

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

## Voting Members:

Ikaika Anderson, Chair; Breene Harimoto, Vice-Chair;  
Ann H. Kobayashi, Ron Menor, Kymberly Marcos Pine

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Committee Meeting Held  
February 6, 2014

Honorable Ernest Y. Martin  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, to which was referred Bill 68 (2013) entitled:

"A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT WAIMALU, OAHU, HAWAII,"

transmitted by Departmental Communication No. 804 dated November 1, 2013, and which passed First Reading at the December 11, 2013 Council meeting, reports as follows:

The purpose of Bill 68 (2013) is to rezone approximately 13.99 acres of land in Waimalu, Oahu, from B-2 Community Business District with a 60-foot height limit to BMX-3 Community Business Mixed Use District with a 350-foot height limit at the request of CP Kam Properties, LLC (the "Applicant"), to redevelop the former Kam Drive-In site with Live, Work, Play Aiea, a mixed-use project involving residential and commercial uses.

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON FEB 19 2014

COMMITTEE REPORT NO. 37

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Your Committee finds that the Planning Commission, after a public hearing held on October 2, 2013, at which seven people testified and seven testimonies were received on the zone change request, voted to recommend approval of the rezoning in concurrence with the recommendation of the Department of Planning and Permitting (DPP) in the Attachment to Departmental Communication No. 804 (2013). The Planning Commission also recommended that: 1) the in-lieu fee provision in the affordable housing component of the draft Development Agreement be removed, 2) the Applicant work closely with the Department of Transportation Services (DTS) on pedestrian and traffic safety measures, and 3) the Planning Commission be apprised of comments from the State Department of Transportation and the DTS regarding traffic issues, including updated and/or new traffic reports, as the project moves forward.

Your Committee finds that the DPP recommends approval of the zone change subject to a Development Agreement. Resolution 14-30, which would approve the Development Agreement between the City and the Applicant and authorize the City to enter into the same, is being concurrently considered by the Council.

At your Committee's meeting on February 6, 2014, representatives of the Applicant discussed the project and the draft Development Agreement. Four individuals provided testimony in support of the Bill and one provided testimony in opposition. Testimony in support of the Bill was received from the Hawaii Construction Alliance, Building Industry Association of Hawaii, The Pacific Resource Partnership, and the Hawaii Operating Engineers Industry Stabilization Fund. The State Department of Education offered comments on the Bill and Resolution 14-30.

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Your Committee finds that the rezoning proposed in this bill appears to be consistent with the General Plan and Development Plan of the City and in the best interests of the people of the City and County of Honolulu. Your Committee plans to consider this matter further following the receipt of public testimony at the public hearing thereon to be held as required by law.

Your Committee on Zoning and Planning recommends that Bill 68 (2013) pass Second Reading, be scheduled for public hearing, and be referred back to Committee. (Ayes: Anderson, Harimoto, Menor, Pine – 4; Noes: None; Excused: Kobayashi - 1.)

Respectfully submitted,



Committee Chair

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