

<b>REQUEST</b>	Current Zoning: B-1(CD), neighborhood business, conditional Proposed Zoning: B-2(CD), general business, conditional
<b>LOCATION</b>	Approximately 2.09 acres located on the northeast corner of University City Boulevard and Sams Lane.
<b>CENTER, CORRIDOR OR WEDGE</b>	Corridor
<b>SUMMARY OF PETITION</b>	This petition proposes to allow the construction of a building consisting of a chain pulled car wash and convenience store, with gross floor area not to exceed 8,000 square feet.
<b>Property Owner</b>	Sam's Mart, LLC
<b>Petitioner</b>	Sam's Mart, LLC
<b>Agent/Representative</b>	Overcash Demmitt Architects
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Site plan has been amended to correctly label <i>Class "B" Buffer with Berm</i> along the north property line.</li> <li>2. Existing building and parking on the west side of Sams Lane has been added to the site plan and parking meets the requirements of the ordinance.</li> <li>3. Required parking for existing building on the west side of Sams Lane and proposed development on the east has been added to the site plan.</li> <li>4. Site plan has been amended to correctly identify side and rear yards, including required widths.</li> <li>5. Required sidewalks and planting strips along Sams Lane and University City Boulevard have been labeled on the site plan.</li> <li>6. Note has been added to site plan agreeing to provide a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.</li> <li>7. Note has been added to site plan agreeing to CATS request for a waiting/bench pad.</li> <li>8. Maximum building height of 35-feet has been added to site plan.</li> <li>9. Lighting will be shielded with full cut-off fixtures.</li> <li>10. An easement for sidewalks along Sam's Lane will be provided.</li> <li>11. CDOT comments have been addressed.</li> </ol>
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<b>VOTE</b>	Motion/Second: Lipton/Allen
	Yeas: Allen, Griffith, Howard, Johnson, Lipton, Randolph, and Rosenburgh
	Nays: None
	Absent: None
	Recused: None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff discussed the petition, noting that the petitioner had addressed all outstanding CDOT issues. Staff proceeded to explain to the Committee about the necessary parking lease agreement between the existing and proposed developments on both sides of Sams Lane, and Committee
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members asked for clarification. Staff explained a restaurant is anticipated to open in the existing building on the opposite side of Sams Lane, and that a parking lease agreement between the existing and proposed developments is being requested to be executed to ensure sufficient parking. Staff indicated that a lease agreement is necessary because the two parcels are separated by a public street (Sams Lane). The rules were suspended to allow the agent for the petition, Stephen Overcash, address the Committee. Mr. Overcash indicated the petitioner has agreed to providing the parking lease agreement.

**STATEMENT OF CONSISTENCY**

This petition is found to be consistent with the *Northeast District Plan* and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Rosenburgh seconded by Allen)

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Construction of an 8,000 square-foot building containing a chain pulled car wash and convenience store.
- Construction of 58-space parking area.
- Installation of landscaping and refuse/recycling area.

**Public Plans and Policies**

This petition is consistent with the *Northeast District Plan*, which recommends retail on the site.

**STAFF RECOMMENDATION (Updated)**

Staff agrees with the recommendation of the Zoning Committee.

**PUBLIC INFRASTRUCTURE UPDATES** (see full department reports online)

**CDOT:** no issues.

**Charlotte Fire Department:** No comments received.

**CATS:** no issues.

**Connectivity:** Connectivity is proposed via access from University City Boulevard onto Sams Lane.

**Schools:** CMS does not comment on non-residential petitions.

**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

**Storm Water:** No issues.

**LUESA:** no issues.

**Site Design:**

Facilitates the use of alternative modes of transportation by providing bike parking, and connecting internal and external pedestrian circulation systems.

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**OUTSTANDING ISSUES**

No issues.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application Form
- CATS Review
- CDOT Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

**Planner:** Claire Lyte-Graham (704) 336-3782