

STAND. COM. REP. NO.

3687

Honolulu, Hawaii

APR 20 2006

RE: H.C.R. No. 30  
H.D. 1  
S.D. 1

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred H.C.R. No. 30, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO IMMEDIATELY RESCIND BOTH ITS REQUEST FOR PROPOSALS AND ANY CONTRACT OR AGREEMENT AWARDED, OR COMMITMENT MADE, TO ALEXANDER & BALDWIN PROPERTIES, INC., FOR THE DEVELOPMENT OF KAKA'AKO MAKAI,"

begs leave to report as follows:

The purpose of this measure is to urge the Hawaii Community Development Authority to immediately rescind both its request for proposals and any commitment made to Alexander & Baldwin Properties, Inc. for the development of Kakaako Makai.

Testimony in support of this measure was submitted by a City and County of Honolulu council member, Friends of Kewalo Basin Park Association, the Hawaii State Bodysurfing Association, and the Integrated Agriculture Network, Save Our Kaka'ako Coalition, and thirty-one individuals. Testimony in opposition to this measure was submitted by two individuals. Comments were also submitted by the Hawaii Community Development Authority, Alexander & Baldwin Properties, Inc., and one individual.

The State must demonstrate its commitment to withhold its valuable lands from development for short-term gains in exchange for the long-term good of its residents and the future of generations to come. Accordingly, your Committee finds that the

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Hawaii Community Development Authority is urged to reevaluate the current proposed project in the Kakaako Makai area.

Your Committee has amended this measure by:

- (1) Requesting the Hawaii Community Development Authority to immediately convene a working group to engage interested stakeholders, particularly the groups and individuals that have surfaced in this controversy, to meaningfully participate in the development, acceptance, and implementation of any future plans for the development of Kakaako Makai; and
- (2) Making technical, nonsubstantive changes for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 30, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 30, H.D. 1, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, and  
Agriculture,



RUSSELL S. KOKUBUN, Chair





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# HOUSE CONCURRENT RESOLUTION

URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO IMMEDIATELY RESCIND BOTH ITS REQUEST FOR PROPOSALS AND ANY CONTRACT OR AGREEMENT AWARDED, OR COMMITMENT MADE, TO ALEXANDER & BALDWIN PROPERTIES, INC. FOR THE DEVELOPMENT OF KAKAAKO MAKAI.

1 WHEREAS, the area mauka of Ala Moana Boulevard within the  
2 Kakaako Community Design District (Kakaako Mauka) is studded  
3 with some of the State's highest high-rise residential  
4 buildings, with some structures approaching 400 feet; and  
5

6 WHEREAS, in October 2002, the Hawaii Community Development  
7 Authority (HCDA) adopted the "Waterfront Business Plan" covering  
8 the use and development of the area makai of Ala Moana  
9 Boulevard, between Kewalo Basin and the University of Hawaii,  
10 John A. Burns School of Medicine (Kakaako Makai); and  
11

12 WHEREAS, in January 2005, HCDA issued a Request for  
13 Proposals for Kakaako Makai to which there were 15 respondents;  
14 and  
15

16 WHEREAS, in September 2005, HCDA selected Alexander and  
17 Baldwin Properties, Inc. (A&B Properties), over five other  
18 plans, because HCDA found that at the time, it best met desired  
19 criteria, including open space for public use; and  
20

21 WHEREAS, public reaction to the A&B Properties' project  
22 prompted A&B Properties to resubmit a "scaled down" version of  
23 the project in December 2005, which continues to receive strong  
24 public opposition; and  
25

26 WHEREAS, Kakaako Makai is such an opportunity for a large  
27 open space park with learning centers that cannot be trumped by  
28 the short-term need to finance the State's participation in the  
29 development of the Kakaako Community Design District (District);  
30 and



1 WHEREAS, the State must demonstrate its commitment to  
2 withhold its valuable lands from development for short-term  
3 gains in exchange for the long-term good of its residents and  
4 the future generations to come; and

5  
6 WHEREAS, in establishing the HCDA, the Legislature, as  
7 expressed in section 206E-1, Hawaii Revised Statutes (HRS),  
8 believed that the "authority will result in communities which  
9 serve the highest needs and aspirations of Hawaii's people"; and

10  
11 WHEREAS, the mixed use mandate of the District where people  
12 can live, work, visit, and play must be implemented in a  
13 complementary manner that recognizes the "live and work" land  
14 uses of Kakaako Mauka and the "learn and play" land uses of  
15 Kakaako Makai; and

16  
17 WHEREAS, the density of the urban core of Honolulu mandates  
18 that every opportunity to create open space should be availed  
19 for the public health and welfare; and

20  
21 WHEREAS, HCDA has led the Legislature to believe that HCDA  
22 and A&B Properties are currently in the stage of negotiations in  
23 which only a non-binding award of the master development rights  
24 contract has been awarded to A&B Properties, and no binding  
25 letter of intent or development agreement has been entered into;  
26 and

27  
28 WHEREAS, judging from the volume of public opposition to  
29 A&B Properties' "scaled down" version of its project, the  
30 Legislature finds that A&B Properties' projects regarding  
31 Kakaako Makai does not serve the highest needs and aspirations  
32 of all segments of Hawaii's community; now, therefore,

33  
34 BE IT RESOLVED by the House of Representatives of the  
35 Twenty-third Legislature of the State of Hawaii, Regular Session  
36 of 2006, the Senate concurring, that HCDA is urged to  
37 immediately rescind both its Request for Proposals and any  
38 contract or agreement awarded to, or commitment it may have with  
39 A&B Properties, Inc., to develop Kakaako Makai; and

40  
41 BE IT FURTHER RESOLVED that the Hawaii Community  
42 Development Authority immediately convene a working group of  
43 interested stakeholders, particularly the groups and individuals  
44 that have surfaced in this controversy, to meaningfully



1 participate in the development, acceptance, and implementation  
2 of any future plans for the development of Kakaako Makai; and  
3

4 BE IT FURTHER RESOLVED that a certified copy of this  
5 Concurrent Resolution be transmitted to the Hawaii Community  
6 Development Authority.

