



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT: Moses NeGusse, Greenwood Real Estate

REQUESTED ACTION: Commercial Moratorium Waiver – Truck Parking Facility

LOCATION: 2300 Gross Road

STAFF COMMENTS AND ANALYSIS

The applicant is requesting a Waiver from the Commercial Moratorium to proceed with a rezoning application for a truck parking facility that would include a mechanic shop on a vacant 4.718-acre tract of land located at the southeast corner of U.S. Highway 80 and Gross Road, addressed as 2300 Gross Road. The property is currently vacant. On July 3, 2017, City Council adopted a 90-day Commercial Moratorium (Ordinance No. 4496) where the City will not accept applications or plans for developments of truck stops and truck-related uses or that include the parking of heavy load vehicles as a principal use or as an accessory use.

Under Ordinance No. 4496, 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 subject property is zoned Commercial. To the south is a single-family residential subdivision. Commercial zoning is located to the east, across Gross Road and across U.S. Highway 80. The proximity of this property to residential uses is one of the significant issues being considered for ordinance amendment during the moratorium. As such, staff recommends against the waiver that would allow the proposed use to proceed under the current ordinances.