

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE/SITE PLAN APPROVAL TO BRIAN SOYKA OF SHEETZ, INC., APPLICANT, TO PERMIT THE RENOVATION AND EXPANSION OF THE SHEETZ CONVENIENCE STORE/GAS STATION LOCATED AT 950 STEELS CORNERS ROAD, IN THE CITY OF STOW AND DECLARING AN EMERGENCY.

WHEREAS, on June 12, 2018, the Planning Commission did recommend to this Council the granting of Conditional Zoning Certificate/Site Plan approval as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Brian Soyka of Sheetz, Inc., applicant, is hereby granted Conditional Zoning Certificate/Site Plan approval to permit the renovation and expansion of the Sheetz convenience store/gas station located at 950 Steels Corners Road. The property is zoned C-5 Highway Services and convenience stores are conditionally permitted in this district.

The existing Sheetz parcel is approximately three acres in area and is comprised of a 4,500 square foot store, a separate car wash building and gas pumps located north and east of the existing convenience store.

The applicant is proposing to remove the majority of the existing structure, including the car wash, the gas pumps, the canopies east of the building and a portion of the canopies north of the building. To accommodate this expansion the applicant also intends to use additional property to the south that they own.

A new building will be constructed in approximately the same location and a separate car wash building will be constructed south of the new building. The gas pumps located north of the building will remain in the same location. The new convenience store will be 4,900 square feet in area and the new car wash building will be approximately 1,000 square feet in area. The convenience store will feature a brick exterior with a stone veneer along the base and the proposed new car wash will include a brick exterior.

The renovated station will include separate drive-thru lanes for the convenience store and the car wash located west and south of the store.

The existing detention basin will be modified to accommodate the site expansion.

Said proposal shall be in accordance with the provisions contained under Sections 1145.01 through 1145.14 and Sections 1163.01 through 1163.04, C.O.S. Such approval shall be contingent upon the applicant complying with the following terms and conditions:

1. The applicant shall either execute the Assent and Acceptance by Applicant attached hereto or, in lieu thereof, and pursuant to Section 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$1,500 to the City of Stow to guarantee the applicant's faithful performance of all conditions and stipulations contained herein. Said bond shall be in a form approved by the Law Director.
2. To Sheetz Parcels 56-13408 and 56-00035 being consolidated prior to the issuance of a building permit.
3. To the Engineering and Building Departments' approval of construction plans.
4. To the City Arborist's approval of a landscaping plan prior to the issuance of a building permit.


5. To compliance with the Site Plan approved by the Planning Commission on June 12, 2018 which is incorporated herein by reference and made a part hereof as if fully reappearing herein.
6. This approval is non-assignable and may not be transferred without the consent of Council.
7. This approval shall expire within one (1) year of the date of this enactment unless prior thereto a building permit has been issued and actual construction undertaken.
8. The authorization granted by this legislation shall become null and void if it is not signed or if the bond is not posted within 30 days from the effective date of this legislation.

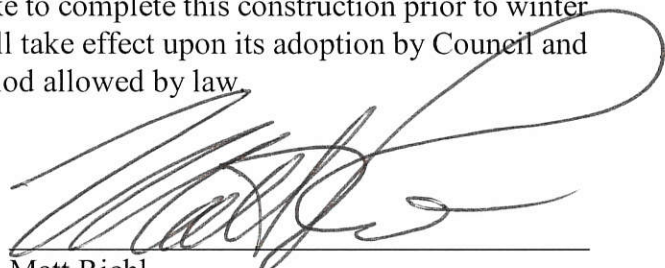
SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. This Resolution was adopted pursuant to Section 4.11, Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety for the reason that the applicant would like to complete this construction prior to winter weather, and, pursuant to Section 4.13, Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

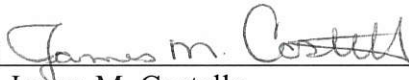
ADOPTED BY COUNCIL 6/28/18

ATTEST


 Bonnie Emahiser
 CLERK OF COUNCIL


 Matt Riehl
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 7/2/18

APPROVED 
 James M. Costello
 MAYOR

FILED WITH CLERK 7/2/18

APPROVED AS TO FORM

EFFECTIVE DATE 7/2/18


 Amber K. Zibritosky
 LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Brian Soyka of Sheetz, Inc., applicant have read the foregoing enactment by Stow City Council and do hereby assent and accept all terms and conditions contained herein as being the basis upon which approval was granted and upon which the authorized activity is expressly conditioned.

SHEETZ, INC.

 Date

 By: Brian Soyka