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STATE OF HAWAII
BUREAU OF CONVEYANCES
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/s/ NICKI ANN THOMPSON
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MJF Development Corporation
16601 Gothard Street, Suite F
Huntington Beach, California 92647

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TITLE OF DOCUMENT:

DEVELOPMENT AGREEMENT

PARTIES TO DOCUMENT:

HAWAII COMMUNITY DEVELOPMENT
AUTHORITY
461 Cooke Street
Honolulu, Hawaii 96813

MJF DEVELOPMENT CORPORATION
16601 Gothard Street, Suite F
Huntington Beach, California 92647

Tax Map Key Nos. (1) 2-1-049: 050; (1) 2-1-049: 070; (1) 2-1-049: 072

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this “**Agreement**”), made this 19th day of September, 2014, by and between the HAWAII COMMUNITY DEVELOPMENT AUTHORITY (“**HCDA**”), a body corporate and a public instrumentality of the State of Hawaii, whose principal place of business and post office address is 461 Cooke Street, Honolulu, Hawaii 96813, and MJF DEVELOPMENT CORPORATION, a California corporation (“**Developer**”), whose post office address is 16601 Gothard Street, Suite F Huntington Beach, California 92647. /

A. RECITALS:

1. On January 8, 2014, the HCDA issued to the Developer that certain Development Permit No. KAK 13-091 (the “**Permit**”) for the development of a housing project consisting of 153 units and associated structured parking and open space all as described in the Permit (the “**Project**”), on lands identified by State of Hawaii (1) 2-1-049: 050; (1) 2-1-049: 070; (1) 2-1-049: 072 and more particularly described in Exhibit “A” attached hereto and made a part hereof (each a “**Parcel**” and collectively, the “**Parcels**”).

2. The purpose of this Agreement is to set forth the terms and conditions of the Permit as covenants running with the land to be recorded with the Bureau of Conveyances of the State of Hawaii (Recording Office).

3. Pursuant to Chapter 217 of Title 15, Hawaii Administrative Rules (“**HAR**”), entitled “Mauka Area Rules”, in effect on January 8, 2014 and as applicable to development of the Parcels.

B. AGREEMENT:

In consideration of the recitals and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Developer and the HCDA hereby agree as follows:

1. **Compliance with the Permit and Mauka Area Rules.** The Developer shall develop and maintain the Project site in conformity with all applicable provisions of the Permit (a copy of which is attached hereto as Exhibit "B") and all applicable provisions of the Mauka Area Rules in effect on January 8, 2014, except where a modification has been granted by the HCDA, if any.
2. **Compliance with the Staff Report, Findings, and Recommendations.** The Developer shall comply with all applicable conditions set forth in the Staff Report, Findings, and Recommendations, dated January 8, 2014 and adopted by the HCDA.
3. **Compliance with Subchapter 2.** The Developer shall comply with all applicable requirements of Subchapter 2 (Regulating Plan and Neighborhood Zone) of the Mauka Area Rules, except where a modification has been granted by the HCDA, if any.
4. **Compliance with Subchapter 3.** The Developer shall comply with all applicable requirements of Subchapter 3 (Thoroughfare Plan and Standards) of the Mauka Area Rules, except where a modification has been granted by the HCDA, if any.
5. **Compliance with Subchapter 4.** The Developer shall comply with all applicable requirements of Subchapter 4 (Area Wide Standards) of the Mauka Area Rules, except where a modification has been granted by the HCDA, if any.

6. **Compliance with Kakaako Reserved Housing Rules.** The Developer shall comply with all applicable requirements of the Kakaako Reserved Housing Rules, HAR, Title 15, Subtitle 4, Chapter 218.

7. **Compliance with Parts I., II. and III. of the Permit.** The Developer shall comply with all applicable requirements of Parts I., II. and III. of the Permit.

8. **Compliance with Part IV., G. of the Permit.** The Developer shall comply with all applicable requirements of Part IV., G. (Archaeological Inventory Survey) of the Permit.

9. **Compliance with Other Conditions.** The Developer shall comply with all other terms and conditions as required by the HCDA Executive Director to implement the purpose and intent of the Mauka Area Rules.

10. **Compliance with Other Conditions.** As part of the HCDA District-Wide Improvement Program, road and utility improvements are being undertaken in increments throughout the Kakaako Community Development District, financed in part through an Improvement District Program. In this regard, the Project shall be subject to assessments for its pro rata share of the cost of improvements, if any, which may, in the future, be necessarily undertaken in the vicinity of the respective projects under the HCDA or other government agencies' improvement programs. The Project will be assessed under the same methods and in the same manner as other properties in the area. In order to ensure the participation of the Project, the Developer, and its successors and assigns, shall agree to participate in the HCDA District-Wide Improvement Program at the time said program is implemented. The terms specified in the Agreement shall be made a part of all condominium and conveyance documents

for the Project and said documents shall be reviewed and approved by the HCDA prior to submission to the Real Estate Commission and execution.

11. **Compliance with Other Conditions.** The Developer shall prepare all necessary documents for dedication of land for public facilities dedication as required by the Permit, in a form acceptable to the HCDA Executive Director and record the dedication document with the Bureau of Conveyances before the HCDA approval of the initial certificate of occupancy for the Project. The Developer and its successors and assigns shall agree to maintain all improvements on the portion of land along Kawaihāo Street approved for fulfillment of a portion of public facilities dedication for the Project and such maintenance agreement shall be made part of all condominium and conveyance documents for the Project and said documents shall be reviewed and approved by the HCDA prior to submission to the Real Estate Commission and execution.

12. **Building Permit.** All of the foregoing conditions contained in Sections 1 through 11 above shall be satisfied prior to the issuance of the initial building permit for the Project except as otherwise provided in this Agreement or except where a modification has been granted by the HCDA, if any.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed by this Agreement shall touch and concern the Parcels and shall constitute a covenant running with the land and shall bind, inure to the benefit of, and constitute notice to all subsequent successors, lessees, grantees, assignees, mortgagees, lienors, and any other persons who claim an interest in the Parcels, and the HCDA shall have the right to enforce this Agreement by appropriate action at law or suit in equity against all such persons.

This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument, and in making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

IN WITNESS WHEREOF, the HCDA and the Developer have executed this Agreement on the day and year first above written.

HAWAII COMMUNITY DEVELOPMENT
AUTHORITY

By 
Anthony J. H. Ching
Its Executive Director

MJF DEVELOPMENT CORPORATION,
a California corporation

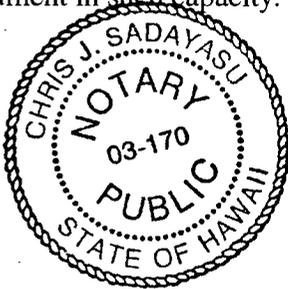
By 
Franco J. Mola
Its Member

APPROVED AS TO FORM:


Deputy Attorney General

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 19th day of September, 2014, before me personally appeared ANTHONY G.V. CHING, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



(Official Stamp or Seal)

A handwritten signature in black ink, appearing to be "Chris J. Sadayasu".

Notary Public, State of Hawaii

Printed Name: Chris J. Sadayasu

My commission expires: MAR 30 2015

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: DEVELOPMENT AGREEMENT

Doc. Date: 9/19/14 or Undated at time of notarization.

No. of Pages: 22 Jurisdiction: First Circuit
(in which notarial act is performed)

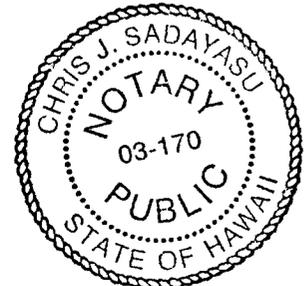
A handwritten signature in black ink, appearing to be "Chris J. Sadayasu".

Signature of Notary

Chris J. Sadayasu

Printed Name of Notary

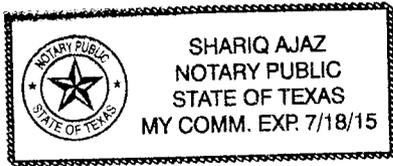
9/19/14
Date of Notarization and
Certification Statement



(Official Stamp or Seal)

STATE OF Texas)
TRAVIS COUNTY) SS.

On this 17 day of July, 2014, before me personally appeared Franco J. Mola, President of MJF Development Corporation, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such corporation, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Shariq Ajaz

Notary Public, State of TX

Printed Name: Shariq Ajaz

My commission expires: 7-18-2015

(Official Stamp or Seal)

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: DEVELOPMENT AGREEMENT

Doc. Date: _____ or Undated at time of notarization.

No. of Pages: _____ Jurisdiction: First Circuit
(in which notarial act is performed)

Signature of Notary

Date of Notarization and
Certification Statement

Printed Name of Notary

(Official Stamp or Seal)

EXHIBIT "A"

803 WAIMANU LEGAL DESCRIPTION

-PARCEL FIRST:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Piikoi) situate, lying and being on the southwesterly side of Waimanu Street at Drier Street, Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being a PORTION OF LOT NUMBER 1, in BLOCK NUMBER 19, of the tract of land known as the said "CYCLOMERE TRACT", being a portion of the "Kewalo Tract", as shown on the Map thereof, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 205, Page 117, and thus bounded and described:

Beginning at a pipe at the north corner of this piece of land and on the southwesterly side of Waimanu Street, the coordinates of said point of beginning referred to a City and County Survey Street Monument at Kawaihaho and Kamani Streets being 697.58 feet north and 280.59 feet west, and running by true azimuths measured clockwise from South:

1. 321° 52' 52.40 feet along the southwesterly side of Waimanu Street to a pipe;
2. 52° 41' 99.05 feet to a pipe;
3. 141° 52' 50.80 feet along Lot 13, Block 16, to the Kewalo Tract to a pipe;
4. 231° 45' 30" 99.04 feet to the point of beginning and containing an area of 5,110 square feet, more or less.

-PARCEL SECOND:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Piikoi) situate, lying and being on the southwesterly side of Waimanu Street between Drier and Kamani Streets, Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being PORTIONS OF LOT NUMBERS 1 and 2, in BLOCK NUMBER 19, of "CYCLOMERE TRACT" as shown on the Map thereof, recorded as aforesaid, and thus bounded and described:

Beginning at a pipe at the east corner of this piece of land and on the southwesterly side of Waimanu Street, the coordinates of said point of beginning referred to a City and County Survey Street Monument at Kawaihaho and Kamani Streets being 617.03 feet north and 217.36 feet west, and running by true azimuths measured clockwise from South:

1. 52° 41' 99.05 feet to a pipe;
2. 141° 52' 50.00 feet along Lots 14 and 13, Block 16 of the Kewalo Tract to a pipe;
3. 232° 41' 99.05 feet to a pipe;
4. 321° 52' 50.00 feet along the southwesterly side of Waimanu Street to the point of beginning and containing an area of 4,952 square feet, more or less.

Together with a right-of-way across and along a 3-foot strip of land along thru Lot 13, Block 16, Kewalo Tract, running to Kawaiahao Street for the purpose of sewerage by means of pipes and in connection therewith the right of ingress and egress along said strip of land at reasonable times for the purpose of laying and maintaining such sewer pipes, and it is agreed by and between the parties hereto that the owners of Lots 13 and 14, Block 16 of said Kewalo Tract as well as the owners of Lots 1 and 2 of Cyclomere Tract shall at all and any time have the right to hook up and connect with the sewer line along said right-of-way; and subject to the terms and provisions contained therein.

-ITEM II:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Kamakee Piikoi) situate, lying and being on the northeast side of Kawaiahao Street, between Cooke and Kamani Streets, Honolulu, City and County of Honolulu, State of Hawaii, and known as LOT 13, in BLOCK 16 of the "KEWALO TRACT", and thus bounded and described:

Beginning at the west corner of this lot, the south corner of Lot 12 of Block 16 of the Kewalo Tract and on the northeasterly side of Kawaiahao Street, the azimuth and distance from the northeast intersection of Kawaiahao and Cooke Streets being 321° 52' 201.00 feet, and running by true azimuths measured clockwise from South:

1. 232° 06' 101.00 feet along Lot 12 of Block 16 of the Kewalo Tract;
2. 322° 07' 52.10 feet along Lot 1 of Block 19 of the Cyclomere Tract;
3. 52° 50' 100.80 feet along Lot 14 of Block 16 of the Kewalo Tract to the northeasterly side of Kawaiahao Street;
4. 141° 52' 50.80 feet along the northeasterly side of Kawaiahao Street to the point of beginning and containing an area of 5,191 square feet, more or less.

-ITEM III:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Kamakee Piikoi) situate, lying and being on the northeast side of Kawaiahao Street, between Cooke and Kamani Streets, Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being PARCEL "A", COMPRISING ALL OF LOT NUMBER 14 and a PORTION OF LOT NUMBER 15, in BLOCK 16, of the tract of land known as the "KEWALO TRACT", as shown on the Map thereof, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 162, Page 227, and thus bounded and described as per survey dated June 4, 1949, to-wit:

Beginning at a pipe at the westerly corner of this parcel of land on the northerly side of Kawaiahao Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 4,271.68 feet south, and 2,242.71 feet west and running by true azimuths measured clockwise from South:

1. 231° 52' 100.50 feet along Lot 13 of Block 16 of Kewalo Tract;
2. 321° 52' 59.10 feet along Lots 2 and 3 of Block 19 of Kewalo Tract;
3. 51° 52' 100.50 feet to a pipe;
4. 141° 52' 59.10 feet along the northeasterly side of Kawaiahao Street to the point of beginning and containing an area of 5,939 square feet, more or less.

EXHIBIT "B"

DEVELOPMENT PERMIT

for

803 Waimanu Street

Approved by the

HAWAII COMMUNITY DEVELOPMENT AUTHORITY
461 Cooke Street
Honolulu, Hawaii 96813

on

January 8, 2014

Pursuant to Chapter 206E, Hawaii Revised Statutes

DEVELOPMENT PERMIT NO.: KAK 13-091

I. PROJECT SUMMARY AND ENTITLEMENTS

Refer to the attached Table 1, *Project Summary and Entitlements*, as Exhibit A.

II. RESERVED HOUSING

The Applicant shall comply with the provisions of Hawaii Administrative Rules, Title 15, Subtitle 4, Chapter 218, and Kakaako Reserved Housing Rules. The Applicant shall designate no less than twenty percent (20%) of the residential units in the Project as reserved housing units for purchase or rental according to income requirements and qualifying conditions established by Subchapter 3 of the Kakaako Reserved Housing Rules.

The Applicant may submit a reserved housing credit program for additional reserved housing credit for the Authority's consideration at a later time.

The Applicant shall execute an agreement with the HCDA as to how the Project conforms to the provisions of the Kakaako Reserved Housing Rules and such agreement shall be binding upon the Applicant and any successors in interest. No construction of the Project shall commence unless the Applicant has provided satisfactory documentation to the HCDA that the Project conforms to the provision of the Kakaako Reserved Housing Rules.

III. INFRASTRUCTURE IMPROVEMENTS

Infrastructure improvements can be divided into two categories: (1) infrastructure improvements or requirements which are immediately necessary to proceed with the Project; and (2) improvements which are necessary to improve and upgrade the vicinity in total through the HCDA District-Wide Improvement Program.

- A. **Improvements Necessary to Proceed with the Project:** With regard to infrastructure improvements or requirements which are necessary to proceed with the Project, the Applicant shall be responsible for providing necessary developer improvements.
- B. **Improvements Proposed for the HCDA District-Wide Infrastructure Improvement Program:** As part of the HCDA District-Wide Improvement Program, road and utility improvements are being undertaken in increments throughout the Kakaako District, financed in part through an Improvement District Program.

In this regard, the Project shall be subject to assessments for its pro rata share of the cost of improvements which may, in the future, be necessarily undertaken in the vicinity of the respective projects under the HCDA or other government agencies' improvement

programs. The Project will be assessed under the same methods and in the same manner as other properties in the area.

In order to ensure the participation of the Project, the Applicant, and its successors and assigns, shall agree to participate in the HCDA District-Wide Improvement Program at the time said program is implemented. The terms specified in the agreement shall be made a part of all condominium and conveyance documents for the Project and said documents shall be reviewed and approved by the HCDA prior to submission to the Real Estate Commission and execution.

IV. DECISION

The staff report for the Development Permit application dated January 8, 2014 is hereby incorporated into this Development Permit and made part of this Permit. The Development Permit for the Project is hereby approved, subject to the following conditions:

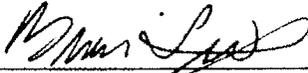
- A. Provide a Development Agreement with the HCDA that binds the Applicant, and its successors and assigns, individually and collectively, to develop and to maintain the Project site in conformity with the provisions of this Development Permit and with the Mauka Area Rules. This Agreement shall be recorded as a covenant running with the land with the Bureau of Conveyances or the Assistant Registrar of the Land Court. Proof of such recordation in the form of copies of the covenants certified by the appropriate agency shall be submitted to the HCDA.
- B. Comply with all applicable requirements of Subchapter 2 (Regulating Plan and Neighborhood Zone) of the Mauka Area Rules.
- C. Comply with all applicable requirements of Subchapter 3 (Thoroughfare Plan and Standards) of the Mauka Area Rules.
- D. Comply with all applicable requirements of Subchapter 4 (Area-Wide Standards) of the Mauka Area Rules.
- E. Comply with all applicable requirements of the Kakaako Reserved Housing Rules, Hawaii Administrative Rules, Title 15, Subtitle 4, Chapter 218.
- F. Comply with all requirements as specified under Parts I., II. and III. of this Permit.

- G. Conduct an Archaeological Inventory Survey that is acceptable to Department of Land and Natural Resources, State Historic Preservation Division prior to HCDA approval of the initial building permit for the Project. Comply with all Conditions imposed by the Authority with respect to any Historic Properties, Aviation Artifacts or a burial site that may be discovered at the Project site.
- H. Comply with any other terms and conditions as required by the HCDA Executive Director to implement the purpose and intent of the Rules.

All conditions shall be met prior to the issuance of the initial Building Permit for the Project.

Dated at Honolulu, Hawaii, this 8th day of January, 2014.

HAWAII COMMUNITY DEVELOPMENT
AUTHORITY, State of Hawaii

By 

Brian Lee, Chairperson

Attachment: Exhibit A - Table 1, *Project Summary and Entitlements*

I. PROJECT SUMMARY AND ENTITLEMENTS

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Neighborhood Zone and Land Use	HAR §15-217-23(a)(2) Neighborhood Zones, Figure 1.2 Regulating Plan, Figure 1.9 Land Use	Central Kakaako ("CK")	CK housing project	Project conforms to Rules; residential use is permitted in all zones.
Site Area	N.A.	N.A.	Oahu TMKs: 2-1-049: 50, 70 and 72 21,192 SF	See Project Plans Sheet A-1.1.
Density	Figures 1.3 & NZ.5 D Building Form, Maximum Density	21,192 SF (Site Area) x 3.5 FAR = 74,172 allowable SF; Reserved Housing ("RH") excluded from floor area calculation, per §15-218-18(1).	71,012 SF, excluding floor area for RH. RH floor area is 17,994 SF.	Project conforms to Rules; see Sheet A-1.2.
Reserved Housing	HAR §15-218-17(a)	At least 20% of the total residential floor area to be allocated for RH units (i.e., 17,896 SF in this project).	Excluded floor area for RH is 17,994 SF.	Project conforms to Rules; see Sheet A-1.2. Applicant may submit a separate proposal for additional reserved housing credit to the Authority at a later time for its consideration.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Maximum Height	Figures 1.3 & NZ.5.1	65 FT from "Ground Elevation", excluding rooftop mechanical room (Block 24 on map).	65 FT from "Ground Elevation", excluding rooftop mechanical room and stair(s).	Project conforms to Rules.
Building Type	Figures 1.3 & NZ.5 A Building Types, and BT-8 Urban Block	Urban Block	Urban Block	Project conforms to Rules.
Frontage Types	Figures 1.3 & NZ.5 B Frontage Types	Stoop; Dooryard; Terrace Front; Forecourt; Shopfront; Chinatown Shopfront; Kakaako Frontage	Stoop frontage on both frontages, as allowed in Figure FT-2.	Project conforms to Rules.
Frontage Occupancy	Figure 1.3 Building Placement Frontage Occupancy at Build-to-Line	No build-to-line specified at Kawaiahao and Waimanu frontages, but requirement is 75% occupancy if build-to-line were required.	Project places frontage at property line on both the Waimanu and Kawaiahao frontages; ground level contains about 75% occupancy by active uses.	Project conforms to Rules.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Building Placement	Figure NZ.5 CK and Figure NZ.5-1	Build-to-lines at Waimanu and Kawaihāo – Not Specified Side and Rear Setbacks – 0 FT	Building built to property line except for recessed “stoops” at levels R-1 and R-1.5 areas at Waimanu and Kawaihāo frontages (see Sheet A-1.2).	Project conforms to Rules.
Floor Plate	Table BT-8.1, Maximum Floor Plate Ratios for Urban Block buildings	100% lot coverage allowed on floors 1 through 4 (21,192 SF in this project); average of 60% coverage on floors 5 through 7.	20,229 SF on Levels R-2; 12,136 SF (average 60%) on Levels R5 through R7 (see Sheet A-1.2 and A-3.1).	Project conforms to Rules.
Open Space	Figure BT.8 Urban Block E. Open Space	15% of Site Area = 3,179 SF 40 FT minimum dimension.	8,477 SF, with 40 FT Dimension on R2 and R5 (i.e., 3,148 SF on R2 and 2,953 SF + 2376 SF on R5).	Project conforms to Rules.
Recreation Space	§15-217-56 Landscape and Recreation Space	55 SF of recreation space per dwelling; 55 SF x 153 dwellings = 8,415 SF in this project; if outdoors, may be used to satisfy open space requirements.	8,477 SF, with 40 FT Dimension on R2 and R5 (i.e., 3,148 SF on R2 and 2,953 SF + 2376 SF on R5).	Project conforms to Rules. See Sheet A-1.2 and L-1.1.

Category	Maui Area Rules	Required/Allowable	Proposed	Comments
Off-Street Parking	§15-217-63(e)(2) §15-218-18(a)(3) §15-218-55(b)	No off-street parking required in CK zone, but RH requires 1 parking stall per unit; 24 RH units in this project.	91 parking stalls in multilevel unattended semi-automated mechanical parking including 24 parking stalls (12 standard and 12 compact) for the 24 RH units; see Sheets A-1.2 and A-2.1.	Project conforms to Rules.
Off-Street Loading	§15-217-63(l)(1) and (5) Loading Spaces	1 loading stall for 20,000-150,000 SF of floor area; one stall to have minimum dimensions of 12 FT x 35 FT and 14 FT vertical clearance.	1 handicap van loading space and 1 loading space with dimensions of 12 FT x 35 FT and 14 FT vertical clearance provided in garage; see Sheet A-2.1.	Project conforms to Rules.
Bicycle Parking	§15-217-63(m) Bicycle Parking	Short- and long-term bicycle parking to be provided within 400 FT of building entrance. Front facades to have at least one encroaching element (e.g., porch, balcony) for at least 10% of facade.	Short-term bicycle parking provided. Short-term and long-term bicycle parking provided in parking garage on ground level of parking garage.	Project conforms to Rules.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Building Massing	Figure BT.8 H	Front facades to have at least one encroaching element (e.g., porch, balcony) for at least 10% of facade.	Plane break provided.	Project conforms to Rules.
Public Facilities Dedication	§15-217-65(d)	4% of total residential floor area less RH (2,840 SF in this project).	866 SF provided in widened sidewalk along Kawaiahao frontage (see Sheet A-1.2 and A-2.1.	Request for remaining requirement to be satisfied by payment of in lieu fee, per §15-217-65(d)(3) approved by the Authority at its January 8, 2014 Public Hearing.
Landscaping	§15-217-56 Landscape and Recreation Space; Figure 1.7 Street Tree Plan	Provide automatic irrigation system with rain or moisture sensor; no street trees required on Waimanu Street, but Tulipwood tree required on Kawaiahao Street.	For landscaped open space, automatic irrigation system with rain sensor control; two Tulipwood trees provide on Kawaiahao Street.	Project conforms to Rules.
Green Building Standards	§15-217-59 Requirement for Green Building standards	Qualify for base LEED rating; document achievement of LEED points.	Project will meet base LEED rating.	Project conforms to Rules for basic certified standard; see LEED rating sheet.

Category	Mauka Area Rules	Required/Allowable	Proposed	Comments
Parking Placement	Figure 1.10B Parking Placement Figure BT.8 Urban Block	Place parking with allowed parking zone, per map; upper floors of parking to be screened from view of the public frontage by a liner building or by landscaping, green screens or cladding.	Parking placed within allowed parking zone; ground floor parking concealed by liner of habitable space on Levels R-1 and R- 1.5.	Project conforms to Rules.
Parking Access	§15-217-63(c)(3) Figures 1.14 and PZ.5	Curb cuts shall be set back a minimum of 22 FT from adjacent properties.	Driveways are more than 22 FT from side property lines on both frontages (see Sheet A-2.1).	Project conforms to Rules.
Pedestrian Zone Treatment	Figures 1.14 and PZ.5	Pedestrian Zone width standards: Waimanu Street (service street) sidewalk to have 6-foot wide Throughway; Kawaiahao Street (street) sidewalk to have 2-foot wide Frontage, 6-foot wide Throughway, and 5-foot wide Furnishing zones.	Pedestrian Zone on Waimanu frontage to retain existing improvements, except for relocation of driveway curb cut; Kawaiahao frontage improved to conform to prescribed Pedestrian Zone standards.	Project conforms to Rules; see Sheet L-1.1.