

Posted on: Saturday, August 29, 2009

Ho'opili proposed housing project hits snag in land-use law

Land committee cites deficiencies in rejecting 'Ewa urbanization plan



The Honolulu Advertiser

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The proposed 11,750-home Ho'opili project in 'Ewa suffered a setback yesterday as the state Land Use Commission ruled that the developer's petition to urbanize 1,554 acres of farmland for the envisioned community is deficient.

In a 5-3 vote, the commission ruled that developer D.R. Horton-Schuler Homes didn't comply with state law requiring that development be substantially complete within 10 years for land under consideration by the LUC for urbanization.

Community group Friends of Makakilo with support from the state Office of Planning challenged the developer's petition at a hearing yesterday on the issue because Ho'opili is slated to be built over 20 years.

Friends of Makakilo also asked the LUC to deny urbanization for Ho'opili, but that motion didn't pass.

The ruling gives Schuler options to return to the commission and seek partial or complete urbanization of the Ho'opili site.

At a minimum the development effort could be delayed by about a year, though that could be longer if Schuler is required to amend an environmental impact statement and resubmit its application to reclassify the land from agricultural to urban use.

"Obviously we're disappointed," said Mike Jones, president of Horton's Schuler Division. "It's a setback ... but we'll continue to work with the state and other parties to have a petition that everybody can accept."

Friends of Makakilo founder and 30-year Makakilo resident Michael Kioni Dudley regarded the commission's decision as a victory because he doubts Schuler can overcome concerns about traffic and the loss of farmland raised by state agencies and residents.

"It's a win for the people out here who sit in traffic every day, and it's a win for the 'aina," he said.

Yesterday's ruling puts off what previously was anticipated to be a decision by the LUC to approve or reject Ho'opili by the end of this year.

\$4.6 BILLION PROJECT

The estimated \$4.6 billion project is one of the most important considerations before the commission in decades.

Designed with roughly as many homes as Mililani or Hawai'i Kai — plus five public schools and 3 million to 4 million square feet of commercial space — Ho'opili will affect the balance between urban growth and preservation of prime agricultural land on O'ahu, and have huge influences on traffic and jobs.

Passions have run high for supporters and opponents since conceptual plans for Ho'opili were publicly disclosed three years ago.

LUC hearings on the project began early this year to consider the case. Before yesterday, about 130 people or organizations had submitted comments to the commission, reflecting a fairly close division of support and opposition.

Yesterday, about 35 people testified before commissioners, largely opposing the project mostly because it would pave over arguably the best farmland on O'ahu and add to already bad traffic.

Among those opposing or raising concerns about Ho'opili yesterday were four state legislators: Sen. Clayton Hee, Rep. Rida Cabanilla, Rep. Jon Riki Karamatsu and Rep. Maile Shimabukuro.

Hee, D-23rd (Kane'ohe, Kahuku) and chairman of the Senate Committee on Water, Land, Agriculture and Hawaiian Affairs, said the petition before the commission is probably the most important one since developers unsuccessfully sought to urbanize land in Waiahole and Waikane valleys.

Shimabukuro, D-45th (Wai'anae, Makaha, Makua), said she was surprised when running for office to find out the chief concern for area residents was traffic. "It really is a daily nightmare for people who live on the West side trying to go to and from work," she said.

The state Department of Transportation amended its testimony on Tuesday to say that it has been unable to resolve concerns with Schuler over H-1 Freeway traffic impacts expected from Ho'opili.

The agency proposed an agreement with Schuler prohibiting occupancy of any building until surrounding roads including H-1 operate at an acceptable level defined as at least a "D" rating on a scale of A to F with F being gridlock, but concluded that even with the most optimistic rail projections, the best freeway rating with Ho'opili would be E.

"There is currently no reasonable proposal (from Schuler) that will resolve this significant regional concern," wrote DOT Director Brennon Morioka.

MAIN CONCERNS

Traffic is one of the two most frequent concerns raised regarding Ho'opili. The loss of agriculture has been the other.

Four farms operating on what amounts to 14 percent of all available farmland on O'ahu would be displaced by Ho'opili. The largest is Aloun Farms, which cultivates about 1,100 acres of Schuler land under a lease that expires in 2013 but can be ended earlier.

The state Department of Agriculture on Tuesday submitted written testimony stating that it can't support the Ho'opili plan.

The agency suggested that if Ho'opili is approved, it should be with a requirement for Schuler to obtain an easement committing 1,407 acres of equivalent prime farmland elsewhere on O'ahu for farm use in perpetuity.

Others aren't willing to compromise. Nada Mangialetti told commissioners yesterday, " I'm not against development, but I don't think sacrificing ag land is the way to do it."

"There's plenty of other land to build homes on," added Robin Doak of Makakilo.

Cabanilla, D-42nd ('Ewa, Waipahu, Honouliuli) and chairwoman of the House Housing Committee, said urban development should be focused on

areas such as Kaka'ako, McCully and Mo'ili'ili where small buildings can be redeveloped with high density.

Jeff Pederson of Makakilo told commissioners he used to walk through lemon groves on the way to school where he grew up in Upland, Calif., before the area and surrounding farm communities were converted to housing.

"I saw this all happen before (and) I left," he said. "It's horrible. It's a shame."

Schuler's position is that the 'Ewa site has long been designated by the county as part of a secondary urban center for O'ahu to accommodate population growth and protect farmland elsewhere on the island from development.

The developer also has said Ho'opili represents a unique opportunity to design a community around the city's planned rail system, and that its homes will be targeted to entry-level buyers. If realized, Ho'opili would create an estimated 7,000 to 8,000 permanent jobs.

Ho'opili supporters include neighboring landowners such as the Department of Hawaiian Home Lands and the University of Hawai'i, which are developing homes and a new campus. The Hawaii Farm Bureau Federation also agreed that the county's 'Ewa Development Plan designating the Ho'opili site for urban growth should be respected.

Other advocates for the project include leaders of three area neighborhood boards closest to the project site and a handful of other nearby residents who Schuler enlisted years ago to help plan Ho'opili.

'A GREATER GOOD'

One of the project's most loyal backers is Maeda Timson, who has lived in Makakilo for 38 years and been closely involved with the evolution of

O'ahu's second-city concept of which she regards Ho'opili a beneficial extension.

"This proposed Ho'opili project is an integral part of the 'Ewa Development Plan," she said.

Coby Lynn, a 20-year 'Ewa Beach resident, said ensuring adequate supply of homes affordable to future generations is more important than preserving farms.

Vernon Ta'a, a local plumbers union employee living in 'Aiea, told commissioners he wants his 13 grandchildren to have opportunities to be homeowners in Hawai'i.

"If there's a choice between a tomato plant and my grandchildren, I choose my grandchildren," he said.

Honolulu resident Lydi Morgan, however, said the bigger issue has to do with quality of life in Hawai'i where people aren't stuck in traffic for an hour to get to work and forced to eat imported food.

"It's not about people vs. the tomato plant," she said. "It's about a greater good."

If Schuler successfully revives its petition, these issues could still be decided by the commission. If later approved, the project would still have to obtain a City Council zoning change.

Up until yesterday, the developer had sought to urbanize all 1,554 acres of the Ho'opili site despite prior requests from the commission and the Office of Planning to seek urbanization in increments.

Under state law, the LUC is supposed to consider petitions to urbanize land on which development should be substantially complete within 10 years. Schuler's project has a 20-year timetable, but the developer said

various state road improvement projects, the city's rail plan and other issues made it infeasible to divide the project into phases.

After one LUC member in June suggested that the petition was deficient, Schuler sought to include a two-phase plan for consideration while maintaining its request to urbanize the whole property at one time.

Bryan Yee, an attorney for the Office of Planning, said Schuler rejected repeated requests before the start of hearings earlier this year and up until the June hearing to provide phasing information, and shouldn't be allowed to add the information now after so much testimony has been based on urbanizing the site without phases.

"It's inexplicable why they withheld this information from us, but they did," he told commissioners. "We need to send a message to this and other developers that this way of doing business is absolutely unacceptable."