

Memo

To: Planning Commission
From: Bryan Myrkle, Community Development Director
cc:
Date: October 3, 2014
Re: Conditional Use request from Family Farm & Home

You are being asked to consider a Conditional Use request for a new retail store planned for the open space between Dunhams and Peebles in the former K-Mart location. The store would be of the the Michigan-based Family Farm and Home retail chain.

Because this retail operation desires to use outside space for some of its displays and sales, similar to Tractor Supply Company; and because it is located in a B-3 zone, they are requesting conditional use approval.

Section 82-268(2) states: *All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special conditions in 82-269 shall be conducted within completely enclosed buildings.*

Section 82-269 states: *The following uses may be permitted in a General Business District upon the granting of a permit for such use by the Planning Commission subject to the conditions imposed in this section for each use and subject further to such other conditions which in the opinion of the Planning Commission are necessary to provide adequate protection to the neighborhood and to abutting properties and subject further to a public hearing in accord with 82-34(C).*

Section 82-269(5) states: *Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, subject to the following conditions.*

- (a) The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.*
- (b) All loading and parking shall be provided off-street.*
- (c) The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.*

Taking these sections of the ordinance in account, it appears that Family Farm & Home's proposal would meet the requirements for the granting of a conditional use permit. I have not identified any problems or conflicts with setback requirements, or parking requirements (both the amount and location appear to remain adequate to meet the requirements of the ordinance).

Therefore, I recommend the Planning Commission approve the conditional use request from Family Farm & Home for outside sales and display.