

Resort Association Partners, LLC

Transmitted via Email

September 18, 2023

Manu Lili, LLC
46 Ramona Street
Ponte Vedra Beach, Florida 32082

**Re: Nohea at Mauna Lani Lot 5
Single Family Residence
Final Plan Submittal**

Dear Manu Lili LLC,

The Mauna Lani Resort Community Design Committee (CDC) completed its review of your architect's Final Plan submittal, for construction of a single family home at the above-referenced property. The following documentation was reviewed by the Committee:

1. **Application (Appendix A), dated 7/18/22**
2. **Final Architectural Redline Plan Set, prepared by Craig Monaghan, dated 7/19/22 (received 12/6/22)**
3. **Revised Exterior Elevations Plan Sheet A3.0, dated 9/1/23**
4. **Mechanical Schedule Plan Sheet M1.2, dated 11/29/22 (received 9/1/23)**
5. **Landscape Plan Set Not Submitted**
6. **Architectural Plan Report, prepared by Paul Bleck, dated 12/16/22**
7. **Nohea Phase 1 Site Map**
8. **Topographical Map, dated 2/16/22**
9. **Plot Plan, dated 6/4/09**
10. **Digital Exterior Finish Samples, received 7/19/22**
11. **Exterior Finish Schedule, received 7/19/22**
12. **Garage Door Brochure, received 7/19/22**
13. **CDC Committee and Staff Site Visits**

SUMMARY OF PLAN REVIEW:

The applicant's Architectural Final Plan submittal is conditionally approved, subject to satisfactory resolution of the following items:

1. **MLRA CDC Design Guidelines and Non-Conforming Plan Features**

In the interest of expediting the CDC’s review—and to ensure that specific items requested for approval are clearly identified—the applicant is kindly required to clearly notate and **request specific approval** for any proposed plan modifications or non-conforming MLRA CDC Design Guideline plan features. **If any such items are not specifically called out for CDC review, they shall not be reviewed or considered approved by the CDC.**

2. **Dwelling Height**

Single-story structure is proposed on a designated two-story lot.

Nohea Plot Plan Pad Elevation:	26’ MSL
Proposed Finish Floor Elevation:	26’ MSL
Proposed Finish Grade Elevation:	25.5’ MSL
Topography Map Elevation:	25.25’ to 25.5’ MSL

Proposed Maximum Dwelling Height Elevation per Submitted Plans: 46’ MSL

Building Height from Finish Grade Elevation: 20.5’ (Twenty and a half feet)

Building heights for the proposed single-story structures exceed 20’. As the proposed building for Lot 5 is a single-story structure that is situated on designated two-story lot, the CDC, at their discretion, may allow for the structure to exceed 20’.

Thus, the CDC has evaluated the proposals for Lot 5 (based on its unique characteristics), and has approved a building envelope modification for a maximum roof height of 46’ MSL.

(Maximum height restrictions are absolute with zero tolerance.)

Mauna Lani Resort, Design Guidelines, Standards and Restrictions for Single Family Homes, Section 3.2 Dwelling Height, states:

“Unless otherwise stated in the Declaration of Covenants and Restrictions adopted for each particular subdivision development, building heights shall be single story, no more than twenty (20) feet. In subdivisions where Mauna Lani has designated certain lots to allow two-story residences, building heights shall be no more than 28 feet. Base elevations shall be those established by the CDC, the DRB and/or actual grading for a specific project (as determined by the CDC). In no instance shall grading elevations be artificially set so as to violate building orientation and siting standards.”

Nohea at Mauna Lani AOHO, shall also need to evaluate the building height proposal for any necessary modifications or special approvals as roof height maximums are required to be compliant with both the MLRA Design Guidelines AND the Nohea subassociation Design Guidelines.

3. **Dwelling Design**

The home exhibits an individual design.

4. **Building Setback**

MLRA CDC Design Guidelines define MLRA designated setbacks as 25 feet from the front (street) property line, 20 feet from the rear, and 15 feet from the side property lines. (Setbacks resort-wide are measured from the property line to the roof eaves.)

The CDC understands Nohea is a higher density MLRA single family home development, and in consideration of Nohea's smaller lot sizes, individual lot characteristics and specific design proposals, (in conjunction with the developer proposed uniform design and project build-out), the CDC has approved a building envelope modification for Lot 5. Building envelope modifications are granted on a case-by-case basis, with no precedent setting as defined in earlier approval communications (please refer to letter "Amended and Supplemental Conditions for Nohea Lots 21, 25, & 29", dated 9/16/16).

The following modified MLRA setback dimensions have been designated for Nohea Lot 5:

Front Yard (20 feet from property line to building)

20' from property line to the building complies.

Rear Yard (20 feet from property line to building)

MLRA designated rear yard setback is 20'. Nohea designated rear yard setback is 21', as depicted on the Nohea plot plan diagram.

Side Yards (8 feet from property line to building for a single-story residence)

8' from the property line to the building complies.

Additional Building Envelope Modification Approvals

As depicted on the proposed site plan, the CDC shall grant building envelope modifications for the following encroachments:

1. Portions of the garage roof eaves and the front yard rock wall enclosure (including trash receptacles contained within), encroach into the northwest front yard setback. The garage roof eaves are 17'-1" from the property line at the closest point. The front yard rock wall enclosure has a close proximity to the street, therefore, be especially mindful that enclosure wall maximum height is 6' or less from approved finish grade. Trash bins are approved in front yard setback.
2. Roof eaves project into both the west and east modified side yard setbacks continuously along the entire length of the buildings. Maximum proposed encroachment is 3'.

Roof eaves are restricted to 3' in width in consideration of the modified side yard setback. This creates a maximum distance between dwellings on adjacent lots of 10' or more.

No roof eave encroachments into the 20' MLRA designated rear yard setback are proposed. Incidental encroachment into the 21' Nohea designated rear yard setback. Rear yard roof eaves are 20'-8 ¾" from the property line at the closest point.

3. CDC shall allow building envelope modifications for electrical service to be (incidentally) sited in the side yard setback area. Components shall be mounted at the lowest possible height, painted to match the existing wall that they are affixed to, and hidden from view.

Side yards are designated for passive-use only and no BBQs, outdoor shower fixtures, mechanical equipment, patios, or other elements (unless specifically approved), shall be allowed in this area. All shall be confined to the building envelope area of the lot only.

5. Exterior Colors/Materials

Refer to Exterior Finish Schedule for color codes and further specification details.

- Roof Tile: Inspire synthetic classic slate roof tiles, Grey Black blend 718.
- Exterior Walls: Stucco: Textstone Ortex smooth finish, color coat to match PPG paint color Moth Gray PPG1024-4 for the main structure and Sherwin Williams color Tony Taupe SW7038 for the bedrooms and garage.
- Stucco Soffit: Textstone Ortex smooth finish, color match to Sherwin Williams paint color Storm Warning SW9555.
- Fascia Trim: 1x6 clear cedar, semi-transparent stain, Sikkens Cetol, Dark Oak color.
- Front Door: Alder wood, Sikkens Cetol 1&23, Dark Oak color.
- Gutters: 5" half round aluminum, Dark Bronze baked on enamel.
- Ext. Lighting: No exterior wall mounted lights are proposed. Soffit downlights only.
- Sliding Door: Milgard thermally improved A250, or Fleetwood Series 3000, anodized Dark Bronze aluminum.
- Swing Doors: Alder wood veneer, custom Dark Bronze stain to match bronze aluminum doors, clear Sikkens Cetol finish.
- Garage Doors: Clopay Avante in Dark Bronze anodized aluminum frame with white obscure glass.
- Driveway: Basalt pavers with grass infill.
- Rock Walls: A'a lava, Dark Brown color.
- Pool Fencing: Majestic fence company 4' high square tube, with square pickets baked enamel, Bronze color.
- Lanais and Walkways:
Salted and scored concrete (Gray color) for lanais and walkways.
- Window and Door Frames:
Milgard thermally improved A250 aluminum frame, anodized Dark Bronze with clear insulated glass.

6. Roofs – Form and Material

- Main Building: Hip roof pitch 7/12 with a 2.5/12 split
- Main Building Lower: Hip roof pitch 2.5/12
- East Wing: Hip Roof 6/12
- Detached Bedroom & Garage: Hip roof pitch 7/12 with a 4/12 split
- Roof Overhang: 3' Roof overhang typical

7. Mailboxes, House Numbers and Name Signs

Applicant shall comply with rules and regulations for uniform signage design and placement as outlined in the Nohea CC&R's.

8. Fences, Walls and Screens

Rock walls and fences within all setback areas are limited to 6' in height above approved finished grade.

9. Garage and Guest Parking Space

Detached garage with sufficient ingress/egress maneuverability and 2 designated guest parking spaces in the auto court area provided. Compliant.

10. Electrical Meter and Panel

Electrical meter and panel (and associated equipment) shall be screened from view and sufficiently mounted below the height of enclosure wall for effective screening purposes.

11. Pool and Mechanical Equipment

All storage tanks, electrical, mechanical, pool equipment and meters, etc., shall be located within permanent three-sided walled enclosures and screened from view. Enclosures are utilized for both sound attenuation and aesthetic purposes. Use and placement of utility storage tanks and equipment shall comply with all applicable code requirements and CDC Design Guidelines. Any change in design proposals must be reviewed and approved by the CDC.

(Please submit manufacturer cut sheets for AC units)

Noise from mechanical and air conditioning equipment shall not exceed 45 dB(A) at the nearest property line at any time.

Confirmation of screening and noise compliance for all shall be conducted at Final Inspection by the CDC. Additional measures may be required to mitigate screening and/or noise levels as deemed necessary and to the satisfaction of the CDC at this time. Screening and noise compliance requirements shall be maintained on an ongoing and perpetual basis post final CDC inspection.

12. Pool Security Barrier

The applicant shall be responsible for providing an adequate pool security enclosure compliant with County of Hawaii building codes and all other applicable governmental regulations and ordinances.

13. Exterior Lighting

Exterior lighting shall comply with the CDC Design Guidelines and County of Hawaii ordinances (including those related to Mauna Kea Observatory requirements). All light fixtures visible from common areas and adjacent properties shall have their light source shielded from view, be downcast below the horizontal plane and be subject to the approval of the CDC. Soffit downlighting proposed only. No exterior wall mount lighting proposed.

14. Energy Efficient Systems

Solar water panels eliminated from the Final Plan. No energy efficient systems proposed. If energy efficient systems should be contemplated in the future, a separate application and submittal is required for evaluation and approval.

Additional requirements and mandatory application documents will be transmitted to you upon request.

15. Landscape Plans

Landscape plans were not submitted for review and are not approved. A separate design review fee will be assessed for landscape plans that are submitted twelve months after the date of this letter. Landscaping plans shall be submitted prior to the commencement of any construction.

The applicant shall satisfy all comments and requirements of the Nohea at Mauna Lani Architectural Review Committee

Prior to and during construction, the applicant shall meet documentary requirements, as required by the Design Guidelines, as follows:

(Prior to Commencement of Construction)

- A. Prior to the commencement of construction, the applicant shall comply with any and all outstanding conditions of approvals issued by the CDC as noted above.
- B. Final Construction Schedule *(deliver to the CDC)*
- C. Evidence of fully executed Construction Contract *(deliver copy to CDC)*
- D. County of Hawaii Building and Grading Permits *(deliver to the CDC)*
- E. Construction and Compliance Deposit – Refundable single family construction and compliance deposits are currently \$25,000.00 per lot. *(Prior to construction, please check with the CDC regarding any increase in the refundable deposit amount. Payment should be made payable to: “MLRA CDC”)*
- F. Evidence of Construction Performance & Payment bond, in an amount not less than the cost of proposed improvements *(deliver copy to CDC)*
- G. Construction Site Management Plan *(deliver copy to CDC)*
- H. Fully executed Owner’s Certification and Acknowledgement Regarding Construction Plan Approval (Appendix B), *(deliver notarized original to the CDC)*
- I. Foundation/Batter Board Survey, confirming approved building location and floor/grade elevations *(deliver copy of surveyor’s report to CDC, prior to pouring foundation)*

(Prior to Final inspection by CDC)

- J. Certification of Ground Termite Treatment and Construction Material Treatment *(deliver copy to CDC prior to Final Inspection)*
- K. Homeowner’s Notice of Completion/Request for Final Inspection by the CDC *(deliver written notice to the CDC)*
- L. Surveyor Certification of Roof Height and As-Built Improvements *(deliver copy of surveyor’s plan/report to CDC)*
- M. Evidence of Notice given to Hawaii American Water Company, that permanent connections to the on-property sewer system have been established *(deliver copy of notice to the CDC)*

Please note that, unless otherwise specifically provided for in this letter, the approvals contained herein are subject to the following provisions:

Substantive work must commence within twelve months of final approval (or a longer period as may be established by the CC&Rs of a specific subdivision), or approval shall be deemed revoked, unless applicant receives written extension prior to the expiration of such 12-month period.

All work must be performed in compliance with any and all requirements set forth in the Declaration of Covenants and Restrictions of the Mauna Lani Resort Association, as amended.

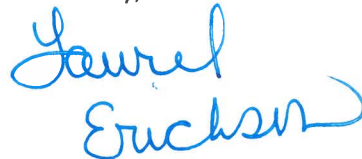
All work must be performed in accordance with any and all requirements set forth in the Declaration of Covenants and Restrictions of Nohea at Mauna Lani, House Rules of Nohea at Mauna Lani, By-Laws of Nohea at Mauna Lani, and any other rules, restrictions or requirements promulgated by the Association of Homeowners of Nohea at Mauna Lani.

All work will be performed in accordance with applicable Federal, State and County statutes and ordinances.

Temporary project signage must be reviewed and approved by the CDC prior to installation.

Should you have any questions or require further clarification or assistance, please do not hesitate to contact the CDC via Laurel Erickson at (808) 885-9888, or via email to lerickson@MLRAonline.com.

Yours truly,



Laurel Erickson (RS)
Director of Property Administration
Resort Association Partners, LLC

Agent to:
MAUNA LANI RESORT
COMMUNITY DESIGN COMMITTEE

Cc via email: Ms. Sandra Patton
Mr. Craig Monaghan
Mr. Rick Oliver