



The City of Grove City, Ohio

4035 Broadway • Grove City, Ohio 43123

(614) 277-3000

Planning Commission Staff Report

Lower Level Conference Room

October 4, 2016 1:30pm

- 7. APPLICATION: Speedway #9347 | Special Use Permit (Outdoor Sales)**
- Project Number: 201609150064
- Location: 3135 Broadway (PID 040-003085)
- Zoning: C-2 (Retail Commercial)
- Proposal: A Special Use Permit to allow for outdoor sales
- Applicant: Todd Russell, 5583 Hilliard Rome Office Park, Hilliard, Ohio 43026

Relevant Code Section(s):

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

Project Summary

The applicant is requesting a special use permit to provide the outdoor sales of bottled water, windshield wash fluid, and propane tanks at the Speedway Station located at 3135 Broadway. Speedway is currently operating the outdoor sales in the front of the store. They would like to continue to sell the 24 packs of water annually from March 15 until October 15, the windshield wash fluid annually from October 15 until March 15, and the propane tanks year round. Each display is four feet wide by 3 feet in depth. The sidewalks are eight feet wide, leaving five feet for pedestrian use. Parking blocks will be added for the eight parking spaces in front of the store to maintain the five-foot sidewalk space and protect pedestrians along the front sidewalk. The ice merchandiser currently located on the left or south portion of the store's frontage will be removed from outside and be placed inside of the store. No signage or lighting has been proposed with these outdoor sales.

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 outdoor sales will harm the character of the district. The outdoor sales are located in a commercial area that permits retail sales.

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

Standard is Met: The outdoor sales will only be located along the front of the store and will not affect the use of adjacent properties.

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

Standard is Met: Five feet of sidewalk will remain open and parking blocks will be added to the spaces in front of the store to create a safe environment for pedestrians along the front sidewalk containing the items to be displayed outside.

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 use will be adequately serviced by public facilities.

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: Staff does not believe that the proposed use will generate traffic significantly different from a permitted use in the retail commercial (C-2) district.

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 applicant has provided information to meet Code requirements for this use to be located in the city, and staff believes the proposed use meets the intent of the Zoning Code and Land Use Plan for the area.

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

Standard is Met: The proposed outdoor sales complies with applicable standards of code.

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 a C-2 district, in which outdoor sales are 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 or within ten feet of any road right-of-way. Such activities shall not occupy any required parking area or driveway.*

Standard is Met: The outdoor sales are more than fifty feet from a residential zoning district and a road right-of-way abutting any residential zoning district. The outdoor sales are more than ten feet from any road right-of-way. The outdoor sales will occur on the sidewalk area outside of the storefront and will not be located in any required parking area or driveway.

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 outdoor sales are located more than one hundred feet from a 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: No illumination of the outdoor sales, storage, or display areas has been proposed.

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

Standard can be Met: Although specific measures were not detailed for how the area will be maintained, all items are proposed along the front sidewalk, visible by store employees for monitoring.

14. *Signage for outdoor sales or displays shall comply with Chapter 1145 or if located in the H.P.A., Chapter 1138.*

Standard is Met: No additional signage is proposed for the items to be sold outside.

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 submitted site plan indicates the different types of merchandise that will be displayed. It also indicates that the 24 packs of water shall be displayed annually from March 15 until October 15, the windshield wash be displayed annually from October 15 until March 15, and the propane to be displayed year round.

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.