



# City Council Planning Department Staff Report

**City Council Meeting:** January 4, 2022  
**Project No:** MORW2021-004  
**Project Planner:** Tory Carpenter, AICP, Senior Planner

## Item Details

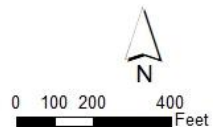
**Project Name:** Bell Springs Office / Warehouse  
**Property Location:** 5307 Bell Springs  
**Legal Description:** Lot 2, Vitolich Plaza (1.549 Acres)  
**Applicant:** Travis Flake  
**Property Owners:** Chad Burris  
**Request:** A waiver from the temporary development moratorium.



## Location Map

5307 Bell Springs Rd  
Moratorium Waiver

- Roads
- Parcel Lines
- City Limits**
- ▭ Full Purpose
- ▭ Site



Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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## Development Proposal

This request is associated with a site development application for 5307 Bell Springs Road in the ETJ. The project consists of a 7,200 square foot office/warehouse building. The project would be served by on-site septic and would not impact the City wastewater system. The property was platted in 2017.

## Request Overview

The applicant requested an administrative exception to the temporary development moratorium. Given that no commercial use was established on the property, the proposed development was determined to be a “change in use” and staff denied the exception request. Staff directed the applicant to apply for a waiver.

## Staff Analysis

### Moratorium Ordinance: Section 8 Art. B

*Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain wastewater infrastructure at property owners’ sole expense and who do not require land use modifications inconsistent with the updated comprehensive planning, in accordance with Local Government Code Chapter 212, Subchapter E may apply for waiver in accordance with City policy.*

### Wastewater:

This development will be served by on-site septic systems and will not impact the City wastewater system.

### Land Use:

While there are residential properties east of the subject property this proposed project is consistent with development trends in this area of Bell Springs Road and US 290. Recent developments include the Dripping Springs Distillery, and an a 16-unit office / warehouse park. Additionally, since this property is in the ETJ, staff does not anticipate imminent comprehensive planning efforts to affect land use regulations on the property.

## Council Action

City Council is tasked with approval or denial of the waiver. Any denial will stand until the moratorium is lifted unless there is a substantial change to the project.

## Attachments

Exhibit 1: Waiver Request

Exhibit 2: Site Plan

Exhibit 3: Moratorium Ordinance

Recommended Action:	Staff recommends approval of the waiver from the temporary development moratorium because the project; will have no impact on the City’s wastewater system, is consistent with development trends in the area, and comprehensive planning efforts will not affect land use regulations on the property.
Alternatives/Options:	Deny of the waiver
Budget/Financial Impact:	N/A
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A