



Planning Commission

Larry S. Tanimoto
Mayor

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

CERTIFIED MAIL

May 14, 1990

Mr. Raymond Suefuji
192 Kapiolani St.
Hilo, HI 96720

Dear Mr. Suefuji:

Special Permit Application (89-20)
State of Hawaii Dept. of Corrections
TMK: 2-4-49:18

The Planning Commission at its duly held public hearing on May 3, 1990, voted to approve the above application, Special Permit Permit No. 736, to allow the establishment of a satellite correctional facility to accommodate a total of 100 inmates on 10.87 acres of land situated within the State Land Use Agricultural District at Panaewa Farm Lots, 2nd Series, Waiakea, South Hilo, Hawaii.

Approval of this request is based on the following:

The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. The State Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The project site is rated E or Very Poor by the Land Study Bureau's Overall Productivity System and is not classified on the ALISH map. Agricultural activity is being conducted in the Panaewa Farm Lots. The site, which is owned by the State, has been previously graded and improved for non-agricultural activities. The Department of Agriculture had no objection to the establishment of the facility. It is felt that this project will not singularly or cumulatively have an adverse impact on the agricultural resources of the South Hilo District or the County of Hawaii. This type of use will not encourage a proliferation of non-agricultural uses in the area,

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therefore will not diminish agricultural resources nor place pressures for change on existing agricultural activities.

The desired use is not expected to adversely affect the surrounding properties. The site is bounded on three sides by forest reserve, vacant State land and Kanoelehua Avenue. The property borders a flower nursery on the remaining side. Landscaping will be used to mitigate visual impacts from the highway and neighboring property. Inmates will be bused to and from work areas, therefore traffic impacts are expected to be minimal. Potential negative impacts of a minimum-security correctional facility to the personal security of residents of the Panaewa area may be mitigated by proper screening of inmates. The applicant states that inmates placed at the Hale Nani facility will go through a rigorous and systematic evaluation process. No inmate who poses a threat to the community is eligible to participate in either the furlough or the community service program.

The granting of this request should not unreasonably burden public agencies. The facility is serviced by an existing 1-inch water meter. Should additional water be needed to serve the development or for fire protection, the applicant must extend the main waterline. The applicant will be required to provide water demand figures and plans for approval by the Department of Water Supply prior to construction. The impact on traffic flow is expected to be minimal. Inmates will be bused to and from work sites. The volume of traffic associated with inmate and staff commuting is not expected to negatively impact traffic flow on Kanoelehua Avenue. Access to the State highway will be constructed in accordance with the standards of the Department of Transportation. Consulted public agencies had no objections to the request.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. As stated in the accompanying background report, existing correctional facilities in the County are experiencing extreme overcrowding. The proposed project is expected to meet a part of the need for additional facilities.

The land upon which the proposed use is sought is unsuited for the uses permitted within the district. The property has been graded and used for non-agricultural purposes since 1953. No agriculturally important land will be taken out of use.

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The use will not substantially alter or change the essential character of the land and the present use. The property has been developed as a police training facility and has been in use for similar activities through the years. The proposed use will be a more intensive activity than that of recent years, however design, siting, and landscaping can help to maintain the agricultural character of the area.

The request is not contrary to the General Plan and the Hilo Community Development Plan. The correctional facility will be compatible with Orchard use, the designation of the Land Use Pattern Allocation Guide (LUPAG) Map. The proposed use is consistent with the following goals, policies, and standards of the General Plan:

LAND USE

- * Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.

PUBLIC FACILITIES

- * Encourage the provision of public facilities that effectively service community needs and seek ways of improving public service through better and more functional facilities which are in keeping with the environmental and aesthetic concerns of the community.
- * The County shall coordinate with appropriate State agencies for the provision of public facilities to serve the needs of the community.
- * Additional rehabilitation and counseling centers shall be established as needed.

Based on the above considerations, it is determined that the establishment of a satellite correctional facility is an unusual and reasonable use of land, which would not be contrary to the objectives sought to be accomplished by the Land Use Law.

Approval of this request is subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.

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2. Final Plan Approval of Phase I shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured. Plans shall identify structures, landscaping, and paved driveway and parking stalls associated with the facility. Parking shall comply with the requirements of Chapter 25 (Zoning Code) and shall be paved with an all-weather, dust-free surface. No parking variance from the Code shall be applied for or granted. Parking for all functions shall be maintained on the subject property.
3. Construction of Phase I of the facility shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
4. Final Plan Approval of Phase II shall be secured from the Planning Department within one year from the date of completion of improvements within Phase I. Construction of Phase II shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
5. The applicant shall secure approval from the State Department of Transportation for access to the highway prior to submittal of plans for Final Plan Approval. Highway access shall be constructed in accordance with Department of Transportation standards prior to issuance of a certificate of occupancy for any portion of the development.
6. The applicant shall secure approval of construction plans from the Department of Water Supply prior to issuance of Final Plan Approval.
7. Comply with all other laws, rules, regulations and requirements of State and County agencies.
8. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with.

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This condition shall remain in effect until all of the conditions of approval have been complied and the Planning Director acknowledges that further reports are not required.

9. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Fred Y. Fujimoto
Chairman, Planning Commission

xc: State of Hawaii, Dept. of Corrections
Department of Public Works
Department of Water Supply
County Real Property Tax Division
State Land Use Commission
State Department of Transportation, Highways Division
State Department of Land and Natural Resources

bcc: Plan Approval Section