

CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

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OUR REFERENCE NO.
071151-2

March 25, 2025

Hugh Ono, P.E.
Director
Department of Public Works
101 Pauahi Street, Suite 7
Hilo, Hawaii 96720
Attn: Chris Domino

Re: **Submittal of Sign Variance Request**
Project: Pacific 19 Hotel (formerly the Kona Seaside Hotel)
Applicant: Nine Brains Big Island I, LLC
TMK: (3) 7-5-006:016

Dear Mr. Ono:

This firm represents Applicant Nine Brains Big Island I, LLC ("**Pacific 19**"), the ground lessee of TMK: (3) 7-5-006:016 (the "**Property**"), and current operator of the renovated and rebranded Pacific 19 Hotel (formerly the Kona Seaside Hotel) (the "**Hotel**"), located within Kailua Village, immediately makai (south) of the intersection of Kuakini Highway and Palani Road (See "**Exhibit A**" - Aerial Map) .

On January 28, 2025, we submitted a revised sign plan for continued processing under pending Sign Permit No. PW.S2023-00001. The revised sign plan depicted the changes to the 2 wall signs slated for the exterior of the main 6-story Hotel structure, which now features just the current "Pacific 19" brand logo¹. This resubmission was specifically intended to address earlier comments from the Kailua Village Design Commission ("**KVDC**") issued on March 9, 2023, requiring that Pacific 19 to submit a Sign Variance Application to provide more information to the KVDC for consideration (See "**Exhibit B**" - KVDC Design Review letter).

The details of the revised wall signs are further described below:

1. **Wall Sign No. 2 (North)**: This revised wall sign is intended for installation upon the northern (mauka) exterior face of the Hotel, which immediately overlooks

¹ The 53,472 sq.ft. main Hotel building is flanked to the west by an existing 2-story annex of the Hotel, but no signs are proposed for this annex structure at this time.

Kuakini Highway. The subject wall sign has a total surface area of 22 square feet. The wall sign will depict the Hotel's name or the "Pacific 19" logo, painted in black latex paint with lettering approximately 2 feet in height and 11 feet in length, enhanced by a black underline accent. This wall sign will be elevated to a height of approximately 31 feet and 5 inches above existing grade.

2. **Wall Sign No. 3 (South):** The subject wall sign is intended to be identical to Wall Sign No. 1, but just located at a higher elevation along the southern (makai) exterior of the Hotel facing Ali'i Drive. Like Wall Sign No. 2, the proposed wall sign comprises a total surface area of 22 square feet. The wall sign will also depict the Hotel's name or the "Pacific 19" logo, painted in black latex paint with lettering approximately 2 feet in height and 11 feet in length, enhanced by a black underline accent. As mentioned earlier, the only difference between Wall Sign No. 2 and Wall Sign No. 3 is that the subject wall sign will be elevated above the existing grade to approximately 48 feet and 3 inches in height on the makai wall of the Hotel.

(See "**Exhibit C**" - Revised Sign Plans or current Sign Plan submitted in EPIC).

The Department of Public Works ("**DPW**") formally rejected Pacific 19's revised sign plan on March 11, 2025 through a review in EPIC, indicating noncompliance with certain sections of Hawaii County Code ("**HCC**") Section 3 (Signs) (the "**Sign Code**"), which we have listed verbatim as follows:

1. "Section 3-58(b) Because the property is located in Kailua Village core (KVC), this section shall apply. No sign located in KVC, no sign shall exceed 12 sf." (DPW 03/11/25)

This section of the Sign Code specifically states:

"In any case, the total area allowed shall not exceed twelve square feet for any sign not fronting a public street or vehicular access or for any sign located within the Kailua Village Core."

Pacific 19 acknowledges that a variance from HCC Section 3-58(b) is required to implement its proposed wall sign design, as Pacific 19 is proposing wall signs that are 22 square feet in size and in the KVC.

2. "Section 3-58(c) Because the property is located in Kailua Village core (KVC), this section shall apply. No letter or symbol located in KVC, shall exceed 9 inches in height." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Any lettering or symbol, including free-standing letters, shall not exceed nine inches in height, except as noted in (1) below.

(1) In the Kailua Industrial Subdivision, any lettering or symbol, including free-standing letter, shall not exceed eighteen inches in height."

Pacific 19 acknowledges that a variance from HCC Section 3-58(c) is required to implement its proposed wall sign design, as lettering for both Wall Sign No. 2 (North) and Wall Sign No. 3 (South) is proposed at 2 feet in height.

3. "Section 3-59 (a)(4) Because the property is located in Kailua Village core (KVC), this section shall apply. Top edge of a wall sign shall not exceed 9 feet in elevation." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Wall sign. The top edge of a wall sign shall not exceed nine feet above the grade or finished floor level or one-half the height of the wall on which it is located, whichever is less."

Pacific 19 acknowledges that a variance from HCC Section 3-59(a)(4) is required to implement its proposed wall sign design, as Wall Sign No. 2 (North) is set to a height of approximately 31 feet and 5 inches above existing grade, while Wall Sign No. 3 (South) is proposed for a height of 48 feet and 3 inches above existing grade.

4. "Section 3-60 (a) Because the property is located in Kailua Village core (KVC), this section shall apply. One sign shall be installed per street frontage vehicular access. Proposed sign "03" is place on a side that does not have street frontage / vehicular access." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Only one sign for any business or one sign for any street or vehicle access on which a building has frontage shall be permitted."

Pacific 19 acknowledges that a variance from HCC Section 3-59(a)(4) is required to implement it revised sign plan, as Pacific 19 is proposing 2 additional wall signs for a total of 3 signs on the Property. These 2 new walls signs are in addition to the previously approved ground sign (PW.S2023-00032 issued on December 8, 2023), which Pacific 19 installed upon an existing rock wall within the Property at the intersection of Kuakini Highway and Palani Road. (Ref. "Exhibit C" - Sign Plan - Site Plan).

Pacific 19 is also acknowledges that Wall Sign No. 3 (South) is located on the side of the Hotel that does not have immediate street frontage. We would also note that this wall sign is merely intended to replace the former Kona Seaside Hotel sign located on the same surface.

Based on the above comments from DPW, this letter shall serve as Pacific 19's formal submission of the required Sign Code Variance Application for consideration (See "Exhibit D" - Fully Executed Sign Code Variance Application). This letter is also intended to separately address the requested written explanation to justify the granting of variances from the Sign Code, as required by the subject application and HCC Section 3-22, as discussed in the following narrative format below.

1. An explanation of any unique circumstances, in particular, those arising from peculiar physical conditions not ordinarily found in most districts, peculiarity of the business, or other special event or circumstance;

Pacific 19's Response: Pacific 19 requires the requested variances from the Sign Code to complete the conversion of the signage associated with the rebranding of the Kona Seaside Hotel, as this is the last component needed to address the full branding conversion². We should point out that the County previously approved 3 signs for the Kona Seaside Hotel, specifically 1 ground sign along the intersection of Kuakini Highway and Palani Road, and 2 wall signs on each side of the main Hotel structure. Pacific 19 is merely requesting consideration from the County to grant the necessary variances to replace these same number of signs with new Pacific 19 branded signs, albeit Pacific 19's signs are slightly larger and at a higher elevation, but as noted below are more minimalistic in design than prior "Kona Seaside Hotel" signs.

The proposed wall signs are simply the current Pacific 19 logo, which is a logo intended to be modern, minimalistic, and timeless, and intended to create a memorable identity that connects with guests. The current Pacific 19 logo is the focal point of all the Hotel's marketing materials, display advertising, and promotional items, and it is used consistently throughout the Hotel by design. It is important to Pacific 19 that the wall signage for the Hotel also reflects the Pacific 19 logo, as its visual presence on the Hotel façade will only serve to reinforce current branding.

For comparison purposes, we included Sheets 1 and 3 in the Sign Plan to demonstrate that the proposed wall signs are a clear improvement over the previously approved wall signs for the former Kona Seaside Hotel. As you can see from the exhibits, the former Kona Seaside Hotel signs were not identical to each other in terms of overall design and aesthetics (e.g. different size signs; different colors being used, e.g. orange on black and beige on white). The new Pacific 19 wall signs are proportionate to the existing building façade, providing more symmetry, which enhances overall aesthetics, and is clearly less visually impactful than the former Kona Seaside Hotel signs, although slightly larger and at a higher elevation.

Signage visibility is extremely important to any viable Hotel operation. The proposed wall signs are large enough and at a height where the signs are clearly visible from the adjoining roadways, which is intended to make it easier for guests, and more importantly first-time visitors, to find the Hotel within the often busy Kailua-Kona urban core.

2. An explanation of why granting the variance will not adversely affect the rights of adjacent property owners or tenants, including an explanation of alternative measures, if any, that the Pacific 19 is proposing to take in lieu of compliance with the applicable code section;

² The KVDC and DPW previously approved the replacement of the former Kona Seaside Hotel ground sign with a new Pacific 19 ground sign, which has since been installed per County approved plans.

Pacific 19's Response: The granting of the requested variances will not adversely affect the rights of the adjacent property owners or tenants. The proposed wall signs are merely replacing existing signage, which were installed in this same area for many years. The proposed signage is appropriately scaled and compatible with the Property frontage along the roadways that the Hotel abuts, in addition to the area architecture. Although the Hotel is in operation 24 hours a day, Pacific 19 also specifically proposed painting its current Pacific 19 logo in black latex paint to remain harmonious with the character of the Kona Village area and the surroundings, rather than pursuing a large illuminated or back lit sign that is typically a part of the branding of much larger hotel chains.

3. An explanation of why the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public; and

Pacific 19's Response: The requested variances will not unreasonably violate the interest, safety, convenience or general welfare of the public, as the Pacific 19 logo intended for placement on the Hotel facade is minimally intrusive and compliments the surrounding area. The color pallet of the Pacific 19 logo is not shiny or slick, nor does not clash with the existing exterior color of the Hotel or any neighboring properties. The black latex wall signs are much more visually pleasing than the prior Kona Seaside Hotel signage in black and orange, which were quite jarring. Pacific 19 is proposing to use black latex paint for its wall signs rather than proposing illuminated signs, which also serves to minimize impacts to those driving through the area at night.

4. An explanation of why a strict application of the terms of this chapter would work an unnecessary hardship and practical difficulty upon the Pacific 19 or the community.

Pacific 19's Response: The strict application of the requirements of the Sign Code would create an unnecessary hardship on the Pacific 19, as it would deprive the Pacific 19 of the ability to effectively brand the Hotel. Smaller lettering and limiting the Pacific 19 to the specific height limits set by the Sign Code may cause confusion for guests that are unfamiliar with the location of the Hotel, and could potentially create traffic and public safety situations, as drivers may not be able to locate the Hotel due to the limited visibility of smaller signs. The additional and larger wall signs will allow drivers to view signs from a greater distance to initiate any lane change and turns in a safe manner.

5. Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

Pacific 19's Response: The subject variance requests does not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties, and in fact, the proposed wall signs are on the same walls and placed in similar locations, as the prior Kona Seaside Hotel signs, and are arguably much less intrusive.

We trust that this addresses the above criteria for variances from Sign Code Sections 3-58(b), 3-58(c), 3-59 (a)(4), and 3-60 (a), and thank you for your consideration of this request.

We are also enclosing the following:

1. A list of all names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property; and
2. A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).

The appropriate filing fees will be provided concurrently through EPIC upon submission of this request.

Should you have any questions or if you require any additional information, please feel free to contact me or my paralegal Jason Knable at 808-935-6644 at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katherine A. Garson', with a long horizontal flourish extending to the right.

Katherine A. Garson

KAG/jkk1

Enclosures

"EXHIBIT A"



Commercial Area

Pacific 19 Hotel

Annex

Bougainvillea Plaza

"EXHIBIT B"

Mitchell D. Roth
Mayor



Shaun Roth, Chair
Alayna Kilkuskie, Vice Chair
Jasmine-Victoria Crusat
Palani Greenwell
Ann Kern
Ame Werchick

County of Hawai'i KAILUA VILLAGE DESIGN COMMISSION

74-5044 Ane Keohokālōle Highway, Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770 • Fax (808) 327-3563

March 9, 2023

Steve Pause, Director
Department of Public Works
County of Hawai'i
Aupuni Center, 101 Pauahi Street, Suite 7
Hilo, HI 96720
VIA EMAIL

Dear Mr. Pause:

SUBJECT: Kailua Village Design Commission Design Review (PL-KVD-2023-000029)
Applicant: Nine Brains Island I, LLC dba Pacific 19
Landowner: Lanihau Properties, LLC
Request: Design Review of Three New Wall Signs and One Ground Sign for
an Existing Hotel to be Rebranded as Pacific 19 Hotel
TMK: (3) 7-5-006:016

The Kailua Village Design Commission, at its duly held public meeting on March 7, 2023, voted to return/defer the subject application for the applicant to prepare a variance application and provide more information. In the absence of the required sign information, such as letter height and sign size, the Commission was unable to render a recommendation at this time.

Should you have any questions, please contact Rosalind Newlon of the Planning Department, West Hawai'i Division at 323-4770 or by email at Rosalind.Newlon@hawaiicounty.gov.

Sincerely,

Shaun Roth

Shaun Roth (Mar 9, 2023 10:03 HST)

Shaun Roth, Chairman
Kailua Village Design Commission

\\COH141V\Planning\KVDC\2023 Correspondence\2023-03-07\KVDC REC LTR RE K LUGA FOR PACIFIC 19 (PL-KVD-2023-000029)

cc via email: Ms. Katherine Luga, Carlsmith Ball LLP

PACIFIC 19

Wall Sign Plan Set
10-2024

APPROVALS	
REVIEWER NAME: rnewlon	REVIEWER NAME:
DATE: 02/07/2025	DATE:
☒ PLANNING	☐ PLUMBING
REVIEWER NAME: bharada	REVIEWER NAME:
DATE: 02/18/2025	DATE:
☒ ENGINEERING	☐ MECHANICAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DEM WASTEWATER	☐ FIRE
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DOH WASTEWATER	☐ STRUCTURAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DOH FOOD SAFETY	☐ BUILDING
REVIEWER NAME:	
DATE:	
☐ ELECTRICAL	
NO ELECTRICAL	

HOTEL PACIFIC 19		WALL SIGNS	TITLE PAGE
LOCATION MAP	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	Title Page	
REVISION	DATE	DESCRIPTION	

LOCATION INFORMATION

PARCEL NUMBER: (3) 7-5-006:016
LOCATION ADDRESS: 75-5646 Kuakini Highway, Kailua-Kona, HI 96740

PROPERTY OWNER

Lanihau Properties, LLC
P.O. Box 9032,
Kailua-Kona, HI 96740

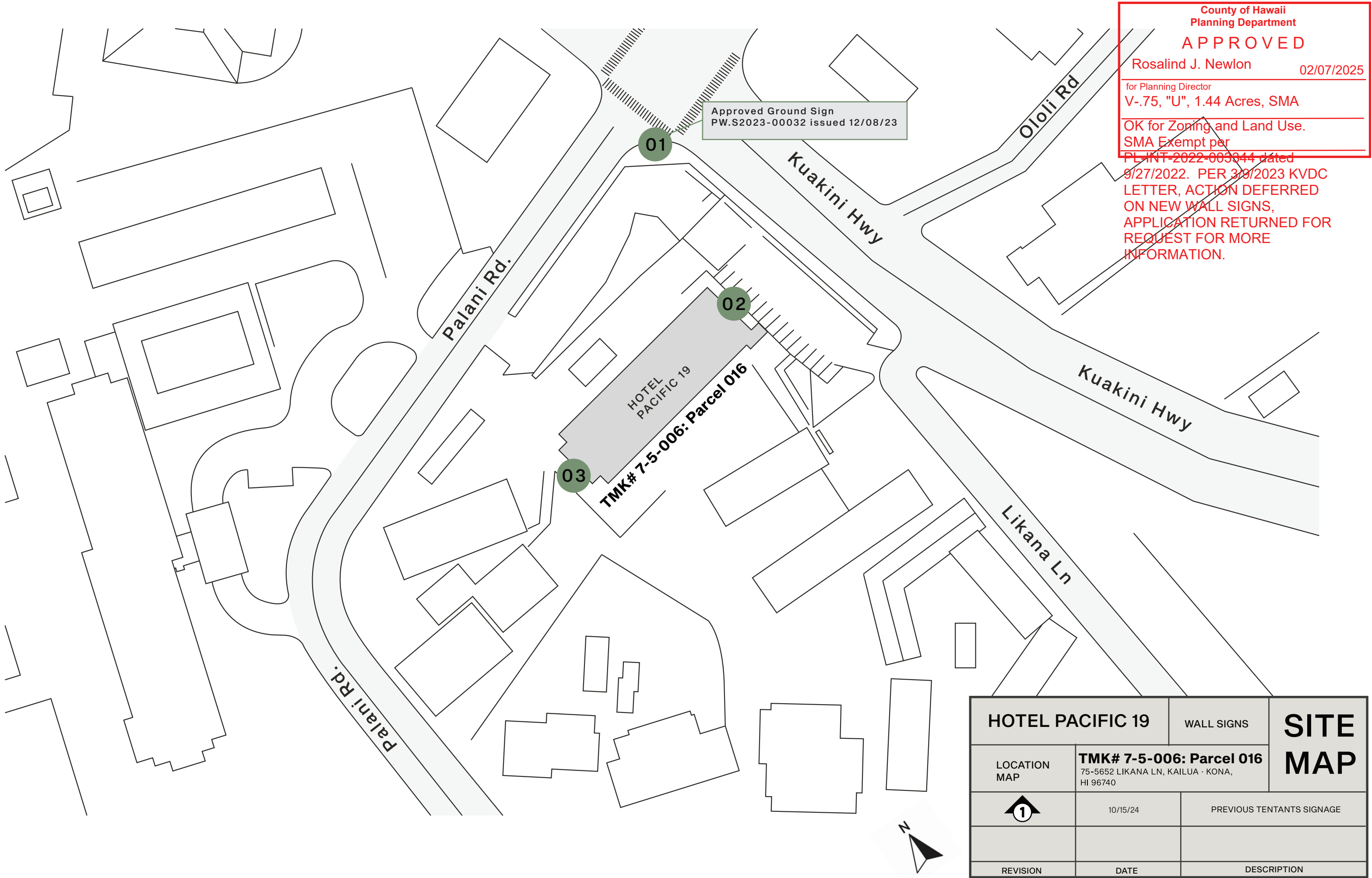
Contact:
Anthony Craven Jr.
Ph: 808-329-5858
Email: Bcraven@Lanihau.net

SIGN OWNER

Nine Brains Big Island, LLC
2601 Ocean Park, Suite 208
Santa Monica, Ca 90405

Contact:
James Evans
Ph: 818-469-9196
Email: James@ninebrains.com

HOTEL PACIFIC 19		WALL SIGNS	INFO
LOCATION MAP	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	

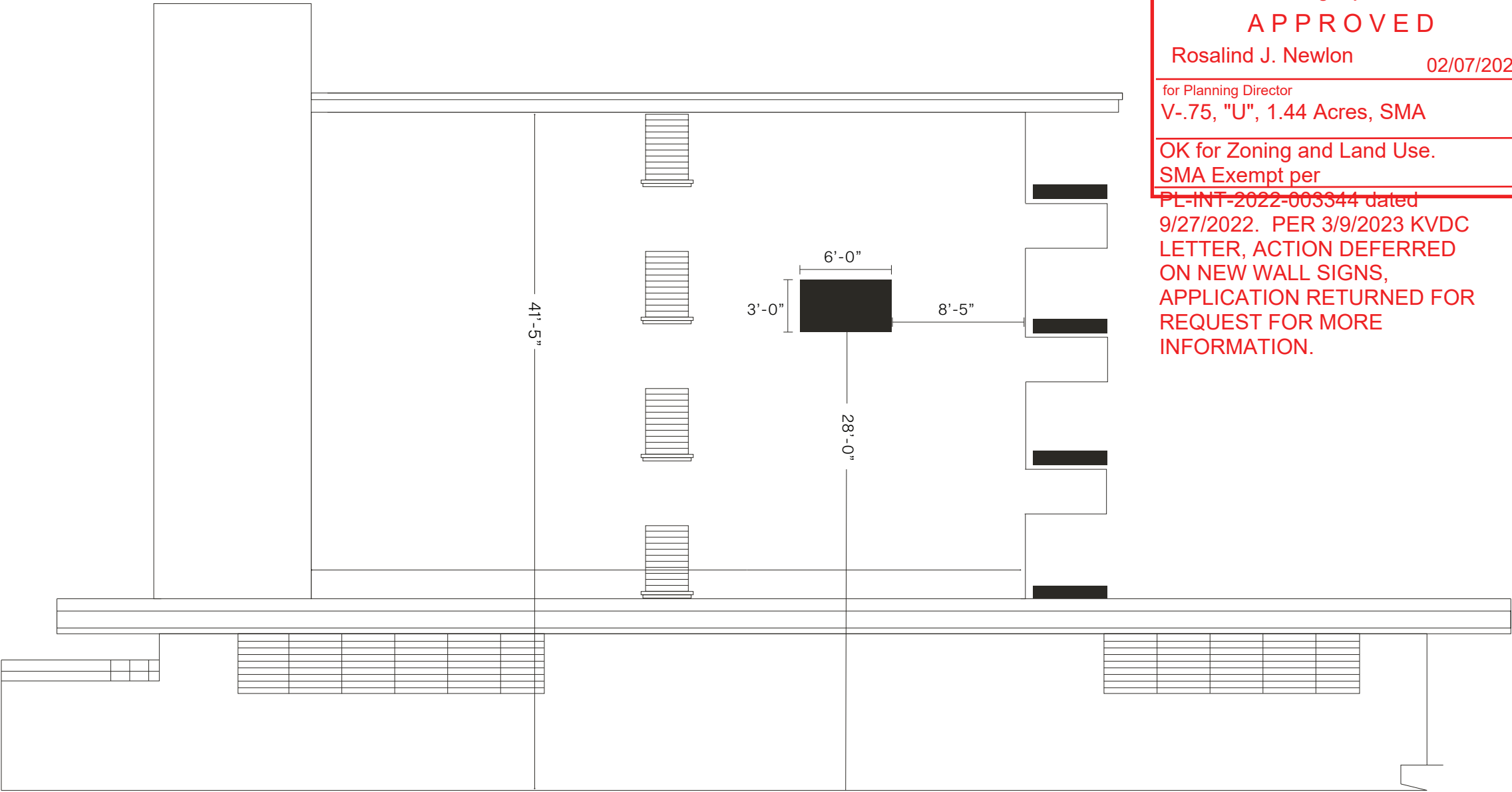


County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon 02/07/2025
for Planning Director
V-.75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per
PL-INT-2022-003844 dated

8/27/2022. PER 3/8/2023 KVDC LETTER, ACTION DEFERRED ON NEW WALL SIGNS, APPLICATION RETURNED FOR REQUEST FOR MORE INFORMATION.



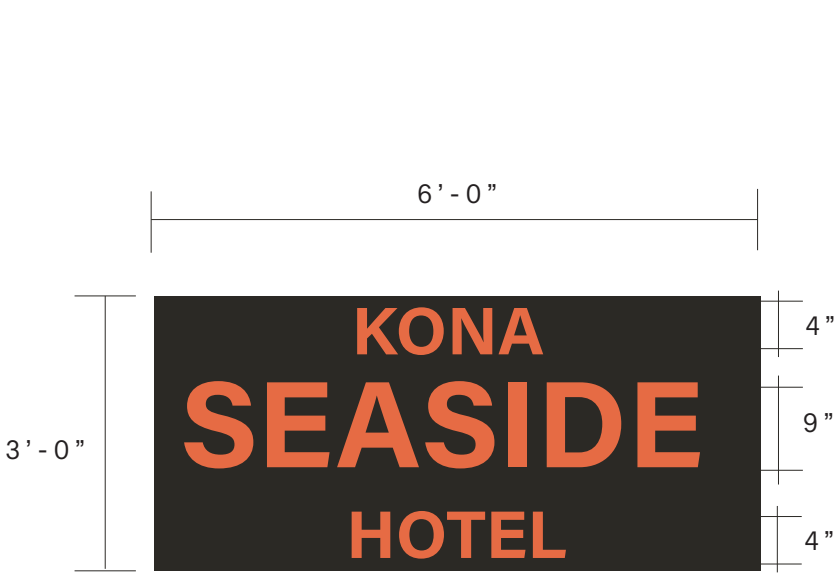
PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Kuakini Highway



EXTERIOR ELEVATION

County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon
for Planning Director
V-.75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per

PL-INT-2022-003344 dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



18 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	01
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	



PAINT SPECIFICATION

EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G



SIGNAGE MOCK UP
View of north facing hotel wall from Kuakini Highway

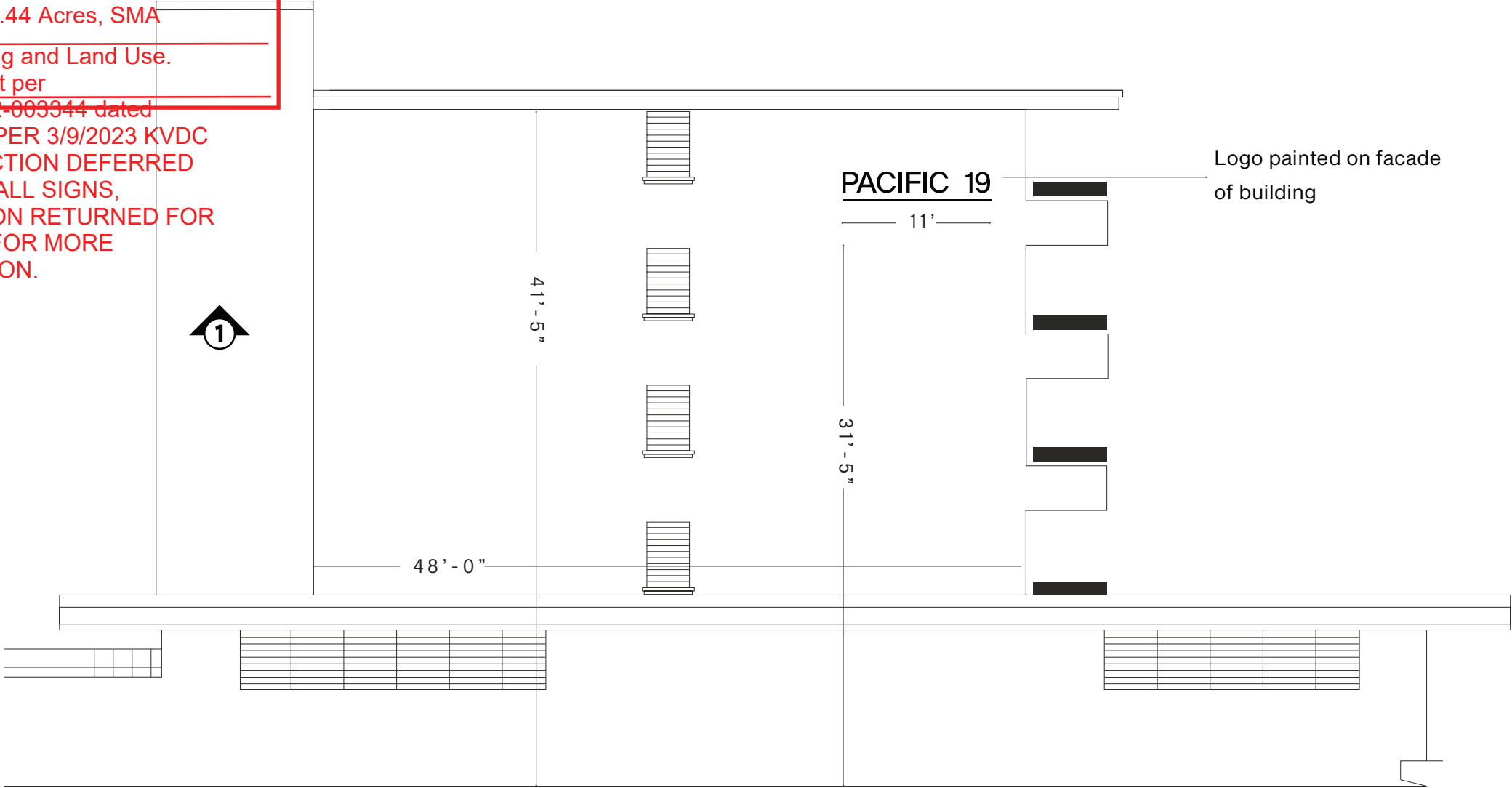
County of Hawaii
Planning Department

APPROVED

Rosalind J. Newlon02/07/2025

for Planning Director
V-.75, "U", 1.44 Acres, SMA

OK for Zoning and Land Use.
SMA Exempt per
PL-INT-2022-003344 dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



EXTERIOR ELEVATION



SIGNAGE DETAILS



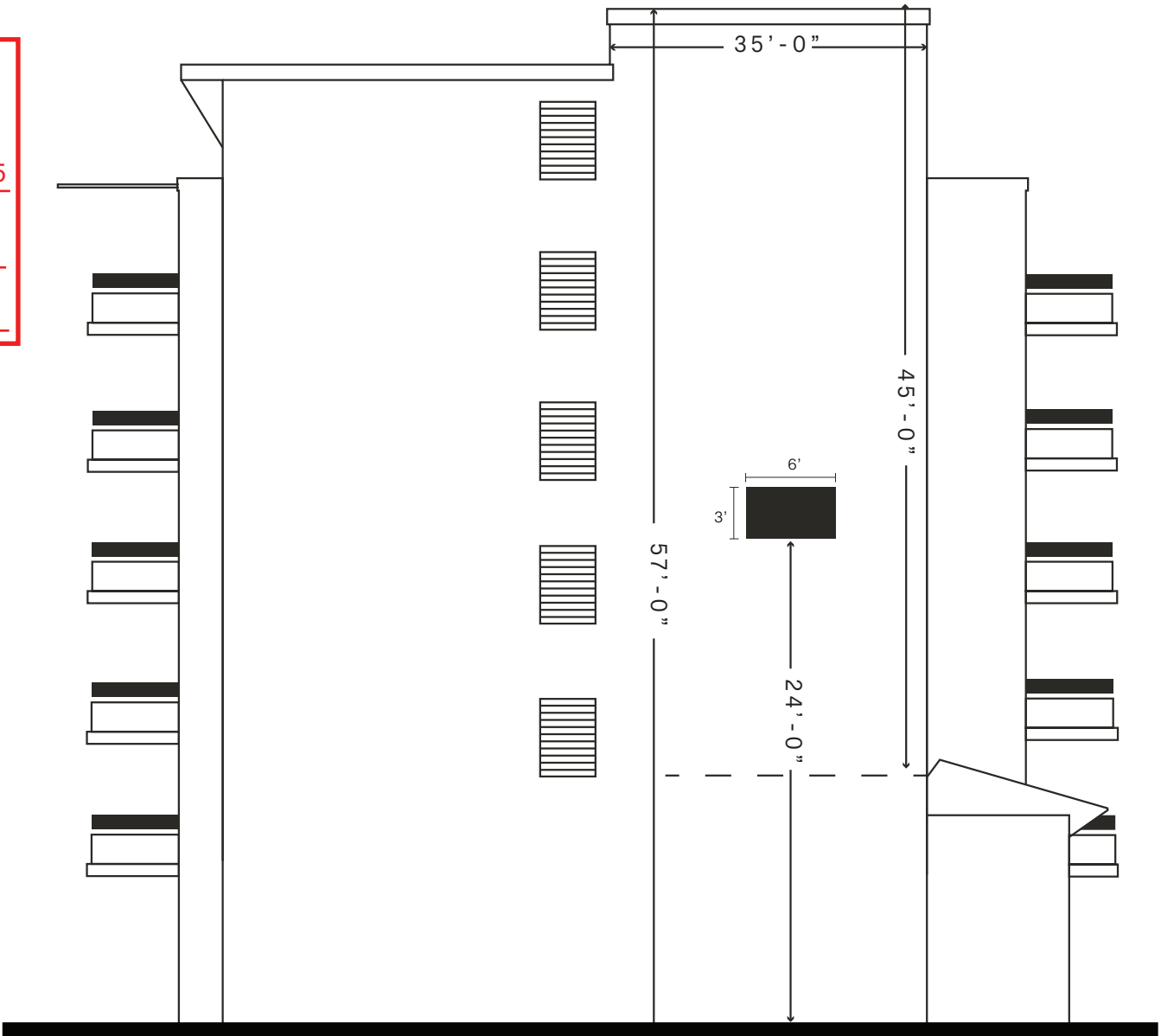
HOTEL PACIFIC 19		EXTERIOR SIGNS	02
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	



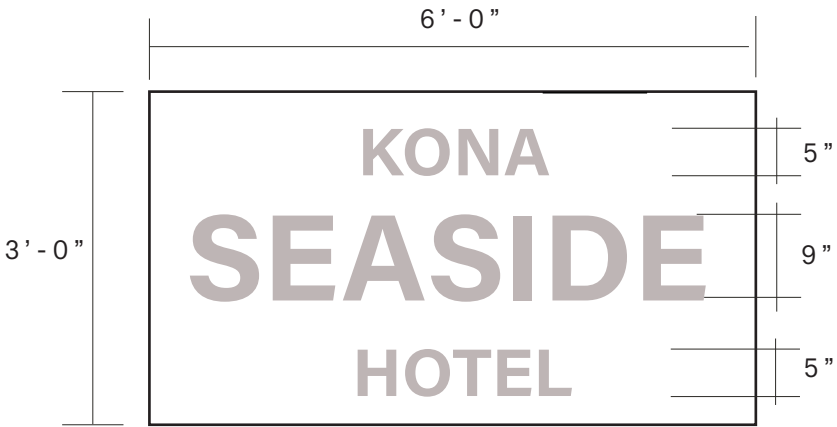
PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Ali'i Dr./ Commerical area

County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon 02/07/2025
for Planning Director
V-.75, "U", 1.44 Acres, SMA

OK for Zoning and Land Use.
SMA Exempt per
~~PL-INT-2022-003344~~ dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



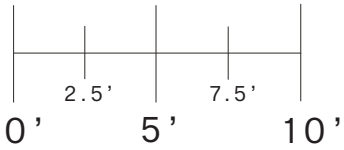
EXTERIOR ELEVATION



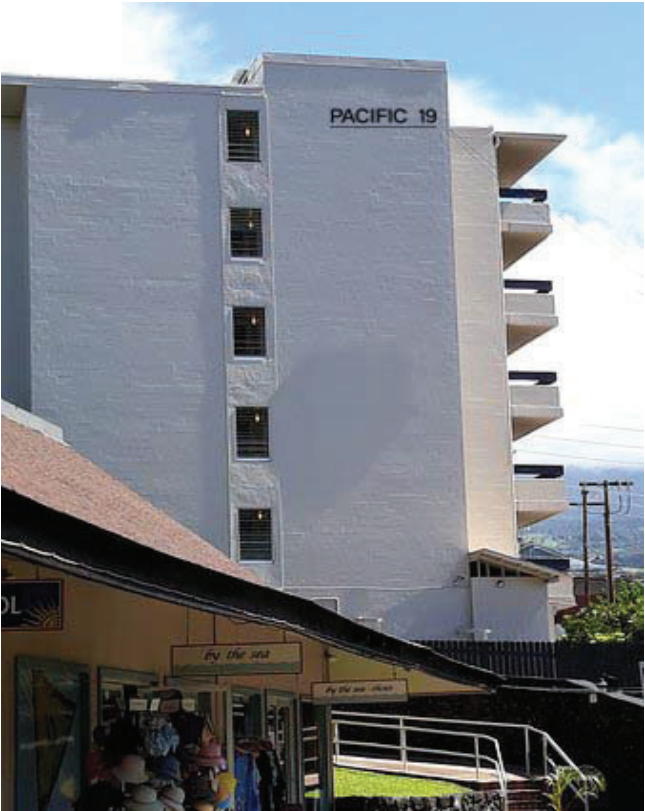
SIGNAGE DETAIL



18 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	03
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION 	



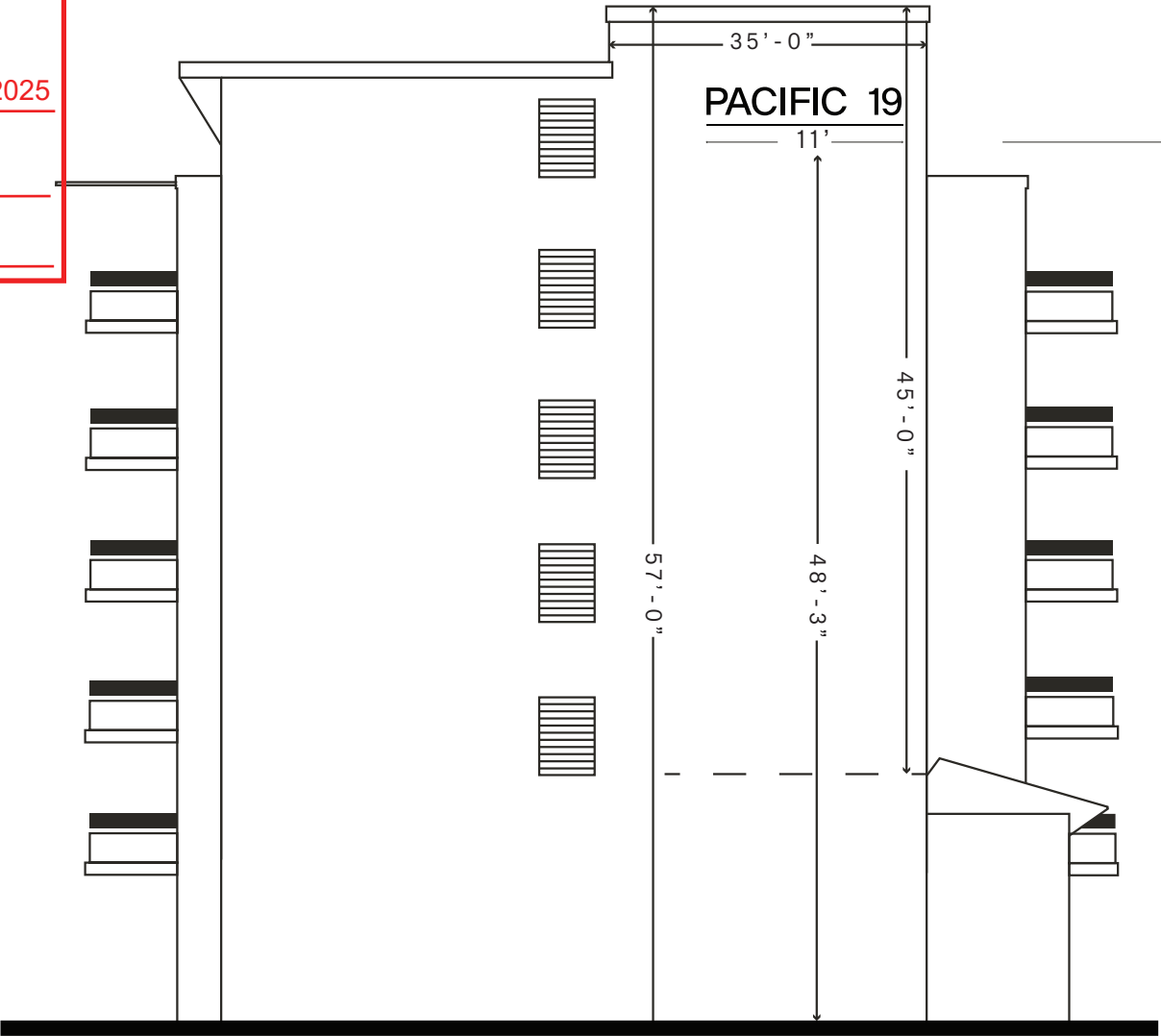
SIGNAGE MOCK UP
View of north facing hotel wall from Ali'i Dr./ Commerical area



PAINT SPECIFICATION
EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G

County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon 02/07/2025
for Planning Director
V-.75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per
~~PL-INT-2022-003344~~ dated

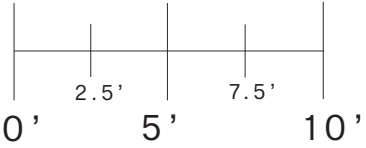
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



EXTERIOR ELEVATION

Logo painted on facade
of building

EXTERIOR ELEVATION



SIGNAGE DETAILS

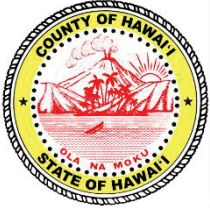


22 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	04
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	

"EXHIBIT D"



DEPARTMENT OF PUBLIC WORKS

BUILDING DIVISION

101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720

(808) 961-8331, Fax (808) 961-8410

74-5044 Ane Keohokālole Highway, Building E, Kailua-Kona, Hawai'i 96740

(808) 323-4720, Fax (808) 327-3509

Sign Code Variance Application

(1) Sign Owner/Applicant

Nine Brains Big Island I, LLC, a Delaware limited liability company, dba Pacific 19

Name

2601 Ocean Park Blvd, Ste 208, Santa Monica, CA 90405-5229

Mailing Address

(240) 447-1289

Phone Number (Business)

Phone Number (Cell)

(2) Property Owner

Lanihau Properties, LLC, a Hawaii limited liability company

Name – if different from sign owner/applicant

P.O. Box 9032, Kailua-Kona, HI 96745-9032

Mailing Address

(808) 329-5858

Phone Number (Business)

Phone Number (Residence)

(3) Location of Sign

Address: 75-5646 Kuakini Hwy, Kailua-Kona, HI 96740

Tax Map Key: (3) 7 - 5 - 006 : 016 - 0000

(4) Zoning: Resort - Hotel (V-.75)

(5) Hawai'i County Code section(s) from which a variance is being requested:

HCC Section 3-60(a) (Number of Signs) - 3 total signs; HCC Section 3-58(b) (No Sign Exceeds 12 sq. ft.);

HCC Section 3-58(c) (Lettering Height); HCC Section 3-59(a)(4) (Sign Elevation)

(6) Attachments required to be filed with this application:

- (a) A complete copy of any sign permit application or rejection of the sign permit, if any;
- (b) An explanation of alternative measures, if any, that the applicant is proposing to take in lieu of compliance with the applicable code section;
- (c) A photo or drawing of the relevant sign(s);

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

- (d) A map showing the location of the sign(s) and showing all streets adjacent to the building or lot where the sign is located;
- (e) A list of the names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property and,
- (f) A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).

(7) **Filing Fees:** This application must be accompanied by the fee of \$100 for each sign or an amount equal to 10% of the total value of the sign(s), excluding installation costs, whichever is greater, payable to the County Director of Finance.

(8) Applicant must provide written explanations for the following (please attach sheets):

- (a) Granting the variance is necessitated by the peculiar physical conditions not ordinarily found in most districts, because of the peculiarity of a business, or as a result of a special event or circumstance;
- (b) Granting the variance will not adversely affect the rights of adjacent property owners or tenants;
- (c) Granting the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public;
- (d) A strict application of the terms of this chapter would work unnecessary hardship and practical difficulty upon the applicant or community;
- (e) Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

I hereby certify that all work requested will conform to appropriate sections of the Hawai'i County Code.

Signature of Applicant	Date	Print Name
<i>Amanda Thevenot</i>	12/4/2023	Amanda Thevenot
Signature of Lessee / Applicant	Date	Print Name

DEPARTMENT OF PUBLIC WORKS – OFFICIAL USE ONLY

Application Reviewed By: _____ **Date:** _____

Review by Special Design Commission (KVDC/PVDRC) Required? Yes _____ No _____

If yes,

- ☐ Kailua Village Design Commission (KVDC)
- ☐ Pahoa Village Design Review Committee (PVDRC)

Date application sent to Planning Director: _____

Date application returned from KVDC or PVDRC _____

Director _____ **Date** _____

Variance Approved ☐

Variance Disapproved ☐

County of Hawai'i is an Equal Opportunity Provider and Employer.

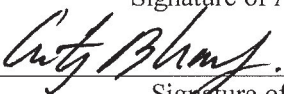
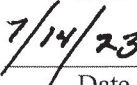
Effective Date: June 1, 2020

- (d) A map showing the location of the sign(s) and showing all streets adjacent to the building or lot where the sign is located;
 - (e) A list of the names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property and,
 - (f) A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).
- (7) **Filing Fees:** This application must be accompanied by the fee of \$100 for each sign or an amount equal to 10% of the total value of the sign(s), excluding installation costs, whichever is greater, payable to the County Director of Finance.

(8) Applicant must provide written explanations for the following (please attach sheets):

- (a) Granting the variance is necessitated by the peculiar physical conditions not ordinarily found in most districts, because of the peculiarity of a business, or as a result of a special event or circumstance;
- (b) Granting the variance will not adversely affect the rights of adjacent property owners or tenants;
- (c) Granting the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public;
- (d) A strict application of the terms of this chapter would work unnecessary hardship and practical difficulty upon the applicant or community;
- (e) Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

I hereby certify that all work requested will conform to appropriate sections of the Hawai'i County Code.

Signature of Applicant	Date	Print Name
		
Signature of Owner	Date	Print Name

DEPARTMENT OF PUBLIC WORKS – OFFICIAL USE ONLY

Application Reviewed By: _____ Date: _____

Review by Special Design Commission (KVDC/PVDRC) Required? Yes _____ No _____

If yes,

- ☐ Kailua Village Design Commission (KVDC)
- ☐ Pahoa Village Design Review Committee (PVDRC)

Date application sent to Planning Director: _____

Date application returned from KVDC or PVDRC _____

Director _____ Date _____

Variance Approved ☐

Variance Disapproved ☐

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

Nine Brains Big Island I, LLC
Surrounding Property Owners Within 300'
of TMK No.: (3) 7-5-006:016

<u>TMK</u>	<u>Owner Name and Address</u>
7-4-010-039	LILIUOKALANI TRUST QUEEN LILIUOKALANI TRUST 1100 ALAKEA ST, STE 1100 HONOLULU, HI 96813-2845
	FPA NORTH KONA ASSOCIATES LLC C/O ALLIANCE TAX ADVISORS 6191 STATE HIGHWAY 161, SUITE 100 IRVING, TX 75038-2290
	ULA KAPA MOE LLC 1000 BISHOP ST, STE 810 HONOLULU, HI 96813
7-5-004-009	PRIME A INVESTMENTS LLC 16850 BEAR VALLEY RD VICTORVILLE, CA 92395-5794
7-5-004-012	HAWAII RADIOLOGIC SERVICES LLC 688 KINOOLE ST, STE 103 HILO, HI 96720-3868
7-5-004-023	MEYER, KAREN N PO BOX 1036 KEAAU, HI 96749
7-5-004-025 7-5-006-005 7-5-006-027 7-5-006-035	COUNTY OF HAWAII DEPT OF FINANCE 25 AUPUNI ST, STE 2103 HILO, HI 96720
7-5-004-027 7-5-004-028 7-5-004-034	AMAKUA PROPERTIES LLC 3149 N NIMITZ HWY HONOLULU, HI 96819-1905
	ALOHA AUTO GROUP LTD NO ADDRESS LISTED
7-5-005-005 7-5-005-067	KING'S CATHEDRAL AND CHAPELS 777 MAUI VETERANS HWY KAHULUI, HI 96732-3002
7-5-005-061	AMERICAN SAVINGS BANK FSB PO BOX 2300 HONOLULU, HI 96804-2300
7-5-006-012	BURGESS INC PO BOX 532 KAILUA-KONA, HI 96745-0000
	HANGCA, JOSEPH L 223 OLD HALES GAP RD TRENTON, GA 30752-4204
7-5-006-013	YWAM SHIPS HAWAII 75-5687 ALII DR KAILUA-KONA, HI 96740-1601

7-5-006-014	FISHHOPPER LLC 700 CANNERY ROW MONTEREY, CA 93940-1063
7-5-006-015	NINE BRAINS BIG ISLAND ANNEX LLC 73-1542 HAO WAY KAILUA-KONA, HI 96740-8656
	NINE BRAINS BIG ISLAND ANNEX LLC C/O SPRINGBOARD HOSPITALITY 2270 KALAKAUA AVE, STE 1502 HONOLULU, HI 96815-2561
7-5-006-016	LANIHAU PROPERTIES LLC PO BOX 9032 KAILUA-KONA, HI 96745-9032
	NINE BRAINS BIG ISLAND I LLC 2601 OCEAN PARK BLVD, STE 208 SANTA MONICA, CA 90405-5229
	NINE BRAINS BIG ISLAND ANNEX LLC C/O SPRINGBOARD HOSPITALITY 2270 KALAKAUA AVE, STE 1502 HONOLULU, HI 96815-2561
7-5-006-017	OLSON, EDMUND C TR 46 AMAUULU RD HILO, HI 96720-2347
	KIMI, WILLIAM J JR NO ADDRESS LISTED
	KONA SEASIDE INC BANK OF HAWAII INV SVC GROUP PO BOX 3170 HONOLULU, HI 96802-3170
7-5-006-019	JP'S NEVADA TRST 109 W 7TH ST, STE 200 GEORGETOWN, TX 78626-5766
7-5-006-020	HKK HAWAII LLC HKK MANAGEMENT INC 1668 S KING ST, FL2 HONOLULU, HI 96826-2074

Nine Brains
Surrounding Property Owners Within 300'
of TMK No.: (3) 7-5-006:016

	BREIT KONA PROPERTY OWNER LLC C/O BLACKSTONE REAL EST ADVISORS LP PO BOX A3956 CHICAGO, IL 60690-3956
	KING KAMEHAMEHA'S KONA BEACH HOTEL ATTN: ACCOUNTING DEPT 75-5660 PALANI RD KAILUA-KONA, HI 96740-3612
7-5-006-025	SARAH L AKONA PARTNERSHIP NO ADDRESS LISTED
	KONA SQUARE ASSOCIATES 270 KUULEI RD, STE 206 KAILUA, HI 96734-2755
	KONA TEI INC NO ADDRESS LISTED
7-5-006-028	BOUGAINVILLEA PLAZA LTD PARTNERSHIP 76-4306 KINAU ST KAILUA-KONA, HI 96740-0000
7-5-006-030	HAWAII ESTATE VENTURES, LTD C/O QUINN'S RESTAURANT 75-5655 PALANI RD, APT A KAILUA-KONA, HI 96740-1618
7-5-006-034	STATE OF HAWAII DEPT OF LAND & NATURAL RESOURCES 75 AUPUNI ST, STE 204 HILO, HI 96720
	BOUGAINVILLEA PLAZA LTD PARTNERSHIP 76-4306 KINAU ST KAILUA-KONA, HI 96740- 8981
7-5-006-043	STATE OF HAWAII DEPT OF LAND & NATURAL RESOURCES 75 AUPUNI ST, STE 204 HILO, HI 96720

CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE

P.O. BOX 686

HILO, HAWAII 96721-0686

TELEPHONE 808.935.6644 FAX 808.935.7975

WWW.CARLSMITH.COM

KGARSON@CARLSMITH.COM

OUR REFERENCE NO.
071151-2

March 25, 2025

NOTICE TO SURROUNDING PROPERTY OWNERS

Applicant: Nine Brains Big Island I, LLC

Location: Pacific 19 Hotel, 75-5646 Kuakini Highway, Kailua Kona, Hawaii 96740

Request: Sign Variances from HCC Sections 3-58(b), 3-58(c), and 3-59(a)(4), and 3-60(a) (Sign Permit Application No. PW.S2023-00001)

Tax Map Key: (3) 7-5-006:016 (the "**Property**")

Dear Surrounding Property Owner:

This firm represents, Nine Brains Big Island I, LLC ("**Pacific 19**"), the current ground lessee of TMK: (3) 7-5-006:016 and current operator of the renovated and rebranded Pacific 19 Hotel (formerly the Kona Seaside Hotel).

Pacific 19 is seeking certain variances from Hawaii County Code ("**HCC**") Chapter 3 (the "**Sign Code**") to allow for the replacement of 2 signs associated with the former Kona Seaside Hotel with 2 new Pacific 19 logo signs.

The installation of these 2 new signs will require the approval of variances from the following sections of the Sign Code:

1) HCC Section 3-60(a) only allows one sign for any business or one sign for any street or vehicle access on which a building has frontage.

Pacific 19's ground sign at the intersection of Kuakini Highway and Palani Road was previously approved by the Kailua Village Design Commission and County Department of Public Works. The subject ground sign was already installed per approved plans. This variance request is to allow for 2 additional wall signs, or 3 total signs for the Pacific 19 hotel. When completed, the 3 Pacific 19 signs would replace the 2 wall signs and 1 ground sign previously approved by the County for the Kona Seaside Hotel.

2) HCC Section 3-58(b), HCC Section 3-58(c) and HCC Section 3-59(a)(4), which respectively, requires no signs within the Kailua Village Core larger than 12 square feet; lettering or symbols

Surrounding Property Owner

March 25, 2025

Page 2

no larger than nine inches; and shall not be elevated more than nine feet above finished floor level or one-half the height of the wall on which it is located, whichever is less.

We have enclosed a copy of our narrative letter dated March 25, 2025 describing the requested variances in further detail and Pacific 19's justification for approval.

This notice letter is a requirement of the County's variance process, which is intended to allow surrounding property owners within 300 feet of the Property an opportunity to provide comment regarding Pacific 19's plan to replace the 2 wall signs at the former Kona Seaside Hotel with 2 new wall signs. Should you wish to provide comment on this variance request, please provide a written statement addressed to the County Department of Public Works as follows:

East Hawaii ☐ - (Mark box to indicate correct office)	West Hawaii ☒ - (Mark box to indicate correct office)
Attn: Director of Public Works Re: Sign Variance - PW.2023-00001 County of Hawaii – Building Department 101 Pauahi Street, Suite 7 Hilo, HI 96720	Attn: Director of Public Works Re: Sign Variance - PW.S2023-00001 County of Hawaii – Building Department 74-5044 Ane Keohokalole Highway Bldg E, 1st Floor Kailua-Kona, HI 96740

Pursuant to HCC Section 3-22(c)(9), a "public comment period" of (20) days is required, so please ensure all comments are submitted to the County Department of Public Works, Building Division - Kona Office prior to **April 14, 2025**.

Please do not hesitate to call me or my paralegal Jason Knable at (808) 935-6644, should you have any questions concerning this matter, or if you would like to receive an emailed copy of the Sign Plan, or any other documentation associated with this variance request. Thank you for your kind attention.

Sincerely,



Katherine A. Garson

Enclosure

CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE

P.O. BOX 686

HILO, HAWAII 96721-0686

TELEPHONE 808.935.6644 FAX 808.935.7975

WWW.CARLSMITH.COM

KGARSON@CARLSMITH.COM

OUR REFERENCE NO.
071151-2

March 25, 2025

Hugh Ono, P.E.
Director
Department of Public Works
101 Pauahi Street, Suite 7
Hilo, Hawaii 96720
Attn: Chris Domino

Re: **Submittal of Sign Variance Request**
Project: Pacific 19 Hotel (formerly the Kona Seaside Hotel)
Applicant: Nine Brains Big Island I, LLC
TMK: (3) 7-5-006:016

Dear Mr. Ono:

This firm represents Applicant Nine Brains Big Island I, LLC ("**Pacific 19**"), the ground lessee of TMK: (3) 7-5-006:016 (the "**Property**"), and current operator of the renovated and rebranded Pacific 19 Hotel (formerly the Kona Seaside Hotel) (the "**Hotel**"), located within Kailua Village, immediately makai (south) of the intersection of Kuakini Highway and Palani Road (See "**Exhibit A**" - Aerial Map) .

On January 28, 2025, we submitted a revised sign plan for continued processing under pending Sign Permit No. PW.S2023-00001. The revised sign plan depicted the changes to the 2 wall signs slated for the exterior of the main 6-story Hotel structure, which now features just the current "Pacific 19" brand logo¹. This resubmission was specifically intended to address earlier comments from the Kailua Village Design Commission ("**KVDC**") issued on March 9, 2023, requiring that Pacific 19 to submit a Sign Variance Application to provide more information to the KVDC for consideration (See "**Exhibit B**" - KVDC Design Review letter).

The details of the revised wall signs are further described below:

1. **Wall Sign No. 2 (North)**: This revised wall sign is intended for installation upon the northern (mauka) exterior face of the Hotel, which immediately overlooks

¹ The 53,472 sq.ft. main Hotel building is flanked to the west by an existing 2-story annex of the Hotel, but no signs are proposed for this annex structure at this time.

Kuakini Highway. The subject wall sign has a total surface area of 22 square feet. The wall sign will depict the Hotel's name or the "Pacific 19" logo, painted in black latex paint with lettering approximately 2 feet in height and 11 feet in length, enhanced by a black underline accent. This wall sign will be elevated to a height of approximately 31 feet and 5 inches above existing grade.

2. **Wall Sign No. 3 (South):** The subject wall sign is intended to be identical to Wall Sign No. 1, but just located at a higher elevation along the southern (makai) exterior of the Hotel facing Ali'i Drive. Like Wall Sign No. 2, the proposed wall sign comprises a total surface area of 22 square feet. The wall sign will also depict the Hotel's name or the "Pacific 19" logo, painted in black latex paint with lettering approximately 2 feet in height and 11 feet in length, enhanced by a black underline accent. As mentioned earlier, the only difference between Wall Sign No. 2 and Wall Sign No. 3 is that the subject wall sign will be elevated above the existing grade to approximately 48 feet and 3 inches in height on the makai wall of the Hotel.

(See "**Exhibit C**" - Revised Sign Plans or current Sign Plan submitted in EPIC).

The Department of Public Works ("**DPW**") formally rejected Pacific 19's revised sign plan on March 11, 2025 through a review in EPIC, indicating noncompliance with certain sections of Hawaii County Code ("**HCC**") Section 3 (Signs) (the "**Sign Code**"), which we have listed verbatim as follows:

1. "Section 3-58(b) Because the property is located in Kailua Village core (KVC), this section shall apply. No sign located in KVC, no sign shall exceed 12 sf." (DPW 03/11/25)

This section of the Sign Code specifically states:

"In any case, the total area allowed shall not exceed twelve square feet for any sign not fronting a public street or vehicular access or for any sign located within the Kailua Village Core."

Pacific 19 acknowledges that a variance from HCC Section 3-58(b) is required to implement its proposed wall sign design, as Pacific 19 is proposing wall signs that are 22 square feet in size and in the KVC.

2. "Section 3-58(c) Because the property is located in Kailua Village core (KVC), this section shall apply. No letter or symbol located in KVC, shall exceed 9 inches in height." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Any lettering or symbol, including free-standing letters, shall not exceed nine inches in height, except as noted in (1) below.

(1) In the Kailua Industrial Subdivision, any lettering or symbol, including free-standing letter, shall not exceed eighteen inches in height."

Pacific 19 acknowledges that a variance from HCC Section 3-58(c) is required to implement its proposed wall sign design, as lettering for both Wall Sign No. 2 (North) and Wall Sign No. 3 (South) is proposed at 2 feet in height.

3. "Section 3-59 (a)(4) Because the property is located in Kailua Village core (KVC), this section shall apply. Top edge of a wall sign shall not exceed 9 feet in elevation." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Wall sign. The top edge of a wall sign shall not exceed nine feet above the grade or finished floor level or one-half the height of the wall on which it is located, whichever is less."

Pacific 19 acknowledges that a variance from HCC Section 3-59(a)(4) is required to implement its proposed wall sign design, as Wall Sign No. 2 (North) is set to a height of approximately 31 feet and 5 inches above existing grade, while Wall Sign No. 3 (South) is proposed for a height of 48 feet and 3 inches above existing grade.

4. "Section 3-60 (a) Because the property is located in Kailua Village core (KVC), this section shall apply. One sign shall be installed per street frontage vehicular access. Proposed sign "03" is place on a side that does not have street frontage / vehicular access." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Only one sign for any business or one sign for any street or vehicle access on which a building has frontage shall be permitted."

Pacific 19 acknowledges that a variance from HCC Section 3-59(a)(4) is required to implement it revised sign plan, as Pacific 19 is proposing 2 additional wall signs for a total of 3 signs on the Property. These 2 new walls signs are in addition to the previously approved ground sign (PW.S2023-00032 issued on December 8, 2023), which Pacific 19 installed upon an existing rock wall within the Property at the intersection of Kuakini Highway and Palani Road. (Ref. "Exhibit C" - Sign Plan - Site Plan).

Pacific 19 is also acknowledges that Wall Sign No. 3 (South) is located on the side of the Hotel that does not have immediate street frontage. We would also note that this wall sign is merely intended to replace the former Kona Seaside Hotel sign located on the same surface.

Based on the above comments from DPW, this letter shall serve as Pacific 19's formal submission of the required Sign Code Variance Application for consideration (See "Exhibit D" - Fully Executed Sign Code Variance Application). This letter is also intended to separately address the requested written explanation to justify the granting of variances from the Sign Code, as required by the subject application and HCC Section 3-22, as discussed in the following narrative format below.

1. An explanation of any unique circumstances, in particular, those arising from peculiar physical conditions not ordinarily found in most districts, peculiarity of the business, or other special event or circumstance;

Pacific 19's Response: Pacific 19 requires the requested variances from the Sign Code to complete the conversion of the signage associated with the rebranding of the Kona Seaside Hotel, as this is the last component needed to address the full branding conversion². We should point out that the County previously approved 3 signs for the Kona Seaside Hotel, specifically 1 ground sign along the intersection of Kuakini Highway and Palani Road, and 2 wall signs on each side of the main Hotel structure. Pacific 19 is merely requesting consideration from the County to grant the necessary variances to replace these same number of signs with new Pacific 19 branded signs, albeit Pacific 19's signs are slightly larger and at a higher elevation, but as noted below are more minimalistic in design than prior "Kona Seaside Hotel" signs.

The proposed wall signs are simply the current Pacific 19 logo, which is a logo intended to be modern, minimalistic, and timeless, and intended to create a memorable identity that connects with guests. The current Pacific 19 logo is the focal point of all the Hotel's marketing materials, display advertising, and promotional items, and it is used consistently throughout the Hotel by design. It is important to Pacific 19 that the wall signage for the Hotel also reflects the Pacific 19 logo, as its visual presence on the Hotel façade will only serve to reinforce current branding.

For comparison purposes, we included Sheets 1 and 3 in the Sign Plan to demonstrate that the proposed wall signs are a clear improvement over the previously approved wall signs for the former Kona Seaside Hotel. As you can see from the exhibits, the former Kona Seaside Hotel signs were not identical to each other in terms of overall design and aesthetics (e.g. different size signs; different colors being used, e.g. orange on black and beige on white). The new Pacific 19 wall signs are proportionate to the existing building façade, providing more symmetry, which enhances overall aesthetics, and is clearly less visually impactful than the former Kona Seaside Hotel signs, although slightly larger and at a higher elevation.

Signage visibility is extremely important to any viable Hotel operation. The proposed wall signs are large enough and at a height where the signs are clearly visible from the adjoining roadways, which is intended to make it easier for guests, and more importantly first-time visitors, to find the Hotel within the often busy Kailua-Kona urban core.

2. An explanation of why granting the variance will not adversely affect the rights of adjacent property owners or tenants, including an explanation of alternative measures, if any, that the Pacific 19 is proposing to take in lieu of compliance with the applicable code section;

² The KVDC and DPW previously approved the replacement of the former Kona Seaside Hotel ground sign with a new Pacific 19 ground sign, which has since been installed per County approved plans.

Pacific 19's Response: The granting of the requested variances will not adversely affect the rights of the adjacent property owners or tenants. The proposed wall signs are merely replacing existing signage, which were in installed in this same area for many years. The proposed signage is appropriately scaled and compatible with the Property frontage along the roadways that the Hotel abuts, in addition to the area architecture. Although the Hotel is in operation 24 hours a day, Pacific 19 also specifically proposed painting its current Pacific 19 logo in black latex paint to remain harmonious with the character of the Kona Village area and the surroundings, rather than pursuing a large illuminated or back lit sign that is typically a part of the branding of much larger hotel chains.

3. An explanation of why the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public; and

Pacific 19's Response: The requested variances will not unreasonably violate the interest, safety, convenience or general welfare of the public, as the Pacific 19 logo intended for placement on the Hotel facade is minimally intrusive and compliments the surrounding area. The color pallet of the Pacific 19 logo is not shiny or slick, nor does not clash with the existing exterior color of the Hotel or any neighboring properties. The black latex wall signs are much more visually pleasing than the prior Kona Seaside Hotel signage in black and orange, which were quite jarring. Pacific 19 is proposing to use black latex paint for its wall signs rather than proposing illuminated signs, which also serves to minimize impacts to those driving through the area at night.

4. An explanation of why a strict application of the terms of this chapter would work an unnecessary hardship and practical difficulty upon the Pacific 19 or the community.

Pacific 19's Response: The strict application of the requirements of the Sign Code would create an unnecessary hardship on the Pacific 19, as it would deprive the Pacific 19 of the ability to effectively brand the Hotel. Smaller lettering and limiting the Pacific 19 to the specific height limits set by the Sign Code may cause confusion for guests that are unfamiliar with the location of the Hotel, and could potentially create traffic and public safety situations, as drivers may not be able to locate the Hotel due to the limited visibility of smaller signs. The additional and larger wall signs will allow drivers to view signs from a greater distance to initiate any lane change and turns in a safe manner.

5. Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

Pacific 19's Response: The subject variance requests does not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties, and in fact, the proposed wall signs are on the same walls and placed in similar locations, as the prior Kona Seaside Hotel signs, and are arguably much less intrusive.

We trust that this addresses the above criteria for variances from Sign Code Sections 3-58(b), 3-58(c), 3-59 (a)(4), and 3-60 (a), and thank you for your consideration of this request.

We are also enclosing the following:

1. A list of all names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property; and
2. A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).

The appropriate filing fees will be provided concurrently through EPIC upon submission of this request.

Should you have any questions or if you require any additional information, please feel free to contact me or my paralegal Jason Knable at 808-935-6644 at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katherine A. Garson', with a long horizontal flourish extending to the right.

Katherine A. Garson

KAG/jkk1

Enclosures

"EXHIBIT A"



Commercial Area

Pacific 19 Hotel

Annex

Bougainvillea Plaza

"EXHIBIT B"

Mitchell D. Roth
Mayor



Shaun Roth, Chair
Alayna Kilkuskie, Vice Chair
Jasmine-Victoria Crusat
Palani Greenwell
Ann Kern
Ame Werchick

County of Hawai'i
KAILUA VILLAGE DESIGN COMMISSION
74-5044 Ane Keohokālōle Highway, Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770 • Fax (808) 327-3563

March 9, 2023

Steve Pause, Director
Department of Public Works
County of Hawai'i
Aupuni Center, 101 Pauahi Street, Suite 7
Hilo, HI 96720
VIA EMAIL

Dear Mr. Pause:

SUBJECT: Kailua Village Design Commission Design Review (PL-KVD-2023-000029)
Applicant: Nine Brains Island I, LLC dba Pacific 19
Landowner: Lanihau Properties, LLC
Request: Design Review of Three New Wall Signs and One Ground Sign for
an Existing Hotel to be Rebranded as Pacific 19 Hotel
TMK: (3) 7-5-006:016

The Kailua Village Design Commission, at its duly held public meeting on March 7, 2023, voted to return/defer the subject application for the applicant to prepare a variance application and provide more information. In the absence of the required sign information, such as letter height and sign size, the Commission was unable to render a recommendation at this time.

Should you have any questions, please contact Rosalind Newlon of the Planning Department, West Hawai'i Division at 323-4770 or by email at Rosalind.Newlon@hawaiicounty.gov.

Sincerely,

Shaun Roth

Shaun Roth (Mar 9, 2023 10:03 HST)

Shaun Roth, Chairman
Kailua Village Design Commission

\\COH141V\Planning\KVDC\2023 Correspondence\2023-03-07\KVDC REC LTR RE K LUGA FOR PACIFIC 19 (PL-KVD-2023-000029)

cc via email: Ms. Katherine Luga, Carlsmith Ball LLP

PACIFIC 19

Wall Sign Plan Set
10-2024

APPROVALS	
REVIEWER NAME: rnewlon	REVIEWER NAME:
DATE: 02/07/2025	DATE:
☒ PLANNING	☐ PLUMBING
REVIEWER NAME: bharada	REVIEWER NAME:
DATE: 02/18/2025	DATE:
☒ ENGINEERING	☐ MECHANICAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DEM WASTEWATER	☐ FIRE
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DOH WASTEWATER	☐ STRUCTURAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DOH FOOD SAFETY	☐ BUILDING
REVIEWER NAME:	
DATE:	
☐ ELECTRICAL	
NO ELECTRICAL	

HOTEL PACIFIC 19		WALL SIGNS	TITLE PAGE
LOCATION MAP	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	Title Page	
REVISION	DATE	DESCRIPTION	

LOCATION INFORMATION

PARCEL NUMBER: (3) 7-5-006:016
LOCATION ADDRESS: 75-5646 Kuakini Highway, Kailua-Kona, HI 96740

PROPERTY OWNER

Lanikai Properties, LLC
P.O. Box 9032,
Kailua-Kona, HI 96740

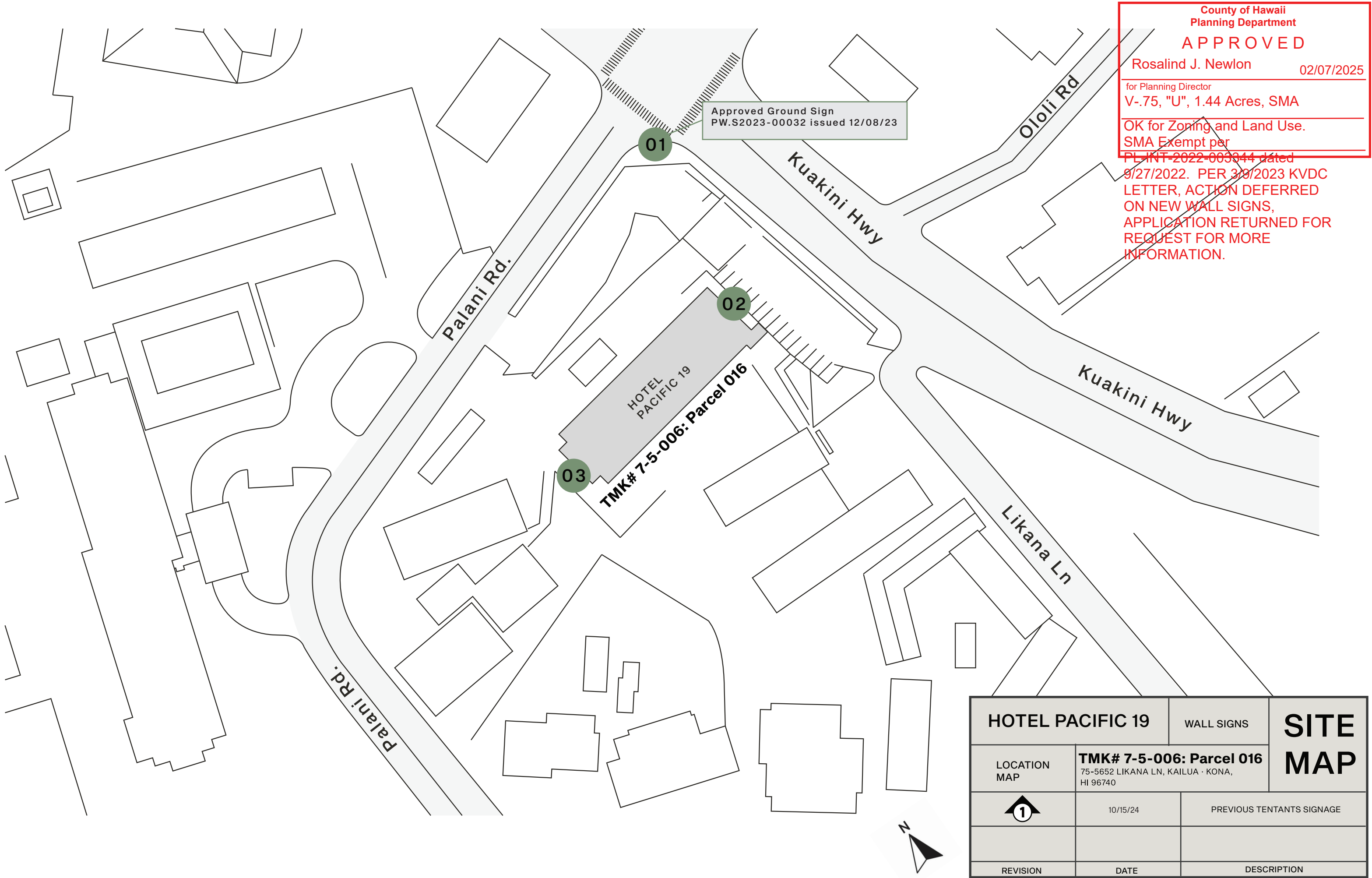
Contact:
Anthony Craven Jr.
Ph: 808-329-5858
Email: Bcraven@Lanikai.net

SIGN OWNER

Nine Brains Big Island, LLC
2601 Ocean Park, Suite 208
Santa Monica, Ca 90405

Contact:
James Evans
Ph: 818-469-9196
Email: James@ninebrains.com

HOTEL PACIFIC 19		WALL SIGNS	INFO
LOCATION MAP	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	

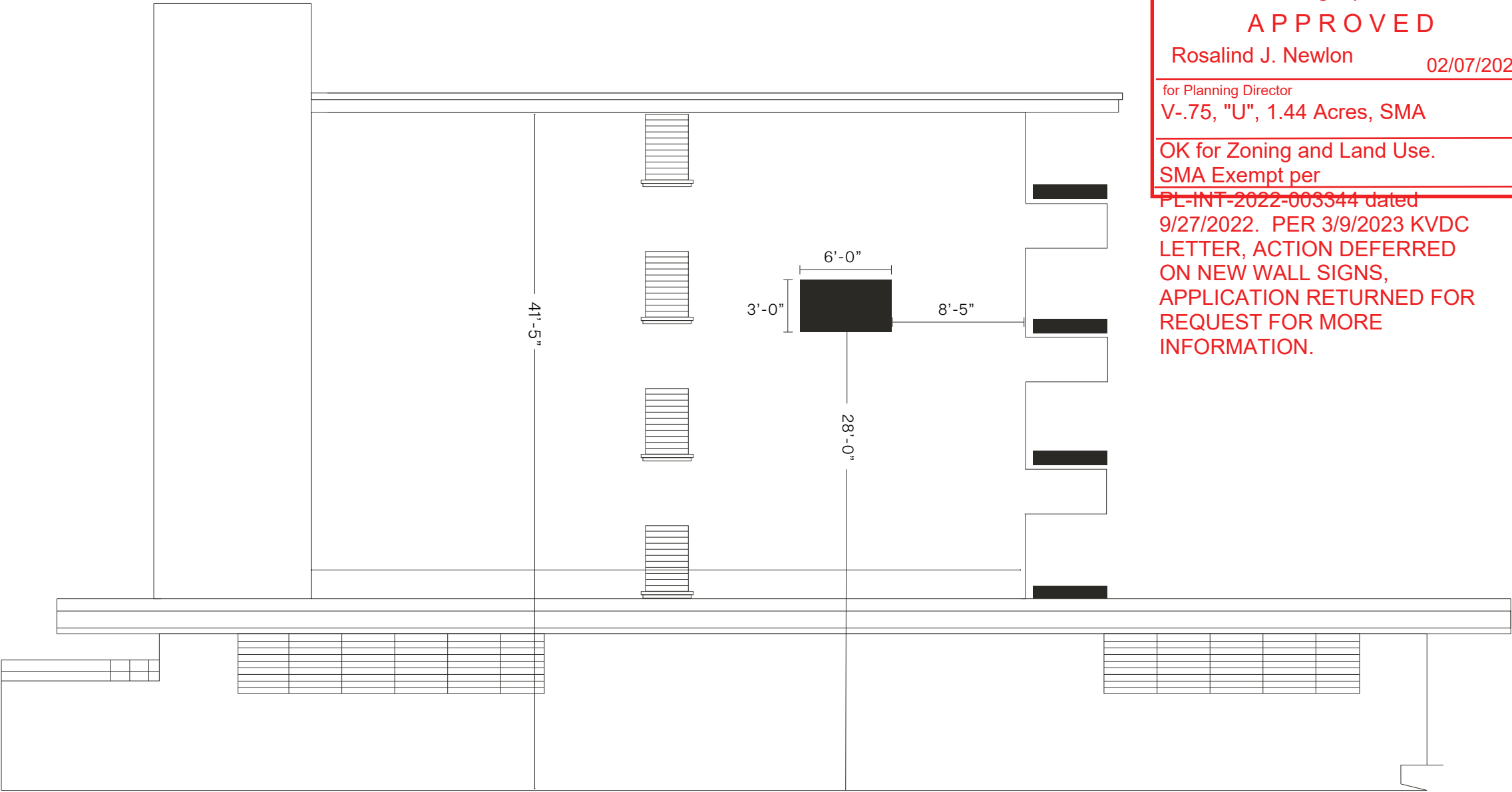


County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon 02/07/2025
for Planning Director
V-.75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per
PL-INT-2022-003844 dated

8/27/2022. PER 3/8/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Kuakini Highway



EXTERIOR ELEVATION

County of Hawaii
Planning Department

APPROVED

Rosalind J. Newlon02/07/2025

for Planning Director
V-.75, "U", 1.44 Acres, SMA

OK for Zoning and Land Use.
SMA Exempt per
PL-INT-2022-003344 dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



18 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	01
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	



PAINT SPECIFICATION

EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G



SIGNAGE MOCK UP
View of north facing hotel wall from Kuakini Highway

County of Hawaii
Planning Department

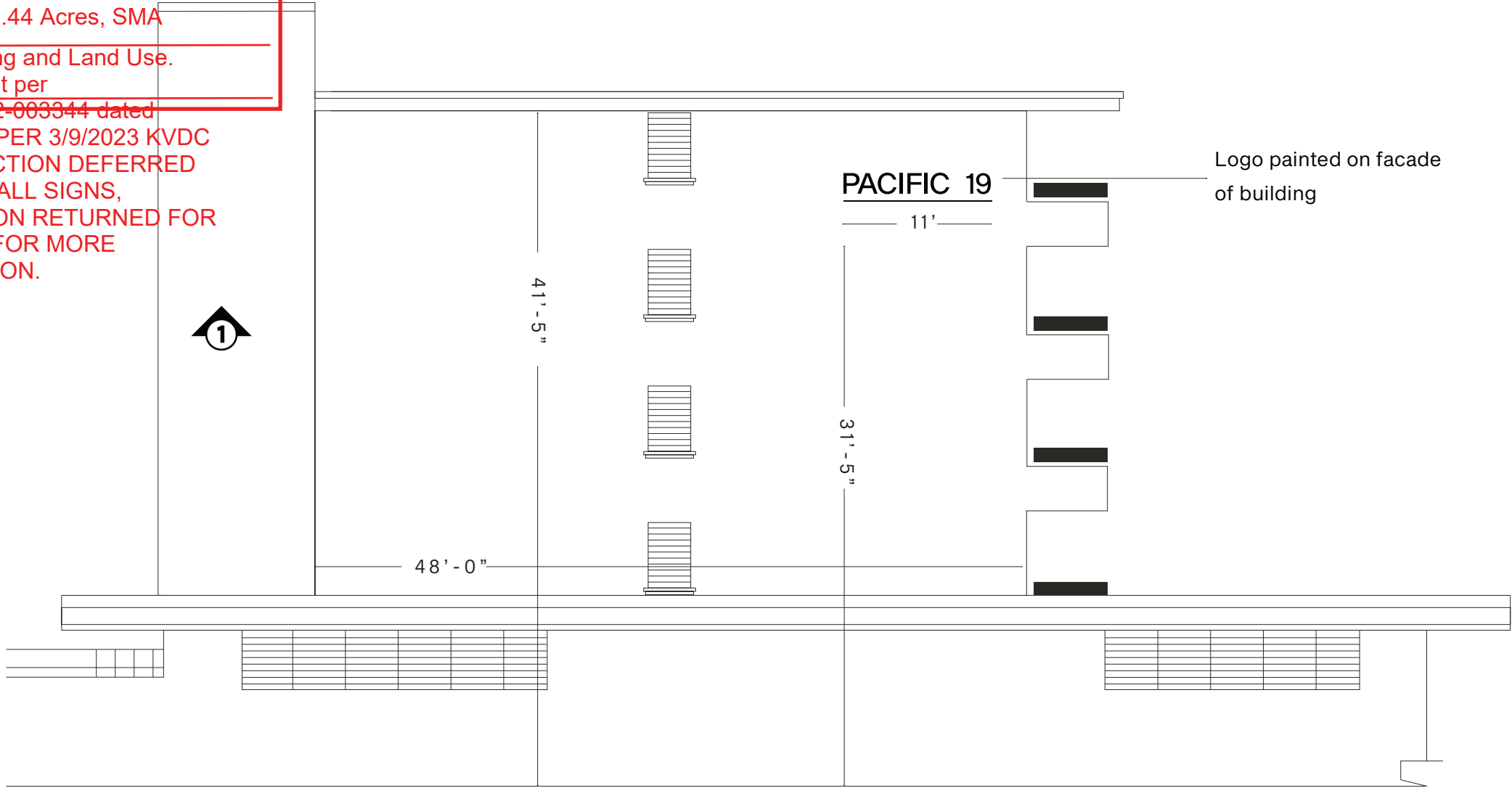
APPROVED

Rosalind J. Newlon02/07/2025

for Planning Director
V-.75, "U", 1.44 Acres, SMA

OK for Zoning and Land Use.
SMA Exempt per
PL-INT-2022-003344 dated

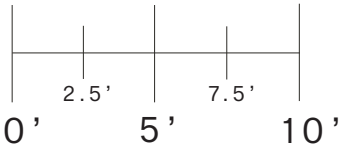
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



EXTERIOR ELEVATION



SIGNAGE DETAILS



HOTEL PACIFIC 19		EXTERIOR SIGNS	02
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	



PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Ali'i Dr./ Commerical area

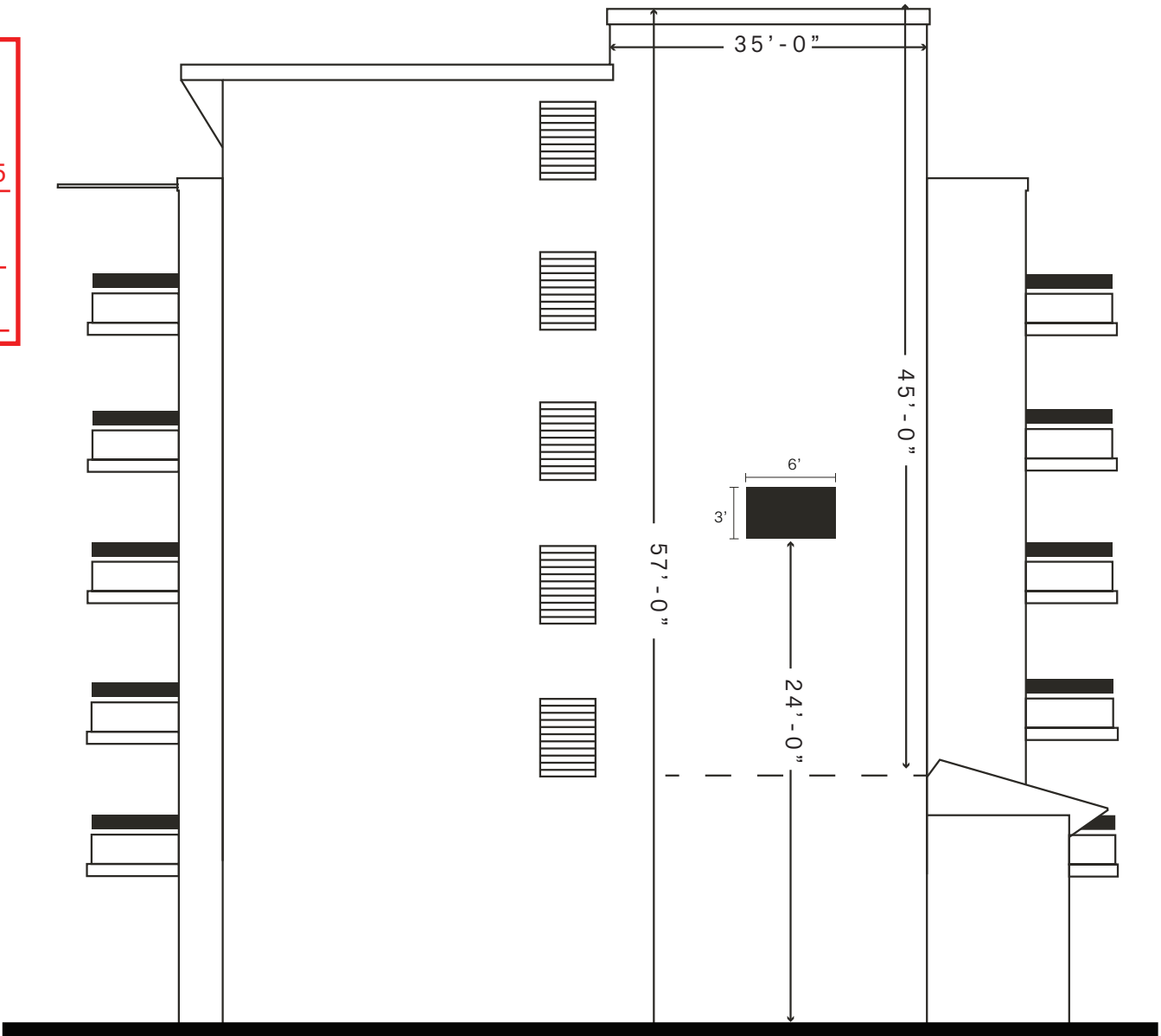
County of Hawaii
Planning Department

APPROVED

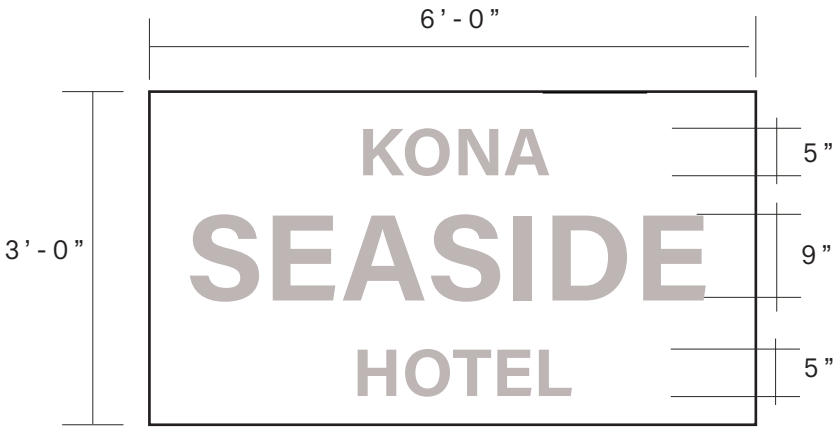
Rosalind J. Newlon02/07/2025

for Planning Director
V-.75, "U", 1.44 Acres, SMA

OK for Zoning and Land Use.
SMA Exempt per
~~PL-INT-2022-003344~~ dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



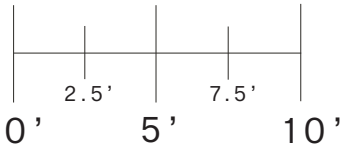
EXTERIOR ELEVATION



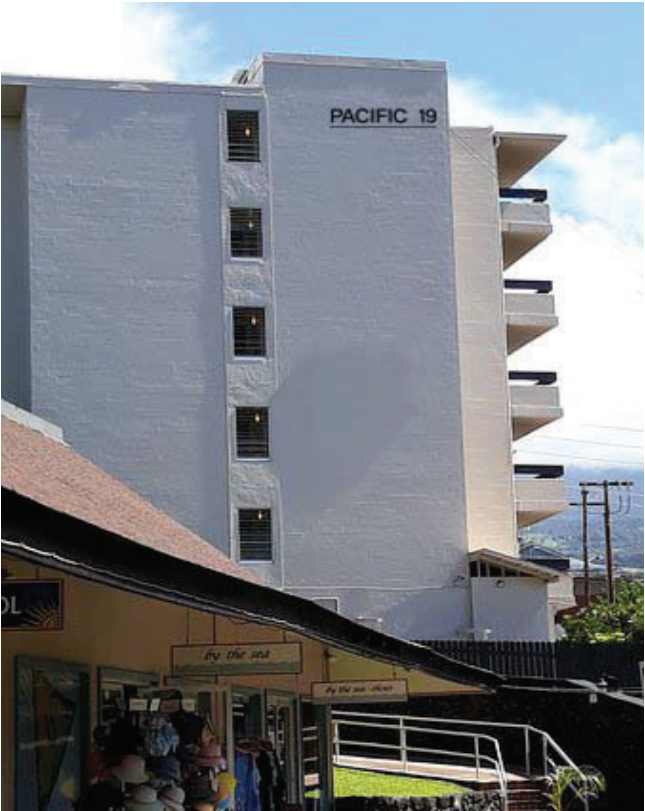
SIGNAGE DETAIL



18 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	03
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION 	



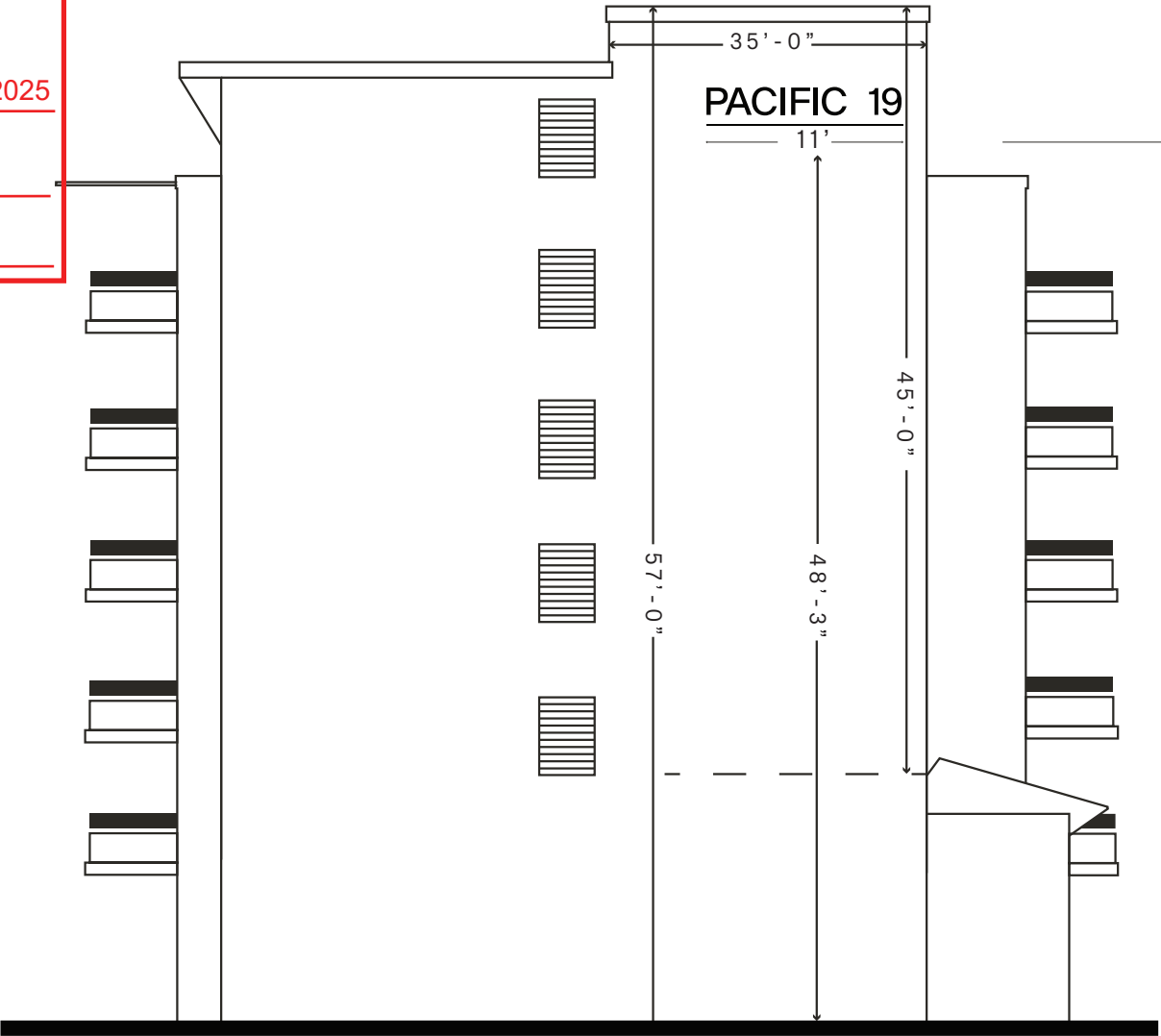
SIGNAGE MOCK UP
View of north facing hotel wall from Ali'i Dr./ Commerical area



PAINT SPECIFICATION
EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G

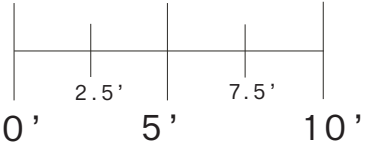
County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon 02/07/2025
for Planning Director
V-.75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per
~~PL-INT-2022-003344~~ dated

9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS,
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION.



EXTERIOR ELEVATION

EXTERIOR ELEVATION



SIGNAGE DETAILS

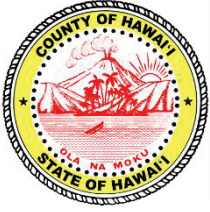


22 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	04
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	

"EXHIBIT D"



DEPARTMENT OF PUBLIC WORKS

BUILDING DIVISION

101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720

(808) 961-8331, Fax (808) 961-8410

74-5044 Ane Keohokālole Highway, Building E, Kailua-Kona, Hawai'i 96740

(808) 323-4720, Fax (808) 327-3509

Sign Code Variance Application

(1) Sign Owner/Applicant

Nine Brains Big Island I, LLC, a Delaware limited liability company, dba Pacific 19

Name

2601 Ocean Park Blvd, Ste 208, Santa Monica, CA 90405-5229

Mailing Address

(240) 447-1289

Phone Number (Business)

Phone Number (Cell)

(2) Property Owner

Lanihau Properties, LLC, a Hawaii limited liability company

Name – if different from sign owner/applicant

P.O. Box 9032, Kailua-Kona, HI 96745-9032

Mailing Address

(808) 329-5858

Phone Number (Business)

Phone Number (Residence)

(3) Location of Sign

Address: 75-5646 Kuakini Hwy, Kailua-Kona, HI 96740

Tax Map Key: (3) 7 - 5 - 006 : 016 - 0000

(4) Zoning: Resort - Hotel (V-.75)

(5) Hawai'i County Code section(s) from which a variance is being requested:

HCC Section 3-60(a) (Number of Signs) - 3 total signs; HCC Section 3-58(b) (No Sign Exceeds 12 sq. ft.);

HCC Section 3-58(c) (Lettering Height); HCC Section 3-59(a)(4) (Sign Elevation)

(6) Attachments required to be filed with this application:

- (a) A complete copy of any sign permit application or rejection of the sign permit, if any;
- (b) An explanation of alternative measures, if any, that the applicant is proposing to take in lieu of compliance with the applicable code section;
- (c) A photo or drawing of the relevant sign(s);

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

- (d) A map showing the location of the sign(s) and showing all streets adjacent to the building or lot where the sign is located;
- (e) A list of the names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property and,
- (f) A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).

(7) **Filing Fees:** This application must be accompanied by the fee of \$100 for each sign or an amount equal to 10% of the total value of the sign(s), excluding installation costs, whichever is greater, payable to the County Director of Finance.

(8) Applicant must provide written explanations for the following (please attach sheets):

- (a) Granting the variance is necessitated by the peculiar physical conditions not ordinarily found in most districts, because of the peculiarity of a business, or as a result of a special event or circumstance;
- (b) Granting the variance will not adversely affect the rights of adjacent property owners or tenants;
- (c) Granting the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public;
- (d) A strict application of the terms of this chapter would work unnecessary hardship and practical difficulty upon the applicant or community;
- (e) Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

I hereby certify that all work requested will conform to appropriate sections of the Hawai'i County Code.

Signature of Applicant	Date	Print Name
<i>Amanda Thevenot</i>	12/4/2023	Amanda Thevenot
Signature of Lessee / Applicant	Date	Print Name

DEPARTMENT OF PUBLIC WORKS – OFFICIAL USE ONLY

Application Reviewed By: _____ **Date:** _____

Review by Special Design Commission (KVDC/PVDRC) Required? Yes _____ No _____

If yes,

- ☐ Kailua Village Design Commission (KVDC)
- ☐ Pahoa Village Design Review Committee (PVDRC)

Date application sent to Planning Director: _____

Date application returned from KVDC or PVDRC _____

Director _____ **Date** _____

Variance Approved ☐

Variance Disapproved ☐

County of Hawai'i is an Equal Opportunity Provider and Employer.

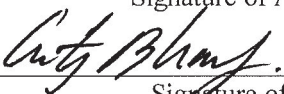
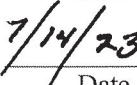
Effective Date: June 1, 2020

- (d) A map showing the location of the sign(s) and showing all streets adjacent to the building or lot where the sign is located;
 - (e) A list of the names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property and,
 - (f) A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).
- (7) **Filing Fees:** This application must be accompanied by the fee of \$100 for each sign or an amount equal to 10% of the total value of the sign(s), excluding installation costs, whichever is greater, payable to the County Director of Finance.

(8) Applicant must provide written explanations for the following (please attach sheets):

- (a) Granting the variance is necessitated by the peculiar physical conditions not ordinarily found in most districts, because of the peculiarity of a business, or as a result of a special event or circumstance;
- (b) Granting the variance will not adversely affect the rights of adjacent property owners or tenants;
- (c) Granting the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public;
- (d) A strict application of the terms of this chapter would work unnecessary hardship and practical difficulty upon the applicant or community;
- (e) Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

I hereby certify that all work requested will conform to appropriate sections of the Hawai'i County Code.

Signature of Applicant	Date	Print Name
		
Signature of Owner	Date	Print Name

DEPARTMENT OF PUBLIC WORKS – OFFICIAL USE ONLY

Application Reviewed By: _____ Date: _____

Review by Special Design Commission (KVDC/PVDRC) Required? Yes _____ No _____

If yes,

- ☐ Kailua Village Design Commission (KVDC)
- ☐ Pahoa Village Design Review Committee (PVDRC)

Date application sent to Planning Director: _____

Date application returned from KVDC or PVDRC _____

Director _____ Date _____

Variance Approved ☐

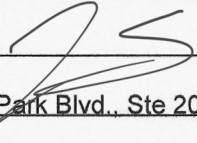
Variance Disapproved ☐

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

APPLICATION FOR DESIGN REVIEW
KAILUA VILLAGE DESIGN COMMISSION
COUNTY OF HAWAII
PLANNING DEPARTMENT

APPLICANT: Nine Brains Big Island I, LLC, a Delaware limited liability company, dba Pacific 19

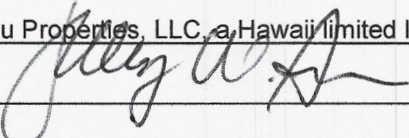
APPLICANT'S SIGNATURE:  DATE: 10-10-23

ADDRESS: c/o 2601 Ocean Park Blvd., Ste 208, Santa Monica, CA 90405 5229

TELEPHONE NUMBER: c/o 240-447-1289

APPLICANT'S INTEREST, if not recorded owner: Lessee

RECORDED OWNER: Lanihau Properties, LLC, a Hawaii limited liability company

OWNER'S SIGNATURE:  DATE: 1-10-23

ADDRESS: P.O. Box 9032, Kailua-Kona, Hawaii 96745

TELEPHONE NUMBER: 808-329-5858

PROPOSED USE: Hotel

TAX MAP KEY: (3) 7-5-006:016 LAND AREA: 1.440 acres

STREET ADDRESS OF PROPERTY: 75-5646 Kuakini Highway, Kailua-Kona, Hawaii 96740

STATE LAND USE DISTRICT: Urban COUNTY ZONING: Resort -Hotel (V-.75)

This application must be accompanied by one set of presentation size (recommended 24" x 36") and eleven sets of reduced size (recommended either 11" x 17" or 8-1/2" x 11") of the site plan drawings (same information as required for Plan Approval application; see attached). For presentation to the Kailua Village Design Commission, the applicants should make certain that the following are also clearly depicted in the submitted drawings:

- (1) Site plan showing TMK parcel boundaries, and showing existing and proposed building locations;
- (2) Building elevations showing the architectural design of the building exteriors, depicting or describing proposed exterior colors and materials. Notation of ground elevation with contour lines or selected spot elevations is recommended. Earth tone colors are recommended. Color samples should be provided. If reasonable and appropriate, samples of exterior building materials may be provided; and
- (3) Location, design, and colors of proposed sign(s), if any.

All submitted drawings and samples of colors/materials will not be returned.

AFFIDAVIT OF MAILING OF NOTICE TO SURROUNDING PROPERTY OWNERS

Sign Owner/Applicant: Nine Brains Big Island I, LLC

Request: Sign Code Variance Application for Variances from HCC Sections 3-58(b), 3-58(c), 3-59(a)(4), and 3-60(a) (Sign Permit Application No. PW.S2023-00001)

Lanihau 1st, District of North Kona, Island and County of Hawaii

Tax Map Key No.: (3) 7-5-006:016

STATE OF HAWAII

)

) SS.

COUNTY OF HAWAII

)

KATHERINE A. GARSON, being first duly sworn on oath, deposes and says that:

1. I am a partner in the law firm of Carlsmith Ball LLP, which represents Sign Owner/Applicant, Nine Brains Big Island I, LLC, who filed a Sign Code Variance Application seeking certain variances from Hawaii County Code ("HCC"), Chapter 3 (Signs), Sections 3-58(b), 3-58(c), 3-59(a)(4), and 3-60(a) under Sign Permit Application No. PW.S2023-00001, affecting Tax Map Key No.: (3) 7-5-006:016 (the "**Property**"), situated at Lanihau 1st, District of North Kona, Island and County of Hawaii.

2. Your Affiant complied a list of names and addresses of property owners within the 300-foot perimeter boundary of the Property pursuant to HCC Section 3-22(c)(9), a copy of said list being attached hereto as **Exhibit A**.

3. On March 25, 2025, your Affiant mailed to all said property owners a Notice to Surrounding Property Owners, a copy of said notice being attached hereto as **Exhibit B**.

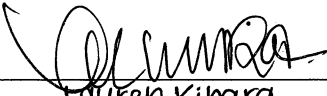
DATED: Hilo, Hawaii, March 31, 2025.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



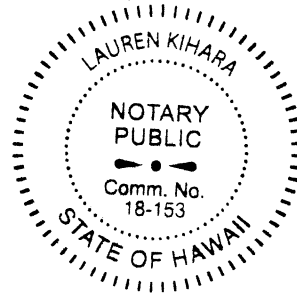
KATHERINE A. GARSON

Subscribed and sworn (or affirmed) before me this 31st day of March, 2025.


Name: Lauren Kihara

Notary Public, State of Hawaii

My commission expires: April 01, 2026



(Notary Stamp or Seal)

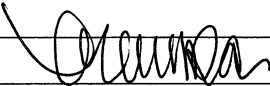
NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Affidavit of Mailing of Notice to Surrounding Property Owners

Document Date: March 31, 2025

No. of Pages: Twenty-Four (24) Pages

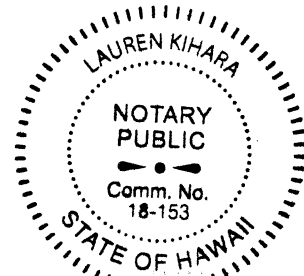
Jurisdiction (in which notarial act is performed): Third Circuit Court

 March 31, 2025

Signature of Notary Date of Notarization and Certification Statement

Printed Name of Notary Lauren Kihara

Date of Notary Commission Expiration: April 01, 2026



(Notary Stamp or Seal)

EXHIBIT A

Nine Brains Big Island I, LLC
Surrounding Property Owners Within 300'
of TMK No.: (3) 7-5-006:016

TMK	Owner Name and Address
7-4-010-039	LILUOKALANI TRUST QUEEN LILUOKALANI TRUST 1100 ALAKEA ST, STE 1100 HONOLULU, HI 96813-2845 FPA NORTH KONA ASSOCIATES LLC C/O ALLIANCE TAX ADVISORS 6191 STATE HIGHWAY 161, SUITE 100 IRVING, TX 75038-2290 ULA KAPA MOE LLC 1000 BISHOP ST, STE 810 HONOLULU, HI 96813
7-5-004-009	PRIME A INVESTMENTS LLC 16850 BEAR VALLEY RD VICTORVILLE, CA 92395-5794
7-5-004-012	HAWAII RADIOLOGIC SERVICES LLC 688 KINOOLE ST, STE 103 HILO, HI 96720-3868
7-5-004-023	MEYER, KAREN N PO BOX 1036 KEAAU, HI 96749
7-5-004-025 7-5-006-005 7-5-006-027 7-5-006-035	COUNTY OF HAWAII DEPT OF FINANCE 25 AUPUNI ST, STE 2103 HILO, HI 96720
7-5-004-027 7-5-004-028 7-5-004-034	AMAKUA PROPERTIES LLC 3149 N NIMITZ HWY HONOLULU, HI 96819-1905 ALOHA AUTO GROUP LTD NO ADDRESS LISTED
7-5-005-005 7-5-005-067	KING'S CATHEDRAL AND CHAPELS 777 MAUI VETERANS HWY KAHULUI, HI 96732-3002
7-5-005-061	AMERICAN SAVINGS BANK FSB PO BOX 2300 HONOLULU, HI 96804-2300
7-5-006-012	BURGESS INC PO BOX 532 KAILUA-KONA, HI 96745-0000 HANGCA, JOSEPH L 223 OLD HALES GAP RD TRENTON, GA 30752-4204
7-5-006-013	YWAM SHIPS HAWAII 75-5687 ALII DR KAILUA-KONA, HI 96740-1601

7-5-006-014	FISHHOPPER LLC 700 CANNERY ROW MONTEREY, CA 93940-1063
7-5-006-015	NINE BRAINS BIG ISLAND ANNEX LLC 73-1542 HAO WAY KAILUA-KONA, HI 96740-8656 NINE BRAINS BIG ISLAND ANNEX LLC C/O SPRINGBOARD HOSPITALITY 2270 KALAKAUA AVE, STE 1502 HONOLULU, HI 96815-2561
7-5-006-016	LANIHAU PROPERTIES LLC PO BOX 9032 KAILUA-KONA, HI 96745-9032 NINE BRAINS BIG ISLAND I LLC 2601 OCEAN PARK BLVD, STE 208 SANTA MONICA, CA 90405-5229 NINE BRAINS BIG ISLAND ANNEX LLC C/O SPRINGBOARD HOSPITALITY 2270 KALAKAUA AVE, STE 1502 HONOLULU, HI 96815-2561
7-5-006-017	OLSON, EDMUND C TR 46 AMAUULU RD HILO, HI 96720-2347 KIMI, WILLIAM J JR NO ADDRESS LISTED KONA SEASIDE INC BANK OF HAWAII INV SVC GROUP PO BOX 3170 HONOLULU, HI 96802-3170
7-5-006-019	JP'S NEVADA TRST 109 W 7TH ST, STE 200 GEORGETOWN, TX 78626-5766
7-5-006-020	HKK HAWAII LLC HKK MANAGEMENT INC 1668 S KING ST, FL2 HONOLULU, HI 96826-2074

4909-0245-4316.1.071151-00002

Nine Brains
Surrounding Property Owners Within 300'
of TMK No.: (3) 7-5-006:016

	BREIT KONA PROPERTY OWNER LLC C/O BLACKSTONE REAL EST ADVISORS LP PO BOX A3956 CHICAGO, IL 60690-3956
	KING KAMEHAMEHA'S KONA BEACH HOTEL ATTN: ACCOUNTING DEPT 75-5660 PALANI RD KAILUA-KONA, HI 96740-3612
7-5-006-025	SARAH L AKONA PARTNERSHIP NO ADDRESS LISTED
	KONA SQUARE ASSOCIATES 270 KUULEI RD, STE 206 KAILUA, HI 96734-2755
	KONA TEI INC NO ADDRESS LISTED
7-5-006-028	BOUGAINVILLEA PLAZA LTD PARTNERSHIP 76-4306 KINAU ST KAILUA-KONA, HI 96740-0000
7-5-006-030	HAWAII ESTATE VENTURES, LTD C/O QUINN'S RESTAURANT 75-5655 PALANI RD, APT A KAILUA-KONA, HI 96740-1618
7-5-006-034	STATE OF HAWAII DEPT OF LAND & NATURAL RESOURCES 75 AUPUNI ST, STE 204 HILO, HI 96720
	BOUGAINVILLEA PLAZA LTD PARTNERSHIP 76-4306 KINAU ST KAILUA-KONA, HI 96740- 8981
7-5-006-043	STATE OF HAWAII DEPT OF LAND & NATURAL RESOURCES 75 AUPUNI ST, STE 204 HILO, HI 96720

4909-0245-4316.1.071151-00002

EXHIBIT B

CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE
P.O. BOX 686
HILO, HAWAII 96721-0686
TELEPHONE 808.935.6644 FAX 808.935.7975
WWW.CARLSMITH.COM

KGARSON@CARLSMITH.COM

OUR REFERENCE NO.
071151-2

March 25, 2025

NOTICE TO SURROUNDING PROPERTY OWNERS

Applicant: Nine Brains Big Island I, LLC
Location: Pacific 19 Hotel, 75-5646 Kuakini Highway, Kailua Kona, Hawaii 96740
Request: Sign Variances from HCC Sections 3-58(b), 3-58(c), and 3-59(a)(4), and 3-60(a) (Sign Permit Application No. PW.S2023-00001)
Tax Map Key: (3) 7-5-006:016 (the "**Property**")

Dear Surrounding Property Owner:

This firm represents, Nine Brains Big Island I, LLC ("**Pacific 19**"), the current ground lessee of TMK: (3) 7-5-006:016 and current operator of the renovated and rebranded Pacific 19 Hotel (formerly the Kona Seaside Hotel).

Pacific 19 is seeking certain variances from Hawaii County Code ("**HCC**") Chapter 3 (the "**Sign Code**") to allow for the replacement of 2 signs associated with the former Kona Seaside Hotel with 2 new Pacific 19 logo signs.

The installation of these 2 new signs will require the approval of variances from the following sections of the Sign Code:

1) HCC Section 3-60(a) only allows one sign for any business or one sign for any street or vehicle access on which a building has frontage.

Pacific 19's ground sign at the intersection of Kuakini Highway and Palani Road was previously approved by the Kailua Village Design Commission and County Department of Public Works. The subject ground sign was already installed per approved plans. This variance request is to allow for 2 additional wall signs, or 3 total signs for the Pacific 19 hotel. When completed, the 3 Pacific 19 signs would replace the 2 wall signs and 1 ground sign previously approved by the County for the Kona Seaside Hotel.

2) HCC Section 3-58(b), HCC Section 3-58(c) and HCC Section 3-59(a)(4), which respectively, requires no signs within the Kailua Village Core larger than 12 square feet; lettering or symbols

HONOLULU
4930-2582-2508.1

HILO

KONA

MAUI

Surrounding Property Owner
March 25, 2025
Page 2

no larger than nine inches; and shall not be elevated more than nine feet above finished floor level or one-half the height of the wall on which it is located, whichever is less.

We have enclosed a copy of our narrative letter dated March 25, 2025 describing the requested variances in further detail and Pacific 19's justification for approval.

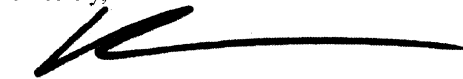
This notice letter is a requirement of the County's variance process, which is intended to allow surrounding property owners within 300 feet of the Property an opportunity to provide comment regarding Pacific 19's plan to replace the 2 wall signs at the former Kona Seaside Hotel with 2 new wall signs. Should you wish to provide comment on this variance request, please provide a written statement addressed to the County Department of Public Works as follows:

East Hawaii ☐ - (Mark box to indicate correct office)	West Hawaii ☒ - (Mark box to indicate correct office)
Attn: Director of Public Works Re: Sign Variance - PW.2023-00001 County of Hawaii – Building Department 101 Pauahi Street, Suite 7 Hilo, HI 96720	Attn: Director of Public Works Re: Sign Variance - PW.S2023-00001 County of Hawaii – Building Department 74-5044 Ane Keohokalole Highway Bldg E, 1st Floor Kailua-Kona, HI 96740

Pursuant to HCC Section 3-22(c)(9), a "public comment period" of (20) days is required, so please ensure all comments are submitted to the County Department of Public Works, Building Division - Kona Office prior to **April 14, 2025**.

Please do not hesitate to call me or my paralegal Jason Knable at (808) 935-6644, should you have any questions concerning this matter, or if you would like to receive an emailed copy of the Sign Plan, or any other documentation associated with this variance request. Thank you for your kind attention.

Sincerely,



Katherine A. Garson

Enclosure

4930-2582-2508.1

CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE
P.O. BOX 686
HILO, HAWAII 96721-0686
TELEPHONE 808.935.6644 FAX 808.935.7975
WWW.CARLSMITH.COM

KGARSON@CARLSMITH.COM

OUR REFERENCE NO.
071151-2

March 25, 2025

Hugh Ono, P.E.
Director
Department of Public Works
101 Pauahi Street, Suite 7
Hilo, Hawaii 96720
Attn: Chris Domino

Re: **Submittal of Sign Variance Request**
Project: Pacific 19 Hotel (formerly the Kona Seaside Hotel)
Applicant: Nine Brains Big Island I, LLC
TMK: (3) 7-5-006:016

Dear Mr. Ono:

This firm represents Applicant Nine Brains Big Island I, LLC ("**Pacific 19**"), the ground lessee of TMK: (3) 7-5-006:016 (the "**Property**"), and current operator of the renovated and rebranded Pacific 19 Hotel (formerly the Kona Seaside Hotel) (the "**Hotel**"), located within Kailua Village, immediately makai (south) of the intersection of Kuakini Highway and Palani Road (See "Exhibit A" - Aerial Map).

On January 28, 2025, we submitted a revised sign plan for continued processing under pending Sign Permit No. PW.S2023-00001. The revised sign plan depicted the changes to the 2 wall signs slated for the exterior of the main 6-story Hotel structure, which now features just the current "Pacific 19" brand logo¹. This resubmission was specifically intended to address earlier comments from the Kailua Village Design Commission ("**KVDC**") issued on March 9, 2023, requiring that Pacific 19 to submit a Sign Variance Application to provide more information to the KVDC for consideration (See "Exhibit B" - KVDC Design Review letter).

The details of the revised wall signs are further described below:

1. **Wall Sign No. 2 (North):** This revised wall sign is intended for installation upon the northern (mauka) exterior face of the Hotel, which immediately overlooks

¹ The 53,472 sq. ft. main Hotel building is flanked to the west by an existing 2-story annex of the Hotel, but no signs are proposed for this annex structure at this time.

Kuakini Highway. The subject wall sign has a total surface area of 22 square feet. The wall sign will depict the Hotel's name or the "Pacific 19" logo, painted in black latex paint with lettering approximately 2 feet in height and 11 feet in length, enhanced by a black underline accent. This wall sign will be elevated to a height of approximately 31 feet and 5 inches above existing grade.

2. **Wall Sign No. 3 (South):** The subject wall sign is intended to be identical to Wall Sign No. 1, but just located at a higher elevation along the southern (makai) exterior of the Hotel facing Ali'i Drive. Like Wall Sign No. 2, the proposed wall sign comprises a total surface area of 22 square feet. The wall sign will also depict the Hotel's name or the "Pacific 19" logo, painted in black latex paint with lettering approximately 2 feet in height and 11 feet in length, enhanced by a black underline accent. As mentioned earlier, the only difference between Wall Sign No. 2 and Wall Sign No. 3 is that the subject wall sign will be elevated above the existing grade to approximately 48 feet and 3 inches in height on the makai wall of the Hotel.

(See "Exhibit C" - Revised Sign Plans or current Sign Plan submitted in EPIC).

The Department of Public Works ("DPW") formally rejected Pacific 19's revised sign plan on March 11, 2025 through a review in EPIC, indicating noncompliance with certain sections of Hawaii County Code ("HCC") Section 3 (Signs) (the "Sign Code"), which we have listed verbatim as follows:

1. "Section 3-58(b) Because the property is located in Kailua Village core (KVC), this section shall apply. No sign located in KVC, no sign shall exceed 12 sf." (DPW 03/11/25)

This section of the Sign Code specifically states:

"In any case, the total area allowed shall not exceed twelve square feet for any sign not fronting a public street or vehicular access or for any sign located within the Kailua Village Core."

Pacific 19 acknowledges that a variance from HCC Section 3-58(b) is required to implement its proposed wall sign design, as Pacific 19 is proposing wall signs that are 22 square feet in size and in the KVC.

2. "Section 3-58(c) Because the property is located in Kailua Village core (KVC), this section shall apply. No letter or symbol located in KVC, shall exceed 9 inches in height." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Any lettering or symbol, including free-standing letters, shall not exceed nine inches in height, except as noted in (1) below.

(1) In the Kailua Industrial Subdivision, any lettering or symbol, including free-standing letter, shall not exceed eighteen inches in height."

Pacific 19 acknowledges that a variance from HCC Section 3-58(c) is required to implement its proposed wall sign design, as lettering for both Wall Sign No. 2 (North) and Wall Sign No. 3 (South) is proposed at 2 feet in height.

3. "Section 3-59 (a)(4) Because the property is located in Kailua Village core (KVC), this section shall apply. Top edge of a wall sign shall not exceed 9 feet in elevation." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Wall sign. The top edge of a wall sign shall not exceed nine feet above the grade or finished floor level or one-half the height of the wall on which it is located, whichever is less."

Pacific 19 acknowledges that a variance from HCC Section 3-59(a)(4) is required to implement its proposed wall sign design, as Wall Sign No. 2 (North) is set to a height of approximately 31 feet and 5 inches above existing grade, while Wall Sign No. 3 (South) is proposed for a height of 48 feet and 3 inches above existing grade.

4. "Section 3-60 (a) Because the property is located in Kailua Village core (KVC), this section shall apply. One sign shall be installed per street frontage vehicular access. Proposed sign "03" is place on a side that does not have street frontage / vehicular access." (DPW 03/11/25)

This section of the Sign Code specifically states:

"Only one sign for any business or one sign for any street or vehicle access on which a building has frontage shall be permitted."

Pacific 19 acknowledges that a variance from HCC Section 3-59(a)(4) is required to implement its revised sign plan, as Pacific 19 is proposing 2 additional wall signs for a total of 3 signs on the Property. These 2 new wall signs are in addition to the previously approved ground sign (PW.S2023-00032 issued on December 8, 2023), which Pacific 19 installed upon an existing rock wall within the Property at the intersection of Kuakini Highway and Palani Road. (Ref. "Exhibit C" - Sign Plan - Site Plan).

Pacific 19 is also acknowledges that Wall Sign No. 3 (South) is located on the side of the Hotel that does not have immediate street frontage. We would also note that this wall sign is merely intended to replace the former Kona Seaside Hotel sign located on the same surface.

Based on the above comments from DPW, this letter shall serve as Pacific 19's formal submission of the required Sign Code Variance Application for consideration (See "Exhibit D" - Fully Executed Sign Code Variance Application). This letter is also intended to separately address the requested written explanation to justify the granting of variances from the Sign Code, as required by the subject application and HCC Section 3-22, as discussed in the following narrative format below.

1. An explanation of any unique circumstances, in particular, those arising from peculiar physical conditions not ordinarily found in most districts, peculiarity of the business, or other special event or circumstance;

Pacific 19's Response: Pacific 19 requires the requested variances from the Sign Code to complete the conversion of the signage associated with the rebranding of the Kona Seaside Hotel, as this is the last component needed to address the full branding conversion². We should point out that the County previously approved 3 signs for the Kona Seaside Hotel, specifically 1 ground sign along the intersection of Kuakini Highway and Palani Road, and 2 wall signs on each side of the main Hotel structure. Pacific 19 is merely requesting consideration from the County to grant the necessary variances to replace these same number of signs with new Pacific 19 branded signs, albeit Pacific 19's signs are slightly larger and at a higher elevation, but as noted below are more minimalistic in design than prior "Kona Seaside Hotel" signs.

The proposed wall signs are simply the current Pacific 19 logo, which is a logo intended to be modern, minimalistic, and timeless, and intended to create a memorable identity that connects with guests. The current Pacific 19 logo is the focal point of all the Hotel's marketing materials, display advertising, and promotional items, and it is used consistently throughout the Hotel by design. It is important to Pacific 19 that the wall signage for the Hotel also reflects the Pacific 19 logo, as its visual presence on the Hotel façade will only serve to reinforce current branding.

For comparison purposes, we included Sheets 1 and 3 in the Sign Plan to demonstrate that the proposed wall signs are a clear improvement over the previously approved wall signs for the former Kona Seaside Hotel. As you can see from the exhibits, the former Kona Seaside Hotel signs were not identical to each other in terms of overall design and aesthetics (e.g. different size signs; different colors being used, e.g. orange on black and beige on white). The new Pacific 19 wall signs are proportionate to the existing building façade, providing more symmetry, which enhances overall aesthetics, and is clearly less visually impactful than the former Kona Seaside Hotel signs, although slightly larger and at a higher elevation.

Signage visibility is extremely important to any viable Hotel operation. The proposed wall signs are large enough and at a height where the signs are clearly visible from the adjoining roadways, which is intended to make it easier for guests, and more importantly first-time visitors, to find the Hotel within the often busy Kailua-Kona urban core.

2. An explanation of why granting the variance will not adversely affect the rights of adjacent property owners or tenants, including an explanation of alternative measures, if any, that the Pacific 19 is proposing to take in lieu of compliance with the applicable code section;

² The KVDC and DPW previously approved the replacement of the former Kona Seaside Hotel ground sign with a new Pacific 19 ground sign, which has since been installed per County approved plans.

Pacific 19's Response: The granting of the requested variances will not adversely affect the rights of the adjacent property owners or tenants. The proposed wall signs are merely replacing existing signage, which were installed in this same area for many years. The proposed signage is appropriately scaled and compatible with the Property frontage along the roadways that the Hotel abuts, in addition to the area architecture. Although the Hotel is in operation 24 hours a day, Pacific 19 also specifically proposed painting its current Pacific 19 logo in black latex paint to remain harmonious with the character of the Kona Village area and the surroundings, rather than pursuing a large illuminated or back lit sign that is typically a part of the branding of much larger hotel chains.

3. An explanation of why the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public; and

Pacific 19's Response: The requested variances will not unreasonably violate the interest, safety, convenience or general welfare of the public, as the Pacific 19 logo intended for placement on the Hotel facade is minimally intrusive and compliments the surrounding area. The color pallet of the Pacific 19 logo is not shiny or slick, nor does not clash with the existing exterior color of the Hotel or any neighboring properties. The black latex wall signs are much more visually pleasing than the prior Kona Seaside Hotel signage in black and orange, which were quite jarring. Pacific 19 is proposing to use black latex paint for its wall signs rather than proposing illuminated signs, which also serves to minimize impacts to those driving through the area at night.

4. An explanation of why a strict application of the terms of this chapter would work an unnecessary hardship and practical difficulty upon the Pacific 19 or the community.

Pacific 19's Response: The strict application of the requirements of the Sign Code would create an unnecessary hardship on the Pacific 19, as it would deprive the Pacific 19 of the ability to effectively brand the Hotel. Smaller lettering and limiting the Pacific 19 to the specific height limits set by the Sign Code may cause confusion for guests that are unfamiliar with the location of the Hotel, and could potentially create traffic and public safety situations, as drivers may not be able to locate the Hotel due to the limited visibility of smaller signs. The additional and larger wall signs will allow drivers to view signs from a greater distance to initiate any lane change and turns in a safe manner.

5. Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

Pacific 19's Response: The subject variance requests does not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties, and in fact, the proposed wall signs are on the same walls and placed in similar locations, as the prior Kona Seaside Hotel signs, and are arguably much less intrusive.

Hugh Ono, P.E.
March 25, 2025
Page 6

We trust that this addresses the above criteria for variances from Sign Code Sections 3-58(b), 3-58(c), 3-59 (a)(4), and 3-60 (a), and thank you for your consideration of this request.

We are also enclosing the following:

1. A list of all names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property; and
2. A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).

The appropriate filing fees will be provided concurrently through EPIC upon submission of this request.

Should you have any questions or if you require any additional information, please feel free to contact me or my paralegal Jason Knable at 808-935-6644 at any time.

Sincerely,



Katherine A. Garson

KAG/jkk1

Enclosures

4928-9514-4492.1



"EXHIBIT B"

Mitchell D. Roth
Mayor



Shaun Roth, Chair
Alayna Kilkuskie, Vice Chair
Jasmine-Victoria Crusat
Palani Greenwell
Ann Kern
Ame Werchick

County of Hawai'i
KAILUA VILLAGE DESIGN COMMISSION
74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770 • Fax (808) 327-3563

March 9, 2023

Steve Pause, Director
Department of Public Works
County of Hawai'i
Aupuni Center, 101 Pauahi Street, Suite 7
Hilo, HI 96720
VIA EMAIL

Dear Mr. Pause:

SUBJECT: Kailua Village Design Commission Design Review (PL-KVD-2023-000029)
Applicant: Nine Brains Island I, LLC dba Pacific 19
Landowner: Lanihau Properties, LLC
Request: Design Review of Three New Wall Signs and One Ground Sign for
an Existing Hotel to be Rebranded as Pacific 19 Hotel
TMK: (3) 7-5-006:016

The Kailua Village Design Commission, at its duly held public meeting on March 7, 2023, voted to return/defer the subject application for the applicant to prepare a variance application and provide more information. In the absence of the required sign information, such as letter height and sign size, the Commission was unable to render a recommendation at this time.

Should you have any questions, please contact Rosalind Newlon of the Planning Department, West Hawai'i Division at 323-4770 or by email at Rosalind.Newlon@hawaiiicounty.gov.

Sincerely,

Shaun Roth

Shaun Roth (Mar 9, 2023 10:03 HST)

Shaun Roth, Chairman
Kailua Village Design Commission

\\COH141V\Planning\KVDC\2023 Correspondence\2023-03-07\KVDC REC LTR RE K LUGA FOR PACIFIC 19 (PL-KVD-2023-000029)

cc via email: Ms. Katherine Luga, Carlsmith Ball LLP

Hawai'i County is an Equal Opportunity Provider and Employer

"EXHIBIT C"

PACIFIC 19

Wall Sign Plan Set
10-2024

APPROVALS	
REVIEWER NAME: mewlon	REVIEWER NAME:
DATE: 02/07/2025	DATE:
☒ PLANNING	☐ PLUMBING
REVIEWER NAME: bharada	REVIEWER NAME:
DATE: 02/18/2025	DATE:
☒ ENGINEERING	☐ MECHANICAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DEM WASTEWATER	☐ FIRE
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DOH WASTEWATER	☐ STRUCTURAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ DOH FOOD SAFETY	☐ BUILDING
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
☐ ELECTRICAL	
NO ELECTRICAL	

HOTEL PACIFIC 19		WALL SIGNS	TITLE
LOCATION MAP	TMK# 7-5-006: Parcel 016 75-5862 LUKANA LN, KAILUA - KOHA, HI 96760		PAGE
	10/1/21	Title Page	
REVISION	DATE	DESCRIPTION	

LOCATION INFORMATION

PARCEL NUMBER: (3) 7-5-006:016
LOCATION ADDRESS: 75-5646 Kuakini Highway, Kailua-Kona, HI 96740

PROPERTY OWNER

Lanihau Properties, LLC
P.O. Box 9032,
Kailua-Kona, HI 96740

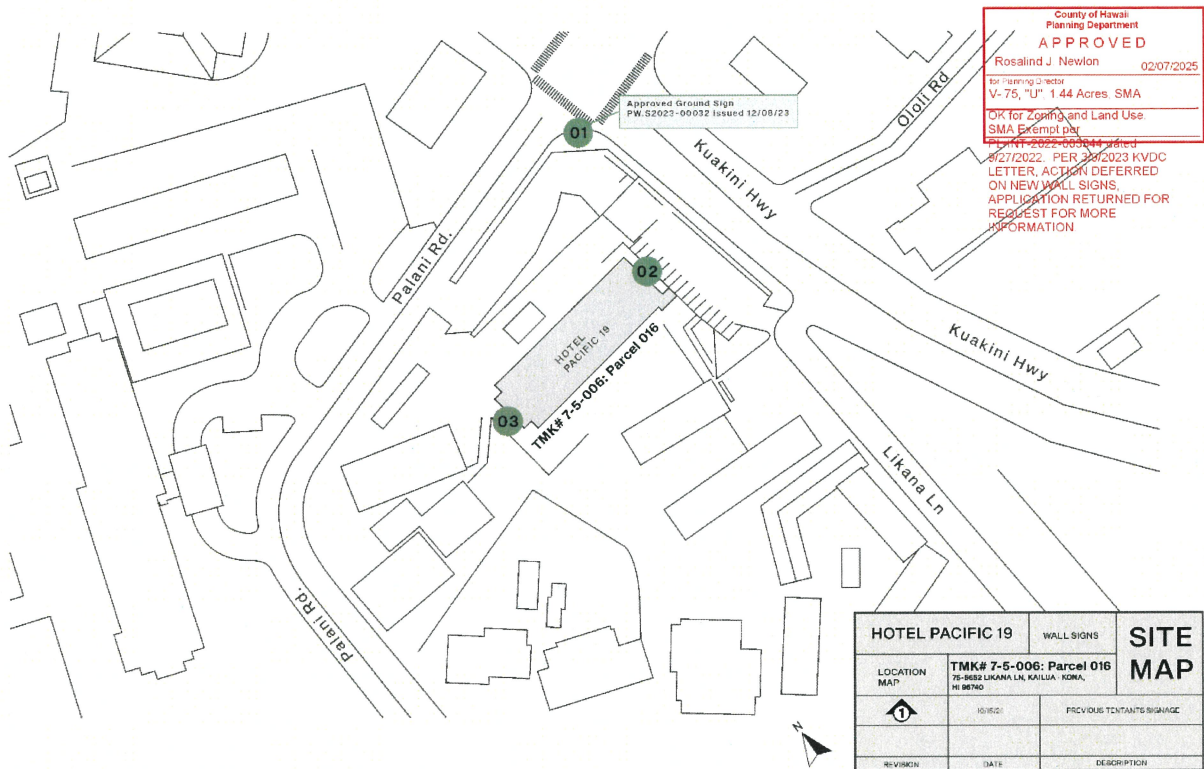
Contact:
Anthony Craven Jr.
Ph: 808-329-5858
Email: Bcraven@Lanihau.net

SIGN OWNER

Nine Brains Big Island, LLC
2601 Ocean Park, Suite 208
Santa Monica, Ca 90405

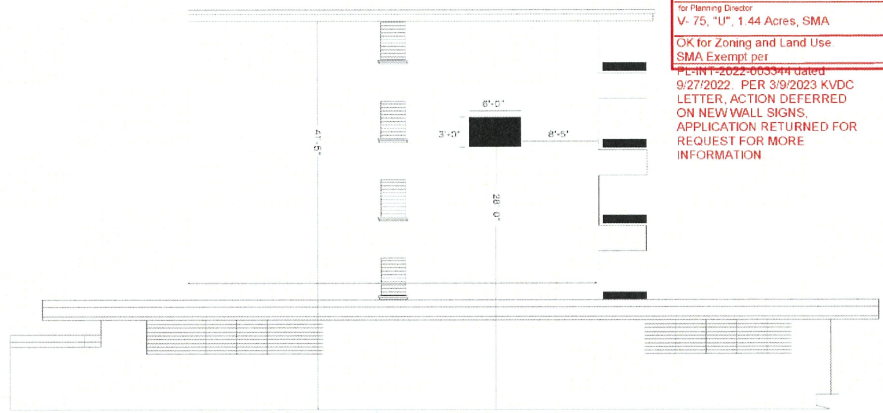
Contact:
James Evans
Ph: 818-469-9196
Email: James@ninebrains.com

HOTEL PACIFIC 19		WALL SIGNS	INFO
LOCATION MAP	TMK# 7-5-006: Parcel 016 75-5646 KUAKINI LN, KAILUA-KONA, HI 96740		
	04/15/21	PREVIOUS TENANT'S SIGNAGE	
REVISION	DATE	DESCRIPTION	





PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Kailua Highway



EXTERIOR ELEVATION



18 S.F.



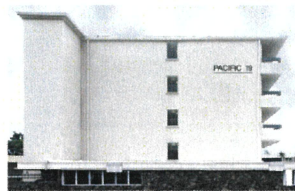
HOTEL PACIFIC 19		EXTERIOR SIGNS	01
BUILDING SIGN	TMK# 7-5-006; Parcel 016 75-9662 LIKANA LN, KAILUA - KONA, HI 96740		
	10/3/21	PREVIOUS TENANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	

County of Hawaii
Planning Department
APPROVED
Rosalind J. Newton 02/07/2025
To Planning Director
V- 75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per

PL-INT-2022-005344 dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS.
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION

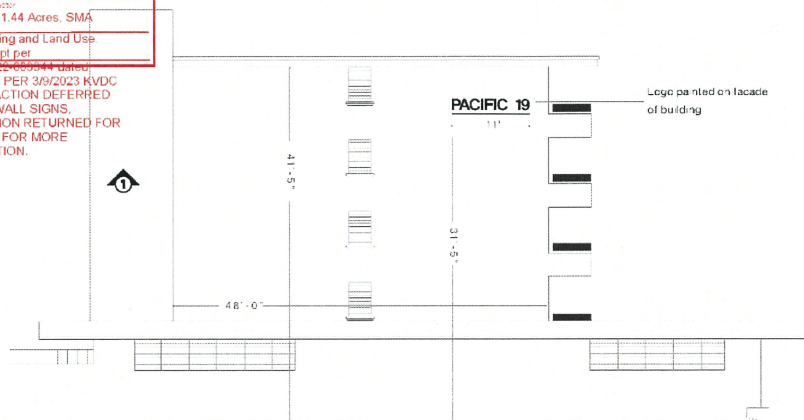


PAINT SPECIFICATION
 EXTERIOR LATEX PAINT
 VALSPAR
 TROM CAT 8006-12G



SIGNAGE MOCK UP
 View of north facing hotel wall from Kuakini Highway

County of Hawaii
 Planning Department
APPROVED
 Rosalind J. Newton 02/07/2025
 for Planning Director
 V-75, "U", 1.44 Acres, SMA
 OK for Zoning and Land Use
 SMA Exempt per
 PLANT-2022-000044 dated:
 9/27/2022, PER 3/9/2023 KVDC
 LETTER, ACTION DEFERRED
 ON NEW WALL SIGNS,
 APPLICATION RETURNED FOR
 REQUEST FOR MORE
 INFORMATION.



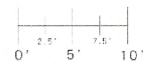
EXTERIOR ELEVATION



SIGNAGE DETAILS



22 S.F.

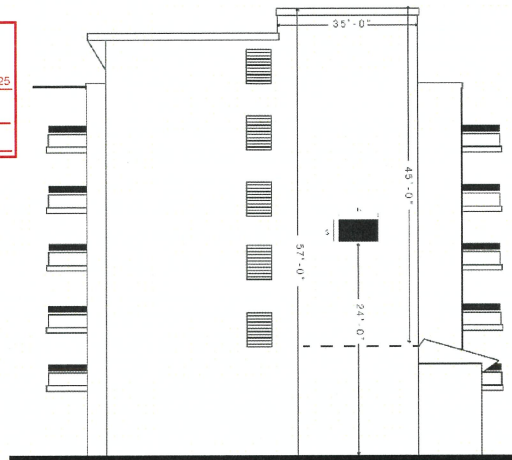


HOTEL PACIFIC 19		EXTERIOR SIGNS	02
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5692 LIKANA LN, KAILUA - KONA, HI 96740		
	EXISTING	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	

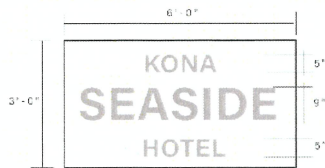


PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Ali'i Dr./ Commercial area

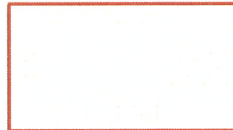
County of Hawaii
Planning Department
APPROVED
Rosslind J. Newton 02/07/2023
for Planning Director
V-75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use
SMA Exempt per
PLN-2022-00554 dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS.
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION



EXTERIOR ELEVATION



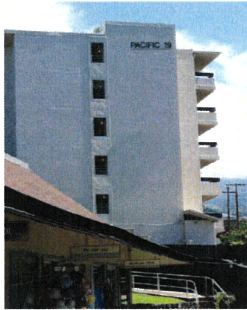
SIGNAGE DETAIL



18 S.F.



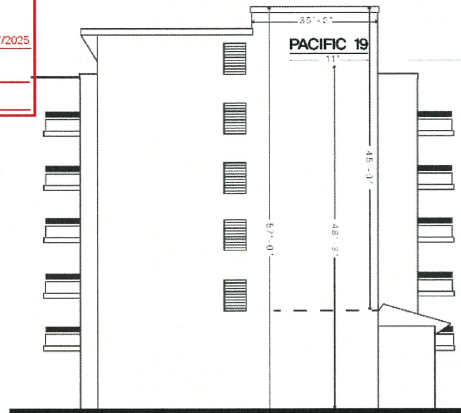
HOTEL PACIFIC 19		EXTERIOR SIGNS	03
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5622 LIKANA LN, KAILUA, KONA, HI 96740		
	NOTES	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	
			



SIGNAGE MOCK UP
View of north facing hotel wall from Alii Dr / Commercial area

PAINT SPECIFICATION
EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G

County of Hawaii
Planning Department
APPROVED
Rosalind J. Newton 02/07/2025
For Planning Director
V- 75, "U" 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per
PL INT-2022-005544 dated
9/27/2022. PER 3/9/2023 KVDC
LETTER, ACTION DEFERRED
ON NEW WALL SIGNS.
APPLICATION RETURNED FOR
REQUEST FOR MORE
INFORMATION



Logo painted on facade
of building

EXTERIOR ELEVATION

EXTERIOR ELEVATION



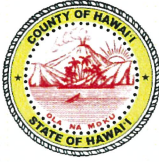
SIGNAGE DETAILS



22 S.F.

HOTEL PACIFIC 19		EXTERIOR SIGNS	04
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5662 LUKANA LN, KAILUA - KONA, HI 96740		
	10/15/24	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	

"EXHIBIT D"



DEPARTMENT OF PUBLIC WORKS • BUILDING DIVISION

101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720

74-5044 Ane Keohokālole Highway, Building E, Kailua-Kona, Hawai'i 96740

(808) 961-8331, Fax (808) 961-8410

(808) 323-4720, Fax (808) 327-3509

Sign Code Variance Application

(1) Sign Owner/Applicant

Nine Brains Big Island I, LLC, a Delaware limited liability company, dba Pacific 19

Name

2601 Ocean Park Blvd, Ste 208, Santa Monica, CA 90405-5229

Mailing Address

(240) 447-1289

Phone Number (Business)

Phone Number (Cell)

(2) Property Owner

Lanihau Properties, LLC, a Hawaii limited liability company

Name – if different from sign owner/applicant

P.O. Box 9032, Kailua-Kona, HI 96745-9032

Mailing Address

(808) 329-5858

Phone Number (Business)

Phone Number (Residence)

(3) Location of Sign

Address: 75-5646 Kuakini Hwy, Kailua-Kona, HI 96740

Tax Map Key: (3) 7 - 5 - 006 : 016 - 0000

(4) Zoning: Resort - Hotel (V-.75)

(5) Hawai'i County Code section(s) from which a variance is being requested:

HCC Section 3-60(a) (Number of Signs) - 3 total signs; HCC Section 3-58(b) (No Sign Exceeds 12 sq. ft.);

HCC Section 3-58(c) (Lettering Height); HCC Section 3-59(a)(4) (Sign Elevation)

(6) Attachments required to be filed with this application:

- (a) A complete copy of any sign permit application or rejection of the sign permit, if any;
- (b) An explanation of alternative measures, if any, that the applicant is proposing to take in lieu of compliance with the applicable code section;
- (c) A photo or drawing of the relevant sign(s);

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

- (d) A map showing the location of the sign(s) and showing all streets adjacent to the building or lot where the sign is located;
 - (e) A list of the names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property and,
 - (f) A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).
- (7) **Filing Fees:** This application must be accompanied by the fee of \$100 for each sign or an amount equal to 10% of the total value of the sign(s), excluding installation costs, whichever is greater, payable to the County Director of Finance.
- (8) **Applicant must provide written explanations for the following (please attach sheets):**
- (a) Granting the variance is necessitated by the peculiar physical conditions not ordinarily found in most districts, because of the peculiarity of a business, or as a result of a special event or circumstance;
 - (b) Granting the variance will not adversely affect the rights of adjacent property owners or tenants;
 - (c) Granting the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public;
 - (d) A strict application of the terms of this chapter would work unnecessary hardship and practical difficulty upon the applicant or community;
 - (e) Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

I hereby certify that all work requested will conform to appropriate sections of the Hawai'i County Code.

_____ Signature of Applicant	_____ Date	_____ Print Name
<i>Amanda Thevenot</i>	12/4/2023	Amanda Thevenot
_____ Signature of Lessee / Applicant	_____ Date	_____ Print Name

DEPARTMENT OF PUBLIC WORKS – OFFICIAL USE ONLY

Application Reviewed By: _____ Date: _____

Review by Special Design Commission (KVDC/PVDRC) Required? Yes _____ No _____

If yes,

- ☐ Kailua Village Design Commission (KVDC)
- ☐ Pahoa Village Design Review Committee (PVDRC)

Date application sent to Planning Director: _____

Date application returned from KVDC or PVDRC _____

Director _____ Date _____

Variance Approved ☐

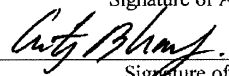
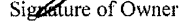
Variance Disapproved ☐

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

- (d) A map showing the location of the sign(s) and showing all streets adjacent to the building or lot where the sign is located;
 - (e) A list of the names, addresses, and tax map keys of all property owners located within 300 feet of the perimeter boundary of the affected property and,
 - (f) A copy of the notice that will be sent to surrounding property owners pursuant to HCC Section 3-22(c)(9).
- (7) **Filing Fees:** This application must be accompanied by the fee of \$100 for each sign or an amount equal to 10% of the total value of the sign(s), excluding installation costs, whichever is greater, payable to the County Director of Finance.
- (8) **Applicant must provide written explanations for the following (please attach sheets):**
- (a) Granting the variance is necessitated by the peculiar physical conditions not ordinarily found in most districts, because of the peculiarity of a business, or as a result of a special event or circumstance;
 - (b) Granting the variance will not adversely affect the rights of adjacent property owners or tenants;
 - (c) Granting the variance will not unreasonably violate the interest, safety, convenience, or general welfare of the public;
 - (d) A strict application of the terms of this chapter would work unnecessary hardship and practical difficulty upon the applicant or community;
 - (e) Granting the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical ordinances, statutes or rules.

I hereby certify that all work requested will conform to appropriate sections of the Hawai'i County Code.

Signature of Applicant 	Date <u>7/14/23</u>	Print Name <u>Anthony B. Coarum Jr.</u>
Signature of Owner 	Date	Print Name

DEPARTMENT OF PUBLIC WORKS – OFFICIAL USE ONLY

Application Reviewed By: _____ Date: _____

Review by Special Design Commission (KVDC/PVDRRC) Required? Yes _____ No _____

If yes,

- ☐ Kailua Village Design Commission (KVDC)
- ☐ Pahoa Village Design Review Committee (PVDRRC)

Date application sent to Planning Director: _____

Date application returned from KVDC or PVDRRC _____

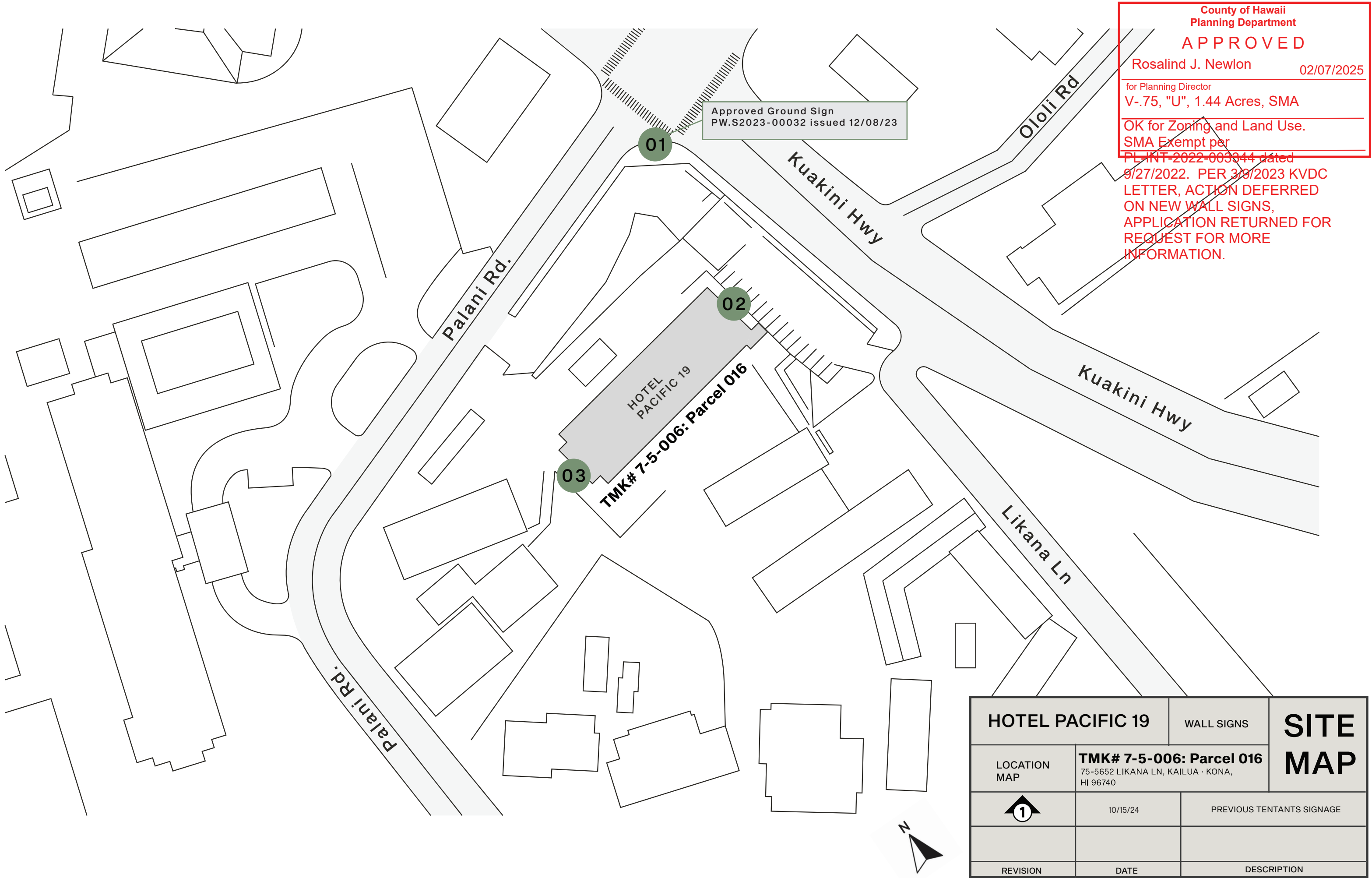
Director _____ Date _____

Variance Approved ☐

Variance Disapproved ☐

County of Hawai'i is an Equal Opportunity Provider and Employer.

Effective Date: June 1, 2020

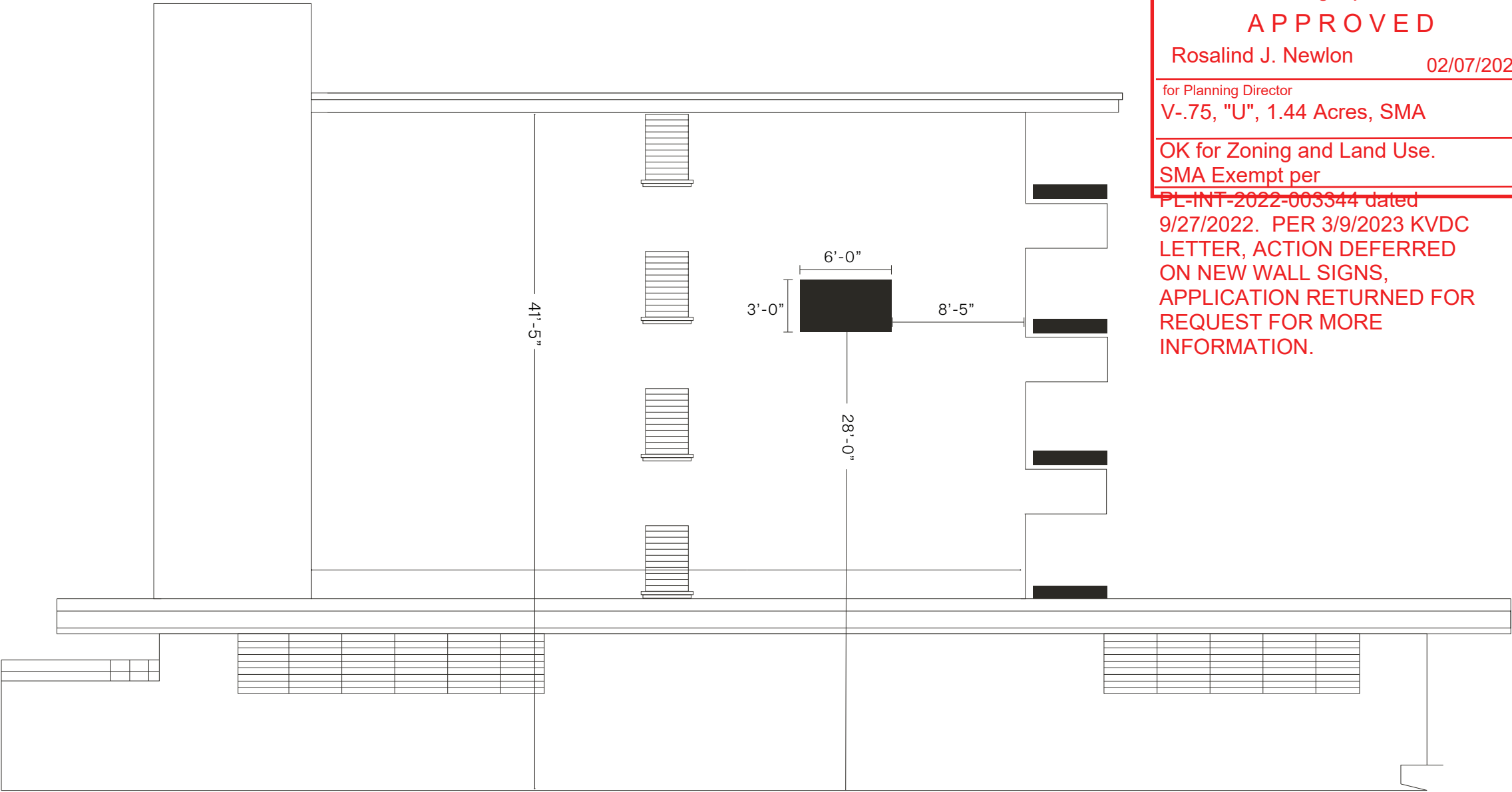


County of Hawaii
Planning Department
APPROVED
Rosalind J. Newlon 02/07/2025
for Planning Director
V-.75, "U", 1.44 Acres, SMA
OK for Zoning and Land Use.
SMA Exempt per
PL-INT-2022-003844 dated

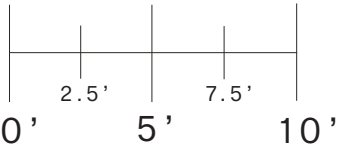
8/27/2022. PER 3/8/2023 KVDC LETTER, ACTION DEFERRED ON NEW WALL SIGNS, APPLICATION RETURNED FOR REQUEST FOR MORE INFORMATION.



PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Kuakini Highway



EXTERIOR ELEVATION



18 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	01
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION	



PAINT SPECIFICATION

EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G



SIGNAGE MOCK UP
View of north facing hotel wall from Kuakini Highway

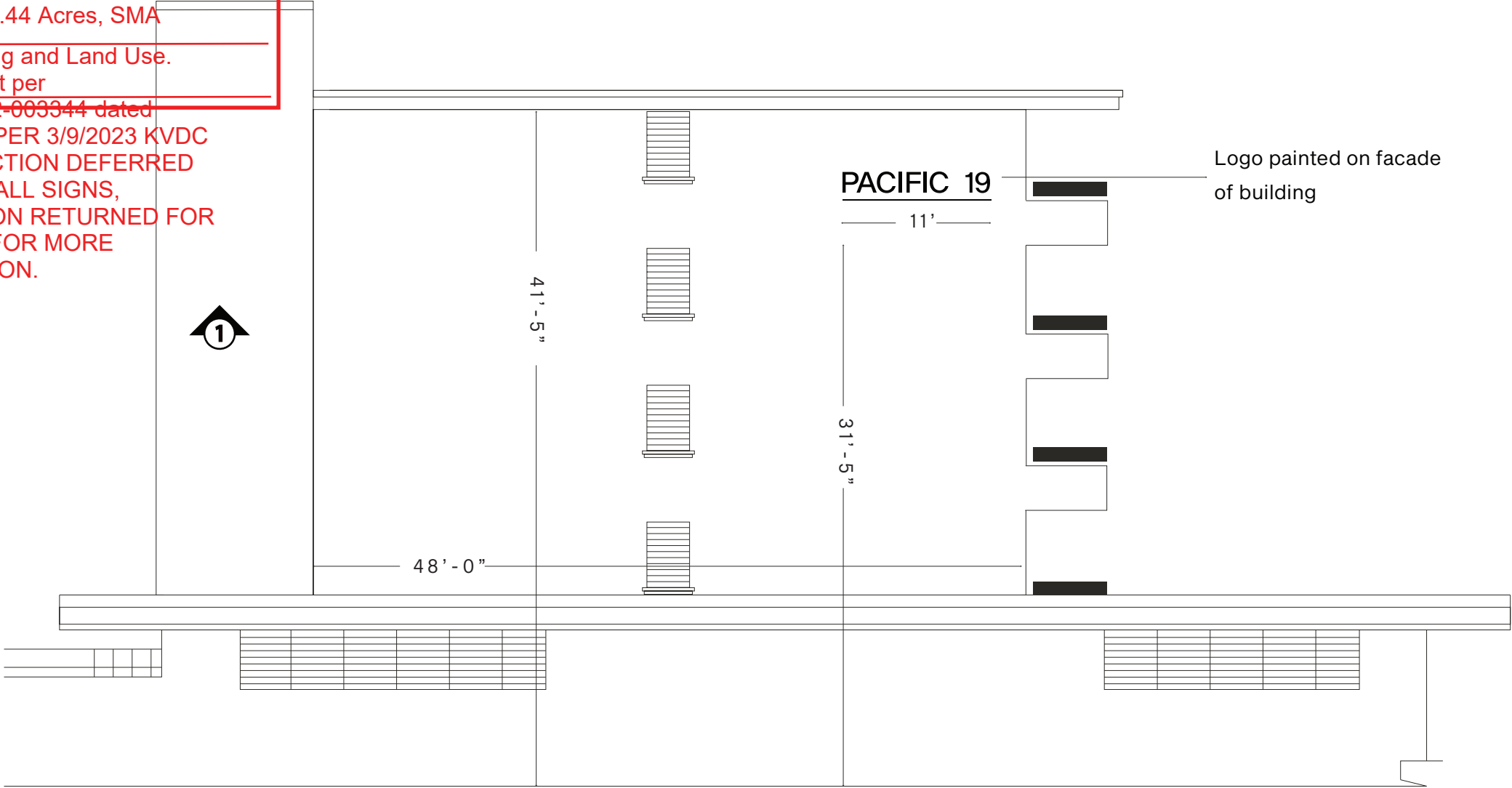
County of Hawaii
Planning Department

APPROVED

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LETTER, ACTION DEFERRED
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EXTERIOR ELEVATION



SIGNAGE DETAILS



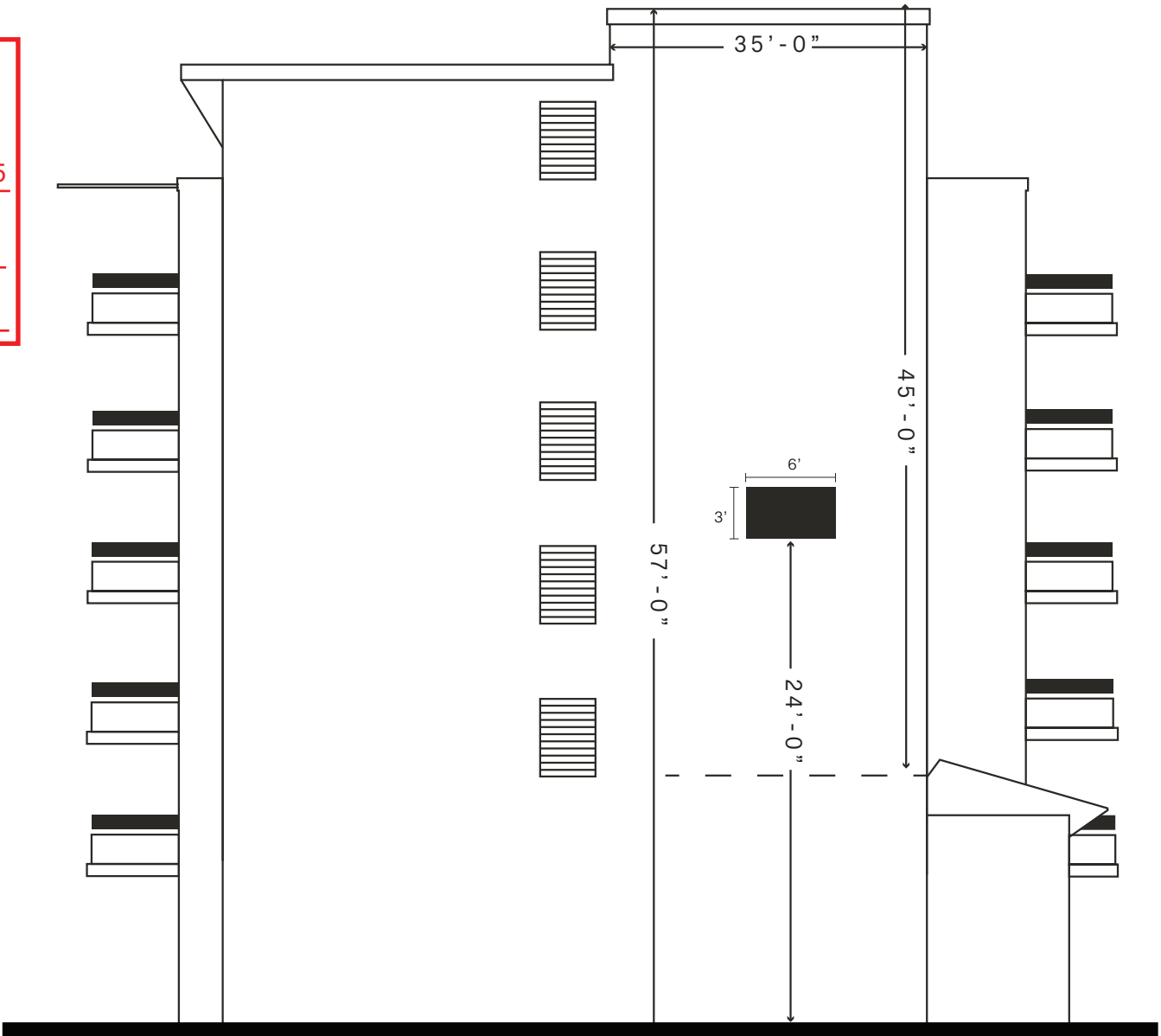
HOTEL PACIFIC 19		EXTERIOR SIGNS	02
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PROPOSED SIGNAGE	
REVISION	DATE	DESCRIPTION	



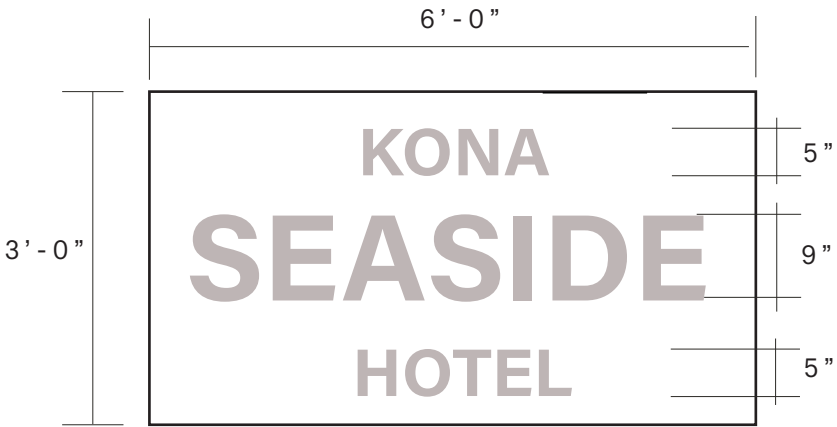
PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Ali'i Dr./ Commerical area

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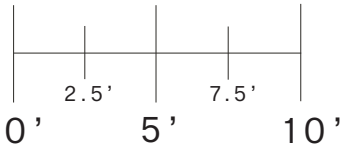
EXTERIOR ELEVATION



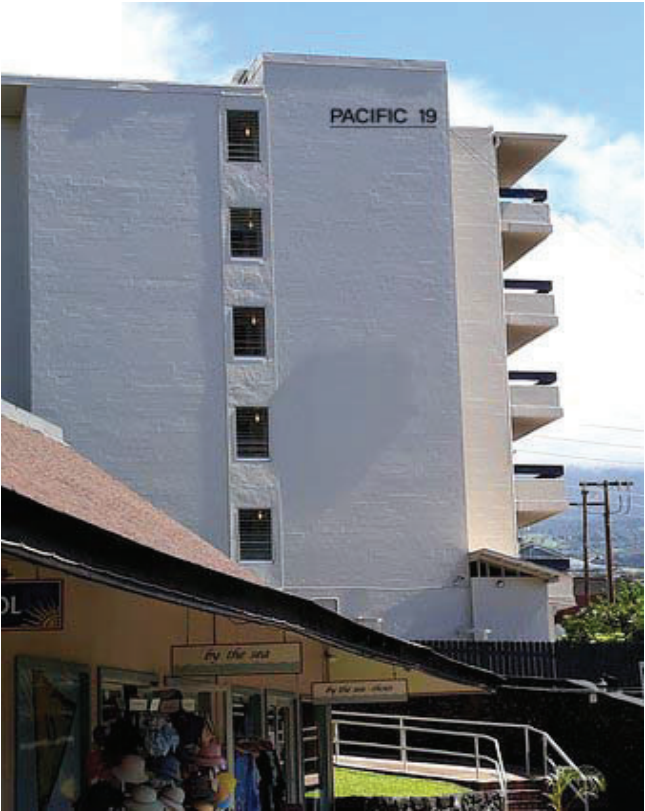
SIGNAGE DETAIL



18 S.F.



HOTEL PACIFIC 19		EXTERIOR SIGNS	03
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
	10/15/24	PREVIOUS TENTANTS SIGNAGE	
REVISION	DATE	DESCRIPTION 	



SIGNAGE MOCK UP
View of north facing hotel wall from Ali'i Dr./ Commerical area



PAINT SPECIFICATION

EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G

County of Hawaii
Planning Department

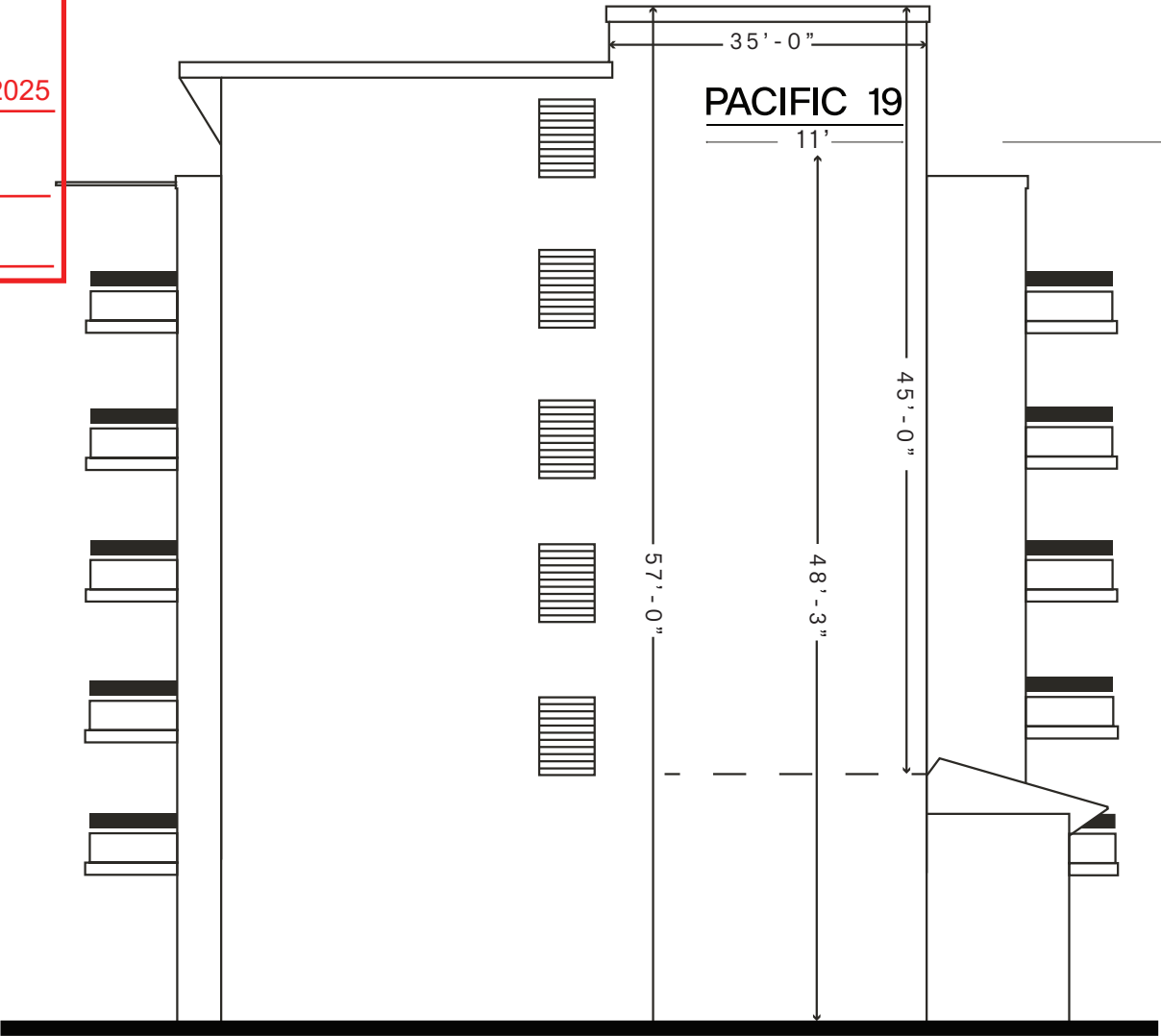
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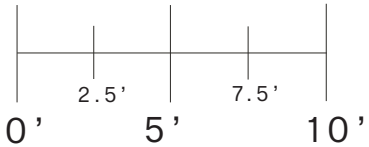
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EXTERIOR ELEVATION

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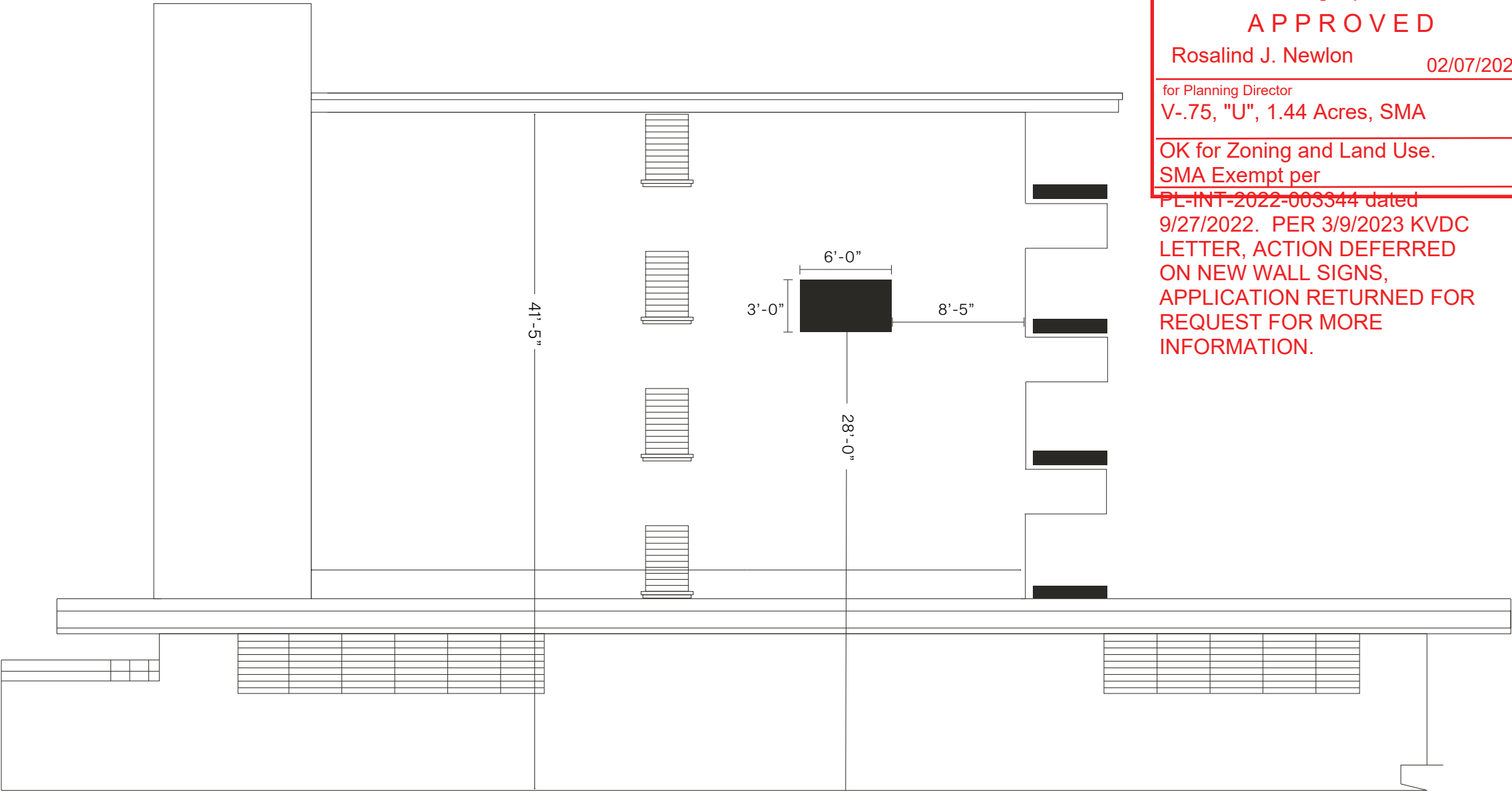
SIGNAGE DETAILS



HOTEL PACIFIC 19		EXTERIOR SIGNS	04
BUILDING SIGN	TMK# 7-5-006: Parcel 016 75-5652 LIKANA LN, KAILUA · KONA, HI 96740		
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REVISION	DATE	DESCRIPTION	



PREVIOUS TENTANTS SIGNAGE
View of north facing hotel wall from Kuakini Highway



EXTERIOR ELEVATION

County of Hawaii
Planning Department

APPROVED

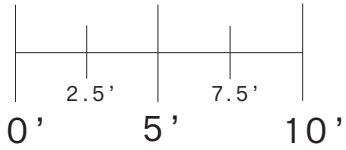
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PAINT SPECIFICATION

EXTERIOR LATEX PAINT
VALSPAR
TOM CAT 8006-12G



SIGNAGE MOCK UP
View of north facing hotel wall from Kuakini Highway

County of Hawaii
Planning Department

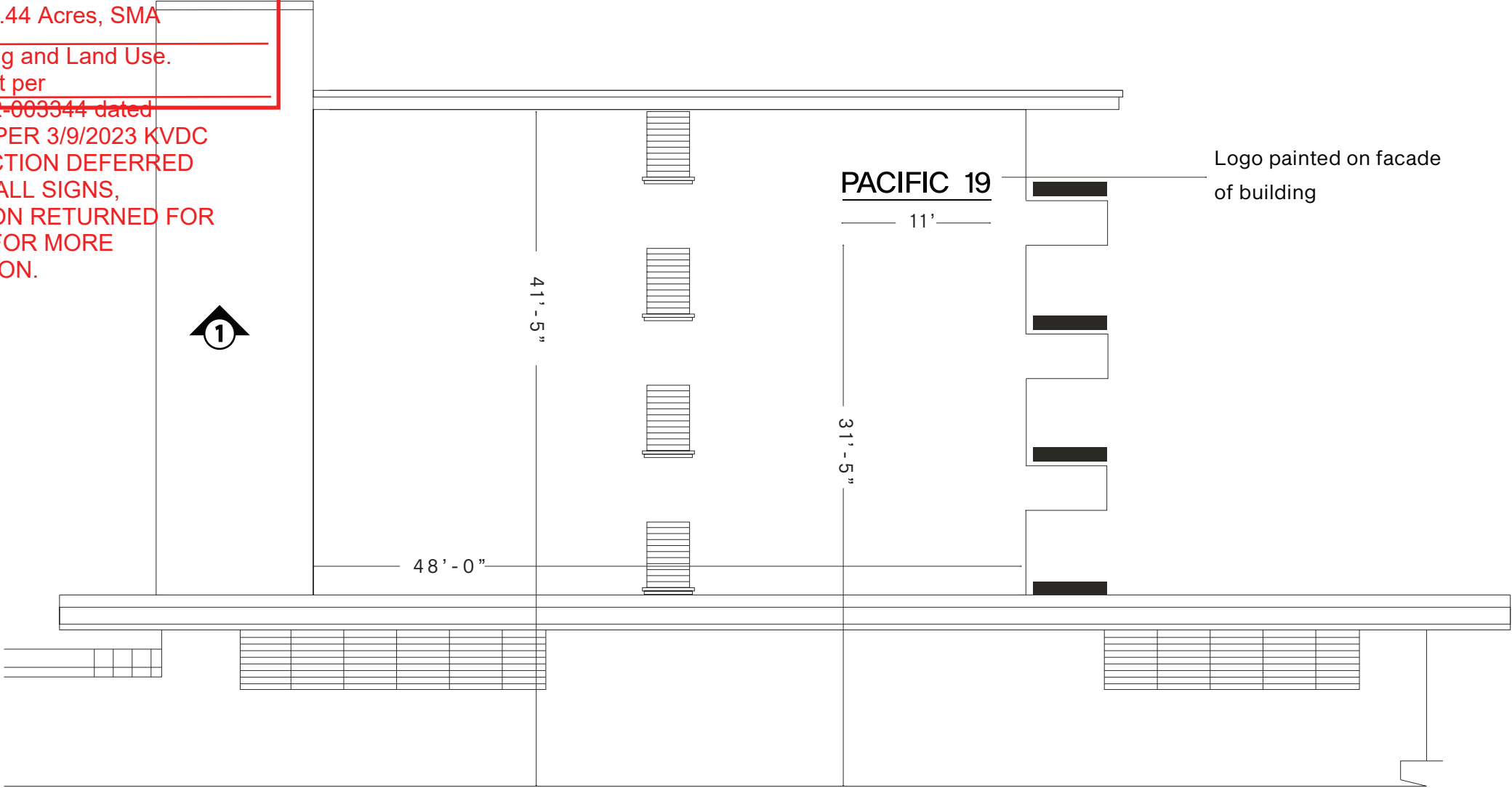
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EXTERIOR ELEVATION



SIGNAGE DETAILS



22 S.F.

HOTEL PACIFIC 19		EXTERIOR SIGNS	02
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PREVIOUS TENTANTS SIGNAGE
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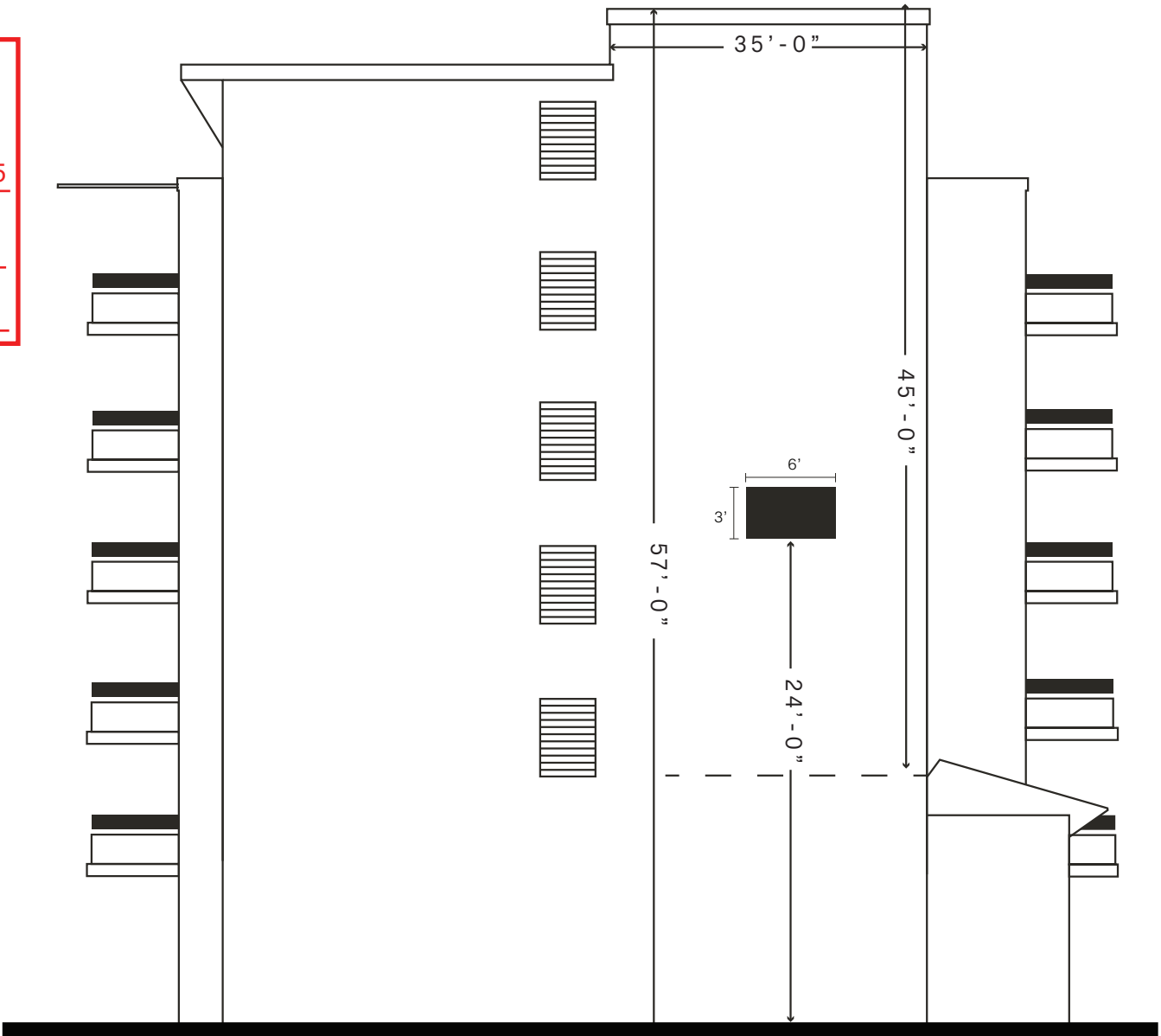
County of Hawaii
Planning Department

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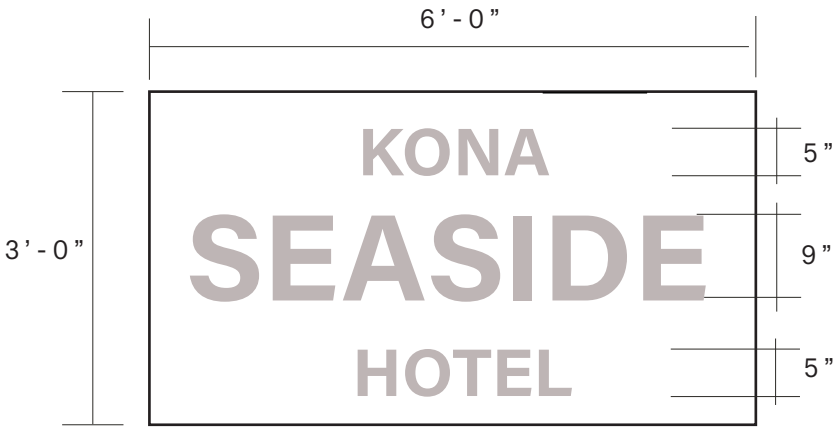
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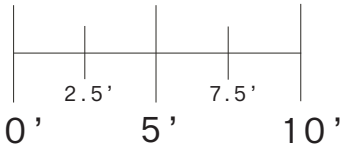
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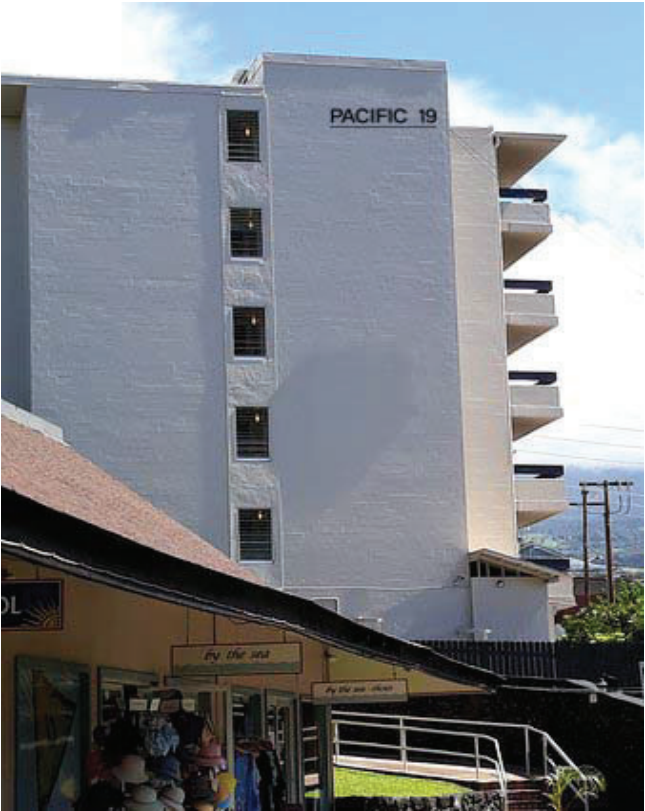
SIGNAGE DETAIL



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HOTEL PACIFIC 19		EXTERIOR SIGNS	03
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SIGNAGE MOCK UP
View of north facing hotel wall from Ali'i Dr./ Commerical area



PAINT SPECIFICATION

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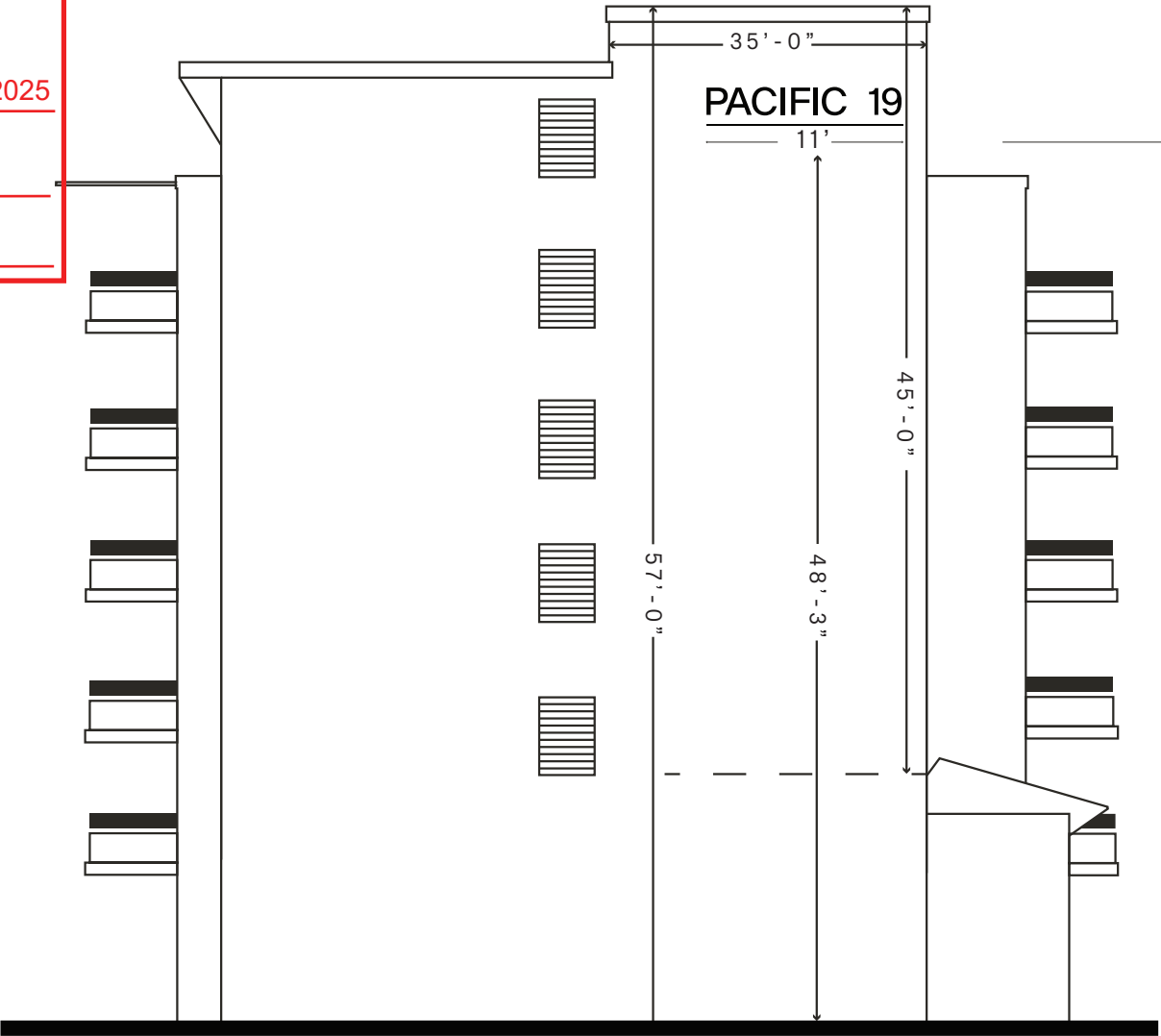
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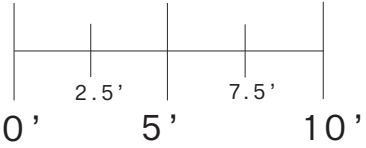
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EXTERIOR ELEVATION

Logo painted on facade
of building

EXTERIOR ELEVATION



SIGNAGE DETAILS



22 S.F.



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