

PLANNING AND SUSTAINABLE LAND USE COMMITTEE
Amendment Summary Form

Legislation: Bill related to Change in Zoning for the proposed Kilohana Makai Project.

Proposer: Tamara Paltin, Chair *Tamara M. Paltin*
Planning and Sustainable Land Use Committee

Description: Amend Exhibit "C" to delete the one existing condition and add 13 new conditions.

Motion: Move to amend the bill's Exhibit "C" by deleting the existing condition and adding the following new conditions:

1. Ferreira Family Partners, LP must develop the property to include only residential workforce housing units and no other dwelling units.
2. Ferreira Family Partners, LP must ensure each unit on the property is owner-occupied for a period of 30 years from the date of the unit's initial purchase date.
3. Ferreira Family Partners, LP must ensure homeowners who sell their units within 30 years of a unit's initial purchase date may not sell the unit for more than 3 percent appreciation per year from the Initial Appraisal, as defined in the Residential Workforce Housing Agreement.
4. Ferreira Family Partners, LP must ensure that all units in the project are only used for long-term residential use.
5. Ferreira Family Partners, LP may not allow the conversion of the project or any unit into a condominium or further subdivision of any lot.
6. Ferreira Family Partners, LP may not allow accessory dwelling units.
7. Ferreira Family Partners, LP must maintain Lot 14 for open space or park use.

8. Ferreira Family Partners, LP may not place any restriction on homebuyers in their choice of lenders or in the pre-qualification process.
9. To minimize the need for lengthy commutes, reduce greenhouse gas emissions, and foster community cohesion, Ferreira Family Partners, LP may give homebuyer preference to applicants employed or residing in the Kihei-Makena Community Plan Area.
10. Ferreira Family Partners, LP must offer a homebuyer financial education program at no cost to residential workforce housing unit applicants.
11. To lessen the traffic burden on Wela Street caused by the project, Ferreira Family Partners, LP must provide a second ingress and egress to and from the project by extending Wela Street to Kilohana Drive prior to the sale of the first unit of the project.
12. Ferreira Family Partners, LP must comply with all applicable laws in developing and managing the project.
13. Ferreira Family Partners, LP must develop and manage the project in substantial compliance with all representations made to the Council and its Planning and Sustainable Land Use Committee to obtain this Change in Zoning.

Effect: See attached revised version of Exhibit "C."

Attachment: Revised version of Exhibit "C."

pslu:ltr:056aasf01:alkl

Exhibit "C"

1. Ferreira Family Partners, LP must develop the property to include only residential workforce housing units and no other dwelling units.
2. Ferreira Family Partners, LP must ensure each unit on the property is owner-occupied for a period of 30 years from the date of the unit's initial purchase date.
3. Ferreira Family Partners, LP must ensure homeowners who sell their units within 30 years of a unit's initial purchase date may not sell the unit for more than 3 percent appreciation per year from the Initial Appraisal, as defined in the Residential Workforce Housing Agreement.
4. Ferreira Family Partners, LP must ensure that all units in the project are only used for long-term residential use.
5. Ferreira Family Partners, LP may not allow the conversion of the project or any unit into a condominium or further subdivision of any lot.
6. Ferreira Family Partners, LP may not allow accessory dwelling units.
7. Ferreira Family Partners, LP must develop and maintain Lot 14 for open space or park use.
8. Ferreira Family Partners, LP may not place any restriction on homebuyers in their choice of lenders or in the pre-qualification process.
9. To minimize the need for lengthy commutes, reduce greenhouse gas emissions, and foster community cohesion, Ferreira Family Partners, LP may give homebuyer preference to applicants employed or residing in the Kihei-Makena Community Plan Area.
10. Ferreira Family Partners, LP must offer a homebuyer financial education program at no cost to residential workforce housing unit applicants.
11. To lessen the traffic burden on Wela Street caused by the project, Ferreira Family Partners, LP must provide a second ingress and egress to and from the project by extending Wela Street to Kilohana Drive prior to the sale of the first unit of the project.
12. Ferreira Family Partners, LP must comply with all applicable laws in developing and managing the project.

13. Ferreira Family Partners, LP must develop and manage the project in substantial compliance with all representations made to the Council and its Planning and Sustainable Land Use Committee to obtain this Change in Zoning.

pslu:misc:056aasf01_attachment