



City Council Planning Department Staff Report

City Council Meeting: February 1, 2022
Project No: MORW2022-004
Project Planner: Tory Carpenter, AICP, Senior Planner

Item Details

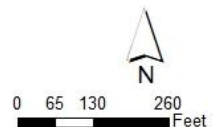
Project Name: 4400 W HWY 290 Commercial
Property Location: 4400 W HWY 290 Dripping Springs
Legal Description: 3.97 acres out of the T. F. Martin Survey
Applicant: Hugo Elizondo, Jr., P.E.
Property Owners: 4400 W HWY 290 LLC
Request: A waiver from the temporary development moratorium



Location Map

4400 W HWY 290
Moratorium Waiver

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



Planning Department Staff Report

Development Proposal

This request is associated with a plat and site development application for 4400 W US 290 in the ETJ. The project consists of seven 5,000 square foot commercial buildings.

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 there is no commercial use 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 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 project is generally consistent with development in the immediate area. Additionally, since this property is in the ETJ, staff does not anticipate imminent comprehensive planning efforts to affect land use regulations on this 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 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