MEETING OF THE PLANNING COMMISSION

Minutes
Wednesday, July 20, 2016

The Planning Commission held a meeting on
Wednesday, July 20, 2016, at 1:35 p.m., at the Mission
Memorial Conference Room, Mission Memorial Building, 550
South King Street, Honolulu, Hawaii. Chair Hazama presided.

COMMISSIONERS PRESENT: Dean I. Hazama, Chair
Cord D. Anderson, Vice Chair
Daniel S. M. Young
Steven S. C. Lim
Ken K. Hayashida
Theresa C. McMurdo
(arrived at 2:20 p.m.,
Executive Session only)

COMMISSIONERS EXCUSED: Arthur B. Tolentino
Kaiulani K. Kodaro
Wilfred A Chang, Jr.

COMMISSION STAFF: Gloria Takara, Secretary-
Hearings Reporter

DEPUTY CORPORATION COUNSEL: Jennifer D. Waihee-Polk
(Advisory to the Commission)

DPP REPRESENTATIVES: Lin Wong, Staff Planner
(Item No. 1)
Thomas Blair, Staff Planner
(Item No. 2)
Renee Espiau, Staff Planner
(Item No. 3)
Harrison Rue, TOD
Administrator
(Item No. 3)

PROCEEDINGS

Chairman: Okay. Good afternoon and welcome to our
July 20th, 2016 meeting of the Planning Commission. At this
time, I call this meeting to order. Moving on to our agenda
to public hearings. Unless there’s any objections the two
zone changes 2016/Z-2 and 2016/Z-3 are fairly familiar in
nature, there some differences. So, unless there’s any
objections, I would like to take two of them together at one
time. We’re going to have to make separate motions, but as
far as the presentations and the questions we can do it all
one time.

So, can I ask the Department to both come up. So
we’ll start with Trinity Mission Baptist Church, 2016/Z-2,
and then for the Z-3, if you just want to highlight your
changes--

Ms. Wong: Differences--
Chairman: The differences between the two
projects.

Ms. Wong: Okay.
Chairman: Please proceed on Z-2.
Ms. Wong: Good afternoon, Chair and members of the
Planning Commission. My name is Lin Wong, staff planner
with Department of Planning and Permitting.

Mr. Blair: My name is Thomas Blair, also staff

1 planner with DPP.
Chairman: Okay.
Ms. Wong: What you have before you are two
requests to rezone two parts of land in the same vicinity
5 from F-1 military and federal preservation to R-5
6 residential. The purpose of the request or the Applicant
7 for Z-2 is the Trinity Missionary Baptist Church and for the
8 Z-3 is the Holy Family Catholic Academy. They’re both
9 located in the vicinity of the Pearl Harbor Hickam Joint
10 base, west of the Honolulu International Airport, as you can
11 see from the map, south of the H-1 and Hmitz and are
12 surrounded by military housing. So, they’re both located
13 within walking distance of each other actually.
14 As far as the purpose is concerned, both churches
15 bought their properties from the military--from the federal
16 government a couple years ago and the purpose of the request
17 to reflect the change in ownership from the federal
18 government to the private and also to retain existing use as
19 a church which is a permitted use in R-5 residential
20 district. If approved, they will need to get an existing
21 use permit or a conditional use permit in order to continue
22 to use. So, that’s the purpose.
23 Surrounding uses includes churches, schools, a
24 fire station and a baseball field. You have our Director’s
25 recommendations and analysis in the report that was
1 delivered to you a month ago, so I shall be very brief.
2 In terms of existing infrastructures, they are
3 both serviced by the existing Navy private system and that
4 includes the wastewater and the water. They both have
5 access via the military own street and they both have
6 parking on site. It should be noted that as part of the
7 agreement, there are restricted covenant type to both lots
8 that this lot shall be used for community services including
9 meeting facilities or schools which both projects are.
10 The proposed zone change is consistent with City
11 policies and applicable land use laws including the General
12 Plan, the Primary Urban Center development plan and the LUO.
13 As such, the Director recommends approval with the
14 conditions that the standard affordable housing condition
15 in case the site--there should be a change in use. Also, a
16 disclosure in flight operations due to its proximity to the
17 airport and the standard conditions relating to compliance
18 and annual reporting.
19 In closing, I'd like to note that this is very
20 similar to the Asset Schools proposal which you approved a
21 couple years ago. Similar circumstances. Thomas will
22 highlight the difference between my project and his.
23 So, I guess in closing if you have any questions
24 for me or if you have any questions we also have the
25 Applicant's agent here to answer any questions you may have.

So, that concludes my presentation.
Chair Hazama: Okay. Thank you. Any questions at
this time, Commissioners?
Member Lim: Do you know if there's any
improvements proposed on either parcel?
Ms. Wong: Not for the Trinity Missionary Baptist
Church base on the application. No plans at this time for
any redevelopment or change in use. I'm not sure if
9 Thomas--
Mr. Blair: Same for Holy Family Catholic Academy;
no changes proposed.
Member Lim: Okay. Thank you.
Chairman: Okay. Any questions at this time? [no
proceed with yours.
Mr. Blair: Okay. The projects are essentially the
same. Same change in ownership from federal to private use
or private ownership. The Holy Family Catholic Academy is
about 1-1/2 acres more. It's 4.4 acres and in addition to
the meeting facility of the church, there is also a school
which there's pre-K and K through 8th grade. It's 500 or
26 600 students at this time.
Chairman: Okay. Commissioner, any questions at
this time? [no response] No. Okay. Department, thank you.
At this time is the Applicant's agent the same or--
1 today? [no response] Okay. Seeing none, can I have a
2 motion to close public testimony.
3 Vice Chair Anderson: Motion to close public
4 testimony.
5 Member Lim: Second.
6 Chairman: Moved and seconded. Any objections?
8 none, public testimony has been closed. I guess at this
9 time if I can call back up Department.
10 Chairman: Okay. Regarding the deed restriction.
11 It is a unilateral agreement—in other words under what
12 conditions would the restriction be able to change?
13 Ms. Wong: Well, it’s part of the quick claim deed
14 which they recorded at the Bureau of Conveyances. So, I
15 imagine that only when it’s sold or negotiated between the
16 private parties. But I would like to note that if this gets
17 approved, the proposal would still have to go through
18 another review process, which is the existing use or the
19 conditional use permit. And under that review process, it
20 would be further scrutinized as far as infrastructure is
21 concerned. And also even when they do come in for—and if
22 there’s going to be any change in use, intensifying use,
23 typically those conditions in the new permit will also say
24 that they will have to come in again for approval from the
25 Director again. So, that is the separate review process

1 that they will have to go through.
2 Chairman: I guess my question is, it’ll have to
3 to be a mutual agreement in order to change the deed
4 restriction or—
5 Ms. Wong: That would be—
6 Chairman: Is it sole discretion of the Federal
7 government?
8 Ms. Wong: Well, I think they would have to be
9 negotiated amongst the parties. I’m not quite sure how
10 quick the deed would work, but it is a covenant that’s
11 attached to the land—
12 Chairman: And that covenant will remain attached
13 with this new zone change as well?
14 Ms. Wong: Well, it is part of our approval
15 process; yeah.
16 Chairman: No. I’m asking you, it will carry
17 over, correct?
18 Ms. Wong: As far as our conditions go, we
19 typically have something that’s if you make any changes, we
20 have to be informed again; yeah.
21 Chairman: Okay. So, from F-1 to R-5, does the
22 deed restriction carry over to the R-5, that’s my question.
23 Ms. Wong: Yes, it does.
24 Chairman: Okay. In regards to—I saw a comment
25 by Department of Transportation regarding their request for

1 an easement for the two properties in regards to this zone
2 change. However, the Department is recommending a
3 disclosure, an easement.
4 Ms. Wong: Well, we did consider the comments by
5 DOT, but in looking at the fact that they’re really not
6 proposing any changes at all. And R-5 (inaudible) are
7 actually more restrictive than the height standard that they
8 have. So, we felt at this point, disclosure statement
9 should suffice the Director.
10 Chairman: Okay. The only reason I ask, I guess,
11 the only time the disclosure would actually come into play
12 is if in fact the property gets transferred to another owner
13 or somebody else or subleased or sometimes. I guess when I
14 read DOT’s letter, they have a specific reason why they want
15 the easement now.
16 Ms. Wong: I think they made the same comment in
17 the Assets School proposal as well. And, I think it is kind
18 of a standard comment that they make for the properties as
19 in close proximity. But again because the churches and
20 school have been operating there for so many years without
21 any adverse impact, and they propose to continue the
22 existing use, we felt that a disclosure statement would be
23 sufficient at this time. And, again, like I said if they do
24 have a change in use under the existing conditional use
25 permit, they will have to come in again for approval for

1 modification.
2 Mr. Blair: Yes. And during that time that is when
3 the FAA will also have an opportunity to respond to whatever
4 changes are being proposed.
5 Chairman: So the time of conditional use permit,
6 then you can attach the requirements?
7 Ms. Wong: We can attach additional requirements,
8 and it will actually be scrutinized further at that time.
9 Chairman: Okay. All right. Any other questions
10 for Department at this time? [no response] No. Okay.
11 Thank you.
12 Ms. Wong: Thank you.
13 Chairman: Okay. Commissioners, we’re going have
14 to make separate motions. So, on the first zone change
15 primary urban center, 2016/2-2, Trinity Missionary Baptist
16 Church. Can I have a motion.
17 Vice Chair Anderson: I’ll make a motion to
18 approve the primary urban center zone change request,
19 2016/2-2, Trinity Missionary Baptist Church as presented. A
20 request in change of zoning from P-1 military and federal
21 preservation district to the R-5 residential district,
22 reflect a change in ownership from the federal to private
23 and continue its existing use as a church.
24 Chairman: Okay. Move. Do I have a second?
25 Member Lim: Second.

July 20, 2016 FC mtg
Chairman: Moved and seconded. Any discussion?
Member Lim: Approval to--motion to contain the conditions recommended by DPP.
Chairman: Okay. We will add--Do you accept that?
Vice Chair Anderson: Yes.
Chairman: Okay. Accepted to the motion. Any further discussion? [no response] Seeing none, all those in favor, say aye.
All Commissioners: Aye.
Chairman: Any opposed? [no response] Any abstentions? [no response] Seeing none, the zone change request has been approved.
Moving on to the second zone change, primary urban center, 2016/2-3, Holy Family Catholic Academy.
Vice Chair Anderson: Chair, I move to approve the motion, approve agenda Item No. 2, primary urban center, zone change request 2016/2-3, Holy Family Catholic Academy, the request is change in zoning from F-1 military and federal preservation district to R-5 residential district to reflect its change in ownership from the federal to private and continues its existing use as church and school subject to the conditions presented by DPP.
Chairman: Okay. Its been moved. Do I have a second?
Member Lim: Second.

1 to Renee to do the presentation.
Ms. Espiau: Aloha, Chair Hazama and members of the Planning Commission. I'm very pleased to be here today to present to guys the Ala Moana TOD Plan, a process that we started back in 2012. Like the other neighborhood TOD plans, the Ala Moana Plan covers land use, transportation, open space, building design and infrastructure capacity around the future Ala Moana Center rail station. We believe one of the most important plans, given the amount of development interest in the Ala Moana Center area as well as the anticipation that the Ala Moana Center rail station will be the busiest in the system, attracting roughly 22,000 riders in the future per day.
The Plan was developed through an intensive public engagement process that involved a number of different activities. We did a scientific resident survey. We also offered that in Korean to people in the neighborhood; people didn't take advantage of it quite as much as we had thought, but it was something that the community had suggested from the get go. We held four community workshops; five advisory committee meetings. We walked the area to talk to businesses. We held stakeholder meetings throughout the community including coordination with the United Korean Association. We did mail-outs to property owners and, of course, we used our extensive mailing lists and social media to get people involved.
The vision developed for this area is a liveable urban community and a model for walking, biking and transit usage. The new rail station area will spur redevelopment and neighborhood revitalization that will improve mobility, safety and sustainability. The Ala Moana neighborhood will embody cultural, income diversity, offer a mix of uses and convenience and continue to serve as a place for locals and visitors gather together. As a follow-up to the vision for the area, the community also developed a set of planned principles. The first is residential diversity, both a number of different housing product types as well as units provided to people at different affordability levels. A mix of commercial was also important to the community. There is everything in the spectrum from Ala Moana Center, Wal-Mart and Sam's Club to sort of the small mom-and-pops and ethnic businesses in the area. That diversity and preservation of that was repeatedly brought up as important. Useable open space is the third principle. There is really a need for more urban gathering spaces in the neighborhood. We have large parks like Ala Moana Park and some smaller neighborhood parks that could be improved, but there was identified a need for sort of more urban places where people could gather.
Complete streets was probably one of the most
1 important principles that was brought up in this community, 2 time and time again. We have about 50% of the area 3 population today is already travelling by means other than 4 driving alone to work. So, walking, biking, transit, 5 carpool. So this is particularly important for this 6 neighborhood.

Intramural connectivity was also important. Given 8 that it is the last station planned on this segment of the 9 rail system. We really looked at connections between bus 10 and rail, between bike and rail. drop off at rail and sort 11 of looked at how all those different systems coordinated 12 together.

There was an idea came up for incubator office and 14 education, a way to encourage creativity and to sort of 15 support the small business character in this area.

Culture programs and public events was brought up 17 as a way to activate area public spaces and the idea of kind 18 of creating a business improvement district was floated 19 among some of the area of businesses, a better way to brand 20 the area and bring people there for celebrations.

And then final public, private partnerships, kind 22 of underlies all of the recommendations in the plan. So 23 looking at ways for developers to contribute to community 24 benefits as well as ways for the businesses in the area to 25 collaborate together.

1 So the plan also explores a number of public rail 2 improvements. Primarily for area streets and intersections.
3 Concepts were developed at really prioritized other modes 4 other then just driving alone. But often without the need 5 to significantly reduce vehicular capacity.

As mentioned before this was rated consistently by 7 the community as one of the most important elements of this 8 plan, was improving the experience of walkers, bikers, 9 transit users.

10 The Plan reflects and expands on the 11 recommendations of the Oahu Bike Plan as this area already 12 experiences a large number of bicycle riders in the area, 13 but they're often on the sidewalk. So, thinking of ways that 14 improvements in the bicycle facilities in the area could 15 improve not only by [inaudible] travel but also improved 16 pedestrian safety.

17 The plan also explored open space improvements, 18 such as improvements to existing parks; the idea of allowing 19 the public to use the new athletic facilities at McKinley 20 High School during non-school hours, and a new gathering 21 place in the community for informal gatherings, community 22 events and even commercial activities like dining.

Such a plaza would particularly beneficial close 24 to the rail station, in front or actually appropriated in 25 the FY17 CIP budget for a transit plaza that could service

1 anticipated along Kapiolani Boulevard. Primarily from 2 Piikoi Street to Kalakaua Avenue. The corridor extends all 4 the way to the Convention Center as a way to help revitalize 5 that area and support further success of the Convention 6 Center. Keeaumoku Street is also envisioned for higher 7 density development, although at a slightly lower scale then 8 the Kapiolani corridor. The plan lays out a variety of 9 design strategies to help create a walkable urban 10 neighborhood including building setbacks that provide ample 11 space for the beautiful monkey pod trees on Kapiolani but 12 still bring those storefronts up to the sidewalk edge to 13 create an engaging pedestrian realm.

A portion of the plan area is under RCD

15 jurisdiction and was only included because of a way to sort 16 of promote street scape concepts and circulation 17 improvements. So the plan does not actually recommend any 18 land use zoning changes obviously for the areas, Ewa of 19 Piikoi Street. So, the Plan accommodates roughly 8 million 20 square feet of future development. We've seen about 4 21 million square feet in this area in the last 20 years. So, 22 you can kind of get a sense of the time horizon of the plan, 23 and what is shown on the graphics is primarily conceptual 24 development ideas and what could happen on vacant parcels, 25 parcels with low building value, non-historic sites.

Mr. Rue: Thank you. We're open for questions.

Chairman: Thank you. Any questions at this time 16 for the Department? [no response] Okay. Seeing none. Thank 17 you. Okay. Gloria, do we have any testifiers signed up? 18 [Commissioner Theresia C. McMurdo arrives] Thank you. At 19 this time, I will open it up for public testimony. I'll 20 call--I'm going to do my best without trying to mess this 21 up. But John Jenners [phonetic].

Dr. Jenners: I'm a dentist in the Ala Moana 23 Building, and I'm here representing the health care concerns 24 of the community. Over 10% of the dentists on the island 25 Oahu are located in that building. There's a significant
1 presence of--people like Kaiser has a floor in the building
2 and there's other physicians and optometrists and so forth
3 in that in building. And the TOD Plan, we'd like it to move
4 protect current health care services. It's not easy for
5 tenants in the building like this to find other locations.
6 And the landlord team looked at the TOD and rail as an
7 opportunity for redevelopment and ignoring one of the
8 community resources that are existing in that building. And
9 there's other buildings such as the Pan Am Building and
10 Makaloa Building that also have smaller amount of health
11 care services.

 12 So, we'd like the TOD Plan to address our concerns
13 about protecting existing health care services in the area.
14 And if you look at this picture here, GUP has approximately
15 ten high rises planned for the Ala Moana Shopping Center
16 area. So, they have plenty of opportunity for redevelopment
17 of the area and leaving their existing building in its
18 current usage.

 19 Chairman: Okay. Thank you. Any questions,
20 Commissioners at this time? [no response] No. Okay. Thank
21 you very much, sir. Okay. The next testifier is Dean Sueda.
22 Dr. Sueda: Hi. Thanks for allowing me to
23 testify. I'm also a dentist in Ala Moana Building, and we're
24 here to support the TOD Plan with the idea of having health
25 care services around the rail station. Also all these all

22 1 high rises coming up and things like that. You know besides
2 that we do need health care services for the population
3 around the area. And if somehow we get displaced by GUP like
4 Dr. Jenkins said, I don't know if you folks know, but there
5 is about 14% occupancy for office space. A very few of this
6 office space want dentist. Because first of all, we take a
7 loc of plumbing. If you own a building you have to put in
8 more infrastructure for us. It's much easier to hire a real
9 estate office. We pay the same rent, but you have to put in
10 more infrastructure for us. Plus, we take up a lot of your
11 parking. So, for the dentist to relocate to somewhere else
12 is very difficult. Not to mention the cost. So we want t
13 support the TOD plan by having health care services within
14 the neighborhood.

 15 Chairman: Okay. Thank you. Any questions,
16 Commissioners, at this time? [no response] Okay. Thank you
17 very much. Okay. Next testifier is Ed Cassella.
18 Mr. Cassella: Yeah, Thank you for letting us
19 speak. I'm concerned about the Ala Moana--I'm a dentist in
20 the Ala Moana Building. I'm a periodontist. And I actually
21 stayed in the Army a year longer to get into the Ala Moana
22 Building because I was treating patients from Waianae
23 Comprehensive in Mililani, and the patients would ask me if
24 I build out, please go downtown, go specifically to the Ala
25 Moana Building because it was so much easier for them to get

24 1 was ADA compliant, so I can treat people that come in with
2 wheelchairs. It's really important that community, besides
3 having nice places, coffee shops and the place to walk,
4 drive and park your car, it's not to overlook the healthcare
5 aspects. And especially the ones that are there. The other
6 buildings do not want us, and we can't go in the other
7 buildings because they don't like our water usage. They
8 don't like the infrastructure that it takes in order to
9 build out a dental office. A medical office is very easy.
10 Dental office, very difficult and very expensive.

 11 So, I just would like for consideration. And the
12 TOD has taken that into their new plan, and they have
13 addressed that, So, I would just like to make sure that they
14 continue marching along that way. Thank you.

 15 Chairman: Okay. Thank you. Commissioners, any
17 the speakers I have that signed up. Is there anyone else
18 wishing to testify before the Commission? Yes, please come
19 on up.

 20 Mr. Neupane: Aloha Chair and members of the
21 Planning Commission. My name is Deepak Neupane, and I'm the
22 Director of Planning and Development for Hawai'i Community
23 Development Authority. I believe the TOD Plan, Ala Moana TOD
24 Plan is a very well thought out plan, and I think it's a
25 very timely and very necessary plan. And I really would
1 like to thank the DPP team for inviting Hawaii Community
2 Development Authority to be part of the stakeholder, and I
3 have participated in several of the stakeholder meetings.
4 I think we need this kind of organization,
5 development in urban areas. The only comment that I would
6 have in the plan itself is that I noticed the density and
7 what is called the Kaheka district and the Kalakaua district
8 is kind of left at what it is, and I would strongly
9 recommend that density be up to similar to other densities
10 has been proposed in the area. Right now it's developed
11 but, I think Don Quijote area and that's ready for
12 development in my opinion and Kalakaua Housing too probably
13 get replaced. So, I think it would be good idea to up the
14 densities in those areas too. Thank you for the
15 opportunity.
16 Chairman: Okay. Thank you. Any questions? [no
17 response] Thank you very much. Okay. Anyone else wishing
18 to testify? [no response] Okay. Seeing none, can I get a
19 motion then to close public testimony.
20 Vice Chair Anderson: Motion to close public
21 testimony.
22 Member Lim: Second.
23 Chairman: Moved and seconded. Any objections?
25 Public testimony has been closed. At this time if I can
1 station location. Once you forward the plan to City
2 Council, if and when you’re ready to do that, and City
3 Council takes it up and adopts it, then we’ll be working on
4 the actual TOD zoning. And that gives us an opportunity in
5 the TOD zoning if there’s been any minor changes to actually
6 adjust the zoning. We went through something similar in
7 Waipahu. You’ve seen the draft Waipahu zoning. And when
8 we represented the plan to people in Waipahu, we had at
9 least six or eight property owners come and say, "we’d like
10 to be added in". And we made some of those adjustments.
11 We’ve made a few adjustments to a particular zoning or
12 height in the zoning. So, you have another step that will
13 also come before you in the zoning to fine tune any of the
14 actual locations or density or things like that.
15 Chairman: Okay.
16 Mr. Rue: We think the process that we’re already
17 going through will work for any adjustments.
18 Chairman: So slight alignment change will not
19 necessarily affect--
20 Mr. Rue: I wouldn’t want to speculate on that.
21 Chairman: Okay. In regards to the comments from
22 the Department of Education, I guess they had an issue with
23 designating part of McKinley High School property as a park
24 or something like that.
25 Mr. Rue: We get--it’s not just the DOE. When we
1 call the Department back up for questions.
2 Mr. Rue: Thank you, Chair.
3 Chairman: Commissioners, any questions at this
4 time for Department? [no response] Okay. If not, I have
5 some. Okay. Because, and I understand that there are a
6 lot of questions and TOD have to do with rail?
7 Mr. Rue: Yeah.
8 Chairman: Because we’re proceeding forward at this
9 time or this plan, exactly what in your opinion would
10 trigger the plan to have to be redone and start all over
11 again?
12 Mr. Rue: Good question. I almost lead with the
13 "why are we doing this with the debate about rail in the
14 paper", but I decided to wait for the question. The
15 Administration is very strongly clear that the intent and
16 commitment is to go all the way to Ala Moana. So, the issue
17 is funding and they’re working with HART and with City
18 Council. That will take some time to resolve but the
19 direction of staff is to continue with our work on TOD, not
20 only in Ala Moana and elsewhere.
21 We don’t foresee major changes needed at the
22 moment. It seems to be more phasing. There is some
23 potential that ultimately the exact location per station
24 alignment might shift a block or so or something like that.
25 The plan itself doesn’t really need to get changed for
1 do the plans, it's very easy and working with the community
2 they’re expressing a need for additional open space. So, we
3 put a (inaudible) plaza near where the station is. We put
4 another one up on Keaauomoku. If you if you look at Iwilei, the
5 Downtown Plan, there’s little dots, and we try to be very
6 clear with everybody. It’s not saying there should be a
7 park in that area specifically. It expresses a need for a
8 park in that particular area. So, this Plan does not control
9 what a landowner in Iwilei does with their property and if
10 it shows a park. It’s basically if a major developer
11 develops there, we would ask for a park as a part of the
12 negotiations.
13 In the case of DOE and showing the idea for a
14 gathering space in that area, it does not require DOE to do
15 anything. But there has been a need in the discussion maybe
16 some portion of the school property could be something
17 that’s used as a gathering space, configured more as a
18 neighborhood park, whether it’s in that location or closer
19 to Blaisdell as that redevelops. So, it’s really the intent
20 is there a need for a neighborhood gathering space
21 somewhere. It’s just an idea for DOE to consider.
22 Chairman: Okay.
23 Mr. Rue: The Plan doesn’t need to get changed
24 really.
25 Chairman: They also address--the second part they
1 address the concern regarding the impact fees and the 2 requirements for their schools with the increased 3 development. So, I guess I don't see that addressed in the 4 TOD Plan.
5
Mr. Rue: No. That's more of an implementation 6 focus. We actually have a meeting set up with DOE to look 7 at their impact fee, I think it's next week or so. They 8 have reached out to us for comments on that.
9
Chairman: Here's my concern. The Plan does 10 mention the affordable housing for the new development. So, 11 I think if the intent is that we're going to treat this TOD 12 or this development similar to other developments on the 13 island, that we need to probably put something in there 14 regarding the impact fees for possible new schools in the 15 area based on the increased development and the units.
16
Mr. Rue: We'd have to think about that. We do 17 have suggestions in the Plan for inclusion of affordable 18 housing. We have suggestions about zoning. It's actually 19 the zoning itself will--This doesn't really control the 20 zoning. It'll be a separate zoning (inaudible); similar 21 with housing. It's kind of a separate affordable housing 22 policy and development. It would not bother me if there's 23 some words in there about need to address fees, but it feels 24 to me like it's inappropriate. There's actually an effort 25 underway. Legislature just passed in legislation.

1 originally heard of their concerns during the drafting. 2 We've had several other phone calls, emails, and a couple on 3 site meetings. We totally understand their concerns. I've 4 got teeth. I go to the dentist. We all think they need to 5 keep their offices. But we're a little stuck because the 6 TOD plan itself is not a mechanism to preserve an 7 individual, building or it tends to be private property 8 oriented. We respect individual building owner's rights to 9 do what they want with their building as long as it follows 10 City rules.
11
So, it's very hard for the TOD plan to tell one 12 building owner, you must rent to a particular kind of 13 building owner. I think the industry would really--property 14 owners would really think that's inappropriate.
15
So, what we did do, we agree with them that this 16 is an important area for health services. There's several 17 nearby hospitals. It's well served by transit. It's an easy 18 place to get to the dentist or the doctor. In the same 19 building, I go have my lab tests done, things like that.
20 So, we added in a couple of places. Recognition of the 21 existing health care services have been added to the plan 22 and a recommendation to preserve these uses has been 23 incorporated into plan principle. We did that at the 24 dentist request.

July 20, 2016 PC mtg
1 in the plan have also been amended to recommend neighborhood
2 health care services as a goal of the plan.
3 So, we beefed that up. We did provide that
4 revised language to the dentist organization to have them
5 check it, and we also encourage them to give us any more, if
6 they didn’t think that was strong enough to suggest any more
7 specific word items in terms of policies to make that a
8 little bit stronger.
9 We think that’s--and we’ve discussed this with
10 several people of the Department and the Director. That’s
11 about all we can do, we think in terms of this plan
12 encouraging those principles.
13 I will say we also, when they originally called us
14 and they were concerned their leases were not getting
15 renewed, we did call the landowner and asked is there
16 anything that you can do and they did start extending the
17 leases a little bit more.
18 We agree with the commenter that noted that there
19 is several towers on the easy to develop areas or moving the
20 parking garage on the existing Ala Moana Center.
21 There’s a lot of plenty other places, new towers, and we
22 understand they do not have any current plans to tear down
23 this one because there’s lots of other places that they
24 could do towers. But that’s just conversations. They do
25 have the right to rehab it, you know, tear it down, things

1 SCP and a TOD Plan, which plan takes precedence?
2 Mr. Rue: I’m going to defer to Kathy on that
3 because she oversees the SCP and Development Plans.
4 Kathy Sokugawa, Chief Planner.
5 Ms. Sokugawa: Hi. I don’t know that we’ve ever
6 encountered that actually, maybe have something in mind, but
7 they’re both policy plans. So, most of you would know that
8 it’s policy, not regulatory. So, when we evaluate things it
9 would be based on our interpretation of those policies. And
10 generally we try to comply with both as much as we can.
11 Mr. Rue: So, that’s the official version from
12 long time staff, from somebody working on the new policies.
13 There’s a couple of things in the interim plan, Development
14 Transit Permit, which there are couple projects under review
15 on that right now. In that ordinance, we direct--Since it’s
16 negotiated zoning, we direct the Applicant to look at and to
17 conform to what’s in the draft plan even before its been
18 adopted. So this does have a little weight for them to look
19 at that and try to conform to the Plan. But we drafted this
20 plan based on the existing--In this case it’s the PUC DP.
21 Chairman: Yeah.
22 Mr. Rue: If it’s newer, some of the thinking has
23 evolved, it might must be because PUC DP is older and you’re
24 beginning to look at an update to that right now.
25 Ms. Sokugawa: Do you have a specific scenario?

1 like that, that’s a private property right that the TOD plan
2 really can’t change.
3 Chairman: I agree with you that we cannot
4 basically say to lease to certain type businesses. But I
5 think the concern is that if the plan now converts a
6 commercial mixed use district to residential district,
7 that’s where we run into a problem, now that will allow the
8 landowner now to build homes in residential units instead of
9 maintaining a commercial mixed use environment.
10 Mr. Rue: But it does allow and encourage entirely
11 BMX, business mixed use--that’s the same as downtown. So it
12 allows and encourage office towers, medical towers, all
13 that.
14 Mr. Espiau: The area is already BMX-3 today, and
15 we’re recommending basically the same land use designation,
16 just increased height and density for our community
17 benefits. So, we’re not changing the underlying zoning this
18 time.
19 Chairman: Okay.
20 Mr. Rue: We would be very open if in your
21 communication to Council you suggested that we need to beef
22 up the language from a policy perceptive, maybe even
23 stronger.
24 Chairman: The last question I have is more of a
25 Department policy thing. If there is a conflict between a

1 Chairman: I guess I’m looking at it and I see that
2 the plans have to kind of match up at some point in time.
3 So, in other words, I was wondering is there a precedent
4 between one plan over the other? In other words if the SCP
5 says something and the TOD says something else. Let’s just
6 say a simple zoning that kind of thing, which plan takes
7 precedence?
8 Ms. Sokugawa: And, again I can’t come up with one
9 that would be inconsistencies, but for example the timing,
10 the PUC Development Plan timing is around 25, 30 years out.
11 The TOD Plan is full build out. By the way, there’s a
12 little bit difference in time frame for those. So then you
13 have a timing issue that’s not necessarily inconsistent.
14 They may say it’s different things, but the timing may be
15 different. Or the degree at which we paint the vision for
16 land uses and the pattern of land uses maybe slightly
17 different, but for slightly different purposes. And the PUC
18 DP is very broad brush in their policies as opposed to some
19 of the other development plans, which is a little bit more
20 closely like zoning. So, the PUC comes at more of a
21 visionary thing rather than a predecessor to regulation.
22 So, again there’s a little bit different focus and so I
23 don’t foresee that.
24 Finally, I believe Council, their review make sure
25 that any policy, planner, regulatory directive has to comply

July 20, 2016 FC mtg
1 with all of the other previously approved policies.
2 Mr. Rue: I would add one more thing since I just
3 happened to have been on the consultant team with John Well
4 [phonetic] in developing the last version of the PUC DP
5 dozen years ago, and I can remember we were just starting to
6 think about implementing complete streets. We've started
7 using the word foreign base codes without, really, you know,
8 implementing it. So some of the ideas that are fully formed
9 now, we have complete street skylines; we got good designs.
10 We're implementing kind of a hybrid (inaudible) base codes.
11 They were just concepts in the PUC DP, but you're seeing
12 them more specific and more implemented, more fully formed
13 in the TOD Plan.
14 Chairman: I'm just thinking in the future.
15 Ms. Sokugawa: Well, we have to thank the Council
16 because they did give us funding this year for PUC DP
17 update.
18 Chairman: Oh, okay. So, that would be probably
19 one of the last--the last one, yeah?
20 Ms. Sokugawa: Yes.
21 Chairman: Okay. Thank you. Okay. Commissioners,
22 any other questions? [no response] Okay. Can we have a
23 motion?
24 Member Lim: Motion to close public hearing.
25 Vice Chair Anderson: Second.

1 Chairman: Moved and seconded. Any objections?
3 hearing is closed.
4 Vice Chair Anderson: I'll make a motion to
5 approve agenda Item No. 3, Ala Moana Neighborhood Transit-Oriented
6 Development Plan as presented.
7 Member Lim: Second.
8 Chairman: Okay. Moved and seconded. We're in
9 discussion. Can I add a couple of amendments to that
10 motion. One is in regards to the requirement for the plan to
11 list out a requirement for school impact fees on new
12 developments. The second item would be to revise the plan
13 in regards to affordable housing to not allow a development
14 to fund and opt out of affordable housing units. And the
15 third would be for the plan to basically, I guess strengthen
16 the requirement for medical services in the area and
17 basically to do an assessment of what the existing services
18 are to ensure that we protect those services.
19 Vice Chair Anderson: Restate the motion. Accept
20 Item No. 3, Ala Moana Neighborhood Development Plan as
21 presented with conditions added by Chair. Condition No. 1,
22 to include school impact fees for development; Condition No.
23 2, to not allow affordable housing commitments outside of
24 the area--
25 Chairman: Basically--I'm okay with the outside

1 area regarding the commitments and units but the plan
2 basically allows the developer to pay into a fund rather
3 than build units.
4 Vice Chair Anderson: You want the units, not the
5 funds?
6 Chairman: Yes.
7 Vice Chair Anderson: Okay. Correction No. 2, to
8 now allow affordable housing commitments to be paid in lieu
9 of fees rather than units; and Condition No. 3, to
10 strengthen the healthcare service language within the plan
11 and undertake an assessment of the healthcare
12 industry in the area.
13 Chairman: Okay. Thank you.
14 Member Lim: Second.
15 Chairman: Moved and seconded. Any further
16 discussion or amendments? [no response] Okay. Seeing
17 none, all those in favor of the motion as amended, say aye.
18 All Commissioners: Aye.
20 abstentions? [no response] Okay. So, the Ala Moana
21 Neighborhood Transit Oriented Development Plan has been
22 approved with conditions.
23 Chairman: Okay. Commissioners, before we move
24 onto our next item on the agenda, August 3rd is the
25 continuation of the Koolau Poko Sustainable Communities

1 Plan. So, if I can ask the Commissioners to actually write
2 down their proposed recommendations or conditions to that
3 plan in writing because that'll help us to kind of when we
4 move to a D&O toward the plan rather than verbally trying to
5 write down stuff for the person who proposes the motion, to
6 have something in writing to refer to.
7 Vice Chair Anderson: Deadline when you want it?
8 Chairman: No. Just bring it with you to the
9 meeting. Again, these are just your recommended proposals
10 because if we try and do all of that verbally in the
11 meeting, it's really difficult for the motion maker to
12 actually figure out what's going on. So, if I can ask that.
13 Okay. Thank you. August 3rd will be here 1:30.
14 Okay. At this time, the Commission to move into
15 executive session to consult with Commission's attorney on
16 questions and issues pertaining to the contested case
17 hearing.
18 [Collquy between Counsel Waihee-Polk and Chair
19 Hazama]
20 Can I have a motion to move into executive
21 session.
22 Member McNurdo: So move.
23 Chairman: Can I have a second?
24 Member Young: Second.
25 Chairman: Moved and seconded.
[At this time Member Lim departs; recused; prior notice given]

All right. Moved and seconded. All those in favor, say aye.

All Commissioners: Aye.


EXECUTIVE SESSION: To consult with the Commission's attorney on questions and issues pertaining to the contested care hearing on State Special Use Permit Amendment Application - 2008/SUP-2 (RY) Waimanalo Gulch Sanitary Landfill (WGSIL), in accordance with HRS 92-5(a)(4).

[At this time the Planning Commission and Deputy Corporation counsel Jennifer D. Waihee-Polk (advisory to the Commission) convened in executive session. Those not participating in the executive session exited the hearings room.]

[SEE EXECUTIVE SESSION MINUTES (Closed)]

[There being no further business in executive session, the Planning Commission reconvened into regular session.]

ADJOURNMENT:

There being no further business before the Planning Commission, the meeting was adjourned by Chair Hazama at approximately 3:30 p.m.

--000--

I certify that the foregoing is a true and correct transcription of the proceedings, prepared to the best of my ability, of the meeting held on Wednesday, July 20, 2016.

Gloria Takara
Secretary-Hearings Reporter