

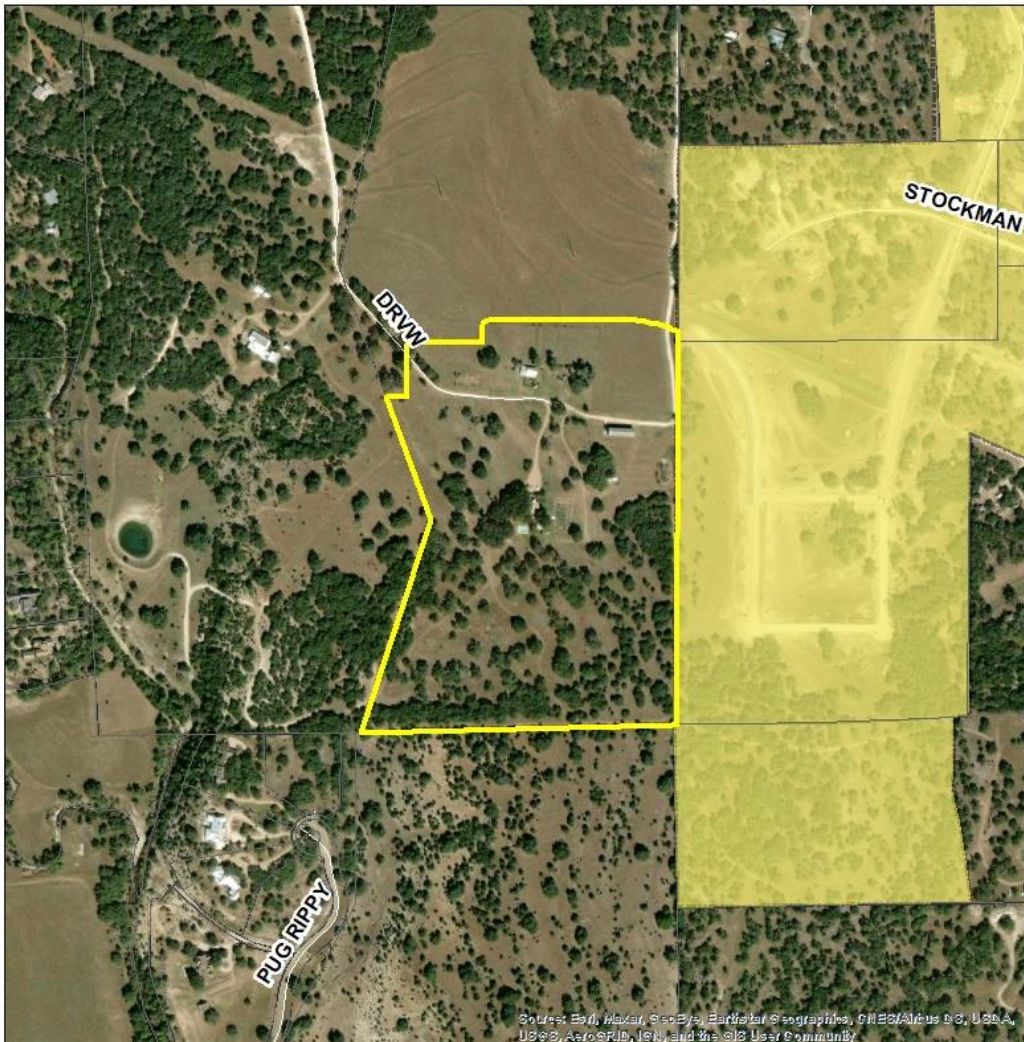


City Council Planning Department Staff Report

City Council Meeting: January 11, 2022
Project No: MORW2022-002
Project Planner: Tory Carpenter, AICP, Senior Planner

Item Details

Project Name: Hardy South
Property Location: 2901 W US 290
Legal Description: 39.341 acres out of the Benjamin F Hanna Survey
Applicant: Brian Estes
Property Owners: Hardy T Land, LLC
Request: A waiver from the temporary development moratorium



Zoning Map

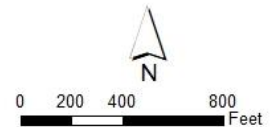
ZC2021-0007
Hardy South
Zoning Amendment

Zoning

- SF-2
- Roads
- Parcel Lines

City Limits

- Full Purpose
- Subject Property



Planning Department Staff Report

Development Proposal

This request is associated with a preliminary plat application for a portion of the property known as the Hardy Tract which was annexed December 7, 2021. This extension of the Bunker Ranch development includes 39 residential lots zoned SF-2. The project would be served by on-site septic and would not impact the City wastewater system.

Request Overview

The applicant requests an administrative exception to the temporary development moratorium. Since this tract appears to have been used primarily for agricultural purposes, 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 plan, in accordance with Local Government Code Chapter 212, Subchapter E, may apply for a 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:

This development is consistent with the existing SF-2 zoning district on the property. Additionally, this project is consistent with development trends in the area.

It is important to note, that if the development moratorium were not in place, this project could proceed without any entitlements from the City Council, or any other boards or commissions. If this waiver request is denied, the applicant can proceed with the development after expiration or termination of the temporary development moratorium.

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 provides this request to City Council with a neutral recommendation as this is ultimately a policy decision.
Alternatives/Options:	Deny or approve the waiver.
Budget/Financial Impact:	N/A
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A