

STATE OF HAWAII  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY  
KAKAAKO  
Honolulu, Hawaii, 96813

May 1, 2019

Chairperson and Members  
Hawaii Community Development Authority  
State of Hawaii  
Honolulu, Hawaii

HCDA Board Members:

**SUBJECT:** Shall the Authority Authorize the Executive Director to Execute a Five Year Right of Entry with the University of Hawaii for the benefit of the University of Hawaii at Manoa John A. Burns School of Medicine and the University of Hawaii Cancer Center for 50 Parking Stalls in the Kakaako Waterfront Park Parking Lot?

**SUMMARY:**

The Authority previously authorized leasing 45-stalls in the Ohe Street Parking Lot, but the University of Hawaii John A. Burns School of Medicine (JABSOM) and the University of Hawaii Cancer Center (UHCC), (collectively UH), requires additional parking to meet faculty and student parking demand. UH would like to lease an additional 50 stalls within the Kakaako Waterfront Park Parking Lot under a 5-year agreement at a rate of \$100 per stall, with a 3% annual escalation. The City has consented to assume this agreement when the land is conveyed.

**AUTHORITIES:**

The Board must approve all Right of Entry requests over one year in duration.

**BACKGROUND:**

At its April 3, 2019 meeting, the Hawaii Community Development Authority (HCDA) authorized a five year right of entry with UH for 45-stalls in the Ohe Street Parking Lot in Kakaako Makai. At the same meeting, the Authority denied UH's request to lease 50 stalls in the Kakaako Waterfront Park Parking Lot despite four votes in favor of granting UH's request.

In a letter attached heretò as Exhibit A, UH notes that there is still a need for additional faculty and student parking beyond the 45-stalls in Ohe Street Parking Lot. UH is therefore resubmitting its request to lease 50 stalls in the Kakaako Waterfront Park Parking Lot.

The Kakaako Waterfront Park Parking Lot contains a total of 302 marked parking stalls. Of these, 20 stalls are currently leased to the Family Assessment Center for their use. UH proposes leasing the 50 stalls contained within the orange outline of the map attached hereto as Exhibit B.

UH constructed the JABSOM campus in 2005 on HCDA land in Kakaako Makai. UH constructed the adjacent UHCC campus as Phase II of the project in 2013. UH had intended to build a parking structure to provide campus parking; however, this did not come to fruition.

Instead, UH entered into a parking agreement with HCDA to purchase 380 monthly parking passes at HCDA's adjacent Lot C for UH staff, faculty, and students. This agreement expired in August 2018, and in September 2018, UH and HCDA executed a new agreement to provide UH 325 parking stalls at Lot C. This reduced stall count is the maximum number of stalls that currently can be leased to UH at Lot C due to the development of the Entrepreneur's Sandbox.

The market rate for monthly parking in the Kakaako Makai area ranges from \$175 to \$250 per stall. In its request for 325 stalls at Lot C, JABSOM indicated that it could pay \$100 per stall, plus a 3% annual escalation. JABSOM requests that HCDA consider the same \$100 rate for the additional 50 stalls at the Kakaako Waterfront Park Parking Lot.

UH has discussed the issue with the City, and the City is amenable to HCDA executing an ROE for 50 stalls in the Waterfront Park Parking Lot prior to conveyance of the land. A draft of the proposed ROE is attached as Exhibit C. The City notes its consent and willingness to honor this agreement following the lands transfer in a March 21, 2019 letter attached hereto as Exhibit D.

#### **ANALYSIS:**

At HCDA's request, UH conducted a parking survey to study the utilization of the Ohe Street Parking Lot and Kakaako Waterfront Park Parking Lot during weekday business hours. The survey is attached as Exhibit E. UH surveyed both parking lots over a period of four weeks, beginning February 11, 2019 and ending March 8, 2019.

As evidenced in the survey, the Kakaako Waterfront Park Parking Lot was only 42% full at its peak usage throughout the four-week study. UH counted 126 cars parked in the Waterfront Park Parking Lot at 8:30 a.m. on February 22, 2019; however, this was likely attributed to a one-time event, as all other usage was drastically lower. UH reports that the average daily public usage of the Kakaako Waterfront Park Parking Lot is equivalent to 57 vehicles, or a 19% daily parking utilization rate.

UH concludes that there is sufficient capacity to accommodate leasing 50 stalls at the Kakaako Waterfront Park Parking Lot during weekday business hours, as there are usually over 200 vacant stalls on a daily basis. UH requests the leased stalls be located in the area of the parking lot that is least utilized by park users, which also happens to be the area closest to the UH campus.

In addition, the 50 leased stalls would be open for public use after 6:00 p.m. on weekdays, as well as on all weekends and holidays. This type of parking sharing agreement would benefit both UH and the public, as public park events that require parking are generally held during nights and weekends when the leased stalls would be made available.

Under this proposed agreement, UH security will provide the additional benefit of preventing unauthorized UH parking in the Kakaako Waterfront Park Parking Lot. UH security will assist

HCDA's security contractor in policing the lot and will only allow those with permits to park in the 50 reserved stalls. This will prevent UH staff and students from abusing the agreement and parking in excess of the 50 allotted stalls.

Although the proposed \$100 per stall rate is less than market value for the area, this agreement represents a mutual benefit, as UH's constant presence in the parking lot would further activate the area and reduce criminal activity.

**RECOMMENDATION:**

HCDA staff recommends that the Board:

Authorize the Executive Director to Execute a Five Year Right of Entry with the University of Hawaii for the benefit of the University of Hawaii at Manoa John A. Burns School of Medicine and the University of Hawaii Cancer Center for 50 Parking Stalls in the Kakaako Waterfront Park Parking Lot.

Respectfully submitted,



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Lindsey Doi  
Asset Manager

APPROVED FOR SUBMITTAL:



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Aedward Los Banos, Executive Director

Attachments

- Exhibit A – UH Request Letter to HCDA dated April 15, 2019
- Exhibit B – Map of 50 Stalls at Kakaako Waterfront Park Parking Lot
- Exhibit C – Draft ROE for Waterfront Park Parking Lot
- Exhibit D – City Letter to UH dated March 21, 2019
- Exhibit E – UH Parking Survey



UNIVERSITY  
of HAWAII  
MĀNOA

John A. Burns School of Medicine  
Office of the Dean

651 Ilalo Street, MEB, Honolulu, HI 96813-5534

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Fax (808) 586-3052 | [www.uhcancercenter.org](http://www.uhcancercenter.org)

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April 15, 2019

Aedward Los Banos  
Executive Director  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, Hawaii 96813

RE: Right of Entry Agreement (ROEs) between the Hawaii Community Development Authority (HCDA) and the University of Hawai'i (University) for parking use of the Kakaako Waterfront Park by the John A. Burns School of Medicine (JABSOM) and the University of Hawai'i Cancer Center (UHCC)

Dear Director Los Banos:

The students, faculty, and staff of the University would like to thank the HCDA Board for its approval at the April 3, 2019 meeting of the right-of-entry (ROE) to use 45 parking stalls at the Ohe Street Lot. The University also appreciates the Board's consideration of its request for non-exclusive use of a limited number of parking stalls at Kakaako Waterfront Park, similar to the HCDA's arrangement with the Family Assistance Center (FAC). The University is respectfully requesting that the Board reconsider the University's request for the non-exclusive use of 50 parking stalls at the Kakaako Waterfront Park, designated as TMK (1)2-1-060:008 and 029 (por.) (Waterfront Lot), as set forth on the map attached hereto. We respectfully re-submit the material supporting our request, attached for the Board's convenience, and provide herein information that we hope will address some of the questions raised at the meeting on April 3, and that supports our request.

First, the request for reconsideration is based upon an immediate need for student and faculty parking, which is at a critical shortage with incoming medical students, anticipated to arrive on campus in June 2019. Unfortunately, alternative transportation options are not preferable at this time. The University encourages ride-sharing and alternative modes of transportation, but even with those employed, there is a demand for additional parking within close proximity and a safe walking distance to JABSOM and UHCC.

The University has evaluated current levels of public transportation, which at this time are insufficient. There are currently no bus routes through the Kakaako Makai area.

While there is a bicycle service directly fronting JABSOM which is utilized, this is not a viable option for all of our students, faculty and staff. And while University anticipates that construction of the HART rail line will provide relief, the Kakaako rail station is not anticipated to be complete in the near term.

Second, the ROE proposes a temporary use of underutilized stalls that would not impact park users, and there is precedent for this use. Attached is the parking survey conducted over a period of 4 weeks, from February 11 through March 8, 2019, illustrating that there is sufficient capacity at the Waterfront Lot to accommodate the University's limited weekday use of the 50 parking stalls, without adversely impacting park users. We understand there is some concern by certain community members that this arrangement not become a permanent use. The proposed ROE gives HCDA the right to terminate the ROE for any reason at any time upon 90 days' notice, and the University intends to fully comply with any such request from HCDA to terminate the use. It is intended that the University's use be temporary, while the University evaluates longer-term options for student and faculty parking.

And while concerns were raised at the April 3 meeting about precedent, again, we respectfully note the parking spaces in the Kakaako Waterfront Park parking area currently set aside for the FAC.

Third, the University's use of the parking stalls is intended to benefit a wide range of interests, including the community. The ROE will provide revenue support to HCDA, and then to the City (upon transfer of the Waterfront Lot), for maintenance and security, allowing for a more comfortable park experience. The University's daytime use of parking stalls that are underutilized will also provide a presence that increases healthy activity in the area, while discouraging unpermitted uses that sometimes turn away park users or increase security concerns for the community and surrounding businesses.

In her April 2, 2019 written testimony, Councilmember Carol Fukunaga recognized the assistance the University's presence would provide in the area to discourage homeless encampments, also requesting that the University provide 24-7 security presence for the parking areas. While the University understands the intent of such request, it simply does not have the resources to commit to 24-7 security, especially when such stalls would be utilized by students and faculty only during weekdays from 6 am – 6 pm. However, the University is committed to providing security for the parking areas during the hours of operation and will continue to take an active role in alleviating the homeless epidemic that is present in Kakaako, including mobile clinics that help to provide health and wellness services that enable homeless to take the first steps toward getting off the streets and into more healthy living arrangements.

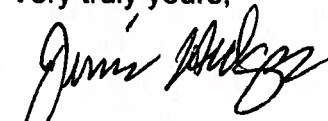
The University is committed to working collaboratively with HCDA, FAC, the City, and park users to ensure the success of this proposed temporary arrangement. As previously noted, and as set forth in the attached correspondence, the City recognizes

the important benefits that will accrue from the University's temporary presence in the Waterfront Lot and is in full support of HCDA's approval of the ROE for the Waterfront Lot.

Attached for the HCDA Board's review and consideration is an ROE for the Waterfront Lot (50 parking stalls), prepared in substantially the same format as previously approved ROEs. We appreciate HCDA's reconsideration of our request.

If you have any questions or concerns, please contact Nancy Foster at 808-692-1201 or nkfoster@hawaii.edu, or Cliff Martin at 808-356-5767 or CMartin@cc.hawaii.edu.

Very truly yours,



Jerris Hedges  
Dean, John A. Burns School of Medicine



Cliff Martin for Randall Holcombe  
Director, University of Hawaii Cancer Center

**Attachments:**

- Exhibit A: Map of 50 Stalls at Waterfront Park
- Exhibit B: Draft Revocable Right of Entry for Waterfront Park
- Exhibit C: Parking Survey
- Exhibit D: City Letter

- c: Roy K. Amemiya, Jr., Managing Director, City and County of Honolulu  
Lori Sunakoda, Deputy Attorney General  
Nancy Foster, Chief Financial Officer, JABSOM  
Cliff Martin, Associate Director for Administration, UHCC



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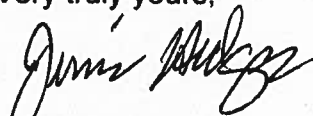


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Lori Sunakoda, Deputy Attorney General  
Nancy Foster, Chief Financial Officer, JABSOM  
Cliff Martin, Associate Director for Administration, UHCC

Exhibit B - Map of the Kaka'ako Waterfront Parking Lot



REVOCABLE RIGHT OF ENTRY (ROE 14-19)

By this NONEXCLUSIVE REVOCABLE RIGHT OF ENTRY AGREEMENT (“ROE”) made and executed this \_\_\_\_\_ day of \_\_\_\_\_ 2019, the HAWAII COMMUNITY DEVELOPMENT AUTHORITY (“HCDA” or “GRANTOR”), a body corporate and a public instrumentality of the State of Hawaii, hereby grants to **THE UNIVERSITY OF HAWAII**, the state university and a body corporate of the State of Hawaii, for the benefit of **THE UNIVERSITY OF HAWAII AT MANOA JOHN A. BURNS SCHOOL OF MEDICINE AND THE UNIVERSITY OF HAWAII CANCER CENTER** (“UH” or “GRANTEE”), a nonexclusive right of entry upon and use of the Premises (as defined below) subject to each of the following terms and conditions:

1. **Grant of Right-of-Entry.** The HCDA hereby grants to GRANTEE and all of its members, employees, officers, directors, representatives, agents, invitees, guests, and independent contractors (collectively, “Permitted Persons”) an ROE to enter upon the Premises (as defined below) for the sole purposes set forth herein. GRANTEE is responsible for communicating and explaining the terms and conditions of this ROE to all Permitted Persons and ensuring compliance by Permitted Persons with such terms and conditions.

2. **Premises.** This ROE shall pertain to 50 stalls located within the Kakaako Waterfront Park Parking Lot located at the end of Cooke Street and identified by Oahu Tax Map Key No. (1)-2-1-060:008 (p.or.) and outlined in orange in the attached Exhibit A. Any question or conflict regarding the boundary of the Premises shall be unilaterally resolved by GRANTOR.

3. **Term.** The term of this ROE shall commence at 12:00 a.m. on May 1, 2019 and terminate at 11:59 p.m. on April 30, 2024 (“Termination Date”). This ROE shall automatically terminate on the Termination Date, unless earlier revoked as provided herein. GRANTEE agrees to be bound by the terms and conditions of the ROE and any written amendments to this ROE signed by both Parties.

4. **Use of Premises.** This ROE is nonexclusive. The ROE granted hereby shall be for the sole purpose of vehicle parking by Permitted Persons within the fifty (50) available parking stalls located on the Premises. Vehicles parked in non-designated spaces for any reason, or otherwise obstructing ingress and egress, including impeding driveways, entrances and exits, will be subject to removal by towing at GRANTEE’s sole expense.

5. **Acknowledgement of Use By Other Persons.** GRANTEE acknowledges that other persons or entities have the right to enter and/or use the Premises with the approval of the HCDA, and with the exception of the uses specified herein, GRANTEE shall not unreasonably interfere with or impair the use and enjoyment of the Premises by such other persons or entities.

6. **Due Care and Diligence.** GRANTEE shall exercise diligence and due care for public safety in entering upon the Premises and shall not unreasonably disrupt or disturb the activities customary to the operations of the HCDA or its agents on the Premises, or other persons or entities who have the right to enter and/or use the Premises with the approval of the HCDA. At all times during the term of this ROE and upon the termination of this ROE, GRANTEE shall be responsible for: (a) removing any debris or trash deposited on the Premises; (b) repairing any damage to the Premises caused by its actions or the actions of third-persons due to GRANTEE's actions or inactions in securing the Premises; and (c) restoring the Premises to substantially the same condition it was in at the time of GRANTEE's entry onto the Premises, normal wear and tear excepted. This provision shall survive the termination of this ROE.

7. **GRANTEE Responsibility.** HCDA and GRANTEE acknowledge and agree that GRANTEE, as an agency of the State of Hawaii, is not authorized to indemnify HCDA in any way, including, without limitation, against any claims for bodily injury, wrongful death, and/or property damages by any persons or entities.

GRANTEE, as an organization of the State of Hawaii, shall be liable, subject to the applicable provisions of Chapter 661, Hawaii Revised Statutes (Actions By and Against the State) and Chapter 662, Hawaii Revised Statutes (State Tort Liability Act) for all claims and demands for property damage, loss, personal injury or death caused by the negligent or wrongful act or omission of any officer or employee of the GRANTEE while acting within the scope of the office of employment, or persons acting for the GRANTEE in an official capacity, temporarily, whether with or without compensation

8. **Condition of Premises/Assumption of Risk.** GRANTEE hereby agrees and acknowledges that HCDA has not made any representation or warranty, implied or otherwise, with respect to the condition of the Premises, including any dangerous or defective conditions existing in or on the Premises, whether or not such conditions are known to HCDA or reasonably discoverable by GRANTEE. GRANTEE agrees that all property, approved improvements, and equipment of GRANTEE kept or stored on the Premises during the term of this ROE shall be so kept or stored at the sole risk of GRANTEE. This provision shall survive the expiration or earlier termination of the ROE.

9. **Compliance with Laws and Regulations.** GRANTEE shall, at all times during the term of this ROE, observe and comply with all applicable laws, rules and regulations, whether County, State or Federal, including but not limited to, the laws applicable to the use of the Premises and the securing of any and all necessary governmental and other approvals and permits for its use of the Premises, including, but not limited to, compliance with Hawaii Revised Statutes (HRS) Chapter 6E and HRS Chapter 269E.

10. **Prohibited Use.** Any use of the Premises not authorized herein shall constitute a material breach of this ROE. Upon such breach, the HCDA may terminate

this ROE and pursue any other remedies to which the HCDA is entitled by law; provided that, the HCDA shall first give GRANTEE notice thereof and afford GRANTEE 48 hours to cure such breach.

11. **Improvements.** GRANTEE shall not construct any improvements of any kind or nature upon the Premises without the HCDA's express prior written consent, which consent may be granted or withheld in the HCDA's sole discretion. Any improvements, including but not limited to structures, erected on or moved onto the Premises by GRANTEE shall remain the property of GRANTEE. GRANTEE shall have the right, prior to the termination or revocation of this ROE, or within an additional period the HCDA in its discretion may allow, to remove the improvements from the Premises. In the event the GRANTEE shall fail to remove the improvements prior to the termination or revocation of this Permit or within an additional period, the HCDA may, in its sole discretion, elect to retain the improvements or may remove the same and charge the cost of removal and any storage to GRANTEE. This provision shall survive the termination of this ROE.

12. **No Lien.** GRANTEE shall not: (a) create, incur, or assume any attachment, judgment, lien, charge, or other encumbrance on the Premises or any improvements thereon; or (b) suffer to exist any such encumbrance other than one created, incurred, or assumed by the HCDA.

13. **Non-transferrable.** This ROE or any rights hereunder shall not be sold, assigned, conveyed, or otherwise transferred or disposed of without the HCDA's express prior written consent.

14. **Additional Terms and Conditions.**

- (a) GRANTEE shall pay the HCDA a usage fee of \$5,000 per month for the use of 50 stalls (\$100 per stall per month) with a three percent (3%) annual escalation, without notice or demand, on the first (1st) day of each month for the ensuing month during the term of this ROE. If the first (1st) day falls on a weekend or State holiday, GRANTEE shall tender payment of the usage fee on the first business day immediately following the weekend or State holiday. Without prejudice to any other remedy available to the HCDA, GRANTEE shall, without further notice or demand, pay to the HCDA, a service charge of \$200.00 for each calendar month in which payment is due and remains unpaid more than ten (10) days after its due date on the first of the month.
- (b) No one may reside on the Premises, and the Premises may not be accessed for any other purpose except as authorized herein.
- (c) GRANTEE must keep the Premises clear of all unauthorized persons, unauthorized vehicles, debris, and trash at all times during this ROE.

- (d) Plants, rocks, dirt, asphalt and other materials that are on or part of the Premises shall not be harmed or removed from the Premises.
- (e) The HCDA reserves the right to impose additional terms and conditions it deems reasonably necessary. Written notice of any such additional terms and conditions shall be provided to GRANTEE not less than 30 days prior to the effective date. Any such additional terms and conditions shall not materially interfere with or impair GRANTEE's rights of use herein.
- (a) The HCDA reserves the right to adjust the number of stalls made available to GRANTEE, provided that written notice shall be provided to GRANTEE not less than 90 days prior to the effective date. The monthly usage fee would be prorated accordingly at the \$100 per stall rate and three percent (3%) annual escalation. These material changes shall be memorialized in a written amendment to this ROE, signed by the parties.

15. **Termination.** Either Party may terminate this ROE at any time upon not less than 90 days prior written notice.

16. **Notices.** Any notice, request, demand, or other communication required or permitted to be given or made under this ROE by either party hereto shall be in writing and shall be deemed to have been duly given or served if: (a) personally delivered; (b) sent by mail, postage prepaid and certified with return receipt requested; (c) transmitted by facsimile, or (d) sent by e-mail with request for delivery confirmation, at the address, facsimile number, or e-mail address given below:

Hawaii Community Development Authority  
Attention: Lindsey Doi, Asset Manager  
547 Queen Street  
Honolulu, Hawaii 96813  
Telephone: (808) 594-0300  
Fax: (808) 587-0299  
Email: [contact@hcdaweb.org](mailto:contact@hcdaweb.org)

University of Hawaii  
University of Hawaii at Manoa  
John A. Burns School of Medicine  
University of Hawaii Cancer Center  
Honolulu, Hawaii 96813  
Attention: Nancy Foster, Executive Director of Administration, Finance,  
& Operations & Chief Financial Officer  
Phone: (808)692-1201  
Fax: (808)692-1267  
Email: [nkfoster@hawaii.edu](mailto:nkfoster@hawaii.edu)

With a Copy to:  
Office of Procurement and Real Property Management  
University of Hawaii  
1400 Lower Campus Road, Room 15  
Honolulu, Hawaii 96822  
Attention: Director  
Phone: (808) 956-8687  
Fax: (808) 956-2093

17. **Headings/Captions.** The headings and captions of paragraphs or other parts hereof are for convenience of reference only and are not to be used to construe, interpret, define, or limit the paragraphs to which the respective headings and captions may pertain.

18. **Governing Law.** This ROE shall be governed by and construed under the laws of the State of Hawaii.

19. **Representation on Authority of Parties/Signatories.** Each person signing this agreement represents and warrants that he or she is duly authorized and has the legal capacity to execute and deliver this agreement. Each party represents and warrants to the other that the execution and delivery of the agreement and the performance of such party's obligations hereunder have been duly authorized and that the agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

20. **Counterparts.** This ROE may be executed in several duplicate counterparts and such counterparts, when executed, shall constitute a single agreement.

21. **Entire Agreement.** This ROE constitutes the entire Agreement and understanding between the Parties and shall supersede any and all prior communications, representations, or agreements, both verbal and written, between the Parties regarding the use of the Premises. This ROE cannot be modified except by a written instrument signed by both Parties.

**[SIGNATURES APPEAR ON FOLLOWING PAGE]**

IN WITNESS WHEREOF, the HCDA and GRANTEE have caused this ROE to be executed as of the day and year first above written.

**HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY**

By: \_\_\_\_\_  
Aedward Los Banos  
Executive Director

APPROVED AS TO FORM:

\_\_\_\_\_

Deputy Attorney General

**UNIVERSITY OF HAWAII**, the state  
university and a body corporate of the State  
of Hawaii

By: \_\_\_\_\_  
Kalbert Young  
Its Vice President for Budget and  
Finance

**Recommend Approval:**

By: \_\_\_\_\_  
David Lassner  
Chancellor  
University of Hawaii at Manoa

**APPROVED AS TO FORM:**  
**Office of General Counsel:**

\_\_\_\_\_

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Associate General Counsel



**OFFICE OF THE MAYOR  
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR

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**2019 MAR 25 PM 4:00**

**HAWAII COMMUNITY  
DEVELOPMENT  
AUTHORITY**

GEORGETTE T. DEEMER  
DEPUTY MANAGING DIRECTOR

March 21, 2019

Mr. Aedward Los Banos  
Executive Director  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, Hawaii 96813

Dear Mr. Los Banos:

**SUBJECT: Rights of Entry Agreement (ROEs) between the Hawaii Community Development Authority (HCDA) and the University of Hawaii (University) for parking use of the Ohe Street Lot and a portion of Kakaako Waterfront Park by the John A. Burns School of Medicine (JABSOM) and the University of Hawaii Cancer Center (UHCC)**

The City and County of Honolulu ("City") supports the proposed ROEs between the University and HCDA, which would allow JABSOM and UHCC the use of 45 parking stalls at the Ohe Street Lot, which is designated as TMK (1)2-1-060:030 (por.) ("Ohe Lot"), and 50 parking stalls at Kakaako Waterfront park, which is designated as TMK (1)2-1-060:008 and 029 (por.) ("Waterfront Lot").

The Ohe Lot and Waterfront Lot are intended to be transferred to the jurisdiction of the City pursuant to Resolution 18-149. The City is willing to accept the transfer pursuant to the encumbrances of the ROEs for the Ohe Lot and Waterfront Lot and believes that JABSOM and UHCC's presence will provide revenue that can be used to support the City's maintenance and security of Waterfront Park, without impacting parking for park users.

If you have any questions or concerns, please feel free to contact me at 768-6634.

Warm regards,

A handwritten signature in black ink, appearing to read "Roy K. Amemiya, Jr.", is written over a faint, larger version of the same signature.

Roy K. Amemiya, Jr.  
Managing Director



University of Hawai'i at Mānoa  
John A Burns School of Medicine &  
University of Hawai'i Cancer Center



# **Kaka'ako Waterfront Park & Ohe Street Lot Public Parking Usage Survey Report**

March 2019

# Kaka'ako Waterfront Park & Ohe Street Lots Public Parking Usage Survey Report

## Executive Summary

In 2002, the Hawai'i Community Development Authority (HCDA) and the University of Hawai'i (UH) entered into a 57-year ground lease to develop 9.898 acres in Kaka'ako Makai area, presently known as UH Mānoa's Kaka'ako campus. A development permit was issued for the "JABSOM Project," a two phased development plan that included developing on-campus parking and utilizing temporary off-campus parking. From 2003 to the present, the University has utilized HCDA's Lot C for its temporary off-campus parking needs, and had entered into an HCDA right of entry (ROE) agreement in 2013 to use its Ohe Street parking lot during the construction of JABSOM Project's phase two, i.e., the development of the UH Cancer Center.

Under the Administrative Amendment No. 1 to Development Permit MUZ 50-02 dated May 25, 2010, the University is required to provide off-site parking stalls in connection with the University's operation of the John A Burns School of Medicine (JABSOM) and the University of Hawai'i Cancer Center (UHCC). In fall 2016, HCDA notified the University that its Board approved a three phase Lot C development plan. Lot C's first development phase was to construct the Hawai'i Technology and Development Corporation's Entrepreneur Sandbox that was scheduled to begin shortly after the University's Lot C parking and the Ohe Street ROE agreements were set to expire on August 31, 2018. In connection with Lot C's phase one development plan, HCDA reduced the University's leased parking stalls by 55 and were not able to renew the University's ROE to retain the Ohe Street 45 stall parking lot.

Thus, the purpose of conducting this public parking usage survey was to determine if the HCDA's Waterfront Park and Ohe Street lots had the excess public use capacity to allow the University to lease a total of 95 parking stalls. Leasing these stalls will allow the University to continue to meet its amended development permit total parking requirement and current parking needs. The 45 Ohe Street and 50 Waterfront Park stalls would be primarily used by JABSOM and UHCC faculty, students, and staff. JABSOM and UHCC personnel began recording public parking usage from February 11 through March 8, 2019 of the following two lots:

1. Ohe Street Lot (Ohe Lot), which is designated as TMK (1)2-1-060:030 (por.)
2. Kaka'ako Waterfront Park (Waterfront Lot), which is designated as TMK (1)2-1-060:008 and 029 (por.)

Based on our public parking usage survey results that are detailed in this report, the University believes there is more than sufficient public parking capacity to accommodate visitors from the Waterfront Park, the Children's Discovery Center, and the State's Family Assistance Center in addition to JABSOM and UHCC's work week parking needs for its employees and students **without** adversely impacting the general public's Waterfront Park users parking need or demand. Moreover, the University work week presence in the Ohe Lot and Waterfront Park may encourage and increase park patronage by adding a renewed sense of safety for park users.



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**Survey data generation, summation, tables, and graphics:** Janet Meeks and Nancy Foster

**Survey photography:** Edward “Buddy” Allison, Janet Meeks

# Public Parking Usage Survey Results

Our public parking usage survey fieldwork observation of HCDA's Waterfront Park and Ohe Lot was conducted over a four week period, beginning February 11, 2019 and ending March 8, 2019. Observation was performed using UHCC's administration and research building security camera surveillance footage and drone and individual photos taken by JABSOM personnel. The survey's fieldwork observation focused on capturing vehicle occupancy counts over four daily time intervals to simulate the highest parking occupancy times during a typical work week in the Waterfront Park and Ohe Lot parking areas. This report's following two sections will provide tables, graphs, and photographs demonstrating both parking lots public occupancy usage by location.

## Ohe Lot Public Parking Usage



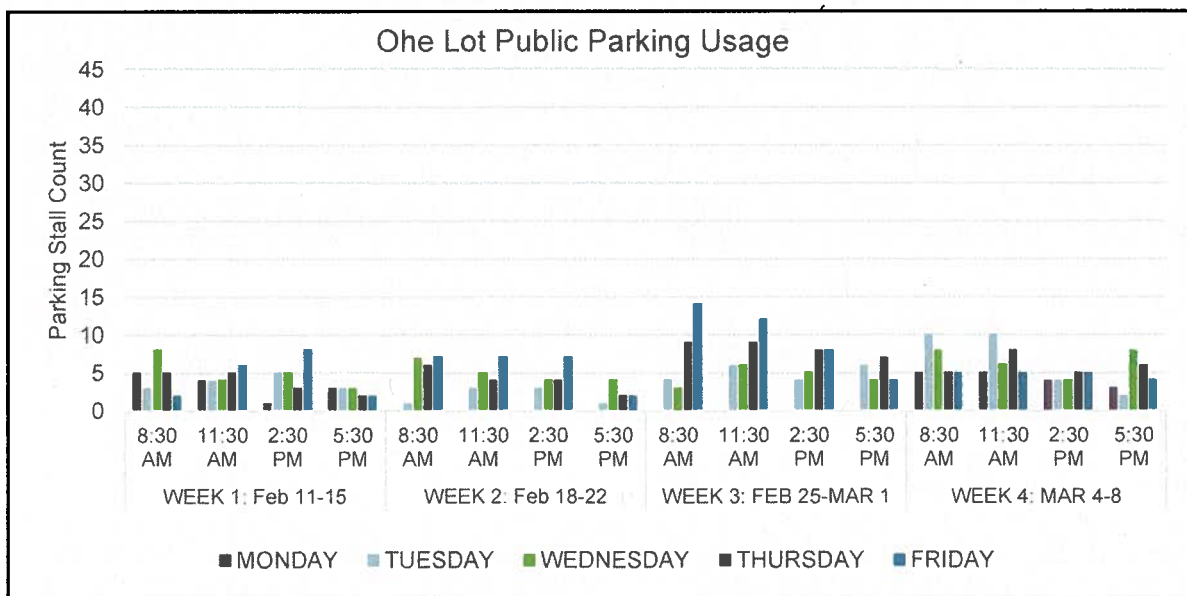
From 2013 through 2018, JABSOM leased the 45 Ohe Lot parking stalls to accommodate its volunteer and UH Mānoa faculty and students whose responsibilities require frequent visits to the Kaka'ako campus, but do not require full time parking. These individuals include a significant number of JABSOM's 1500 volunteer community faculty physicians who teach and mentor JABSOM's medical and graduate students on a non-routine basis for two to four hours on any given day Monday through Friday. With the limited on-site Kaka'ako campus visitor parking, metered street parking, and off-site daily parking in Lot C, JABSOM requires a designated visitor parking lot for these employees and students.

The Ohe Lot public parking usage table below provides the number of vehicles occupying the Ohe Lot from February 11 to March 8, 2019. Our four work week Ohe Lot fieldwork observation demonstrates that at the lot's highest public occupancy peak demand only 31% (14/45) of the lot was utilized.

Table 1: Ohe Lot Public Parking Usage

Ohe Street Lot	TIME INTERVAL	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
WEEK 1: Feb 11-15	8:30 AM	5	3	8	5	2
	11:30 AM	4	4	4	5	6
	2:30 PM	1	5	5	3	8
	5:30 PM	3	3	3	2	2
WEEK 2: Feb 18-22	8:30 AM	Holiday	1	7	6	7
	11:30 AM		3	5	4	7
	2:30 PM		3	4	4	7
	5:30 PM		1	4	2	2
WEEK 3: FEB 25-MAR 1	8:30 AM	No Counting	4	3	9	14
	11:30 AM		6	6	9	12
	2:30 PM		4	5	8	8
	5:30 PM		6	4	7	4
WEEK 4: MAR 4-8	8:30 AM	5	10	8	5	5
	11:30 AM	5	10	6	8	5
	2:30 PM	4	4	4	5	5
	5:30 PM	3	2	8	6	4

Additionally, the Ohe Lot public parking usage graph below reveals that on average only 6 cars or a 13% (6/45) daily parking utilization rate routinely occurred during the survey's four week observation period.



# Waterfront Park Public Parking Usage

The University understands that HCDA's second phase of its approved three-phase Lot C development plan may begin in the next 18 months, and will limit the University's ability to retain the entire 325 off-site Lot C leased parking stalls. Consequently, the University seeks to lease 50 parking stalls in the HCDA's Waterfront Park to ensure the University can continue to comply with its Administrative Amendment No. 1 to HCDA Development Permit MUZ 50-02 total parking requirement of 394 stalls.

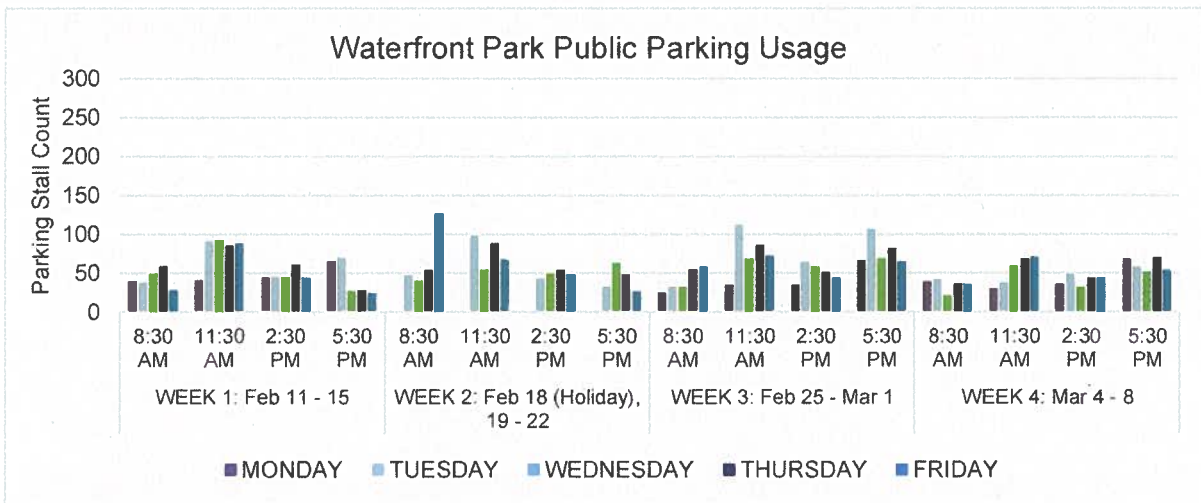
HCDA's Waterfront parking lot accommodates 302 vehicles, serving park users, the Children's Discovery Center's visitors, and the State's Family Assessment Center visitors and personnel. Of the 302 stalls, 20 stalls (outlined in **green**) are reserved for the State's Family Assessment Center. During our four week fieldwork observation of the Waterfront Park public parking usage survey, the 50 Waterfront Park stalls that were found to be the least utilized by park visitors, and provides the closest adjacency to UHCC's and JABSOM's buildings are the 50 stalls outlined in **red**.



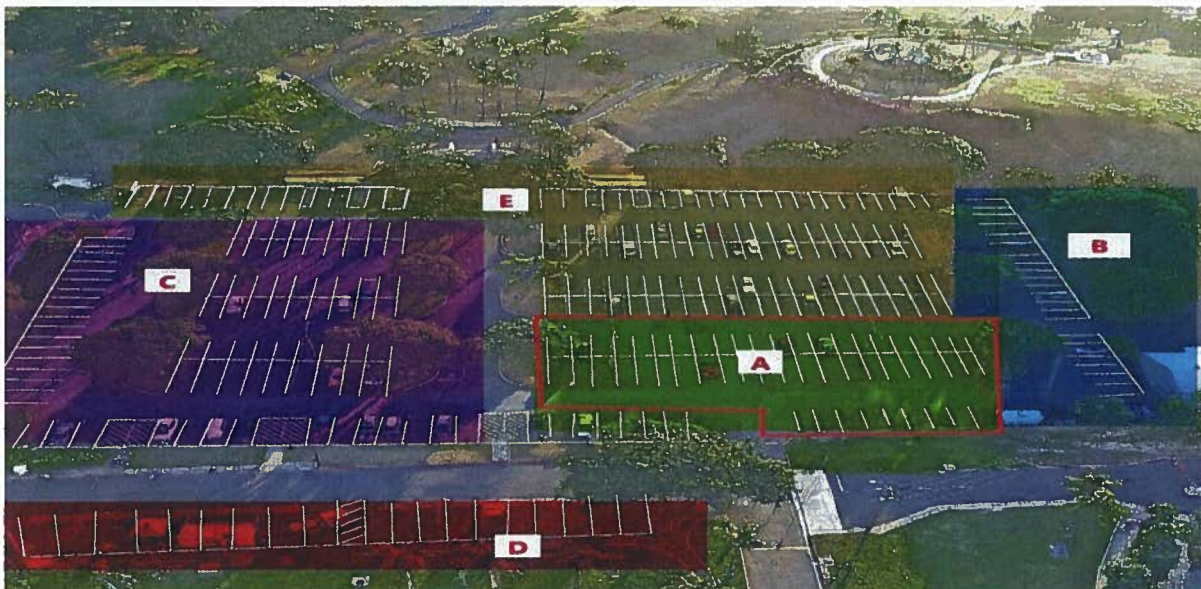
Table 2: Waterfront Park Public Parking Usage

Waterfront Park Lot	Time Intervals	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<b>WEEK 1: Feb 11 - 15</b>	8:30 AM	40	38	49	59	28
	11:30 AM	40	91	92	85	88
	2:30 PM	43	45	44	61	43
	5:30 PM	65	70	27	28	24
<b>WEEK 2: Feb 18 (Holiday), 19 - 22</b>	8:30 AM	Holiday	48	40	54	126
	11:30 AM		98	54	88	67
	2:30 PM		43	49	54	47
	5:30 PM		32	63	47	26
<b>WEEK 3: Feb 25 - Mar 1</b>	8:30 AM	24	32	32	54	58
	11:30 AM	34	112	69	86	72
	2:30 PM	35	64	58	51	43
	5:30 PM	66	107	69	82	65
<b>WEEK 4: Mar 4 - 8</b>	8:30 AM	39	42	21	36	36
	11:30 AM	30	38	59	68	71
	2:30 PM	36	49	32	44	44
	5:30 PM	68	58	52	70	54

As highlighted in Table 2 on the previous page, the Waterfront Park's highest parking occupancy totaled 126 vehicles or a 42% (126/302) peak demand parking occupancy rate. Thus, the survey results confirm that the University's requested 50 Waterfront parking stalls will not adversely affect park users' public parking availability. Moreover, the graph below reveals that the Waterfront Park's average daily public usage is equivalent to 57 vehicles or a 19% (57/302) average daily parking stall occupancy rate during the Monday through Friday work week. The survey results also confer that the Waterfront Park peak usage days are Tuesdays and Thursdays with an average of 60 cars or a 20% parking stall occupancy rate. Peak usage time intervals presenting the most parking demand usage on any work week day occurred at 11:30 am and 5:30 pm.



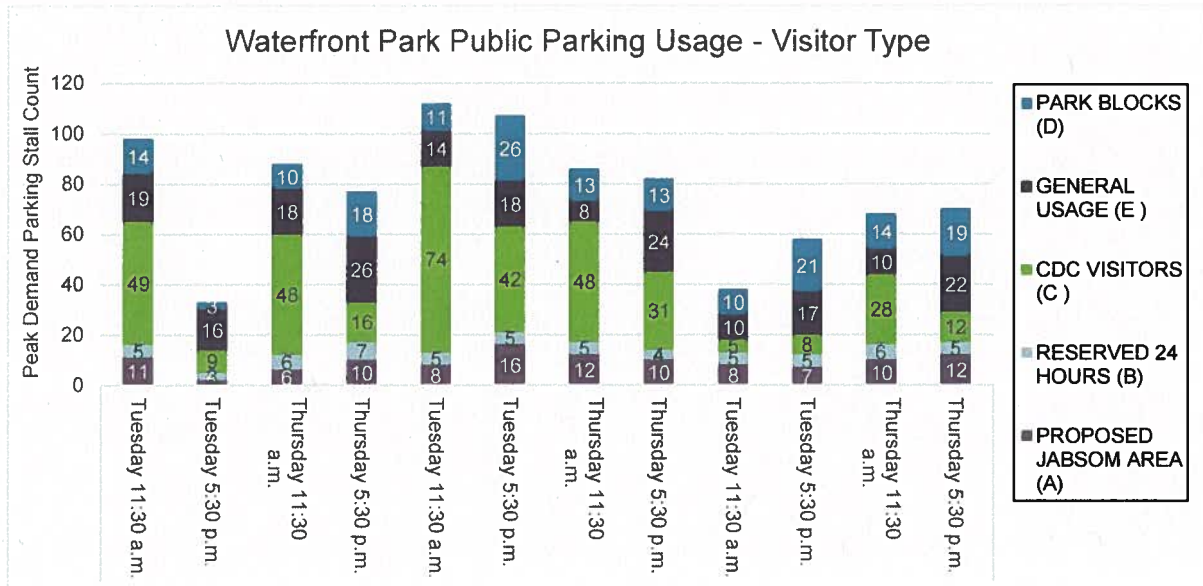
### Waterfront Park Public Parking Usage Map-Visitor Type



The colored map photo above attempts to depict certain Waterfront Park areas (discovered during the survey's field observation) that are frequently utilized by park users (**section E**) versus those stalls used by the Children's Discovery Center visitors (**section C**) or park block usage, such as late afternoon sports activity (**section D**). The areas least utilized by park users were the State's Family Assessment Center's

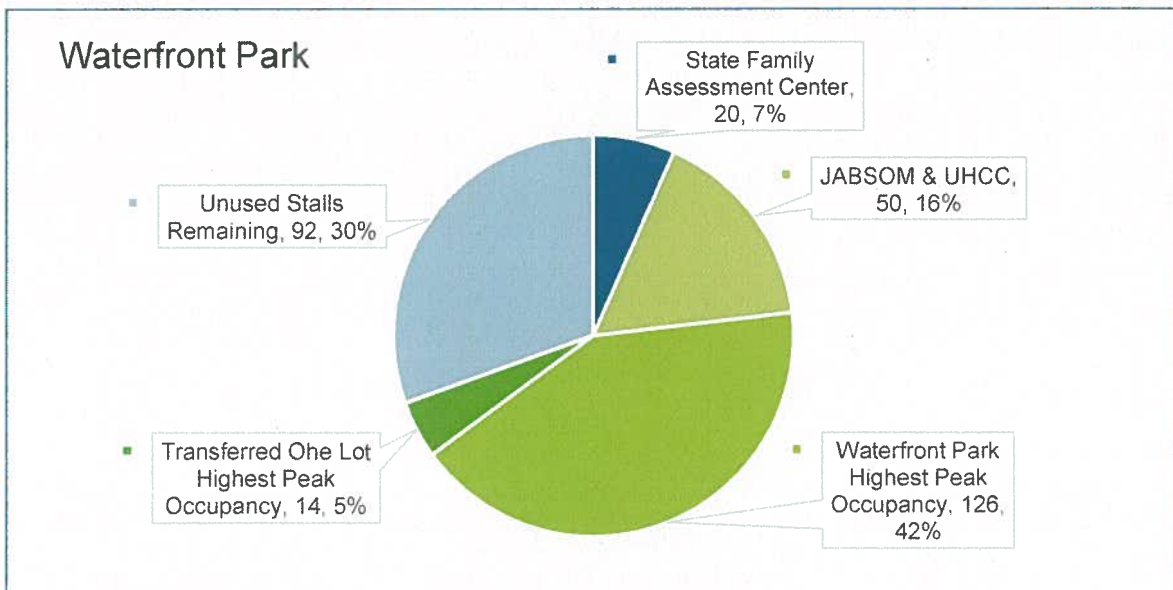


reserved (B) stalls and the 50 stalls outlined in red (A), which represent the Waterfront Park area that the University is requesting to lease from HCDA over the next five years. Specific area parking occupancy by visitor type during peak parking days (Tuesday and Thursday) and peak time intervals hours (11:30 a.m. and 5:30 p.m.) are reported area in the following graphic over the final three weeks of the survey fieldwork period.



## Survey Report Conclusion

The information shared in this public parking usage survey report confirms that the average daily occupancy rates of the Ohe Lot (13%) and the Waterfront Park (19%) will allow for sufficient parking usage capacity to accommodate public park users, the Children's Discovery Center visitors and employees, the State's Family Assistance Center visitors and employees, and JABSOM and UHCC's request for 95 weekday parking stalls without adversely impacting overall public parking need or demand.



If the University is able to lease the entire 45 stall Ohe Lot (or 100% occupancy) and 50 Waterfront Park stalls (or 16% capacity), the Waterfront Park reserved stall occupancy percentage will increase from 7% to 23%. If parking utilization at the Waterfront Park's highest peak occupancy demand (42%) is combined with the transfer of the Ohe Lot highest peak occupancy (14 stalls or 5% ) and the park's 23% reserved parking stall rate, available parking in the park remains at 30% availability or 92 uncommitted Waterfront Park parking stalls.

## University's Mutual Benefit Request

If the University's 95 Ohe and Waterfront stall request is approved by HCDA, JABSOM and UHCC students, employees, and volunteers will be issued parking permits to park in either the Ohe Lot or the Waterfront Park. Similar to the State's Family Assessment Center Waterfront Park reserved stall management, the University will add demarcation to its leased Waterfront Park reserved stalls and include signage to indicate reserved parking area and applicable hours for University permitted parkers during the Monday through Friday work week.

Having University permit parking in the Ohe Lot and the Waterfront Park provides mutual benefits to the University, the Kaka'ako Makai community, and Waterfront Park users. As an example, JABSOM's HOME Project faculty and medical student volunteers work weekly with the State's Family Assessment Center to care for the families with young children living in the center. Moreover, the direct adjacency of the Ohe Lot and Waterfront Park to the University's Kaka'ako campus location allows our campus public safety officers to easily extend their security monitoring to the Waterfront Park and Ohe Lot during the work week. This added monitoring and security officer presence may provide a sense of safety for park users, possibly deter unwanted park activity, may reduce illegal tapering of park resources (e.g., water and electricity) and discourage formation of unwanted homeless encampments surrounding the parking lot perimeters that has hindered the Children's Discovery Center visitor patronage.