

KAILUA VILLAGE DESIGN COMMISSION

MINUTES

MEETING DATE: February 24, 2009
TIME: 5:00 p.m.
PLACE: The Mayor's Office Conference Room, Suite 103
Hanama Place Office Building in Kailua Village

ROLL CALL

1. Members Present: Sally Marone, Fanny Au Hoy, Paul Bleck, Fritz Harris-Glade, Stephen Herbert, Ann Kern, Gregory Ogin and David Ross, Jr.
2. Absent and Excused: Cindy Coats
3. Applicants: Jeremy Neill, Larry Adams and Dan Lyman
4. Planning Department: BJ Leithead-Todd, Bennett Mark, Rosalind Newlon and Noriko Sauer
5. Public: Wilda James, Louis Padavan, Jim Perry, Terry Dunlap, Jim Roachelle and Ed Rapoza

Chair Marone welcomed those in attendance, and the Commissioners introduced themselves. Mr. Mark introduced the Acting Deputy Planning Director, BJ Leithead-Todd. She mentioned that she is scheduled to spend Tuesdays in Kona at the Mayor's request, and will try to attend the Commission meetings whenever possible.

UNFINISHED BUSINESS

None.

NEW BUSINESS

1. Design review of a proposed wall sign for Clinical Laboratories of Hawaii. Applicant: Jeremy Neill of Neill Sign & Design. Land Owner: Ed Rapoza of Walua Commercial Venture, LLC. TMK: 7-5-018:094. Located at 75-5905 Walua Road, Suite 1, Kailua-Kona, HI, northwest of the junction of Walua Road and Lunapule Road.

Staff Presentation

Ms. Newlon oriented the Commissioners regarding the subject and surrounding properties on the location map, and described the proposed wall sign. She mentioned that the proposed sign is the first for the building and may set the standards for the overall signage. She noted that although only three colors are recommended for signs in the Kailua Village Special District, that is hard to accomplish with multi-colored logos, and that in this particular case the total number of colors proposed is five including four for the logo and one color for the lettering. She said that the Department of Public Works finds the sign in compliance with the Sign Code, and that it also appears to meet the guidelines of the Master Plan for Kailua-Kona, except for the number of colors.

Applicant Presentation

The applicant, Jeremy Neill of Neill Sign & Design, was present, and mentioned that the sign was designed with all applicable rules and guidelines in mind.

Public Testimony

There was no one from the public wishing to testify on this agenda item.

Commission Discussion

In response to Commissioner Ogin's inquiry about space for signs of the other tenants, Ms. Newlon responded that each wall has a space for signage.

Action

It was moved by Commissioner Ogin, and seconded by Commissioner Au Hoy, to recommend to the Public Works Director the approval of the sign application as submitted. A roll call vote was taken and motion carried with seven ayes (Ogin, Au Hoy, Bleck, Harris-Glade, Herbert, Kern and Ross) and one absent and excused (Coats).

2. Design review of a proposed automobile gasoline station and convenience store as part of a commercial development including restaurants and retail establishments. Applicant: Larry Adams of Aloha Petroleum, Ltd. Land Owner: Prem Reddy, MD., of Prime A. Investments, LLC. TMK: 7-5-004:031. Located along the south side of Henry Street at the intersection with Kuakini Highway, Kailua-Kona, HI.

Staff Presentation

Ms. Newlon oriented the Commissioners regarding the subject and surrounding properties on the location map, and described the proposed gas station and convenience store, which is part of a previously approved commercial development including restaurants and retail establishments. She noted that the originally submitted design did not match the previously approved buildings on this parcel or meet the architectural guidelines of the Master Plan for Kailua Kona, and that the applicant has since provided a revised plan in response to her comments, which has been distributed to the Commissioners. The modifications include: 1) the orientation of the building, which now faces the store entrance into the commercial center, 2) the roofing design, material and color for both the convenience store and the gas pumps to meet the guidelines, 3) the storefront design to include painted trim elements and a roof feature with the name of the company on it, 4) murals on two of the remaining three walls, and 5) the colors of the building exterior. She concluded that, by adding architectural features on the exterior walls and adjusting the trim color so that it is similar to the recommended color palette, the revised design could meet the guidelines of the Master Plan for Kailua-Kona.

Applicant Presentation

Larry Adams, Director of Marketing and Sales, and Dan Lyman, Construction Manager, both from Aloha Petroleum were present. Mr. Adams mentioned that they see Henry Street as a new gateway to Kailua-Kona, and they find the site to be promising. He also

went over the modifications they made in an effort to meet the guidelines, adding that the green color incorporated into the building is part of their brand color.

In response to Chair Marone's question, Mr. Adams confirmed that the proposed gas station is in addition to an existing Aloha gas station on Kuakini Highway.

Mr. Mark at this time made a comment that the Kona Community Development Plan designates this area for Transit-Oriented Development, and there is an area set aside within this project, which could be a bus stop in the future.

Commissioner Harris-Glade queried about the orientation of the gas pumps in relation to the storefront parking lot and traffic flow. The applicants said that the proposed configuration works best out of all options they looked at for this limited area. He also inquired about their future car wash within the same project, expressing his concern if potential approval for the convenience store and gas pumps would make their plan for the car wash firm despite the neighbors' concerns expressed at a previous Commission meeting. Mr. Adams responded that the car wash is under consideration, but they are not ready to proceed at this time.

In response to Commissioner Bleck's inquiry, Mr. Lyman said that they are not planning to make the building LEED certified.

Chair Marone suggested that the blue in their logo, in place of the proposed green, be considered for the trim, as it looks more consistent with the color palette recommended for the Kailua Village Special District. Mr. Adams responded that they can consider the change.

In response to the Commissioners' inquiries about the proposed murals, Mr. Adams said that the murals are one of the options that they explored in order to provide a break in the flat-surface walls, and that although they still have to work out the details, for example, whether it is going to be tiles or artistic paintings, they are asking the Commission to approve the mural concept.

Public Testimony

Wilda James, a resident of Kalanikai Condominiums, testified that her main concern is additional noise and traffic that would be generated by the proposed project; she elaborated on her experience with an existing car wash on Kuakini Highway about which it took the Department of Health over a year to respond to the nearby residents' complaints. She also questioned as to why so many gas stations are needed in this particular neighborhood, as there already exist four.

Louis Padavan, the president of the Kalanikai apartment owners' association, reiterated Ms. James' concern about noise that the proposed gas station and increased traffic would bring to the neighborhood, noting that Kalanikai is right across from the subject property and that there are many elderly residents in the complex. In response to Mr. Padavan's inquiry, Mr. Adams said that they are considering a 24-hour operation for the gas station. Mr. Padavan testified that although the operating hours have finally been reduced, the existing car wash on Kuakini Highway used to be open 24 hours a day and the noise was

unbelievable. Mr. Adams pointed out that their future car wash is not part of this application, and that he does not believe the proposed convenience store and gas pumps would significantly contribute to the noise level in the area. Mr. Adams also repeated his earlier comment that when they looked at this property two and a half years ago, it looked like a great site for a gas station. Mr. Padavan concluded his testimony saying that they are not against the gas station or the restaurants that are coming in, but are against noise and poor traffic control, which he considers are serious problems.

Commission Discussion

Commissioners discussed the proposed murals and other ideas on how to provide a visual break-up to the exterior walls. Commissioner Au Hoy expressed her concern about the murals fading over time and becoming unattractive. She also noted that it would be a difficult decision to select a mural since it is artwork and each individual perceives artwork differently. Other possible solutions suggested by the Commissioners included vinyl plants on lattices, fake shutters and/or windows; it was also pointed out that the proposed landscaping could block the view of the walls.

Commissioner Harris-Glade found it unjustifiable to render a decision without knowing the final design of the exterior walls. Although they do not wish to hold up the applicant's schedule, the Commissioners agreed that they should review the applicant's final proposal with respect to the walls. Mr. Adams offered that they incorporate their final proposal into their sign application, which could be submitted to the Commission in about 90 days. Ms. Newlon pointed out that a sign permit is effective only for a year from the date of issuance, and so people usually process sign permit applications when buildings have already been built. In response to Commissioner Harris-Glade's question, Mr. Mark said that the murals cannot be included in their sign application, even if they are submitted at the same time, since murals are not considered as signs.

With respect to the noise concern raised by the testifiers, the Commissioners confirmed with the Acting Deputy Planning Director and staff that noise is under the jurisdiction of the Department of Health, and the Commission does not have the authority to regulate businesses on that basis as long as they comply with the Department of Health noise standards. The testifiers were advised to contact the Department of Health with their concerns.

Commissioner Harris-Glade questioned the appropriateness of the Commission making decisions, as well as the Planning Department processing plan approvals, in a piece-meal manner for a project of this scale, and said he is concerned about how the entire development will turn out in the end. Mr. Mark responded that a piece-meal method is not preferred by the Department, and it is very unusual to see a commercial project of this size developed that way. Commissioner Ogin remembered, however, that Coconut Grove was developed in the same manner. Mr. Mark added that the Department has a duty to look at the entire property and layout and make sure all elements are consistent with the total plan.

Mr. Mark responded to Chair Marone's questions, saying that no buildings within the subject commercial center have secured plan approval, and that the applicant can proceed to plan approval for the convenience store and gas pumps without deciding on the car wash

component. In response to Commissioner Ross's question, Mr. Adams said that their lease includes the car wash portion of the site.

Action

It was moved by Commissioner Ogin, and seconded by Commissioner Herbert, to recommend to the Planning Director the approval of the proposed project, with the following recommendation:

- (1) The applicant shall obtain subsequent approval by the Commission for the proposed murals, or present other design alternatives for approval, to break up the visual monotony of the sides of the convenience store, and;
- (2) The applicant shall comply with the State Department of Health guidelines for noise.

A roll call vote was taken and motion carried with six ayes (Ogin, Herbert, Au Hoy, Bleck, Kern and Ross) and one absent and excused (Coats). Commissioner Harris-Glade abstained and excused by the Chair.

ADMINISTRATIVE MATTERS

Minutes of the Meeting of January 13, 2009 – It was moved by Commissioner Ogin and seconded by Commissioner Kern that the minutes be approved as circulated. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

ANNOUNCEMENTS

Mr. Mark made the following announcements: 1) Chair Marone received a letter from PRII Westwood Lanihau Expansion LLC, dated January 12, 2009, providing the Commission with new contact information with respect to the Lanihau Marketplace II project; 2) Sunshine Law training is offered to the Commissioners by the Office of Corporation Counsel; and 3) the Commission's belated year-end dinner is scheduled for March 10th.

ADJOURNMENT

There being no further business, at 6:38 p.m., it was moved by Commissioner Kern and seconded by Commissioner Ogin that the meeting be adjourned. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

Respectfully submitted,

Noriko Sauer, Secretary

A T T E S T:

Sally Marone, Chair
Kailua Village Design Commission