

**CITY COUNCIL AGENDA**

**August 21, 2016**

**7:30p.m.**

**The meeting will be held at City Hall, in Council Chambers, 1<sup>st</sup> Floor, 538 N. Market Street, Wooster, Ohio.**

**I. ROLL CALL & ORDERING OF AGENDA**

**II. APPROVAL OF MINUTES**

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

**VI. OLD BUSINESS**

1. Third Reading – ORDINANCE 2016-27  
AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A C-5 (GENERAL COMMERCIAL) DISTRICT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF WEST MILLTOWN ROAD, BETWEEN COMMERCE PARKWAY AND OAK HILL ROAD (Knapic)
2. Third Reading- ORDINANCE NO. 2016-29  
AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO CHAPTERS 1103, 1149, AND 1171 (Knapic)

**VII. NEW BUSINESS**

1. First Reading- RESOLUTION NO. 2016-59 - A RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS APPLICANTS FOR THE USE OF ECONOMIC DEVELOPMENT MONIES (Ansel)
2. First Reading- ORDINANCE NO. 2016-34 - AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY (Ansel)
3. First Reading- RESOLUTION NO. 2016-60 -A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE SOUTH SIDE OF WEST HIGHLAND AVE., WEST OF ITS INTERSECTION WITH OAK HILL ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Matthew Long, Esq., Agent for Petitioners Adam and Jody Rives, and JC5 Properties) (Knapic)

**VIII. EXECUTIVE SESSION**

To discuss operations, pursuant to WCO 8.06 (e) (3), at the Wooster Waste Water Treatment Plant

**IX. MISCELLANEOUS**

**X. ADJOURNMENT**

ORDINANCE NO. 2016-27

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A C-5 (GENERAL COMMERCIAL) DISTRICT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF WEST MILLTOWN ROAD, BETWEEN COMMERCE PARKWAY AND OAK HILL ROAD

WHEREAS, an application has been duly filed by Cris Jones of Meijer Stores Limited Partnership with the Planning Commission of the City of Wooster requesting the re-zoning of land (32.38 acres), currently owned by Gerald and Julie Craycraft and The Donald and Alice Noble Foundation Inc., from a C-1 (office and institutional) district to a C-5 (general commercial) district; and

WHEREAS, at its August 1, 2016 meeting, and after a public hearing in accordance with law, the Planning Commission's motion for approval recommendation to City Council for this zoning map amendment failed to receive the five required votes for approval, with three commission members voting in favor and three members voting against; and

WHEREAS, at the next Planning Commission meeting, a motion to reconsider the application was not made. As a result, the recommendation from the Planning Commission for this zoning map amendment is a denial of the application; and

WHEREAS, notice of a public hearing by the City Council on the re-zoning has been duly given and a public hearing has been held on October 17, 2016, all in accordance with law; and

WHEREAS, under WCO 1119.10 (b)(2), when the Planning Commission recommends disapproval of a proposed amendment then no such amendment shall be adopted unless approved by a majority vote of the membership of Council; and

WHEREAS, this City Council deems that the proposed zoning designation for the land should be adopted and approved.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That Title Eleven, Zoning, of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, is amended so as to re-zone land, 32.38 acres of land with PPN 67-02964.000 and PPN 67-02967.000, from a C-1 (office and institutional) district to a C-5 (general commercial) district for property located on the south side of Milltown Road, between Commerce Parkway and Oak Hill Road, as appears on the map attached hereto.

SECTION 2. The Planning Division is directed to change the official zoning map to conform to the above-described amendment.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

1st reading 10/17/10 2nd reading 11/7/10 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2016 Vote: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council President of Council

Approved: \_\_\_\_\_, 2016  
Mayor

Introduced by: Barbara Knapic

**Request for Agenda Item  
Non-Capital**

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

**Description** (be as descriptive as possible, given space limitations)

Cris Jones of Meijer Stores Limited Partnership representing Gerald and Julie Craycraft and The Donald and Alice Noble Foundation Inc. requesting approval of a Zoning Map Amendment to change the zoning of 32.38 acres on West Milltown Road with Parcel Numbers 67-02964.000 and 67-02967.000 from C-1 (Office and Institutional) to C-5 (General Commercial).

Zoning Amendment applications require a recommendation from the Planning Commission prior to City Council's review. At the August 1<sup>st</sup>, 2016 meeting of the City of Wooster Planning Commission, a motion was made to forward an approval recommendation from the Planning Commission to City Council for the Zoning Map Amendment application. The motion failed to gain the majority necessary for approval with a vote of three to three. Motions of the Planning Commission must receive five votes for approval, which is a majority of the full membership of the Commission. A possible motion to reconsider the application at subsequent Planning Commission meetings was not made. Therefore, the recommendation from the Planning Commission for this Zoning Map Amendment is the denial of the application.

The application requires a public hearing before City Council per the notification requirements of Section 1119.09 of the City of Wooster Codified Ordinances.

**Is there a need for rules suspension or time limitation when this must be passed?**

**Manager Requesting**

**Date**

**Approved for Agenda**



538 N. Market Street \* P.O. Box 1128  
Wooster, Ohio 44691-3406

**Jonathan S. Millea, AICP**  
Development Coordinator  
Phone : (330) 263-5250  
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Email: jmillea@woosteroh.com

## MEMO

**To:** Members of Wooster City Council  
**From:** Jonathan Millea, Development Coordinator  
**CC:** Mr. Robert Breneman, Mayor; Mr. Joel Montgomery, Director of Administration.  
**Date:** 10/13/2016  
**Re:** C-5 Zoning Request for Meijers Proposal Economic Impacts

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### Key Points from Meijers Proposal Summary:

1. **Job Creation** – 270 new jobs created to fill an under-served market.
2. **Tax Revenue Impact** – \$360,923 annually before sales tax, with \$83,376 direct to City.
3. **Market Need** – Food/Beverage Market 35.7% smaller than needed, resulting in spending leakage.
4. **North End Retail Destination** – Expands retail volume in North End, increasing number of shoppers.
5. **Comprehensive Plan** – Documents that site is best location for this type of development.
6. **Alternative Locations** – Other sites too small, or unavailable; none planned for this type of project.
7. **Public Infrastructure** – Road widening, intersection improvements, and turn lanes at developer's expense.  
(Quickest way to achieve road improvements and a least expense to taxpayers)
8. **Retail Market Area** – Location in Wooster prevents retail market-share loss to other cities.
9. **Manufacturing Growth** – Retail demand driven by primary job growth (GOJO, LuK, Daisy, etc.)
11. **EZ/CRA ROI** – Development is taxpayer return on investment from other CRA/EZ projects.
12. **School District Impact** – \$222,443 taxes to WCSD exceeds all active CRA/EZ combined revenues.

Note: Please see attached report for details. Thank you.

Sincerely,  
*Jonathan Millea, AICP*  
Development Coordinator



## CITY OF WOOSTER

Planning and Zoning Division

538 North Market Street Wooster, OH 44691  
Phone: 330-263-5235 Fax: 330-263-5274

### MEMORANDUM

**DATE:** October 10, 2016  
**TO:** City Council  
**FROM:** Andrew Dutton, Planning and Zoning Manager  
**RE:** West Milltown Road Rezoning Request

A Zoning Map Amendment submitted by Cris Jones of Meijer Stores Limited Partnership to change the zoning of 32.38 acres on West Milltown Road with Parcel Numbers 67-02964.000 and 67-02967.000 from C-1 (Office and Institutional) to C-5 (General Commercial) has been forwarded to City Council. Below, I have provided a summary of the review process, proposed application and staff recommendation.

#### PROCESS

Zoning Map Amendment applications are first reviewed by the City of Wooster Planning Commission. The Commission is tasked with providing a recommendation to City Council to approve or deny the application.

At the 8/1/16 meeting of the Planning Commission, the Commission heard the Zoning Map Amendment application, which included a required public hearing. Due to the absence of 2 members and the abstention of 1 member, only 6 members were available to vote on the application. A motion to approve the Zoning Map Amendment application received 3 votes in favor of approval and 3 votes against approval. Approval of a motion by the Planning Commission requires 5 votes in favor of approval, which is the majority of the entire Commission. The lack of 5 votes in favor of approval results in the forwarding of a denial recommendation to City Council.

At the 9/28/16 meeting of the Planning Commission, the Commission had the *option* to reconsider the application based on additional submitted information. The motion to reconsider the application needed to be made by a Commission member that had previously voted against approval of the application. No such motion was made at the meeting and the application was not reconsidered.

The Zoning Amendment application is therefore forwarded to City Council with a recommendation of denial by the Planning Commission, per the vote of 3 to 3 on 8/1/16.

## DEVELOPMENT PROPSAL INFORMATIONAL SUMMARY: Meijers Inc



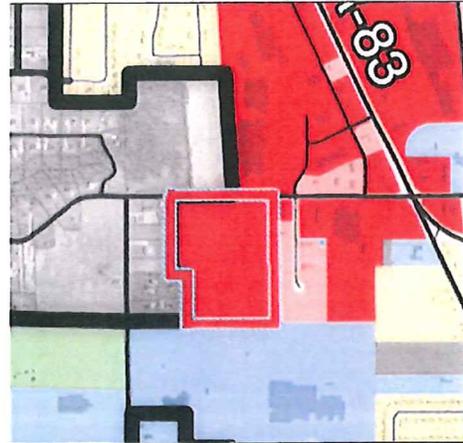
Prepared by the City of Wooster Department of Community Service and Development Concerning:  
**Meijers – Project Site: Milltown Road, Wooster, Ohio 44691**  
 Application: Zoning Change. Analysis: 10 October 2016

**Project Summary:** Julie Craycraft and The Donald and Alice Noble Foundation Inc. have submitted a proposal for the rezoning of parcels 67-02964.00 and 67-02967.00 along W. Milltown Road from C-1 to C-5, which would permit a proposed \$20,000,000 project to construct a Meijers retail and grocery store and create 270 jobs. No economic incentives have been requested, however, given the scope of the project, this Informational Summary is being provided to describe the potential local economic impacts of the development.

**Project Impacts:**

**Consumer Market:** Retail trade makes up 12.16% of all Wayne County jobs, compared with 12.5% statewide (Bureau of Labor Statistics, BLS), showing a relatively normal retail market. However, Wayne County has a larger-than normal supply of general merchandise stores, i.e. Walgreens, Home Depot, Pier 1 Imports, etc, that employ 3.28% of the local workforce versus 2.58% statewide, particularly in wholesale, building supply and furniture. This is driven by the county's rural setting, and also many small villages surrounding Wooster that create demand for small convenience stores. The county's food and beverage retail market is 35% smaller than average, employing only 1.49% of the workforce versus 2.32% statewide, suggesting consumer retail spending leakage to other markets (Mansfield, Canton, Akron, etc.).

**Meijers Proposed Development Site**  
 W. Milltown Road, Wooster, Oh.



2014 Comprehensive Plan – Future Land Use Plan Map Excerpt (Pg. 67 – Commercial other than Office). Parcels 67-02964.00 and 67-02967.000 outlined in red at W. Milltown Rd in the North End. Project will create 270 jobs.

**Location:** The North End retail community has a primary market area far beyond the City of Wooster, serving as Wayne County's primary retail destination. Employment, sales, and tax revenue created in the North End is heavily dependent on attracting visitors from outside of Wooster. Data suggests that additional demand exists for certain retail services, which should be expected to increase in the region as its population (+1.4% Census) and spending power continues to grow. If the region's retail demand is not met within the North End, it may be met by a similar development occurring outside of Wooster or even outside of Wayne County, which could shrink the pool of visitors to the North End, impacting its role as a retail destination. Conversely, the addition of more anchor-scale retail to the area could limit consumer retail spending leakage to other areas, serving to maintain or increase traffic to the North End and Wooster, increasing spending at large and small businesses.

**Employment and Wages:** Wayne County's unemployment rate was 3.6% in August of 2016 (BLS), the 10th lowest rate in the State of Ohio. Upward pressures on wage rates for various positions throughout the City have been observed, including in the entry-level unskilled wage market where advertised positions offer well above minimum wage. The addition of 270 new employment positions may serve to maintain upward pressure in wages. Wooster's last quarterly monthly wage average was \$3,463, ranking as the top 15th among Ohio's 47 metropolitan and micropolitan regions (BLS), adding to spending power.

**Revenues:** The proposed vacant site creates \$7,496 in yearly property tax revenues, compared with \$360,927 in local taxes (not including a 0.75% County sales tax, or income tax from out-lot retail development) is the project moves forward. Net revenues from the City are estimated at \$83,376 in taxes for the City annually (\$67,500 in income taxes and \$15,876 in real property tax). Another \$222,443 would be generated in real property tax for the Wooster City School District.

**TABLE: Project Implication Matrix**  
 Meijers Hard-Estimated Level Investment Projected Tax Impacts

Current Value <sup>1</sup> (Milltown Road)	Annual Tax Obligation <sup>1</sup>	Post Project Tax Value (\$10,800,000 Invested)	Annual Real Estate Tax Obligation <sup>2</sup>	Annual Tax Obligation with Incentive	Applicant's Annual Savings	Total Savings after 10 Years
\$369,300	\$7,496	\$11,169,300	\$300,923.00	N/A	N/A	N/A
<b>Meijer Development Proposal</b>	<i>Annual City Income Tax Creation<sup>3</sup></i>		\$67,500	<i>Net Property Tax Gain with Abatement</i>		\$293,427
	<i>Annual City Property Tax Creation</i>		\$15,876	<i>Annual City Property Tax Creation<sup>4</sup></i>		\$15,876
	<i>Net City Revenue Annual Creation</i>		\$83,376	<i>Annual WCSD Property Tax Creation</i>		\$222,443

1. Current Value of \$369,300 based on the Wayne County Auditor's 100 percent 2015 valuation of taxes assessed for PPN 67-02967.000 and 67-02964.000 with Annual Tax Obligation based on actual reported 2015 taxes payable for 2016. Wayne County Auditor. Wayne County, Ohio. (9/2016) Property Records CAMA Database [Data file]. Retrieved from <http://www.waynecountyauditor.org/>  
 2. Figure assumes current tax obligation of PPN 67-02967.000 and 67-02964.000 and \$244,931 in new possible taxes resulting from a \$9,000,000 investment (based on a range of an overall \$32 to \$40 per square foot of valuation for similar large-scale developments in the North End, and a valuation of \$600,000 per developed out-lot). New tax figure calculated using the Wayne County Auditor's Tax Estimator Tool for tax rates within District 67 for 2016, which is contained within the City's 3rd Ward, the Wooster City School District, and the Wayne County Schools Career Center District, with a total millage of 76.977.  
 3. Estimated minimum income tax, based on \$4,500,000 estimated annual payroll.

*Note: Notification to local school districts and a recommendation by the Wooster Growth Corporation are required before an application for a Community Reinvestment Area (CRA) abatement may be considered by the Wooster City Council. Community Reinvestment Area #169-86548-01 is governed by Ohio Revised Code Sections 3735.65 through 3735.70, as administered by the Ohio Development Services Agency, and City of Wooster Ordinances No. 2004-33. For questions on this application or the City of Wooster's CRA in general, please contact the City of Wooster Development Coordinator at 330.263.5250.*

## **APPLICATION**

The proposed application under review is exclusively to change the zoning of the subject properties from C-1 (Office and Institutional) to C-5 (General Commercial).

In general, the C-5 district allows for more intensive uses than the C-1 district, such as retail, restaurants, automobile service stations, multi-family residential, etc. A full list of permitted uses can be found in your copy of the Staff Report provided to the Planning Commission. C-1 standards require a site configuration with the building located near the right-of-way, parking to the side and rear of the building and reduced setbacks. C-5 standards require a building setback further from the right-of-way, parking on all sides of the building and increased setbacks, particularly from residential areas.

Per discussion of the Planning Commission at their 8/1/16 meeting, additional information was provided for the project including a site plan, building elevations and a background of Meijer. This information has been provided as a courtesy and is not part of the approval of this Zoning Map Amendment application. If approved, there is clearly a strong likelihood that Meijer will move forward with a possible development. This development would be reviewed by the Planning Commission through a formal Development Plan process which takes into account setbacks, traffic and utility impacts, building design, landscaping and screening, parking, etc.

When reviewing this application, please take into account the items in Section 1119.07 which the "Planning Commission and City Council should consider". Please also take into account all possible uses and developments which would result from a C-5 zoning classification, rather than limiting the review to a specific project.

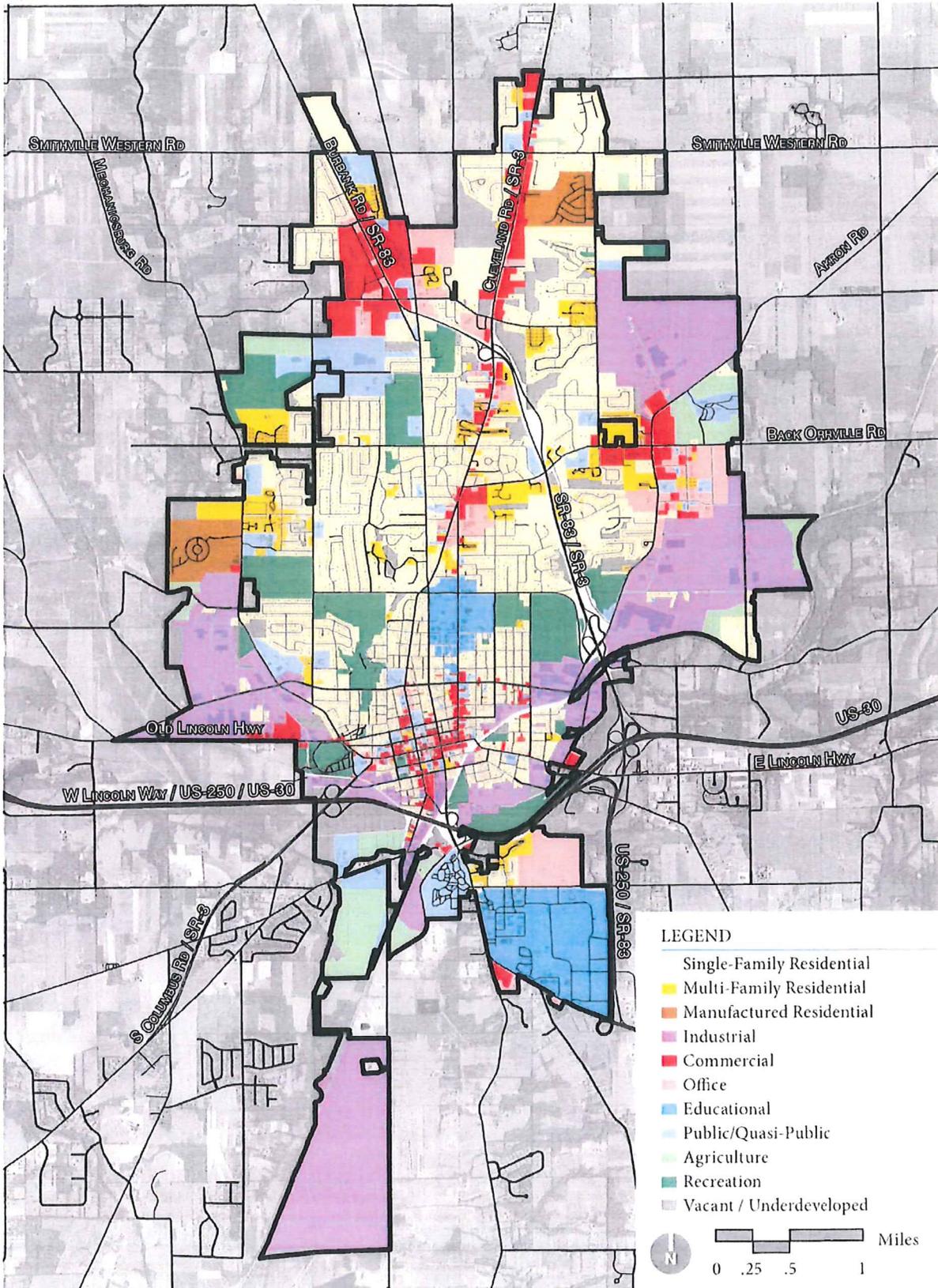
## **STAFF RECOMMENDATION**

As found in the Staff Report, staff has recommended approval of the proposed rezoning from C-1 to C-5. The recommendation is based on review of the proposed rezoning and its relation to Section 1119.07. There have recently been questions regarding the rationale for the staff recommendation. I have provided the following to elaborate on the recommendation:

- The Comprehensive Plan identifies the property as "Commercial" rather than "Office" in the Future Land Use map. In addition, the Plan encourages development within the City Limits rather than rapid annexation. As the Plan is Comprehensive in nature and covers everything from Parks to Land Use to Utilities, no other sections of the Plan are directly applicable to the proposed rezoning.
- Development of the north end has resulted in buildout of the primary commercial corridor along Burbank Road. There is no available land in the area zoned C-5 that would support a substantial commercial development.
- The proposed zoning is largely compatible with area land uses. Land to the northeast and east of the site is zoned commercially and contains retail and office uses. Land to the south is zoned Community Facilities which "...may be utilized to provide a transition between zoning districts". Land to the northwest and west is and located outside of the City Limits, which does not have zoning. These properties include a mix of uses including vacant land, single family residential, a church, and a cell tower.
- Adequate utility, sewer and water facilities are available to the site.
- A development of the site under the C-5 zoning would allow a more intense commercial land use. Staff is confident that the Development Plan review process is capable of addressing impacts, at the cost of the developer, by requiring traffic improvements, buffers from residential areas and an appropriate site configuration.

# City of Wooster Comprehensive Plan Future Land Use Map

Figure 3-11 Future Land Use, City of Wooster, 2013



<b>Owner</b>	<b>Address</b>	<b>City</b>
AMIET RALPH D TRUSTEE	3397 OAK HILL RD	WOOSTER OH 44691
BOARD OF EDUCATION WOOSTER CITY SCHOOLS	144 N MARKET ST	WOOSTER OH 44691
CHESTERLAND ESTATES PLL	1516 TIMKEN RD	WOOSTER OH 44691
COMMERCE PARKWAY	3373 COMMERCE PKWY STE 2	WOOSTER OH 44691
COMMERCIAL AND SAVINGS	91 N CLAY ST	MILLERSBURG OH 44654
CRAYCRAFT GERALD F & JULIE A	3475 OAK HILL RD	WOOSTER OH 44691
KEYSTONE TRANSLOAD	1281 STETLEP RD	MIFFLINTOWN PA 17059
LOWES HOME CENTERS INC	1000 LOWES BLVD	MOORESVILLE NC 28117
PAUMIER LOUIS M & MONICA	3369 OAK HILL RD	WOOSTER OH 44691
SBA 2012 TC ASSETS LLC	5900 BROKEN SOUND PKWY NW	BOCA RATON FL 33487
SHIRER LARRY THOMAS & INEZ F S/T	3363 OAK HILL RD	WOOSTER OH 44691
TWICHELL DEWITT H	1525 CLAY ST APT 6	SAN FRANCISCO CA 94109
WMIA LLC	3524 COMMERCE PKWY	WOOSTER OH 44691

**ZC-265**

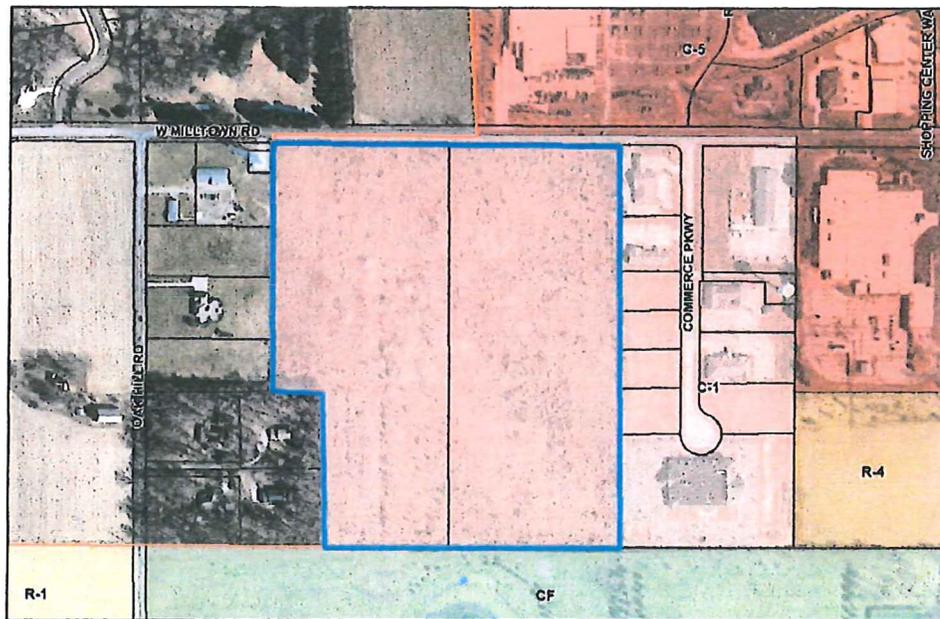


### Zoning Map Amendment #ZC-265 West Milltown Road Rezoning

Property Owner: Julie Craycraft and The Donald and Alice Noble Foundation Inc.  
 Applicant: Cris Jones of Meijer Stores Limited Partnership  
 Location: West Milltown Road (Parcel Numbers 67-02964.00 and 67-02967.00)  
 Existing Zoning: C-1 (Office and Institutional)  
 Proposed Zoning: C-5 (General Commercial)  
 Request: An approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to change the zoning from C-1 (Office and Institutional) to C-5 (General Commercial)

#### LOCATION AND SURROUNDING USES

The site consists of two properties composed of 32.38 acres located on the south side of West Milltown Road. Properties to the north are vacant land located outside the City of Wooster and a commercial use in the City zoned C-5. Properties to the east contain office uses and vacant properties zoned C-1. Property to the south contains Wooster High School, which is zoned CF (Community Facilities). Properties to the west are located outside the City of Wooster and contain a wireless telecommunication facility use, a church use, single family residential uses, and vacant land.



#### PROPOSED APPLICATION

The current site consists of two undeveloped properties on the south side of West Milltown Road. Both properties are currently zoned C-1. The applicant has proposed the rezoning of both properties to C-5 and has indicated that the proposed uses are a Meijer retail store, convenience store with a gas station and commercial outlots.



### **PLANNING COMMISSION RECONSIDERATION**

At the August 1<sup>st</sup> Planning Commission meeting, a motion to forward an approval recommendation to City Council for this Zoning Map Amendment failed to receive the required votes for approval with three Commission members voted in favor of the motion and three Commission members voted against the motion. In addition, one Commission member recused herself from reviewing the application due to a conflict of interest and two Commission members were unable to attend the meeting. A motion related to a Zoning Map Amendment application requires five votes in favor for approval.

The applicant has recently provided additional information related to the Zoning Map Amendment application which was not previously available at the August 1<sup>st</sup> Planning Commission meeting. Information provided includes a conceptual site plan, a cross section of the southwest portion of the site, building elevations, and a Meijer company overview. Based on the submission of this additional information, a member who voted against an approval recommendation at the August 1<sup>st</sup> Planning Commission meeting may make a motion for the Commission to reconsider the application.

These additional items have been provided as a supplement and are not required by the Planning and Zoning Code for a Zoning Map Amendment application. At this time, these supplemental items are not being reviewed for approval. In the event the project progresses, a Development Plan application will be reviewed by the Planning Commission. At such time, detailed information regarding setbacks, landscaping and screening, parking, building elevations, traffic, lighting, etc. will be required for review by the Planning Commission and City Staff.

### **ZONING DISTRICT INTENT**

The intent of the C-1 zoning district is as follows, per Section 1141.01(d):

To create an environment conducive to well-located and designed office building sites and to accommodate office users. This District shall act as a buffer zone to residential districts, thus providing protection from more intense business uses or major thoroughfares.

The intent of the C-5 zoning district is as follows, per Section 1141.01(h):

To accommodate a broad range of commercial services and activities in locations adequately served by major streets and other facilities and to provide a wide range of goods and services to a large consumer population coming from an extensive area

### **DISTRICT DIFFERENCES**

The C-1 and C-5 districts have a number of development standard differences found in Sections 1141.04 and 1141.06. Overall, C-1 standards require a site configuration with the building located near the right-of-way, parking to the side and rear of the building and reduced setbacks. C-5 standards require a building setback further from the right-of-way, parking on all sides of the building and increased setbacks, particularly from residential areas.

In addition, the following Table 1141.02 includes a list of all Permitted (P), Conditional (C), Accessory (A), and Prohibited (-- or not included in the table) uses in the C-1 and C-5 zoning districts:



	C-1	C-5
<b>Residential/Lodging</b>		
A. Single-family dwelling	p <sup>4</sup>	--
B. Single-family attached dwellings	--	--
C. Two-family dwelling	p <sup>4</sup>	C
D. Dwelling unit(s) above the first floor of a building	--	P
E. Bed and breakfast establishment	C	--
F. Hotel, motel	--	P
G. Multi-family dwelling	--	C
<b>Office and Professional Services</b>		
A. Administrative, business and/or professional office	P	P
B. Bank and other financial institutions	--	P
C. Medical/dental office	P	P
D. Medical/dental/health services clinic	P	P
E. Hospital	--	--
<b>Retail and Services</b>		
A. Retail establishment	p <sup>1</sup>	P
B. Freestanding automated teller machine or drive-thru	--	C
C. Restaurant, indoor	--	P
D. Drive-thru facility in assoc. with a permitted use	--	C
E. Funeral home	P	P
F. Outdoor display/sales	--	P
G. Service establishment, business	C <sup>3</sup>	P
H. Service establishment, personal	C <sup>3</sup>	P
I. Veterinary office, animal hospital	--	P
J. Dog day care/grooming facility	--	P
K. Kennel (with no outdoor run)	--	P
L. Custom Print Shop	--	p <sup>5</sup>
M. Microbrewery, Microdistillery or Microwinery	--	P

	C-1	C-5
<b>Automotive/ Transportation</b>		
A. Gasoline station / pumps	--	P
B. Car wash	--	P
C. Automobile service station	--	P
D. Vehicle repair garage	--	C
E. Public use parking lot	C	--
F. Motor vehicle sales and rental	--	C
G. Public transportation terminal	--	P
H. Self-storage facility, indoor	--	C
<b>Entertainment – Recreation</b>		
A. Commercial recreation, indoor	--	C
B. Commercial recreation, outdoor	--	C
C. Health Club	--	P
D. School, specialty/personal instruction	C	P
E. Theater	--	P
F. Assembly hall/ membership club/conference center	C	P
G. Public park or playground	P	P



	C-1	C-5		C-1	C-5
<b>Community Facilities/ Other</b>					
A. Congregate care facility	P	P			
B. Nursing home	P	P			
C. Place of worship/church	C	P			
D. Day care facility, child and/or adult	C <sup>3</sup>	P			
E. School, commercial, business or trade	P	P			
F. School (public/private) elementary/secondary	C	P			
G. School (public/private) College/university;	C	C			
H. Public safety, health or utility facility	P	P			
I. Public service/ maintenance facility	--	P			
J. Utility substation/ distribution facility, indoor	C	C			
K. Wireless telecommunication facility	See Chapter 1173				
L. Library, cultural institution	C	P			
			<b>Accessory Uses</b>		
			A. Accessory recreational facilities	--	--
			B. Crematorium when accessory to a funeral home	A	A
			C. Off-street parking facility	A	A
			D. Outdoor storage of vehicles & equipment	--	A
			E. Outdoor storage of goods & general merchandise	--	A
			F. Restaurant, outdoor dining	--	A

<sup>1</sup> This use shall be permitted by-right only when part of a multi-establishment building and is not the principal use of a building (i.e. occupying the majority of gross floor area). Otherwise, it is a prohibited use.

<sup>2</sup> All operations, including storage, shall take place in a principal and/or an accessory building.

<sup>3</sup> This use shall be permitted by-right when part of a multi-establishment building, and it is not the principal use a building. If the use is proposed to be the principal use in any building (i.e. occupying the majority of gross floor area), then the use is a conditional use.

<sup>4</sup> Only those dwelling units that existed on June 21, 2007 shall be permitted. New dwelling units are prohibited.

<sup>5</sup> Custom printing shall not be done for any wholesale purpose, use, or for other businesses; no noise or fumes shall be noticeable to adjacent property owners or shall be noticeable to the general public from the street; no heavy truck traffic shall be generated from this use; no evidence of the production area shall be seen from the exterior of the building or shall be visible from the display windows to the general public.

**COMPREHENSIVE PLAN**

Figure 3.11 of the Comprehensive Plan, "Future Land Use", categorizes future land use for the site as "Commercial". Table 4.1 and Figure 4.9 of the Plan, "Planned Motorized Transportation Projects" do not indicate planned road improvements by the City of Wooster to West Milltown Road. However, the Table and Figure indicate planned public road improvements to Oak Hill Road between Oldman Road and West Milltown Road. As the Comprehensive Plan encompasses many topics at a larger level, no further detail is provided in the Plan for the subject property.



### **UTILITY AVAILABILITY/TRAFFIC IMPACTS**

Public water and sanitary sewer services are currently available along West Milltown Road and Commerce Parkway. In addition, a City of Wooster water tower is located to the east of the site on Commerce Parkway.

As noted, a Development Plan application is not required with the proposed Zoning Map Amendment application. As noted by the City Engineer, if the project moves forward, the applicant will be required to provide a detailed traffic study indicating impacts and necessary public improvements. The study will be reviewed by the City Engineer in coordination with the County Engineer, as a portion of the northern half of the West Milltown Road right-of-way is located outside of the city limits.

### **CRITERIA FOR APPROVAL**

When a proposed amendment would result in a change of zoning classification of any property, the Planning Commission and the City Council should consider whether:

- (1) The change in classification would be consistent with the Comprehensive Plan of the City or other adopted plans and policies.
- (2) The change in classification would be consistent with the intent and purposes of this Planning and Zoning Code.
- (3) The proposed amendment is made necessary because of changed or changing conditions in the area affected, and if so, the nature of such changed or changing conditions.
- (4) The uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The Planning Commission may suggest conditions and restrictions on the uses that would be permitted on the property if it were reclassified in order to attain compatibility with the uses permitted on other property in the immediate vicinity.
- (5) The uses that would be permitted on the property if it were reclassified would have an adverse environmental or health impact on the immediate surrounding area in terms of acceptable air, noise, light, or water quality standards.
- (6) Adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.
- (7) The amount of vacant land with the same zoning classification as proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, if any, make a substantial part of such vacant land unavailable for development.
- (8) The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

### **STAFF RECOMMENDATION**

Staff recommends approval of Zoning Amendment #ZC-265 to change the zoning from C-1 (Office and Institutional) to C-5 (General Commercial) for the subject West Milltown Road properties.

Application Number: 2016-1455

Zoning Amendment Number: ZC-265



CITY OF WOOSTER DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
538 North Market Street  
Wooster, OH 44691  
Phone: 330-263-5238 Fax: 330-263-5274

**ZONING AMENDMENT APPLICATION TO THE PLANNING COMMISSION**

Property Location: Milltown Road, Wooster OH

Property Owner: Name: Gerald and Julie Craycraft & Donald & Alice Noble Foundation Inc.  
\* Both parcels C/O Jack Gant of Gant Realty Address: 3475 Oak Hill Road, Wooster OH 44691 121 N. Market Street, 6th Floor, Wooster OH 44691  
Phone: 330-465-7692 Email: kgant@gant-realty.com

Applicant: Name: Cris Jones - Meijer Stores Limited Partnership  
(If different than Property Owner) Address: 2350 Three Mile Road NW, Grand Rapids, MI 49544  
Phone: 616-735-7992 Email: Cris.Jones@meijer.com

Zoning Amendment Type:  Zoning Code Amendment (\$150 fee)  Zoning Map Amendment (\$150 fee)

Parcel ID Number (if applicable): 67-02967.000 Property Acreage (if applicable): 32.38 (15.29 & 17.09)  
67-02964.000

Current Zoning (if applicable): C-1 Proposed Zoning (if applicable): C-5

Request (Use a separate sheet if necessary): Rezone from C-1 Office and Institutional to C-5 General Commercial, for Meijer Retail Store and Convenience Store Gas location and other commercial outlots.

Submittal Requirements: The reverse side of this form indicates the required items to be submitted in order for an application to be heard by the Planning Commission.

Authorized Signature: I hereby certify that the information contained in this application is accurate to the best of my knowledge and I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record.  
[Signature] 8/26/16  
Signature of Property Owner or Authorized Applicant Date

DO NOT WRITE BELOW THIS LINE - FOR OFFICIAL USE ONLY

Application Filed: 5/1/16 Fee Paid: 6/1/16 Hearing: 6/22/16 8/1/16

Decision:  Granted  Denied (See Permit for Conditions)  
8/27/16 9/28/16 Per applicant's Request

**CITY OF WOOSTER  
PLANNING DEPARTMENT**

---

**TO:** Roger Kobilarcsik                      **DATE:** June 1, 2016  
**FROM:** Planning Department              **RE:** Zoning Amendment Evaluation

---

**DEPARTMENT OR COMMISSION REVIEWING APPLICATION:**

- |  |   |
|--|---|
| <input type="checkbox"/> Building Standards                | <input type="checkbox"/> Parks and Recreation |
| <input type="checkbox"/> Design Commission                 | <input type="checkbox"/> Police Department    |
| <input checked="" type="checkbox"/> Engineering Department | <input type="checkbox"/> School Board         |
| <input type="checkbox"/> Fire Department                   | <input type="checkbox"/> Township Trustees    |
| <input type="checkbox"/> Law Director                      | <input type="checkbox"/> Traffic Commission   |
|  | <input type="checkbox"/> Other                |
- 

**NAME OF APPLICANT:** Cris Jones, Meijer Stores Limited Partnership

**NAME OF SUBDIVISION, PUD, ETC.:**

**LOCATION:** Milltown Road

**APPLICATION NO.:** ZC-265 (Rezone from C1 to C5)

- |  |  |
|--|--|
| <input type="checkbox"/> Annexation                  | <input type="checkbox"/> Planned Development Overlay District (PDOD) |
| <input type="checkbox"/> Community Shopping Center   | <input type="checkbox"/> Rezoning                                    |
| <input type="checkbox"/> Conditional Use             | <input type="checkbox"/> Subdivision                                 |
| <input checked="" type="checkbox"/> Development Plan | <input type="checkbox"/> Zoning Code Amendment                       |
| <input type="checkbox"/> Mobile Home Park            |  |

**COMMENTS:** (If no comment, please indicate and return.)

- 1. Site development must comply with all provisions of the City's site development and improvement manual for storm water management.*
- 2. Developer must use the current City of Wooster Engineering standards.*
- 3. Developer must obtain the necessary engineering permits.*
- 4. Traffic study will be required with proposed development has greater than 100 vehicles per day projected.*

(If additional space is needed, please write on the back or attach a separate sheet.)

*Roger Kobilarcsik*  
\_\_\_\_\_  
(Signature/Title) City Engineer

*6/2/16*  
\_\_\_\_\_  
(Date)

---

PLEASE FORWARD ALL COMMENTS TO THE PLANNING DEPARTMENT ON June 15, 2016 BY 2:00 P.M.





Aug. 10, 2016

Andrew Dutton  
City of Wooster Development Department Planning Division  
538 North Market Street  
Wooster, Ohio 44691

RE: Meijer and Convenience Store/Gas – Zoning Amendment Request- Supplemental Info

Dear Mr. Dutton:

Please accept this supplemental info package for the zoning amendment proposed for the Meijer development. We are requesting that this property be rezoned to C-5 (General Business) to allow for a proposed Meijer Retail Store and Convenience Store/Gas Station and other commercial out lots. This is consistent with the adopted City Comprehensive Plan from 2014 that designates the future use of the site as Commercial as shown on attached plan copied from Figure 3.11 in the Comprehensive Plan.

Additionally, the attached plans may help the Commission to understand that we are actually providing over and above the required screening for the residential parcels to the West. We understand that these plans are provided for the Commission for info only so that they can make a decision on the proposed rezoning.

Should you have any questions, please don't hesitate to call me at 513-527-2546.

Sincerely,  
**Woolpert, Inc.**

Lanie Wess  
Project Manager  
C/O Meijer Stores Limited Partnership

Cc: Cris Jones, Meijer  
Jack Gant, Gant Realty  
Brian Smallwood, Woolpert



May 31, 2016

Andrew Dutton  
City of Wooster Development Department Planning Division  
538 North Market Street  
Wooster, Ohio 44691

RE: Meijer and Convenience Store/Gas – Zoning Amendment Request

Dear Mr. Dutton:

Please accept this application for zoning amendment for proposed Meijer development. We are requesting that this property be rezoned to C-5 (General Business) to allow for a proposed Meijer Retail Store and Convenience Store/Gas Station and other commercial out lots. The proposed Meijer development would serve the public as an expansion to the City of Wooster's growing retail shopping options as well as provide opportunities for other retail/restaurants on out lots fronting on Milltown Road.

The proposed rezoning is consistent with the adopted City Comprehensive Plan that designates the future use of the site as Commercial and the rezoning represents a natural extension of the existing C-5 Zone to the north.

Should you have any questions, please don't hesitate to call me at 513-527-2546.

Sincerely,  
**Woolpert, Inc.**

Lanie Wess  
Project Manager  
C/O Meijer Stores Limited Partnership

Cc: Cris Jones, Meijer  
Brian Smallwood, Woolpert

Woolpert, Inc. . . . .  
4454 Idea Center Boulevard . . . . .  
Dayton, OH 45430-1500 . . . . .  
937.461.5660 . . . . .

August 22, 2016

**TO:** City of Wooster Planning Commission

**FROM:** Larry A. Stern, M.D.

Dear Planning Commission Members,

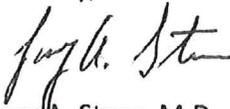
As a resident of Wooster with a home in the North End, I am opposed to the proposed rezoning on West Milltown Road to accommodate the development of a Meijer department store. I am not opposed to the idea of Meijer locating in the Wooster area, but feel that there are many more suitable locations for such an enterprise.

First, it would appear as though the infrastructure is not in place for such a large big box retailer. By their very nature, these stores achieve an economy of scale by means of large sales volumes. The result would be more traffic and gridlock in an area already near capacity. Even now, during certain periods of each week, the Milltown corridor is extremely congested, with traffic reminiscent of a major metropolitan area. I doubt that Wooster residents would welcome such inconvenience and deterioration of our small-town conveniences.

Furthermore, there are numerous well-maintained and established residential areas in the area of the proposed Meijer department store. These neighborhoods possess a calm and peacefulness that attracted these families to the area in the first place. It would be a severe disservice to the property owners in the North End to locate such a big box retailer at this site, with its attendant noise, distraction, clamor, and commotion.

There are much better locations for such a large retail establishment. It is my hope that the Planning Commission will see fit to reject the currently proposed site in favor of a more sensible and prudent location.

Sincerely,



Larry A. Stern, M.D.

2570 Oak Hill Road  
Wooster, OH 44691

Mobile phone 330-465-4429



LEGAL DESCRIPTION OF PARCEL 1  
WEST MILLTOWN ROAD (T.R. 184)  
TOWNSHIP OF WAYNE, WAYNE COUNTY, OHIO  
CONTAINING 15.288 ACRES  
MAY 27, 2016

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:  
AND KNOWN AS BEING A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWN 16, RANGE 13 WEST,  
AND ALSO BEING ALL THE REMAINING LANDS CURRENTLY OWNED IN THAT QUARTER SECTION BY PETER E.  
AND LEONA L. FRANKENSTEIN AS RECORDED IN DEED VOLUME 270, PAGE 494 OF THE WAYNE COUNTY  
DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/4-INCH IRON PIN FOUND IN THE NORTHWEST CORNER OF SECTION 28;

1. THENCE, SOUTH 89 DEG. 43' 46" EAST 1796.31 FEET ALONG THE NORTH LINE OF SECTION 28 AND THE CENTERLINE OF MILLTOWN ROAD, TO A RAILROAD SPIKE SET AT THE NORTHWEST CORNER OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY THE CITY OF WOOSTER AS RECORDED IN O.R. VOLUME 681, PAGE 47 OF THE WAYNE COUNTY DEED RECORDS;
2. THENCE, ALONG THE WEST LINE OF SAID PARCEL OF LAND OWNED BY THE CITY OF WOOSTER, SOUTH 00 DEG. 28' 17" EAST, 465.61 FEET TO A IRON PIN SET;
3. THENCE, ALONG THE SOUTH LINE OF SAID CITY OF WOOSTER PARCEL, SOUTH 89 DEG. 42' 16" EAST, 230.08 FEET TO A IRON PIN SET;
4. THENCE, ALONG THE WEST LINE OF SAID CITY OF WOOSTER PARCEL, SOUTH 00 DEG. 28' 39" EAST, 70.00 FEET TO A IRON PIN SET;
5. THENCE, ALONG THE SOUTHERN MOST LINE OF SAID CITY OF WOOSTER PARCEL, SOUTH 89 DEG. 42' 16" EAST, 100.00 FEET TO AN IRON PIN SET IN THE WEST LINE OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY BUEHLER FOOD MARKETS, INC. AS RECORDED IN O.R. VOLUME 545, PAGE 232 OF THE WAYNE COUNTY DEED RECORDS;
6. THENCE, ALONG SAID LINE, SOUTH 00 DEG. 28' 39" EAST, 787.51 FEET TO A POINT WITNESSED BY A 3/4-INCH PIPE FOUND 0.26 FEET NORTH, SAID POINT BEING THE SOUTHWEST CORNER OF SAID BUEHLER FOOD MARKETS PARCEL AND BEING ON THE NORTH LINE OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY WOOSTER CITY SCHOOL DISTRICT AS RECORDED IN O.R. VOLUME 681, PAGE 697 OF THE WAYNE COUNTY DEED RECORDS;
7. THENCE, ALONG SAID LINE, NORTH 89 DEG. 49' 55" WEST, 1528.20 FEET TO A POINT IN THE SOUTHEAST CORNER OF LANDS NOW OR FORMERLY OWNED BY LARRY THOMAS AND INEZ F. SHIRER AS RECORDED IN O.R. VOLUME 596, PAGE 532 OF THE WAYNE COUNTY DEED RECORDS, SAID POINT WITNESSED BY A 3/4 INCH REBAR FOUND SOUTH 89 DEG. 06' 27" EAST, 20.00 FEET DISTANT;
8. THENCE, NORTH 00 DEG. 21' 41" WEST, 499.82 FEET ALONG THE EAST LINE OF THE AFOREMENTIONED SHIRER AND ALONG THE EAST LINE OF LANDS NOW OR FORMERLY OWNED BY LOUIS M. AND MONICA PAUMIER AS RECORDED IN O.R. VOLUME 639, PAGE 733 OF THE WAYNE COUNTY DEED RECORDS TO A 3/4 INCH REBAR FOUND;
9. THENCE, NORTH 89 DEG. 49' 57" WEST, 600.29 FEET ALONG THE NORTH LINE OF THE AFOREMENTIONED PAUMIER AND ALONG THE NORTH LINE OF LANDS NOW OR FORMERLY OWNED BY RALPH D. AMIET AS RECORDED IN O.R. VOLUME 656, PAGE 161 OF THE WAYNE COUNTY DEED RECORDS TO A POINT IN THE WEST LINE OF SECTION 28, ALSO BEING IN THE CENTERLINE FOR OAK HILL ROAD, SAID POINT WITNESSED BY A 3/4 INCH REBAR FOUND NORTH 89 DEG. 49' 57" EAST. 30.00 FEET DISTANT;

Woolpert  
600 Superior Avenue, Suite 1300  
Cleveland, OH 44114  
216.416.1501

Parcel 1  
West Milltown Road (T.R. 184)  
Township of Wayne, Wayne County, Ohio

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10. THENCE NORTH 00 DEG. 23' 42" WEST, 827.22 FEET ALONG THE WEST LINE OF SECTION 28, ALSO BEING IN THE CENTERLINE FOR OAK HILL ROAD TO THE PLACE OF BEGINNING.  
CONTAINING 54.135 ACRES OF LAND, MORE OR LESS, BUT SUBJECT TO ANY LEGAL EASEMENTS, RIGHTS OF WAY, OR RESERVATIONS THAT MAY PERTAIN TO THIS PARCEL OF LAND.  
THE BASIS OF BEARINGS FOR THE BEARINGS HEREIN IS GRID NORTH, OF THE OHIO STATE PLANE COORDINATE SYSTEM, ALL IRON PINS SET ARE 5/8-INCH REBAR WITH YELLOW CAPS MARKED "ENGINEERING ASSOCIATES INC."  
THIS DESCRIPTION PREPARED FROM A SURVEY COMPLETED DECEMBER 11, 1997, BY WILLIAM H LONG, P.S. 6505 FOR ENGINEERING ASSOCIATES, INC. P.P. NO. 53-01859.

EXCEPTING THEREFROM THE FOLLOWING:

(REFERENCE: DEED BOOK 201 PAGE 828)

PARCEL NO.1:

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:  
AND KNOWN AS BEING SITUATED IN STATE OF OHIO, COUNTY OF WAYNE, TOWNSHIP OF WAYNE, NORTHWEST QUARTER OF SECTION 28, TOWN 16 NORTH, RANGE 13 WEST, AND BEING PART OF A PARCEL CONVEYED TO GERALD F. AND JULIE A. CRAYCRAFT AS RECORDED IN OFFICIAL RECORD VOLUME 120, PAGE 194 OF THE WAYNE COUNTY RECORDER'S OFFICE, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT AN IRON PIN FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 28;

1. THENCE SOUTH 00 DEG. 23' 42" EAST, 300.02 FEET ALONG THE SECTION LINE TO A RAILROAD SPIKE FOUND IN THE CENTER OF OAK HILL ROAD; SAID RAILROAD SPIKE BEING THE TRUE PLACE OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED;
2. THENCE SOUTH 89 DEG. 43' 46" EAST, 435.60 FEET ALONG THE SOUTHERN PROPERTY LINE OF LANDS CURRENTLY OWNED BY THE WOOSTER BRETHERN IN CHRIST CHURCH, PASSING THROUGH AN IRON PIN FOUND WITH ENGINEERING ASSOCIATES CAP AT 20.00 FEET, TO AN IRON PIN FOUND WITH ENGINEERING ASSOCIATES CAP;
3. THENCE SOUTH 00 DEG. 23' 42" EAST 163.59 FEET TO AN IRON PIN SET;
4. THENCE NORTH 89 DEG. 43' 46" WEST, 435.60 FEET TO A RAILROAD SPIKE SET ON THE WESTERN LINE OF THE NORTHWEST QUARTER OF SECTION 28 AND IN THE CENTERLINE OF OAK HILL ROAD, SAID RAILROAD SPIKE WITNESSED BY AN IRON PIN SET 20.00 FEET EAST ON LINE;
5. THENCE NORTH 00 DEG. 23' 42" WEST, 163.59 FEET ALONG THE SECTION LINE AND CENTERLINE OF OAK HILL ROAD TO THE TRUE PLACE OF BEGINNING.

CONTAINING 1.636 ACRES, MORE OR LESS, BUT SUBJECT TO THE PUBLIC HIGHWAY.  
THIS DESCRIPTION WAS PREPARED UNDER THE SUPERVISION OF WILLIAM H. LONG, P.S. 6505 FROM A SURVEY MADE BY ENGINEERING ASSOCIATES, INC. IN MARCH 1999.  
THE IRON PINS SET ARE 5/8 INCH DIAMETER REBAR 30 INCHES IN LENGTH TOPPED WITH AN IDENTIFICATION CAP MARKED ENGINEERING ASSOCIATES.  
THE BEARINGS REFERRED TO HEREIN ARE RELATIVE TO OHIO GRID NORTH, STATE PLANE COORDINATE SYSTEM. PERMANENT PARCEL NO. 53-01859.006.

Woolpert, Inc.  
600 Superior Avenue, Suite 1300  
Cleveland, OH 44114  
216.416.1501

Parcel 1  
West Milltown Road (T.R. 184)  
Township of Wayne, Wayne County, Ohio

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PARCEL NO. 2:

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:  
AND KNOWN AS BEING SITUATED IN STATE OF OHIO, COUNTY OF WAYNE, TOWNSHIP OF WAYNE,  
NORTHWEST QUARTER OF SECTION 28, TOWN 16 NORTH, RANGE 13 WEST, AND BEING PART OF A PARCEL  
CONVEYED TO GERALD F. AND JULIE A. CRAYCRAFT AS RECORDED IN OFFICIAL RECORD VOLUME 120, PAGE  
194 OF THE WAYNE COUNTY RECORDER'S OFFICE, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT AN IRON PIN FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF  
SECTION 28;

1. THENCE SOUTH 00 DEG. 23' 42" EAST, 463.61 FEET ALONG THE SECTION LINE TO A RAILROAD SPIKE SET IN  
THE CENTER OF OAK HILL ROAD; SAID RAILROAD SPIKE BEING THE TRUE PLACE OF BEGINNING FOR THE  
PARCEL HEREIN DESCRIBED;
2. THENCE SOUTH 89 DEG. 43' 46" EAST, 435.60 FEET, PASSING THROUGH AN IRON PIN SET AT 20.00 FEET,  
TO AN IRON PIN SET;
3. THENCE SOUTH 00 DEG. 23' 42" EAST, 200.00 FEET TO AN IRON PIN SET;
4. THENCE NORTH 89 DEG. 43' 46" WEST, 435.60 FEET TO A RAILROAD SPIKE SET ON THE WESTERN LINE OF  
THE NORTHWEST QUARTER OF SECTION 28 AND IN THE CENTERLINE OF OAK HILL ROAD, SAID RAILROAD  
SPIKE WITNESSED BY AN IRON PIN SET 20.00 FEET EAST ON LINE;
5. THENCE NORTH 00 DEG. 23' 42" WEST, 200.00 FEET ALONG THE SECTION LINE AND CENTERLINE OF OAK  
HILL ROAD TO THE TRUE PLACE OF BEGINNING.

CONTAINING 2.000 ACRES, MORE OR LESS, BUT SUBJECT TO THE PUBLIC HIGHWAY.

THIS DESCRIPTION WAS PREPARED UNDER THE SUPERVISION OF WILLIAM H. LONG P.S. 6505 FROM A  
SURVEY MADE BY ENGINEERING ASSOCIATES, INC., IN MARCH 1999.

THE IRON PINS SET ARE 5/8 INCH DIAMETER REBAR 30 INCHES IN LENGTH TOPPED WITH AN  
IDENTIFICATION CAP MARKED ENGINEERING ASSOCIATES.

THE BEARINGS REFERRED TO HEREIN ARE RELATIVE TO OHIO GRID NORTH, STATE PLANE COORDINATE  
SYSTEM. PERMANENT PARCEL NO. 53-01859,007

PARCEL NO. 3:

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:  
AND KNOWN AS BEING SITUATED IN STATE OF OHIO, COUNTY OF WAYNE, TOWNSHIP OF WAYNE,  
NORTHWEST QUARTER OF SECTION 28, TOWN 16 NORTH, RANGE 13 WEST, AND BEING PART OF A PARCEL  
CONVEYED TO GERALD F. AND JULIE A. CRAYCRAFT AS RECORDED IN OFFICIAL RECORD VOLUME 120, PAGE  
194 OF THE WAYNE COUNTY RECORDER'S OFFICE, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT AN IRON PIN FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF  
SECTION 28;

1. THENCE SOUTH 00 DEG. 23' 42" EAST, 663.61 FEET ALONG THE SECTION LINE TO A RAILROAD SPIKE SET IN  
THE CENTER OF OAK HILL ROAD; SAID RAILROAD SPIKE BEING THE TRUE PLACE OF BEGINNING FOR THE  
PARCEL HEREIN DESCRIBED;
2. THENCE SOUTH 89 DEG. 43' 46" EAST, 435.60 FEET, PASSING THROUGH AN IRON PIN SET AT 20.00 FEET,  
TO AN IRON PIN SET;
3. THENCE SOUTH 00 DEG. 23' 42" EAST, 162.82 FEET TO AN IRON PIN SET;

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4. THENCE NORTH 89 DEG. 49' 57" WEST, 435.59 FEET ALONG THE NORTHERN PROPERTY LINE OF LANDS CURRENTLY OWNED BY LOUIS M. & MONICA PAUMIER AS RECORDED IN DEED VOLUME 639, PAGE 733 AND OF LANDS CURRENTLY OWNED BY RALPH D. AMIET AS RECORDED IN DEED VOLUME 656, PAGE 161 TO A RAILROAD SPIKE SET ON THE WESTERN LINE OF THE NORTHWEST QUARTER OF SECTION 28 AND IN THE CENTERLINE OF OAK HILL ROAD, SAID RAILROAD SPIKE WITNESSED BY AN IRON PIN WITH GASBARRE CAP FOUND 30.00 FEET EAST ON LINE;

5. THENCE NORTH 00 DEG. 23' 42" WEST, 163.60 FEET ALONG THE SECTION LINE AND CENTERLINE OF OAK HILL ROAD TO THE TRUE PLACE OF BEGINNING.

CONTAINING 1.632 ACRES, MORE OR LESS, BUT SUBJECT TO THE PUBLIC HIGHWAY.

THIS DESCRIPTION WAS PREPARED UNDER THE SUPERVISION OF WILLIAM H. LONG, P.S. 6505 FROM A SURVEY MADE BY ENGINEERING ASSOCIATES, INC. IN MARCH 1999.

THE IRON PINS SET ARE 5/8 INCH DIAMETER REBAR 30 INCHES IN LENGTH TOPPED WITH AN IDENTIFICATION CAP MARKED ENGINEERING ASSOCIATES.

THE BEARINGS REFERRED TO HEREIN ARE RELATIVE TO OHIO GRID NORTH, STATE PLANE COORDINATE SYSTEM. PERMANENT PARCEL NO. 53-01859.008.

FURTHER EXCEPTING:

(REFERENCE: DEED BOOK 139 PAGE 992)

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:

AND KNOWN AS BEING A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWN 16, RANGE 13 WEST, AND ALSO BEING PART OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY GERALD F. AND JULIE A. CRAYCRAFT AS RECORDED IN O.R. VOLUME 120, PAGE 194 OF THE WAYNE COUNTY RECORDS OF DEEDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4-INCH IRON PIN FOUND AT THE NORTHWEST CORNER OF SECTION 28, SAID IRON PIN BEING THE TRUE PLACE OF BEGINNING FOR THE PARCEL OF LAND HEREIN DESCRIBED AND WITNESSED BY AN IRON PIN SET SOUTH 36 DEG. 52' 46" EAST, 36.25 FEET DISTANT;

1) THENCE, ALONG THE NORTH LINE OF SECTION 28 AND THE CENTERLINE OF MILLTOWN ROAD, SOUTH 89 DEG. 43' 46" EAST, 435.60 FEET TO A RAILROAD SPIKE SET AND WITNESSED BY AN IRON PIN SET SOUTH 00 DEG. 23' 42" EAST, 30.00 FEET DISTANT;

2) THENCE, SOUTH 00 DEG. 23' 42" EAST, 300.02 FEET TO A IRON PIN SET;

3) THENCE, NORTH 89 DEG. 43' 46" WEST, PASSING OVER A IRON PIN SET AT 415.60 FEET, A DISTANCE OF 435.60 FEET TO A RAILROAD SPIKE SET;

4) THENCE, ALONG THE WEST LINE OF SECTION 28 AND THE CENTERLINE OF OAK HILL ROAD, NORTH 00 DEG. 23' 42" WEST, 300.02 FEET TO THE TRUE PLACE OF BEGINNING.

CONTAINING 3.000 ACRES OF LAND, MORE OR LESS, BUT SUBJECT TO ANY LEGAL EASEMENTS, RIGHTS OF WAY, OR RESERVATIONS THAT MAY PERTAIN TO THIS PARCEL OF LAND;

THE BASIS OF BEARINGS FOR THE BEARINGS HEREIN IS GRID NORTH, OF THE OHIO STATE PLANE COORDINATE SYSTEM.

ALL IRON PINS SET ARE 5/8-INCH REBAR WITH YELLOW CAPS MARKED "ENGINEERING ASSOCIATES INC.". THIS DESCRIPTION PREPARED FROM A SURVEY COMPLETED MAY 1, 1998, BY WILLIAM H. LONG, P.S. 6505 FOR ENGINEERING ASSOCIATE, INC.

Woolpert, Inc.  
600 Superior Avenue, Suite 1300  
Cleveland, OH 44114  
216.416.1501

Parcel 1  
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FURTHER EXCEPTING THE FOLLOWING:  
(REFERENCE: DEED BOOK 120 PAGE 204)

PARCEL NO. 1:

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:  
AND KNOWN AS BEING A PART OR THE NORTHWEST QUARTER OF SECTION 28, TOWN 16, RANGE 13 WEST,  
AND ALSO BEING PART OF A 54.135 ACRE PARCEL OF LAND NOW OR FORMERLY OWNED BY GERALD F.  
CRAYCRAFT AND JULIE A. CRAYCRAFT AS RECORDED IN THE WAYNE COUNTY RECORDS OF DEEDS, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4-INCH IRON PIN FOUND AT THE NORTHWEST CORNER OF SECTION 28,  
1. THENCE ALONG THE NORTH LINE OF SECTION 28 AND THE CENTERLINE OF MILLTOWN ROAD, SOUTH 89  
DEG. 43' 46" EAST 1561.29 FEET TO A RAILROAD SPIKE SET, AND WITNESSED BY AN IRON PIN SET SOUTH 00  
DEG. 28' 17" EAST, 30.00 FEET DISTANT, SAID SPIKE BEING THE TRUE PLACE OF BEGINNING FOR THE PARCEL  
OF LAND HEREIN DESCRIBED;

2. THENCE, CONTINUING ALONG SAID SECTION LINE AND CENTERLINE, SOUTH 89 DEG. 43' 46" EAST, 235.02  
FEET TO A RAILROAD SPIKE SET AT THE NORTHWEST CORNER OF A PARCEL OF LAND NOW OR FORMERLY  
OWNED BY THE CITY OF WOOSTER AS RECORDED IN O.R. VOLUME 681, PAGE 47 OF THE WAYNE COUNTY  
RECORD OF DEEDS, AND WITNESSED BY AN IRON PIN SET SOUTH 00 DEG. 28' 17" EAST, 30.00 FEET DISTANT;

3. THENCE, FROM SAID RAILROAD SPIKE, ALONG THE WEST LINE OF SAID PARCEL OF LAND OWNED BY THE  
CITY OF WOOSTER, SOUTH 00 DEG. 28' 17" EAST, 465.61 FEET TO A IRON PIN SET;

4. THENCE, ALONG THE SOUTH LINE OF SAID CITY OF WOOSTER PARCEL, SOUTH 89 DEG. 42' 16" EAST,  
230.08 FEET TO A IRON PIN SET;

5. THENCE, ALONG THE WEST LINE OF SAID CITY OF WOOSTER PARCEL, SOUTH 00 DEG. 28' 39" EAST, 70.00  
FEET TO A IRON PIN SET;

6. THENCE, ALONG THE SOUTHERNMOST LINE OF SAID CITY OF WOOSTER PARCEL, SOUTH 89 DEG. 42' 16"  
EAST, 100.00 FEET TO A IRON PIN SET ON THE SOUTHERN LINE IN CITY OF WOOSTER, SAID LINE BEING THE  
WEST LINE OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY BUEHLER FOOD MARKETS, INC., AS  
RECORDED IN VOLUME 545 PAGE 232 OF THE WAYNE COUNTY RECORDS OF DEEDS;

7. THENCE, ALONG SAID LINE SOUTH 00 DEG. 28' 39" EAST 787.51 FEET TO A POINT WITNESSED BY A 3/4-  
INCH PIPE FOUND 0.26 FEET NORTH, SAID POINT BEING THE SOUTHWEST CORNER OF SAID BUEHLER FOOD  
MARKETS PARCEL AND BEING ON THE NORTH LINE OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY  
WOOSTER CITY SCHOOL DISTRICT AS RECORDED IN O.R. VOLUME 681, PAGE 697 OF THE WAYNE COUNTY  
RECORDS OF DEEDS;

8. THENCE, ALONG SAID LINE, NORTH 89 DEG. 49' 55" WEST, 565.18 FEET TO A IRON PIN SET;

9. THENCE, NORTH 00 DEG. 28' 17" WEST, 1324.27 FEET TO THE TRUE PLACE OF BEGINNING.

CONTAINING 13.483 ACRES OF LAND, MORE OR LESS, BUT SUBJECT TO ANY LEGAL EASEMENTS, RIGHTS OF  
WAY, OR RESERVATIONS THAT MAY PERTAIN TO THIS PARCEL OF LAND.

THE BASIS OF BEARING FOR THE BEARINGS HEREIN IS GRID NORTH, OF THE OHIO STATE PLANE  
COORDINATE SYSTEM, ALL IRON PINS SET ARC 5/8-INCH REBAR WITH YELLOW CAPS MARKED  
"ENGINEERING ASSOCIATES INC."

THIS DESCRIPTION PREPARED FROM A SURVEY COMPLETED FEBRUARY 9, 1998, BY WILLIAM II, LONG, P.S.  
6505 FOR ENGINEERING ASSOCIATES, INC.

Woolpert, Inc.  
600 Superior Avenue, Suite 1300  
Cleveland, OH 44114  
216.416.1501

Parcel 1  
West Milltown Road (T.R. 184)  
Township of Wayne, Wayne County, Ohio

May 27, 2016  
Page 6

PARCEL NO. 2:

SITUATED IN THE TOWNSHIP OF WAYNE, COUNTY OF WAYNE AND STATE OF OHIO:  
AND KNOWN AS BEING A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWN 16, RANGE 13 WEST,  
AND ALSO BEING A PART OF A 54.135 ACRE PARCEL OF LAND NOW OR FORMERLY OWNED BY GERALD F.  
CRAYCRAFT AND JULIE A. CRAYCRAFT AS RECORDED IN THE WAYNE COUNTY RECORDS OF DEEDS, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4-INCH IRON PIN FOUND AT THE NORTHWEST CORNER OF SECTION 28;

1. THENCE, ALONG THE NORTH LINE OF SECTION 28 AND THE CENTERLINE OF MILLTOWN ROAD, SOUTH 89  
DEG. 43' 46" EAST 1000.00 FEET TO A RAILROAD SPIKE FOUND AND WITNESSED BY AN IRON PIN FOUND  
SOUTH 00 DEG. 23' EAST, 30.00 FEET DISTANT, SAID SPIKE BEING THE TRUE PLACE OF BEGINNING FOR THE  
PARCEL OF LAND HEREIN DESCRIBED;

2. THENCE, CONTINUING ALONG SAID SECTION LINE AND CENTERLINE, SOUTH 89 DEG. 43' 46" EAST, 561.29  
FEET TO A RAILROAD SPIKE SET AND WITNESSED BY AN IRON PIN FOUND SOUTH 00 DEG. 28' 17" EAST,  
30.00 FEET DISTANT;

3. THENCE, FROM THE RAILROAD SPIKE SOUTH 00 DEG. 28' 17" EAST 1324.27 FEET TO AN IRON PIN SET IN  
THE NORTH LINE OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY WOOSTER CITY SCHOOL DISTRICT  
AS RECORDED IN O.R. 681, PAGE 697 OF THE WAYNE COUNTY RECORDS OF DEEDS;

4. THENCE, ALONG SAID LINE NORTH 89 DEG. 49' 55" WEST 563.05 FEET TO AN IRON PIN SET;

5. THENCE NORTH 00 DEG. 23' 42" WEST, 1325.25 FEET TO THE TRUE PLACE OF BEGINNING.  
CONTAINING 17.096 ACRES OF LAND, MORE OR LESS, BUT SUBJECT TO ANY LEGAL EASEMENTS, RIGHTS OF  
WAY, OR RESERVATIONS THAT MAY PERTAIN TO THIS PARCEL OF LAND.

THE BASIS OF BEARINGS FOR THIS BEARINGS HEREIN IS GRID NORTH, OF THE OHIO STATE PLANE  
COORDINATE SYSTEM, ALL IRON PIN SET ARE 5/8-INCH REBAR WITH YELLOW CAPS MARKED "ENGINEERING  
ASSOCIATES INC."

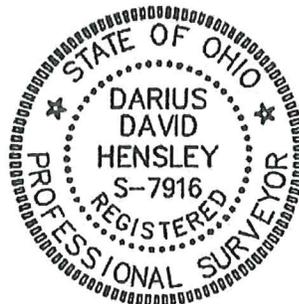
THIS DESCRIPTION PREPARED FROM A SURVEY COMPLETED FEBRUARY 9, 1998, BY WILLIAM H. LONG, P.S.  
6505 FOR ENGINEERING ASSOCIATES, INC.

THE ABOVE LEGAL DESCRIPTION LESS ALL EXCEPTIONS CONTAINS 15.288 NET ACRES, MORE OR LESS.

WOOLPERT



DARIUS D. HENSLEY  
OHIO REGISTERED SURVEYOR NO. 7916



Woolpert, Inc.  
600 Superior Avenue, Suite 1300  
Cleveland, OH 44114  
216.416.1501



LEGAL DESCRIPTION OF PARCEL 2  
WEST MILLTOWN ROAD (T.R. 184)  
TOWNSHIP OF WAYNE, WAYNE COUNTY, OHIO  
CONTAINING 17.096 ACRES  
MAY 27, 2016

SITUATED IN THE CITY OF WOOSTER (T-16, R-13W), SECTION 28, NORTHWEST QUARTER, COUNTY OF WAYNE AND STATE OF OHIO:

COMMENCING AT A 3/4-INCH IRON PIN FOUND AT THE NORTHWEST CORNER OF SECTION 28; THENCE ALONG THE NORTH LINE OF SECTION 28 AND THE CENTERLINE OF MILLTOWN ROAD, SOUTH 89 DEG. 43' 46" EAST, 1000.00 FEET TO A RAILROAD SPIKE FOUND AND WITNESSED BY AN IRON PIN FOUND SOUTH 00 DEG. 23' 42" EAST, 30.00 FEET DISTANT, SAID SPIKE BEING THE TRUE PLACE OF BEGINNING FOR THE PARCEL OF LAND HEREIN DESCRIBED;

1. THENCE CONTINUING ALONG SAID SECTION LINE AND CENTERLINE, SOUTH 89 DEG. 43' 46" E, 561.29 FEET TO A RAILROAD SPIKE SET AND WITNESSED BY AN IRON PIN FOUND SOUTH 00 DEG. 28' 17" EAST, 30.00 FEET DISTANT;
2. THENCE FROM THE RAILROAD SPIKE, SOUTH 00 DEG. 28' 17" EAST, 1324.27 FEET TO AN IRON PIN SET IN THE NORTH LINE OF A PARCEL OF LAND NOW OR FORMERLY OWNED BY WOOSTER CITY SCHOOL DISTRICT AS RECORDED IN O.R. VOLUME 681, PAGE 697 OF THE WAYNE COUNTY RECORDS OF DEEDS;
3. THENCE ALONG SAID LINE, NORTH 89 DEG. 49' 55" WEST, 563.05 FEET TO AN IRON PIN SET;
4. THENCE NORTH 00 DEG. 23' 42" WEST, 1325.25 FEET TO THE TRUE PLACE OF BEGINNING.

CONTAINING 17.096 ACRES OF LAND, MORE OR LESS, BUT SUBJECT TO ANY LEGAL EASEMENTS, RIGHTS OF WAY, OR RESERVATIONS THAT MAY PERTAIN TO THIS PARCEL OF LAND.

THE BASIS OF BEARINGS FOR THE BEARINGS HEREIN IS GRID NORTH OF THE OHIO STATE PLANE COORDINATE SYSTEM, ALL IRON PINS SET ARE 5/8-INCH REBAR WITH YELLOW CAPS MARKED "ENGINEERING ASSOCIATES INC." THIS DESCRIPTION PREPARED FROM A SURVEY COMPLETED FEBRUARY 9, 1998, BY WILLIAM H. LONG, P.S. 6505 FOR ENGINEERING ASSOCIATES, INC.  
SEE SURVEY "PP"-540

WOOLPERT

DARIUS D. HENSLEY  
OHIO REGISTERED SURVEYOR NO. 7916

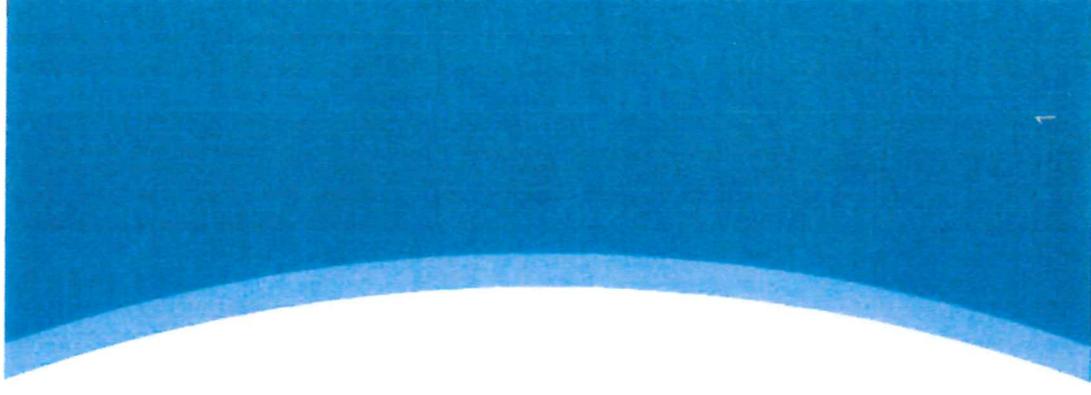


Woolpert  
600 Superior Avenue, Suite 1300  
Cleveland, OH 44114  
216.416.1501



# Meijer Community Partnerships & Giving

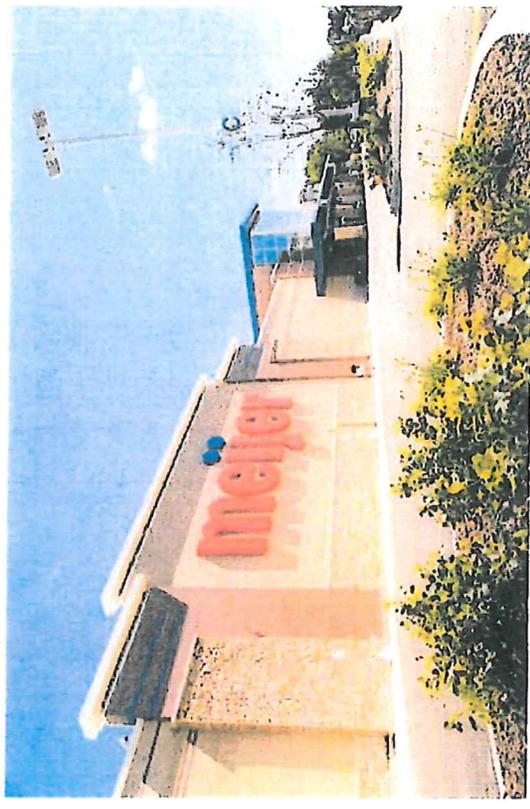
**Cris Jones**  
**Real Estate Manager**



## Meijer History

The Meijer logo, featuring the word "meijer" in a lowercase, sans-serif font. The letters are orange, with a blue dot above the 'i'.

- Family owned & privately held
- Based in Grand Rapids, Mich. with 230 stores across six Midwestern states
- Founded in 1934 by Hendrik Meijer and his son, Fred.
- Opened the first-ever supercenter in 1962
- Employs more than 70K team members



### Foundational Philosophy

*If you take care of your customers, team members and community, they'll take care of you.*

## Meijer Philanthropy: Hunger Relief



### • *Simply Give*

- Hallmark of our hunger relief efforts
- Restocks shelves of our food pantry partners
- Each Meijer store partners w/**local** food pantry
- Nearly \$24M since 2008 thanks to customers, team members and Meijer support

### • **Food Rescue**

- More than 7M lbs. of close-dated food was donated in 2015 to Midwest food banks
- Donate to nine Ohio food banks, including West Ohio FB, Cleveland FB and Mid-Ohio FB



## Meijer Philanthropy: Continued

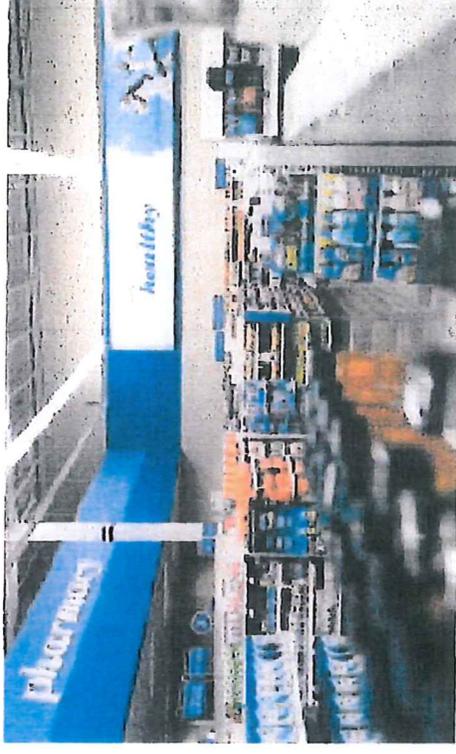


### •Free Rx Program

- Free antibiotics, prenatal vitamins, Metformin and generic substitute for Lipitor®
- More than 34M free Rx filled, saving customers more than \$479M since 2006

### •United Way

- Each year, Meijer participates in the Workforce Campaign
  - In 2015, team members raised \$3M
  - Donations distributed to more than 70 United Way orgs in our footprint
- Meijer donates more than 7 percent of its net profit to charity each year



## Meijer: Community Partnerships



- Meijer sponsors a wide variety of family-focused events in our footprint, including:
  - Festivals
  - Activities
  - Expos
  - Athletics teams from professional to Little League
  - Sponsorships of scoreboards, uniforms, sports equipment and concession stands
  - Nearly 200 youth sports teams in Ohio

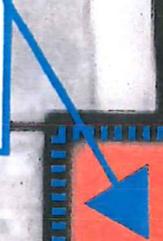


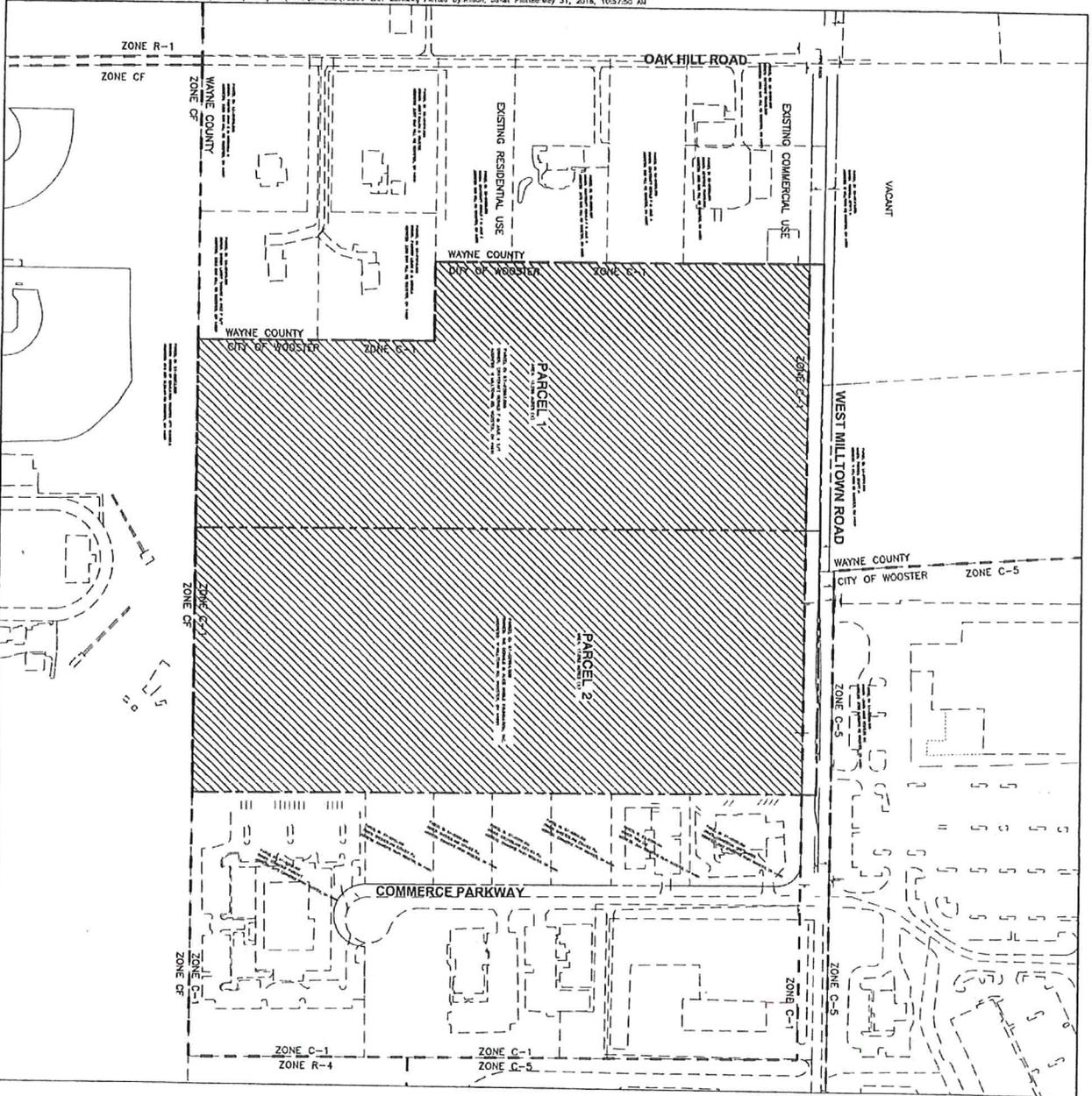
# WOOSTER FUTURE USE MAP



**BURBANK RD | SR-83**

**SITE (RED =  
COMMERCIAL)**





**PROPOSED ZONING AMENDMENT**

EXISTING USE: VACANT  
 EXISTING ZONE: C-1 (OFFICE AND INSTITUTIONAL)  
 PROPOSED USE: RETAIL  
 PROPOSED ZONE: C-5 (GENERAL COMMERCIAL)

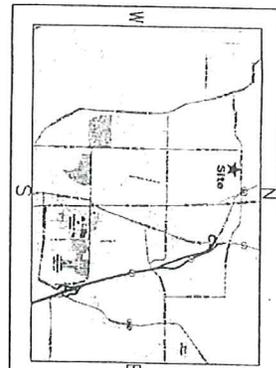
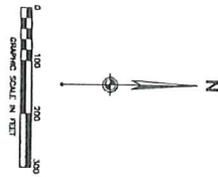
**VICINITY MAP**

**ZONING AMENDMENT**  
**MILLTOWN ROAD**  
 WAYNE COUNTY  
 CITY OF WOOSTER, OHIO

4454 Idea Center Blvd  
 Dayton, OH  
 45430-1500  
 937.461.5600  
 FAX: 937.461.0743

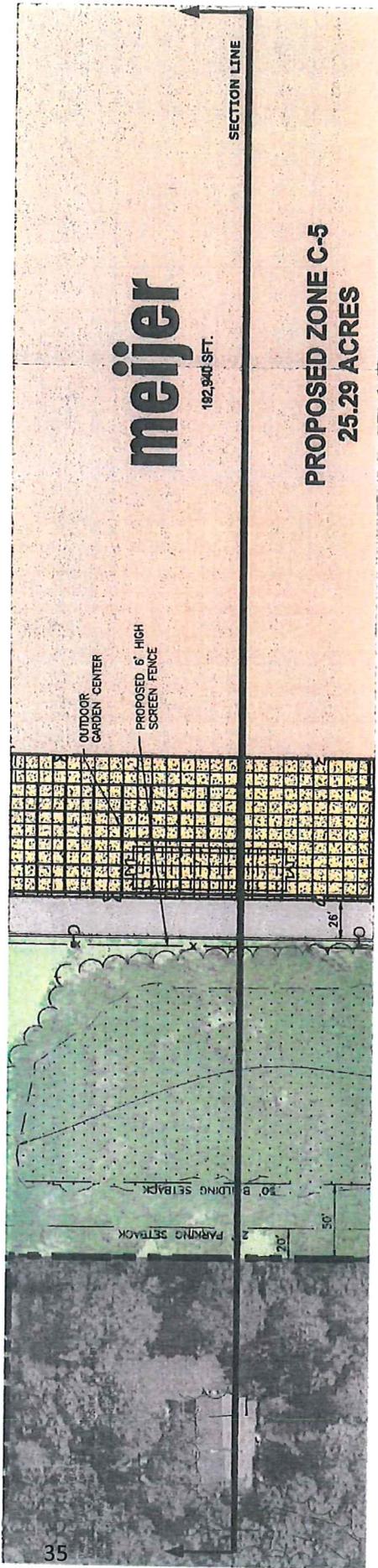
PROJECT No:	No.	DATE	REVISION
76266			
DATE 05-31-18			
DES. JFW			
DR. JFW			
CKD. LLW			

1 OF 2



SHEET NO. <b>2 OF 2</b>	<b>ZONING AMMENDMENT MILLTOWN ROAD</b> WAYNE COUNTY CITY OF WOOSTER, OHIO <b>TOPOGRAPHY</b>	 4454 Idea Center Blvd Dayton, OH 45430-1500 937.461.3160 FAX: 937.461.0743	PROJECT No: 76265 DATE 05-31-16 DES. JFW DR. JFW CKD. JLN	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	DATE	REVISION												
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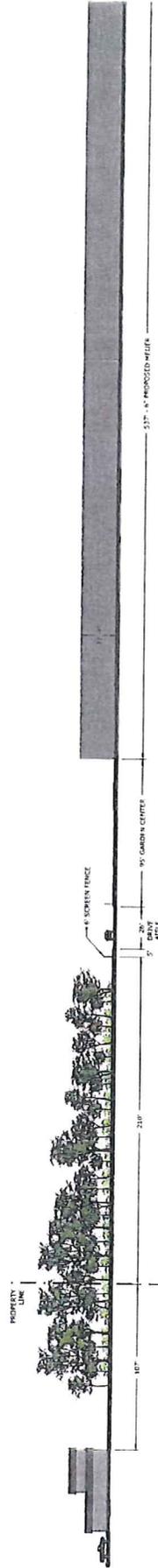




**WOO - West Boundary Section Plan**  
1" = 30'-0"

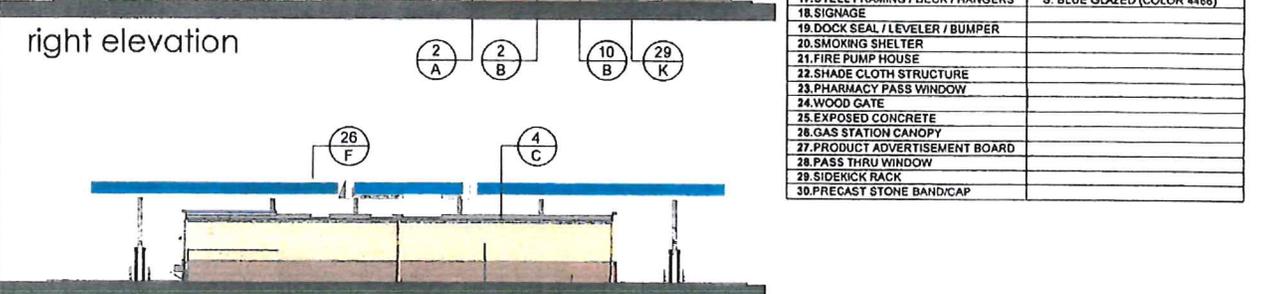
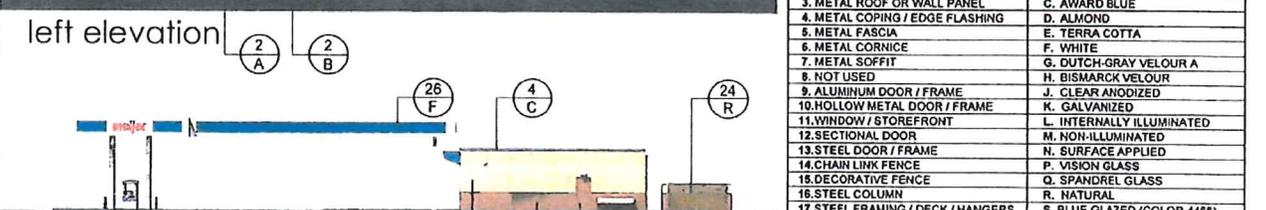
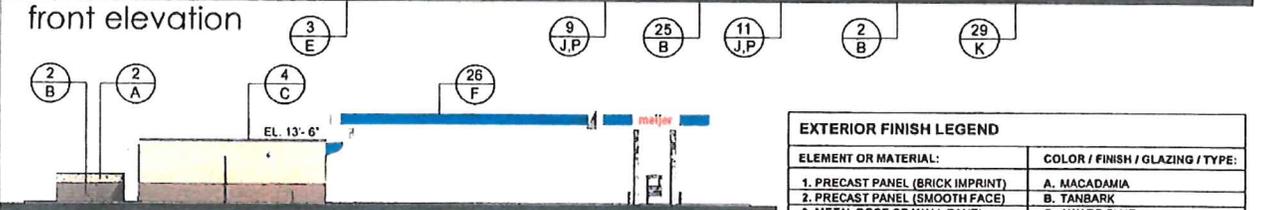


**WOO - View of Existing Trees**



**WOO - West Boundary Section**  
1" = 30'-0"



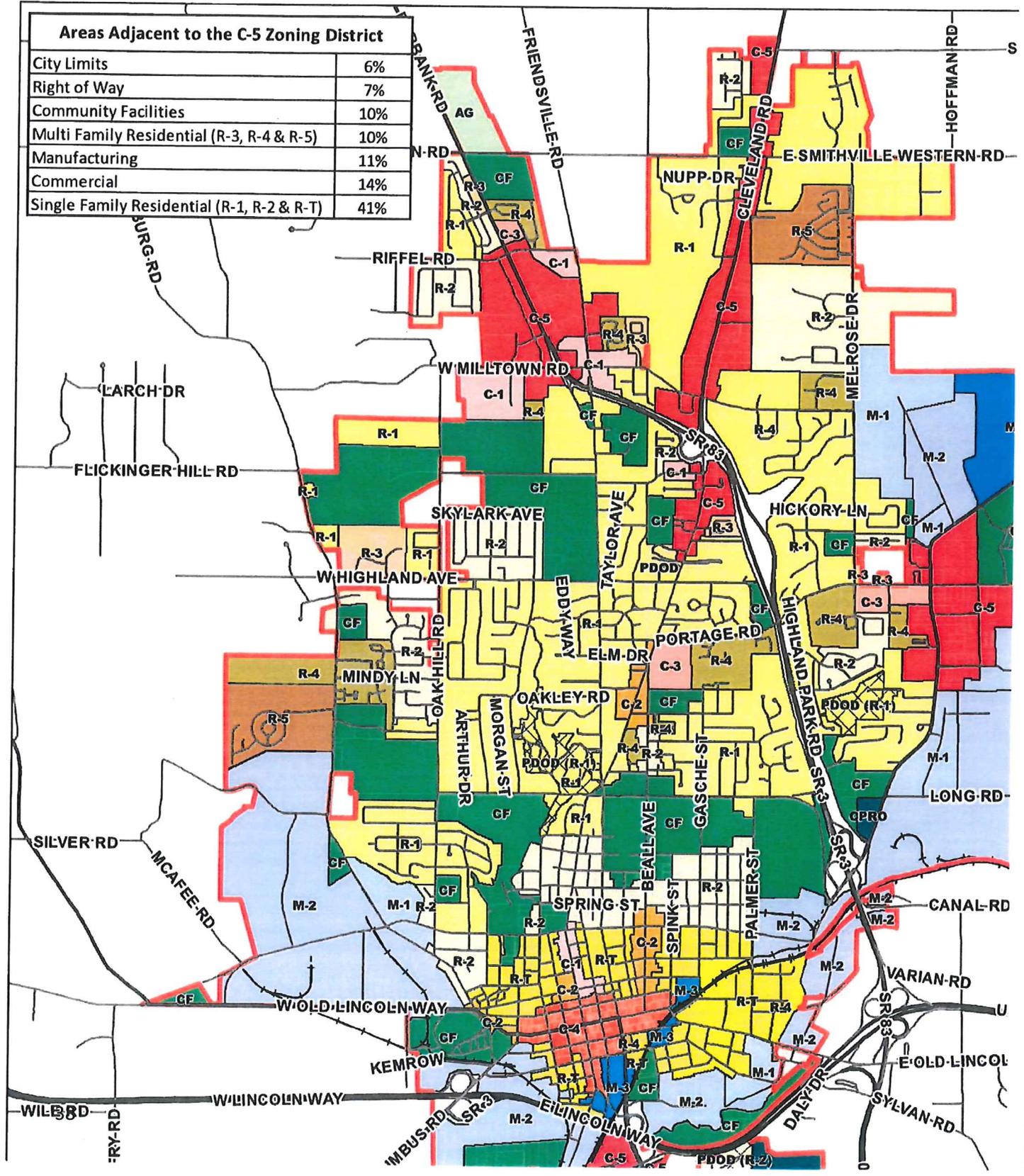


EXTERIOR FINISH LEGEND	
ELEMENT OR MATERIAL:	COLOR / FINISH / GLAZING / TYPE:
1. PRECAST PANEL (BRICK IMPRINT)	A. MACADAMIA
2. PRECAST PANEL (SMOOTH FACE)	B. TANBARK
3. METAL ROOF OR WALL PANEL	C. AWARD BLUE
4. METAL COPING / EDGE FLASHING	D. ALMOND
5. METAL FASCIA	E. TERRA COTTA
6. METAL CORNICE	F. WHITE
7. METAL SOFFIT	G. DUTCH-GRAY VELOUR A
8. NOT USED	H. BISMARCK VELOUR
9. ALUMINUM DOOR / FRAME	J. CLEAR ANODIZED
10. HOLLOW METAL DOOR / FRAME	K. GALVANIZED
11. WINDOW / STOREFRONT	L. INTERNALLY ILLUMINATED
12. SECTIONAL DOOR	M. NON-ILLUMINATED
13. STEEL DOOR / FRAME	N. SURFACE APPLIED
14. CHAIN LINK FENCE	P. VISION GLASS
15. DECORATIVE FENCE	Q. SPANDREL GLASS
16. STEEL COLUMN	R. NATURAL
17. STEEL FRAMING / DECK / HANGERS	S. BLUE GLAZED (COLOR 4468)
18. SIGNAGE	
19. DOCK SEAL / LEVELER / BUMPER	
20. SMOKING SHELTER	
21. FIRE PUMP HOUSE	
22. SHADE CLOTH STRUCTURE	
23. PHARMACY PASS WINDOW	
24. WOOD GATE	
25. EXPOSED CONCRETE	
26. GAS STATION CANOPY	
27. PRODUCT ADVERTISEMENT BOARD	
28. PASS THRU WINDOW	
29. SIDERACK RACK	
30. PRECAST STONE BAND/CAP	

Wooster, Ohio

# City of Wooster Zoning Map

Areas Adjacent to the C-5 Zoning District	
City Limits	6%
Right of Way	7%
Community Facilities	10%
Multi Family Residential (R-3, R-4 & R-5)	10%
Manufacturing	11%
Commercial	14%
Single Family Residential (R-1, R-2 & R-T)	41%



ORDINANCE NO. 2016-29

AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO CHAPTERS 1103, 1149, AND 1171

WHEREAS, the City of Wooster Planning Commission directed the Planning and Zoning Manager to review and recommend Planning and Zoning Code text amendments, concerning the regulation of Electronic Message Center Signs ("EMC signs"); and

WHEREAS, the recommended text changes modify Chapters 1103 (Definitions), 1149 (Nonconforming Uses, Lots, and Structures), and 1171 (Sign Regulations); and

WHEREAS, at the September 28, 2016 meeting, after a public hearing in accordance with law, the Planning Commission unanimously approved, by motion, the proposed text amendments to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That Part Eleven, Planning and Zoning Code, of the Codified Ordinances of the City of Wooster, shall be amended at Chapters 1103, 1149 and 1171 to read in accordance with the attached Exhibit A.

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 3. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

1st reading 10/17/16 2nd reading 11/7/16 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2016 Vote: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council President of Council

Approved: \_\_\_\_\_, 2016 \_\_\_\_\_  
Mayor

Introduced by: Barbara A. Knapic

**Request for Agenda Item  
Non-Capital**

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

**Description** (be as descriptive as possible, given space limitations)

The City of Wooster is requesting approval from City Council for amendments to Chapter 1103 (Definitions), Chapter 1149 (Nonconforming Uses, Lots and Structures) and Chapter 1171 (Sign Regulations) of the Planning and Zoning Code regarding requirements for electronic message center signs.

Zoning Amendment applications require a recommendation from the Planning Commission prior to City Council's review. At the September 28<sup>th</sup>, 2016 meeting of the City of Wooster Planning Commission, a motion was made to forward an approval recommendation from the Planning Commission to City Council for the Zoning Amendment application. The motion was approved unanimously by the seven present Planning Commission Members.

The application requires a public hearing before City Council per the notification requirements of Section 1119.09 of the City of Wooster Codified Ordinances.

**Is there a need for rules suspension or time limitation when this must be passed?**

**Manager Requesting**

**Date**

**Approved for Agenda**



## **Zoning Amendment #ZC-267 Electronic Message Center Signs Text Amendment**

**Request:** The City of Wooster is requesting an approval recommendation from the Planning Commission to City Council for amendments to Chapter 1103 (Definitions), Chapter 1149 (Nonconforming Uses, Lots and Structures) and Chapter 1171 (Sign Regulations) of the Planning and Zoning Code regarding requirements for electronic message center signs.

### **BACKGROUND**

After numerous discussions, in July of 2016, the Board of Building and Zoning Appeals made a request of the Planning Commission to consider an amendment of the Planning and Zoning Code regarding electronic message center, or "EMC" signs.

At the August 1<sup>st</sup> Planning Commission meeting, the Planning Commission made and approved a motion to initiate an amendment of the Planning and Zoning Code to include additional regulations for EMC signs.

### **PROPOSED TEXT AMENDMENTS**

#### **CHAPTER 1103**

Amendments regarding Chapter 1103 include a definition of EMC signs, a refining of the definition of changeable copy signs and a renumbering of subsequent sections.

#### **CHAPTER 1149**

An amendment to Section 1149.07 includes a change to a referenced section in Chapter 1171.

#### **CHAPTER 1171**

An amendment to Section 1171.02 exempt signs which are within stadiums and sports fields from sign regulations of the chapter. This section was added in contemplation of possible EMC and miscellaneous other signs within such venues which direct their message to those in attendance of an event.

Sections 1171.04, 1171.05, 1171.09, 1171.11, 1171.12, and 1171.13 include amendments for references and clarification. Section 1171.05 also includes a revision to the maximum size of changeable copy signs in residential districts. The increase from 30% of the permitted area to 50% of the permitted area corresponds with EMC sign requirements. The increase would allow a maximum size of 20 sq. ft. wall and 16 sq. ft. freestanding changeable copy signs in residential districts.

A new Section 1171.10 includes regulations for EMC signs. The main points of the regulations are as follows:

- **Location** – The section allows EMC signs to C-3 (Community Commercial), C-5 (General Commercial) and CF (Community Facilities) zoning districts or on a property with an educational or public/quasi-public land use.

The section allows EMC signs, with restrictions, when located on a property with a gasoline station use outside of the C-3 and C-5 zoning districts.

The section also prohibits EMC signs within 100 feet of a residential dwelling.

- **Operation** – The section prohibits any flashing or motion in an EMC display and limits the display time to no less than 15 seconds per message. The proposed text reinforces existing sign regulations.



The section also requires that EMC signs in residential districts must be deactivated from 12 a.m. to 6 a.m.

The section prohibits EMC signs from displaying excessive brightness per a common standard and prohibits EMC signs from emitting audio.

- **Function and Size** – The section states that EMC signs are only permitted as permanent building or freestanding signs and are prohibited as off premise/billboard signs.

The section also limits the size of EMC signs to 50 percent of the applicable maximum area permitted or 40 square feet, whichever area is less.

### **CRITERIA FOR APPROVAL**

---

When a proposed amendment would result in a change in the text of this Zoning Code but would not result in a change of zoning classification of any property on the zoning map, the Planning Commission and the City Council shall consider the following items when formulating its decisions:

- (a) Whether such change is consistent with the intent and purposes of this Planning and Zoning Code;
- (b) Which areas are most likely to be directly affected by such change and in what way they will be affected; and
- (c) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas of zoning districts affected or in the city generally, and, if so, the nature of such changed or changing conditions.

### **PLANNING COMMISSION ACTION**

---

After the conclusion of the public hearing required in Section 1119.05, the Planning Commission shall recommend one of the following to City Council, in writing, along with the minutes of the hearing:

- (1) That the amendment be granted as requested;
- (2) That the amendment be granted as modified by the Planning Commission; or,
- (3) That the amendment be denied.

### **STAFF RECOMMENDATION**

---

Staff recommends approval of Zoning Amendment #ZC-267 for amendments to Chapter 1103 (Definitions), Chapter 1149 (Nonconforming Uses, Lots and Structures) and Chapter 1171 (Sign Regulations) of the Planning and Zoning Code regarding requirements for electronic message center signs.

## Exhibit "A"

## Planning & Zoning Code Amendment #ZC-267

Amendments to Chapter 1103 (Definitions), Chapter 1149 (Nonconforming Uses, Lots and Structures) and Chapter 1171 (Sign Regulations) of the Planning and Zoning Code regarding requirements for electronic message center signs.

### CHAPTER 1103 Definitions

#### 1103.02 DEFINITIONS.

(b) For the purpose of this Zoning Ordinance, the following terms shall have the meaning herein indicated:

(210) Sign, changeable copy. Any portion of a sign with letters, characters or graphics that are not permanently affixed to the structure, framing or background, allowing the letters, characters or graphics to be periodically **manually** modified, ~~manually, mechanically or electronically, such as a bulletin board or electronic message center.~~ Changeable copy signs shall not be used to display commercial messages relating to products or services that are not offered on the premises.

(212) Sign, electronic message center. Any sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

*\*Exiting Sections 1103.02(212) through (261) shall be renumbered to 1103.02(213) through (262)\**

### CHAPTER 1149 Nonconforming Uses, Lots and Structures

#### 1149.07 NONCONFORMING SIGNS.

A sign, lawfully existing at the time this Planning and Zoning Code, or any amendment thereto, became or becomes effective, but which fails to conform to the sign regulations of the district in which it is located is a nonconforming sign. Nonconforming signs shall comply with the regulations set forth in Section 1171.101, Regulations for Nonconforming Signs.

### CHAPTER 1171 Sign Regulations

1171.01	Intent.	1171.08	Design standards.
1171.02	Application of sign regulations.	1171.09	Sign illumination, construction and maintenance standards.
1171.03	Computations and rules of measurement.	1171.10	Electronic message center signs.
1171.04	Signs in nonresidential districts.	1171.101	Regulations for nonconforming signs.
1171.05	Signs in residential districts.	1171.112	Administrative Provisions.
1171.06	Garage or yard sale signs.	1171.123	Classification of signs.
1171.07	Prohibited signs.		

#### 1171.02 APPLICATION OF SIGN REGULATIONS.

(d) The following signs and displays are exempt from the regulations of this Chapter:

- (9) *Any sign located within a stadium or at a sport field when such sign is oriented inward to the playing field and is not utilized to communicate messages to areas outside of the venue.*

#### 1171.04 SIGNS IN NONRESIDENTIAL DISTRICTS.

Signs in nonresidential districts shall conform to the standards set forth in this Section, except for residential uses, which shall comply with the standards set forth in Section 1171.05 Signs in Residential Districts.

- (d) Temporary Signs In Nonresidential Districts. The following regulations for temporary signs in non-residential districts are in addition to the maximum sign area and height regulations set forth in Section 1171.04. A sign permit shall be required per Section 1171.1+2(c), however, the regulations of this Chapter shall apply to all temporary signs in nonresidential districts, whether or not a permit is required.

#### 1171.05 SIGNS IN RESIDENTIAL DISTRICTS.

Signs for all residential uses and for nonresidential uses in residential districts shall comply with the regulations set forth in this Section.

- (b) Supplemental Regulations for Permanent Freestanding signs.

(5) ~~For nonresidential uses, a~~ maximum of ~~30%~~ **fifty (50) percent** of the permitted freestanding sign area may be devoted to changeable copy, **which shall not be changed more than once per day.**

~~A. The changeable copy shall not be changed more than once per day.~~

~~B. Changeable copy may be either computer driven or manually changed.~~

- (c) Temporary Signs in Residential Districts. The following regulations for temporary signs in residential districts are in addition to the maximum sign area and height regulations set forth in Section 1171.05. A sign permit shall be required per Section 1171.1+2(c), however, the regulations of this Chapter shall apply to all temporary signs in residential districts, whether or not a permit is required.

#### 1171.09 SIGN ILLUMINATION, CONSTRUCTION, AND MAINTENANCE STANDARDS.

The Zoning Administrator shall consider the proposed sign according to the following standards:

- (a) Illumination. Signs shall be permitted to be illuminated in compliance with the following:

(1) Light sources shall be shielded from all adjacent buildings and streets.

(2) Lights shall not be of such brightness so as to cause glare that is hazardous to pedestrians or motorists, or cause reasonable objection from adjacent residential districts.

(3) Signs shall not include flashing, moving, or intermittent lighting in which any part of the message changes at a rate of more than once every **fifteen (15)** seconds.

(4) The illumination of signs shall not obstruct traffic control or any other public informational signs. Signs visible from sight lines along streets shall not contain symbols or words, or red and green lights that resemble highway traffic signs or devices.

(5) In single-family residential districts:

~~A. Temporary signs shall not be illuminated.~~

- B. Permanent, freestanding signs shall only be externally illuminated, *unless such sign is an electronic message center sign in conformance with Section 1171.10.*

**1171.10 ELECTRONIC MESSAGE CENTER SIGNS.**

*Electronic message center signs shall be subject to the following:*

- (a) Location. *Electronic message center signs shall only be permitted per the following:*

- (1) *An electronic message center sign shall be permitted in a C-5, C-3 or CF zoning district.*
- (2) *An electronic message center sign shall be permitted on a property with an "Educational" or "Public/Quasi-Public" land use as designated in the Existing Land Use Map in the City of Wooster Comprehensive Plan or as determined by the Zoning Administrator.*
- (3) *An electronic message center sign shall be permitted on a property with a Gasoline Station use. When such Gasoline Station use is not located in a C-5 or C-3 zoning district, the electronic message center shall be subject to the following additional requirements:*
  - A. *The message or display shall remain completely static and unchanged in any way for a period of time of no less than twelve (12) hours;*
  - B. *The size of the electronic message center sign shall not exceed fifty (50) percent of the applicable maximum area permitted or twenty (20) square feet, whichever area is less; and*
  - C. *The message or display shall only include numerals.*
- (4) *In addition to permitted locations indicated in Section 1171.10, an electronic message center sign shall be located no less than one hundred (100) feet from any residential dwelling unit.*
- (5) *An electronic message center sign shall be prohibited in any other location not expressly permitted in Section 1171.10.*

- (b) Operation.

- (1) *Electronic message center signs shall not include flashing, moving rotating, blinking animation, or intermittent lighting.*
- (2) *Any message or display on an electronic message center sign shall remain completely static and unchanged in any way for a time period of no less than fifteen (15) seconds. After such time period, the message or display may change to a new message in compliance with Section 1171.10(b)(1).*
- (3) *Electronic message center signs shall not operate or project any display between the hours of 12:00 a.m. and 6:00 a.m. when located in a residential zoning district.*
- (4) *Electronic message center sign shall be equipped with dimming technology that automatically varies the brightness of the sign according to ambient light conditions.*
- (4) *Illumination shall not exceed 0.3 footcandles over ambient lighting conditions when measured at fifty (50) feet in any direction from an electronic message center sign.*
- (5) *Audio emissions from electronic message center signs shall be prohibited.*

- (c) Function and Size.

- (1) *Electronic message center signs shall only be permitted as permanent building signs or permanent freestanding signs and shall be subject to all additional requirements applicable to permanent building signs or permanent freestanding signs.*
- (2) *Electronic message center signs shall not be utilized as billboard/off-premise signs.*

- (3) *The size of an electronic message center sign shall not exceed fifty (50) percent of the applicable maximum area permitted or forty (40) square feet, whichever area is less.*
- (4) *The area of an electronic message center sign shall be included in the applicable maximum sign area calculation.*

**1171.101 REGULATIONS FOR NONCONFORMING SIGNS.**

**1171.142 ADMINISTRATIVE PROVISIONS.**

(b) Application, Administrative Review, and Approval of Signage Proposals.

- (1) A sign permit shall be required for the erection, location, relocation, alteration, or replacement of a sign per Section 1171.142(c). All signs are subject to provisions of this Chapter and applicable sections of this Planning and Zoning Code whether or not a sign permit is required.

(c) Table 1171.142 Administrative Requirements.

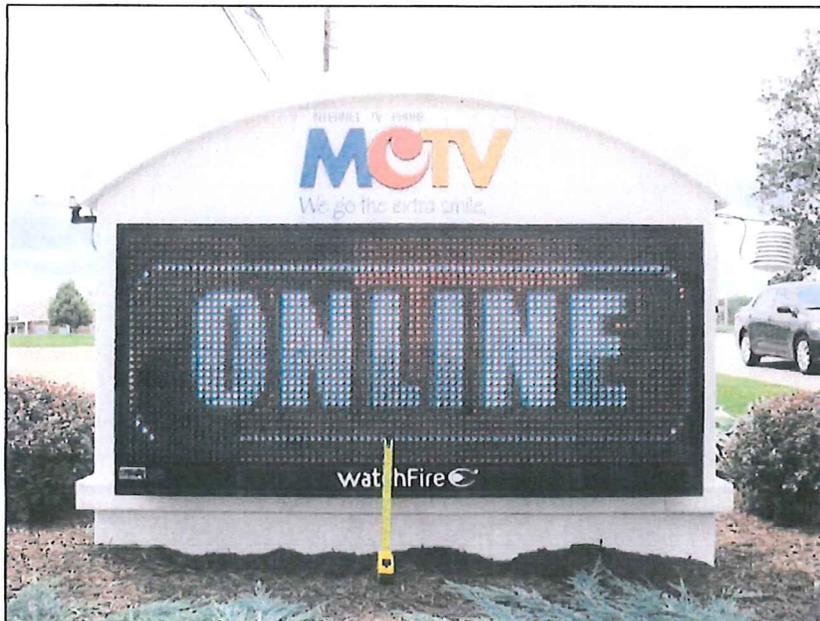
<b>Table 1171.142 Administrative Requirements</b>		
Sign Type	Sign Permit Required	Sign Permit Not Required
Address		X
Building, Permanent	X	
Entrance or Exit	X	
Freestanding, Permanent	X	
Instructional		X
Project Real Estate/Construction	X	
Real Estate for Sale or Lease		X
Sandwich Board		X
Temporary (6 sq. ft. or less)		X
Temporary (greater than 6 sq. ft.)	X	

**1171.123 CLASSIFICATION OF SIGNS.**

For the purposes of these regulations, a sign shall be classified by physical design or structure and by function or purpose based on the following. The definitions for the following terms are *located* in Chapter 1103, Definitions.

- (b) Physical Design Characteristics.
  - (1) Banner Sign.
  - (2) Changeable Copy Sign.
  - (3) *Electronic Message Center Sign.*
  - (34) Flashing Sign.

## Electronic Message Center Sign Examples





ORDINANCE NO. 2016-34

AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY

WHEREAS, the Charter of the City of Wooster provides, at §6.04, that no later than the second regular meeting of November the Mayor will prepare and present to the City Council for adoption an annual Appropriation Ordinance providing for the expenses of the municipal government for the coming fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That to provide for the current expenses and other expenditures of the City of Wooster for the Fiscal Year ending December 31, 2017, the following appropriations (see detailed copy, attached) are hereby authorized.

SECTION 2. The budget approved by Council and the appropriation of funds to implement the budget represent the estimated expenditures needed to administer programs approved for the coming fiscal year. The budget is a work plan of the estimate of future needs for a given program as determined by Council when the budget is adopted.

In adopting the budget, Council recognizes that conditions may change during the fiscal year that may call for staff reductions or increases depending upon the facts in each instance.

In recognition of this fluid, constantly changing condition, the Mayor shall review requests for additional positions and for filling vacant positions within the limitations of the budget. After making a study of each request, he shall have the authority to approve, disallow or postpone such requests for additional personnel. In addition, he shall be responsible for resolving questions related to the staffing pattern of each department and division as determined by Council action on the annual budget.

Personnel requests in excess of the annual budget shall be studied and recommendations developed for the consideration of Council.

The Mayor shall be responsible for ascertaining that personnel requirements do not exceed those included or implied in the budget and/or Appropriation Ordinances.

SECTION 3. This Council finds and declares that all formal actions concerning

and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary in order to commence and complete the various projects at the earliest possible time for the convenience and enjoyment of the general public; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading \_\_\_\_\_ 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2016 Vote: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council President of Council

Approved: \_\_\_\_\_, 2016 \_\_\_\_\_  
Mayor

Introduced by: Jon Ansel

RESOLUTION NO. 2016-60

A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE SOUTH SIDE OF WEST HIGHLAND AVE., WEST OF ITS INTERSECTION WITH OAK HILL ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Matthew Long, Esq., Agent for Petitioners Adam and Jody Rives, and JC5 Properties)

WHEREAS, Matthew Long, Esq., agent for Petitioners, has, pursuant to Revised Code Section 709.02, filed a petition with the Wayne County Commissioners seeking annexation of 4.492 acres of land owned by petitioners in Wayne Township, adjacent to the City of Wooster (a map of the area is attached); and

WHEREAS, Revised Code Section 709.03 provides that upon the clerk of the municipal legislative authority receiving notice of a proposed annexation, the municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will be able to provide upon annexation of the territory proposed for annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1: That upon annexation to the City of Wooster, the land contained in the petition for annexation would receive the following services from the City of Wooster:

- A. Police protection from the full-time police department of the City of Wooster; and fire protection and emergency squad services from the full-time fire department of the City of Wooster. The projected response time for fire and emergency squad is 4 minutes from Station 2, first-in unit; 4 minutes from Station 1, second-in unit; and 9 minutes from Station 3, third-in unit. These services would be immediately available.
- B. The City of Wooster's water and sanitary sewer service are currently available for extension by the developer.
- C. The City would also provide miscellaneous other city services, including, but not limited to, residential solid waste pickup, maintenance of dedicated streets and access to parks and recreation facilities. These services would be immediately available.

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this resolution occurred in an open meeting of this Council or its committees, in compliance with law.



**PETITION FOR ANNEXATION**

**To the Board of Commissioners of Wayne County, State of Ohio**

The undersigned, being a majority of the owners of real estate in the following described territory within the County of Wayne and adjacent to the City of Wooster, Ohio, petitions the Board of Commissioners of Wayne County, Ohio, to annex the territory described below to the City of Wooster. The territory to be annexed is fully described in the attached **Exhibit A**.

The Tax Account Numbers are: 53-00225.000, 53-00343.000, 53-00344.000, 53-00341.000, 53-00339.000, 53-00342.000, and 53-00338.000.

The seven parcels described herein for annexation consist of 4.492 acres.

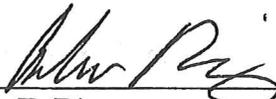
An accurate map of this territory is attached hereto and incorporated herein as a part of this Petition as **Exhibit B**.

Matthew A. Long, 225 North Market Street, Wooster, Ohio, is hereby appointed and authorized to act as agent for the undersigned petitioners in securing such annexation with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area; to substitute an agent; to do any and all things essential thereto and to take any action necessary for obtaining the granting of this petition. Said amendment, alteration, change, correction, withdrawal, refile, substituting, compromise, increase or deletion, or other actions for granting of this petition shall be made in the petition, description and/or plat by said agent without further expressed consent of petitioners.

2011 SEP 28 PM 3:32

RECEIVED  
COUNTY CLERK  
WAYNE COUNTY, OHIO

The total number of owners of real estate in the above-described territory is three (3). Pursuant to Ohio Revised Code Section 709.02(E), the City of Wooster is not considered an "owner" and has not been included in the total number of owners necessary to file this petition.

  
\_\_\_\_\_  
Adam T. Rives

Date: 9/28/16

  
\_\_\_\_\_  
Jody R. Rives

Date: 9-28-16

**JC5 Properties, LLC**

By:   
\_\_\_\_\_  
Name: Jerry Craycraft  
Title: Manager

Date: 9/28/16

R.W.

**GASBARRE & Associates, Inc.**

Professional Land Surveyors

401 South Market St. P.O. Box 44  
Wooster, Ohio 44691  
330.264.9499

William R. Gasbarre, P.S. (Ret.)

Edward A. Gasbarre, P.S.

gasbarresurveying@embarqmail.com

September 21, 2016

Boundary Description  
4.492 Acres



Situated in the State of Ohio, County of Wayne, Township of Wayne, in the northeast quarter of Section 32, T-16N, R-13W.

Described as follows:

**Beginning** at the southwest corner of Lot 10 of the Nelsen Allotment No.1 recorded in volume 5, page 19 of the Wayne County plat records.

Thence with the following SIX courses:

- 1) N 1° 27' 00" E 140.00 feet to the north line of the quarter section.
- 2) S 88° 07' 00" E 1000.00 feet, along the north line of the quarter section and in Highland Avenue (County Road 106), to a point.
- 3) S 1° 27' 00" W 250.00 feet to the southeast corner of Lot 16.
- 4) N 88° 07' 00" W 500.00 feet, along a south line of the allotment, to the southwest corner of Lot 12.
- 5) N 1° 27' 00" E 110.00 feet, along a west line of the allotment, to the southeast corner of Lot 11.
- 6) N 88° 07' 00" W 500.00 feet, in part along southerly lines of the allotment, to the **Point of Beginning**.

**This parcel contains 4.492 acres.**

This description was prepared by Edward A. Gasbarre, P.S. 7036, from information contained in a survey drawn under his direction, in September of 2016, on behalf of R.W. Gasbarre & Associates, Inc. A copy of that survey is on file at the Wayne County map office. See survey volume \_\_, page \_\_.

All bearings are related and common with volume 5, page 19 of the Wayne County plat records.

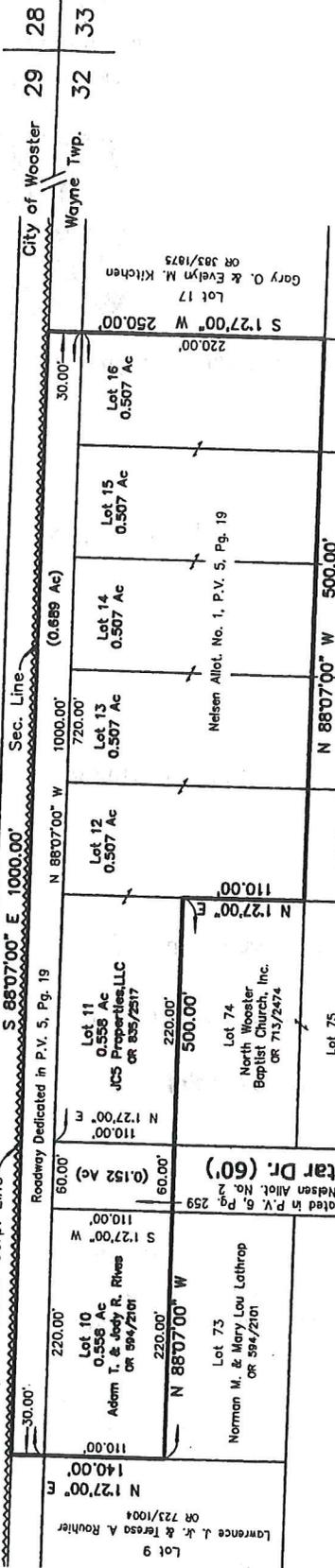
 9/21/16

Edward A. Gasbarre, P.S. 7036

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**W. Highland Ave. (60') C.R. 106**



**4.492 Ac Total to be Annexed**

CERTIFIED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WAYNE COUNTY COMMISSIONERS. RESOLUTION No. \_\_\_\_\_

BY: SUE A. SMALL ANN M. OBRECHT SCOTT S. WIGGAM

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WOOSTER CITY COUNCIL. ORDINANCE No.: \_\_\_\_\_

RECEIVED FOR RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WAYNE COUNTY MAP OFFICE. BY: DOUGLAS K. GREEN

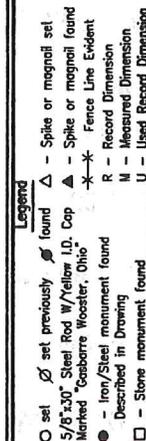
RECEIVED FOR TRANSFER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WAYNE COUNTY AUDITOR. BY: LINDA ROHRER, DEPUTY

Filed for record in  
**WAYNE COUNTY, OHIO**  
**JANE CARMICHAEL, RECORDER**  
 DATE \_\_\_\_\_ AT \_\_\_\_\_  
 INSTRUMENT # \_\_\_\_\_ PAGE \_\_\_\_\_  
 PLAT VOL. \_\_\_\_\_ BY: JANE CARMICHAEL  
 FEE \$ \_\_\_\_\_

**Annexation Plat**  
 of 4.492 Acres to the City of Wooster  
 Part of the NE Qtr. of Sec. 32, T-16N, R-13W  
 Wayne Township  
 Wayne County, Ohio

AREA SUMMARY	
LOTS 7	3.651 AC
ROADWAY 2	0.841 AC
<b>TOTAL</b>	<b>4.492 AC</b>

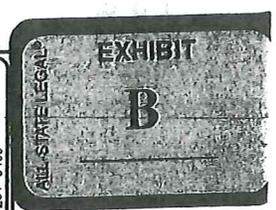
Legend  
 O set  set previously found  Spike or maginal set  
 5/8"x30" Steel Rod W/Yellow I.D. Cap  Spike or maginal found  
 Marked "Gasbarre Wooster, Ohio"  Fence Line Evident  
 ● - Iron/Steel monument found  R - Record Dimension  
 Described in Drawing  M - Measured Dimension  
 U - Used Record Dimension



Basis of Bearings: common with plat Vol. 5, pg. 19  
 Drawing 216147.dwg  
 R.W. **Gasbarre** & Associates, Inc.  
 Professional Land Surveying  
 401 South Market St. - P.O. Box 44  
 Wooster, Ohio 44691  
 PH 330-264-9489  
 September 21, 2016



This annexation plat, which I believe to be correct, was prepared from a survey made in 1956 by Ray W. Gasbarre, recorded in volume 5, page 19 of the Wayne County Plat Records.  
 Edward A. Gasbarre  
 Edward A. Gasbarre, P.S. 7036  
 9/21/16  
 Date



# Resolution

No. 2016-470

*Board of Wayne County Commissioners*  
*Ann M. Obrecht Sue A. Smail Scott S. Wiggam*

*Adopted:* October 5, 2016

*Subject:* **Resolution to Enter Upon the Wayne County Commissioners' Journal  
a Regular Petition for Annexation of Real Estate in Wayne Township to the  
City of Wooster (2016-A4)**

It was moved by Mr. Wiggam and seconded by Mrs. Smail that record of the following Petition for Annexation be entered into the Wayne County Commissioners' Journal and set for Public Hearing at **9:15AM on Wednesday, November 30, 2016**, at the Wayne County Administration Bldg., 428 W. Liberty St., Wooster, Ohio in the Commissioners' Meeting Room.

### **Annexation 2016-A4:**

Regular Petition for Annexation filed September 28, 2016

Wayne Twp. to the City of Wooster

Agent for the Petitioner(s): Matthew A. Long, 225 N. Market St., Wooster, OH

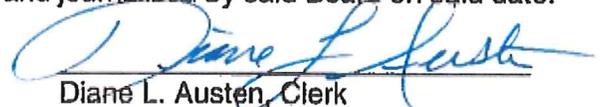
Petitioner(s): Adam T. Rives; Jody R. Rives and JC5 Properties, LLC by Jerry Craycraft, Manager

BE IT FURTHER RESOLVED, a copy of this resolution be sent to the Agent for the Petitioner(s) to serve as notice of the Public Hearing as required by the Ohio Revised Code.

The vote is as follows: Ann M. Obrecht yea Sue A. Smail yea Scott S. Wiggam yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk