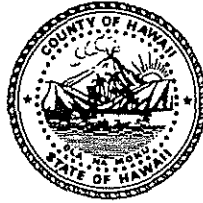


PUD 07-000006

Harry Kim
Mayor



Christopher J. Yuen
Director
Brad Kurokawa, ASLA, LEED™ AP
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

January 25, 2008

Mr. Michael J. Riehm, A.I.A.
Riehm Owensby Planners Architects
P.O. Box 390747
Kailua-Kona, HI 96739

Dear Mr. Riehm:

PLANNED UNIT DEVELOPMENT PERMIT NO. 07-000006 (PUD 07-000006)

Applicant: Riehm Owensby Planners Architects

Landowner: Keahole Gardens, LP

TMK: 7-3-054: 010 & 043 (formerly 7-3-005: 012); Kalaoa 4th, North Kona, Hawaii

After reviewing the information submitted with the Planned Unit Development Application, the Planning Director hereby approves the requested amendments to allow the development of a master-planned community of 13 single family residential lots on land consisting of approximately 3.7 acres. This PUD addresses variances for minimum building site area and widths, roadways improvements, minimum yard setbacks, and lot configuration.

BACKGROUND

Project Location

The subject properties (TMK: 7-3-054: 010 & 043), hereinafter referred to as "Property", consisting of approximately 3.7 acres, is located within the district of North Kona, adjacent to the north of Kona Palisades Subdivision, on the makai side of Oneone Street at the end Nawahie Street. The Property is situated approximately 6.3 miles north of the town of Kailua-Kona at an elevation of approximately 1,036 to 1,160 feet with slopes ranging from 10 to 24 percent. The Property will be accessed off of Oneone and Nawahie Streets, both County-maintained roadways.

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Land Use Designations

The Property is situated within the State Land Use Urban District and currently designated for Low Density Urban uses by the County General Plan, Land Use Pattern Allocation Guide (LUPAG) Map. The County zoning designation for the entire property, which was established by change of zones that occurred in 1988 and 1994, is Single Family Residential-10,000 square feet (RS-10). Based on the simple application of a required 10,000 square feet minimum lot size across the 3.7-acre project site, approximately 16 10,000 s.f. lots could be accommodated within the subject property. However, anticipating that roughly 20 percent of the subject property must be dedicated to supporting roadway and drainage systems, a more realistic lot count is probably in the neighborhood of 12 to 13 lots. Through this PUD application, the Applicant is proposing a total of 13 lots to be accomplished by the applications of the requested variances. Each proposed lot will maintain a minimum lot size of no less than 10,200 square feet. However, portions of many proposed lots will be encumbered by an easement for the subdivision access road. This has the net effect of actually making building site for each parcel much smaller. The Project, with the approval of this PUD, will be consistent with the requirements of the Zoning Code and the land use policies of the General Plan since it does not exceed the overall maximum density permitted by these land use ordinances.

Compatibility with Neighboring Uses

The Property is situated within an area primarily designated for single family residential uses by both the State Land Use Commission and the County. Lands immediately adjacent to the east and west of the Property are zoned for Single Family Residential (RS) uses while lands to the north and south are zoned for Agricultural (A) uses. This project site is situated between the large and established residential subdivisions of Kona Palisades and Kona Coastview, both of which maintain Agricultural zoning designations, but with actual lot sizes that are similar that that proposed by this Project. Therefore, we find that the proposed Project will maintain lot sizes that compliment the adjoining residential subdivisions within this particular section of Kailua-Kona.

Related Applications and Approvals

August 17, 1988 – effective date of Change of Zone Ordinance No. 88-115, which rezoned a total of 6.6 acres, which included a portion of the project site, from an Unplanned into an RS-10 zoned district, subject to conditions of approval.

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October 26, 1994 – effective date of Change of Zone Ordinance No. 94-121, which amended Ordinance No. 88-115 to allow for additional time by which to secure final subdivision approval of the proposed development.

September 26, 1996 – effective date of Change of Zone Ordinance No. 96-115, which rezoned the northern portion of the project site to an RS-10 zoned district.

This requested PUD will implement the final phase of subdivision of these lands affected by the change of zone ordinances described above. Records show that the earlier phases of subdivision within the area affected by these ordinances have satisfied the various compliance deadlines, like securing final subdivision approval. These subdivisions included the initial phase of Keahole Heights subdivision (SUB 6580), an 18-lot subdivision that received approval on May 3, 1995. The second phase of Keahole Heights was a 13-lot subdivision (SUB-97-000118) approved on June 5, 2006 which includes 2 lots which comprise the proposed PUD.

PROJECT OBJECTIVES AND DESCRIPTION

According to the Applicant, the objectives for Keahole Gardens (“Project”) include the following:

- Provide a neighborhood environment that encourages a ‘sense of community’ and promotes social interaction.
- Provide a streetscape that mitigates the visual impact and speed of the automobile.
- Develop a master plan that fits harmoniously into the local context and existing landscape.
- Develop a master plan that harmoniously integrates the archaeological sites into the neighborhood.
- Develop a landscaping theme for the development that will blend the new residences into the natural landscape.
- Through the use of CC&R’s, encourage housing design that respects the local building vernacular and encourages energy efficiency through the use of ‘passive and active solar devices.’

The Project will be developed in a single phase consisting of 13 lots, each of which will maintain a minimum lot size of 10,000 square feet, consistent with its current zoning designation of RS-10, but which is inclusive of the road easement and inconsistent with existing department policy unless permitted through the issuance of a Planned Unit Development permit.

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The Applicant's project schedule anticipates site work to be completed within 8 months from the date of approval of this PUD application and issuance of Tentative Subdivision Approval.

The proposed subdivision roadways include a minimum 40-foot wide access easement having a pavement width of 20 feet with 10-foot wide grassed shoulders with street trees, in lieu of the minimum 20-foot wide pavement within a 50-foot wide right-of-way required by the Subdivision Code (Exhibit 13) and specified by Department of Public Works Standard Detail R-33.

AGENCIES' REVIEW

Department of Public Works: Memorandum dated September 28, 2007

"We reviewed the subject application and have the following comments made with the understanding that all interior streets will remain private. In addition, through the portion of Nawahie Street fronting the subject property has not been dedicated to date, any proposed alterations shall be to dedicable standards, meeting with the [approval of the] Department of Public Works.

Section 23-41. – A specific right of way and pavement width should be required for clarity of plat and plan review. We have no objection to 20 feet of pavement centered in a 40-foot right-of-way.

Section 23-45: The property line radius is not dimensioned at the private subdivision road intersection with Nawahie Street. Please specify a requirement for plat review. The construction plans submitted to date show a Standard Detail R-29 drop driveway at that approach. We have no objection to an R-29 driveway approach in combination with no property line return radius at Nawahie Street if made a specific or alternate condition of the PUD.

Section 23-50: The geometric design of the streets should be based on the AASHTO Guidelines for Geometric Design of Low Volume Roads.

Section 23-94: Any required streetlights signs and markings at the private road intersection with Nawahie Street shall meet with the requirements of the Department of Public Works, Traffic Division.

Section 23-95: No applicable justification is provided for a variance as the applicant's proposal is to improve the entire right-of-way.

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Any vehicular security gate shall be located a minimum distance of 25 feet (exclusive of gate swing), from the Nawahie Street right of way.”

Fire Department: Memorandum dated September 21, 2007

Fire Department recommends that fire apparatus access roads comply with Uniform Fire Code (UFC) Section 10.207 and that water supply conform to UFC Section 10.301(c).

Police Department: Memorandum dated September 11, 2007

Staff cannot support the applicant’s application for the proposed development. This planned development will only increase density on Kaiminani Drive, Queen Kaahumanu Highway, and Old Mamalahoa Highway, which are already suffering from severe traffic congestion during peak traffic periods.

Staff maintains that until such time as adequate roads are built to support the ever-growing population, construction, and additional vehicles on the roadways, additional development must adhere to the County’s proposed policy on the principle of concurrency.”

Department of Environmental Management: Memorandum dated August 29, 2007

DEM confirms that area not serviced by a sewer system. Recommends the following regarding solid waste:

- Commercial operations may not use transfer stations for disposal.
- Aggregates and any other construction/demolition waste should be responsibly reused to its fullest extent and its disposal is prohibited from all transfer stations.
- Ample and equal room should be provided for rubbish and recycling.
- Greenwaste may be transported to the greenwaste sites located at the Kailua or Hilo transfer stations or other suitable diversion programs.
- Submit solid waste management plan.

Department of Water Supply: Memorandum dated September 21, 2007

DWS confirms that water to support the proposed 13-lot subdivision is available from an existing 6-inch waterline located within Nawahie Street, subject to the submittal of the required water commitment fees and the construction of necessary water system improvements.

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Office of Housing and Community Development: Memorandum dated November 5, 2007

“Although the time to comment has passed, affordable housing requirements, pursuant to Hawai‘i County Code, Chapter 11, Housing, are applicable to the request.”

State Department of Health: Memorandum dated November 26, 2007

The Department of Health, Clean Water Branch has reviewed the PUD application and recommends that the Army Corps of Engineers be contacted at (808) 438-9258 for information regarding the Clean Water Act. Furthermore, the Director of Health may require the submittal of an individual permit application or Notice of Intent for general permit coverage authorized under the National Pollutant Discharge Elimination System (NPDES). Recommends that the applicant review all of the standard comments at its website: www.state.hi.us/health/environmental/env-planning/landuse/landuse.html.

APPROVED VARIANCES

The following variances are hereby approved:

Variations to the Zoning Code

- **Minimum Street Frontage** (Hawaii County Code §25-4-30). According to the Applicant’s site plan, it appears that all of the proposed lots will be able to meet this requirement of 35 feet of roadway frontage, except for flag lots and lots accessed by easements. However, we have no objections to the granting this variance should our calculations be incorrect provided that a minimum street frontage of at least 30 feet be provided, which should provide more than adequate to accommodate any unforeseen design circumstances while ensuring that sufficient frontages are available for practical concerns, such as driveway accesses.
- **Minimum Building Site Area** (Hawaii County Code §25-4-32). While each proposed lot will maintain a minimum building site area of 10,000 square feet, it will not be exclusive of the land area to be encumbered by the road easement servicing each of the proposed lots. We have no objection to the granting this variance from current department policy that requires minimum lot sizes exclusive of the land area within any roadway easement.
- **General Requirements for Yards and Open Spaces** (Hawaii County Code §25-4-40). Applicant is requesting flexibility in the designation of yards fronting roadways and access easements, as detailed within Exhibits 1 through 5, especially when these lots will have two roadway frontages.

- **Corner Building Sites** (Hawaii County Code §25-4-42). Allow for the designation of front and side property lines for corner lots which do not follow the typical standards for application. We do not have an object to the granting of this variance under the condition that the application of yards and setbacks, as provided by the PUD, is limited to the configurations shown on Exhibits 1 through 5.
- **Fences and Accessory Structures** (Hawaii County Code §25-4-43). Applicant incorrectly makes reference to retaining walls being limited to 6 feet in height. Maximum height of fences and walls are applied to boundary walls, not retaining walls. The Applicant also wishes to allow for free-standing entry wall features over 6 feet in height into the minimum front yard setback. We have no objection to this requirement, provided it is limited to free-standing entry wall features only as depicted on Exhibit 6 and will not apply to accessory structures, boundary walls or fences.
- **Minimum Building Site Area** (Hawaii County Code §25-5-74). Approval of this variance will allow the proposed lots, consisting of a minimum building site area of 10,000 square feet, inclusive of that land area situated within the road easements.
- **Minimum Building Site Average Width** (Hawaii County Code §25-5-75). The Zoning Code specifies that RS-10 zoned parcels maintain a minimum building site average width of 70 feet. This variance is granted to allow for a minimum building site average width of no less than 60 feet, which is consistent with lots required to have a minimum lot size of 7,500 square feet, which generally matches the applicant's proposed lots when you exclude the land area encumbered by the roadway easement. Measurements taken using the Applicant's site plan do not reflect any lots that are unable to meet a minimum 60-foot building site average width.
- **Minimum Yards** (Hawaii County Code §25-5-76). The minimum yards in the RS-10 zoned district are 20 feet from the front and rear property boundaries and 10 feet from the side property boundaries. Exhibits 1 through 5 reflect the various application of minimum front yards, no less than 15 feet, from either existing road rights-of-way or from the interior subdivision roadway easements. Typically, a minimum front yard setback of 20 feet will be applied to all lots fronting both the subdivision access road and Nawahie Street, consistent with Zoning Code requirements. For lots within the subdivision itself, minimum front yards of 15 feet from the edge of the roadway easement will be applied. Side yards no less than 6 feet will be permitted in lieu of the standard 10-foot wide side yards. However, the side yards will be staggered between a 6-foot setback and a 10-foot setback so that each structure will have at least 16 feet between them. This structural setback is similar to a property that is less than 10,000 square feet in size, which is basically representative of the proposed lots in this PUD application.

Variations to the Subdivision Code

- **Block sizes** (Hawaii County Code §23-29). The Subdivision Code limits the lengths of blocks to 1,300 feet, but with a length no less than 400 feet. With only a single access point onto Nawahie Street, a strict interpretation of the Subdivision Code would suggest that the Project does conform to this requirement since Nawahie Street is sort of like a loop road, meaning no other intersections are located within 400 feet of the subdivision access road intersection. Nevertheless, we have no objection to the granting of this particular variance should interpretation of code dictate otherwise, but be based on the proposed layout.
- **Minimum Right-of-Way and Pavement Widths** (Hawaii County Code §23-41(a)). The Applicant is requesting a variance from the minimum rights-of-way widths for its internal, minor-type roadway. The requested variances are related to right-of-way widths, the use of medians and traffic calming features within the right-of-way, and shoulder/swale details.
 - **Minor Street (40' wide roadway easement in lieu of 50' ROW-Exhibit 13)**. The proposed standards for the 40-foot wide minor street-type roadway easement will deviate from the minimum 50-foot wide ROW specified by DPW Standard Detail R-39. The Applicant is proposing a pavement width of 20 feet with 10-foot wide grassed shoulders on each side. The lower volume and speed of vehicles typically carried by these minor streets affords the opportunity to reduce the pavement width and manage speeds. The proposed 20-foot wide pavement, which does meet County standards, will provide opportunities for a landscaped shoulder/drainage swale while still accommodating two-way vehicular traffic.
 - **Special Pavement treatment within roadway easement (Figure 11)**. We approve of the Applicant's request to install special paving and street trees at the subdivision entrance to not only define the entrance to the subdivision, but also to provide an area for a mail kiosk. The special paving may also be used at the common access driveways located throughout the subdivision. The type of special paving and the location of vertical elements, such as the street trees and mail kiosk, must meet with the approval of the Department of Public Works to ensure that its location does not inhibit larger vehicles like buses or fire trucks.
- **Corner radius** (Hawaii County Code §23-45(b)). Applicant requests that intersections within the private roadway easements have a maximum radius of 10 feet, subject to sight distance requirements at the pavement line with the actual pavement having a radius of no less than 20 feet. This variance is approved on the basis that these corner radiuses will occur only at those intersections between the subdivision access road and the common access driveways. Since these intersections are essentially driveways, anticipate limited traffic volumes and speeds, thereby warranting this particular variance. The reduced corner radius combined with traffic calming measures result in safer pedestrian environment.

The intersections of the subdivision access road and Nawahie Street should have a compliant corner radius to accommodate larger vehicles, such as buses. According to the Department of Public Works, the construction plans submitted to date show a Standard Detail R-29 drop driveway at that approach. The Department of Public Works has no objection to an R-29 driveway approach in combination with no property line return radius at Nawahie Street if made a specific or alternate condition of this PUD. Such a condition will be provided.

- **Cul-de-sacs** (Hawaii County Code §23-48(b)). Applicant requests that the requirement for a circular turn-around be waived due to the short length of the cul-de-sac and the two street stub-outs that will essentially serve as adequate turnarounds.
- **Grades and curves** (Hawaii County Code §23-50). Applicant requested a variance from the minimum requirements for vertical and horizontal curves. This variance is approved on the basis of topography to minimize the grading requirements and to retain as much of the natural terrain as practical. *In those instances where the vertical or horizontal curves do not meet the minimum requirements, the Applicant shall present alternate standards at the time of construction plan review, as provided for in §23-50(b), with lower design speeds assigned in order to meet the roadway safety standards as specified within the AASHTO Policy on Geometric Design of Highways and Streets, 2001.* The geometric design of the streets should be based on the AASHTO Guidelines for Geometric Design of Low Volume Roads
- **Street lights** (Hawaii County Code §23-93). Applicant requested design flexibility in the placement and type of street lights permitted within the internal subdivision roadway easement. The Applicant proposes the use of custom street lighting fixtures along the minor-type roadway (see Exhibit No. 11). Due to the limited number of lots to be serviced by the internal subdivision roadway, a reduction in the number of lights would help to impart a more rural feel to the neighborhood while having sufficient lighting primarily at critical points for traffic safety considerations. *This variance is approved subject to the condition that a licensed engineer certify the safety of the lighting plan for the minor streets.* Lighting along the subdivision roadway, including the project entry and mail pick-up area, shall comply with the requirements of the County outdoor lighting code.
- **Street names & traffic signs** (Hawaii County Code §23-94). Approved to allow use of custom street name and traffic signs that will reinforce the desired character of the neighborhood and its design goals (see Exhibit No 12). While this variance will allow these signs to deviate from standard specifications, it must still meet ASHTO specifications.

DENIED VARIANCES

- **Flag Lots** (Hawaii County Code §25-4-30). Master plan layout doesn't appear to create a conflict with this section of code.

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- **Right of way Improvement** (Hawaii County Code §23-95). There is no justification for this variance. Plans submitted by the Applicant indicate that the entire roadway easement will be improved with either a paved travelway or graded and grassed shoulders. These improvements, as permitted by this PUD, satisfies this particular requirement.

FINDINGS

The following findings are made in accordance with Section 25-6-10 (Criteria for granting a PUD):

- 1) **The construction of the project shall begin within a reasonable period of time from the date of full approval and shall be completed within a reasonable period of time.**

The Applicant is ready to start development as soon as approvals are issued, with infrastructural improvements and basic grading done to accommodate home construction within 8 months from the approval of infrastructural construction drawings/final subdivision approval. The Applicant anticipates that sales for the entire development will be completed within 3 months after the lots are made available, subject to market conditions.

- 2) **The proposed development substantially conforms to the General Plan.**

The proposed single family residential lots are consistent with the General Plan LUPAG Map designation for the Property of Low Density Urban, which allows for residential uses, with ancillary community and public uses, and neighborhood and convenience-type commercial uses with an overall residential density up to six units per acre. The proposed single family residential lots are consistent with the General Plan Land Use and Housing goals and policies by providing a diversity of housing choices to meet a range of housing needs and designing in accordance with the environment.

- 3) **The proposed development shall constitute an environment of sustained desirability and stability, shall be in harmony with the character of the surrounding neighborhood and shall result in an intensity of land utilization no higher than, and standards of open space at least as high as permitted or as otherwise specified for the district in which this development occurs.**

The proposed 13-lot agricultural subdivision will provide a density that will not exceed the maximum density permitted by zoning, which is calculated at 16 lots. With slopes within the project site running from roughly 10 to 24 percent, the Applicant has worked to align the subdivision roadway to follow the existing grade and minimize grading while providing lots that are consistent with the single family residential uses within this particular area of North Kona. While approval of this PUD will allow the roadway easement to encumber a portion of these lots, thereby reducing the effective building site area below the 10,000 square feet as dictated by the property's RS-10 zoning, at least 7,500 square feet of each of the lots remain outside of the roadway easement, sufficient land area for a typical single family residence. Therefore, approval of this PUD will not compromise the single family residential character of the surrounding area. The Applicant has managed the minimum yard setbacks for each lot, as reflected on Exhibits 2 through 5, to ensure that sighting of structures are maximized and that the streetscape and its single family residential character are not compromised.

- 4) **The development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of the Zoning and Subdivision Codes, and that the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.**

The presence of archaeological sites to be preserved as well as the relatively steep grades within the project site justify the variances to the minimum building site average width, and minimum yards, among other variances from lot configuration and streetscape requirements. The street design variances result in the desire to promote the pedestrian-oriented character sought by the Applicant, which we find very reasonable given the small number of lots that will surround a dead-end subdivision access. While the actual pavement width of 20 feet is consistent with code requirements, it is only the improved right-of-way that will be reduced from 50 feet to 40 feet. This is reasonable given the small number of lots that will not place an unreasonable burden to provide for on-street parking, sidewalks, and extensive drainage systems that are much reduced or non-existent. Therefore, the need for extensive shoulder width and improvements are not seen as crucial to the maintenance and support of this small single family residential subdivision. As a private roadway, the community association will assume maintenance responsibility of the landscaped areas, street signs and street lighting fixtures located within the right-of-way.

CONDITIONS OF APPROVAL

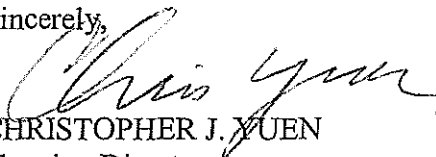
The Planning Director approves the Planned Unit Development subject to the following conditions:

1. *Permit Runs with the Land.* The applicant, its successors or assigns shall be responsible for complying with all of the stated conditions of approval.
2. *Indemnification.* The applicant shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury or death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit.
3. *Master Plan and Street Layout.* The proposed Planned Unit Development shall be developed in a manner as substantially represented within exhibits and figures attached to this Planned Unit Development Permit.
4. Preliminary construction drawings for the proposed subdivision access road show a Standard Detail R-29 drop driveway at its Nawahie Street approach. The Department of Public Works has no objection to an R-29 driveway approach in combination with no property line return radius at Nawahie Street. The Applicant shall comply with this recommendation.
5. *Roadway design guidelines.* All roadways shall follow the guidelines incorporated in the Hawaii Statewide Uniform Design Manual for Streets and Highways or the applicable AASHTO design guide for the appropriate design speed. The geometric design of the interior subdivision access road should be based on the AASHTO Guidelines for Geometric Design of Low Volume Roads
6. *Construction Plan Review by Fire Department.* The Applicant shall consult with the Fire Department to ensure that its conformance with the minimum requirements of the Fire Code. Besides the Department of Public Works and Department of Water Supply, construction plans shall also be submitted to the Fire Department for review.
7. *No Additional Farm Dwellings.* Restrictive covenants in the deeds of all proposed agricultural lots within the Planned Unit Development shall give notice that the terms of this Planned Unit Development Permit shall prohibit the construction of a second dwelling unit (additional farm dwelling) on each lot. A copy of the proposed covenants to be recorded with the Bureau of Conveyances shall be submitted to the Planning Director for review and approval prior to the issuance of Final Subdivision Approval. A copy of the recorded document shall be filed with the Planning Department upon its receipt from the Bureau of Conveyances.
8. *Compliance with other rules and conditions.* The applicant shall comply with all other applicable rules, regulations and requirements. Other applicable conditions set forth under the "Approved Variances" section of this letter are incorporated herein as conditions of approval.
9. *Time Extension.* If the applicant should require an extension of time, the applicant may request for time extension pursuant to Section 25-6-14 (Time extensions and amendments).

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Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate the nullification of the Planned Unit Development Permit.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

DSA:cd

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xc: Department of Public Works, Building Division
Department of Public Works, Engineering (Hilo and Kona)
Department of Water Supply
Fire Department
West Hawaii Planning Office

Exhibit 1: Yard Designation Variance Request - Zoning Code

Request:

The Petitioner request the yards be designated as indicated in Exhibits 1 to 5. Below is the reference site plan indicating lot location and lot number for referral to exhibits 2 to 5:

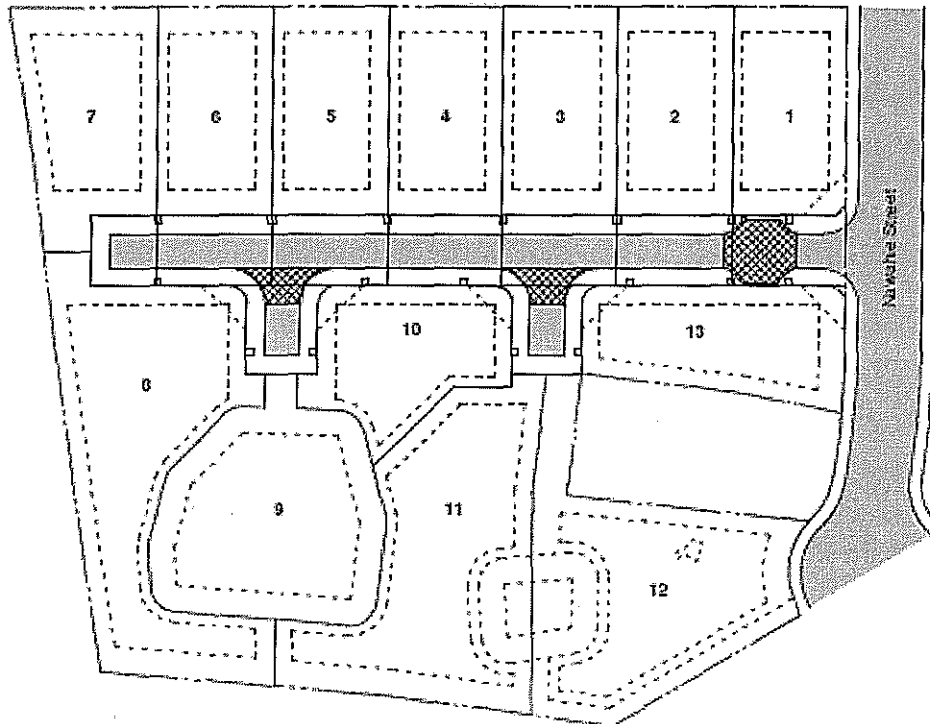


Exhibit 2: Yard Designation Variance Request - Zoning Code

Request:

The Petitioner request the front, rear, and side yards be designated as indicated below for lots 1 to 3.

(See Exhibit No. 1, page 8-37, for lot location in project)

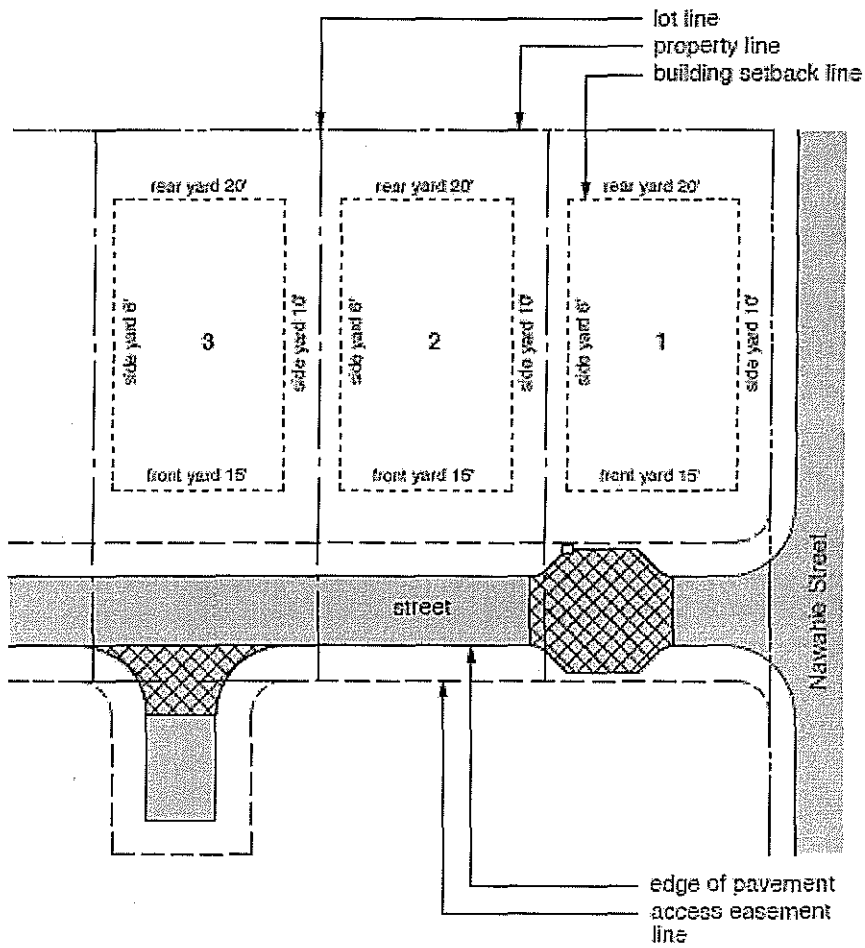


Exhibit 3: Yard Designation Variance Request - Zoning Code

Request:

The Petitioner request the front, rear, and side yards be designated as indicated below for lots 4 to 7.

(See Exhibit No. 1, page 8-37, for lot location in project)

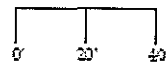
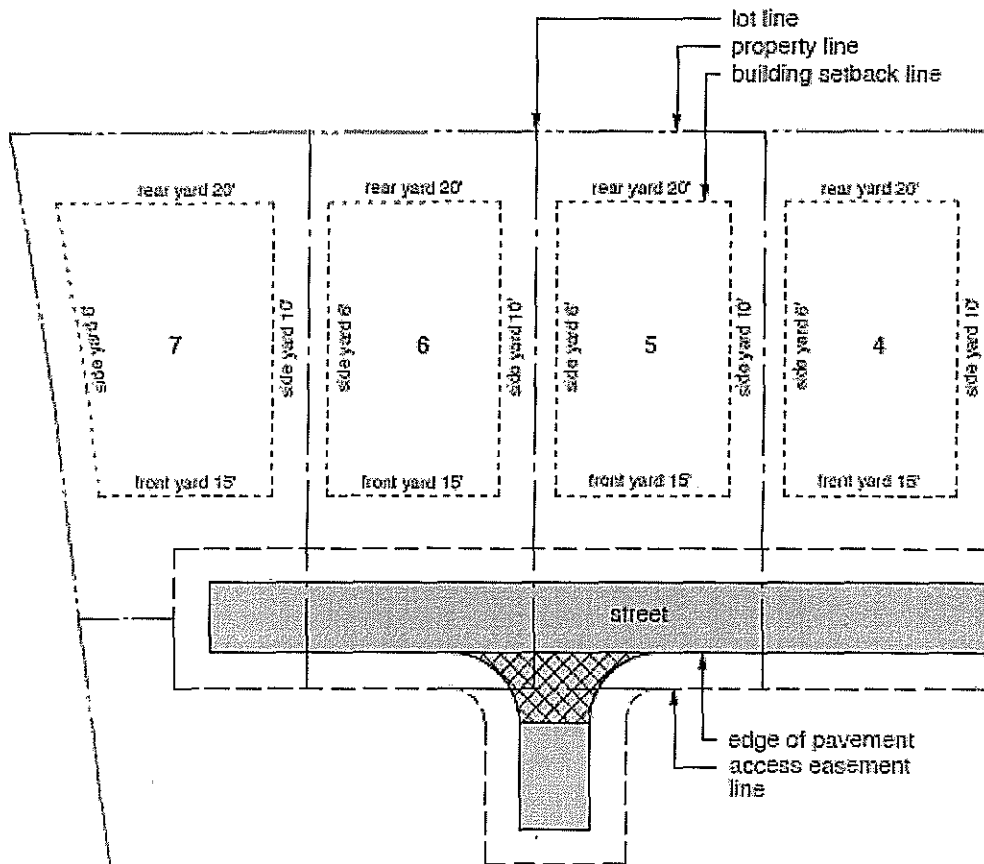


Exhibit 5: Yard Designation Variance Request - Zoning Code

Request:

The Petitioner request the front, rear, and side yards be designated as indicated below for lots 12 to 13.

(See Exhibit No. 1, page 8-37, for lot location in project)

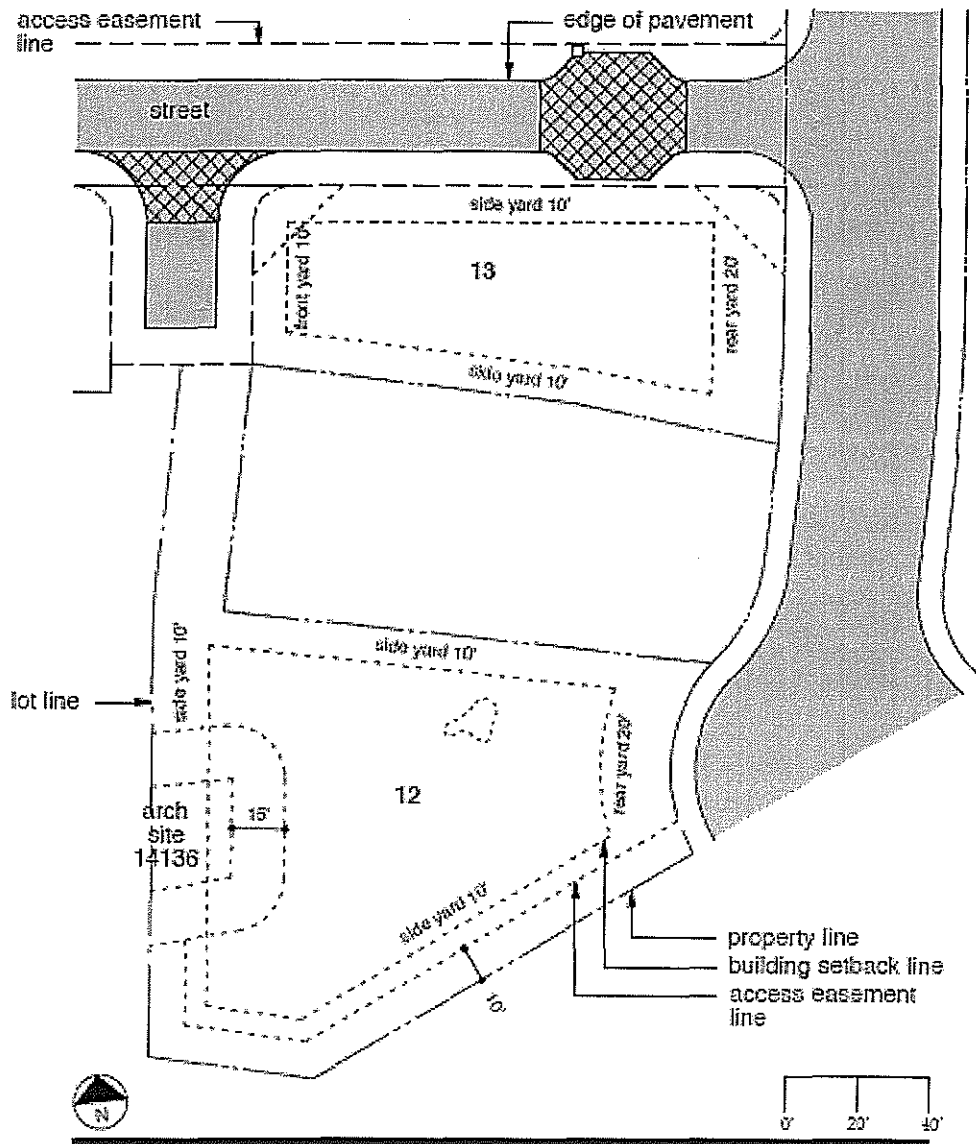


Exhibit 6: Fences and Accessory Structures Variance Request - Zoning Code

Request:

The Petitioner request the allowance of any accessory structure, architectural feature, wall, fence, or any other free standing architectural feature over six feet in height to extend into any required front, side, or rear yard. Below is an example of how this variance would apply:

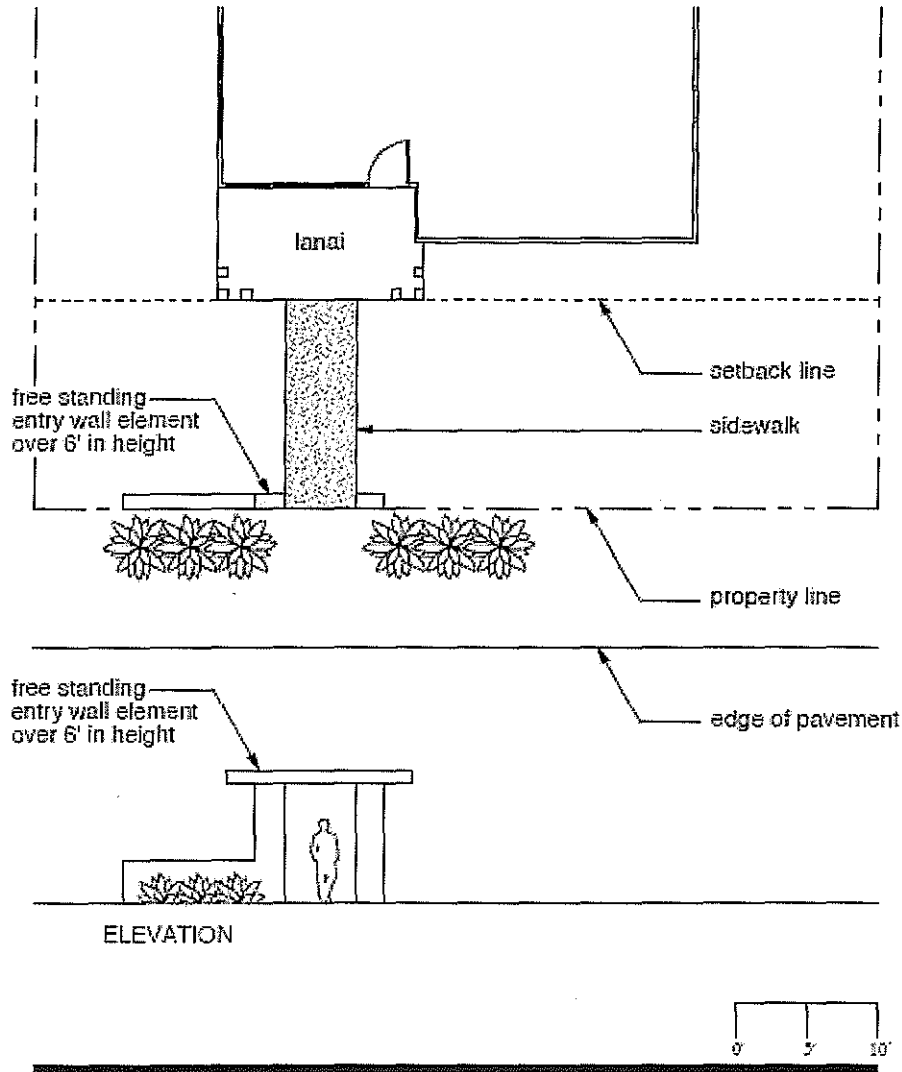
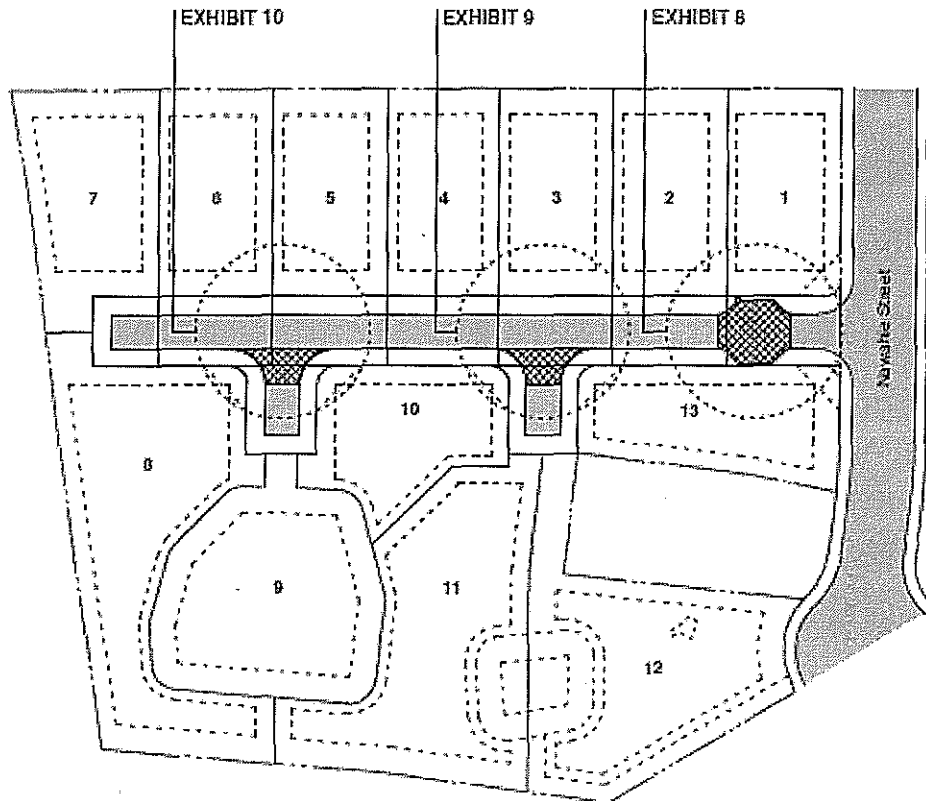


Exhibit 7: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius at the street intersections be as indicated below:

(See exhibits for radius criteria as referenced below at each intersection)



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Exhibit 8: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius be permitted to be approximately in the range as indicated below:

(See Exhibit No. 7, page 8-43 for intersection location in project)

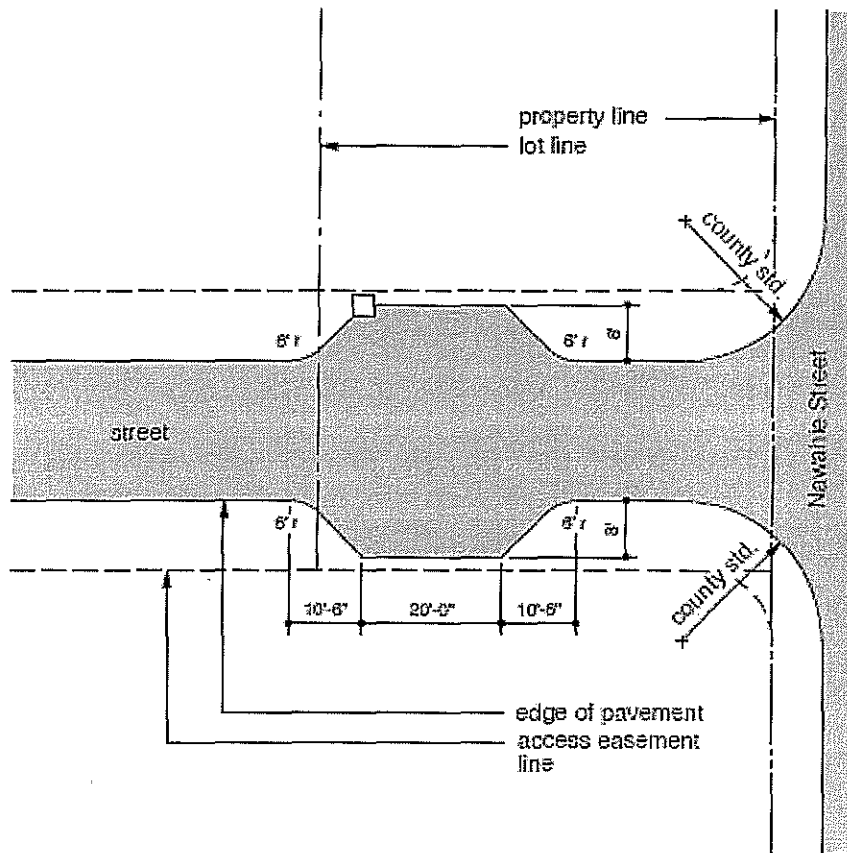


Exhibit 9: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius be permitted to be approximately in the range as indicated below:

(See Exhibit No. 7, page 8-43 for intersection location in project)

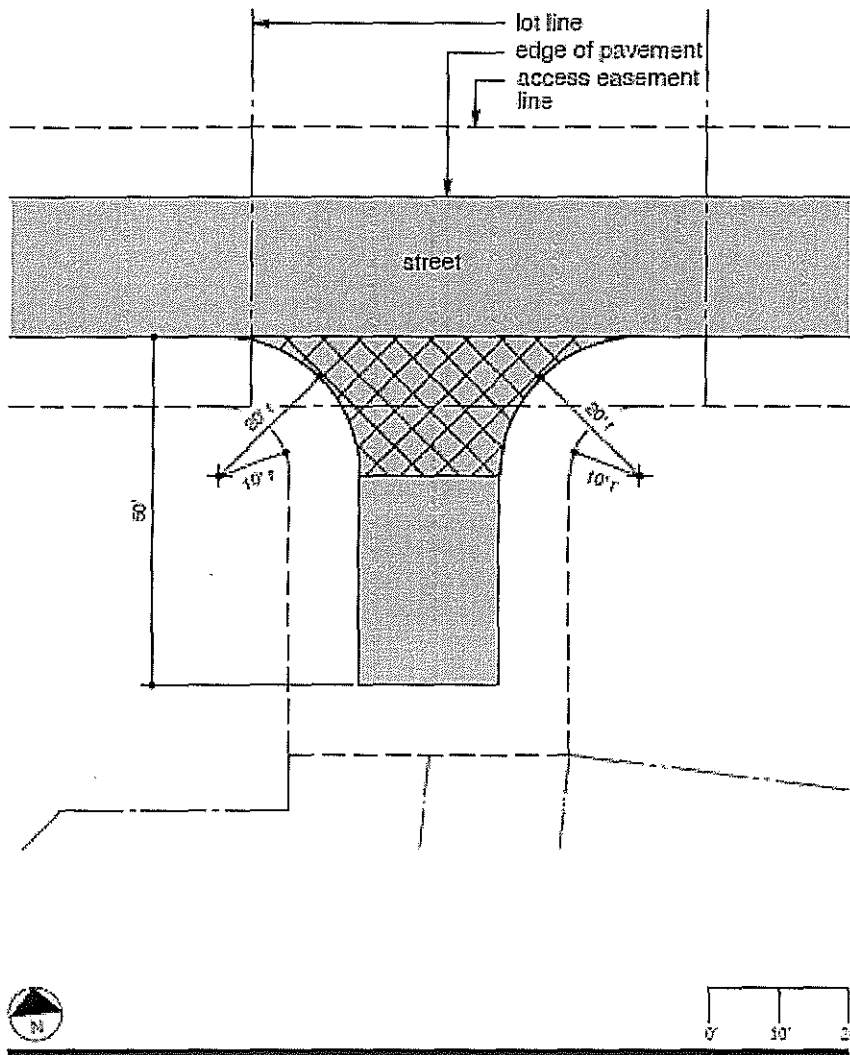


Exhibit 10: Street Intersection Angles and Radius Variance Request - Subdivision Control Code

Request:

The Petitioner request the corner radius be permitted to be approximately in the range as indicated below:

(See Exhibit No. 7, page 8-43 for intersection location in project)

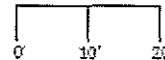
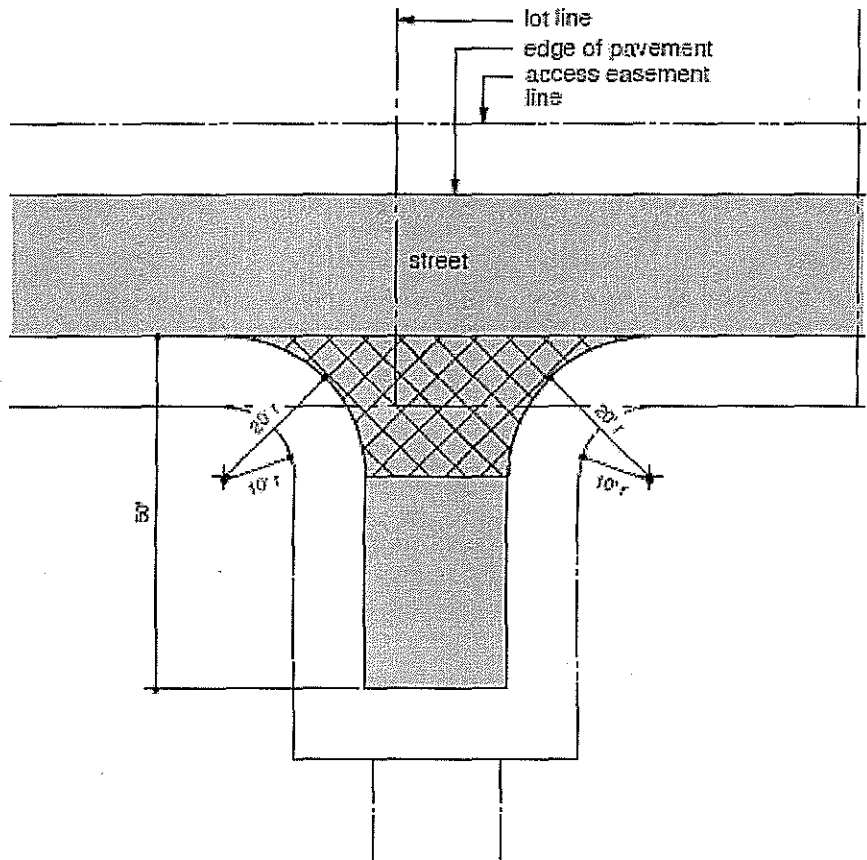
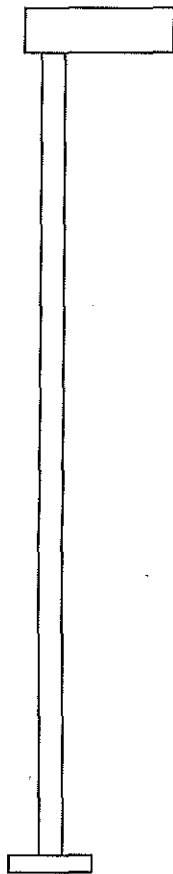


Exhibit 11: Street Lights

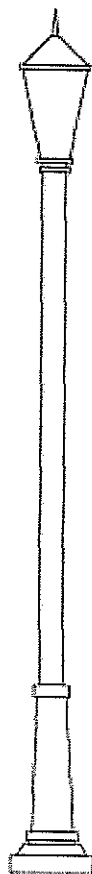
Variance Request - Subdivision Control Code

Request:

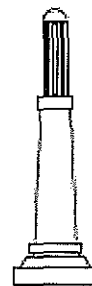
The Petitioner request that the requirements of Section 23-93 be waived in lieu of a custom street light fixture, allowing flexibility in color and housing type selection. Pole type lighting fixtures may be used at street intersections while bollard type lighting fixtures may be used to aid pedestrians. Typical examples of custom light fixtures that might be used in the project are as indicated below:



Pole Lighting Fixture
Contemporary



Pole Lighting Fixture
Traditional



Bollard Lighting Fixture
Traditional



Exhibit 12: Street Signs

Variance Request - Subdivision Control Code

Request:

The Petitioner request that the requirements of Section 23-94 be waived in lieu of custom street name and traffic sign fixtures, which are more in keeping with the design goals of the project. Typical examples of custom fixtures that might be used in the project are as indicated below:

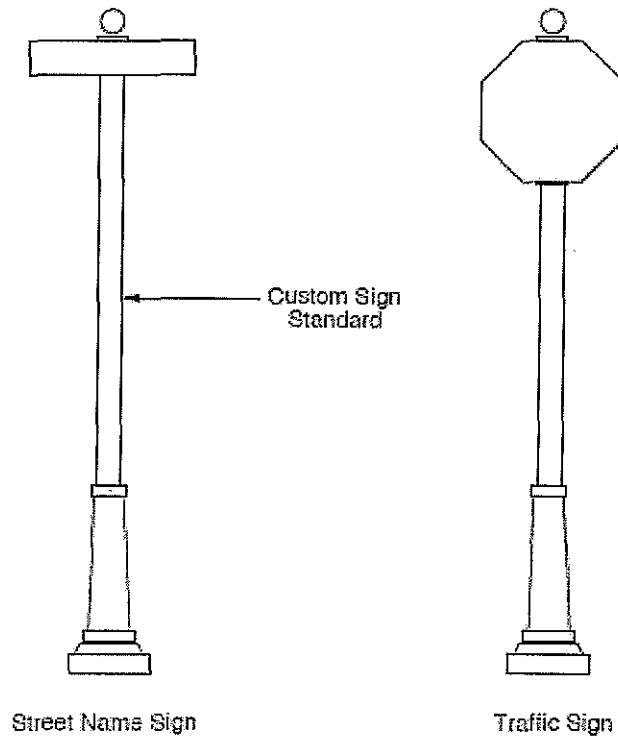


Exhibit 13: Right of Way Improvement Variance Request - Subdivision Control Code

Request:
The Petitioner request that the requirements of Section 23-95 be waived to allow design flexibility in the treatment of the right of way areas as indicated below:

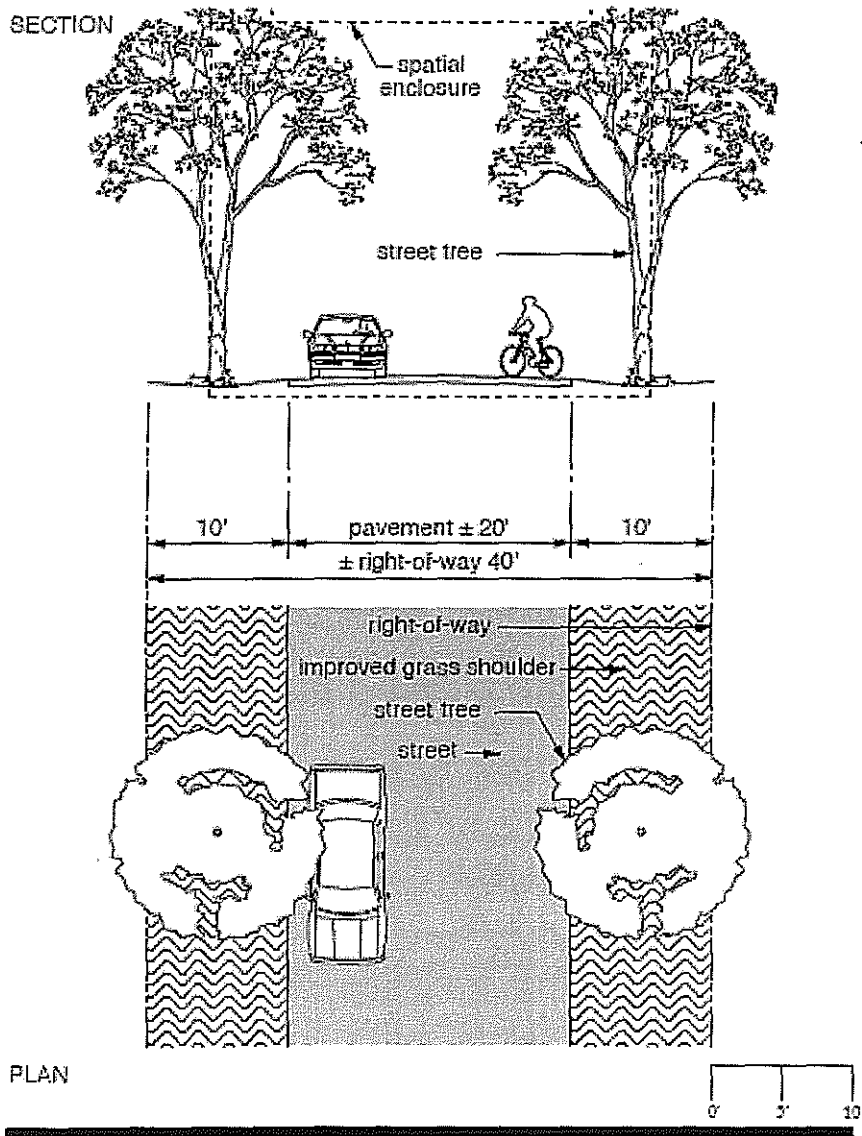


Figure 1: Master Plan Concept

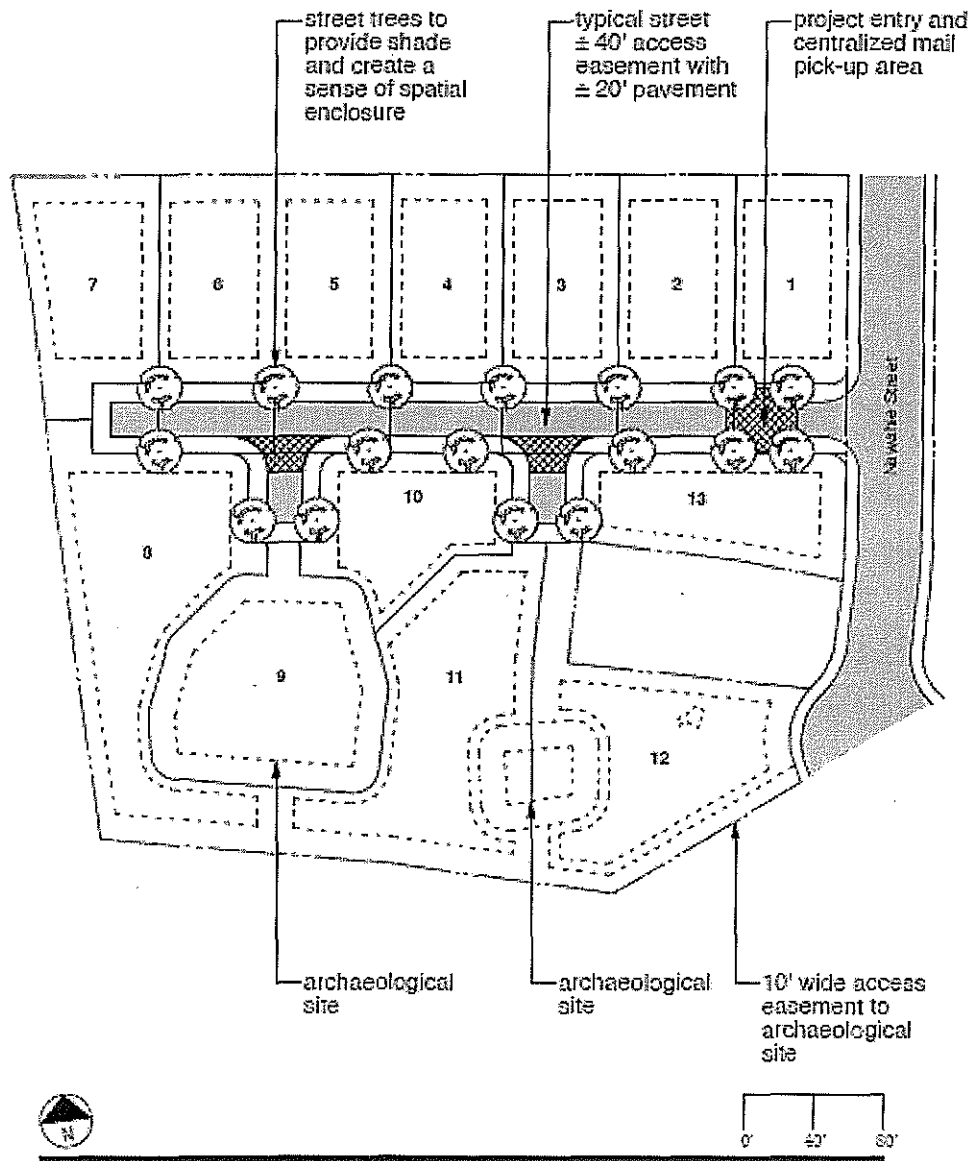


Figure 7: Archaeological Site

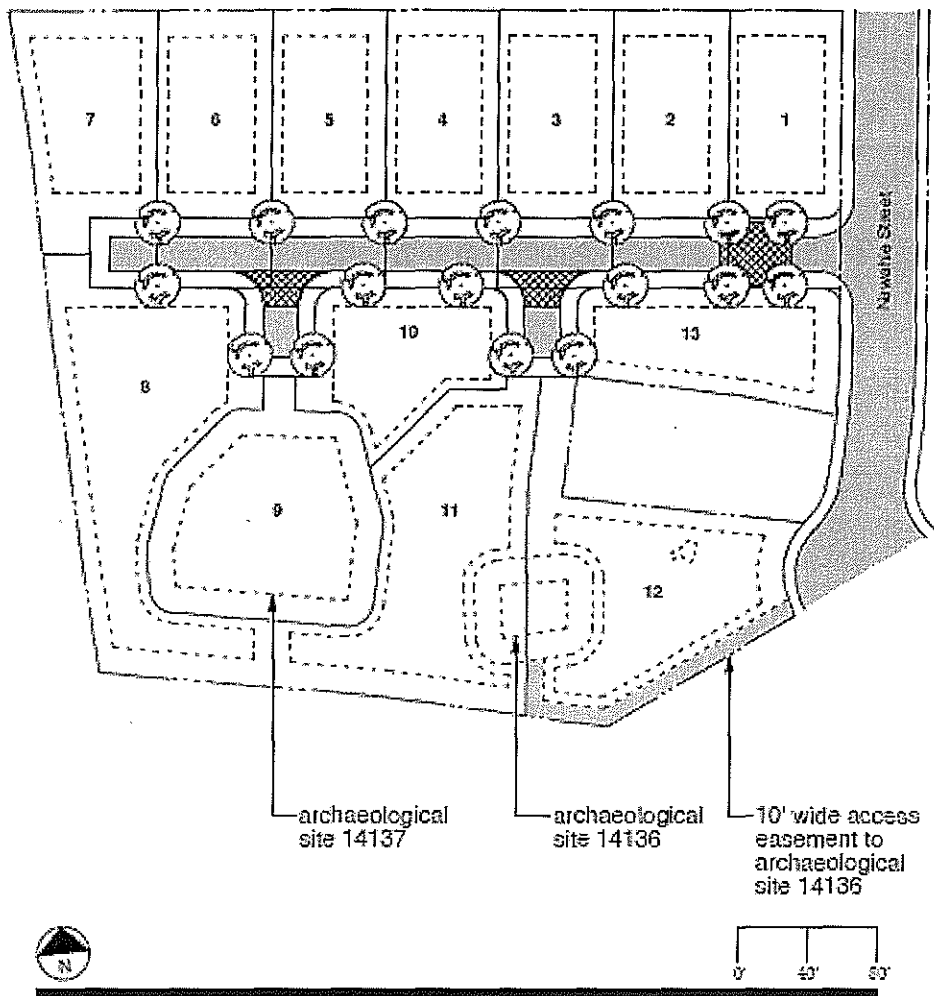


Figure 11: Special Paving

Comment:

Another important element of the street character may be the use of special paving at select areas to designate a street intersection and / or to help mitigate the speed of automobiles.

(See figures for special paving location as referenced below)

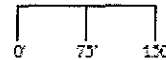
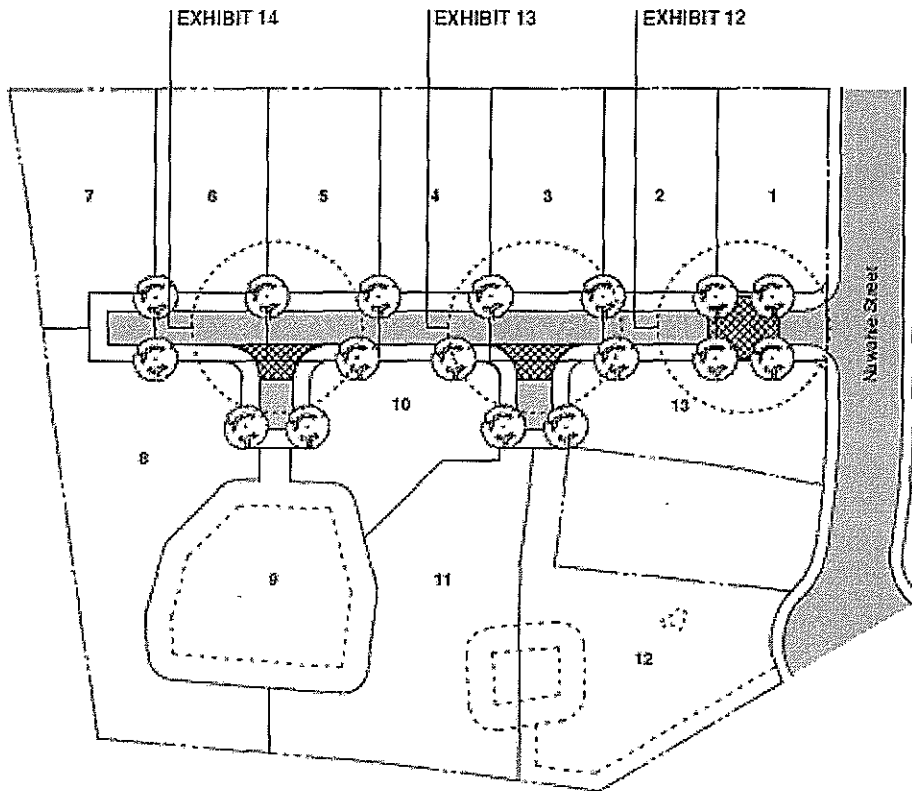


Figure 12: Special Paving

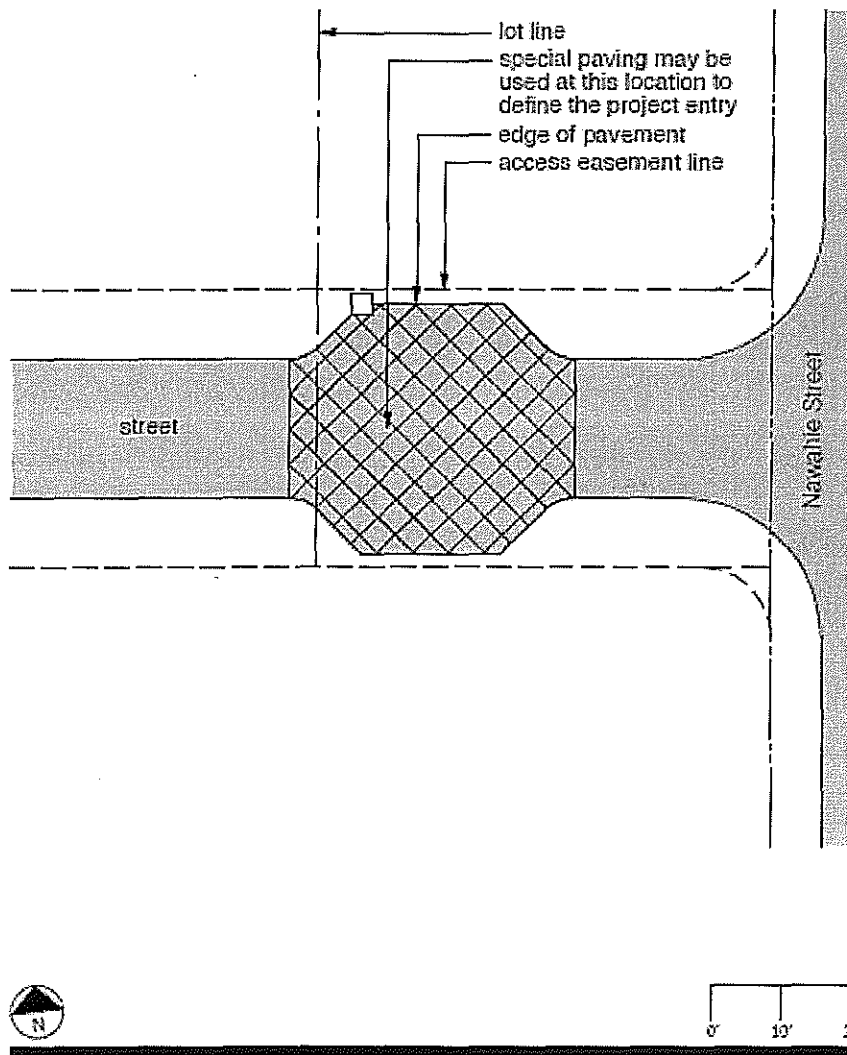


Figure 13: Special Paving

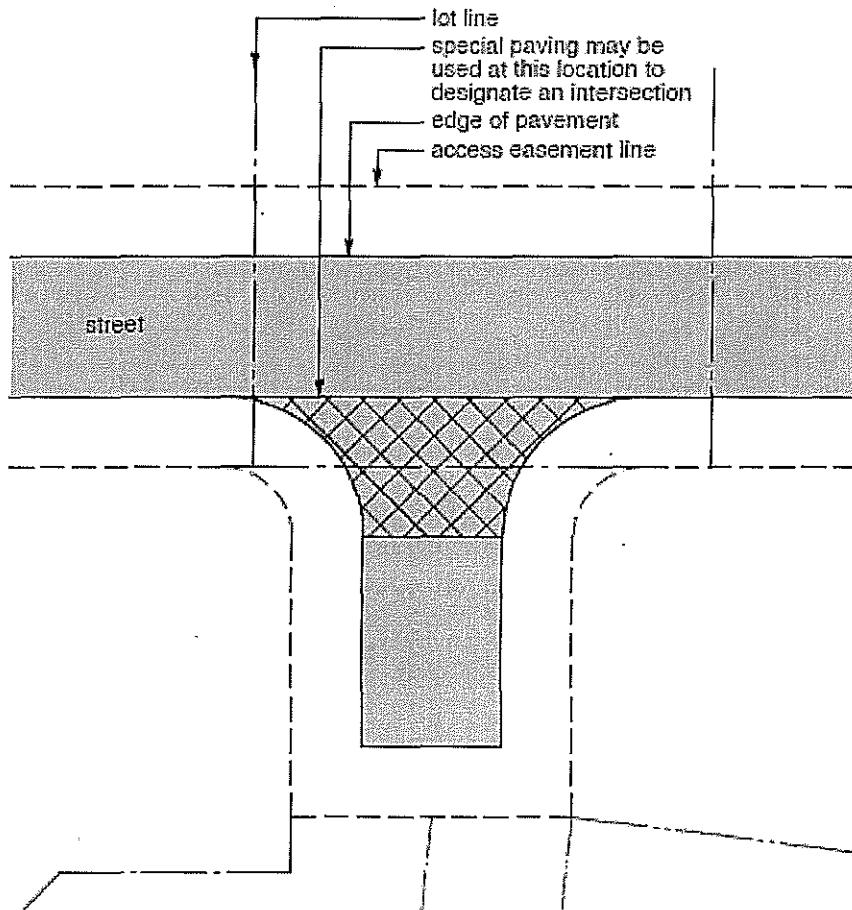


Figure 14: Special Paving

