

Testimony

Resolution 21-148

MISC. COM. 468

EMLA



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

August 19, 2021

Re: Resolution 21-148
August 24, 2021. 1pm
Committee on Executive Matters and Legal Affairs

Aloha Members,

I am writing in support of Resolution 21-148 for condemnation of 1615 Ala Wai Blvd.

For quite some time, the property at 1615 Ala Wai Blvd has been left abandoned. Unmaintained, the property lawn has become overgrown and unsightly, and the building has become a hotspot for graffiti. As a result, the property is a blight on our neighborhood that also serves as a significant district for visitors.

With Resolution 21-148, the city would have the opportunity to build affordable housing for our local people. Hawaii's housing shortage has been a devastating crisis that has driven out many of our local kids.

I urge the committee to pass Resolution 21-148.

Sincerely,

A handwritten signature in black ink, appearing to read "Adrian K. Tam".

Representative Adrian K. Tam
House District 22, Ala Moana - Waikiki
415 S. Beretania St., Room 317
Honolulu, HI 96813

From: CLK Council Info
Sent: Saturday, August 21, 2021 5:09 PM
Subject: Executive Matters & Legal Affairs Testimony
Attachments: 20210821170923_1615_Ala_Wai_Bldg_CP_6_24_21.pdf

Written Testimony

Name Cristiano Paniconi
Phone
Email chris_7623@hotmail.com
Meeting Date 08-24-2021
Council/PH Committee Executive Matters and Legal Affairs
Agenda Item Resolution 21-148
Your position on the matter Support
Representing Organization
Organization Hawaiiana Gardens

Please refer to our June 24, 2021, letter to Michael Formby, Managing Director, submitted along with this testimony. We, Cristiano Paniconi and Roger Brewer, support the effort of the City to rectify the dangerously dilapidated, vacant, three-story apartment building at 1615 Ala Wai Boulevard by eminent domain. Mr Paniconi is the president of the housing association for the adjacent Hawaiiana Gardens apartment complex at 1819 and 1821 Liepe'epe'e Street. Mr Brewer is an owner of one of the units and a member of the Housing Association Board.

As you can see from the photographs included with our letter, the building has for many years been unfit for human habitation and is mostly likely not repairable. Windows are broken and screens torn; wood frames rotted; wiring rusted. Some of the rooms are packed with junk – a fire waiting to happen. The building is a nighttime stopover for wayward youth and gets tagged with graffiti on a regular basis. Squatters climb on top of the utility room to gain access to the second-floor units and use candles for lighting.

Written
Testimony

The police have responded to ongoing complaints and concerns about break-ins and drug use over many years. They are no doubt also frustrated with the situation at this property as well as similar properties in other parts of the island. It is only a matter of time before one of our residents is attacked by a drug-crazed vagrant or someone starts a fire in the building.

We support the effort of the City to take the property by eminent domain and have the building taken down or made livable. As discussed in our letter, however, we ask that the City pass more stringent requirements for basic maintenance and security of vacant buildings to help prevent these types of problems in the future and throughout the island. Such ordinances have been successfully implemented in other cities and can help to avoid the time and legal expense of eminent domain proceedings.

We would be glad to discuss our concerns with the vacant building at 1615 Ala Wai Boulevard in more detail if necessary. Our contact information is noted below. Thank you again for your time and attention to this matter.

Cristiano Paniconi
1821 Lipe'epe'e Street, #103
Honolulu, HI 96815
Cristiano: chris_7623@hotmail.com

Roger Brewer
1819 Lipe'epe'e Street, #302
Honolulu, HI 96815
Roger: honua11@yahoo.com

Testimony Attachment 20210821170923_1615_Ala_Wai_Blvd_CP_6_24_21.pdf

Accept Terms and Agreement 1

IP: 192.168.200.67

Hawaiiana Gardens
1821 Lipe'epe'e St, #111/03
Honolulu, HI 96815

June 24, 2021

Michael Formby, Managing Director
City and County of Honolulu
530 South King Street, Room 306
Honolulu, HI 96813

Subject: Vacant apartment complex at 1615 Ala Wai Boulevard, Honolulu

Dear Director Formby,

I appreciate the effort that you and members of the Honolulu City Council have made over the past several years to rectify the dangerously dilapidated, vacant, three-story apartment building at 1615 Ala Wai Boulevard. I am the president of the housing association for the adjacent Hawaiiana Gardens apartment complex at 1819 Lipe'epe'e Street.

As you can see from the attached photographs, the building is unfit for human habitation and mostly likely not repairable. Windows are broken and screens torn; wood frames rotted; wiring rusted. Some of the rooms are packed with junk – a fire waiting to happen. Multiple trees are growing from the roof.

The building has been a nighttime stopover for wayward youth for many years and gets tagged with graffiti on a regular basis. Squatters climb on top of the utility room gain access to the second-floor units and use candles for lighting. The most recent incident was the 5th of June, 2021. At 7am that morning a man climbed the roof of the back utility room to gain access to the second-floor window. We immediately alerted HPD and the trespasser were arrested, but we do not have the resources to monitor the building day and night. This is only one of many episodes that occur monthly on this property.

The property has a history of complaints with the City Department of Planning and Permitting that goes back more than ten years. The police have responded to ongoing complaints and concerns about break-ins and drug use over the same time period. They are no doubt also frustrated with the situation. The Waikiki Community Board has attempted to assist on multiple occasions as have representatives of the adjacent, upscale Watermark Tower at 1551 Ala Wai Blvd, but to no avail.

The property is owned by Norman and Alvin Nip and their sister Donna Chang (Parcel # 260110330000). It is quite clear that they are unable to properly manage the building. They do not live in the neighborhood and are under no legal pressure to rectify the disgraceful and dangerous state of the building, the impact on the local community, or the danger that they put our residents and neighbors in on a daily basis. The land under the building for them is just a "land bank." Other than filing a civil lawsuit, we are helpless to do anything about it.

It is only a matter of time before one of our residents is attacked by a drug-crazed vagrant or someone starts a fire in the building. Fire damage to the building was indeed reported in 2006. The adjacent apartment building will no doubt be severely damaged by a large fire. Smoke damage to the rest of the buildings in our complex will likely force many of us to find other accommodations. The impact of fires on homes extend beyond the financial costs. Who is going

to pay for this? The City, for lack of action over the past 20 years? Will we be forced to get an attorney and sue the Nips? Our association is already struggling with basic maintenance costs. We can't afford to deal with a problem that clearly could have been avoided.

The irony is that the only law that the owners are apparently violating is the inability to keep graffiti off of the exterior of the buildings. City ordinances requiring basic upkeep of vacant buildings are all but non-existent. We have asked on multiple occasions that the City pass more stringent maintenance and security requirements for vacant buildings but have been largely ignored. Owners at our complexes have even sent examples of ordinances passed by cities on the mainland that were able to successfully reduce similar situations. No response was received.

The vacant building at 1615 Ala Wai Blvd is a public hazard and a magnet for criminal activity. On behalf of the other owners of our complex as well as our other neighbors, we ask – beg, that the City Council or some other entity with the City or State do something before it's too late. Condemning and taking these types of public hazards one-by-one by eminent domain is not the answer. Ordinances passed by cities with similar problems, e.g., Detroit, Oakland and Seattle, serve as useful models. Requirements in addition to simply keeping the property free of weeds, trash and graffiti include:

- Registration of buildings that have remained vacant for more than 30 days;
- Maintenance of the exterior of a building in good repair, including all exterior windows and doors;
- Maintenance of the walls and the roof to prevent leakage of rain;
- Continuous, exterior lighting for all entrances from dusk to dawn;
- Removal of all flammable material that constitutes a safety or fire hazard; and
- Increased property tax for buildings that have remained vacant for more than 50 days.

The ordinances also allow the cities to demolish buildings deemed to pose a public safety concern and recover the cost from the owner.

Honolulu is not Detroit. Our city has not been depopulated due to a collapsed economy and buildings and homes abandoned due to lack of interested buyers. The average cost of a home in Hawai'i is twelve times the median salary – three times the national average and on par with cities in developing countries. Land banking like this is a plague on our society. It's well past time for the City to create a process to address the problem.

I and the other residents of or apartment complex realize that you share our concerns but we need more than sympathy –we need solid, long-term solutions. Thank you for your dedication and helping to make our 'āina once again become a safe and enjoyable home. We would be glad to meet with the City Council in person to discuss our concerns and a path forward that is suitable for all involved.

Sincerely,



Cristiano Paniconi
President, Hawaiiana Gardens Homeowners Association
chris_7623@hotmail.com

1615 Ala Wai Boulevard

cc:

Honolulu City Council
Mayor Rick Blangiardi
Governor David Ige
Waikiki Community Board
Senator Sharon Muriwaki
Representative Tom Brower
Watermark Owners' Association
Honolulu Police Department



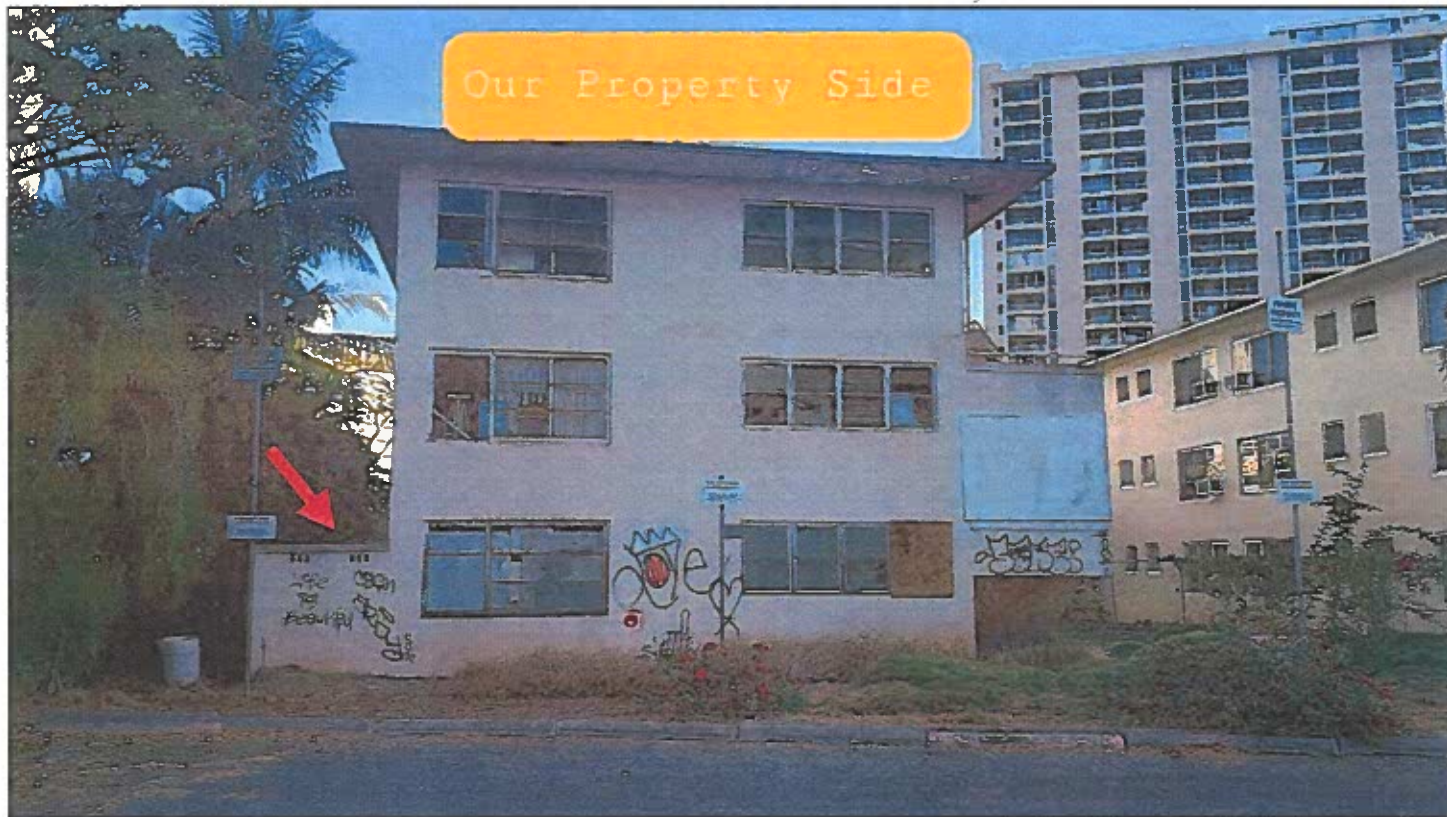
1615 Ala Wai Boulevard: Street View.



1615 Ala Wai Boulevard: View from Mariana Gardens (mauka side)



Side facing Watermark Tower
(trespassers use the utility shed in the far back to access and enter the second floor)



View from Hawaiiana Gardens
(trespassers use the utility shed to access and enter the second floor)

From: CLK Council Info
Sent: Tuesday, August 24, 2021 9:09 AM
Subject: Executive Matters & Legal Affairs Testimony

Written Testimony

Name Lou K.Y. Coogan
Phone
Email mg.coogan5@gmail.com
Meeting Date 08-24-2021
Council/PH Committee Executive Matters and Legal Affairs
Agenda Item Resolution 21-148
Your position on the matter Support
Representing Organization
Organization Marina Gardens 1621 & 1627 Ala Wai Blvd.

Written
Testimony

I, Lou K.Y. Coogan, Marina Gardens Vice-President, residing @ 1627 Ala Wai Blvd. hereby, on behalf of the owners and tenants of Marina Gardens, support any and all efforts of the City to rectify the dangerous, dilapidated vacant building at 1615 Ala Wai Boulevard by eminent domain. Please see the photos that Mr. Cristiano Paniconi sent of this 3 story vacant building.

The photos clearly show the deplorable conditions.

Drug addicts, homeless people frequent there day and night. These people leave food & trash behind, attracting rats that I have seen in the daytime running along the Marina Gardens building next to this vacant building. Candles get lit by these people, causing a serious fire hazard to us. Windows are broken & only seem to get worse with even more windows getting broken. Each year, it gets worse & worse. It NEVER gets better. Homeless people climb up the building from the shed & storage room. The City police have been called many times in the past. This building should at least be fenced around so vagrants cannot access that property. It truly is in the best interest for all the people living in this area, over and beyond Marina Gardens & Hawaiiana Gardens.

We support the effort of the City to take the property by eminent domain and have the building razed or made livable, but @ least get fenced in & possibly painted & fenced in, until further notice. We are in the Waikiki property district. We & tourists do not welcome such an eye sore. This vacant building is a dangerous piece of property, not to mention it devalues the surrounding condominiums. On behalf of Marina Gardens, I thank you for your time and effort for the consideration of eminent domain.

Testimony
Attachment
Accept Terms
and Agreement

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