



City Council Agenda Item Report

February 19, 2013

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SUBJECT: Staff Report regarding overnight & extended period truck parking on commercial properties.

1. BACKGROUND/HISTORY

The City Council requested information regarding the status of trucks & trailers utilizing the rear Cabela's parking lot at their November 2012 and January 2013 meetings.

On December 5th, staff met with the Cabela's general manager regarding the complaints about extended truck parking in the rear lot of the store. Cabela's policy has been to allow trucks to stop for up to 8 hours (consistent with Federal laws regarding trucker rest) provided that they are actual Cabela's customers. Upon notifying Cabela's of the complaint, they investigated current practices in the rear parking lot. They found that while some truckers appeared to be honoring the policy that they be Cabela's customers and limit their stays, a large number were abusing the lot.

The general manager indicated they would be posting warning notice letters on trucks parked in the rear lot notifying them of Cabela's policy regarding truck parking being for customers only.

Following the January City Council meeting, staff met with the Cabela's Manager of Operations on January 22nd. He had requested language for new signs in the rear parking lot and a notice letter to truckers, which was under corporate review in Kansas. These signs & letters would clarify that the parking is for resting truckers that are Cabela's customers.

Staff informed them that the current situation is a violation of the Unified Development Code, as these trucking companies are operating a type of "freight transportation service" by storing trucks & trailers on the site. We explained that while we understand this is not a practice they've encouraged, the nature of the UDC means that we would hold the property owner accountable.

Based on our meeting, our understanding was that once they receive corporate approval of the new signs and letters to the truckers, they will immediately install the signs and distribute the letters clarifying the policy. Once the action to inform them has taken place, the manager indicated that they will take additional action to prevent further problems, including contacting Bo to address the situation through trespassing laws.

2. FINDINGS/CURRENT ACTIVITY

Since February 5th, staff received notice from Cabela's that new signs had been ordered for the trucker/RV parking lot and should be installed the week of February 17th. Once the signs are in place, they will also be personally informing truckers that Cabela's does not allow extended stay parking once signs are in place.

In addition, Staff has been reviewing the Mesquite ordinance as well as other similar ordinances, and will be meeting with the City prosecutor to address evidence requirements for successful prosecution of such an ordinance violation.

3. FINANCIAL IMPACT

N/A

4. ACTION OPTIONS/RECOMMENDATION

This is an update staff report requiring no action.