



# 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

- 8. APPLICATION: Speedway #1158 | Special Use Permit (Outdoor Sales)**
- Project Number: 201609150065
- Location: 3612 Broadway (PID 040-003146)
- 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 ice at the Speedway Station located at 3612 Broadway. Speedway is currently operating the outdoor sales of ice and propane in the front or south side of the store. The ice merchandiser and propane cage closest to the Broadway right-of-way or left front of the building will be removed while the ice merchandiser further to the east will remain. The ice merchandiser is five feet wide and three feet deep. The sidewalk area is six feet deep, leaving three feet of space in front of the ice merchandiser. Parking blocks will be added for the six parking spaces in the front of the store to maintain the sidewalk area. 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 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. The adjacent properties to the north and south are also

zoned as C-2 that permits retail sales. The properties to the east are residential and zoned as A-1 and R-2, however the outdoor sales are screened by a wood fence from them.

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:** The ice merchandiser is 5 feet wide by 3 feet deep and will leave 3 feet of sidewalk between the outdoor sales and parking lot. Parking blocks will also be installed for the 6 parking spaces in front of the store to maintain the 3-foot sidewalk and create a safer pedestrian zone.

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 will be located approximately 55 feet from the nearest residential zoning district. The outdoor sales are more than 80 feet from the Broadway 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 closer than one hundred feet from the two residential districts to the east, A-1 and R-2, but are screened from view by a wood, privacy fence.

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 that an ice merchandiser will be displayed year round, with no proposed seasonal changes of display.

### **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.