

FOR ACTION

I. REQUEST

Shall the Authority Authorize the Executive Director to Deny Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa's Petition for a Contested Case Hearing (Docket No. TBD) filed on March 31, 2026 with the Hawaii Community Development Authority Related to the Hawaii Community Development Authority's April 1, 2026 Agenda Item III.2 (Consider Approving, Pursuant to the Findings of Fact, Conclusions of Law, and Decision and Order dated January 7, 2026 for Application No. KAL 25-010, the Reserved Housing Unit Pricing and Supporting Analyses for Increment 4 of Ka'ulu by Gentry, Located on Parcel TMKs (1)9-1-193 (var.) and (1) 9-1-198 in the Kalaeloa community development district [91-1101 Franklin D. Roosevelt Avenue]).

II. BACKGROUND

A petition for a contested case hearing was filed on March 31, 2026 by Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa (Docket No. TBD) ("Petition") regarding the Hawaii Community Development Authority's April 1, 2026 Agenda Item III.2 ("Agenda Item").

The Agenda Item related to Gentry's request for approval by the Kalaeloa board of the reserved housing pricing for Increment 4 of the Ka'ulu by Gentry project located on Parcel TMKs (1) 9-1-193 (var.) and (1) 9-1-198 in the Kalaeloa community development district [91-1101 Franklin D. Roosevelt Avenue] pursuant to the Findings of Fact, Conclusions of Law, and Decision and Order dated January 7, 2026 for Application No. KAL 25-010.

Upon receipt of the Petition, the Kalaeloa board deferred acting on the Agenda Item pending review by Staff and Hawaii Community Development Authority's Deputy Attorneys General.

On April 20, 2026, Gentry Kalaeloa, LLC filed a Motion to Intervene with the Hawaii Community Development Authority.

III. DISCUSSION

The Petition was submitted as testimony for the Agenda Item but also makes a request for a contested case hearing on the proposed Kalaeloa community development district master plan.

Staff has reviewed the Petition and considered various responses to the Petition with our Deputy Attorneys General.

Staff recommends denying the Petition for the following reasons:

1. Agenda Item:
 - a. The Petition has not identified a law or rule which affords the Petitioners a right to a contested case hearing prior to the adoption of reserved housing pricing for Increment 4 of the Ka'ulu by Gentry project.
2. Kalaeloa community development district master plan:
 - a. HAR section 15-219-46 provides as follows: "A contested case shall commence upon the filing of a petition for permitted relief with the authority within thirty days of the action or decision for which the contested case hearing is sought."
 - b. The Kalaeloa Board has not taken any action or made any decision on the proposed amendments to the Kalaeloa community district master plan. Accordingly, there is no HCDA action or decision for the Petitioners to challenge.

IV. RECOMMENDATION

To authorize the Executive Director to Deny Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa's Petition for a Contested Case Hearing (Docket No. TBD) filed on March 31, 2026 with the Hawaii Community Development Authority Related to the Hawaii Community Development Authority's April 1, 2026 Agenda Item III.2.

Attachment: The petition for a contested case hearing filed on March 31, 2026 by Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa

Prepared By: Craig K. Nakamoto, Executive Director *Craig K. Nakamoto*

Reviewed By: Garet Sasaki, Chief Financial Officer *Garet Sasaki*