



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON ZONING AND HOUSING

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**Voting Members:**

Kymberly Marcos Pine, Chair  
Ikaika Anderson, Vice Chair  
Brandon Elefante  
Ann H. Kobayashi  
Joey Manahan

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## MINUTES

REGULAR MEETING  
THURSDAY, AUGUST 24, 2017

COUNCIL COMMITTEE MEETING ROOM  
2<sup>ND</sup> FLOOR, HONOLULU HALE  
HONOLULU, HAWAII 96813

*Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.*

### CALL TO ORDER

The regular meeting of the Committee on Zoning and Housing was called to order by Committee Chair Kymberly Marcos Pine at 9:05 a.m. Voting Members Anderson, Elefante, Kobayashi and Manahan were present at the meeting. Nonvoting members, Councilmembers Fukunaga and Ozawa also attended the meeting.

### STAFF PRESENT

Matt Caires, Chief of Staff to Committee Chair Pine  
Lori Hiraoka, Attorney, Office of Council Services  
Gavin Kennedy, Analyst, Office of Council Services  
Don Kitaoka, Deputy, Department of the Corporation Counsel, assigned to the Committee  
Cynthia Nakazaki, Council Committee Aide, Office of the City Clerk

## **ORDER OF BUSINESS**

### APPROVAL OF MINUTES

The minutes of the Committee on Zoning and Housing meeting held on June 29, 2017, were approved as circulated.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, PINE – 4.

NOES: None.

EXCUSED: ANDERSON - 1.

### SUNSHINE ITEM

Committee Chair Pine requested that Resolution 17-198, relating to the illegal use of large residential structures in residential zoning districts, posted on the addendum agenda, be placed on the Committee's agenda for action. The Committee Chair called for a motion, pursuant to Hawaii Revised Statutes Chapter 92-7, the Sunshine Law, to add to the agenda Resolution 17-98. Committee Member Elefante motioned and it was seconded by Committee Member Manahan to add Resolution 17-198 to the agenda.

With no objections from the five members present Resolution 17-198 was added to the agenda to be taken up at the end of the For Action items.

### FOR EXTENSION OF TIME

Committee Chair Pine announced that she would take up Items 1 to 3 together.

1. BILL 74 (2015), CD1 – COMMITTEE REPORT 330

LUO AMENDMENT RELATING TO THE TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT. Establishing a special district with appropriate land use standards and guidelines for those areas around the Honolulu Rail Transit Project stations. (Current deadline for Council action: 9/8/17)

2. BILL 75 (2015), CD1 – COMMITTEE REPORT 331

LUO AMENDMENT RELATING TO MISCELLANEOUS LAND USE ORDINANCE AMENDMENTS. Clarifying development standards for structures with integrated commercial and dwelling uses; to revise development standards for height and street setbacks in the business, business mixed use, and industrial mixed use districts; and to establish appropriate standards for bicycle parking. (Current deadline for Council action: 9/8/17)

3. BILL 76 (2015), CD1 – COMMITTEE REPORT 332

WAIPAHU ZONE CHANGE (2014/GEN-5). Amending Zoning Map No. 8 (Waipahu), Ordinance 86-110, by rezoning land situated near the Farrington Highway and Mokuola Street intersection (Waipahu Transit Center rail station area) and Farrington Highway and Leoku Street intersection (West Loch rail station area) in Waipahu, Oahu, Hawaii, from R-5 Residential, R-7.5 Residential, A-2 Medium-density Apartment, B-1 Neighborhood Business, B-2 Community Business, and I-2 Intensive Industrial districts; to the AMX-2 Medium-density apartment Mixed Use, BMX-3 Community Business Mixed Use, IMX-1 Industrial-Commercial Mixed Use, and P-2 General Preservation Districts. (Current deadline for Council action: 9/8/17)

Administration/Others

Timothy Hiu, Deputy Director, Department of Planning and Permitting (DPP)  
Katia Balassiano, Chief, Land Use Permit Division, DPP

Division Chief Balassiano spoke in support of the extensions of time.

There were no public testimony.

BILL 74 (2015), CD1 granted a 43-day extension of time.

AYES: ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.  
NOES: None.

BILL 75 (2015), CD1 granted a 43-day extension of time.

AYES: ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.  
NOES: None.

BILL 76 (2015), CD1 granted a 43-day extension of time.

AYES: ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.  
NOES: None.

Related communications:

D-609 Department of Planning and Permitting requesting extension of time for Bill 74 (2015), CD1, Bill 75 (2015), CD1, and Bill 76 (2015), CD1.  
M-4084 Jan Gouveia, Vice President for Administration, University of Hawaii (comments on Bill 74, CD1)

FOR ACTION

Committee Chair Pine announced that she would take up Items 4 and 5 together.

4. BILL 63 (2017) – COMMITTEE REPORT 335

SPECIAL IMPROVEMENT DISTRICTS. Allowing transportation management to be provided and financed by a special improvement district, to provide a higher level of maintenance and security services over the areas open to the public than would otherwise be available.

The following amendment was posted on the agenda:

PROPOSED CD1 TO BILL 63 (2017) (Submitted by Councilmember Pine) – The CD1 (OCS2017-0849/8/16/2017 9:06 AM) makes the following amendments:

- A. In Section 36-1.5(a)(7), clarifies that a special improvement district may be established to provide for and finance delegable transportation management services.
- B. Makes miscellaneous technical and nonsubstantive amendments.

5. BILL 64 (2017) – COMMITTEE REPORT 336

WAIKIKI TRANSPORTATION MANAGEMENT ASSOCIATION SPECIAL IMPROVEMENT DISTRICT NO. 4. Establishing a Waikiki Transportation Management Association special improvement district to provide for and finance supplemental services and improvements in and to Waikiki as authorized by Chapter 36, Revised Ordinances of Honolulu 1990 (“ROH”).

The following amendment was posted on the agenda:

PROPOSED CD1 TO BILL 64 (2017) (Submitted by Councilmember Pine) – The CD1 (OCS2017-0850/8/16/2017 11:00 AM) makes the following amendments:

- A. Refers to the special improvement district as the "Waikiki Transportation Management special improvement district" (instead of the "Waikiki Transportation Management Association special improvement district.")

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- B. In SECTION 1 of the bill, amends Council finding (3) to provide that since the Waikiki Transportation Management special improvement district plan attached as Exhibit A does not call for special assessments, notice is not required to be sent to owners and lessees of real property located within the district.
- C. Amends SECTION 4 of the bill to provide that the bill takes effect on the later to occur of (1) the date of approval or (2) the effective date of Bill 63 (2017), or any amended version thereof, which amends ROH Chapter 36 to allow transportation management to be provided and financed by a special improvement district.
- D. Amends Sections 5(a), 5(a)(i), and 5(d) of the Exhibit A Waikiki Transportation Management special improvement district plan to clarify that the supplemental services provided and financed by the district involve of delegable transportation management services.
- E. Amends the Exhibit A Waikiki Transportation Management Special Improvement District Plan to consistently use the defined terms "WTM District," "District Association," "District Board," and "WIA."
- F. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Don Hamada, Transportation Planning Chief, Department of Transportation Services (DTS)

Transportation Planning Chief Hamada testified that the Department supports Bills 63 and 64 and looks forward to working with the Associations and community.

The following individuals testified:

1. Rick Egged, Waikiki Improvement Association (support) (M-4085)
2. Bob Finley, Chair, Waikiki Neighborhood Board (support)

Chief Hamada suggested adding Directors of DTS, Facility Maintenance, and Budget and Fiscal Services as voting members of the Committee of the District Board.

Committee Chair Pine noted that the Mayor's designee, at his behest, would be able to decide on the appointment of the Directors as voting members.

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In response to Committee Member Manahan, Chief Hamada noted that the District Board would set the policies and procedures to determine the assessment of properties for services within the special districts.

Mr. Egged clarified that properties would not be assessed for services and that the initial financing would be through the licensing of loading and unloading of vehicles in Waikiki.

Bill 63 (2017) amended to the posted CD1 (OCS2017-0849/8/16/2017 9:06 AM) and reported out for passage on third reading.

AYES:           ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.  
NOES:           None.

Bill 64 (2017) amended to the posted CD1 (OCS2017-0850/8/16/2017 11:00 AM) and reported out for passage on third reading.

AYES:           ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.  
NOES:           None.

Related communications:

- M-4085       Rick Egged, Waikiki Improvement Association (support Bill 63 and proposed CD1; Bill 64 and proposed CD1)
- M-4086       Gareth Sakakida, Managing Director, Hawaii Transportation Association (HTA) (support Bills 63 and 64)

6.    BILL 62 (2017), CD1– COMMITTEE REPORT 334

RELATING TO JOINT DEVELOPMENT. Amending certain provisions relating to the joint development of two or more subdivision lots.

The following amendment was posted on the agenda:

PROPOSED CD2 TO BILL 62 (2017), CD1 (Submitted by Councilmember Ozawa). The CD2 (OCS2017-0755/7/21/2017 11:37 AM) makes the following amendments:

- A.    Adds a new subsection (a) to proposed new Section 25-5.380A, clarifying that the section applies to joint development of two or more adjacent subdivision lots in the Waikiki special district or in transit-oriented development special districts. Re-alphabetizes subsequent subsections.

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- B. In re-alphabetized Section 25-5.380A(d), deletes a provision requiring that prior to the submission of an application for a second joint development, the applicant shall notify owners of the subdivision lots affected by the first joint development.
- C. In re-alphabetized Section 25-5.380A(g), deletes a provision requiring that the DPP, upon acceptance of an application for a second joint development, send notice of the application to owners of adjacent subdivision lots that are jointly developed under the first joint development, but are excluded from the second joint development.
- D. In re-alphabetized Section 25-5.380A(g), adds a provision that requires that the DPP, upon issuance of a conditional use permit for a second joint development, send notice of such issuance to owners of adjacent subdivision lots that are jointly developed under the first joint development, but are excluded from the second joint development. The CD1 requires such notice to be sent upon acceptance of the application for a second joint development.
- E. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Kathy Sokugawa, Acting Director, Department of Planning and Permitting

Acting Director Sokugawa stated that the Department stand on testimony previously submitted.

The following individual testified:

Joli Tokusato, UNITE HERE Local 5 (oppose) (M-4087)

Bill 62 (2017), CD1 amended to the posted CD2 (OCS2017-0755/7/21/2017 11:37 AM) and reported out for passage on third reading.

AYES: ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.

NOES: None.

Related communication:

M-4087 UNITE HERE Local 5 (oppose Bill 62, CD1 and proposed CD2)

7. BILL 17 (2017)

BUILDING INSPECTIONS. Requiring the periodic inspection of the certain walls and appurtenances of certain buildings.

The following amendment was posted on the agenda:

PROPOSED CD1 TO BILL 17 (2017) (Submitted by Councilmember Ozawa) – The CD1 (OCS2017-0750/7/20/2017 12:09 PM) makes the following amendments:

- A. Amends the definition of "affected building" in proposed new ROH Section 16-\_.1 by adding: "This term does not include a condominium with less than 100 units if the condominium's association has prepared a reserve study pursuant to HRS Section 514B-148, adopted a budget to address upkeep, repair, and maintenance issues identified in the reserve study, and has implemented in a timely manner upkeep, repair, and maintenance measures set forth in the reserve study performed by the association."
- B. Amends proposed new ROH Section 16- .1 to add definitions of "association" and "condominium."
- C. Amends proposed new ROH Sec. 16-\_.2(c) by changing from five years to 10 years, the length of the building re-inspection cycle.
- D. Amends proposed new ROH Sec. 16-\_.2(d) by changing from five years to 10 years, the time period preceding the date of any required inspection for which an owner may apply for an inspection waiver due to exterior wall restoration.
- E. Amends proposed new ROH Sec.16-\_.3(a) by changing from five years to 10 years, the preceding time period for which a retained professional must review reports, inspections, and evidence of repairs, including confirmation of any required remediation.
- F. Deletes proposed new ROH Sec. 16- .4(b)(9) and renumbers subsequent subdivisions.
- G. Amends proposed new ROH Sec. 16- .5(b) to provide that after an unsafe condition has been corrected, the professional must re-inspect the building and file with the building official a certification that the unsafe condition has been corrected, or a notice of deficient corrective action.

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- H. Adds a new ROH Sec. 16- .5(c) to provide that if the building official does not receive a timely safety certification, or receives a notice of deficiency, the owner of the building will be subject to the violation and penalty provisions in Article 10 of the Building Code.
- I. Amends proposed new ROH Sec. 16- .6(a) to provide that after the conditions that are designated "safe with a repair and maintenance program" have been corrected, the professional must re-inspect the building and file with the building official either a certification that the condition requiring a repair and maintenance program has been corrected, or a notice of deficient corrective action.
- J. Adds a new ROH Sec. 16- .6(b) to provide that if the building official does not receive a timely safety certification, or receives a notice of deficiency, the owner of the building will be subject to the violation and penalty provisions in Article 10 of the Building Code.
- K. Makes miscellaneous technical and nonsubstantive amendments.

The following amendment was circulated at the meeting:

PROPOSED CD1 TO BILL 17 (2017) (Submitted by Councilmember Fukunaga) -  
The CD1 (OCS2017-0876/8/21/2017 3:08 PM) makes the following amendments:

- A. Amends the definition of "Affected building" in proposed new ROH Sec. 16-\_.1 by adding: "This term does not include a condominium whose association has prepared a reserve study pursuant to HRS Section 514B-148, adopted a budget to address upkeep, repair, and maintenance issues identified in the reserve study, and has implemented in a timely manner upkeep, repair, and maintenance measures set forth in the reserve study performed by the association. For the purposes of this article, "condominium" and "association" mean the same as defined in HRS Section 514B-3."
- B. Amends proposed new ROH Section 16-\_.2(a) by providing that the inspection requirement is applicable to the owner of each affected building that is used primarily for commercial use and is open to the general public
- C. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Tim Hiu, Deputy Director, Department of Planning and Permitting

In response to Committee Chair Pine, Deputy Director Hiu stated that Councilmember Fukunaga's proposed CD1 is more acceptable to the Department.

The following individuals testified:

1. Richard Port (comments/support Councilmember Fukunaga's CD1 (M-4064)
2. Louise Black (oppose CD1) (M-4090)
3. Lynne Matusow (oppose Bill 17) (M-4098, M-4099, P-25)
4. Sandy Wong (comments/support Councilmember Fukunaga's CD1)
5. Lourdes Shibert (comments)

Committee Chair Pine deferred consideration of the Bill until the introducers of the Bill were present.

Committee Chair Pine moved to the next agenda item.

8. BILL 43 (2016) – COMMITTEE REPORT 333

PLUMBING CODE. Updating the Plumbing Code of the City and County of Honolulu. (Consecutive referral to Zoning and Housing)

Administration/Others

Tim Hiu, Deputy Director, Department of Planning and Permitting

There was no public testimony.

Deputy Director Hiu requested the opportunity to submit revisions to the Code.

Bill 43 (2016) reported out for passage on second reading and scheduling of a public hearing.

AYES: ELEFANTE\*, KOBAYASHI, MANAHAN, PINE – 4.  
NOES: None.  
EXCUSED: ANDERSON - 1.

\*Committee Member Elefante voted aye with reservations.

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Related communications:

- CR-184 Referring Bill 43 (2016) to the Committee on Zoning and Housing pursuant to the consecutive referral.
- M-4109 Reginald Castanares, Plumbers and Fitters Local 675 (support)

At this juncture, the Committee Chair returned to agenda Item No. 7 for further discussion.

FOR ACTION

7. BILL 17 (2017)

BUILDING INSPECTIONS. Requiring the periodic inspection of certain walls and appurtenances of certain buildings.

Continuation of individuals that testified:

- 6. Jane Sugimura, Hawaii Council of Association of Apartment Owners (oppose Bill 17/support Councilmember Fukunaga's CD1) (M-4106)
- 7. Kevin Carney, EAH Housing (comments)

Councilmember Fukunaga requested that the testifiers reiterate their testimony to determine whether their concerns are being addressed in the Bill.

Committee Chair Pine noted that most of the testifiers from the Associations supported the CD1 version submitted by Councilmember Fukunaga.

Councilmember Fukunaga invited the testifiers to meet with her and requested that action on the Bill be deferred to allow her office the opportunity to address concerns and to work on an amendment for the Committee's consideration.

Action on Bill 17 (2017) deferred.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, PINE – 4.

NOES: None.

EXCUSED: ANDERSON - 1.

Related communications:

- M-4064 Richard J. Port (comments)
- M-4088 Bruce Anderson (oppose)
- M-4089 Virginia Aycock (oppose proposed CD1; exclude condos)

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- M-4090 Louise Black (oppose proposed CD1; exclude residential condos)  
M-4091 Dante Carpenter, Director, Country Club Village, Phase 2 Association of Apartment Owners (AOAO) (oppose)  
M-4092 Chris Fogle (oppose)  
M-4093 Galen Fox (oppose Bill 17 proposed CD1; exclude condos)  
M-4094 Walter K. Horikoshi (oppose Bill 17 and proposed CD1; exclude condos)  
M-4095 Michael Lakey, Association of Owners of Kukui Plaza (oppose proposed CD1; exempt condos)  
M-4096 Bonnie Lau (oppose)  
M-4097 Mark Luppino (oppose)  
M-4098 Lynne Matusow (oppose)  
M-4099 "City Council Bill 17 Building Inspections Survey Results", submitted by Lynne Matusow.  
M-4100 Annamaria Miru; AOAO Foster Tower and self (oppose)  
M-4101 Sharon Moriwaki (oppose Bill 17 and posted proposed CD1)  
M-4102 John Parkinson (oppose proposed CD1; exclude residential condos)  
M-4103 Stephen Reichard (oppose)  
M-4104 James Simmons, President, Honolulu Tower Association of Apartment Owners (support Councilmember Fukunaga's proposed CD1)  
M-4105 Katherine Stringham (oppose)  
M-4106 Jane Sugimura, Hawaii Council of Associations of Apartment Owners doing business as (DBA) Hawaii Council of Community Associations (oppose with comments)  
M-4107 Ben Tran (oppose)  
M-4108 Douglas Valenta (oppose)  
P-25 Petition - 54 signatures (oppose), submitted by Lynne Matusow.

9. RESOLUTION 17-228 – COMMITTEE REPORT 338

HAWAII SUBMARINE FIBER-OPTIC CABLE LANDING. Granting a Special Management Area Use (SMA) Permit and Shoreline Setback Variance (SSV) for the Hawaiki submarine fiber-optic cable landing at Kapolei. (Applicant: Hawaiki Submarine Cable USA, LLC) (Current deadline for Council action: 10/11/17)

The following amendment was circulated at the meeting:

PROPOSED CD1 TO RESOLUTION 17-228 (Submitted by Councilmember Pine) – The CD1 (OCS2017-0879/8/22/2017 1:33 PM) makes the following amendments:

- A. In the first WHEREAS clause, clarifies the description of the Project.

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- B. In the last WHEREAS clause, adds August 16, 2017 as the date the Council received the DPP's findings and recommendations via Departmental Communication 607 (2017).
- C. In Condition D, provides that results of the survey conducted by the qualified biologist to determine the presence and location of the Hawaiian hoary bat or waterbird nesting areas must be submitted to the USFWS.
- D. In Condition E, adds a standard procedural provision relating to an extension of the initial deadline set by the Council for the Applicant to obtain a development permit that exceeds one year.
- E. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Kathy Sokugawa, Acting Director, Department of Planning and Permitting  
Tiffany Agostini, Agent, Tetra Tech, Inc.  
Steve Brock, Consultant, Hui 'A'a, LLC

Mr. Brock provided an overview of the project and the community outreach performed. He noted that the system would provide connectivity between international businesses, Hawaii and the U.S. mainland, and would facilitate economic growth in Hawaii, as detailed in Communication M-4110.

In response to Committee Member Elefante, Mr. Brock stated that the project should be completed by March 2018.

Acting Director Sokugawa reported that the Department recommends approval of the SMA with standard conditions regarding lighting, archeological impacts, and impact on certain species. She noted that the permit is only for the shoreline area on land and the rest of the project is under the purview of the Department of Land and Natural Resources.

The following individual testified:

Rosa White, Chief Financial Officer, DRFortress, LLC (support) (M-4112)

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Resolution 17-228 amended to the handcarried CD1 (OCS2017-0879/8/22/2017 1:33 PM) and reported out for adoption.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, PINE – 4.  
NOES: None.  
EXCUSED: ANDERSON - 1.

Related communications:

D-607 Department of Planning and Permitting, transmitting draft resolution.  
M-4110 Tetra Tech, Inc. submitting copy of presentation on the Hawaiiki Submarine Cable System Route.  
M-4111 Glenn Wakai, Senator, Chair Committee on Economic Development, Tourism and Technology, State of Hawaii (support)  
M-4112 Rosa White, Chief Financial Officer, DRFortress, LLC (support)

SUNSHINE ITEM

RESOLUTION 17-198 – COMMITTEE REPORT 337

ILLEGAL USE OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL ZONING DISTRICTS. Urging the Director of Planning and Permitting to increase enforcement and propose any modifications to the Department's administrative rules or legislation the Director deems necessary to address the problem of the illegal use of large residential structures in residential zoning districts.

Administration/Others

Kathy Sokugawa, Acting Director, Department of Planning and Permitting  
(DPP)

Tim Hiu, Deputy Director, DPP

Councilmember Ozawa, explained that he introduced the Resolution due to the increased complaints regarding large residential structures.

Acting Director Sokugawa testified that the Department supports the Resolution. She acknowledged that large residential structures may have a different purpose in residential zoning districts and the DPP is concerned with the effect on neighborhood parking

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The following individuals testified:

1. Missy Ma'i'i (support with comments)
2. Connie Moore (support with comments (M-4114)
3. Karyl Garland (comments) (M-4113)
4. James Manaku (comments)

The following were discussed by the Committee:

- Third party reviewers;
- Issues with enforcement and regulations; and
- Economic and business gentrification.

In response to questions from committee members, Acting Director Sokugawa provided the following information:

- A building permit cannot be denied based on an assumption that the structure may be used illegally. If the codes are met, the Department is required to issue the permit.
- Enforcement is complaint driven.
- The Department has issued violations for units with more than five unrelated people living in the structure.
- It would be optimum to be able to inspect the units once they are occupied to determine occupancy.

Councilmember Ozawa requested reports on the results of investigations with structures containing more than ten bedrooms in his district.

Committee Member Anderson noted that property owners have the right to build as high as allowable as long as the Land Use Ordinance is followed; however, he shares the concerns of the community when rules are not followed.

Committee Member Kobayashi, thanked the DPP for their efforts to stop illegal rentals.

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Resolution 17-198 reported out for adoption.

AYES:           ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE – 5.  
NOES:           None.

Related communications:

M-4068       Keith Watanabe, Architect State of Hawaii 1981, Master of  
              Architecture with Urban Design Certificate 1978 (support)  
M-4069       Donna P. Shimabuku (comments)  
M-4113       Karyl Garland (oppose McMansions)  
M-4114       Connie Moore (support)  
P-24         Petition – 148 signatures (urging City to address “big house” issue)

FOR DISCUSSION ONLY

10. RESOLUTION 17-221 – IPD-T FOR THE 1500 KAPIOLANI CONDO-HOTEL AND RESIDENTIAL DEVELOPMENT PROJECT. Approving a conceptual plan for an interim planned development-transit project (IPD-T) for the development of the 1500 Kapiolani Condo-Hotel and Residential Development Project. (Applicant: Manaolana AREP III Holdings, LLC) (Current deadline for Council action: 10/13/17)

Administration/Others

Kathy Sokugawa, Acting Director, Department of Planning and Permitting (DPP)  
Keith Kurahashi, Agent, R.M. Towill Corporation, Planning Consultant  
James Ratkovich, Applicant Manaolana AREP III Holdings, LLC  
Randy Shortridge, Architect, AU Workshop  
Kevin Carney, EAH Housing

Mr. Kurahashi provided an overview of the project which proposes a mixed-use project to include a condo-hotel with penthouse residential units, affordable rentals, and commercial establishments, as detailed in Communication M-4115.

Mr. Ratkovich addressed the community benefits of the project, as detailed in Communication M-4115.

Mr. Shortridge provided an overview of the tropical high-rise design which creates an open, green and friendly space. The project focuses on the concept of complete streets, Transit Oriented Development (TOD) planning and maintaining the character of Kapiolani Boulevard with overhanging trees.

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The developer has partnered with EAH Housing, a nonprofit company that develops and manages affordable rental projects. Mr. Carney reported that the affordable housing project would be financed with tax credits and the use of the Affordable Housing Fund.

In response to committee members, the following information was provided by Mr. Kurahashi and representatives of the project:

- There would be 68 affordable units at 80% average median-income and below for 30 years.
- The park dedication would be met by providing areas within the building and on the ground floor.
- There would be 444 condo units and six residential penthouse units for sale.
- The DPP required that 487 parking stalls be provided, which is less than the amount the developer offered to provide.
- There should be sufficient parking when the rail reaches Ala Moana.
- There would be a bike-sharing program, and a car-sharing program is being discussed.
- The developer would disclose to potential buyers that the rail would be traveling down Kapiolani.
- The developer is currently in negotiations with the abutting property owners regarding the safety and prevention of damage to the abutting property during construction.

Acting Director Sokugawa stated that the Administration supports the project and believes it is an iconic project and catalytic for the neighborhood.

The following individuals testified:

1. Ann Bouslog, PBR Hawaii & Associates, Inc. (support) (M-4116)
2. Joli Tokusato, UNITE HERE Local 5 (oppose) (M-4126)
3. Ryan Wells (support)
4. JR Padascao, Hawaii Regional Council of Carpenters (HRCC) (support)
5. Dione Kalaola, HRCC (support)
6. Charles D. Hunter, Kobayashi, Sugita & Goda, LLP (comments) (M-4123)

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7. Ayako Ancheta (support)
8. Donna Walden (comments)

Committee Member Anderson explained that projects located in TOD areas require less parking stalls due to their location to the mass transit system. He expressed support for the affordable housing for seniors which would allow them access to the many amenities in the area and was pleased with the developer's partnership with EAH Housing.

Committee Member Kobayashi expressed concern over the lack of adequate parking for commercial spaces and that she hoped additional parking would be accommodated.

Councilmember Elefante spoke in support of the project and echoed Councilmember Anderson's comments. He reported that he filed Disclosure of Interest Statements. (Communications CC-291, CC-292, CC-293)

Committee Chair Pine suggested that upcoming projects should partner with non-profits to provide affordable units.

Committee Member Manahan stated that the project should serve as a template for future developments along the TOD areas.

Related communications:

CC-291	Councilmember Elefante, filing a Disclosure of Interest Statement.
CC-292	Councilmember Elefante, filing a Disclosure of Interest Statement.
CC-293	Councilmember Elefante, filing a Disclosure of Interest Statement.
CC-294	Councilmember Elefante, filing a Disclosure of Interest Statement.
CC-295	Councilmember Elefante, filing a Disclosure of Interest Statement.
D-602	Department of Planning and Permitting, transmitting draft resolution.
M-4115	R.M. Towill Corporation, submitting copy of PowerPoint presentation.
M-4116	Ann Bouslog, Project Director, PBR Hawaii
M-4117	Kamana'opono Crabbe, Ph.D, KaPouhana, Chief Executive Officer, Office of Hawaiian Affairs (comments)
M-4118	Christopher Delaunay, Government Relations Manager, Pacific Resource Partnership (support)
M-4119	Tyler Dos Santos-Tam, Executive Director, Hawai'i Construction Alliance (support)
M-4120	Hawaii Regional Council of Carpenters (HRCC) (support)
M-4121	Ryan K. Kobayashi, Government and Community Relations Director, Hawaii Laborers Union Local 368, LiUna! (support)

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- M-4122 Jean Lilley, Executive Director, Habitat for Humanity (support)  
M-4123 Johnathan S. Moore and Charles D. Hunter, Kobayashi, Sugita & Goda, LLP on behalf of The Owners of 1538 Kapiolani Boulevard (comments)  
M-4124 George S. Massengale (support)  
M-4125 Pane Meatoga III, Community Liaison, Hawaii Operating Engineers Industry Stabilization Fund (support)  
M-4126 Joli Tokusato, UNITE HERE Local 5 (oppose)  
M-4127 UNITE HERE Local 5 (oppose)  
M-4128 Lucien Wong, EAH (support)

INFORMATIONAL BRIEFING

11. UPDATE BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND PERMITTING REGARDING THE STATUS OF ALL PENDING LAND USE ORDINANCE (LUO) AMENDMENTS.

Administration/Others

Kathy Sokugawa, Acting Director, Department of Planning and Permitting

There were no public testifiers.

Acting Director Sokugawa provided the Committee with the Department's update, as detailed in Communication D-620.

Related communication:

- D-620 Department of Planning and Permitting, submitting "Status of LUO Amendments sent to DPP via City Council Resolutions" update report.

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ADJOURNMENT

There being no further business, the meeting was adjourned at 11:57 a.m.

Respectfully submitted,

GLEN I. TAKAHASHI  
City Clerk

cn

DATE APPROVED

September 28, 2017