

– REFERRAL of SIGN PERMIT APPLICATION for KVDC REVIEW –

To: KAILUA VILLAGE DESIGN COMMISSION, c/o PLANNING DEPARTMENT

From: DEPARTMENT OF PUBLIC WORKS, BUILDING DIVISION

SITE TAX MAP KEY NO.: 750080140000

STREET ADDRESS: 75-5756 KUAKINI HIGHWAY KAILUA-KONA, HAWAII

NAME OF APPLICANT: John Allen Sign Company

SIGNATURE: [REDACTED] DATE: 03.01.23

MAILING ADDRESS: PO Box 44708, Kamuela, HI, 96743

TELEPHONE NUMBER: 808.882.8244

APPLICANT'S INTEREST, if not owner of business related to sign: Big Island Sign Permit Applicant

BUSINESS RELATED TO REQUESTED SIGN:

NAME OF OWNER (if same as Applicant, write "Same"): MDC Coast HI 1 LLC

SIGNATURE: [REDACTED] DATE: 9/5/23

MAILING ADDRESS: 11995 El Camino Real, San Diego, CA 92130

* NATURE/TYPE OF BUSINESS: Landlord TELEPHONE NUMBER: 858-284-5000

OWNER OF MASTER LEASEHOLD INTEREST (Master Lessee), if land ownership is not fee simple:

NAME OF MASTER LESSEE: Par Hawaii, LLC

SIGNATURE: [REDACTED] DATE: 9/5/23

Print name of signator if not same as titled Master Lessee: John Peyton

MAILING ADDRESS: 91-235 Komohana Street, Kapolei, HI 96707

TELEPHONE NUMBER: (808) 227-8908

RECORDED LAND OWNER: MDC Coast HI 1 LLC

(Fee Land Title Holder)

OWNER'S SIGNATURE: [REDACTED] DATE: 9/5/23

Print name of signator if not same as title holder:

MAILING ADDRESS: 11995 El Camino Real, San Diego, CA 92130

TELEPHONE NUMBER: 858-284-5000

Please include the original plus ten copies (eleven (11) sets total) of the following documents for KVDC review:

- (1) this Referral form with all signatures;
- (2) the attached Checklist completed and signed by both the Applicant and Business Owner; and
- (3) the sign permit application form with its required submittals.

FOR OFFICIAL USE ONLY:

DPW Comments: Proposed sign meets basic Sign Code requirements for placement in Kailua Village
(type and number of signs, letter/logo height, sign area, placement elevation)

Confirmed by: _____ Date: _____

* Planning Dept.: County Zoning District: _____

KAILUA VILLAGE DESIGN COMMISSION
REVIEW PROCEDURES and APPLICANT CHECKLIST
for SIGN PERMIT applications
in the Kailua Village Special Design District

The Dept. of Public Works, Building Division (DPW-Building) administers the County of Hawai'i Sign Code, which includes special regulations for signs in the Kailua Village Special Design District. For more information on the Sign Code and the special design, size and placement restrictions applicable to signs in the Kailua Village Special Design District, contact DPW-Building (tel. 323-4720). (The Sign Code is available on the internet at www.hawaiicounty.gov; search for "Hawaii County Code" and open link for Chapter 3)

Article 2 of the Sign Code requires that Sign Permit applications within the "Kailua Village Special Design District" must be forwarded to the Kailua Village Design Commission (KVDC), for its review and recommendations, prior to sign permit approval by DPW-Building.

Most or all of the lands identified in the Tax Map Key Plats identified below are within the Kailua Village Special Design District:

7-4-08; 7-4-10; 7-4-15; (most of the Kailua Industrial Area)
7-5-03; 7-5-04; 7-5-05; 7-5-06; 7-5-07; 7-5-08; 7-5-09; 7-5-10;
7-5-17; 7-5-18; 7-5-22; 7-5-23; 7-5-26; 7-5-30; 7-5-31.

Within Kailua Village Special Design District, different sign area (size) and letter/logo height regulations apply to signs in the "Kailua Village Core," and signs in the "Kailua Industrial Subdivision." The Kailua Village Core is the area bounded by or adjacent to Ali'i Drive, Palani Road, Kuakini Highway, and Lunapule Road. The Kailua Industrial Subdivision includes portions of Tax Map Key Plats 7-4-10 and 7-4-15. Consult the attached map to determine if a proposed sign is in the Kailua Village Special Design District, the "Kailua Village Core," or the "Kailua Industrial Subdivision," and submit the sign permit application and KVDC forms with copies as described below for KVDC review at a scheduled public meeting.

For signs in the Kailua Village Special Design District, in addition to the standard Sign Permit Application materials required by DPW-Building, the applicant must submit to DPW-Building an original plus ten copies (11 sets total) of the following three documents: (1) the KVDC Referral form; (2) the attached Checklist; and (3) the Sign Permit Application form and its required attachments. All forms must be signed by the parties listed thereon. After these documents are submitted, verified as complete and referred to the KVDC, a public meeting of the Commission will be scheduled to review the design of proposed sign, and the applicant will be informed of the meeting date, time and location. Both the applicant and business owner are expected to be present at the review meeting to address any questions raised by KVDC commissioners in relation to the signage design guidelines set forth in both Section 3-54 of the Sign Code and the Master Plan for Kailua-Kona. The KVDC's recommendation is forwarded to DPW-Building for its Director's consideration.

Prohibited Signs: In addition to the prohibited signs listed in Article 1, Sect. 3-7 of the Sign Code, the Kailua Village has additional prohibited sign types as specified in Article 2, Section 3-61. The following are prohibited in Kailua Village:

- (1) Any sign or display which is constructed **primarily of materials with a shiny, slick, or reflective surface** such as fiberglass or acrylic plastic.
- (2) Any sign which is displayed on any **roof** or mansard roof, or when attached to a building extends above the lowest edge of any portion of the roof or mansard roof.
- (3) Any sign which has a vertical clearance of less than nine (9) feet or projects, extends, or is otherwise displayed over or above any public street, park, other public places or pedestrian way, except as may be permitted by Section 3-62 or Chapter 22.
- (4) Any sign for **product advertising** when visible to the general public. A sign containing only the name of a business is not a sign for product advertising.
- (5) Any **mechanical** sign, graphic design or decorative element that functions through animation, revolvment, up, down, sideways or any other similar movement, including but not limited to, any spinning device, light bulb border, flashing or mobile illumination.

KAILUA VILLAGE DESIGN COMMISSION
KAILUA VILLAGE SPECIAL DESIGN DISTRICT

CHECKLIST FOR SIGN PERMIT AND SIGN VARIANCE APPLICATIONS

Sign Permit and Sign Variance Application Submittal Requirements: Submit this checklist when filing an application requiring referral to KVDC for review. The KVDC will not review a Referral for Review unless all required materials have been submitted. Place a check mark in the right hand column to confirm that you have included the following.

Required Contents of Application (Sign Code - HCC, Sect. 3-52)	Submitted
Completed Sign Permit Application form with required materials.	
A graphic, colored illustration of the proposed sign, drawn to scale and reflecting all letters and the style and size of lettering.	
A description or sample of any type of material to be used for the sign and its background, and a description of the method of any lighting.	
A plot plan illustrating the entire area of the parcel of land involved, the location of buildings thereon and the location of the proposed sign,	

Guidelines for Review: At the KVDC hearing, the applicant is to make a presentation and show how the proposed sign will be consistent with these Kailua Village guidelines. Place a check mark in the right column to confirm that your sign proposal will be consistent with these guidelines. Mark "NA" if not applicable.

Consistency with Guidelines – Sign Code (HCC, Sect. 3-54) and Master Plan for Kailua Village (as shown in italics).	Consistent
Relationship to Building, Site, and Surroundings: Prime consideration was taken to fit each sign to its surroundings. The sign will complement the building it identifies. The sign will be a planned feature, and will reflect the architectural scale, design, and color of the building or structure.	
Size and Number: The overall size and number of signs will minimally dominate the property or the building which it identifies.	
Shape: The shape of the sign will aesthetically and functionally emphasize the message and will not compete with the architecture of the building.	
Lettering: Subtleness, proportion, and design will be emphasized in sign copy and lettering. <i>(Use of no more than two type faces is recommended.)</i>	
Illumination: If this is an illuminated sign, the light intensity, color illumination, and careful screening of the light source was considered.	
Landscaping: If this is a freestanding sign, the opportunity for landscaping treatment at its base was considered.	
Material: The sign material will be compatible to the village atmosphere of Kailua. <i>(Encouraged sign material includes, but is not limited to, wood, stone, canvas, rope, brushed or textured metal, or glass.)</i>	
Color: The sign color will not be gaudy or clashing. Use of any natural or earth-tone color is encouraged. <i>(Use of no more than three colors, for background, letter, and emphasis, is encouraged.)</i>	

Sign Address/Location 75-5756 KUAKINI HIGHWAY TMK No 750080140000

Applicant John Allen Sign Company Date 03.01.23

Owner of Business related to Sign Philip Glick Date 09.05.23

Print name of person signing as Business Owner: Philip Glick

A SITE PLAN

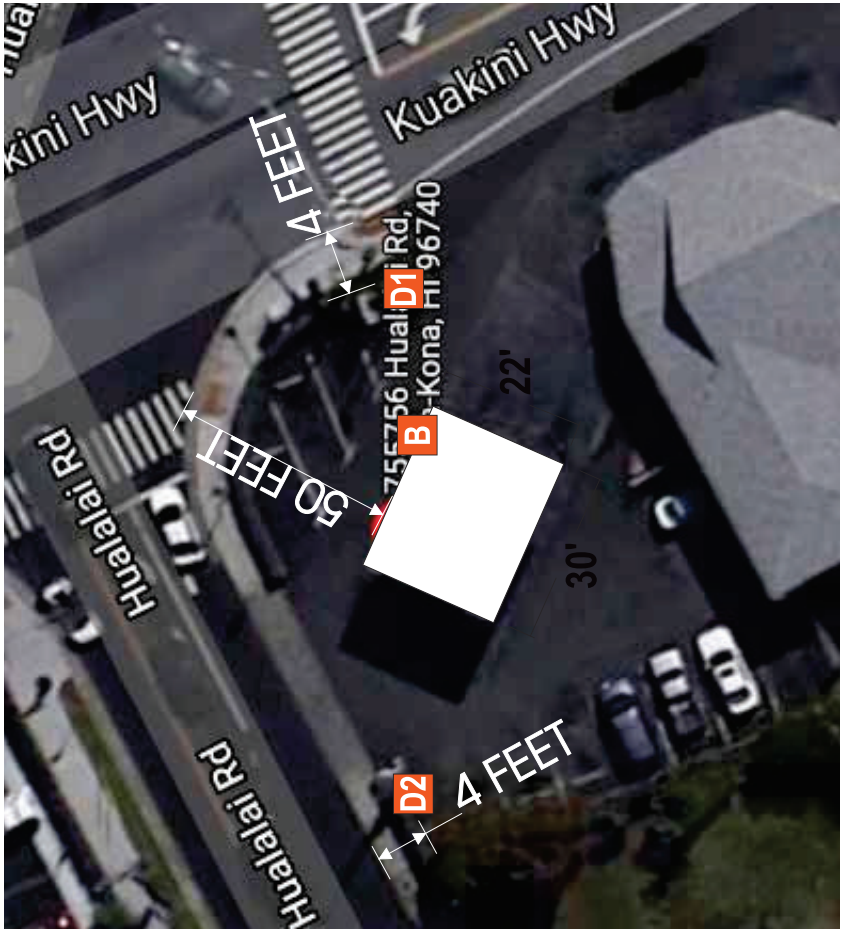
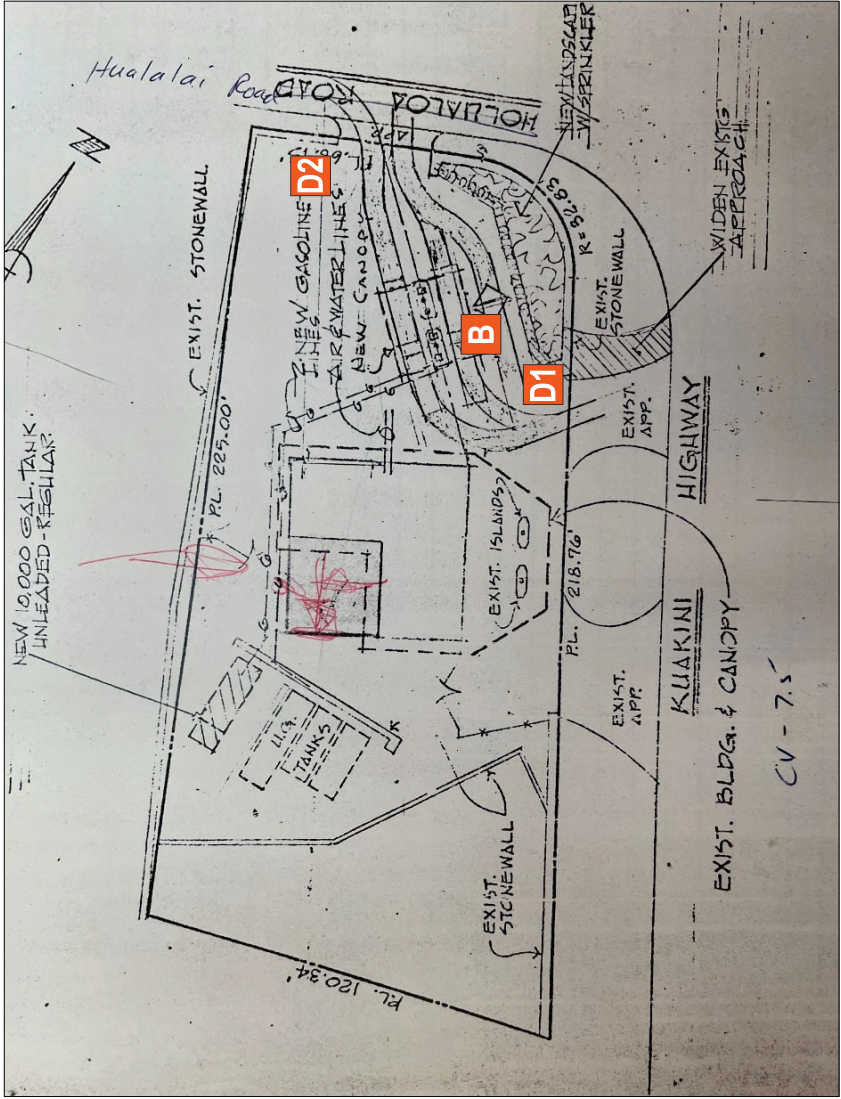
SITE PLAN

- B** Canopy Logos
- D1** Main ID
- D2** Main ID

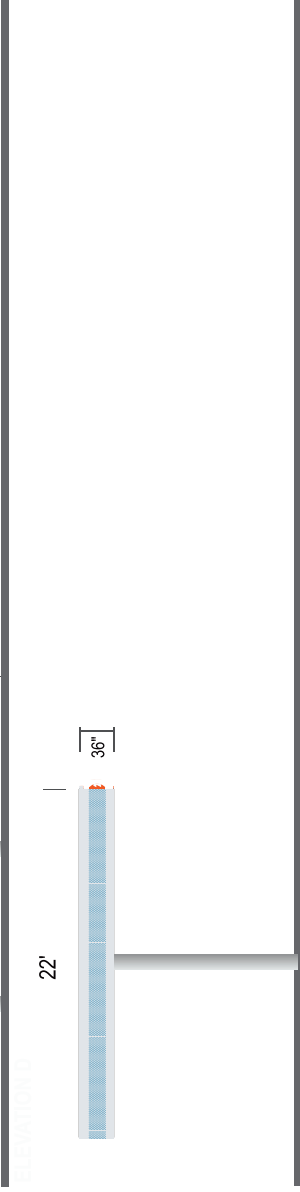
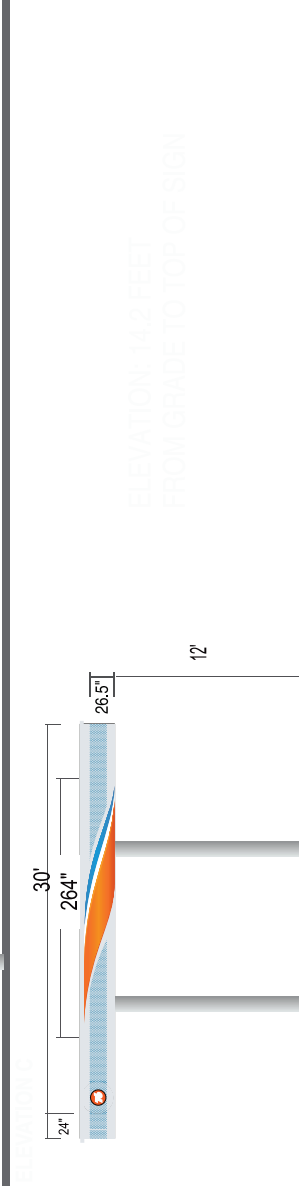
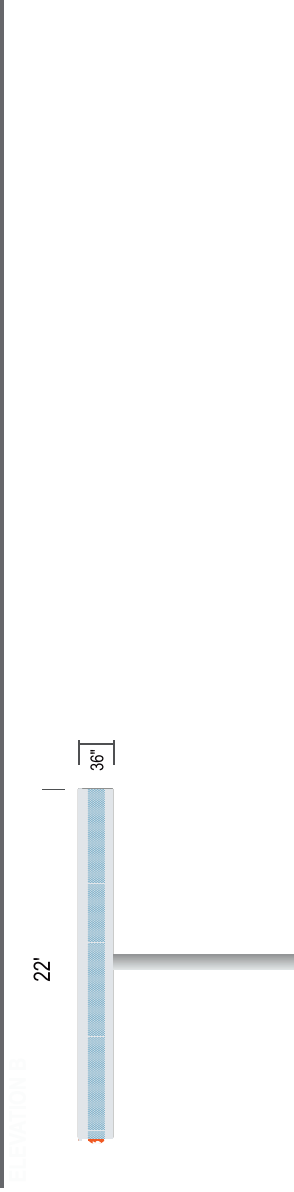
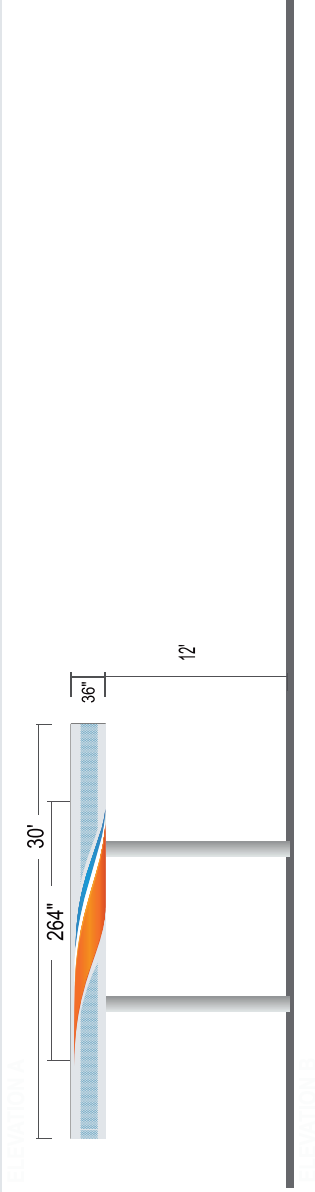
SIGN TYPE B
DISTANCE FROM
PROPERTY LINE: 50 FEET

SIGN TYPE D1
DISTANCE FROM
PROPERTY LINE: 4 FEET

SIGN TYPE D2
DISTANCE FROM
PROPERTY LINE: 4 FEET



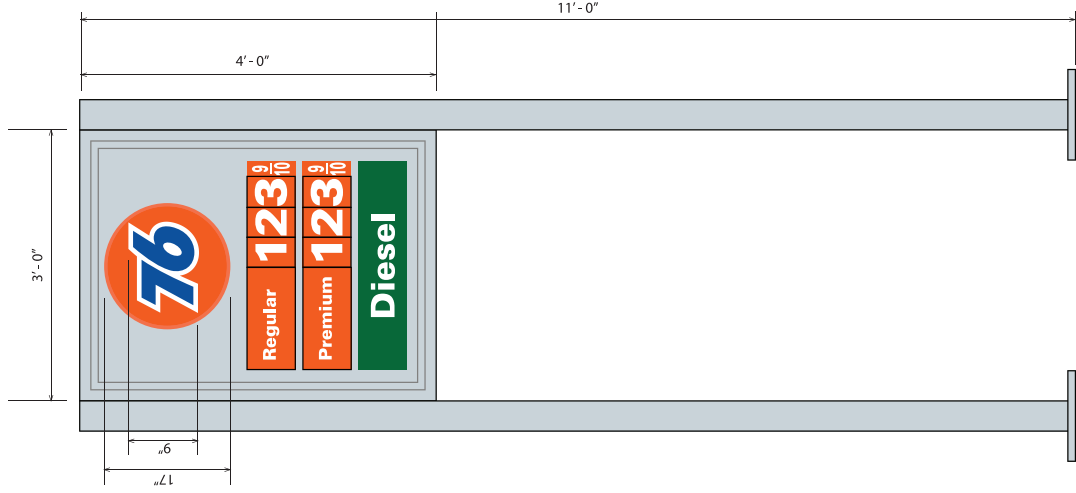
B CANOPY IMAGE



D1 MID SIGN



Existing: DF



Proposed: DF

SQUARE FOOTAGE: 12 SQUARE FEET

ELEVATION: 11 FEET FROM GRADE TO TOP OF SIGN

NOTES:

- 4' x 3' acrylic / aluminum manual pricer
- Replace existing sign with new sign with New 76 Logo
- Paint existing posts Titanium Gray

Grade Placard: 6.5" x 13.75"

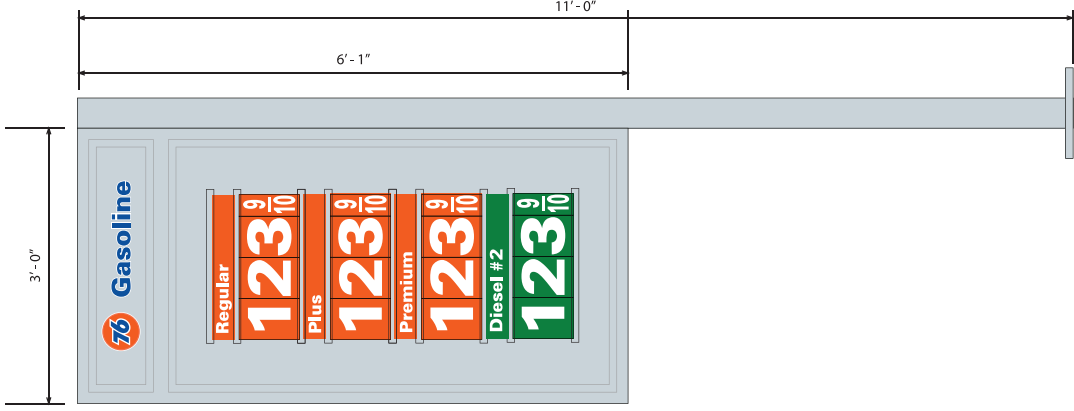
Numerical Placard : 6.5" x 4"

DSL Placard: 6.5" x 28"

D2 MID SIGN



Existing: DF



Proposed: DF

SQUARE FOOTAGE: 18.25 SQUARE FEET

ELEVATION: 11 FEET FROM GRADE TO TOP OF SIGN

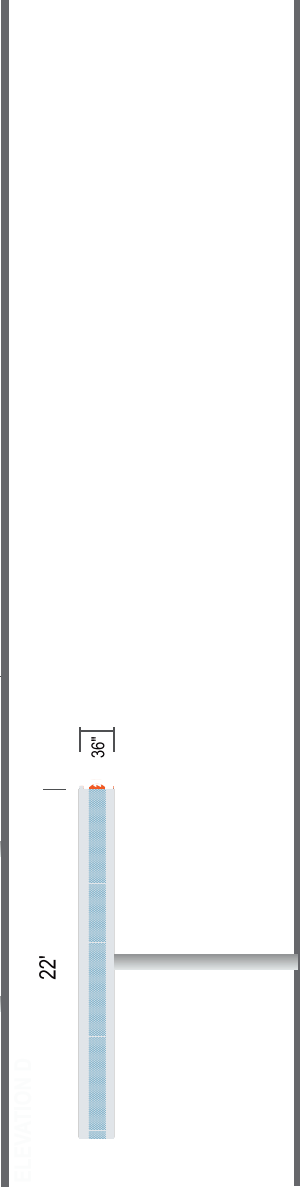
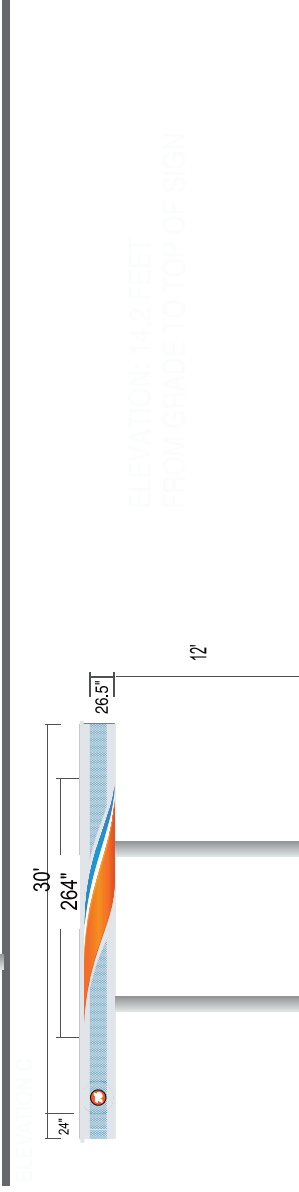
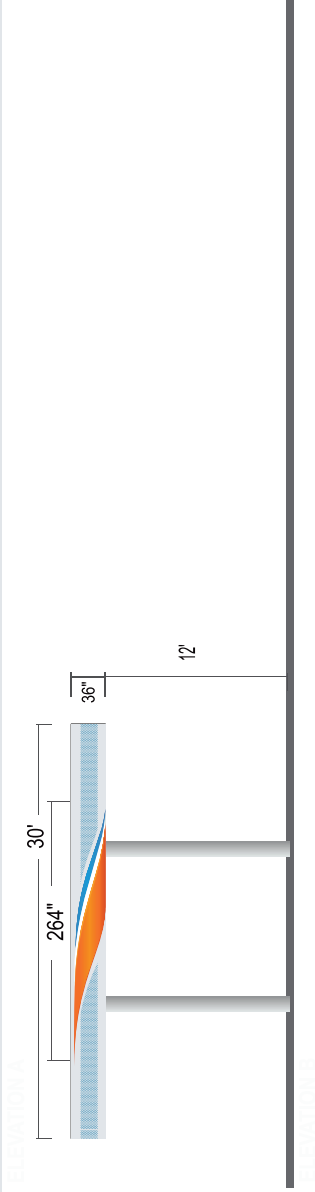
NOTES:

- 6'-1" x 3' acrylic / aluminum manual pricer
- Replace existing sign with new sign with New 76 Logo
- Paint existing posts Titanium Gray

Grade Placard: 3" x 19.5"

Numerical Placard : 8" x 5.5"

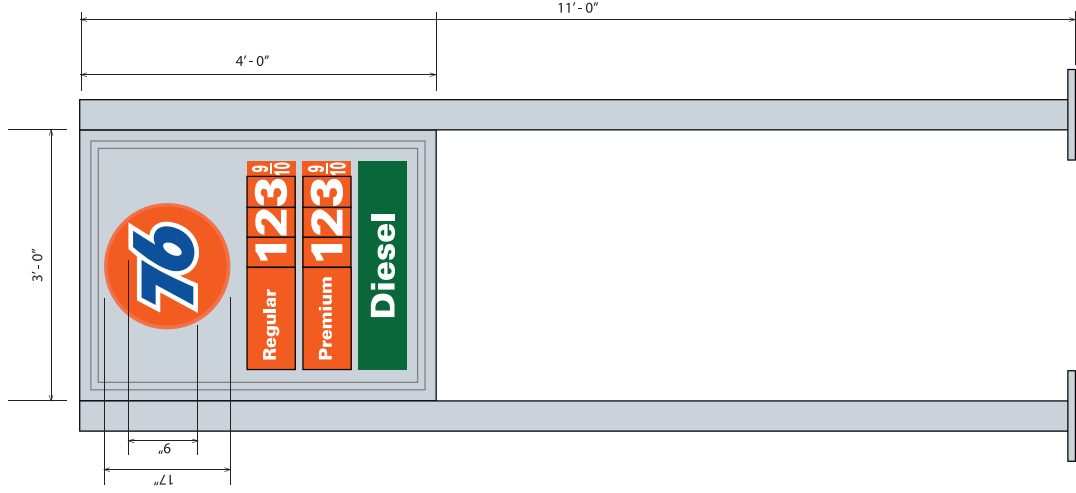
B CANOPY IMAGE



D1 MID SIGN



Existing: DF



Proposed: DF

SQUARE FOOTAGE: 12 SQUARE FEET

ELEVATION: 11 FEET FROM GRADE TO TOP OF SIGN

NOTES:

- 4' x 3' acrylic / aluminum manual pricer
- Replace existing sign with new sign with New 76 Logo
- Paint existing posts Titanium Gray

Grade Placard: 6.5" x 13.75"

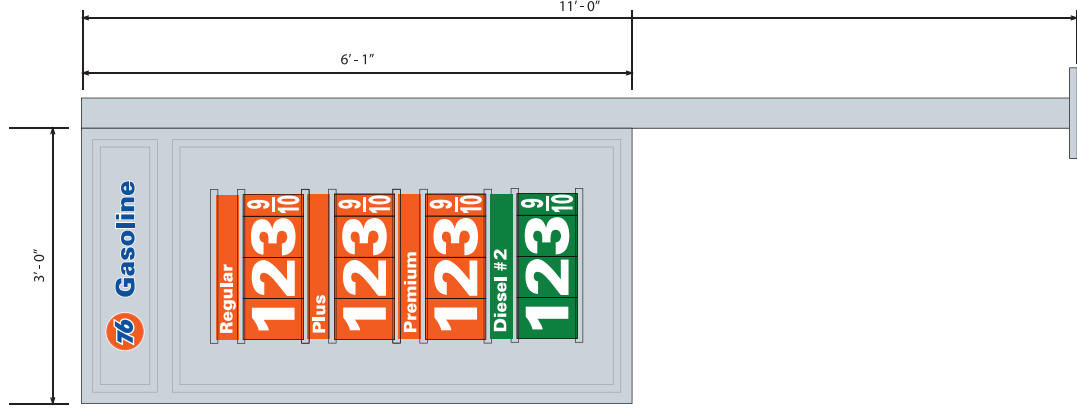
Numerical Placard : 6.5" x 4"

DSL Placard: 6.5" x 28"

D2 MID SIGN



Existing: DF



Proposed: DF

SQUARE FOOTAGE: 18.25 SQUARE FEET
ELEVATION: 11 FEET FROM GRADE TO TOP OF SIGN

NOTES:

- 6'-1" x 3' acrylic / aluminum manual pricer
- Replace existing sign with new sign with New 76 Logo
- Paint existing posts Titanium Gray

Grade Placard: 3" x 19.5"

Numerical Placard : 8" x 5.5"



PROJECT LOCATION:

75-5756 KUAKINI HWY,
KAILUA KONA, HI 96740

TMK 750080140000

PROJECT OVERVIEW:

- A** Site Map
- B** Canopy Visuals
- D** Main ID Visuals



SITE - EXISTING



SITE - PROPOSED

A SITE PLAN

SITE PLAN

B Canopy Logos

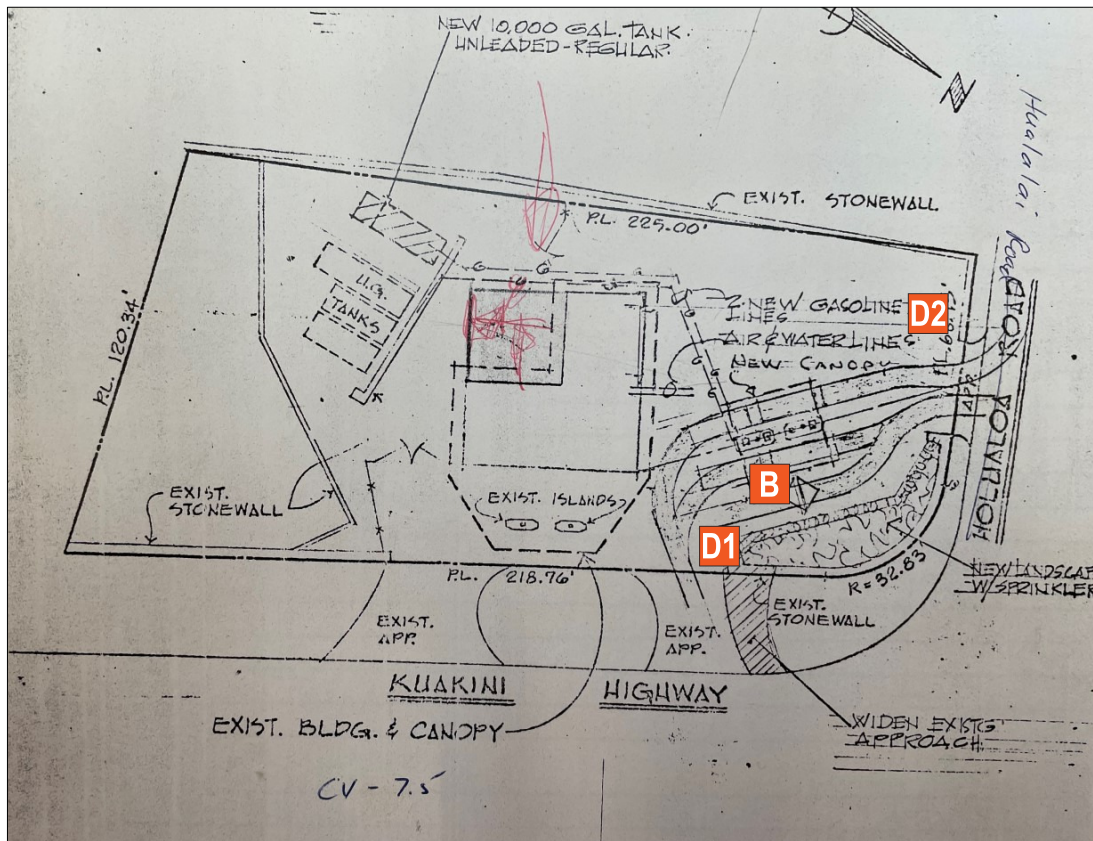
D1 Main ID

D2 Main ID

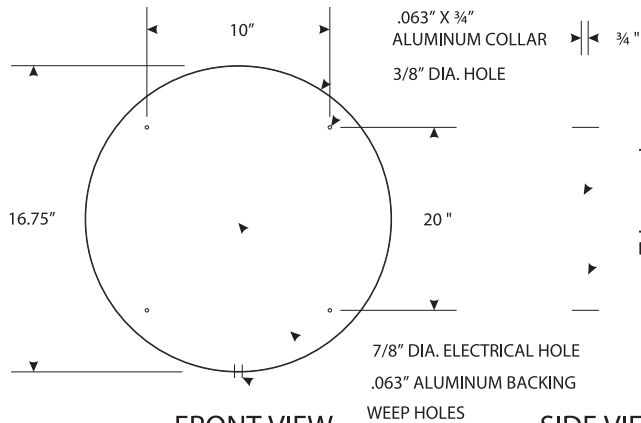
SIGN TYPE B
DISTANCE FROM
PROPERTY LINE: 50 FEET

SIGN TYPE D1
DISTANCE FROM
PROPERTY LINE: 4 FEET

SIGN TYPE D2
DISTANCE FROM
PROPERTY LINE: 4 FEET

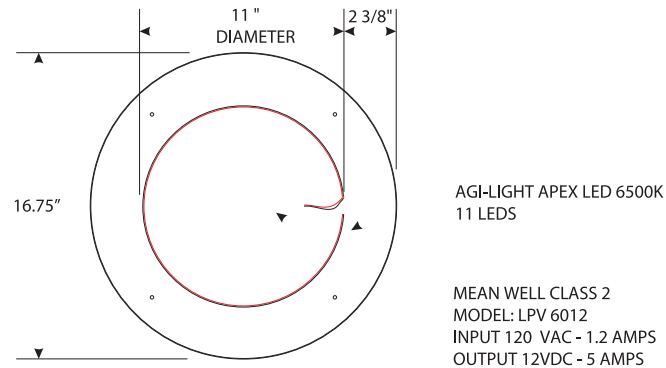


B CANOPY LOGOS

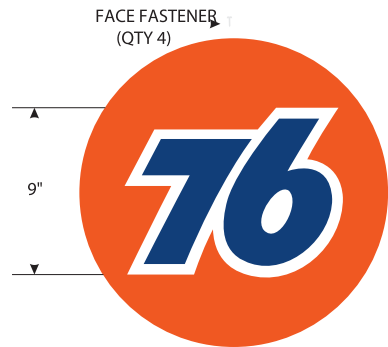


FRONT VIEW
BACKING

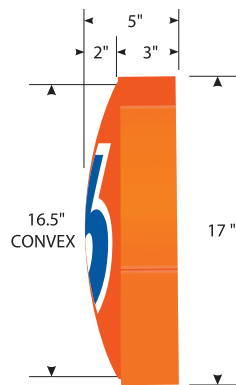
SIDE VIEW
BACKING



LED LAYOUT

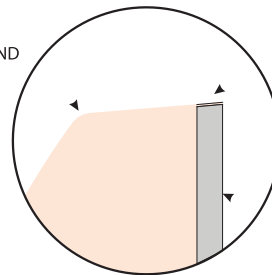


FRONT VIEW
FACE

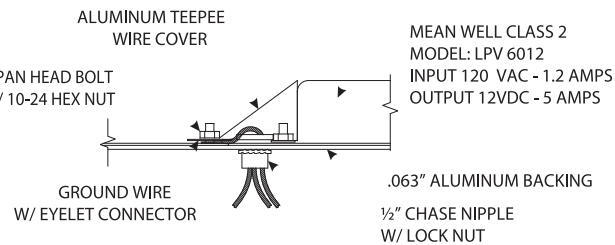


SIDE VIEW
FACE

PLASTIC FACE
DECORATED SECOND
SURFACE



FACE ATTACHMENT DETAIL



CONNECTION DETAIL

QTY 1

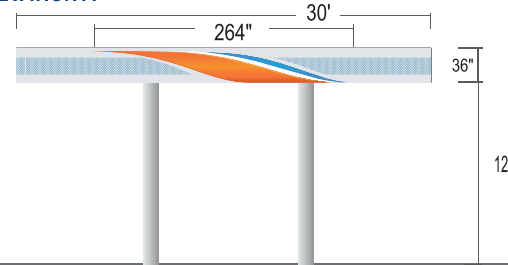
17" SIGN: 2 SF	
9" TALL LETTERING	
Paint	
PMS 165C	
PMS 287C	
Text	
Voltage	120 VAC
Circuit	ONE
Current	5 AMP
Design Load	90 MPH

B CANOPY IMAGE

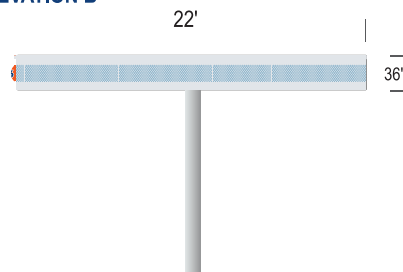


CANOPY PERSPECTIVE

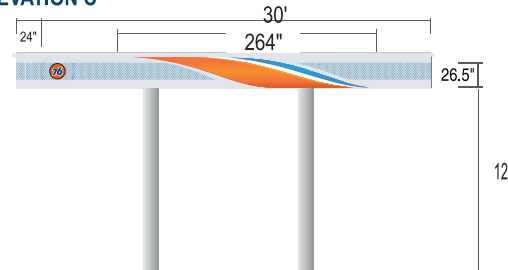
ELEVATION A



ELEVATION B

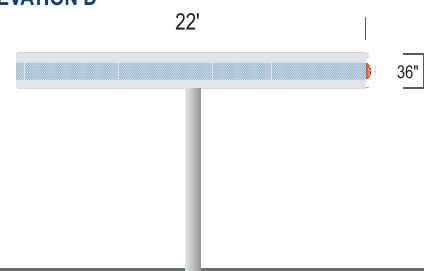


ELEVATION C



ELEVATION: 14.2 FEET
FROM GRADE TO TOP OF SIGN

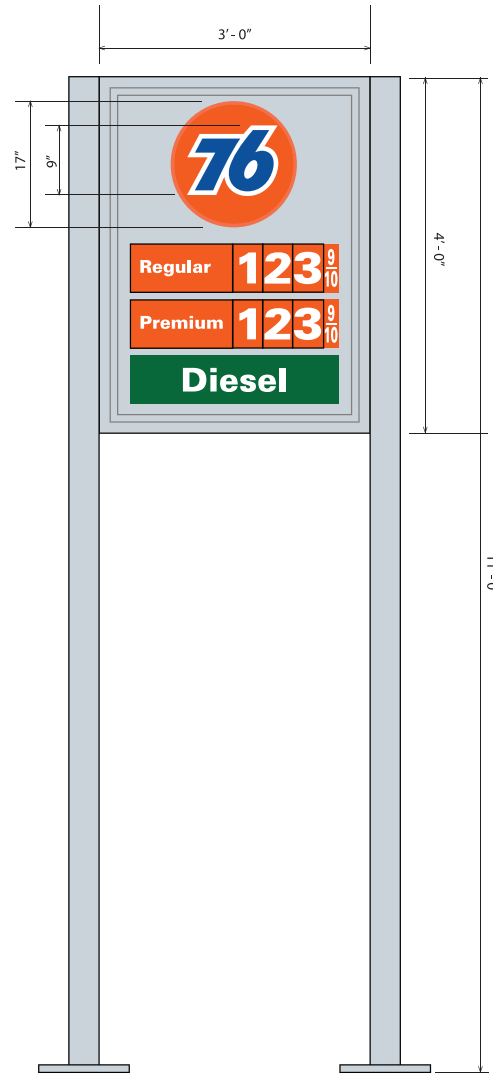
ELEVATION D



D1 MID SIGN



Existing: DF



Proposed: DF

SQUARE FOOTAGE: 12 SQUARE FEET

ELEVATION: 11 FEET FROM GRADE TO TOP OF SIGN

NOTES:

- 4' x 3' acrylic / aluminum manual pricer
- Replace existing sign with new sign with New 76 Logo
- Paint existing posts Titanium Gray

Grade Placard: 6.5" x 13.75"

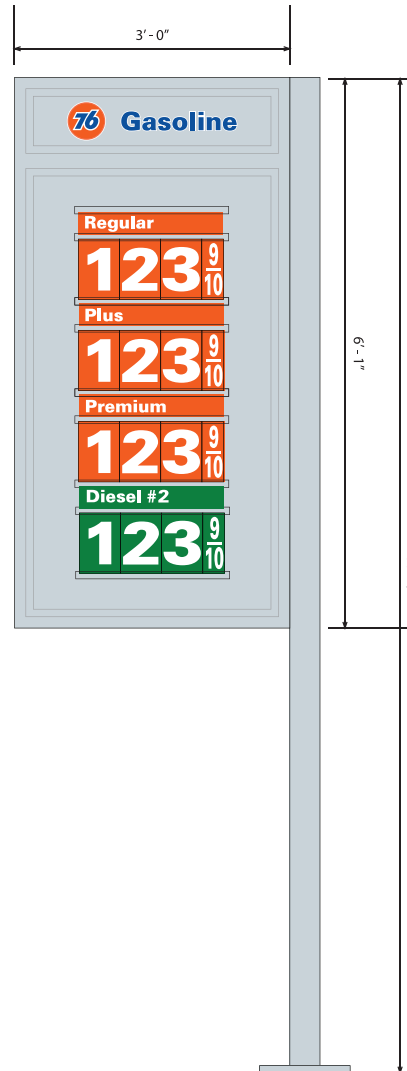
Numerical Placard : 6.5" x 4"

DSL Placard: 6.5" x 28"

D2 MID SIGN



Existing: DF



Proposed: DF

SQUARE FOOTAGE: 18.25 SQUARE FEET

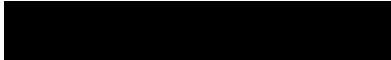
ELEVATION: 11 FEET FROM GRADE TO TOP OF SIGN

NOTES:

- 6'-1" x 3' acrylic / aluminum manual pricer
- Replace existing sign with new sign with New 76 Logo
- Paint existing posts Titanium Gray

Grade Placard: 3" x 19.5"

Numeral Placard : 8" x 5.5"

VIA E-MAIL: 

October 5, 2023

Par Hawaii, LLC
825 Town & Country Lane, Suite 1500
Houston, TX 77024

Re: **76 61228**
75-5756 Kuakini Highway, Kailua Kona, HI 96740 ("Premises")
Our File # 7704

Sbj: RI# 7704 Authorization ("Request for Authorization")

Dear Deidre Kamana-Marzan,

Par Hawaii, LLC, as "Tenant" under a lease agreement for the Premises dated on or about February 23, 2021 (if and as amended, the "Lease"), proposes to install certain Updated Signage on or about the Premises, all as more particularly set forth in that certain e-mail dated October 5, 2023 ("Request for Authorization").

Realty Income Corporation ("Realty Income"), on behalf of itself or as manager of the fee owner of the Premises and "Landlord" under the Lease, consents to such Request for Authorization and authorizes Tenant to execute any and all documents required or desired in connection with Tenant's use and occupancy of the Premises, subject to Tenant's compliance with the following:

1. Without limiting any indemnification by Tenant of Landlord under the Lease, Tenant shall indemnify, defend and hold Landlord harmless from and against any and all suits, claims, actions, damages, liability, and expenses in connection with Tenant's use and occupancy of the Premises and the Request for Authorization.
1. In the event Tenant requests Realty Income or Landlord execute any documentation in connection with the Request for Authorization, Tenant shall verify the accuracy of any statements or representations made by Landlord in connection with the Request for Authorization (for example, in any application to a permitting authority), and Landlord shall have no responsibility therefor.
2. Tenant shall comply with all applicable private and public restrictions of every kind, including without limitation, all applicable laws, regulations, ordinances, zoning, orders, covenants, conditions, restrictions, easements, rights of way, and matters of record encumbering or affecting the Premises.
3. Tenant shall comply with all terms and provisions of the Lease. Moreover, Tenant acknowledges and agrees that (i) in no event shall Landlord's authorization diminish, amend, or waive any of the duties, liabilities and obligations of Tenant under the Lease; (ii) this letter is not an amendment or modification to the Lease; and (iii) this letter supplements, and does not supersede or replace, any other letter or authorization issued by Landlord to Tenant.

October 5, 2023

76

Page 2 of 2

Under no circumstances shall Realty Income or the Landlord be liable under any contract or agreement entered into by Tenant. By taking any action in furtherance of this Request for Authorization, including without limitation submitting any documentation executed by Landlord or Realty Income to the relevant authority, Tenant accepts, acknowledges and agrees to the conditions and limitations set forth herein.

Sincerely,

REALTY INCOME CORPORATION

By:

A black rectangular box redacting the signature of Phil Glick.

Phil Glick

Property Manager