# SB 2696

Amends Hawaii Community Development Authority statute to establish building restrictions and prohibitions.

1



# TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SEVENTH LEGISLATURE, 2014

### ON THE FOLLOWING MEASURE:

S.B. NO. 2696, RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.

**BEFORE THE:** 

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING

DATE:	Wednesday, February 12, 2014	TIME:	3:15 p.m.
LOCATION:	State Capitol, Room 16		
TESTIFIER(S):	David M. Louie, Attorney General, or Lori N. Tanigawa, Deputy Attorney General		

Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of the bill is to establish development restrictions for the Kakaako community development district and to prohibit the Hawaii Community Development Authority (HCDA) from approving a development permit without first conducting a project eligibility review of infrastructure or any modification with respect to maximum floor area ratio.

We believe that it is important to clarify that this bill is prospective in nature and does not affect any rights that may have matured or vested prior to the effective date of this bill. Thus, if the Committee is inclined to pass this bill, we recommend that the bill be amended to include a new section which provides:

This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

We respectfully ask that if the Committee is inclined to pass this bill, it do so with this suggested amendment.

# Testimony of

### Anna Filler

Before the Senate Committee on Economic Development Government Operations and Housing

# Wednesday, February 12, 2014

Senate Bill 2696: Relating to the Hawaii Community Development Authority

Chairperson: Dela Cruz and Members of the Senate Committee on Economic Development Government Operations and Housing:

My name is Anna Filler and I have been a resident of Kaka'ako for the past 25 years.

Thank you for the opportunity to testify on Senate Bill 2696. I support SB 2696, and I support SB 2697 and SB 2698 being heard today.

I strongly support SB 2696 because the future of Kaka'ako must be developed to preserve the natural scenic beauty with no over building. The approval of workforce housing projects and allowed modifications which the HCDA makes and waives its own rules must be changed. I agree that a minimum distance of 300 feet between buildings that are more than 100 feet tall must be put into law (per my testimony for SB 2697).

I urge you to pass SB 2696 to protect Kaka'ako. Thank you for your time and attention to present my testimony.





Neil Abercrombie Governor

> Brian Lee Chairperson

Anthony J. H. Ching Executive Director

461 Cooke Street Honolulu, Hawaii 96813

Telephone (808) 594-0300

Facsimile (808) 594-0299

E-Mail contact@hcdaweb.org

Web site www.hcdaweb.org

### STATEMENT OF

### ANTHONY J. H. CHING, EXECUTIVE DIRECTOR HAWAII COMMUNITY DEVELOPMENT AUTHORITY

### **BEFORE THE**

### SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING

ON

Wednesday, F ebruary 12, 2014

3:15 P.M.

State Capitol, Conference Room 016

in consideration of

### S. B. 2696 – RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.

**Purpose:** Establishes a minimum of 300 feet between buildings that are 100 feet in height or greater. Requires project eligibility review to be conducted prior to receipt of development permit application. Specifies that any building or structure shall not exceed 400 feet in height. Any building that is at least 100 feet in height shall be oriented on a mauka-makai axis. No variance, exemption, or modification shall be granted relating to maximum floor area ratio.

**Position:** I provide the following comments on this proposal. I note that this testimony represents my own opinion and not that of the Authority as I have not yet had the opportunity to vet this proposal with them and elicit their responses and collective position.

Testimony reflects the view and position of the Executive Director and not that of the Authority.

*Minimum Tower Spacing.* Imposition of a minimum tower spacing of 300 feet will necessarily create adverse impacts for existing landowners/small businesses. Examination of existing buildings in Kakaako such as One Waterfront Towers, Royal Capitol Plaza and Imperial Plaza reveal that they could not have met that standard. Imposition of this rule might also affect parcels in Central Kakaako which are proximate to existing buildings. They would not be able to construct 100 feet tall/ 10 story buildings because it is impossible to move their buildings away from other existing buildings due to the constraints of their parcel.

Establishing this standard will necessarily only protect those who have gone before and received exemption and reward those who develop before their neighbor. This standard is arbitrary and capricious and will produce significant hardship for small and large stakeholders and landowners alike.

*Project Eligibility Review.* The current (2011) rules already makes this requirement. In addition, the Authority typically requires that the applicant brief relevant city and state agencies with oversight in some phase of the development permit process and solicit their findings and recommendations. The Authority also currently requires the applicant to document the receipt (or not) of the necessary utility hookups (e.g., sewer connection and drinking water) during the Authority's review of the permit.

*Height.* I note that the existing standard in the City & County of Honolulu provides that while the maximum height of the building is set at 400 feet, there is still allowance given for any machine room, rooftop utility or architectural feature. Should the Legislature legislate building height, I believe that this specification needs to be added.

Mauka-Makai Axis for Tower Buildings. I note that the existing rules provide some flexibility in the orientation of the building relative to the Mauka Makai Axis. This flexibility is important where an individual parcel or situation may require the giving of flexibility in tower orientation to the prevailing West – East issue.

Testimony reflects the view and position of the Executive Director and not that of the Authority.

Prohibition on the granting of any variance, exemption or modification to rule or development plan relating to maximum floor area. Currently, the rules allow for density bonus to be granted where light industrial activities are included in the mix of uses. The rule also allows a density bonus for the construction of workforce housing, given the desperate need for qualified income/workforce housing in our community. Another area where a density bonus is offered is where a private developer is required to construct 20% of their floor area as reserved housing. As the state does not provide any subsidy to the developer for their voluntary support, and as the provision of qualified income housing units is a priority, I do not believe that this is the intended outcome.

Finally, the tenants and landowners in the Central Kakaako neighborhood stand to lose their current entitlement to 3.5 FAR in favor of a much lower 1.5 FAR. I believe that this would be an unrepresentative and dangerous perspective for the Legislature to record.

Thank you for the opportunity to provide comment on this subject.



February 11, 2014

# WRITTEN TESTIMONY TO THE SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING

By Walter F. Thoemmes Kamehameha Schools

Hearing Date: February 12, 2014 3:15 p.m. Conference Room 16



To: Senator Donovan M. Dela Cruz, Chair Senator Sam Slom, Vice Chair Members of the Senate Committee on Economic Development, Government Operations and Housing

### RE: Comments for Senate Bill Nos. 2696, 2697 and 2698 Relating to the Kakaako Community Development District and the Hawaii Community Development Authority (collectively, the "Bills")

As an organization dedicated to the education of Native Hawaiians, and longtime steward of legacy lands to perpetuate that mission, Kamehameha Schools (KS) provides the following comments to the Bills.

KS has spent years and valuable resources developing the Kaiāulu 'O Kaka'ako Master Plan (the "Master Plan") for its legacy lands. The Master Plan is more than a set of zoning rules. Instead, it is a plan of holistic and comprehensive development framed by careful study, extensive community input and a commitment to stewardship of our lands in Kaka'ako. Accordingly, the Plan is rooted in three core values: (i) a deep understanding and commitment to the surrounding community, its economic and social vitality, and its vested stakeholders; (ii) the creation of a sustainable and vibrant cultural life through sustainable land and building practices; and (iii) as first articulated by the State Legislature in 1976 and re-affirmed by enthusiastic community support in 2004, the cultivation of a mixed-use "urban village" and "urban-island culture" within the Honolulu's core.

These values (and the current Master Plan) were developed in concert with extensive stakeholder meetings and workshops with representatives from the Kaka'ako Improvement Association, the Kaka'ako Neighborhood Board, Enterprise Honolulu and the Hawaii Community Development Authority ("HCDA") solicitation and input over the last ten years. The parties understood that developing an urban village involves substantially more than creating new building structures and constructing residential housing. It requires a commitment to the community and providing the types of urban-island lifestyle





Testimony of Cindy McMillan The Pacific Resource Partnership

Senate Committee on Economic Development, Government Operations and Housing Senator Donovan Dela Cruz, Chair Representative Sam Slom, Vice Chair

SB 2696 – Relating to the Hawaii Community Development Authority Wednesday, February 12, 2014 3:15 PM Conference Room 016

Dear Chair Dela Cruz, Vice Chair Slom and members of the committee:

The Pacific Resource Partnership (PRP) is a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters.

PRP offers the following comments on SB 2696, which amends Hawaii Community Development Authority statute to establish building restrictions and prohibitions.

- While urban infill development has quantifiable benefits for our entire community, there are some tradeoffs. Buildings will be higher than they are in rural areas, and they will be closer together, a pattern consistent with existing uses in the Kakaako area. These factors are balanced by the preservation of our natural resources, less time spent commuting, and money saved on fuel, parking and household energy costs. And this community will be lively and engaging, filled with vibrant experiences that draw people of all ages. While not everyone will want to live in this type of urban community, many will, especially when they begin to realize the benefits in a tangible way.
- Height and density are factors that contribute directly to cost per unit.
- We caution against shifting the burden of paying for needed infrastructure projects from the state and county governments (funded by all taxpayers) to only developers and those taxpayers who are buying a new home in Kakaako.

Mahalo for your consideration of our comments on this bill.



P.O. Box 179441 Honolulu, HI 96817 (808) 348-8885

February 11, 2014

The Honorable Donovan Dela Cruz, Chair The Honorable Sam Slom, Vice Chair and Members Committee on Economic Development, Government Operations and Housing Hawai'i State Senate 415 South Beretania Street Honolulu, Hawai'i 96813

# **RE: Opposition to SB2696**

Dear Chair Dela Cruz, Vice Chair Slom, and members of the committee:

The Hawai'i Construction Alliance would like to express its opposition to SB2696, which amends the Hawai'i Community Development Authority statute to establish building restrictions and prohibitions, which include minimum building separation, project eligibility review of infrastructure, height limitations, mauka-makai axes for tower buildings, and a prohibition on variances relating to maximum floor area ratio.

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Hawai'i Masons Union, Local 1 and Local 630; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the four member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the four basic crafts of Hawai'i's construction industry.

We are extremely concerned that the provisions contained in this bill would make it extremely difficult to proceed with the goal of transforming Kaka'ako into a place where the next generation of local residents can live, work, play, and raise families.

In order to deliver housing for Hawai'i families, jobs for local workers, and public facilities in the area, urban planners and other stakeholders may require the flexibility to construct buildings closer together (perhaps in twin-tower configurations, such as is already found at One Waterfront Tower, or across the street from one another, as is the case with Royal Capitol Plaza and Pacific Park Plaza); higher than 400' to include necessary mechanical apparatuses on rooftops; or along alternative axes in the case of parcels which are narrow or oddly-shaped. Flexibility may also be

required in regard to maximum floor area ratio in order to construct affordable, workforce housing, as height and density are factors that contribute to cost per housing unit.

The legislature should strongly weigh the potential negative impacts of the provisions contained within SB2696 before permanently inscribing these inflexible restrictions into the HCDA statute.

Thank you for the opportunity to provide these comments in opposition to SB2696.

Mahalo,

anter Jam Hen

Tyler Dos Santos-Tam Executive Director Hawai'i Construction Alliance execdir@hawaiiconstructionalliance.org

Hawaii's Thousand Griends

25 Maluniu Ave., Suite 102, PMB 262 • Kailua, HI 96734 • Phone/Fax; (808) 262-0662, E-mail. htt@lava.net

February 12, 2014

### COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING

Senator Donovan Dela Cruz, Chair Senator Sam Slom, Vice Chair

### SB 2696

### RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Committee Chair Dela Cruz and Members;

Hawaii's Thousand Friends (HTF) supports the intent of SB 2696 but establishing minimum building and infrastructure requirements will not satisfy other HCDA flaws such as ignoring its own approved plans and granting height and width separation variances.

At a minimum SB 2696 should be changed as follows

- Decrease the 400-foot height limit to **200-feet** for Kaka'ako Mauka
- Require that buildings taller than **50-feet** be oriented mauka-makai
- Replace the requirement for infrastructure review by HCDA executive director with *the counties shall review infrastructure to ensure there is adequate water, sewer, roads, and open space before projects are approved*
- The prohibition on granting variances, exemptions or modifications is a step in the right direction but does not go far enough. This prohibition should apply to height, separation between buildings, park and open space and mauka-makai building orientation.
- To respect and retain the openness of Kaka'ako Makai and rein in the over zealous development plans the following wording should be added *No portion of any building or structure in Kaka'ako Makai shall exceed 25-feet in height.*

From:	mallinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	<u>glennida@gmall.com</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 12:32:01 PM

### SB2696

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Glenn Ida	Plumbers and Fitters UA Local 675	Oppose	No

Comments: Imposition of a minimum tower spacing of 300 feet will create adverse impacts for current landowners and small businesses. Existing buildings such as One Waterfront Towers, Royal Capitol Plaza, and Imperial Plaza would not meet this standard. Therefore Local 675 opposes SB2696.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mallinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	ja@malu-aina.org
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 8:38:44 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Albertini	Malu Aina	Support	No

Comments: Our organization supports SB 2696, SB2697 and SB2698 which strengthen citizen voices against rampant development on the fast track. Mahalo. Jim Albertini, president

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Malama Makaha

February 9, 2014

TO: Senate Committee on Economic Development, Government Operations and Housing,

#### SUBJEST: Testimony in Support of SB 2696

Dear Committee Members,

Malama Makaha supports SB 2696and all efforts to curb or abolish the HCDA. The HCDA does not properly represent the communities for which it serves. Its operations and decisions are not transparent nor reflect testimony it has received over the past year; it continues to ignore the will of the people.

Any redevelopment of Kakaako should preserve vistas of its natural beauty for the public's enjoyment.

Malama Makaha strongly agrees with a minimum allowable horizontal separation of 300 feet between buildings that are 100 feet or higher in height.

A maximum building height limit of 400 feet is acceptable and putting the standard in law is needed so that HCDA cannot build any higher—and not the 700 foot towers as high as Diamond Head.

The density of 3.5 FAR used in parts of Kaka'ako is higher than the City's and the central Kaka'ako district. It is good to put this standard into law because HCDA, on its own authority, has been granting variances or modifications to allow developers to build as high as 7.5 FAR – much too dense for those who have to live and breathe in Kaka'ako

All buildings should be oriented on a mauka-makai axis so all of Hawaii from mauka to makai can enjoy the beautiful shoreline and ocean.

HCDA should be prohibited from granting any exception to rules regarding maximum floor area ratio

HCDA should not be allowed to change building rules without legislative authorization. Shortsighted decisions and approvals are being made without adequate infrastructure or the assurance that infrastructure will be improved commensurate with the approved and proposed developments in the Kakaako area. Poor HCDA decisions and inadequate oversight of projects in the Barber's Point area have resulted in environmental harm and blight of a previously well-maintained community. HCDA is an irresponsible steward of the lands it overseas and fails to properly care for the aina.

Mahalo Nui Loa,

AL Frenzel

Malama Makaha 84-933 Alahele St. Waianae, HI 96792 (808) 343-4916

February 9, 2014

TO: Senate Committee on Economic Development, Government Operations and Housing,

SUBJEST: Testimony in Support of SB 2696

Dear Committee Members,

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Mahalo Nui Loa,

AL Frenzel

84-933 Alahele St. Waianae, HI 96792 (808) 343-4916

The Howard Hughes Corporation 1240 Ala Moana Boulevard Suite 200 Honolulu, Hawaii 96814

February 12, 2014

Honorable Donovan Dela Cruz, Chair Honorable Sam Slom, Vice Chair Senate Committee on Economic Development, Government Operations and Housing

# RE: <u>SB 2696 – Relating to the Kakaako Community Development District – IN OPPOSITION</u> Hawaii State Capitol, Rm. 016; 3:15 PM

Aloha Chair Dela Cruz, Vice Chair Slom and Members of the Committee,

The Howard Hughes Corporation, and its wholly-owned subsidiary Victoria Ward Limited ("VWL"), understand the community's concerns and support community engagement. However, we believe there are better ways to address the community's concerns without making such drastic changes to Hawaii Community Development Authority's ("HCDA") statute. We oppose SB 2696, which establishes additional requirements and prohibitions relating to tower spacing and floor area ratio ("FAR").

This bill infringes on development rights and approved master plans. By approving the Ward Master Plan on January 14, 2009, HCDA provided enforceable assurances to VWL that its projects under the Master Plan in accordance with HCDA's Mauka Area Rules existing at January 14, 2009 ("Vested Rules") would not be later restricted or prohibited by subsequent changes to those rules. In reliance on the validly approved Ward Master Plan and development permits, VWL has committed significant time and resources in implementing various development projects that will occur over the course of the 15-year master plan.

One of the most important approved components of the Ward Master Plan was the ability to transfer the approved FAR of 3.8 between contiguously-owned development lots, as provided under the master planning rules at HAR §15-22-203(b). This provision is so significant that the pedestrian-friendly, smartgrowth, public plaza vision of the Ward Master Plan cannot operate without it. SB 2696 prohibits HCDA from "granting any variance, exemption, or modification to any provision…relating to maximum floor area ratio," which would infringe upon VWL's vested development rights set forth in HAR §15-22-203(b) and approved in the Ward Master Plan.

For these reasons, we respectfully urge you to hold SB 2696. Thank you for the opportunity to testify on this measure.

David Striph Senior Vice President - Hawaii



822 Bishop Street Honolulu, Hawaii 96813 P.O. Box 3440 Honolulu, HI 96801-3440 www.alexanderbaldwin.com Tel (808) 525-6611 Fax (808) 525-6652

# RELATING TO THE KAKA'AKO COMMUNITY DEVELOPMENT DISTRICT

# PAUL T. OSHIRO MANAGER – GOVERNMENT RELATIONS ALEXANDER & BALDWIN, INC.

### **FEBRUARY 12, 2014**

Chair Dela Cruz and Members of the Senate Committee on Economic Development, Government Operations & Housing:

I am Paul Oshiro, testifying on behalf of Alexander & Baldwin, Inc. (A&B) on SB 2696, "A BILL FOR AN ACT RELATING TO THE KAKA'AKO COMMUNITY DEVELOPMENT DISTRICT."

In 1976, the Legislature found that Kaka'ako was significantly under-utilized relative to its central location in urban Honolulu and recognized its potential for growth and development and its inherent importance to Honolulu as well as to the State of Hawaii. The Hawaii Community Development Authority (HCDA) was therefore established to promote and coordinate planned public facility development and private sector investment and construction in Kaka'ako. By having a regulatory body completely focused on the planning and zoning for Kaka'ako, it was envisioned that this would result in the effective development of this key economic driver.

One of the provisions in Section 1 proposes to establish a 300 foot minimum horizontal separation between buildings more than 100 feet in height. With lots in Kaka'ako differing in size and configuration, we understand that a strict setting of a 300 foot separation without any opportunity for reasonable modification, may result in large swaths of property within the Kaka'ako area that are precluded from supporting the construction of a high rise. This may also result in land owners of adjoining parcels seeking to expedite the attainment of entitlements for the construction of a high rise structure on their land before their neighbor so as to preserve their right to this development option. This may ultimately result in the unjust devaluation of property values for adjoining land owners. In summary, we believe this requirement could lead to underutilized property in an area that has been specifically designated for the development of an urban community, and an unhealthy 'race' for high-rise permits. We respectfully request the continued discussion and a thorough consideration of the potential unintended consequences prior to the codification of minimum building setbacks in statute.

One of the provisions in Section 2 of this bill proposes to prohibit the granting of any variance, exemption, or modification to any provision of any rule or development plan relating to maximum floor area ratio. We believe that a regulating government entity should have the tools necessary to deal with project and property specific issues, while still complying with the established rules, plans, goals and policies for the area. With Kaka'ako consisting of lots of various sizes and configurations, we believe that rules premised upon a one size fits all criteria without a means for reasonable and appropriate modifications may not be conducive to ultimately achieving the mix of residential, commercial, recreational, cultural, and educational facilities desired for this urban renewal area of Kaka'ako. Provisions to provide an enhanced process to closely scrutinize certain project specific modifications when deemed warranted and necessary should be considered to provide reasonable flexibility in authorizing projects that are in the best interests of Kaka'ako and the State of Hawaii.

Thank you for the opportunity to testify.

From:	mailinglist@capitol.hawali.gov
то:	EGHTestimony
Cc:	raipheburr@aol.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Friday, February 07, 2014 12:48:31 PM

Submitted on: 2/7/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ralph E. Burr	Individual	Support	No

Comments: I support this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
То:	EGHTestimony
Cc:	<u>evalaviva@gmail.com</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 4:08:02 PM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Eva Gallegos	Individual	Support	Yes

Comments: One of the problems happening between HCDA and the public are two major elements of team work. One, there is a lack of trust from both parties. Second, the goals for both groups differ greatly. The public longs to live in a healthy, safe and fun community, built on a working infrastructure. We are workforce people and our needs are the same as any other residential community. The reason we are here today is due to the lack of trust between the public and HCDA. In addition to the unacceptable decision-making outcomes from HDCA about Kaka'ako and the building variances being allowed by HCDA. It is for this reason, the decision making process and hearing process at HCDA must be improved by letting the public voice of the people be heard and our questions addressed in a respectful and honest manner. HCDA must learn to relate to a new type of citizen. We are no longer the citizen of 1976, when HCDA was initially created. We are a more informed and vocal citizen, willing to speak up for the good of all the people. We are not NIMBY's, that strategy of attack comes from people who have a financial state in Kaka'ako. We are residents of Kaka'ako and we love this community. I urge you to pass this bill so we too may engage in conversations about the future of our community.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mallinglist@capitol.hawaii.gov
То:	EGHTestimony
Cc:	<u>evalaviva@gmail.com</u>
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Friday, February 07, 2014 12:27:14 PM

Submitted on: 2/7/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Eva Gallegos	Individual	Support	Yes

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawali.gov
То:	EGHTestimony
Cc:	rdulcich@gmail.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 7:33:56 AM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Dulcich	Individual	Support	No

Comments: I support SB2696, SB2697, SB2698 and any other measure or bill that would rein in the power of HCDA. HCDA has abused their authority. They are bluntly ignoring testimony at hearings that requires investigation before approving a project. These hearings, currently, are nothing more than a pacifier. They have already decided, and vote to approve at that hearing.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	alemorrier@gmail.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Tuesday, February 11, 2014 12:50:52 AM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
alicia morrier	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	barb@punapono.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 11:28:30 PM

### SB2696

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Barb Cuttance	Individual	Support	No

### Comments: SB 2696 - RELATING TO THE KAKAAKO COMMUNITY

DEVELOPMENT DISTRICT Thank you for hearing SB2696. I strongly support this Bill. Establishes 300 feet minimum distance between buildings that are 100 feet or taller. KEEP Establishes height limit of 400 feet Recommend changing 400 feet height limit to 200 feet for Kakaako Mauka Requires buildings taller than 100 feet to be oriented on a mauka-makai axis Recommend changing 100 feet to 50 feet in height Prohibits granting any variance, exemption or modification of any rule or development plan relating to maximum floor area ratio. KEEP Recommend deleting [infrastructure review by HCDA executive director] Change to: The counties shall review infrastructure to ensure there is adequate water, sewer, parks, roads, open space, etc., before projects are approved. Add to bill: No portion of any building or structure in Kakaako Makai shall exceed 25 feet in height Please pass this important Bill. Barbara Cuttance 14/266 Papaya Farms Road, Pahoa, HI 96778

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
То:	EGHTestimony
Cc:	aniko2@juno.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 11:14:21 PM

Submitted on: 2/10/2014 Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Avi Okin	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
То:	EGHTestimony
Cc:	annmarie@hawali.rr.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 10:17:35 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Marie Kirk	Individual	Support	No

### Comments:

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# Testimony in Strong Support for SB 2696

THE SENATE THE TWENTY-SEVENTH LEGISLATURE REGULAR SESSION OF 2014

COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING Senator Donovan M. Dela Cruz, Chair Senator Sam Slom, Vice Chair Rosalyn H. Baker, Laura H. Thielen, Glenn Wakai, Suzanne Chun Oakland & J. Kalani English

DATE: Wednesday, February 12, 2014 TIME: 3:15p.m. PLACE: Conference Room 16 State Capitol 415 South Beretania Street

Aloha Chair Donovan Dela Cruz, Vice Chair Sam Slom, Senator Rosalyn H. Baker, Senator Laura H. Thielen, Senator Glenn Wakai, Senator Suzanne Chun Oakland & Senator J. Kalani English:

Please accept this testimony in Strong Support of SB 2696 – Relating to the Kakaako Community Development District by amending the Hawaii Community Development Authority's statute to establish building restrictions and prohibitions.

Many of my family, friends and relatives have enjoyed the Kaka'ako Makai area and believe it is one of the most treasured areas on Honolulu to support a growing city's recreational needs. I can remember the improvements made at the water's edge that transformed this area from a waste land of garbage and soot into a beautiful park and promenade. I have taken my family and made new friends here and I am hopeful the future generations will be able to enjoy the beautiful sunsets, open spaces and ocean that we all have grown to love.

However, in these recent years, the Hawaii Community Development Authority (HCDA) has begun to make decisions that will seriously change the Kaka'ako Makai Parks to include higher density commercial development including large structures on open Kaka'ako Makai park lands. This is a clear threat to the lifestyles that we have grown to enjoy. What happened to the Kaka'ako Makai Master Plan that HCDA approved in 2011? Many of my friends participated in the workshops and were very disappointed with the HCDA's attempt to add more commercial and residential developments here even with the current laws that prohibits residential planning and development on Kaka'ako Makai land and prohibits the sale of state land in Kaka'ako.

# Senate Committee on Economic Development, Government Operations and Housing Committee Hearing February 12, 2014, 3:15 PM Conference Room 016

Testimony Supporting the Intent of Senate Bill 2696

Aloha Chair Dela Cruz, Vice Chair Slom and Committee Members:

This is to express support for the intent of House Bill 1867, with recommended amendments.

The following provisions in House Bill 1867are strongly supported:

- Minimum proximity between tower buildings. There shall be a minimum of three hundred feet between buildings that are one hundred feet or higher in height.
- Prohibitions. Anything to the contrary notwithstanding, the following is prohibited:

   Selling or otherwise assigning the fee simple interest in any lands in the Kakaako community development district to which the authority in its corporate capacity holds title, except with respect to: (A) Utility easements; (B) Remnants as defined in section 171-52; (C) Grants to any state or county department or agency; or (D) Private entities for purposes of any easement, roadway, or infrastructure improvements;
  - (2) Approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana boulevard and between Kewalo Basin and the foreign trade zone; and
  - (3) Granting any variance, exemption, or modification to any provision of any rule or development plan relating to maximum floor area ratio."

Recommended clarifications for the "Project Eligibility Review of Infrastructure" section:

...Developments shall not be approved unless adequate infrastructure facilities, including water, sewer, parks, schools and roads, are or will be made available to <u>fully</u> service the proposed development prior to occupancy <u>as confirmed by comprehensive</u> <u>Honolulu and O'ahu carrying capacity studies independently conducted by the</u> <u>University of Hawaii Environmental Center, with full approval. not conditional</u> <u>approval, documented and received from all applicable governmental agencies</u> regarding the <u>full availability and long-term</u> adequacy of <u>each of the</u> infrastructure requirements <u>for any proposed or planned development within the Kaka'ako district</u> <u>prior to approval of such development.</u>

Additional recommendations for height limitations and building axes:

<u>Building heights and axes</u>. No portion of any building or other structure shall exceed <u>two</u> hundred feet in height, <u>except that no portion of any building or other structure</u> <u>shall exceed one hundred feet in height along the mauka side of Ala Moana Boulevard</u>, <u>and twenty-five feet in height within Kaka'ako Makai from Ala Moana Boulevard to the</u> <u>shoreline</u>. Any building that is at least <u>fifty</u> feet in height shall be oriented on a maukamakai axis. These statutory provisions will help ensure protection and preservation of the cultural orientation and significant viewplanes from the open public shoreline to the mountains in accordance with the statutory provision that "Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved."

Further, it is the City and County of Honolulu, not the radically faltering Hawaii Community Development Authority, that should have planning and zoning jurisdiction over Kaka'ako Mauka and Kaka'ako Makai with the above protective stipulations in the larger public interest. Public planning, zoning and area development functions properly belong closest to the communities affected – at the county level.

Sincerely,

Michelle Matson Honolulu

From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	<u>shannonkona@gmail.com</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 8:55:24 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Strongly Support. I'd prefer you just Repeal the HCDA, it sounds like a heck of a mess and an embarrassment from all that I've read. Who thinks up these boondoggles, anyway? Sheesh.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From:	mallinglist@capitol.hawali.gov
То:	EGHTestimony
Cc:	amylbugala@vahoo.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 8:40:02 PM

### SB2696

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Bugala	Individual	Support	No

Comments: I support SB 2696 because: Any redevelopment of Kakaako should preserve vistas of its natural beauty for the public's enjoyment. I strongly agree with a minimum allowable horizontal separation of 300 feet between buildings that are 100 feet or higher in height. A building height limit of 400 feet is good. (Adding a density limit of 1.5 FAR would be even better) All buildings should be oriented on a mauka-makai axis. HCDA should be prohibited from granting any exception to rules regarding maximum floor area ratio. The HCDA had the opportunity to reduce the height of the 803 Waimanu project from 65 ft (max allowable) to 45 ft increasing the safety and lessening the impact on the Imperial Plaza Townhouse residents --- and they did not. The 803 Waimanu building will share a wall with the Imperial Plaza townhouses--- 803 Waimanu residents will be 30ft away from our units and the residents will be able to step onto our lanai from their recreation deck. (A public space!) This is not responsible design --- especially when the agency had options!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Chair Donovan Dela Cruz and Committee On Economic Development, Govt Operations and Housing:

My name is Clara Morikawa, a retiree who has lived at the Imperial Plaza for 20 years. I support SB-2696, SB-2697 and SB-2698 because HCDA has been inconsistent in applying their rules and have readily granted too many exemptions and exceptions to developers...i.e. 404 Ward which will be built 120 feet (rather than 300 feet) from the neighboring tower; 801 South-Plan B where 2 residential and 2 parking towers well exceeded their height limitations. HCDA is also inconsistent in interpreting their own rules. Central Kakaako with small individually owned properties supports the operation of service businesses and residential mixed use projects and for these small properties, no off street parking is required. When 3 lots (actually 4) were combined to become the 803 Waimanu project with 153 residential apartments, HCDA contended that no off street parking was required at all, except for the 24 which would satisfy the reserved housing requirement. Unbelieveable! With any change in proposed use, the executive director is authorized to determine the correct requirement but this was not done. Fyi, the developer elected to install 91 electrical parking stalls but there are still 62 units with nowhere to park.

This project is an urban block type building which is "allowed with exception." It will be built boundary to boundary, adjacent and side by side with our 33 townhouses with no space between the 2 buildings. We can jump down or climb up onto each other's property. You would think there must be a building code violation and/or a fire code violation. The "exception" could have asked for space between the 2 buildings or a change in the building form, but HCDA made no exceptions and is unconcerned for the safety of the residents.

Before an initial hearing, the design board (2 HCDA staff +1) reviews the project, meets with the developers and additional HCDA staff, and issues comments to the Board, which is followed by the conformance report by the executive director. It appears that the Board's decision is made at that time and the hearings appear to be just formalities that look good on the records. HCDA supports the developers and not the concerned citizens....they listen but do not hear. It was obvious when the Royal Capitol residents presented many valid reasons for the rejection of 801 South, Plan B, and pointed out where HCDA was not adhering to their rules, but the project was still approved.

All developers of condos must be required to provide impact studies to evaluate the infrastructures ..... roads, sewers, traffic, schools, parks....and where improvements are necessary, they must be required to pay the necessary fees. At the Howard Hughes hearing, with 2 condos (over 700 units) to be built kitty corner to each other at Auahi and Kamakee Streets, the traffic study showed that the streets could readily handle the increased traffic. I inquired and found that the studies were done independent of each other and not collectively for the 2, so it did not present a true picture of the traffic. It appears that all studies are done in a similar manner and do not take into account the condos already being built nor those already approved and their impact on the infrastructures. Consequently, the studies produce results favorable to the developers.

When a project is approved and there are obvious infractions of the rules or where it will adversely affect the community, a person must be allowed a hearing to contest and challenge HCDA's decision. Buildings must have height limits of 400 feet, density should not exceed 3.5 FAR and there should be a minimum of 300 feet separating 2 buildings more than 100 feet tall. Also, there must always be a separation between any two multi-residential buildings. Thank you for listening to my concerns.

Respectfully submitted,

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# Support Senate Bills re HCDA

I support Senate bills SB2696, SB2697 and SB2698 since all contain some measure of restraint on the Hawaii Community Development Authority (HCDA). HCDA needs to be restrained because of excessive use of its power and authority to favor developers' interests over the wellbeing of the Kaka'ako community. My comments relate to the Kaka'ako mauka and makai areas.

I support **SB2696** for its amendments to Chapter 206E, Hawaii Revised Statutes: HCDA must require, prior to receipt of any application for a development permit, a project eligibility review of the development project, and shall obtain approval from applicable governmental agencies regarding the adequacy of infrastructure requirements. HCDA may not grant any variance, exemption, or modification to any provision of any rule or development plan relating to maximum floor area ratio. Limits on building heights and distance between buildings are also important.

I support **SB2697** since it amends procedures of the HCDA to require additional public notice and public input for development projects and rule changes. Establishes additional requirements for development projects before HCDA approval can be granted. Creates appeal process for HCDA actions and decisions.

I support **SB2698** since it requires accountability and transparency in HCDA's actions; provides for contested case proceedings with judicial review, expanded public notice requirements, and legislative authority over amendments to mauka and makai area plans and rules; defines Kaka'ako community development policies; and requires comprehensive studies and plans for infrastructure capacity in the area plus a requirement to impose impact fees on developers.

Provisions of SB2696 are important to have in addition to those of other Senate bills on this subject. If measures in this bill had been in effect, HCDA would not have been able to accept applications for several development projects they recently approved.

For example, HCDA accepted the developer's application for 801 South Street, Phase 2, without requiring the Traffic Impact Assessment Report (TIAR) requested by the City and County Department of Transportation Services. HCDA's website for the proposed development includes a July 2013 memorandum from a traffic management company in Honolulu that primarily describes street improvements and level of service on Kawaiahao Street, the Phase 1 side of the block, not useful for Phase 2. Since the Phase 1 garage now under construction has 915 parking stalls for 635 units in the residential tower, even though there's an alley connecting the two, the driveway to Kawaiahao will have its own traffic buildup, the Phase 2 drive exits to Kapiolani Boulevard. The memo's statement about level of service to Kapiolani is incorrect compared to McKinley High School's 2011 EIS traffic analysis. A trip generation summary is clearly inaccurate based on the 788 parking stalls planned for the Phase 2 garage.

HCDA should have rejected the developer's traffic memorandum as inaccurate and inadequate for the purpose for which it was submitted. As of today, in the first week in February 2014, the inaccurate traffic memorandum remains on HCDA's website and there is no TIAR as requested by Director Michael Formby of the Department of Transportation Services. HCDA ignored the City and County request and approved Phase 2 development without a TIAR.

Everyone who drives in and out of downtown Honolulu, especially the Capitol district, via Kapiolani, King Street or South Street should be concerned about the additional 1700 vehicles from the two units of 801 South that will be driving in and out of one block immediately back of the historic Advertiser/News building.

Another example of HCDA disregarding its own rules and government agency requirements is their failure to require the developer at 801 South Street, Phase 2, to submit their plans for the historic Advertiser/News building on the property to the State of Hawaii's Department of Land and Natural Resources for review. A letter dated August 29, 2013 from an official in a division of that department to HCDA's executive director reminded HCDA of the requirement according to HCDA's 2011 Mauka Area Rules. According to the rules which apply to all historical or culturally significant properties, a written letter of concurrence from the State Historical Preservation Division (SHPD) shall be included with the permit application to HCDA, and all SHPD requirements shall be completed by the developer prior to submitting the application.

If SB2696 had been in effect at the time, HCDA would not have been able in September 2011, effective November 11, 2011, to write the one and one-half page subchapter on Workforce Housing Project(s) rules that was tacked onto the end of Kaka'ako Reserved Housing Rules in Title 15, Subtitle 4, Chapter 218. The subchapter says workforce housing project(s) shall receive a floor area bonus of one hundred percent (double density FAR), provided that such bonus floor area shall be used for workforce housing project(s) only. Being able to build up to a double density FAR is a large financial benefit for developers.

One of the criteria for determining that a project is a workforce housing project is when it does not require financial assistance for construction from Federal, State, or County governmental bodies. Claiming that 801 South Street was workforce housing, the developer applied for modification to build a free standing 107-feet high parking structure rather than a 65-feet high podium parking structure in order to be more cost effective. We do not understand why increased floor area density and construction modifications approved by HCDA are not considered financial assistance from a governmental body.

Another example of HCDA disregarding its own rules: Under 2005 Mauka Area rules on affordability criteria, one-half of a percentage point (0.5%) could be subtracted from six-months average interest rates on thirty year fixed rate mortgages. In 2011 Mauka Area rules the affordability criteria did not include subtraction of 0.5%. Yet in its August 2013 permit application for 801 South Street, the developer subtracted 1/2% from the six month average and

HCDA accepted the application. Other factors not questioned by HCDA point to a project given benefits of a workforce housing project that may not actually meet the defined criteria.

A Star Advertiser article of August 22, 2012 said a developer (who was later the developer of 801 South Street) had a deal to buy the News Building property but hadn't completed a sale. The article also said HCDA executive director Anthony Ching had met with representatives of the developer about the project. The Kaka'ako community and others in Honolulu appreciate news reports of development projects; HCDA isn't likely to inform us. The 801 South Street project is one of many that need the attention of concerned citizens.

The following description of HCDA hearings shows why bills SB2697 and 2698 are important.

HCDA has been given authority to make rules, interpret rules, modify rules at will as they go along, and apply those rules with very little public notice or input. Under HCDA rules the executive director retains authority to interpret provisions of those rules as well as to render decisions on development approval applications in almost half of the types of cases and to provide recommendations to the authority for the remainder.

Since HCDA members are volunteers with full-time jobs, and may not have sufficient time to thoroughly review all of the written testimony and court reporter transcriptions of oral testimony presented at the supplemental hearings, one could conclude that authority members rely heavily on the executive director's recommendations.

The timing and setting of HCDA hearings tend to reflect the authority's attitude toward the community for which it was established versus what it is willing to do for developers. The two required hearings on proposed developments are held on weekdays during work hours. At the front of the HCDA hearing room is a long table for authority members with a wing on one side for the Court Reporter and on the other for the developer and his assistant.

Developers who know how the system operates notify their supporters such as staff and potential customers to come early and hold their seats for the entire hearing. There's standing room left for those opposing the development proposal, and some of those have to get back to work before they have a chance to speak.

At the second required hearing, immediately following testimony and usually without discussion by authority members on whatever might have been presented by the community, a vote is taken on the proposed project. One could conclude that a decision on how to vote was made before the hearing. In fact, by that time, one could imagine it might have been made before the first hearing. HCDA hearings are a learning process for the community, but by the time they are held do little good for those who believe they have an array of valid reasons for objecting to a project.

Thank you for the opportunity to comment on proposed legislation.

# Mary Caywood

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	<u>gentlewave@hawaii.rr.com</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 3:47:31 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David DinnerInd	ividual	Oppose	No

Comments: Enough already!!!

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From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	mauibrad@hotmail.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 3:30:22 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Support	No

Comments:

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# Written Testimony for the Committee on Economic Development, Government Operations and Housing Wednesday, 1515 hrs, February 12, 2014 Conference Room 16 Senate Bill 2696 Relating to the Kakaako Community Development District (HCDA)

# Chairperson Dela Cruz, Vice Chair Slom and Committee Members

Thank you for your time and the opportunity to submit this testimony.

My name is Grace Ishihara and I am a resident of Kakaako.

I support SB 2696 for the following reasons:

- Any redevelopment of Kakaako should preserve the scenic views of the island's natural beauty for the public's enjoyment.
- I strongly agree with a minimum allowable horizontal separation of 300 feet between buildings that are 100 feet or higher in height. This bill should also state that it does not apply in ALL cases. The distance from window to window should not apply to buildings that have a podium for parking and recreational areas. The distance should be measured from the lower podium boundary to the window of the proposed building. In the case of 801 South Street Tower B, the developer and HCDA are measuring the distance from window to window. This allows the new building to be constructed too close to the parking podium and recreational space.
- A building height limit of 400 feet is reasonable. (Adding a density limit of 1.5 FAR would be even better).
- All buildings that are at least one hundred feet in height should be oriented on a mauka-makai axis.
- HCDA should be prohibited from granting any exception to rules regarding maximum floor area ratio.

I urge the committee members to pass SB 2696. I would also like to recommend that this bill should also be applied to projects that HCDA has approved in the past 6 months that hasn't been built. Those projects must be reviewed again for compliance to these rules.

Grace Ishihara ue-wale0903@hotmail.com Anything contained in this chapter to the contrary notwithstanding, the authority is prohibited from:

(1) Selling or otherwise assigning the fee simple interest in any lands in the Kakaako community development district to which the authority in its corporate capacity holds title, except with respect to:

(A) Utility easements;

(B) Remnants as defined in section 171-52;

(C) Grants to any state or county department or agency; or

(D) Private entities for purposes of any easement, roadway, or infrastructure improvements; or

(2) Approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana Boulevard and between Kewalo basin and the foreign trade zone.

From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	ptadaki@hotmail.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 2:24:17 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Paula B Tadaki	Individual	Support	No

Comments: I strongly support this bill. I agree with requiring a minimum horizontal separation of 300 feet between buildings that are 100 feet or higher in height. This would encourage a more open feeling and not turn Kaka'ako into a "concrete jungle". Buildings should be oriented on a mauka-makai axis so view planes will be preserved.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	tisimms2000@hotmail.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 2:24:57 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
tj simms	Individual	Support	No

Comments:

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From:	mallinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	silverpenny10@hotmail.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 2:21:54 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
penny s	Individual	Support	No

### Comments:

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From:	mailinglist@capitol.hawaii.gov
то:	EGHTestimony
Cc:	lindalegrande2243@omail.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 2:08:00 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

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Submitted By	Organization	Testifier Position	Present at Hearing
Linda Legrande	Individual	Support	No

Comments: There has been an overwhelming outpouring of public dissent to the haphazard way in which Kaka'ako is being developed. It is being done piecemeal without a good overall plan on how each of these towers impact each other and the whole of the area. Please pass this bill to establish sensitive and sensible building restrictions and prohibitions. Thank you. Linda

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	lindalegrande2243@gmall.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 2:07:40 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Legrande	Individual	Support	No

Comments: There has been an overwhelming outpouring of public dissent to the haphazard way in which Kaka'ako is being developed. It is being done piecemeal without a good overall plan on how each of these towers impact each other and the whole of the area. Please pass this bill to establish sensitive and sensible building restrictions and prohibitions. Thank you. Linda

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mallinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	lopekana@hawaii.rr.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 1:56:08 PM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
George Robertson	Individual	Support	No

### Comments:

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From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	lynnehi@aol.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 11:39:30 AM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments: Now we're talking. This bill would put common sense into the development of kakaako, perhaps going back to sensible guidelines from years ago. There is major concern with current infrastructure. Oft times the area smells like a cesspool. The City is unable to find out what the problem is, but refuses to admit that the sewage system is to blame. Nothing like eating in a restaurant and smelling raw sewage, or smelling it in your condo. It provides for much needed space between buildings, as we have in other areas of the island. It provides for a sensible height limit, one that matches that of the city, instead of trying to outdo other projects. Remember, most of Kaka'ako is in the tsunami inundation zone. Remember superstorm Sandy in 2012 on the east coast, remember the stories of the elderly and infirm trapped in their high rises, with no electricity, heat, water, and other necessities. This is important. We don't want stories like that emanating from Honolulu when there is a storm, earthquake, or major power outage. Please pass this bill and return common sense development to the area. lynne matusow 60 n. beretania, #1804 honolulu, hi 96817 531-4260

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@canitol.hawaii.gov
To:	EGHTestimony
Cc:	suzanne@punaponc.com
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Monday, February 10, 2014 11:21:55 AM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Support	No

Comments:

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RR 2 Box 3317 Pahoa, Hi 96778 email: <u>ttravis12@mac.com</u> mobile: (757) 639-7364

Testimony on Senate Bill 2696

Members of Economic Development, Government Operations and Housing:

Much like the Public Land Development Corporation (PLDC), the Hawaii Community Development Authority (HCDA) was conceptually flawed in its creation and, to the degree it continues to exist, must be changed to meet the needs of Hawaii. it was created to streamline administrative procedures needed to begin community developments. But the streamlining power given to the HCDA cut to bone, removing community planning, community hearings, and opportunities for community recourse with disagreement.

Although justification for economic reasons might be made, it is wrong headed for State government to bypass local desires, direction, and planning. Communities should be given full voice and control of their cultural, social, and environmental visions for the future. The State of Hawaii should not preempt the local decision making, but instead should champion it. Emphasis on reestablishing local initiative serves several very important purposes:

- It breaks up the partnerships between big business and other powerful lobbies and the government, leveling the playing field for smaller and more innovative players.
- It will move us to a more sustainable model, as each community attempts to preserve what is considered best in that community.
- It will incentivize those with business interests to work with the local people, learning about the community and responding to it, rather than simply influencing the State Government through lobbying and political contributions.

Although passage of Senate Bill 2696 will not fully restore the needed local influence, it is a step in the right direction. I strongly urge you to support this bill.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	williamlee244@gmail.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 10:29:02 AM

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
William Lee	Individual	Support	No

Comments: HCDA should be prohibited from granting any exception to rules regarding FAR and building orientation on the mauka-makai axis. Spacing between buildings should be legislated. Work force housing should be defined clearly and legislated to avoid the potential for abuse. It really does not address affordable housing. I support SB2696

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	Web Nolan
то:	EGHTestimony
Cc:	Sen. Brickwood Galuteria
Subject:	Testimony supporting SB2696 for Feb 12 2014 hearing
Date:	Monday, February 10, 2014 9:46:16 AM

My name is Webster Nolan. I'm a retiree, resident and and co-owner for the past 20 years of a condo on the Advertiser block.

### <u>Testimony by Kakaako resident Webster Nolan in support of SB2696 for Feb 12, 2014, hearing by</u> <u>Senate EGH Committee.</u>

I strongly support all provisions of SB2696 because the bill offers substantial corrective measures to the confusing way the Authority interprets statutes and rules governing development projects in Kakaako.

Recent development permits issued by the Authority have included exemptions from height, density, distance between buildings rules (as exemplified in the "801 South Street," "803 Waimanu," "Symphony" and "Collection" projects), failing to engage "effectively" and "meaningfully" with the community, as required by statute (206E-5.5) about concerns over the impact on each of the neighborhoods affected. This bill establishes straightforward requirements (300 feet distance between buildings over 100 feet high, 400 feet height limit, no exceptions on floor area ratios, mauka-makai alignments).

As an additional safeguard against loopholes in the rules and procedures, this bill mandates an eligibility review of infrastructure capacity BEFORE the Authority accepts any application for a development permit, thereby providing more time for conducting an adequacy assessment than the current procedure.

The bill also remedies the frequent problem of trying to determine conflicts, real or apparent, between HCDA and City infrastructure standards, by requiring the HCDA executive director to obtain approval from City and other appropriate government agencies regarding the adequacy of infrastructure.

I strongly urge passage of this bill, which would benefit all parties in a proposed development project by establishing straightforward and clear policies and procedures.

Webster Nolan 876 Curtis St. #1005 Honolulu HI 96813

Ph: 593-1189

From:	mallinglist@capitol.hawali.gov
То:	EGHTestimony
Cc:	<u>rontthi@gmail.com</u>
Subject:	*Submitted testimony for SB2696 on Feb 12, 2014 15:15PM*
Date:	Sunday, February 09, 2014 5:40:36 PM

Submitted on: 2/9/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Taniguchi, Pharm.D.	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	Pam Wood
To:	EGHTestimony
Subject:	SB 2696
Date:	Sunday, February 09, 2014 2:38:33 PM

Testimony of Pamela Wood

For the Senate Committee on Economic Development, Government Operations and Housing Wednesday, February 12, 2014 – 3:15 pm – Conference Room 16

Re: Support for SB 2696

Chair Donavan Dela Cruz and Members of the Senate Committee on Economic Development, Government Operations and Housing:

My name is Pamela Wood. I live in Kakaako. Thank you for giving me the opportunity to testify in support of SB 2696 and share my experience of working with the Hawaii Community Development Authority (HCDA) during 2013.

HCDA has not taken responsibility for infrastructure deficiencies within Kakaako. Instead they approve development permit applications based on general letters of conditional approval from city agencies, and then expect the city to address the infrastructure deficiencies during the building permit process.

I learned this first hand during HCDA's public hearings and information sessions regarding the 803 Waimanu project. The property is located in the commercial/industrial Central Kakaako Neighborhood. The FAR (Floor Area Ratio) was set at 1.5 because of the lack of infrastructure. The 2008 Environmental Impact Statement (EIS) and the 2011 Mauka Area Rules and Plan describe the inadequate infrastructure in detail. The small property owners did not agree to participate in the cost of establishing improvement districts, and so development was limited to 1.5 FAR. If property owners agreed to an improvement district or if a developer agreed to make the improvements the FAR could be increased to 3.5. We discovered there is a third way to increase the FAR. The Executive Director can determine the infrastructure is adequate and can unilaterally increase the FAR to 3.5.

The 803 Waimanu sewer line will connect to the existing 6-inch Kawaiahao Street sewer line that is more than 100 years old. This aged line runs 200 feet, and then connects to the improved line on Cooke Street. The 2008 EIS requires a storm drain. When HCDA was asked if the developer was required to make these improvements, I was first told it would not be fair to ask one developer to be responsible for the entire cost; then I was told the developer was going to control all storm drainage runoff onsite and the city accepted the sewer permit application; and then I was told these issues would be addressed during the building permit process.

The process need to change. Infrastructure must be addressed before development permit applications are approved. If the City & County of Honolulu is responsible for the infrastructure and the Honolulu taxpayer is responsible for the costs, then the City should be given the control.

I also support SB 2697 and SB 2698 and have submitted separate testimony on this

legislation.

Pamela Wood 725 Kapiolani Blvd., #3002

From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	ismyth@hawaliantel.net
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Sunday, February 09, 2014 1:08:23 PM

Submitted on: 2/9/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
isaac smyth	Individual	Support	No

Comments: I support SB 2696 because: \*Any redevelopment of Kakaako should preserve vistas of its natural beauty for the public's enjoyment. \* I strongly agree with a minimum allowable horizontal separation of 300 feet between buildings that are 100 feet or higher in height. \* A building height limit of 400 feet is good. (Adding a density limit of 1.5 FAR would be even better) \*All buildings should be oriented on a mauka-makai axis \*HCDA should be prohibited from granting any exception to rules regarding maximum floor area ratio

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mallingilst@capitol.hawaji.gov
To:	EGHTestimony
Cc:	connie.smyth54@gmail.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Sunday, February 09, 2014 12:48:25 PM

Submitted on: 2/9/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
connie smyth	Individual	Support	No

Comments: : I support HB 1867 because: \*Any redevelopment of Kakaako should preserve vistas of its natural beauty for the public's enjoyment. \* I strongly agree with a minimum allowable horizontal separation of 300 feet between buildings that are 100 feet or higher in height. \* A building height limit of 400 feet is good. (Adding a density limit of 1.5 FAR would be even better) \*All buildings should be oriented on a mauka-makai axis \*HCDA should be prohibited from granting any exception to rules regarding maximum floor area ratio

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From:	mailinglist@capitol.hawali.gov
То:	EGHTestimony
Cc:	connie.smyth54@gmail.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Sunday, February 09, 2014 1:04:47 PM

Submitted on: 2/9/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
connie smyth	Individual	Support	No

Comments: I support SB 2696because: \*Any redevelopment of Kakaako should preserve vistas of its natural beauty for the public's enjoyment. \* I strongly agree with a minimum allowable horizontal separation of 300 feet between buildings that are 100 feet or higher in height. \* A building height limit of 400 feet is good. (Adding a density limit of 1.5 FAR would be even better) \*All buildings should be oriented on a mauka-makai axis \*HCDA should be prohibited from granting any exception to rules regarding maximum floor area ratio

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mallinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	eo50@icloud.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Sunday, February 09, 2014 10:12:17 AM

Submitted on: 2/9/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Okamura	Individual	Support	No

Comments: HCDA has been granting too many modifications to individual projects at the expense of not complying to the Mauka Area Rules. Projects have been approved against the Mauka-Maiki axes like the Symphony. Projects have been approved to over mass buildings for the sake of density and affordability like 801 South. The Senate should inquire about the affordability of units that have been approved and question the definition of work force housing that allows over-massing and double density but not affordability. What contribution have the developers made to cover the impact of infrastructure improvements. I support SB 2696.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	<u>mailinglist@capitol.hawaii.gov</u>
To:	EGHTestimony
Cc:	<u>rkorph@gmail.com</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Sunday, February 09, 2014 9:07:07 AM

Submitted on: 2/9/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Okamura	Individual	Support	Yes

Comments: Over-massing is occurring with the flurry of condominiums that have been approved by HCDA. They have been granting many exemptions and modifications that ignore the Mauka Area Rules with unbridled discretion. They have blunted the efforts by the community to engage in meaningful communications. I strongly support your efforts to reign in the HCDA with legislation.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	daigoro@hawali.rr.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Friday, February 07, 2014 8:52:05 PM

Submitted on: 2/7/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Darryl	Individual	Comments Only	No

Comments: Mahalo for your time. I live in Kakaako and have been directly impacted by the development process and HCDA. One of my biggest concerns is that the entire process for the development of Kakaako is so skewed in favor of the developers and BIG money. When projects are announced by HCDA, we citizens living in Kakaako are usually blind-sided by the projects and are given about a month or so to provide feedback. We find out about new developments in the newspaper the day HCDA decides to post it. We have no notice from neighborhood boards or any other government agency of upcoming projects. Almost all of us know nothing about the development process, rules, regulations, laws, what is required and not required for projects to be built. The developers have years of planning and strategizing, decades of experience and us citizens have a month to learn all the rules, regulations, laws to become experts on the development process. This is completely unfair and makes me feel like we citizens are not able to be heard. Seems clear to me that this is the developers and HCDA's? strategy to make it easier to push projects through. Announce the project with no prior notice, give the public very little time to respond, overwhelm the public with the amount of time and effort required to adequately respond, and most times people won't make a big fuss because they feel they don't have the time and effort required to fight back. Lucky for us we had a resident that had the time and drive to get the word out about 803 Waimanu project, which help people to get together to see what could be done to oppose the original project. This required so much time and effort by many people to do research about the development process. None of us knew where to start. I'm sure this happens more often than people realize where residents and communities are left to "figure things out" on their own, when the experienced developers know all the rules. What I would like to see is a more transparent and accountable process that allows adequate notification to the community, what our rights are, what the benefits and drawbacks for each new project are, what can we do to help make the project work, etc. Also it is very difficult to attend HCDA hearing when it is during the weekday during working hours. This is another barrier for adequate public input. I can't keep taking days off from work to attend the hearings. All this and more makes it very apparent that HCDA gives preferential treatment to developers and this process needs to change. How can we citizens give adequate input when we don't have the knowledge and time?

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From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	avcockburr@aol.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 8:07:12 AM

### SB2696

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Virginia Aycock	Individual	Support	No

Comments: I support the bill. I also ask that you add an amendment requiring that HCDA adhere to its zoning requirements and open up to the community for review any zoning changes, for the following reasons: A&B's "The Collection," proposed for 600 Ala Moana Blvd, is to be predominantly residential with only about 2% commercial. Yet that lot (the old CompUSA site) is zoned MUZ-C (Mixed-use Commercial). HCDA's own zoning rules state: The primary emphasis within this zone shall be to develop a predominantly commercial multi-storied area which will provide much needed jobs and other employment opportunities for the residents. §15-22-31 MUZ-C:(1). I understand this to be HCDA's current interpretation of MUZ-C (mixeduse -- Commercial zoning): "HCDA claimed that the MUZ-C zoning intends to produce but does not mandate predominantly commercial projects, by specifying a maximum amount of commercial use but no minimum." This interpretation is faulty and has several problems. 1) That HCDA can approve a project of 90% or more residential in MUZ-C "because there is no minimum requirement on Commercial" is ludicrous. The HCDA rule calls for "predominantly commercial," so by comparison there is a minimum definition: commercial's minimum cannot be less than, but must exceed, the next predominant usage in the MUZ-C zoning classification. 2) The community did not have the opportunity to weigh in on what has constituted a major change in zoning (A&B's The Collection, for example). 3) Would HCDA do the reverse without community involvement? Would they allow building 90% commercial in a mixed-use residential (MUZ-R) zone? HCDA's application of their MUZ-C zoning rule constitutes a major change in zoning classification. Would the community stand for 90% commercial in an MUZ-R zone? This, likewise, needs to be opened up to the community before such a change can take place.

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### SB2696 RELATING TO KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.

My name is Jeremy Lam and I am in support of HB 1867 which establishes 300 feet minimum distance between buildings that are 100 feet or taller, establishes height limit of 400 feet for Kakaako Mauka buildings, and requires buildings taller than 100 feet to be oriented on a mauka-makai axis. These are in line with community standards. Closer proximity will invariably cause neighborly problems with noise, night lighting, traffic and second hand smoke. Taller buildings will hinder viewplanes, destroy the skyline, and block sunlight. Buildings on a mauka-makai axis will provide better living for the public and less luxury views for the high end occupants. The infrastructure review of adequate sewer structures, prevention of foul odors, wheelchair sized sidewalks, and watermain integrity should be reviewed by DPP and not the executive director of the HCDA whose overriding mission is to build housing as fast as possible even if it means breaking City and County regulations. It would be nie to include an amendment to prohibit high rises on Kakaako Makai insuring more open space, trees and parks for the public to enjoy. There are very few beaches where Honolulu residents can congregate. Kaimana Beach and Ala Moana Beach for 500,000 city residents. Although it will not bring in more money to OHA, it will keep our State clean and green and beautiful. Kakaako can provide continuing easy beach access for Hawaii's residents who live outside of Kakaako. I encourage you to support HB 1867.

Jeremy Lam 2230 Kamehameha Avenue Honolulu, HI 96822 <u>drjlam@aol.com</u>

47827

From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	vsc@hawaiiantel.net
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 8:33:29 AM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Cannon	Individual	Support	No

Comments: We support this bill. Please amend HCDA statute to establish building restrictions and prohibitions. Victoria and Trudy Cannon

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	<u>vsc@hawaliantel.net</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 8:33:29 AM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Cannon	Individual	Support	No

Comments: We support this bill. Please amend HCDA statute to establish building restrictions and prohibitions. Victoria and Trudy Cannon

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	<u>bknunies@amall.com</u>
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 10:31:07 AM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Bernard Nunies	Individual	Support	No

Comments: I strongly support SB2696 and other bills that seek to rein in, impose stronger restriction, and even abolish the HCDA.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

# Testimony of

Cara Kimura

Before the Senate Committee on Economic Development, Government Operations and Housing Wednesday, February 12, 2014

Senate Bill 2696: Relating to the Hawaii Community Development Authority

My name is Cara Kimura and I am in support of SB2696 and the other bills relating to the Hawaii Community Development Authority before you today. I have lived in Kakaako for the past 15 years. When I first moved to Kakaako, it was a virtual ghost town - many of the commercial buildings were abandoned, occupied by squatters, not really someplace you'd like to be after dark. Slowly, businesses began moving into the district -- at first, just a few car dealerships, restaurants and small stores. I heard promises that soon Kakaako would be a bustling, lively, walkable community - with everything one needed to live, work and play within walking distance. Having studied the development plan rules as part of my architectural education, I was familiar with this vision and had great hope for the Kakaako's future. Recent events have shown me that rules and plans are only good as those that are charged with enforcing them.

Residential development in Kakaako is largely guided by Chapter 217 of the Hawaii Administrative Rules -- Kakaako Mauka Area Rules -- and the Mauka Area Plan. These rules and plan establish the vision of Kakaako that has been marketed as "live, work, play."

Chapter 218 of the Hawaii Administrative Rules defines provisions for Reserved Housing and Workforce Housing for HCDA residential development. These rules are not in line with the city's definitions of affordable housing and therefore do not truly provide a supply of housing that the average local family can afford. The rules for Workforce Housing allow exemptions -- called "modifications" -- from all other applicable rules for development. They basically undo the vision laid out by the Mauka Area Rules and Mauka Area Plan -- the promise of Kakaako. I urge this committee to add language to this bill to also repeal Chapter 218 or have it drastically rewritten,

particularly with regards to Workforce Housing (Subchapter 4), which only serves to benefit developers, not the Kakaako community and those who need true affordable housing. Please also note, as written, Workforce Housing rules also do not require any owner-occupancy or restrictions on "flipping," further benefiting real estate speculators rather than home buyers.

At the recent hearings for 801 South Street, Tower B, residents pointed out numerous aspects of the proposed development that did not conform with the Mauka Area Rules and Plan, including erroneous calculations and assumptions used to justify the affordability of condo unit prices. Because 801 South Street was marketed as "workforce housing," it purported to provide much needed affordably-priced housing in Kakaako and, as a result, allowed the developer to ask the Hawaii Community Development Authority (HCDA) for significant modifications from the Mauka Area Rules and Plan. Although a detailed report was provided to HCDA proving how the prices were not affordable for the "workforce" family in Hawaii, the project was granted significant modifications from the Mauka Area Rules and approved for development.

If HCDA cannot be relied upon to enforce its own rules, then it is only logical to make those rules enforceable by statute. This bill does just that. I urge you to pass SB2696.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	hawalianryan1977@yahoo.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 1:15:18 PM

Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
jesse ryan kawela allen	Individual	Support	No

Comments: Please accept this testimony in Strong Support of SB 2696 – Relating to the Kakaako Community Development District by amending the Hawaii Community Development Authority's statute to establish building restrictions and prohibitions.

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From:	mailinglist@capitol.hawali.gov
To:	EGHTestimony
Cc:	paul@punapono.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Monday, February 10, 2014 1:16:56 PM

# SB2696

Submitted on: 2/10/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Kuykendall	Individual	Support	No

Comments: Please support this bill which would protect Hawaii from unregulated development.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	eddiecjohnson@vahoo.com
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 1:18:51 PM
Attachments:	Kawaiahao and Cooke st sewer condition report.pdf

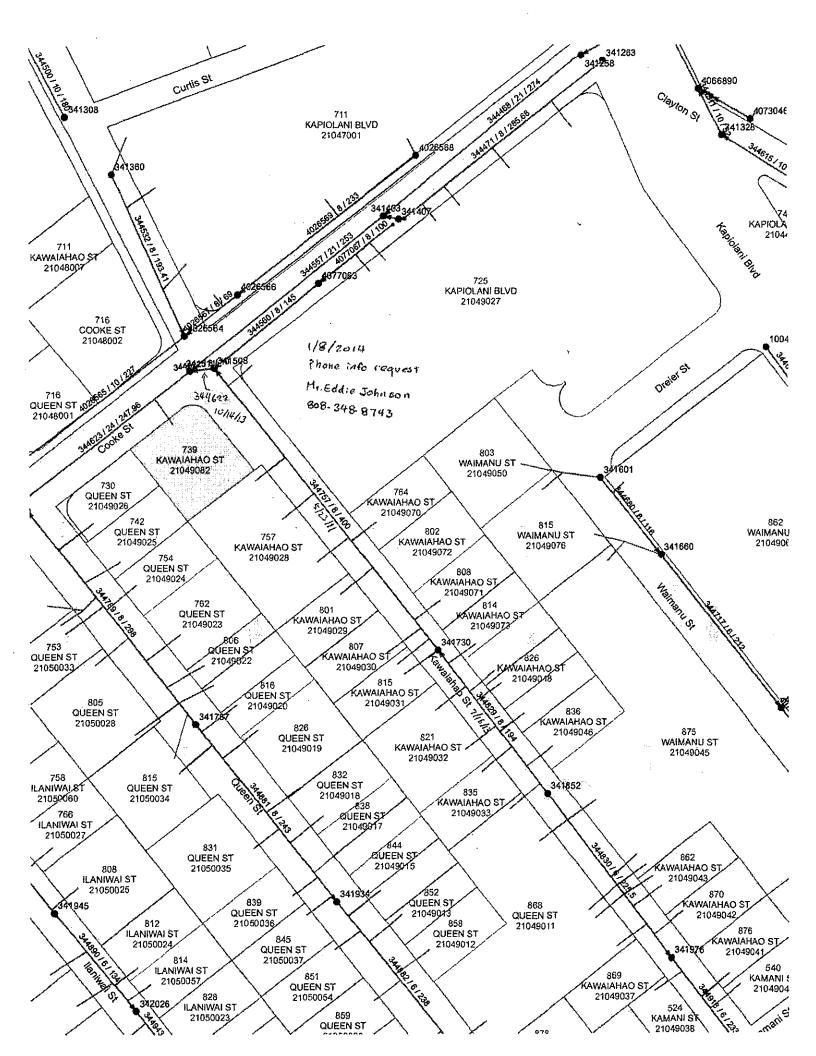
Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Eddie Johnson	Individual	Support	Yes

Comments: I am in support of this Bill. However, I ask that the Committees consider the following comments: 1. Infrastructure: Strike "project eligibility review and replace with study to include as built conditions and development effect on utility systems. The developer should have infrastructures studies (as built surveys) in place prior to the first hearing and submitted with their application in terms of plan for improvement action. Attached are the CCTV stills of Kawaiahao street and Cooke street, where HCDA has approved the 803 Waimanu development...these sewermains are in complete failure and violate the Clean Water Act. The imposed repair by HCDA to the developer is beyond the scope of the project. Just to note: The executive director unilaterally raised the FAR from 1.5 to 3.5 for this development because, in his opinion, the infrastructure was adequate. 2. Building height, separation and FAR. What is highlighted only suggest maximum and minimum parameters that truly require additional thought. For Example: allowing a 3.5 FAR or 400 foot height maximum could be devastating to a smaller development. Considering that adverse affects are subjective and discretionary, the Authority needs more detailed guiding principles on the allowable heights, distances between buildings and FAR. Unfortunately, the Mauka Area Plan and the EIS only offer rudimentary guidelines for proper decision making. That said, new development in Central Kak'ako should at least be no more that 45 feet in height primarily due to site infrastructure and context. 3.HCDA decision making: All HCDA reviews and decisions and permits shall be tied to the Supplemental EIS decision document or a new Supplemental EIS shall be provided for the proposed development. Just to note, setbacks need to be difined by front, side and rear. 6. HCDA shall notification to affected residents adjacent to the development 30 days prior to 90 day public comment and review period (strike-"upon request"). 4. I recommend repealing HRS Chapters 217, 218 and 219 as there are numerous first and second order affects by building type, infrastructure, FAR, etc. that need to be discussed.

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Project By	Surveyors name	Certificate Number	System Owner	Survey Customer	Drainage Area	Sheet
Underground Services, inc.	Toaalii Tauga	U-1212-16905	City & County of Honolulu	City & County of Honolul	u	1
P/O No. Pipeline Segmer 344829	nt Reference Date 2013	Time 0716 13:39	Location (Street Name a 856 Kawaiahao Street		cality a Moana	]
Upstream Manhole Number	Do	wnstream Manhole Numb	er	Further Location details	1	
341852		41730				
Rim to Invert (U) Grade to Invert (	U) Rim to Grade (U) Ri	m to invert (D) Grade to I	nvert (D) Rim to Grade (D)	Use of Sewer Direct Sanitary Down	tion Flow Control nstream N	Height 8
Width Shape Mat	terial Ln. Method	Pipe Joint Length To	stal Length Length Survey	ed Year Laid Year	Rehabilitated Tape / Med	ia Number
Circular	P		94 188.6		IDIQ3	
Purpose Sewer Category	Pre-Cleaning Clear	ned Weather Dry	QC By Lissa Tavita		rtificate Number 5-14861	
QC Date Additional Infor	mation					
	a Moana, Deposits, Cracks,	One hole in pipe. Fractures	•			

Distance	Q	ode	Continuous		Value		- 1 - 1	umferentia ocation		C.	ruct. O&I	
(Feet)	Group/	Modifier/	defect	SM/L	Inches	% Jo	int At Fro		Image	Ref. G	rade Grad	M je zastava sava se
111111111111111111111111111111111111111	Descriptor	severity			1st 2nd		014	m				Remarks
0.0	AMH									. Commission		341852.
0.0	MGO											GIS states pipe diameter is 8 inch, it appears to be 6 inched based on measurement.
4.0	MWL					0						0%.
4.0	DS	• GV	S01			5	5	7	and a survey of the	in the state of the state		5%.
7.2	TF				6		3				1	
8.7	TF				6		9	a an				n - Lee Constant and a second a
9.4	CM		502				<u> </u>	5				The second se
28,6		A	مردين فبلك الال	Sec. Second	6			• R	· •	·····		
59.3	TF TF				6		9		nya da sana sa garan si ya Shi na sa sa sa sa sa sa		•••••••••••••••••••••••••••••••••••••••	uu en
76.3		، بې همېنمېسيم سېغ	17 H-1 H-1 H	er senter de la companya de la comp	, <b>b</b>	2 a 4 a 4 a 4 a		•				an na bar da bara animana da dan da anana da anana da
84.2 106.4	TF				0		9			a na sa		
120.5		and the second	- an	منبعات ويتشاهده		· · · · · · · · · · · · · · · · · · ·	چيرند. در ۲					an an anna an ann an Arainman an an ann an Arainma Annan Ann Annan an Annan an Annan an Annan an Annan Annan A An Annan A
126.5	TF TF	A			6	n 1941 - 1945 19	3					
134.6	TF				6		9					ى مەنبەي ئېرلىيىلىرىكى ئەربىيە بىلىرىكى ئەركىكى ئەتەكەن بەركىكى بەركىيىلىرىلىرىكى بىلىرىكى بىلىرىكى ئەركىكى بىر ئەركىكى
142.4	H.	VV			······		1		م دستانینی بنیمند. ا		5	
156.5		С		····	6		9					anna a na anna ann ann an ann an an ann an a
164.9	TF TB				6	and a second	1				· · · · · · · · · · · · · · · · · · ·	
177.9	FM						) 9	3			4	
180.3	· · · · · · · · · · · · · · · · · · ·	GV	F01	in a in the C	n de la compañía de l	<b>. 5</b>		7				5.5%.
180.3	CM		F02				l <u>9</u>	.5		3	×34	y na
188.6	AMH 🗄			<u> </u>	· · · · · · · · · · · · · · · · · · ·			2. 1	<u> </u>	· · · ·		341730

Generated on Wednesday, 7/17/2013 at 10:33 AM by the PipeTech® TV inspection system.

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Project By Underground Services, inc.			ystem Owner City & County of Honolulu	Survey Customer City & County of Ho	Drainage Area	Sheet
P/O No. Pipeline Segm 344829	ent Reference Date 201307	Time 16 13:39	Location (Street Name a 856 Kawaiahao Street	and number)	Locality Ala Moana	]
Upstream Manhole Number 341852	Down	nstream Manhole Number 730		Further Location de	etails	
Rim to Invert (U) Grade to Inver	t (U) Rim to Grade (U) Rim t	o Invert (D) Grade to Inv	vert (D) Rim to Grade (D)		Direction Flow Contro Downstream N	Height   8
	laterial Ln. Method	Pipe Joint Length Tota 194	Length Length Survey	ed Year Laid	Year Rehabilitated Tape / N	ledia Number
Purpose Sewer Category	Pre-Cleaning Cleaned	Weather	QC By		Certificate Number 06-14861	]
QC Date         Additional Infe           20130717         IDIQ3 Area A	ormation Ala Moana, Deposits, Cracks, O	ne hole in pipe. Fractures,				]

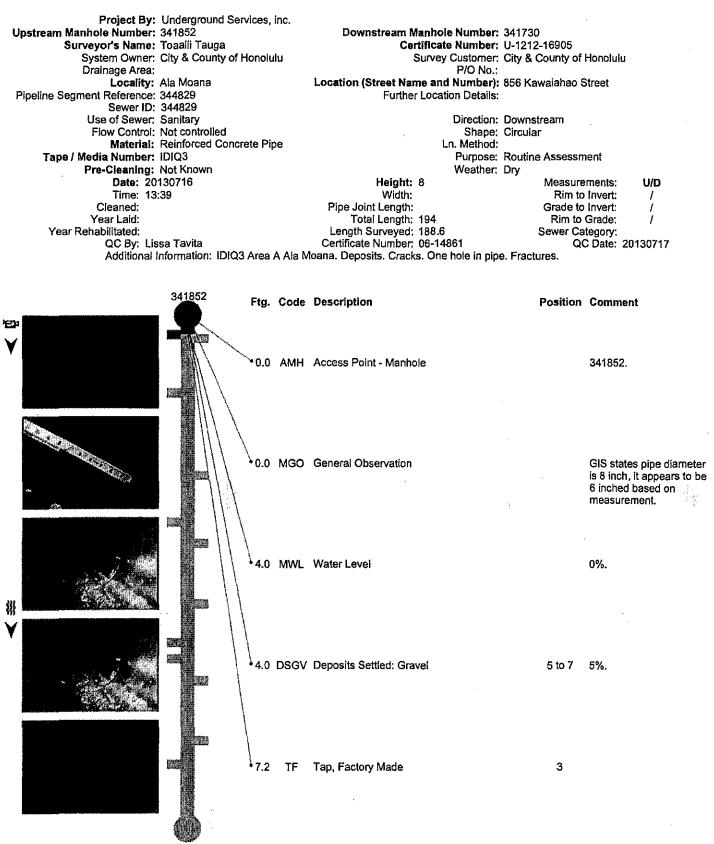
	0010110011 10111
Circumferential	
	and rest for the
Code Value	Stroit Cort.
Distance Continuous Location Location	Corre 07/00
Distance mane Ref Orison Odim	Colorada 3
(Feet) Craue/ Medifier/ defect Inches Ai/ Grade Grade	ALL CONTRACTOR
(reet) Group/ Modifier/ Incles Al/	Contraction of the second s
Descriptor severity dist. 2nd From Permater	171791.112
Bescriptor seventy Ist zna Internet Remarks	Constant of the second

·		TP 1		Stru	ctu	ral			aditup			0	2- N							Øy	eral			
Segment	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Rating	Quick	Index	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Rating	Quick	Index	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Rating	Quick	Index
344829_20130716_13 39_Downstream	0	0	102	4	5	111	5141	3.1	0	70	0	0	0	70	2F00	2.0	0	70	102	4	5	181	5141	2.5

.

## Legend:

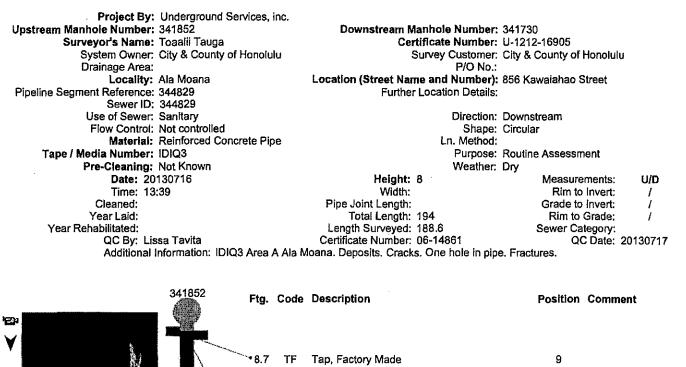
✔ Direction
 ℋ Flow
 ₩ Camera Travel

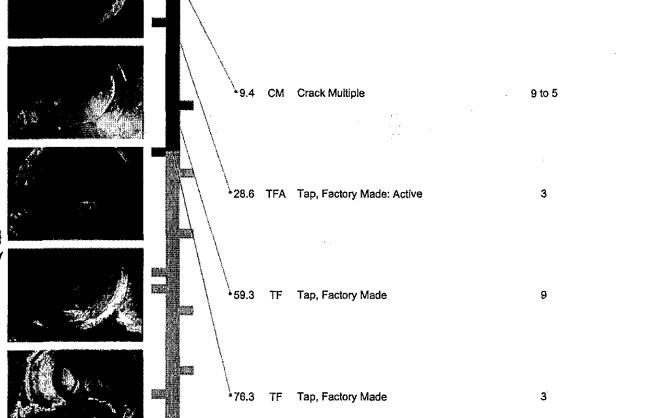


341730

### Legend:

✔ Direction
 **※** Flow
 ★ Camera Travel



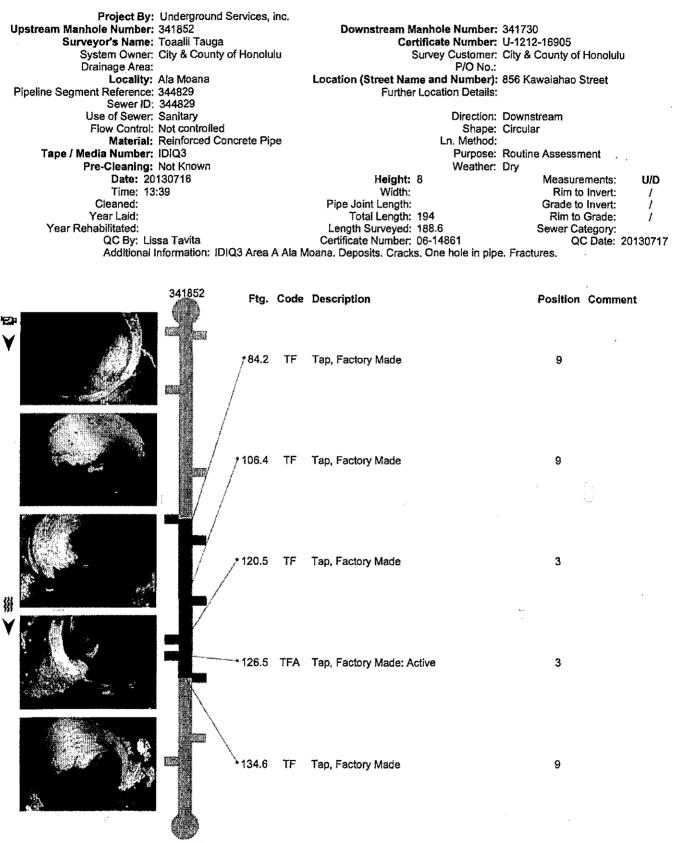


341730

## Legend:

¥ Direction ∦ Flow

🖙 Camera Travel



341730

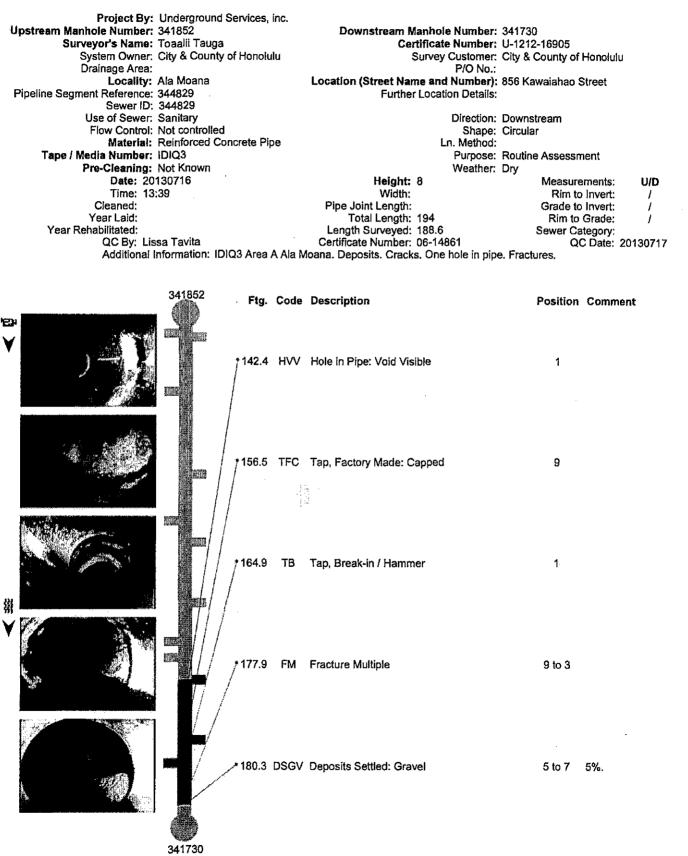
### Generated on Wednesday, 7/17/2013 at 10:33 AM by the PipeTech® TV inspection system.

93

Legend:

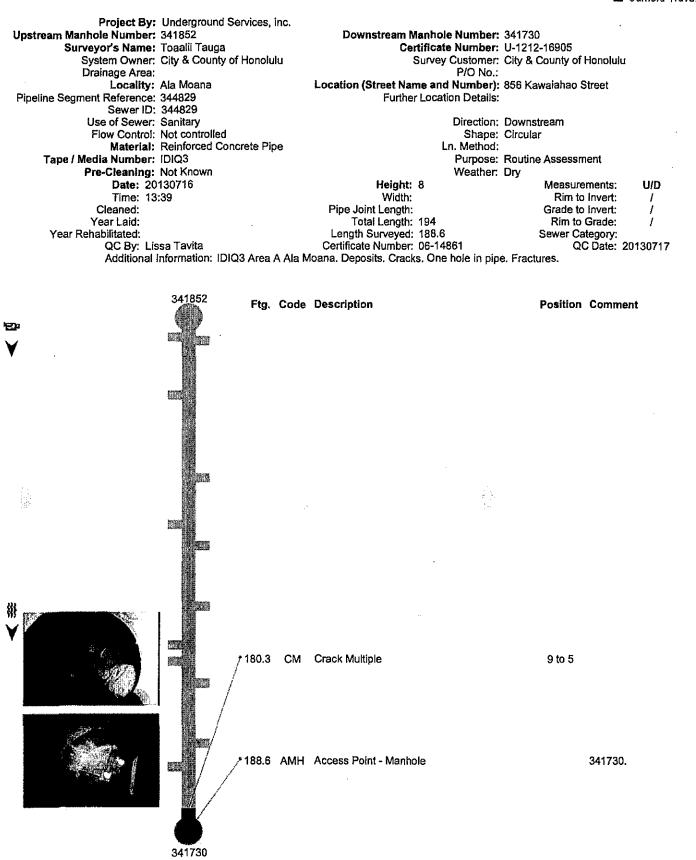
V Direction

😂 Camera Travel



## Legend:

✔ Direction
 ☆ Flow
 ★ Camera Travel





Project By	Surveyors name	Certificate Number	System Owner	Survey Customer	Drainage Area	Sheet
Underground Services, inc.	Alika Hema	U-508-6709	City & County of Honolulu	City & County of Honolul		
P/O No. Pipeline Segm 344757		Time 10523 09:03	Location (Street Name a 812 Kawaiahao Street		<b>cality</b> akaako	
Upstream Manhole Number	I	ownstream Manhole Numb	ber	Further Location details	5	
341730	[	341508				
	aterial Ln. Method		otal Length Survey		nstream N N	Height 8] dia Number
	777		100 395,5	] [] [	IDIQ3	
Purpose Sewer Category	,	weather	QC By		rtificate Number	······
L <u>F</u> _	Jetting 20	10523 Dry	Edison Firme		-310-10205	
QC Date Additional Info	ormation					

20110526 IDIQ3 Area A Kakaako. Note: PACP doesn't have a code for TCP. Hole in pipe. Fractures. Deposits, Patch repair. Grease in lateral.

Distance	Co	de	Continuous		Va	lue			Circum Loc	ferential ation		Struct.	O&M	
(Feet)	Group/ Descriptor	Modifier/ severity	defect	S/M/L	Inc 1st	hes 2nd	%	Joint	At / From	To	linage Ref.	Grade	Grade	Remarks
0.0	AMH						a she sh							341730.
4.0	MWL						5							5%.
5.2	VC												1	
5.8	TF	С			6				9		·			
7.1	TF	C			6		<u> </u>		3					
9.4	TF	A			6	_			9					
30.0	TB	Α			6	_			11					
31.0	TB	A			6				1					
36,5	TE	A			6				9					
58.0	TF	С			6				3					
105.8	<u></u>				6				12				1	
106.9	H								3	l		5		
120.1	TF	<u> </u>	[		6	L		L	9			<u> </u>	<u> </u>	
154.7	TF	<u> </u>			6				3				[	
157.1	FC								11	12		2	[	
158.8	<u>TF</u>	<u> </u>			6				9					
218.6	TF				6	0			9	L				
257.7	TF	D			6	ļ			3	L			2	Grease blocking 80% of lateral.
265.6	<u></u> TB	A			6				12					
266.4	DA	GS	<u>S01</u>			l	5		10	2		<u> </u>	2	5%.
277.5	MWL						20		L					20%
279.0	TF	C			6				3					
301.8	MWL					L	30			<u> </u>		1		30%
303.1	TF	A			6				9					Grease blocking 90% of lateral.
305.0	MWL						5							5%.

Generated on Thursday, 5/26/2011 at 10:00 AM by the PipeTech® TV inspection system. @ 2001, NASSCO.



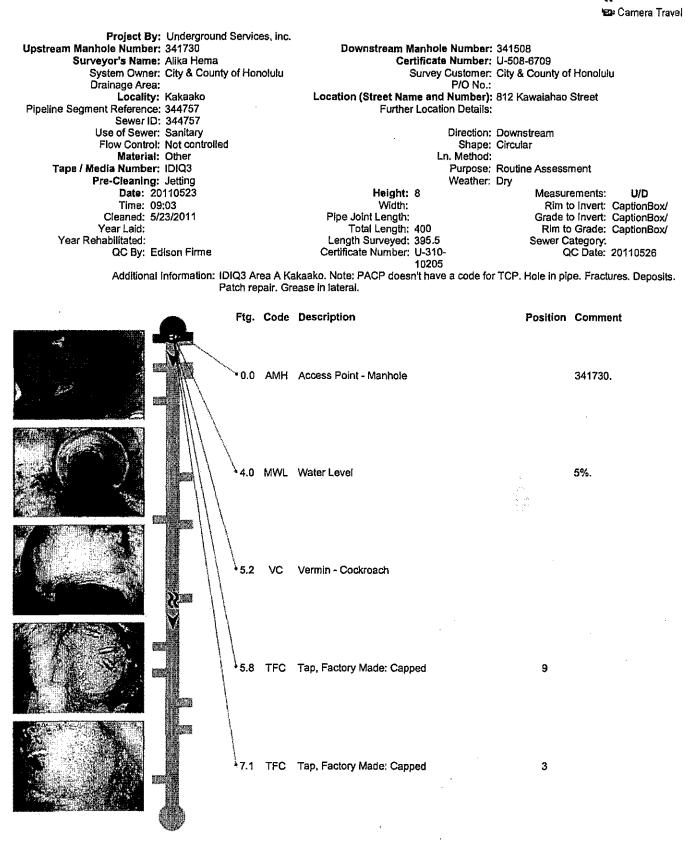
Project By	Surveyors name	Certificate Number	System Owner	Survey Customer	Drainage Area	Sheet
Underground Services, inc.	Alika Hema	U-508-6709	City & County of Honolulu	City & County of Hone	<u>olulu</u>	
P/O No. Pipeline Segr	nent Reference Dat	e Time 110523 09:03	Location (Street Name 812 Kawaiahao Street	and number)	Locality Kakaako	
Upstream Manhole Number		Downstream Manhole Numb	ber	Further Location det	ails	
341730		341508			······	
Rim to Invert (U) Grade to Inve	rt (U) Rim to Grade (U)	Rim to Invert (D) Grade to	nvert (D) Rim to Grade (D)		rection Flow Contro ownstream N	ol Height 8
	Material Ln. Metho	Pipe Joint Length T	otal Length Length Survey	ed Year Laid Y	ear Rehabilitated Tape / I	Media Number
Circular	<u>zzz</u>	L	100 395.5			
Purpose Sewer Category		eaned Weather 0110523 Dry	QC By Edison Firme	)	Certificate Number U-310-10205	
QC Date Additional In	formation					
	Kakaako, Note: PACP does	n't have a code for TCP. Hole	in pipe, Fractures, Deposits, Pa	atch repair. Grease in lat	eral.	

20110526 IDIQ3 Area A Kakaako. Note: PACP doesn't have a code for TCP. Hole in pipe. Fractures. Deposits. Patch repair. Grease in lateral.

Distance	Co	кde	Continuous			lue		loint	Circum Loc	erential ation	Image Ref.	Struct:	O&M	Remarks
(Feet)	Group/ Descriptor	Modifier/ severity	defect	SINUL	Inc	hes	%	Joint	At / From	То	inage Kei,	Grade	O&M Grade	
325.1	TF	A			fst 6	2nd		STACK USE	9					Grease blocking 55% of lateral.
<u>364.9</u> 382.9	TF RPP	<u> </u>			6				<u>3</u> 10	12				Greas blocking lateral 85% Appears to be aggregate.
<u>383.9</u> 385.2	H						30		12			3	_	30%.
388.4	RPP						- 50		11	1				Appears to be aggregate.
<u>395.5</u> 395.5	DA MCU	<u> </u>	F01			<u> </u>	5		10	_2			2 4	5%
395.5	AMH		İ	1		ľ								341508.

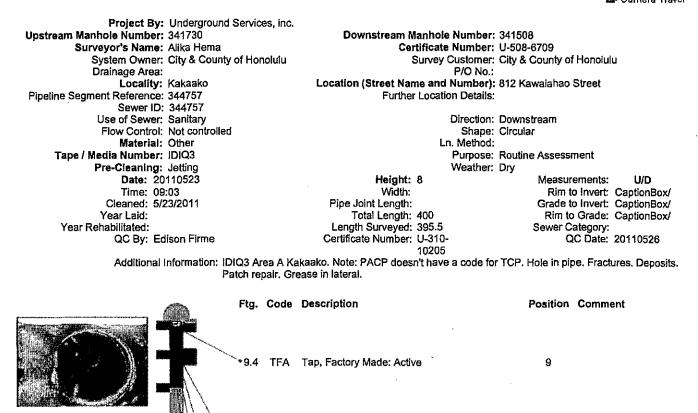
			S	itru	ctu	ral						0	8. M		*					Ov	eral			
Seament	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Rating	Quick	ndex	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Rating	Quick	ndex	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Rating	Quick	ndex
	0	2	3	0	5	10	5131	3.3	1	54	0	4	0	59	412D	2.0	1	56	3	4	5	69	5141	2.2

Legend: V Direction K Flow



Legend:

Y Direction **∦** Flow Camera Travel



i n	TRA	Tan	Break-in /	Hammer: Active	

30

200

<b>≫</b> ≡≡	•31.0	TBA	Tap, Break-in / Hammer: Active	1	aux 1
	36.5	TFA	Tap, Factory Made: Active	9	
	\$58.0	TFC	Tap, Factory Made: Capped	3	

11

Legend:

Direction
 Flow
 Camera Travel

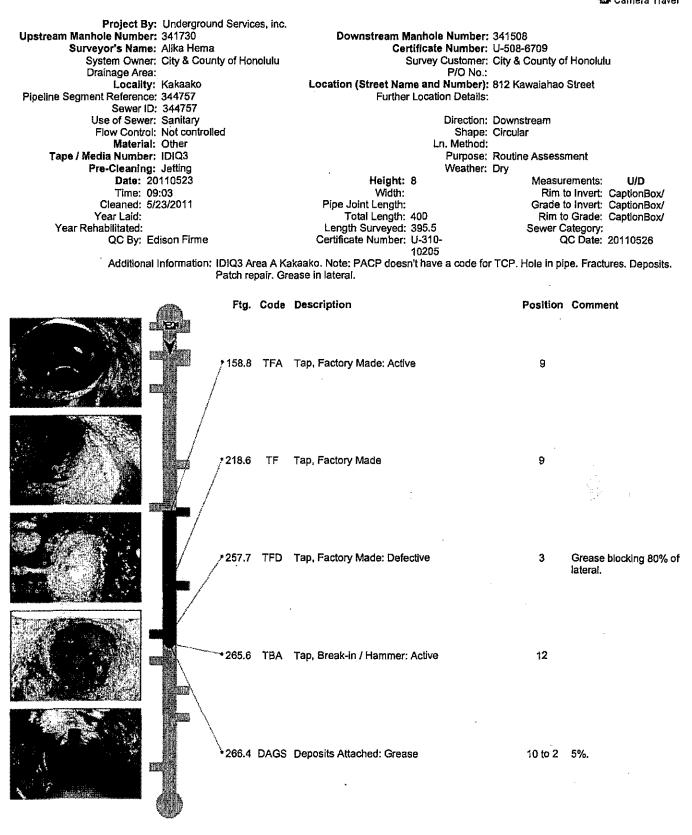
Project By: Underground Services, inc. Upstream Manhole Number: 341730 Downstream Manhole Number: 341508 Surveyor's Name: Alika Hema Certificate Number: U-508-6709 System Owner: City & County of Honolulu Survey Customer: City & County of Honolulu P/O No.: Drainage Area: Locality: Kakaako Location (Street Name and Number): 812 Kawaiahao Street Pipeline Segment Reference: 344757 Further Location Details: Sewer ID: 344757 Use of Sewer: Sanitary Direction: Downstream Flow Control: Not controlled Shape: Circular Material: Other Ln. Method: Tape / Media Number: IDIQ3 Purpose: Routine Assessment Pre-Cleaning: Jetting Weather: Dry Date: 20110523 Height: 8 Measurements: U/D Time: 09:03 Width: Rim to Invert: CaptionBox/ Grade to Invert: CaptionBox/ Cleaned: 5/23/2011 Pipe Joint Length: Total Length: 400 Year Laid: Rim to Grade: CaptionBox/ Year Rehabilitated: Length Surveyed: 395.5 Sewer Category: QC By: Edison Firme Certificate Number: U-310-QC Date: 20110526 10205

Additional Information: IDIQ3 Area A Kakaako. Note: PACP doesn't have a code for TCP. Hole in pipe. Fractures. Deposits. Patch repair. Grease in lateral.

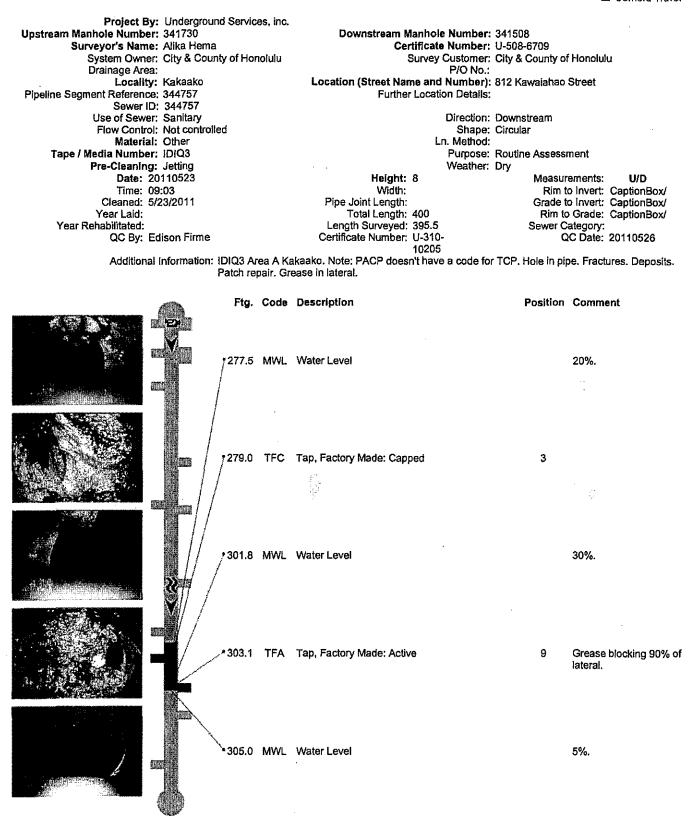
	Ftg.	Code	Description	Position Comment
	* 105.8	ТВ	Tap, Break-in / Hammer	12
	106.9	н	Hole in Pipe	3
	• 120.1	TFA	Tap, Factory Made: Active	9
	•154.7	TFA	Tap, Factory Made: Active	3
3	- 157.1	FC	Fracture Circumferential	11 to 12

Legend:

V Direction V Flow Camera Travel

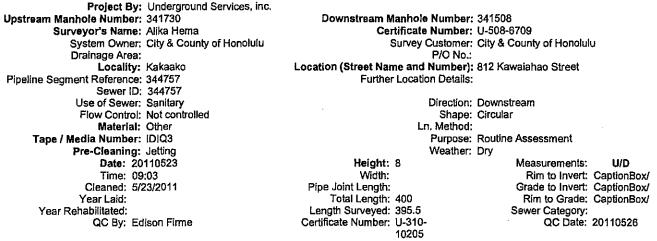


Legend;



Legend:

✔ Direction
 ☆ Flow
 ☆ Camera Travel

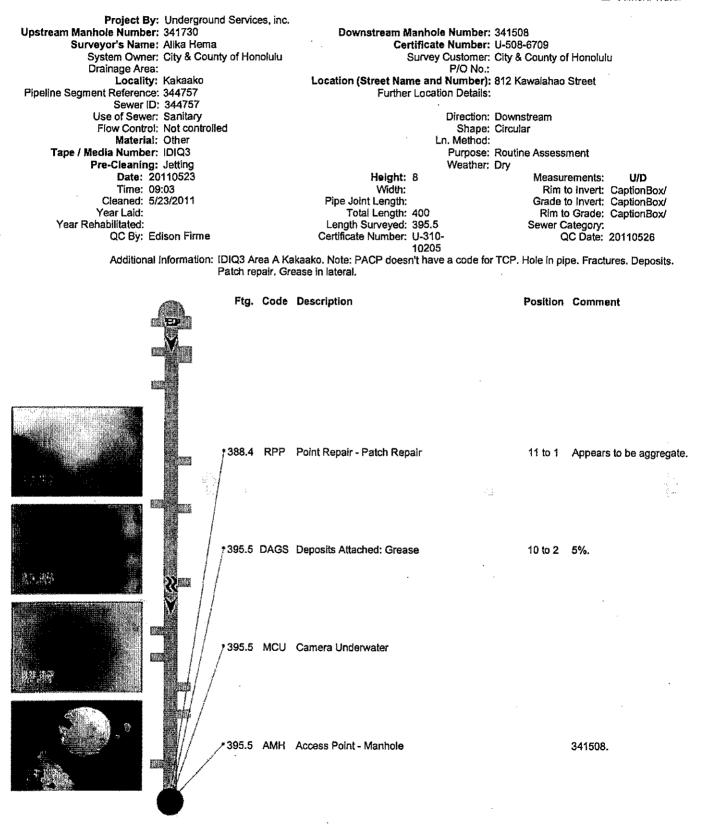


Additional Information: IDIQ3 Area A Kakaako. Note: PACP doesn't have a code for TCP. Hole in pipe. Fractures. Deposits. Patch repair. Grease in lateral.

Ftg.	Code	Description	Position	Comment
325.1	TFA	Tap, Factory Made: Active	9	Grease blocking 55% of lateral.
<b>1 1 364.9</b>	TFC	Tap, Factory Made: Capped	3	Greas blocking lateral 85%
	RPP	Point Repair - Patch Repair	10 to 12	Appears to be aggregate.
**************************************	н	Hole in Pipe	12	
* 385.2	MWL	Water Level		30%.

Legend:

✔ Direction
 ✔ Flow
 ★ Camera Travel





		Certificate Number	System Owner	Survey Customer	Drainage Area	Sheet
Underground Services, inc. Alika	Hema	U-508-6709	City & County of Honolul	u City & County of Honol		
P/O No. Pipeline Segment Refe	rence Date	Time           014         10:08	Location (Street Na 725 Kapiolani Boule		ocality Ala Moana	
Upstream Manhole Number 341508		wnstream Manhole Nur 1511	nber	Further Location deta	<u>iis</u>	
Rim to Invert (U) Grade to Invert (U) Rin	n to Grade (U) Rin	to invert (D) Grade to	o Invert (D) Rim to Grade (		stream	Height
Width Shape Material Circular VCP	Ln. Method	Pipe Joint Length	Total Length Length Su 10 9.2	rveyed Year Laid Ye	ar Rehabilitated Tape / I IDIQ3	<u>Media Number</u>
Purpose Sewer Category Pre-Cl	eaning Clean	ed Weather	QC By Rudy Pagaduan		Certificate Number U-1108-7910	]
QC Date         Additional Information           20131015         IDIQ3 AREA A Ala Most		ation.	#4	**************************************		
Code	Valu		cumferential	Struct 08M		
(Feet) Group/ Modifier/ defec Descriptor severity	t Inche			Grade Grade Remarks	na ang sang sang sang sang sang sang san	
0.0 AMH 2.0 MWL 2.0 JO	M			341511. 10%.		
2.0 MGO 2.0 IG 6.0 LU			12	Drop connecti 5 1 5%.	on.	
9.2 AMH	, damagana ang sa			341508.	المحمد br>	** 19. 19. 19. 19. 19. 19. 19. 19. 19. 19.
		Structural		) & M	Overall	
Segn	Grade 1 Grade 2 Grade 3	Grade 4 Grade 5 Rating Quick	Index Grade 1 Grade 2 Grade 3		Grade 1 Grade 2 Grade 3 Grade 4 Grade 5	Rating Quick Index
344622_20131014_10_08_Upst				0 5 6 5111 3.0	2 0 0 0 5	7 5112 2.3

3

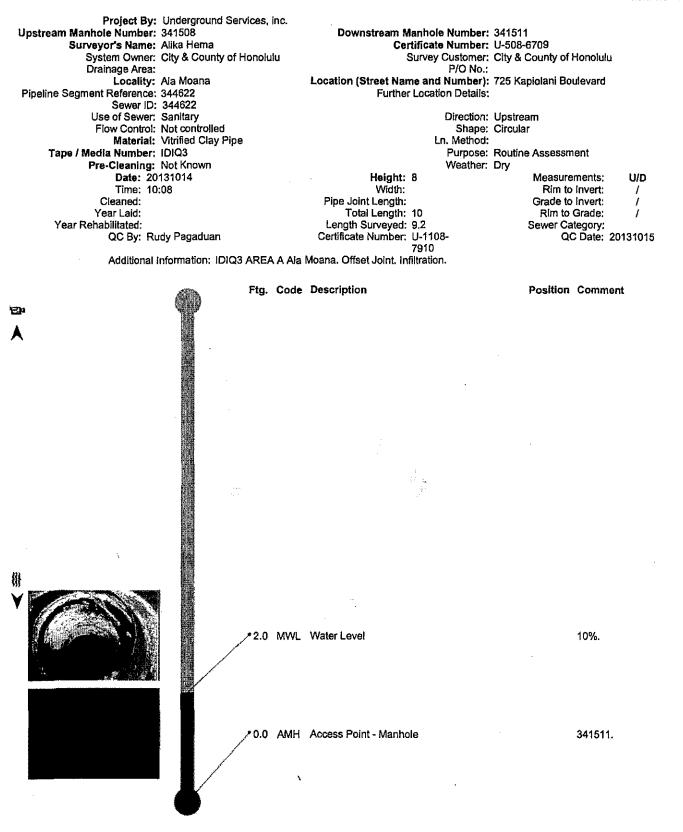
Legend:

✔ Direction
 ☆ Flow
 ★ Camera Travel

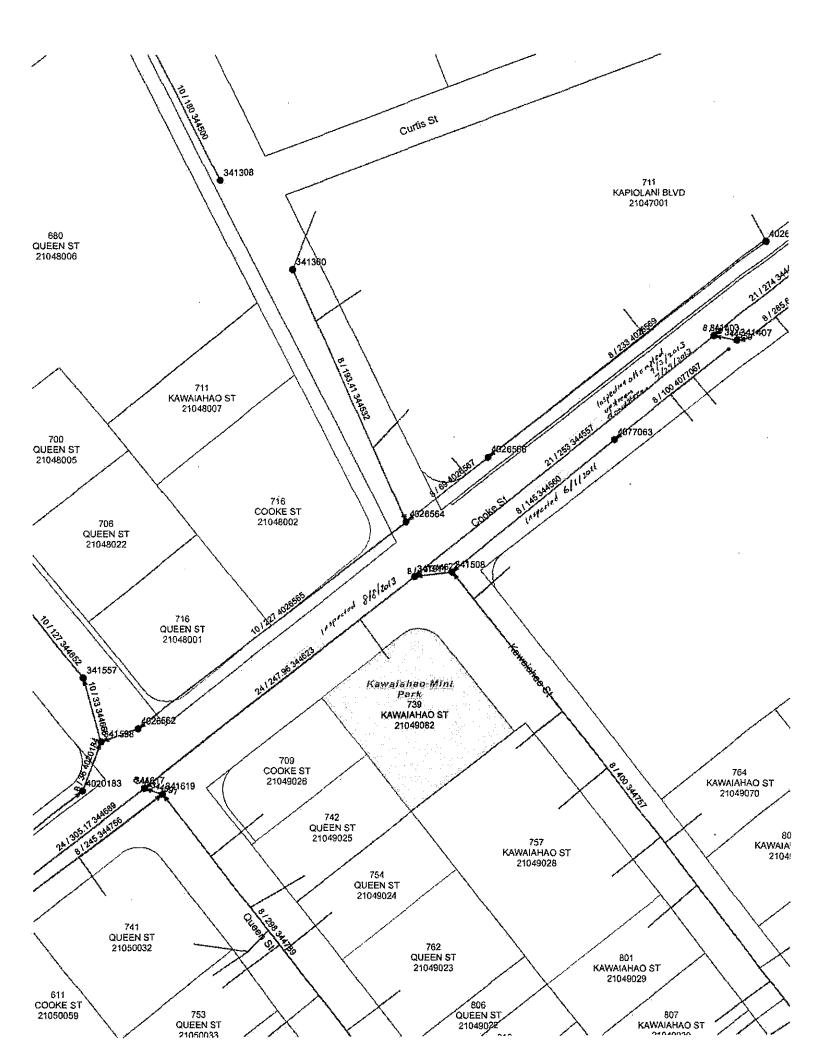
Project By: Underground Services, inc. Downstream Manhole Number: 341511 Upstream Manhole Number: 341508 Surveyor's Name: Alika Hema Certificate Number: U-508-6709 System Owner: City & County of Honolulu Survey Customer: City & County of Honolulu Drainage Area: P/O No.: Locality: Ala Moana Location (Street Name and Number): 725 Kapiolani Boulevard Pipeline Segment Reference: 344622 Further Location Details: Sewer ID: 344622 Direction: Upstream Use of Sewer: Sanitary Flow Control: Not controlled Shape: Circular Material: Vitrified Clay Pipe Ln. Method: Tape / Media Number: IDIQ3 Purpose: Routine Assessment Pre-Cleaning: Not Known Weather: Dry Date: 20131014 Height: 8 U/D Measurements: Time: 10:08 Width: Rim to Invert: 1 Pipe Joint Length: Cleaned: Grade to Invert: Total Length: 10 Year Laid: Rim to Grade: Year Rehabilitated: Length Surveyed: 9.2 Sewer Category; QC By: Rudy Pagaduan Certificate Number: U-1108-QC Date: 20131015 7910 Additional Information: IDIQ3 AREA A Ala Moana. Offset Joint. Infiltration. Ftg. Code Description **Position Comment** 'Ch 9.2 AMH Access Point - Manhole 341508. 6.0 LU Line - Up 5%. Infiltration - Gusher 12 2.0 IG 捌 2.0 MGO General Observation Drop connection. \*2.0 JOM Joint Offset (displaced): Medium

Legend:

Direction
 Flow
 Camera Travel



Generated on Tuesday, 10/15/2013 at 09:37 AM by the PipeTech® TV inspection system.



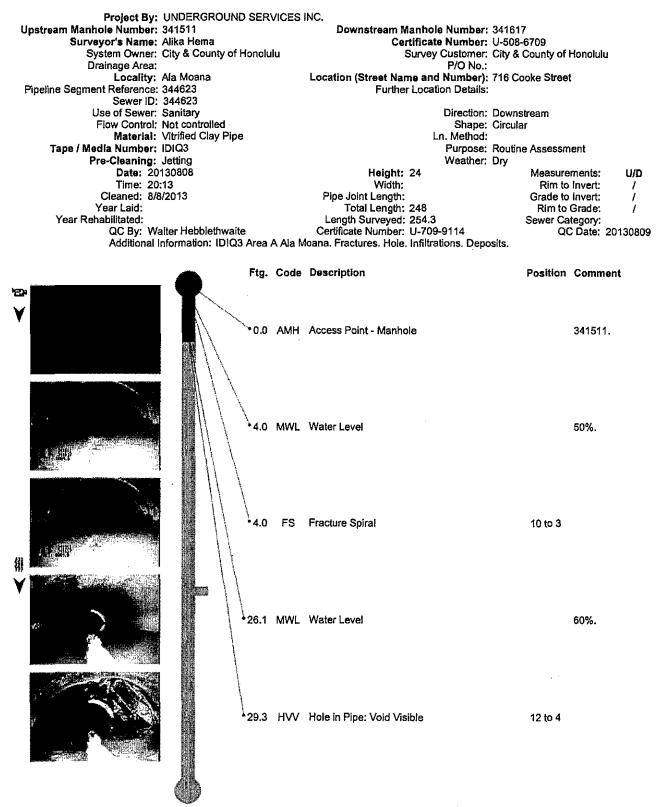
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Project By	Surveyors name	Certificate Number	System Owner	Survey Customer	Drainage Area	Sheet
UNDERGROUND SERVICES	Alika Hema	<u>U-508-6709</u>	City & County of Honolulu	City & County of Honolulu		
P/O No. Pipeline Segmen			Location (Street Name			
344623		30808 20:13	716 Cooke Street		loana	
Upstream Manhole Number 341511		iownstream Manhole Nun 341617	nber	Further Location details		
Rim to Invert (U) Grade to Invert (	U) Rim to Grade (U) R	im to Invert (D) Grade to	o invert (D) Rim to Grade (D)	Use of Sewer Direction	n Flow Control	Height
				Sanitary Downst		24
Width Shape Mai	terial Ln. Method	Pipe Joint Length	Total Length Length Survey	ed Year Laid Year Ro	habilitated Tape / Me	dia Number
Purpose Sewer Category		Ined Weather	QC By Walter Hebblethwaite		ficate Number 9-9114	
QC Date Additional Infor						
	a Moana. Fractures, Hole, I	nfiltrations Deposits				<u> </u>
			*			·····
			cumferential			
Code	Centinuous	lue cii		ct. O&M		
(Feet) Group/ Modifier/	the second se	hes Joint A	Image Ref	de Grade		
	SOM	2nd % Fi	N/ To Gra	All and a second second second second		
0.0 AMH		2110		Remarks 341511.		
4.0 MWL	an a			50%.		
4.0 FS		۲	10 3 3			
26.1 MWL	ni, malanin ana ana ana ana ana ana ana ana ana	60			e in all and the second se	anan in meditika analisis
29.3 H VV 29.3 IR			12.5 12.5			
154.5 TB A		nen 1861 mail Hallingsförpförda som bönda som	0	an a	ny o senifi ( , ene y al 2 da las Solonas presentados da las de	and all and area parts of the f
231.0 DA GS			9 3	-5%.		
231.0 MWL	s was we infrared that glover term and exception provided by providing by the second second the second of	70	and a the second of the second second second research a second second second second second second second second	70%.	laures de 1975 de la public de la colonada que managemente acomponente acomponente de la public	·····
242.1 DA GS	F02	5	93	2×2 5%.	(1999) (1997) (1997) (1997) (1997) (1997) (1999) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997) (1997)	
254.3 AMH				341617.		

				Stru	ctu	ral						0	& M						- 10 H	Ov	era			2
	irade 1	irade 2	irade 3	irade 4	irade 5	tating	luick	ndex	irade 1	irade 2	irade 3	irade 4	irade 5	ating	luick	Idex	irade 1	irade 2	irade 3	irade 4	irade 5	ating	luick	dex
Segment	0	Ū.	O	0	O	Ω,	G	-	0	10	U U	6	σ	Ľ	0		U U	U U	<b>O</b>	0	9	∞	G	
344623_20130808_20_13_Downstream		0	3	0	5	8	5131	4.0	0	4	0	4	0	8	4122	2.7	0	4	3	4	5	16	5141	3.2

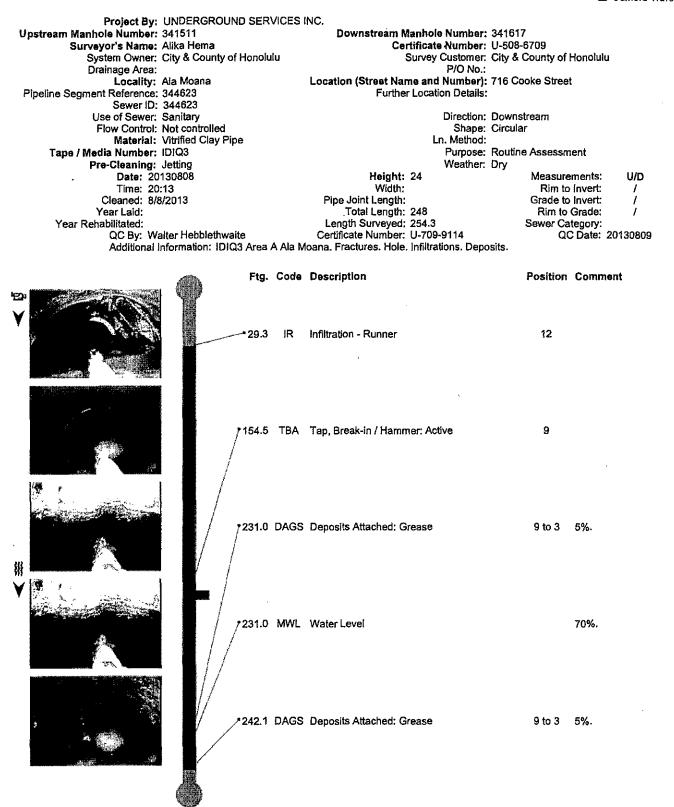
Legend: V Direction Flow Camera Travel



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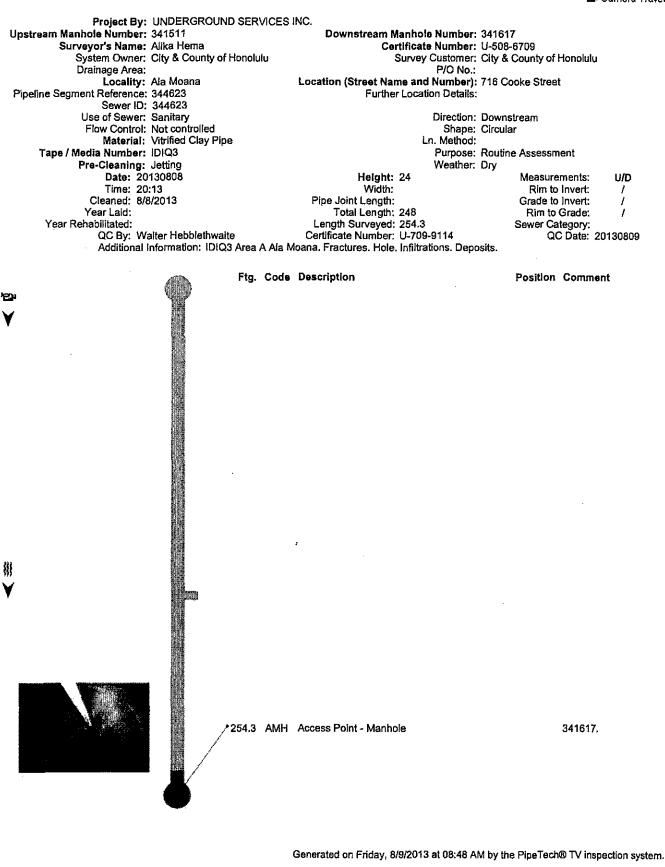
Legend:

Direction Flow Camera Travel



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Legend: V Direction Flow Camera Travel



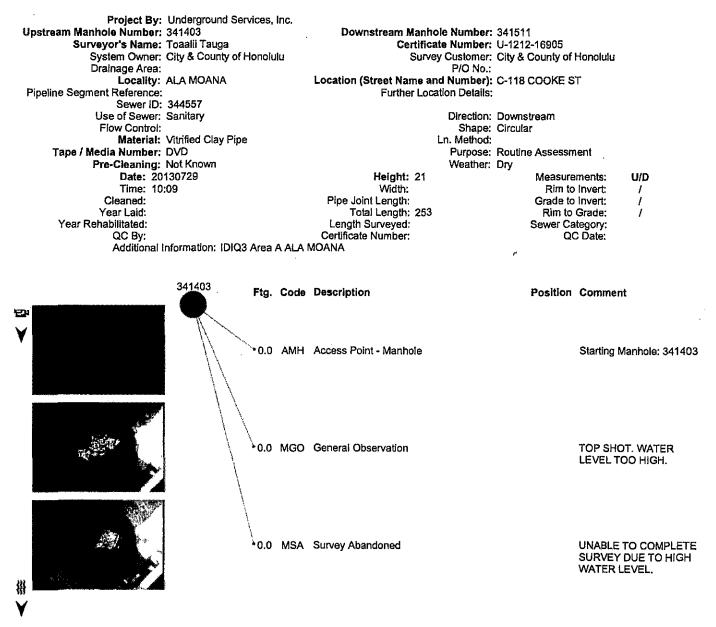


Project By Surveyors name Certificate Number	System Owner	Survey Customer Dra	ainage Area Sheet
Underground Services, Inc. Toaalii Tauga U-1212-16905	City & County of Honolulu	City & County of Honolulu	
P/O No.         Pipeline Segment Reference         Date         Time           344557         20130729         10:09	Location (Street Name a	and number) Locality	NA]
Upstream Manhole Number Downstream Manhole	Number	Further Location details	
341403 341511			
Rim to Invert (U)       Grade to Invert (U)       Rim to Grade (U)       Rim to Invert (D)       Grade         Width       Shape       Material       Ln. Method       Pipe Joint Lengt         Circular       VCP       Image: Circular       VCP       Image: Circular	h Total Length Length Survey	Use of Sewer Direction Sanitary Downstream ed Year Laid Year Rehabil	Flow Control Height 21 itated Tape / Media Number DVD
		] [] []	
Purpose         Sewer Category         Pre-Cleaning         Cleaned         Weather           F          Not Known          Dry	er QC By	Certificate	Number
QC Date         Additional Information           IDIQ3 Area A ALA MOANA         IDIQ3 Area A ALA MOANA			

Distance	Value Circumferential Location Image Ref. Struct O&M
(Feet) Group/ Modifier/ Continuous	Inches % Joint At / To
Descriptor severity	1st 2nd From
0.0 AMH	Starting Manhole: 341403
0.0 MGO	TOP SHOT, WATER LEVEL TOO HIGH.
0.0 MSA	UNABLE TO COMPLETE SURVEY DUE TO HIGH WATER LEVEL.

				Stru	ctu	ral	12. / 12. / 19. 19. Jonati - 19. /					0	& M				2021/24	964 - 167484	X. Maria	Øv	eral			Currie.
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Legend: V Direction Flow Camera Travel





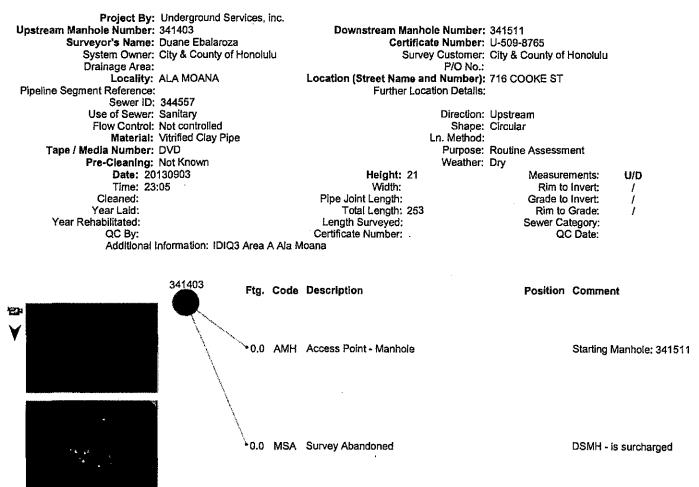
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Project By Underground Services, inc.	Surveyors name Duane Ebalaroza	Certificate Number U-509-8765	System Owner City & County of Honolulu	Survey Customer City & County of He	Drainage A	rea Sheet
P/O No. Pipeline Segme 344557		Time 30903 23:05	Location (Street Name a	and number)	Locality ALA MOANA	
Upstream Manhole Number 341403		ownstream Manhole Num 841511	ber	Further Location c	letails	
Rim to Invert (U) Grade to Invert	(U) Rim to Grade (U) R	im to Invert (D) Grade to	Invert (D) Rim to Grade (D)		Direction Flo Upstream N	w Control Height
	terial Ln. Method		otal Length Length Survey	ed Year Laid	Year Rehabilitated	Tape / Media Number DVD
Purpose Sewer Category	Pre-Cleaning Clea	ned Weather Dry	QC By		Certificate Number	
QC Date         Additional Info           IDIQ3 Area A /						

Code Continuous	Value Circumferential Location Inseed Bale, Struct: O	2010 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 10 8.0
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0.0 AMH 0.0 MSA		Starting Manhole: 341511 DSMH - is surcharged

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Legend: V Direction Flow Camera Travel



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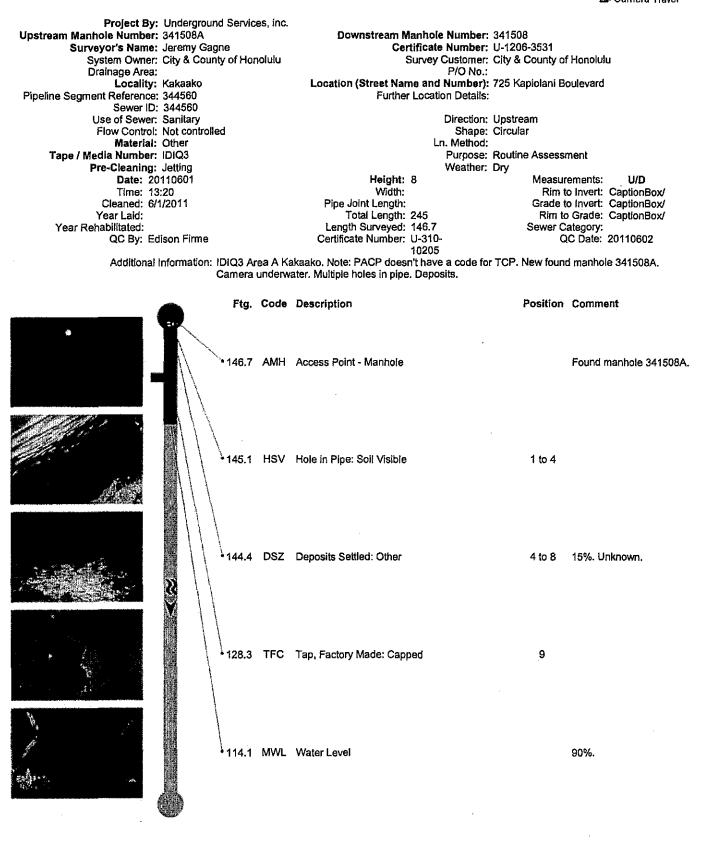


Project By Underground Services, inc.	Surveyors name	Certificate Number U-1206-3531	System Owner City & County of Honolulu	Survey Customer City & County of Hono	Drainage Area	Sheet
P/O No. Pipeline Segm 344560	ent Reference Date 20110	501 Time	Location (Street Name a		Locality Kakaako	
Upstream-Manhole Number		wnstream Manhole Numb 1508	Der	Further Location det	ails	
Rim to Invert (U) Grade to Inver	t (U) Rim to Grade (U) Rim	to Invert (D) Grade to I	Invert (D) Rim to Grade (D)		ection Flow Control pstream N	Height
	faterial Ln. Method		245 Length Length Survey	ed Year Laid Year Laid	ear Rehabilitated Tape / Me	dia Number
Purpose Sewer Category	Pre-Cleaning Cleane Jetting 20110		QC By Edison Firme	]	Certificate Number	]
QC Date         Additional Inf           20110602         IDIQ3 Area A	ormation Kakaako, Note: PACP doesn't	nave a code for TCP. New	found manhole 341508A. Came	ara underwater. Multiple	holes in pipe, Deposits.	
Code	Value	Circl	Inferențial			

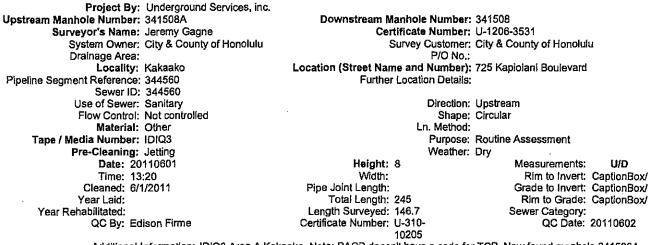
	Code		Continuous					Circumferentia Location		Image Ref.	Struct.	O&M				
(Feet)	Group/ Descriptor	roup/ Modifier/ SAM Inches % At/ To		image Kei,	Grade	Grade	Remarks									
0.0	AMH													341508.		
4.0	MWL						100							100%.		
4.0	MGO													Unable to bring water level down.		
12,6	MCU			<u> </u>									4			
16.4	<u> </u>			<u> </u>				J	6	L		2				
33.2	<u> </u>	SV	<u>S01</u>					J	10	3		5				
36.7	<u> </u>	SV	F01	L		L		J_	10	3		5	<del>_</del>			
114.1	MWL.						90							90%.		
128.3	TF	<u> </u>	L		6				9							
144.4	DS	Z	l		L		15		4	8			3	15%. Unknown.		
145.1	<u> </u>	SV					L		1	4		5				
146.7	AMH		L	L	l									Found manhole 341508A. 4077063		

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Legend: V Direction Flow Camera Travel



Legend: V Direction Flow Camera Travel



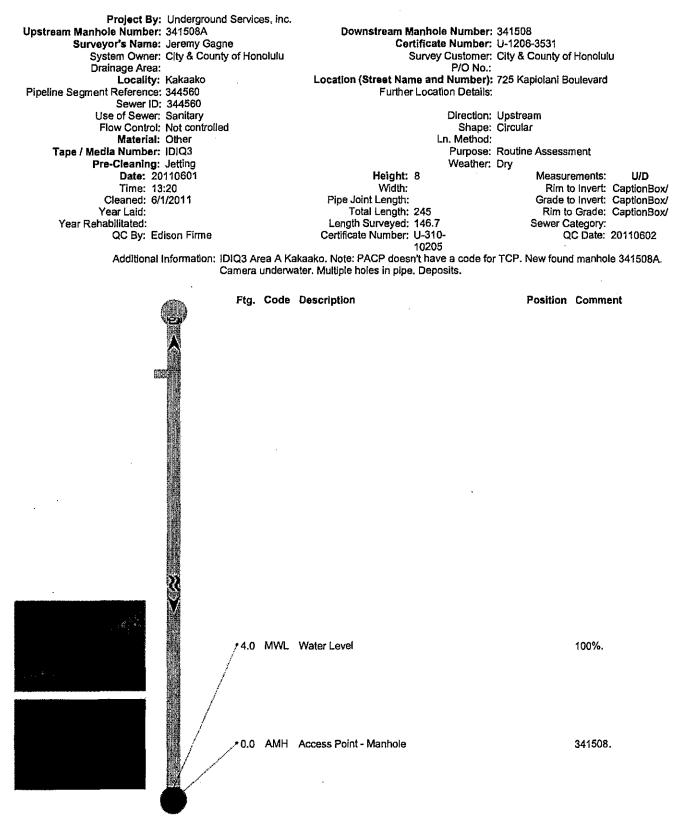
Additional Information: IDIQ3 Area A Kakaako. Note: PACP doesn't have a code for TCP. New found manhole 341508A. Camera underwater. Multiple holes in pipe. Deposits.

Ftg.	Code	Description	Position	Comment
36.7	HSV	Hole in Pipe: Soll Visible	10 to 3	
*33.2	HSV	Hole in Pipe: Soil Visible	10 to 3	
16.4	CL	Crack Longitudinal	6	
, 12.6	мси	Camera Underwater		
4.0	MGO	General Observation		Unable to bring water level down.

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Legend: V Direction

Flow
 Camera Travel



# Testimony of Michael Korman Before the Senate EGH Committee Senate Bill 2696 Relating to the Hawaii Community Development Authority

Dear Committee Chairperson

My name is Michael Korman, and as a local citizen very concerned about Kaka'ako, I urge you to support Senate Bill 2696, as well as Senate Bills 2697 and 2698.

I am providing this written testimony because I am extremely concerned about the future landscape of Kaka'ako in terms of how high the buildings will be, how close together, and how large they will be relative to their foot print on the ground.

Although I am in favor of community redevelopment as an economically and socially viable course of action, the HCDA's current operating system does not effectively take into consideration the health and quality of life of the existing Kaka'ako neighbors.

Currently planned housing projects will negatively influence the quality of the air, the open space, and the quiet atmosphere that led current residents to select this neighborhood as home. Kaka'ako citizens feel helpless with personal wellbeing and quality of life in jeopardy.

Without thoughtfully-implemented plans, HCDA will foster overbuilding, which will lead to overcrowding and related health and safety problems. Today, HCDA's organizational practices favor the real estate developers who plan to come into our neighborhoods, create huge closely-spaced buildings, and then disappear with their giant profits and without any harmful ramifications.

Existing residents have minimal say in the present housing approval process, yet they are the ones who will feel the impact of overcrowding for the rest of their lives. HCDA should not have the authority to waive current rules when it comes to how a building looks. Master development plans and rules were made to be followed by everyone.

I enthusiastically urge you to pass SB2696 to protect Kaka'ako and its residents for many generations to come. Thank you very much for your consideration.

Michael Korman

February 11, 2014

February 6<sup>th</sup> 2014

Aloha Hawaii State Legislature,

My family and I, along with the overwhelming majority of current Kaka'ako residents, fully support all efforts to rein in the Hawaii Community Development Authority, as provided by Senate Bills 2696, 2697, and 2698.

I have testified at the HCDA's public hearings for the 801 South Street Tower B project and can confirm with extensive first-hand experience that neither the Executive Director nor the Board care about the community that they have unfortunately been granted the authority to develop. By choosing not to meaningfully resolve any of the legitimate concerns from the community, the HCDA chooses to risk the end of its mandate.

My testimony has been focused on the affordability of the workforce housing units in the 801 South Street project, but the implications of my analysis have impacts that extend to any reserved or workforce units under the purview of the HCDA. I have found that the HCDA incorrectly calculates the maximum affordable sales price in such a way that it is extraordinarily favorable to the developer, and by erring so much in that regard they do not ensure that the end consumers can actually afford any of these units. See my Affordability Analysis of 801 South Tower B for a conclusive analysis of the subject.

AffordabilityAnalysisof801SouthTowerB (1).pdf

My family falls within the expanded workforce housing qualifications defined by the HCDA and I can affirmatively state from personal homeownership experience that the sales prices being allowed for 801 South Street Tower B are indeed not affordable. We, and many others like us, would greatly benefit if there were truly affordable units being provided, however the truth is that the HCDA's main interests are aligned with developers and not the community. Actions speak louder than words, and they simply don't care about affordable housing.

In response to my testimony at a supplemental public hearing on Nov 16<sup>th</sup> 2013 (without the HCDA Board present), the Executive Director was concerned enough to have his staff find my email address and request a private meeting with me to discuss my findings. I met with Mr. Ching, Mr. Neupak, and Ms. Doi from the HCDA on November 22<sup>nd</sup> 2013. We discussed the various factual errors, arithmetic errors, and faulty application of the rules that skewed the affordability calculations. The HCDA were made aware of all of these problems and thus were provided an opportunity to correct them on behalf of the community. See Nov 22 Meeting Notes for details on all the subjects discussed.

Nov 22 Meeting Notes with HCDA Exec Dir.pdf

December 4<sup>th</sup> was the decision hearing for 801 South Street Tower B project. Mr. Ching briefed the HCDA Board on his findings of facts and went over various concerns from the community, and summarily dismissed every single one. His dismissal of my affordability concerns was riddled with errors, false statements, and references to the wrong phase of the project. There were no adjustments considered or made to the entire project despite overwhelming opposition, or the contradictory letter, intent, & spirit of the law and HCDA's own rules.

In response to my testimony on December 4<sup>th</sup>, the chairman of the HCDA Board, Mr. Brian Lee, chose to ignore rule of law and instead invoke his subjective "rule of thumb" by declaring the Tower B project to be "very affordable." He then proceeded to criticize the Kaka'ako community for opposing the project, which drew an astonished reaction from the crowded room that was so poignant that it was captured by the court reporter. See TRANSCRIPT-20131204 801 South phase II project.pdf for more information on the December 4<sup>th</sup> meeting.



TRANSCRIPT-20131204 801 South phase II project.pdf

The entire Kaka'ako community is disenfranchised by the HCDA, and we greatly welcome intervention by our elected officials in order to rectify this situation. Please do not allow the special interests of developers and unaccountable State Government apparatus to trump the legitimate needs of community.

Very Respectfully,

Ariel Salinaso

From:	mallinglist@capitol.hawaii.gov
To:	EGHTestimony
Cc:	athurston@irmt.org
Subject:	Submitted testimony for SB2696 on Feb 12, 2014 15:15PM
Date:	Tuesday, February 11, 2014 2:07:30 PM

## <u>SB2696</u>

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Submitted on: 2/11/2014

Testimony for EGH on Feb 12, 2014 15:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing			
Anne Thurston	Individual	Support	No			

Comments: Please enact this legislation.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Senator Donovan M. Dela Cruz, Chair Senator Sam Slom, Vice Chair Members of the Senate Committee on Economic Development, Government Operations and Housing Testimony relating to Senate Bill Nos. 2696, 2697 and 2698 Relating to the Kakaako Community Development District and the Hawaii Community Development Authority February 11, 2014 Page 2

choices demanded by those who make Kaka'ako their home. In this way, the Master Plan serves as the community's collective blueprints for the economic and social fabric of Kaka'ako.

Prior to KS' Master Plan application submission to HCDA in November 2008, KS met with HCDA staff, planning professionals, and its greater community to develop the Master Plan. Since then, the public had the opportunity to comment on KS' Master Plan. HCDA took formal action to ensure public input on the plan including (1) mailing almost 12,000 flyers to persons on its "Connections" list, (2) posting the Master Plan on its website, (3) inviting comments from the public through an on-line site and a telephone comment line, (4) holding a community meeting for additional public input, (5) working with KS to address public comments, (6) conducting a contested case hearing (noticed and open to the public), and (7) holding a public hearing for final decision making.

By September 2009, when the Master Plan was adopted, the public had the opportunity to review and comment on the Master Plan for more than nine months and HCDA provided numerous comments to KS on changes to the Master Plan to address public input.

Like blueprints for any major project, changes to carefully crafted rules should not be made in piecemeal without regard to its effects on the whole community. Throughout the formulation of the Master Plan, stakeholders understood the importance, for example, of density in order to create a critical mass within the Master Plan area to ignite and sustain the revitalization of the Kaka'ako area. Simultaneously, planners balanced urban density with natural open public space to promote a healthy and sustainable community with renewed energy and spirit. Thus, spot changes to carefully reviewed plans and rules would undermine the economic and social fabric woven by the community without regard to the consequences on the entire neighborhood. Early entrants into this developing community should not be able to thwart the opportunity for thousands of new residents.

In the past four years, KS has devoted its resources to have its blueprint implemented by the completion of Six Eighty (a reserve housing rental project), its continuing development of the SALT project (with a focus on nurturing developing small businesses), and its work with developers to provide a variety of housing alternatives. KS is asking for these pieces of a complex puzzle be allowed to finally come together to create the urban village with an island-urban culture as envisioned by the Master Plan, for the benefit of the larger community of Honolulu and its residents. Time is of the essence.

Many provisions of the Bills are in conflict with what has already been approved under the Master Plan. Implementation of the Master Plan is well underway and changing the rules at this point is fundamentally unfair and will halt the current momentum of developing a vibrant, sustainable community of people, culture, business enterprises and natural open spaces.

Thank you for the opportunity to provide our comments on these Bills.