



Kihei Community Association

"e malama pono"...dedicated to protecting,  
sustaining and enhancing our 'āina, kai and 'ohana

October 1, 2014

State of Hawaii, Land Use Commission (Approving Agency)  
Department of Business, Economic Development & Tourism  
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**KCA Response to the Proposed *Piilani Promenade Draft Environmental Impact Statement dated August 2014***

NOTE: The owner spells Pi'ilani incorrectly in their company name (Piilani Promenade North, LLC) and in the name of the proposed project. KCA will use the owner's spelling in this document when referring to the project.

Our response includes four sections:

1. Amending the Kihei Makena Community Plan of 1998
2. Analysis of Specific Draft Environmental Impact Statement (EIS) Sections
3. Analysis of the Draft EIS Discussion of the Kihei Makena Community Plan (KMCP)
4. Conclusion

**1. Amending the Kihei Makena Community Plan of 1998**

The KCA has serious concerns about the negative environmental impacts of the proposed Piilani Promenade.

There has been a discussion about whether or not the Applicant needs to amend the Kihei Makena Community Plan of 1998 (KMCP) to change the site from Light Industrial to Business on the Land Use maps that are part of the Plan. However we believe that this amendment in itself would not bring the project into compliance with the KMCP. The Piilani Promenade is in direct conflict with the principles of the KMCP.

Although the KMCP was written and passed into law before the concepts of Smart Growth and Complete Streets, the Kihei community wisely included principles such as these in our Plan. For example page 16 of the KMCP states:

A general theme of the Plan is to create more independent neighborhoods within Kihei, thus reducing unnecessary vehicular trips to South Kihei Road and Pi'ilani Highway.

Placing a destination commercial center and a residential complex mauka of Pi'ilani Highway as proposed in this draft EIS will increase vehicular trips on Pi'ilani Highway, directly contradicting the general theme of the Plan.

Page 17 of the KMCP says about commercial development specifically:

- h. Develop commercial services at the following locations to meet community needs:
1. North Kihei between the existing South Kihei Road, Pi'ilani Highway and Uwapo Road.
  2. A central business and commercial center for Kihei clustered about the South Kihei Road/Road C (Pi'ikea Street) intersection.
  3. In existing commercially zoned areas along South Kihei Road in the vicinity of Kalama Park.
  4. Along South Kihei Road opposite the Kama' olé Beach Park.

The proposed Piilani Promenade site is not among the commercial sites approved by the KMCP. Of the approved sites, 3 and 4 have been developed, site 2 is still in the process of development, and site 1 has not been developed. This section of the KMCP would require amendment, but it is hard to justify amending the KMCP to create a fifth town center when one of the original four has not yet been developed or needed.

To bring this project into conformance with the KMCP will require not only changing the Land Use designation, but rewriting the KMCP and changing its overall theme. KCA does not recommend revising the KMCP to contradict the stated wishes of the community.

Are all these amendments that conflict with the KMCP goals justified? We do not support the amendments that would be required to bring this project into conformance.

## **2. Analysis of Specific Draft EIS Sections**

In this section we will provide comments on specific sections of the draft EIS that KCA has determined will have a negative impact on our community's environment. **Gray background** indicates text from the draft EIS.

## **II. PROJECT DESCRIPTION**

### **F. Alternatives**

#### **3. Alternative Site**

The final alternative considered is the Alternative Site option. This option would require that the owner/applicant find and develop another entitled property of a comparable size and location.

The positive impacts of the alternative site option are that in the short term the existing project site would remain vacant and open and the impacts of development will be felt in another location on Maui.

KCA: The large scale of the proposed 530,000 sf of commercial buildings is not in the scale of a town center but of a regional mall. Plans presented to the community in November, 2013 were consistent with a regional mall, not a town center. A regional mall is not called for in the KMCP, and is contrary to town goals for development. For a regional mall to be developed, an amendment to the KMCP calling for a regional mall would need to be added, contradicting the paragraph above from page 16, so that section would require amendment as well.

Currently South Maui has a retail inventory of 747,914 sf. Of this, 10.17% is currently available. In Kihei, Azeka Mall, Kukui Mall and Ohukai Industrial Park all have long term vacancies.

We find it significant that not mentioned in the draft EIS is the fact that an additional 336,000 sf of commercial space in Kihei is currently under construction or nearly permitted at the Shops of Wailea and the Kihei Town Center (being developed by The Krausz Companies, Inc.) on Pi'ikea Street, contiguous to site 2 mentioned above in the KMCP. These two projects will provide a 45% increase in commercial space for our town. The Kihei Town Center is planned with a street grid and small footprint buildings along the street front, creating a walkable village, which is consistent with the KMCP and a marked contrast to the Piilani Promenade plans for large footprint buildings in a mall configuration.

If the Piilani Promenade commercial space of 157,588 sf on the north side and 430,000 sf on the south side were to be built, that would increase available retail space in Kihei from the current 747,914 sf to 1,671,502 sf, **an increase of 123% in commercial space**. This is well beyond what the Kihei community of 20,881 can support.

On the other hand, Kahului is an established commercial center for the island, with mainland retailers Costco, Home Depot, Lowe's, Walmart and Kmart in the Dairy Road area. Ka'ahumanu Center hosts

Macy's and Sears. The Maui Mall has Whole Foods, with TJ Maxx under construction and Ross across the street. A new Target is under construction in the new Maui Business Park. There is plenty of space in this new park for additional national retailers. An alternate site in Kahului would be much more appropriate for the proposed Piilani Promenade.

### **III. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATION MEASURES**

#### **A. Physical Environment**

##### **2. Topography and Soils**

###### *Existing Conditions*

The project site has an average slope of 4 percent and includes an unnamed natural drainageway (Drainageway "A") that runs in a northeast-to-southwest direction across the site before converging with the main stem of Kulanihako'i Gulch *makai* of Piilani Highway.

KCA: The second gulch on the property is not an "unnamed" gulch. It is the Ka'ono'ulu Gulch. Its name is shown as early as 1920 on maps of the region. This historic natural feature should not be minimized by calling it "unnamed."

##### **4. Hazardous Substances**

###### *Potential Impacts and Mitigation Measures.*

The ESA found no evidence of recognized environmental conditions in connection with the property.

KCA: Because the GMO ban issue is on the ballot for the November election, the community is concerned about the impact of GMO farming and pesticides on the adjacent Monsanto land. Until an analysis of the safety of GMO farming practices is complete, it is indeterminate whether there are hazardous substances in use nearby and whether this is an appropriate location for residences.

##### **6. Air Quality**

###### *Existing Conditions*

Except for periodic impacts from volcanic emissions (vog) and possibly occasional localized impacts from traffic congestion and local agricultural sources, the present air quality of the project area is believed to be relatively good.

KCA: This site is directly downwind of controversial cane-burning, which many Kihei citizens feel is a major pollutant and detriment to their health. While the proposed project will not contribute to this, potential residents should be made aware of the potential dangers to their health.

##### **9. Visual Resources**

###### *Potential Impacts and Mitigation Measures*

As noted, the maximum building height within the Project will be 60 feet and buildings will be setback from Piilani Highway to maintain public views towards the summit of Haleakala from Piilani Highway.

KCA: With good reason, the KMCP calls for a maximum 35' building height in new commercial areas. It is not just summit views, but views of the flanks of Haleakala that are part of its majesty. Public views of as much of Haleakala as possible should be preserved, not, as stated above, just views of the summit. And views from other parts of Kihei should be considered, not, as stated above, just views from the Highway.

A 60' tall building located above the Pi'ilani Highway would be visible from many points in Kihei. It will exceed the maximum limit as stated in the KCPM. Commercial buildings in Kihei are limited to 35' height to maintain our view planes.

## **11. Groundwater Resources**

### *Existing Conditions*

Drinking water for the proposed project will come from the network owned and operated by the Maui Department of Water Supply (DWS). Water for the Central Maui Water System is pumped from existing groundwater wells located in upper Waiehu and North Waihee which draws groundwater from the Iao and Waihee Aquifers.

### *Potential Impacts and Mitigation Measures*

The findings of the report indicate that the proposed project will not have any significant negative effect on water quality.

KCA: Reports show that fresh water in the existing aquifer is being depleted. While adding additional users to the system may not have immediate impact on water quality, it will increase the rate of depletion of water for all South Maui residents. This must be addressed.

## **B. Socio-Economic Environment**

### **1. Population**

#### *Potential Impacts and Mitigation Measures*

The projected population increase as a result of 226 apartment units is relatively small when compared to other proposed projects in South Maui such as the MRTP (1,250 units); however the project will result in a small increased population which will use local streets, recreation facilities, and other public services such as schools, and fire and police protection services.

KCA: KCA agrees that there is a need for additional housing in the community, but it should be located in areas designated by the KMCP, which this is not. This is in an area cut off from the rest of the community by the highway, so that every need for service with the exception of shopping at the mall stores will require an automobile trip, encouraging obesity and illness. KCA supports smart growth which does not sacrifice the health and safety of residents.

### **3. Economy**

#### *Potential Impacts and Mitigation Measures*

After “stabilization,” the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million. (See: Appendix K, “Economic and Fiscal Impact Assessment”). During the build out period, the project will generate approximately \$2.3 billion in economic activity. After completion and stabilization of the project, the onsite businesses will generate approximately \$348.7 million in revenues/sales per year.

KCA: Projected salaries for the 1,210 permanent jobs at \$36.6 million per year would be an average of \$30,248 per worker, barely a living wage for Maui. According to the Bureau of Statistics, the average wage for retail sales is \$20,500, so the estimate of \$30,248 per worker is high.

Analysis of existing building stock shows that the Safeway in Pi'ilani Village is the largest building in Kihei at 53,625 sf. Hilo Hatties is 19,230 sf, Longs Drugs is 20,000 sf, Ace Hardware is 16,900 sf, Foodland is 23,000 sf.

The proposed new 530,000 sf of commercial space for the Piilani Promenade would require 10 stores the size of Safeway to fill the proposed space or 26.5 stores the size of Longs Drugs. Local population will not support this much retail business, especially considering that the Krausz *Kihei Town Center* project will provide 300,000 sf of new commercial space before this project is started.

Development which would compromise the beauty of our view planes and the quality of our water and air and would increase traffic will have a major negative impact on our economy if it reduces the number of visitors who come to South Maui each year.

The report does not point out that the \$348.7 million in revenue per year will be primarily to mainland owned commercial businesses, so that the money spent here will not stay here. We would prefer to see smaller locally owned businesses located in small town centers, as defined in the KMCP, which keep the money circulating in the state.

#### **Business Intelligence** (September 16, 2014) reports

*The retail industry is undergoing a dramatic shift: E-commerce is capturing a larger share of sales than ever before. ...Hundreds of retail stores are closing.*

A chart shows the following US retail store closings: JC Penny: 33 stores by May 2014;

Aeropostale: 175 stores to close between 2014 and 2019; Abercrombie & Fitch: 180 stores to close by 2015; Gap: 189 stores closed in 2012 and 2013; GameStop: 200 stores closed in 2013; Staples: 225 stores to close by the end of 2015; Barnes & Noble: 226 stores to close between 2011 and 2021.

A **Forbes** article(2/12/2014) headlined *Retail In Crisis* states

*There is a crisis in retail. During the 2013 holiday season, U. S. retailers received approximately half the holiday foot traffic they experienced just three years ago... With consumer confidence growing in leaps and bounds, the decline in foot traffic signifies a tectonic shift in the way consumers buy and shop. ..Consumers find researching and shopping on the Web far more convenient than brick-and-mortar visits.*

The draft EIS ignores this trend away from brick-and-mortar stores to online shopping when proposing to increase local retail space by 123%.

## C. Public Services

### 2. Medical Facilities

KCA: This report addresses medical facilities but does not directly address Health. Preventing obesity is a National Public Health priority. Building residential areas where they are cut off from the transportation network which allows walking and biking will contribute to obesity and will increase the demand for medical facilities. This draft EIS fails to discuss these ramifications.

## 4. Schools

Table 2 DOE School Enrollment & Capacity

Schools	2013-2014 Enrollment	Capacity	2014-2015 Projected Enrollment
Kihei Elementary	947	890	851
Kamalii Elementary	585	928	584
Lokelani Intermediate	550	826	525

KCA: Actual enrollment for 2014-2015 is:

Kihei Elementary : 880 (851 projected)

Kamali'i Elementary: 554 (584)

Lokelani Intermediate: 555 (525)

While these enrollment numbers appear to be below the stated capacity, many of the school buildings are outdated modular units which were meant to serve temporarily, but are now beyond their service expectations. True capacity would show that enrollment exceeds capacity.

While existing schools might accommodate students from the proposed Piilani Promenade residences, all students would require driving to get to school. None of the elementary or intermediate schools are within a reasonable walking distance. Kihei Elementary, the closest is 1.5 miles away on the highway, while Kamli'i Elementary, is 3.5 miles away on the highway. Even the new Kihei High School, on the adjacent site, will require driving because there are no plans to bridge the intervening Kulanihako'i Gulch and the highway is dangerously un-walkable. Planning residences which will increase traffic on Pi'ilani Highway is contrary to the KMCP.

## **D. Infrastructure**

### **1. Roadways**

A Transportation Coordinator should be designated by the developer or property manager. The Transportation Coordinator will be responsible for establishing, coordinating and managing the TMP strategies identified in the plan. The Transportation Coordinator should also document any traffic related complaints received from the surrounding community.

KCA: We find the entire traffic analysis incomplete. For example, the proposed Kenolio Apartment project is 186 units, not the 124 units quoted in this section. To disregard the impact of Houa'ula development on Piilani should not be allowed. Honua'ula will be, like the proposed Piilani Promenade residences, a residential complex which will require residents to drive for every type trip except some shopping.

The TIAR should define the current traffic conditions without the project. It should then provide a cumulative traffic projection and its impacts from the fully developed project and all the Kihei road systems both existing and proposed from the fully developed project. The traffic analysis for the fully developed project should include the traffic from all of the approved developments to date and those that would be likely in the next 20 years.

The TIAR should at least include the following approved developments: The Makena Developments (3700+/- units), Honua'ula, Wailea Resort, Maui Research and Technical Park, Kihei Downtown Center, Kihei High School, Honua'ula Affordable Housing, Kihei Mauka, Kenolio Apartments, North Kihei Housing, Kaiwahine Village, PulehuNui Industrial Area, Entitled South Maui Infill Projects, and partly entitled South Maui infill projects.

The traffic Impact Analysis should assume the complete up country highway and include the mitigations required for the improvement of the intersections of Ka'ono'ulu Street and the Pi'ilani Highway and of Ka'on'oulu Street and South Kihei Road.

Include in the TIAR the mitigation that the design of roadways within the development as well as public roads impacted by the development will meet the Hawaii State criteria for Complete Streets (providing for pedestrian and bicycle traffic in addition to motorized vehicles), the Kihei



Road Design Standards and the Green Streets criteria. While pedestrian paths are mentioned, there is no mention of bike paths thru the various parking lots. The draft EIS does not provide site plans, so it is not possible to comment on the extent or usability of the pedestrian paths. The plan as described does not comply with the state Complete Streets policy.

Analyze roadway intersections with the intent to use roundabouts and mini roundabouts in lieu of signalized and stop sign intersections to conform to with KMCP goals and implementing actions for a pedestrian oriented, walkable community.

The size of the community will not support the proposed commercial square footage, so marketing will likely be done to the whole island. This will result in commercial traffic from other areas, which is not considered in this analysis.

We find doubtful the proposal that a Traffic Coordinator will be able to resolve the problems generated by the project.

In addition to finding the traffic analysis incomplete, the increased traffic from this project is contrary to the KMCP general goal of reducing traffic on Pi'ilani Highway, as stated before.

## **2. Drainage**

### *Potential Impacts and Mitigation Measures*

Offsite surface runoff conveyed in Drainageways "A" and "B" will be routed via underground drainlines to a new diversion ditch constructed along the project's eastern boundary where an underground drain line along the future East Kaonoulu Street will convey the runoff to the existing 102-inch culvert crossing at Piilani Highway.

KCA: As stated by the KMCP, enclosing natural gulches in a culvert is against our community values of preserving the natural environment. A waterway left in its natural state reduces the amount of pollution that reaches the ocean, cleans and filters water for recreation and drinking, and supports the area wildlife and fisheries. Converting a natural gulch to a concrete culvert prevents these natural processes from occurring and increases marine degradation.

Downstream from these gulches, where they cross South Kihei Road, is an area of perpetual flooding. Converting Kaonoulu Gulch to a culvert will increase flooding potential here by decreasing the amount of water that can be absorbed by the land on its downhill trip to the ocean. The two gulches on this site, Kulanihakoi and Ka'ono'ulu, are cultural and environmental resources that must be preserved, not buried.

Per the Hawaii State Office of Planning document, "Stormwater Impact Assessments." cumulative impacts must be considered, not just conditions and impacts at the site. It states the following:

Cumulative effects on a given resource, ecosystem, or human community are rarely aligned with political or administrative boundaries. Cumulative effects on natural systems must use natural ecological boundaries. For stormwater, the natural geographic boundary is the watershed. (page 4)

Cumulative effects are caused by the aggregate of past, present, and reasonably foreseeable actions. (page 4)

Hawaii's watersheds include nearshore waters and proposed actions should account for secondary impacts to nearshore resources. (page 10)

In other words, effects of the development on the entire ahupua'a shall be considered (including nearshore waters) and these effects should include other future and concurrent development within the watershed.

### 3. Water

KCA: The proposed five improvements to the County Water System are improvements to infrastructure which will **not** increase the island's water sources. Reports show that fresh water in the existing aquifer is being depleted. Adding additional users to the system will increase the rate of depletion. This has not been addressed.

#### **3. Analysis of the Draft EIS Discussion of the Kihei Makena Community Plan (KMCP)**

Section 3 of the draft EIS, (Relationship to Governmental Plans, Policies and Controls), discusses point by point the relationship of the proposed Piilani Promenade to our KMCP. The draft EIS rates each item as Supportive (S), Non-supportive (N/S) or Not Applicable (N/A). The following items are ones in which we disagree with their analysis or we find significant their failure to support the Plan. The **yellow** text is from the draft EIS KMCP discussion, followed by their proposed designation.

#### **Objectives and Policies**

f. Establish a distribution of land uses which provides housing, jobs, shopping, open space, and recreation areas in close proximity to each other in order to enhance Kihei's neighborhoods and to minimize dependence on automobiles.

#### **Supportive**

KCA: As discussed previously, locating residences east of the Pi'ilani Highway will require all residents to travel by car to any destination, increasing dependence on automobiles. We dispute the Supportive designation. The correct designation should be Non-supportive.

h. Develop commercial services at the following locations to meet community needs:

- 1) North Kihei, between the existing South Kihei Road, Piilani Highway and Uwapo Road.
- 2) A central business and commercial center for Kihei clustered about the South Kihei Road/Road "C" intersection.
- 3) In *existing* commercially zoned areas along South Kihei Road in the vicinity of Kalama Park.
- 4) Along South Kihei Road opposite the Kamaole beach parks.

**Not Applicable**

KCA: This is one of the key points of the KMCP and the project does not support it. We dispute the N/A designation. The correct designation should be Non-supportive. This is significant.

k. Provide for limited expansion of light industrial services in the area south of Ohukai and *mauka* of Piilani Highway, as well as limited marine-based industrial services in areas next to Maalaea Harbor. Provide for moderate expansion of light industrial use in the Central Maui Baseyard, along Mokulele Highway. These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use. These actions will place industrial use near existing and proposed transportation arteries for the efficient movement of goods.

**Supportive**

KCA: The project proposes businesses which are not accessory to or providing service to the predominate light industrial use. The correct designation should be Non-supportive.

**Implementing Actions:**

f. Establish and enforce building height limits and densities *mauka* of Pi'ilani Highway which preserve significant *mauka* views and vistas.

**Supportive**

KCA: The project proposes 60' high buildings, which will impact Kihei's views of Haleakala. The correct designation should be Non-supportive.

**The proposed project will strengthen Maui's economy by making the Piilani Promenade a more attractive location for the limited light industrial activities envisioned within the KMCP as well as much needed retail businesses. These businesses will create a diverse range of jobs for Maui residents which, in turn, will benefit the local and Statewide economy. The result will be an increase in economic activities and employment opportunities consistent with community needs and desires, which will promote increased employment and entrepreneurial opportunities for Maui's residents. Thus, while the Piilani Promenade project does not strictly support all of goals in the KMCP, it meets other important competing planning criteria within the KMCP.**

KCA: The Piilani Promenade does not meet the key goals of the KMCP and, as noted before, we dispute the idea that it will strengthen Kihei's economy. An increase of 123% commercial space is not sustainable without an equal increase in population.

### **Cultural Resources**

**Goal: Identification, preservation, enhancement, and appropriate use of cultural resources, cultural practice, and historic sites that**

a. Provides a sense of history and defines a sense of place for the Kihei Makena region; ...

#### **Supportive**

KCA: The Piilani Promenade proposes to divert an historic gulch which provides an important sense of place for the Ka'ono'ulu Ranch area. Historic petroglyphs have been removed from the site and in spite of requests to have them returned, there are no plans to do so. The correct designation should be Non-supportive.

### **Economic Activity**

**Goal: A diversified and stable economic base which serves resident and visitor needs while providing long-term resident employment.**

#### **Objectives and Policies:**

a. Establish a sustainable rate of economic development consistent with concurrent provision of needed transportation, utilities, and public facilities improvements.

#### **Supportive**

KCA: Because of its location mauka of the highway, neither transportation, utilities nor public facilities are in place to support this project. The correct designation should be Non-supportive.

b. Expand educational opportunities and encourage research and technological activities.

#### **Supportive**

KCA: This project is purely commercial. There are no educational or research and technology components to the proposed project. The correct designation should be Non-supportive.

f. Increase the availability and variety of commercial services to provide for regional needs and strategically establish small scale commercial uses within, or in close proximity to, residential areas.

#### **Supportive**

KCA: The scale of the commercial segment of the project is far greater than the scale of the residential segment. This large mall is contrary to the goals of the KMCP. The correct designation should be Non-supportive.

### **Housing and Urban Design**

#### **Objectives and Policies:**

d. Provide for integration of natural physical features with future development of the region. New development shall incorporate features such as gulches and wetlands into open space and pedestrian pathway and bikeway systems.

## **Supportive**

KCA: The draft EIS proposes to eliminate the gulches, not develop them as natural resources. There is no mention of incorporating them in transportation pathways. The correct designation should be Non-supportive.

## **Physical and Social Infrastructure**

### **Objectives and Policies:**

#### **Transportation**

c. Strengthen the coordination of land use planning and transportation planning to promote sustainable development and to reduce dependence on automobiles. New residential communities should provide convenient pedestrian and bicycle access between residences and neighborhood commercial areas, parks and public facilities.

#### **Supportive**

KCA: This project will increase automobile use in the community. There is no evidence of connectivity between the project and surrounding developments. The correct designation should be Non-supportive.

g. Plan, design, and construct a pedestrian and bikeway network throughout the Kihei-Makena region which considers the utilization of existing stream beds, drainageways, wetlands and public rights-of-way along coastal and inland areas.

#### **Supportive**

KCA: The draft EIS proposes makes no mention of bikeways. Pedestrian ways are mentioned but not documented with any site plans, so they cannot be evaluated. The correct designation should be Non-supportive.

## **Drainage**

### **Objectives and Policies:**

b. Construct necessary drainage improvements in flood prone areas. Where replacement drainage are required for flood protection, these systems shall be designed, constructed, and maintained using structural controls and best management practices to preserve the functions of the natural system that are beneficial to water quality. These functions include infiltration, moderation of flow velocity, reduced erosion, uptake of nutrients and pollutants by plants, filtering, and settlement of sediment particles. The use of landscaped swales and unlined channels shall be urged.

#### **Supportive**

KCA: The draft EIS proposes to increase flooding by replacing a natural gulch with a culvert, the opposite of what this point is trying to encourage. As noted in previous comments, a project such as this needs to take a more pro-active stance in reducing downstream waters per the Hawaii State Office of Planning "Stormwater Impacts Assessment Document. The correct designation should be Non-supportive.

d. Minimize the increase in discharge of storm water runoff to coastal waters by preserving flood storage capacity in low-lying areas, and encouraging infiltration of runoff.

**Supportive**

KCA: The draft EIS proposes to discourage infiltration by moving the natural gulch into a concrete culvert, which will prohibit infiltration of runoff. The correct designation should be Non-supportive.

**C. Planning Standards**

**Land Use Standards**

a. All zoning applications and/or proposed land uses and developments shall be consistent with the Land Use Map and Objectives and Policies of the Kihei-Makena Community Plan.

**Supportive**

KCA: As stated in Section 1 of our response, the Applicant has discussed amending the KMCP Land Use Map. If amended, then this could be changed to Supportive, but as it stands, the correct designation should be Non-supportive.

e. Encourage the use of setbacks and flood protection areas as part of an open space pedestrian-way and bikeway network throughout the region.

**Supportive**

KCA: The draft EIS does not mention a bikeway. The correct designation should be Non-supportive.

**C. Planning Standards**

**Land Use Standards: S N/S N/A**

a. All zoning applications and/or proposed land uses and developments shall be consistent with the Land Use Map and Objectives and Policies of the Kihei-Makena Community Plan.

**Supportive**

KCA: The residential and business uses proposed are not consistent with the Light Industrial designation shown on the KMCP map. The correct designation should be Non-supportive.

**Urban Design Standards:**

*a. Building Form*

- 1) Establish a maximum of thirty-five (35) feet in building height for new commercial facilities.
- 2) Establish a maximum of forty-five (45) feet for multi-family development.
- 3) Limit resort development throughout the region to thirty-five (35) feet in building height for sites near the shoreline. Building height limits may gradually be increased up to seventy-five (75) feet for inland resort development provided that important *mauka/makai* vistas are maintained, and impacts to coastal resources are minimized. Resort community planning and design shall integrate recreational amenities with adequate shoreline setback and public shoreline access provisions.
- 4) Limit the height of industrial buildings to thirty-five (35) feet. Within large industrial tracts, separate industrial design guidelines should be formulated to guide development. Such guidelines shall, among

other issues, address landscaping and building design to achieve design continuity for the overall industrial development area.

**Supportive**

KCA: The draft EIS proposes a 60' maximum height, contrary to the KMCP maximum of 35'. The correct designation should be Non-supportive.

4. Conclusion

KCA has observed the Krausz developers using the KMCP from the very start of their project as a guideline to minimize environmental impact. The Kihei Town Center being developed by Krausz will provide for our future retail needs without degrading the environment and even by enhancing the environment.

KCA would like to make clear that the Piilani Promenade project is contrary to our KMCP in significant ways. It appears that either the applicant was not aware of the KMCP or chose to ignore it. The KMCP is a legal document created by the community to guide development in the community. By circumventing the wishes of the community, which are spelled out clearly in the legal document of the KMCP, the Piilani Promenade, as proposed, will be detrimental to our natural, cultural, and economic environment, upon which our island economy is based.

Aloha,

Mike Moran  
President, KCA