

SUMMARY - PUBLIC HEARING
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
State of Hawaii
November 25, 2014 – 1:32 p.m.

ATTENDANCE

Members Present: Randy Grune (DOT)
Miles Kamimura
Brian Lee
Lois Mitsunaga
Luis Salaveria (DBF)
Dean Seki (DAGS)

Members Absent: Richard Lim (DBEDT)

Recuse: Brian Tamamoto

Others Present: Anthony Ching, Executive Director
Craig Iha (Deputy Attorney General)
Lindsey Doi, Compliance Assurance and Community Outreach Officer
Shelby Hoota, Program Specialist
Ann Shimamura, Executive Secretary
Holly Hackett (Court Reporter)

For the Applicant MK VIDA LLC:
Christian Chambers
Crystal Rose

For the Intervenor:
Calvert Chipchase

A public hearing of the Kakaako members of the Hawaii Community Development Authority (“Authority”), a body corporate and public instrumentality of the State of Hawaii, was called to order by Mr. Brian Lee, Chairperson of the Authority at 1:32 p.m. on Tuesday, November 25, 2014 at the Authority’s principal offices, 461 Cooke Street, Honolulu, Hawaii 96813.

DEVELOPMENT PERMIT APPLICATION KAK 14-061: MK Vida LLC

Chairperson Lee stated that the public hearing was being held in accordance with Act 61, Session Laws of Hawaii 2014, Subchapter 3 of Hawaii Administrative Rules (“HAR”) Chapter 15-219, and vested HAR Chapter 15-22. He explained that the Applicant is MK VIDA LLC. The Tax Map Key is (1)2-1-056: 002, 007, and 008. The Project location is 800 and 830 Ala Moana Boulevard, 825 Auahi

Street. The Application date was August 29, 2014. He stated that this request is for a Planned Development Permit for a mixed-use, residential, retail/office project developed by the Applicant as a joint development on a lot identified as TMKs: (1)2-1-056: 002, 007, and 008. The project consists of a mix of 265 residential units which will include two- and three-bedroom units in a 400-foot high, 39-story high-rise structure; 20,000 square feet of commercial space, 685 vehicle stalls in a 42-foot high, 4-story parking podium; approximately 25,015 square feet of open space, and 66,755 square feet of recreation space.

The Applicant is not requesting modification from the applicable, vested HAR Chapter 15-22.

Chairperson Lee stated that an amended public hearing notice was published in the Honolulu Star Advertiser on October 25, 2014.

PRESENTATION BY THE APPLICANT

Mr. Chambers offered Exhibits 22-26 and 27 to the record which were accepted by the Authority. He stated that they would like to stand on the filing of their proposed Findings of Fact, Conclusions of Law and Decision and Order.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Ching stated that the staff has reviewed the proposed Order offered by the Applicant and found it to be compliant with our rules and statutes. It would be HCDA's recommendation to adopt the Findings of Fact, Conclusions of Law and Decision and Order with some recommended insertions. He detailed these recommendations. He stated that staff found that the Findings of Fact, Conclusions of Law and Decision and Order were adequate in that they address the necessary statutory decision making criteria.

The meeting was recessed at 2:00 p.m.
The meeting was reconvened at 2:04 p.m.

Mr. Ching continued with the Findings of Fact, Conclusions of Law and Decision and Order and staff's recommendations in detail. Upon conclusion, he stated that it is staff's recommendation for Authority to adopt the Findings of Fact, Conclusions of Law and Decision and Order with the described amendments.

Chairperson Lee noted since the initial public hearing was held on November 12, 2014, written testimony had been received as follows: 4 in support, 2 in opposition and 1 with comments only.

PUBLIC TESTIMONY

1. Mark Okumura - support
2. Lenora Skinner - oppose
3. Hina Wong Kalu – support

4. Kika Bukoski – support
5. Kaanolu Kaleikini - support

DECISION MAKING

Chairperson Lee polled individual members on whether they had reviewed the record and were prepared to deliberate on the Application. All Members responded in the affirmative.

Chairperson Lee entertained a motion to adopt the Applicant's proposed findings of fact, conclusions of law and decision and order as modified by staff and approve with the conditions presented in staff's presentation for development permit application KAK 14-061 Applicant MK VIDA LLC.

A motion was made by Member Salaveria and seconded by Member Seki.

A roll call vote was conducted.

Ayes: Members Salaveria, Seki, Mitsunaga, Grune and Lee.

Nays: None.

The motion passed 5 to 0 with 4 excused (Lim, Tamamoto and 2 vacant positions).

Chairperson Lee stated that the D&O had been adopted by the Members. He noted that the parties had the opportunity to file written comments and exceptions by December 2, 2014 and reconvene the Authority on December 31, 2014 for a final action on the matter. Alternatively, Counsel may waive the right to file comments and exceptions to the Authority's FOF, COL and D&O.

For the Applicants, Mr. Chambers stated that they waived the right to file exceptions and accepted the D&O approved by the Authority as final.

For the Intervenor, Mr. Chipchase stated that KS also waived their rights.

Chairperson Lee declared that the parties had waived their rights to file comments and exceptions to the Authority's proposed order and had accepted it as the final Decision and Order. Accordingly, staff would finalize the order as discussed today and would circulate it for signature.

ADJOURNMENT

Chairperson Brian Lee adjourned the regular meeting at 2:27 p.m.

Note: The transcript of this meeting contains a verbatim record and should be consulted if additional detail is desired.