

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.dpp.org](http://www.honolulu.dpp.org) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



GEORGE I. ATTA, FAICP  
DIRECTOR

ARTHUR D. CHALLACOMBE  
DEPUTY DIRECTOR

February 5, 2016

The Honorable Ryan Yamane, Chair  
and Members of the Committee on Water & Land  
Hawaii House of Representatives  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Yamane and Members:

Subject: House Bill No. 2520  
Relating to the Kakaako Community Development District

The Department of Planning and Permitting (DPP) **supports** House Bill No. 2520, which would repeal the Kakaako Community Development District, with revisions.

This bill acknowledges that the City has the capability to manage the planning and zoning for this area. By returning jurisdiction to the City, there can be a single, cohesive, accountable planning and zoning system for the Primary Urban Center.

While we support the intent of the Bill, we cannot support the effective date, July 1, 2016. This gives no time for transition. We request the effective date be moved to July 1, 2018. This would still allow for a quick transition, but provide time for the Hawaii Community Development Authority and the City to address transition details in an orderly, deliberate fashion. It would allow time for any other necessary revisions to State statutes to be adopted at the next legislative session.

Thank you for this opportunity to testify.

Very truly yours,

A handwritten signature in blue ink that reads "George I. Atta".

George I. Atta, FAICP  
Director

## Business and Residence Of Kakaako Community

January, 5 2016

HB 2520  
LIVE TESTIMONY

Honorable members of House Water and Land Committee

My name is Bob Emami, I represent Businesses and residents of Kakaako Community.

The situation of private roads has made life and work intolerable for the residents and businesses in kakaako district, for that reason over 50 business owners and residents desperate to get their voice heard, took part in our first picket line protesting the dire condition of roads and lack of sidewalks leading to safety issues for the residents.

For the past 112 years the issue of the so-called private roads has been passed on from one administration to the next without any concrete action being taken. The recent overdevelopment and expansion of Kakaako has brought this to the forefront of the issues in central Honolulu district making it impossible to ignore.

As businesses and residents, we are paying thousands of dollars of property tax every month without enjoying any of the benefits that these taxes should provide. As tax payers we expect our roadways to be paved and looked after and in an event of a mishap, someone or entity be responsible for ensuring the safety of these road ways.

During the working group meeting of November 12th The issue that came to light was that the HCDA had actually helped cause this problem through working with Kakaako Land Company to clean up the so called

836 Kawaihāo St, Honolulu HI 96813 Tel: 808 375 9002 E-mail kakaakocommunity@yahoo.com

## Business and Residence Of Kakaako Community

Private roads so they can start posting parking signs and charge people for parking in front of their own businesses.

The HCDA had 39 years to research on the ownerships of the roads prior to Signing of official contract for right of entry, instead by calling the KLC the "OWNER" and then start cleaning the street up using tax payer's money and handing them to Kakaako Land Company to start charging the same taxpayers. when the KLC is operating without TMK meaning they do not even pay taxes on the rent they collect.

The fact of the matter is that for the past 112 years this issue has not been addressed, it is now time that the state and city work together and resolve this dilemma through specific guidelines and ideas. Our recommendation is that state and City rise to the challenge and through joint special directive by condemning the roads through the eminent domain act.

For a society to make a leap forward, leaders must rise to the occasion and tackle the issues that are most affecting their communities. It is time that our leaders rise to the challenge once and for all address this issue so we can move forward as a community.



Bob Emami

Right of Entry from HCDA  
To Kakaako Land Co.

(2010)

2015 OCT 28 PM 3:52

RECEIVED  
CITY CLERK  
C & C OF HONOLULU

MISC. COM. 3218

Submitted by Steve Scott

Different parcel  
Diamond Head of  
Community Ocean  
side

RIGHT OF ENTRY

THIS RIGHT OF ENTRY, made this 9th day of July, 2010 between the HAWAII COMMUNITY DEVELOPMENT AUTHORITY, a body corporate and a public instrumentality of the State of Hawaii, whose principal place of business and mailing address is 461 Cooke Street, Honolulu, Hawaii 96813 ("The HCDA"), and KAKAAKO LAND COMPANY, INCORPORATED, a Hawaii corporation, whose place of business and mailing address is 1054-A Alewa Drive, Honolulu, Hawaii 96817 ("Owner");

WITNESSETH THAT:

WHEREAS, Owner is the owner of the real property, identified as the Desky roadway remnant hereinafter referred to as the "Property" and highlighted by hatchmarks on Exhibit A;

WHEREAS, the HCDA, a body corporate and public instrumentality of the state, is charged with regulatory oversight of the development of the Kakaako Community Development Districts, which includes the Property. The HCDA's regulatory purposes include ensuring that the development and use of lands within the Kakaako Districts are consistent with the Districts' rules and plans and in the best interests of the public health, safety and welfare;

WHEREAS, The Property comprises a portion of Queen Street, which is a mapped street designated on the HCDA's Kakaako Mauka Plan. Queen Street, including the Property, serves as a critical public thoroughfare providing access to Kakaako residences, business, parks, schools and services for thousands of people;

WHEREAS, a number of illegal structures and debris have accumulated within and around the roadway area on the Property, impeding the public's use of Queen Street;

WHEREAS, the HCDA desires to clear debris, structures, and other encroachments and impediments to the public's use of Queen Street, and to construct improvements to protect the health, safety and welfare of the public; and, enhance the flow of vehicular and pedestrian traffic through the area;

WHEREAS, Owner is willing to permit the HCDA, its assignees, designees, contractors and consultants to enter the Property and commence construction of the improvements, subject to the terms and conditions of this Right of Entry.

NOW, THEREFORE, it is mutually understood and agreed by the parties that this Right of Entry is granted upon the following terms and conditions:

1. Owner hereby grants a non-exclusive right of entry on the Property for the purpose of constructing roadway improvement work to include removal of all vehicles, structures and debris currently on the premises, trimming of vegetation including trees, posting of signs and installation of planters alongside the roadway right of way (the "Work"). Said improvements shall be constructed in a portion of the area as shown on the attached Exhibit A labeled "Area of Improvements";

2. Owner authorizes the HCDA and/or its designees to remove all debris and to clear the Property as required for performance of the Work. Owner agrees to cooperate with the HCDA in filing all required reports or complaints to applicable governmental authorities such as the City and County of Honolulu, State Sheriffs Division, and the Honolulu Police Department; HCDA understands that this section of roadway may be subject to an implied easement to the City and County of Honolulu.

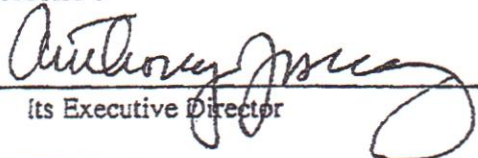
3. The HCDA or its designees shall commence construction of the Work on or about July 13, 2010 and proceed diligently thereafter to complete the same. This Right of Entry shall remain in effect until completion of the Work but shall expire on August 13, 2010.

4. The parties agree that this Right of Entry may be executed in counterparts, each of which shall be deemed an original, and the counterparts shall together constitute one and the same instrument, binding all parties notwithstanding that all of the parties are not signatory to the same counterparts. For all purposes, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

[Remainder of Page Intentionally Left Blank]


IN WITNESS WHEREOF, the parties hereto have executed this Right of Entry as of the day and year first above written.

HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY

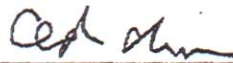
By:   
Its Executive Director

"The HCDA"

APPROVED AS TO FORM:

  
Deputy Attorney General

KAKAAKO LAND COMPANY,  
INCORPORATED

By:   
Its: OFFICER

"OWNER"

February 4, 2016

**LATE**

To: Honorable Member of House and Land Committee  
From: Jeff LaChance

My name is Jeff LaChance, I'm the owner of Mercedes Benz and Jaguar Specialists located at 807 Kawaiahao Street.

Our road Kawaiahao Street is in dire condition with many pot holes throughout the street. Kakaako Land Company claims they own the roads, due to the current conditions, they deliberately want us to suffer from the conditions. The proof to this claim (please see attached) there is pothole in front of my business for many months. The pothole becoming increasingly larger and deeper. Very hazardous to drivers, pedestrians and business owners in the area. I took it upon myself along with a fellow business owner next door, we decided to fill up the pothole with cement. As no one from Kakaako Land Company are servicing and maintaining this road.

We filled the pothole on December 2, 2015 (please see attached) and on December 18<sup>th</sup>, we came into work and noticed that the cement we filled was broken into. Someone had come in the night before to destroy the cement we had filled resulting in a larger pothole. This is just one of many events reflecting the conditions of Kawaiahao Street.

We cordially request your prompt action to take over the private roads in Kakaako and put an end to all this conflict affecting everyone.

Sincerely,



Jeff LaChance  
Mercedes Benz & Jaguar Specialist  
807 Kawaiahao Street  
Honolulu, Hawaii 96813



①  
November  
25<sup>TH</sup>  
2015



②  
DECEMBER  
2nd  
2015



③ DECEMBER  
18TH  
2015



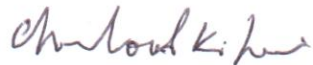
**LATE**

To: House Water and Land Committee  
From: Christopher Lopez  
Date: To: House Water and Land Committee

Date: Feb 4 2016

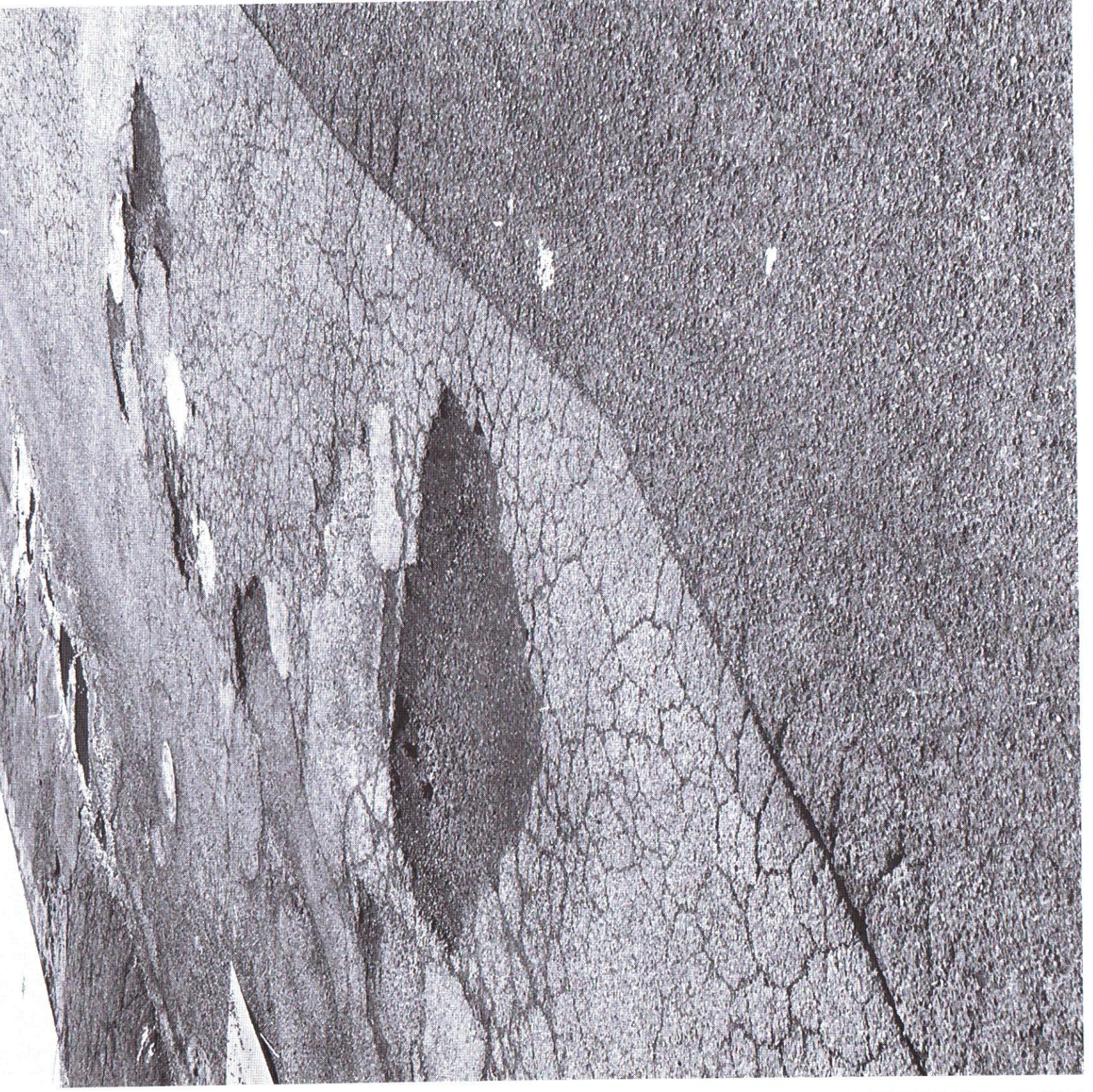
My name is Christopher Lopez and work as a part time mechanic at the Car Store Inc located at 836 Kawaiahao St. in Kakaako. Every evening when I try to come to work I am faced with dodging the potholes on the street so I don't damage my vehicle. It has become a major stress point in my coming to work every single time. I expect the authorities to take prompt action and take care of this dilemma we are facing as tax paying citizens.

Yours Truly



Christopher Lopez

830 KAWAIAHAO ST



To: House Water and Land Committee

Date: Feb 4th 2016

SooHwan N. Kim  
2651 Kuilei St  
B106  
Honolulu, HI 96826

LATE TESTIMONY

To Whom it may concern

I was informed that the House Water and Land Committee is holding a hearing concerning the deteriorating roads in the Kakaako area. I work and drive in this area and the roads are in dangerous and unsafe conditions. The long existing potholes and deep holes in the roads are causing drivers to swerve and drive into oncoming traffic, causing traffic jams and endangering the pedestrians that work, live and walk in the area. These are areas that elderly and toddlers walk during the day so it has become extremely dangerous to live and walk in the area. Also, many cars have unknowingly driven over the potholes and have had costly damages to their cars such as axle, alignment and tire frame damages.

It is time for the responsible officers and committee members in the Honolulu City and County to take responsibility to properly take action and look after the safety of the citizens in this area and the State of Hawaii.

Thank you in advance.

Regards



SooHwan N. Kim



Queen St

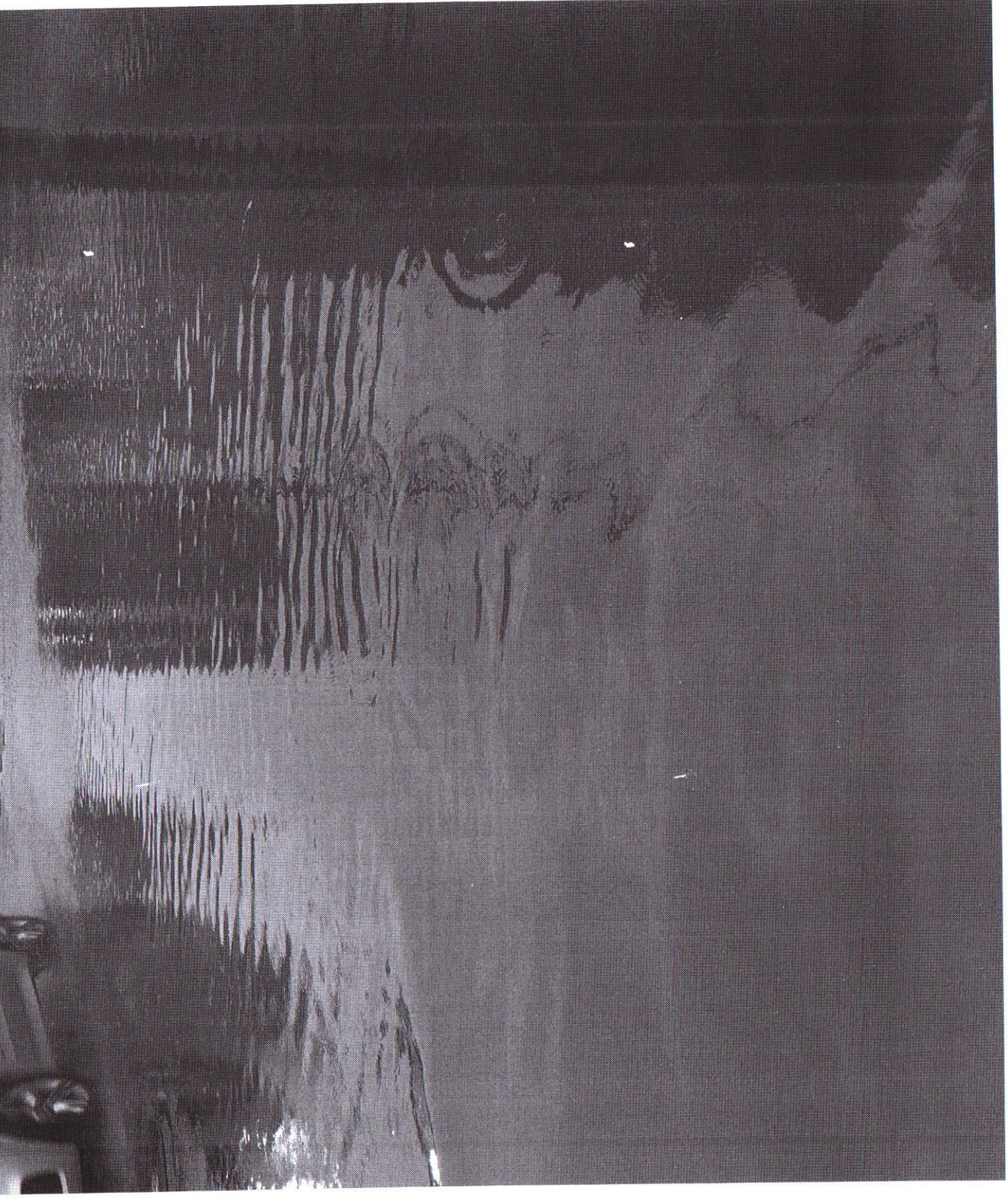
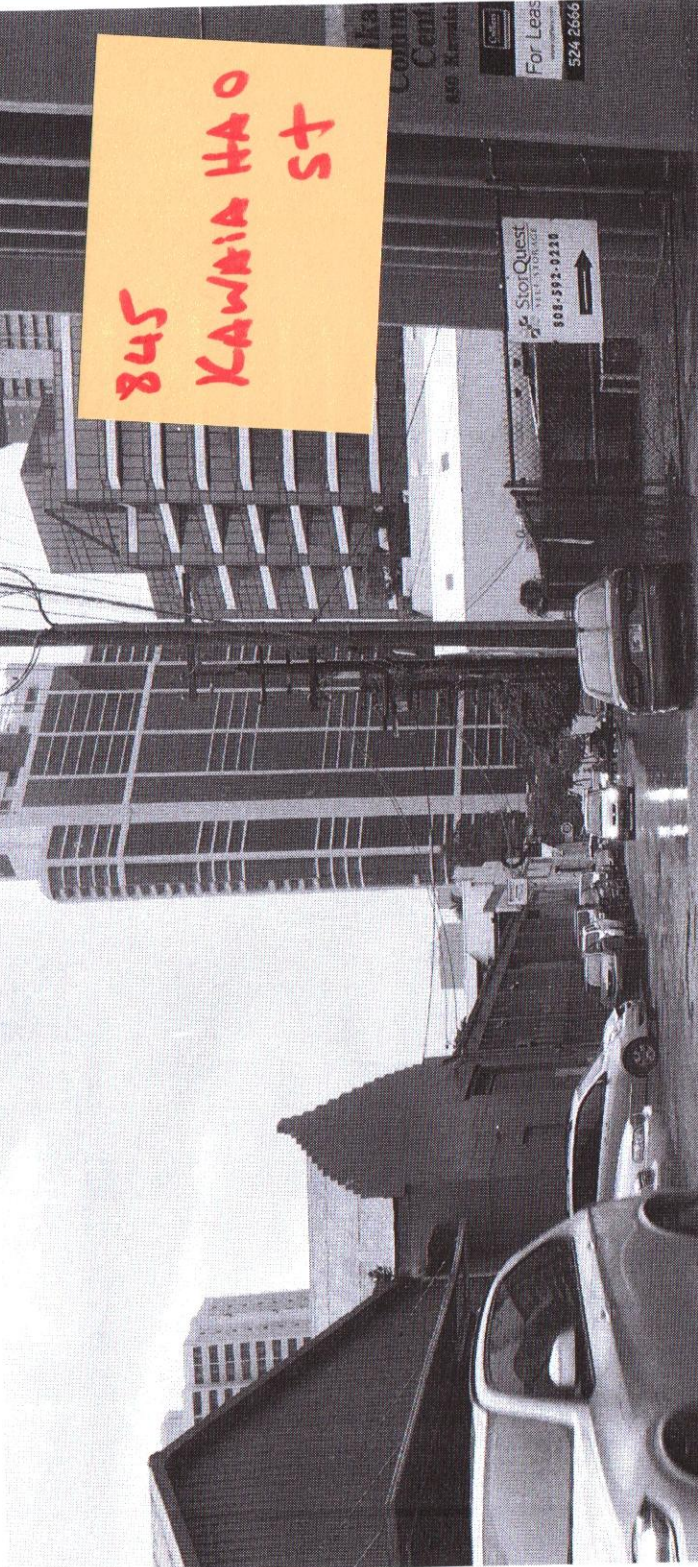
CPG BANK





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StarQuest  
SECURITY STORAGE  
888.591.9220  
↑



**KW AUTO BODY**  
ALA MOANA  
591-8696

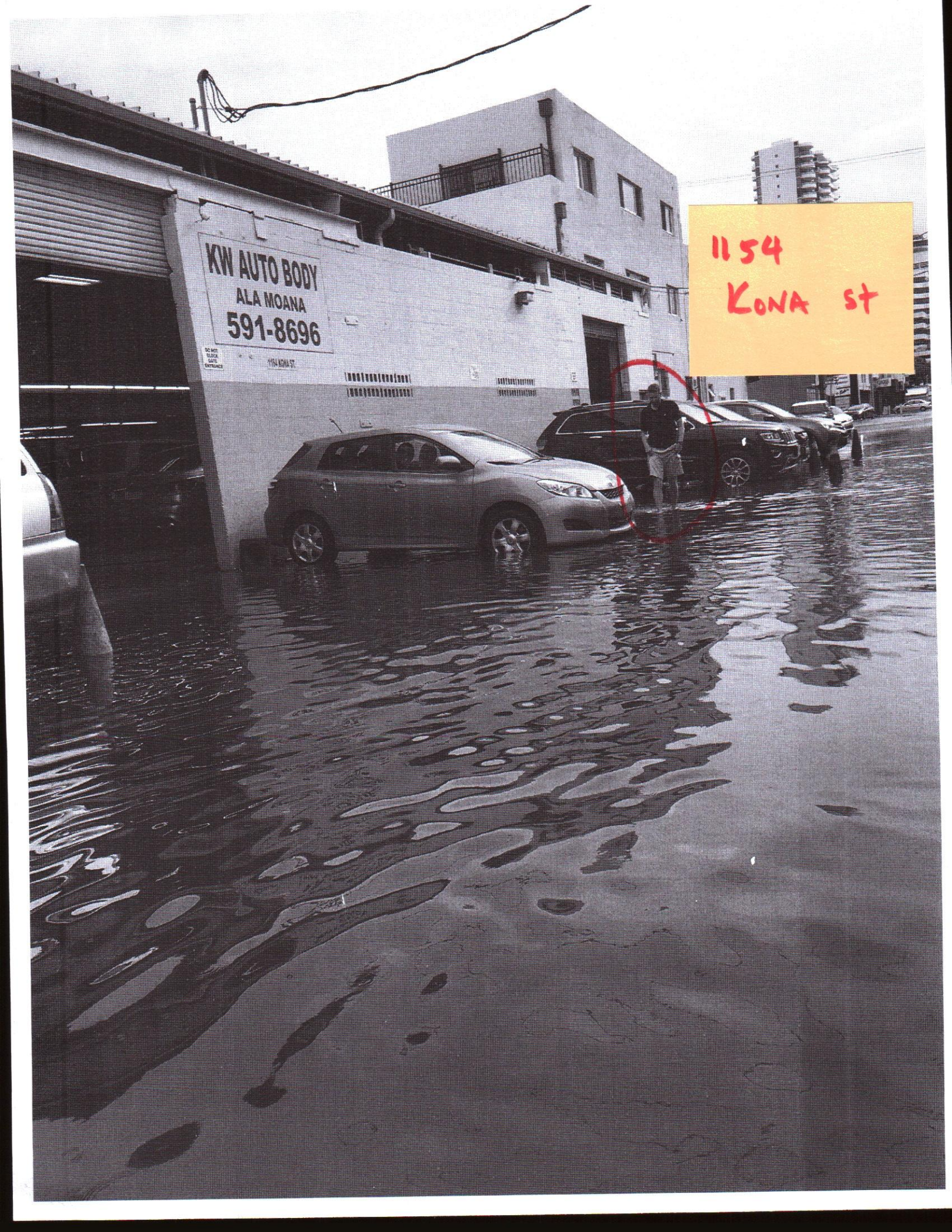
DO NOT  
BLOCK  
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ENTRANCE

1154 KONA ST.

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1154  
KONA ST



836  
KAWAIAHAO  
ST

WARNING  
24 HOUR  
VIDEO SURVEILLANCE



To: House Water and Land Committee  
From: Alejandra .....  
Date: Feb 4 2016

LATE TESTIMONY

I was informed that the House Water and Land Committee is holding a hearing concerning the situation of our roads in Kakaako and I felt like I had to say my peace to this committee. I am a working mother of two and I work in Kakaako. Overtime I have to walk with my babies pushing them in the stroller, I fear the worst that we may be ran over by some car because there are no sidewalks on these streets and the roads are full of potholes. It is time for the responsible bodies and committees in Honolulu City and County took the proper action and look after the safety of their citizens.

Regards

A handwritten signature in black ink, appearing to read 'Maria A. Vilchis Kim', written in a cursive style.

**Maria A. Vilchis Kim**



12/18/15

Honda & Acura  
8139



P

8139

