

STAND. COM. REP. NO.

3547

Honolulu, Hawaii

APR 11 2008

RE: S.C.R. No. 189  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred  
S.C.R. No. 189 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY TO DEFER DECISIONS ON ANY APPLICATIONS  
FOR ZONING CHANGES UNTIL THE COMPLETION OF THE SUPPLEMENTAL  
ENVIRONMENTAL IMPACT STATEMENT PROCESS AND THE SUBSEQUENT  
ADOPTION OF THE DRAFT MAUKA AREA PLAN AND THE MAUKA AREA  
RULES, "

begs leave to report as follows:

The purpose of this measure is to address the interests of  
the Kaka'ako business community by requesting the Hawaii Community  
Development Authority to defer decisions on any applications for  
zoning changes until the completion of the supplemental  
environmental impact statement process and the subsequent adoption  
of the Draft Mauka Area Plan and the Mauka Area Rules.

Testimony in support of this measure was received from the  
Kakaako Business and Land Owners Association, a member of the  
Kaka'ako Makai Community Planning Advisory Council, and two  
individuals, including a small business owner in the central  
Kaka'ako district. The Hawaii Community Development Authority  
(HCDA) presented oral testimony explaining the timetable for  
completion of its Mauka Area Plan and for review of the master  
plan applications in conjunction with the Mauka Area Plan.  
General Growth Properties, Inc. (GGP), submitted comments.



Your Committee finds that business owners in Kaka'ako have been working together with the HCDA for several years to develop a Mauka Area Plan, which is currently in its supplemental environmental impact statement stage. Many of these business owners have expressed strong reservations that any decisions for zoning or other changes that are approved before the Mauka Area Plan is completed may undermine the planning process, and disrupt the participation from stakeholders and residents.

Your Committee further finds that as the planning and rulemaking process is reaching the critical phase of public review, it would be prudent to delay any decisions for zoning or other changes until that process is completed. If not, there is at minimum a strong perception that the HCDA is undermining its Mauka Area Plan development process if pending master plan applications that will have a significant long-term effect on businesses and residents of Kaka'ako are acted upon prior to adoption of the final Mauka Area Plan.

Your Committee has amended this measure by:

- (1) Clarifying and correcting the WHEREAS clause related to the process and anticipated timeframes for the approval of the GGP Master Plan;
- (2) Clarifying and correcting the WHEREAS clauses related to the process and anticipated timeframes for the adoption of the Mauka Area Plan and the Mauka Area Rules; and
- (3) Adding an alternative option in the BE IT RESOLVED clause to request the HCDA to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2009 on the steps the HCDA has taken to provide the fullest extent of public review and scrutiny of its actions on the GGP Master Plan application and the considerations for its decision on the application.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 189, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 189, S.D. 1.



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

Brunel Kohler  
for CLAYTON HEE, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SCR 189</b>	Committee Referral: <b>WTL</b>	Date: <b>4/9/08</b>
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The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol	/			
TOKUDA, Jill N.	/			
WHALEN, Paul				/
<b>TOTAL</b>	<b>4</b>			<b>1</b>

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature:  


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\*Only one measure per Record of Votes