



## HOUSE OF REPRESENTATIVES

STATE OF HAWAII  
STATE CAPITOL  
HONOLULU, HAWAII 96813

August 9, 2013

Hawaii Community Development Authority  
Attn: Mr. Brian Lee, Chair  
461 Cooke Street  
Honolulu, HI 96813

Dear Chair Lee:

Many thanks to you and Mr. Anthony Ching, HCDA Executive Director, for participating in the July 30th "Kakaako Master Plan Update" Town Meeting held at the State Capitol Auditorium. As evidenced by the 200 plus people in attendance, there is intense interest and deep concern within the community about ongoing and future development in Kakaako.

There were over 150 questions and comments submitted by the attendees. Unfortunately, time ran out before all could be posed to Mr. Ching, so we appreciate your willingness to accept and respond to a consolidated list of questions. In furtherance of community outreach, it would be useful to have the questions posted along with the requisite responses on HCDA's website.

My fellow lawmakers and I, along with community residents, look forward to continued dialogue with HCDA.

Should you have any questions or concerns, please contact me at 586-8485. Thank you very much.

Sincerely,

"

Representative Scott K. Saiki  
District 26

Attachment

Cc: Senator Brickwood Galuteria  
Representative Della Au Belatti  
Councilmember Carol Fukunaga

Senator Suzanne Chun Oakland  
Representative Tom Brower  
Councilmember Ann Kobayashi

## QUESTIONS FROM KAKAAKO COMMUNITY MEETING

July 30, 2013 • State Capitol Auditorium • 5:30 - 7:30 p.m.

### Kakaako Mauka Master Plan

1. **Q:** How will HCDA ensure that developers strictly follow the requirements of individual landowner's master plans (e.g., Kaiaulu O Kakaako-KSBE and Ward Neighborhood-Howard Hughes) if those plans have different requirements from the Kakaako Mauka Master Plan?

**A:** *The KSBE and Ward Neighborhood Master Plans have already been found by the Authority to be consistent with the Kakaako Mauka Master Plan. Individual projects associated with either the KSBE or Ward master plans are reviewed when a planned development project application is submitted to the HCDA. A planned development is an individual project, which is subject to a minimum of two separate public hearings. Each development permit is thoroughly reviewed by the HCDA for compliance with the Mauka Area Plan and Rules and the master plan requirements prior to consideration by the Authority.*

2. **Q:** How does the current Kakaako Mauka Master Plan meet the needs of Honolulu's growing senior population? Will there be enough affordable housing to meet senior housing demands?

**A:** *Although senior housing is not specifically addressed within the Kakaako Mauka Area Plan and Rules, the HCDA has in partnership with the Hawaii Housing Finance and Development Corporation (HHFDC) developed senior housing projects within the Kakaako Community Development District (KCDD). There are all together 490 senior rental units in the District in three different facilities (e.g., Pohulani, Na Lei Hulu Kupuna and Honuakaha). There are also other facilities (e.g., Kauhale Kakaako, Kamakee Vista) which serve qualified income households that might include seniors.*

3. **Q:** Does HCDA anticipate property tax increases with the number of increased developments in the Kakaako area? What will HCDA do to keep property taxes from overburdening small property owners with increased property taxes?

**A:** *The Real Property Assessment Division within the Department of Budget and Fiscal Services for the City and County of Honolulu administers the real property tax in Honolulu, which includes property in Kakaako. The HCDA has no statutory authority to address property tax issues. Real property tax rates are set city wide in accordance with property valuations for general categories of land use (e.g., light industrial, business mixed use, residential, multi-family).*

4. **Q:** What specific improvements must developers make to increase the Floor Area Ratio (FAR) to 3.5 for developments in central Kakaako?
- A:** *Any infrastructure that is determined by the Executive Director of the HCDA to be inadequate for the proposed development. Infrastructure improvements to water supply, wastewater distribution, traffic controls and/or drainage improvements are typically featured.*
5. **Q:** What rules or statutory authority did the HCDA follow to allow Victoria Ward-Howard Hughes to add an additional tower of up to 400 feet in height when the Victoria Ward Master Plan (2008) had limits of 300' height and 200' apart (for long and short sides) for the same parcel?
- A:** *Ward neighborhood Master Plan permit is vested under Hawaii Administrative Rules (HAR) Chapter 15-22. The HCDA is required to apply the provisions of HAR Chapter 15-22 in considering any development under the Ward Neighborhood Master Plan. The Master Plan Permit issued for the Ward Neighborhood Master Plan gives flexibility to the permit holder to move uses and buildings within specific land blocks.*
6. **Q:** Does the Kakaako Mauka Master Plan provide for low-income/special needs housing or related opportunities for individuals who are considered disabled and rely solely on social security for their income?
- A:** *Mauka Area Plan and Rules provide provisions for development of housing within the KCDD that is affordable to families with low to moderate income. There is no specific requirement for special needs housing. (See also answer for question #2). However, housing developed by State agencies must be compliant with the requirements of the Americans with Disabilities Act (ADA).*
7. **Q:** Does the HCDA plan to change the height limits for buildings under its TOD Rules overlay proposal?
- A:** *The HCDA is considering increasing density limits on certain specific land parcels that are within walking distance of the transit stations in the district. As a function of using any increase in density, additional height may be granted. A draft transit-oriented development (TOD) plan is available on the HCDA website ([www.hcdaweb.org](http://www.hcdaweb.org)) for public review and comment.*
8. **Q:** Will sidewalks for pedestrian used on Queen Street, Ward Avenue and South Street be available when developments are completed around these locations?

- A:** *Yes. However, portions of Queen Street are privately owned and would have to be acquired in order for public funds to be used for the construction of sidewalks.*
9. **Q:** Where will people park when KSBE redevelops its property at 555 South Street, which is currently a parking lot?
- A:** *The site is currently used for reserved and pay parking patrons. When the site is redeveloped, the developer will be obliged to provide adequate parking to serve the project. There are several public parking garages in the KCDD that are available to the public. There is metered and unmetered street parking too.*
10. **Q:** Has HCDA considered the impacts that high-density developments will have on Honolulu's beaches? If it has done so, what were HCDA's findings?
- A:** *The HCDA prepared an environmental impact statement (EIS) for adoption of the Mauka Area Plan and Rules. Impact to recreational facilities and proposed mitigations are addressed in the EIS. While there are no sandy beaches within the district there are approximately 50 acres of park space within the boundaries of the Kakaako Community Development District.*
11. **Q:** How will HCDA assure that ordinary activities of daily living will occur within walking distance of most residences once residential towers are erected?
- A:** *The Mauka Area Plan and Zoning rules envisions a mixed-use community. Normally, as residential units get built and people move into the district, commercial and retail developments follow to serve the new population, thus providing the necessary services for daily living. Zoning rules promote commercial and retail use at the street level and require developers to construct improvements to a "build to" line that is typically set at the parcel frontage along public streets.*
12. **Q:** What steps has HCDA taken to assure that useful and practical commercial and community enterprises and facilities will be part of the Kakaako redevelopment, and within walking distance of most residents?
- A:** *The development of commercial facilities within Kakaako is a function of market forces and not government. Landowners and merchants have already established several great events that foster community with Kakaako such as Eat the Street, Discover Kakaako, Honolulu Night Market, Art and Flea, Farmers Markets, Discover Kakaako and others. However, the Mauka Area Plan and Rules also require dedication of public facilities as a condition for development in the district. This provides support for the construction of the park, housing and public infrastructure that has been developed in Kakaako.*

13. **Q:** How will HCDA assure that elementary and middle school students will be able to walk or ride a bicycle from their residences to school?

**A:** *The provision of public school facilities is administered by the Department of Education. As part of the TOD Overlay Plan, the HCDA is proposing a complete street plan for the district. Complete streets provide for use of the street by cars, bicycles, pedestrian and other means of transportation in a safe manner.*

### **Reserved and Workforce Housing**

1. **Q:** How many reserved housing units have been sold in the Kakaako Mauka Master Plan development area during the last five years that were available to be purchased by the HCDA? How many of these units were actually purchased by HCDA? How much money has HCDA budgeted to purchase these properties? How many reserved housing units have been developed and where are they located?

**A:** *In 2006, legislation was approved prohibiting the HCDA from selling fee simple interest in any lands in the Kakaako Community Development District (§206E-31.5). In light of this legislation, the HCDA has elected NOT to buy back reserved housing units within Kakaako, because the HCDA cannot resell the units and does not have the resources to manage purchased units.*

*In the past 5 years there have been at least 5 reserved housing units that were available for the HCDA to purchase and resell. The HCDA depends on legislative funding for buying back reserved housing units. Given the statutory prohibition for selling real estate, the HCDA has not budgeted any funds to buy back reserved housing units.*

*518 reserved housing units have been developed so far. There are 203 units under construction, and 1461 units have been permitted.*

2. **Q:** Using the HUD criteria of 100-140% of AMI (\$86,399-120,820), what percentage of Hawaii's households can actually afford "reserved housing"?

**A:** *Data from The State of Hawaii Data Book 2012 indicates that approximately 145,313 households on Oahu can afford reserved housing. This number is approximately 32.6 percent of the total household on Oahu.*

3. **Q:** Why is the HCDA's reserved housing requirement tied to the 100-140% AMI (\$86,399-120,820 income level) rather than 80-100% AMI (\$69,040-86,300 income level) or <60% AMI (\$51,780 income level) if HCDA statutes refer to "increasing low- to moderate-income housing"? What did Executive Director Ching mean when he said, "60% of AMI is where the money is?"

What types of controls has the HCDA implemented in its rules to prevent buyers from reselling reserved housing units to wealthy buyers who would not qualify for such housing?

**A:** *HCDA's reserved housing requirement is not limited to 100-140% of the AMI. It can be any AMI up to a maximum of 140%.*

*What the Executive Director meant is that there is Federal, State, and county funding/subsidies available for developing housing that serves households at 60% or below of the AMI. There is limited (if any) government funding available for developing housing that serves households at 100-140% of AMI.*

*Reserved housing units are regulated for up to 10 years, which means that if an owner of a reserved housing wants to sell the units, the HCDA has the 1st option to purchase. Beyond the regulated period, the HCDA rules have equity sharing provision.*

4. **Q:** If the HCDA's focus is to stimulate the production of housing units for "workforce buyers" at the 100%-140% AMI income level, how does this focus fulfill HCDA's purpose and intent "to establish an increased supply of housing for residents of low or moderate-income" within Kakaako Community Development District, as stated in HCDA Rules §15-218-1 and HRS 206E?

**A:** *Reserved housing and/or workforce housing is just one aspect of what the HCDA is doing in developing affordable housing in the KCDD. The HCDA has worked with other State agencies and private developers to develop affordable housing at and below 80% of the AMI. Some of these projects include Pohulani, Na Lei Hulu Kupuna, Honuakaha, Kauhale Kakaako, Kamakee Vista, all of which are at 80% or below of the AMI. Halekauwila Place (204 units) is a rental property that serves families making 60% of AMI or less. That project is scheduled for completion in the first quarter of 2014.*

5. **Q:** What is the income range for low- or moderate-income housing? Does this income range differ from the workforce income range consisting of 100% up to 140% of the AMI? *SEE HCDA 7-30-13 PRESENTATION FOR RESPONSE.*

**A:** *In the presentation, low-income housing was stated to be affordable for households making less than or equal to 60% AMI and moderately priced housing would be obtainable by a family making less than or equal to 140% AMI.*

6. **Q:** How does the HCDA ensure that units sold as reserved housing are not resold to people earning more than the 100-140% AMI income level (after the 5-year restriction)?

**A:** *Reserved housing units are regulated for up to 10 years, which means that if an owner of a reserved housing wants to sell the units, the HCDA has the 1st option to purchase. Beyond the regulated period, the HCDA rules have equity sharing provision. Equity sharing requires that any difference between the market and initial “reserved” pricing is returned to the State of Hawaii.*

7. **Q:** Why is workforce housing put into the same grouping as reserved housing (e.g., see HCDA 7-30-13 presentation)?

**A:** *Both programs seek to increase housing opportunities to households earning less than 140% of the AMI. However, the provisions of each program are slightly different in their execution.*

8. **Q:** What is the distinction between “workforce” and “affordable” housing, and how many of the projects will be affordable senior rentals, and at what price?

**A:** *Housing available to households earning 100% or below of the AMI is considered as affordable housing by the HCDA. Housing available to households earning between 100-140% of the AMI is considered “workforce” or “reserved” housing by the HCDA.*

*HCDA and HHFDC has previously developed housing specifically targeted for seniors (e.g., Pohulani, Honuakaha, Na Lei Hulu Kupuna). However, it should be noted that seniors with incomes of 60% of AMI are also eligible to occupy any rental units targeting this income range such as the Halekauwila Place.*

9. **Q:** Why does the HCDA restrict sales to households at the median income of \$86,300 when the national definition of “workforce housing” means housing for “essential workers” like policemen (average salary \$57,000), LPN nurses (\$45,000) and retail salespersons (\$25,700)? What is HCDA doing to ensure that Kakaako has housing for “essential workers”?

**A:** *Typically single person households such as you describe do not purchase housing, they rent. It is more usual for two-income households to purchase housing. The qualified income formula is adjusted for households with 1 to “many” household members. Reserved housing is available to households earning 140% or less of the AMI. Reserved housing that has been developed in the KCDD range from AMI of 60% to 140%, covering a broad spectrum of household income.*

10. **Q:** State law requires HCDA to build and manage “low or moderate income housing.” But HCDA is approving “reserved housing” projects that only 3-person households making \$109,000 a year could afford-the top 25 % of Honolulu’s residents. Why is HCDA not following the law and creating “low and moderate income housing” in Kakaako?

**A:** *The HCDA is creating low- to moderate-income housing in the KCDD. The range of reserved housing available in the KCDD is from 60% to 140% of the AMI with household members of one to “many”.*

11. **Q:** 801 South Street is the first “workforce housing” project in Kakaako proposed under the requirements of the 2011 rules. During the first 60 days of sales, if buyers had an income of up to 140% of the median income they could purchase as an owner occupant and be first in line to purchase a unit.

There is no resale or occupancy requirement and “workforce housing” buyers added to the list after the first 60 days have no priority.

How many buyers signed up during the first 60 days as “workforce housing” buyers? How many of these buyers were allowed to select a unit? Of those who selected a unit, how many qualified for financing, paid the 10% deposit and signed a sales contract? Currently, how many buyers are on the waiting list? Of these, how many are workforce buyers and how many are non-workforce buyers?

**A:** *At least 75% of the units were offered as a priority to qualified income households. All units were priced at levels that households with incomes no greater than 140% of AMI could afford. At this time, the developer reports that except for a few of the studio units approximately 75% of the units within the 801 South Street project have been presold to qualified income applicants. The remainder of the units have been presold at the workforce unit pricing. Exact figures are available from the developer.*

12. **Q:** How will HCDA ensure that developers provide affordable housing and mixed income developments as required by law? Why doesn't HCDA provide units reserved for the middle class?

**A:** *The HCDA rules generally require that 20% of all housing constructed in Kakaako is “reserved” for qualified income households. Reserved housing units are intended to serve those households in the gap between affordable and market housing. These households would qualify as being for the middle class.*

13. **Q:** Does HCDA's “first option to purchase” apply to workforce housing as it does to reserved housing? What prevents wealthy parents from assisting a child who meets the 100-140% AMI threshold from living in a unit for 365 days and then selling?

**A:** *The HCDA's first option to purchase does not apply to workforce housing projects. The only way an applicant, including a descendant of a wealthy family, could receive a workforce housing unit is if they qualified and made less than or equal to 140% of the area median income.*

14. **Q:** Why hasn't HCDA informed the public about 801 South Street's second residential tower when preliminary plans are being circulated among state and county agencies?

**A:** *When the first phase of 801 South Street was heard by the HCDA, they described a second phase. The development permit application has been made available for public review on September 1, 2013. Public hearings for the project is scheduled for October 2, 2013 and December 4, 2013.*

15. **Q:** Will HCDA have rules to prevent residential housing from being turned into vacation rental units?

**A:** *Short-term rentals or transient housing projects are not permitted by the HCDA rules in the KCDD.*

### **HCDA Rules and TOD Overlay**

1. **Q:** Why has HCDA not sought community involvement in the form of a TOD advisory council to provide input/feedback on HCDA's TOD development recommendations? Will it do so when the TOD designs for each anticipated rail station in Kakaako are developed?

**A:** *The HCDA has reached out to the community stakeholders regarding the TOD Overlay. The draft TOD Overlay Plan for the KCDD is available for review and comments. A copy of the plan can be obtained from the HCDA website by going to [www.hcdaweb.org](http://www.hcdaweb.org). A second phase of the community outreach process will be conducted as the Environmental Impact Statement for the TOD overlay as there are formal comment requirements. There will also be another phase during the rulemaking process. At each point in the process, there will be outreach to stakeholders and the general public.*

*The HART process for their rail stations is separate. This process will cover station design only.*

2. **Q:** How does 690 Pohukaina provide an exemplary public benefit when the excess reserved housing is being sold to market housing developers to offset their reserved housing obligations?

**A:** *The developer is proposing rental units at 50% of AMI in the project and committing to keep these units affordable at 50% of AMI for a period of 45 years or more, which is a considerable public benefit. The developer is seeking credit only for excess reserved housing units it is developing that is not otherwise required for the project. There is no loss of reserved housing units when these units offset the reserved housing requirement for other projects. It in fact creates reserved housing units far in advance of other projects being constructed.*

3. **Q:** Please explain “*developer-paid impact fees.*” How much are these fees? How are they used?

**A:** *Any school impact fees will be established by the Department of Education (DOE) and will be used for education purposes. The DOE is in the process of determining these fees, but the HCDA requires developers within the development districts to comply with DOE requirements. Other agencies such as the Board of Water Supply, Departments of Transportation Services/Environmental Services and/or Transportation.*

4. **Q:** How does Kakaako redevelopment stop sprawl? What is the vision for the Kakaako Mauka Area Plan?

**A:** *The vision for the Kakaako Mauka Area Plan is to redevelop Kakaako into a dense urban community that virtually everything that a member of the community will need will be within walking distance. Each development built in Kakaako and Honolulu’s urban core is one less development built out in the sprawling suburbs.*

*It is estimated that during the next 2-5 years that as many as 5,000 residential units might be constructed in Kakaako Mauka. Alternately, the Koa Ridge development will use 576 acres for approximately 3,500 units. The Kakaako redevelopment would eliminate the need for approximately 1.5 Koa Ridge type developments and the use of approximately 750 acres of land.*

5. **Q:** Why is HCDA not using the same TOD planning and zoning requirements that the City uses? Please identify the standards used by HCDA to develop its TOD proposal.

**A:** *The HCDA is developing a set of TOD regulations separate from, but integrated with, the City and County of Honolulu’s TOD regulations because the HCDA has planning and zoning jurisdiction within Kakaako. [The draft TOD plan is available on HCDA website \(www.hcdaweb.org\)](http://www.hcdaweb.org) for public review and comment.*

*It is our belief that the standards already in place and proposed in the TOD overlay represent the best practice as evidenced by what has established in other jurisdictions.*

6. **Q:** Why does HCDA’s proposed TOD overlay allow density five times what the City permits? What is HCDA’s justification for allowing buildings that will be higher than City TOD height limits?

**A:** *The Business Mixed Use (BMX-4) zoning in the City Land Use Ordinance (LUO) is comparable in land use/density and height currently established in the*

***KCDD. The LUO permits a density of 7.5 in the Business Mixed Use District (BMX-4). The KCDD TOD Overlay Plan is proposing a maximum density of up to 12 on some parcels included in the TOD overlay. The density in the TOD overlay counts parking as floor area where as the City's density excludes parking. Therefore, the proposed density of 12 in the draft TOD plan is comparable to the currently maximum allowable density specified in the LUO.***

***The City has not yet completed development of its TOD plan. It is expected that increased density and height will be allowed within its plan. The City has not yet proposed what its TOD height limit will be for urban areas such as Ala Moana.***

7. ***Q:*** Why is HCDA proposing a “TOD Rules Overlay” and not integrating its TOD plans with the 2011 Mauka Area Plan that applies to existing residents and businesses?
- A:*** ***HCDA’s proposed TOD plan is well integrated with the Mauka Area Plan.***
8. ***Q:*** Will HCDA listen to public opposition regarding buildings taller than 400 feet? How does HCDA factor in public opposition in its decision-making process?
- A:*** ***The HCDA takes into all public comments in making its decision regarding adoption of plan and rules and approval of development permit applications.***
9. ***Q:*** Did the HCDA provide opportunities for community input when developing the TOD overlay plan? If HCDA did not provide for community input, why not?
- A:*** ***The TOD plan is in draft form. The draft TOD plan is available at the HCDA website ([www.hcdaweb.org](http://www.hcdaweb.org)) for public review and comment.***
10. ***Q:*** To what extent has the proposed TOD Overlay Plan taken into consideration the community input provided for the Mauka Area Plan and Rules adopted in 2011?
- A:*** ***The Mauka Area Plan form the basis of the draft TOD Overlay Plan. We seek to ensure that the specifications of the 2011 rules calling for a compact walkable community is further implemented by the TOD Overlay Plan.***
11. ***Q:*** How did the HCDA develop its TOD overlay plan? What developers and what community stakeholders were involved in developing the TOD overlay plan? How many of those involved in developing the TOD plan were residents of Kakaako?
- A:*** ***The draft TOD Overlay Plan is available on the HCDA website ([www.hcdaweb.org](http://www.hcdaweb.org)) for public review and comment. The TOD Overlay Plan is***

*in draft form and subject to the extensive public participation that is required for plan, EIS and rulemaking.*

12. **Q:** When did HCDA submit an EIS Preliminary Notice for the TOD overlay proposal?
- Did it provide community representatives like neighborhood boards and elected officials with notice at that time so they could comment on the plan?
- A:** *An EIS PN for the TOD Overlay Plan was published in the Office of Environmental Quality Control, Environmental Notice on December 23, 2012. All parties that are required by HRS, Chapter 343, and HAR, Title 11, Chapter 200 were notified of the EIS PN publication.*
13. **Q:** What is the timeline for the TOD Environmental Impact Statement and what is its current status? Can the community still comment on the TOD EIS? How can the community provide comments? Who should comments be addressed to?
- A:** *The HCDA is preparing the draft EIS. The draft EIS is expected to be published in late October or early November 2013. Hawaii Revised Statutes (HRS) Chapter 343 provides for a 45-day public comment period following the publication of the draft EIS. A copy of the draft EIS can be obtained by going to the Office of Environmental Quality Control (OEQC) at <http://health.hawaii.gov/oeqc/> when it is published. It can also be obtained from the HCDA website at [www.hcdaweb.org](http://www.hcdaweb.org). Hard copies of the draft EIS will also be available at the main Public Library and the Hamilton Library at the University of Hawaii as required by OEQC rules.*
14. **Q:** Is the HCDA applying both 2005 and 2011 Mauka Plan Rules to approve projects? If yes, what projects have been approved using both the 2005 and 2011 Mauka Area Plan Rules? What legal authority allows HCDA to approve projects under both 2005 and 2011 Mauka Area Plan Rules?
- A:** *The Ward Neighborhood Master Plan and the Kaiaulu O Kakaako Master Plan were approved and vested under the 2005 rules (Chapter 22). Therefore, the HCDA is required to consider all development projects within those master plan permits under the 2005 rules. Other development projects are reviewed and approved under the 2011 rules (Chapter 217). HRS, Section 206E-4 provides the legal authority for the HCDA to develop and implement community development plan and rules.*

## **VariANCES and Modifications**

1. **Q:** What standards or measurements are used by the HCDA when reviewing or approving modifications authorized under its “workforce housing” rules?

Are HCDA standards similar to City standards for modifications or variances?  
How are they different?

**A:** *The HCDA utilizes the provisions of Mauka Area Rules, Section 15-217-80(d)(1) in reviewing any modification request. The City and County utilizes the provisions of Revised Charter of Honolulu, Section 6-1517 in considering a variance.*

2. **Q:** If HCDA is trying to reduce car usage, why does the HCDA allow for height variances for building podiums?

**A:** *A developer can choose to provide more parking without increasing the podium height by just using a larger footprint for parking garage. Consideration of requests for modification of podium height take into account several factors. Subsurface conditions, existence of potential subsurface archaeological materials, commercial or retail uses at the ground floor are some of the factors considered in reviewing a modification request. Increase in podium height does not necessarily increase the number of parking stalls.*

3. **Q:** Does the HCDA use the City's Zoning Variance Guidebook's principle that states variances should be difficult to obtain? How does HCDA determine whether a variance have an adverse effect upon the surrounding neighborhood?

**A:** *Mauka Area Rules, Section 15-217-82 provide the provisions for considering a variance request.*

4. **Q:** Why did the HCDA approve the 404 Ward project when the spacing between buildings or towers was less than the required 300' distance? Was this considered a modification to the rules? Why or why not?

**A:** *The HCDA 2005 (Chapter 22) rules provide that to the extent practicable, tower spacing shall be at least 300 feet between the long parallel side of neighboring towers. Given the physical dimensions of the 404 Ward parcel and other setback requirements, it is not "practicable" for the 404 Ward parcel to support the 300 feet tower separation distance. Given the allowance that the tower separation distance is to the "extent practicable" there is no absolute requirement on tower separation.*

5. **Q:** How does the HCDA quantify and determine the cumulative impact of any combination of variances?

**A:** *Variances are considered on a case-by-case basis.*

6. **Q:** Will future building projects seeking variances of more than 200 feet be approved?
- A:** *A variance or modification in building height can only be requested where the project involves the construction of “workforce housing”. Otherwise a modification of building height is not allowed. The HCDA will only approve variances if they meet the required findings of fact specified in Section 15-217-82 of the Mauka Area Rules.*
7. **Q:** How is HCDA going to uphold its Mauka Area Plan view corridors? Ward’s Master Plan shows an intrusion into the Kamakee Street view corridor as a result of its self-imposed hardship; does this self-imposed hardship justify an intrusion?
- A:** *The Authority decided on August 21, 2013 that the proposed project on Land Block 2 of the Ward Neighborhood Master Plan shall not encroach in the view corridor and that the required view corridor distance shall remain. This decision resulted in a condition on the permit that requires any future development across Kamakee Street to be setback a greater distance in order to maintain the view corridor.*
8. **Q:** What must developers do to obtain a height variance for a new residential building?
- A:** *See answer to question #6 above. A variance or modification in height can only be requested where it involves the construction of workforce housing.*
9. **Q:** What criteria is HCDA using to evaluate minor modifications - e.g., is there a requirement that the modification will improve the development project?
- A:** *For development projects vested under the 2005 rules (Chapter 22), Sections 15-22-22, 15-22-88, and 15-22-120 establish the criteria for considering a modification request. 2011 rules (Chapter 217 and 218) do not have a provision for modification, except for qualifying Workforce Housing.*
10. **Q:** What will HCDA do to assure that reasonable modifications are allowed to improve Kakaako?
- A:** *Provisions of Section 15-22-22, 15-22-88, and 15-22-120 of the 2005 rules are taken into consideration in considering modification request for development projects vested under the 2005 rules. Provisions of Section 15-217-80(d) are taken into consideration in considering modification request for qualified Workforce Housing projects.*

## Infrastructure

1. **Q:** What infrastructure impact fees are developers required to pay for the strains their projects may inflict on the Kakaako development area? What is HCDA doing to assess and enforce impact fees upon developers?

**A:** *The HCDA has established improvement district (ID) projects that are targeted to improve the infrastructure within Kakaako. Several ID projects have already been completed. When the ID projects are planned and implemented, adjacent land is assessed and a portion of the improvement costs are paid for by the adjacent and benefitting land owners. The HCDA development permit rules requires that developers are responsible for any and all infrastructure improvements required for their project.*
2. **Q:** What public facility dedications for open space/parks are developers required to provide under the 2011 Mauka Area Plan and Rules?

**A:** *Applicable Improvement and Development projects are required to provide equivalent to a minimum of 3% of the total commercial floor area and 4% of the total residential floor area, exclusive of floor area devoted to reserved housing, as public facilities land dedication. As an alternative to the dedication requirement, an in-lieu fee payment may be authorized.*
3. **Q:** Are developers required to pay for infrastructure improvements related to their developments? How much must they pay for such improvements? Will the taxpayer have to share the costs for improvements? If so, how much of that cost will taxpayers incur?

**A:** *Developers are required to make any improvements necessary in order for the infrastructure to support their proposed development.*
4. **Q:** What infrastructure upgrades must be completed before a developer starts building a project?

**A:** *The requirement for infrastructure upgrades are reviewed on a project-by-project basis. There may be situations where the infrastructure is sufficient and no improvements are necessary.*
5. **Q:** What is being done to ensure that Oahu's landfills could absorb an increase in solid waste associated with Kakaako developments?

**A:** *The City and County of Honolulu manages the waste within Kakaako. The HCDA sends copies of the drawing set over to the City and County of Honolulu for their review prior to approval of any development project.*

6. **Q:** What is being done to ensure that the Sand Island sewage treatment plant is able to absorb an increase in sewage relating to more developments in Kakaako?
- A:** *The infrastructure capacity for Kakaako was analyzed within the Mauka Area EIS. In addition to the EIS, each individual project is reviewed to confirm that there is infrastructure capacity to sustain the project prior to or as a condition on the project's approval. As any improvement to the Sand Island sewage treatment plant would benefit all users of the plant, the cost for such improvements would have to be borne by all rate payers.*
7. **Q:** Can the current sewage infrastructure handle the planned developments? What upgrades need to be made?
- A:** *Some sewage infrastructure improvements are being made as a part of the Ward Neighborhood Master Plan and hundreds of millions of dollars (approximately \$215M) have already been invested into improving Kakaako's infrastructure over the course of 12 improvement district projects. Other upgrades might necessarily be required as projects throughout the city are reviewed and approved.*
8. **Q:** How does HCDA ensure that an adequate amount of water is available to service proposed developments in the Kakaako area?
- A:** *The HCDA is in direct communication with the City and County of Honolulu's Board of Water Supply and provides them with project information to review prior to approving any development permit application. An April 2013 BWS report indicates that the authorized total pumpage for all six Honolulu water districts is 191.71 mgd and the pumpage is 129.53 mgd. The authorized use for Honolulu is 45.27 mgd and pumpage is 34.66 mgd.*
9. **Q:** How will HCDA ensure that an adequate amount of schools are available to absorb an increase in population due to future developments in Kakaako? Is HCDA going to provide land for schools? Are developers going to build schools in Kakaako? Where will they build schools?
- A:** *The DOE is the sole arbiter of public school facilities. The HCDA is discussing this matter with the DOE since they are the most aware of the overall need for school facilities in the area. The HCDA requires that any new development must comply with any DOE requirements, including but not limited to any impact fees or facility requirements that they may impose.*
10. **Q:** How will HCDA ensure that an adequate amount of supermarkets are available to service a growing population associated with proposed developments in Kakaako?

- A:** *The HCDA has talked with area grocers as well as Kakaako developers and landowners. There is a mutual interest to provide a full service grocery store and Kakaako will likely have one in the near future. The HCDA encourages a mix of land uses and definitely encourages the development of a supermarket that will meet the needs of the community. A typical full service grocery store occupies 35-40,000 sf and serves a population greater than the 12,000 residents of Kakaako. The projected growth in population for Kakaako will likely support the development of a full service grocery.*
11. **Q:** Can the Ala Moana pumping station absorb the impacts of more sewage associated with an increase of developments in the Kakaako area?
- A:** *Infrastructure capacity for Kakaako was analyzed within the Mauka Area EIS. In addition to the EIS, each individual project is reviewed to confirm that there is infrastructure capacity to sustain the project prior to or as a condition on the project's approval.*
12. **Q:** How will the HCDA improve the current traffic congestion in the Kakaako when the agency plans to approve more developments?
- A:** *The overall goal for Kakaako is to make it an urban, mixed use, walkable neighborhood. The HCDA's goal of providing plenty of the community's required amenities and services with the district will encourage people to walk instead of drive. Current levels of congestion on regional transit corridor (e.g., Ala Moana Boulevard, Ward Avenue and Piikoi Street) are a function of through traffic and not neighborhood traffic. Solutions to regional traffic congestion include establishing walkable communities and constructing transit systems such as HART and modes of transportation that do not only cater to cars.*
13. **Q:** Has HCDA considered the traffic impacts upon the entire Kakaako development region, in anticipation that proposed developments will be approved and built?
- A:** *The HCDA has prepared a regional traffic study as part of the EIS for the Mauka Area Plan. It is available at the OEQC website. In addition, the HCDA requires developers to prepare a traffic impact assessment report (TIAR) for each individual development project.*
14. **Q:** Isn't it true that the current infrastructure in Kakaako will not be able to accommodate proposed developments? When were the last infrastructure improvements made in Kakaako?
- A:** *The last improvement district, which improved infrastructure within Kakaako took place in 2007. Twelve different improvement projects have taken place*

*over the last few decades. The 2009 EIS identifies what additional improvements are necessary for full build out of the Mauka Area Plan.*

15. **Q:** What would traffic congestion look like if all proposed developments are approved? Would we have less traffic or more? Please explain.
- A:** *The HCDA has prepared a regional traffic study as part of the Mauka Area EIS. It is available at the OEQC website. It is our expectation that with the transportation and demand management strategies identified in the TOD overlay plan, that Kakaako residents will choose alternate modes of transportation to the car. However, congestion related to regional through traffic will continue to be the province of the greater community and not the HCDA or its residents.*
16. **Q:** Will streets in Kakaako be widened?
- A:** *The majority of the streets in Kakaako are not planned to be widened. They are planned to be more efficient, designed as complete streets and to accommodate multiple modes of transportation.*
17. **Q:** Are there plans to open Auahi Street between Ward Avenue and Cooke Street as part of the Mauka Area plan?
- A:** *There are plans being reviewed to potentially connect Auahi Street near Ward Avenue or to extend Pohukaina Street near Ward Avenue to connect with Auahi Street.*
18. **Q:** When will substandard Kakaako roads, sidewalks, and drainage systems be improved?
- A:** *Over the past several decades there has been hundreds of millions of dollars in infrastructure and road improvements. There are road improvements that are planned to take place as a part of both master planned areas within Kakaako. Stakeholders in the Central Kakaako neighborhood have however resisted any improvement to roadway and drainage facilities that will cause a loss of lands typically associated with the construction of City standard roadway facilities. As such improvements require legislative appropriations, there is no timetable for any improvements in the Central Kakaako neighborhood.*
19. **Q:** How will the State recover the \$260 million infrastructure improvements made by the State in Kakaako?
- A:** *Landowners in Kakaako have paid their fair share for improvements made in the district. In addition, development in Kakaako has generated additional tax base for the State for both general excise tax and income tax. Similarly, the development has significantly increased the property tax base for the City.*

20. **Q:** What protective measures are being considered for Mother Waldron Park? Will developers be financially responsible for some park improvements and maintenance?
- A:** *The HCDA has plans to keep Mother Waldron a park. There may be an opportunity in the future to have a private developer improve and maintain the park.*
21. **Q:** Will there be community vegetable gardens in Kakaako?
- A:** *There is currently a small community vegetable garden at a HCDA lot on Cooke Street. The residents of the nearby Na Lei Hulu Kupuna senior housing facility use that area. Although there aren't any new community gardens currently planned within Kakaako, there is plenty of available space that could be provided for this use. It is very likely that a garden could be started in Kakaako as more residents move into the area.*
22. **Q:** Should HCDA be approving projects when the City has substandard sewage infrastructure? What is HCDA doing about the current traffic/roads, storm drain and sewer problems already present in Kakaako?
- A:** *The HCDA has made several infrastructure upgrade in the district. Developers are required to make additional infrastructure improvement if such improvements are required for their project. Developers have to secure wastewater connection approvals from the City in order for the project to proceed. Each of the projects reviewed by the HCDA have received wastewater connection approvals.*
23. **Q:** Has HCDA considered the impacts of sea-level rise on infrastructure and proposed developments?
- A:** *Yes. The HCDA has started discussion with sea-level rise experts regarding the possible impacts in the district. Such impacts are expected to occur over many years. To mitigate the potential impact of such an occurrence, floor levels are typically called to be raised. Other disaster resiliency measures are also considered.*
24. **Q:** What is HCDA's definition of "infrastructure"? Does it include the quality and capacity of the infrastructure outside the Kakaako region that will service Kakaako?
- A:** *Infrastructure is defined as the basic physical and organizational structures needed for the operation of the district such as roads, water supply, sewers, electrical grids, telecommunications, and so forth. The HCDA also takes into consideration the traffic analysis zone (TAZ) established by the City in determining the infrastructure capacity within Kakaako.*

25. **Q:** State law requires HCDA to create “open space, parks ... within and adjacent to residential developments.” Where are the new parks? Where are the parks and open spaces comparable to the City’s requirements of 2 acres for every 1,000 new residents?
- A:** *The HCDA has developed the Kakaako Waterfront Park, the Kakaako Gateway Park, Kewalo Basin Park, Kolowalu Park as well as other pocket parks in the district (totaling nearly 50 acres). There are also very large parks right on the edge of Kakaako including Thomas Square Park and Ala Moana Beach Park.*
26. **Q:** How will emergency and first responders be able to handle the increase in population associated with Kakaako developments? What is the evacuation plan if a natural disaster were to occur?
- A:** *The EIS conducted for the Mauka Area Plan addresses emergency and first responder issues. A copy of the EIS can be obtained from the OEQC.*
27. **Q:** Wouldn’t it make sense to remove all parking requirements if HCDA plans a true transit orientated community? What improvements to public transportation (apart from mass transit) are planned to move people through the region?
- A:** *The HCDA plans to remove parking minimums as a part of the TOD Overlay. The HCDA is a strong advocate to construct Complete Streets and believes that such a network is necessary within Kakaako. The HCDA is working with the City on complete streets and implementing a circulator trolley service between Waikiki, Downtown, the Central Business District, Kakaako, and the Ala Moana Shopping Center.*

## **Other Issues**

1. **Q:** Why is HCDA deciding on developments piecemeal, on a project-by-project basis, which makes it very difficult for the community to get the information or have concerns addressed by the developer or by HCDA?
- A:** *The Mauka Area Plan is a development plan for the whole district. The HCDA conducted a long and involved community review process before adopting the plan. The district plans can be found on the HCDA website at [www.hcdaweb.org](http://www.hcdaweb.org). In addition to the established plans, there are two master plans that have been approved along with the district master plan, which are also available on the website.*
2. **Q:** With regard to the decision-making hearing on the 404 Ward Avenue project, who were the 3 members that were excused from the final vote? Why didn’t they show up for the vote?

**A:** *Authority members are very dedicated individuals that have a deep concern for the overall improvement of their development districts. The Authority members volunteer their time in order to plan an active role in the community. In light of the fact that they are volunteers, they may not always be able to make every meeting due to personal and/or professional obligations. The 3 members that were excused from the final vote were Member Dean Seki and 2 vacant positions.*

**3. Q:** Why aren't local companies the developers for these projects?

**A:** *There are several projects currently being proposed by local developers in Kakaako. However, the HCDA does not regulate who can and cannot develop within Kakaako.*

**4. Q:** Will government funds or bonds be used to make the HCDA development projects more viable? Will government money or bonds be used to support local business development?

**A:** *Government funds have been used in the past and may be used in the future for improvement district (ID) and/or development projects. Some of the HCDA ID and/or development projects will certainly produce benefits for local businesses.*