

CERTIFIED MAIL

April 30, 1987

Mr. Philip Russell
345 Queen Street, Suite 400
Honolulu, Hawaii 96813

Dear Mr. Russell:

Sign Variance Applications
Applicant: Lanihau Center Venture
Tax Map Key: 7-5-04:10

The Planning Commission at its duly held public hearing on April 28, 1987, voted to approve your applications, Variance Permit No. 635, which are for the signage program developed for the Lanihau Shopping Center in Kailua Village, North Kona, Hawaii.

Approval of the requests are based on the following:

There are special or unusual circumstances applying to this particular shopping center project which do not generally apply to surrounding property, buildings or signs in the same district. The subject parcel is situated in the area adjacent to the mauka boundary of the Kailua Village Special District. This area has been developed with two major urban type shopping centers, a post office, bowling alley and bank with a different building character than what has been established in the core area. The subject development is heavily dependent upon the visibility to vehicular traffic traveling upon the Queen Kaahumanu Highway and Palani Road which serves as the gateway to Kailua Village. The property is situated within the County's General Commercial (CG) zone district, which is the highest Commercial zone district sanctioned by the County of Hawaii General Plan Land Use Pattern Allocation Guide Map. The proposed sign variance requests deviate from the maximum sign dimension standards stipulated by the Kailua Village Sign Code.

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The proposed Lanihau Center development and some of the adjacent existing development was subdivided and developed subsequent to construction of the Queen Kaahumanu Highway and adoption of the Kailua Village Design Plan. Under this circumstance and with the creation of different land and building patterns in this particular area, the physical location of the proposed mall is dependent upon exposure to vehicular traffic as well as pedestrian traffic within the new shopping center mall. Therefore, the primary dependence upon vehicular traffic for this shopping center in deference to the more distinctive Village atmosphere along Alii Drive has to be recognized and evaluated. We have determined that there is a distinct difference between the scale and size of the shopping center development and the existing development of the makai area of the Kailua Village Special District. In recognition of this difference, the special circumstances relating to the variance requests revolve around the varying signage needs of both areas; the petitioner's development of an integrated and organized signage program for the shopping center; and the inclusion of elements of the Kailua Village Sign Code related to design, material and color criteria within the petitioner's signage program document.

The primary objective of the Kailua Village Sign Code is to encourage and foster good sign design in harmony with the Kailua Village Design Plan theme and related elements of building design, scale, proportion, and image. Attractive harmonious integrated signs have been found to promote and enhance business identification within shopping malls. In consideration of the foregoing, there is a need to give special thought to the relationship of signage to building design that is sensitive and reasonable. To implement these objectives, the Kailua Village Sign Code initially identified a core area within the Village boundaries which receive special consideration with respect to sizes of signs. In this core area, described as that area bounded by Alii Drive, Palani Road, Kuakini Highway and Hualalai Road, the maximum area that a sign can have is 12 square feet. For the rest of the properties and structures within the Kailua Village Special District, the maximum sign size is 22 square feet. The rationale for the smaller sign size within the Kailua Village Core was due to the visitor/pedestrian oriented nature of the Village.

The proposed sign variance requests are determined to be reasonable given the following physical factors: the proposed sign design in relationship to the proposed building design and

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unified theme of the development, the location of the subject development mauka and outside of Kailua Village's defined central core, and the petitioner's intent to foster a quality and organized signage program for phase one of the center's development.

The petitioner states unusual circumstances that exists to a degree which interferes with the best use of signage for this particular development. The buildings in phase one of the proposed shopping center are oriented primarily towards the interior parking lot of the development rather than towards Palani Road. Therefore, the requested sign size, letter dimensions and integrated compatible sign design sensitive to building themes purported by the Kailua Village Sign Code should not pose a negative visual impact from Palani Road and the Queen Kaahumanu Highway. We have determined the proposed signs exhibit good sign design, utilize appropriate sign materials and color themes recommended by the Kailua Village Sign Code.

Due to the project's location of the subject property, the foregoing circumstances cited above, an overall integrated harmonious sign program, the granting of this variance would not constitute a grant of personal or special privilege inconsistent with limitations upon other properties under identical rules and regulations.

The granting of the sign variances does not violate the intent and purpose of either the Kailua Village Design Plan or the Kailua Village Sign Code. The need to consider and, when appropriate, allow signs that demonstrate good and sensitive design have been articulated in the petitioner's signage program for phase one of the subject development. In addition, the proposed sign designs and visibility from existing infrastructure have been adequately addressed without compromising the intent of the Kailua Village Sign Code. Accordingly, the proposed sign variance requests would not militate against these purposes, nor would it materially affect or be injurious to the public welfare, improvements, or property rights in the near vicinity.

Approval of the variance requests are subject to the following conditions:

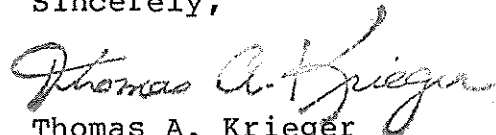
1. The petitioner, successors or assigns/tenants, shall be responsible for complying with all stated conditions of approval.

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2. The approval of the sign variance requests shall be only for what was requested and shall not preclude the compliance with all other requirements of the Kailua Village Sign Code.
3. The approval of the requested sign variances shall be for the overall Lanihau Center development. However, should any changes be made to the signage program for the subsequent phases of the development that do not conform with the approved variances and the Kailua Village Sign Code, respective sign variances shall have to be applied for and be secured from the County Planning Commission. The submittal of any sign variance shall not be construed to mean an automatic approval of that request.
4. The petitioner shall apply for and secure sign permits for all proposed signs for the first phase of the Lanihau Center development unless otherwise, exempted by the Kailua Village Sign Code.
5. All other applicable rules, regulations and requirements shall be complied with.
6. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to nullify the variance permit.

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

Sincerely,



Thomas A. Krieger
Chairman, Planning Commission

cc: Kona Outdoor Circle
Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section