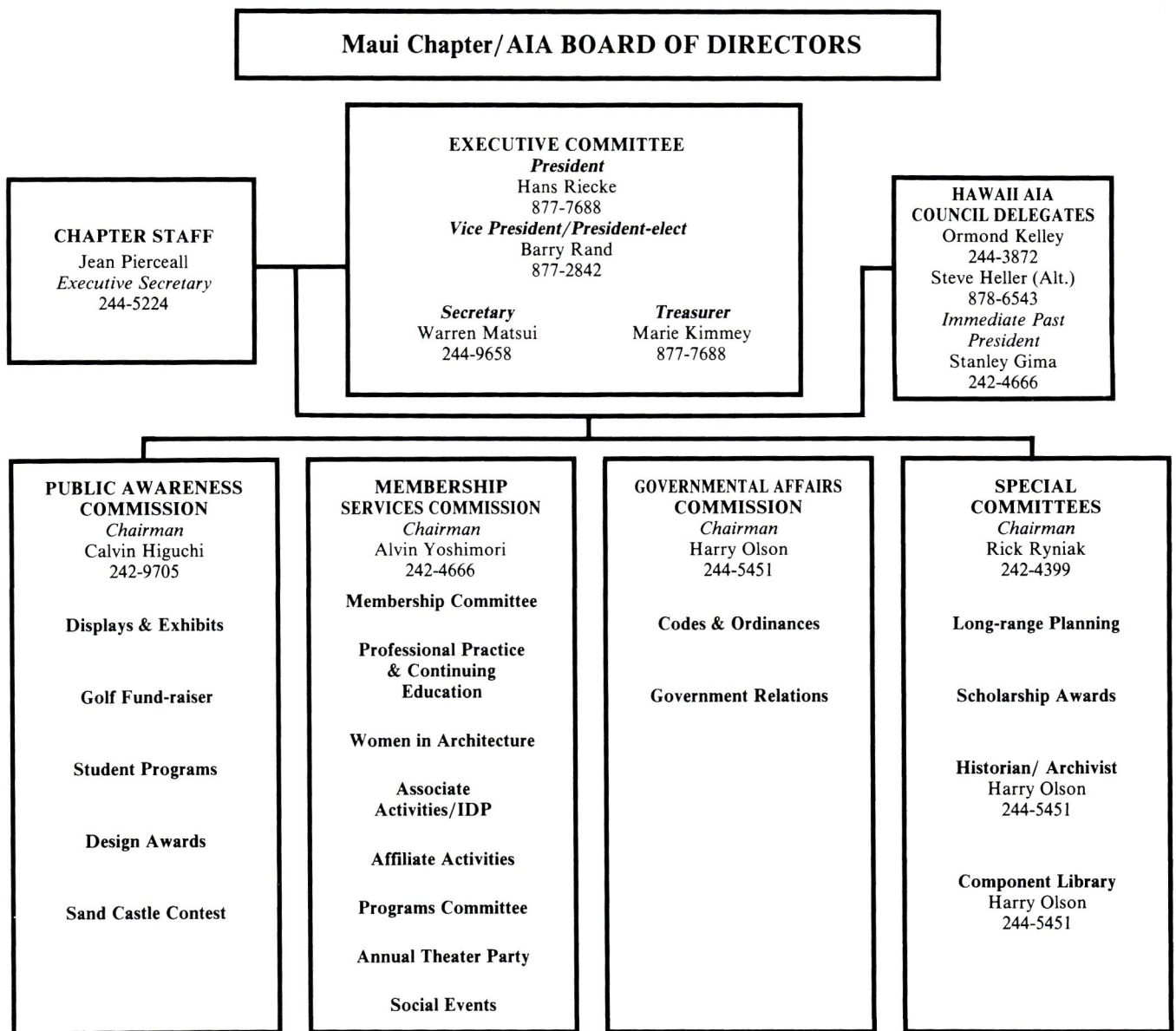
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# 1990 Organizational Chart



not practical, they modified it. In exchange, we received firsthand information early so we could contribute to the formulation of new ordinances. It was obvious we had a greater impact collectively than individually.

During this time, we also realized how impractical it was for Maui AIA members to participate in Hawaii Society activities on Oahu. Besides, the Society's activities were geared toward Oahu.

There was no official AIA body to address Maui issues because

the Honolulu group was not organized for this. All the more reason for a distinct Maui entity, we thought.

By January 1978, our group adopted the name "AIA/Maui Members" and elected officers. Riecke became president, Alvin Yoshimori, secretary/treasurer, and I was voted vice president.

We conducted programs similar to those on Oahu, including displays for public awareness, professional workshops, field trips to points of interest, co-sponsorship of an annual sand castle contest, speakers at

monthly meetings, input to county ordinances and codes, UBC amendments review, etc.

We were, however, limited in what we could accomplish locally because all AIA dues went to Honolulu, headquarters of the Hawaii Society/AIA.

When our numbers grew but our dues continued to leave Maui, we became concerned. We wanted to initiate new projects, such as helping high school graduates through a scholarship fund. We wanted to do more in the Maui community, as involved and interested AIA members should.



It was clear we had to go one step further.

By early 1984, AIA membership in the Maui group had reached 17. Then President Calvin Higuchi and Director Harry Olson pursued formation of the first section component in Hawaii.

After much discussion and cooperation with AIA's Institute Affairs in Washington, D.C., official recognition was granted

to the new "Maui Section" in late November of the same year.

It didn't take long, however, to become aware that even as the Maui Section, we were often stymied in carrying out goals. As a result, in July 1987, the Maui Section proposed to the Hawaii Society that we change our status from Section to Chapter.

We had several reasons for moving in that direction. We wanted to gain stature and

autonomy within the county of Maui and be able to deal with local matters more expeditiously and effectively.

By separating state and county functions and activities, we could offer a greater variety and number of programs to Maui members and engage them in more of our AIA events. We wanted to invite knowledgeable speakers on a variety of topics to our meetings and organize seminars for continuing education.

In order to grant us a separate chapter, Hawaii Society had to reorganize the structure of AIA in the state of Hawaii. I served on the task force established in January 1988 to form the State Council structure, which was approved at the annual November meeting.

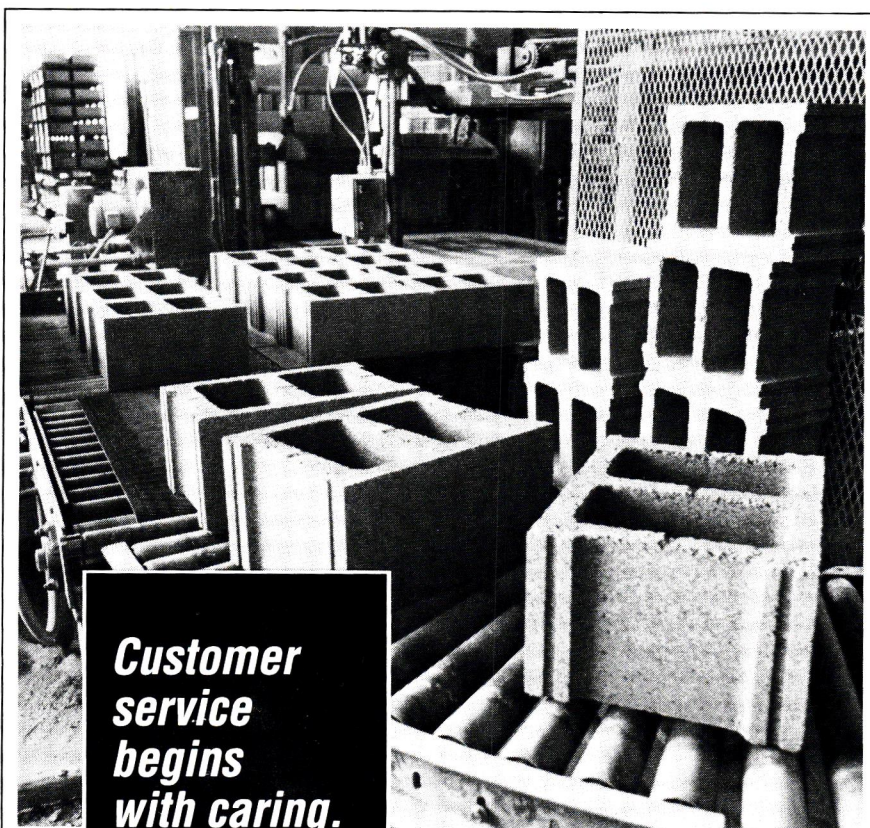
The past year (1989), other representatives worked out details for the state organization, while Oahu and Maui members finalized their respective chapter bylaws.

Today, Maui has 45 members, two-thirds of whom are AIA architects, nine associate members and six professional affiliates. They constitute the Maui Chapter/AIA, officially adopted at the annual meeting in November 1989.

As outgoing president, I am proud of the transformation we have attained. I look out on the island now, not from a harbor restaurant, but from my office at the Wells Street Professional Center in Wailuku, with an even broader view than I had 18 years ago.

I see much future success for the Maui Chapter. We are finally in control of our own destiny and can accomplish much toward protecting the natural beauty of our island environment. HA

*Stanley S. Gima, AIA, is co-founder and chairman of Gima, Yoshimori & Associates, AIA, Inc. He is a former principal of Architects Hawaii Ltd.*



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# Finally, Creation of the Shortest Distance Between Two Points

by David B. Caldwell

**T**welve years ago, when I began my first job in the architectural profession, I would jump a small curb to enter a handsome old structure and ride the elevator to the seventh floor to go to work.

When I took a break to go to the men's room, instead of going to the end of the hall, I rode back down the elevator, up to the end of the block and kitty-corner across the intersection and plaza to a fairly new Saarinen-like tower, and up another elevator 17 floors to the public rest rooms — and back again to return.

I did that for about nine months, until they adapted a toilet in our building. I guess you could say I'm disciplined in some things, patient or just inured to it all. I try not to be jaded.

I now work in a building — also handsome, also old — which has a toilet room with a 5-foot turning radius and fine handicapped stall. However, you must enter through two 30-inch doors which abut each other at right angles.

Being something of a contortionist, I manage to access it regularly. It is, however, definitely not accessible in the fullest sense of the word. But now, I am happy to report, that is the only sense in which it may accurately be used.

This past September, the Senate passed the Americans with Disabilities Act (ADA). In a nutshell, this legislation prohibits discrimination on the basis of disability in public and private sectors of society.

It will include areas such as travel, communication, accommodations, employment and many other related fields. This act is only the latest in a steady flow of legislation which seeks to ensure full access to and participation by all members of society.

It also is potentially the most far-ranging law yet instituted. I say potentially because, pending passage by the House, it remains to be seen how the courts will interpret many of the provisions.

However, as design

professionals, the intent of the law is clear-cut. Let me back up a step and review how we have arrived at ADA.

In the 1960s, civil rights acts opened the door to non-discrimination for many segments of society. However, they did not specifically enfranchise disabled citizens.

Later came the Architectural Barriers Act of 1968, which basically gave certain federal departments such as Housing and Urban Development and the Department of Defense, etc., the



*The new elevator at the Fort Street satellite city hall is a direct result of new legislation which prohibits discrimination in public and private sectors of society on the basis of disability.*



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duty to prescribe their own standards for accessibility. The result of this has been the development of what are known as "Section 504" regulations through the landmark Rehabilitation Act of 1973.

This act zeroed in on discrimination in a broad range of areas including access, employment and transportation. Equally as important, it mandated the establishment of the Architectural and Transportation Barriers Compliance Board (ATBCB), composed of disabled individuals, design professionals and representatives from various departments.

The directive to the board was to develop guidelines for design and provide technical assistance to the public. ANSI (American National Standards Institute) standards for the disabled became more fully developed at that time and were "the" standard for barrier-free design.

Throughout the 1970s and '80s, other amendments were passed, the Fair Housing Act was in effect, and various states were institutionalizing non-discriminatory language in legislation and building codes.

North Carolina incorporated ANSI standards into its building code in the early '70s. In the '80s, California developed state standards.

These states felt compelled to put standards into their codes, or legislation related to the code, because laws passed in Washington related only to federally assisted projects. What about state projects? What about private developers?

The Civil Rights Restoration Act became effective last year. This basically overturned *Grove City College vs. Bell* and specifies that entire institutions that receive federal funds must comply with civil rights laws.

In other words, if any part or program of an institution is in violation, the entire organization

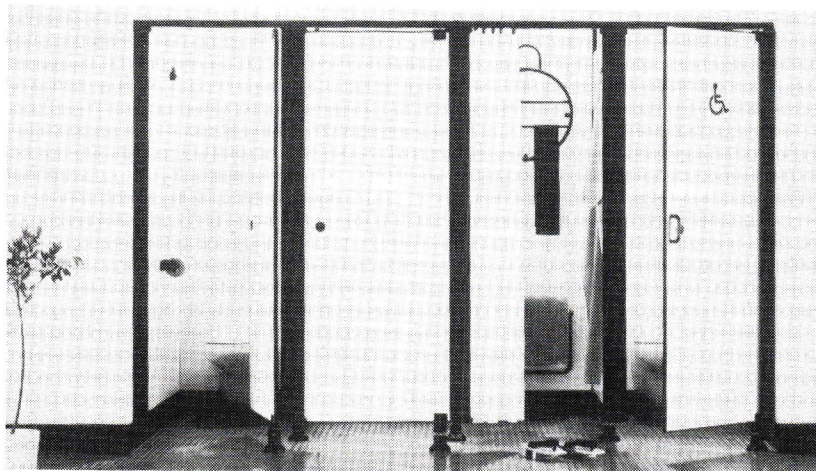
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is in violation of the law. So Congress is now redefining civil rights legislation in broader terms.

This brings us back to ADA, UFAS (Uniform Federal Accessibility Standards) and state legislation in Hawaii. Basically, it all boils down to two things — what are the standards and to whom do they apply?

First, let's talk about standards. In 1961, ANSI A117.1, design guidelines for accessibility, were published. These were guidelines developed in the private sector by consensus.

In 1984, the federal government published UFAS, a compendium of design guidelines as promulgated by the General Services Administration, DoD, HUD and the Postal Service, as directed by Congress in the Architectural Barriers Act of 1968.

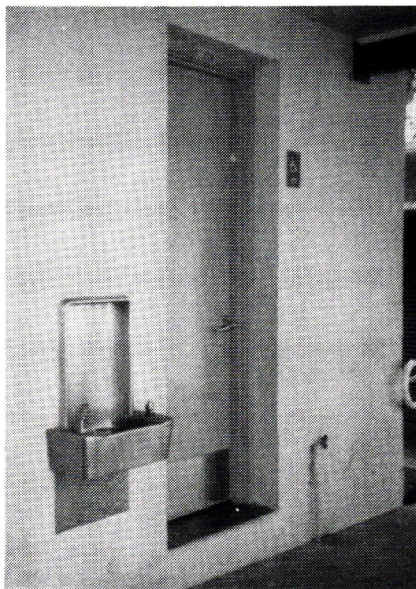
These new guidelines are intended to be consistent with ANSI, but in fact provide more extensive design criteria and graphic aid. They cover mobility and visual and hearing impairments.

These standards are available free from the ATBCB, the city Office of Human Resources (telephone 527-5860) or the state Commission for Disabled Persons (telephone 548-7606).

The most important aspect of the new standards involves the concept of "accessible route." This gets back to my toilet difficulty. The stall I use is accessible. The doors I go through definitely are not.

UFAS is quite clear about this because all accessible areas of a building must be connected along an accessible route. It is interesting to note that programmatic and design guidelines for the disabled are developing in tandem.

Just as no institution can be considered "in compliance" if any part of it discriminates, so too, no structure can be considered



*This photo shows an example of an obvious abuse of the International Symbol of Access. According to the Uniform Federal Accessibility Standards, all accessible areas of a building, such as public rest rooms, must be connected along an accessible route.*

accessible if any "accessible portion" is not connected on an accessible route.

As to whom these standards apply, state lawmakers this year amended legislation (section 103.50, HRS) which establishes an Architectural Access Committee to entertain specific variance requests concerning design for equal access for any state, city and county facility. It will not rule on issues in the private sector.

It further replaces all references to ANSI with UFAS. The state, as well as the federal government, now uses UFAS for its design criteria.

In the private sector, the soon-to-be-released City and County of Honolulu amendments to the 1988 Uniform Building Code will include design criteria taken directly from UFAS.

It is this incursion into the private sector that may have the most pervasive effect on accessibility for the general public, at least on Oahu. Neighbor islands are drafting, or will soon draft, their own amendments.

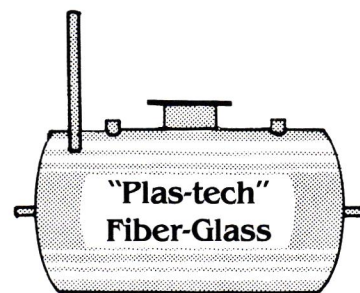
The new UFAS, then, are the latest developments in design criteria for accessible buildings and facilities. No office should be without a copy. They have taken a long time in coming and are, so to speak, state of the art.

As design professionals, we need to recognize the utility of these guidelines in all facets of our work and our responsibility to provide "real and full" accessibility whenever and wherever possible.

Legislation for the aging and disabled will continue to be more fully developed. However, it now has a firm foundation with the Uniform Federal Accessibility Standards and their incorporation into our local statutes. **HA**

*David B. Caldwell is a paraplegic and registered architect who works with Jeffrey Y. Nishi & Associates in downtown Honolulu. He currently serves as acting chairman for the mayor's Committee for People with Disabilities.*

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# Permit Processing: The Calm Before the Storm

by Andrew Charles Yanoviak, AIA

Architects in Hawaii have been experiencing unprecedented business growth during the past two years. While the size of firms and number and size of projects have grown dramatically, the number of construction permits also have increased significantly.

However, permit processing agencies such as the state Department of Health, county departments of Public Works, Honolulu Building Department and Honolulu Department of Land Utilization have not kept pace with the increased demand for government services and development associated with the influx of foreign investment capital.

Therefore, many skilled professionals in these and other governmental agencies involved in permit processing have taken early retirement or resigned to accept more lucrative positions in the private sector.

Consequently, many governmental agencies are operating at much less than peak efficiency and several are, in fact, incapacitated by unfilled positions and long-standing vacancies.

While conducting research for the Honolulu Chapter/AIA Codes and Governmental Relations Committee, it was discovered that some branches of government are operating with a 150 percent to 200 percent increase in work load and only 40 percent of normal staff strength, which can be further reduced by illness, vacations or

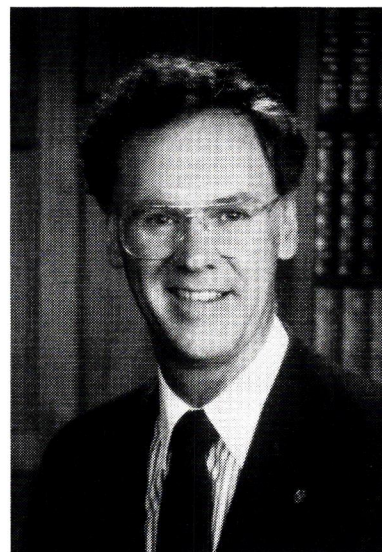
administrative leave.

During this crisis period, various branches of government have been sharing staff personnel and work loads and, for the most part, have been managing "splendidly." Splendidly, that is, if you are inside government and experienced in absorbing excessive work load and pressures associated therewith.

Because of strong community involvement in environmental planning issues and insular land use politics in Hawaii, there are more and more governmental regulations, ordinances, code provisions and reviewing and approving agencies involved at federal, state, county and neighborhood levels to hopefully improve the quality control of development, planning, design and engineering in Hawaii *nei*.

Most developers, building owners and managers, architects, engineers and planners practicing and conducting business in Hawaii have an entirely different viewpoint. They have been extremely frustrated and have been complaining vehemently for some time.

In addition, the Honolulu Chapter/AIA Codes and Governmental Relations Committee has been pressured into working with the various county Building and Public Works departments, the Honolulu Department of Land Utilization and state Department of Health to identify problems and prepare solutions for implementation to improve permit processing.



Andrew Charles Yanoviak

Over the past three years, task forces have been formed with verbal and written reports provided to the membership. Seminars have been held at the Honolulu Chapter/AIA office with several government officials reporting on their policies, management problems and strategies.

Honolulu Chapter/AIA architects also have met privately with government officials. Basically, we have learned that the problems are bound to get worse before any real improvements are made to facilitate and expedite permit processing.

One pacifying idea from a frustrated design professional which has been implemented to date is to provide the Honolulu Building Department with architectural journals and periodicals (compliments of the



Honolulu Chapter/AIA) to mitigate prolonged waiting periods for conferences with staff members over code interpretations.

One Honolulu Chapter/AIA task force report placed much of the responsibility for improving permit processing on the design professional. It was recommended that design professionals make a major effort to improve communications capabilities with governmental reviewing agencies.

Traditionally, architects and engineers involved in land and site planning and building design have prepared drawings to facilitate communications with clients such as contractors, builders and building owners, managers and developers.

However, most design professionals and their clients neglect to communicate appropriately with governmental review and approval agencies. Invariably, incomplete construction plans submitted for review are not fully coordinated by the various design professionals involved in a project.

Furthermore, these submissions are rarely outlined, color coded or delineated and do not contain check lists or calculations to facilitate and expedite reviews and approvals.

Only infrequently are site or design model photographs or perspective drawings presented to facilitate three-dimensional comprehension or concerns for off-site environmental impacts. Often, site, building and wall sections are sparse and non-informative.

The government reviewer has the responsibility to safeguard public health, safety and welfare but not to coordinate the work of the design professionals. The design professional is ultimately responsible for any errors or omissions on their plans, specifications and calculations.

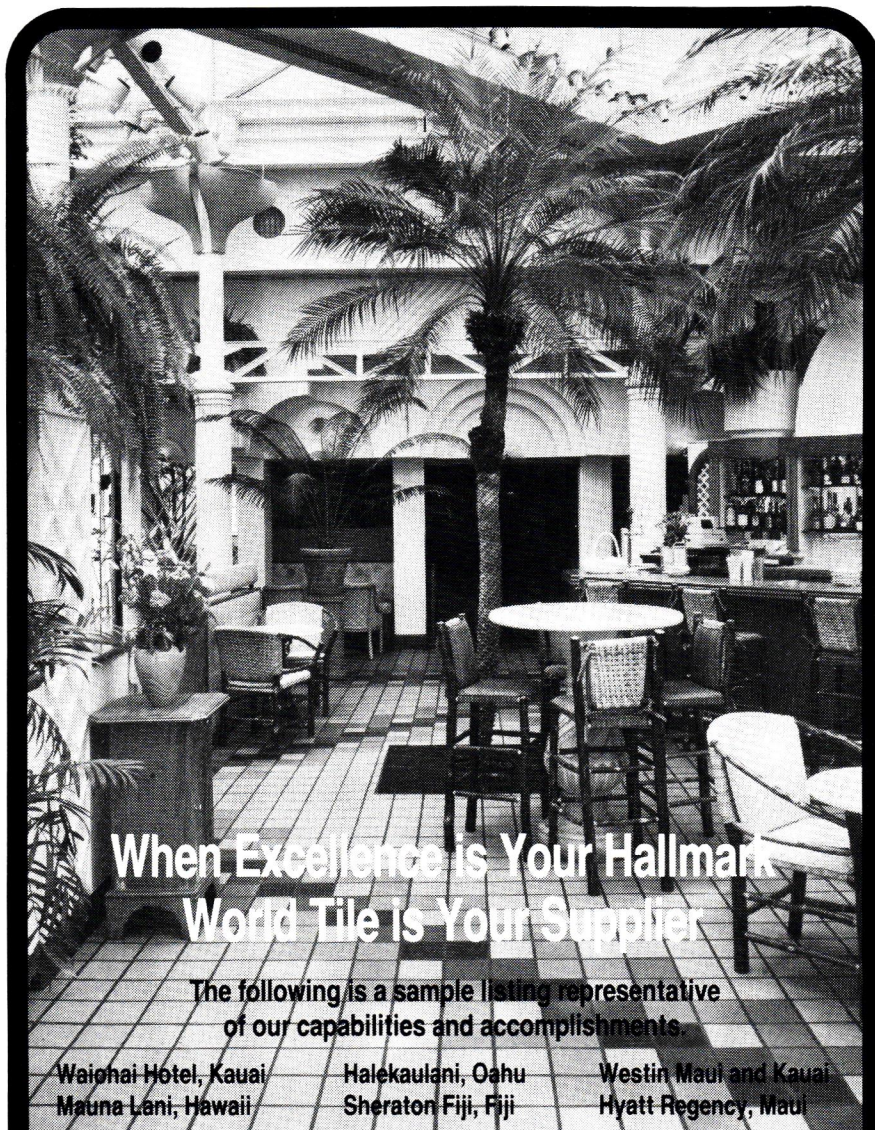
Under current crisis conditions

existing among reviewing and approving agencies, the quality of the built environment in Hawaii is bound to suffer unless design professionals make a concerted effort to improve the thoroughness and focus of their communications with governmental agencies.

Efforts could include presubmission and research conferences with government

officials, politicians and community leaders.

By virtue of state law and provisions of the charter of the City and County of Honolulu, the Department of Land Utilization (DLU) is the designated governmental agency on Oahu responsible for coordination of all federal, state and county permits and community approvals required by law.



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The Honolulu Land Use Ordinance (LUO) may specify a maximum review period of 45 to 90 days, for example, with regard to certain governmental regulations and clearances required in the process of granting permits.

However, once the project leaves DLU for input from the City Council or Planning Commission, DLU no longer has

any control over time limits specified in the LUO.

Certain projects also require zone changes and/or changes in LUO provisions. This complicates the review process considerably and often curtails the possibility of expediting permit approvals.

In conjunction with its charter mandate, DLU publishes a "Permit Register" booklet which lists the primary requirements

and review criteria for government rules and regulations affecting land use and building projects.

DLU also publishes other guidelines and guidebooks such as the procedures and regulations required for "Processing a Subdivision Application" and "Zoning Variance," etc.

It is recommended that architects and planners visit and confer with DLU at the initiation of a project and plan permit processing strategies well in advance of the preparation or submission of construction documents.

Certain architects attending Honolulu Chapter/AIA Code Committee meetings as guests have recommended development of a more simplified matrix-type checklist and a tracking mechanism to better manage the permit review and approval process.

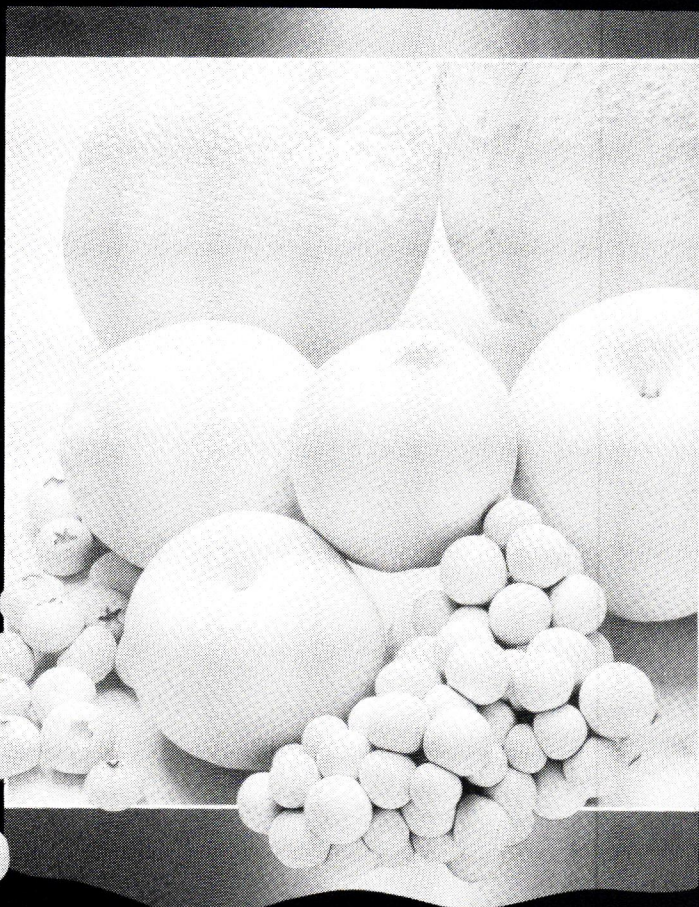
Others have recommended the possibility of total computerization of the process as more architectural, engineering and planning firms adopt computerized design and drafting systems.

There have even been recommendations to streamline the operations and systems of permit review and approval at not only DLU, but also at the Honolulu Department of General Planning, Building Department, county departments of Public Works and state Department of Health where major obstacles to expediting permit processing perceived by design professionals.

On the other hand, government agencies are continually reminding us that many vacant positions are still "frozen" by the budget process as mandated by the Council and/or administration.

Furthermore, even when new personnel are hired to review and approve applications, it may take months for appropriate training. HA

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# Long-range Plans for Kailua's *Ahupua'a* are Disappearing

by Victoria Creed  
and Donna Wong

In the 1970s, Allan Sanborn, AIA, coined the phrase "vertical open space" to describe the natural open green boundaries of Kailua.

The natural boundaries of Mount Olomana, Keolu hills, Kalaheo hillside and Kaiwa ridge are the vertical open spaces that surround the basin of Kawai Nui

Marsh and Kapaa Valley. They physically interconnect Kailua's scattered communities. It is this vertical open space that gives each community an individual identity.

In keeping with Sanborn's vertical open space concept, architects and planners of the late 1970s presented two large-scale planning options available for consideration for the Kailua area.

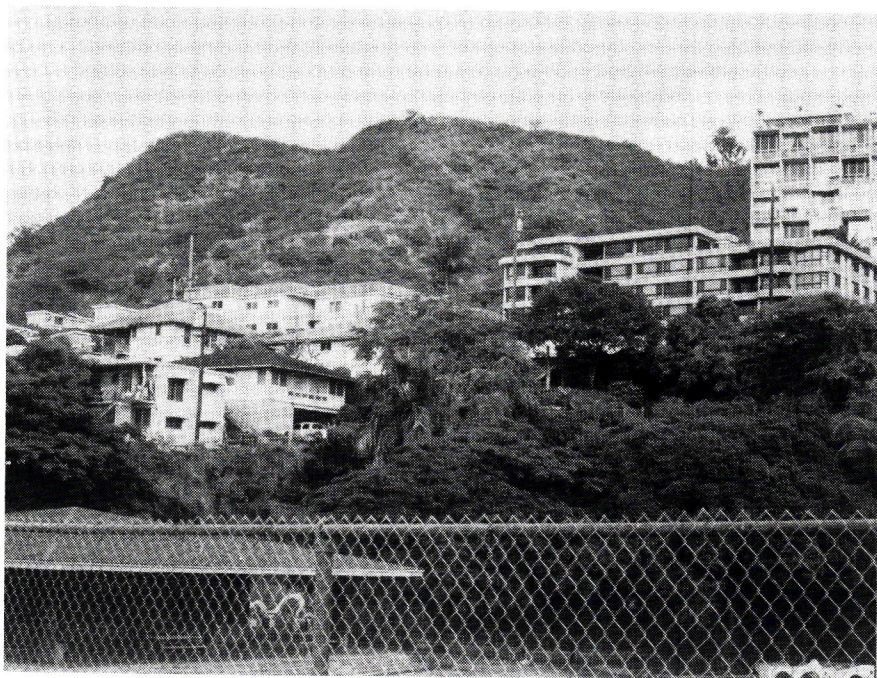
One option was Sanborn's vertical open space Green Belt Plan. The second, with Robert Herlinger, AIA, as consultant, was the Kawai Nui Directional Plan for the *ahupua'a* of Kailua, which reunited the resources of Kawai Nui Marsh and Maunawili Valley as it existed in precontact Hawaii.

A major contributor to this plan was Muriel Seto. As an activist in the Kailua community, Seto was able to marshal a statewide summary of individuals and organizations intent on the protection and enhancement of the only freshwater tropical marsh in America.

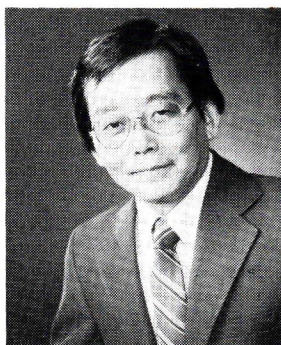
This farsighted plan also recognized the complexity of modern problems affecting the marsh and valley.

It considered the cultural basis of area legends in ancient Hawaii, overlaid that understanding of the valley with a watershed and flood control concept and provided a third overlay, endowing the plan with passive recreational, educational and scientific resources.

This triple layer plan



*Short-sighted land use practices are evident on the slopes of Punchbowl Crater.*



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## *Advice from Gene ....*

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encompassed hiking trails, botanical gardens, agricultural areas, educational and scientific centers, visitor centers, multiple *heiaus*, interpretive centers, campgrounds, picnic areas, a wildlife sanctuary, a non-motorized boating facility and a fishing estuary.

The present state Kawai Nui Marsh Management Resource Plan is materially the same as the citizens' Directional Plan. The state conservation designation of Mount Olomana, long recognized as the Diamond Head of the Windward side, envisaged the vertical open space extending from mountain to sea. It uses much of the *ahupua'a* of Kailua as a park area for Oahu residents and tourists to enjoy as Honolulu becomes crammed, high-rise to high-rise, and people thirst for outdoor recreational opportunities and retreats.

To this day, Kawai Nui Marsh

is a mistreated, misused and misunderstood natural resource. But after 20-some years, progress is being made toward implementation of the Kawai Nui Marsh Management Resource Plan.

Mount Olomana, on the other hand, remains in the "endangered" category. Housing encroachment has occurred on the Enchanted Lake side of the mountain, and grading for a golf course is taking place on the Maunawili side.

Development continues to stalk its flanks. Presently, ownership and the inherent development rights of the upper Enchanted Lake side of Mount Olomana is being argued over in Japanese courts between two Japanese corporations.

Another area under siege is Maunawili Valley, whose biodiversity has existed at least since the 1850s and has most of

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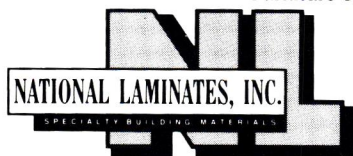
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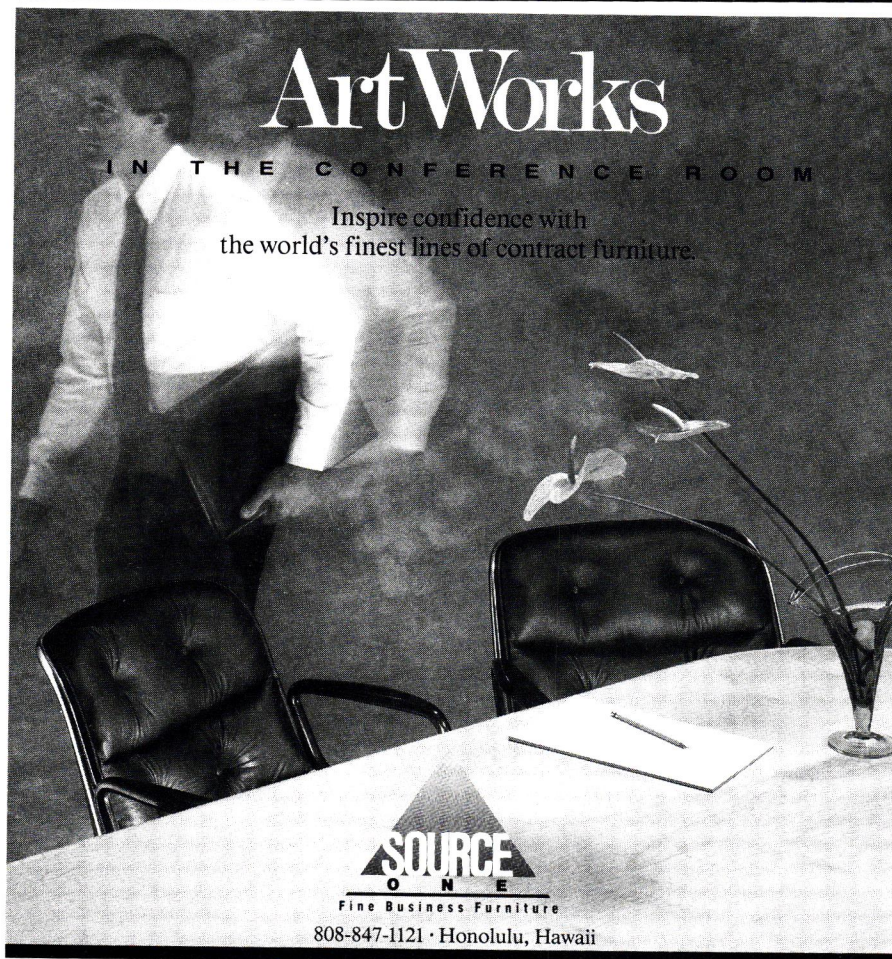
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the earmarks of a tropical rain forest. Many exotic trees grown in Foster Gardens and Hoomaluhia Park have existed for more than half a century in Maunawili Valley.

In 1986, Han Kuk Chun, a Korean national also known as Yasuo Yasuda, bought 1,091 acres of Maunawili Valley, including the Maunawili side of Mount Olomana to the top.

Yasuda founded two companies, Y.Y. Valley and Royal Hawaiian Country Club, for the exclusive purpose of developing two private golf courses, two clubhouses and other amenities.

Since approval of the Conditional Use Permit (CUP) by the city Department of Land Utilization in 1986, there have been many violations of that permit, including broken promises by the developer to the community and sporadic follow-through, if any, by government agencies.

CUP conditions that were disregarded include granting approval of the golf course project before there proved to be sufficient on-site well water for irrigation, displacement and lack of relocation of farmers and loss of public access to Mount Olomana and Maunawili Falls.

A general lack of concern and good long-range planning resulted in destruction and improper identification of archaeological sites and the continuing threat of loss of public ownership of Old Government Road that traverses the valley to Waimanalo.

One major concern is lack of water for irrigation. The developer has dug seven wells, but only one is producing some (not sufficient) water. Grading permits were granted and grading began with no on-site water.

The developer recently applied for and received approval from the Board of Water Supply to use public water from a fire hydrant for irrigation. Once grading



begins in the back of the valley, where there are no public water sources, it is theorized that the developer will apply for use of Maunawili ditch water.

Ditch water currently services Waimanalo agriculture lots as well as the many valley streams, whose water has already been diverted and cut by 50 percent.

Dr. Joseph Franzini of Stanford University recently visited the golf course grading sites and Kawai Nui Marsh.

After examining the project, Franzini, civil engineering consultant and internationally renowned hydrologist, sounded the alarm to community leaders and government representatives that "work should be halted until the vegetation takes hold so as to avoid flooding and landslides to downhill residents."

His visit and comments received no recognition from Hawaii's governmental officials, and to this day grading continues on the golf course.

Anthony P. Locricchio, an attorney and Maunawili resident, has been involved for the last 10 years in envisioning future long-term land use for Maunawili Valley and Kawai Nui Marsh.

He became actively involved when it became obvious the 1985 bill permitting golf courses on agricultural land as a permitted use was a violation of the Hawaii Constitution.

When farmers were being illegally evicted rather than relocated (as per the CUP), Locricchio volunteered his legal services on a cost basis. The results have been the filing of a slander suit because 50-year Maunawili residents were being called "squatters;" a lawsuit on behalf of ranchers whose bulls were slaughtered and whose property was stolen or damaged; and a RICO (Racketeering Influenced Corrupt Organization) lawsuit on behalf of some Maunawili farmers.

When world renowned experts

are unable to convince government officials to heed the call for immediate action or recognize the necessity for long-range planning, what is the average citizen to do? Are lawyers and lawsuits the only recourse?

Concerns are continually voiced but are either ignored or treated condescendingly ("Don't worry, everything is according to law").

Planning and development must be a collaborative effort between planners, implementors and the people who have to live with that planning — good or bad. **HA**

*Victoria Creed is president of the Maunawili Community Association. Donna Wong is president of Hui Malama 'aina o Maunawili, "the people who honor the land of Maunawili."*

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# Residential Height Limits: A Trap for the Unwary

by Harvey J. Lung, Esq.  
and Crystal K. Rose, Esq.

**T**he exotic looking "pole" houses, so popular and familiar to the slopes and ridges of Waialae Iki, Manoa, Nuuanu, Alewa Heights, Pacific Heights and others, may be a thing of the past.

In 1988, Chapter 21A of the Revised Ordinances of Honolulu was amended to clarify height measurement restrictions for residential construction.

This Land Use Ordinance (LUO) amendment has

particularly profound effects with respect to residential construction on sloping lots. It also could prove a costly trap for the unwary.

Prior to the LUO amendment, the Comprehensive Zoning Code and LUO contained different methods of measuring height to establish a height envelope for construction.

These different methods for measuring height made it difficult for building inspectors to administer and enforce, and

caused confusion and uncertainty for building permit applicants.

Loopholes existed, especially with respect to residential construction on sloped lots. This was due to the lack of a requirement to build within a height envelope parallel to the existing topography.

This loophole allowed owners/developers to create structures with a building face that exceeded 25 feet, the intended residential height limit.

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Moreover, some prior methods of measuring building heights for residential development were so inflexible as to unduly restrict freedom of design or force less than the full area of the buildable land to be utilized.

The 1988 LUO amendment was designed to eliminate the different methods for establishing height limitations for residential development and to replace it with a single, uniform method of measurement.

It also was intended to reduce inconsistencies in the application of height restrictions, defeat circumvention of these restrictions and facilitate their administration and enforcement.

The LUO amendment now requires the building height envelope for all residential structures to run parallel to existing grade or finish grade, whichever is lower.

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# IN FOR MA TION



If, however, the finish grade is higher than existing grade because of infrastructure requirements (i.e., driveways, roadways and the like), the height envelope is measured from finish grade.

The amendment also exempts from this height envelope certain structures, such as chimneys, fans and, under certain

restrictions, utility poles, antennae, spires, flagpoles, wind machines and energy saving devices.

What does this mean? First, the height of residential structures must follow the topography of the land. Second, these height requirements are measured from existing or finish grade, whichever is lower.

This limitation prevents developers/owners from filling and cutting to obtain a higher building envelope.

The amendment, however, also is flexible to accommodate unusual conditions. Specifically, if unusual natural deviations exist, the director may adjust the envelope to permit reasonable building design.

Design professionals should familiarize themselves with this amendment. Failure to design a residence in accordance with these height restrictions can be costly and time-consuming.

If the error is detected during the design phase, the design professional will be required to redesign the residence, at his or her own cost and expense. Failure to follow the LUO amendment also may cause delays if the omission is not discovered until the construction phase of the project.

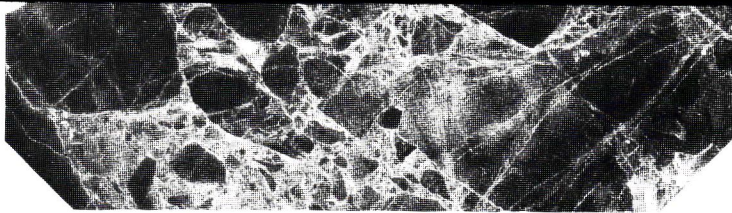
No longer limited to redesign expenses, a claim during the construction phase may involve increased construction costs and delay damages. Furthermore, even completion of the residence does not eliminate the possibility of a claim.

After construction, an adjoining property owner may seek damages against the owner of the residence for this type of design error if their view channel is obstructed because the residence exceeds the applicable height limitations.

The owner of the residence will, in turn, sue the design professional for having created the problem in the first place. The damages will, in all probability, be measured by the diminution in value of the adjoining owner's property, which could be substantial.

For all these reasons, beware of these height limitations. **HA**

*Harvey J. Lung and Crystal K. Rose are partners with the Honolulu law firm of Bays, Deaver, Hiatt, Kawachika and Lezak.*



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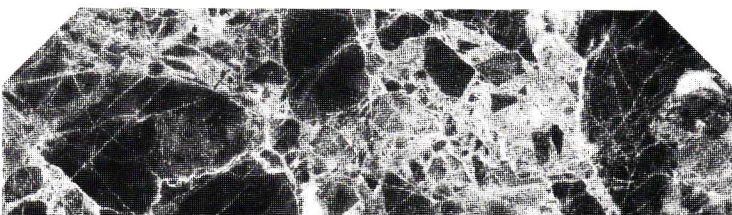
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# Where to Put Your Best Foot Forward

by Jūd. Fero

**A**rchitects, no doubt, are constantly striving to put their best foot forward. And the surface upon which those feet are placed is a major design consideration.

The following, which offers a brief explanation of some of today's more popular floor coverings, will hopefully help you take a "step" in the right direction when making this all-important decision.

## Ceramic Tile

Ceramic tile has a thousand faces, one of which is easy care. Most of today's parents are on the run and have little or no time to plug in the vacuum cleaner. The once-plush carpeted offices are no longer a trap for black carbon and spilled coffee.

A wide selection of ceramic tiles is available from wall tiles to commercial flooring. White body clays with low fire glaze are considered the softest of the ceramic field. General use is countertop and wall application.

Hard clay bodies such as porcelain, stoneware and clay with iron can be fired at higher levels. These high fires can produce extremely beautiful colors and crazing effects. These types of materials last the lifetime of the home and are more resistant to scratching, staining and champagne glasses being dropped at house-warming parties.

This tile also is child resistant — choo choo's flying in midair are hardly noticeable upon impact. In

addition to requiring very little maintenance, ceramic tile is affordable and, last but not least, clean and bug free — which makes everyone happy.

## Cast Tiles

Solar tile is my name for this material, a composition of mica aggregate acrylic additives, sand, cement and various dyes poured into a mold and set to cure by the sun's rays, then sealed with a penetrating sealer.

Mold sizes range from 3 inches by 3 inches to 24 inches by 24 inches. Shapes such as octagon, San Felipe and Renaissance make this a favorite choice of designers.

When finely sandblasted, the appearance changes dramatically, taking on the characteristics of aged stone. When extreme sandblasting has been penetrated, aggregate is exposed and takes on the look of very expensive flamed granite.

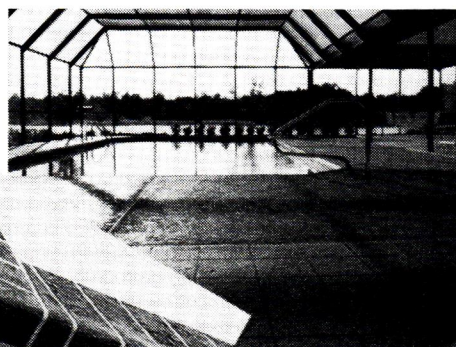
After installation, a topcoat

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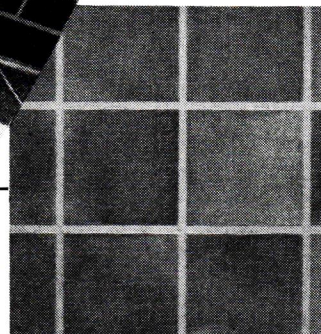


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sealer is applied to give a luxurious look. The joy of this material is that it is truly endless — or should I say timeless.

## Quarried Materials

Beauty comes with age. It's been said millions of times for hundreds of years. Truer words were never spoken. Marble and granites were used in great quantities for centuries. At the turn of the 20th century, marble

and granite were at their peak. As the 21st century approaches, history may be about to repeat itself.

In many kitchen and commercial countertop designs, I spec in granite. We call this the working and drinking kitchen. Most people probably relate to the kitchen as a favorite place to hang out while the gourmet cook creates a new wine sauce. If a little wine is spilled on this

surface, no need to worry. It will not absorb.

Granite is the answer and doesn't cost much more than some man-made materials used today. Caring for marble and granite is not as difficult as one would think.

There are many products on the market today that would curl Cleopatra's hair. If only she knew then what we know now. A mild cleaning solution, sealer and good carnuba wax job make cleaning marble as easy as taking care of your favorite chariot. Hard solvents or vinegar, however, will diminish the shine.

## Rock and Stone

Slate and flagstone have never lost popularity. These rough textures also have come a long way. Quarries have opened up a new world of slate colors so vibrant to the eye that even the finest artist would be envious.

This most intriguing material is a composition of layer upon layer of stone with various fossils and sediment embedded between the layers, giving it incredible beauty.

As the population explodes on the islands, so does the popularity of slate roofing. Colorful roofs were once only seen from aircraft. Now the razzle and dazzle of slate roofs can be viewed from car windows.

Many architects take great pride in their expertise of having their roofs make a statement. After all, without the roof there would be no house.

Flagstone is a beautiful, mellow stone cascading and reflecting the desert sun. Each piece is individually different from the other. Placing these large and small pieces of stone together completes a unique puzzle of colors.

Care for these materials varies from penetrating sealers to topcoat sealers that give luster. However, I never recommend a luster sealer for exterior use. HA

*Jûd. Fero is design consultant for Terra Firma Tile & Marble Gallery.*

# CONCRETE IDEAS



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Architect: Gerald Lum & Company  
Engineers: Shigemura Yamamoto Lau & Associates, Inc.

Few things in our lives today are more familiar to us or more widely patronized than our favorite supermarket. Good reasons for Safeway to use concrete blocks as the basic building material for its new Enchanted Lakes store. Permanent, practical, and pleasing to look at. When building costs are controlled and appearances enhanced, everybody shares the benefits.

For information on the many ways concrete can increase the values and lower the cost of your project, simply call the CCPI Research Library.



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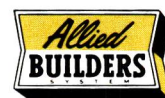
For the California-based owner's representative, interiors specialist Steven R. Frank, the contractor demonstrated big picture intelligence, situational control, artisan pride and lightning speed—as rain threatened to break through the renovated mall's half-completed skyline.

"Allied went the extra yard to organize and accommodate—and help us open in a timely fashion," noted Frank. "They were in control, even under duress, at all times."

True to its trademark, Allied hit the deck running with plans in hand one day, computerized scheduling the next, and men on site right after that.

Cobeen's conclusion: "It was our first job together. I hope there will be many more."

Allied Builders project manager Bret Phillips,  
North Beach Leather manager Steven Frank, architect Duane Cobeen



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