



# City Council Planning Department Staff Report

**City Council Meeting:** February 1, 2022  
**Project No:** MORW2022-005  
**Project Planner:** Tory Carpenter, AICP, Senior Planner

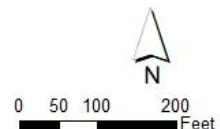
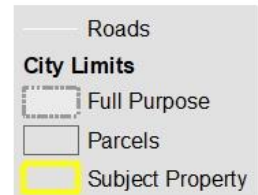
## Item Details

**Project Name:** Hays Street Subdivision  
**Property Location:** 102 S Bluff Street  
**Legal Description:** 1.855 acres out of the Philip A. Smith Survey  
**Applicant:** Joe Grasso  
**Property Owners:** Tejas Heritage Homes, LLC  
**Request:** A waiver from the temporary development moratorium



## Location Map

ZA2021-008  
*Hays Street Zoning Change*



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 final plat for a property zoned SF-3. The project consists of six single-family homes.

This project would be served by City wastewater.

## Request Overview

The applicant requests an administrative exception to the temporary development moratorium. Since this project will have an impact on the City's wastewater capacity, 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:

The applicant is requesting three (3) wastewater LUEs which would allow construction on the first three homes. If this moratorium waiver is approved, staff will negotiate a wastewater utility agreement with the applicant. This agreement would only allow the issuance of the requested three LUEs after the second irrigation field at Caliterra is operational. Building permits would not be issued until that point.

### Land Use:

This project is consistent with the Conditional Overlay which was approved by City Council in November 2021.

## 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