

PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL US	E ONLY:
SSD 201 <u>9</u> -	52
Acceptance Date:	6.13.19
Website Posting Date:	10.14.19
Determination Date:	101319
Planning Commission Date:	NA
Expiration Date:	6.13.20
Planner Assigned:	-)6/R1

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information

Applicant:	OOI -AI Rauai	FV Hotel, L.F., a Delaware limited	parinerariip			
Mailing Address:	Belles Graham I	.LP, c/o lan K. Jung, Esq.		Phone:	(808) 245-2163	
	4334 Rice Stree	t, Suite 202, Lihue, Kauai, Hawaii 96766		Email:	ikj@kauai-law.com	
Applicant's Status	: (Check one	,				
Owner of the		(Holder of at least 75% o	f the equitable	and legal	title)	
Lessee of the					ase of five (5) years or more from th	e
				Owner(s)	must provide a Letter of Authorizat	ion.
✓ Authorized		Attach Letter of Authoriz	ation			
Transmittal Date:	June 5, 2019					
		Project Information (atta	ach additional sh	eets, if nec	essary)	
County Zoning I	District: _F	R- 20 and Open Districts	Tax Ma	ap Key(s)	(4) 5-4-011:004	
			Land A	rea:	16.596 acres	
Nature of Devel	opment:					
(Description of p		Renovation of three (3)	existing ho	tel roon	ns as model rooms.	
structure or subd						
NO DEDMO	TO MILI	DE ICCITED WITHOUT	C DI ANNIN	IC CO	ANAISSIONI A CCEPE ANCE	
NO PERMI	13 WILL				MMISSION ACCEPTANCE	**
Dout A		EXCEPT AS PROV	men til 80	5-27.0(C)(8)	
Part A Shoreline Sethack	. Determinat	ion of Applicability (§8-27.1)				
				ist be acc	ompanied by additional information	on.
photos and/or doc					-	,
	Abutting the					
✓ Pro	posed project	's approximate distance from s	shoreline (base	d on aeria	l map): 130 ft.	
2. Property is	Not Abutting	the Shoreline				
✓ Pro	posed project	's approximate distance from s	shoreline (base	d on aeria	l map): 122 ft.	
3. Additional	Information:					
		e (Erosion/Accretion) Rate: 0.0				
		ilable here: www.soest.hawaii				_
✓ Nu	mber and des	cription of parcels (including re	oads, buildings	s, structure	es) between Shoreline and this parce	I:
I of 4-A	ahuts the sh	oreline on the northwestern	edge of the	Project a	nd a portion of Lot 4-A is a	
					vith Lot 5-A intersecting the Lot 4	-A.
		1 - 1 - 3				



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

$\overline{\langle}$	Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)
	The Subject Properties are sloped and the Project area is approximately 75 feet (or greater) above sea level.
V	Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)
	The portion of the Subject Properties where the Project is located is both an abutting and non-abutting parcel to the shoreline and is located approximately 122-130 feet from the rocky shoreline fronting the Project Area.
	Artificially armored Shoreline If checked, what type of armoring (e.g. seawall, revetment, bulkhead): Is the armoring permitted/authorized? Date of authorization (attach copy of authorization letter):
V	Is property in coastal floodplain (if checked, what zone)? AE/X
V	Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunami, etc.) in the past? N/A
Any mi	E NOTE: isrepresentation of information in this shoreline setback application will result in revocation of this ination and may result in fines and criminal prosecution.
Applica	int's Signature
lan K.	Jung Digitally signed by lan K. Jung O6/05/2019 Date: 2019.06.05 08:47:38 -10'00'
Signature	e Date
17	Applicability (to be completed by Planning Department)
	Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
	Setback Defermination is NOT necessary. Requirements of Ordinance No. 979 are not applicable.
	(b.13.19
	Planning Director or designee Date
	A has been deemed that a Determination will be necessary, the additional information will be required for
- GOIIIOD	ion of this application.
Part B	ion of this application.
	A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination.
Part B	A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination. (§8-27.8(e)) An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line
Part B	A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination. (§8-27.8(e))



PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

Exemption Determination

	1
	Exemption 1 In cases where the proposed structure or subdivision satisfies the following four criteria: (A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones; (B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater; (C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and (D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section. Exemption 2 In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property,
	elevation, and the history of coastal hazards in the area.
	Exemption 3
	Pursuant to §8-27.7, those structures and uses found exempt in Table 3 (see pg. 7) including repairs and renovations to a lawfully existing structure, including nonconforming structures, provided that:
	 (A) The repairs DO NOT enlarge, add to or expand the structure; increase the size or degree of non-conformity; or intensify the use of the structure or its impact on coastal processes; (B) The repairs DO NOT constitute a substantial improvement of the structure; and (C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code, floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.
	Letter from the Department of Public Works stating that the proposed project does NOT constitute "Substantial Improvement," pursuant to §8-27.2 (If applicable, will require valuation of project).
	Exemption Determination (to be completed by Planning Department)
	Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.
_	Pursuant to §8-27.7 the Kaua'i County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)
	Planding Director or designee Additional comments/conditions: Date Additional comments/conditions:



PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

Part C

Shoreline Setback Determination (§8-27.8)

(This document is the request for a shoreline setback structure or subdivision determination form.)

Please complete this section if you are proposing a structure or subdivision that is *not* exempt (pursuant to Part B) and requires a certified shoreline. Determination of applicability (**Part A**) from the Planning Director shall first be obtained.

Certified Shoreline
Select the appropriate option:
✓ Certified Shoreline
Survey Map (showing Certified Shoreline, Shoreline Setback, and Structure(s) OR Subdivision)
Average Lot Depth: ft. Setback (Table Lor Table 2): 100 ft.
Affidavit: Statement of inability to certify shoreline, pursuant to §8-27.3(d)
(0.13.K)
Planning Director of its designee Date
Public Projects less than \$125,000
Public Projects less than \$125,000 Declaration ((§8-27.8(c)(2))
Planning Director or designee Date
Fraining Director of designee Date
☐ Certified Shoreline Required ☐ Certified Shoreline Not Required
Certified Shoretine Not Required
Describe proposed structure(s), including but not limited to the landscaping plan (please attach):
Renovation of Rooms 901, 902, and 904 on Level 9 of the existing Princeville Hotel as model
rooms for future remodeling of the entire Princeville Hotel.
Explain how the proposed structure is in compliance with §8-27.8(c)(2) (attach additional information if necessary):
N/A



PLANNING DEPARTMENT SHORELINE SETBACK VARIANCE

Part D

Shoreline Setback Variance (§8-27.9)

This part is the request for a shoreline setback variance. In addition to the documentation and information requested in Parts A, B, and C, the Applicant applying for a variance is required to submit all required information, per §8-27.9 listed in the checklist below.

A non-refundable administrative fee of three hundred dollars (\$300.00).
Certification from the owner or lessee of the lot which authorizes the application for variance;
An environmental assessment and or EIS, if required, prepared in accordance with HRS Chapter 343, and the environmental impact statement rules and applicable guidelines of the State of Hawai'i;
The names, addresses, and the tax map key identification of owners of real property situated adjacent to and abutting the boundaries of the land on which the proposed structure or subdivision and/or landscaping is to be located; or operation is to occur (attach information);
A site plan of the shoreline setback area, drawn to scale, showing: Existing natural and man-made features and conditions within; Existing natural and man-made features and conditions along properties immediately adjacent to the shoreline setback area and proposed improvements; The certified shoreline and the shoreline setback line (submitted under Part B); Contours at a minimum interval of two (2) feet unless waived by the Director; and Proposed development and improvements showing new conditions with a typical section (if a structure).
A copy of the certified shoreline survey map of the property (submitted under Part B);
Detailed justification of the proposed project, which addresses the purpose and intent of these rules and the criteria for approval of a variance (attach written statement);
Analysis and report of coastal erosion rates and coastal processes; and
Any other information required by the Director (listed below).

Any structure approved within the shoreline setback area by variance shall not be eligible for protection by shoreline hardening during the life of the structure, and this limitation and the fact that the structure does not meet setback requirements under §8-27.3 and could be subject to coastal erosion and high wave action shall be written into a unilateral agreement that is recorded by the Bureau of Conveyances of Land Court, as the case may be. A copy of the unilateral agreement shall be submitted to the Planning Department prior to the issuance of the required zoning and/or shoreline setback variance. Failure of the grantor to record these deed restrictions shall constitute a violation and the grantor shall be subject to the penalties set forth in this Article 3.

For any structure approved within the shoreline setback area by variance, the Applicant shall agree in writing that the Applicant, its successors and permitted assigns shall defend, indemnify and hold the County of Kaua'i harmless from and against any and all loss, liability claim, or demand arising out of damages to said structure and this indemnification shall be included in the unilateral agreement required above.



PLANNING DEPARTMENT SHORELINE SETBACK INFORMATION

<u>Table 1</u>. (*This table is included for illustrative purposes only*.)

Lots Included in the Kaua'i Coastal Erosion Study. The distance in feet of the shoreline setback line as measured from the certified shoreline based on the average lot depth in feet.

LOTS INCLUDED IN KAUA'I COASTAL EROSION STUDY

Average Lot Depth	Setback Line
Less than 140 feet (<140 feet)	40 feet plus (70 X annual coastal erosion rate) plus 20 feet
140 feet to 220 feet (140-220 feet)	Greater of: 40 feet plus (70 X annual coastal erosion rate) plus 20 feet -or- (Average Lot Depth minus 100 feet) ÷ by 2 plus 40
Greater than 220 feet (>220 feet)	Greater of: 40 feet plus (70 X annual coastal erosion rate) plus 20 feet or- 100 feet from the certified shoreline

View erosion rate maps from the County website at http://www.soest.hawaii.edu/coasts/kauaicounty/KCounty.html

<u>Table 2</u>. (*This table is included for illustrative purposes only*.) Lots Not Included in the Kaua'i Coastal Erosion Study.

LOTS NOT INCLUDED IN KAUA'I COASTAL EROSION STUDY

	Setback Calculation
	(Average Lot Depth – 100/2+40) Subject to the Following:
1	For lots with naturally occurring rocky shorelines, the shoreline setback line shall be no less than 40 feet.
2	For all other lots, the shoreline setback line shall be <u>no less than 60 feet</u> .
3	For all lots, the <u>maximum</u> setback that can be required <u>shall be 100 feet</u> .

Non-Abutting Lots. If an Applicant is unable to secure permission from the abutting landowner to complete a certified shoreline for a non-abutting lot within approximately five hundred fifty (550) feet of the shoreline, the Planning Director may, pursuant to §8-4.3, impose conditions to zoning permits to increase setbacks where evidence exists that a proposed structure may be affected by coastal hazards or erosion.



PLANNING DEPARTMENT SHORELINE SETBACK INFORMATION

<u>Table 3</u>. This table is presented for **Exemption 3** (§8-27.7).

	Permitted Structures within the shoreline setback area
(a)	The following structures are permitted in the shoreline setback area. All structures and/or landscaping not specifically permitted in the section are prohibited without a variance.
(1)	Existing conforming and nonconforming structures/activities
(2)	Structure or activity that received a shoreline variance or administrative approval prior to February 26, 2008.
(3)	A structure or activity that is necessary for, or ancillary to, continuation of agriculture or aquaculture existing the shoreline setback area on June 16, 1989.
(4)	"Temporary structures" as defined in Section 8-27.2. To ensure that there will be no irreversible or long-term adverse effects, the Director shall require as a condition of a permit the restoration of the site to its original condition or better, and the Director may require a bond to ensure such restoration.
(5)	A structure that consists of maintenance, repair, reconstruction, and minor additions or alterations of legal boating, maritime, or water sports recreational facilities, which are publicly owned, and which result in no interference with natural beach processes; provided that permitted structures may be repaired, but shall not be enlarged within the shoreline setback area without a variance.
(6)	Repairs to a lawfully existing structure, including nonconforming structures, provided that:
	(A) The repairs do not enlarge, add to or expand the structure; increase the size or degree of non-conformit or intensify the use of the structure or its impact on coastal processes;
	(B) The repairs do not constitute a substantial improvement of the structure; and
	(C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.
(7)	Beach nourishment or dune restoration projects approved by all applicable governmental agencies.
(8)	A structure approved by the Director as a minor structure.
(9)	Qualified demolition of existing structures.
(10)	Unmanned civil defense facilities installed for the primary purposes of: (i) warning the public of emergencies and disasters; or (ii) measuring and/or monitoring geological, meteorological and other events.
(11)	Scientific studies and surveys, including archaeological surveys.
(12)	Structures built by a governmental agency to address an emergency as declared by the Governor of the State o Hawai'i, the Mayor of the County of Kaua'i or any other public official authorized by the law to declare an emergency.
(13)	Structures relating to film productions that have received a County Revocable Film Permit. Structures undertaken for film productions must be removed within thirty (30) days following the completion of the film production.
(14)	Structures required for remedial and removal actions undertaken pursuant to Chapter 128D of the Hawai'i Revised Statutes.



PLANNING DEPARTMENT SHORELINE SETBACK INFORMATION

	100
(b)	The following conditions shall apply to any new structure permitted in the shoreline setback area:
(1)	All new structures shall by constructed in accordance with the standards for development in Chapter 15, Article 1, Flood Plain Management, Kaua'i County Code 1987, as amended, relating to coastal high hazard districts and FEMA guidelines regarding construction in areas mapped on Flood Insurance Rate Maps as flood hazard areas.
(2)	The applicant shall agree in writing that the applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazard and coastal erosion.
(3)	The applicant shall agree in writing for itself, its successors and assigns that the construction of any erosion-control or shoreline hardening structure and/or landscaping shall not be allowed to protect the permitted structure during its life, with the exception of approved beach or dune nourishment fill activities, and landscape planting and irrigation located more than forty feet (40') from the shoreline.
(4)	Unless otherwise provided, all new structures and/or landscaping shall not: (A) adversely affect beach processes, (B) artificially fix the shoreline, (C) interfere with public access or public views to and along the shoreline, (D) impede the natural processes and/or movement of the shoreline and/or sand dunes, or (E) alter the grade of the shoreline setback area.
(5)	All new structures shall be consistent with the purposes of this article and HRS Chapter 205A, as amended, and shall be designed and located to minimize the alteration of natural landforms and existing public views to and along to the shoreline.
(6)	The requirements of this Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under Section 8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit.

BELLES GRAHAM LLP

ATTORNEYS AT LAW

MICHAEL J. BELLES MAX W.J. GRAHAM, JR. DONALD H. WILSON JONATHAN J. CHUN IAN K. JUNG

WATUMULL PLAZA 4334 RICE STREET, SUITE 202 LIHUE, KAUAI, HAWAII 96766-13889

OF COUNSEL DAVID W PROUDFOOT

Federal I.D. No. 99-0317663

TELEPHONE NO: (808) 245-4705 FACSIMILE NO: (808) 245-3277 E-MAIL: mail@kauai-law.com

RECEIVED.

PULNERGOEF

June 5, 2019

Ms. Jody Galinato Shoreline Planner Planning Department County of Kauai 4444 Rice Street, Suite A473 Lihue, Kauai, Hawaii 96766

VIA HAND DELIVERY

Re:

Shoreline Setback Determination Application

Princeville Hotel Lot (Lot 4-A) Princeville, Hanalei, Kauai, Hawaii

Kauai TMK No. (4) 5-4-011:004 (16.596 acres)

Remnant Lot

Princeville, Hanalei, Kauai, Hawaii

Kauai TMK No. (4) 5-4-004:029 (0.01 acre)

Lot 5-A (Map 10)

Land Court Application No. 1724 Princeville, Hanalei, Kauai, Hawaii

Kauai TMK No. (4) 5-4-004:035 (6.533 acres)

Owner: SOF-XI Kauai PV Hotel, L.P., a Delaware limited partnership

Dear Ms. Galinato:

This office represents SOF-XI Kauai PV Hotel, L.P., a Delaware limited partnership ("Applicant"). An Applicant's Authorization authorizing our office to file the Application on behalf of the Applicant is attached hereto as *Exhibit "A"*.

On behalf of the Applicant, I am submitting a Shoreline Setback Determination Application pursuant to Kauai County Code, Chapter 8 ("CZO"), Section 8-27.3(d). It is the Applicant's intent to remodel three existing hotel rooms as model rooms ("Project") within the Princeville Hotel. The property which is the subject matter of this Application is located in Princeville and Hanalei, Kauai, Hawaii ("Property") [Exhibit "B"], and is described as follows:

- 1. A remnant parcel containing an area of 4,356 square feet and identified by Kauai Tax Map Key No. (4) 5-4-004:029.
- 2. Lot 5-A as shown on Map 10 filed with the Assistant Registrar of the Land Court of the State of Hawaii in Land Court Application No. 1724 containing an area of 6.533 acres (less erosion) and identified by Kauai Tax Map Key No. (4) 5-4-004:035 ("Lot 5-A").
- 3. Lot 4-A containing an area of 16.596 acres (less erosion) and identified by Kauai Tax Map Key No. (4) 5-4-011:004 ("Lot 4-A").

As part of the Shoreline Setback Application, I have enclosed an original and two (2) copies of the Shoreline Setback Application with Exhibits and a filing fee check of \$100.00 made payable to the Director of Finance.

The proposed structure associated with the Project is located in the State Land Use Classification Urban District and County-zoned Resort (RR-20) and Open Districts [Exhibit "C"]. The Property is also located in the Special Management Area ("SMA") and the proposed Project will not be subject to a SMA review given the remodel of the three existing hotel rooms as model rooms are exempt as non-development [Exhibit "D"].

The Property is subject to several land use approvals for the Princeville Hotel as follows:

- 1. Ordinance PM-56-80. Ordinance No. PM-56-80 ("Ord. PM-56-80"), which was approved by the County of Kauai effective January 24, 1980 [Exhibit "E"]. This ordinance transferred a 1.8 acre portion of Lot 4-A from the CZO Open District into the CZO Resort District (RR-20). Ord. PM-56-80 was subject to nine (9) conditions of approval ("Conditions") as shown in Ord. PM-56-80.
- 2. <u>Master Permit</u>. The Princeville Hotel, which is located on the Property, was approved by the Planning Commission on July 9, 1980 pursuant to the Master Permit as set forth in the letter from the Planning Department dated July 10, 1980. The Master Permit was subject to sixteen (16) Conditions. The Master Permit allowed the development of a hotel with a maximum of 300 hotel units and related resort amenities, including restaurants, bars, retail stores, guest services, and recreational facilities. Also approved was a variance from the North Shore Ordinance's twenty-five (25) foot height limitation for the lobby and two elevator structures, all of which were allowed to be built to heights of forty (40) feet. *[NOTE: At the time of this approval, Lot 4-A was composed of Lot 4 (15.596 ac.) identified by Kauai TMK No. (4) 5-4-011:004, and Lot 1 (1.0 ac.) identified by Kauai TMK No. (4) 5-4-012:001. These two lots were thereafter*

consolidated into Lot 4-A (16.596 ac.) identified by Kauai TMK No. (4) 5-4-011:001. Similarly, Lot 5-A was part of a larger lot known as Lot 1 of Land Court Application 1724 (52.80 ac.). Lot 1 was subsequently subdivided into Lot 5-A (6.533 ac.) identified by Kauai TMK No. (4) 5-4-004:035 and Lot 5-B (44.766) identified by Kauai TMK No. (4) 5-4-004:001.]

- 3. <u>ACOE Permit</u>. By letter dated June 9, 1982, the U.S. Army Corp of Engineers ("ACOE") approved a Section 404 (Dredge and Fill) Permit for the dredging and filling of materials in the wetland portions of Lot 5-A ("ACOE Permit"). This permit was necessary for the proposed construction of the Princeville Hotel swimming pool ("Pool") in this area. The ACOE Permit was subject to eight (8) Conditions.
- 4. <u>Master Permit Amendment No. 1</u>. On October 27, 1982, the Planning Commission approved a first amendment to the Master Permit, as set forth in a letter from the Planning Department dated November 1, 1982 ("Master Permit Am. No. 1"). The Master Permit Am. No. 1 was subject to six (6) Conditions as shown in the permit letter. The Master Permit Am. No. 1 allowed the construction of the Pool and amenities (including a restaurant, bar, and recreational facilities) on Lot 5-A.
- 5. <u>Pu'u Po'a Permit</u>. On August 9, 1988, the Planning Commission approved Special Management Area Use Permit SMA(U)-88-16, as set forth in a letter from the Planning Department dated August 12, 1988 ("Pu'u Po'a Permit"). The Pu'u Po'a Permit was subject to ten (10) Conditions as shown in the permit letter. The Pu'u Po'a Permit allowed the restoration of and development of certain limited improvements on the portions of the Pu'u Po'a Marsh located on Lot 5-A and Lot 5-B. *[NOTE: The gazebo/view platform and the boardwalk which were allowed by the Pu'u Po'a Permit were never constructed.]*
- 6. <u>Renovation Permit</u>. On March 9, 1989, the Planning Commission approved the Renovation Permit, as set forth in a letter from the Planning Department date March 17, 1989. The Renovation Permit was subject to fourteen (14) Conditions. The Renovation Permit allowed the complete renovation of the interior and exterior portions of the Princeville Hotel.
- 7. <u>Condition 9 Amendment</u>. On May 9, 1989, the Planning Commission approved an amendment to Condition 9 of the Renovation Permit, as set forth in a letter from the Planning Department dated May 11, 1989 ("Condition 9 Amendment"). The Condition 9 Amendment amended the terms under which Russian Fort Alexander (located on the bluff to the north of the Princeville Hotel entrance) is to be protected, preserved and managed. Condition 9 of the Renovation Permit was further amended as follows:

- a. On July 27, 1989, the Planning Commission granted interim approval of compliance with Condition 9, as set forth in a letter from the Planning Department dated August 2, 1989 ("Interim Approval"). The Interim Approval accepted the interim protective measures segment of the Preservation Plan for the Russian Fort Alexander.
- b. On January 10, 1991, the Planning Commission granted final approval of compliance with Condition 9, as set forth in a letter from the Planning Department dated January 14, 1991 ("Compliance Approval"). The Compliance Approval approved the final Preservation Plan for the Russian Fort Alexander, subject to the requirements of Condition 9, as amended.
- 8. <u>Master Permit Amendment No. 2</u>. On November 24, 2009, the Planning Commission approved a second Amendment to the Master Permit as set forth in the letter from the Planning Department dated November 24, 2009 ("Master Permit Am. No. 2"). The Master Permit Am. No. 2 was subject to four (4) Conditions, as shown in the permit letter. The Master Permit Am. No. 2 allowed the installation of a canvas awning over the open deck portion of the restaurant on the 8th floor of the Princeville Hotel.

As shown on the Model Room Plan Set for the Property [Exhibit "F"], the Project will be located on Lot 4-A in Rooms 901, 902 and 904 of the Princeville Hotel, on Level 9, at an elevation greater than seventy-five (75) feet above sea level. Lot 4-A abuts a rocky shoreline. The Project is located approximately 130 feet from the Lot 4-A shoreline, as shown on the Site Plan [Exhibit "I"]. The Project is also located approximately 122 feet from the Lot 5-A shoreline, as shown on the Site Plan. As shown on the Kauai Coastal Erosion Study ("Erosion Study") for Pali Ke Kua [Exhibit "G"], the Lot 4-A shoreline is not included in the Erosion Study, while the Lot 5-A shoreline is included.

The Applicant is requesting a Shoreline Setback Determination of one hundred (100) feet from the certified shoreline approved by the Department of Land and Natural Resources of the State of Hawaii on May 21, 2019 [Exhibit "H"]. Since the Lot 4-A shoreline is a rocky shoreline, the setback could be reduced under Table 2. However, Condition No. 2 of Ord. PM-56-80 required a one hundred (100) foot setback requirement for the Princeville Hotel. As noted in the attached Site Plan, the Project area is located at 122 to 133 feet from the certified shoreline, thereby complying with the Shoreline Setback Ordinance and Ord. PM-56-80.

Ms. Jody Galinato June 5, 2019 Page 5

Therefore, given the proposed Project is well outside the shoreline setback line associated with the Property, the Applicant is requesting approval of the requested Shoreline Setback Determination Application.

Thank you very much for your attention to this matter and please let me know if you require anything further in this regard.

Sincerely yours,

BELLES GRAHAM LLP

1/2 K/ I

IKJ:jgm Enclosures

cc:

Mr. Erik De Brujin, w/encls. (via email only)

Mr. Mark Hall, w/encls. (via email only)

Ms. Linda C. Miki, AIA, w/encls. (via email only)

Ms. Tracy Camuso, AICP, w/encls. (via email only)

Max W. J. Graham, Jr., Esq., w/encls. (via email only)

EXHIBIT "A"

AUTHORIZATION

I. APPLICANT.

Name:

SOF-XI KAUAI PV HOTEL, L.P.,

a Delaware limited partnership

Address:

591 West Putnam Avenue

Greenwich, Connecticut 06830

II. <u>AUTHORIZED AGENT</u>.

Name:

Max W. J. Graham, Jr., Esq.

Ian K. Jung, Esq.

Address:

Belles Graham LLP

4334 Rice Street, Suite 202 Lihue, Kauai, Hawaii 96766

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(808) 245-2163

Facsimile:

(808) 245-3277

Email:

mwg@kauai-law.com

ikj@kauai-law.com

III. PROPERTY.

Princeville Hotel Lot (Lot 4-A) Princeville, Hanalei, Kauai, Hawaii Kauai TMK No. (4) 5-4-011:004 (16.596 acres)

Remnant Lot Princeville, Hanalei, Kauai, Hawaii Kauai TMK No. (4) 5-4-004:029 (0.01 acres)

Lot 5-A (Map 10) Land Court Application No. 1724 Princeville, Hanalei, Kauai, Hawaii Kauai TMK No. (4) 5-4-004:035 (6.533 acres)

IV. AUTHORIZATION.

The Applicant hereby authorizes the Authorized Agent to act on the Applicant's behalf and to file and process on the Applicant's behalf any and all applications necessary to obtain governmental permits relating to the Subject Property, including, but not limited to, the following:

- 1. Permits and approvals, including but not limited to, ordinances, resolutions, building permits, grading permits, use permits, variance permits, zoning permits, and Special Management Area permits, issued by the County Council, or any department, agency, board or commission, of the County of Kauai.
- Permits and approvals issued by any legislative body or any department, agency, board, or commission of the State of Hawaii, including but not limited to, the Department of Health and the Department of Transportation.
- Permits and approvals issued by the Board of Land and Natural Resources of the State of Hawaii and/or the Department of Land and Natural Resources of the State of Hawaii.
- 4. Permits and approvals issued by any legislative body, department, agency, board or commission of the United States of America, including but not limited to, the Army Corps of Engineers.

DATED:

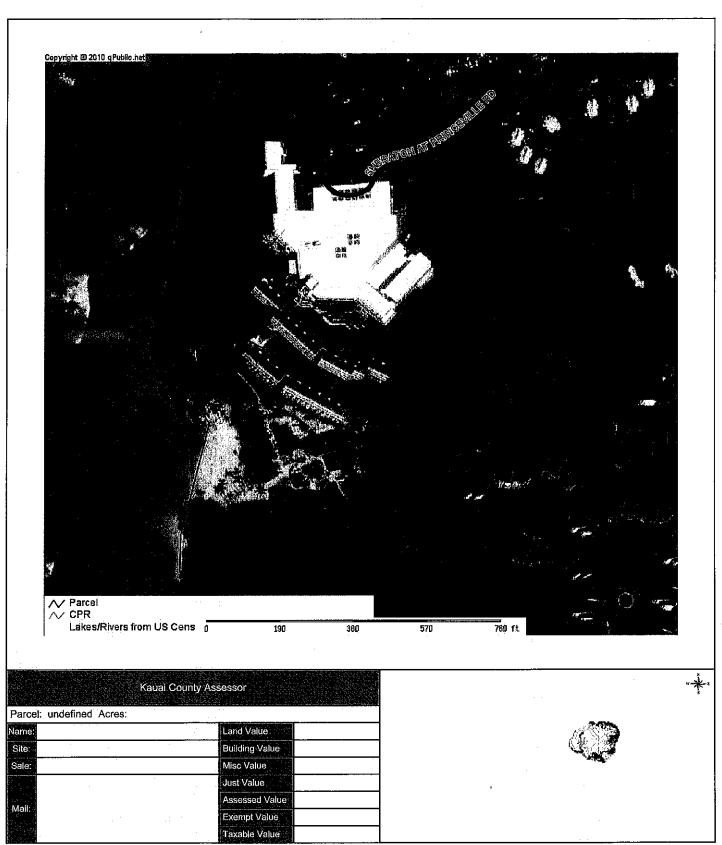
6-3-2019

APPLICANT:

SOF-XI KAUAI PV HOTEL, L.P., a Delaware limited partnership

Its Barrionizes signessary

EXHIBIT "B"



The Kauai County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER KAUAI COUNTY NOR ITS EMPLOYEES ASSU RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—

Date printed: 05/13/19: 17:47:49

EXHIBIT "C"

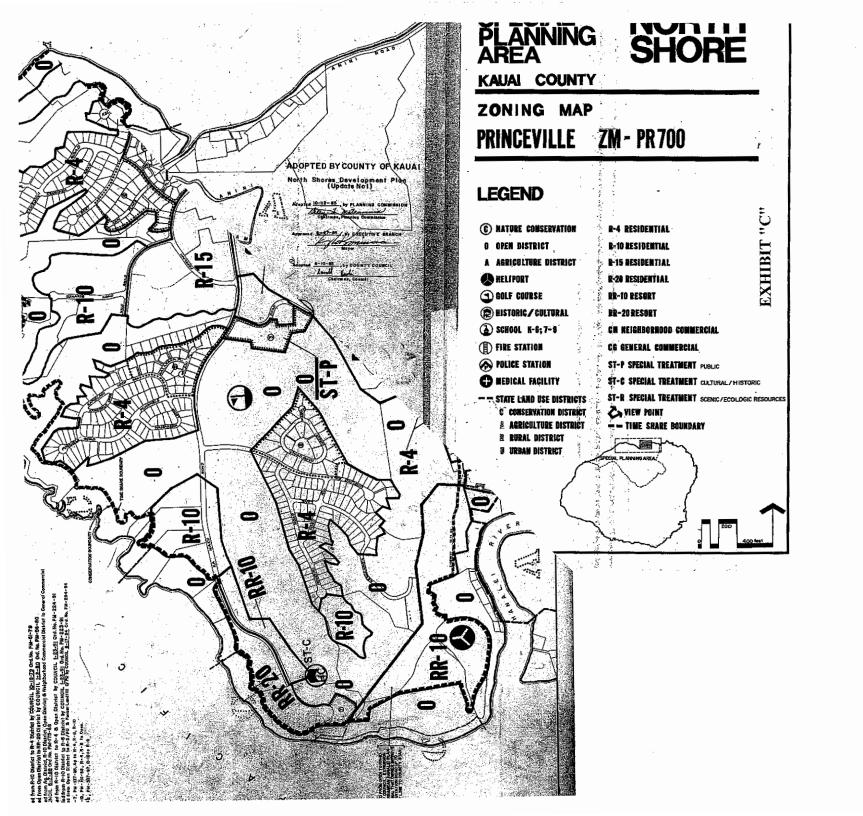


EXHIBIT "D"

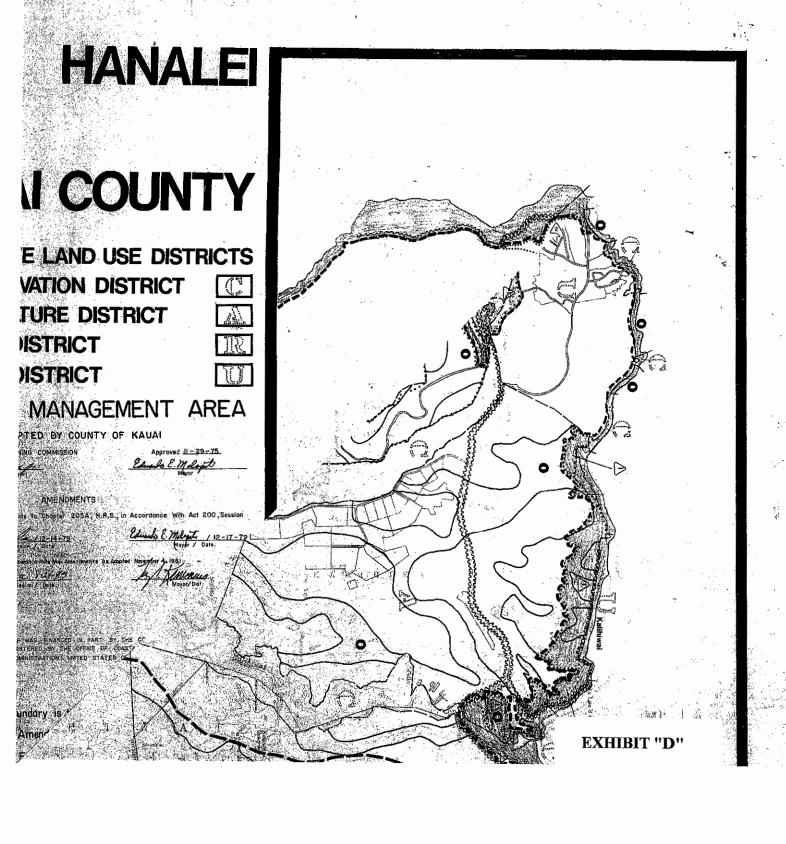


EXHIBIT "E"

ORDINANCE NO. PM-56-80

PLEIVE JAN 3015 DE COUNTY OF PANSAND DESTR. LINUE, KAVAR ORDITAL LINUE,

AN ORDINANCE AMENDING ORDINANCE NO. 164
COMPREHENSIVE ZONING ORDINANCE OF THE
COUNTY OF KAUAI

(Princeville at Hanalei)

STATE OF

(Draft 1, N'Asmamended

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, HAWAII:

SECTION I. That the North Shore Development Plan Zoning Map is hereby amended by changing the present "Open District (0)" to "Resort District (RR-20)" for TMK: 5-4-11:Por: 4, Hanalei, Kauai, as delineated on the map attached hereto and made a part hereof, as recommended by the Planning Commission subject to the following conditions:

- The zoning amendment shall be in accordance to "Exhibit A," as amended (reduced from 2.4 to ± 1.8 acres).
- Prior to submission for Special Management Area Use Permit, a certified shoreline survey shall be provided.
- 3. No structures shall be located within 100 feet of the certified shoreline. The 100 feet strip of land shall remain in the Open Zone.
- 4. Any development within the historical site containing the Fort Alexander (Russian Fort) site must be processed pursuant to Chapters 6E, relating to the State Historic Preservation Program, and 343, relating to Environmental Impact Statements, Hawaii Revised Statutes. That portion not utilized shall be preserved and restored under the supervision of a qualified archaeologist.
- 5. The final building design shall be considered for review and approval at time of Special Management Area Use Permit and Class IV Zoning Permit application. Buildings to be located on the sloped portions of the site shall be redesigned to avoid the appearance of a higher structure when viewed from Hanalei Bay; such redesign shall include limiting the number of stories, providing greater spacing between buildings, providing staggered building heights, intensive landscaping and non-reflective earth tone colors.
- 6. A public pedestrian access shall be provided to the shoreline.

- 7. As per Section 3.025 E(3) of the Comprehensive Zoning Ordinance, as amended, a fee equivalent to 1% of total development cost shall be paid to the County Trust Fund as established pursuant to Ordinance 371 (79) to be used for public recreational or housing purposes. Allowances for payment of fees in increments shall be established at time of Special Management Area Use Permit and Class IV Zoning Permit application.
- 8. The maximum allowable density permitted by the zoning notwithstanding and as represented by the applicant, Princeville at Hanalei, no more than 300 rooms shall be built upon the parcels, TMK: 5-4-11:4, TMK: 5-4-12:4 and TMK: 5-4-04:1, that make up the hotel site.
- 9. As represented by the applicant, the operator of the proposed hotel development shall be Marriott. In the event Marriott is unable to perform as the operator or is succeeded by another operator, said successor or substitute shall be equivalent in quality and reputation to Marriott.

SECTION II. The Planning Commission is directed to note the change on the North Shore Development Zoning Map on file with the Commission. All applicable provisions of the Comprehensive Zoning Ordinance shall apply to the district as amended.

SECTION III. This ordinance shall take effect upon its approval.

CERTIFICATE OF THE COUNTY CLERK

1 hereby certify that hereto attached is a true and correct copy of Bill No. 637 (Draft 1), as amended, which was passed on second and final reading by the Council of the County of Kausi at its meeting held on January 22, 1980, by the following vote:

FOR ADOPTION: Baptiste, Hew, Sarita, Tsuchiya,

Yotsuda

AGAINST ADOPTION: Yadao, Yukimura

ABSENT & NOT VOTING: None

TOTAL 5,

TOTAL - 2,

Dated at Lihue, Kauai, Hawaii this 22nd day of

January, A. D. 1980.

Tatsuo Kato County Clerk County of Kauai

late of transmittal to the Mayor:

January 22, 1980

Approved this 24 day of January, A. D. 1980.

Eduardo E. Malapit

Mayor . County of Kauai

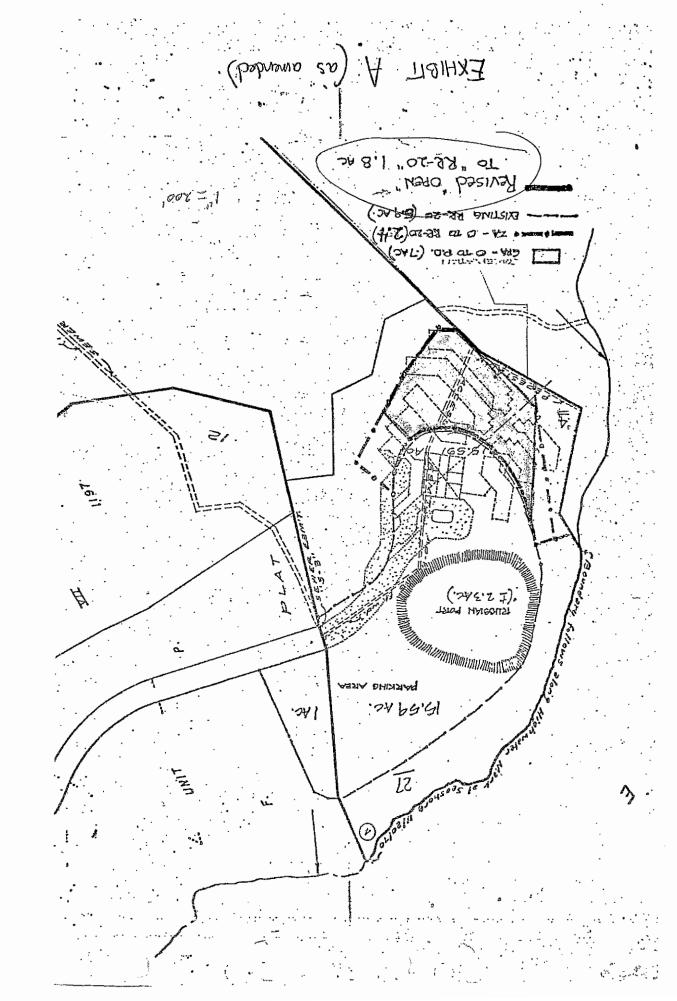


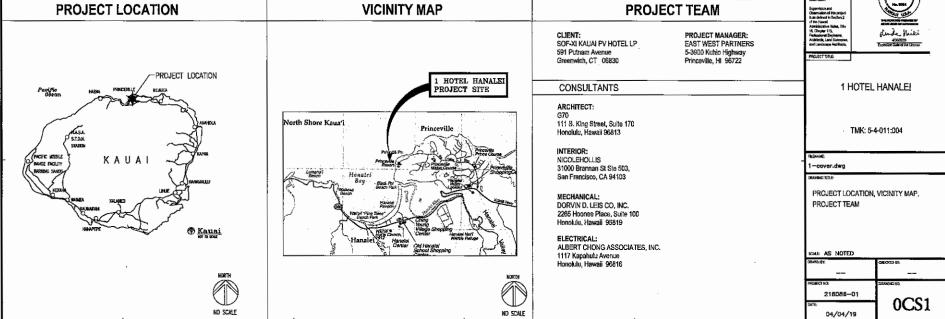
EXHIBIT "F"

1 HOTEL HANALEI

MODEL ROOM

5520 Ka Haku Road Hanalei, Kauai, Hawaii TMK #: 5-4-011:004

Permit Set



HONOLULU, HAWAII 96813 808,523,5888 WWW.G70.DESIGN

PERMIT SET

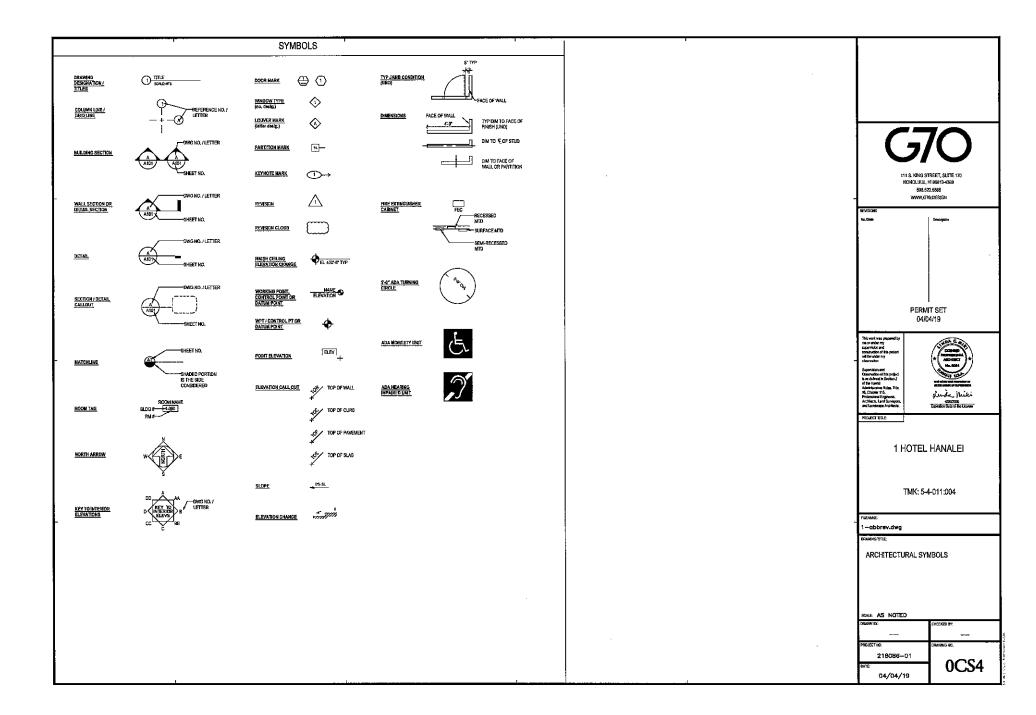
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EXHIBIT "F"

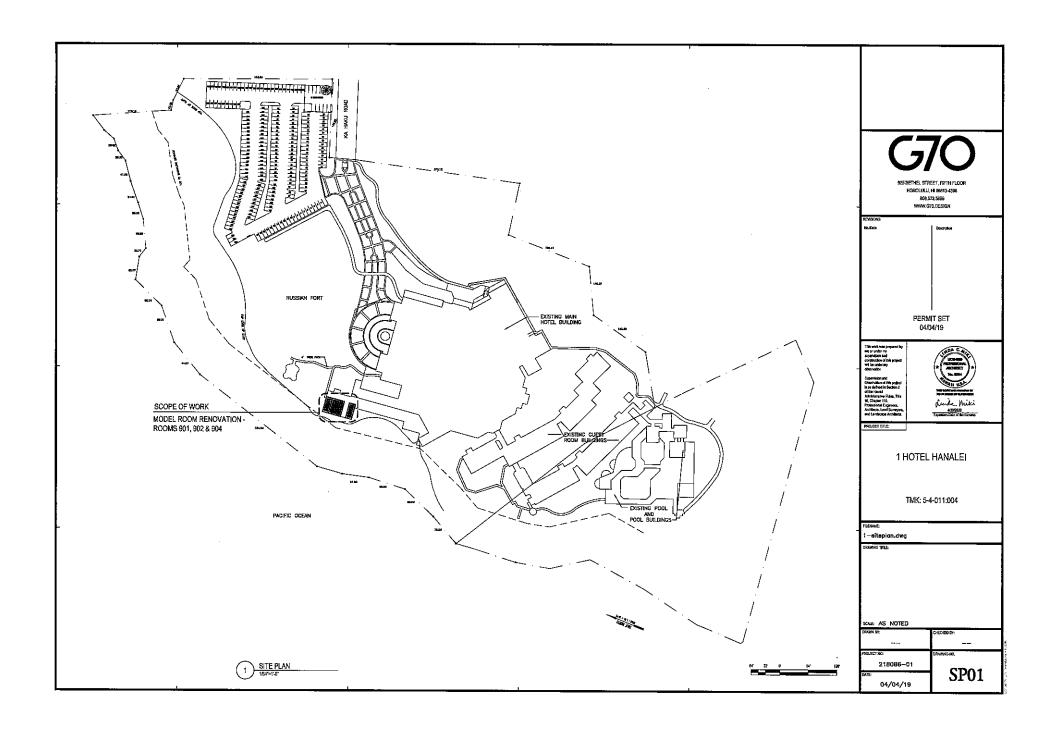
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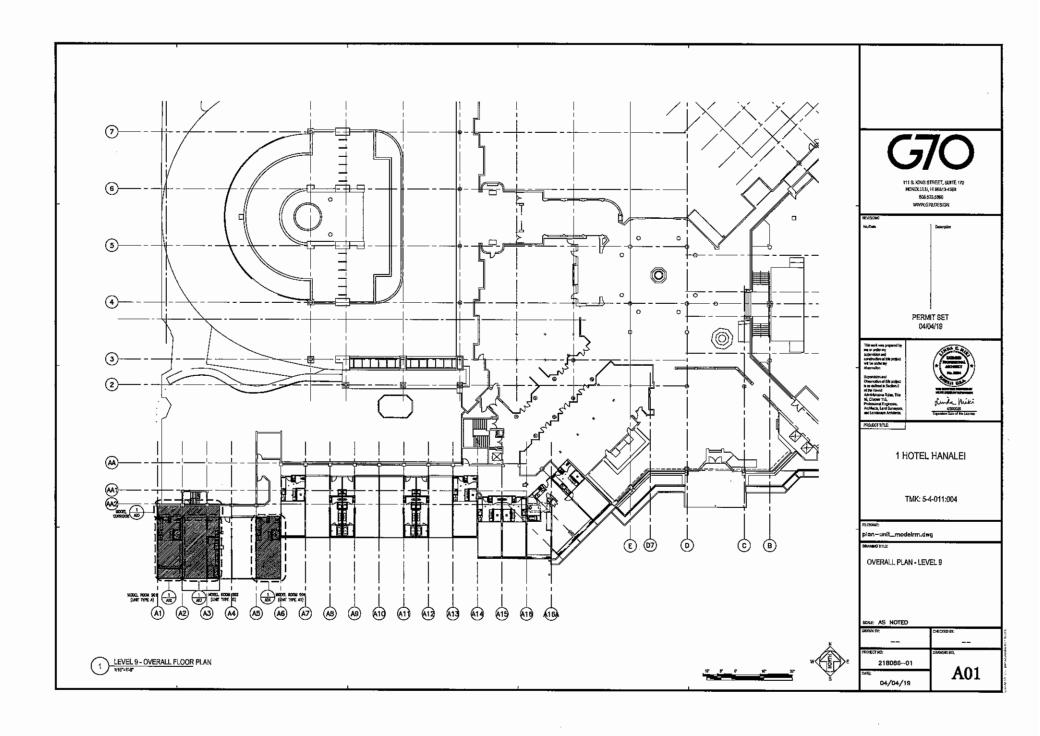
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CORR COTD CPT		G	GALVANIZED IRON			SHTG	SHILAR SIMILAR	WPT	WORK POINT	DRAFFI BY: CHECKED BY:
CORR COTD CFT CRM CT	CERAMIC TILE		GLASS				SIMILAR SLOPE	WR	WATER RESISTANT	
CORR COTD CPT CRM CT CTR	CERAMIC TILE CENTER	GL.	0000				SLIDING	WRD	MINDER	
CLO CLR CLR CLR CDIU DATR CD COL COIND COIND COINT COITT CITR CTINK CTINK CTINK	CERAMIC TILE CENTER COUNTERSINK	GLULAM GLULAM	CLUE LAWINATED WOOD REAL	, N	NORTH	SLDG	SUUNG	16/000	WANTED	ADD IDOX HE
CORR COTD CPT CRM CT CTR CTSK CW	CERAMIC TILE CENTER	GND GND GN	CLUE LAWINATED WOOD REAL		NOT IN CONTRACT	SLDG SLNT	SEALANT	WSCT	WARDROBE WAINSCOT WEIGHT	PROJECT NO: DRAWING NO.
	CERAMIC TILE CENTER COUNTERSINK	GL GLULAM GND GR GRN	GLUE LAMINATED WOOD BEAM GROUND GRADE		NOT IN CONTRACT NUMBER	SLDG SLNT SM SND	SEALANT SHEET METAL	WSCT WT WHL	WEIGHT WEEP HOLE	PROJECT NO: DRAWNG NO. 218085-01
	CERAMIC TILE CENTER COUNTERSINK	GLULAM GND GR GRN GS GWB GYP	CLUE LAWINATED WOOD REAL	N NC NO NDM NTS	NOT IN CONTRACT	SLDG SLNT SM SND SP	SEALANT	WC WG WG WG WG WG WH WH WG WP	WEIGHT	PRIDIECT NO: CRAWING NO. 218085-01

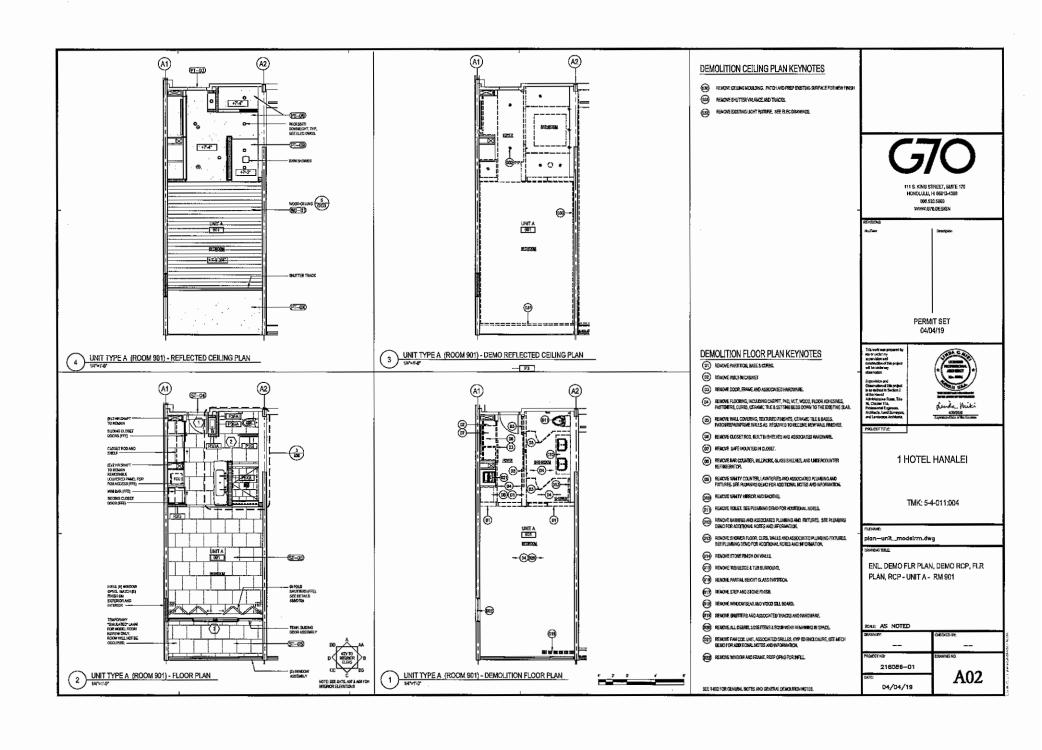


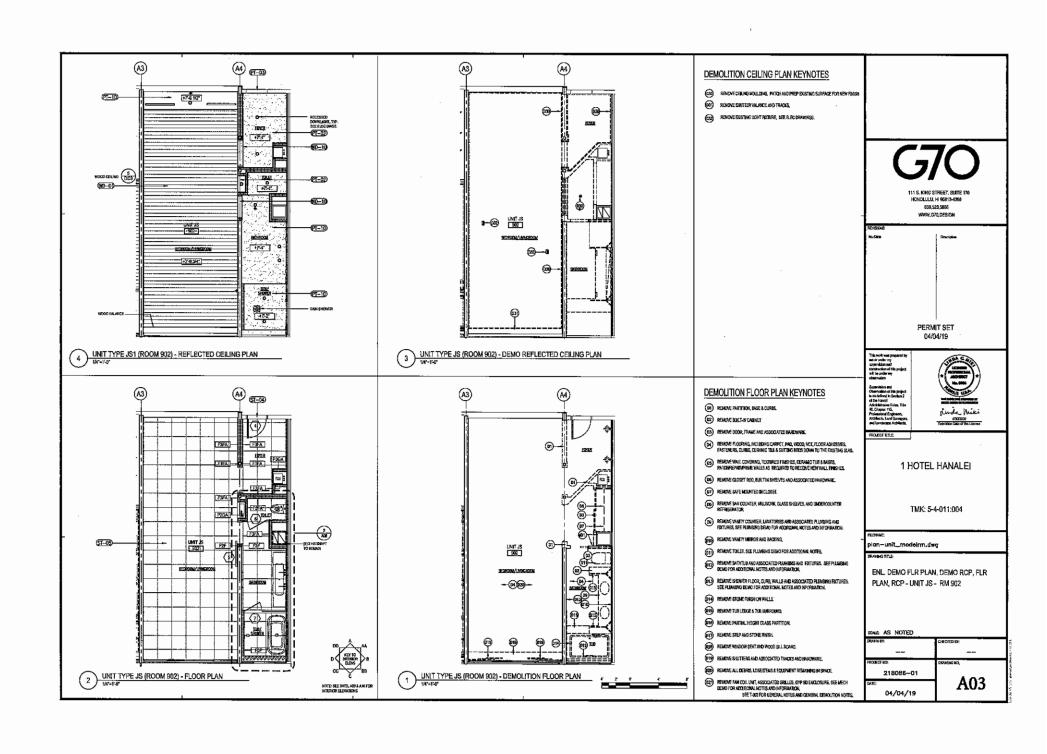
FIRE SAFETY NOTES **GENERAL NOTES GENERAL DEMOLITION NOTES** CONFORM TO THE COUNTY CODE OF KNUM, THE 2008 INTERNATIONAL SUILDING CODE (BES) INCLINING ALL AMERICANS AND AMERICANS WITH IDEARNIFIES AT A RECHITECTURAL BARRIESS ACT ACCESSIBILITY GUDELINES (ADA/O), FIRE DEPARTMENT REGULATIONS, UTLITY COMPARY REQUIREMENTS AND THE BEST COMPANY AND THE DEPARTMENT REGULATIONS, UTLITY COMPANY REQUIREMENTS AND THE BEST A. THE INTENT OF THE DEMOLITION PLANS IS TO SHOW THE GENERAL MATURE OF THE DEMOLITION SCOPE, THE STRUCTURES UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION OPERATIONS INCLUDING DRAWINGS REPRESENT EXISTING FIELD CONDITIONS THAT HAVE NOT BEEN FIELD VERIFIED BY AS-BUILT THOSE IN LINTERCRICKING LOCATIONS, SHALL COMPLY WITH NEPA 241, STANDARD FOR SAFEGUARDING DOCUMENTATION, THE CONTRACTOR AND SUBCONTRACTOR(S) ARE RESPONSIBLE TO BECOME FAMILIAR WITH CONSTRUCTION, ALTERATION, AND DEMOLITION OPERATIONS AND THIS CHAPTER, (2012 NFPA 1) document in the continue for him solication force), are responsible to recome particle, verify All existing field conditions and notify the architect immediately of any discrepancies, verify EXISTING CONDITIONS AND CONSTRAINTS UNDER WHICH THE WORK IS TO BE PERFORMED. NO CLAIM FOR EXTRA COST WILL BE ALLOWED BECAUSE OF LACK OF EXAMINATION OR KNOWLEDGE OF EXISTING CONDITIONS. FIRE SAFETY DURING ALTERATION: SEE MECHANICAL DRAWINGS FOR ADDITIONAL NOTES. 2. CONFORM TO SEISMIC RECURREMENTS AS REQUIRED BY APPLICABLE BUILDING CODES, ALL EQUIPMENT AND SUPPORTS SHALL BE SECURELY FASTEMED TO MEET WIND LOAD REQUIREMENTS PER BUILDING CODE. SUBMITTAL OF BID IMPLIES THAT CONTRACTOR AND HIS SUBCONTRACTORS HAVE MADE SUCH EXAMINATIONS AND ARE FAMILIAR WITH SITE CONDITIONS, COORDINATE AND VERIFY WITH THE OWNER ALL ITEMS TO BE A. WHERE THE BUILDING IS PROTECTED BY FIRE PROTECTION SYSTEMS, SUCH SYSTEMS SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES DURING ALTERATION. SALVAGED PRIOR TO DEMOLITION, THE ITEMS MAY INCLUDE BUT NOT LIMITED TO THE FOLLOWING: LIGHT 4. FULLY EXECUTE ALL CONDITIONS OF THE CONTRACT. B, WHERE ALTERATION REQUIRES MODIFICATION OF A PORTION OF FIRE PROTECTION SYSTEMS, FOXTURES, OUTLETS, DOORS, WINDOWS, EXISTING FFE, HOODS, VENT STACKS, MECHANICAL A.C. FOUPMENT. THE REMAINDER OF THE SYSTEM SHALL BE KEPT IN SERVICE AND THE FIRE DEPARTMENT SHALL 5. REFORE COMMENCING WORK VERIEV EXTENT OF DEMONSTION WITH ARCHITECT. BE NOTIFIED. BEFORE COMMENCING WORK VERIFY ALL EXISTING CONDITIONS IN THE FIELD AND REPORT ANY BL MAINTAIN A SAFE SEPARATION RETWEEN AREAS WITHIN THE SCOPE OF WORK AND AREAS OLITSIDE OF THE C. WHEN IT IS NECESSARY TO SHUT DOWN THE SYSTEM. THE AHI SHALL HAVE THE AUTHORITY TO REQUIRE ALTERNATE MEASURES OF PROTECTION UNTIL THE SYSTEM IS RETURNED TO CONDITIONS OF DISCREPANCES BETWEEN DRAWINGS AND FIELD CONDITIONS REQUIRING MODIFICATIONS BEFORE PROCEEDING WITH WORK TO THE ARCHITECT. SCOPE OF THE WORK BY PROVIDING PLYWOOD BARRIER AND/OR PLASTIC SHEATHING BETWEEN CONTINUOUS SPACES AND / OR: TEMPORARILY TAPING OF JOINTS AND GAPS TO PROVIDE APPROPRIATE DUST MIGRATION SERVICE BASLIFIES. PREVENT DUST FROM ENTERING VERTICAL SHAFTS, EQUIPMENT, DUCTS, VENTS ETC. TO REMAIN FILE ALL REQUIRED CERTIFICATES OF INSURANCE WITH THE BUILDING DEPARTMENT, OBTAIN ALL REQUIRED REINES, AND PAY ALL FEES REQUIRED YE GOVERNING LOCAL JUDICIES AND SHALL COMMINISTE ALL WORK PROCEDURES WITH REQUIREMENTS OF LOCAL AUTHORITIES ANDER BUILDING 111 S KIND STREET SLIDE 120 AS NECESSARY, DURING EMERGENCIES, MART BHANCE, DRILLS, PRESCRIBED TESTING, ALTERATIONS, OR RELOWATION, PORTINGE OR PRUCH RE-CHINICIPANS OF STETING OR DEVICES OR, ANY FIRE-ARRANGE ASSTED SHALLE REQUIRED TO SEE MICE IN PEPPRIAGE OR MINICIPALITY, AND PRESCRIPTION OF THE PROPERTY OF THE PROPERTY OF THE NECESSIBLE, A PIRE WATCH SHALL BE REQUIRED AS SPECIFICION INCUTIONS 13,34,32,50, 37,144, 1854, 2023,38,403,21,223,722,51,243,723,723,724,743,44,14,54,743,744,70,251,647,70 PREVENT DUST FROM ENTERING ADJACENT BUILDING AREAS, OCCUPIED OR OTHERWISE HONOLULU, HT 96813-4396 C, CAUSE NO DAMAGE TO EXISTING CONSTRUCTION THAT IS YO REMAIN, DO NOT ENCROACH ON ADJACENT 688,623,5866 OCCUPIED SPACES, PROTECT ALL EXISTING FINISHES, DOORS, FRAMES, ETC WHICH ARE TO REMAIN, PROVIDE WWW.G7tLDESIGN MINOR DETAILS NOT USUALLY SHOWN OR SPECIFIED, BUT NECESSARY FOR PROPER CONSTRUCTION OF ANY PART OF THE WORK SHALL BE INCLUDED AS IF THEY WERE INDICATED IN THE DRAWINGS AND SPECIFICATIONS. SAFE PASSAGE TO ALL GUESTROOMS TO REMAIN, PROTECT PATH OF TRAVEL OF ANY EGRESS ROUTES TO AND FROM SPACE TO PUBLIC WAY OR EXIT. COST TO THE AHJ, NEPA 1, 2012 AS AMENDED. D. USE ALL MEANS NECESSARY TO PREVENT THE SPREAD OF DUST TO ADJACENT AREAS. PROTECT ALL CONDITIONS AND MATERIALS WITHIN THE PROPOSED CONSTRUCTION AREA. DESIGN AND INSTALL ADDICUATE SHORMS AND BRACKING FOR ALL STRUCTURAL OR REMOVAL TAXES, ALL REPAIR JAMAGED AS RESULT OF THE CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITIONS SOLILLY RESPONSIBLE FOR ANY DIMAGED ON NUMBERS CAUSED BY OR DURING THE EXPECUTION OF THE WORK, AND THE COST OF RESTORED PARAMED MAY DEPOT AND THE TOTAL OR THE PROPERTY OF THE WORK, AND THE COST OF RESTORED PARAMED MAY DEPOT AND THE TOTAL OR THE PROPERTY OF THE WORK, AND THE COST OF RESTORED PARAMED MAY DEPOT AND THE TOTAL OR THE PROPERTY OF THE WORK AND THE COST OF RESTORED PARAMED THE PROPERTY OF THE PROPERTY OF THE WORK AND THE COST OF THE PROPERTY OF THE P E, CONDUCT DEMOLITION OPERATIONS AND REMOVAL OF GEBRIS TO ENSURE MINIMUM INTERFERENCE WITH STREETS TRAFFIC WALKNAYS RIDEWALKS, AND OTHER ADJUGENT OCCUPIED OR USED FACE THEY COMPLY WITH LOCAL JURISDICTION REQUIREMENTS FOR RECYCLING AND TREATMENT OF ITEMS TO BE RECYCLED. F. DISPOSE OF ALL DEMOLISHED OR REMOVED MATERIALS LEGALLY OFF THE SITE, COMPLY WITH ALL LOCAL HALLING AND DISPOSAL REQUIREMENTS. 10. LAYOUT WORK AND PROVIDE ALL DIMENSIONS REQUIRED FOR OTHER TRADES (PLUMBING, ELECTRICAL, G, NAMEDIATELY ISOLATE THE AFFECTED AREA IF ASSESTOR OR OTHER HAZARDOUS MATERIAL ARE DISCOVERED 11. VERIEY EXISTING CONDITIONS AND LIMITATIONS LIMBER WHICH THE WORK IS TO BE PERFORMED, AND INCLUDE IN THE PRICE, A SILE TO OTHER THE COST OF ITEMS NECESSARY TO PERFORM THE WIDOW AS SET FORTH IN THE PROPOSED CONTINUED TO COMMENTS. NO ALLOWANCE WILL BE MADE DUE TO THE LACK OF SUCH EXAMINATION ON KNOWLEDGE. DURING CONSTRUCTION, NOTIFY OWNER FOR FURTHER INSTRUCTION REFORE PROCEEDING WITH WORK. THE ARCHITECT HAS NO KNOWLEDGE OF AND SHALL NOT BE HELD LIABLE FOR ANY ASSESTOS OR OTHER HAZARDOUS MATERIALS ON THE PROJECT/JOBSITE H, EXISTING LITILITIES TO REMAIN IN SERVICE, PROTECT AGAINST DAMAGE DURING DEMOLITION OPERATIONS, COOPERATE WITH OWNER'S CONTRACTORS (FFRE, SECURITY, DATA, ETC.) FOR SCHEDULING, ACCESS, ANDIOR INSTALLATION OF ALL ASSOCIATIVE EQUIPMENT WITHIN THE WORK AREA. SCHEDURE ANY SHUT DOWNS WITH OWNER, PROJECT MANAGER AND PROPERTY MANAGER AS SOON AS PERMIT SET POSSIBLE OR A MINIMUM OF ONE (1) WEEK PRIOR AND NOTIFY PROPERTY MANAGER AND AFFECTED TEMANTS 04/04/19 PLUMBING AND ELECTRICAL WORK SHALL BE PERFORMED BY PERSONS LICENSED IN THEIR TRADES, WHÓ SHALL ARRANGE FOR AND OBTAIN INSPECTIONS AND SIGN-OFFS. AT LEAST ONE (1) DAY PRIOR TO SCHEDULED SERVICE SHUT DOWN(S) FOR LITILITIES AND ALL OTHER SERVICES. J. REMOVE ALL NON-STRUCTURAL ITEMS THAT PROTRUDE ABOVE THE CONCRETE FLOOR SURFACE 14, DO ALL CUTTING, PATCHING, REPAIRING AS REQUIRED TO PERFORM ALL OF THE WORK INDICATED ON THE DRAWINGS, AND ALL OTHER WORK THAT MAY BE REQUIRED TO COMPLETE THE JOB. K. REMOVE MISCELLANEOUS ANCHORS, CLIPS, BOLTS, ETC EXCEPT WHERE THEY ARE SUPPORTING ALL SERVICES, SYSTEMS, OR OTHER BLEMENTS INDICATED TO REMAIN REPER TO MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS AND SPECIFICATIONS, FOR ADDITIONAL GENERAL NOTES, ABBREMATIONS AND SYMBOL LEGENDS, ALL NOTES ARE TO BE REVIEWED AND APPLIED L. REFER TO STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS FOR SPECIFIC DEMOLITION NOTES, ALL HVAC, ELECTRICAL AND PLUMBING ITEMS REMOVED SHALL BE CUT AND CAPPED BELOW FINISH CONSTRUCTION NOTES TO RELATED BUILDING COMPONENTS AND IDENTIFIED. 16. NOTES APPEAR ON VARIOUS SIGETS FOR DIFFERENT SYSTEMS AND MATERIALS. SHEETS ARE TO BE REVIEWED AND NOTES ON ANY ONE SHEET ARE TO BE APPLIED TO RELATED SYSTEMS AND MATERIALS DIPLYCTED ON OTHER DRAWNING. M. UPON COMPLETION, CLEAN AREA OF DEMOUTION TO A TIDY, UNIFORM CONDITION REMOVING ALL DEBRIS, DUST ALL REMARKING AREAS AFFECTED BY DEMOUTION, CLEAN ALL AREAS IMPACTED BY THE DEMOUTION, dunde Kuiki I, REPAIR DAMAGED EXISTING CONDITIONS TO REMAIN AND PREP TO RECEIVE NEW FINISH. INCLUDING BUT NOT LIMITED TO, ADJACENT OCCUPIED AREAS AND AREAS NOT WITHIN THE SCOPE OF WORK. 17. WHERE DETAILS ARE NOT CALLED OUT BUT ARE NOTABLY SIMILAR IN CHARACTER/DESIGN INTENT TO N. PROVIDE NEW SUPPORT RACK OR HANGERS AS NEEDED FOR CEILING AREA REMAINING IN PLACE IF ORIGINAL FLOOR SURFACES SHALL BE SUP RESISTANT MEETING THE MINIMUM STATIC COEFFICIENT OF 0.5 FOR PLOORS AND 0.8 FOR RAMPS AS REQUIRED BY 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN. THOSE THAT ARE CALLED OUT WITH A DETAILDIMENSION, UTILIZE SIMILAR DETAILS, WHERE CHARACTERIDESIGN INTENT CANNOT BE DETERMINED, CONSULT THE ARCHITECT BEFORE PROCEEDING SUPPORTING WALLS ARE INDICATED TO BE REMOVED. ROJECT TITLE: O. ABANDONING ITEMS OR UNUSED UTILITIES IN PLACE IS PROHIBITED UNLESS SPECIFICALLY PERMITTED BY THE EXTERIOR DOORS AND DOORS ENCLOSING CONDITIONED SPACE SHALL MINIMIZE AIR LEAKAGE AROUND THEIR PERMETER WHEN IN A CLOSED POSITION. NOTIFY ARCHITECT OF ANY DAMAGE DISCOVERED TO STRUCTURAL SUPPORTS, METAL DECKING OR SUBSTRATES, CONTRACTOR IS RESPONSIBLE TO RSPECT SUBSTRATE FOR ANY WATER DAMAGE & INVESTIGATE EXTEXT OF MOSTURE INITIATION. P. REPAIR, PATCH, PAINT, RE-FINISH FINISHES AS NEEDED DURING DEMOLITION. ALL ADJACENT EXISTING FINISHES 4. WHERE MULTIPLE SWITCHES OR RECEPTACLES ARE LOCATED IN NEAR VICINITY, THE CONTRACTOR DAMAGED OR AFFECTED BY DEMOLITION OR CONSTRUCTION OF NEW AREAS IN SCOPE OF WORK SHALL BE SHALL GANG SWITCHES OR RECEPTACLES UP TO THE MAXIMUM WIDTH AVAILABLE FOR FACE 1 HOTEL HANALE! PATCHED AND REPARED TO MEET CLIENT SATISFACTION. 19, PROVIDE WEATHER PROTECTION FOR ANY AREAS WHERE REMOVAL OF MATERIAL MAY CAUSE WATER O. COMPLY WITH ALL STANDARD LOCAL, NATIONAL, STATE AND FEDERAL SAFETY REQUIREMENTS FOR 5, ALL SWITCHES AND/OR RECEPTACLES MOUNTED ABOVE COUNTERS SHALL BE INSTALLED SO THAT DEMOLITION LENGTH OF FACE PLATE IS ORIENTED HORIZONTALLY. R. REMOVE ALL INTERIOR FURNISHINGS, FIXTURES, AND EQUIPMENT INCLUDING FURNITURE, SHELVING, COUNTERS, BLINDS, AND SAFES. TMK: 5-4-011:004 S. CONFIRM WITH OWNER LOCATION OF ALL SALVAGED MATERIALS FOR STORAGE. T. SHOULD CONTRACTOR DISCOVER ANY COLUMNS OR WALLS SHOWN TO BE DEMOLISHED THAT ARE CONCRETE CMU OR APPEAR TO BE STRUCTURAL IN NATURE, CONTRACTOR TO IMMEDIATELY MOTIFY ARCHITECT AND STRUCTURAL ENGINEER TO CONFIRM DEMOLITION PRIOR TO STARTING DEMOLITION WORK. -notes.dwg GENERAL DEMO, GENERAL, FIRE SAFETY AND CONSTRUCTION NOTES SCALE AS NOTED 218086-01 0CS5 04/04/19

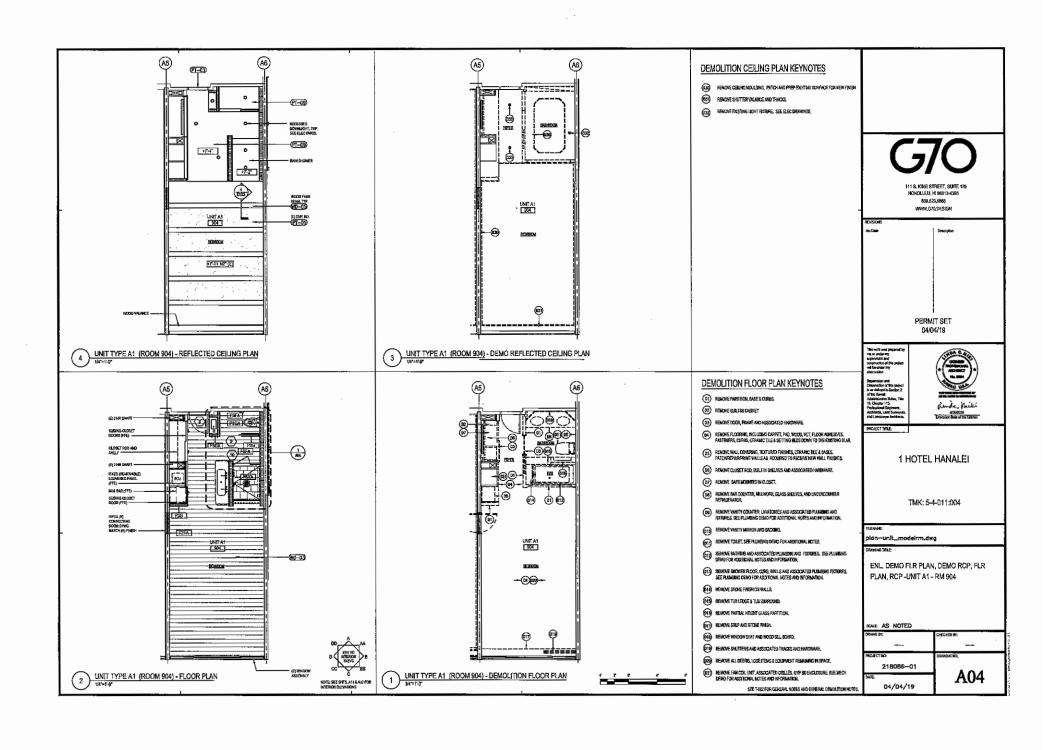
	APPLICABLE BUILDING CODES, ZONING, AND STANDARDS	BUILDING CODE INFORMATION	,
	BULLION BULLION BULLION BULLION BURLION BURLIO	PROJECT MAME: INOTE ROUMED — MODEL ROOM REMOVATION PROJECT LOCATIONS ROSS RAT HARD MANUALL, KAUM, HAWAR TAS MAN PER; SA-GITTON OF WORK: MODEL ROCKMERNOVATION - INTERIOR WORK ONLY BER CHIEF OF WORK: MODEL ROCKMERNOVATION - INTERIOR WORK ONLY BER CHIEF OF MODEL COCCUMANTIFIS: ROCKMERNOVATION - INTERIOR WORK ONLY BER CHIEF OF SOPE OF THIS PERMIT) BERT CHIEF OF SOPE OF THIS PERMIT) BERT CHIEF OF SOPE OF THIS PERMIT BERT	G7O 111 S. MING STREET, SAINTE 170 HONGUILLU HAWARI SENTS BOLSSASSEE MWW, G7D, DESIGN
		TYPE OF CONSTRUCTION: TYPE 1B PIRE PROTECTION: SPRINGLEND FIRE ALPRES SYSTEMS AND SMOKE ALARMS TO BE PROVIDED IN ACCORDANCE WITH SECTION MO? 2. PLOOR AREA (THEIR RS) ALLOWARIA: UNLIMITED NUMBER OF STORESSHIGHT 9F1 (TABLE 500) ALLOWARIA: 11 STORES ACTUAL 11 STORES	difficients Inc.Cubs Description
	ENERGY BLOCK	PRINCIPATION REQUIREMENTS FOR BIALDING FLEMENTS (TABLE SER): BIRLINGS ELEMENT PRIMARY STRUCTURAL FRAME 2 PR BEARING WALLS 2 INR - EXTEROR AN INCREMENT MINISTERIOR MONISTRING WALLS AND PARTITIONS EXTEROR 1 O INR - EXTEROR	PERMIT SET 04/04/19 This work was preparably may a read on the product of the pr
	COUNTY OF (AUAI CHAPTER 12, AUAIACOUNTY BUILDING CODE RABIN COUNTY CODE 1987, AS AMENDED To the best of my increasing, his projects design substantially conforms to the Building Energy Conservation Code lies	PROOF-CONSTRUCTION 1 HR WETCH, SEPARATION OF OPENINGS, SECTION TOSAS: EXCEPTION 2: THIS SECTION SHALL NOT APPLY TO BILL DING EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINGLER SYSTEM IN ACCORDANCE WITH SECTION 842.1,1 OR 903.12 FIRE PARTITIONS, (SECTION TO 1) GENERAL, SECTION TO 1) HE WALLS SEPARATING DIVELLING DIST'S THIS SHARE BILLINGS AS REGULARED BY SECTION 4 192. 2. CORRIDOR WILLS AS ROUGHED BY SECTION BILL, OR SHALL HOLD SECTION 1 192. 3) FIRE RESISTANCE RATING NOT LESS THAN 1 HOUR MOTE APPLIED TO UNIT PARTY WALLS AND CORRISOOD	Symmetric and Collection of Management of the prices of the State State of the Prices of the State State State of the State
	Signature: Charles Michaela Component Systems Signature: Charles Michaela Date: 048479 Name: LINDA C, Mild Title: AREHITECT License Noc. ARE 8034	MORZOWTAL ASSEMBLES (SECTION 711) FIRE MEDISTRANCE RATING (SECTION 711) FIRE MEDISTRANCE RATING (SECTION 711) HORZOWTAL ASSEMBLES SEPARATING SLEEPING UNITS IN THE SAME BUILDING SHALL SE A MINIBAM OF 1-HOUR PRICE MEDISTRANCE-FACILE DOSTRUCTION BIAST ENEL DISTRESS (SECTION 713) GENERAL (SECTION 713.) THE PROVINCIAS OF THIS SECTION SHALL APPLY TO SHATTS REQUIRED TO PROTECT OFFINIASS AND PRICETATIONS. THROUGH FLOORECIAINS AND DODGES AND ASSEMBLES DUT ACCESS STANDARMS AND EXIT ACCESS STANDARMS (AND EXIT ACCESS STANDARMS) AND EXIT ACCESS STANDARMS (AND EXIT ACCESS STANDARMS).	TMK: 5-4-011:004 **IDNAG: 1-notes.dwg
		INITIADE ENT STATIONAYS AND INTERIOR EXIT RAILPS SHALL BE PROTECTED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 1022. PRIES RESISTANCE PATING (SECTION 713.4) SHAPT ENCLOSURES SHALL HAVE A FREKEESSTANCE PATING OF NOT LESS THAN 2 HOURS WHERE CONNECTING POUR STORES SHALL HAVE A FREKEESSTANCE PATING OF NOT LESS THAN 2 HOURS WHERE CONNECTING FOUR STORES. ELEVATOR LOBRY (SECTION 713.4.1) AN ENCLOSED SELATOR LOBRY SHALL SE PROVIDED AT EACH PLOOR WHERE AN ELEVATOR SHAPT ENCLOSURE CONNECTING MORE THAN TROCE STORES.	BUILDING CODE INFORMATION, APPLICABLE CODES, ENERGY BLOCK
·		EXCEPTION 1 - ENALOSED ELEVATOR LOSSISES ARE MOT REQUIRED AT THE LEVELISH OF EXIT DISCHARGE, PROVIDED THE EVELISH OF EXIT DISCHARGES EQUIPPED WITH AN AUTOMATIC SPRINKER SYSTEM ADDORDANCE WITH SECURIS STALL, I.E. EXCEPTION 5 - SANGE PARTITIONS SHALLE SE PERMITTED IN USE OF RRE PARTITIONS TO SEPARATE THE ELEVATOR LOSSY AT EACH FLOOR WHERE THE BULLONG IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPARALES SYSTEM EXIT TRAVEL DISTANCE OCCUPANIONY METH SPRINKES SYSTEM A M, R, S-1 29 FT 8 20 400 FT B-3 199 FT	SCALE AS NOTED GRANSPY: CRECKED PY: C

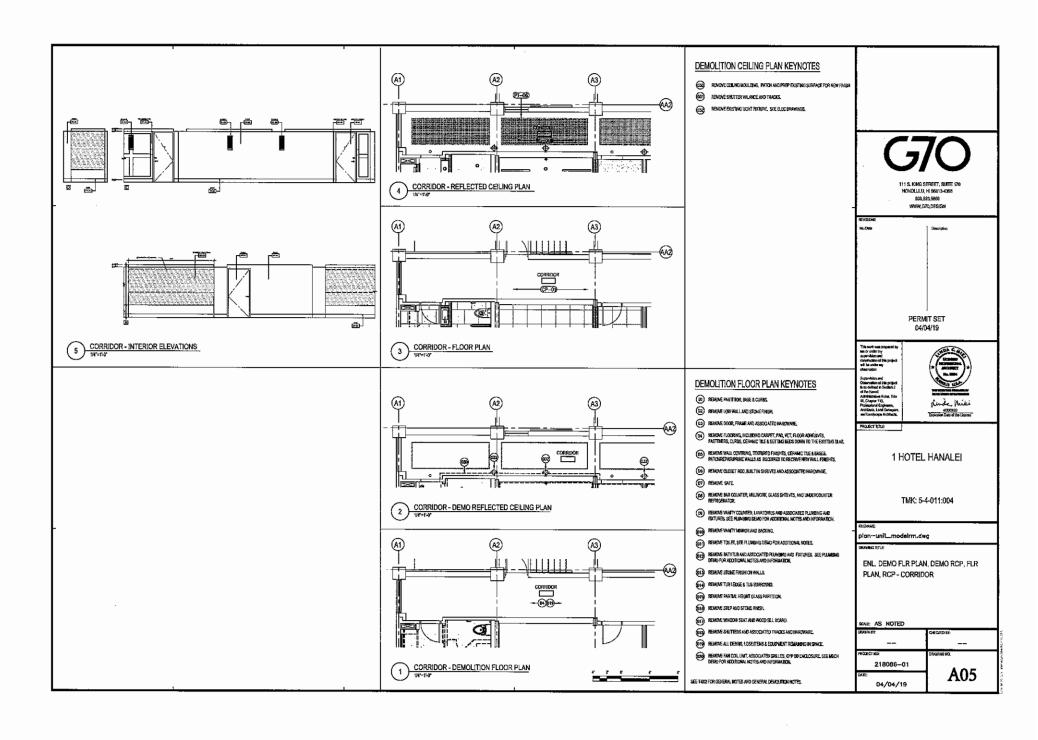


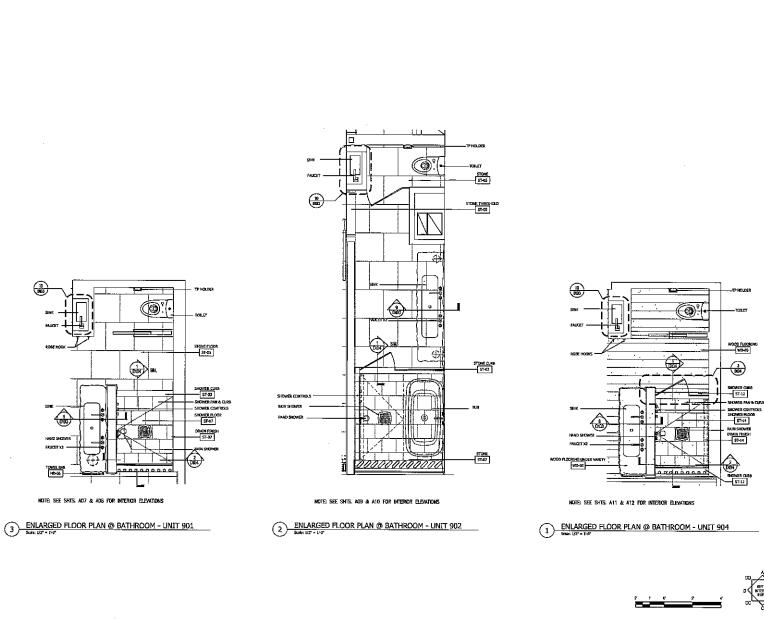












111 S. KING STREET, SUITE 170 HONOLULU, HI 96813-4398 808,523,5866 WWW,G70,DESIGN

PERMIT SET 04/04/19

4500000 Expision Date of the Licerus

PROJECT TYTLE:

1 HOTEL HANALEI

TMK: 5-4-011:004

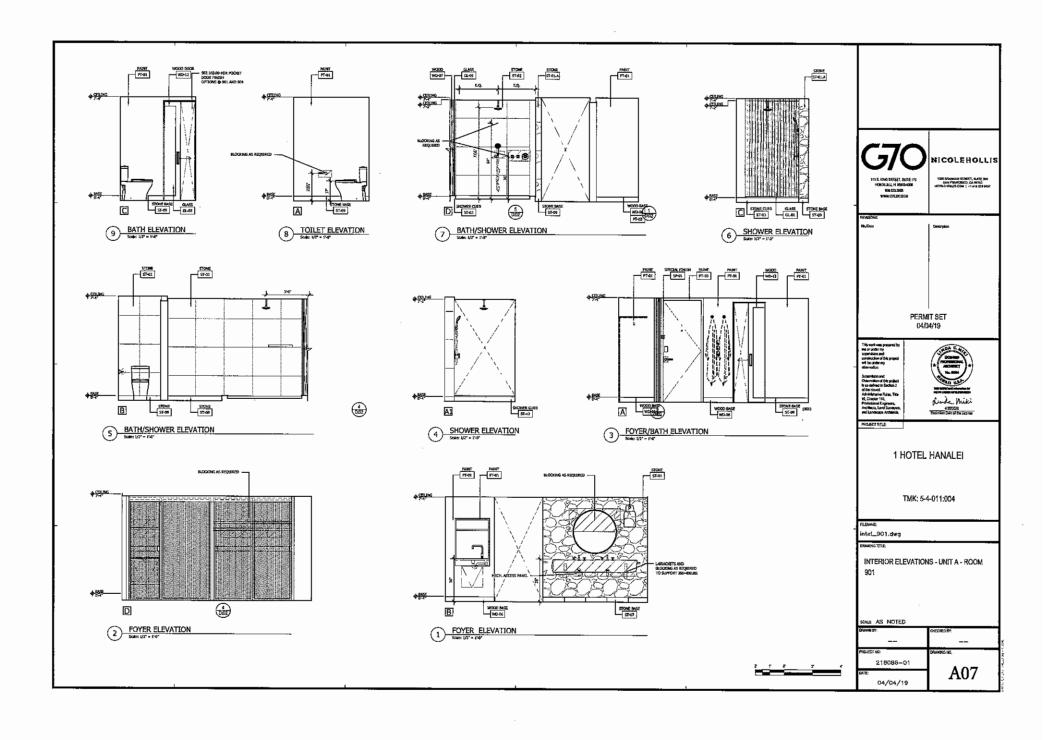
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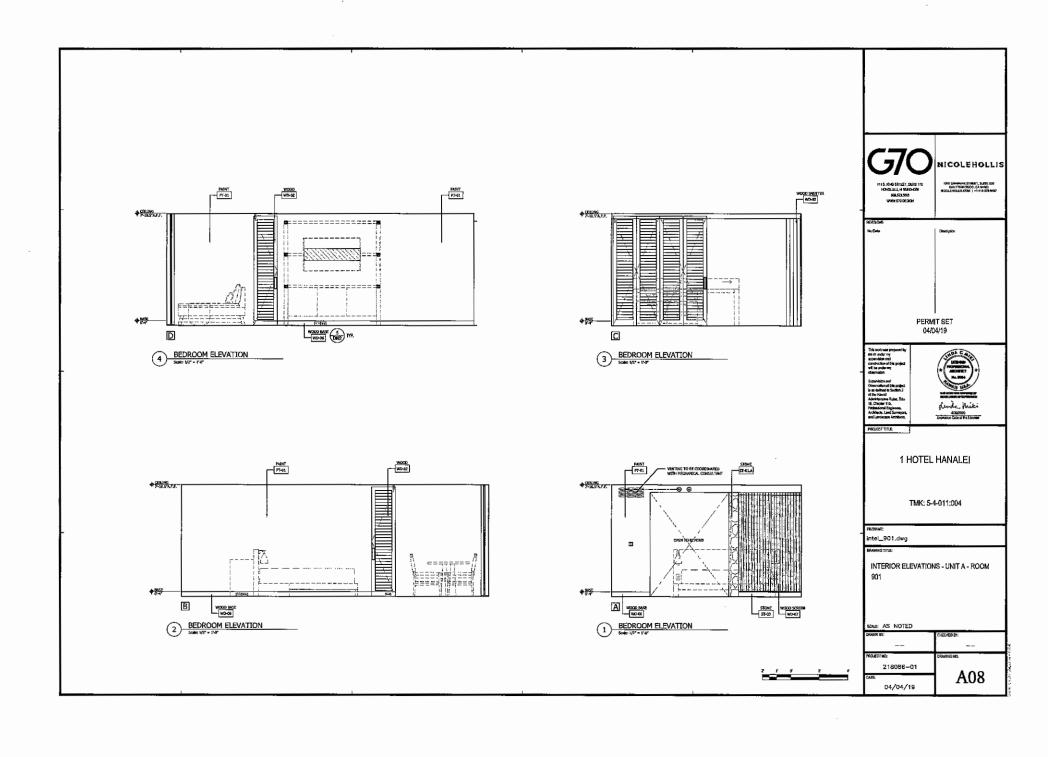
ENLARGED PLANS @ BATHROOMS

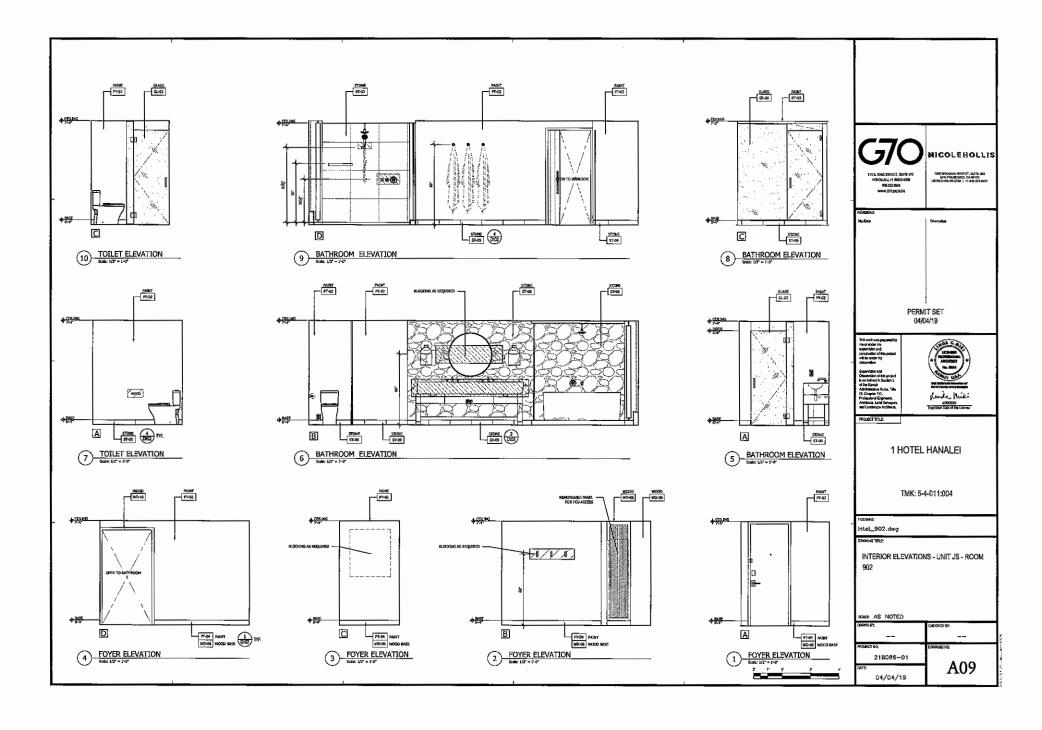
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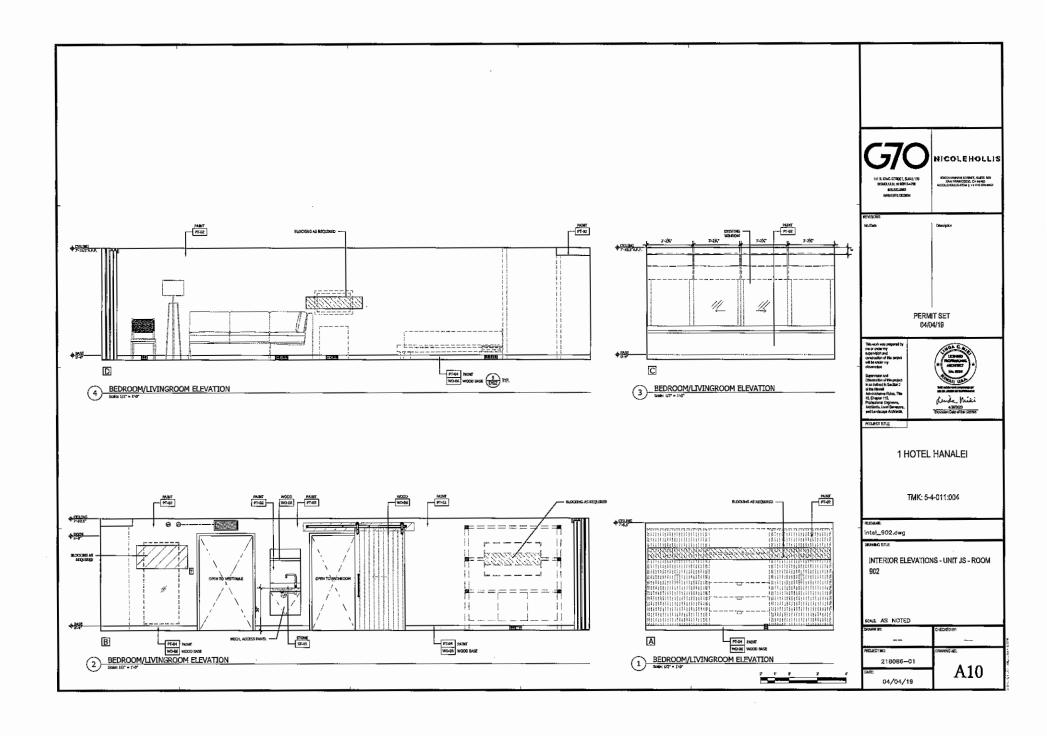
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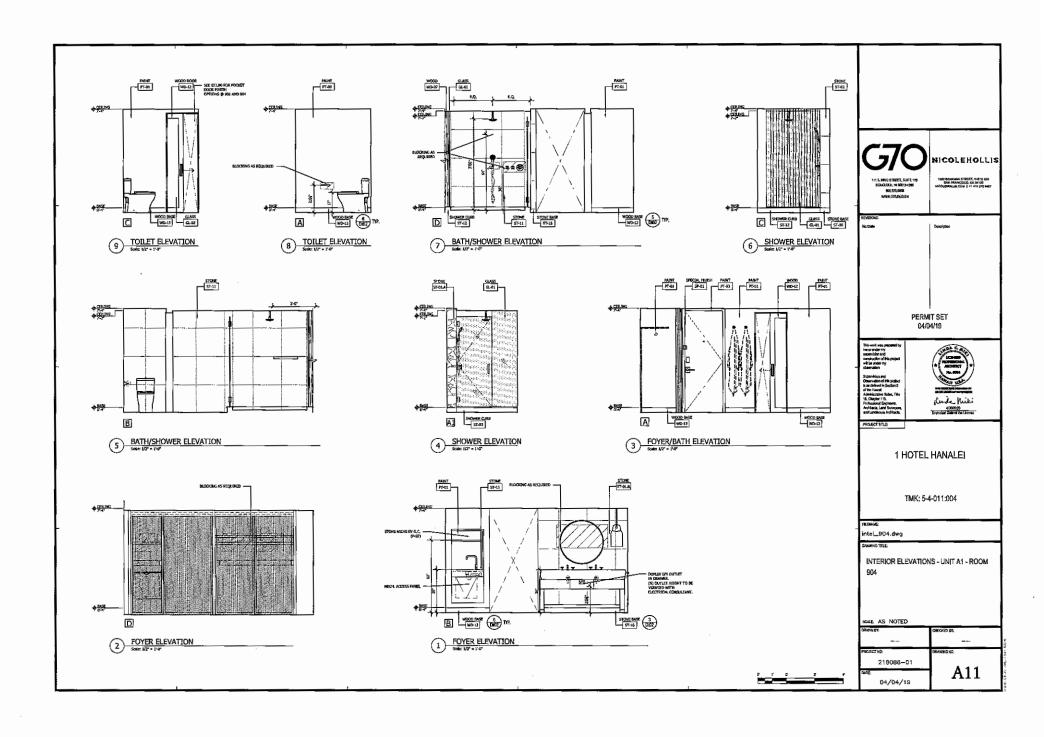
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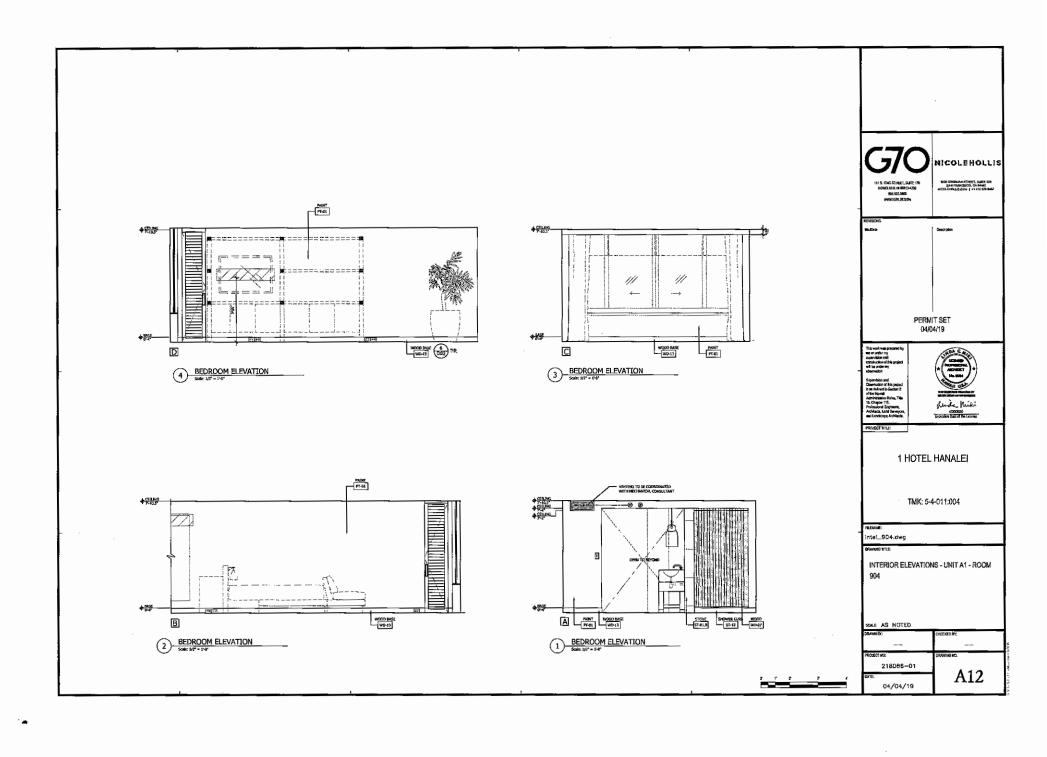
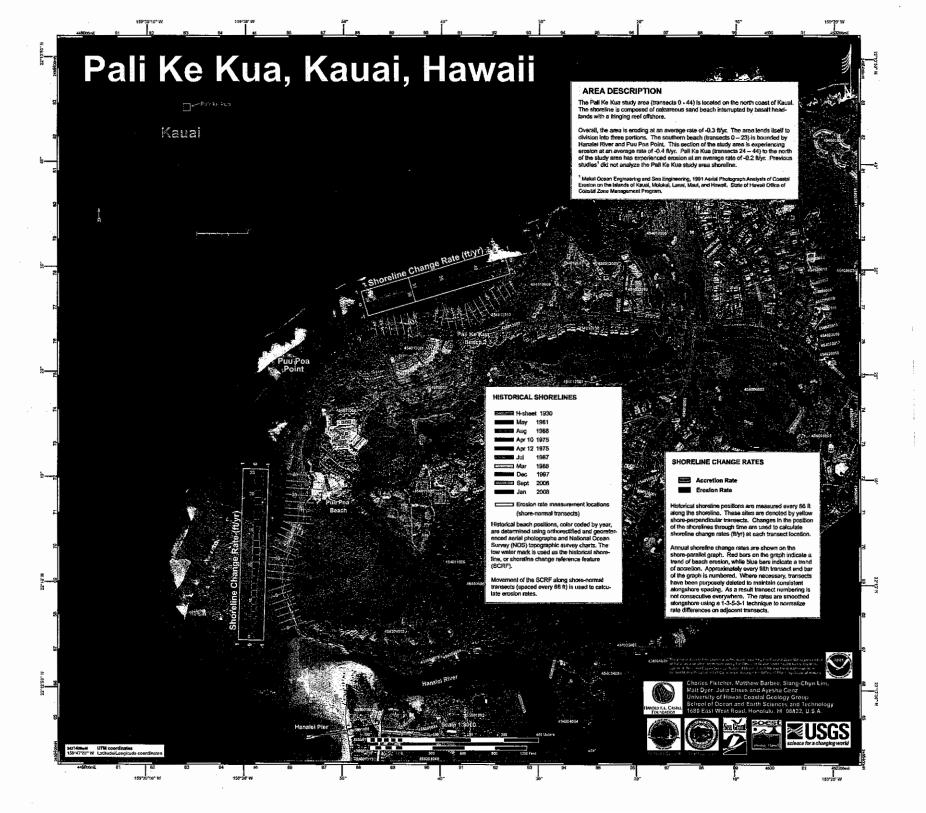
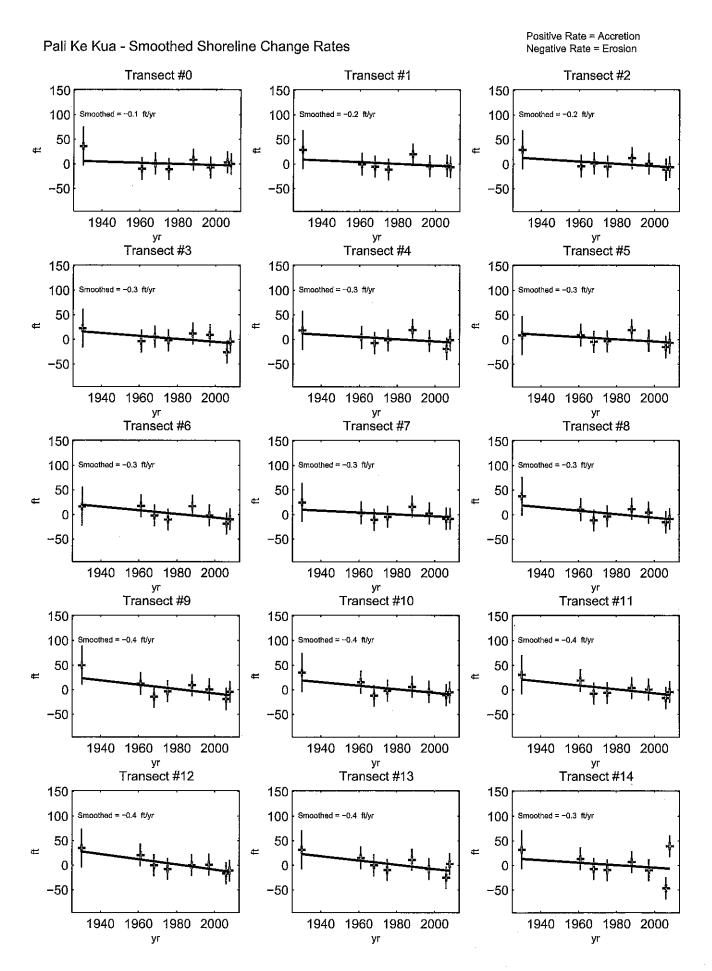


EXHIBIT "G"



Transect	Smoothed Rate (ft/yr)
0	-0.1
1	-0.2
2 3	-0.2
3	-0.3
4 5	-0.3
5	-0.3
6	-0.3
7	-0.3
8	-0.3 -0.4
10 :	-0.4 -0.4
11	-0.4
12	-0.4
13	-0.4
13 14	-0.3
15	-0.4
16	-0.5
17	-0.6
18	-0.6
19	-0.5
20 21	-0.5 -0.5
22	-0.5 -0.6
23	-0.5
24*	-0.1
25	-0.1
26	0.0
27	0.2
28	0.2
29	0.1
30	0.1
31*	-0.4
32 33	-0.3 -0.4
34	~0.4 ~0.4
35	-0.4
36	-0.3
37	-0.3
38	-0.3
39	-0.3
40	-0.4
41*	-0.5
42*	-0.5
43*	-0.5
44*	-0.5

^{*}Imagery indicates beachwidth of zero during period of analysis. Rate calculation reflects data with beach existence.



^{*}Hardened Shorelines with no beach are shown with a blue square. The analysis stops at the first hardened shoreline.

1940

1960

yг

1980 2000

1960 1980 2000

уг

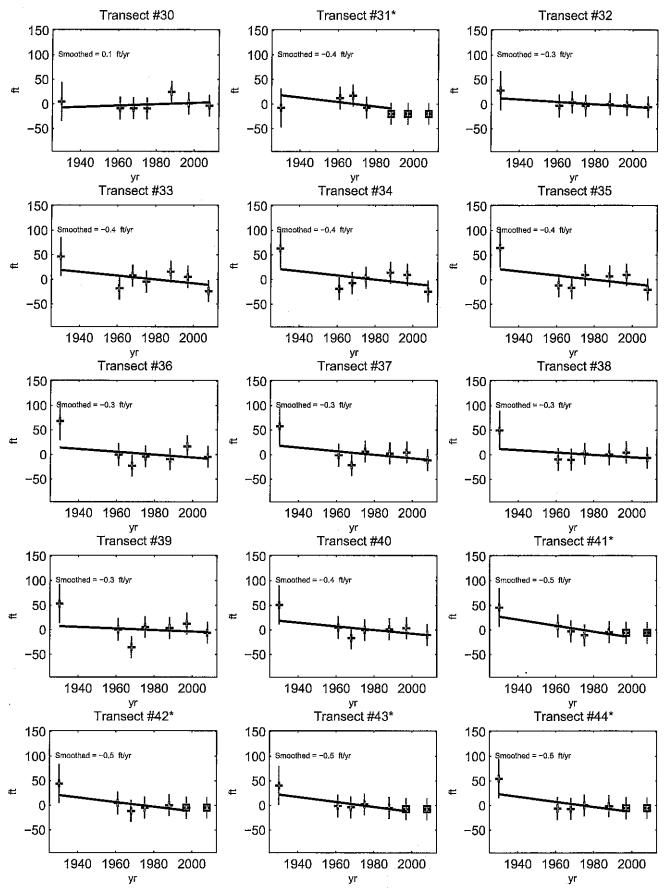
1940

1940 1960

yг

1980 2000

^{*}Hardened Shorelines with no beach are shown with a blue square. The analysis stops at the first hardened shoreline.

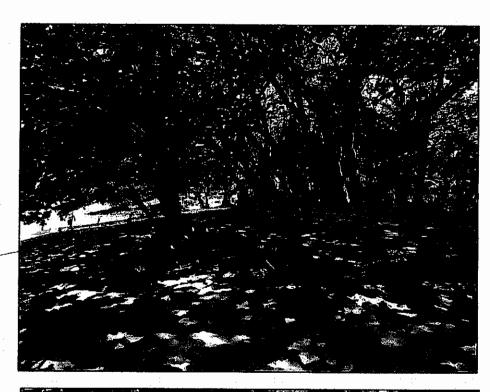


^{*}Hardened Shorelines with no beach are shown with a blue square. The analysis stops at the first hardened shoreline.

EXHIBIT "H"

SURVEY OFFICE COPY NA HAKU ROAD ELE PLAN HAT! PORTION OF LOT 4-A 16.596 Acres Erosion -0.789 Acre LOT 5-A 6.533 Acres Less Erosion 0.769 Acre Net Area - 5.744 Acres EDGE OF OCEAN The shoreline as delineated in rad is hereby certified as the shoreline as of MAY 2 1 2019 LOT 5-B SHORELINE CERTIFICATION MAP OF PORTION OF LOT 4-A Being the consolidation of
Lot 4 of Princeville at Hanalel, Parcel 1-A, Unit IX, (File Plan 1187)
Lot 1 of Princeville at Hanalel, Parcel 1-A, Unit XVIII, (File Plan 1618)
and TMK: 5-4-04:29 and LOT 5-A Ld. Ct. App. 1724, Map 10 at Hanalei, Halelea, Kava'i, Hawai'i Honus, Engineering, Inc., EXHIBIT "H" THE (4) 5-4-11-04 A.O.T. 4-A. C. 5-4-04:35 A.O.T. 5-A.







APPROX. LOCATION OF SHORELINE



DATE: MARCH 30, 2019 TIME: II:00 AM

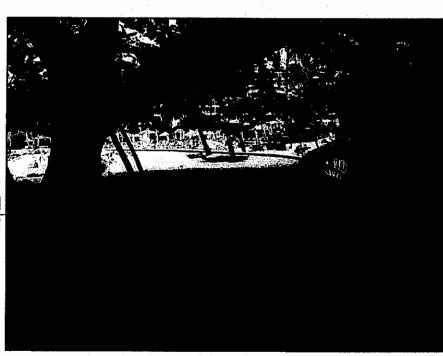
SHORELINE CERTIFICATION PHOTOGRAPHS

LOT 4-A AND LOT 5-A

SHEET | OF 6







APPROX. LOCATION OF SHORELINE



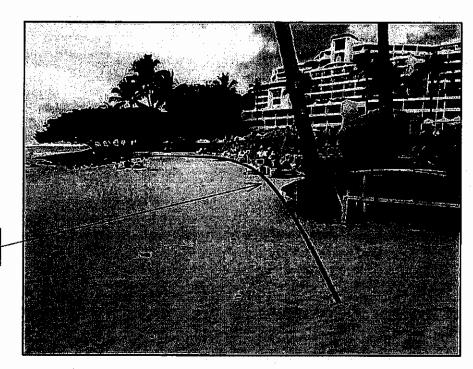
DATE: JANUARY 28, 2019 TIME: 11:00 AM

SHORELINE CERTIFICATION PHOTOGRAPHS

LOT 4-A AND LOT 5-A

SHEET 2 OF 6

Honua Engineering, Inc. P.O. Box 851 Hanalei, H 96714 (808) 826-7256







APPROX. LOCATION OF SHORELINE



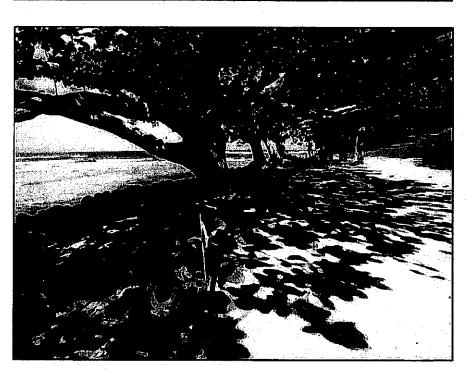
SHORELINE CERTIFICATION PHOTOGRAPHS

LOT 4-A AND LOT 5-A

SHEET 3 OF 6

Honua Engineering, Inc. P.O. Box 851 Handei, HI 96714 (808) 826-7256





8

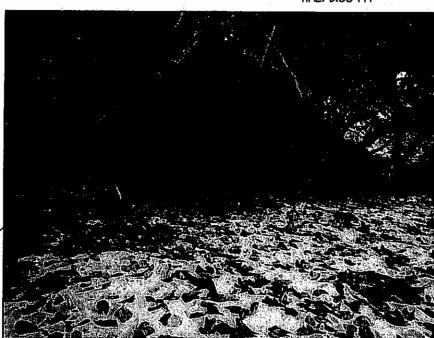
SHORELINE CERTIFICATION PHOTOGRAPHS
LOT 4-A AND LOT 5-A
SHEET 4 OF 5

Honua Engineering, Inc. P.O. Box 851 Handlei, HI 96714 (808) 826-7256

APPROX. LOCATION OF SHORELINE

9

DATE: MARCH II, 2019 TIME: 5:00 PM



APPROX. LOCATION OF SHORELINE



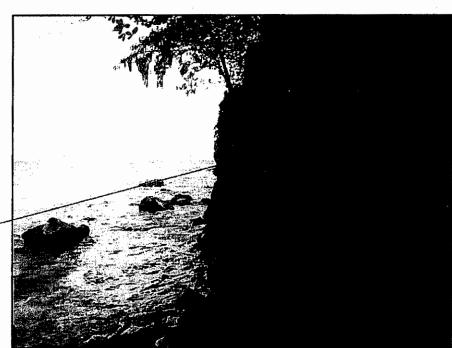
DATE: JANUARY 28, 2019 TIME: II:00 AM

SHORELINE CERTIFICATION PHOTOGRAPHS

LOT 4-A AND LOT 5-A

SHEET 5 OF 6

Honua Engineering, Inc. P.O. Box 851 Handlei, HI 96714 (808) 826-7256





DATE: JANUARY 28, 2019 TIME: 11:00 AM

SHORELINE CERTIFICATION PHOTOGRAPHS

LOT 4-A AND LOT 5-A

SHEET 6 OF 6



EXHIBIT "I"

