



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 12, 2021

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

ISSUANCE OF MONTH-TO-MONTH REVOCABLE PERMIT TO PIER 21 LUNCHROOM, LLC, FOR RESTAURANT CONCESSION SPACE, HONOLULU HARBOR, OAHU, TAX MAP KEY NO. (1) 1-5-039:035 (P), GOVERNOR'S EXECUTIVE ORDER NO. 2903

LEGAL REFERENCE:

Sections 102-2, 171-6, 171-13, 171-17, 171-55, and 171-59, Hawaii Revised Statutes ("HRS"), as amended.

APPLICANT:

Pier 21 Lunchroom, LLC ("Applicant"), is a domestic for-profit corporation whose business mailing address is 3075 Ala Poha Place, Unit 608, Honolulu, Hawaii 96818.

CHARACTER OF USE:

Operation of an existing kitchen space for concessions to service the surrounding maritime employees and vessels with operations at Honolulu Harbor.

LOCATION:

Portions of governmental lands at Honolulu Harbor, Oahu, Tax Map Key No. (1) 1-5-039:035 (P), Governor's Executive Order No. 2903, as shown on the attached map labeled Exhibit A.

ITEM M-8

AREA: See attached Exhibit A

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	2 nd Floor Restaurant and Kitchen Space	Industrial Office Space	560	\$ 1.30	\$ 728.00	\$ 1,456.00
2	Restroom Fee (CAM)	Restroom	18	\$.20	\$ 3.60	\$ 7.20
					\$ 731.60	\$ 1,463.20
					Total Monthly Rental	Total Security Deposit

Total Rental including CAM (Common Area Maintenance) will be \$731.60 per month or 10% of gross receipts, whichever is greater.

CONSIDERATION:

Determined by appraisal as of April 1, 2020, for revocable permits in Honolulu Harbor.

ZONING:

State Land Use Commission: Urban
 City and County of Honolulu: I-3, Waterfront Industrial District

COMMENCEMENT DATE:

March 1, 2021

TRUST LAND STATUS:

Land acquired after statehood (non-ceded lands).

CURRENT USE STATUS:

The Applicant currently uses the premises. The Department of Transportation, Harbors Division (“DOT Harbors”), has been reviewing all month-to-month permits to ensure compliance with and applicability to Sections 171-17 and 171-55, HRS. The DOT Harbors is updating the Applicant’s permit with current appraised rates and updated permit terms (as applicable).

LAND TITLE STATUS:

Acquired by the DOT Harbors, through eminent domain proceedings by issuance of Governor’s Executive Order No. 2903.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

This action is exempt from Office of Environmental Quality Control (“OEQC”) requirements pursuant to Sub-Chapter 11-200.1, Hawaii Administrative Rules, which exempts the following:

Exemption Class 1: “Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving minor expansion or minor change of use beyond that previously existing.”

The DOT Harbors will submit its publication request of this Exemption Notice to the OEQC for publication on the 8th of each month.

REMARKS:

The Applicant provides food concessions primarily for maritime-related companies that have operations at Honolulu Harbor as well as the general public. The applicant does not qualify as being maritime-related as generally required for direct issuance of permits by DOT Harbors without public auction. However, HRS Section 102-2 provides exemption from public auction for concessions on permits revocable on notice of thirty (30) days. The permit will conform to the requirements set by Section 102-2, HRS.

The DOT Harbors has been reviewing all month-to-month permits to ensure compliance with and applicability to Sections 171-17 and 171-55, HRS. This submittal will update the month-to-month permit which is compliant with Chapter 171, HRS.

RECOMMENDATION:

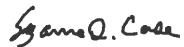
That the Board authorize the DOT Harbors to issue the Applicant a month-to-month revocable permit for the above-stated purposes, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:

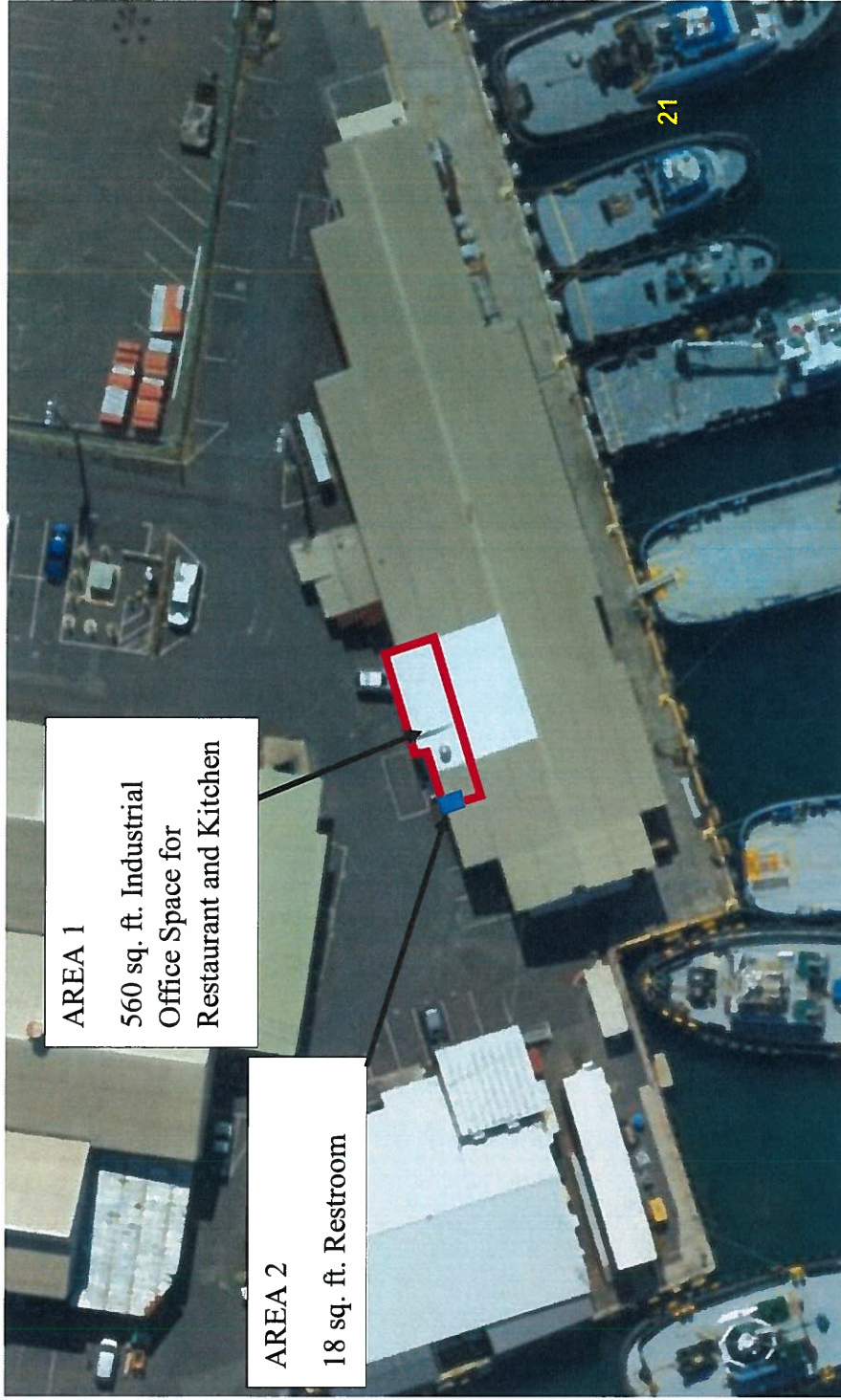


SUZANNE D. CASE
Chairperson and Member
Board of Land and Natural Resources

Att.: Exhibit A

**Pier 21 Lunchroom, LLC
Pier 21, Honolulu Harbor**

EXHIBIT A



AREA	DESCRIPTION	TYPE	SQ. FT.
1	2 nd Floor Restaurant and Kitchen Space	Industrial Office Space	560
2	Restroom Fee (CAM)	Restroom	18