



# The City of Grove City, Ohio

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Planning Commission Staff Report  
Lower Level Conference Room  
January 5, 2016 1:30pm

- 4. APPLICATION: Speedway #1231 | Special Use Permit (Outdoor Sales)**
- Project Number: 201510080077
- Location: 1895 Stringtown Road, 3927-3937 Front Street, located at the southwest corner of Stringtown Road and Marlane Drive South (040-004537).
- Proposal: A Special Use Permit to allow for outdoor sales.
- Applicant: Matthew T. Russell; 4713 Glanstonbury Drive; Hilliard, Ohio 43026.

#### **Relevant Code Section(s):**

- 1135.09(b)(12), Special Use Permits

#### **Project Summary**

The applicant is requesting a Special Use Permit for the outdoor sales of merchandise at Speedway, located at 1895 Stringtown Road. The request is to located two ice machines, two propane tank cages, and two seasonal merchandise displays on the front walk between the building and the vehicular area. Items will be located outside 24 hours a day, 7 days a week and seasonal merchandise includes windshield washing fluid (from October 15<sup>th</sup> – March 1<sup>st</sup>) and 24-pack water bottles (March 1<sup>st</sup> – October 15<sup>th</sup>).

Staff has concerns with the location of the outdoor sales items, especially the ice boxes and propane display given the size of these items and the width of the sidewalk. The sidewalk along the front of the building is 4 feet wide and the ice boxes extend 3 feet from the storefront into the sidewalk. Other display items extend approximately 2 ½ feet from the storefront, leaving customers and employees a maximum of 1 ½ feet of walking area on the sidewalk. Staff recommends the applicant move the ice boxes and propane display to the eastern and western sides of the building, respectively, in order to provide a larger portion of the sidewalk to be used by customers.

The applicant has indicated that the propane will be secured with locks and customers will need to seek assistance from staff. The ice, water and windshield washing solution will be self-serve.

No additional signage or lighting is proposed within the outdoor area.

#### **Code Analysis:**

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

**Standard is Met:** Staff does not believe that the proposed use will change the essential character of the district. The proposed outdoor sales area is surrounded on all sides by commercial zoning districts and uses. The items requested to be sold and stored outside are typical of commercial convenience stores.

2. *The proposed use shall not adversely affect the use of adjacent property;*

**Standard is Met:** The proposed outdoor sales area will not affect the use of the adjacent property. All outdoor sales will occur on the sidewalk directly adjacent to the Speedway building.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

**Standard Can Be Met:** Staff does not believe that the proposed outdoor sales is appropriate or safe as proposed. Staff recommends the ice boxes and propane display be moved to the eastern and western sides of the building, respectively, to allow for more usable space on the sidewalk for customers and employees.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

**Standard is Met:** The proposed outdoor sales will not place any further demand on public services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

**Standard is Met:** The proposed outdoor sales will not impact the right-of-way. All items for sale will be located along the storefront of Speedway and will not extend into the parking area or right-of-way.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

**Standard is Met:** The site is located in the C-2, Commercial District, in which outdoor sales, storage, and display of items is permitted with a Special Use Permit.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

**Standard is Met:** The applicant properly submitted a completed application.

10. *Outdoor sales, storage, or display shall only be permitted in areas identified on the approved site plan. No such activity shall be located closer than fifty feet to a residential zoning district boundary or road right-of-way abutting any residential zoning district of within ten feet of any road right-of-way. Such activities shall not occupy any required parking area or driveway.*

**Standard is Met:** Outdoor sales will only be permitted along the storefront, as shown on the submitted site plan. The outdoor sales area is more than 650 feet from a residential district and approximately 60 feet from the Marlane Drive right-of-way.

11. *Any outdoor sales, storage, or display area located closer than one hundred feet to a residential district shall, if determined to be visible from such district, be screened by a landscape buffer strip or other means indicated on the approved site plan.*

**Standard is Met:** The proposed outdoor sales area is more than 600 feet from the nearest residential district. Furthermore, the sales area is on the opposite side of the building from the residential area.

12. *Illumination of outdoor sales, storage, or display areas shall be designed to prevent glare or direct light from the illumination source into residential areas.*

**Standard is Met:** The applicant is not proposing any additional illumination for the outdoor sales area.

13. *Outdoor display areas shall be maintained in a neat and orderly fashion.*

**Standard Can Be Met:** Materials state that items will be outside 24 hours a day, 7 days a week. The propane display will be locked and will require employee assistance. Other items are self-serve. Additionally, materials indicated that two of the items for sale will be rotated in and out seasonally.

14. *Signage for outdoor sales or displays shall comply with Chapter 1145.*

**Standard is Met:** No additional signage is proposed for the outdoor sales area. Pricing placards will be used to display item prices.

15. *The site plan submitted with an application for a Special Use Permit shall indicate the types of merchandise to be displayed and, if applicable, any seasonal changes of display.*

**Standard is Met:** The materials indicate that certain items (windshield washer fluid) will be displayed outside during winter months, while others (24-pack water bottles) will be displayed during summer months. Though not included in any submitted materials, the applicant has indicated to Staff (via email) that “winter months” will be October 15-March 1 and “summer months” will be March 1-October 15.

### **Recommendation**

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit with the following stipulation:

1. The ice boxes and propane display shall be moved to the eastern and western sides of the building, respectively.
2. The project narrative shall be updated to accurately reflect the specific timeframe of "winter" (October 15-March 1) and "summer" (March 1-October 15) months.