



## **PLANNING AND ZONING CASE SUMMARY**

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### **BACKGROUND**

APPLICANT: Stream Realty Partners on behalf of Cabot Properties, Inc.  
REQUESTED ACTION: Commercial Moratorium Waiver – Trailer Storage Facility  
LOCATION: 1371 S. Town East Boulevard

### **STAFF COMMENTS AND ANALYSIS**

The applicant is requesting a Waiver from the Commercial Moratorium in order to file an application for development of a trailer storage facility on a vacant 10-acre tract of land located at 1371 S. Town East Blvd. 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 construct a trailer storage facility to accommodate demand for a tenant, Hayes Company, LLC, that is located on adjoining property. The subject property is zoned Industrial within the Skyline Logistic Hub Overlay District. It is surrounded by industrial uses including large warehouse/distribution buildings, the Union Pacific Intermodal Facility, and a truck transportation facility. There is a single family subdivision located to the north east of S. Town East Blvd.

#### **Current and Planned Infrastructure:**

The proposed trailer storage facility will be primarily accessed by Chase Road. The Public Works Department has graded Chase Road as "fair" and S. Town East Blvd as "poor." South Town East is slated for reconstruction, which will be completed in two phases using the larger 14" pavement thickness to accommodate truck traffic. The southern portion of S. Town East from Military Parkway to Skyline Drive is currently under construction. The reconstruction of the northern portion of S. Town East from Skyline Drive to U.S. Highway 80 is set to start in the fall of 2018. This portion will include installation of a screening wall along the residential subdivisions that border S. Town East Blvd.

#### **Effects of Waiver:**

During the Moratorium, staff is reviewing the adequacy of pavement standards for streets that carry a high volume of large trucks. Public works standards are not subject to vesting under Chapter 245 of the Local Government Code. To the extent that Council may adopt new or revised pavement standards for development, they may be proportionally applied to existing applications. New or revised regulations for screening, buffering and landscaping are subject to vesting and would not apply in the event the Council grants the requested waiver. However, the practical effect of such regulations along an exclusively industrial road like Chase Road is questionable.