

Symphony Honolulu Project

September 2, 2015

**Additional public
testimonies.**

OliverMcMillan Pacific Firm LLC Petition for Waiver and Suspension of §15-217-55(k)(2)
of the Mauka Area Rules for the Symphony Honolulu Project
Prior to September 2, 2015

	Name	Date of Testimony	Date HCDA Received	Written Comments (Support)	Written Comments (Oppose)	Written Comments	Email Comments (Support)	Email Comments (Oppose)	Comments from HCDA Website (Support)	Comments from HCDA Website (Oppose)	Comments from HCDA Website
1	none@gmail.com	8/14/2015	8/14/2015							1	
2	Judd Hummel	8/14/2015	8/14/2015							1	
3	Honza Hroch	8/17/2015	8/18/2015						1		
4	Len Isotoff	8/17/2015	8/18/2015						1		
5	Dan Gatewood	8/17/2015	8/18/2015						1		
6	Sean Freas	8/18/2015	8/18/2015						1		
7	Allen Komori	8/21/2015	8/24/2015						1		
8	Clara Morikawa	8/20/2015	8/24/2015		1						
9	Jean Ishikawa	8/26/2015	8/26/2015							1	
Additional testimonies not included in the Authority packet that were distributed at the September 2, 2015 decision-making public hearing.											
10	Guy Goya	8/31/2015	8/31/2015						1		
11	Kristin Nakamura	8/31/2015	8/31/2015						1		
12	Scott Nakamura	8/31/2015	8/31/2015						1		
13	Ryan Liddle	8/31/2015	8/31/2015						1		
14	Alan Lee	8/31/2015	8/31/2015						1		

OliverMcMillan Pacific Rim LLC Petition for Waiver and Suspension of §15-217-55(k)(2)
of the Mauka Area Rules for the Symphony Honolulu Project
Prior to September 2, 2015

	Name	Date of Testimony	Date HCDA Received	Written Comments (Support)	Written Comments (Oppose)	Written Comments	Email Comments (Support)	Email Comments (Oppose)	Comments from HCDA Website (Support)	Comments from HCDA Website (Oppose)	Comments from HCDA Website
15	Brian Lee	8/31/2015	8/31/2015						1		
16	Evan Fu	8/31/2015	8/31/2015						1		
17	Arthur Khamsing	8/31/2015	8/31/2015						1		
18	Jason Gunderson	8/31/2015	8/31/2015						1		
19	Bernard Nunies	9/1/2015	9/1/2015							1	
20	Jackie Magpantay	9/1/2015	9/1/2015								1
21	Pam Wood	9/1/2015	9/1/2015							1	
22											
23											
24											
				0	1	0	0	0	14	5	1

Support 14
Opposition 6
Comments Only 1
21



Public Testimony Website Submission Symphony Honolulu

GuyGoya

to:

contact

08/31/2015 08:52 AM

Hide Details

From: GuyGoya <ggoya808@gmail.com>

To: contact@hcdaweb.org,

RECEIVED
 2015 AUG 31 AM 9 09
 HAWAII COMMUNITY
 DEVELOPMENT
 AUTHORITY

16

Name

Guy Goya

Emailggoya808@gmail.com**Project Name**

Symphony Honolulu

Do you support or oppose?

Support

Comment

I support OliverMcMillan's petition to waive the glass VLT requirement. The HCDA has an opportunity right now to shape the future of how Kakaako will look. Many are concerned about glare from sunshine off of the glass of condos (City Councilman Ozawa), but VLT alone is not necessarily proportional to glare. California doesn't look at VLT alone for their glass requirements, they use an algorithm involving a number of factors (per California Title 24).

I am also concerned about health and energy efficiency in allowing VLT 50. I have friends that live in Pacifica (which has a VLT of only 37) and the temperature hits 85-88 degrees inside of the units. I worry about elderly retired residents and pets, especially in the summer time. This will no doubt force future residents of Kakaako to run their AC 24/7 at a high cost to their utility bill while creating more greenhouse gases.

Waive the VLT 50 requirement for Symphony and 801 South St and revise the specification completely for future developments. This is your chance to create a better future for Kakaako.



Public Testimony Website Submission Symphony Honolulu

KristinNakamura

to:

contact

08/31/2015 09:14 AM

Hide Details

From: KristinNakamura <kknaka8@gmail.com>

To: contact@hcdaweb.org,

RECEIVED
2015 AUG 31 AM 9 36

HAWAII COUNTY
PLANNING
AUTHORITY

Name

Kristin Nakamura

Email

kknaka8@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Support

Comment

It is unfair to the future residents of Symphony Honolulu, who already locked in their purchase, to have to pay to replace the windows due to the "glass rule" that was negated when HCDA approved the Symphony's application. If the glass rule is to be applied, HCDA should have enforced it during the approval process and not after the fact. Thank you for your time in hearing my testimony.



Public Testimony Website Submission Symphony Honolulu

ScottNakamura

to:

contact

08/31/2015 09:46 AM

Hide Details

From: ScottNakamura <synakamu@gmail.com>

To: contact@hcdaweb.org,

RECEIVED
2015 AUG 31 AM 9 59

12

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Scott Nakamura

Email

synakamu@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Support

Comment

It is unfair to the future residents of Symphony Honolulu, who already locked in their purchase, to have to pay to replace the windows due to the "glass rule" that was negated when the HCDA approved Symphony's application. If the glass rule was to be applied, HCDA should have enforced it during the approval process and not after the project is over 50% completed. HCDA is all about "supplementing traditional community renewal methods by promoting and coordinating public and private sector community development." As such, the board should allow a waiver for this project and continue developing the Kaka'ako area. Thank you for your time in hearing my testimony.



Public Testimony Website Submission Symphony Honolulu

RyanLiddle

to:

contact

08/31/2015 11:00 AM

Hide Details

From: RyanLiddle <tipador@gmail.com>

To: contact@hcdaweb.org,

RECEIVED

2015 AUG 31 AM 11 16

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Ryan Liddle

Address

1548 Liholiho Street #201

Honolulu, HI 96822

United States

[Map It](#)

Email

tipador@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Support

Comment

I support OliverMcMillan's petition to waive the glass VLT requirement. The HCDA has an opportunity right now to shape the future of how Kakaako will look. Many are concerned about glare from sunshine off of the glass of condos, but VLT alone is not necessarily proportional to glare. California doesn't look at VLT alone, they use an algorithm involving a number of factors (per California Title 24).

I am also concerned about health and energy efficiency in allowing VLT 50. I have friends that live in Pacifica and Waihonua (which have a lower VLT

14

RECEIVED

2015 AUG 31 AM 11 16

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY



Public Testimony Website Submission Symphony Honolulu

AlanLee

to:

contact

08/31/2015 11:01 AM

Hide Details

From: AlanLee <alanclee.al@gmail.com>

To: contact@hcdaweb.org,

Name

Alan Lee

Address

3508 Maunaloa Avenue
Honolulu, Hawaii 96816
United States

[Map It](#)

Email

alanclee.al@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Support

Comment

I support to waive glass window rule for Symphony Honolulu. Please do not delay the construction.

15



Public Testimony Website Submission Symphony Honolulu

BrianLee

to:

contact

08/31/2015 11:11 AM

Hide Details

From: BrianLee <brianlee1990two@gmail.com>

To: contact@hcdaweb.org,

RECEIVED
2015 AUG 31 PM 12 17
HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Brian Lee

Organization

N/A

Address

3508 Maunaloa Ave
Honolulu, Hawaii 96816
United States

[Map It](#)

Email

brianlee1990two@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Support

Comment

waive glass rule for symphony



Public Testimony Website Submission Symphony Honolulu

EvanFu

to:

contact

08/31/2015 12:06 PM

Hide Details

From: EvanFu <fue@hawaii.edu>

To: contact@hcdaweb.org,

RECEIVED
2015 AUG 31 PM 12 44

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Evan Fu

Email

fue@hawaii.edu

Project Name

Symphony Honolulu

Do you support or oppose?

Support

17



Public Testimony Website Submission Symphony Honolulu

ArthurKhamsing

to:

contact

08/31/2015 12:31 PM

Hide Details

From: ArthurKhamsing <arthurkh87@gmail.com>

To: contact@hcdaweb.org,

RECEIVED

2015 AUG 31 PM 12 44

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Arthur Khamsing

Email

arthurkh87@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Support



Public Testimony Website Submission Symphony Honolulu

jasonGunderson

to:

contact

08/31/2015 12:33 PM

[Hide Details](#)

From: jasonGunderson <jasonkg@hawaii.edu>

To: contact@hcdaweb.org,

RECEIVED
2015 AUG 31 PM 12 44

18

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

jason Gunderson

Address

United States

[Map It](#)

Email

jasonkg@hawaii.edu

Project Name

Symphony Honolulu

Do you support or oppose?

Support



Public Testimony Website Submission Symphony Honolulu

BernardNunies

to:

contact

09/01/2015 07:01 AM

Hide Details

From: BernardNunies <bknunies@gmail.com>

To: contact@hcdaweb.org,

RECEIVED

19

2015 SEP 1 AM 7 55

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Bernard Nunies

Address

Honolulu, HI 96813

United States

[Map It](#)

Email

bknunies@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Oppose

Comment

As a Kakaako resident, I oppose OliverMcMillan Pacific Rim's Petition to Amend Development Permit No. KAK 12-075 to waive or permanently suspend the requirement of HAR §15-217-55(k)(2) for the Symphony Honolulu project.

The Mauka Area rules, specifically HAR §15-217-55(k)(2), prevents highly-reflective mirrored and opaque windows. It also requires that window glazing shall be transparent with clear or limited UV tint so as to provide views out of and into the building. Visible light transmission level of windows on the ground floor shall be 70% or greater and on all other floors the visible light transmission level shall be 50% or greater.

The developer was fully aware of the rules and agreed to abide by them when their development permit was granted. Yet now, once their building is almost complete, they are asking for an exception to the rule. Where is the unnecessary hardship to the Symphony Honolulu that will override the adverse impact on neighboring residents as well as the consistent development of the community? Why wasn't this issue addressed as part of their original application?

This is yet another example of a developer taking advantage of the system and asking to break a rule they already agreed to. They even said in an article in the Star-Advertiser (5/31/15), that they will continue to construct their building with glass that they know is not up to code. Really?

By allowing this rule to be broken, the HCDA will set precedent for future developments in Kakaako, sending the message to developers that the rules DO NOT apply. I oppose this petition and ask that the HCDA stand firm with the Mauka Area Rules and hold developers accountable to what they agreed upon.

RECEIVED

2015 SEP 1 AM 7 55

20

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY



Public Testimony Website Submission Symphony Honolulu

JackieMagpantay

to:

contact

09/01/2015 07:14 AM

Hide Details

From: JackieMagpantay <jacqueriv@hotmail.fr>

To: contact@hcdaweb.org,

Name

Jackie Magpantay

Email

jacqueriv@hotmail.fr

Project Name

Symphony Honolulu

Do you support or oppose?

Support

RECEIVED

20

2015 SEP 1 AM 7 55

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY



Public Testimony Website Submission Symphony Honolulu

JackieMagpantay

to:

contact

09/01/2015 07:17 AM

Hide Details

From: JackieMagpantay <jacqueriv@hotmail.fr>

To: contact@hcdaweb.org,

Name

Jackie Magpantay

Email

jacqueriv@hotmail.fr

Project Name

Symphony Honolulu

Do you support or oppose?

Oppose



Public Testimony Website Submission Symphony Honolulu

Pamela Wood

to:

contact

09/01/2015 09:54 AM

Hide Details

From: Pamela Wood <pwood229@gmail.com>

To: contact@hcdaweb.org,

RECEIVED

2015 SEP 1 AM 10 41

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Name

Pamela Wood

Organization

Kaka'ako Resident

Address

725Kapiolani Blvd.
Apt. 3002
Honolulu, Hawaii 96813

[Map It](#)

Email

pwood229@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Oppose

Comment

Under oath, Symphony representatives testified they knew, at the time they made the decision to purchase the glass, that it did not meet the Mauka Area Rules. They chose to disregard the rule. There were other ways to meet LEED requirements, such as improving the air conditioning system or installing more energy efficient lighting, etc. but the developer did not consider these options and chose to use a less expensive glass, that did not meet the rules. This discussion and request for a waiver should have taken place during the planning stage, when the issue was first discovered by the developer, not after more than half the glass was installed. HCDA learned of the issue when another developer wanted to use similar glass and was told by HCDA it did not meet the Mauka Area Rule requirements.

Through these hearings, HCDA is discovering the rule, HAR 15-217-55(k)(2), may not be adequate to accomplish their intent to control the use of highly reflective glass and there has been talk the rule may be amended. I don't know the details of the amendment. It may better clarify the intent, and the Symphony glass would still be in violation; or it may allow the Symphony glass. In either case, I hope HCDA will hold the developer accountable for knowingly not following the rules. In addition, this decision will set a precedent because 801 South Street A, which is completed and occupied, has asked for a similar waiver.



Public Testimony Website Submission Symphony Honolulu

SharonMoriwaki

to:

contact

09/01/2015 02:01 PM

Hide Details

From: SharonMoriwaki <sharonymoriwaki@gmail.com>

To: contact@hcdaweb.org,

RECEIVED

2015 SEP 1 PM 3 03

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

**LATE
TESTIMONY**

Name

Sharon Moriwaki

Organization

Kakaako United

Address

425 South St.
Honolulu, HI 96813
United States

[Map It](#)

Phone

(808) 428-1348

Email

sharonymoriwaki@gmail.com

Project Name

Symphony Honolulu

Do you support or oppose?

Oppose

Comment

see testimony attached

File Upload

- [9-2-2015-KU-testimony.pdf](#)

Kaka'ako United

RECEIVED

2015 SEP 1 PM 3 03

HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

September 1, 2015

**LATE
TESTIMONY**

To: Mr. John Whalen, Chairperson, and Members
Hawaii Community Development Authority

From: Sharon Moriwaki, President, Kaka'ako United

Subject: Testimony opposing the OliverMcMillan Pacific Rim (Petitioner) Petition to Amend Development Permit No. KAK 12-075 to waive or permanently suspend HAR §15-217-55(k)(2) for the Symphony Honolulu project.

I am Sharon Moriwaki, Kaka'ako resident and president of Kaka'ako United, a group of concerned citizens who seek quality living for the Kaka'ako community from mauka to makai, including smart design for a livable community.

Petitioner's request to waive or permanently suspend one of the area-wide architectural design standards under the Mauka Area Rules (Rules) should be denied or, in the alternative, if allowed, then it should be sanctioned accordingly for its violation. The Rules explicitly provide the necessary standards to implement the Mauka Area Plan and were developed and adopted to protect the public health, safety and general welfare of the community. The Rules should be followed unless there is strong evidence of necessity or unnecessary hardship justifying a variance.

Petitioner agreed to abide by these rules as a precondition for its permit approval. Instead, having knowingly violated the rules, it comes to the board to waive the window glazing requirement after the fact. Petitioner neither showed a need for the variance during the hearings on its permit nor did it come forward to ask for a rule change if, in fact, the rule was difficult to attain under the LEED standards. Petitioner now comes for a waiver for its violation. If this petition is approved without Petitioner facing adverse consequences for breaking the rules, more bad behavior will follow. Recall that the previous board also permitted even more adverse violations such as allowing Petitioner to intrude its building into the open view corridor by permitting a rule-violating Diamond Head-Ewa axis for the building's construction even though it failed to establish any hardship that would justify such a variance.

The petitioner should be sanctioned for its knowing disregard of the rules. The board cannot allow these violations to continue without sanctioning the petitioner and stopping all other rule violations, using this example as the basis for ending future disregard of the explicit rules.

The board should assess Petitioner with impact fees or other appropriate sanctions to address the adverse impact on the community. If the board were to approve waivers of standards set by its rules to meet developers' whims or cost-saving purposes, the goal envisioned for a model community development district under Chapter 206E, HRS, will be undermined. The petitioner's motion to amend its permit should be denied or, if allowed to stand, then it be sanctioned for its violations with appropriate impact fees. Thank you for the opportunity to testify.

KŪ: Kaka'ako United
PO Box 235965 • Honolulu, Hawaii 96823
www.kakaakounited.org • info@kakaakounited.org

Ensuring the quality of life for an integrated Kaka'ako community from mauka to makai.

