

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE AND SITE PLAN APPROVAL TO SAVANNA VAN DE KAMP OF CIRCLE K, APPLICANT AND PROPERTY OWNER, TO PERMIT THE RAZING AND REBUILDING OF THE CONVENIENCE STORE/GAS STATION AND THE ADDITION OF AN ACCESSORY CAR WASH AT THE CIRCLE K LOCATED AT 4936 FISHCREEK ROAD IN THE CITY OF STOW.

WHEREAS, on February 12, 2019, the Planning Commission did prudently consider and did recommend to this Council the granting of conditional zoning certificate and site plan approval as hereinafter set forth; and

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

SECTION 1. That Savanna Van de Kamp of Circle K, applicant and property owner, is hereby granted conditional zoning certificate and site plan approval to permit the razing and rebuilding of the convenience store/gas station and the addition of an accessory car wash at the Circle K located at 4936 Fishcreek Road. The property is zoned C-3 Community Retail and gas stations are conditionally permitted in this district.

The applicant is proposing to completely raze the existing 2,500 square foot structure and gas canopy and replace it with a new store and gas pump/canopy and add a car wash.

The proposed building will be 4,531 square feet in area, which will be located approximately 70 feet from the Stow Road right-of-way and 155 feet from the Fishcreek Road right-of-way. The proposed car wash will be located southeast of the store 45 feet from the east property line. The new gas canopy will be oriented parallel with Fishcreek Road and will be located 60 feet from the right-of-way. Twelve gas pump stations are proposed. The exterior will be primarily constructed in brick and stone masonry finishes with EIFS accents. The columns for the gas canopy will be wrapped in brick to match the store exterior.

The curb cuts on both Stow Road and Fishcreek Road will be moved further away from the Stow/Fishcreek Road intersection. The Stow Road curb cut will be moved approximately 70 feet to the southwest and the Fishcreek entrance approximately 140 feet to the southeast.

Storm water detention will primarily be accommodated with an underground system. Landscaping and significant screening is proposed adjacent to the south and east property lines and ornamental landscaping is proposed along the Stow and Fishcreek frontages.

This proposal shall be in accordance with the provisions contained under Sections 1145.01 through 1145.14, 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 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$2,500 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 the Engineering and Building Departments approval of construction plans and storm water management plans.
3. To the City Arborist's approval of landscaping plans.

4. To the applicant consolidating the lots.
5. To the elimination of one parking space located near the southwest corner of the building.
6. To compliance with the Site Plan as approved by the Planning Commission on February 12, 2019 which is incorporated herein by reference and made a part hereof as if fully reappearing herein.
7. This approval is non-assignable and may not be transferred without the consent of Council.
8. 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.
9. 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.

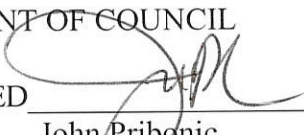
SECTION 3. That this ordinance was adopted pursuant to Section 4.11, Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise, at the earliest period allowed by la.

ADOPTED BY COUNCIL 2/28/19

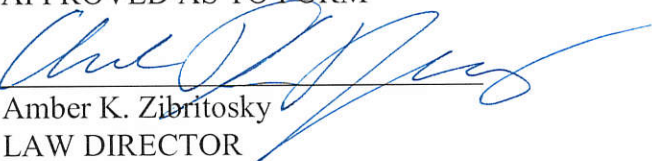
ATTEST 
 Bonnie J. Emahiser
 CLERK OF COUNCIL


 Matt Riehl
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 3/4/19

APPROVED 
 John Pribonic
 MAYOR

FILED WITH CLERK 3/4/19

APPROVED AS TO FORM

 Amber K. Zibritosky
 LAW DIRECTOR

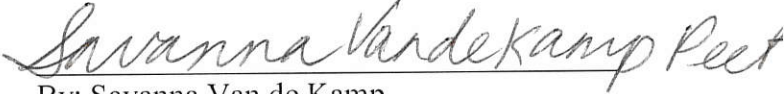
EFFECTIVE DATE 4/3/19

ASSENT AND ACCEPTANCE BY APPLICANT

I, Savanna Van de Kamp of Circle K, applicant and property owner, 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.

CIRCLE K

3-1-19
 Date


 By: Savanna Van de Kamp