

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0176-00

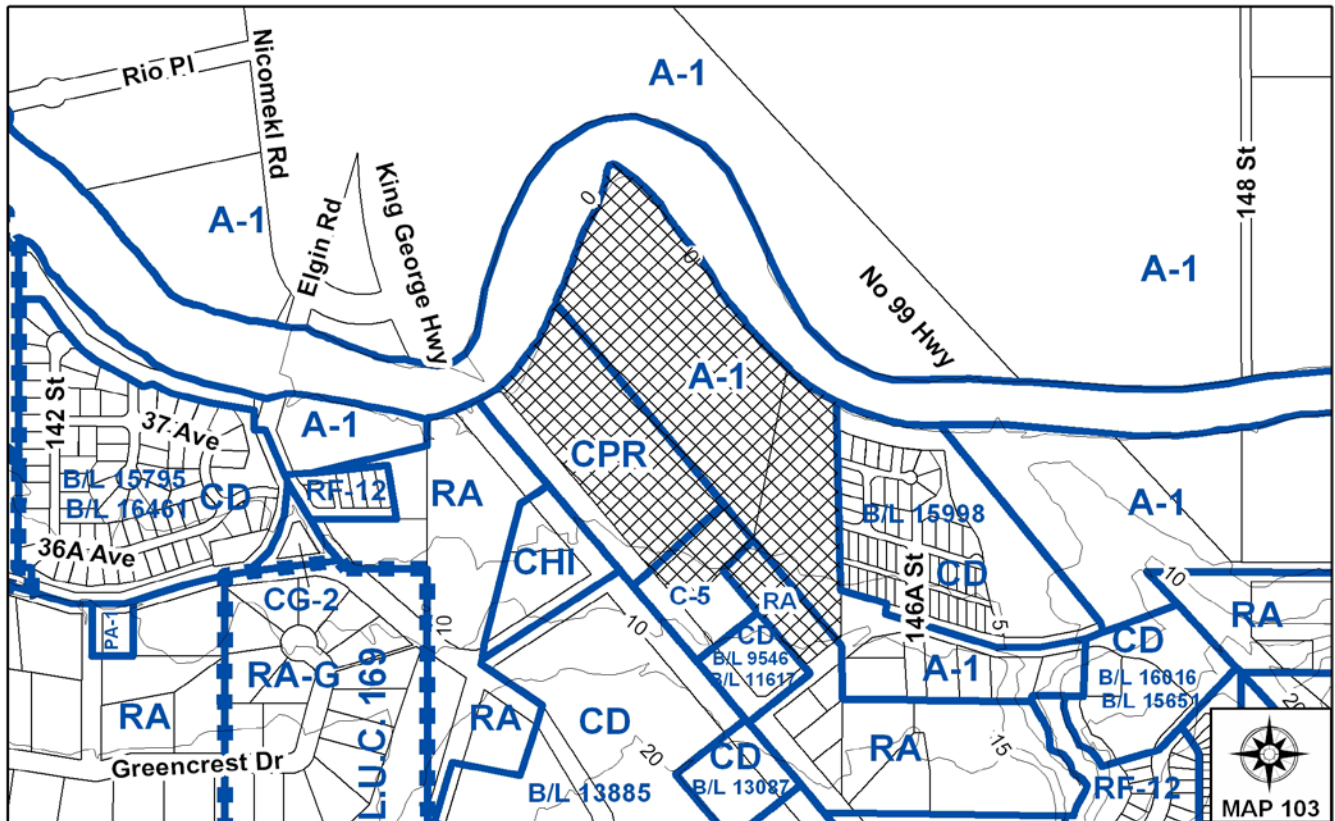
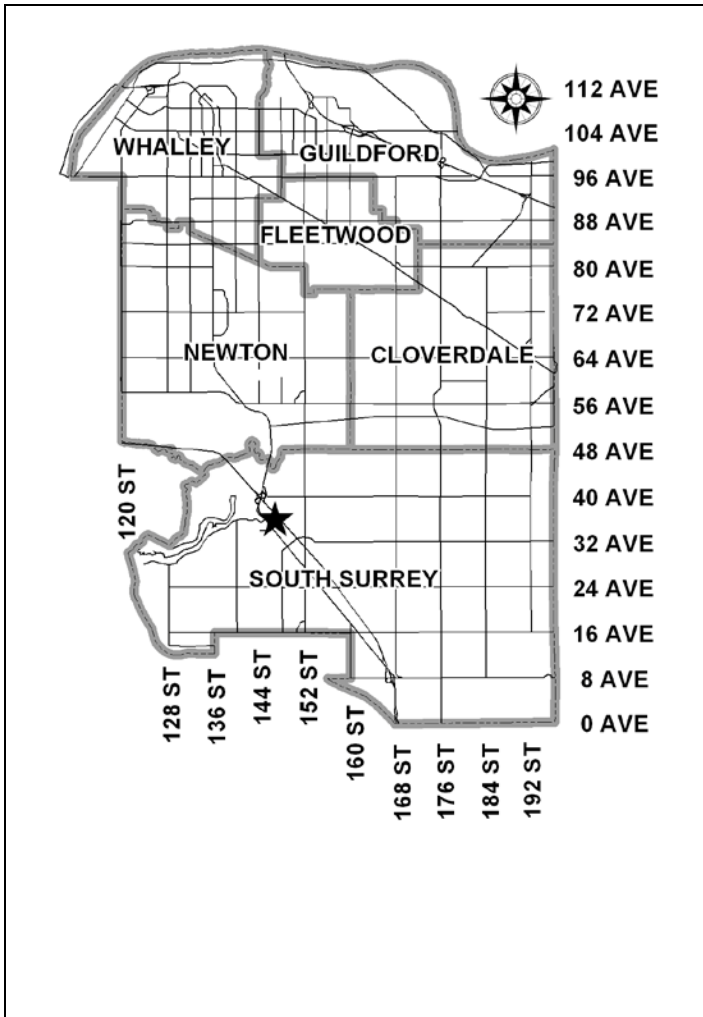
Planning Report Date: January 28, 2008

PROPOSAL:

- **OCF Amendment** from Suburban, Urban, Agricultural and Commercial to Multiple Residential
- **Rezoning** from CPR, A-1, RA and C-5 to CD
- **Encroachment** of the Agricultural Land Reserve for a road

in order to permit a comprehensive residential development consisting of two, 7-storey apartment buildings containing approximately 343 apartments, 66 townhouses and public open space.

- LOCATION:** 3590/3600 King George Highway and 14605 Winter Crescent
- OWNERS:** Gordon and Catherine Poirier et al
- ZONING:** A-1, RA, C-5 and CPR
- OCF DESIGNATION:** Suburban, Urban, Agricultural and Commercial
- LAP DESIGNATION:** Golf Course, Commercial, Recreational/ Residential and Related Uses



RECOMMENDATION SUMMARY

- Council refer the application back to staff to work with the applicant to reduce the proposed density from 0.67 to 0.5 Floor Area Ratio (FAR) as documented in this report, and that the amended proposal proceed to a detailed planning stage.

RATIONAL AND RECOMMENDATION

- The development proposal for the Riverside Golf Course and companion lands partially complies with the local area plan designation by providing a mix of apartments and townhouses clustered around a riverfront open space, similar to the Nicowynd Golf Course and Residential community. The proposal also offers a notable community benefit through the dedication of 4.2 Ha (10.4 acres) of riverfront park and construction of a public riverfront trail and associated amenities. Nevertheless, the proposal significantly departs from the allowable density parameters in the approved Land Use Plan. Given the magnitude of this departure, staff is seeking direction from Council regarding the proposed density and land use concepts associated with this proposal, prior to staff proceeding with the more detailed development application review process and steps.
- Based on the land use and density parameters in the LAP, staff is prepared to support a maximum density of **0.5 FAR**. The applicant is proposing an overall density of **0.67 FAR** and indicates that this density is necessary to allow the development to proceed. After evaluating the proposal and options, staff recommends that the applicant reduce the proposed density in keeping with the density parameters in the LAP, as documented in this report. Staff would continue to work with the applicant to develop a mutually agreeable plan and associated amenity package. This would ensure that the LAP is implemented as envisioned, and may result in a plan that is a more sensitive to the ALR interface and still allow a positive amenity package including some or all of the open space and waterfront trail improvements, to be realized.
- Accordingly, staff recommend that the application be referred back to staff to work with the applicant to reduce the proposed density to **0.50 FAR**, and that the amended proposal proceed to a detailed planning stage.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council refer the application back to staff to work with the applicants to reduce the proposed overall density from 0.67 to 0.5 Floor Area Ratio (FAR) as documented in this report, and that the amended proposal proceed to a detailed planning stage.

REFERRALS

Engineering and Parks, Recreation & Culture Departments: A summary of preliminary land development engineering, transportation and parks, recreation and culture issues associated with this development proposal are attached in Appendices III, IV and V.

SITE CHARACTERISTICS

Existing Land Use: Riverside Golf Course and Driving Range, Riverside Golf merchandise store and a single family dwelling with accessory structures.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North (Across Nicomekl River and Highway No. 99):	Agricultural lands in the ALR and the Surrey Park and Ride.	Agricultural	A-1
East:	Bare land strata single family subdivision under construction.	Urban/Clustering at Urban Single Family Density (8 upa)	CD
South:	Veterinary clinic and banquet facility.	Commercial/Commercial	C-5 and CD
West (Across King George Highway):	Automotive dealership and townhouses.	Urban	CHI and CD

PLAN AND POLICY COMPLIANCE

OCP DESIGNATION: Current Official Community Plan (OCP) designation is "Agricultural", "Urban", "Suburban" and "Commercial". The Proposal requires an OCP Amendment for portions of the site to "Multiple Residential" (Appendix VII).

LAP DESIGNATION: The King George Highway Corridor Land Use Plan (LAP) designation is "Golf Course", "Recreational Residential and Related Uses", which permits a combination of tourist commercial/recreational and residential uses with a form similar to the Nicowynd Golf Course, and "Commercial". The proposal is seeking an amendment to "Open Space", "Multi-Family Residential (Townhouse)" and "Multi-Family Residential (Apartment)" (Appendix VI).

PROJECT EVALUATION

Background and Site Context

- The subject site covers 3 properties on the east side of King George Highway, at the intersection of Crescent Road immediately south of the Nicomekl River. The combined site area is approximately 6.76 Ha (16.74 Acres).
- The first property at 14605 – Winter Crescent is currently split-zoned "General Agriculture Zone (A-1)" on the northern portion and "One-Acre Residential Zone (RA)" on the southern portion. This property is also split-designated in the Official Community Plan (OCP) "Suburban" on the northern portion and "Urban" on the southern portion. A single-family dwelling as well as some small accessory buildings currently occupies this property. This property is not in the Agricultural Land Reserve (ALR).
- The application also includes a portion of a second property at 3600 King George Highway, which is split-zoned "General Agriculture Zone (A-1)" on the eastern portion and "Commercial Recreation Zone (CPR)" on the western portion. This property is designated "Agricultural" in the OCP and is the site of the Riverside 9-hole Golf Course and Driving Range. This property is within the Agricultural Land Reserve (ALR). The application essentially only includes the golf course portion of the property and for the most part the driving range has been excluded from the application. The extent to which the driving range is included is limited to a small portion needed to accommodate the extension of Winter Crescent through to King George Highway as per the City's Transportation plan.
- The third property at 3590 King George Highway is currently zoned "Neighbourhood Commercial Zone (C-5)" and is designated "Commercial" in the OCP. This property is currently occupied by a Golf merchandise store (Riverside Golf Centre). This property is not in the Agricultural Land Reserve (ALR).
- The majority of the site, including the entire golf course and driving range property, as well as more than half of the property at 14605 Winter Crescent, is within the floodplain. The following table provides a summary of the properties that form part of this application:

Site Properties	Area	Zoning	Present Land Use	OCP	ALR	Floodplain
14605 Winter Crescent	2.08 Ha (5.15 Acres)	A-1 and RA	Single-Family Dwelling	Suburban and Urban	NO	PARTIAL
Portion of 3600 King George Highway	4.2 Ha (10.4 Acres)	A-1 and CPR	Riverside Golf Course (Par-3) (excludes Driving Range)	Agricultural	YES	YES
3590 King George Highway	0.48 Ha (1.19 Acres)	C-5	Riverside Golf Pro Shop	Commercial	NO	NO
TOTAL	6.76 Ha (16.74 Acres)					

Original Development Proposal

- The subject application was submitted on June 21, 2007. At that time, the applicant proposed to redevelop the site for a comprehensive residential development consisting of 2, 8-storey apartment buildings, 3, 4-storey apartment buildings, 88 single family small lots, and public open space. The proposal included an ALR exclusion to remove the golf course and driving range property from the ALR, and also involved substantial encroachment into the 200-year floodplain. (Appendix VIII)
- Staff expressed concerns in relation to the proposed encroachments on the floodplain and the proposed ALR exclusion. After reviewing the proposal with staff in both the Planning and Engineering Departments, and after receiving comments from the Agricultural Advisory Committee (AAC) regarding the proposed ALR exclusion, the applicant substantially modified the proposal as described below, including a slight reduction in density, elimination of the ALR exclusion application (with the possible exception of a small sliver of land created through the extension of Winter Crescent through to King George Highway), substantial reduction in the encroachment into the 200-year floodplain and increasing the public open space to be dedicated to the City. As part of this modification, redevelopment of the driving range portion of the site was excluded from the original proposal.

Current Proposal

- The applicant's current proposal is to redevelop the site for a comprehensive multi-family project consisting of 2, 7-storey apartment buildings containing approximately 343 apartment units, approximately 66, 3-storey townhouse units, and 4.2 Ha (10.4 Acres) of open space. The proposal requires an Official Community Plan (OCP) Amendment to redesignate the site from "Agricultural", "Suburban", "Urban" and "Commercial" to "Multiple Residential", as well as rezoning from "General Agriculture Zone (A-1)", "One-Acre Residential Zone (RA)", "Commercial Recreation Zone (CPR)" and "Neighbourhood Commercial Zone (C-5)" to a "Comprehensive Development Zone (CD)". A Development Permit is also required.
- As part of this application, the applicant proposes to dedicate the Riverside golf course property, excluding the driving range, which is approximately 4.2 hectares (10.4 acres) in area, to the City as public open space. This land is presently in the ALR. In addition, the applicant proposes to construct a public waterfront trail along the Nicomekl River, to the standards prescribed by the City's Parks, Recreation & Culture Department, which will connect with the public trail already

under construction on the property to the east. The applicant also proposes to dedicate and construct the missing section of Winter Crescent to connect through to King George Highway, as per the City's transportation plan.

- The applicant proposes to subdivide off, upgrade, and retain the existing driving range facility, which is in the ALR. Construction of Winter Crescent, and the waterfront trail, will reduce the size of the driving range and will require the existing driving range structures to be demolished and rebuilt in a slightly different location and alignment on the site. These adjustments will require authorization from the Agricultural Land Commission (ALC).
- It is noted that a minor ALR exclusion application may be required to exclude a small sliver of ALR land that could be created on the south side of the property at 3600 King George Highway through the extension of Winter Crescent through to King George Highway. The need for this minor ALR exclusion will not be known until the exact alignment and siting of the missing section of Winter Crescent is determined.

Preliminary Planning Report Approach

- The current proposal partially complies with the local area plan designation with respect to the proposed uses, and offers a notable community benefit through the dedication of a substantial riverfront open space in a prominent location at the entrance to South Surrey, and construction of the public riverfront trail and associated amenities. Nevertheless, the proposal represents a significant departure from the permissible density based on the approved LAP designation, as described in further detail below. Given the magnitude of this departure, staff do not recommend that the applicant proceed at this time through the normal detailed application review process and steps, which would require detailed technical studies and consultant work be completed, without certainty of the resulting density, which could make the project unviable in the end.
- To address this issue, staff has completed a preliminary planning report, including an evaluation of the density issue and a discussion of the possible alternatives. Preliminary information on key engineering, planning, and park issues are discussed below, however, detailed technical information and stakeholder agency and referral comments have not been provided in this analysis. Through this approach, staff is seeking direction from Council on the density and associated land use concepts associated with this proposal, prior to staff proceeding with the more detailed development application review process and steps.

Preliminary Referral Comments and Issues

- The proposed development has been discussed with staff from the Engineering Department and Parks, Recreation & Culture Departments. Preliminary information is provided below on key issues, including drainage and floodplain requirements, and ALR issues. Additionally, preliminary technical comments from Engineering Land Development, Transportation, and Parks, Recreation & Culture staff are included in Appendices III, IV and V.

Floodplain and Drainage Issues

- The subject application proposes some redevelopment within the 200-year floodplain of the Nicomekl River; however, this redevelopment is restricted to within the property at 14605 Winter Crescent. The development will be a minimum of 15.0 metres (50 ft.) from the top of bank of the Nicomekl River, which matches the setback from the river achieved for the neighboring bare land strata subdivision currently under construction to the east.
- Floodplain development is generally not permitted in accordance with Council direction; however, in this case, the City's drainage engineering staff have reviewed the proposal and are willing to allow an exemption for the proposed limited floodplain development at 14605 Winter Crescent to proceed, as some filling on this land was anticipated when the neighboring bare land strata subdivision to the east was approved, and due to the fact that additional filling would normally be permitted on this site to accommodate house construction, should the owner chose to demolish and rebuild the home.
- Nevertheless, complete mitigation of flooding and drainage impacts will have to be demonstrated, and the engineering department will require the proponent to address such issues with appropriate engineering analyses. Of particular importance will be the analysis of impacts to neighbouring properties including impacts to the existing driving range, which will remain under separate ownership. A Right to Flood Covenant will be required on the driving range site, and additionally, a Section 219 Restrictive Covenant will be required to be registered on the title of all properties within the 200-year floodplain informing potential buyers of the long term risk associated with flooding on this site.

Agricultural Land Reserve (ALR) Considerations

- The current proposal does not propose any redevelopment within the ALR. However, in order to sever the existing driving range, and accommodate the proposed extension of Winter Crescent and public open space dedications, a subdivision within the Agricultural Land Reserve (ALR) and possibly a minor ALR exclusion, will be required. City staff has also discussed the status of the existing driving range with the ALC and has determined that, although a driving range facility is no longer a permitted use in the ALR, the subject driving range is considered to be a grandfathered use. As such, the owner can apply to rebuild the driving range structures, after road and trail construction, provided that the building footprint is not increased in size, subject to input and approval from the ALC.
- As part of the more detailed application review process, this application will have to address ALR interface requirements, including City Policy O-23 (Residential Buffering Adjacent to the ALR/Agricultural Boundary). On preliminary analysis, the proposal violates the policy, as the development will exceed the allowable density permitted along the edge of ALR; however, there are several mitigating factors including the fact that this ALR land will be public open space and not farmed, and the location of the Nicomekl River as a significant boundary to the agricultural lands to the north.

- Nevertheless, the application would be presented to the City's Agricultural Advisory Committee (AAC) for comment on the proposed interface with adjacent ALR lands in relation to the existing Policy, and the applicant will also need to consult with the provincial Agricultural Land Commission (ALC) regarding the proposed subdivision, and driving range reconstruction, and follow all typical approval procedures.
- Should the application proceed to a detailed planning stage, detailed formal comments and procedural requirements and referrals will be required from applicable City Departments, as well as outside agencies, including but not limited to the ALC, AAC, the Ministry of Transportation, Department of Fisheries, and the Surrey School District.

Local Area Plan Designation and Allowable Use and Density Parameters

- The 1995 King George Highway Corridor Plan (LAP) designates the site for a variety of uses, including "Golf Course", "Recreational Residential and Related Uses", and "Commercial". The "Recreational Residential and Related Uses" designation envisioned uses similar to the Nicowynd golf course and residential community on Crescent Road west of Elgin Road, which contains 132 residential apartment units clustered at the edge of a 9-hole golf course. The Golf Course and Driving Range are designated "Golf Course" in recognition of the existing use, and assumes that this use would remain due to the floodplain and ALR designations. The proposal would require an LAP amendment to "Open Space", "Multi-Family Residential (Townhouse)" and "Multi-Family Residential (Apartment)" in the LAP.
- The proposed use features townhouses and apartment units clustered around a public open space. Generally speaking, although an LAP amendment is required, the residential mix of apartments and townhouses clustered at the edge of an open space could complement the variety of residential uses in the area, and would achieve the clustering concept similar to Nicowynd. The proposed riverfront park, and waterfront trail, would also be in keeping with the land use objectives of the LAP, which envisioned the golf course open space to remain, including public recreational opportunities. Overall, the proposal has merit relative to the approved LAP land use designations.

Allowable Density Parameters

- The LAP does not establish an allowable density for the subject site, therefore an evaluation of each subject property, its land use designation and corresponding zone, has been undertaken to establish the equivalent density for the proposed uses, as noted below:
 - ***14605 Winter Crescent-*** The site is designated "Recreational Residential and Related Uses" which is described in the plan as "a comprehensive development that combines tourist commercial/recreational and residential uses similar to the Nicowynd Golf Course development". The Nicowynd project contains 132 residential apartment units. The main floor units are ground oriented. The remaining units are in the form of a 3-storey apartment building. As a reference, a combination of the Multiple Residential 30 Zone (RM-30), with a maximum density of 0.9 Floor Area Ratio (FAR), and the Multiple Residential 45 Zone (RM-45), with an FAR of 1.3 is deemed to be applicable. Based on these comparisons, an allowable density of up to 1.1 FAR has been set for this site.

- **3600 King George Highway-** The golf course site is within the floodplain and the ALR, and therefore was identified to remain under their present use; however, as part of the proposal, these properties can be deemed to be the golf course component similar to Nicowynd, as per the property at 14605 Winter Crescent. These uses could be accommodated within the CPG Zone, and would include an equivalent density of 0.10 FAR.
- **3590 King George Highway-** This property is designated "Commercial" and has been assumed at a density of 0.80 FAR, in keeping with the allowable corresponding zoning of C-8.
- Based on these land use and density parameters, an overall Floor Area Ratio (FAR) density range for the total site was calculated, as follows:

Site Properties	Area	Local Area Plan Designation	Corresponding Zoning	Maximum Allowable Density
14605 Winter Crescent	2.08 Ha (5.15 Acres)	Recreational Residential and Related Uses Similar to Nicowynd	RM-30/RM-45	1.1 FAR
Portion of 3600 King George Highway (excluding driving range)	4.2 Ha (10.4 Acres)	Golf Course or Commercial/Recreational and Residential Uses Similar to Nicowynd	CPG	0.10 FAR
3590 King George Highway	0.48 Ha (1.19 Acres)	Commercial	C-8	0.80 FAR
TOTAL SITE	6.76 Ha (16.74 Acres)			0.47 FAR

- The analysis indicates that the maximum allowable density based on the adopted plan designations, assuming application of equivalent zones and corresponding densities within the Zoning By-law, would be 0.47 Floor Area Ratio (FAR).
 - Max. Allowable Density: 0.47 FAR 31,000 sq. metres (330,000 sq. ft.)
 - Max. Supportable Density: 0.50 FAR 33,000 sq. metres (350,000 sq.ft.)
 - Proposed Density: 0.67 FAR 44,000 sq. metres (475,000 sq. ft.)
 - Density Difference: 0.17 FAR 11,000 sq. metres (125,000 sq. ft)**
- The surrounding lands are designated "Cluster Housing" with a corresponding density range of approximately 0.5 FAR, which is a reasonable guide for the residential density allowed on sites within these designations. Therefore, Planning and Development is prepared to support a maximum FAR of 0.5 for the overall development of the site.
- Based on the above analysis the proposal exceeds the maximum supportable floor area by approximately 11,000 sq. meters (125,000 sq. ft.).

EVALUATION OF OPTIONS

- The applicant has indicated that the proposed density of **0.67 FAR** is necessary to allow the development to proceed, including the dedication of parkland to the City. While staff would be willing to consider a maximum density ceiling of **0.5 FAR**, the proposal far exceeds the allowable density based on the approved plan designations. This issue is significant in that a reduced density may jeopardize the entire project. In addition, while the proposal exceeds the

density parameters in the approved LAP, staff recognize the substantial community benefits of the proposal, including the dedication of substantial amount of parkland in a prominent, riverfront location, as well as completion of the riverfront trail around the existing golf course, connecting the Pioneer Trail to King George Highway and eventually to Crescent Beach.

- The following discusses the options available to Council to proceed with the proposal, including the positive and negative implications of each alternative:

Option 1- Proceed with the Applicant's Proposal With a Density of 0.67 FAR

- This option would allow the applicant to proceed to a detailed planning stage for this proposal based on a maximum density of **0.67 FAR**.

Pros:

- The proposal reflects the "Nicowynd" development concept, which clusters development at the edge and retains large open spaces along the waterfront;
- The proposal adheres to the request by the Surrey Agricultural Advisory Committee (AAC) to be entirely outside the ALR (except for a small sliver of land needed for the extension of Winter Crescent as reflected in the City's road network plan);
- The proposal minimizes encroachment into the floodplain, and encroaches only within a small area, as authorized by the Engineering Department;
- The proposal results in dedication to the City of approximately 10.4 Acres of Parkland at a prominent riverfront location at the gateway of South Surrey, which is considered a significant community benefit;
- Construction of the Riverfront Trail connecting the Pioneer Trail to King George Highway, and eventually to Crescent Road, will be achieved;
- Construction of the road connection of Winter Crescent to Crescent Road, including a sanitary sewer line serving the Winter Crescent area, will be completed; and
- The proposal will establish a unique and prominent development at the gateway to South Surrey, including apartment buildings clustered around a riverfront park.

Cons:

- The applicant has indicated that the proposed density is required to pay for the high cost of the land. In principle, increasing the FAR beyond the density permissible in the approved plan designations and establishing a density based primarily on what a developer can pay for land is an undesirable approach;
- The proposed density far exceeds the typical densities associated with the uses approved under the LAP, and may result in an intensity of development that is out of scale with the area;

- The proposal exceeds the permissible density adjacent to the ALR, as per City Policy O-23 (Residential Buffering Adjacent to the ALR/Agricultural Boundary).
- The City has indicated that to achieve closer to the desired density, the applicant should also dedicate the driving range portion of the site as open space. This would also provide a greater community benefit. Should Council support the proposed density, the City's ability to further negotiate this issue and the total amenity package would be compromised.

Option 2- Require the Applicant to Reduce the Density to 0.50 FAR

- This option would require the applicant to adhere to the general parameters of the plan by reducing the density to a maximum of **0.50 FAR** before proceeding to a detailed planning stage. This could be achieved by increasing the site area through inclusion of the Riverside Driving Range as part of the park dedication area.

Pros:

- Adhering to the LAP would ensure the plan is implemented as envisioned, and will ensure that a consistent application of land uses and densities is maintained based on adopted plans;
- A density reduction may create a more acceptable plan by creating lower buildings and a more sensitive development form and ALR interface, and may still allow the proposed amenities and open space to be secured; and
- The density proposed is required to finance the high purchase price of the land, which appears to far exceed the actual market value, given the fact that the golf course and driving range are encumbered by floodplain and the ALR; therefore, the density reduction will ultimately help to lower the price of the land to a more realistic level.

Cons:

- Should Council opt for this option, the developer may amend the proposal and proceed with a reduced density, or he may withdraw the application. In the latter case, the City may not receive the proposed community benefits, including the 10.4-Acre riverfront park at a prominent location at the entrance to South Surrey, or the completion of the riverfront trail.
- Based on the above evaluation, staff recommend that Council endorse the general LAP density parameters of **0.50 FAR**, and refer the applicant back to staff to proceed with the detailed planning stage for the subject proposal based on a reduced density of 0.5 FAR. Staff will continue to work with the applicant to find a mutually agreeable development and associated amenity package based on the LAP parameters.
- In addition to completing the detailed review and referral process with internal and external stakeholders, as part of the detailed planning stage, public consultation will be undertaken, including pre-notification, and the applicant will be required to hold a Public Information Meeting (PIM) on the revised proposal.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Site Plan, Conceptual Building Elevations and Perspective
- Appendix III. Land Development Engineering Summary
- Appendix IV. Transportation Summary
- Appendix V. Parks, Recreation & Culture Summary
- Appendix VI. King George Highway Corridor Plan (LAP)
- Appendix VII. Proposed OCP Amendment Plan
- Appendix VIII. Original Development Proposal Plan

Jean Lamontagne
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DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed CD
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total (excluding driving range)		65,638 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		34%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front		
Rear		
Side #1 (N,S,E, or W)		
Side #2 (N,S,E, or W)		
Side #3 (N, S, E or W)		
BUILDING HEIGHT (storeys)		
Principal		7 storeys
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		409
FLOOR AREA: Residential		43,898 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		43,898 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed CD
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR		0.67
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		