

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

**MAUI PLANNING COMMISSION  
PORTION OF REGULAR MINUTES  
ITEM B.1  
JANUARY 22, 2019**

Ms. Mclean: The first item is a request initiated by the Planning Department or excuse me, initiated by the County Council. It's Council Resolution 17-151 referring to you proposed bills to amend the Makawao-Pukalani-Kula Community Plan use designation, State Land Use District Classification and Zoning for property situated at 2-4-002: 011 and 2-4-002: portion of 006. This is for the Hui No`eau Visual Arts Center property in Makawao, and the Tara Furukawa is the project planner.

**B. PUBLIC HEARINGS** (Action to be taken after each public hearing.)

1. **MICHELE MCLEAN, AICP, Acting Planning Director, transmitting Council Resolution No. 17-151 referring to the Maui Planning Commission Proposed Bills to Amend the Makawao-Pukalani-Kula Community Plan Land Use designation, State Land Use District Classification, and Zoning Change for property situated at TMK: (2) 2-4-002: 011 and 2-4-002: por. of 006 (Hui No`eau Visual Arts Center), Makawao, Island of Maui. (T. Furukawa)**
  - a. **Proposed bill to amend the Makawao-Pukalani-Kula Community Plan Land Use designation from Agriculture to Public/Quasi-Public for approximately 4.306 acres at TMK:(2) 2-4-002: 006 (por.). (CPA 2017/0003)**
  - b. **Proposed bill to amend the State Land Use District Boundary Classifications from Agricultural to Rural for approximately 14.775 acres at TMK: (2) 2-4-002: 011 and (2) 2-4-002: 006 (por.).(DBA 2017/0003)**
  - c. **Proposed bills to change the zoning from Interim District to P-1 Public/Quasi-Public District for TMK (2) 2-4-002:011 and from the Agricultural District to P-1 Public/Quasi-Public District for property situated at TMK: (2) 2-4-002: 006 (por.) (CIZ 2017/0004)**

Ms. Tara Furukawa: Good morning Commissioners.

Mr. Robinson: Good morning Tara.

Ms. Furukawa: This item is under you review because the Council initiated the resolution which is a bill to change land use designations for two properties in Makawao that are owned by the Hui No`eau. The land area totals 14.775 acres and the matter's being referred to you because the land acreage is less than 15 acres so pursuant to Hawaii Revised Statutes, Section 205 such decisions shall be determined by the Maui County Council. The Maui Planning Commission must make a recommendation to the Council. Robb Cole of Hawaii Land Use Group is the consultant for the project and he'll present you with a scope of the proposed land use entitlement changes and I'll then come back and present you with the Department recommendation.

Mr. Robb Cole: Thank you Tara. Good morning Chair, Members of the Planning Commission,

1 Staff, the Planning Department, Public Works. Thank you for volunteering your time today to  
2 review this project.

3

4 Mr. Robinson: Please introduce yourself.

5

6 Mr. Cole: Sorry. Robb Cole of Hawaii Land Use Group here on behalf of the Hui No`eau Visual  
7 Art Center. Hui No`eau is a nonprofit organization that maintains the Kaluanui Estate in Makawao  
8 and runs probably one of the most prolific arts education centers in Hawaii. I'd like to acknowledge  
9 in the audience Caroline Killhour, the Executive Director, Ashley Hesjedal, Staff, and a great  
10 number of the Hui No`eau Board of Directors, if you'd raise your hand please.

11

12 Today's recommendation is a very important step in a long process. Special permits and  
13 Conditional Permits are kind of like training wheels for a project. Hui No`eau is kind of like the  
14 adult riding a bike very well with training wheels. Hopefully today the Planning Commission is  
15 able to loosen the bolts on these wheels and when we return to Commission they can take them  
16 off.

17

18 Unless there's any objections I'd like to quickly mention a few things on the record for  
19 housekeeping and then I'd like to give a brief overview regarding the current status of the Hui and  
20 what projects are in the pipeline over the next decade. Then I'd like to briefly talk about the action  
21 that's proposed and what the implications might be. Staff Planner Tara Furukawa has been very  
22 good in providing us with a report, a recommendation and administering the project  
23 ...(inaudible)...

24

25 Just for the record I'd like to note that we submitted a revised legal description signed January 18,  
26 2019 and that's pertaining to the Change in Zoning and District Boundary Amendment. It replaces  
27 the legal description that was on file. And we'd also like to note that six letters of support were  
28 transmitted for this project after the mailout was sent to the Commissioners. They include letters  
29 of support from the adjacent neighbor, Montessori School, the additional letters include abutting  
30 neighbors Labovitz, Conrad and adjacent neighbor Powers. Partnering organizations Awahi  
31 Forest Restoration Project, Maui High School, Kekaulike High School, and lastly letter of support  
32 Hui No`eau Board Member, Robert Stoner.

33

34 I'd like to point out today we are missing Don Bernshouse our architect. Luckily this action is  
35 more about land use controls than it is details about buildings. Purposely the exhibits in your files  
36 are conceptual and not detailed, but to the best of our ability we'll describe any technical issues  
37 should you have questions.

38

39 Hui No`eau is on the Kaluanui Estate, a century year old estate constructed by Harry and Ethel  
40 Baldwin. The estate and its grounds were designed by notable architect and Harry's cousin, C.W.  
41 Dickey. It feature a two-story Mediterranean style villa, a carriage house, matching guest house  
42 and also a stable to house the horses that occupied the estate at that time. At the time this was  
43 built it was interesting Hawaii was a Territory, the world was at war, the sugar boom was feeding  
44 construction of large estates while plantation camps existed. There were horses for transportation  
45 but also the beginning of the automobile period.

1  
2 The Baldwins used their estate in interesting ways. Ethel Baldwin in particular was a notable  
3 social advocate. She believed in issues such as equality. She petitioned for racial equality in the  
4 hospitals. She was petitioning the Red Cross to fund social and fiscal programs to aid the families  
5 of soldiers in the war and she was a woman's...(inaudible)...leader. These qualities lead her to  
6 use her estate in very interesting ways. There were a lot of public events that happened. During  
7 the war period military was entertained on site and Ms. Baldwin also was instrumental in starting  
8 a USO what we know as Casanova's Restaurant.

9  
10 Civic groups like the Boy Scouts were allowed to use the property for their events and Ethel in  
11 particular was an advocate of the arts and she used the property especially for the promotion of  
12 arts. Her and daughter, Francis started what is called the Hui No`eau Art Society in 1934. And  
13 way that she used her property differently included converting the guest house to a jewelry making  
14 studio. Having gallery events in her solarium and inviting artists in the Hui No`eau collective to  
15 paint and conduct art classes on property. Notably she would invite people from abroad to come  
16 and teach their particular style and as their rent at staying at the house they would have to teach  
17 the members of Hui No`eau.

18  
19 After the passing of the Baldwins the property was taken over by Maui Land and Pine but still  
20 used for public uses. For a while the property was used as a residence of the President of the  
21 Maunaolu College and the property was used for academic debates and talks.

22  
23 In the mid-70s Colin Cameron, grandson of the Baldwins and CEO of Maui Land and Pine leased  
24 the Hui for...leased the property to the Hui for the crazy rate of a dollar a year and that went on  
25 for about 30 years. And I'll start kind of my history of land use starting in the mid-70s.

26  
27 This is a aerial map of a particularly dry period but it shows the location of the Hui No`eau  
28 compared to Baldwin Avenue and Kaluanui Road. The current Hui No`eau property contains  
29 Parcel 011 which is about 10 ½ acres and Parcel 006 which is a little over 14 acres together they  
30 comprise about 25 acres of land.

31  
32 The primary residence of Hui No`eau has been converted in adaptive reuse for use as a art center.  
33 The upper floors are primarily administrative offices and the lower floors are used for a variety of  
34 uses including this is the dining rooms which is now part of an art gallery. The living room of the  
35 lower floor is now the exhibition gallery, another shot of that, and the solarium is used as part of  
36 the gallery and also for certain teaching events. Here is an educator from the Big Island, Dalani  
37 who is educating her students on the construction and dye of kapa. Harry Baldwin's office is also  
38 located on the ground floor and it is now currently used as a history room and also used for  
39 specialty art projects. It currently painted as such by a muralist from Mexico City, Mazatl and he  
40 was here in the conjunction with the Awahi Forest Restoration Project and his work is inspired by  
41 his work with the organization and he created this mural at the Hui. If you were able to read Art  
42 Medeiros' letter he stated that the talks and workshops done in collaboration with the Hui and  
43 Mazatl were estimated to have exposed about 13,000 individuals to the expression of Maui's  
44 native forest ...(inaudible)... efforts on their way to protect them.

45

1 This is a view of the formal lawn fronting the Hui No`eau Baldwin residence and has a reflecting  
2 pool similar to the one at Seabury Hall. This event here is a family day and was proceeded by a  
3 hula performance. This is another performance done at the beginning of Malama Wao Akua,  
4 another benefit this time to...in conjunction with the East Maui Watershed Partnership. A jewelry  
5 art exhibit followed...this is the opening event which the exhibits were geared towards bringing  
6 awareness towards the endangered and protected species of Maui.

7  
8 This is the guest cottage, as mentioned once converted into a jewelry studio and used on occasion  
9 to house artists from abroad who come to teach. This is the carriage house also known as the  
10 garage. It currently houses the print making studio of the Hui. Here a junior print maker is learning  
11 the skills on small scale and here are some expert print makers using one of the larger print  
12 presses.

13  
14 The Hui also teaches classes on photography both digital and old school film. Inside the former  
15 milk room there is a dark room, development studio. Hawaiian crafts such as leis, weaving and  
16 kapa print making are taught. One of the last buildings of the estate I'll talk about is the stables.  
17 This building you can see is kind of a collection of old and new construction. Back when there  
18 were horses the long section of this building housed the stables for the horses and the section to  
19 the right was a tack room. This building was built a little bit different like from the others. It wasn't,  
20 it didn't use the same quality materials and it is deteriorating. We'll talk about that in a little bit.  
21 This is the guest cottage...or sorry, this is the caretaker's cottage also known as the maid's  
22 cottage and sometimes the Matsumoto Building.

23  
24 Moving up to about 1995 approximately the same time that the stables were expanded the Hui  
25 constructed a glass kiln and studio where glass blowing is performed and taught. Around 2000,  
26 1990-2000, a children's studio was constructed. It is the base for the children's programs and the  
27 children's summer programs. Adjacent to that is a central restroom facility also built in 1991.  
28 Working our way up to 2008, this building was constructed. It originally was designed to contain  
29 the woodworking shop. Due to the failure of the stables and the ceramics program inside the use  
30 of this building was changed to house the ceramics programs and the metalsmithing program.

31  
32 Moving up to 2013, Waldorf Schools of Maui approached the Hui looking for a place to incubate  
33 a pilot high school program. Hui strategically located a structure that was an eyesore and a  
34 hazard which was an old garage attached to the caretaker's cottage. And we came in here to the  
35 Commission in 2013 for a permit to construct a new classroom and that was constructed in 2014.  
36 In 2015, we came in because the school was looking at expanding. Waldorf proposed to build  
37 two classroom building and an administrative building on the old tennis courts of the property and  
38 a new parking lot. That was constructed in 2016 and this is affectionately known as Waldorf  
39 Village.

40  
41 An earlier plan presented to the Planning Commission showed construction of the woodshop  
42 building here and a future pavilion for events. That plan has changed a little bit and I'll kinda walk  
43 you through, give a little more detail.

44  
45 This is an overview of the two parcels, Parcel 006 and Parcel 011 together they comprise

1 25 acres. Parcel 006 is a little over 14 and Parcel 011 is a little...I'm sorry, Parcel 011 is a little  
2 bit over ten acres. The area of rezoning contains about a little over four acres of Parcel 006 and  
3 all of Parcel 011. The remaining part of Parcel 006 will remain in Agriculture and is not part of  
4 this process.

5  
6 Zooming in here, this is the main section of Hui No`eau including the formal estate. I'd like to  
7 point out a couple things here. In this lower section here which is hard to see kind of an orange  
8 color, this historic site actually has a historic site within it. This is remnant of the 1857 East Maui  
9 Mill. In the sections that are kind of dark red or brown these are the old...the buildings of the  
10 original estate dated to 1917 including the main house, guest house, carriage house, caretaker's  
11 house and the stables. Noting the areas in green are more modern including sections of the  
12 stables, the aforementioned children's studio and restroom building, the 2008 ceramics and  
13 metalsmithing building and the Waldorf Village. The lighter green areas are hardscape associated  
14 with parking. The upper red area here is the historic parking for the Hui which is a grass gravel  
15 parking lot. This next photo or this next slide shows you the expansion planned over the next  
16 decade.

17  
18 Additionally I'll point out here we have a number of walkways into increased accessibility of the  
19 project. There'll be a number of wheelchair accessible pathways linking the buildings together  
20 and linking the upper historic campus with the lower modern campus. Breaks along the pathways  
21 will be connected with benches or other places to take in the view. In your packet you have this  
22 exhibit here which shows some of the pathways planned. Also planned for accessibility is to  
23 create a ADA accessible restroom in the Baldwin House. Fortunately there is a covered exterior  
24 walkway that if enclosed would be able...would create enough room to create an accessible  
25 restroom without much change to the building. Very fortunately right next to the covered stairway  
26 is an uncovered stairway. Some plans in your packet show breaking through the wall to the  
27 exterior and creating a new wall on the outside. This will create a restroom that fits ADA standards  
28 and also provides sanitary resources for parents with children who are in diapers.

29  
30 I'm going to talk about some of the upcoming projects. More significant I've labeled them one,  
31 two and three and these are in chronological order. I'm gonna note that items one and three are  
32 within portion of Parcel 006 and that's different because Parcel 006 has a different zoning than  
33 Parcel 011 so the zoning action is actually gonna allow these projects to occur in their desired  
34 locations.

35  
36 Parcel 1 I had briefly talked about how this building created in 2008 was originally meant to be  
37 part of the woodworking process. And I want to acknowledge a champion of this development,  
38 John Hoxie, Jr., standing next to Caroline, here he is receiving an award from the Historic Hawaii  
39 Foundation. John passed away last year. He was a former board president, board vice-president,  
40 head of many committees including the facilities committee that wants to get all these things built.  
41 I got to interact a lot of John over the last year and I know he would want to be here today.

42  
43 And kinda a blow up of the lower campus, I'll point out the new woodworking building and the  
44 name of the building, the Bud Schafer, John Hoxie Woodworking and Innovation Center. This is  
45 gonna allow the Hui's woodworking program to take a new direction. It's gonna borrow some

1 elements from other buildings on the campus. The articulated roof, transom windows, and  
2 support details match the 2008 building that it was originally designed to hold the woodworking.  
3 Inside, this is part of your packet, there's a large space for woodworking activities and including  
4 for safety and also for performance a dedicated dust collection system. It's also, internal storage,  
5 dust free and some office space.

6  
7 Going back to the map here, I'm going to point out the next item. Woodworking center will  
8 probably be submitted for permit within a month or two and of course, we will have to wait until  
9 the zoning is complete before the building permit can be accepted.

10  
11 The next item is probably in the three to five year range and that's reconstruction of the stables.  
12 Once again here's the stable building with new addition on the left, old construction there on  
13 the...in the middle of the stables and on the other side here the tack shed. Tack shed and the  
14 stables may have been built at different times. They have a different ...(inaudible)...footprint and  
15 they're at different elevations. Both are showing a lot of wear and erosion and termite damage.  
16 Sections of the roof of the...this is the hip where the two buildings join. We're seeing collapse  
17 and structural damage.

18  
19 In its place Hui No`eau is proposing to reconstruct both wings of the stables. The north-south  
20 wing will be reconstructed as it is as an enclosed facility with three classrooms. The upper  
21 classroom will be a...I would say have a high volume, high ceiling and the lower classroom will  
22 actually be two stories. This will add about 650 square feet of usable area to the structure.

23  
24 The third structure is probably in the seven to ten-year time frame. It includes a event pavilion  
25 and so it will allow the Hui to take advantage of the beautiful westward sunset views and relieve  
26 some pressure on the historic Baldwin House. In your packet you can see there is a conceptual  
27 drawing of about a 2,000 to 3,000 square foot facility with a lanai, possibly some food service  
28 prep area and probably depending on how long Waldorf stays at the school restrooms will be  
29 determined at that time whether they are needed. It also shows a new parking area to replace  
30 the parking that is displaced by the facility. The parking area will be kind of lower down on the hill  
31 hidden away from view from the historic estate.

32  
33 To summarize the action there's a Community Plan Amendment and in 1995 the community plan  
34 was amended it suggested at about 15 acres was going to be zoned in the community plan or  
35 sorry, will be designated in the community plan as Public/Quasi-Public what ended up resulting  
36 in the map it was about ten and a half. So about four acres are gonna be added in the community  
37 plan.

38  
39 For zoning, the property is currently a mix of Interim and Agriculture. The property...the Interim  
40 section has never been properly zoned so this will be the first zoning action. The Agricultural side  
41 was not deliberately zoned but zoned through the Agricultural Bill which had some auto zoning  
42 provision if the community plan and state designation were also Agriculture. In this case, nearly  
43 15 acres will be designated to P1, Public/Quasi-Public zoning.

44  
45 And then the District Boundary Amendment, the same area will be converted from Ag to Rural.

1 And I know you've looked at Seabury Hall's application. Seabury decided not to go with Rural  
2 but with Urban. And in this case, the Hui No`eau knew they could accomplish what they wanted  
3 with the Urban...sorry, with the Rural designation and they felt it might alarm some of their  
4 neighbors if they were to say they wanted Urban state designation.

5  
6 I'm just going to point out on the maps, here's the community plan amendment, the dark blue is  
7 the area that's currently zoned or currently designated, sorry, Public/Quasi-Public in 1995 and  
8 then additional here that's in Agriculture that will be part of that designation.

9  
10 Here's the Change in Zoning. The area in red is currently Interim and the area that is kind of this  
11 light green is Agriculture. Once again the entire area will be rezoned to Public/Quasi-Public, P1.  
12 And the District Boundary Amendment the entire site is in Agriculture. The abutting Montessori  
13 Campus is in Rural and the project will be redesignated to Rural to match Montessori.

14  
15 The changes that are resulting from the comprehensive rezoning. One of the things that came  
16 up is we had some neighbors that were a little concerned about the Rural zoning. They thought  
17 it might lead to greater residential development and after explaining it to them, actually the change  
18 to Public/Quasi-Public from Interim restricts the zoning. It doesn't give additional land use abilities  
19 it takes them away. So new residential development will not be available to the Hui land use  
20 change happens.

21  
22 Currently Waldorf High School has some limitations that are established in the State Special  
23 Permit. Once the state designation is changed that permit is moot. So unless there are  
24 restrictions in the new permit or sorry in the new zoning Waldorf School will be able to continue  
25 indefinitely. This is a little bit moot because is, has been actively pursuing their forever home.  
26 We know they are looking. It can be a little bit difficult to find a adequately suitable property  
27 especially when it comes to water supply. So we think currently Waldorf is there till 2021 by  
28 permit. They have a renewable lease with the Hui and we anticipate they will be moving on that  
29 time. This rezoning may gave them a little extra time should they need it. There are about four  
30 more acres that are available for development. Now these four acres are currently part of the  
31 State Special Permit, but since they are zoned Agriculture and not Interim, we have not...the Hui  
32 has not been able to develop any buildings on there. So the change in zoning will allow them to  
33 construct the woodworking building and the future pavilion in a section of the property they think  
34 is most reasonable and protects the historic integrity of the other parts of the site.

35  
36 And as far as architectural review the Hui through its permits has always been required to meet  
37 with the Urban Design Review Board and get comments from the State Historic Preservation  
38 Division. The Planning Department has suggested a comment or suggested a recommendation  
39 that this continue, that there be a condition on zoning that requires the Hui to solicit both agencies  
40 for comment prior to the approval of building permits. So if you pass that onto the County Council  
41 and they move forward with it then architectural review will continue for the project.

42  
43 So benefits to the Hui of these changes. First off, it acknowledges the Hui's contribution to the  
44 community in historic preservation and arts advocacy and instruction. It also secures the future  
45 of the Hui. It relieves the burden of them coming in repeatedly for permits every time they want

1 to construct a new building or to you know amend a permit that is expiring. It helps them move  
2 their bottom line because it assures the patrons and the donors and the grant writers that the  
3 money that they're giving is going to last. It's going to endure as part of a project. One last thing  
4 which I just mentioned it provides flexibility for the Hui to site things where they want them to be  
5 which for the purposes of historic preservation is important to be able to relocate certain things  
6 that weren't part of the original campus like parking, you know relocate that away from the historic  
7 Baldwin House and the historic entry.

8  
9 I'm gonna conclude this portion of the presentation by noting that the proposed rezoning actions  
10 have been sent to review through the unanimous decision of the Council and during the review of  
11 the project we had no agencies that commented, had any concerns about the project. We haven't  
12 had any community concerns about the project and you've received a number of letters in support.  
13 I apologize for not bringing you something controversial. The biggest controversy the Hui has  
14 faced was in 2004 when a private party contracted with Maui Land and Pine and was in agreement  
15 to buy the Hui, buy the Kaluanui Estate. And at the time, the resources of the Hui were not in  
16 jeopardy. No one was proposing to tear down but the community felt this intangible loss that was  
17 about to happen and about 1,800 entities, businesses and persons got together and raised over  
18 \$5 million to save the Hui. Since then as an owner of the 25 acres of the property the Hui has  
19 done an amazing job in restoring the beauty of the campus and developing its programs.  
20 Rezoning this property is an important step in acknowledging the contribution of the Hui's past  
21 and ensuring the future. I thank you for your consideration today. I, Caroline, the staff, and board  
22 are here to answer any question you have. Thank you very much.

23  
24 Mr. Robinson: Thank you. At this time, we'll move onto public testimony. I'd like to call up Keoki  
25 Freeland. Good morning. Please introduce yourself, you have three minutes.

26  
27 Mr. Keoki Freeland: Good morning Members of the Planning Commission. My name is  
28 Keoki Freeland and I'm speaking in regards to the first item on today's agenda Hui No`eau's  
29 Visual Arts Center of which I am a member of the Board of Directors. I have been involved in  
30 profit, in nonprofits around the island. One stint as Executive Director to the Lahaina Restoration  
31 Foundation for 14 years retiring in 2009. Hui No`eau and its arts education and historic  
32 preservation mission speak to my heart. I have a daughter that conducts kapa making classes at  
33 the Hui. I have a wife who is an oil painting artist who participates regularly in exhibitions at the  
34 Hui. On behalf of the Board of Directors, I'd like to say thank you to the Commissioners for  
35 volunteering your time to review the project and to the County Staff for your hard work and  
36 presence. Also, I'd like to thank Robb for doing a great job in giving you background about the  
37 whole project. Today's recommendation is an important step to the rezoning process. Mahalo.

38  
39 Mr. Robinson: Thank you. Commissioners any questions? Thank you Keoki. Next  
40 Caroline Killhour please.

41  
42 Ms. Caroline Killhour: Good morning, I'm Caroline Killhour.

43  
44 Mr. Robinson: Good morning.



1 Ms. Killhour: I'm the Executive Director of Hui No`eau and I've worked with the Hui for 12 years.  
2 Thank you Commissioners for taking the time today to review this issue and thank you to the Staff  
3 Planners and Planning Director for your work on this project, and thanks to my awesome Board  
4 of Directors here, who are all volunteers and have worked on this project with us.  
5

6 As a nonprofit visual arts center, Hui No`eau is a place that fosters creativity and self-expression.  
7 The Hui's art studios and the beautiful ground, the Kaluanui inspire 25,000 people a year. We're  
8 open seven days a week and we have free access to the grounds and the galleries each day.  
9 Our mission unlocking creativity through exceptional visual arts education and enhancing the  
10 endeavor through preservation of the historic Kaluanui Estate is near and dear to our hearts and  
11 to the community's hearts as Robb pointed out in their series of support for purchasing the estate.  
12

13 In addition to Hui No`eau regular programing the Hui collaborates with community organizations,  
14 schools and educators to serve at-risk special needs youth and those without adequate arts  
15 education funding. The Hui offers a robust scholarship program that enables students in need of  
16 financial assistance to participate in Hui classes, camps, fieldtrips, and outreach programs year  
17 round. Students range from two and a half on up. A total of 1,115 low income children received  
18 financial assistance to attend classes, camps, workshops and art opportunities in 2018. You've  
19 heard from Robb our collaboration with the conservationists and other community organizations.  
20 We do this on a regular basis. It's part of our programing. They come into the Hui and we go out  
21 to the schools. Our Explore and Discover Program brings Maui at-risk and in need youth to the  
22 Hui to participate in art projects lead by professional teaching artists like the gentleman that you  
23 saw that we brought from Mexico City we had over 150 youth from Maui's different schools come  
24 up and work with him and be part of that project. This program serves 500 youth annually from  
25 Maui's public schools, preschools and community organizations including Maui Economic  
26 Opportunity and Maui Youth and Family Services. Your recommendation is important so that we  
27 can spend more time doing what we do and being involved in the community and arts education  
28 versus coming to see you folks for our Special Use Permits. So thanks very much and we  
29 appreciate your work on this today. Thank you.  
30

31 Mr. Robinson: Thank you Caroline. Next on the list we have William Spence, and I know you  
32 were first but I thought you could bring it home for us and tell us why we're here and what we're  
33 gonna do and kind of tie a bow on it.  
34

35 Mr. William Spence: Good morning Mr. Chairman, Commissioners, Director. My name is William  
36 Spence and I'm speaking on my own behalf this morning. I first became aware of the Hui No`eau  
37 when I was Staff Planner and we were doing the Upcountry Community Plan and there was a lot  
38 of discussion about the programs and the arts that was being conducted there but we're talking  
39 mid 90's. After we completed the community plan I took a couple classes, became very impressed  
40 with the teaching, the facility itself, the historic preservation, the quality and of what this place  
41 represents in terms of art.  
42

43 The most important, well maybe not most important but the collaboration with the community that  
44 this place represents it was quite amazing to the point where they asked me to become a board  
45 member and I accepted. I was there, Robb spoke briefly about the...when Maui Pine was trying

1 to sell the property, I was a board member at that time, it was a very tense time so I can attest to  
2 the community participation and interest in preserving this institution. Quite an uproar, quite an  
3 intense involvement by the community to preserve the Hui No`eau.

4  
5 I think one thing towards the zoning of it when I was board member I did, I did approach some  
6 foundations. I approached people about not only fundraising to help, you know, let's preserve  
7 this place but they were also...were also thinking about not improvements to the Hui but the  
8 preservation of the building itself and I had foundations ask me, so you know how does it operate,  
9 how does it...well, we operate on Special Use Permit. We've had a whole series of Special Use  
10 Permits. And they go, well what's that? And once you explain that it's a temporary permit they're  
11 like I'm sorry, we can't risk our foundation's funds on a temporary kind of facility, something that  
12 may not be there tomorrow. If you have...if you had a more permanent kind of thing like zoning  
13 then we would be more apt to participate and contribute towards this institution and so I think  
14 that's really important. This property has been used for the arts for a better part of a century. We  
15 want it to remain. We want it to continue and zoning of this property will help bring that about and  
16 provide certainly additional financial security for the nonprofit. Members thank you very much.  
17 I'm very, very excited about finally getting this place zoned for what it should be. Thank you.

18  
19 Mr. Robinson: Thank you. Commissioners any questions? Seeing none...

20  
21 Mr. Spence: Okay.

22  
23 Mr. Robinson: Thank you Will.

24  
25 Mr. Spence: Thank you.

26  
27 Mr. Robinson: Tara could we please have the Planning Department's recommendation?

28  
29 Ms. Furukawa: Okay, the Department is recommending approval with no conditions for the  
30 change in district boundary for both parcels from Agricultural to Rural. The proposed action is  
31 consistent with the criteria of a DBA as stated in the Hawaii Administrative Rules, Title 15, Subtitle  
32 3.

33  
34 The Department is recommending approval with no conditions for the community plan change for  
35 the Portion of Parcel 006 from Agriculture to Public/Quasi-Public. It's consistent with Chapter  
36 2.80B.100 of the Maui County Code.

37  
38 Finally the Department is recommendation approval for the change in zoning for the Portion of  
39 Parcel 006 from Agricultural to P1, Public/Quasi-Public and Parcel 011 from Interim to P1,  
40 Public/Quasi-Public. The proposed action is consistent with the criteria for a CIZ in Title 19,  
41 Chapter 19.510. We're asking for one condition to be imposed and it's as follows: That the plans  
42 for any new buildings shall be reviewed by the UDRB and SHPD prior to building permit approval.  
43 We want to give the Urban Design Review Board and State Historic Preservation Division an  
44 opportunity to provide feedback on the new structures at some point in the future. Typically our  
45 Department would have to review the building permit applications for the structures and the

1 Department would consider the feedback provided by UDRB and SHPD prior to our approval on  
2 the building permit. Finally we're asking that the Commission authorize the Planning Director to  
3 transmit said recommendations and record to the Maui County Council for further action.

4  
5 Mr. Robinson: Thank you Tara. I gotta do a little housecleaning here. I didn't close public  
6 testimony. Anybody that wasn't signed up on this sheet, did anybody want to testify? One  
7 second, I'll call you. Aloha, you have three minutes, please state your name.

8  
9 Ms. Francine Aarona: Aloha Planning Commission Members, Mr. Chairman. My name is  
10 Francine K. Aarona also known as Aunty Mopsey, Protect Paia and I am for the presentation. It's  
11 beautiful the visuals. I just want to, and I'm sorry to throw a curve, I'm particularly interested  
12 because I heard financial assistance and scholarships and I wanted to know where that avenue  
13 went. If there was a price tag on being a part of this whole venue because I hear Waldorf School  
14 and I hear visual arts center and I know that the groups, educational groups come together. My  
15 input on the community level is who gets to choose these groups, how do they come about? I  
16 know it's a nonprofit, but is there a price tag that is put toward these groups that they have to  
17 present something or give something to be a part of this whole thing. And I know you thought  
18 about all of it, but just for me hearing what the presentation was about I really would like to know  
19 that financial aspect of where our children come and if they have to put out anything to start with.  
20 But as far as the project I'm glad that my whole recommendation is to go with what the  
21 presentation, it's just that I...sorry like to throw that curve Mr. Spence. Mahalo.

22  
23 Mr. Robinson: Thank you and maybe after the meeting they can talk to you after and let them  
24 know if there's opportunities.

25  
26 Ms. Aarona: Yeah, Okay, aloha.

27  
28 Mr. Robinson: Thank you. Next, yes please. Please state your name, you have three minutes.

29  
30 Mr. Charles Jencks: The name is Charles Jencks. I was asked by John Hoxie and  
31 Johnny Baldwin in about 2003 to spend some time at the Hui to do some master planning work  
32 and my recollection is there were a number of people who wanted to invest, wanted to build things  
33 on the grounds but we had issues with entitlement, with the community plan, and zoning. And it's  
34 great to see finally that this is going to happen because there is a great opportunity to expand and  
35 improve the facility but for the entitlement issues on the property, those will be resolved through  
36 this action. I think your recommendations are great from the Department and I certainly  
37 recommend you guys go ahead with this and make a positive recommendation because it really  
38 fulfills that vision that was set out in the early 2000's by the Hui. Thank you.

39  
40 Mr. Robinson: Thank you. I believe we have somebody in the back that wanted to testify?

41  
42 Unidentified Speaker from Audience: I wanted to testify on another item.

43  
44 Mr. Robinson: Another item is that it?

45

1 Unidentified Speaker from Audience: Yes.

2

3 Mr. Robinson: Okay, thank you. Seeing none, public testimony is now closed. Commissioners  
4 do we have questions for the applicant? Commissioner Carnicelli.

5

6 Mr. Carnicelli: Thank you Chair. So a couple of questions. I'll direct this at you Robb. Is in the  
7 DBA you're leaving that one portion Ag. Why not just make it all Rural now because you can still  
8 do ag in Rural. I mean I get that you know real property taxes would be different, water would be  
9 different, but other than that is why not just make it all Rural and then you know if you did sometime  
10 in the future want to do something you've already got it.

11

12 Mr. Cole: You know I think in the master planning process the Hui did look at you know converting  
13 the additional ten acres. Part of the problem is you know there is a resistance to I would say  
14 doing exactly what you're asking ahead of time without justification. It would put us in a different  
15 category. We would be working Land Use Commission. They typically resist that type of future  
16 planning.

17

18 In addition, the area, the ten acres that's being reserved for ag has historically been ag whereas  
19 the estate has never really been, you know for a 100 years has not been used for agriculture. So  
20 it is miszoned while the front ten acres has historically been horse pasture during the tenure  
21 with...I would say in the interim period between the Baldwins and Hui No'eau's purchase it was  
22 in pineapple for a while and now it has returned to horse pasture. I think there was some  
23 community you know...there was thoughts to you know what the community would like at the time  
24 being to do this as well.

25

26 The other consideration was you know could we use this for another school someday but the  
27 project doesn't have the water to support something like a other project for Waldorf or another  
28 school. So the decision was made to focus on what the Hui is looking at which is kind of a  
29 refinement project not an expansion and save the rest for later possibly another agricultural use.

30

31 Mr. Carnicelli: Thank you that makes it clear. Just on a note, Interim zoning can we get rid of all  
32 of it please? It's like, oh God, Interim zoning again. You had mentioned the restrictions that  
33 currently exist via the Special Use Permits and just as someone that part of what our role is to put  
34 conditions on Special Use Permits, you know, because of concerns, things like that is I don't know  
35 what those...and maybe this is a question for Tara, you, whatever it is, is you know, is there  
36 something 'cause I didn't see it in my packet as far as like what the current SUP is and what those  
37 conditions are because if there was something that was put there for a reason and now suddenly  
38 goes away...I mean, I don't want to hold up the project because of that but I'm just...you know,  
39 as part of what our role is here is to make sure that those things...there's not something that was  
40 put there that suddenly just gonna go poof and go away, but had an intent.

41

42 Mr. Cole: Very relevant question. I believe the last permit is in your packet. I wouldn't be able to  
43 point it out what page it is on right now.

44

45 Ms. McLean: Exhibit 9.

1  
2 Mr. Cole: All right, Exhibit 9. And relating to Waldorf the limitations currently are a time limit, you  
3 know which is standard for these type of permits. I believe it's June 2021 in which they are  
4 permitted to have the pilot high school on campus until that time. And the other condition I believe  
5 is a maximum student enrollment of a hundred students. The Waldorf enrollment has not been  
6 growing exponentially, it's been very slow and right now they're under 50. So I think you know at  
7 the current rate with the couple years they have left they're not going to exceed the hundred  
8 students. And should we move forward and they need a little bit more time, if they do it's probably  
9 for a very good reason, they're still probably not gonna get up to a hundred. So as is under the  
10 current scenario the two limits are 2021, June as a termination of the existing permit or the  
11 expiration I would say of the existing permit and a hundred student cap.

12  
13 Mr. Carnicelli: Right. Okay, thank for that and then just one last thing Chair.

14  
15 Mr. Robinson: One last thing.

16  
17 Mr. Carnicelli: This is it. It's my third thing. Is the recommendation Tara it says that it needs to  
18 be reviewed by SHPD and UDRB but it doesn't necessarily say that those recommendations have  
19 to be... 'cause you know when SHPD sends us something it's just like oh, this is what we said,  
20 but we don't necessarily have to put those in. So I don't know if we want to put more teeth to it  
21 other than just saying it has to be sent to them other than you know, if they come back with a  
22 recommendation we would advise that those recommendations are followed.

23  
24 Mr. Robinson: Commissioners any other questions? Okay so Commissioners I think we can,  
25 unless there's anything, any objections I think we can do the CPA, we can do the DBA, and we  
26 can do the CIZ all at one time. Do I have any, any objections to that? No? Okay, Director.

27  
28 Ms. McLean: Thank you Chair. The recommendation is to recommend approval to the  
29 Maui County Council of the Community Plan Amendment, the State Land Use Commission  
30 District Boundary Amendment and the Change of Zoning with a condition on the Change of Zoning  
31 that reads in its entirety, "That plans for any new buildings shall be reviewed by the Urban Design  
32 Review Board and the State Historic Preservation Division whose comments shall be considered  
33 by the Planning Department prior to approving any building permit for any new building."

34  
35 Mr. Robinson: All those in favor.

36  
37 Ms. McLean: Oh, need a motion.

38  
39 Mr. Carnicelli: Got to get a motion.

40  
41 Mr. Robinson: I'm sorry. I apologize. It's a I guess a motion for recommendation, yeah. And  
42 again, and again, is we're not the final party. We're just recommending to Council. Do I have a  
43 motion for recommendation?

44  
45 Mr. Hudson: So move.

1  
2 Mr. Robinson: Okay, second?  
3  
4 Ms. La Costa: Second.  
5  
6 Mr. Robinson: Second by Commissioner La Costa. All those in favor of the recommendation?  
7 All right, that's six ayes. Thank you.  
8

9 **It was moved by Mr. Carnicelli, seconded by Ms. La Costa, then**

10  
11 **VOTED: To Recommend Approval of the Community Plan Amendment,**  
12 **District Boundary Amendment, Change of Zoning to the County**  
13 **Council as Recommended by the Department.**

14  
15 **(Assenting – L. Carnicelli, P. D. La Costa, A. Hill, K. Pali, L. Hudson,**  
16 **C. Tackett)**

17 **(Excused – S. Castro, T. Gomes)**  
18

19  
20 Respectfully Submitted by,

21  
22  
23 CAROLYN TAKAYAMA-CORDEN  
24 Secretary to Boards and Commissions II