

PLANNING COMMISSION  
COUNTY OF HAWAI'I

NOVEMBER 2, 2007

**ATTACHMENT 1 TO GHC INVESTMENTS, LLLP, formerly DMS  
INVESTMENTS, LLLP (REZ 07-000072)**

COMMISSIONER ANDREW IWASHITA'S COMMENTS MADE ON DIEN-JUNG  
LIN NEKOBA'S REZONING 07-00071 TO BE MADE PART OF THE FILE TO GHC  
INVESTMENTS LLLP

IWASHITA: Thank you, Mr. Chair. I speak in opposition to the motion. In that regard, I'd like to actually cite the rationale that is quoted in a later matter we're hearing, but basically it's this:

The proposed rezoning action for a Single-Family Residential to Neighborhood Commercial is not consistent with the applicable goals, policies, standards and courses of action of the General Plan for this area. In order to consider an area for any type of zoning designation, the zoning amendment needs to be consistent with the applicable goals, policies, standards and courses of action of the General Plan. The current use of the property is consistent with the goals, policies and standards of the Land Use (Single-Family Residential) Element of the General Plan and should not be amended. The location of the designated single-family residential lands in this area is important in that they are located in close proximity to centers of employment, shopping and other conveniences, and have the basic improvements and amenities necessary for development.

The Land Use and Commercial Elements require that a change of zone request be evaluated for a particular area in relationship to the following goals, policies, standards and courses of action:

Land Use

- Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural and physical environments of the County.
- Zone urban- and rural-types of uses in areas with ease of access to community services and employment centers with adequate public utilities and facilities.
- Allocate appropriate requested zoning in accordance with the existing or projected needs of neighborhood, community, region and County.
- Encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.
- Zoning request shall be reviewed with respect to General Plan designation, district goals, regional plans, State Land Use District, compatibility with

adjacent zoned uses, availability of public services and utilities, access and public need.

### Commercial Development

- Provide for commercial developments that maximize convenience to users.
- Provide commercial developments that complement the overall pattern of transportation and land usage within the island's regions, communities, and neighborhoods.
- Commercial facilities shall be developed in areas adequately served by necessary services, such as water, utilities, sewers, and transportation systems.
- Distribution of commercial areas shall be such as to best meet the demands of neighborhood, commercial and regional needs.
- Encourage the concentration of commercial uses within and surrounding a central core area.

The request is contrary to the Land Use goals and policies of the General Plan. The General Plan is intended to be used as a policy guide for the coordinated growth and development of all sectors of the County. It sets forth goals, policies, standards and courses of action to accommodate growth without congestion, to designate and preserve lands for residential use, commercial and visitor services, industry, agriculture and open space. Land Use is one of the principle focal points of public concern and policy. The Land Use element, which also includes a Commercial sub-element, provides the basis for control and guidance of public and private resources.

The request is not consistent with the Land Use - Commercial Development goals and policies of the General Plan, which state:

- Encourage the concentration of commercial uses within and surrounding a central core area.
- Provide commercial, and in this regard I would point out that the applicant has already established its business in other properly zoned areas. There is no eminent need for this zoning change. Provide commercial developments that complement the overall pattern of transportation and land usage within the island's regions, communities, and neighborhoods.

The proposed request fails to address the fundamental problems associated with the development of commercial property in this particular area, which is the inability to establish an effective land use pattern. And you look at the map, I would suggest at this point, and there is really -. You know, it's a map; it shows basically spot zoning going on at, you know, with the authorization of this body and the County Council in the recent past. The effective land use planning requires a regional perspective towards establishing a proper land use pattern within a given area. The proposed request would be better located and already is located within established commercial-industrial areas, which are located within close proximity to the property, or within other commercially-zoned sites, rather

than spreading into residential neighborhoods not planned for such commercial uses.

Another consideration is the potential for encouraging strip commercial development should the request be approved. Approval of the request may attract the “in-filling” of lands between the established commercial areas by other commercial developments or could extend commercial development further, in this case, east and west, creating strip development in this area. Such strip development would create rapid growth increase in adverse impacts to traffic, as one testified, expressed, as multiple access points would be required for such developments along Kekuaaoa Street.

The words I’ve just read basically comes from the Department’s recommendation for an unfavorable recommendation in Item 3 on our agenda today, but the words fit this case. But in this case we have a different recommendation.

The last paragraph I’m going to read, “Therefore, from a land use perspective, to allow higher density commercial uses through the CN zoning in this area would be inappropriate at this time, in my mind, especially because the applicant already has adequate facilities that services its business needs. Allowing this change of zone would undoubtedly serve as a precedent for future rezonings for commercial uses along Kekuaaoa Street in this area. Based on the above, the CN-10 zoning is not appropriate for this property.

The distinction that the Department is making between this application and the one on Item 3 is that the one on Item 3 the LUPAG designation is Low Density Urban; and in this it is Medium Density Urban. And just as a historical footnote, I would point out that that designation, Medium Density Urban for this area, was made in 2005 basically in, and I regard, a stealth manner. It was not, up until that time the community, at the community’s specific request Low Density, it had been previously Medium Density Urban. And when all of the hoopla occurred on, Jeff, can you help me, the name of that street by the Civic... Piilani Street. When that zoning change came up and those businesses came up and there was considerable neighborhood uproar about that, the zoning was changed from Medium Density Urban to Low Density Urban. The neighborhood did not come back and ask for an increase in the Medium Density Urban back in 2005. It’s something that happened. And now we’re having, if it didn’t happen we wouldn’t be dealing with this today. If, you know, but it did happen and so we’re dealing with this.

But at the same time in 2005 what happened in the General Plan amendments was the implementation, the planned implementation portion of the General Plan, 15.1, Community Development Plans; and this is really the process that should be followed before any action like this should be taken. The Community Development Plans are intended to be a form for community input into managing growth and coordinating the delivery of government services to the community. The Community Development Plans will translate the broad General Plan statements to specific actions as they apply to

specific geographical areas, i.e. house lots. A Community Development Plan should direct physical development and public improvements within a specific area. You know, this is real nice word, idealistic words, right?

And my point is that these words should be implemented, that if we want “preferred future” if we want something other than the strip mall development that the Department’s adverse recommendation comments are bringing up in Item 3 that I read earlier, then this is what should be done. This is the process we have. The Community Development Plan may contain detailed land use and zoning guide maps, plans for roadways, drainage, parks, other infrastructure and public facilities, architectural design guidelines -- and when you’re going to have lots of mixed uses in an area like House Lots that we’re envisioning, those are the kinds of things that really should be addressed; and we have absolutely nothing in the conditions about these things -- planning for watersheds and other natural features, and any other matters relating to the planning area.

I thank the Commissioners and the public for your indulgence in ascending to my making a record of this; but I think very appropriately in this case that we have, in my mind, very contradictory recommendations being made by the Department on two separate matters in this. But when you read the words, you read these words about an adverse recommendation, there is no way to distinguish this case from the one we have on an adverse recommendation. Thank you, Mr. Chair.