

WILSON JONES ©

TOBEY, Robert

A(T) 62-26

LUC File A(T)- _____

Petitioner: _____ County _____

Date petition and fee
received from County
with recommendation: _____

Suspense date for LUC action: _____

Publication of hearings

<u>Dates</u>	<u>Newspaper</u>
_____	_____
_____	_____
_____	_____

Hearings

<u>Date</u>	<u>Place(s)</u>	<u>By</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Actions

<u>Dates</u>	<u>Actions</u>	<u>By</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Notes:

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

This space for County or DLNR use

Date Petition and Fee received
by County or DLNR December 7, 1962

Date forwarded to LUC
with recommendation _____

Date Petition, Fee and
County/DLNR recommen-
dation received by LUC _____

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

(I) ~~(We)~~ hereby request an amendment of Land Use Commission Temporary District Boundary respecting the County of MAUI, Island of MOLOKAI, map number and/or name MO-5 to change the district designation of the following described property from its present classification in a(n) AGRIKULTURAL district into a(n) URBAN district.

Description of property: Tax map key 5-7-03:23, recently subdivided into lots 1 to 8, new tax map numbers of which are not yet known to petitioner
Petitioner's interest in subject property:

OWNER

Petitioner's reason(s) for requesting boundary change:

See attached explanation

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is not usable or adaptable for use according to its present district classification.

~~(b) Conditions and trends of development have so changed since adoption of the present classification, that the present classification is unreasonable.~~

Signature(s) Robert Tobey

(Acting partner for HOLLYKONA ASSOCIATES, a partnership)

Address:

13966 DAVANA TERRACE
SHERMAN OAKS, CALIF.

Telephone: LOS ANGELES, STATE 8-5634

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

This space for County or DLNR use

Date Petition and Fee received
by County or DLNR 12/7/62

Date forwarded to LUC
with recommendation _____

Date Petition, Fee and
County/DLNR recommen-
dation received by LUC 12/17/62

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

(I) (We) hereby request an amendment of Land Use Commission Temporary District Boundary respecting the County of Maui, Island of Molokai, map number and/or name MO-5 to change the district designation of the following described property from its present classification in a(n) Agricultural district into a(n) Urban district.

Description of property: Tax Map Key 5-7-03: 23, recently subdivided into lots 1 to 8, new tax map numbers of which are not yet known to petitioner.

Petitioner's interest in subject property:

Owner

Petitioner's reason(s) for requesting boundary change:

See attached explanation.

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is not usable or adaptable for use according to its present district classification.

~~(b) Conditions and trends of development have so changed since adoption of the present classification, that the present classification is unreasonable.~~

Signature(s) /s/ ROBERT TOBEY
(Acting partner for HOLLYKONA ASSOCIATES, a partnership)

Address: 13966 Davana Terrace
Sherman Oaks, Calif.

Telephone: LA, STATE 8-5634

State Form B14

STATE OF HAWAII

OFFICIAL
RECEIPT

Nº

33

LAND USE COMMISSION
422a Queen St., Honolulu

Department, Bureau or Commission

Dec 17 1962

RECEIVED from

Robert Tobey

Fifty + 00/100

DOLLARS

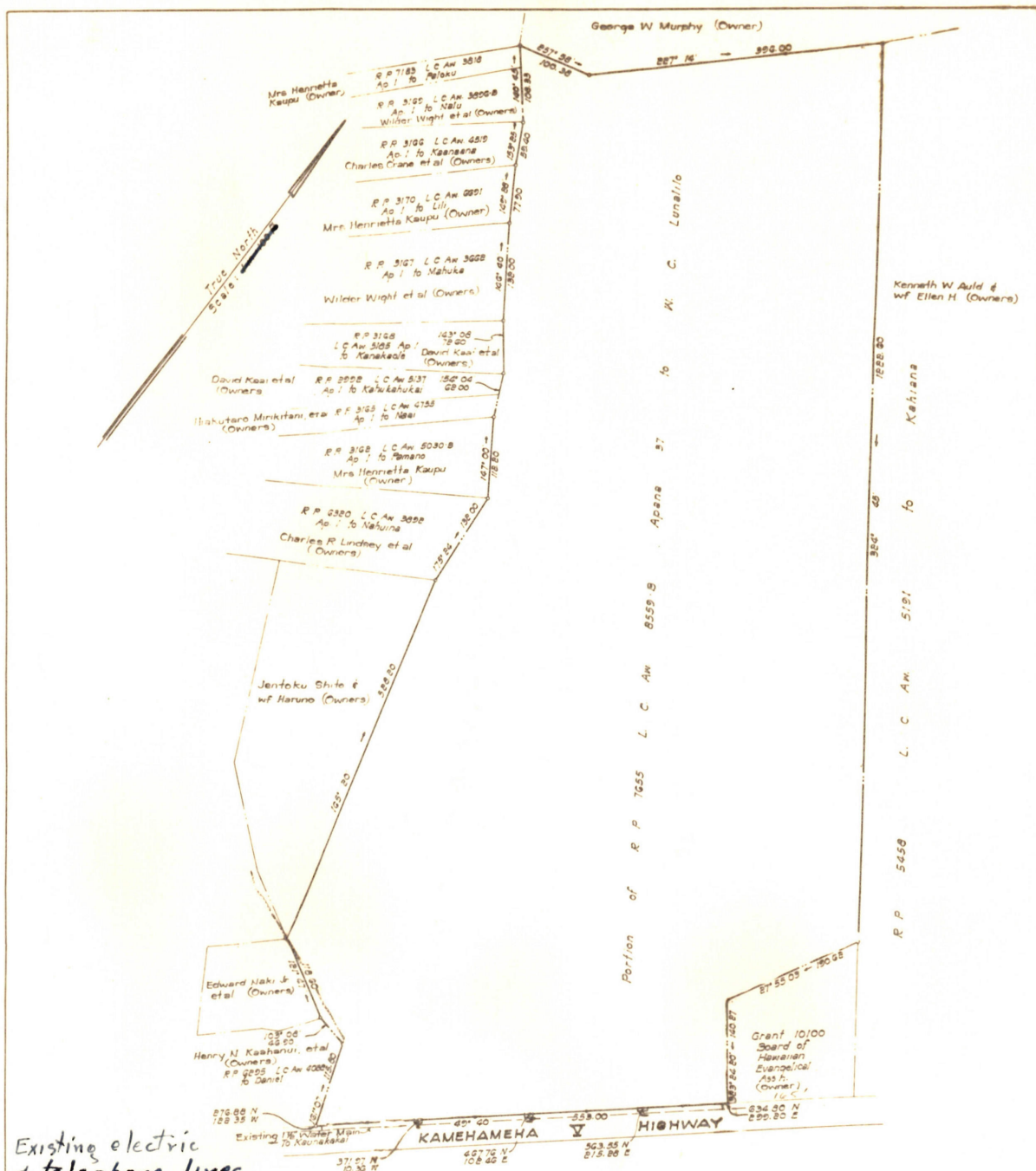
For public Hearing by Land Use Commission for
Change of Zoning Boundary District for property on
Molokai

\$ 50.00

Ch. HSD 127
Security FV's

Robert L. Tai

Public Accountant



Existing electric
+ telephone lines
run // to water main

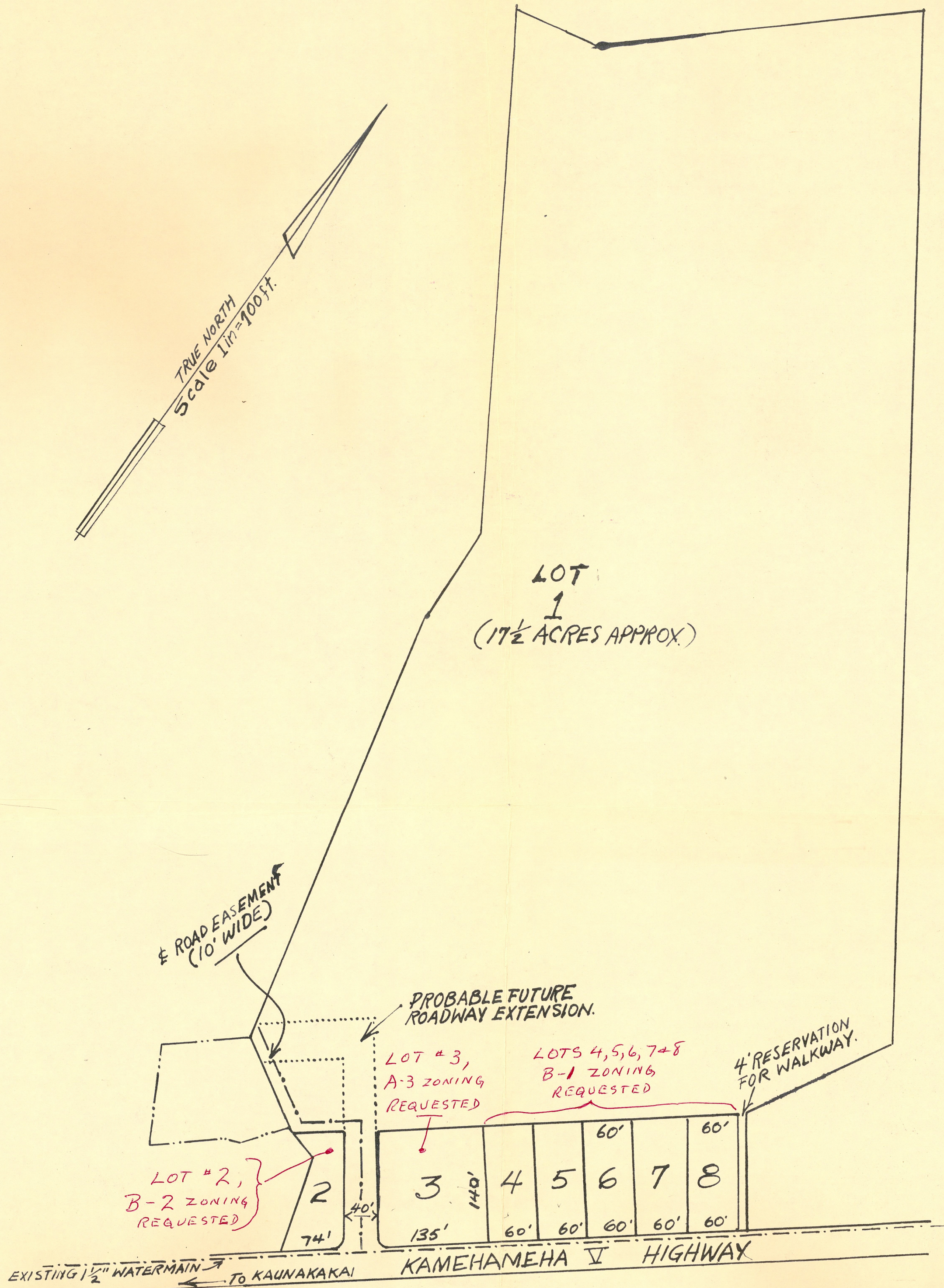
ROBERT TOBEY - HOLLYKONA SUBDIVISION

SUBDIVISION OF A PORTION OF R.P. 7655
L.C. AW 8550-B APANA 37 TO W.C. LUNALILO
INTO LOTS 1 TO 8, INCLUSIVE
AND DESIGNATION OF ROAD EASEMENT
AT WAIALUA, MOLOKAI, HAWAII

OWNERS: ROBERT TOBEY ET AL.
ADDRESS: 13966 DAVANA TERRACE
SHERMAN OAKS, CALIFORNIA

February, 8, 1938
Coordinates referred to 'Naiakua Sea &
F. Road Easement' - Page 29-30

Robert S. Fitzgerald
Registered Professional Surveyor
Certificate Number 1361-S



PROPOSED
ROBERT TOBEY- HOLLYKONA
SUBDIVISION

SUBDIVISION OF A PORTION OF R.P. 7655
 L.C. AW. 8559-B APANA 37 TO W.C. LUNALILO
 INTO LOTS 1 TO 8, INCLUSIVE
 AND DESIGNATION OF ROAD EASEMENT
 AT WAIALUA, MOLOKAI, HAWAII.

OWNERS: ROBERT TOBEY ET AL.
 ADDRESS: 13966 DAVANA TERRACE
 SHERMAN OAKS, CALIFORNIA.

PREPARED
 11/26/62.

Note:
 SEE ACCOMPANYING PHOTOCOPY FOR
 OWNERSHIP OF ADJACENT PROPERTY,
 POINT-TO-POINT DISTANCES OR
 OTHER DATA NOT ON THIS SHEET.

STATE OF HAWAII
LAND USE COMMISSION

Community Center
Kaunakakai, Molokai

9:00 A.M.
March 6, 1963

STAFF REPORT

PETITION OF HOLLY KONA ASSOCIATES, for change of Temporary District Boundary from an Agricultural district to an Urban district classification on land in Waialua, Molokai, described as Second Division, TMK 5-7-3: 23.

Mr. Robert Tobey, of Sherman Oaks, California, signed the petition for Holly Kona Associates, stating that the organization, a partnership, owns the subject property, containing approximately 19½ acres on the mauka side of Kamehameha IV Highway, which is the single road serving the south coast of Molokai, and which is unpaved beyond Pukoo, some three miles to the west.

The long, narrow waterfront of Molokai from the Kamalo area to the east end of the Island, at Halawa, was loosely described, in the Visitor Destination Area Report of 1960, and in the State General Plan, to be an area with considerable potential for growth in tourist facilities. The Molokai Land Use and Master Plan, prepared by Community Planning, Inc., for the Maui Planning Commission, does not mention the area in other than a general fashion. Apparently, little or no precise planning has been accomplished for the area, and because of this and the fact that road and utility facilities are substandard, staff cannot recommend rezoning to Urban, at this time.

Staff believes that the petitioner does, however, have certain specific proposals which would merit consideration under the Special Permit procedure. It is mentioned in the petitioner's letter to the Commission that the reason for the rezoning request is that he wishes "to develop a motel on Lot 3, with a

restaurant, probably with bar facilities, on Lot 2. The other highway frontage will be used for stores and service centers." The letter goes on to say that residential is contemplated on the (residual) Lot 1, which is the 17½-acre mauka area. Staff recommendation is, therefore, that the Commission contact the County of Maui with reference to the specific commercial ventures mentioned by Mr. Tobey; and if the County reaction is favorable, and if the road and utility facilities are considered adequate to support these commercial uses, staff would recommend approval of a special permit, subject to further approval by the County and the State Department of Transportation of those specific commercial uses, as in the cases of other isolated highway-commercial approvals of the Land Use Commission in the past.

*main
San Gabriel
file*

Ref. No. LUC 394

July 13, 1964

Mr. Robert Tobey
Robert Tobey Enterprises
13966 Davana Terrace
Sherman Oaks, California

Dear Mr. Tobey:

Your letter of April 21, 1964 to Mr. Robert Ohata was forwarded to this office. We are aware of the fact that the subject parcel, TMK 5-7-3: 23, Second Division, was reclassified from a Temporary Agricultural District to a Temporary Urban District by the Land Use Commission and as indicated to you in a letter dated May 21, 1963.

Subsequent to this action, the Land Use Commission was dissolved because the State Senate did not confirm the appointments of the Commissioners. Also, Act 205 was passed by the 1963 State Legislature which amended Act 187, the enabling legislation for the State land use law and creation of the Land Use Commission. Act 205 basically clarified the division of authority between the Land Use Commission and the counties, and added a fourth major use district, rural, to the three major use districts under Act 187. Act 205 also mandated that proposed final regulations and land use district boundaries, reflecting the amendment, be prepared by January 1, 1964. Act 205 further mandated that the proposed regulation and land use district boundaries be subjected to public hearings and be adopted no later than July 1, 1964. In October of 1963, an entirely new Land Use Commission was appointed by the Governor and undertook and completed the work as mandated by Act 205. This new commission was subsequently confirmed by the 1964 State Senate and is now in operation.

During the course of preparing and adopting the final land use regulations and boundaries, new standards for districting was set up as guide lines and the temporary land use districts were entirely re-examined. Your particular issue (and your letter) was deliberated upon by the Land Use Commission. However, the isolated location of your lot from any urban characteristics and the lack of any applicable standards for urban districting, precluded the inclusion of your lot in the final Urban District boundaries adopted on June 20, 1964. Your lot was included in the Agricultural District, as adopted, nullifying the action of the previous Land Use Commission.

Mr. Robert Tobey
Page Two
July 13, 1964

The land use law, as amended, mandate the complete review of land use regulations and districts every 5 years. However, any landowner or lessee may petition the Land Use Commission for a boundary change, or the appropriate County for a special permit, at any time. A petition for a boundary change usually requires anywhere from 5½ to 10 months. A petition for a special permit, initiated at the County level, usually takes about 3 months. Copies of Act 187 and 205 are enclosed for further detailed information.

Although the choice is yours to make, the particular circumstances of your issue would indicate that a special permit procedure would be appropriate should you wish to continue to pursue the development of your parcel. Should you wish to initiate a petition for a special permit, you may contact the following for necessary forms and information:

Mr. Robert O. Ohata, Planning Director
Planning and Traffic Commission
County of Maui
P. O. Box 1487
Kehului, Maui, Hawaii 96732

Should you decide to initiate a petition for a boundary change, you may contact this office.

In any event, please feel free to contact us should you have any questions at all or need further assistance.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

Enclosures

cc: Mr. Robert O. Ohata
Mr. Myron Thompson
Mr. Roy Takeyama

Eagle-34
Type-Erase
25% COTTON FIBER

Takeyama
Ref. No. LUC 288

April 28, 1964

Mr. Robert Ohata
Planning Director
Planning and Traffic Commission
County of Maui
Kahului, Maui, Hawaii

Dear Mr. Ohata:

Your letter of April 23, 1964, accompanied by Mr. Robert Tobey's letter to you of April 21, has been received.

Please be assured that the Land Use Commission will fully review this matter prior to adoption of the final district boundaries.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Myron Thompson
R. Takeyama

JOSEPH S. MEDSIROS, JR., Chairman
KAZUO KASE, Vice-Chairman
WILLARD ELLER, Member
WILLIAM HONG, Member
YOSHIMIZU MATSUI, Member
MASAO NAGASAKO, Member
ROBERT USOKA, Member



KOICHI HAMADA, Ex-Officio
HIDEO HAYASHI, Ex-Officio
JEAN R. LANE, Ex-Officio
MASAO SONE, Ex-Officio
ROBERT O. OHATA, Planning Director
MRS. EVA M. DUPONTE, Secretary

PLANNING AND TRAFFIC COMMISSION
COUNTY OF MAUI

P. O. BOX 1487
KAMULUI, MAUI, HAWAII 96732

April 23, 1964

1145
RECEIVED

APR 27 1964

State of Hawaii
LAND USE COMMISSION

Mr. Myron B. Thompson, Chairman
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii 96813

Gentlemen:

Enclosed herewith is a letter from Mr. Robert Tobey regarding parcel of land in Molokai, Tax Map Key 5-7-03:23. The Land Use Commission received a petition with a filing fee from Mr. Tobey in December of 1962. Subsequently, action was taken and approved. We notice by the proposal of the new map that your Commission intends to zone said area back to agriculture.

We feel that prior commitment should be honored and that Urban classification should be allocated to this parcel.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert O. Ohata".

ROBERT O. OHATA
Planning Director

Encl.
cc: Mr. Robert Tobey

ROBERT TOBEY ENTERPRISES

1145

~~13966 DAVANA TERRACE SHERMAN OAKS, CALIF. 91403~~

13966 DAVANA TERRACE
SHERMAN OAKS, CALIF.

91403

April 21, 1964

RECEIVED

APR 27 1964

Ref: Petition A(T)62-26

Re: Second Division
TMK 5-7-3:23

Land Use Commission
County of Maui
State of Hawaii

State of Hawaii
LAND USE COMMISSION

Att: Mr. Robert O'Hata

Dear Mr. O'Hata:

I am taking the liberty of bringing this matter to your personal attention for the reason that I had the privilege of a conference with you at the Maui Palms on last June 21, and you have some personal knowledge of my aims and intentions.

The period of time for submitting the final subdivision map related to the above rezoning petition has nearly expired, and I would like to request, on behalf of Hollykona Associates, an extension of time in this matter for the purpose and reasons set forth here.

At the time of the preliminary application, immediate specific use of certain portions of the subdivision was contemplated, and interested parties were contingently ready to enter into an agreement to put it to this use. (I am referring largely to construction of a motel and restaurant.) However, concurrently, interest in Maui resort areas increased tremendously as is well known, with a more or less corollary evaporation of interest in other Island areas. Specifically, in our case, we found the opportunity about which we were so enthusiastic, slipping at least temporarily away from us.

A resurgence of interest in this area will occur in a reasonable time, I feel sure; in fact, I expect the Maui developments to make it even more certain. We need time to re-evaluate, and the distance from Hawaii does not make for ease of operation. There is a strong possibility of my being able to be in the Islands for several months later in this year, and then I can determine better which way to go. It may be that we will have to drop our plans for development for a while, but I am not ready to say so at the moment, and prefer to think otherwise. As a matter of fact, the reason for the delay to this point was in an effort to push through the original plan within the time limit.

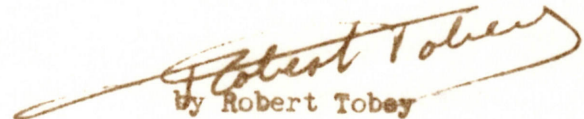
Being somewhat of a tyro in these matters, I do not know if I am expected to request a specific time extension or to leave this to the judgment of the Commission.

That an extension of less than six months, however, would be of dubious value is rather evident from the above data; the longer, in fact, the better, to give more flexibility in planning. I want to be reasonably certain that a development plan will go farther than a piece of paper before I apply for final approval; and I feel that in the long run this will be to the advantage of the State.

My Partnership would very much appreciate it, Mr. O'Hata, if you would use your good judgment as to whether to submit this letter of request "as is" to the Maui Board, or whether I need to revise it. In either case, thank you for your attention and your previous kindnesses.

Aloha mui mui (California style!)

Hollykona Associates


by Robert Tobey

Ref. No. LUC 568

May 21, 1963

Mr. G. N. Toshi Enomoto
County Clerk
County of Maui
Wailuku, Maui, Hawaii

Dear Mr. Enomoto:

Enclosed are copies of petition for Temporary District Boundary

Change granted by the Land Use Commission to the following:

C-V Land Corporation - A(T) 62-25

HollyKona Associates - A(T) 62-26

Mr. Murray Youlin - A(T) 62-28

Very truly yours,

W. M. MULLANEY
ACTING EXECUTIVE OFFICER

Enclosures

Ref. No. LUC 567

May 21, 1963

Mr. Robert Chata, Planning Director
Planning and Traffic Commission
County of Maui
Kahului, Maui, Hawaii

Dear Mr. Chata:

Enclosed are copies of petition for Temporary District Boundary

Change granted by the Land Use Commission to the following:

C-V Land Corporation - A(T) 62-25

HollyKona Associates - A(T) 62-26

Mr. Murray Youlin - A(T) 62-28

Very truly yours,

W. M. MULLAHEY
ACTING EXECUTIVE OFFICER

Enclosures

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

May 21, 1963

HollyKona Associates
13966 Davana Terrace
Sherman Oaks, California
Attention: Mr. Robert Tobey

Dear Sir:

With reference to your petition A(T) 62-26 to reclassify that property described as Second Division
TK 5-7-3: 23, from a Temporary Agricultural District to a Temporary Urban District, may I inform you of the following:

A public hearing was held on this matter by the Land Use Commission of the State of Hawaii in the Kaunakakai Community Center, Kaunakakai, Molokai, Hawaii, at 9:00 a.m., March 6, 1963.

Notice of the hearing appeared in the Honolulu Star-Bulletin, on Feb. 12, 1963; and in the Maul News, on February 13, 1963.

The Land Use Commission, at its meeting in the Boardroom of the Kauai County Lihue, Kauai Board of Supervisors, beginning at 6:00 p.m., April 25, 1963, amended Temporary District Boundary map MO-5

_____ as follows:

To include within the Land Use Commission's Temporary Urban District all of that land in Halawa, Molokai, Hawaii: Described as Second Division, TK 5-7-03: Parcel 23.

Very truly yours

~~REXEXXKARNEEK~~
ACTING EXECUTIVE OFFICER

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

Robert Tobey

Dear Sir:

With reference to your petition A(T) 62-26 to reclassify that property described as Second Division TMK 5-7-3:23, from an INTERIM Agricultural District to an INTERIM urban District, may I inform you of the following:

A public hearing was held on this matter by the Land Use Commission of the State of Hawaii in the Kawaakakai Community Center Kawaakakai, Molokai, at 9:00 a.m. March 6, 1963. Notice of the hearing appeared in the Honolulu Star Bulletin, on FEB 12, 1963; and in the _____, on _____.

The Land Use Commission, at its meeting in Board Room, Kawai Board of Supervisors, Blue Hawaii, beginning at 6:00 p.m. April 25, 1963, amended Temporary District Boundary map MO-5

_____ as follows:

to include within the Land Use Commission's INTERIM urban area all of parcel 23, Second Division TMK 5-7-03.

Very truly yours

R. J. DARNELL
EXECUTIVE OFFICER

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM TOBEY
DATE 4-25-63
PLACE KAOI HAWAII B.S.
TIME 6:45

NAMES	YES	NO	ABSTAIN	ABSENT
(2) <u>KANEMOTO, E.</u>	✓			
<u>WILLIAMS, R.</u>	✓			
(1) <u>FRIEL, S.</u>	✓			
<u>SUNN, F.</u>	✓	✓		
<u>IGE, Y.</u>	✓			
<u>GREGG, W.</u>	✓			
<u>LOMBARDI, F.</u>				
<u>COOK, E. H.</u>		✓		
<u>BRYAN, E.</u>	✓			

COMMENTS:

Approve AS Submitted.

April 23, 1963

HollyKona Associates
13966 Davana Terrace
Sherman Oaks, California

Attention: Mr. Robert Tobey

Gentlemen:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Kauai on April 25, 1963, at 6:00 p.m., in the Boardroom of the Kauai County Board of Supervisors, Lihue, Kauai.

As the 45-day waiting period after public hearing, prescribed by SECTION 2, Sec. 6, Act 187, will have expired, your petition for change of temporary district boundary has been placed on the Commission's agenda for consideration at this meeting; and final action may be taken at that time.

Very truly yours,

W. M. MULLAHEY
FIELD OFFICER

STATE OF HAWAII
LAND USE COMMISSION

Community Center
Kaunakakai, Molokai

9:00 A.M.
March 6, 1963

STAFF REPORT

PETITION OF HOLLY KONA ASSOCIATES, for change of Temporary District Boundary from an Agricultural district to an Urban district classification on land in Waialua, Molokai, described as Second Division, TMK 5-7-3: 23.

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The long, narrow waterfront of Molokai from the Kamalo area to the east end of the Island, at Halawa, was loosely described, in the Visitor Destination Area Report of 1960, and in the State General Plan, to be an area with considerable potential for growth in tourist facilities. The Molokai Land Use and Master Plan, prepared by Community Planning, Inc., for the Maui Planning Commission, does not mention the area in other than a general fashion. Apparently, little or no precise planning has been accomplished for the area, and because of this and the fact that road and utility facilities are substandard, staff cannot recommend rezoning to Urban, at this time.

Staff believes that the petitioner does, however, have certain specific proposals which would merit consideration under the Special Permit procedure. It is mentioned in the petitioner's letter to the Commission that the reason for the rezoning request is that he wishes "to develop a motel on Lot 3, with a

restaurant, probably with bar facilities, on Lot 2. The other highway frontage will be used for stores and service centers." The letter goes on to say that residential is contemplated on the (residual) Lot 1, which is the 17½-acre mauka area. Staff recommendation is, therefore, that the Commission contact the County of Maui with reference to the specific commercial ventures mentioned by Mr. Tobey; and if the County reaction is favorable, and if the road and utility facilities are considered adequate to support these commercial uses, staff would recommend approval of a special permit, subject to further approval by the County and the State Department of Transportation of those specific commercial uses, as in the cases of other isolated highway-commercial approvals of the Land Use Commission in the past.

G. N. TOSHI ENOMOTO
COUNTY CLERK



OFFICE OF
COUNTY CLERK
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII

February 19, 1963

RECEIVED

FEB 20 1963

State of Hawaii
LAND USE COMMISSION

REF. LUC 364

BONIFACE ESPINDA
DEPUTY COUNTY CLERK

*copies for folder
enclosed*

561

Mr. R. J. Darnell
Executive Officer
Land Use Commission
State of Hawaii
Honolulu, Hawaii

Dear Mr. Darnell:

Enclosed is a copy of Committee Report No. 21,
submitting recommendations with respect to several
applications filed with your Commission.

The foregoing committee report was adopted by the
Maui County Board of Supervisors on February 15, 1963.

Very truly yours,

A handwritten signature in blue ink, appearing to be "G. N. Toshi Enomoto", is written over a horizontal line.

G. N. TOSHI ENOMOTO
County Clerk

/lye

enc.

cc: Maui Plan. & Traffic Comm.

February 14, 1963

RECEIVED

FEB 20 1963

Honorable Chairman & Members
of the Board of Supervisors
County of Maui

State of Hawaii
LAND USE COMMISSION

Gentlemen:

The Public Works Committee has considered General Communication No. 33 from the Land Use Commission regarding the following matters pending from the County of Maui pertaining to petitions for Temporary District Boundary Changes and applications for Special Permit:

1. Robert Tobey for Holly Kona Associates - Application for Temporary District Boundary Change from AGRICULTURE to URBAN for Lots 1 to 8, TMK 5-7-03-23 on Molokai.
2. C-V Land Corporation - Application for Temporary District Boundary Change from AGRICULTURE to URBAN for 9.7 acres in Kihei, Makena, Maui.
3. Wendell F. Crockett for Meleana Pahukoa et al - Application for Special Permit for Lot 7-A to be used for RESIDENTIAL purposes in Keanae.
4. Tongio Tanigawa - Application for Special Permit for Tax Key 5-7-3-73 on Molokai, for RESIDENTIAL purposes.

This Committee concurs with the Maui Planning and Traffic Commission and recommends approval of the foregoing applications. Attached hereto are letters from the Planning Director for further clarification.

Adoption of this report is respectfully requested.

Very truly yours,

PUBLIC WORKS COMMITTEE

COMMITTEE REPORT NO. 2/

February 14, 1963

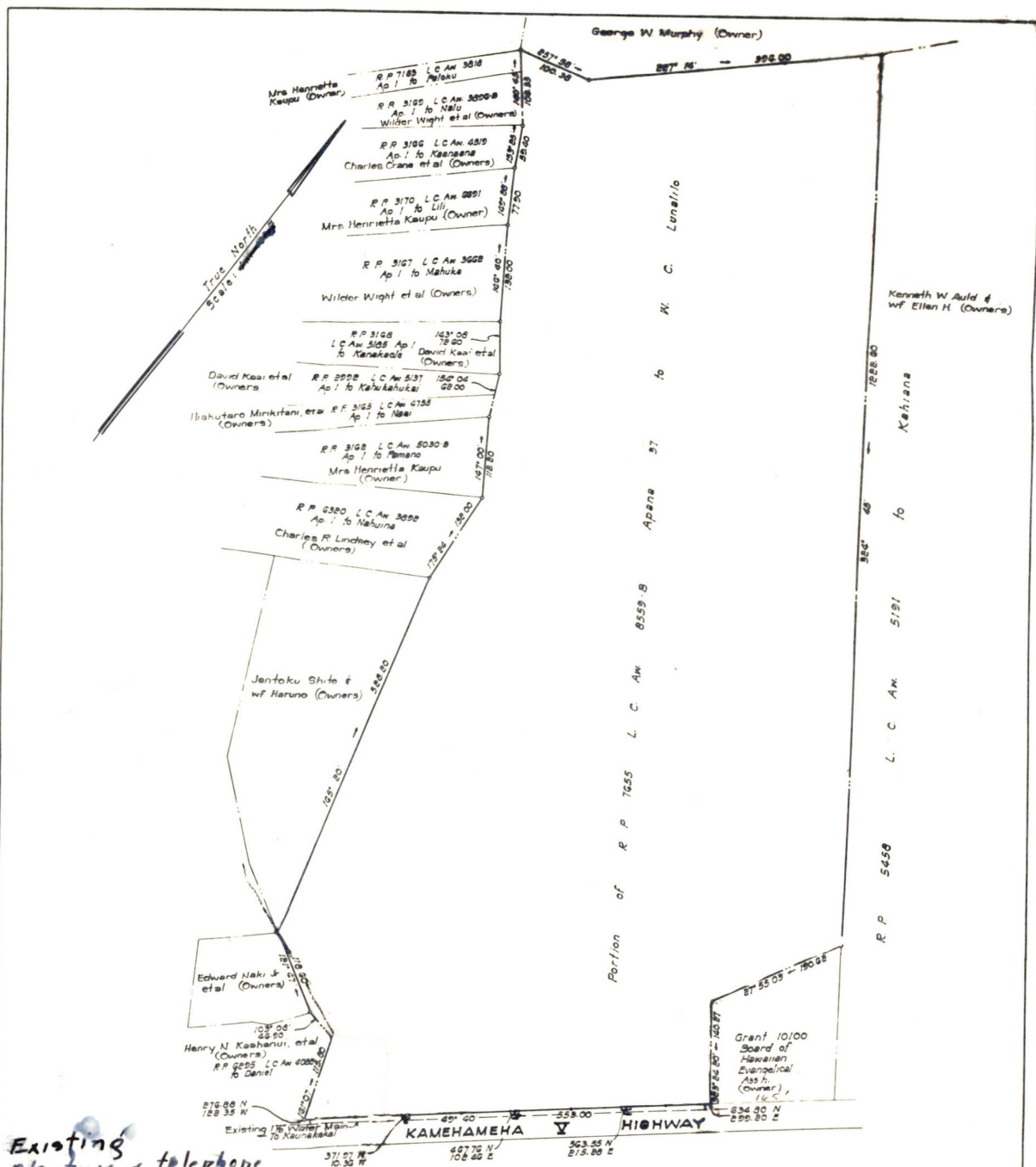
Soon Oak Lee, Chairman

Manuel Molina, Vice-Chairman

Goro Hokama, Member

Lanny Morisaki, Member

Attach.



Existing
electric & telephone
lines run // to water
main.

ROBERT TOBEY - HOLLYKONA SUBDIVISION

SUBDIVISION OF A PORTION OF R.P. 7655
L.C. 8559-B APANA ST TO W.C. LUNALILO
INTO LOTS 1 TO 8, INCLUSIVE
AND DESIGNATION OF ROAD EASEMENT
AT WAILUA, MOLOKAI, HAWAII

OWNERS: ROBERT TOBEY ET AL.
ADDRESS: 13966 DAVANA TERRACE
SHERMAN OAKS, CALIFORNIA

February 8, 1968
Coordinates referred to "Wailua Sea"
Name of David E. Eassey - 2047 S. H.

Tex Map Key: 5-7-09-23

PARK ENGINEERING, INC.
Engineers & Surveyors
1169 Belfair St. Room 710

Robert S. Jorgensen
Registered Professional Surveyor
Certificate Number 1361-S

RECEIVED

DEC 17 1962

State of Hawaii
LAND USE COMMISSION

December 12, 1962

Mr. Edward C. Bryan, Chairman
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Dear Mr. Bryan:

The Maui Planning and Traffic Commission, at its meeting of December 11, 1962, voted unanimously to recommend approval of the following two petitions for amendment of temporary district boundaries:

1. From Robert Tobey of Sherman Oaks, California, requesting change of agricultural district to urban district of land in Waiialua, Molokai, Tax Map Key 5-7-03, parcel 23. The Maui Planning and Traffic Commission feels that the change requested would be more in the public interest for the people of Molokai. The land to be withdrawn from the agricultural zone would not minimize availability of agricultural land. The adequacy of water source was mentioned, and although the need is adequate, transmission lines and distribution lines would be reviewed at a later date.
2. From W. C. Jennings, President, C-V Land Corporation, requesting change from agricultural district to urban district of land in Makena, Maui, Tax Map Key 2-1-11, parcels 12, 13, 15, 20, 21, 25 and 30. The Maui Planning and Traffic Commission feels that the land is unsuitable for agricultural purposes and that the requested use would be more in the public interest. This area has been designated as a resort area under the State General Plan.

The petition and accompanying letter from Mr. Jennings is

Mr. E. C. Bryan, Page Two

12/12/62

enclosed. Also enclosed is filing fee, petition, letter and maps from Mr. Tobey.

Very truly yours,

ROBERT O. OHATA
Planning Director

Enclosures:

- 1 - Letter, Petition, W. C. Jennings
- 2 - Filing Fee, petition, letter, maps, Robert Tobey

cc: Chairman and Members, Maui County Board of Supervisors
cc; Mr. Robert Tobey

Robert Tobey
13966 Davana Terrace
Sherman Oaks, California
November 26, 1962

Land Use Commission
County of Maui
State of Hawaii

Gentlemen:

A zoning change is respectfully requested for the parcel of land listed as Tax Map Key 5-7-03-23; this parcel was subdivided in March 1962 into 8 lots, the Tax Map designations of which have not yet been conveyed to the writer (owner), as the subdivision was completed, and approved by the Commission, while the sale to the writer was in Escrow in the Bank of Hawaii. Escrow was closed June 1, 1962. The new request retains the same number of lots, but with a slightly changed alignment.

For many reasons this area does not have agriculture as a logical use. It is on the bottom slope of the Weloka hill, and is too small, steep and rocky to farm in any normal manner. There are no crops and no prospects of such in marketable quantity in the vicinity, (except for a large cattle ranch operation on grazing land). The property fronts on Kamehameha V Highway, ultimately to be a heavily traveled 80 ft. roadway. The area is basically tending toward urban development along the Highway at the present time, with many homesites and a Church in the Waialua area. This growth should logically be fostered because of many factors inherent in the Waialua area. It is probably the most desirable single living area on Molokai, with largely sunny weather, minimal but sufficient rainfall, gentle prevailing breezes, incomparable view, superior beaches, swimming and fishing, and proximity to the Waialua Valley watershed outlet. It is on a roadway already paved, with utilities crossing the property itself.

In addition, the completion of the Lahaina-Kaanapali resort area on Maui in the near future will call attention to Waialua as a logical bridgehead between the two Islands, as the latter is the nearest sheltered town and beach area on Molokai. Boat traffic will undoubtedly ensue, and conditions are nearly ideal for the same, the only lack being dock facilities.

The petitioner's acreage is the most logical one in Waialua for the development of a moderately sized business complex. It is the only large frontage in this area, is centrally located and will permit an orderly, controlled and logical development. It is the writer's understanding that it was the intention of the planning Board to zone the Waialua area during the zoning program completed about September 1961, but that funds were insufficient to carry the survey to this point.

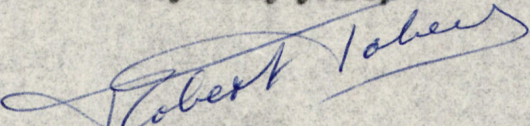
The present intent, and reason for zoning request, is to develop a motel on Lot 3 (as indicated in the enclosed preliminary sketch of the proposed development) -- with a restaurant, probably with bar facilities, on Lot 2. The other highway frontage lots will be used for stores and service centers. Also as development warrants, a residential area is contemplated on Lot 1, which presently is left undeveloped.

The writer has had much discussion of the project with residents of Molokai, and unanimous enthusiasm was evinced. Encouragement of tourism seems wanted, and Molokai has been deprived of its fair share until now because of a dearth of desirable facilities on the Island. Molokaians would welcome good restaurant facilities a pleasant driving distance from town, since no such facilities presently exist. The writer is in a position because of multiple friendships and business interests in the Islands to encourage tourism in this direction.

The writer is one of a group of five partners operating as Hollykona Associates, and is the sole authorized acting partner of the group; the property is at present in his name. The members of the partnership are all people who have deep personal interest in the Hawaiian Islands, and the present project has been under contemplation for many years. It is the intention of all the members ultimately to live on the upper area of the property under discussion. This latter fact is all the more guarantee that all parts of the project will be developed harmoniously and with the general welfare of the area in mind.

It is for all these reasons, gentlemen, that we respectfully plead that you honor our request for rezoning.

Very truly yours,


Robert Tobey

RECEIVED

DEC 14 1962

Robert Tobey
13966 Davana Terrace
Sherman Oaks, California
November 26, 1962

Land Use Commission
County of Maui
State of Hawaii

State of Hawaii
LAND USE COMMISSION

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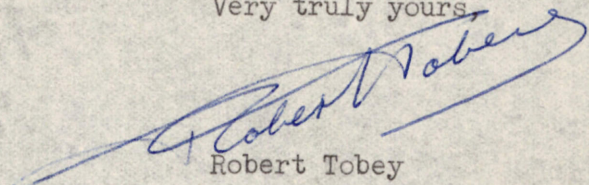
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It is for all these reasons, gentlemen, that we respectfully plead that you honor our request for rezoning.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Robert Tobey", is written over a horizontal line. The signature is fluid and cursive.

Robert Tobey

E. L. 1

November 26, 1962.

Land Use Commission
County of Maui
State of Hawaii.

ENCLOSURES:

1. Check in the amount of \$50.00
2. Four (4) copies each of:
 - a. Petition for Amendment of Temporary District Boundary.
 - b. Explanation in detail of reasons for requesting boundary change.
 - c. Preliminary sketch of proposed subdivision.
 - d. Photocopy, to supplement preliminary sketch, showing additional required details.

Robert Tobey
13966 Davana Terrace
Sherman Oaks, Calif.

Ref. No. LUC 424

February 15, 1963

HollyKona Associates
13966 Davana Terrace
Sherman Oaks, California

Attention: Mr. Robert Tobey

Gentlemen:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on March 6, 1963, at 10:00 a.m., in the Community Center, Kaunakakai, Molokai. Your petition for Change of Temporary District Boundary from Agriculture to Urban classification will be heard at that time.

Publication of Legal Notice appeared in the Honolulu Star-Bulletin on February 12, 1963 and in the Maui News on February 13, 1963.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Ref. No. LUC 364

January 17, 1963

The Honorable Members of the Board
of Supervisors
County of Maui
Wailuku, Maui, Hawaii

Attention: The Honorable Eddie Tam, Chairman
and Executive Officer

Gentlemen:

I have been asked by the Land Use Commission to solicit your comments and recommendations regarding matters pending before the Land Use Commission from the County of Maui.

Enclosed are the submittals pertaining to petitions for Temporary District Boundary Changes made by Murray Youlin, Robert Tobey, and W. C. Jennings; and applications for Special Permit from Meleana Pahukoa, et. al., and Tsugio Tanigawa.

The Commission has not set a date for public hearing as yet; however, the Commission would appreciate your recommendations in writing at your earliest convenience.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosures

**NOTICE OF PUBLIC HEARINGS
CONSIDER**

- (1) PROPOSED FINAL DISTRICT REGULATIONS
- (2) PROPOSED FINAL DISTRICT BOUNDARIES
- (3) APPLICATIONS FOR SPECIAL PERMIT AND
- (4) PETITIONS FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY, WITHIN THE COUNTY OF MAUI BEFORE THE LAND USE COMMISSION OF THE STATE OF HAWAII

NOTICE IS HEREBY GIVEN OF PUBLIC HEARINGS TO BE HELD IN THE COUNTY OF MAUI, by the State of Hawaii Land Use Commission to consider (1) proposed Final District Regulations; (2) proposed Final District Boundaries for the County of Maui; (3) three applications for Special Permit and; (4) three petitions for Change of Temporary District Boundary, within the County of Maui as provided for in SECTION 2, Sections 4, 6, 7 & 8, Act 187, Session Laws of Hawaii 1961.

WEDNESDAY, MARCH 6, 1963, Community Center, KAUNAKAKAI, MOLOKAI, at 9:00 a.m., or as soon thereafter as those interested may be heard.

WEDNESDAY, MARCH 6, 1963, Wailuku Elementary School Cafetorium, WAILUKU, MAUI, at 7:30 p.m., or as soon thereafter as those interested may be heard.

THURSDAY, MARCH 7, 1963, Courtroom of the Lahaina District Court, LAHAINA, MAUI, at 9:00 a.m., or as soon thereafter as those interested may be heard.

Schedule of items to be heard:

- (1) Proposed Final District Regulations—all three hearings.
- (2) Proposed Final District Boundaries for the County of Maui—all three hearings.
- (3) Application of Tugio Tanigawa SP(T) 62-11 for Special Permit to subdivide a one acre parcel into two residential lots on land described as Second Division, TMK 5-7-3: 73 — Kaunakakai Hearing only.
Application of Laurie Fish, et. al. SP(T) 62-17 for Special Permit to subdivide 15.3 acres into residential lots on land in Kula, Maui described as Second Division, TMK 2-2-6: 57—Wailuku Hearing only.
Application of Meleane Pahukoa, et. al. SP(T) 62-41 for Special Permit to create one houselot from a larger parcel of .8 acres on land in Leleia Homesteads, Maui described as Second Division, TMK 1-1-3: 58—Wailuku Hearing only.
- (4) Petition of Holly Kona Associates A(T) 62-26 for Change of Temporary District Boundary from an Agricultural district to an Urban district classification on land in Waielua, Molokai, described as Second Division, TMK 5-7-3: 23—Molokai Hearing only.
Petition of C. V. Land Corporation A(T) 62-25 for Change of Temporary District Boundary from an Agricultural district to an Urban district classification on land in Makana, Maui described as Second Division, TMK 2-1-11: 12, 13, 15, 20, 21, 25 & 30—Wailuku Hearing only.
Petition of Murray Youlin A(T) 62-28 for Change of Temporary District Boundary from an Agricultural to an Urban district classification on land in Haiku, Maui described as Second Division, TMK 2-7-3: 14—Wailuku Hearing only.

Maps showing the proposed Final District Boundaries for the County of Maui; areas under consideration for Special Permit and Temporary District Boundary Change; copies of the proposed Final District Regulations; and the Interim Regulations governing the applications for Special Permit and petitions for Boundary Change are on file in the offices of the Maui County Planning and Traffic Commission and the Land Use Commission, and are open to the public for inspection during office hours.

All written protests or comments regarding any of the above items to be heard may be filed with the Land Use Commission, 426 Queen Street, Honolulu, before the date of public hearing, or submitted in person at the time of public hearing, or up to fifteen (15) days following the public hearing.

LAND USE COMMISSION

E. C. BRYAN, Chairman

R. J. DARNELL, Executive Officer

(S.B. Feb. 12, 1963)