



WAILUA - KAPA'A
NEIGHBORHOOD
ASSOCIATION

VIA EMAIL: mdahilig@kauai.gov
dcua@kauai.gov

August 12, 2013

Kaua'i County Planning Commission
c/o Planning Department
4444 Rice Street, Suite A-473
Lihu'e, HI 96766

RE: Long's Drugs - Special Management Area Use Permit SMA(U)-2013-9, Class IV Zoning Permit Z-IV-2013-19 and Project Development Use Permit PDU-2013-17

Aloha Chairperson Katayama and Commissioners:

The Wailua-Kapa'a Neighborhood Association (W-KNA) appreciates the opportunity to comment on this proposed project. The association hosted a community meeting on July 27 featuring the applicant's representative, Avery Youn, discussing the project. Of the 50 attendees, the prevailing sentiment was that Long's is wrong in this location.

This commercial retail store is not appropriate for the RR-20 District which is a resort/residential area. The proposed location, next to Plantation Hale in the Coconut Plantation Resort, is also home to the century-old Waipouli coconut grove that is a landmark and cultural asset for the eastside.

Purpose of Resort Districts

There are 4 criteria describing the intent and purpose of the Resort District (CZO, Article 5 Sec. 8-5.1). The Long's Store misses the mark for each one:

- a) To accommodate the needs and desires primarily of visitors, tourists and transient guests.
- b) To assure that undue congestion of streets and facilities will not occur
- c) To assure that development will not detract from the natural features and attributes of the surrounding area
- d) To insure that physical and visual public access to recreational, historic and scenic areas is maintained and improved.

The Kaua'i County Comprehensive Zoning Ordinance (CZO) established a list of generally permitted uses in the Resort District based on the provision "that each use or structure is incidental to or accessory to resort development". But in the recent CZO update, this important sentence was omitted.

Consequently, to approve this Long's Store by classifying it in the category of "Retail food and drug shop", would set a precedent whereby a retail store like WalMart would also be considered an allowable use in the Resort District because WalMart stores have pharmacies too.

Serving Residents of the Kawaihau District
"We treasure our rural community"

Furthermore, the Long's permit application discloses that the pharmacy portion is only 1,290 sq. ft. and the total retail area is 15,030 sq. ft. According to the CZO Sec. 8-2.4 (f)(12), "Retail shops and stores" is not a permitted use in RR-20.

Also, the Long's Store will serve residents as well as visitors, tourists and transient guests. This deviation from primarily serving the visitor industry is contrary to the purpose of the Resort District. It will change the resort atmosphere that makes the Royal Coconut Coast a destination area for visitors. The store belongs in the Commercial District in Kapa'a's business corridor.

Long's will have tremendous impact on the full-time residents that live at this resort. The nature of a commercial retail business – the delivery trucks and loading docks, dumpsters, parking lot lighting and the incessant coming & going of cars – does not make for good neighbors. Long's is wrong in this location. The county should "encourage those developments which are not coastal dependent to locate in inland areas" (HRS 205A Sec. 3.0 B. (3) (d)).

The Historic Coconut Grove is an Eastside Landmark

The Kawaihau District Heritage Resource Map recognizes the Coconut Grove as a "Natural, Historic, Cultural, Scenic Feature". Because the application failed to describe the historic importance of this site, we ask the Commission to ensure that the Kaua'i Historic Preservation Review Commission weigh in on this permit application.

In addition, any development in the Special Management Area (SMA) must meet the following objective from the Hawai'i Coastal Zone Management Act: "Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture (HRS 205A Sec. 3.0 A.(2)). This proposed project falls short again in this regard.

One of the largest impacts from the project will be the loss of the coconut grove which is recognized by the County's Exceptional Tree Ordinance. Although the plans allow for replacement trees to be fit into the existing row of trees along Kuhio Highway and interspersed in the 96-stall parking lot, the integrity of the grove is not preserved. The plan does not evoke the sense of stewardship that might have been afforded by the Exceptional Tree Ordinance.

Responsible management and protection of the grove would have involved planting keiki trees from the parent stock, long before the end of the tree's natural life, and on a one-for-one basis. Instead, the applicant's preservation plan as described to the County Arborist Committee was essentially: approve the project or else the 100-year old coconut trees will die.

Also apparent is a conflict of interest whereby the preparer of the Arborist Report (Exhibit 3) is also the Controller/General Manager of the nursery from which the replacement trees will be purchased, according to the application.

Scenic and Open Space Resources

The Kawaihau District Heritage Resource Map shows that the property is located in a "Scenic Roadway Corridor". But, the permit application minimizes the unique and special value of the open space, view planes and scenic corridor afforded by the coconut grove. The project's failure to "protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources" (HRS 205A Sec. 3.0 A.(3)) is a significant adverse effect.

The Long's Store is not compatible with this visual environment. The grove gives the eastside its sense of place and altering it so dramatically will be a major loss for the community.

Drainage, Ponding, and Flood Hazards

Despite a FEMA Flood Rating designation as Zone X (outside the 100-year flood zone) we know that the area has frequent problems with drainage and ponding during heavy rains. The Open District portion which abuts the highway is an existing drainage swale and from time to time the entire coconut grove is inundated with storm water.

The application states that “drainage and ponding requirements will be provided on site through the use of detention basins within the coconut grove”. However, this plan does not provide a solution for the existing problem. Since the coconut grove serves as a detention basin right now, the increased runoff caused by this development should necessitate a comprehensive drainage plan.

The impacts of flood reoccurrence and the absence of a study to address the extent of these problems, poses a real challenge to developing this parcel. Mitigation measures need to be based on an analysis of the problem. But the Drainage Report (Exhibit 5) doesn't address these issues comprehensively, and doesn't propose drainage solutions for these flood events.

March 15, 2006



March 10, 2012



Conclusion

The proposed project is not compatible to the character of the surrounding coastal resort neighborhood. There is no compelling public interest to site a large retail store within the Resort District and in the historic Coconut Grove. According to the CZO Sec. 8-2.4 (f)(12), retail shops and stores are not a permitted use in the RR Zoning District. It will be detrimental to the resort environment, to resort residents, and it will diminish a prominent scenic and historic landmark. Long's is wrong in this location and it is unfortunate they did not renew their current lease at Kaua'i Village Shopping Center.

Sincerely,

Rayne Regush,
Chairperson
On Behalf of the W-KNA Board