

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

October 20, 2017

**Committee**  
**Report No. \_\_\_\_\_**

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Land Use Committee, having met on October 4, 2017, makes reference to County Communication 17-363, from Council Chair Mike White, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS AMENDING THE STATE LAND USE DISTRICT CLASSIFICATION, CHANGE IN ZONING, AND AMENDING THE PAIA-HAIKU COMMUNITY PLAN DESIGNATION FOR THE HUI NO`EAU VISUAL ARTS CENTER FOR PROPERTY SITUATED AT 2841 BALDWIN AVENUE, MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)."

The purpose of the proposed resolution is to refer to the Maui Planning Commission the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII TAX MAP KEY (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)." The purpose of the proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for approximately 14.775 acres in Makawao, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-4-002:011 and a portion of tax map key (2) 2-4-002:006 ("the 14.775 acres"), for the Hui No`eau Visual Arts Center.
2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICT TO PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII TAX MAP KEY (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)." The

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**LAND USE COMMITTEE**

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purpose of the proposed bill is to grant a Change in Zoning from Interim District and Agricultural District to Public/Quasi-Public District for the 14.775 acres.

3. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII TAX MAP KEY (2) 2-4-002:006 (POR)." The purpose of the proposed bill is to grant a Community Plan Amendment from Agricultural to Public/Quasi-Public for approximately 4.306 acres in Makawao, Maui, Hawaii, identified for real property tax purposes as a portion of tax map key (2) 2-4-002:006 ("the 4.306 acres").

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a revised proposed resolution, approved as to form and legality, entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, ZONING, AND MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.) (HUI NO`EAU VISUAL ARTS CENTER)."

The purpose of the revised proposed resolution is to refer to the Maui Planning Commission the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR)." The purpose of the proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for the 14.775 acres.

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2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICTS TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR)." The purpose of the proposed bill is to grant a Change in Zoning from Interim District and Agricultural District to P-1 Public/Quasi-Public District for the 14.775 acres.
  
3. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEY (2) 2-4-002:006 (POR)." The purpose of the proposed bill is to grant a Community Plan Amendment from Agricultural to Public/Quasi-Public for the 4.306 acres.

Your Committee notes the revised proposed resolution corrects the relevant Community Plan Area, specifies the requested zoning district, and incorporates nonsubstantive revisions.

Your Committee also notes Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require the appropriate planning commission to review proposed land use ordinances and provide findings and recommendations to the Council. Because the subject property is located on Maui, the appropriate planning commission in this case is the Maui Planning Commission.

Your Committee further notes the Interim zoning district was created in 1958 for "the purpose of providing interim regulations pending the formal adoption of a comprehensive zoning ordinance and map." The County has long had an ongoing project to eliminate Interim zoning, which hinders the ability of landowners to subdivide their property.

According to written testimony received from Robb Cole, Planner, Hawaii Land Use Group, the proposed land use changes would support

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the longstanding educational uses occurring at Hui No`eau Visual Arts Center in Makawao. The arts center is operated by the nonprofit organization, Hui No`eau, at the historic Kaluanui Estate. According to Mr. Cole's testimony, under Hui No`eau's management, the home and ancillary buildings on the property were adapted for use as classrooms, exhibition galleries, a gift shop, administrative offices, artist studios, and specialty studios for painting, drawing, jewelry design, printmaking, photography, digital media, and ceramics.

Mr. Cole's testimony states that in June 2005, Hui No`eau purchased the Kaluanui Estate, including the parcels being considered. He also outlined development objectives for the parcels which would be aided by the proposed land use changes, including creating a new facility for a woodworking program, reconstructing onsite facilities, improving Americans with Disabilities Act accessibility for the property, maintaining and repairing historic buildings, creating an atrium in the courtyard, and developing an outdoor event space to reduce wear on the historic structure.

Your Committee noted the unique situation and history of the property, and the benefits the arts center provides the community.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution. Committee Chair Carroll, Vice-Chair Hokama, and members Atay, Cochran, Crivello, Guzman, King, Sugimura, and White voted "aye."

Your Land Use Committee RECOMMENDS the following:

1. That Resolution \_\_\_\_\_, as revised herein and attached hereto, entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, ZONING, AND MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006

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(POR.) (HUI NO`EAU VISUAL ARTS CENTER),” be ADOPTED;  
and

2. That the proposed District Boundary Amendment map, Change in Zoning map, and Community Plan Amendment map, and written testimony be TRANSMITTED, along with certified copies of the resolution, to the recipients of the resolution.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



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ROBERT CARROLL, Chair

lu:cr:17043aa:cmn

# Resolution

No. \_\_\_\_\_

REFERRING TO THE MAUI PLANNING  
COMMISSION PROPOSED BILLS TO AMEND  
THE STATE LAND USE DISTRICT  
CLASSIFICATION, ZONING, AND MAKAWAO-  
PUKALANI-KULA COMMUNITY PLAN AND LAND  
USE MAP FOR PROPERTY SITUATED AT  
MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2)  
2-4-002:011 AND (2) 2-4-002:006 (POR.)  
(HUI NO`EAU VISUAL ARTS CENTER)

WHEREAS, the Council is considering a proposed bill to amend the State Land Use District classification from Agricultural to Rural and a proposed bill to change the zoning from Interim and Agricultural Districts to P-1 Public/Quasi-Public District for property comprising approximately 14.775 acres, situated at Makawao, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 2-4-002:011 and a portion of tax map key (2) 2-4-002:006 (collectively, the "Property"); and

WHEREAS, the Council is also considering a proposed bill to amend the Makawao-Pukalani-Kula Community Plan and Land Use Map from Agricultural to Public/Quasi-Public for a portion of the Property comprising approximately 4.306 acres, situated at Makawao, Maui, Hawaii, and identified for real property tax purposes as a portion of tax map key (2) 2-4-002:006; and

WHEREAS, Hui No`eau Visual Arts Center, also known as the Kaluanui Estate, whose street address is 2841 Baldwin Avenue, Makawao, Maui, Hawaii, is on the Property; and

WHEREAS, the Property's current land use designations do not allow for its actual, longstanding use as an arts and educational center without appropriate permits, which are both costly and time-consuming to obtain; and

WHEREAS, grant funding for the nonprofit corporation, Hui Noeau, may be jeopardized if the appropriate permits are not obtained in a timely manner; and

**Resolution No. \_\_\_\_\_**

WHEREAS, the Council, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), may propose amendments to land use ordinances and revisions to the General Plan, including community plans; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Charter require that the appropriate planning commission review proposed land use ordinances and amendments thereto, and provide findings and recommendations to the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)," a copy of which is attached hereto as Exhibit "1" and made a part hereof, to the Maui Planning Commission for appropriate action, pursuant to Sections 8-8.4 and 8.8-6 of the Revised Charter of the County of Maui (1983), as amended ("Charter"); and
2. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICTS TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)," a copy of which is attached hereto as Exhibit "2" and made a part hereof, to the Maui Planning Commission for appropriate action, pursuant to Sections 8-8.4 and 8.8-6 of the Charter; and
3. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO AMEND THE MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEY (2) 2-4-002:006 (POR.)," a copy of which is attached hereto as Exhibit "3" and made a part hereof, to the Maui Planning

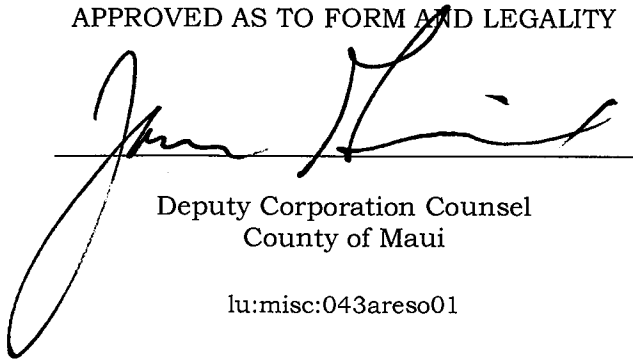


**Resolution No. \_\_\_\_\_**

Commission for appropriate action, pursuant to Sections 8-8.4 and 8.8-6 of the Charter; and

4. That it respectfully requests that the Maui Planning Commission transmit its findings and recommendations to the Council as expeditiously as possible; and
5. That certified copies of this resolution be transmitted to the Mayor; the Planning Director; the Maui Planning Commission; and Robb Cole, Planner, Hawaii Land Use Group.

APPROVED AS TO FORM AND LEGALITY



Deputy Corporation Counsel  
County of Maui

lu:misc:043areso01

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Section 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District classification is reclassified from Agricultural to Rural for that certain real property situated at Makawao, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 2-4-002:011 and a portion of tax map key (2) 2-4-002:006, comprising approximately 14.775 acres, and more particularly described in Exhibit "A," attached hereto and made part hereof, and in District Boundary Amendment Map No. DB-\_\_\_\_, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

lu:misc:043adbabill01:cmn

**EXHIBIT "1"**

LAND DESCRIPTION

Tax Map Key (2) 2-4-002:006(Portion) and 011

Land situated between Baldwin Avenue and Kaluanui Road at Haliimaile, Hamakuapoko, Makawao, Island and County of Maui, State of Hawaii.

Being portion of Lot 1 of Maui Pineapple Co., Ltd Lease, L.U.C.A. File No. 2.393 and all of Lot 2-A-1-A of H. A. Baldwin "Kaluanui: House Lots, Subdivision File No. 2.2242, being portions of Royal Patent 7512, Land Commission Award 11,216, Apana 27 to Kehaunohi.

Beginning at a found 1/2 inch pipe at the northernmost corner of this parcel of land, along the south side of Kaluanui Road coordinates of said point of beginning referred to Government Survey Triangulation Station "PIIHOLO" being 7,513.72.4 feet North and 4,062.59 feet West and running by azimuths measured clockwise from true South (meridian of said "PIIHOLO"),

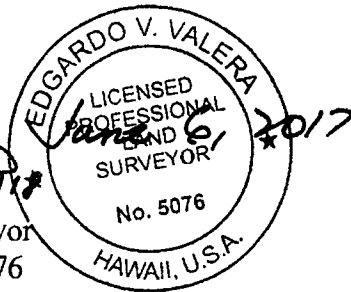
1. 301° 54' 320" 375.50 feet along Lot 2-A-1-B of H.A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2.2242 to a 1/2 inch pipe; thence,
2. 309° 42' 186.00 feet along the same to a 1/2 inch pipe; thence,
3. 347° 40' 168.41. feet along Lot 2-A-1-C of H.A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2.2242 to a 1/2 inch pipe; thence,
4. 347° 20' 162.00 feet along the same to a 1/2 inch pipe; thence,
5. 358° 00' 38.07 feet along Lot 2-B-1 of H. A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2.2214 to a 1/2 inch pipe; thence,
6. 34° 34' 300.76 feet along the same to a 1/2 inch pipe; thence,
7. 42° 38' 177.80' feet along the same to a 1/2 inch pipe; thence,
8. Along Baldwin Avenue on a curve to the left with a radius of 751.00 feet and a central angle of 21° 31' 51", the chord azimuth and distance being  
131° 42' 59" 280.56 feet to a 1/2 inch pipe; thence,

- 9. 115° 47' 95.63 feet along thje same to a ½ inch pipe; thence,
- 10. 110° 36' 121.67 feet along the same to a ½ inch pipe; thence,
- 11. 151° 13' 454.41 feet along portion of Lot 1 of Maui Pineapple Co., Ltd. Lease, L.U.C.A. File No. 2.393 to a point; thence,
- 12. 177° 10' 361.02 feet along the remainder of Lot 1 of Maui Pineapple Co., Ltd. Lease, L.U.C.A. File No. 2.393 to a point; thence,
- 13. 265° 06' 97.60 feet along the south side of Kaluanui Road to a point; thence,
- 14. 261° 26' 63.70 feet along the same to a point; thence,
- 15. 327° 30' 8.63 feet along the same to a ½ inch pipe; thence,
- 16. 266° 06'' 238.10 feet along the same to the point of beginning and containing an area of 14.775 acres, more or less.

Note: This metes and bounds description has been prepared for change in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only.

This work was prepared by me  
or under my direct supervision.  
VALERA, INC.

*Edgardo V. Valera*  
Edgardo V. Valera *Exp 4/17*  
Licensed Professional Land Surveyor  
State of Hawaii Certificate No. 5076  
End of description.  
8178Kaluanui



ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICTS TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR.)

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.31 and 19.510, Maui County Code, a change in zoning from Interim District to P-1 Public/Quasi-Public District and from Agricultural District to P-1 Public/Quasi-Public District is hereby granted for that certain real property situated at Makawao, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 2-4-002:011 and a portion of tax map key (2) 2-4-002:006, respectively, comprising approximately 14.775 acres, and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in Land Zoning Map No. L-\_\_\_\_\_, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

lu:misc:043acizbill01

**EXHIBIT** "2"

LAND DESCRIPTION

Tax Map Key (2) 2-4-002:006(Portion) and 011

Land situated between Baldwin Avenue and Kaluanui Road at Haliimaile, Hamakuapoko, Makawao, Island and County of Maui, State of Hawaii.

Being portion of Lot 1 of Maui Pineapple Co., Ltd Lease, L.U.C.A. File No. 2.393 and all of Lot 2-A-1-A of H. A. Baldwin "Kaluanui: House Lots, Subdivision File No. 2.2242, being portions of Royal Patent 7512, Land Commission Award 11,216, Apana 27 to Kehaunohi.

Beginning at a found 1/2 inch pipe at the northernmost corner of this parcel of land, along the south side of Kaluanui Road coordinates of said point of beginning referred to Government Survey Triangulation Station "PIIHOLO" being 7,513.72.4 feet North and 4,062.59 feet West and running by azimuths measured clockwise from true South (meridian of said "PIIHOLO"),

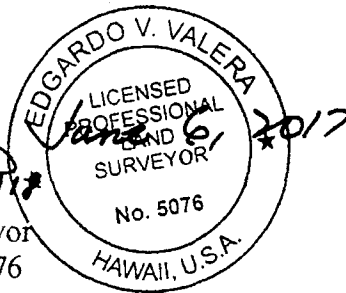
1. 301° 54' 320" 375.50 feet along Lot 2-A-1-B of H.A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2.2242 to a ½ inch pipe; thence,
2. 309° 42' 186.00 feet along the same to a ½ inch pipe; thence,
3. 347° 40' 168.41. feet along Lot 2-A-1-C of H.A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2.2242 to a ½ inch pipe; thence,
4. 347° 20' 162.00 feet along the same to a ½ inch pipe; thence,
5. 358° 00' 38.07 feet along Lot 2-B-1 of H. A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2..2214 to a ½ inch pipe; thence,
6. 34° 34' 300.76 feet along the same to a ½ inch pipe; thence,
7. 42° 38' 177.80` feet along the same to a ½ inch pipe; thence,
8. Along Baldwin Avenue on a curve to the left with a radius of 751.00 feet and a central angle of 21° 31' 51", the chord azimuth and distance being  
131° 42' 59" 280.56 feet to a ½ inch pipe; thence,

- 9. 115° 47' 95.63 feet along thje same to a ½ inch pipe; thence,
- 10. 110° 36' 121.67 feet along the same to a ½ inch pipe; thence,
- 11. 151° 13' 454.41 feet along portion of Lot 1 of Maui Pineapple Co., Ltd. Lease, L.U.C.A. File No. 2.393 to a point; thence,
- 12. 177° 10' 361.02 feet along the remainder of Lot 1 of Maui Pineapple Co., Ltd. Lease, L.U.C.A. File No. 2.393 to a point; thence,
- 13. 265° 06' 97.60 feet along the south side of Kaluanui Road to a point; thence,
- 14. 261° 26' 63.70 feet along the same to a point; thence,
- 15. 327° 30' 8.63 feet along the same to a ½ inch pipe; thence,
- 16. 266° 06'' 238.10 feet along the same to the point of beginning and containing an area of 14.775 acres, more or less.

Note: This metes and bounds description has been prepared for change in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only.

This work was prepared by me  
or under my direct supervision.  
VALERA, INC.

*Edgardo V. Valera*  
Edgardo V. Valera *Exp 4/1/17*  
Licensed Professional Land Surveyor  
State of Hawaii Certificate No. 5076  
End of description.  
8178Kaluanui



ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE TO AMEND THE MAKAWAO-PUKALANI-KULA  
COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL TO  
PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT MAKAWAO, MAUI,  
HAWAII, TAX MAP KEY (2) 2-4-002:006 (POR.)

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the Makawao-Pukalani-Kula Community Plan and Land Use Map is hereby amended from Agricultural to Public/Quasi-Public for that certain real property situated at Makawao, Maui, Hawaii, and identified for real property tax purposes as a portion of tax map key (2) 2-4-002:006, comprising approximately 4.306 acres, and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in Community Plan Map No. CP-\_\_\_\_\_, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

lu:misc:043acpabill01

**EXHIBIT "3"**



LAND DESCRIPTION

Tax Map Key (2) 2-4-002:006(Portion)

Land situated between Baldwin Avenue and Kaluanui Road at Haliimaile, Hamakuapoko, Makawao, Island and County of Maui, State of Hawaii.

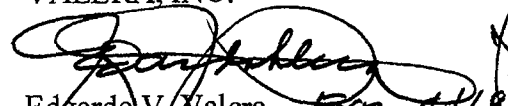
Being portion of Lot 1 of Maui Pineapple Co., Ltd Lease, L.U.C.A. File No. 2.393, being a portion of Royal Patent 7512, Land Commission Award 11,216, Apana 27 to Kehaunohi.

Beginning at a point at the northeast corner of this parcel of land, along the south side of Kaluanui Road coordinates of said point of beginning referred to Government Survey Triangulation Station "PIIHOLO" being 7,505.10 feet North and 4,304.59 feet West and running by azimuths measured clockwise from true South (meridian of said "PIIHOLO"),

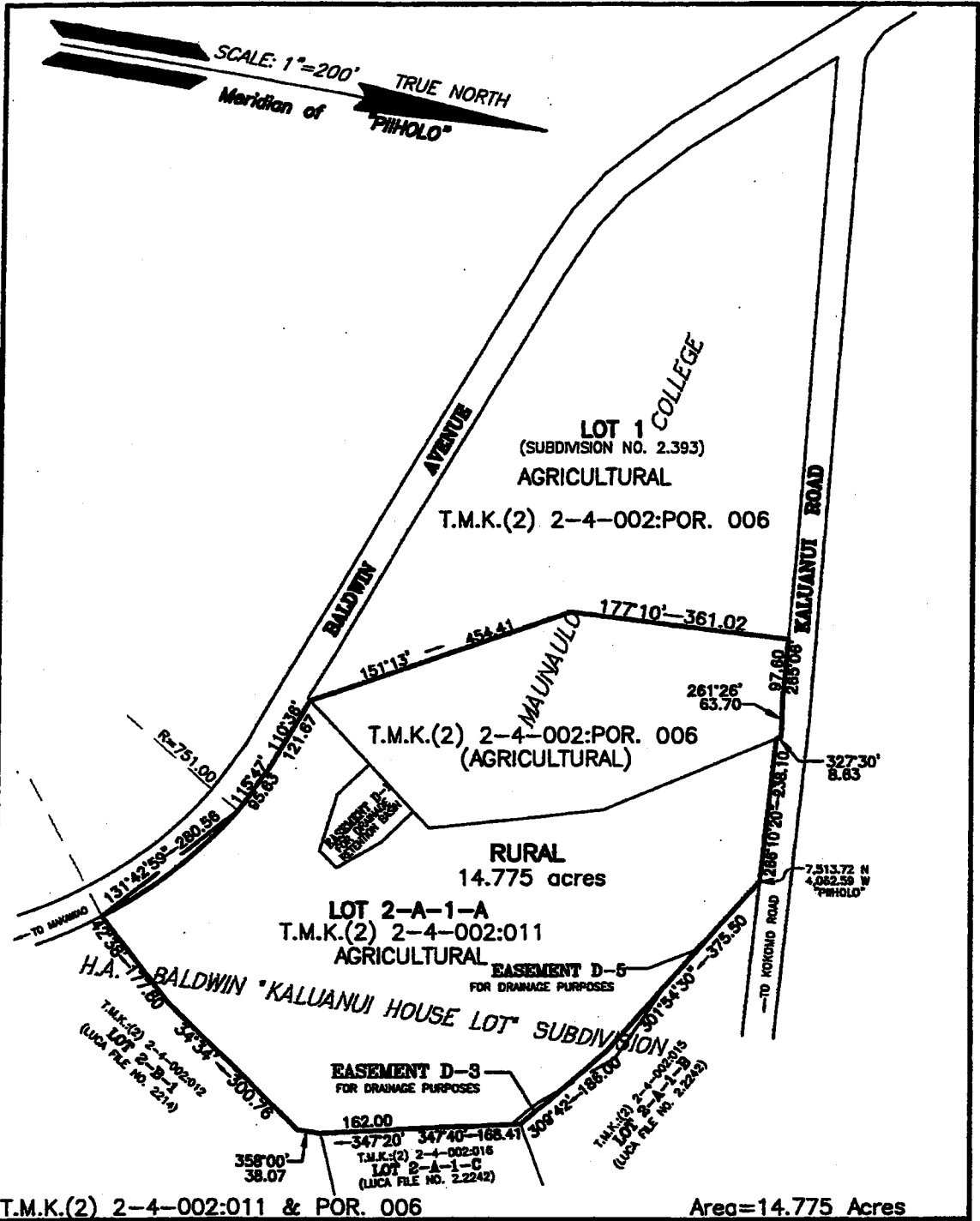
1. 327° 30' 8.63 feet along the southerly side of Kaluanui Road to a ½ inch pipe; thence,
2. 327° 30' 315.00 feet along Lot 2-A-1-B of H.A. Baldwin "Kaluanui" House Lot Subdivision, Subdivision File No. 2.2242 to a ½ inch pipe; thence,
3. 343° 58' 290.00 feet along the same to a ½ inch pipe; thence,
4. 36° 40' 289.60 feet along the same to a ½ inch pipe to a ½ inch pipe; thence,
5. 151° 13' 454.41 feet along portion of Lot 1 of Maui Pineapple Co., Ltd Lease, L.U.C.A. File 2.393 to a point, thence,
6. 177° 10' 361.02 feet along the remainder of Lot 1 of Maui Pineapple Co., Ltd. Lease, L.U.C.A. File No. 2.393 to a point; thence,
7. 265° 06' 97.60 feet along the south side of Kaluanui Road to the point of beginning and containing an area of 4.306 acres, more or less.

Note: This metes and bounds description has been prepared for change in Zoning and Community Plan Amendment purposes only.

This work was prepared by me  
or under my direct supervision.  
VALERA, INC.

  
Edgardo V. Valera *EVP 4/18*  
Licensed Professional Land Surveyor  
State of Hawaii Certificate No. 5076  
End of description.  
8178CPKaluanui





T.M.K.(2) 2-4-002:011 & POR. 006 Area=14.775 Acres

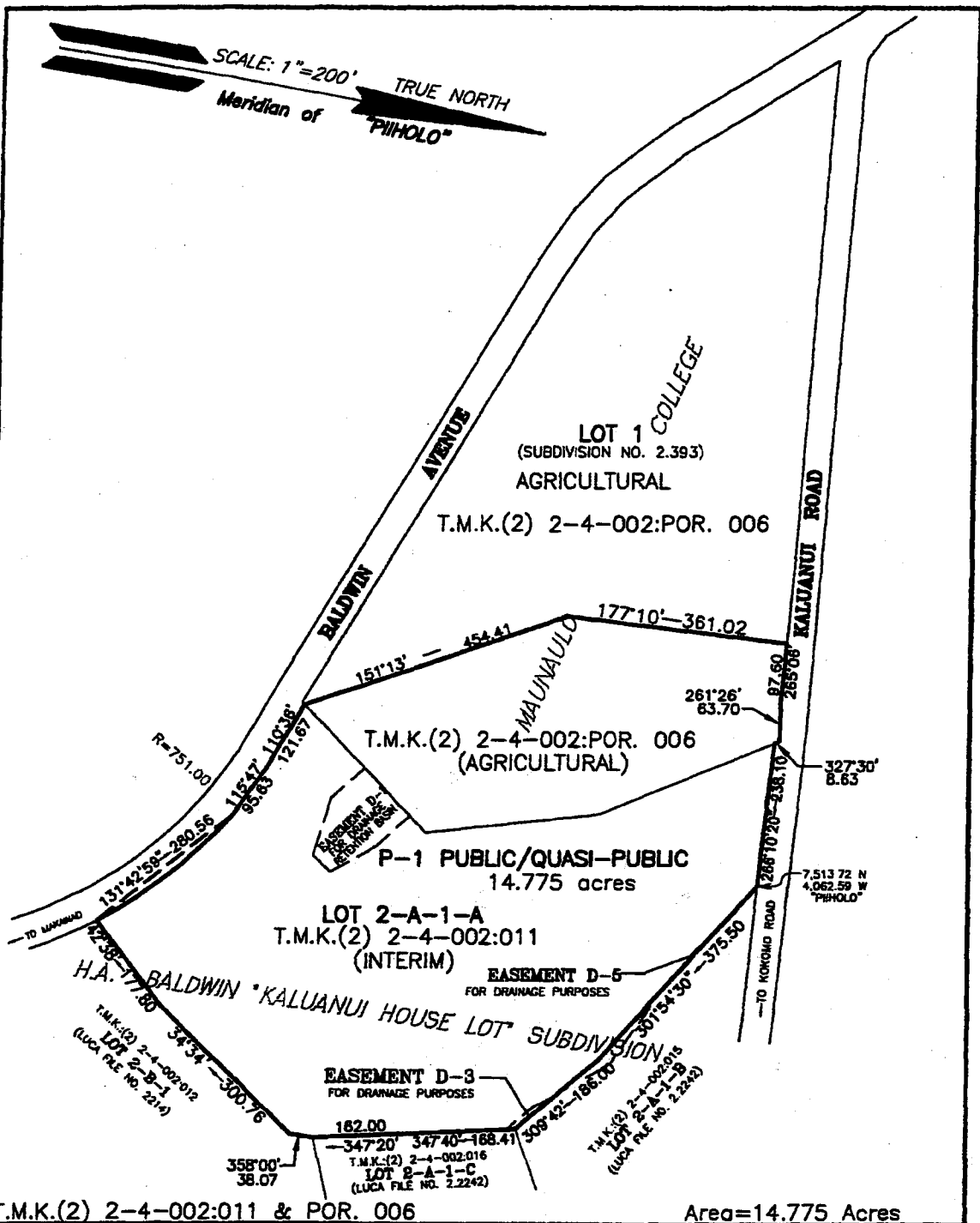
## LAND USE DISTRICT BOUNDARY AMENDMENT MAP NO.

MAKAWAO, MAUI  
FROM: AGRICULTURAL DISTRICT  
TO: RURAL DISTRICT

<p>APPROVED:</p> <p style="text-align: center;">_____ COUNTY CLERK      DATE</p>	<p>PUBLIC HEARING:</p> <p>ADOPTED - COUNCIL:</p> <p>ADOPTED - MAYOR:</p> <p>ORDINANCE:</p>
<p>APPROVED:</p> <p style="text-align: center;">_____ PLANNING DIRECTOR      DATE</p>	<p>DATE: _____</p> <p style="text-align: right;">SCALE: 1" = 200'</p>

**OFFICE OF THE COUNTY CLERK**  
200 HIGH STREET, WAILUKU, MAUI, HAWAII 96793

DB-



T.M.K.(2) 2-4-002:011 & POR. 006

## LAND ZONING MAP NO.L-

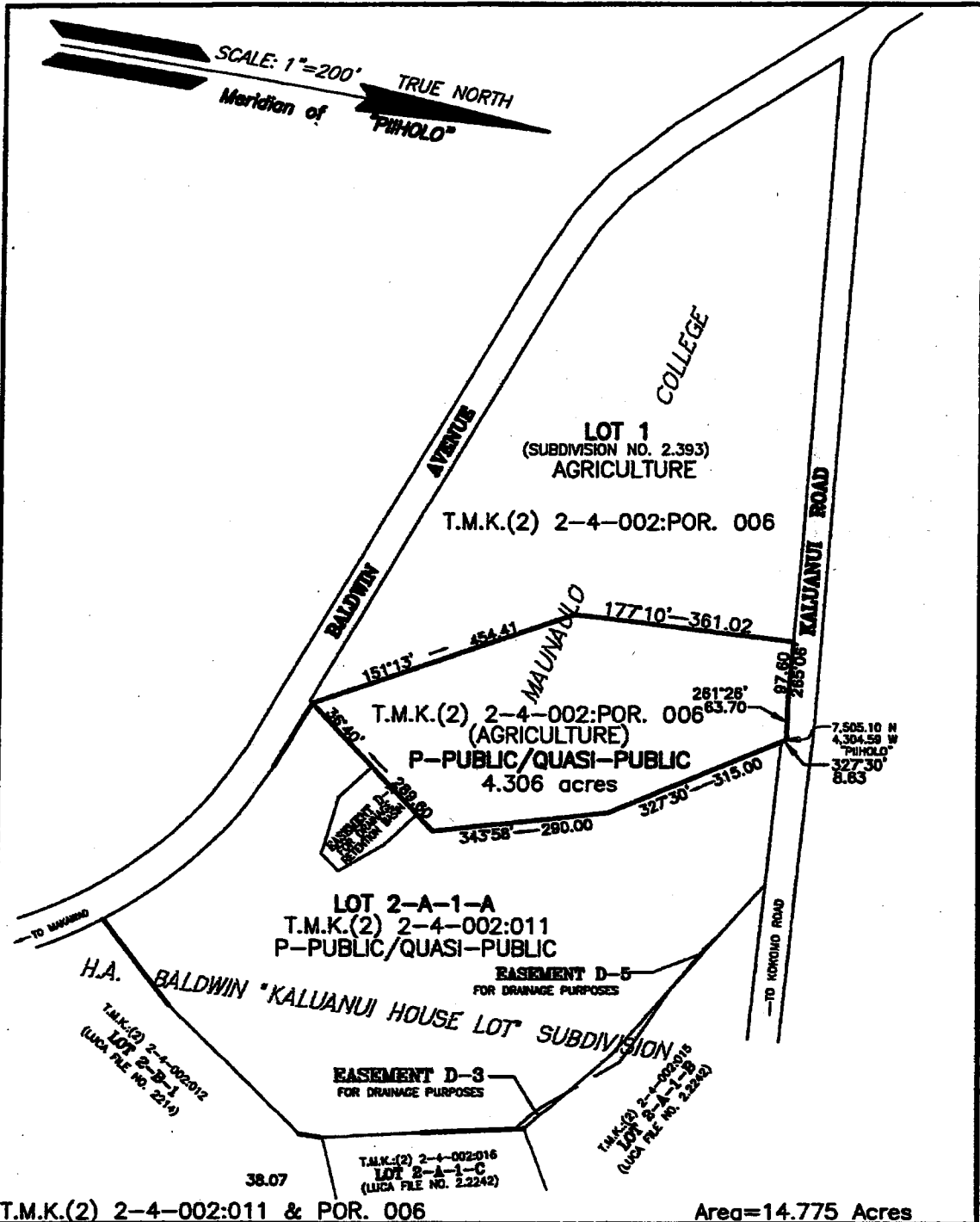
### CHANGE IN ZONING—MAKAWAO, MAUI, HAWAII

#### FROM AGRICULTURE/INTERIM TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT

<p>APPROVED:</p> <p style="text-align: center;">COUNTY CLERK                      DATE</p>	<p>PUBLIC HEARING:</p> <p>ADOPTED — COUNCIL:</p> <p>ADOPTED — MAYOR:</p> <p>ORDINANCE:</p>
<p>APPROVED:</p> <p style="text-align: center;">PLANNING DIRECTOR                  DATE</p>	<p>DATE:</p> <p style="text-align: right;">SCALE: 1" = 200'</p>

**OFFICE OF THE COUNTY CLERK**  
200 HIGH STREET, WAILUKU, MAUI, HAWAII 96793

L-



T.M.K.(2) 2-4-002:011 & POR. 006 Area=14.775 Acres

## COMMUNITY PLAN MAP NO.

COMMUNITY PLAN AMENDMENT—MAKAWAO, MAUI, HAWAII  
FROM AG—AGRICULTURE TO P—PUBLIC/QUASI—PUBLIC DISTRICT

APPROVED:  _____ COUNTY CLERK                      DATE	PUBLIC HEARING: ADOPTED — COUNCIL: ADOPTED — MAYOR: ORDINANCE:  DATE: _____
APPROVED:  _____ PLANNING DIRECTOR              DATE	SCALE: 1" = 200'

**OFFICE OF THE COUNTY CLERK**  
200 HIGH STREET, WAILUKU, MAUI, HAWAII 96793

CP—

HAWAII LAND USE GROUP LLC  
PO BOX 880779 PUKALANI HI 96788

October 3, 2017

TO: Chair Robert Carroll, and Members  
Land Use Committee  
Maui County Council

Dear Chair Carroll and Committee Members,

RE: LU-43 Land Use Entitlements for Hui No`eau Visual Arts Center (Makawao)  
Located on the Historic Kaluanui Estate  
Parcels (2) 2-4-002:006 and 011  
2841 Baldwin Avenue Makawao, HI 96768

Thank you for the opportunity to testify in support of item (LU-43), entitled "District Boundary Amendment, Community Plan Amendment, and Change in Zoning for Hui No`eau Visual Arts Center".

Your consideration of a council-initiated change of land use controls to better reflect the longstanding educational use occurring at the Hui No`eau Visual Arts Center in Makawao is timely and noteworthy. To support your effort, I have prepared this letter for your information and use.

I've assisted "the Hui" through their last two amendments to their State Special Permit (educational use in the State Agricultural District), and desire to assist you in whatever way I can if this task is undertaken by the Council. It would be extraordinary to have the Council initiate this action on this, the 100<sup>th</sup> anniversary of the Kaluanui Estate.

I have prepared the following for your information:

I. Overview of the Action

Hui No`eau Visual Arts Center is located on the Historic Kaluanui Estate, approximately 25 acres of land located at the corner of Kaluanui Road and Baldwin Avenue, Makawao. The "corner" of the estate has been used for agricultural activities such as pasture for horses and cultivation of pineapple. The interior of the property contains the 100-year old celebrated residential estate designed by noted architect C.W. Dickey. The Estate section of the property has served many public uses since the passing of its founders, Harry and Ethel Baldwin, and has been formally and exclusively used as the Hui No`eau Visual Arts center for the last 41 years.

The Council's actions will correct what is a conflicting and inappropriate set of Land Use Controls that govern the property. The (~10 acre) agricultural "corner" of the property will retain its consistent agricultural controls, but the interior portion of the property- the Estate

area comprising ~14.775 acres, will have its land use controls amended to reflect the site's rural character and educational use. Specifically, the Estate section will be reconfigured as follows:

- The Maui General Plan's Rural designation will remain
- The State Land Use from District will be changed from Agricultural to Rural
- County Zoning will be changed from Agriculture & Interim to (P-1)Public/Quasi-Public
- The Makawao-Pukalani-Kula Community Plan will be changed from a mixture of Agriculture & Public/Quasi-Public and will become uniformly (P) Public/Quasi-Public

## II. Rationale for Council Action

Hui No'eau is an award winning non-profit agency that has preserved the historic Kaluanui Estate for public use and enjoyment, and has been unmatched in its stewardship and educational programs in Maui's Visual Arts community.

The Kaluanui Estate turns 100 this year. This unique, noteworthy property and its deep connection to the arts existed decades before the State or County implemented zoning and related land use controls. Despite managing the site for over 40 years, Hui No'eau is required to amend and extend special (Agricultural) permits with each new project due to the unfortunate set of inappropriate and conflicting land use designations. Satisfying these requirements is not only costly, it is unpredictable, which can jeopardize time-dependent development grants. It would be a timely "recognition" of the nonprofit on this anniversary if the Council elected to straighten out the confusion of land-use controls by employing a set that appropriately reflects the cherished legacy of the Kaluanui Estate and its longstanding role in the development of the arts.

## III. The Mission of the Hui No'eau Visual Arts Center

Founded in 1934, the mission of Hui No'eau Visual Arts Center is to serve the Maui County community by unlocking creativity through exceptional visual arts education and to enhance this endeavor through the preservation of the historic Kaluanui Estate. Hui No'eau is situated on the grounds of the 25-acre Kaluanui estate, which was designed by famed Hawai'i architect CW. Dickey and built in 1917 for its original owners Harry & Ethel Baldwin. Now, 100 years later, Kaluanui still stands in its original character as one of Maui's most iconic legacy estates still open for visiting to the public.

As the Hui celebrates Kaluanui's centennial year in 2017, the reach of the organization's mission is greater than ever before. Hui No'eau's year-round visual arts education programs, exhibitions, open studios and community outreach efforts impact over 30,000 artists and other individuals annually including, youth, students, educators, and community members living in Maui County.

Hui No'eu is the only art center of its kind in Maui County. The historic grounds and exhibition spaces are open to the public seven days a week with free admission. In addition to Hui No'eu's regular programming, the Hui collaborates with community organizations, schools and educators to serve at-risk and special needs youth or those without adequate arts education funding.

The Hui also offers a robust scholarship program that enables students in need of financial assistance to participate in Hui classes, camps, field trips, and outreach programs year round. Students range in age from 2.5 years and up. A total of 998 low-income children received financial assistance to attend classes between July 1, 2015 and December 30, 2016.

The Hui's Visiting Artist & Teach the Teacher programs unite Maui educators with local, national & international teaching artists. This program gives Maui teachers the tools they need to create strong arts programs in their own classrooms and also sends artists off Hui grounds and into Maui's public schools to expose students and teachers to new skills and techniques in the visual arts.

#### IV. History of the Property

##### Early Development

Makawao's "Kaluanui" Estate was developed by sugar plantation manager Henry A. Baldwin ("Harry") and his wife Ethel during the thriving plantation era of the early 20th century. It was constructed on a 17.5 acre parcel located off Baldwin Avenue that was purchased in 1886 by Harry's father, Henry P. Baldwin. The property was once home to the (1856) East Maui Plantation's sugar mill which had since declined and was in ruins.

Harry and Ethel contracted renowned architect C.W. Dickey (Harry's cousin) to design a residence for the estate. In 1916 and 1917, the Baldwin's constructed an exceptional Mediterranean-style main house with matching guest cottage and carriage house. A practically designed maid's quarters and stable were erected in the following decade. The sculpted grounds of the estate featured flowing grass lawns and terraces, outdoor concrete formed stairs, ornamental trees and rock walls, and a now-iconic reflecting pool set inline with the residence's south yard.

Ethel Baldwin's passion for the arts led to changes in the use of Kaluanui. She invited artists from around the world to stay at Kaluanui in exchange for lessons that she and other artists would attend. Rooms of the residence were periodically converted for use during artistic events and projects and the guest cottage was converted into a studio for jewelry making. In 1934, Ethel founded the arts education and advocacy organization titled the "Hui No'eu Visual Arts Society". In the following decade, the estate hosted various arts-related events, civic-group meetings, and military-staff events during WWII.



Formal Transition to the Arts

The Hui No'eau organization continued to grow, and in 1964 was incorporated as a private non-profit corporation. After the passing of Ethel Baldwin, Kaluanui became property of the Maui Land and Pineapple Company. Ethel's grandson, Colin Cameron, director of the company, offered the estate to Hui No'eau via lease starting in 1976. The decision further transformed Kaluanui and allowed Hui No'eau to evolve into a visual arts center. Mr. Cameron later described the result as "a well maintained, privately-owned, community-used facility with its emphasis primarily on the arts".

Under Hui No'eau's management, the Baldwin Home and ancillary buildings were adapted for use as classrooms, exhibition galleries, a gift-shop, administrative offices, artist studios, and specialty studios used for painting, drawing, jewelry design, printmaking, photography, digital media, and ceramics.

To accommodate growing demand for its education services, and to lessen wear in the historic Baldwin Home, Hui No'eau has expanded its facilities as follows:

- In 1998-2000, a 1080s.f. children's classroom and a 700s.f. central restroom facility were constructed in the vacant sections of the "lower campus", located north and downhill from the Baldwin House.
- In June 2005, Hui No'eau purchased the title to the 25-acre Kaluanui Estate, including parcels TMK (2)2-4-002:parcels 6 and 11. With the ownership of parcel 6, Hui No'eau was able to relocate its driveway on Kaluanui Road to a safer location and create new parking that was shifted away from the estate's architectural core.
- In 2008, a 2448s.f. building was erected in the lower campus to provide new jewelry making and ceramics studios.
- In June 2009, Hui No'eau obtained administrative approval from the Planning Department that permitted minor modifications to the classroom building authorized in the 2003 permit renewal. The approval also authorized repairs and renovation of sections of the Baldwin House, studio cottages, printmaking studio, and authorized safety improvements at the formal entry located on Baldwin Avenue.
- In August 2013, Hui No'eau obtained Maui Planning Commission approval to reconstruct a garage addition to the historic maid's quarters (Matsumoto building) and to utilize the new classroom space and other portions of the campus for a 50-student pilot High School program conducted by Haleakala Waldorf School.
- In October 2015, Hui No'eau obtained Maui Planning Commission approval to expand the Waldorf High School to 100 students. A "Waldorf village" was constructed on the estate's old tennis court, consisting of 4 portable classrooms and an administrative building. A new, 40-stall, low impact parking lot was constructed away from the Baldwin House in parcel 6.

## V. Development Planning

Since the community-driven purchase of the Kaluanui estate for Hui No'eu in 2005, the organization has found a stronger commitment from its members, donors, and government funders to attain its mission. Current development objectives of the Hui include:

- Construct a new, purpose-built facility for the Hui's woodworking program
- Sensitively reconstruct the Estate's deteriorating Stables and Tack Shed, which would be used to re-establish ceramics facilities and create a new performance studio
- Improve ADA accessibility at the Kaluanui estate with additional parking, pathways, and restroom facilities.
- Maintain and repair its Historic buildings and campus
- Create an atrium at the Baldwin House's courtyard to preserve usability during wet weather
- Develop an outdoor event space to relocate events that have historically taken place at the Baldwin House's formal yard. This action aims to reduce the wear on the historic structure.

## VI. List of Current Uses on Property

### Uses supporting Historic Preservation and enjoyment of the Kaluanui Estate

- History Museum
- Free self-guided tours/ for-fee guided site tours
- Hui administered Fundraisers and Events ("Art Affair", etc.)
- Site Rental of house and grounds (special occasions/weddings)

### Uses supporting Specialized Arts Education

- Hui staffed Art Programs for children, adults, & teachers
- Hui coordinated, community staffed classes
- Specialized instruction and open hours for equipment-dependent arts (photographic darkroom, print studio, ceramics, glass-blowing kiln, woodshop, 3-D printing, etc.)
- Hui administered Art Exhibitions
- Hui curated Art Gallery
- Gift-Shop
- Artist in Residence program (a residential teaching program initiated by Ethel Baldwin)

### Uses supporting High School Education

- Waldorf Pilot Program Classrooms
- Waldorf Administrative office

### Administrative Uses

- Hui Administrative offices
- Grounds/Maintenance Facilities

Thank you again for your time and consideration. Please feel free to call me at 298-7622 or email me at [RCole@HawaiiLandUseGroup.com](mailto:RCole@HawaiiLandUseGroup.com) with your questions or requests for additional information.

Respectfully Submitted

Robb Cole, Planner  
Hawaii Land Use Group