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PARTNERS FOR HAWAII

LAND USE COMMISSION
STATE OF HAWAII

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October 31, 2018

Mr. Daniel E. Orodener
Executive Officer
Land Use Commission
State of Hawaii
P. O. Box 2359
Honolulu, HI 96804-2359

Subject: 2018 Annual Report for the State Land Use Commission
Docket No. A98-726/Laulani Commercial Project
Honouliuli, Ewa, Oahu, Hawaii

Dear Mr. Orodener:

On February 23, 2018, ABP E1 LLC, a Hawaii limited liability company, and ABP ER1 LLC, a Hawaii limited liability company, acquired certain parcels in the Petition Area (designated as TMK Nos. (1) 9-1-159-052, 053, 054, 055, 056, 058, 059, 060, 061, 062, 064, and 065) (the "Property"). Effective as of September 14, 2018, ABP E1 LLC and ABP ER1 LLC were duly merged with and into ABP Laulani LLC, a Hawaii limited liability company. Pursuant to Condition No. 11 of the Decision and Order dated March 1, 1999 in Docket No. A98-726 ("Decision and Order"), ABP Laulani LLC, a Hawaii limited liability company ("Owner"), hereby submits this annual progress report.

The Property which comprises a portion of the land that is the subject of the Decision and Order has been developed and is now referred to as the Laulani Village shopping center. Laulani Village is located at the corner of Fort Weaver Road and Keaunui Drive, serving the Ewa Beach Community on Oahu. Major tenants of Laulani Village shopping center include: Safeway, Walgreens, Ross Dress for Less, City Mill, and Petco.

Status of Compliance/Activities Relating to Imposed Conditions

Listed below are each of the conditions imposed under the Decision and Order followed by the status of compliance or activities pertaining to each respective condition. Inasmuch as the Owner recently acquired the Property as an improved retail center, responses relating to past compliance are based on the limited information available to the Owner.



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1. Petitioner or landowners shall fund and construct adequate wastewater transmission and disposal facilities, as determined by the City and County of Honolulu Department of Public Works (DPW) and the State Department of Health (DOH).

Status.

It is the Owner's understanding that prior owners of the Property, in cooperation with other developers in the Ewa region, participated in sewer improvements to allow connection to the municipal sewer system. Such improvements included transmission connections and pump stations completed in consultation with applicable governmental agencies. It is Owner's understanding that this obligation has been satisfied and that no further obligations remain outstanding relating to this condition.

2. Petitioner or landowners shall participate in the pro-rata funding and construction of local and regional transportation improvements and program necessitated by the proposed development in designs and schedules accepted and determined by the State Department of Transportation and the City and County of Honolulu Department of Transportation Services.

Status.

It is the Owner's understanding that prior owners of the Property, in cooperation with other developers in the Ewa region, participated in local and regional transportation improvements in consultation with the State Department of Transportation and the City Department of Transportation Services. These included improvements to the Fort Weaver Road and Keaunui Drive intersection, including traffic signals, as well as access improvements along Keaunui Drive and Fort Weaver Road. It is Owner's understanding that this obligation has been satisfied and no further obligations remain outstanding relating to this condition.

3. Petitioner or landowners of the affected properties shall fund and construct adequate civil defense measures as determined by the County and State Civil Defense agencies.

Status.

It is the Owner's understanding that the prior owners consulted with civil defense agencies to determine whether specific civil defense measures were needed. The Owner is not aware of any outstanding requirement to provide civil defense measures pursuant to this condition and therefore considers this obligation satisfied and complete.



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4. Should any previously unidentified burials, archaeological or historic sites such as artifacts, marine shell concentrations, charcoal deposits, or stone platforms, pavings or walls be found, Petitioner or landowners of the affected properties shall stop work in the immediate vicinity and the State Historic Preservation Division of the Department of Land and Natural Resources (SHPD) shall be notified immediately. Subsequent work shall proceed upon an archaeological clearance from the SHPD when it finds that mitigative measures have been implemented to their satisfaction.

Status.

Owner will comply with the requirements of SHPD regarding any archaeological and historic features encountered at the site.

5. Petitioner or landowners shall fund the design and construction of drainage improvements required as a result of the development of the Petition Area to the satisfaction of the State Department of Health, Natural Resources Conservation Service, and County agencies.

Status.

It is the Owner's understanding that prior owners of the Property, in cooperation with other developers in the Ewa region, participated in offsite drainage improvements to adequately serve the Property in consultation with applicable governmental agencies. It is Owner's understanding that this obligation has been satisfied and no further obligations remain outstanding relating to this condition.

6. Petitioner or landowners shall participate in the funding and construction of adequate water source, storage, and transmission facilities and improvements to accommodate the proposed project. Water transmission facilities and improvements shall be coordinated and approved by appropriate State and County agencies. The County's Water Use and Development Plan shall be amended to reflect changes in water demand forecasts and in water development plans to supply the proposed project.

Status.

The original Petitioner, The Estate of James Campbell, was a participant in the Ewa Plain Water Development Corp., which prepared a regional water master plan and implemented improvements to supply water to the region, including the subject property. These improvements were subsequently dedicated to the City & County of Honolulu. It is Owner's understanding that there are no further obligations outstanding relating to this condition.



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7. Petitioner or landowners shall provide a dual water system which includes facilities accommodating both potable and non-potable water. Non-potable water would be used for landscaping when appropriate sources become available. In addition, water efficient landscaping would be used as appropriate to reduce the project's water demands.

Status.

A dual water system with facilities to accommodate both potable and non-potable water has been developed at the Property. Non-potable water will be utilized for landscape irrigation when a source becomes available. Water efficient landscaping to reduce the Property's water demands has also been implemented.

8. Petitioner or landowners shall participate in an air quality monitoring program as specified by the State Department of Health.

Status.

The Owner is not aware of any outstanding requirement to participate in an air quality monitoring program pursuant to this condition.

9. Petitioner or landowners shall develop the Petition Area in substantial compliance with the representations made to the Commission. Failure to do so may result in reversion of the Petition Area to its former classification, or a change to a more appropriate classification.

Status.

Owner understands that the Property has been developed as a retail center in substantial compliance with representations made to the Commission.

10. Petitioner shall give notice to the Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interest in the Petition Area, prior to the development of the Petition Area.

Status.

Owner has no current plans to sell the Property. However, as the owner of the retail center, Owner will continue to lease space to tenants.

11. Petitioner shall timely provide without any prior notice, annual reports to the Commission, the Office of State Planning, and the City and County of Honolulu Department of Planning and Permitting in connection with the Status of the subject project and Petitioner's progress in complying with the conditions



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imposed herein. The annual report shall be submitted in a form prescribed by the Executive Officer of the Commission.

Status.

This annual report is submitted in compliance with Condition No. 11. Inasmuch as the development of the Property has been completed in compliance with the applicable conditions, please advise whether further annual reports are needed.

12. The Commission may fully or partially release the conditions provided herein as to all or any portion of the Petition Area upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by Petitioner.

Status.

Owner acknowledges this condition.

13. Within 7 days of the issuance of the Commission's Decision and Order for the subject reclassification, Petitioner shall (a) record with the Bureau of Conveyances a statement that the Petition Area is subject to conditions imposed herein by the Land Use Commission in the reclassification of the Petition Area, and (b) shall file a copy of such recorded statement with the Commission.

Status.

The Decision and Order was recorded with the Bureau of Conveyances on March 8, 1999, and a file copy of this recordation was submitted to the Commission on April 15, 1999.

14. Petitioner or landowners shall record the conditions imposed herein by the Commission with the Bureau of Conveyances pursuant to Section 15-15-92, Hawaii's Administrative Rules.

Status.

The conditions imposed were recorded with the Bureau of Conveyances on April 30, 1999.




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Please contact me should you require any further information regarding this report. An email .pdf version of this report will also be transmitted to your office for your use.

Sincerely,

ABP LAULANI LLC

By A & B PROPERTIES HAWAII, LLC,
SERIES R
Its Manager

By 
Name: Lance K. Parker
Its President

By 
Name: Charles W. Loomis
Its Assistant Secretary

cc: State Office of Planning
City & County of Honolulu, Department of Planning and Permitting