

## **Third Draft Guiding Principles with CPAC Discussion Comments September 9, 2008**

### **Parks and Green Space (#1)**

*Expand and landscape Kaka'ako Makai's shoreline park in order to make it an integral part of the "lei of green" linking Diamond Head to Aloha Tower.*

- *The park provides recreation and enjoyment and viewplanes of the ocean and mountains for the growing urban population of Kaka'ako community as well as Hawai'i residents and visitors. This use of public land demonstrates Hawai'i's values associated with sustainability, open spaces, and green space, values that respect the natural dynamic interaction of people, land, ocean and air, and contribute to preservation of Honolulu's native coastal and marine resources.*
- *Assure sufficient park acreage in Kaka'ako to offset the adverse human effects of urban density, noise and pollution, resulting from "smart growth" development in Kaka'ako. National-level park standards provide a benchmark of at least 2 acres per 1000 people.*

Explanation: This draft now has more direct guidance and reduced repetition.

Comments:

- Lei of green is the shoreline "extending" from Diamond Head to Aloha Tower, not "linking" the two but the spaces between the two.
- "Public health and welfare" should be returned to this principle because this is about park and green space contributing to the public health and welfare.
- There is a different GP for public health and safety
- "Public health and welfare" is one of the priorities that would be threaded through the GPs

It was agreed that this GP was appropriate in length and tone.

### **Open Space and View Planes (#4)**

*Protect, preserve and perpetuate Kaka'ako Makai's open view planes from the mountains to the sea as an inherent value of the Hawaiian ahupua'a and an important public asset for residents, visitors and future generations.*

- *Ensure planning and development safeguards to identify, document, retain, restore and protect makai-mauka and diamondhead-ewa open view planes.*
- *Ensure that open view planes from the ocean to the mountains are retained, restored and protected from Kewalo Basin Harbor and the State public lands of Kaka'ako Makai to the Ko'olaus, Diamond Head and the Waianae range.*

Explanation: This format has a strong principle statement with secondary bullets

Comments:

- Strong support for this GP.

- The term ahupua‘a encompasses the larger area
- Hawaiian language terms add to the understanding and grounding of the GPs.
- During a previous presentation a traditional practitioner explained the values and meaning of the ahupua‘a.
- This is a principle expression about the views that encompass the ahupua‘a, and the scope of Kaka‘ako Makai within it. Further explanation can be appended in the annotated version of the GPs.
- The ahupua‘a is broader than the visual relationship.
- The ahupua‘a is about social relationships between mauka and makai as well as a physical place.
- Many ahupua‘a are designated by land demarcations from the mountains to the sea.
- Ahupua‘a values remain a priority to include as a thread between several GPs.
- Suggestion to combine both bullet points.
- Suggestion to move the Traditional Hawaiian GP up in rank.
- The GPs are of equal value and not ranked in sequence.

### **Public Accessibility (#5)**

*Provide open and full access to ocean and park recreational and cultural activities within and around Kaka‘ako Makai’s gathering place and shoreline.*

- *Ensure public access with minimal impact to the environment.*
- *Provide a shoreline promenade and tree-lined paths to comfortably accommodate pedestrians, bicyclists, and those requiring mobility devices.*
- *Provide connections to public transportation.*
- *Provide ample shared and concealed [and bermed] public parking to support the public uses in Kaka‘ako Makai, with weekday parking available for recreational and cultural uses during evenings and weekends.*

Explanation: The terms “mobility devices” for wheel chair accessibility and “connections to public transportation” have s been added. “Affordable” parking rates and “reserved” parking have been removed to generalize the statement.

Comments:

- Reserved parking could be “available” for the public after hours.
- Available parking during weekdays and after hours should be clarified.
- GPs provide broad guidance for the area’s concept, not what is specifically included in specific buildings.
- Mobility compliance with ADA requirements is already law.
- “Mobility devices” demonstrates inclusiveness and a reflection of certain public needs.
- Complete access for recreational activities needs to be emphasized.
- Ensure public access for recreational users and their equipment, e.g., surfboards, canoe storage, etc.
- Details could be provided in the annotated version.

## **Coastal and Marine Resources (#6)**

*The coastal and marine ecosystem of Kaka'ako Makai will be identified, repaired and maintained using sustainable practices.*

- *Water supply, waste disposal, reef and marine life, native vegetation, air quality will be monitored as indicators of environmental health.*
- *Protect and sustain the coastal environment for cultural uses including fishing and ocean gathering, surfing and ocean navigation.*
- *Ensure that Kewalo Basin will continue as a valuable community asset by repairing, maintaining and enhancing the harbor and its support services for small commercial and fishing boat use.*
- *Preserve the beneficial relationship between Kewalo Basin Harbor's existing fishing and small commercial boating businesses, maritime support businesses, and marine conservation and research uses.*

Explanation: The original GP was too brief to give any guidance. Input from Kewalo Basin interests is encouraged for this or a separate GP.

Comments:

- Kewalo Basin has been discussed in both its separate and inclusive capacities. Kewalo Basin has been maintained separately on the HCDA web site, so it would be fair to have this as a separate GP.
- A Kewalo Basin GP submitted separately was combined with this GP in order to maintain 14 GPs.
- The CPAC never voted to have only 14 GPs, and a range of up to 20 was discussed.
- Kewalo Basin is a center-point of Kaka'ako Makai that deserves its own GP.
- (HCDA Staff) Regarding the first bullet point, the HCDA does not have the mandate, ability or staff to monitor.
- The HCDA staff does not have the authority to perform most of these things, but as the overseer of the property the HCDA should take an active role in making sure the agencies or surrogates in the regulatory role do these things.
- The revised draft was based on a Hudson River Trust collaboration to form a public/private partnership for monitoring the Hudson River ecosystem. There is a GP that supports public/private partnership, and there is support for the GPs as overarching essential ideas with implementation to be defined in a later planning phase.
- Monitoring on an ongoing basis can be done by different groups or organizations, such as the Kewalo Keiki Fishing Conservancy.
- (HCDA Staff) The HCDA works with the Department of Health.
- This GP speaks to the stewardship of the land and environment, and someone will have to be officially in charge of this.
- The CPAC will need to decide if these GPs are specifically for the HCDA to accomplish, or if the GPs are what the CPAC sees for the entire area and not necessarily the HCDA's responsibilities, including the private landholders.

- The first part of this GP needs some work. For example, what is meant by “repairing” the ocean? “Water supply, waste disposal... air quality” may fit better under the site design GP.
- “Stewardship” is a good word..

### **Public Health and Safety (#7)**

*Ensure that Kaka‘ako Makai is a safe and secure place for residents and visitors.*

- *Keep public use areas safe day and night for public comfort and enjoyment.*
- *Ensure that Kaka‘ako Makai remains free and clear of activities that may be harmful to health, well-being, or the natural environment.*
- *Assure removal or safe mitigation of environmental contaminants in the soil.*

Explanation: “Evening performances” and “bio-safety lab” were removed as being specific.

Comments:

- Strong objection to the removal of the “bio-hazard lab” concern from this GP in the immediate synthesis, which renders this concern vague. The term “bio-hazard laboratory” was included as originally stated because a) it was one of the CPAC’s highest priority concerns, and b) this is the correct term in technical documentation.
- The term “bio-safety lab” is a public relations term used by the PacRBL promoters to create the impression that these facilities are safe, but online documentation shows otherwise.
- The term “bio-hazard” is used by the federal government when referring to these facilities.
- In response to Chair Wong’s question if the term “bio-safety lab” could be used, CPAC participants supported retaining the original “bio-hazard lab” language.
- If no bio-hazard lab is planned, then this GP condition could be amended in the future.
- (HCDA Staff) Presently there is a smaller level 3 bio-hazard lab functioning at JABSOM.
- A separate meeting and presentation on the bio-hazard lab issue is warranted.

### **Design Guidelines (#8)**

*Ensure that Kaka‘ako Makai’s public use facilities are compatible in placement, architectural form, and functional design within the landscape of the community gathering place.*

- *Identify, protect, preserve, restore, rehabilitate, interpret and celebrate Kaka‘ako Makai’s historic sites, facilities, settings, and locations.*
- *Maintain the quality of coastal environmental elements including natural light and prevailing winds.*

- *Incorporate sustainability guidelines, conservation technologies, and green building standards for buildings, grounds and infrastructure.*
- *Provide and maintain abundant native coastal plants and trees to blend the scenic qualities and fragrances of the shoreline environment and create a Hawaiian sense of place.*

Explanation: This has been substantially reduced from a long first draft.

Comments:

- The assignment was to combine into a second draft the originally combined drafts #8 and #9, with #10, #11 and #15 taking into consideration the CPAC's August 12 comments.
- This GP was a catch-all for many of the drafts, and it has now been concisely reduced to 4 bullets with many of the original terms retained. There may be a lot of detail on this in the annotations.

### **Legal / Use of Public Lands (#12)**

*Recognize and respect the effort and intent of the Hawaii State Legislature to uphold the greater public interest by ensuring and sustaining public uses on Kaka'ako Makai State public lands for the greater public good, through:*

- *Act 317, 2006, precluding sale of public land and housing development in Kaka'ako Makai;*
- *HCR 30, 2006, demonstrating commitment to serve the highest needs and aspirations of Hawaii's people and the long-term good of Hawaii's residents and future generations.*
- *Act 3, 2007 Special Session, restoring the site-dependent use of Kewalo Basin Cove to the Kewalo Keiki Fishing Conservancy.*

Explanation: This GP was not substantially changed. It was originally entitled "Legal" and the title now reflects some discussion of public use of public lands for public good.

Comments:

- It would be more definitive to use public land use in the public interest, which avoids stalling on whose land or what kind of land.
- The term "laws" was replaced with "legislative intent."

### **Hawaiian Culture (#13)**

*Kaka'ako Makai will be open to and actively involve a broad cross-section of people with a diversity of age, income, ethnicity and culture; however respecting Hawaiians role as the host culture of Hawaii, Native Hawaiian values, traditions, rights, and practices will be used as the framework for planning, decision making, and educational programming.*

Explanation: Refinement of this GP was referred to the OHA representative and remained unchanged.

Comments:

- The term “rights” was previously questioned. The OHA representative explained that this refers to gathering rights and traditional practices.
- While this GP presently remains stilted, some good language was originally offered by the OHA representative that would add to the refinement of this GP and render it more all-encompassing.

### **Multicultural [Respect] (#17)**

*Kaka‘ako Makai shall embrace the intertwined cultures of Hawaii and celebrate its diversity.*

Explanation: This does not reflect any major changes other than some word-smithing.

Comments:

- There was an objective at the Steering Committee meeting to look at this GP very carefully in the sense of a gathering place. A guiding principle was submitted that was all-inclusive of multi-cultural and performing arts venues, and the public cultural market. But this submittal remains absent from this list.
- Chair Wong commented on the following: the Steering Committee had not seen this GP and it was not an intentional omission; the GP list is not final; the GPs had to fit certain slots, and if some submittals did not fit they were not included.
- This continuing problem needs to be corrected. This GP was to become the gathering place to include multi-cultural. The gathering place GP is not present at all, although this was the priority in the leading GP concepts under the Community and Cultural theme. Specifically, “gathering place” is #1, followed by and to include “performing arts center, visual, traditional, museum and multicultural.” This was a combination of several original drafts and was intended to be an all-inclusive “gathering place” GP.
- Chair Wong concluded that some feel this should be in the vision and not a separate GP and some do not, and the Steering Committee needs to work on this.
- “Gathering place” should be in the Vision statement, and the “traditional Hawaiian” and “multicultural” GPs make a good pair. The host culture is pre-eminent but should not be exclusionary, and the whole spectrum of multi-cultural traditions should also be included.
- “Gathering place” can be in the Vision statement, but this priority should also be included as a GP allowing bullets to explain the concept.
- The absent “community gathering place” GP submitted to the Chair and facilitators before the August 19 Steering Committee meeting is a combination of #16, #21, #17 and #18, and the July 22 and August 12 comments.

### **Cultural Center (#21)**

*Kaka‘ako Makai will include a cultural center where community and creativity converge.*

- *Offer public enrichment, education, exhibition, and performance opportunities while showing sensitivity to the natural beauty of the waterfront open space.*

- *Provide facilities that complement each other and encourage the teaching, practicing, and showcasing of hula, theater, music, dance, and other performing and visual arts of Hawaii's diverse ethnic communities.*

Questions and Comments:

- In response to a question about how #17 and #21 differ from #5, it was explained that #5 speaks to giving physical access to the area and its activities and does not mention venues, and #21 speaks to a cultural center and specific uses for those who cannot perform their activities in a park.
- In response to a question about “indoor and outdoor” activities being absent from #21, Chair Wong referred to the August 19 Steering Committee Meeting Summary.
- In response to a question about the public cultural market, Chair Wong commented that this had been included in #26, “Small and Local Business.”
- (HCDA Staff) This is not something that HCDA wants to do, but it is in a law for a cultural marketplace to be in Kaka’ako Makai.
- The public cultural market law is a set of guidelines for Kaka’ako Makai, i.e., the Hawaiian culture shall be “emphasized,” and performing arts and museums may be “contemplated.” The public cultural market was intended to be the community gathering place with some or several of these components, not an exclusive performing arts center as the key element. Thus this GP can easily include the CPAC’s priority “farmers and fish market” reflecting the Hawaiian cultural values of the ahupua’a and trading between the mountains and the sea, which was also noted in a GP bullet offered by the OHA representative.
- “Green market” is included in #26.
- .What is a “green market”?
- A cultural center can include a cultural market and a performing arts center. There is confusion between “cultural center” and “cultural market,” and these were originally mentioned as being together.
- It the “cultural center” inclusive or exclusive?
- Originally this was all-inclusive.
- This was the “community gathering place.”
- Many wanted the cultural center to be separate.
- What is the most overarching concept? Cultural has many meanings, and there is a big overlap between #17 and #21 where people can gather and interact.
- The Steering Committee needs to hear from the CPAC participants on this.
- Whatever is done with the area, open space can be flexible for a wide variety of purposes and activities in relatively simple and malleable areas, instead of being locked into brick and mortar structures. There needs to be a place for children to gather and adapt to traditional family recreational activities.
- One event at the Waikiki Shell in Kapi’olani Park draws 6,000 to 8,000 people, a wider spectrum than those who jog or play soccer.
- Kapi’olani Park is a historic landscape that is much more than just the Shell.

- To create a concert hall used only at certain times and empty at other times does not add to this space as a community gathering place, any more than the medical school adds to the space as a community gathering place. These are basically land grabs for available space, and the integrated space needs to be considered.
- There has been broad CPAC support for a performing arts center.
- A performing arts center would be one component within the inclusive gathering place, which would not simply be exclusive to only those able to afford it.

### **Community/Government Partnership (#23)**

*The Kaka'ako Makai Community Planning Advisory Council places the public interest first and foremost, and will strive to uphold the greater good of the community in partnership with the HCDA as the public oversight agency by:*

- *Openly working with the community and the HCDA with the guarantee of government commitment to ongoing community representation and involvement throughout the continuous planning process;*
- *Openly communicating with the State Legislature and other elected public officials;*
- *Committing the time and effort required to meet the goals and objectives of the Kaka'ako Makai planning process, and advocating responsibly in the public interest both collectively and individually, notwithstanding premature or conflicting proposals to the contrary.*

Explanation: This GP was a request from the HCDA to include a GP to address the CPAC's relationship with the HCDA.

Comments:

- The GP states the CPAC's commitment to work with HCDA as an advisory group.
- The GP also notes that the CPAC will continue to proceed consistently with their mission despite any premature or conflicting proposals.
  - As an example, the master plan for Kaka'ako Mauka has been undergoing community-based revisions to reduce heights and structural densities, but during the HCDA's Supplemental EIS review process private landowners are now attempting to fast-track plans through the HCDA to retain higher heights and densities in their future developments.
  - As another example, during the 2008 Legislative hearings on OHA's bid for Kaka'ako Makai lands the HCDA and the CPAC decided to remain status quo in their missions in the absence of any law stating otherwise.
- (HCDA Staff) When the CPAC was formed for planning purposes no intent was expressed by the Legislature for the CPAC to advise on what happens outside Kaka'ako Makai.
- CPAC participants are free to individually address Kaka'ako Mauka and other planning issues.



## **Funding and Management (#25/#28)**

*Assure and assist viable and sustainable operation of public uses and facilities on State public land in Kaka‘ako Makai through public/private partnerships and 501( c)(3) non-profit management similar to successful park conservancies and their stewardship programs.*

- *The community land conservancy will be essential in determining safeguards to restore, protect and perpetuate Kaka‘ako Makai’s natural shoreline resources and view planes, historic and recreational resources, and public uses on State public lands in the public interest as a quality of life benchmark.*
- *This conservancy may be a public/private partnership of the Kaka‘ako Makai Community Planning Advisory Council (CPAC), the Hawaii Community Development Corporation (HCDA) or current oversight agency, and private contributory interests to both monitor and underwrite public use on State public land in service to the public good.*

Explanation: This GP addresses funding and operations. There was a question about the term “501c3,” which can be defined in the annotated version.

Comments:

- IRS 501c3 standing provides a tax write-off advantage for private contributions made to non-profit organizations to meet their objectives in building and sustaining projects. One example is the Hawaii Theater, which received \$17 million in private funding contributions for its restoration.
- People are more willing to contribute to a 501c3 tax-exempt organization and receive a tax deduction.

## **Small and Local Business (#26)**

*Apportion a limited number of small local businesses to assist in cooperatively sustaining Kaka‘ako Makai’s public use facilities.*

- *Ancillary small businesses may include diverse local restaurants, cafés, small shops, green markets or other uses that will complement the recreational, cultural, harbor or other public facilities serving the community interest.*
- *Encourage small local enterprises that emphasize the Hawaiian culture and support traditional local products, rather than large corporate retailing attractions.*

Explanation: The desire is to ensure that small business components compliment recreational and cultural facilities, to discourage regional commercial operations, and to encourage uses that reflect Hawaii and the actual area’s small businesses, including fishing boats and traditional local products.

Comments:

- Ancillary small businesses would not be main attractions unto themselves, and could assist in sustaining the facilities where they are located while compatibly blending with them.

- The HCDA’s goal is for Kaka’ako Makai to be self-sustaining, including maintenance of the parks.
- There is a question whether this type of support of public facilities can be achieved by contributing small businesses.
- The ancillary small businesses would rent the space, and the facility operator would pay the common maintenance fee out of this.
- The GPs may lead to negotiations with the State for the practical implementation of maintaining the public facilities. For example, concession revenue cannot be expected to maintain City parks, which are sustained by supplemental public funding.
- Kewalo Basin is similar as a State facility, where maintenance cannot be entirely dependent on the small business tenants.
- It would not be fair to expect small local businesses to entirely support the expenses of the public facilities and areas. The HCDA’s expectations are unrealistic.
- The Funding and Management GP helps to broaden the understanding of funding mechanisms by further defining them.
- The partnership concepts allow for additional supportive roles.
- If small local businesses are desired and are to be encouraged, other funding sources will need to be explored.
- The park open space is provided for the public good, and supporting the public park facility is a public responsibility. The main intention of having the small ancillary businesses is to support the needs and comfort of the park and facilities users.
- The GPs should include contributory efforts by all public and private Kaka’ako Makai land holders.

**Education (#32)**

*Provide enriching and valuable public educational benefits and opportunities to residents and visitors alike through Kaka’ako Makai’s coastal and marine environment; Hawaiian cultural heritage and practices; recreational, educational and performance exhibitions; and historic sites and settings.*

Explanation: While concise, there is a lot of detail expressed in this GP and the specifics can be defined in the annotated version.

Comments:

- Add other cultures to “Hawaiian cultural heritage and practices.”