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| <b>REQUEST</b>                   | Current Zoning: B-1(CD), neighborhood business, conditional<br>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>STAFF RECOMMENDATION</b>      | Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Northeast District Plan</i> .                            |
| <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.  |

**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 a 58-space parking area.
  - Installation of landscaping and refuse/recycling area.
- **Existing Zoning and Land Use**  
The rezoning site is surrounded by residential and commercial land uses and zoned CC, O-1(CD), R-4(CD), R-4, R-12MF(CD), Institutional, B-1, and R-8MF(CD).
- **Rezoning History in Area**  
There have been no recent rezonings in the area. The petitioned site is part of a larger 6.274-acre parcel rezoned from R-4 to B-1(CD) in 1998 (Rezoning Petition 1998-040), to allow up to 38,000 square feet of retail and general office uses. The approved conditional plan shows a single-story building for office and retail uses, an accessory car wash, and convenience store/gas station. The single-story building is built and contains businesses. The existing building and the site of the subject petition is separated by a public road (Sams Lane).
- **Public Plans and Policies**
  - The *Northeast District Plan* (1996) recommends retail on this parcel. The *Northeast District Plan* advocates that the majority of new retail development occur within specified centers or be limited to areas already zoned commercial.
  - This petition is consistent with the *Northeast District Plan*.

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

- **Vehicle Trip Generation:**  
Current Zoning: 2,200 trips per day.  
Proposed Zoning: 3,500 trips per day.
- **CDOT:** CDOT has submitted the following comments that are critical to support of this rezoning petition:
  - Two-way drive aisles are not permitted with angled parking spaces. The drive aisle must be changed to one-way operation or the parking stalls must be 90 degrees.

The parking area circulation for the proposed car wash as shown on the site plan cannot be supported without the deletion of the first driveway.  
The width of the street (Sams Lane), planting strip, sidewalk, and right-of-way needs to be shown on the site plan. If the sidewalk falls outside of the right-of-way, a sidewalk easement will need to be provided and shown on the site plan to include that portion of the sidewalk and an additional two feet for maintenance purpose.  
The developer needs to construct eight-foot planting strips and five-foot sidewalks along Sams Lane.  
The configuration of the drive aisles to the northern-most parking areas needs to be better aligned for through movement.

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

**CATS:** Requests the installation of a waiting/bench pad.

**Connectivity:** Primary access is proposed via access from University City Boulevard onto Sams Lane. CDOT does not support the first driveway due to concerns with the parking area circulation for the proposed carwash.

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

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

**Storm Water:** No issues.

**LUESA:** Mecklenburg County Solid Waste Services requests that the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities.

**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

The petitioner should:

1. Amend the labeled *Class "B" Buffer* identified along the north property line to state *Class "B" Buffer with Berm*.
2. Confirm that the parking provided for the existing one-story office/retail building meets the parking requirement.
3. Amend the site plan to correctly identify side and rear yards, including required widths. The labeled rear yard along the east property line is actually a side yard, and the labeled side yard along the north property line is actually a rear yard.
4. Label on the site plan the required sidewalks and planting strips along Sams Lane and University City Boulevard.
5. Add a note to the site plan agreeing to provide a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.
6. Address the request from CATS for a waiting/bench pad.
7. Address all CDOT comments noted above.
8. Specify the maximum building height.
9. Amend Note 4 under Lighting to state that lighting will be shielded with full cut-off fixtures.

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

Application  
CATS Review  
CDOT Review  
Community Meeting Report  
LUESA Review  
Site Plan  
Storm Water Review

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