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<b>PROPOSAL:</b>	Conditional Use Application to Permit Vehicle: Minor Maintenance & Repair
<b>PROPERTY LOCATION:</b>	8857 Charlotte Highway (TM # 0010-00-037.00).
<b>CURRENT ZONING DISTRICT:</b>	General Business (GB)
<b>APPLICANT:</b>	Corey Baker
<b>COUNCIL DISTRICT:</b>	District # 1, Terry Graham
<b>STATUTORY NOTICES:</b>	Sign(s) posted 12/28/2022 at 8857 Charlotte Highway and on Possum Hollow Road frontage Hearing notice published 2/4/2023 in The Lancaster News Mailed notices 2/2/2023 Posted agenda in lobby 2/14/2023

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## **OVERVIEW & BACKGROUND:**

### ***Site Information***

This site is situated on the southeast corner of the intersection of Possum Hollow Road and Highway 521. The proposed uses requiring a conditional use are a gas station/ convenience store and a Car Wash facility. At the time of this report there are six (6) gas stations within the approximately 3 miles from this intersection north the SC/NC state line. There are another five (5) gas stations in the 3 miles south of this site along 521 to the intersection with Van Wyck Road. It should also be noted that staff is aware of approximately four (4) other locations not including this site along this 6 mile stretch of Highway 521 which are in the planning stages of possible gas stations. Based on zoning and entitlements at least two (2) of these gas stations will not require a conditional use permit

In this same 6 mile portion of 521 there are twelve (12) other “minor maintenance and repair” shops –not overlapping with the gas stations above-. This includes tire shops with repair bays, automotive repair shops with repair bays, car washes, and specific oil change facilities.

### ***Current Proposal & Project Overview***

The applicant is seeking a conditional use permit to allow automotive minor maintenance and repair. The subject parcel is 11.95 acres in size, is currently vacant, and is zoned GB. While this is currently one parcel it should be noted that the developer plans to split this into multiple parcels at least two of which are currently planned as minor maintenance and repair.

The current plan submitted for this site has significant conflicts with multiple sections of the Lancaster County Unified Development Ordinance (UDO). Not the least of which is that this plan currently depicts two points of ingress/ egress on to the site; one on Possum Hollow and one on HWY 521. This arrangement would not be allowed by staff pursuant to UDO section 6.8.4.A.4: "Corner parcels located at an intersection of the corridor and an existing or proposed secondary street, including both public and private streets, shall obtain access from the secondary street. Where such parcels have 300 or more feet of corridor frontage, a point of access to the corridor may be considered if no other corridor access

is located within 300 feet, and it adheres to SCDOT standards. Such additional access shall be considered on a case-by-case basis, and is subject to approval by the Administrator". Given the anticipated increase in traffic flow along this portion of Hwy 521 and significant upcoming changes to this portion of 521 due to the approved Exchange mixed-use project it is extremely unlikely that staff would support direct access to Hwy 521 on this parcel. As such any future traffic impact analysis (TIA) should be reflective of a single access on Possum Hollow Road.

The comment above along with other TRC comments -which can be found in exhibit 4- would require significant changes to the site design as proposed on the current concept plan.

***Summary of Surrounding Zoning and Uses***

Surrounding Property	Zoning District	Use
North	General Business (GB)	Non-conforming residential
South	Planned Development District (PDD)	Hanover Development
East	Mixed Use (MX)	The Exchange (under development)
West	Institutional (INS) General Business (GB)	Church Automotive: Garage Condos

**PHOTOS OF PROJECT AREA:**





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**APPLICABLE UDO PROVISIONS:**

**5.1.2. - CONDITIONAL USE (CU)**

- A. Conditional Uses are uses which are generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the County as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.
- B. All Conditional Uses shall at a minimum meet the standards for the zoning district in which they are located and the specific standards set forth in this article for that use.
- C. Individual consideration of the use may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure protection of the public health, safety, and welfare.
- D. Approval procedures for Conditional Use permits are found in Chapter 9, Administration.

**5.8.6 VEHICLE SERVICES – MINOR MAINTENANCE/REPAIR [NB, GB, RB, LI, HI, MX, IMX]**



**A. Outdoor Vehicle Storage:** All outdoor storage of vehicles awaiting work or pick-up shall be screened by a Type C buffer in accordance with Section 7.1.5. No vehicles or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any right-of-way. No outside storage of junk vehicles or parts shall be permitted unless a permit for an outdoor storage yard is also obtained.

**B. Vehicle Bays:** Vehicle bays which are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, and/or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street as determined by the Technical Review Committee (TRC).

**C. Noise:** No noises resulting from the occasional repair or maintenance of a motor vehicle shall be audible at or beyond the property line between 8 PM and 7 AM the following morning. Intercom/sound systems shall not be audible at or beyond the property line.

**D. Repair Work:** All repair work shall be conducted entirely within an enclosed structure; car wash activities may be done outside when all requirements of stormwater management are met.

**E. Screening:** All boundaries of a property containing such uses that directly adjoin a Single Family residential district shall be buffered with a solid fence extending from the ground to a height of not less than 6 feet and a Type B buffer.

**F. Accessory Structure Location:** Accessory structures such as self-service vacuum cleaners, air pumps, and other self-service structures must be setback 50 feet from any residential use and 25 feet from any right-of-way.

**G. Fueling Islands:** Each drive-up fueling facility permitted under this title shall have off-street driveway stacking space that shall not inhibit or impede access to or from any parking space or drive.

**H. Lighting**

1. Canopy lighting fixtures shall be hidden inside a canopy so as not to be visible from offsite.

2. Freestanding lighting fixtures shall not exceed 15 feet in height if the use adjoins an existing residential district or residential lot. All light fixtures shall be cutoff luminaries that block the light source from off-site view.

**I. Car Wash Allowed as Accessory Use:** A one-bay car wash may be allowed as an accessory use. The car wash shall meet the setbacks for the principal use and not exceed 900 square feet in area. The car wash bay shall not be oriented toward the public right-of-way. Car washes are required to have operational recycled water systems where a minimum of 50 percent of water utilized is recycled.

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**STAFF RECOMMENDATION:**

Staff recommends **Denial** of this conditional use application to permit Minor Maintenance and Repair.

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**ATTACHMENTS:**

1. Conditional Use Application
2. Location Map/ Zoning Map
3. Concept Plan
4. TRC/Evolve Comments

**STAFF CONTACT:**

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