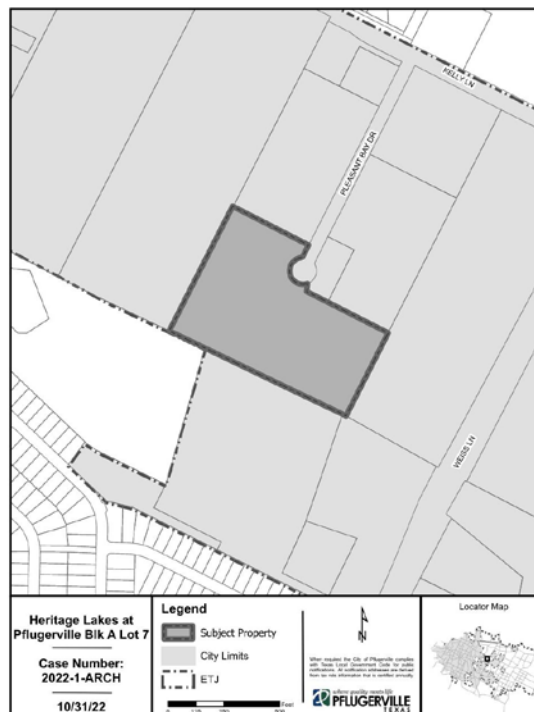


Planning and Zoning:	11/7/2022	Staff Contact:	Kristin Gummelt, Planner I
Agenda Item:	2022-1080	E-mail:	kristing@pflugervilletx.gov
Case No.	2022-1-ARCH	Phone:	512-990-6349

SUBJECT: Discuss and consider an application for an Architectural Waiver from Section 9.3.4, Parking and Garage Requirements, to reduce the number of required and integrated garages for an independent living facility located on Lot 7, Block A of the Heritage Lakes at Pflugerville Final Plat, generally located along Pleasant Bay Drive, west of Weiss Lane, south of Kelly Lane, east of Hidden Lakes Drive and north of Hidden Lake Crossing, more specifically addressed 18900 Pleasant Bay (2022-1-ARCH).

LOCATION:

The subject property is an approximately 9.861-acre tract of land known as Lot 7, Block A of the Heritage Lakes at Pflugerville Subdivision. The property is situated on the west side of Pleasant Bay Drive at the end of the cul-de-sac, generally located southwest of the intersection of Weiss and Kelly Lane. Heritage Lakes Independent Living is located at 18900 Pleasant Bay Drive. This subdivision consists of a developed assisted living facility, age-restricted attached townhomes, and is proposed for an independent living facility through site plan 2022-2-SP. Additionally, there will be various other similar uses proposed on this site, including additional age restricted residential land uses and associated commercial uses.



Location Map

ARCHITECTURAL WAIVER:

Subchapter 3, Procedures, 3.16.1, Site Development Waivers, of the Unified Development Code (UDC), the Planning and Zoning Commission may grant architectural waivers to allow for deviations from the architectural requirements in order to achieve alternative compliance for architectural design, while still adhering to the intent of the code. The Planning and Development Services Director may grant an administrative waiver for a reduction of up to twenty percent 20% for any numerical standard required per Subchapter 9, Architectural, Site Design, and Layout provisions or Subchapter 10, Parking, Mobility and Circulation of this chapter. The Planning and Zoning Commission may grant a waiver to the architectural requirements reducing the architectural standards above the twenty percent (20%) and shall be considered fully discretionary.

APPLICANT REQUEST:

The applicant is requesting a waiver from Subchapter 9.3.4, Parking and Garage Requirements, of the Unified Development Code (UDC), which states the following:

Garage Required: Multi-family uses shall provide 1, 12' x 20' (inside dimensions) garage parking space per 2 units, except when structured parking is provided in accordance with Section 9.7 Vertical mixed-use structures shall be exempt from the garage requirement.

Garage Integration: 50-percent of the required garage spaces for multi-family structures shall be integrated into primary residential structures.

The applicant is requesting to reduce the number of garage spaces required for the project and is requesting to not provide any of the integrated garages.

Garage Proposal	
Required	26
Proposed	10
Integrated Garages	
Required	13
Proposed	0

The applicant is an independent living senior facility that is proposed to provide care for residents that are approximately ages 75 and older, who are still active but may not have a vehicle. The facility will provide activities on-site, meal options, and transportation for residents to off-site locations. In addition, during the site plan review for the project (2022-2-SP), the applicant requested an Alternative Parking Plan, allowed by 10.4.10 of the UDC, and provided a parking study to justify a reduction in the number of required parking spaces for the facility. The use in conjunction with the parking study, allowed for an administrative approval of the alternative parking plan. Following the alternative parking plan approval, the applicant made the request for reduced garage criteria.

LAND USE

Heritage Lakes Independent Living is an independent senior living facility. The City of Pflugerville's Unified Development Code (UDC) does not have a land use that matches the use and intent of this

facility. The UDC provides a clear definition for assisted living facilities, but not for independent living facilities, and the land use that most closely relates to the proposed use is multi-family.

Assisted Living: A quasi-residential facility where room, board, and personal care services are provided within a structure containing multiple living quarters for persons who are unrelated to the proprietor of the establishment. Facilities include common dining and recreational areas. Personal care services include assistance with routine daily activities such as dressing, movement, meals, bathing, or other personal needs or maintenance, or administration of medication, as defined by the Personal Care Facility Licensing Act, V.T.C.A., Health and Safety Code § 247, as amended.

While this facility will provide a variety of the above-mentioned services, it will not be licensed through the State of Texas and therefore does not meet the definition of Assisted Living. Based on conversations with the applicant the best fit for the proposed land use is multi-family. This land use does not fully encompass the use of the facility; however, the residents will have a dwelling unit similar to an apartment, with a quasi-kitchen space, thus making multi-family the closest related use for the property.

CODE REQUIREMENTS PER SECTION 10.4 (B) PARKING RATIOS:

The land use for this development has been determined to be multi-family, because of this the development is required to park the site in conformance with the parking ratios identified in the Table 10.4.6.

Use	Required Parking
Multi-Family	1.5 spaces per 1 bedroom unit 2 spaces per 2 bedroom unit 2.5 spaces per 3+ bedroom unit plus guest parking at a ratio of 5% of the required spaces

An alternative parking plan for this development was approved and allowed a reduction in the required number of on-site parking from 152 spaces to 52 parking spaces. This reduction is reflected based on parking standards for similar facilities published in the Institute of Transportation Engineers’ (ITE) Parking Generation Manual, 5th Edition. This approved parking reduction reduced the number of required garages from seventy-six (76) to twenty-six (26).

CODE REQUIREMENTS PER SECTION 9.3.4 PARKING AND GARAGE STANDARDS

Subchapter 9.3.4 of the UDC outlines the residential parking and garage requirements for multi-family and mixed-use structures.

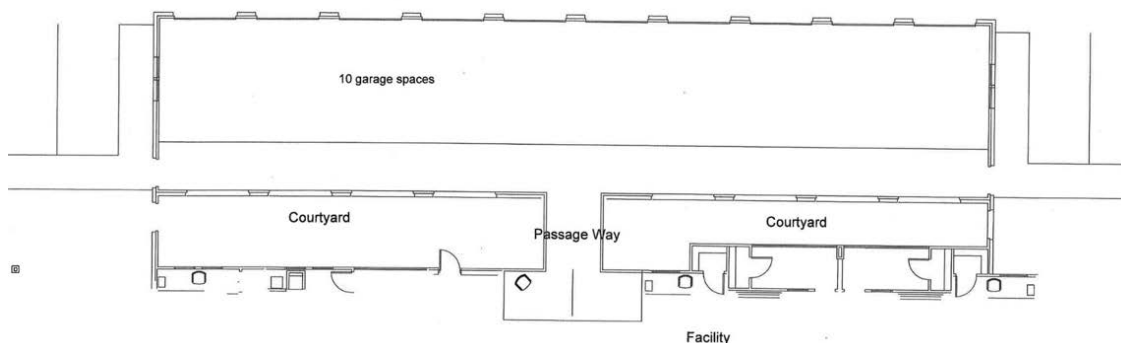
Design Element	Standard
Garage Required	Multi-family uses shall provide 1, 12’x20’ (inside dimensions) garage parking space per 2 units, except when structured parking is provided in accordance with Section 9.7. Vertical mixed-use structures shall be exempt from the garage requirement.

Garage Integration	50% of the required garage spaces for Multi-Family structures shall be integrated into primary residential structures.
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Based on these requirements, the development is required to provide twenty-six (26) garages with thirteen (13) of those garages being integrated into the primary residential structure.

PROPOSED ARCHITECTURAL DESIGN:

The applicant is proposing ten (10) garages that are detached from the primary structure. This results in a request to reduce the number of garage spaces by seventy-two percent (72%). The ten (10) proposed garage spaces will be in a detached structure adjacent to the facility and accessible through a covered breezeway to the facility. The style of the detached garage would be architecturally consistent with the primary structure. The garages will visually mimic a typical multi-family garage on the outside, but will allow the tenants to have internal access to their garages through a covered breezeway. The applicant stated that the request from the integrated garage requirement that is required by the UDC is to ensure safety of the residents at the facility, noting that by having them detached from the primary structure it would reduce added risk.



WAIVER CONSIDERATION

The following criteria shall be considered when determining the appropriateness of the applicants request for a waiver to Section 9.3.4 of the Unified Development Code:

A. The land use is permitted within the zoning district;

The subject property is zoned Retail (R), which permits senior living apartments complying with the general regulations for multi-family in the MF-20 district tables 4.2.4 (B) and (C); must all comply with the applicable design standards per structure type outlined in Subchapter 9, and are restricted to residents 55 and over and may be allowed as a condominium when cohesively integrated as a component of a retirement living village consisting of at least two of the following: nursing home/skilled nursing, assisted living, hospital, medical office. The Heritage Lakes development adheres to these standards.

B. All health and safety regulations have been met;

The site plan for the independent living facility is currently in review for adherence to all applicable health and safety codes in the UDC and IFC. It is not anticipated that providing a waiver to garage standards will pose a health and safety risk.

C. The granting of the administrative waiver prevents an unreasonable financial loss;

The granting of the waiver will prevent an unreasonable financial loss to the applicant. If the garages are built to multi-family standards there is a risk of them being unused and providing for a maintenance issue on site.

- D. The initial improvements installed prior to the temporary certificate of occupancy is a significant improvement to the non-conforming sites which are evident when viewed from off-site premises;**

This site is a conforming site and the site development plan for 18900 Pleasant Bay Drive anticipates meeting current UDC requirements for development.

- E. The granting of the administrative waiver does not negatively impact adjacent properties in terms of visibility of outdoor storage or other commonly perceived negative impacts of development on adjacent property;**

The granting of this waiver does not negatively impact the adjacent properties. The reduction in required number of garages does not produce noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly conditions that would negatively impact the adjacent sites. The exterior of the site of would look and feel much like the surrounding development.

- F. The granting of the administrative waiver is in harmony with the purpose and intent of this Chapter and of the Comprehensive Plan for the physical development of the surrounding area.**

The granting of the reduction in required number of garages is harmonious with the intent of this chapter. The use, while unlisted, of the facility more closely aligns with that of an assisted living facility. This facility falls within a senior living community and is designed in a cohesive manner so as the reduction of the garages would not be unharmonious to the surrounding area.

- G. The granting of the waiver is not to be contrary to the spirit and intent of this Chapter.**

The granting of the waiver is not contrary to the spirit and intent of the UDC. Much like an alternative parking plan, this waiver provides a path for the applicant to meet vehicle and transportation needs by other means than the requirements in 9.3.4.

In granting a Waiver, the Planning and Zoning Commission may impose conditions upon the proposed use.

STAFF RECOMMENDATION:

Staff finds that the proposed architectural waiver complies with the approval criteria outlined in the Unified Development Code (as outlined above), thus staff recommends approval as presented.

ATTACHMENTS:

- Architectural Renderings
- Application Letter (separate attachment)

ARCHITECTURAL RENDERINGS

