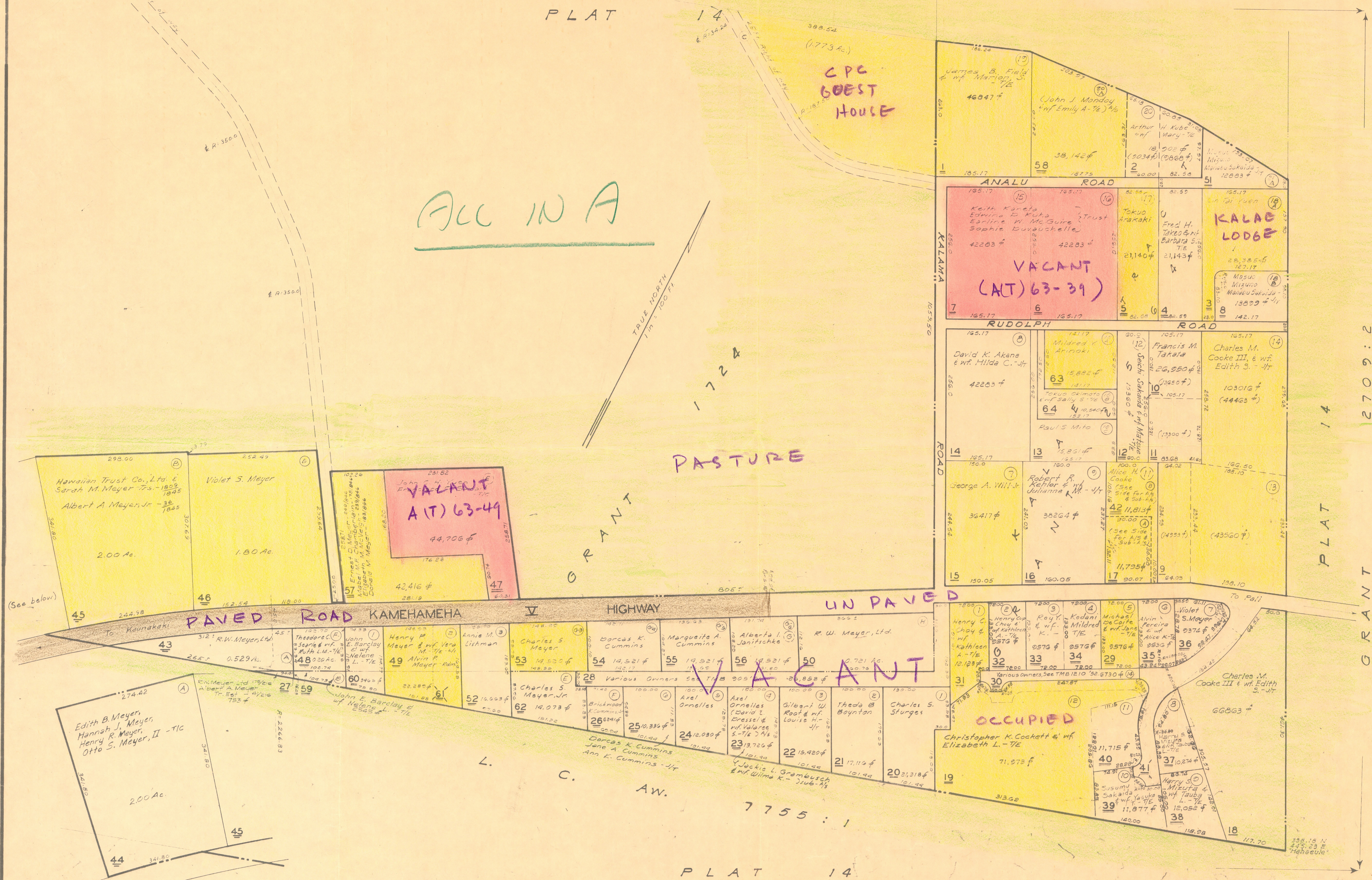


BROOKS, Wendell F., Sr.

A(T) 63-39



PARCEL 42 & 17
(Adolph J. Mendonca & Wf. Violet
- T/E) A/S
(Frank W. Maul & Wf. Marubeth Y.
- T/E) Sub. A/C

Parcels dropped: 8,69,41, 10,
81

TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

SECOND DIVISION		
ZONE	SEC.	PLAT

CONTAINING PARCELS
SCALE: 1 IN. = 100 FT.

3904

DEC 30 1953

SUBJECT TO CHANGE

Portion of Naiwa 3, Molokai

Dwg No: 3626
Source: B.
By: J.H.H. & S.L.



BOARD OF WATER SUPPLY

COUNTY OF MAUI

P. O. BOX 547

KAHULUI, MAUI, HAWAII

April 8, 1963

Mr. Wendell Brooks, Sr.
Brooks Associates
1441 Kapiolani Blvd.
Honolulu 14, Hawaii

Dear Mr. Brooks:

Reference is made to your undated letter received March 26, inquiring as to whether or not our water supply in Kalae, Molokai could support your proposed 11-lot subdivision, Tax Map Key: 5-2-16-6 & 7.

Under present conditions, the supply exceeds the demand by about 5000 to 6000 gallons per day during the heavy consumption summer months. On this basis, I would say that our Kalae system could support about 10 to 12 new consumers, and in all probability, preliminary approval of your subdivision would be granted upon submittal of the detailed plan (in duplicate).

However, I would like to mention that because of our marginal supply of water in Kalae, we cannot guarantee availability of water in the future.

Sincerely,

Koichi Hamada
Manager and Chief Engineer

SH/fu

cc Mr. S. Hotta

"By Water All Things Find Life"



BOARD OF WATER SUPPLY

COUNTY OF MAUI

P. O. BOX 547

KAHULUI, MAUI, HAWAII

April 8, 1963

Mr. Wendell Brooks, Sr.
Brooks Associates
1441 Kapiolani Blvd.
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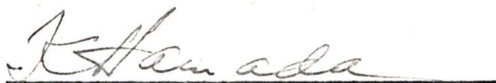
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However, I would like to mention that because of our marginal supply of water in Kalae, we cannot guarantee availability of water in the future.

Sincerely,


Koichi Hamada
Manager and Chief Engineer

SH/fu

cc Mr. S. Hotta

"By Water All Things Find Life"

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM Wendell F. Brooks - AG 63-39
DATE 7/9/64
PLACE 200 Downing Room, Room 64
TIME _____

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.	✓			
INABA, G.	✓			
OTA, C.		✓		
WENKAM, R.	✓			
BURNS, C.E.S.	✓			
NISHIMURA, S.	✓			
<i>Hodge</i> MARK, S.			✓	
FERRY, J.	✓			
THOMPSON, M.	✓			

COMMENTS:

*Warny - approve petition
Sec - Inaba.*

Ref. No. LUC 254

April 16, 1964

Mr. Wendell F. Brooks, Sr.
1808 K Kalakous Avenue
Honolulu, Hawaii

Dear Mr. Brooks:

By action taken on April 9, 1964, at a meeting in the Land Use Commission Hearing Room, 426 Queen Street, Honolulu, Hawaii, the Land Use Commission voted to approve your petition for a boundary change from agricultural to urban for T1K 5-2-16: 6 & 7, Second Division, situated at Maiva (Kalae) Molokai, County of Maui.

Approval was given by the Land Use Commission to include parcels 6 & 7, containing 42,283 sq. ft. each, in the urban district. This approval was based on the Land Use Commission staff report which is enclosed for your information. Should you have any further questions, please feel free to contact this office.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

RM/en

Encl.

cc: Mr. Myron Thompson
Maui County Planning Commission
Department of Taxation

92043-9917
FBI HONOLULU

Ref. No. LUC 214

March 30, 1964

Mr. Wendell F. Brooks, Sr.
1838K Kalakaua Avenue
Honolulu, Hawaii

Dear Mr. Brooks:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Molokai on April 11, 1964 in the Social Hall, Molokai Community Center, Kaunakakai, Molokai at 1:00 p.m.

As the waiting period prescribed by SECTION 98H-4 of Act 205/63 will have expired, your petition for change of temporary district boundary has been placed on the Commission's agenda for consideration at this meeting. Final action may be taken on your petition at this time.

Please be advised that this notice is simply to inform you as to the status of your petition before the Land Use Commission. It is not necessary for you to be at the meeting. Should it be convenient for you to attend, of course, you may do so at your own discretion.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Myron B. Thompson
Roy Takeyama
Maui Planning & Traffic Commission

STATE OF HAWAII
LAND USE COMMISSION

Community Center
Kaunakakai, Molokai

7:00 P.M.
January 24, 1964

STAFF REPORT

Subject: WENDELL F. BROOKS, SR. Petition (A(T)63-39) for Amendment to Temporary District Boundary from Agricultural to Urban for TMK 5-2-16: 6 & 7, Second Division, situated at Naiwa (Kalae), Molokai, County of Maui

Background

Under Act 205, Section 98H-4, Amendments to district boundaries, the law states: (1) "No change shall be approved unless the petitioner has submitted proof that the area is needed for a use other than that for which the district in which it is situated is classified;" and (2) "either of the following requirements has been fulfilled: (a) the petitioner has submitted proof that the land is usable and adaptable for the use it is proposed to be classified, or (b) conditions and trends of development have so changed since the adoption of the present classification, that the proposed classification is reasonable." In support of (1) above, the petitioner has submitted the following statement:

"All of the land as shown on Tax Map (Molokai) 5-2-16 was subdivided many years ago into residential lots, areas from 8,640 up to 103,016 square feet. Many inquiries for the purchase of fee simple land in this choice neighborhood for smaller parcels has shown the need for additional residential lots."

In support of (2)(a) above, the petitioner has submitted the following statement:

"It is not economically practicable to use the land shown on above plat 16 for any use other than residential due to the smallness of the parcels now shown in this area."

The Maui Planning and Traffic Commission voted unanimously to recommend approval of the petition on the basis that "the proposed land use boundary of which the County agrees, shows the area as Urban."

The subject parcel lies within a residential subdivision which is contiguous to other subdivided areas in residential use, also. The total subdivided area in general residential use is relatively small, consisting of about 63 lots, ranging in sizes from 0.18 acre (7,770 sq. ft.) to 4.11 acres, and containing a total area of about 45 acres. The smallest lot is vacant and the largest contains 13 single family dwelling units.

There is a total of about 33 single family dwellings about half of which have been constructed in the past 2 to 3 years. The Kalae Lodge, a commercially operated hostelry, is located in the residential subdivision and about 200 feet away from the subject parcels. There are no other commercial type uses in the area.

A paved state highway, Kamehameha V Highway, extends through most of the subdivided area, ending just short of the entrance to the particular residential subdivision wherein are located the subject parcels.

The total subdivided areas are serviced by a County water system with an existing capacity of 0.15 mgd. according to the State General Plan.

Assuming a consumption rate of 100 gpcd, the existing capacity can provide for 1,500 people. Assuming an average of 4 people per family, there are 33 x 4 or 132 people in the subdivided area, say 150 including some additional residences nearby. The existing source appears sufficient for an increase in population in this area.

Telephone and electric power are currently supplied to this area and can easily take on additional loads. An elementary and high school are located $3\frac{1}{2}$ miles away along the paved highway. The elementary school is to be relocated a mile closer to this area in the immediate future. The high school is the only high school on the island and is centrally located with respect to population distribution on the entire island. A small commercial development is located about $2\frac{1}{2}$ miles away in the village of Kualapuu (population of approximately 500). There is a post office, 2 stores, a gasoline station, theater and barber shop. However, the entire island does general shopping in the only town, Kaunakakai, located centrally on the Island along the lee shore and some 8.5 miles away from Kalae.

The Kalae area is the only area on the central plateau of Molokai which has and is being subdivided for residential uses. Elsewhere on the Island residential subdivisions have occurred only along the shoreline from Kaunakakai towards the east. Extensive agricultural subdivisions of the Hawaiian Homes Commission, of course, exist on the central plateau.

The Kalae area may be described as interlocking fingers of Class C and D (Land Study Bureau rating) lands with steep gully areas. In recent years, cattle grazing has supplanted pineapple in adjoining areas. Temperatures are considerably cooler than the leeward shore and annual rainfall averages 50 inches.

The Kalae residential area has developed because it offers the particular climatic conditions desired by a segment of the population and in association with availability of land on a fee simple basis.

Analysis

As pointed out in Molokai: Present and Potential Land Use,^{1/} "In spite of the physical and economic limitations that have guided Molokai's development to date, the potential for both agricultural and nonagricultural expansion is tremendous. This potential has been pointed out by the Bureau's (Land Study Bureau) determination and presentation of alternative uses of Molokai's lands, and productivity of these lands in the specified uses." The basis of this statement may be examined in detail in the cited literature. In summary, Molokai's potential for growth is generally based on the following principal factors:

1. As the nearest neighbor island to Oahu, it offers an opportunity to relieve some of the land use problems on Oahu.
2. Progress on an 8.2 million dollar "Molokai Irrigation and Water Utilization Project" is substantial and the project will soon be operational. It is estimated that the project will yield 12 to 14 mgd and can irrigate 13,260 acres of pineapple and 400 acres of diversified crops. The source can be expanded and the system can take a considerable future increase in volume.
3. Land Study Bureau statistics on generalized classification of lands according to suitability for intensive agriculture indicate that 16,957 acres of land not now classified as prime (Class & B) can be made prime with irrigation. This potential is significant in view of the nearly completed 8.2 million dollar Irrigation Project with its potential for further development and, the fact that the potential prime agriculture acreage on Molokai is 4 times more than the total

^{1/} University of Hawaii, Land Study Bureau publication written by Harold L. Baker, August 1960.

potential on other islands as shown below:

Kauai	520 acres
Oahu	3,722 acres
Maui	0
Lanai	0
Hawaii	0
Total	4,242 acres

Virtually all of this potential prime agricultural land is located on the central plain & western half of the Island.

4. The U. S. Army Engineers have concluded that a 7.9 million dollar deep water harbor at Kaunakakai is economically justified and Congress has appropriated a \$100,000 for construction drawings.
5. There is a prospect of a pineapple cannery.

The potential for Molokai is discussed to indicate that continued growth on the central plateau and West end area of Molokai, and the subsequent continuing demand for residential use, is a reasonable expectation. This expectation is supported by a moderate increase in population during the past several years and, all new increased employment has occurred in the western half of the island. (i.e., Coast Guard-Loran Station, radio-communication facilities, Molokai Irrigation Project and other construction projects.) The future potential and subsequent additional employment will occur in the same general region.

The urbanizing process has been initiated in the Kalae area primarily due to availability of land and desirable climatic conditions. These reasons still exist and, for the other reasons cited above, the urbanizing process is continuing. There is adequate space for substantial expansion should there be such a magnitude of demand. The area generally contains adequate facilities

for current more limited expansion and the costs of such required public facilities will not be an undue burden upon the public. The adjacent area is not prime agricultural lands and are currently used for grazing.

The urbanization of the Kalae area conforms to the State General Plan. While Maui County has not yet adopted a General Plan for Molokai, their preliminary work sheets show an urban pattern in this area.

Proposed final district boundary maps of the Land Use Commission also show the area involved in the Urban district.

Recommendation

The staff recommends that this petition be granted on the following bases:

1. The area is needed for a use other than that for which the district in which it is situated is classified.
2. The land is usable and adaptable for the use it is proposed to be classified.
3. The tenet of preserving prime agricultural areas, when other lands are available that could serve adequately the urban needs, is promoted.
4. The tenet of preventing scattered subdivisions with expensive yet reduced, public services, is not violated.

Ref. No. LUC 2

January 2, 1964

Mr. Wendell F. Brooks, Sr.
Room K, 1888 Kalakaua Avenue
Honolulu, Hawaii

Dear Mr. Brooks:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on January 24, 1964, at 7:00 p.m., in the Community Center, in Kaunakakai, Molokai. Your petition for Change of Temporary District Boundary from an Agricultural district classification to an Urban district classification will be heard at that time.

Publication of Legal Notice will appear in the Honolulu Star-Bulletin and the Maui News on January 4, 1964.

Sincerely,

R. YAMASHITA
Executive Officer

NOTICE OF PUBLIC HEARING

TO CONSIDER 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 Land Use Commission of the State of Hawaii to consider petitions for
Change of Temporary District Boundary as provided for in Section 98H-4,
Revised Laws of Hawaii 1955, as amended.

1. At the Community Center, Kaunakakai, Molokai, on January 24, 1964 at
7:00 p.m., or as soon thereafter as interested persons may be heard in
considering:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Change Requested</u>
A(T)63-39 Wendell F. Brooks, Sr.	5-2-16: 6 and 16	Change from an Agricultural to an Urban district classi- fication.
A(T)63-49 Park Engineering, Inc.	5-2-16: 47	Change from an Agricultural to an Urban district classi- fication.

2. In the Chambers of the Board of Supervisors, County of Maui in Wailuku,
Maui on January 25, 1964 at 1:00 P.M., or as soon thereafter as interested
persons may be heard in considering:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Change Requested</u>
A(T)63-43 Ludvina Almeida, Et Al.	2-3-30: 4, 41, 42 & 45; and 2-3-31: 16	Change from an Agricultural to an Urban district classi- fication
A(T)63-48 Toshio Ansai	3-5-03: 11	Change from an Agricultural to an Urban district classi- fication.

Maps showing the area under consideration for change of Temporary District
Boundary and copies of the Rules and Regulations governing the petitions above
are on file in the offices of the Maui Planning and Traffic Commission and
the Land Use Commission and are open to the public during office hours.

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

LAND USE COMMISSION

M. B. THOMPSON, Chairman

R. YAMASHITA, Executive Officer

(Legal ad - 2 cols. w/border to appear:)
(January 4, 1964 - THE HONOLULU STAR-BULLETIN)
(January 4, 1964 - THE MAUI NEWS)

Ref. No. LUC 737

November 13, 1963

Mr. Wendell F. Brooks
1888 Kalakaua Avenue
Honolulu 15, Hawaii

Dear Mr. Brooks:

In regards to your oral request to move the date of your hearing scheduled for January 31, 1964, we are sorry to inform you that your request is denied. We are aware of the financial and other personal hardships in each of the numerous pending petitions before the Land Use Commission. However, the large number of pending petitions, the requirement imposed by law to hold public hearings in each county and the limitations of time make it difficult for us to schedule hearings on an individual basis. While each petition is considered equally important to the Land Use Commission, we find it difficult to schedule hearings except on an overall basis considering all petitions, the time schedule and respective Counties in which they occur.

Should you have any questions I shall be happy to hear from you.

Sincerely,

R. YAMASHITA
Executive Officer

cc: Myron B. Thompson

State of Hawaii
LAND USE COMMISSION
426 Queen Street
Honolulu 13, Hawaii

October 22, 1963

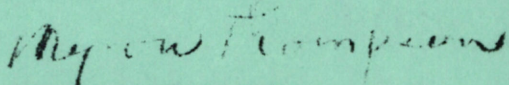
MEMORANDUM TO ALL PETITIONERS CONCERNED

The Land Use Commission at its meeting on October 18, 1963 has asked me to assure you of its awareness of your petition before the Commission.

As of October 11, 1963 the Commission was fully constituted, and it is now in the process of scheduling hearings for petitions not heard by the previous Commission and of scheduling new hearings for petitions heard prior to May 3, 1963 on which the previous Commission took no action. Upon completion of these schedules, notification concerning when your petition will be heard will be forwarded to you.

Mr. Raymond Yamashita is the Commission's new executive officer, and he will begin his duties on November 1, 1963.

Sincerely,


MYRON B. THOMPSON
Chairman, Pro Tempore

Ref. No. LUC 671

October 10, 1963

Mr. Wendell F. Brooks, Sr.
Room 806, 1441 Kapiolani Blvd.
Honolulu 14, Hawaii

Dear Mr. Brooks:

This is to acknowledge receipt of your petition for the amendment of temporary district boundaries established by the Land Use Commission.

The term of the last Commission expired on May 3, 1963, and a new Commission has not yet been appointed. When this has been done, we will advise you concerning the hearing of your petition.

Sincerely,

CLARENCE L. HODGE
Acting Director
Department of Planning and
Economic Development

cc: Roy Takeyama, Attorney General's Office

September 9, 1963

Ref. No. LUC 644

Mr. Robert Ohata, Director
Planning and Traffic Commission
P. O. Box 1487
Kahului, Maui, Hawaii

Dear Mr. Ohata:

This will acknowledge receipt of your letters of September 4, 1963, concerning your Commission's recommendations in the following petitions for change of temporary district boundary:

LANDOO - approval

W. F. Brooks, Sr. - approval

H. T. Shimoda - approval

Thank you for your prompt attention in these matters.

Very truly yours,

William Mullahey
Acting Executive Officer

JOSEPH S. MEDEIROS, JR., CHAIRMAN
KAZUO KAGE, VICE-CHAIRMAN
WILLIAM HONG, MEMBER
YOSHIKAZU MATSUI, MEMBER
MASAO NAGASAKO, MEMBER
RICHARD H. TAYLOR, MEMBER
ROBERT UEOKA, MEMBER



KOICHI HAMADA, EX-OFFICIO
HIDEO HAYASHI, EX-OFFICIO
JEAN R. LANE, EX-OFFICIO
NORMAN SAITO, EX-OFFICIO
ROBERT O. OHATA, PLANNING DIRECTOR
MRS. EVA M. DUPONTE, SECRETARY

PLANNING AND TRAFFIC COMMISSION

COUNTY OF MAUI

P. O. BOX 1487

KAHULUI, MAUI, HAWAII

September 4, 1963

RECEIVED

SEP 6 1963

State of Hawaii
LAND USE COMMISSION

Land Use Commission
State of Hawaii
426 Queen Street
Honolulu 13, Hawaii

Gentlemen:

The Maui Planning and Traffic Commission, at its meeting of September 3, 1963, voted unanimously to recommend approval of Petition for Amendment of Temporary District Boundary from Agricultural to Urban of Lots 15 and 16, Kalae Tract, Molokai, requested by Wendell F. Brooks, Sr.

The Commission based its approval on the fact that the proposed land use boundary of which the County agrees, shows this area as Urban.

Very truly yours,

Robert O. Ohata

ROBERT O. OHATA
Planning Director

cc: Wendell F. Brooks, Sr.

Ref. No. LUC 626

July 30, 1963

Planning & Traffic Commission
County of Maui
Kahului, Maui, Hawaii

Attention: Mr. Robert Ohata, Planning Director

Gentlemen:

Enclosed is a copy of a petition from Wendell F. Brooks, Sr. for
Change of Temporary District Boundary which I am forwarding for
your comments and recommendations pursuant to Act 187/61, as amended.

Very truly yours,

W. M. MULLAHEY
ACTING EXECUTIVE OFFICER

Enclosure

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

JUL 22 1963
RECEIVED
This space for County or DLNR use

Date Petition and Fee received
by County or DLNR

JUL 22 1963

Date forwarded to LUC
with recommendation

State of Hawaii
LAND USE COMMISSION

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

7/30/63
9/4/63

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 _____ to change the district designation of the following described property from its present classification in a(n) Agricultural district into a(n) Residential district.

Description of property:

Lots 15 and 16 Kalae Tract, Molokai Tax Map Key 5-2-16 parcels 6 and 16 areas 42,283 square feet and 42,283 square feet

Petitioner's interest in subject property:

Owner

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

A residential subdivision into twelve lots areas 6,110 to 7,680 square feet is planned, County Officials have assured that there is sufficient water supply and that sub-division plans meet all County requirements. These lots are within a residential area, with many private homes built and within a few feet from a commercial hotel (Lodge)

(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.~~

Wendell F. Brooks Sr., Trustee for Keith Kaneta, Edwina Kuha, Earline McGuire and Sophie Duvauchelle

Signature(s)

Wendell F. Brooks Sr.
TRUSTEE

Address:

Room 806 1888 K. KALAE AVE
1411 Kapiolani Blvd.
Honolulu 14, Hawaii

Telephone:

960296 Honolulu

RECEIVED

JUL 22 1963

Wendell Brooks, Senior
SUITE 806, ALA MOANA BUILDING
HONOLULU 14, HAWAII
PHONE: 960-296

State of Hawaii
LAND USE COMMISSION

BROOKS ASSOCIATES
REAL ESTATE

July 19, 1963.

BROOKS INSURANCE AGENCY
COMPLETE SERVICES

Petitioner's reasons for requesting boundry change:

1. All of the land as shown on Tax Map (Molokai) 5-2-16 was sub-divided many years ago into residential lots, areas from 8,640 up to 103,016 square feet. Many inquiries for the purchase of fee simple land in this choice neighborhood for smaller parcels has shown the need for additional residential lots.
- 2 (a) It is not economically practicable to use the land shown on above plat 16 for any use other than residential due to the smallness of the parcels now shown in this area.

State Form B14

STATE OF HAWAII

LAND USE COMMISSION
426 Queen St, Honolulu, Hawaii

Department, Bureau or Commission

OFFICIAL
RECEIPT

Nº

56

July 22,

1963

RECEIVED from Wendell J. Cook, Sr.

Fifty & no/100

DOLLARS

Public Hearing by the Land Use Commission for Change of
Zoning for lands on Kalia (Trak 5-2-16. 1616.)

\$ 50.00

Charles C. Lai

Public Accountant

Bush (Kalia) (Kalia)