# Symphony Honolulu Project

## July 22, 2015

## Petitioner OliverMcMillan Pacific Rim, LLC's Final Exhibit List.

McCORRISTON MILLER MUKAI MacKINNON LLP
WILLIAM C. McCORRISTON 995-0
D. SCOTT MacKINNON 1403-0
Five Waterfront Plaza, 4th Floor
500 Ala Moana Boulevard
Honolulu, Hawai'i 96813
Telephone: (808) 529-7300

Attorneys for Petitioner
OLIVERMcMILLAN PACIFIC RIM, LLC

BEFORE THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY

| | | |
|---|---|---|
| In the Petition of | ) | DOCKET NO. CCED KAK 2015-2 |
| | ) | |
| OLIVERMcMILLAN PACIFIC RIM, LLC, | ) | PETITIONER OLIVERMcMILLAN |
| | ) | PACIFIC RIM, LLC'S FINAL EXHIBIT |
| for waiver and suspension of § 15-217-55(k)(2) | ) | LIST; DECLARATION OF D. SCOTT |
| of the Mauka Area Rules as applied to the | ) | MACKINNON; CERTIFICATE OF |
| Symphony Honolulu Project. | ) | SERVICE |
| | ) | |
| | ) | HEARING: |
| | ) | Dates: July 22 & 23, 2015 |
| | ) | Time: 9:00 a.m. |

PETITIONER OLIVERMcMILLAN PACIFIC RIM, LLC'S FINAL EXHIBIT LIST
(Exhibits submitted with the Petition for Waiver and Suspension of § 15-217-55(k)(2) of the Mauka Area Rules, filed on May 28, 2015, and demonstrative exhibits are also listed for ease of reference)

| NO. | DESCRIPTION |
|---|---|
| A | Affidavit of Jon Weir |
| B | Resume of Jon Weir (JA Weir Associates) |
| C | Affidavit of John Gustafson |
| D | Resume of John Gustafson (Curtain Wall Design Consulting, Inc.) |
| E | Resume of David Miller (Architects Hawaii, Ltd.) |
| F | Resume of Keith M. Chan (Notkin Hawaii Inc.) |
| G | Resume of Jeanne Murata (Heyer & Associates, LLC) |
| H | Letter from Keith Chan, on behalf of Notkin Hawaii Inc., addressed to Daniel Moats, Associate at Architects Hawaii Ltd., dated June 22, 2015 |
| I | Affidavit of Dave Munn |
| J | Resume of Dave Munn (Chelsea Group, Ltd.) |

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Attorneys for Petitioner
OLIVERMcMILLAN PACIFIC RIM, LLC

BEFORE THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

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| In the Petition of | ) | DOCKET NO. CCED KAK 2015-2 |
| | ) | |
| OLIVERMcMILLAN PACIFIC RIM, LLC, | ) | PETITIONER OLIVERMcMILLAN PACIFIC RIM, LLC'S FINAL EXHIBIT LIST; DECLARATION OF D. SCOTT MACKINNON; CERTIFICATE OF SERVICE |
| for waiver and suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project. | ) | |
| | ) | HEARING: |
| | ) | Dates: July 22 & 23, 2011 |
| | ) | Time: 9:00 a.m. |

PETITIONER OLIVERMcMILLAN PACIFIC RIM, LLC'S FINAL EXHIBIT LIST
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| | EXHIBITS FILED MAY 28, 2015 |
|---|---|
| 1 | Letter from David Miller, on behalf of Architects Hawaii, Ltd., addressed to Dan Nishikawa, President of Oliver McMillan Pacific Rim, LLC, dated March 19, 2015 |
| 2 | Letter from Jon Weir, on behalf of JA Weir Associates, addressed to Kris Hui, Senior Project Manager for Oliver McMillan's Honolulu Regional Office, dated March 13, 2015 |
| 3 | Letter from Keith Chan, on behalf of Notkin Hawaii Inc., addressed to Daniel Moats, Associate at Architects Hawaii Ltd., dated March 19, 2015 |
| 4 | Letter from Karl Heyer, IV, and Jeanne Murata, on behalf of Heyer & Associates LLC, addressed to Dan Nishikawa, President of OliverMcMillan Pacific Rim, LLC, dated March 20, 2015 |
| 5 | The Symphony Honolulu Project's Superstructure Permit, issued on January 29, 2014 |
| 6 | The Exterior Glass and Glazing portion of the Symphony Honolulu Project's application for its Superstructure Permit |
| 7 | Letter from Neal I. Payton, on behalf of Torti Gallas & Partners, addressed to Dan Nishikawa, President of OliverMcMillan Pacific Rim, LLC, dated March 12, 2015 |
| | **DEMONSTRATIVE EXHIBITS** |
| | AHL Hawaii Highrise – Glazing Performance Data Table (See Petition, Exhibit "1") |
| | Notkin Hawaii Inc. Table Summarizing Findings of Symphony Specified Glazing and Highest Performing Glazing Available From the Two Leading Glazing Manufacturers Which Have a VLT Value of 50 Percent or Greater (See Petition, Exhibit "3") |

DATED: Honolulu, Hawai'i, July 20, 2015.

WILLIAM C. McCORRISTON
D. SCOTT MacKINNON

Attorneys for Petitioner
OLIVERMcMILLAN PACIFIC RIM, LLC

BEFORE THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

| | | |
|---|---|---|
| In the Petition of<br><br>OLIVERMcMILLAN PACIFIC RIM, LLC,<br><br>for waiver and suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project. | ) | DOCKET NO. CCED KAK 2015-2<br><br>DECLARATION OF D. SCOTT MACKINNON |

DECLARATION OF D. SCOTT MACKINNON

I, D. Scott MacKinnon, hereby declare and state the following:

1. I am an attorney licensed to practice in the State of Hawai'i, where I am a partner with the firm McCorriston Miller Mukai MacKinnon LLP, counsel for Petitioner OliverMcMillan Pacific Rim, LLC ("OMPR"). I make this declaration in support of OMPR's Petition for Waiver and Suspension of § 15-217-55(k)(2) of the Mauka Area Rules ("Glass Rule") as applied to the Symphony Honolulu Project ("Petition").

2. As a litigation attorney at McCorriston Miller Mukai MacKinnon LLP, I have personal knowledge of the filings in the above-referenced case and have access to records and files kept in the normal course of the business conducted by McCorriston Miller Mukai MacKinnon LLP.

3. A true and correct copy of the Affidavit of John Gustafson is attached as Exhibit "C" hereto. The original Affidavit will be submitted upon of its receipt by this office.

4. A true and correct copy of the Affidavit of Dave Munn is attached as Exhibit "I" hereto. The original Affidavit will be submitted upon of its receipt by this office.

I, D. Scott MacKinnon, declare under penalty of law that the foregoing is true and correct.

I, D. Scott MacKinnon, declare under penalty of law that the foregoing is true and correct.

Executed at Honolulu, Hawai'i this 20th day of July, 2015.

D. SCOTT MACKINNON

BEFORE THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY

| | | |
|---|---|---|
| In the Petition of | ) | DOCKET NO. CCED KAK 2015-2 |
| | ) | |
| OLIVERMcMILLAN PACIFIC RIM, LLC, | ) | AFFIDAVIT OF JON WEIR |
| | ) | |
| for waiver and suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project. | ) | |

AFFIDAVIT OF JON WEIR

STATE OF CALIFORNIA )
) ss.
COUNTY OF LOS ANGELES )

JON WEIR, being first duly sworn on oath, deposes and says:

1. I have a Bachelor of Science degree in Architectural Technology and am the Principal of JA Weir Associates.

2. Prior to forming JA Weir Associates ("JA Weir"), I worked as a project manager for a national (later international) curtain wall design, and installation firm followed by consulting firms in Chicago, Dallas, Hong Kong, and Los Angeles.

3. JA Weir provides traditional and design consulting, as well as due diligence and forensic review.

4. Unless otherwise indicated, all statements herein are based upon my personal knowledge.

5. I make this declaration in support of OliverMcMillan Pacific Rim, LLC's ("OMPR") Petition for Waiver and Suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project ("Petition").

EXHIBIT "A"

6. Visible Light Transmittance ("VLT") is best defined as the amount of light that passes through a pane of glass, with higher VLT translating to greater light pass-through.

7. The Solar Heat Gain Coefficient ("SHGC") is a measurement of the amount of heat generated by the light (visible or infrared) that has passed through the glass (long wave conduction of heat due to glass absorption is not included in this measurement).

8. Higher VLT equates to worse SHGC, which results in more heat buildup inside the building.

9. The more heat that enters the building, the more energy it takes to cool it. This is especially problematic in sunny, hot climates such as Honolulu.

10. Chapter 15-217 of the Hawaii Administrative Rules (dated September 14, 2011) discusses the "visible light transmission level" and mandates a minimum level of 50% for the tower of a building and 70% for the ground floor.

11. The phrase "visible light transmission level" is confusing because it does not have a definition in the commercial glazing industry as "transmission" is an action and glass does not "transmit" anything.

12. Assuming that this is a misnomer and that transmittance (the property of glass that allows light through) was meant to be used, section 15-217-55(k)(2) of Mauka Area Rules requires that all glass in a new tower façade have a VLT of 50% or greater ("Glass Rule").

13. After searching through a database of just about every coated piece of glass manufactured in the world with a VLT of 50% or greater, the best performing product on the market today has a corresponding SHGC of 0.22. This roughly translates into 22% of the solar radiation on the façade converting to heat inside the building that must now be neutralized by a cooling system.

14. Conversely, the glass OMPR is currently installing in the Symphony Honolulu Project provides an SHGC of 0.19–three percentage points below the 0.22 value, representing substantial energy savings (approximately 16%).

15. The Symphony Honolulu Project's SHGC of 0.19 was also required to meet the energy model necessary for Code compliance.

16. Among the major suppliers of glass my co-associates and I have researched throughout the world, we can find no high performance glass that can meet both the Symphony Honolulu Project's necessary SHGC and the 50% VLT requirement. This includes, but is not limited to, thousands of glass types as manufactured by Asahi, Cardinal, China Southern, Interpane, Guardian, NSG, Pilkington, PPG, Shanghai Pilkington, Saint Gobain, and Viracon.

17. In fact, JA Weir found only five comparable products with a VLT of 50% or greater, none of which came close to the Symphony Honolulu Project's 16% required energy savings performance.

18. The absence of an available product identifies a fundamental flaw in the Glass Rule as it stands today.

19. JA Weir believes that the Glass Rule, as it stands, is an incorrect approach to solving one perceived issue while forcing building design to become less energy efficient.

20. Hawai'i is not alone in its attempt to accommodate tenant comfort and limit energy consumption in this manner. California has a provision in Title 24 of its Code that limits U Value, Relative SHGC and VT, or visible light transmittance, which is defined as the rating for overall daylight transmittance of a product, including the frame.

21. California's Title 24 provision reflects an understanding that VLT (or VT) cannot be regulated alone, but only as a part of three interrelated factors affecting the performance of exterior wall systems.

22. JA Weir is unaware of any other municipalities in the United States that regulate glass selection solely by VLT.

23. It is also important to emphasize that VLT is not a performance attribute of glass but an optical one. It is the indicator of how much light travels through the glass.

24. Rather, the SHGC is the performance indicator. It defines how the solar radiation traveling through the glass is controlled.

25. For high sunlight areas, such as the Mauka District of Honolulu, the SHGC needs to be low to control energy consumption and allow tenant comfort.

26. While every project is different, aiming for a low SHGC, as the Symphony Honolulu Project did, would save both energy and assist in reducing the overall energy consumption for cooling for the residents.

27. JA Weir surveyed the projects currently under construction in the various Honolulu districts, none of which use glass with a 50% VLT or greater. All of the glass products in use in commercial developments today provide a much lower VLT percentage due to the emphasis on performance (*e.g.*, SHGC) in the design.

28. Further, a reduction in VLT from 50% to 30% does not noticeably alter one's ability to see through the glass.

29. Considering the above and the current status of the Glass Rule, JA Weir believes that the HCDA should grant OMPR's Petition.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: Redondo Beach, California, July 16th, 2015.

JON WEIR (Jon Allen Weir)

This 5 page *Affidavit of Jon Weir* was subscribed and sworn to before me this 16th day of July, 2015.

Signature: Yong B. Yook

Name: Yong Bok Yook

Notary Public, State of California

YONG BOK YOOK
Commission # 2012576
Notary Public - California
Los Angeles County
My Comm. Expires Mar 22, 2017

My Commission expires: Mar 22, 2017

# RESUMÉ OF JON A. WEIR

**TITLE** Principal and Senior Design Consultant

**EDUCATION**

Bachelor of Science, Architectural Engineering Technology
University of Southern Mississippi, Hattiesburg, Mississippi, May 1982
Course Focus in Architectural Design, Construction Methods and Practice, Building Materials, Planning/Scheduling and Estimating.

**AFFILIATIONS**

American Society of Civil Engineers (ASCE), associate member
American Society for Testing and Materials (ASTM), member of committee E-06 on test standards for construction
Glass Association of North America (GANA), member of Glazing Manual committee and member of Project Manager Manual committee

**EXPERIENCE**

2004 – Present

Senior Design Consultant and Principal, JA Weir Associates, Los Angeles, California, USA. Responsibilities include the management and operations of the company as well as the responsibilities of a senior design consultant. These include design of exterior wall systems using computer aided design (CADD), attendance and witnessing of performance mock up testing, review of shop drawings and technical submissions, conducting site observations and providing assistance to the design team and relevant contractors to ensure a successful project for the client and the construction of a high performance exterior wall system. Mr. Weir also provides forensic and condition survey services throughout the United States for various clients.

2000-2004

Senior Design Consultant and Operations Manager – Western Region, Curtain Wall Design and Consulting Inc. (CDC), Los Angeles, California, USA. Responsibilities included the management and overseeing of the CDC offices in the western region along with the responsibilities of a senior design consultant. These include the design of façade systems from conceptual to contract document (using computer aided design), attendance and witnessing of performance mock up testing, checking of shop drawings and technical submissions, conducting site observations and providing overall assistance to the design team and relevant contractors to ensure a successful project completion and a high performance wall system.

1997-2000

Chief Facade Designer, Arup Facade Engineering, Ove Arup & Partners, Hong Kong. Responsibilities included the design of façade systems in various Asian countries from conceptual to contract document (using computer aided design), attendance and witnessing of performance mock up testing, checking of shop drawings and technical submissions, conducting site observations and providing overall assistance to the design team. Was also in charge of training for all staff personnel.

1993-1997

Senior Design Consultant, Curtain Wall Design and Consulting Inc. (CDC), Dallas, Texas, USA and Hong Kong. Responsibilities included the design of façade systems in the United States, Mexico and various Asian countries from conceptual to contract document (using computer aided design), attendance and witnessing of performance mock up testing, checking of shop drawings and technical submissions, conducting site observations and providing overall assistance to the design team. Set up the original computer network for the Hong Kong office.



EXHIBIT "B"

**EXPERIENCE, CONT.**

| | |
|---|---|
| 1991-1993 | Consultant, MKA / JA Weir Associates, Chicago, IL, USA. Responsibilities were shared between two companies. At MKA, these included investigation and support for litigation services provided by that company while those at JA Weir Associates were for full design consulting services (as listed previously) as well as the forensic review of problematic buildings. |
| 1986-1991 | Associate, later Principal, Cladtech USA Ltd., Chicago, IL, USA. Responsibilities included full design consulting services (as listed previously), the forensic review of problematic buildings and litigation support as an expert witness. Was also involved with the setting up the computer aided design department and the training of personnel from the Cladtech Associates office in Surrey, United Kingdom. |
| 1982-1986 | Project Manager, Harmon Contract WSA Inc., Minneapolis, MN; Dallas, TX and Chicago, IL, USA. Responsibilities included project management for projects of various size in Dallas, Texas and Chicago, Illinois including the estimation of cost, ordering and buyout of materials (and contracts), liaison with the design team, coordination of the project, erection of test specimens, the conductance of performance tests and the management of installation personnel. Also specialized in the design and coordination of high performance and intricate podium and ground floor systems for these high rise buildings. |

BEFORE THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY

| | | |
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| In the Petition of | ) | DOCKET NO. CCED KAK 2015-2 |
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| OLIVERMcMILLAN PACIFIC RIM, LLC, | ) | AFFIDAVIT OF JOHN GUSTAFSON |
| | ) | |
| for waiver and suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project. | ) | |

AFFIDAVIT OF JOHN GUSTAFSON

STATE OF TEXAS )
) ss.
COUNTY OF COLLIN )

JOHN GUSTAFSON, being first duly sworn on oath, deposes and says:

1. I am a Senior Vice President at Curtainwall Design Consulting ("CDC").

2. CDC is a world leader in design and consulting services for building "envelope" systems.

3. Unless otherwise indicated, all statements herein are based upon my personal knowledge.

4. I make this declaration in support of OliverMcMillan Pacific Rim, LLC's ("OMPR") Petition for Waiver and Suspension of § 15-217-55(k)(2) of the Mauka Area Rules ("Glass Rule") as applied to the Symphony Honolulu Project ("Petition").

5. The Lawrence Berkeley National Laboratory ("LBNL") "window" program, which I am intimately familiar with, has a database of information on nearly every coated piece of glass manufactured in the world, including but not limited to energy performance values.

6. The LBNL "window" program will calculate the energy performance values for glass assemblies using every type of glass, color, coating, etc.

EXHIBIT "C"

7. The LBNL "window" program contains more than three hundred (300) different coating designations across thirty (30) manufacturers, which can be applied to close to eighty (80) different types of glass substrates. Additionally, glass substrate color, type, and manufacturing processes vary from manufacturer to manufacturer. Thus, there is no exact way of knowing all of the different substrates available from the known database.

8. With the LBNL "window" program, you can analyze any glass makeup to determine the Solar Heat Gain Coefficient ("SHGC") and U values for the assembly.

9. U Value is the rating given to a window based on how much heat loss it allows.

10. SHGC is a measurement of the amount of heat generated by the light (visible or infrared) that has passed through the glass (long wave conduction of heat due to glass absorption is not included in this measurement).

11. SHGC values are based on the color of substrate coupled with the coating technology applied to that substrate, along with the surface it is applied to. When dealing with a coated clear substrate, the SHGC value is pretty much set by the thickness and color of the substrate to which the Low E coating is applied.

12. Low E coatings on glass minimize the amount of ultraviolet and infrared light that can pass through glass without compromising the amount of visible light that is transmitted.

13. The only way to enhance the performance of the SHGC value is to add additional Low E coatings to lights of glass inboard of the outer Low E coating, such as a #4 surface Low E, a triple glazed unit, or a solar control film or heat mirror film.

14. Visible Light Transmittance ("VLT") can be best defined as the amount of light that passes through a pane of glass, with higher VLT translating to greater light pass-through.

15. Higher VLT equates to worse SHGC, which results in more heat buildup inside the building.

16. It is absolutely not possible to both achieve a VLT value of 50% or greater and meet an SHGC value of less than 0.22 with the current coating technologies available in the marketplace.

17. Specifically applied to the Symphony Honolulu Project, you can make more than 1000 glass assembly combinations using all the available data for different glass types and availability, but no combination will allow the Symphony Honolulu Project to meet both its VLT and energy savings requirements.

18. Considering the above and the current status of the VLT rule, I support OMPR's Petition and submit that the Hawaii Development Community Authority should waive the Glass Rule as applied to the Symphony Honolulu Project.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: Plano, Texas, July 20, 2015.

JOHN GUSTAFSON

This ___ page *Affidavit of John Gustafson* was subscribed and sworn to before me this 20th day of July, 2015.

Signature: Kathi Ann Williford
Name: Kathi Ann Williford
Notary Public, State of Texas

My Commission expires: 8/12/18

KATHI ANN WILLIFORD
My Commission Expires
August 12, 2018

CDC
CURTAINWALL DESIGN CONSULTING

JOHN GUSTAFSON
SENIOR VICE PRESIDENT / PRINCIPAL OWNER

## Education

**Associate of Science Degree**
William Rainey Harper College, Palatine, IL

**Bachelor of Science Degree, Civil Engineering and Technology**
Southern Illinois University, Carbondale, IL

## Industry Experience Since 1982

Since joining Curtain Wall Design & Consulting, Inc. in 1985, Mr. Gustafson's vast experience and knowledge with Building Envelope systems has assisted Architects, Owners, Contractors and Attorneys. He has assisted them by providing design of wall details and systems, review of structural designs and calculations for exterior façade systems including curtain walls, precast, EIFS, granite support steel trusses, skylights and other exterior cladding components. Also, providing performance specifications, field services, witnessing laboratory testing, factory/plant observations, destructive testing and forensic investigation and expert opinions for a wide variety of projects, including casinos, hotels, office towers, hospitals, universities, mixed-use facilities and condominiums. Mr. Gustafson's works effectively with clients and team members to provide technically sound, practical, value-oriented solutions that benefit the client's needs.

## Previous Experience

***Wilson Jenkins & Associates***
Project management focus on the structural components of the exterior cladding/façade.

***IBG International***
Project manager for developing and implementing skylight systems. Working with Architectural division responsible for structural calculations.

***Crescent Corporation***
Director of structural department-developing in-house calculations for design department

## Sampling of Project Experience

- Courtyard Marriott | Santa Ana, CA
- Harrah's Rincon Casino | Valley Center, CA
- San Diego New Marriott | San Diego, CA
- Ward Village Block O | Honolulu, HI
- HGV Grand Islander | Honolulu, HI
- Marriott Grand Chateau III | Las Vegas, NV
- The Cosmopolitan | Las Vegas, NV
- Monarch casino & Hotel | Blackhawk, CO
- Getty Center | los Angeles, ca
- MGM City Center | Amalgam City Cente
- Lotte World Tower | Seoul, Korea
- Lakhta Center | St. Petersburg, Russia

REFERENCES AVAILABLE UPON REQUEST

EXHIBIT "D"

ARCHITECTS HAWAII
LIMITED

**David A. Miller**
**AIA, NCARB, LEED AP**
Chairman & Principal

**Education**

**Harvard University**
Master of Architecture

**Carnegie Mellon University**
Bachelor of Architecture

**Registration**

Hawai'i, #AR-3047 •
Massachusetts, #3048 •
Guam, #327 •
NCARB, #30200 •

## Professional Experience

Mr. David A. Miller joined Architects Hawaii in 1971, became a Principal in 1975, and was appointed CEO in 2000. He currently serves as an active Principal and Chairman of the Board. As a visionary architect and leader, Mr. Miller has been designing and directing a wide range of projects throughout the world for more than 45 years. He was awarded a Professional Design Fellowship from the U.S. National Endowment for the Arts, Washington, D.C. in 1978. Both the Boston Society of Architects and the AIA Honolulu have bestowed design awards on his projects.

Sensitivity to clients' needs, cultural requirements, and experience working with various design professionals makes Mr. Miller well placed to participate on large complex projects. His area of expertise includes large-scale master planning and architecture developments covering all major market sectors from high-rise residential, hospitality, and vacation ownership developments to retail and commercial facilities. His projects are located throughout the Pacific Rim, including Hong Kong, Malaysia, the Philippines, Singapore, China, Korea, and Okinawa. In 1981, Mr. Miller established a branch of AHL in Hong Kong which he headed for 10 years until returning to Honolulu.

Mr. Miller has been a featured speaker at various U.S. and Pacific Rim conferences, including the AIA Northwest Regional Convention, the University of Hawai'i International Symposium of Asia-Pacific Architecture, and the A/E Design Firm Leadership Conference. He has served as President of the AIA Honolulu Chapter and the former Chair of the Urban Land Institute Hawaii District Council. Mr. Miller currently serves on the East-West Center Foundation Board, Air Force Civilian Advisory Council, and UH School of Architecture Admissions Council.

## Project Experience

### Hospitality

- Aulani, A Disney Resort & Spa, Ko 'Olina, O'ahu, Hawai'i (LEED Silver)
- Wyndham Vacation Ownership at Waikiki Beach Walk, Waikīkī, Honolulu, O'ahu, HI
- Outrigger Waikiki Porte Cochere/Lobby Renovation, Waikīkī, Honolulu, O'ahu, HI
- Outrigger Prince Kuhio Hotel Pool Area Renovations, Waikīkī, Honolulu, O'ahu, HI
- Outrigger Ohana Islander Hotel, Waikīkī, O'ahu, HI
- Aston Waikiki Beach Hotel Renovations, Waikīkī, Honolulu, O'ahu, HI
- Aston Waikiki Sunset Renovations, Waikīkī, Honolulu, O'ahu, HI
- Marriott Ko Olina Beach Club, Kapolei, O'ahu, H
- Aston Ka'anapali Shores Renovations, Ka'anapali, Maui HI
- El Nido Resort Master Plan, Palawan, Philippines
- Ramada Renaissance Hotel, Guilin, People's Republic of China
- Forum Intercontinental Hotel, Shenzen, People's Republic of China
- Sheraton Great Wall Hotel Architectural Design, Shanhaiguan, People's Republic of China
- Sheraton Okinawa Expansion and Renovations, Okinawa, Japan

EXHIBIT "E"

ARCHITECTS HAWAII
LIMITED

**David A. Miller**
**AIA, NCARB, LEED AP**
Chairman & Principal

*Continued*

**Residential**
- Ward Village Gateway Towers, Honolulu, O'ahu, HI
- Symphony Honolulu Condominium, Honolulu, O'ahu, HI
- Beach Villas at Ko Olina, Ko 'Olina, O'ahu, HI
- The Pacific Plaza Luxury High-rise Condominium, Makati, Manila, Philippines
- The Ironwoods Luxury Resort Condominium, Kapalua, Maui, HI
- Chungshan Hot Springs Resort Villas, Chungshan, People's Republic of China
- Marina West Residential Development, Hawai'i Kai, O'ahu, HI
- 1100 Alakea Plaza Penthouse, Honolulu, O'ahu, HI
- Kona Pacific Resort Condominium, Kailua-Kona, Hawai'i, HI
- Kahala Nui Senior Living Community, Honolulu, O'ahu, HI

**Retail / Recreational**
- Center of Waikiki, Honolulu, Waikīkī, Honolulu, O'ahu, HI
- King Kalakaua Plaza, Waikīkī, Honolulu, O'ahu, HI
- International Market Place Redevelopment, Waikīkī, Honolulu, O'ahu, HI
- Outrigger Resort Development on Lewers Street, Waikīkī, Honolulu, O'ahu, HI
- Pacific Aviation Museum Pearl Harbor, Ford Island, O'ahu, HI
- DeBartolo's Ka Makana Ali'i Regional Mall, Kapolei, O'ahu, HI
- The Shops at Kukui'ula Village, Kaua'i, HI
- The Shops at Wailea, Wailea, Maui, HI
- The Shops at Mauna Lani, Kohala Coast, Hawai'i, HI
- Wal-Mart Manana, Pearl City, O'ahu, HI
- Wal-Mart Kauhului, Maui, HI
- JN Automotive Gallery, Honolulu, O'ahu, HI

**Commercial / Office**
- FBI Field Offices, Kapolei, O'ahu, HI (LEED® Gold)
- Asia-Pacific Headquarters Offices for Sheraton International, Hong Kong
- Prudential Tower Office/Commercial Building, Kowloon, Hong Kong
- 1100 Alakea Office Building, Honolulu, O'ahu, HI

**Memberships & Affiliations**

- American Institute of Architects, Honolulu Chapter
- Urban Land Institute Hawai'i District Council
- National Council of Architectural Registration Board (NCARB)
- Air Force Civilian Advisory Council, Steering Committee
- East West Center Foundation Board
- Society of American Military Engineers
- Lambda Alpha International
- Hawaii Visitors Convention Bureau
- Hawaii Leeward Planning Conference
- University of Hawai'i School of Architecture Advisory Council
- Hawai'i Hotel & Lodging Association
- The Pacific Club
- The Outrigger Canoe Club

# Keith M. Chan

*Principal-In-Charge*

**Education**

General Motors Institute, BSME, 1981
Flint, Michigan
University of Hawaii at Manoa, MBA, 1986
Honolulu, Hawaii

**Registration**

Mechanical Engineer, 1985, Hawaii
Fire Protection Engineering, 1988, California
LEED ® Accredited Professional, 2006, Hawaii

**Professional Organizations**

American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE)
American Council of Engineering Companies of Hawaii (ACECH), Chapter Past President FY 2000
American Society of Plumbing Engineers (ASPE)
National Fire Protection Association (NFPA)
Board of Directors of AOAO Kapiolani Bel-Aire, President

**Expertise**

Keith Chan has over 30 years of experience as a licensed mechanical engineer in the field of HVAC, plumbing, and fire protection systems. He has been the design engineer for a wide variety of projects which include retail establishments, hotel, housing, high-rise and low-rise developments, commercial, military and government clients. He has been employed as a mechanical engineer in Hawaii, with Notkin Hawaii Inc., since 1982, a principal of the firm since 1987, and managing principal and majority shareholder since 1994.

Keith assumed ultimate responsibility for all Notkin Hawaii projects since becoming the managing principal. His expertise includes administrative and operational supervision, quality assurance, project management, life cycle cost analysis, contractual responsibilities, energy, and due diligence studies.

Being a LEED® Accredited Professional, Keith has demonstrated proven knowledge of Green Building Practices required for successful implementation of Leadership in Energy and Environmental Design.

**Representative Experience**

***Frear Hall, University of Hawaii at Manoa, Honolulu, Hawaii***
Notkin Hawaii Inc. provided mechanical design services for air conditioning, ventilation, plumbing, and fire sprinkler systems. This 12-story housing facility reflects a strong Hawaiian style and also allows use of natural ventilation to be more environmentally sustainable. This high-rise dormitory added more than 800 additional beds and included a fitness center and basketball court. This project obtained LEED Certification (Silver).



Notkin Hawaii Inc., Consulting Mechanical Engineers
738 Kaheka Street, Suite 301 | Honolulu, Hawaii 96814

EXHIBIT "F"

***Keola La`i Condominium, Honolulu, Hawaii***

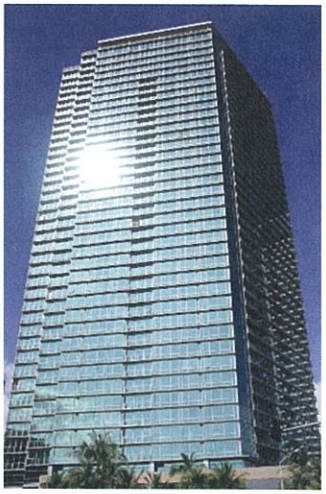
This 43-story luxury high-rise condominium is located just steps from Downtown Honolulu. It is approximately 455,613 sf with a total of 352 residential units. Five floors are dedicated to parking and commercial space, which span 10,000 sf. Notkin Hawaii Inc. provided the mechanical design for plumbing, ventilation, and air conditioning systems.

***Science Adventure Center, Bishop Museum, Honolulu, Hawaii***

Notkin Hawaii Inc. provided mechanical engineering services for this building along with Castle Hall.

***Hokua at 1288 Ala Moana, Honolulu, Hawaii***

Notkin Hawaii Inc. provided the mechanical design services for plumbing, air conditioning, and fire protection systems for the $210 million, 41-story, 1,033,250 square foot luxury residential condominium, which consists of 248 condominium units and commercial space. Construction began at the end of 2003 and was move-in ready by January 2006. The development features restaurants and retailers on the ground level of the building, including PF Chang's. This luxury condominium includes a state-of-the-art fitness center and spa, equipped with locker rooms, steam room, and sauna.



***Trump International Hotel and Tower, Waikiki Beachwalk Honolulu, Hawaii***

This facility is a 38-story hotel and condominium high-rise building which was initially sold in a record time. It was designed for both residential and hotel use with 460 hotel-condominium units ranging in size between 500 and 3,000 square feet of living space. Keith is the engineer of record for the design for HVAC, plumbing, and fire sprinkler systems for this luxury high rise. The locally based architectural firm is Benjamin Woo Architects and the New York based design firm is Guerin Glass Architects.

***Additional High Rise Residential Experience in Honolulu, Hawaii***

Additional High Rise Experience as Mechanical Engineer of Record includes: Hawaiki Tower, The Watermark, Allure Waikiki, One Ala Moana, Ritz Residences at Waikiki (under construction), Capitol Place, Park Lane at Ala Moana (under construction) and Anaha at Auahi Tower (under construction).



Notkin Hawaii Inc., Consulting Mechanical Engineers
738 Kaheka Street, Suite 301 | Honolulu, Hawaii 96814

# RESUME OF JEANNE MURATA

Jeanne K. O. Murata has been the Principal Broker and Project Sales Director for Heyer & Associates, LLC, since 2005. Ms. Murata obtained her initial Hawaii real estate salesperson license in May 1987 and her initial Hawaii real estate broker's license in September 2, 1991, currently holds RB-15923.

Ms. Murata has a thorough understanding of the Hawaii real estate market and oversees the daily operations and the project sales teams. As director of project sales, her experience includes working with developers during the design and entitlement phase, and all aspects of sales and marketing. Heyer & Associates has acted as the exclusive project broker for the following representative projects in Honolulu: Hawaiki Tower, Hokua at 1288 Ala Moana, Capitol Place, Waihonua, One Ala Moana, the Vanguard Lofts, and Pacifica Honolulu.

Prior to joining Heyer & Associates, Ms. Murata was the real property asset manager for The Harry and Jeannette Weinberg Foundation and its affiliates overseeing approximately 292 properties on Oahu, Maui, Kauai and the Big Island for the period April 2004 to April 2005. The properties included vacant land, industrial, office building, shopping centers, residential and other holdings and generated approximately $40 million in revenue per year.

Ms. Murata also served for the period from March 1994 to April, 2004 as Vice President, Principal Broker and Asset Manager for Jeffrey Stone and the Ko Olina Companies, now known as The Resort Group, and coordinated the acquisition and sales for approximately $500 million in real estate, as well asset management for the resort parcels and marina in Ko Olina.

EXHIBIT "G"

June 22, 2015

**NOTKIN HAWAII INC.**
*Consulting Mechanical Engineers*

Mr. David A. Miller, AIA, NCARB, LEEP AP
Chairman and Principal
ARCHITECTS HAWAII, LTD.
733 Bishop Street, Suite 3100
Honolulu, Hawaii 96813

Project: Symphony Honolulu

Subject: Building Energy Model

Dear David:

Notkin Hawaii Inc. has prepared and documented Symphony Honolulu's building energy model using the Carrier Hourly Analysis Program (HAP), with envelope compliance inputs determined by the U.S. Department of Energy, Building Energy Code Program's software COMcheck.

The envelope tradeoff method, which COMcheck implements, is allowable and documented in ASHRAE 90.1, and offers accurate computations widely accepted throughout the industry by use of project specific design elements and product performance data, input into the Carrier HAP energy analysis software.

Notkin Hawaii Inc. has used this method in past projects, and we believe it provides accurate results that reflect and benefit the final end product's energy use.

Please do not hesitate to call, should you have any questions.

Sincerely,

NOTKIN HAWAII INC.

Keith M. Chan, PE

738 Kaheka Street • Suite 301 • Honolulu • Hawaii 96814 • (808) 941-6600 • Fax (808) 946-6696 • mail@notkinhi.com • www.notkinhi.com

EXHIBIT "H"

BEFORE THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY

| | | |
|---|---|---|
| In the Petition of | ) | DOCKET NO. CCED KAK 2015-2 |
| | ) | |
| OLIVERMcMILLAN PACIFIC RIM, LLC, | ) | AFFIDAVIT OF DAVE MUNN |
| | ) | |
| for waiver and suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project. | ) | |

AFFIDAVIT OF DAVE MUNN

STATE OF ARIZONA )
) ss.
COUNTY OF MARICOPA )

DAVE MUNN, being first duly sworn on oath, deposes and says:

1. I have a Bachelor of Science degree in Mechanical Engineering and am a Chief Technical Officer at Chelsea Group, Ltd. ("Chelsea Group").

2. My work experience has focused on project management in the construction, consulting, energy services, and indoor air quality industries.

3. I am a licensed professional engineer in the states of Arizona and Hawai'i.

4. I am also a Certified Energy Manager, was recently the president of the Arizona Chapter of the Association of Energy Engineers, was the Co-chair of the Green Buildings Committee of the Building Owners and Managers Association Phoenix, and am a Leadership in Energy & Environmental Design ("LEED") Accredited Professional.

5. Unless otherwise indicated, all statements herein are based upon my personal knowledge.

EXHIBIT "I"

6. I make this declaration in support of OliverMcMillan Pacific Rim, LLC's ("OMPR") Petition for Waiver and Suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project.

7. OMPR retained Chelsea Group to perform an independent review and confirm the methodology used by Notkin Hawaii, Inc. to calculate Leadership in Energy & Environmental Design ("LEED") conformance of the Symphony Honolulu Project's glass in comparison to other commercially available glazing.

8. Notkin Hawaii, Inc. used the Carrier Hourly Analysis Program (version 4.6 HAP) which models annual energy usage in a LEED compliant method.

9. The Carrier Hourly Analysis Program model used by Notkin Hawaii, Inc. is an appropriate and accepted methodology within the energy industry.

10. Chelsea Group determined that Notkin Hawaii provided proper documentation, listing the base building model and the as-designed model, as well as additional necessary documentation required by the Green Building Certification Institute.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: Phoenix, Arizona, July 20, 2015.

DAVE MUNN

This ___ page *Affidavit of Dave Munn*
was subscribed and sworn to before me this
20 day of July, 2015.

Signature: _____
Name: _____
Notary Public, State of Arizona

My Commission expires: May 10, 2016

CHRISTINA RAMOS
Notary Public - Arizona
Maricopa County
My Comm. Expires May 10, 2016

CHELSEA GROUP LIMITED

**DAVE MUNN**
**BIOGRAPHICAL SKETCH**

**"A LEADER IN HIGH PERFORMANCE BUILDINGS"**

Dave Munn, Chief Technical Officer at Chelsea Group, Ltd., has over 30 years of design and engineering background with extensive experience in reviewing and overseeing capital improvement programs in existing buildings. He has knowledge of national standards and regulations, and experience with building mechanical system design and operation. At Chelsea Group, Mr. Munn has designed several high profile projects demonstrating advanced ventilation techniques and technology innovations.

Mr. Munn served on the project team for developing the indoor environmental elements of the LEED certification process for the World Trade Center 7 project. Mr. Munn has taken the lead in a wide range of property condition assessment and problem solving projects for Morgan Stanley and their national portfolio of buildings. He also led operations in the verification of clean-up and recommissioning of buildings following a major flood at the University of Hawaii. Mr. Munn's work experience has focused on project management in the construction, consulting, and energy services, and indoor air quality industries.

As part of the Chelsea Group Sustainability Management Program, Mr. Munn conducts on-site investigation of facilities to determine where the best potential energy savings lie, and how a property can best implement such practices. He then assists the property in developing a cap-ex plan based on the energy audit to prioritize what should be implemented first. Mr. Munn then can provide support to the facilities with implementation of the recommended measures.

Mr. Munn is registered as a professional engineer (PE) in the states of Arizona, Hawaii, and Illinois, and was a licensed general contractor in Arizona. He is also a Certified Energy Manager (CEM). He was recently the president of the Arizona Chapter of the Association of Energy Engineers (AEE). He was awarded the Region V Energy Engineer of the Year by AEE in 2009. Mr. Munn was the Co-chair of the Green Buildings Committee of the Building Owners and Managers Association (BOMA) Phoenix. He is a LEED Accredited Professional (LEED A.P.). Mr. Munn served on a committee with the US Department of Health and Human Services to write heating, ventilating, and air-conditioning (HVAC) design standards for hospitals. Mr. Munn holds a mechanical engineering degree from the University of Illinois – Chicago.



EXHIBIT "J"

BEFORE THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY

| | | |
|---|---|---|
| In the Petition of | ) | DOCKET NO. CCED KAK 2015-2 |
| | ) | |
| OLIVERMcMILLAN PACIFIC RIM, LLC, | ) | |
| | ) | |
| for waiver and suspension of § 15-217-55(k)(2) of the Mauka Area Rules as applied to the Symphony Honolulu Project. | ) | |

**CERTIFICATE OF SERVICE**

THE UNDERSIGNED HEREBY CERTIFIES that a true and correct copy of the foregoing document was duly served upon the following parties via hand-delivery, addressed as follows:

HAWAII COMMUNITY DEVELOPMENT
AUTHORITY
547 Queen Street
Honolulu, Hawaii 96813

Attention: Anthony J. H. Ching
Executive Director

DATED: Honolulu, Hawaii, July 20, 2015.

WILLIAM C. McCORRISTON
D. SCOTT MacKINNON

Attorneys for Petitioner
OLIVERMcMILLAN PACIFIC RIM, LLC