



HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY



KAKAAKO  
KALAELOA

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Governor

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STATEMENT OF  
**AEDWARD LOS BANOS, EXECUTIVE DIRECTOR**  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE  
**HOUSE COMMITTEE ON JUDICIARY**

Wednesday, February 13, 2019  
2:01 P.M.  
State Capitol, Conference Room 325

in consideration of

**HB 1559, HD1**  
**RELATING TO THE KAKAAKO COMMUNITY**  
**DEVELOPMENT DISTRICT**

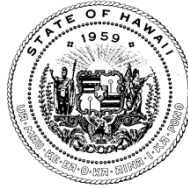
Chair Lee, Vice Chair San Buenaventura, and Members of the Committee.

The Hawaii Community Development Authority (HCDA) met on February 6, 2019 and voted to **oppose HB 1559, HD1**.

HB 1559, HD1 authorizes HCDA to permit one building of 768 feet in each approved master plan area in Kakaako Mauka. Currently, there are only two master plan areas in Kakaako Mauka, the Ward Master Plan currently being executed by Victoria Ward Limited and the Kaiaulu o Kakaako Master Plan being executed by Kamehameha Schools.

HCDA's community development plans and rules for the Kakaako Mauka district established with direct community input and being implemented by the HCDA board limits the height of buildings to 418 feet tall.

Thank you for the opportunity to offer opposition to HB 1559, HD1.



TESTIMONY BY:

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

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

February 13, 2019  
2:01 p.m.  
State Capitol, Room 325



**H.B.1559, H.D.1**  
**RELATING TO KAKAAKO COMMUNITY DEVELOPMENT DISTRICT**

House Committee on Judiciary

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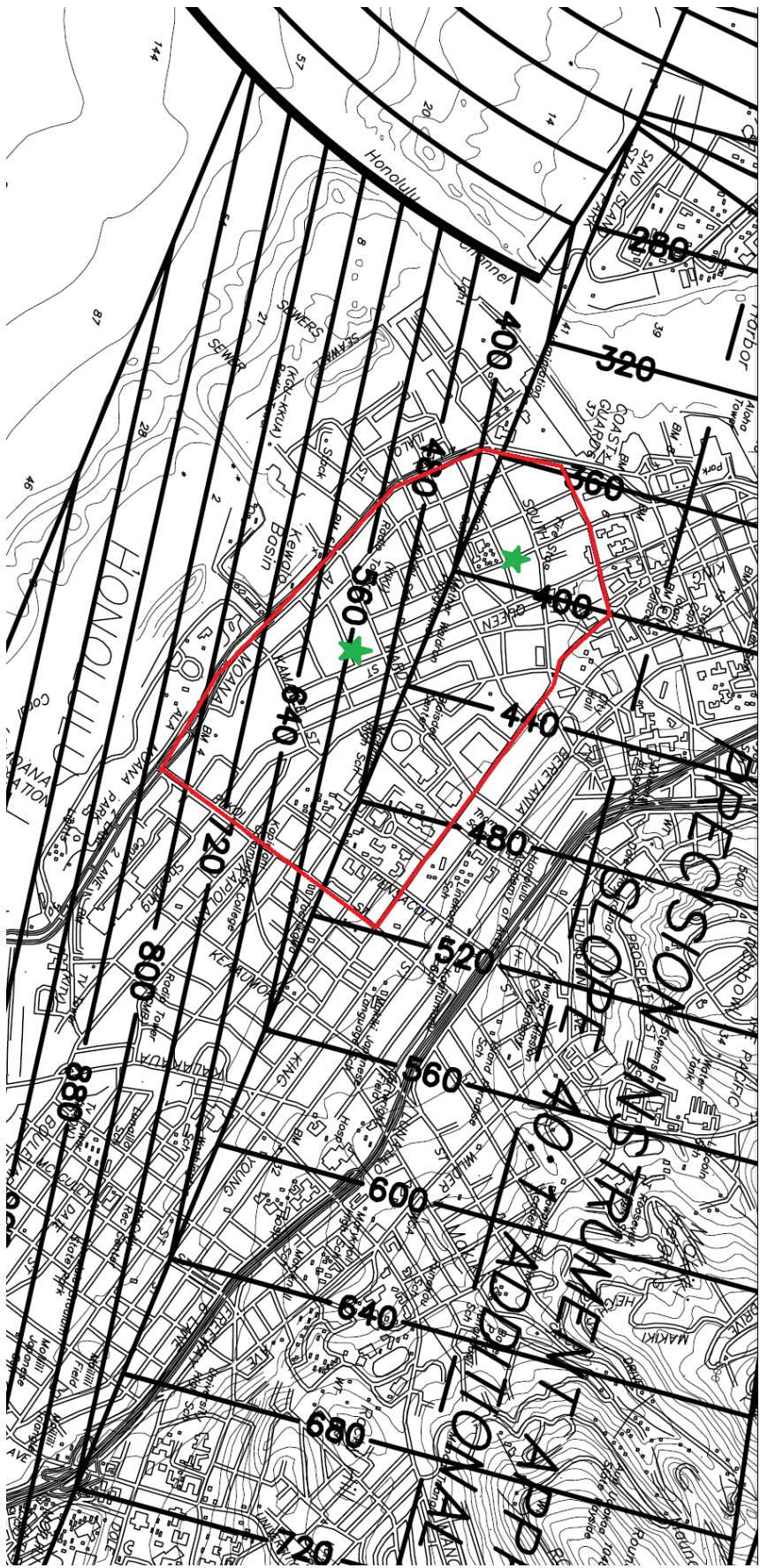
The Department of Transportation (DOT) offers **comments** on H.B 1559 H.D.1. This measure authorizes the Hawaii Community Development Authority (HCDA) to permit one building that is up to 768 feet in height and located near a transit station within each approved master plan area for the Kakaako Mauka area of the Kakaako Community Development District, subject to provision of appropriate public benefits.

Approving this bill will create a direct obstruction hazard in the protected air space for all aircraft landings and departures at the Diamond Head end of the Daniel K. Inouye International Airport (HNL). The maneuvers to avoid the new hazards, potential weight reductions, and flight route alterations to avoid the obstructions would create an adverse impact to the State's flight industry.

Any structure that is more than 400 feet high is a major concern for airlines in this area, due to the one-engine inoperative (OEI) emergency procedure for commercial aircrafts. Airlines adjust their load factor to take into account the OEI procedure for each aircraft. However, due to the cumulative impact of the number of buildings and the height of the towers being proposed, the OEI procedure becomes more challenging for airlines and could result in a huge economic loss for the airlines as well as the State. The presence of the towers directly in the protected air space poses a real danger of an aircraft striking a tower by accident.

By authority of the Airport Zoning Act, HRS 262, DOT has zoning maps that protect the imaginary air space. Said maps were created to guide development, set height restrictions for all State airports, and provide assurances of flight safety from proposed developments. DOT does not want a precedent set whereby development projects are approved through legislation instead of established zoning restrictions.

Thank you for the opportunity to testify.



# Kaka'ako Ūnited

## Testimony in Opposition to HB1559 HD1

February 12, 2019

Aloha Chair Lee, Vice Chair San Buenaventura and members of the House Committee on Judiciary:

On behalf of Kaka'ako Ūnited and its 150+ members who wish to ensure the quality of life for an integrated Kaka'ako community from mauka to makai, we **vehemently oppose HB1559, HD1.**

We have worked closely with the HCDA to ensure smart development in Kakaako, which requires that we adhere to the established rules for building in our neighborhood. The purpose of HB1559, HD1 "is to improve the Honolulu skyline" by allowing buildings to exceed the current height maximum of 418 feet and build to 768 feet. This is 350 feet taller than currently allowed! Surely there is some other way to "improve the Honolulu skyline" other than allowing a monstrosity of a building to be built for the purpose of aesthetics. What about asking new developments to build lower than the current maximum of 418 feet thereby achieving the same variety in skyline this bill wishes to accomplish? Never mind the infrastructure issues of sewer, water, traffic, and schools that have yet to be addressed by compounding the density of a building.

Please help us to rein in the already rampant urban sprawl and adhere to the rules that took years to establish for the smart development of Kaka'ako. Please keep the maximum height of building in Kakaako to no more than 418 feet and vote against HB1559, HD1.

Mahalo for the opportunity to share our concerns.



Bernard K. Nunies  
President, Kaka'ako Ūnited

**KŪ: Kaka'ako Ūnited**

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*Howard Hughes*



Representative Chris Lee, Chair  
Representative Joy San Buenaventura, Vice Chair  
House Committee on Judiciary  
Hawaii State Capitol  
Honolulu, Hawaii 96813



**RE: HB 1559 HD1 – Relating to the Kakaako Community Development District  
Testimony in Support**

**Wednesday, February 13, 2019, 2:01 p.m.  
Conference Room 325**

Aloha Chair Lee, Vice Chair San Buenaventura, and members of the committee:

My name is Todd Apo, Senior Vice President, Community Development of The Howard Hughes Corporation, and on behalf of Howard Hughes, thank you for the opportunity to provide testimony in support of HB 1559 HD1, relating to the Kakaako Community Development District.

As the Committee is aware, the purpose of HB 1559 HD1 is to amend the development guidance policies within the Kakaako Community Development District statute to permit HCDA to consider the development of a single building within each master planned area (and within a specified distance from a planned rail transit station) that exceeds the current 418 foot height limitation for the Mauka Area. The bill requires that HCDA negotiate appropriate and proportional public benefits for any increase in a building height above the current limitation.

This bill provides increased, but measured, flexibility to HCDA, in partnership with master plan developers, to further implement the vision articulated by the Legislature and HCDA to redevelop Kakaako into a vibrant, mixed use, “live, work and play” community that is an integral part of, and supports, the urban core. The legislature and HCDA, through HRS Chapter 206E, and the enabling plans and rules, expressly sought to avoid a “cookie cutter” approach to urban design and planning, and instead envisioned the horizontal and vertical mixture of a variety of uses; activities located so as to encourage reliance on public transportation; and a mixture of densities, building types and configurations in accordance with urban design principles.

The vision of Kakaako is now becoming a reality, and Howard Hughes is very excited about both the transformation of the Mauka Area, as well as its significant

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**Todd Apo**  
Senior Vice President  
Community Development



potential for the future. Providing flexibility to HCDA to consider one signature building within each master planned area that exceeds the current height limitation is compatible with, and will further, the Legislature's and the HCDA's vision to discourage uniformity, monolithic structures and urban sprawl within Kakaako -- and instead, and in partnership with the state -- encourage developers to create a vibrant, livable, walkable community filled with a variety of innovative building types, uses, densities and community amenities.



The bill's requirement that the building be within a specified distance of a planned rail transit station is also supported by -- and ensures compatibility with -- the Legislature's policy to encourage the use of public transportation within Kakaako, as well as HCDA's transit oriented development policies. The final draft of HCDA's Kakaako Community Development District TOD Overlay Plan, for example, recognizes that transit-oriented neighborhoods focus on concentrating higher-density, mixed use development around transit stops and stations, and TOD neighborhoods allow developers to build more efficiently by maximizing the use of space for housing and other uses, thus creating livable, sustainable and resilient communities.

Finally, while an increase in a building's height limitation would provide needed additional housing inventory within the urban core and would also trigger tangible community benefits, including a commensurate increase in reserved housing as required by the Mauka Area Rules, Howard Hughes also notes that the bill separately and expressly requires HCDA to negotiate appropriate and proportionate public benefits consistent with HRS Chapter 206E for any permitted increase in a building height above the current limitation. This requirement will ensure that HCDA will be authorized to negotiate reasonable and appropriate public benefits that would not otherwise be required or available to our community. This creates an additional opportunity for HCDA and developers to work together in order to continue to fulfill the vision for Kakaako.

For the foregoing reasons, this narrowly-tailored and measured approach to provide HCDA controlled flexibility to further implement the policies underlying the redevelopment of Kakaako is consistent with the vision for the Mauka Area and will benefit the public and our community. Howard Hughes respectfully supports its passage.

Thank you for the opportunity to testify in support of this measure.

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**LATE**

**HB-1559-HD-1**

Submitted on: 2/12/2019 11:09:50 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John & Rita Shockley	FREE ACCESS COALITION	Oppose	No

Comments:

Aloha!

The Free Access Coalition notes that the companion Senate Bill 1496 has already been shelved. The request for a massive height variance for a Howard Hughes high-rise condominium sets a dangerous precedent. Air traffic in the area could be impacted, but mainly...existing zoning laws were made for uniform height in the city. Let's not ruin the Honolulu skyline.

We strongly suggest this bill be shelved.

Mahalo for your time.

John & Rita Shockley [www.freeaccesscoalition.weebly.com](http://www.freeaccesscoalition.weebly.com)

**HB-1559-HD-1**

Submitted on: 2/12/2019 11:20:56 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

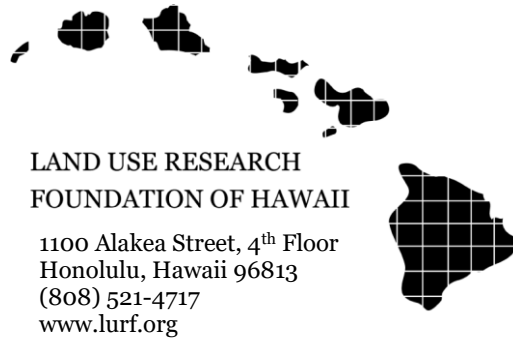
**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Oppose	No

Comments:

[www.WeAreOne.cc](http://www.WeAreOne.cc)





**LATE**

February 13, 2019

Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

**Comments in Support of HB 1559 Relating to the Kakaako Development District (Authorizes the Hawaii Community Development Authority [HCDA] to permit one building that is up to 768 feet in height and located near a transit station within each approved master plan area for the Kakaako Mauka area of the Kakaako Community Development District, subject to provision of appropriate public benefits.)**

**Wednesday, February 13, 2019, 2:01 p.m., in Conference Room 325**

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and utility companies. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to provide testimony **in support of HB 1559.**

**HB 1559.** This bill proposes to authorizes the HCDA to permit one building that is up to 768 feet in height and located near a transit station within each approved master plan area for the Kakaako Mauka area of the Kakaako Community Development District, subject to provision of appropriate public benefits.

**LURF's Position.** LURF supports transit-oriented-development (TOD) and increased residential density in areas within the urban core and near planned rail transit stations, as it can allow for increased open space in TOD areas.

As noted by the House Committee on Water and Land, this measure does not vitiate or otherwise affect the Hawaii Community Development Authority or any developer's obligation to follow the standard permitting process for construction within the Kakaako Community Development District. Specifically, the Authority and any developer that applies for a permit to construct a building pursuant to this measure must still comply with requirements for community and public notice, conduct public contested case hearings on the permit application and any variance requested, and

comply with the Community Development District Plan as well as all applicable state and county statutes, rules, ordinances, and regulations.

For the above reasons, LURF **supports HB 1559**, and respectfully urges your favorable consideration.

Thank you for the opportunity to provide comments in support of this matter.

**HB-1559-HD-1**

Submitted on: 2/11/2019 3:41:52 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Sentner	Individual	Oppose	No

Comments:

Aloha Legislators,

I firmly oppose HB1559, which will erase more view planes and darken the streets by allowing hulking buildings more appropriate to Mid-Town Manhattan than our island home. Developers from Texas obviously have no clue as to the aesthetics of this project, and perhaps should go to Singapore or Hong Kong to realize their ambitions. I believe that most of your constituents would rather live in Honolulu than in Houston, which, as Howard Hughes Corporation's hometown, apparently inspired their warped concept of what an ideal city looks like. The rationale of "creating a modern skyline" as offered by this greedy developer is pure shibai, and hopefully will be seen as such by Judiciary Committee members.

Mahalo,

Ken Sentner

2499 Kapiolani Blvd. Apt. 2209

Honolulu, HI 96826

**HB-1559-HD-1**

Submitted on: 2/11/2019 8:34:02 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Oppose	No

Comments:

Please consider this as testimony strongly opposed to raising the height limit for ONE property in Kaka'ako to 768 feet. Almost double the current height limit. This disengenous effort to "reward" a developer in the guise of saying the urban Honolulu skyline will have a "relatively uniform and undesirable 'flat' top" without this one building is totally absurd. This is othing more than a very public overt attempt to reward the Howard Hughes Company and Kamehameha Schools. It is discriminatory and needs to be stopped in its tracks.

I also wonder if anyone checked with the Federal Aviation Administration to see if this new height limit proposal passes their muster. They have long held that something around 500 feet is the highest a building could be built in Downtown Honolulu.

Please vote no. Please do not pass this bill out of committee. This bill is a sacrilege.

Lynne Matusow

**HB-1559-HD-1**

Submitted on: 2/12/2019 8:28:25 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachelle Nobriga	Individual	Oppose	No

Comments:

STRONGLY OPPOSE this bill.

In fact, I strongly believe a bill should be submitted to LOWER the HEIGHT RESTRICTION in this area.

In addition, before approval/ground breaking of one more building, fix and improve the infrastructure in the Kakaako, Ala Moana and surrounding districts.

**HB-1559-HD-1**

Submitted on: 2/12/2019 3:45:57 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendy Arbeit	Individual	Oppose	No

Comments:

NO, no. We already have far too many oversized buildings in Kaka'ako with very little benefit for our residents. We don't need more buildings to crowd out the sky for the benefit of people from other countries to park their money or for people from the mainland as second and third homes. Redevelopment of Kakaako was envisioned as providing housing for our residents. In large measure this has not proven to be the case and allowing even taller buildings will not advance the original intent. We don't need a higher skyline or bogus excuses for developing highrises for people who will never use public transit. This bill is so transparently for the benefit of developers, unions, and those who seek financial profit -- and will contribute little toward our housing crisis.

Do not raise the allowable height of Kaka'ako buildings. Do not grant variances. Stop already!

**LATE**

**HB-1559-HD-1**

Submitted on: 2/13/2019 8:17:10 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wayne Takamine	Individual	Oppose	No

Comments:

Aloha,

Please accept the testimony in strong opposition to HB 1559. The Honolulu and Kaka'ako Community's message was clearly heard when the laws that prohibits buildings that exceed the current 400' height limit in Kaka'ako was created.

Mahalo,

Wayne S. Takamine

Manoa

**LATE**

**HB-1559-HD-1**

Submitted on: 2/13/2019 9:35:52 AM  
Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Look Jun	Individual	Oppose	No

Comments:

Do we need to have a review of the movie Towering Inferno? As a survivor of the Marco Polo fire, we need better fire management practices before taller buildings are considered.

This bill smacks of favoritism and lack of good sense.

Jun Look Voter



House Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
Wednesday, February 13, 2019, Hearing  
House Conference Room 325  
2:01 PM

**Strenuous Opposition to House Bill 1559, HD1**  
**Relating to the Kaka'ako Community Development District**

Aloha Chair Lee, Vice Chair San Buenaventura and Committee Members:

This measure is a gluttonous proposal to allow two towers to be erected 768 feet high in Kaka'ako Mauka. Transparently a developer-driven proposition, this bill it is not even remotely compatible with the legacies borne of the greater public interest that Hawai'i holds for present and future generations.

Hawai'i is not Dubai. Nor has Hawai'i Nei been rendered into such a laissez faire state that our unique Paradise of the Pacific is so helpless, hapless and without recourse on such unfettered consumption as has rendered Singapore into succumbing to such tactics, now followed by the promoters of this alien pursuit.

Hawai'i has embedded cultural values that must be *respected*, not exploited.

It is ludicrous that this legislation labels soaring skyrisers as visual relief from a "uniform" skyline of the present structural openwork that allows mauka to makai viewplanes, cultural necessity. The statutory height limit for Kaka'ako must remain at 418 feet, as strongly advocated by the interested and affected Honolulu community and wholly adopted by the State Legislature in the greater public interest for any future development of Kaka'ako Mauka.

If an uneven skyline is indeed an aesthetically pleasing priority for an architecturally unique experience, especially with any greater packing in of structural walls blocking out air, light and views mauka to makai - clearly the simple solution is to LOWER the heights of any new towers to create such a varied and healthfully pleasing cityscape.

As Senator Gabbard recently stated, "When you look at Paradise, you want to keep it Paradise."

For the sake of present and future generations, please discard this dangerous and formidable precedent for future over-development of our Island state. Even one Monster tower is one too many - anywhere in these fragile islands.

Testimony respectfully submitted by Michelle S. Matson

## sanbuenaventura2 - Kevin

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**From:** Sean Connelly <connelly@gsd.harvard.edu>  
**Sent:** Wednesday, February 13, 2019 3:48 PM  
**To:** sanbuenaventura2 - Kevin  
**Subject:** Testimony for HB1559  
**Attachments:** STOP-HB-1559-SB-1496.gif

Testimony for HB1559

**OPPOSE, limit height to 440-feet.**

WHEREAS, Honolulu is in desperate need for affordable housing, the pathway to affordability cannot be achieved through taller building heights. It requires creating **localized investment opportunities for residents to invest in neighborhood-scale medium-rise developments.**

WHEREAS, there is no such thing as "flat-top" skyline in the history of architecture or planning, the derogatory reference of the term "**flat-top**" or "**flat**" in reference to Honolulu's skyline is deeply [sexist against women](#) and [racist to Asians and Pacific Islanders](#). SHAME ON ALL OF YOU INVOLVED.

WHEREAS, Native Hawaiians continually fight the Asian-settler colonialism and white supremacy this legislature actively upholds, remember the **Ko'olau is the signature skyline of Honolulu**. VISIBILITY FROM OCEAN TO MOUNTAIN IS CRITICAL. HOW DARE YOU.

WHEREAS, cities like Washington D.C. are celebrated for the monumentality of its uniform building height, the current so-called "flat-top" of **Honolulu's skyline is rather an elegant minimalist platform that concludes with the prominence of our greatest icon, Lē'ahi (Diamondhead)**. RAISING BUILDING HEIGHTS IS INAPPROPRIATE FOR HISTORIC PRESERVATION OF THE CITY AS AN ARTIFACT OF MODERNIST AND BRUTALIST ARCHITECTURE. A NON-UNIFORM SKYLINE IS DETRIMENTAL TO THE VISUAL SIGNIFICANCE OF DIAMONDHEAD. **NO BUILDINGS TALLER THAN THE CRATER RIM OF DIAMONDHEAD at 440-FEET.**

WHEREAS, the Hawai'i State Legislature continues to attack our island values in favor of corporate interests and developers who will sell the new real estate to foreigners, **KEEP HONOLULU SPECIAL. DO NOT RAISE THE BUILDING HEIGHT ABOVE 440-FEET.**

**In 2014 the people of Hawai'i made it known we wanted to keep our minimalist skyline in honor of our views, sunlight, and resources. Is it true that our local government in 2019 disrespects the honor of the voice of its people by overturning legislation in just 5 years? DON'T GET STUPID, STOP HB1559/SB1496**

Article from 2012: <https://www.civilbeat.org/2012/02/15024-raising-honolulus-building-height-sustainable-density-or-vertical-sprawl/>