

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A83-548
))
DEPARTMENT OF PLANNING AND)	DEPARTMENT OF PLANNING
ECONOMIC DEVELOPMENT, STATE)	AND ECONOMIC DEVELOPMENT,
OF HAWAII)	STATE OF HAWAII
))
To Amend the Conservation Land)	
Use District Boundary to)	
Reclassify Approximately 1.19)	
Acres, TMK: 9-9-10: portion of)	
10 at Halawa, Ewa District, City)	
and County of Honolulu, State of)	
Hawaii, into the Urban Land Use)	
District)	
_____)	

DECISION AND ORDER

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DECISION

THE PETITION

This matter arises from a Petition for an amendment to the Land Use Commission district boundary filed pursuant to Section 205-4 of the Hawaii Revised Statutes, as amended, and Part VI, Rule 6-1 of the Land Use Commission's Rules of Practice and Procedure and District Regulations by the Department of Planning and Economic Development, State of Hawaii which is requesting that the designation of the subject property be amended from the Conservation to the Urban District. The requested change consists of property comprising approximately 1.19 acres of land, situated at Halawa, Ewa District, City and County of Honolulu, State of

Hawaii. The subject property is more particularly identified as Tax Map Key No. 9-9-10: portion of 10.

PURPOSE OF PETITION

Petitioner's stated purpose for requesting the reclassification of the subject property from Conservation to Urban is so that Petitioner can, together with adjacent parcels of land, develop the Halawa Medium Security Facility (MSF) which will be designed to accommodate 496 medium security male inmates.

THE PROCEDURAL HISTORY

The Petition was received by the Land Use Commission on April 18, 1983. Due notice of the hearing on this Petition was published on May 19, 1983, in The Honolulu Star Bulletin. Notice of the hearing was also sent by certified mail to all parties involved herein on May 18, 1983. No timely application to intervene as a party or appear as a witness was received by the Land Use Commission.

THE HEARING

The hearing on this Petition was held on June 21, 1983, in Honolulu, Hawaii.

The Department of Planning and Economic Development, State of Hawaii, the Petitioner herein, was represented by Esther Ueda; and the Department of General

Planning, City and County of Honolulu was represented by Deputy Corporation Counsel Stephen Lim.

The witnesses presented by the aforementioned parties were as follows:

Petitioner:

Lawrence Kawasaki - Corrections Division,
Department of Social
Services and Housing

Michael Munekiyo - Wilson, Okamoto & Assoc.

Gordon Akita - Department of Accounting &
General Services

City and County of Honolulu:

Keith Kurahashi - Planner, Department of
General Planning

POSITION OF THE PARTIES

City and County of Honolulu - Approval.

APPLICABLE REGULATION

Standards for determining the establishment of an Urban District are found under Part II, Section 2-2(1) of the State Land Use Commission's District Regulations. Said regulation provides in pertinent part that:

- (1) "U" Urban District. In determining the boundaries for the "U" Urban District, the following standards shall be used:
 - (a) It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses.

- (b) It shall take into consideration the following factors:
1. Proximity to centers of trading and employment facilities except where the development would generate new centers of trading and employment.
 2. Substantiation of economic feasibility by the petitioner.
 3. Proximity to basic services such as sewers, water, sanitation, schools parks, and police and fire protection
 4. Sufficient reserve areas for urban growth in appropriate locations based on a ten (10) year projection.
- (c) Lands included shall be those with satisfactory topography and drainage and reasonably free from the danger of floods, tsunami and unstable soil conditions and other adverse environmental effects.
- (d) In determining urban growth for the next ten years, or in amending the boundary, lands contiguous with existing urban areas shall be given more consideration than non-contiguous lands, and particularly when indicated for future urban use on State or County General Plans.
- (e) It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on the State and County General Plans.
- (f) Lands which do not conform to the existing standards may be included within this District:

1. When surrounded by or adjacent to existing urban development; and
 2. Only when such lands represent a minor portion of this District.
- (g) It shall not include lands, the urbanization of which will contribute towards scattered spot urban development, necessitating unreasonable investment in public supportive services.
- (h) It may include lands with a general slope of 20% or more which do not provide open space amenities and/or scenic values if the Commission finds that such lands are desirable and suitable for urban purposes and that official design and construction controls are adequate to protect the public health, welfare and safety, and the public's interests in the aesthetic quality of the landscape.

FINDINGS OF FACT

The Land Use Commission, having duly considered the record in this docket, the testimony of the witnesses and the evidence introduced herein, makes the following findings of fact:

1. The subject property is located at Halawa, Ewa District, City and County of Honolulu, State of Hawaii and consists of approximately 1.19 acres, more particularly described as Tax Map Key No. 9-9-10: portion of 10. The State of Hawaii is presently negotiating the acquisition of the subject property with the fee owner of the property, Queen's Medical Center. The subject property is located in the mauka portion of Halawa Valley, adjacent to the Halawa

High Security Facility. The Halawa Crusher Road forms the Ewa boundary of the property. The subject property is currently vacant.

2. The subject property is currently situated within the State Land Use Conservation District. The subject property is bounded along its southern boundary (Honolulu side) by the State Land Use Urban District. The subject property is presently zoned Preservation (P-1). The Primary Urban Center Development Plan designates the Medium Security Project site for Industrial and Public Facility Use.

3. The ground elevation of the subject property ranges between 230' to 250' above sea level. The median annual rainfall for the subject parcel is approximately 45". Runoff from the property is toward the South Halawa Stream. Test borings taken immediately adjacent to the subject property indicates that the soil consists of fill material which includes uncompacted soil, boulders, construction debris. Underlying the fill material is expansive clays which exhibit a high affinity for moisture.

4. The State of Hawaii intends to develop the subject property together with adjacent parcels already in the Urban District (TMK 9-9-10; 28 & 30) to accommodate the proposed Halawa Medium Security Facility (MSF). The

proposed facility will be designed to accommodate 496 medium security male inmates. The proposed facility will have a gross total building area of approximately 326,261 sq. ft., and a total gross open area of 279,200 sq. ft. The total area for the Halawa Medium Security Project is approximately 23 acres with the subject property representing approximately 5% of the total project area. Site development for the project shall include site grading, water system improvements, on-site and off-site drainage improvements and sewer system connection.

The subject property will be utilized for open space and security functions. A perimeter security road and security fencing will traverse the subject property. An at grade water storage tank for the facility water system is also proposed to be situated on the subject property.

Site development for the project is scheduled to begin in October 1983, followed by the construction of building facilities in May 1984. The project is scheduled for completion in May 1986. The February 28, 1983, estimated construction cost for the entire facility is \$59.1 million.

5. Evidence submitted by the Petitioner regarding the need for constructing the Halawa Medium Security Facility points out that in 1978 there was an average of 545 inmates in the correctional system. At the present time,

there are 1,487 inmates in the system Statewide. This represents a 273 percent increase in the inmate population over the last 5 years. Currently in the corrections system, the Corrections Division has retained old structures like the prison cellblock and has renovated the old administration building, as well as created various other temporary structures to bring the bedspace capacity to 940. The most recent projections for the correctional population to the year 1990 estimates that there will be potentially 2,353 inmates in the system.

6. Reclassification of the subject property will not unreasonably burden public agencies to provide necessary amenities, services and facilities due to the following:

a. Sewer: The proposed Halawa MSF is anticipated to generate an average daily flow of 60,000 gallons per day of sewage effluent. The recently constructed Halawa Interceptor Sewer, which presently serves the High Security Facility (HSF), is adequate to meet the requirements of the MSF. Effluent from the correctional facilities will be conveyed to the Pearl City Treatment Plant for treatment and ultimate disposal.

b. Water: The existing water system serving the Halawa High Security Facility will be upgraded to provide service both to the High Security Facility and the

Medium Security Facility. The maximum daily demand for both correctional facilities is estimated to be 207,700 gallons per day. Proposed improvements include the installation of a new pump, transmission line and storage tank. Criteria for system design will include a fire flow requirement of 2,000 gallons per minute for a two hour period. In keeping with the City and County Board of Water Supply (BWS) policy, advanced water commitments for proposed projects are not issued. The availability of water for the project will be determined when the building permit is submitted to the BWS for review and approval. The proposed water system will be constructed, operated and maintained by the State of Hawaii. The BWS has reviewed the system's proposed connection to the BWS's 12" waterline and has expressed no objections thereto. The total water system improvement cost is estimated to be \$598,000.

c. Sanitation: Disposal of solid wastes will be contracted to a private refuse vendor.

d. Drainage: Hydraulic analysis of the South Halawa Stream indicates that the 100-year storm will result in partial inundation of the Halawa MSF project site. To contain the floodwaters, approximately 2,000 lineal-feet of the South Halawa Stream, along the makai end of the site will be improved. Improvements will include concrete channel lining and related drainage appurtenances. The

South Halawa Stream's North Tributary which forms the makai boundary of the project site will also require improvements to prevent channel overflow. Improvements to the North Tributary will include installation of new culverts at Halawa Crusher Road and installation of approximately 200-300 feet of concrete-lined channel at the North Tributary's confluence with the South Halawa Stream. Inasmuch as improvements to the South Halawa Stream and North Tributary will impinge upon Conservation lands, a Conservation District Use Application will be submitted to the Board of Land and Natural Resources. On-site drainage improvements will include installation of drainlines and subdrains to convey excess water off-site to the South Halawa Stream and North Tributary. All drainage improvements will be constructed by the State of Hawaii. Runoff conveyance patterns resulting from the drainage improvements will not negatively affect adjacent or downstream properties. Total cost for off-site and on-site drainage improvements is estimated to be \$4.7 million.

e. Access: Existing access to the project site is provided by the Halawa Jail Road. The Jail Road is a two-way, paved road, connected to the Ewa-bound side of Moanalua Road, before the Halawa/Stadium off-ramp. Traffic egressing from the Halawa Jail Road onto Moanalua Road is

required to turn right onto the Halawa/Stadium off-ramp. East and west-bound access to the Moanalua Freeway is provided at Kahaupaani Street, near Ulune Street. The State Department of Transportation is proposing to close the existing access to the Jail Road from Moanalua Road due to safety considerations. An alternate access point is proposed to be incorporated in the design of the realigned H-3 Freeway.

f. Police and Fire Protection: The project region is located in District 3 of the Honolulu Police Department. This district is serviced by the Pearl City District Station, with an authorized strength of 169 officers working in three shifts. Fire protection for the project region is provided by the 4th Battalion of the Honolulu Fire Department. Battalion stations include Station 10-Aiea Fire Station; Station 30-Moanalua Fire Station; and Station 38-Waiiau Fire Station.

7. There are no known rare or endangered species of flora or fauna on the project site. Three remnant archaeological sites have been identified on the proposed project site but are not considered significant to require preservation. The final Environmental Impact Statement was recommended for acceptance by the Office of Environmental Quality Control, State of Hawaii and in turn was accepted by the Governor of the State of Hawaii on June 22, 1983.

8. Based on a review of the Petition, the evidence adduced at the hearing, and the provisions of Chapter 205, Hawaii Revised Statutes, the City and County of Honolulu has recommended that the reclassification of the subject property be granted.

CONCLUSIONS OF LAW


Reclassification of the subject property, consisting of approximately 1.19 acres of land, situated at Halawa, Ewa District, City and County of Honolulu, State of Hawaii, from Conservation to Urban and an amendment to the district boundaries accordingly is reasonable and non-violative of Section 205-2 of the Hawaii Revised Statutes.

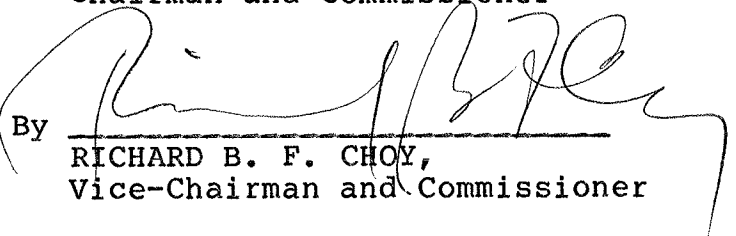
ORDER


FOR GOOD CAUSE APPEARING, it is hereby ordered that the property which is the subject of the Petition in this Docket No. A83-548, consisting of approximately 1.19 acres, situated at Halawa, Ewa District, City and County of Honolulu, identified as Tax Map Key No. 9-9-10: portion of 10 (and as illustrated in Exhibit A attached hereto and incorporated by reference herein), shall be and hereby is reclassified from Conservation to Urban and the district boundaries are amended accordingly.


DONE at Honolulu, Hawaii, this 1st day of December,
1983, per Motion on October 4, 1983.


LAND USE COMMISSION
STATE OF HAWAII


By 
WILLIAM W. L. YUEN,
Chairman and Commissioner

By 
RICHARD B. F. CHOY,
Vice-Chairman and Commissioner

By 
LAWRENCE F. CHUN,
Commissioner

By 
EVERETT L. CUSKADEN,
Commissioner

By 
SHINSEI MIYASATO,
Commissioner

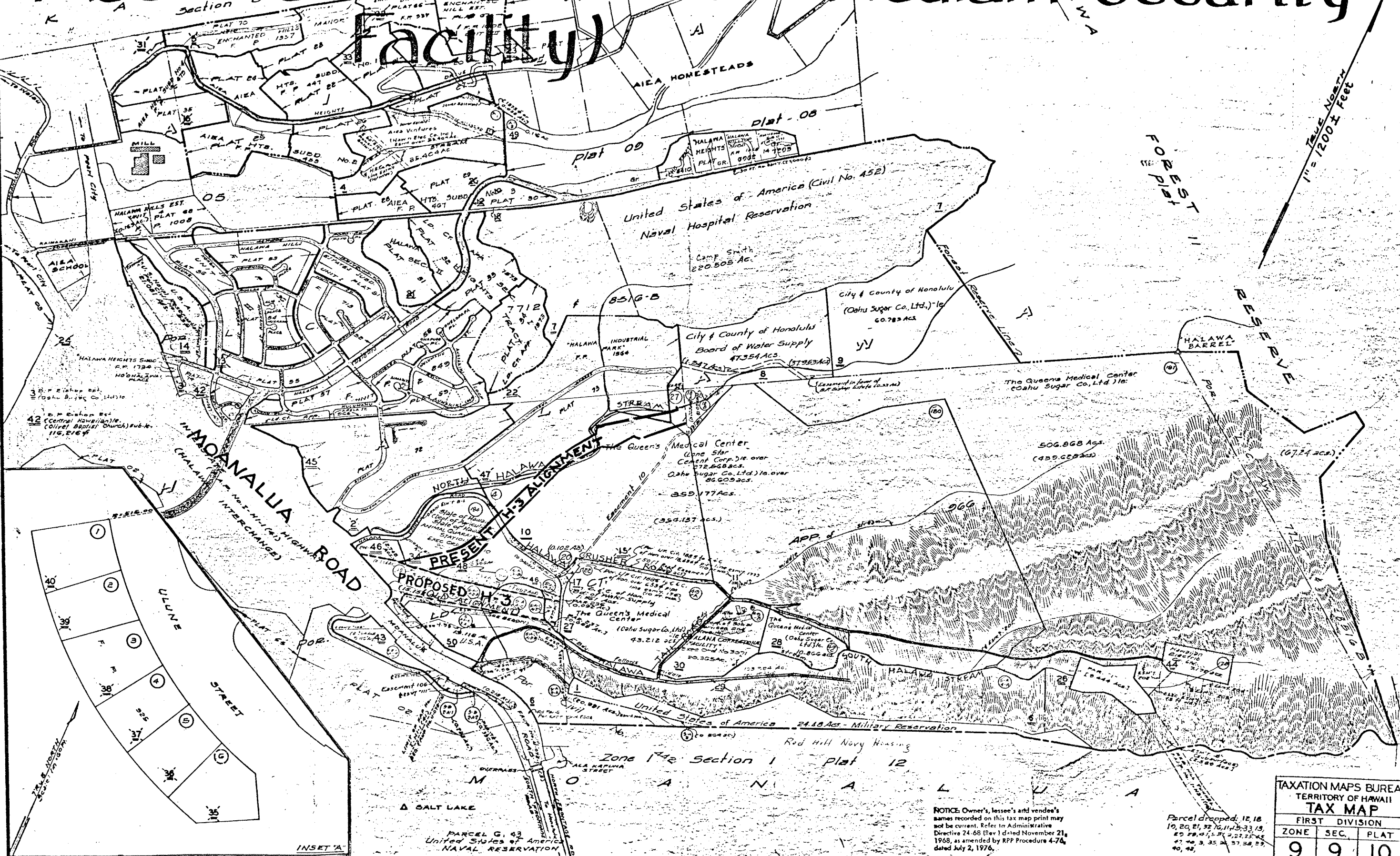
By 
WINONA E. RUBIN,
Commissioner

By 
TEOFILO PHIL TACBIAN,
Commissioner

By *Robert S. Tamaye*
ROBERT S. TAMAYE,
Commissioner

By *Frederick P. Whittemore*
FREDERICK P. WHITTEMORE,
Commissioner

A83-548 DPED (Halawa Medium Security Facility)



DWS NO. 1810 (Revised June 1968)
 Surveyed by I.A.C. & L.L.C. (Ages 1968)
 By D.S.C. (Ages 1968)

POR. AIEA & HALAWA, EWA, OAHU.

NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current. Refer to Administrative Directive 24.68 (Rev. 1) dated November 21, 1968, as amended by RPP Procedure 4-74, dated July 2, 1976.

Parcel dropped: 12, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50.

EXHIBIT A

SUBJECT TO CHANGE

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FIRST DIVISION		
ZONE	SEC.	PLAT
9	9	10
CONTAINING PARCELS		
SCALE: 1 IN. = 43 METERS		

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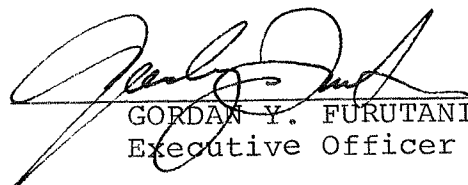
CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use Commission's Decision and Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

KENT M. KEITH, Director
Department of Planning and Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

WILLARD CHOW, Chief Planning Officer
Department of General Planning
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

DARED: Honolulu, Hawaii, this 8th day of December, 1983.


GORDAN Y. FURUTANI
Executive Officer

A83-548 - DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT,
STATE OF HAWAII

A certified copy of the Land Use Commission's Decision
and Order was served by regular mail to the following on
December 8, 1983.

ANNETTE CHOCK, Deputy Attorney General
Department of the Attorney General
State Capitol, 4th Floor
Honolulu, Hawaii 96813

GARY SLOVIN, Corporation Counsel
Department of the Corporation Counsel
City and County of Honolulu
3rd Floor, City Hall
Honolulu, Hawaii 96813

BENJAMIN M. MATSUBARA, ESQ.
Suite 1748, Pacific Tower
190 South King Street
Honolulu, Hawaii 96813