# **STAFF REPORT**

**Case No.** 0316-06 **HTE No.** 15-10000057

Planning Commission Hearing Date: April 6, 2016

Applicant & Legal Description	Applicant/Owner: Yun-W. Hwang Representative: Robert Cardenas Legal Description/Location: Lot 1-B, Block 1, Padre Island No. 1, together with that portion of Estrada Drive (now closed), adjacent to said Lot 1-B, Block 1, Padre Island No. 1, located on the north side of Ambrosia Street between Scallop Street and Indigo Street.			
Zoning Request	From: "RM-3" Multifamily 3 District To: "RS-TH/PUD" Townhouse District with a Planned Unit Overlay Area: 0.23 acres Purpose of Request: To allow construction of a townhouse development.			
		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"RM-3" Multifamily 3	Vacant	Low Density Residential
Existing Zoning and Land Uses	North	"CR-2/IO" Resort Commercial with an Island Overlay	Commercial and Vacant	Tourist
	South	"RS-6" Single-Family 6	Low Density Residential and Vacant	Low Density Residential
Existi L	East	"RS-TH/PUD" Townhouse with a Planned Unit Overlay	Medium Density Residential	Medium Density Residential
	West	"RS-TF" Two-Family	Medium Density Residential	Low Density Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and is planned for low density uses. The proposed rezoning to the "RS-TH/PUD" Townhouse District with a Planned Unit Overlay is not consistent with the adopted Future Land Use Map, but consistent with the Mustang-Padre Island Area Development Plan.  Map No.: 029028 Zoning Violations: None			

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**Transportation and Circulation**: The subject property has approximately 60 feet of street frontage along Ambrosia Street, which is a Local Residential street.

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Ambrosia Street	Local Residential	50' ROW 28' paved	55' ROW 25' paved	N/A

#### Staff Summary:

**Requested Zoning**: The applicant is requesting a rezoning from the "RM-3" Multifamily 3 District to the "RS-TH" Townhouse District with a Planned Unit Development Overlay to allow construction of a townhouse development.

**Development Plan:** The applicant is proposing to develop four adjoining townhome units resulting in a dwelling unit density of approximately 17.4 units per acre. Two common area lots are included for open space. The development is proposed to be served by an access easement which will also include utility easements to serve the proposed development. The townhome units are proposed to be two-story with a portion of each of the first floor areas designed as a two-car garage. Each townhome unit will provide for an average of approximately 1,100 square feet of living space per story. The proposed development includes short-term rentals as an allowed use.

Minimum Dimensions	"RS-TH" District Standards	Proposed PUD	Deviation
Lot Area	20,000 SF	10,053.94 SF	<u>Yes</u>
Minimum Lot Width	26	33 ft.	No
Front Yard	10 ft.	3 ft.	<u>Yes</u>
Side Yard	0 ft.	0 ft.	No
Rear Yard	5 ft.	5 ft.	No
Building Separation	10 ft.	N/A	No
Open Space	30%	18.26%	<u>Yes</u>
Maximum Height	45 ft.	30 ft.	No
Paved Street Width	28 ft.	20 ft.	<u>Yes</u>
Curb Type	6-in. curb & gutter	None	<u>Yes</u>
Parking Requirement	1.5/ unit(1 bedroom) 2/ unit (2 bedroom) 1/5 units (guests)	1.5/ unit(1 bedroom) 2/ unit (2 bedroom) 1/5 units (guests)	No
Sidewalks	5 ft. on both sides or 6 ft. on both sides of private street	6 ft. on one side of private street	No

**Existing Land Uses & Zoning**: The subject property is zoned "RM-3" Multifamily 3 and is vacant land. North of the property is zoned "CR-2/IO" Resort Commercial with an Island Overlay and consists of commercial uses and vacant land. South is zoned "RS-6" Single-Family and consists of low density residential uses and vacant land. The east and west properties consist of medium density residential uses and are zoned "RS-TF" Two-Family to the west and "RS-TH/PUD" to the east.

**AICUZ:** The subject property is <u>not</u> located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The subject property must be replatted in accordance with the PUD.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Mustang Padre Island Area Development Plan (ADP). The proposed rezoning to the "RS-TH/PUD" Townhouse District with a Planned Unit Overlay is consistent with the Mustang Padre Island Area Development Plan but not consistent with the Future Land Use Map designation of the property as low density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Planned Unit Development and other creative land planning techniques should be encouraged (Residential Policy Statement K).
- Tourist-oriented business and development will continue to be encouraged and promoted by all agencies of the City as illustrated on the Future Land Use Map. This includes commercial ventures, condominiums and resorts, fishing and outdoor recreation facilities, and recreational vehicle parks (Policy Statement B.2).
- The City will continue to protect residential neighborhoods from encroachment of non-residential uses unless the negative effects of the non-residential uses are eliminated or significantly mitigated (Policy Statement B.13).

#### **Department Comments:**

- The proposed rezoning is consistent with the Comprehensive Plan and the Review Criteria for a PUD rezoning set forth in the UDC.
- The development is in harmony with the character of the surrounding area.
- The development offers an alternative in housing types.
- The development as proposed is orderly with respect to the area and community.
- The development has a plan for the separation of vehicular and pedestrian traffic.
- The development will include the timely provision of utilities, facilities and services.
- The proposed rezoning is compatible with the present zoning and conforming uses
  of nearby properties and to the character of the surrounding area. This rezoning
  does not have a negative impact upon the surrounding neighborhood.
- The subject property is suitable for the uses proposed by this rezoning.
- This PUD utilizes decreased lot sizes, decreased front yards, decreased open space requirement and, decreased street width, while reducing building height, and meeting the rear yard and parking requirements.

- Infill development should be encouraged at this site. PUDs allow flexibility for attractive, efficient design and can often reduce infrastructure installation and maintenance costs to the city. PUDs can encourage development on difficult sites.
- Staff finds that the proposed deviations are acceptable.
- The subject property is located in a "Vinyl Not Allowed" area.

#### **Staff Recommendation**:

Approval of the change of zoning from "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay with the following conditions:

- 1. Planned Unit Development Guidelines and Master Site Plan: The Owners shall develop the Property in accordance with the Island Bay Townhomes, Padre Island No. 1 Planned Unit Development (PUD) Guidelines and Master Site Plan. The development of the Property is to consist of four townhouse units and common area amenities and shall be constructed in one phase. The PUD shall allow short-term rentals being less than 30 days.
- 2. **Dwelling Units per Acre**: The density of dwelling units on the Property shall not exceed 17.4 dwelling units per acre.
- 3. **Building Height**: The maximum height of any structure on the Property is 30 feet.
- 4. Parking: The property must have a minimum of 10 standard parking spaces (9 feet wide by 18 feet long). Parking is prohibited within the private-street and pedestrian walkways. Two parking spaces within the garage shall be made available at all times and shall not be impeded with personal storage.
- 5. **Setbacks and Lot Width**: Minimum 3-foot wide front yard setbacks shall be provided for each lot along the private street. Minimum rear yard setbacks for all lots shall be five feet. Minimum width for townhouse lots shall be 33 feet.
- 6. **Open Space**: The Property must maintain a minimum of 18.26% open space. Any surfaces constructed within the required open space must be constructed of pervious material.
- 7. **Private Street Access**: The two-way private access drive shall not be less than 20 feet and shall be striped to indicate "Fire Lane/No Parking."
- 8. **Pedestrian Access**: A minimum six-foot wide sidewalk shall be constructed along one side of the private street.
- 9. **Time Limit**: Construction of the development shall commence within 24 months from the date this modified Planned Unit Development ordinance is approved by the City Council.

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Number of Notices Mailed – 26 within 200-foot notification area

5 outside notification area

As of March 30, 2016:

In Favor – 0 inside notification area

- 0 outside notification area

In Opposition – 0 inside notification area

- 0 outside notification area

Totaling 0.00% of the land within the 200-foot notification area in opposition.

#### **Attachments:**

- 1. Location Map (Existing Zoning & Notice Area)
- 2. Island Bay Townhomes, Padre Island No. 1 Planned Unit Development (PUD) Guidelines and Master Site Plan.
- 3. Application
- 4. Public Comments Received (if any)



# REZONING APPLICATION

Case No.: 0316-06 Office Use Only \_\_\_\_ Map No.: \_\_\_ 4/6/16 PC Hearing Date: \_\_\_\_Proj.Mgr:\_\_\_ Hearing Location: City Hall, Council Chambers, 1201 Leopard Street Development Services Dept. Hearing Time: 5:30 p.m. P.O. Box 9277 Corpus Christi, Texas 78469-9277 \* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING. \* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED. (361) 826-3240 Located at 2406 Leopard Street YUN -WONE HWANG Contact Person: YUN-WONE State: TX 71P. 112/118 Phone: (361) 816-YUN-WONE HWANG Contact Person: YUN WONE HWANG Mailing Address: 1147 SACT CAY #103 \_\_\_\_\_ State: TX ZIP: 1844 Phone: (36/ 576-998) E-mail: 3. Subject Property Address: 141 02 AmBROSIA ST Area of Request (SF/acres): 23 Ac /10056 5.F Current Zoning & Use: RS-TH/PUD 12-Digit Nueces County Tax ID: 6 | 25 - 00 01 - 0121 Subdivision Name: PADRE ISLAND No. 1 Block: Lot(s): 13 Legal Description if not platted: Vol. 13 , PAGE 17 4. Submittal Requirements: Early Assistance Meeting: Date Held 10-9-15; with City Staff STEVEN RHEA ☐ Land Use Statement ☐ Disclosure of Interest ☐ Copy of Warranty Deed IF APPLICABLE: Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) ☐ Site Plan for PUD or Special Permit ☐ Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) N/A□ Lien Holder Authorization Appointment of Agent Form if landowner is not signing this form I certify that I have provided the City of Corpus Christi with a complete application for review; that I am authorized to initiate this rezoning as or op behalf of the Property Owner(s); and the information provided is accurate gent's Signature HWANG UN-WONE Owner or Agent's Printed Name Office Use Only: Date Received: 9/18/15 Received By: \_\_\_\_\_ No. Signs Required \_\_\_\_1 @ \$10/sign Sign Posting Date:

#### APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request. Name of Agent: TEXASGE TECH, ENGINEERING & LAND SURVEYING, THE, Mailing Address: 5525 5, STAPLES ST., SUITE BZ City: Corpus CHRISTI State: TX Zip: 78411 Home Phone: ( ) Business Phone: (36) ) 993 70808 Cell: (36) ) 876 - 399/ I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to: Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf: consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is a reference to the entity. \*Signature of Agent: KOD LT Printed/Typed Name of Agent: KOBEDTO CADDENAS Date: 9/18/15 \*Signature of Property Owner: Title: OWNER Printed/Typed Name of Property Swner: YUN-W HWANG Date: 19 50016 ✓\*Signature of Property Owner: \_\_\_\_\_\_ Title: \_\_\_\_\_\_

Title: \_\_\_\_\_\_ Title: \_\_\_\_\_\_ Printed/Typed Name of Property Owner: \_\_\_\_\_\_\_ Date: \_\_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_\_ Title: \_\_\_\_\_

<sup>\*</sup>Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.

# LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

The purpose of this request is to change the zoning of this property from RM-3 to RS-TH.

The property is a platted lot, fronting on Ambrosia Street, and is currently vacant. The existing property to the east is occupied by two four unit townhome structures. The existing property to the south, across Ambrosia Street, consists of a single family residential subdivision. The existing property to the west is occupied by a four-plex residential unit. The existing property to the north is partly vacant and partly commercial use.

The proposed use of the property includes the construction of a single structure containing four townhome units. The structure will be oriented on the lot so as to allow a 24 foot wide vehicular access drive, and a 5 foot width sidewalk along its front. The entire 29 foot width of the drive and sidewalk will be dedicated as an access and utility easement. Common or green space will be provided at front and rear of the lot.

The four townhome units will be two story design, with approximately 1,100 square feet of enclosed space on each floor. The first floor of each unit will include garage space to accommodate two vehicles per unit. An additional outside parking space will be provided to meet the total nine parking spaces required. The mean roof height of the building will be approximately 22 feet.

Identify the existing land uses adjoining the area of request:

North	Commercial	
South	Low Density Residential	
East	Medium Density Residential	
West	Medium Density Residential	



#### **DISCLOSURE OF INTERESTS**

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. <u>Every question must be answered</u>. If the question is not applicable, answer with "NA".

E YUN-WORE HINDING	
ET: 15421 SAUT CAY # 103 CITY:	Corpus christi zip: 18418
is: Corporation Partnership Sole C	Owner Association Other
DISCLOSU	RE QUESTIONS
tional space is necessary, please use the reverse	side of this page or attach separate sheet.
	City of Corpus Christi having an "ownership interest"
N/A	Job Title and City Department (if known)
ate the names of each "official" of the Cit	ty of Corpus Christi having an "ownership interest" above named "firm".
me	Title
N/A	
nstituting 3% or more of the ownership in the a	Board, Commission, or Committee
te the names of each employee or officer of a any matter related to the subject of this contr. re of the ownership in the above named "firm" ge HWANG	"consultant" for the City of Corpus Christi who worked act and has an "ownership interest" constituting 3% or .  Consultant
fy that all information provided is true and correct ald disclosure of any information requested: and the	IFICATE as of the date of this statement, that I have not knowingly nat supplemental statements will be promptly submitted to i, Texas as changes occur.
The state of the s	DISCLOSUS  Simple Corporation Partnership Sole Corporation Partnership in the Corporation Partnership In th



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NAME: TEXAS GEOTECH ENGINEERIN	YS FLAMD SURVEYING, INC.		
STREET: 55256. STAPLES CITY: COR	PUS (HRYSTI TX. ZIP: 7841)		
STREET: 5525 G. STAPLES CITY: CORP FIRM is: Corporation Partnership Sole Owner	Association Other		
DISCLOSURE QI			
If additional space is necessary, please use the reverse side of	. •		
<ol> <li>State the names of each "employee" of the City of constituting 3% or more of the ownership in the above</li> </ol>			
Name A A	Job Title and City Department (if known)		
2. State the names of each "official" of the City of constituting 3% or more of the ownership in the above.	e named "firm".		
Name  MA	Title		
3. State the names of each "board member" of the City constituting 3% or more of the ownership in the above Name			
4. State the names of each employee or officer of a "con on any matter related to the subject of this contract a more of the ownership in the above named "firm".	nsultant" for the City of Corpus Christi who worked and has an "ownership interest" constituting 3% or		
Name W/A	Consultant		
CERTIFICA  I certify that all information provided is true and correct as of withheld disclosure of any information requested; and that su the City of Corpus Christi, Text	the date of this statement, that I have not knowingly upplemental statements will be promptly submitted to kas as changes occur.		
Signature of Certifying Person:	Title: PRESIDENT  Date: 9-28-2015		

# Planned Unit Development for:

# Island Bay Townhomes, Padre Island No. 1

Padre Island, Corpus Christi, Texas

Mr. Yun-wone Hwang, Owner

Submitted By:

**TexasGeoTech** 

Engineering & Land Surveying, Inc.



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# **Location Map**



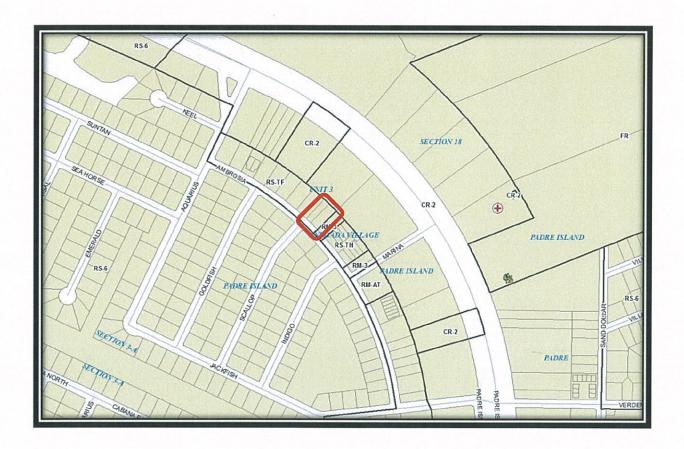
#### **General Information**

The proposed Planned Unit Development (P.U.D.) falls within the area of the City included in the Mustang-Padre Island Area Development Plan. Existing and future land uses within the area include undeveloped properties, single family and two family residential use, townhouse, condominium, and apartment uses, and various neighborhood and medium density commercial uses. Development of most property within the area must meet the "Island Overlay" building standards in addition to the the City's standard development codes.

The Island Bay Townhomes Planned Unit Development provides for the platting and development of Lot 1-B, Block 1 of the Padre Island No. 1 Subdivision and the adjoining tract of land resulting from the closing of a section of Estrada Drive. The total area of the property is approximately 10,056 square feet. The P.U.D. includes four adjoining townhome units or lots, resulting in a dwelling unit density of approximately 17.4 units per acre. Two common area lots are also included to allow for green space, and another lot is dedicated as a private vehicular and pedestrian access easement to the proposed townhome units. The access easement also serves as a utility easement for water and wastewater service to the development. The townhome units proposed are two story, with a portion of each of the first floor areas designed as a two car garage. The remaining portion of the first floor and the second floor are designed as living space. The townhome units as designed provide for an average of about 1,100 square feet of enclosed space per floor.

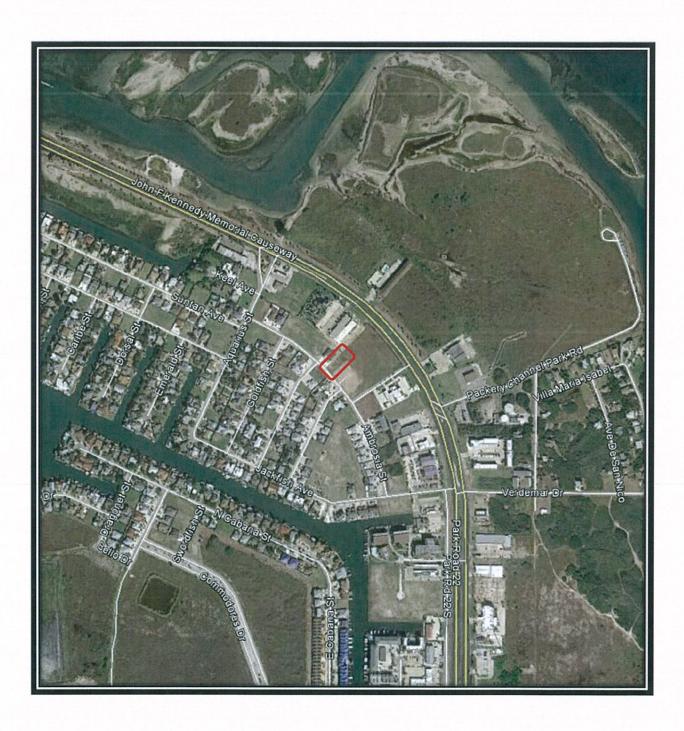
#### **Current/Adjacent/Proposed Zoning**

The property included within the proposed P.U.D. is currently zoned for residential two family use (RM-3). Properties surrounding the proposed P.U.D. are currently zoned two family residential (RS-TF) to the west, single family residential (RS-6) to the south, townhome planned unit development (RS-TH/PUD) to the east, and general business district (CR-2) to the north. Re-zoning to RS-TH/PUD will result in a use type and density comparable to the adjoining properties to the east and west, and will provide for a transitional use between the single family residential use to the south and the commercial use to the north.



# **Property Description**

Lot 1-B, Block 1. Padre Island No. 1, as shown on the Map or Plat recorded in Volume 13, Pages 1-8, Map Records Nueces County Texas, together with that portion of Estrada Drive (now closed) adjacent to said Lot 1-B by Commissioner's Court Minutes for September 10th, 1968 recorded Volume 15, Page 376, Commissioners records Nueces County Texas.



# **Deviations Table for Island Bay Townhomes P.U.D.**

	UDC Requirement	Island Bay
Standard	(Section 4.4.3.A)	Townhomes
Min Site Area (sq.ft.)	20,000	10,053.94
Min. Area per dwelling,	,	·
Front Access (sq.ft.)	2,600	1,990
Min. Dwelling Unit Width (ft.)		
Front Access	26	33
Min. Yard (ft.)		
Street	10	3' Kingfish Drive
Min. Yard (ft.)		
Side (single)	0	0
Min. Yard (ft.)		
Side (total)	0	0
Min. Yard (ft.)		
Rear	5	5
Min. Building Separation (ft.)	10	0
Min. Open Space	30%	18.26 % **
Max. Height (ft.)	45	30
Parking Requirement	2.2 spaces/unit	2 per unit + 2 guest
(7.2.2.B)		(10 total)
Sidewalks (8.2.1.B)	4' on both sides of street	6' on one side of street
Unit Density (unit/acres)	N/A	17.4
Overnight Accomodation	N/A	No Building Site may be
		leased or rented for less than
		7 days. Per Article IX, Section
		12 of the Declarction of
		Covenants, Conditions and
		Restrictions for Island Bay
		Townhomes
Street Section Width (8.2.1.B)	28'	20′

<sup>\*\*</sup> Open space area deficiency has been compensated for by including common area amenities such as the designated dog run area, permanent park bench, and permanent picnic table, as well as by providing higher landscaping value to the common areas than that required for the development.

#### **Development Guidelines for the Island Bay Townhomes P.U.D.**

#### Residential Lots 1R through 4R, Block 1

1. Usage

2.	Lot size	Minimum	1,270 s.f.
		Maximum	1,410 s.f.
3.	Lot width	Minimum	33.17 ft.
		Maximum	33.17 ft.
4.	Front yard requirement	Kingfish Dr.	3 ft.
5.	Rear yard requirement		5 ft.
6.	Building height	2 stories requi	ired and maximum, 30 ft. roof peak
7.	Building area (both floors combined)	Minimum	1,990 s.f.
		Maximum	2,200 s.f.
8.	Parking requirements	2 parking space	es per unit, plus 2 common guest spaces

Single Family Residential, Townhome

Parking requirements
 Improvements
 Improvements
 All construction is to meet Island Overlay requirements. structures and appurtenances shall not extend beyond applicable yard, easement, or lot lines.

10. Maintenance Maintenance, repair, and replacement of all

improvements within the residential lots 1R, 2R, 3R, and 4R shall be the responsibility of the respective lot

owner.

#### Common Area Lots 6R and 7R, Block 1

Use
 Non-buildable lots. Dedicated for use as green areas with amenities such as picnic tables, etc. Use of area immediately adjacent to Lot 4 as a dog run is permissible with approval of Home Owner's Association

 Maintenance
 Maintenance, repair, and replacement of any Improvements or amenities within the common areas shall be the responsibility of the Home Owner's

Association.

#### **Private Access and Utility Easement**

Use

 Non-buildable lot. Areas to be used for private vehicular access drive, guest parking, pedestrian access sidewalk, and utility services.

 Parking

 Parking to be allowed in designated spaces only.
 Guest parking is to be clearly marked.

 Maintenance

 Maintenance within the access and utility easements shall be the responsibility of the Home Owner's Association.

# Lot Layout for Island Bay Townhomes P.U.D.

#### Legend:

Lot 1 - Townhome Unit

Lot 2 - Townhome Unit

Lot 3 - Townhome Unit

Lot 4 - Townhome Unit

Lot 5 - Access and Utility Easement

Lot 6 - Common Area

Lot 7 - Common Area



# Open Space Layout for Island Bay Townhomes P.U.D.

#### Open Space Calculation:

Total Property Area = 10,053.94 sq. ft.

Lot 6 = 906.81 Sq. Ft.

Lot 7 = 167.44 Sq. Ft.

Rear Yards = 662.14 Sq. Ft.

Front Yards = 99.51 Sq. Ft.

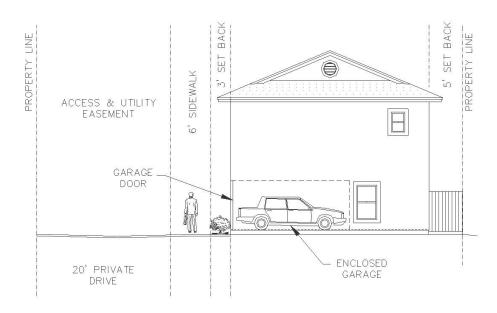
Total Open Space = 1,835.90 sq. ft. = 18.26 %

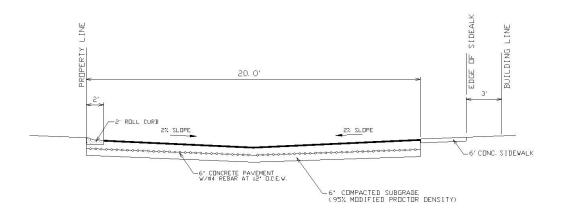


# Vehicular, Emergency Vehical and Pedestrian Acccess for Island Bay Townhomes P.U.D.

Vehicular, Emergency Vehical and pedestrian access for the four townhome lots and adjoining common space lots will be provided by a 20 foot width private access drive and adjoining 6 foot width sidewalk. The private access drive is less than 150 feet in length, and connects directly to Ambrosia Street. The entrance to the development will not be gated. Parking within the development will be limited to the garage spaces included within each townhome unit, as well as the 2 exterior common guest parking spaces.

#### **Typical Cross Section**







# **Parking Requirements**

NOTE: REQUIRED SPACES = 2.2 / LOT = 8.8 PROVIDED SPACES DENOTED 1 = 8 SPACES

(2) = 2 SPACES

TOTAL = 10 SPACES



