



The City of Grove City, Ohio

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Planning Commission Staff Report
Lower Level Conference Room
May 3, 2016 1:30pm

- 10. APPLICATION:** **Circle K #5266 | Special Use Permit (Outdoor Sales)**
- Project Number: 201604080026
- Location: 3043 London Groveport Road (PID 040-009464)
- Proposal: A Special Use Permit to allow for outdoor sales along the front sidewalk of the Circle K on London Groveport Road
- Applicant: Ron Mays, Market Manager, Circle K, 3043 London Groveport Road, Grove City, OH 43123

Relevant Code Section(s):

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

Project Summary

The applicant is requesting a special use permit for outdoor sales for the Circle K gas station located at 3043 London Groveport Road. Items are proposed to be displayed on the front sidewalk along the storefront of the building. Two propane cages, bundled firewood, a display with windshield washer fluid, and an ice merchandiser are proposed for year-round display. An additional display will change seasonally, with bottled water from March through October and bottled antifreeze from November through February.

A site plan has been submitted showing the location of these displays along the storefront. No displays will be located around the fuel pumps or anywhere else around the site. The sidewalk along the storefront is eight (8) feet wide. The deepest item proposed along the front walkway is the windshields washer display, with a depth of 41", leaving approximately 4.5 feet of open walkway.

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 to the north, west and east with

commercially zoned property and to the south by industrially zoned property. The items requested to be sold outside are primarily automotive-oriented or 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 building.

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

Standard Met: The items to be sold outside have been located to allow for safe access around the building and the site. The walkway leading from the pump stations to the building is remain clear of items, with mulched landscape beds on either side of the walkway. The sidewalk along the storefront is 8 (eight) feet wide. The widest display proposed along the storefront is 41" wide, leaving about 4.5 feet of open sidewalk between the display and the edge of the sidewalk.

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 building will not extend into any parking areas 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 approximately 900 feet from a residential district and approximately 100 feet from the London Groveport Road 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 approximately 900 feet from the nearest residential district.

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: Although the applicant has not detailed specific measures taken to keep the area neat and orderly, all proposed outdoor items are to be located along the storefront for staff monitoring.

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: Two propane cages, a windshield washer display, bundled firewood, and an ice merchandiser are proposed to be displayed year-round. One display will change seasonally and display bottled water in March through October and antifreeze in November through February.

Recommendation

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit as submitted.