

Resort Association Partners, LLC

Transmitted via Email

February 9, 2024

Silagi Development & Management
101 Hodencamp Road, Suite 200
Thousand Oaks, CA 91360

**Re: Nohea at Mauna Lani Lot 31
Single Family Residence
Final Plan Submittal**

Dear Mr. Silagi,

The Mauna Lani Resort Community Design Committee (CDC) completed its review of the Nohea Developer'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 7/12/22**
2. **Design Review Fee, received 7/13/22**
3. **Final Architectural Plan Set, prepared by Craig Monaghan, dated 7/11/22**
4. **Final Architectural Plan Set, prepared by Craig Monaghan, dated 9/21/23**
5. **Final Architectural Plan Set Redline Version, prepared by Craig Monaghan, dated 12/15/23**
6. **Updated Plan Sheets A1.3 and A2.1 dated 12/15/23, with Solid Gate at rear of Garage, received 2/9/24**
7. **Pool Plan Set, prepared by Kolohe Design, LLC, dated 1/4/23, received 1/15/24**
8. **Civil Plan Set, prepared by Yen Wen Fang, dated 8/5/22, received 1/15/24**
9. **Mechanical Plan Set, prepared by Nimr Y. Tamimi, dated 8/5/22, received 1/15/24**
10. **Ameristar Echelon Aluminum Fence Drawing and Specification Sheets, received 11/30/23**
11. **Davicini Inspire Classic Slate Specification Sheets, received 11/30/23**
12. **Avante Garage Door Specification Sheets, received 11/21/23**
13. **Mitsubishi CityMulti AC Specification Sheets, received 11/30/23**
14. **Landscape Plan Set, prepared by Mark Mahaney, dated 8/3/22**
15. **Architectural Plan Report, prepared by Paul Bleck, dated 12/16/22**
16. **Landscape Plan Report, prepared by Shane Kitchens, dated 2/25/23**
17. **Nohea Phase 1 Site Map**
18. **Topographical Survey Map, dated 1/10/22**
19. **Plot Plan, dated 6/4/09**
20. **Revised Digital Exterior Finish Samples, received 1/5/2024**
21. **Revised Exterior Finish Schedule, received 11/30/23**
22. **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. Plan Sheets Received and Coordinated Plan Set Responsibility

Architectural Plan Set dated 7/11/22: Sheets A1.0-A1.1, A1.3, A2.1, A2.4-A2.6, A3.0-A3.1, A4.0-A4.1, A5.0, A6.1-A6.2, A8.0-A8.2, and A8.3.

Architectural Plan Set dated 9/21/23: Same plan sheets as 7/11/22 with additional sheets A2.2, A2.3 (enlarged plans), A5.1 (wall sections) and A6.0 (detail sheet) included.

Architectural Plan Set (redline version) dated 12/15/23: Same plan sheets as 9/21/23 with redline edits, revised proposed pad grades and updated maximum building height MSL datum. **Please see updated sheets A2.1 and A1.3 with required solid gate at rear garage enclosure to screen the AC units, received 2/8/24.**

Additional Plan Sheets Received Post Formal Review:

Civil Plan Set dated 8/5/22: Sheets C0.1, C1.1, C2.1-C2.2, and C3.1-C3.2.

Mechanical Plan Set dated 10/12/22: Sheets M1.0, M1.1, M2.1, M.3.1 and M4.1.

Pool Plan Set dated 01/04/23: Sheets T-1.0, WF-1.0, WF-1.1, WF-2.0, WF-3.0 WF-4.0, WF-4.1, WF-5.0, WF-5.1 and WF-06.

All plan sheets shall be synchronized across all professions to ensure that all aspects of the project plans are consistent. Only the above-listed Architectural plan sheet revisions have been reviewed and conditionally approved by the CDC. Should any discrepancies exist between plan sheets, it is the responsibility of the applicant to report and re-submit to the CDC any elements in conflict that may have been omitted or added for the CDC's review and approval.

2. MLRA CDC Design Guidelines and Non-Conforming Plan Features

The applicant is required to clearly notate and **request specific approval** for any proposed plan modifications or non-conforming MLRA CDC Design Guideline plan elements. **If any such items are not specifically called out for CDC review, they shall not be reviewed or considered approved by the CDC.**

3. **Dwelling Height**

The submittal proposes a single-story structure on a designated single-story lot. Pending the CDC's anticipated approval of the revised Nohea Design Guidelines, single story lots shall be allowed a total building height maximum of 21.5'.

Proposed Modified Building Pad:	25' MSL
Maximum Allowable Dwelling Height:	46.5' MSL
Proposed Dwelling Height:	46' MSL (21' feet height)

Nohea Plot Plan Pad Elevation:	26' MSL
Topographical Survey Map Elevation:	24.5' - 25.25' MSL

The CDC has approved the redlined Elevation Plan Sheets dated 12/15/23 that depict the corrected baseline data, building pad (25' MSL) and height elevations that correlate with the Licensed Surveyor's Topographical Map, the developer's Civil Plans and the existing on-site conditions for this fairly level and undisturbed vacant lot. **(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."

4. **Dwelling Design**

The home exhibits an individual design.

5. **Building Setbacks**

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 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's representation of a planned uniform and cohesive design throughout project build-out), the CDC has approved a building envelope modification for Lot 31. Building envelope modifications are granted on a case-by-case basis, with no precedent setting as reiterated in previous 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 31:

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)

20' from property line to the building complies.

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 revised site plan, the CDC shall grant building envelope modifications, for the following encroachments:

1. A portion of the auto court, and the southeast front yard rock wall enclosure encroach into the front yard setback. The pool and the rear yard shower garden also encroach into the rear yard setback, with the exterior face of the shower garden wall sited 8'- 8" from the property line. The pool equipment enclosure sited in the northeast corner of the rear yard is approved as proposed.
2. Roof eaves encroach into the front, rear and side yard setbacks. Roof eaves are 16' - 11" from the front property line, and 16'- 6 1/2" from the rear property line at their nearest points. Roof eaves also project into both the east and west CDC side yard setbacks continuously along the entire building lengths. (See redlined Site Plan Sheet A1.3, dated 12/15/23).

Roof eaves are allowed to encroach a maximum of 3' into the 8' modified side yard setbacks. This allows for a minimum distance of 10' or more between the roof eaves of neighboring properties.

3. CDC shall allow a building envelope modification for the electrical service to incidentally encroach into the side yard setback area. Components shall be mounted at the lowest possible height, 6" below the top of wall and painted to match the existing wall that they are affixed to, and hidden from view.
4. CDC shall also allow a building envelope modification for a corner of the patio lanai to incidentally encroach into the east side yard setback as depicted on Site Plan Sheet A1.3, dated 12/15/23.

Side yards are designated for passive-use only and no BBQs, outdoor showers, 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.

6. Exterior Colors/Materials

- Roof Tile:** Inspire synthetic classic slate roof tiles, Graphite color blend 733.
- Exterior Walls:** Light stucco color: Custom color Texton-Ortex Cement Color Coat MC-249-SMO-SDS7.5-030822, to color match paint color Sherwin Williams 9588 High Sierra. Smooth finish.
Dark stucco color: Texton-Ortex Cement Stucco Color Coat MC-248-SMO- SDS7.5-010919. Dark Brown color, smooth finish.
- Siding Walls:** Behr Pewter ST-131 semi-transparent for garage and detached suite board and batten siding.
- Stone Finishes:** Eldorado Cultured Stone, Stone Mountain Ledge, Silverton color.
- Stucco Soffit:** Textstone Ortex smooth finish, color coat MC-248-SMO-SDS7.5-010919, Dark Brown color.
- Fascia Trim:** 1x6 clear cedar, semi-transparent stain, Sikkens Cetol 1&23, Teak color.
- Front Door:** Alderwood, Sikkens Cetol 1&23, Teak 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:** Fleetwood Series 3000 Traditional, anodized dark bronze aluminum.
- Swing Doors:** Alderwood veneer, custom dark bronze stain to match bronze aluminum doors, clear Sikkens Cetol 1&23 finish.
- Garage Doors:** Avante, aluminum door model AX, dark bronze anodized finish, white laminate glass.
- Exterior Colors/Materials Continued:**
- Driveway:** 2'-3' round and 3" thick basalt pavers with grass infill.

Rock Walls: A'a lava, natural dark brown color.

Pool Fencing: Ameristar fence company, Echelon 4' high square tube, with square pickets baked enamel, bronze color. Material: Aluminum.

Lanais and Walkways:

Salted and scored concrete (gray color) for lanais and walkways only.

Window and Door Frames:

Milgard thermally improved aluminum frame, anodized dark bronze with clear insulated glass. A250 Windows.

Solid Gate at Rear Garage:

Please provide gate detail and exterior finish details.

7. Roofs – Form and Material

Main Building: Hip roof with 4.75/12 pitch

Bedroom Suites: Hip roof with 6/12 pitch

Garage: Hip roof with 6/12 pitch

Roof Eaves: 3' Typical

8. Mailboxes, House Numbers and Name Signs

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

9. Garage and Guest Parking Space

Detached garage with sufficient ingress/egress maneuverability and 2 designated guest parking spaces in the auto court area are compliant and approved as proposed.

10. Fences, Walls and Screens

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

11. 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. See above for more comprehensive requirements.

12. Pool and Mechanical Equipment

All storage tanks, electrical, mechanical, pool equipment and meters, etc., shall be screened from view by a permanent screening mechanism (rock walls). Rock wall 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.

Mitsubishi CityMulti AC units PUMY P36NKMU3, P48NKMU3, AND P60NKMU3 approved, with a standard average height and width of 52 ¾" x 41 1/3".

A gate is required at the rear garage rock wall enclosure to screen the AC units from exterior view planes. Please submit a gate detail and exterior finish details.

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

Confirmation of adequate screening and noise compliance for all equipment components 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.

13. 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.

14. Exterior Lighting

Exterior lighting shall comply with the CDC Design Guidelines and the 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.

15. 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.

16. Landscape Plans

Planting Design	Final landscape plans shall conform to Section 4.7 of the CDC Design Guidelines regarding Planting Design. Topsoil depths and mature plant heights shall be indicated on the Final Plan submittal and comply with the CDC Guidelines.
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Exterior Landscape Lights/Sound Systems	Exterior landscape lighting plans and exterior sound systems were not submitted to the CDC. Any exterior lighting or sound systems contemplated in the future shall be proposed for requisite CDC review and evaluation, and conform to Sections 4.5 and 4.6 of the CDC Design Guidelines.
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Tall Vertical L/S	Nohea Common area landscaping is well treed along the west side yard and in the front yard of the adjacent property and provides tall vegetation to break up the horizontal massing of Nohea 31, along with the proposed Cabadae Palms, and existing dense Areca Palm hedges at the rear property line on this smaller and irregular shaped Nohea lot. Should any site or subassociation landscaping changes be proposed in the future that impact Nohea Lot 31's landscape, then additional landscaping on the subject property may be required by the CDC and/or the Nohea subassociation.
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17. 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 (received 11/20/23)
- 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. Mandatory Pre-Construction Meeting and Management Site Plan not less than 30 days prior to the start of construction (*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:

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.

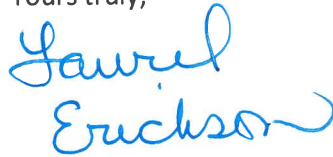
All work will be performed in accordance with applicable Federal, State and County statutes and ordinances.

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

MLRA CDC approvals are valid for 12 months from the date of the CDC Conditional Approval Letter. Should substantive construction work not commence within that time, the applicant shall need to request a written extension from the CDC. Should the CDC approval be revoked, the owner must re-submit the working drawings for approval by the CDC. The CDC and/or MLRA shall not be bound by decisions made within prior approvals.

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