



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT: United Properties Southwest, LLC.
REQUESTED ACTION: Commercial Moratorium Waiver - Pep Boys Texas Distribution Center
LOCATION: 1130 and 1420 E. Kearney Street

STAFF COMMENTS AND ANALYSIS

The applicant is requesting a Waiver from the Commercial Moratorium in order to file an application for expansion of the Pep Boys Texas Distribution Center located at 1130 E. Kearney Street, which would include new development on an abutting vacant parcel at 1420 E. Kearney. The Director of Planning & Development Services has determined that this application is subject to the Commercial Moratorium enacted on July 3, 2017, as Ordinance No. 4496.

Rules of Decision:

City Council may authorize or deny the requested waiver, and if authorized, establish conditions necessary to ensure that the proposed development will not cause adverse effects to the surrounding property or the City's infrastructure and to carry out the spirit and purpose of the Moratorium. The Ordinance further states that City Council should not release the applicant from the requirements of the Commercial Moratorium unless the City Council can reasonably conclude that (1) the Commercial Moratorium would likely deprive the applicant of rights protected by law; or (2) the proposed development is compatible with adjacent land uses and that the proposed development would not cause adverse effects on surrounding properties or the City's infrastructure.

The Application:

The applicant proposes to expand the existing 244,200 square-foot building by adding 90,000 square feet to the south side of the building. The applicant met with City Staff to discuss the project on July 6, 2016. Subsequently, the applicant proceeded with purchasing an additional 2.4587 acres to the east of the subject property in order to accommodate additional parking and to relocate the existing on-site truck parking that will be displaced by the 90,000 square-foot addition. According to the applicant the addition will add truck dock doors to the facility but it will not increase the number of on-site truck storage beyond what is existing today. The land purchase was completed on June 8, 2017. The applicant approached City Staff on July 19, 2017, and learned of the Commercial Moratorium at that time. The subject property is zoned Industrial which allows the Pep Boys distribution facility by right. The subject property is only accessed by E. Kearney Street, which is currently graded by City's Public Works department as "satisfactory."

Effects of Waiver:

During the Moratorium, the Planning Commission and City Council are reviewing the adequacy of existing regulations that address features of site development for trucks, such as screening, buffering, landscaping and parking. These regulations are subject to vesting under Chapter 245 of the Local Government Code. If a waiver is granted and the application is filed before September 18, the applicant will not be required to comply with any new or revised regulations the Council may adopt dealing with these matters. If the waiver is not granted, this application will be required to comply with any new or revised regulations affecting screening, buffering, landscaping and parking of the proposed relocated truck parking visible from E. Kearney Street.