

Exhibit D

Heritage Creek RPD Schedule of Deviations

Deviation seeking relief from LDC Sections 34-2013(a), which requires parking lots to be designed to permit vehicles exiting the parking lot to enter the street ROW in a forward motion, to instead allow for vehicles to back out of the parking spaces into the private ROW. This Administrative Deviation is limited to only 30 parking spaces located in Phase 6 of the community as shown on the attached site plan.

Justification:

The subject 30 parking spaces are excess spaces for the surrounding 34 townhomes and community open space. Each Townhome will have a garage parking space and a parking space in each driveway, which is the minimum required parking space for each unit. Because the townhomes do not have large outdoor recreation areas associated with each unit, the community has been designed to have a community open space tract which can be used by residents for common open space purposes. The parking as designed is not a parking lot, but rather 3 separate parking areas having 10 parking spaces in each area.

The request meets the requirements of LDC Section 34-2013 in which the Director may administratively approve the proposed back out parking, subject to the following:

1. The street must be a privately owned and maintained, low volume, local street.

The proposed parking spaces are proposed to back into Lagoon Circle and Trellis Dock Court. The low volume local streets are privately owned and maintained.

2. All parking spaces must be for amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses.

The parking spaces are not provided to meet the LDC required parking for the approximate 60 townhome units in the immediate vicinity of the proposed parking spaces. The spaces are provided for common parking near the open space amenity for this townhome area. The open space tract will serve as the community open space for the residents, offering a larger green space tract to enjoy outside of their platted townhome yard space.

3. Parking spaces may be perpendicular or at a 30- or 45-degree angle to the roadway and must comply with the parking space dimensions set forth in Section 34-2016(1). The Director may require surfacing to comply with Section 34-2017(a) or (b), depending on the type of amenity served.

The parking spaces will be perpendicular to the roadway and will be designed to standard parking space dimensions and asphalt surfacing.