

MINUTES

CITY OF WOOSTER PLANNING COMMISSION

June 30, 2016

I. MEETING CALLED TO ORDER AND ROLL CALL

Ronald Rehm, Chair of the Planning Commission, called the Special Meeting of the Planning Commission to order. Commission members Sherry Brownson, Grant Mason, Jackie Middleton, Gil Ning, Ronald Rehm, Mark Weaver, and Fred Seling, were present at the meeting. Commission members Kyle Adams and Jean Roberts were not in attendance. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

II. CONDITIONAL USE APPLICATION (PUBLIC HEARING)

#CU-390.

David Strader of Nevada Jacks requested conditional use approval for a commercial recreation, indoor use (Adult Video Game Establishment) at 2967 Cleveland Road in a C-5 (General Commercial) District.

David Strader, 465 S. Summit Street, gave a brief overview of the application. Mr. Seling asked if the hours of operation were provided by the applicant. Mr. Strader stated that he proposed the hours of operation proposed, though they were negotiable.

John Cook, 1786 Pine Cove Drive, stated he was one of the owners of the property. Mr. Cook emphasized the last tenant in the building was a similar establishment, which was approved by the Planning Commission. Mr. Cook addressed the opposing correspondence from Beth Lowenstein (Hodges), who was concerned about the parking situation. Mr. Cook stated parking was a problem with any type of business that went into that location. Mr. Cook explained that a contractor was working on the parking lot to increase the number of parking spaces. Mr. Cook stated he had never seen the parking lot full.

Mr. Rehm asked how many parking spaces would be created. Mr. Cook answered the contractor said he could make 8 or 10 more spaces in the back of the building.

Chad Buehler, 656 Tori Circle, stated he owned the Studio Tattoo business next door to the proposed Adult Video Game Establishment. Mr. Buehler indicated he wanted to support Mr. Strader's application. Mr. Buehler stated that parking was a bit of an issue, but the expansion of parking in the back would help.

Gil Ning asked if the property had complied with handicap parking requirements. Mr. Dutton stated there was at least one handicap space in the front of the building, though he was not sure if the site complied with Federal ADA requirements. Mr. Ning also asked if the applicant had fulfilled the federal, state and local registration or inspections of the machines and asked if the business was legal. Mr. Strader stated that to his knowledge the business would be legal. Mr. Ning asked if an inspection needed to be done by the state. Mr. Strader responded he was not aware of any inspections required by the state. Mr. Ning also stated that he had concerns regarding parking on the site.

Mike Polumbo, 2801 Cleveland Avenue, said he was the operator of a similar establishment and had applied for approval from the Planning Commission two years ago. Mr. Polumbo said parking had always been an issue for the property. Mr. Polumbo explained he was present to answer any questions about the business.

Mr. Mason asked Mr. Cook if each tenant had a written lease. Mr. Cook replied that each tenant had a written lease. Mr. Mason then asked if each tenant had a certain reserved amount of parking spaces. Mr. Cook said that no designated parking spaces were provided in the leases. Mrs. Middleton asked if the employees were to park in the back, would there be enough customers parking for the building. Mr. Cook stated not all of the tenants had back entrances.

Mr. Dutton indicated that a section City of Wooster Traffic Code had been provided to the Commission, which addressed private parking disputes and private tow away zones. Mr. Dutton continued that, due to the presence of the Traffic Code section, he would like to rescind the third staff recommendation. Mr. Dutton continued that parking requirements for the use would be comparable to other similar commercial uses.

Jackie Middleton moved to approve Conditional Use Approval #CU-390 for a commercial recreation, indoor use (Adult Video Game Establishment) at 2967 Cleveland Road in a C-5 (General Commercial) District with the following staff recommendations:

1. Operations shall not be in violation of gambling laws of the State of Ohio.
2. Hours of operation shall be limited to 10 a.m. to 9 p.m. from Monday through Thursday, ten a.m. to 12 a.m. (Midnight) on Friday and Saturday and 1 p.m. to 6 p.m. on Sunday.

Mark Weaver seconded the motion. The motion carried 6-1 with Gil Ning voting no.

I. **ADJOURNMENT**

Gil Ning moved to adjourn the meeting. Fred Seling seconded the motion. The motion carried 7-0. The meeting adjourned at approximately 6:04 p.m.

Ronald Rehm, Chairman

Carla Jessie, Administrative Assistant