

WOOSTER CITY COUNCIL AGENDA

October 17, 2016

7:30 p.m.

The meeting will be held at City Hall, in Council Chambers, 1st 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

PUBLIC HEARING FOR:

1. Zoning change of 32.38 acres from a C-1 (Office and Institutional) District to a C-5 (General Commercial) District on West Milltown Road (PIC #67-02964.00 and 67-02967.00).
2. Zoning change of .5709 acres from a C-2 (Neighborhood Business District) District to a C-4 (Central Business) District at 206 Beall Avenue (PIC #64-00922.000).
3. Text Code Amendment. 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.
4. Expansion of the City of Wooster's Downtown Revitalization District by approximately 0.60 acres so as to incorporate the applicant's commercial property known as 206 Beall Avenue, Wooster, Ohio 44691 (PPN: 64-00922). The Revitalization District allows qualifying businesses the ability to purchase D5L liquor licenses.

VI. OLD BUSINESS

1. Tabled- ORDINANCE NO. 2016-25
AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY (Sanders)

VII. NEW BUSINESS

1. First Reading- 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 (Knapic)
2. First Reading - ORDINANCE NO. 2016-28
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-4 (CENTRAL BUSINESS) DISTRICT FOR PROPERTY LOCATED AT 206 BEALL AVENUE (Knapic)

3. First 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)

4. First Reading- ORDINANCE NO. 2016-30
AN ORDINANCE RE-DESIGNATING A REVITALIZATION DISTRICT WITHIN THE CITY OF WOOSTER (Knapic)

5. First Reading- RESOLUTION NO. 2016-52
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF AN ADDITION TO THE PROPERTY AT 1514 WEST OLD LINCOLN WAY FOR THE DISTRIBUTION/ COLLECTION SUBDIVISION OF UTILITIES (Silvestri)

6. First Reading- RESOLUTION NO. 2016-53
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM SYSTEMATIC SIGN REPLACEMENT ON STATE ROUTE 3, FROM 0.15 MILES SOUTH OF STATE ROUTE 226 TO US 30, IN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)

7. First Reading- ORDINANCE NO. 2016-31
AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

XIII. MISCELLANEOUS

IX. ADJOURNMENT

WOOSTER CITY COUNCIL MINUTES
October 3, 2016

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers. The following members were present: Jon Ansel, Mark Cavin, Barbara Knapic, Scott Myers, Craig Sanders, David Silvestri and Jon Ulbright.

City Administration present: Mayor Bob Breneman, Law Director Linda Applebaum, Director of Administration Joel Montgomery, and Finance Director Andrei Dordea.

II. APPROVAL OF MINUTES

Councilwoman Knapic moved, seconded by Councilman Silvestri to approve the minutes of the September 19, 2016 regular meeting. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman asked for Council to approve the nomination of Steven Slack to the Civil Service Commission to fill the position made available when Mr. Ken Vagnini resigned. The Mayor thanked Mr. Vagnini for his years of service and wise council.

The September 7th WARCOG monthly meeting was the best meeting to date. All members on board have been very pleased with the service they have received. Service metrics are now available to measure performance. The WCGLA is doing an outstanding job and the Mayor appreciates their efforts and service to our community. The Mayor also wants to thank the Chamber for organizing Woosterfest. The event was a huge success. The footers have been poured at the Safety Center. The WCH addition has steel in the air and things are moving well. The Mayor also issued a memo updating Council on the WARCOG manager, Mike Banks.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

None.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

President Buytendyk asked for a motion to approve the nomination for the Civil Service Commission by unanimous acclamation.

Councilman Silvestri moved, seconded by Councilwoman Knapic, to approve the proposed membership of the Civil Service Commission. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Councilman Sanders reported on the Public Utilities meeting held earlier in the evening. The topic of discussion was Ordinance No. 2016-25. The issue is whether or not Council approves a non-exclusive franchise agreement for electrical power. There was a lot of great conversation and information shared. There will be further discussion on this legislation.

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2016-25

AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE

FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY (Sanders)

Councilman Sanders moved to table, seconded by Councilman Ulbright, the legislation to allow time to achieve better balance of options. Upon voice vote, motion carried unanimously.

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2016-26

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WOOSTER FIT HOLDINGS LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Knapic)

Councilwoman Knapic stated that Wooster Fit Holdings LLC purchased the Hawkins Market area and she is very excited about the project. Wooster Fit aka Planet Fitness is requesting a CRA for 2312 Akron Road. The proposed rehabilitation project involves an investment of \$1,150,000 in construction and repair costs. A minimum of four full-time and four part-time jobs will be created within one year with a minimum combined \$150,000 annual payroll.

Councilwoman Knapic moved, seconded by Councilman Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Councilwoman Knapic moved, seconded by Councilman Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

IX. MISCELLANEOUS

Councilwoman Knapic shared her excitement for Planet Fitness. Councilman Ulbright also shared in Councilwoman Knapic's excitement about Planet Fitness and added that the Public Utilities Commission had great discussion concerning Ordinance 2016-25. Councilman Silvestri asked if the City has received feedback concerning the roundabout and also asked that a road repair schedule be added to the City's website. Councilman Sanders welcomed Planet Fitness to Wooster and stated the group will continue to work on the Electrical Franchise Agreement to adjust the language and get out as soon as possible for review. Councilman Cavin thanked Councilman Sanders hosting the committee meeting and is also excited for Planet Fitness. Councilman Ansel complimented AEP and Wayne Holmes Electric for an enlightening Public Utilities session. He stated it was a complicated grid of information and thanked them for their thoroughness.

X. ADJOURNMENT

Councilman Ulbright moved, seconded by Councilwoman Knapic, to adjourn. Motion carried and meeting so adjourned.

Michael G. Buytendyk
President of Council

Christa Sturgeon
Clerk of Council

ORDINANCE NO. 2016-25

AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERTIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY.

WHEREAS, this City Council, with the adoption of Ord. No. 1991-58, granted to providers of electric power within the City of Wooster a franchise for the distribution of electric power and energy to the inhabitants of the city in accordance with each distributor's respective service areas, with such franchise to have a term of twenty-five (25) years; and

WHEREAS, the term of each franchise will expire at the end of 2016, and each of the said distributors has requested that this Council approve the renewal of the existing franchises.

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

SECTION 1. That the Ohio Power Company, its successors, and assigns; the Holmes-Wayne Electric Cooperative, Inc., its successors and assigns; and the Ohio Edison Company, its successors and assigns, and any other existing utility or future electric utility ("Grantees"), are granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as now exist or may be laid out in the future) of the City of Wooster, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in the City and to the inhabitants by supplying electric energy to the City and its inhabitants, and persons or corporations beyond the City limits for power, or any other purposes or purpose for which electric energy is now or may in the future be used, and the transmission and distribution of the same within, through, or across the City of Wooster, State of Ohio; provided, however, that each Grantee shall provide electric service only within: (1) the area or areas of the City of Wooster in which such Grantee is presently providing electric service, or which are included in said Grantee's Certified Territory, pursuant to Sections 4933.81 through 4933.90 of the Ohio Revised Code, and as shown on the Electric Service Area Maps issued by the Public Utilities Commission of Ohio (PUCO), which maps are on file with the Clerk of Council, or maps verified by the PUCO pursuant to the Ohio Revised Code; or (2) any other area or areas annexed by the City of Wooster, any portion of which is serviced by the Grantee at the time of such annexation, or which is included within the Grantee's Certified Territory.

SECTION 2. the lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

ORDINANCE NO. 2016-25

AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERTIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY.

WHEREAS, this City Council, with the adoption of Ord. No. 1991-58, granted to providers of electric power within the City of Wooster a non-exclusive franchise for the distribution of electric power and energy to the inhabitants of the city in accordance with each distributor's respective service areas, with such franchise to have a term of ten (10) years; and

WHEREAS, the term of each franchise will expire at the end of 2016, and each of the said distributors has requested that this Council approve the renewal of the existing franchises.

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

SECTION 1. That the Ohio Power Company, its successors, and assigns; the Holmes-Wayne Electric Cooperative, Inc., its successors and assigns; and the Ohio Edison Company, its successors and assigns, and any other existing utility or future electric utility ("Grantees"), are granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as now exist or may be laid out in the future) of the City of Wooster, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in the City and to the inhabitants by supplying electric energy to the City and its inhabitants, and persons or corporations beyond the City limits for power, or any other purposes or purpose for which electric energy is now or may in the future be used, and the transmission and distribution of the same within, through, or across the City of Wooster, State of Ohio.

SECTION 2. the lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

SECTION 3. The rights, privileges, and franchise granted shall be in force and effect for an initial term of ten (10) years from the date of the passage of this Ordinance. Thereafter, this franchise shall continue for successive one-year terms, unless either the City or any of the Grantees provides written notice of its intention not to renew at least one year prior to the term expiration.

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

Requested is Council's authorization to renew and amend the electric service franchise agreement established by City ordinance 25 years ago. This ordinance will expire at the end of 2016, and both AEP and Holmes-Wayne Electric have requested that it be renewed.

The franchise agreement requires electric service providers to provide service to all inhabitants of the City, allows them to construct the needed infrastructure for the distribution of those services within the City R/W, and establishes basic rules for doing so.

The proposed agreement would be for 10 years, with an automatic 1 year renewals if parties agree. The proposed agreement would also take precedent over ORC established Electric Service Area Maps which establish service provider territory and restrict the providers to service within those areas only.

The proposed ordinance allows electric service providers to provide electric service anywhere within the City Corporation limits, now or in the future, without the restriction of the ORC service area territories. You have also been provided a copy of the language would be required to adopt those service area restrictions within the City Corporation limits.

There are currently three electric service providers with the potential to provide service within the Wooster City area: Ohio Power Company (AEP), Wayne-Holmes Electric, and Ohio Edison.

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

The current agreement is set to expire at the end of 2016.

Manager Requesting

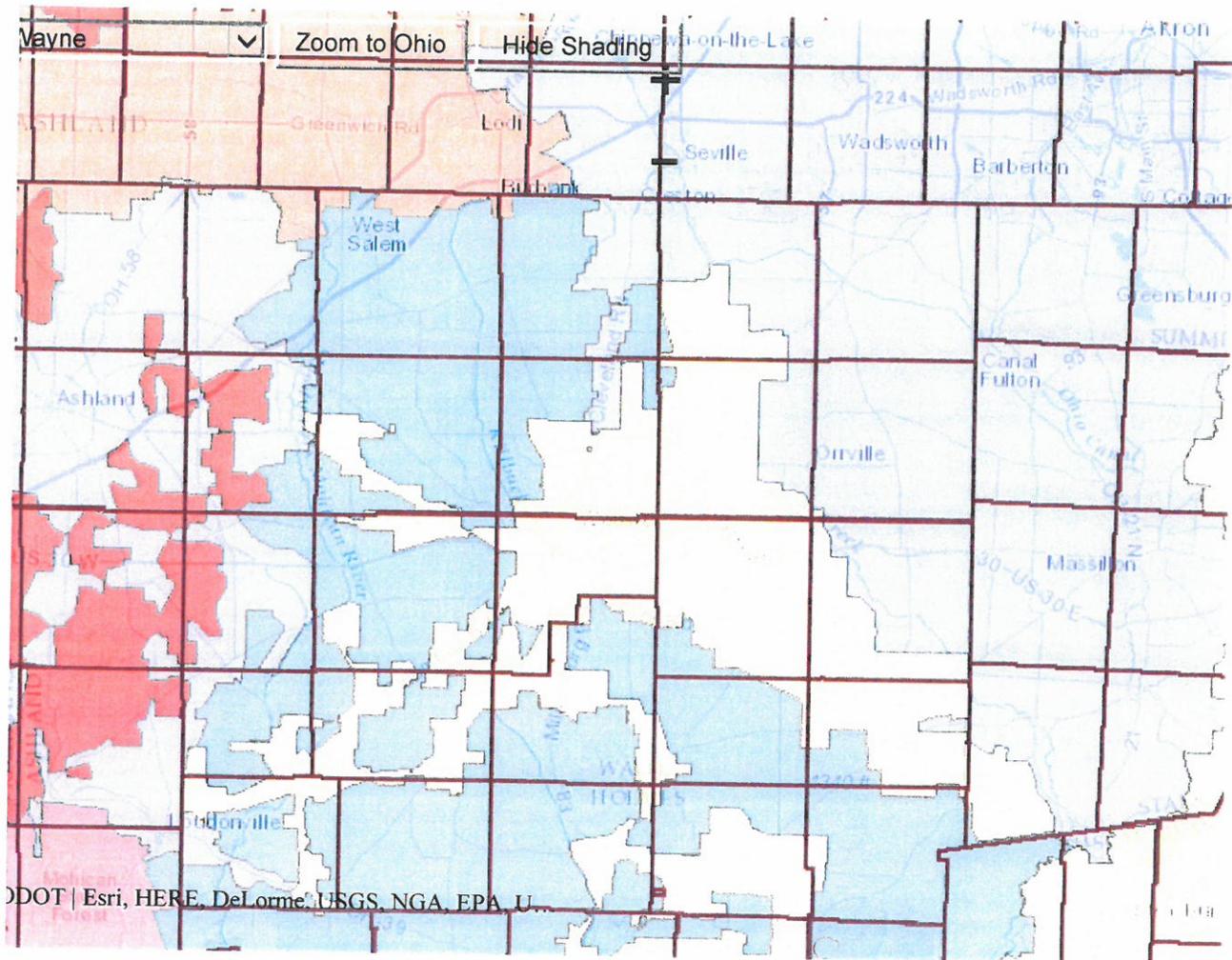
Date

Approved for Agenda

Electric Service Areas of Ohio

The following map depicts electric service areas in Ohio. Electric service areas are regions within which an electric distribution company is authorized and required to provide service. Electric service areas are certified by the Public Utilities Commission of Ohio. Click on an individual service area for more information about it.

Enter street address with city/state or zip code:



Map Legend:

- Firelands Electric
- Holmes-Wayne Electric
- Licking Rural Electrification
- Lorain-Medina Rural Electric
- Ohio Edison
- Ohio Power

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 Part 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.

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 _____ 2nd reading _____ 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 1st, 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
Fax: (330) 263-5247
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**

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.

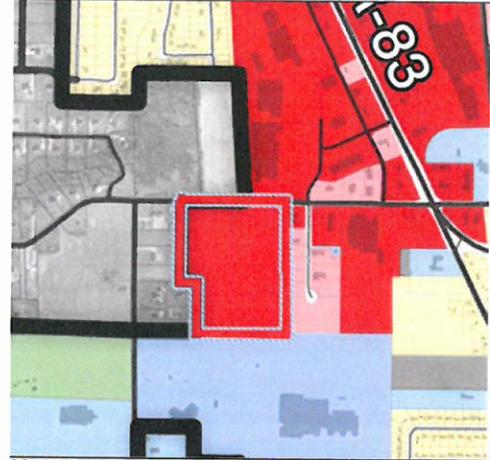
DEVELOPMENT PROPSAL INFORMATIONAL SUMMARY: Meijers Inc



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.

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.

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.).

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 ¹ (Milltown Road)	Annual Tax Obligation ¹	Post Project Tax Value (\$10,800,000 Invested)	Annual Real Estate Tax Obligation ²	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
Meijer Development Proposal	<i>Annual City Income Tax Creation³</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 Creation⁴</i>		\$15,876
	<i>Net City Revenue Annual Creation</i>		\$83,376	<i>Annual WCSD Property Tax Creation</i>		\$222,443

- 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/>
- 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.
- 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

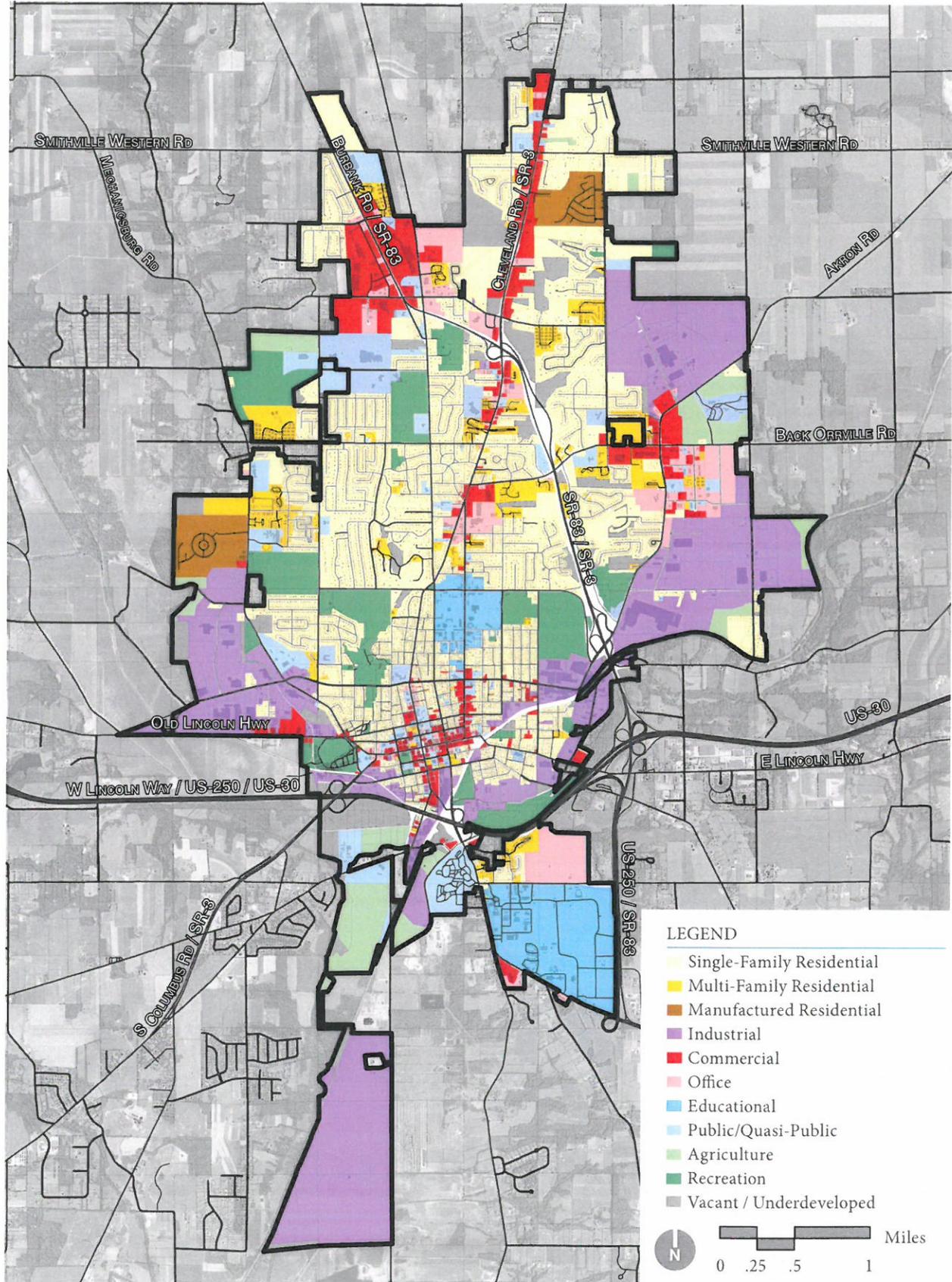
As found in the Staff Report, staff has recommended approval of the proposed rezoning from C-1 to C-5. The recommendation is based on review of the proposed rezoning and its relation to Section 1119.07. There have recently been questions regarding the rationale for the staff recommendation. I have provided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

LAND USE, DEMOGRAPHICS, AND HOUSING

Figure 3.11 Future Land Use, City of Wooster, 2013



Owner	Address	City
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

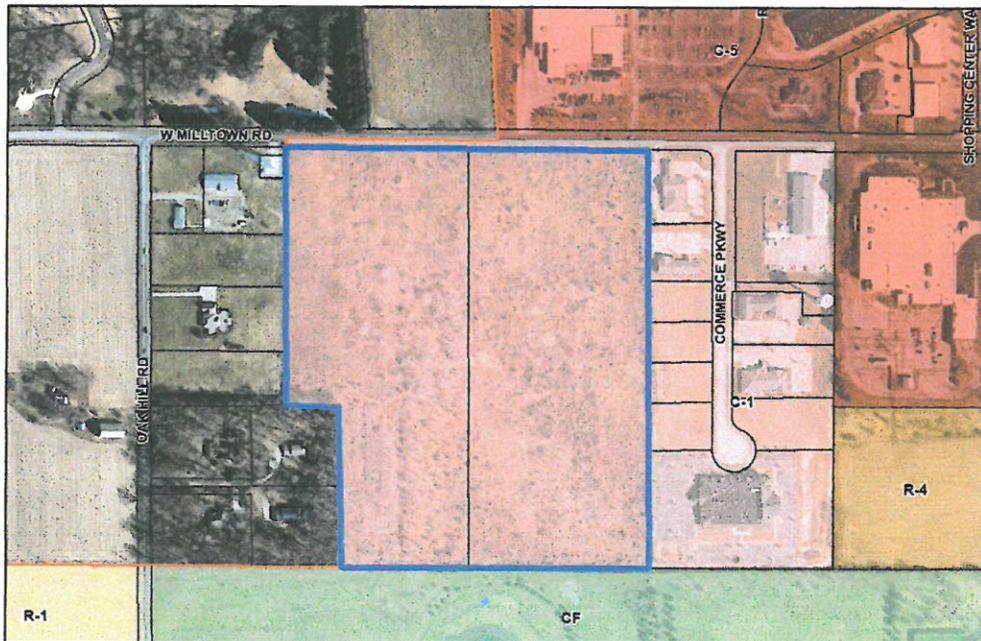


Zoning Map Amendment #ZC-265 West Milltown Road Rezoning

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 1st 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 1st 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 1st 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
Residential/Lodging		
A. Single-family dwelling	P ⁴	--
B. Single-family attached dwellings	--	--
C. Two-family dwelling	P ⁴	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
Office and Professional Services		
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	--	--
Retail and Services		
A. Retail establishment	P ¹	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 ³	P
H. Service establishment, personal	C ³	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 ⁵
M. Microbrewery, Microdistillery or Microwinery	--	P

	C-1	C-5
Automotive/ Transportation		
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
Entertainment – Recreation		
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
Community Facilities/ Other				Accessory Uses		
A. Congregate care facility	P	P		A. Accessory recreational facilities	--	--
B. Nursing home	P	P		B. Crematorium when accessory to a funeral home	A	A
C. Place of worship/church	C	P		C. Off-street parking facility	A	A
D. Day care facility, child and/or adult	C ³	P		D. Outdoor storage of vehicles & equipment	--	A
E. School, commercial, business or trade	P	P		E. Outdoor storage of goods & general merchandise	--	A
F. School (public/private) elementary/secondary	C	P		F. Restaurant, outdoor dining	--	A
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				

¹ 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.

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

³ 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.

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

⁵ 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 4469T
Phone: 330-465-7692 Email: igant@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
67-02964.000 Property Acreage (if applicable): 32.38 (15.29 & 17.09)

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]
Signature of Property Owner or Authorized Applicant

8/26/16
Date

DO NOT WRITE BELOW THIS LINE - FOR OFFICIAL USE ONLY

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

Decision: Granted Denied (See Permit for Conditions)

8/27/16 per applicant's
9/28/16 Request



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

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



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,

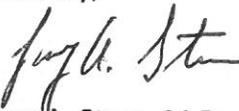
As a resident of Wooster with a home in the North End, I am opposed to the proposed rezoning on West Milltown Road to accommodate the development of a Meijer department store. I am not opposed to the idea of Meijer locating in the Wooster area, but feel that there are many more suitable locations for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

A handwritten signature in black ink, appearing to read "Larry A. Stern". The signature is fluid and cursive, with the first name "Larry" and last name "Stern" clearly legible.

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;

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

May 27, 2016
Page 2

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 BROTHERS 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

May 27, 2016
Page 3

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;

Woolpert, Inc.
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Cleveland, OH 44114
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Parcel 1
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May 27, 2016
Page 4

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.

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

May 27, 2016
Page 5

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 COMER 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.

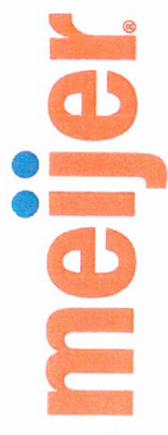
CONTAINING 17.096 ACRES OF LAND, MORE OR LESS, BUT SUBJECT TO ANY LEGAL EASEMENTS, RIGHTS OF WAY, OR RESERVATIONS THAT MAY PERTAIN TO THIS PARCEL OF LAND.

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





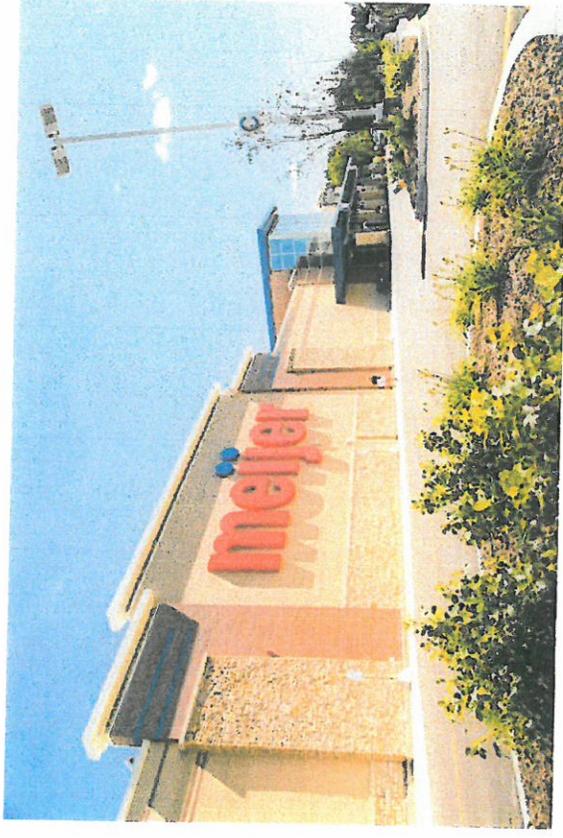
Meijer Community Partnerships & Giving

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' and a blue dot above the 'j'.

- 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

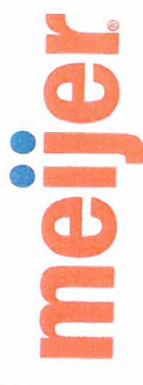
- Free antibiotics, prenatal vitamins, Metformin and generic substitute for Lipitor®
- More than 34M free Rx filled, saving customers more than \$479M since 2006

•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

The Meijer logo, featuring the word "meijer" in a lowercase, sans-serif font. The "i" has a blue dot, and the "j" has a blue tail. The rest of the letters are orange.

- 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

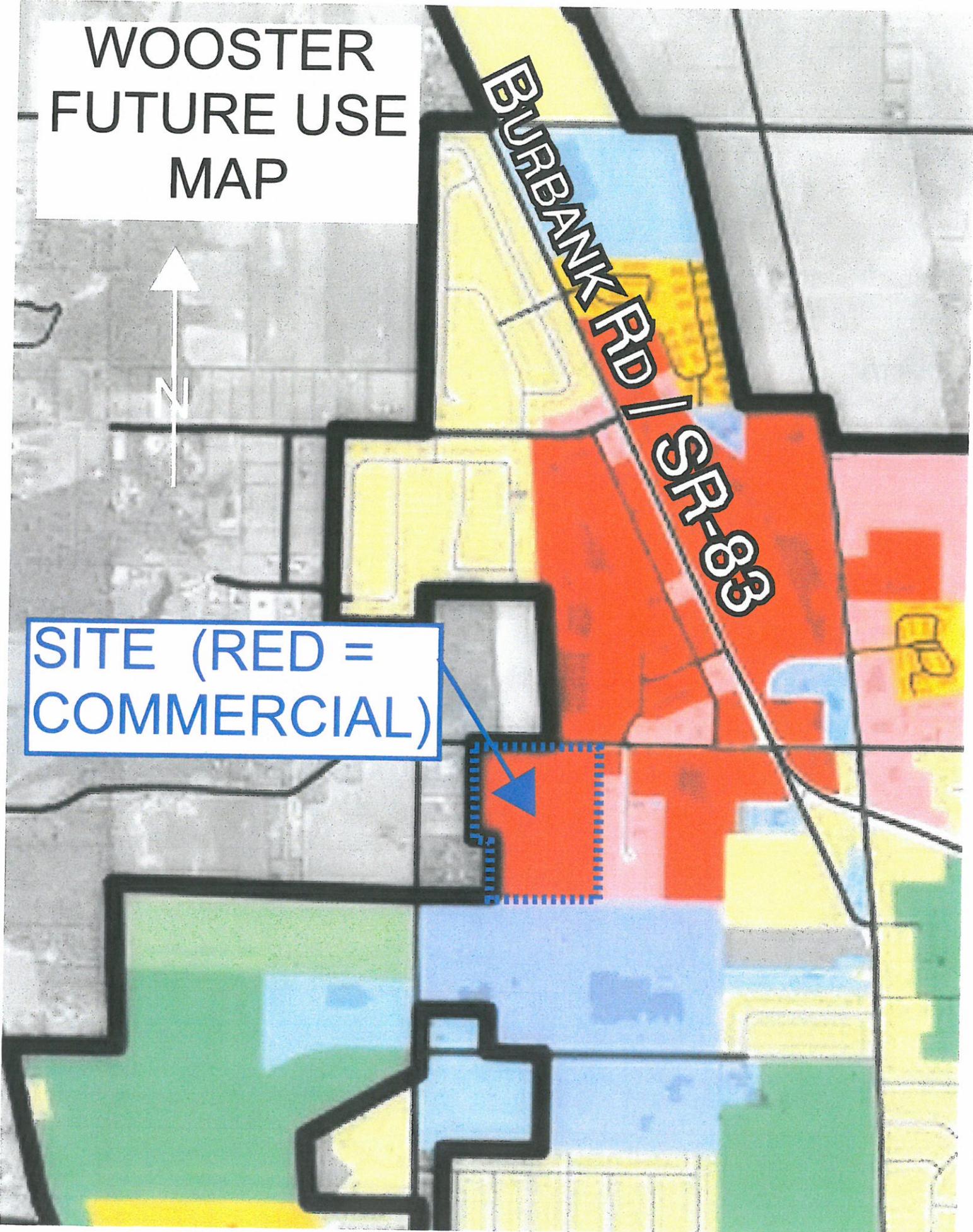
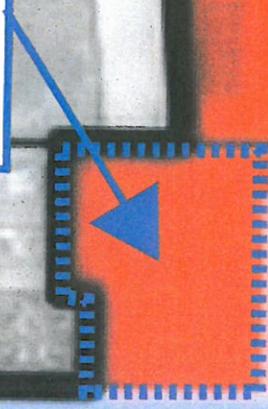


WOOSTER FUTURE USE MAP



BURBANK RD | SR-83

**SITE (RED =
COMMERCIAL)**



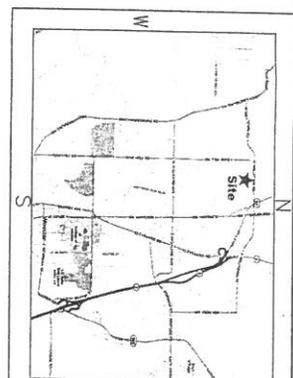
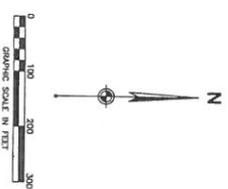
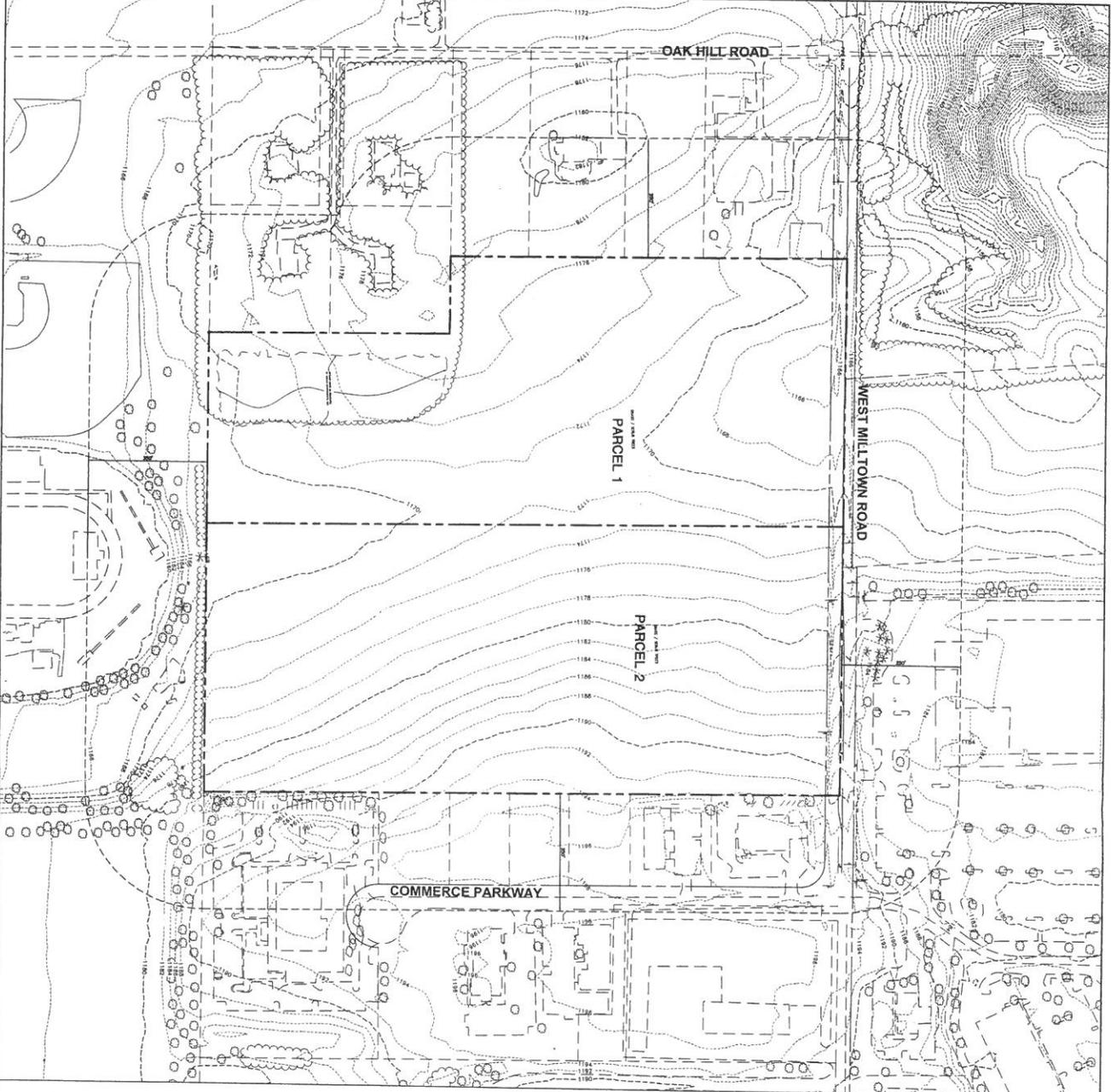


PROPOSED ZONING AMENDMENT

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

VICINITY MAP

SHEET NO. 1 OF 2	ZONING AMMENDMENT MILLTOWN ROAD WAYNE COUNTY CITY OF WOOSTER, OHIO VICINITY MAP	4454 Idea Center Blvd Dayton, OH 45430-1500 937.461.5660 FAX: 937.461.0743	PROJECT No: 76286	No.	DATE	REVISION
			DATE: 05-31-18			
			DES: JFW			
			DR: JFW			
			CKD: JFW			



2 OF 2

SHEET NO.

**ZONING AMMENDMENT
MILLTOWN ROAD**

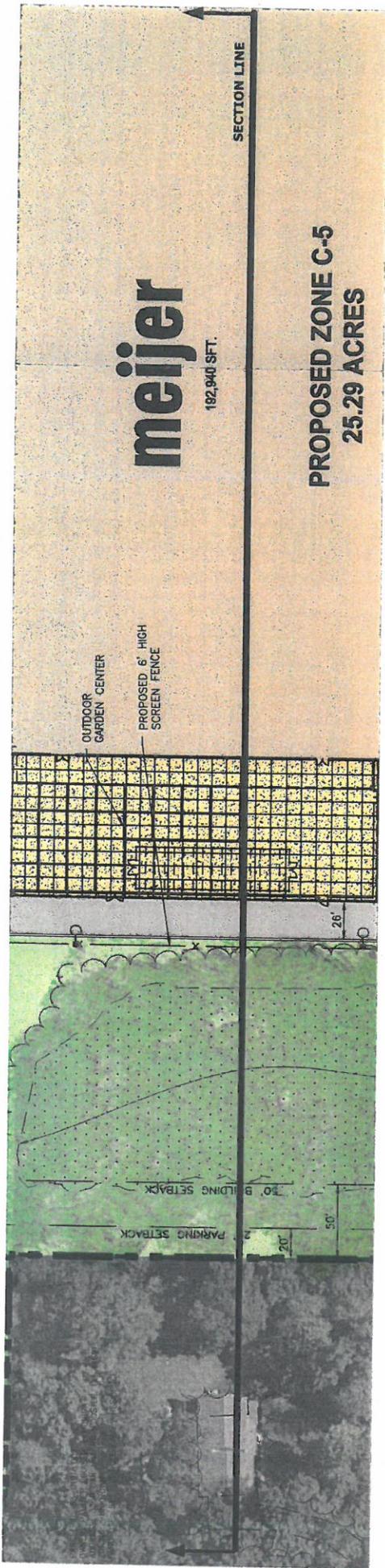
WAYNE COUNTY
CITY OF WOOSTER, OHIO

TOPOGRAPHY

W
WOOLPERT

4454 Idea Center Blvd
Dayton, OH
45430-1500
937.461.5660
FAX: 937.461.0743

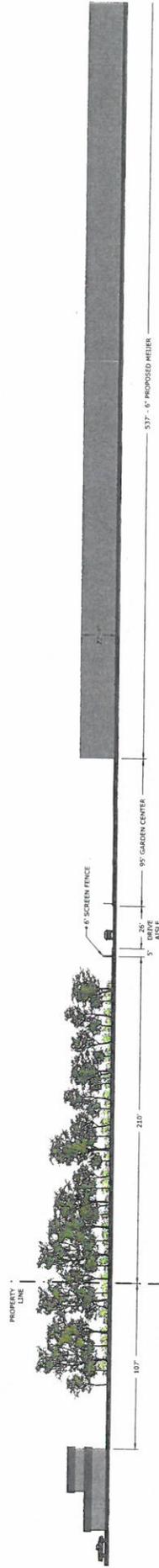
PROJECT No:	No.	DATE	REVISION
76266			
DATE 05-31-16			
DES. JFW			
DR. JFW			
CKD. LLW			



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



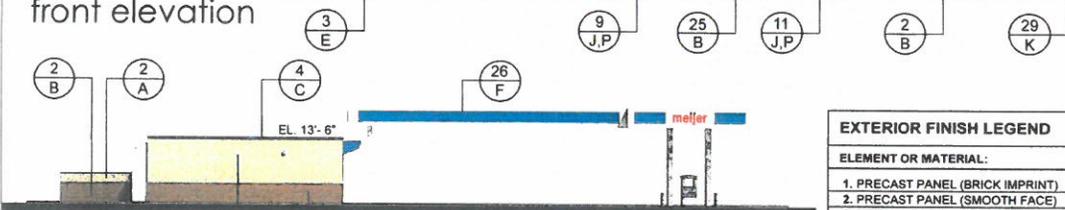
WOO - View of Existing Trees



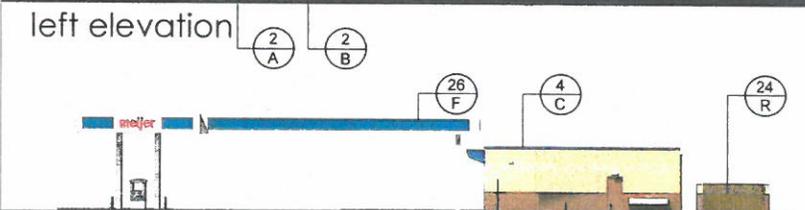
WOO - West Boundary Section
1" = 30'-0"



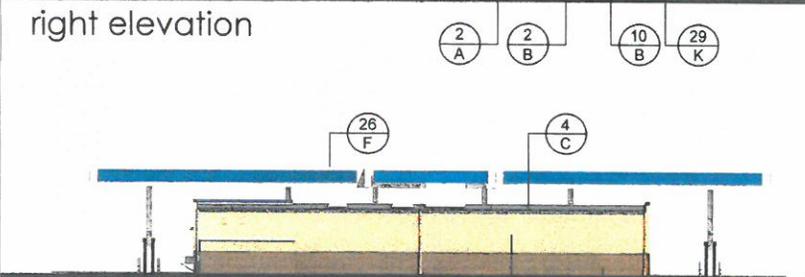
front elevation



left elevation



right elevation



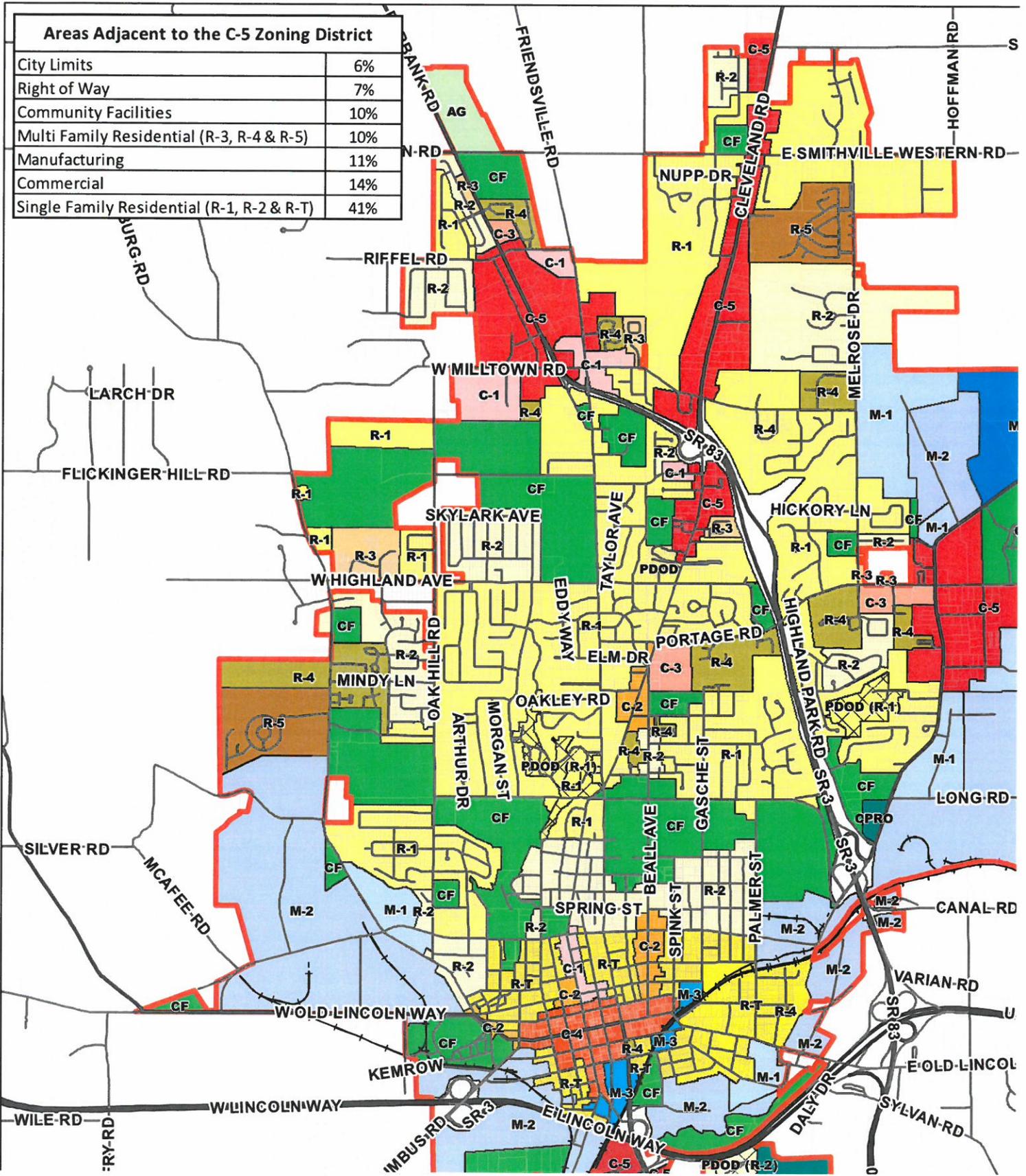
back elevation

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. BISMARKCK 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 4466)
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. SIDEKICK 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%



**Request for Agenda Item
Non-Capital**

Division

Meeting Date Requested

Project Name

Approved for Agenda

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

Kevin Medved of The Enzian Group, LLC representing LY-TM Inc. requesting approval from City Council for a Zoning Map Amendment to change the zoning of 0.57 acres at 206 Beall Avenue with Parcel Number 64-00922.000 from C-2 (Neighborhood Business) to C-4 (Central Business).

Zoning Amendment applications require a recommendation from the Planning Commission prior to City Council's review. At the September 28th, 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 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

Owner	Address	City
BLACKWELL PATRICIA O & CLARA MZIMMERMAN S/T	PO BOX 441	SMITHVILLE OH 44677
BUTLER JAMES A	416 E NORTH ST	WOOSTER OH 44691
BYRD SAVOY J	332 E SOUTH ST	WOOSTER OH 44691
CLEARVIEW INVESTMENTS LTD	875 S WASHINGTON ST	MILLERSBURG OH 44654
COMMUNITY CROSSROADS INC	104 SPINK ST	WOOSTER OH 44691
DURBIN HAROLD W JR	1675 BARBARA DR	WOOSTER OH 44691
FARIES ADAM M	216 COLLEGE AVE	WOOSTER OH 44691
FRYMAN GEROLD D	14866 N ELYRIA RD	WEST SALEM OH 44287
GARVER MERLIN JAN TRUSTEE	2373 HEYL RD	WOOSTER OH 44691
GARVER SCOTT M	2373 HEYL RD	WOOSTER OH 44691
GEHRING ROB	827 SUPERIOR DR	HURON OH 44839
HAUTER MARVIN E & RENEE	221 COLLEGE AVE	WOOSTER OH 44691
KAJA HOLDINGS LLC	PO BOX 488	COLUMBIA SC 29202
KARLEN PROPERTIES LTD	PO BOX 383	SMITHVILLE OH 44677
L J SINCLAIR PROPERTIES LLC	7216 FULTON RD	STERLING OH 44276
LIL PROPERTIES LTD	653 QUINBY AVE	WOOSTER OH 44691
MALETICH PHILLIP D	2223 FRIAR TUCK CIR	WOOSTER OH 44691
MERILLAT DEBRA J	2607 TIMOTHY PL	WOOSTER OH 44691
OHIO POWER COMPANY	PO BOX 16428	COLUMBUS OH 43216
PINK TOMATO STUDIOS LLC	221 BEALL AVE	WOOSTER OH 44691
PLYMIRE GARY & JANET S/T	499 KIMBER RD	WOOSTER OH 44691
RAGUJI INC	209 BEALL AVE	WOOSTER OH 44691
REED ROBERT D JR	302 S TAYLOR ST	HOLMESVILLE OH 44633
REITH MARILYN S & FREDERICK A	14826 STRATTON RD	WEST SALEM OH 44287
RENNER MADONNA	435 E LARWILL ST	WOOSTER OH 44691
RUNYON BRUCE E & MARY JO ROSSS/T	2956 ARMSTRONG DR	WOOSTER OH 44691
STARR GREG	4261 HUNTINGTON WOODS	WOOSTER OH 44691
SWARTZENTRUBER E W	9110 TOWNSHIP ROAD 552	SHREVE OH 44676
WAYNE METROPOLITAN HOUSING	345 N MARKET ST	WOOSTER OH 44691
WOOSTER AERIE NO 811	PO BOX 23	WOOSTER OH 44691
WOOSTER PROPERTY MANAGEMENT LTD	833 GREENS VIEW DR	WOOSTER OH 44691
WORKMAN CHRISTOPHER N & MARY GS/T	1441 MADISON AVE	WOOSTER OH 44691
WORTHEN LINDA F	236 COLLEGE AVE	WOOSTER OH 44691

ZC-266

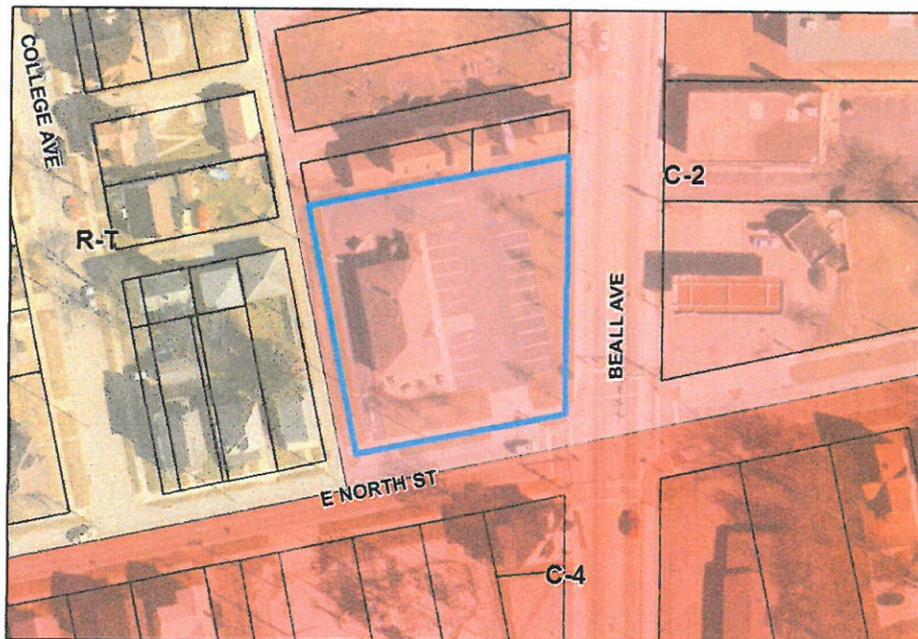


Zoning Map Amendment #ZC-266 Smoke Rezoning

Property Owner: LY-TM Inc.
Applicant: Kevin Medved of The Enzian Group, LLC
Location: 206 Beall Avenue (Parcel Number 64-00922.00)
Existing Zoning: C-2 (Neighborhood Business)
Proposed Zoning: C-4 (Central Business)
Request: An approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to change the zoning from C-2 (Neighborhood Business) to C-4 (Central Business).

LOCATION AND SURROUNDING USES

The site consists of 0.57 acres located on the northwest corner of Beall Avenue and East North Street. Properties to the north contain multi-family and single family residential uses zoned C-2. Property to the east contains a commercial use zoned C-2. Properties to south contain commercial, multi-family residential and utility uses zoned C-4. Properties to the west contain single family residential uses zoned R-T (Traditional Residential).



PROPOSED APPLICATION

The current site consists of an existing commercial building that will be occupied by a restaurant, Smoke the Burger Joint. The applicant is requesting a change in zoning of the property from C-2 to C-4. A portion of the rezoning request is to allow the property to be eligible to be incorporated into Wooster's Revitalization District. Inclusion in this District, which is reviewed by City Council, allows the property to be eligible for an available D5-L Permit for alcohol sales.



ZONING DISTRICT INTENT

The intent of the C-2 zoning district is as follows, per Section 1141.01(e):

To create a District that permits a variety of retail and service establishments in a store-only district with development standards that ensure that development is compatible with adjacent land uses, that create a more pedestrian-oriented environment, and that recognizes and accommodates the constraints presented by small, shallow lots found in the District.

The intent of the C-4 zoning district is as follows, per Section 1141.01(g):

To provide a central business district that preserves, maintains and promotes Downtown Wooster as a core area for retail sales and to promote and enhance the existing historic, compact pedestrian orientation of the Downtown by permitting buildings to be close to the street and to one another.

DISTRICT DIFFERENCES

The C-2 and C-4 districts have a number of development standard differences found in Chapter 1141. Overall, C-2 standards require a 20 ft. to 30 ft. building setback from the street, setbacks to side property lines and a maximum height of 45 ft. C-4 standards allow a 0 ft. building setback from the street right of way and side property lines when abutting nonresidential districts and a maximum height of 60 ft. Both districts require parking to be situated to the side and rear of the building.

A property zoned C-4 also requires a recommendation from the Design and Review Board for Development Plan applications and approval from the Board for new signage.

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-2 and C-4 zoning districts:

	C-2	C-4
Residential/Lodging		
A. Single-family dwelling	P ⁴	--
B. Single-family attached dwellings	--	C
C. Two-family dwelling	P ⁴	--
D. Dwelling unit(s) above the first floor of a building	P	P
E. Bed and breakfast establishment	C	C
F. Hotel, motel	--	P
G. Multi-family dwelling	--	--

	C-2	C-4
Office and Professional Services		
A. Administrative, business and/or professional office	P	P
B. Bank and other financial institutions	P	P
C. Medical/dental office	P	P
D. Medical/dental/health services clinic	P	P
E. Hospital	--	--



	C-2	C-4
Retail and Services		
A. Retail establishment	p ²	P
B. Freestanding automated teller machine or drive-thru	--	--
C. Restaurant, indoor	P	P
D. Drive-thru facility in assoc. with a permitted use	C	C
E. Funeral home	P	P
F. Outdoor display/sales	--	P
G. Service establishment, business	p ²	P
H. Service establishment, personal	p ²	P
I. Veterinary office, animal hospital	--	--
J. Dog day care/grooming facility	P	P
K. Kennel (with no outdoor run)	--	--
L. Custom Print Shop	--	--
M. Microbrewery, Microdistillery or Microwinery	--	P
Automotive/ Transportation		
A. Gasoline station / pumps	C	C
B. Car wash	--	--
C. Automobile service station	--	C
D. Vehicle repair garage	--	--
E. Public use parking lot	C	C
F. Motor vehicle sales and rental	--	--
G. Public transportation terminal	--	C
H. Self-storage facility, indoor	--	--
Entertainment – Recreation		
A. Commercial recreation, indoor	--	--
B. Commercial recreation, outdoor	--	--
C. Health Club	p ²	P
D. School, specialty/personal instruction	--	C
E. Theater	--	C

	C-2	C-4
Entertainment – Recreation (Cont.)		
E. Theater	--	C
F. Assembly hall/ membership club/conference center	p ²	C
G. Public park or playground	P	P
Community Facilities/ Other		
A. Congregate care facility	P	--
B. Nursing home	P	--
C. Place of worship/church	P	P
D. Day care facility, child and/or adult	p	--
J. Utility substation/ distribution facility, indoor	C	C
K. Wireless telecommunication facility	See Chapter 1173	
L. Library, cultural institution	P	C
Accessory Uses		
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	--	--
E. Outdoor storage of goods & general merchandise	--	--
² All operations, including storage, shall take place in a principal and/or an accessory building. ⁴ Only those dwelling units that existed on June 21, 2007 shall be permitted. New dwelling units are prohibited.		



COMPREHENSIVE PLAN

The Comprehensive Plan encompasses many topics at a large scale and details are not provided in the Plan for the subject property. However, Landuse Action LU1.6 states "Support Main Street Wooster in marketing the downtown and promoting economic growth". Main Street Wooster has submitted a letter of support for the project.

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-266 to change the zoning from C-2 (Neighborhood Business) to C-4 (Central Business) for the subject property.

Application Number: 2016-212

Zoning Amendment Number: ZC-266



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: 206 Beall Avenue Wooster, Ohio 44691

Property Owner: Name: LY-TM Inc.
Address: 3135 W. Smithville - Western Road Wooster OH 44691
Phone: _____ Email: _____

Applicant: Name: The Enzian Group LLC DBA Smoke the Burger Joint
(If different than Address: 206 Beall Ave. Wooster, OH 44691
Property Owner) Phone: 330-464-6773 Email: Ksmedved@gmail.com

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

Parcel ID Number (if applicable): 64-00822.000 Property Acreage (if applicable): .5709

Current Zoning (if applicable): C-2 Neigh. Bus. Proposed Zoning (if applicable): C-4 Central Bus.

Request (Use a separate sheet if necessary): Zoning amendment to change the zoning of the subject property from C-2 (Neighborhood Business) to C-4 (Central Business).

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] 8-22-16
Signature of Property Owner or Authorized Applicant Date

DO NOT WRITE BELOW THIS LINE - FOR OFFICIAL USE ONLY

Application Filed: 9 / 1 / 16 Fee Paid: 8 / 9 / 16 Hearing: 9 / 28 / 16

Decision: Granted Denied (See Permit for Conditions)

Submittal Requirements

THREE FULL SIZED AND ELEVEN 11"X17" COPIES of the following items, including appropriately scaled plans, must be submitted at the time of filing of the application in order for an application to be considered by the Planning Commission:

- (a) **Completed application form and payment of the associated application fee;**

A completed application form and associated payment was submitted to the Planning and Zoning Department on Tuesday, August 23, 2016.

- (b) **A statement of the reason(s) for the proposed amendment;**

Smoke the Burger Joint is proposing to amend the City of Wooster Zoning Map to change the subject property (206 Beall Avenue Wooster, OH 44691) from C-2, Neighborhood Business to C-4 Central Business. The proposed C-4 Zoning will support the establishment by being including in the City of Wooster's core Central Business District, which is a vital component to our investment in the property and facilities. Main Street Wooster, the Wooster Chamber and City of Wooster have done a fabulous job in revitalizing the Central Business District in a way that has supported countless of small businesses to not only be established but thrive. As a property and business owner that values community participation and involvement, we feel that this property should be considered a C-4, Central Business District property as we plan to be a part of the community that is downtown Wooster.

In addition to belonging to the C-4 district community, the inclusion of the subject property into the C-4 District will support our application for a Downtown Revitalization District D5-L Liquor License. As discussed with City Administration, the Chamber and Main Street, it has always been in the spirit of the D5-L Liquor permit (or revitalization district) that they are only issued to businesses within the C-4 District, as the area is primarily made up of smaller locally held businesses that have the best interest of the community at hand. As described earlier, we believe that the property should be considered in the C-4, as it is locally held and operated, in very close proximity to the current C-4 zoning district (right across the street) and the property is in the general service area of Main Street Wooster.

Without the ability to secure a D5-L Liquor Permit, our business model will not be complete and our ability to compete with other like downtown businesses will be hampered.

- (c) **A statement on the ways in which the proposed amendment relates to the Comprehensive Plan;**

The City of Wooster's Comprehensive Plan significantly focuses on the continued development of Wooster's Downtown. Specifically the CP calls for the Community, Main Street, Chamber and City Administration to focus on "Priority Development Areas" throughout the City, sighting East Wooster, The Hospital District, Downtown and South Highway District. As the Downtown Priority Development Area is concerned, the primary focus is the East Liberty Street corridor and as explained by the CP is listed below:

“Located to the east of the downtown core, East Liberty Street is an area that should be a target for continued public and private investments. The current development pattern is characterized by vacant buildings and surface parking lots, and is not at the highest and best use. The location of this area adjacent to the Downtown Core make it a target area to continue the development pattern of the Downtown by focusing on pedestrian oriented improvements and buildings, and to provide housing options within a short walk to the core.”

We believe that the expansion of the C-4 Central Business District to the subject property is consistent with the above suggestion in continuing to target the East Liberty Street area for public and private investments. The subject property is also located along Beall Avenue, which in recent history received a multi-million dollar upgrade streetscape upgrade that promotes additional pedestrian access and the linking to the neighboring residential properties. The proposed rezoning request supports this area of the comprehensive plan.

“Downtown is the historic center and community core of Wooster that plays a vital role in the identity of the City. While much of the historic character of the area is still intact, some vacant storefronts and disinvestment prove to threaten the character and economic viability of the area”

The above statement in the Comprehensive Plan also supports our rezoning request, as it suggests that disinvestment and vacant storefronts continue to threaten the character and economic viability of the area. In this specific request, a vacant storefront is being filled, reinvestment is occurring and increased economic viability is being realized.

Overall we believe that the proposed rezoning from C-2 to C-4 is consistent with the spirit and vision of many aspects related to future downtown development throughout the City.

(d) Amendments to the Zoning Map adopted as part of this Planning and Zoning Code shall contain the following additional information:

(1) Legal description of the parcel(s) to be rezoned, drawn by an Ohio registered/licensed surveyor;
SEE EXHIBIT A (2 PAGES)

(2) Present use and zoning district;

Present Zoning District = C-2 Neighborhood Business

Present Use = Vacant (formerly a restaurant)

(2) Proposed use and zoning district;

Proposed Zoning District = C-4 Central Business District

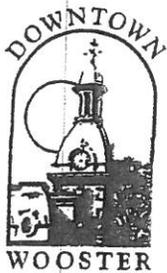
Proposed Use = Restaurant

- (4) A vicinity map at a scale approved by the Zoning Administrator showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Administrator may require;**

SEE EXHIBIT B (4 Pages)

- (5) Existing topography at two-foot contour intervals of the property to be rezoned and extending at least 250 feet outside the proposed site, and including property lines, easements, street rights-of-way, existing structures, trees and landscaping features existing thereon.**

SEE EXHIBIT C (2 Pages)



MAIN STREET WOOSTER, INC.

377 WEST LIBERTY STREET • WOOSTER, OH 44691 • (330) 262-6222

AUGUST 31, 2016

To:

ROBERT F. BRENNEMAN, MAYOR
MEMBERS OF WOOSTER CITY COUNCIL

RE: ZONING AMENDMENT REQUEST OF KEVIN MEDVED (SMOKE THE BURGER JOINT)
RE-DESIGNATION OF THE REVITALIZATION DISTRICT TO INCLUDE PROPERTY

ON BEHALF OF MAIN STREET WOOSTER, INC., PLEASE ACCEPT THIS LETTER OF SUPPORT FOR THE PROPOSED RE-ZONING REQUEST OF KEVIN MEDVED, OWNER OF NEW BUSINESS, SMOKE THE BURGER JOINT.

THIS RESTAURANT WILL BE A POSITIVE ADDITION TO THE DOWNTOWN WOOSTER RESTAURANT SCENE AND AS PART OF THE REDEVELOPMENT OF THE EAST LIBERTY AREA, A FOCUS OF THE CITY OF WOOSTER DOWNTOWN STRATEGIC PLAN AND MAIN STREET WOOSTER AND PROPERTY OWNER EFFORTS.

MR. MEDVED WILL PARTNER WITH THE EXISTING JAFB BREWERY TO PROMOTE THEIR RESPECTIVE BUSINESSES AND ADD ENTERTAINMENT TO THE AREA. THE RECENT RELOCATION OF MUDDY'S AND THE COMMERCIAL SAVINGS BANK AND THEIR RESPECTIVE BUILDING RENOVATIONS HAS INCREASED THE COMMERCIAL TRAFFIC TO THIS AREA .

MR. MEDVED IS ENTHUSIASTIC REGARDING THE DOWNTOWN REDEVELOPMENT AND WANTS TO BE AN INTEGRAL PART OF THE ONGOING PROJECT. THE ATTRACTIVE BUILDING (FORMERLY KATE'S DINER) WITH ITS PATIO FOR OUTDOOR DINING AND THE EXTENSIVE MENU OF SPECIALTY HAMBURGERS WILL BE ANOTHER "HIT" RESTAURANT WITHIN THE DOWNTOWN WOOSTER OFFERINGS. (DURING THE "TASTE OF DOWNTOWN WOOSTER" EVENT, SMOKE WAS THERE TO INTRODUCE THEIR BURGERS TO THE ATTENDEES; THERE WAS A LONG LINE WAITING TO "TASTE"!)

AS A PROPOSED NEW BUSINESS IN THE C-4 DISTRICT, SMOKE WILL BE WITHIN THE DESIGN & REVIEW DISTRICT WHICH IS AN IMPORTANT COMPONENT OF THE DOWNTOWN LANDSCAPE.

THANK YOU FOR YOUR CONSIDERATION OF THIS ZONING AMENDMENT, THE RE-DESIGNATION FOR INCLUSION IN THE REVITALIZATION DISTRICT, AND THE FUTURE, POSITIVE OUTCOME FOR DOWNTOWN WOOSTER.

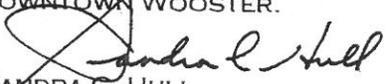

SANDRA C. HULL
EXECUTIVE DIRECTOR

Exhibit A

OR0501 PAGE 0386

200400190314
Filed for Record in
WAYNE COUNTY RECORDER
JANE CARMICHAEL
12-30-2004 At 12:54 pm.
DEED 28.00
ON Book 501 Page 386 - 387

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS THAT Jeffrey J. Myers, married, the Grantor, claiming title by or through instrument recorded in Volume 418, Page 2628, Wayne County, Ohio Official Records, for valuable consideration thereunto given, and especially for the sum of One Dollars (\$ 1.00) received to their full satisfaction of LY-TM, Inc., the Grantee, whose tax mailing address will be
3153 West Smithville Western Road, Wooster, Ohio 44691
does GIVE, GRANT, BARGAIN, SELL AND CONVEY unto said Grantee his heirs and assigns, the following described premises;

Parcel No. 1:

Situated in the City of Wooster, County of Wayne and State of Ohio:

And known as being the south eleven feet of Lot Number 611 as shown by the Plat recorded in Volume 1, Page 25, Wayne County, Ohio Plat Records.

Permanent Parcel No. 64-00554.

Parcel No. 2:

Situated in the City of Wooster, County of Wayne and State of Ohio:

And known as being the north half of Lot Number 612 as shown by the Plat recorded in Volume 1, Page 25, Wayne County, Ohio Plat Records.

Permanent Parcel No. 64-00556.

Parcel No. 3:

Situated in the City of Wooster, County of Wayne and State of Ohio:

And known as being the south half of Lot Number 612 as shown by the Plat recorded in Volume 1, Page 25, Wayne County, Ohio Plat Records.

Permanent Parcel No. 64-00923.

Parcel No. 4:

Situated in the City of Wooster, County of Wayne and State of Ohio:

And known as being Lot Number 613 as shown by the Plat recorded in Volume 1, Page 25, Wayne County, Ohio Plat Records.

Together with the north half of a 15 foot vacated alley adjacent to the south line of said premises.

Permanent Parcel No. 64-00824.

Parcel No. 5:

Situated in the City of Wooster, County of Wayne and State of Ohio:

And known as being Lot Number 614 as shown by the Plat recorded in Volume 1, Page 25, Wayne County, Ohio Plat Records.

Together with the south half of a 15 foot vacated alley adjacent to the north line of said premises.

Permanent Parcel No. 64-00922.

WAYNE COUNTY
TAX MAP OFFICE
Approved By: *[Signature]*

This Conveyance has been examined and the Grantor has complied with Section 219 202
Of the Revised Code.
FEE \$ 240.00
EXEMPT
JARRA L. UNDERWOOD, County Auditor

AMT. PD. 3.00 DATE 12/30/04
JARRA L. UNDERWOOD, AUDITOR
[Signature] DEPUTY
RONALD G. JOHN

Exhibit A

Parcel No. 6:

Situated in the City of Wooster, County of Wayne and State of Ohio:

And known as being Lot Number 615 as shown by the Plat recorded in Volume 1, Page 25, Wayne County, Ohio Plat Records.

Permanent Parcel No. 64-00921.

TO HAVE AND TO HOLD the above premises, with the appurtenances thereunto belonging, unto the said Grantee, and his separate heirs and assigns forever.

AND THE SAID Grantor, for itself and its successors, and assigns, hereby covenants with the said Grantee, his heirs and assigns, that said Grantor is the true and lawful owner of said premises, and is well seized of the same in fee simple, and has good right and full power to bargain, sell and convey the same in the manner aforesaid, and that the same are free and clear from all encumbrances, except leases, easements, restrictions and rights of way of record, if any; and taxes prorated as of the date of transfer and further, that said Grantor will warrant and defend the same against all claims whatsoever except as provided herein.

Jennifer G. Myers, wife of Jeffrey J. Myers joins in the signing of this Deed for the purpose of releasing all Dower Rights.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand the 29th day of December, 2004

Jeffrey J. Myers
Jeffrey J. Myers

Jennifer G. Myers
Jennifer G. Myers

STATE OF OHIO)
WAYNE COUNTY)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Jeffrey J. Myers and Jennifer G. Myers who acknowledged that they did sign this Warranty Deed and the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Wooster, Ohio the 29th day of December, 2004.

Carolyn A. Miller
NOTARY PUBLIC

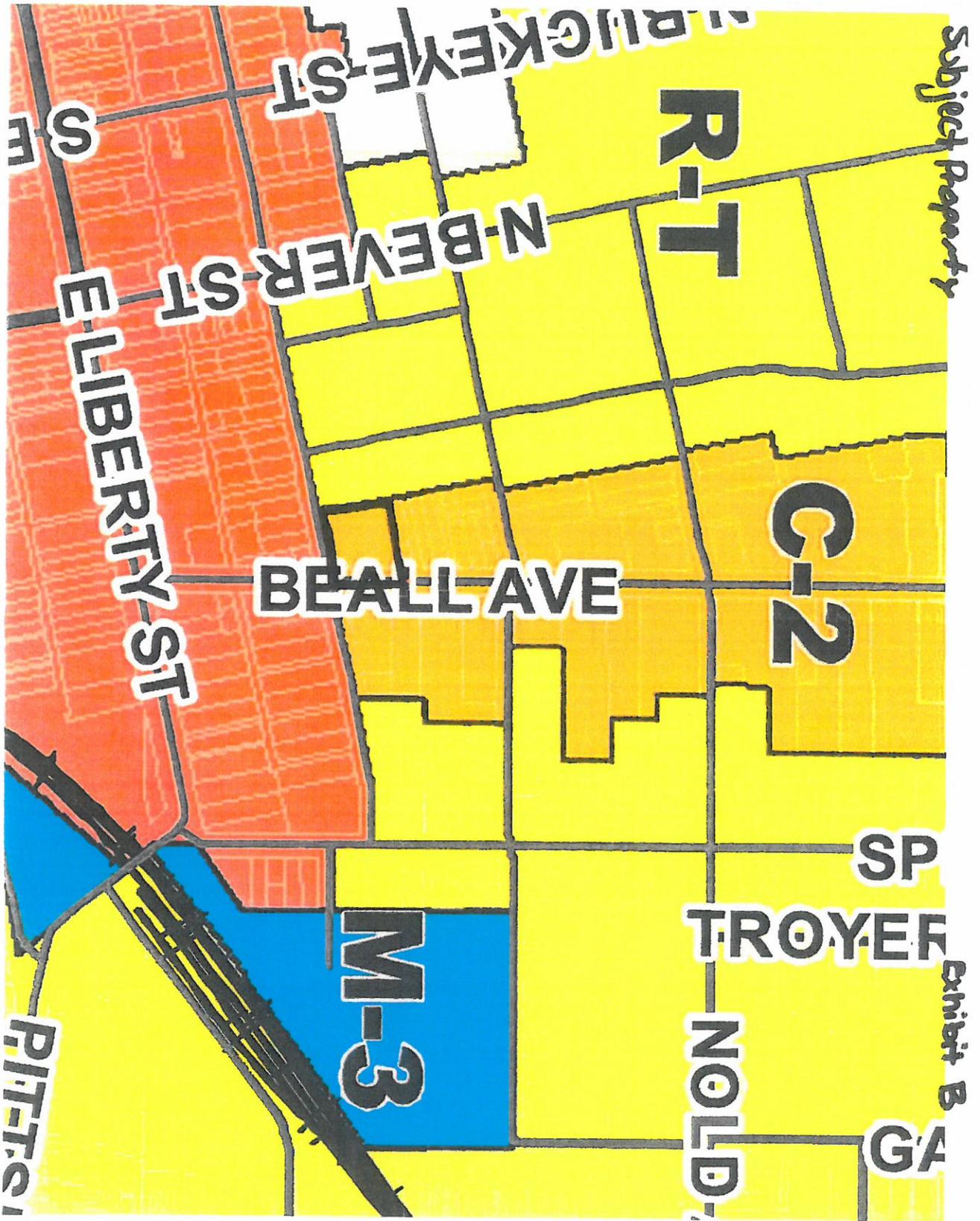
This Instrument Prepared By:

ROBERT J. REYNOLDS
ATTORNEY AT LAW
441 WEST LIBERTY STREET
WOOSTER, OHIO 44691
(330) 264-1150

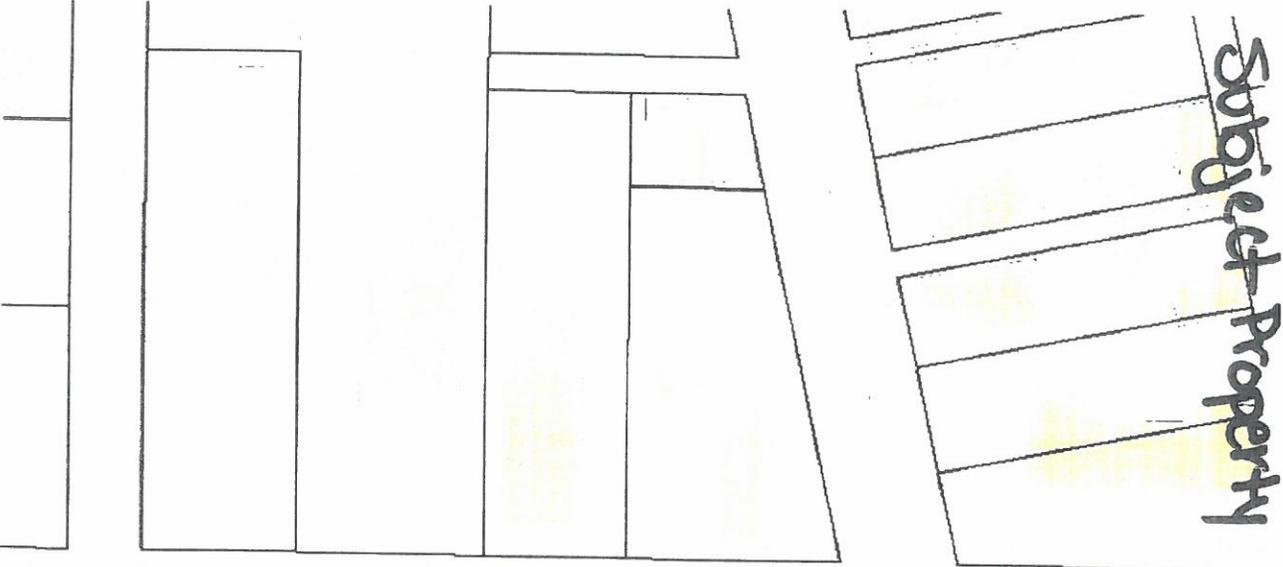


CAROLYN A. MILLER
Notary Public, State of Ohio
My Commission Expires
September 28, 2008

800400190314
RJR REYNOLDS
PICK UP



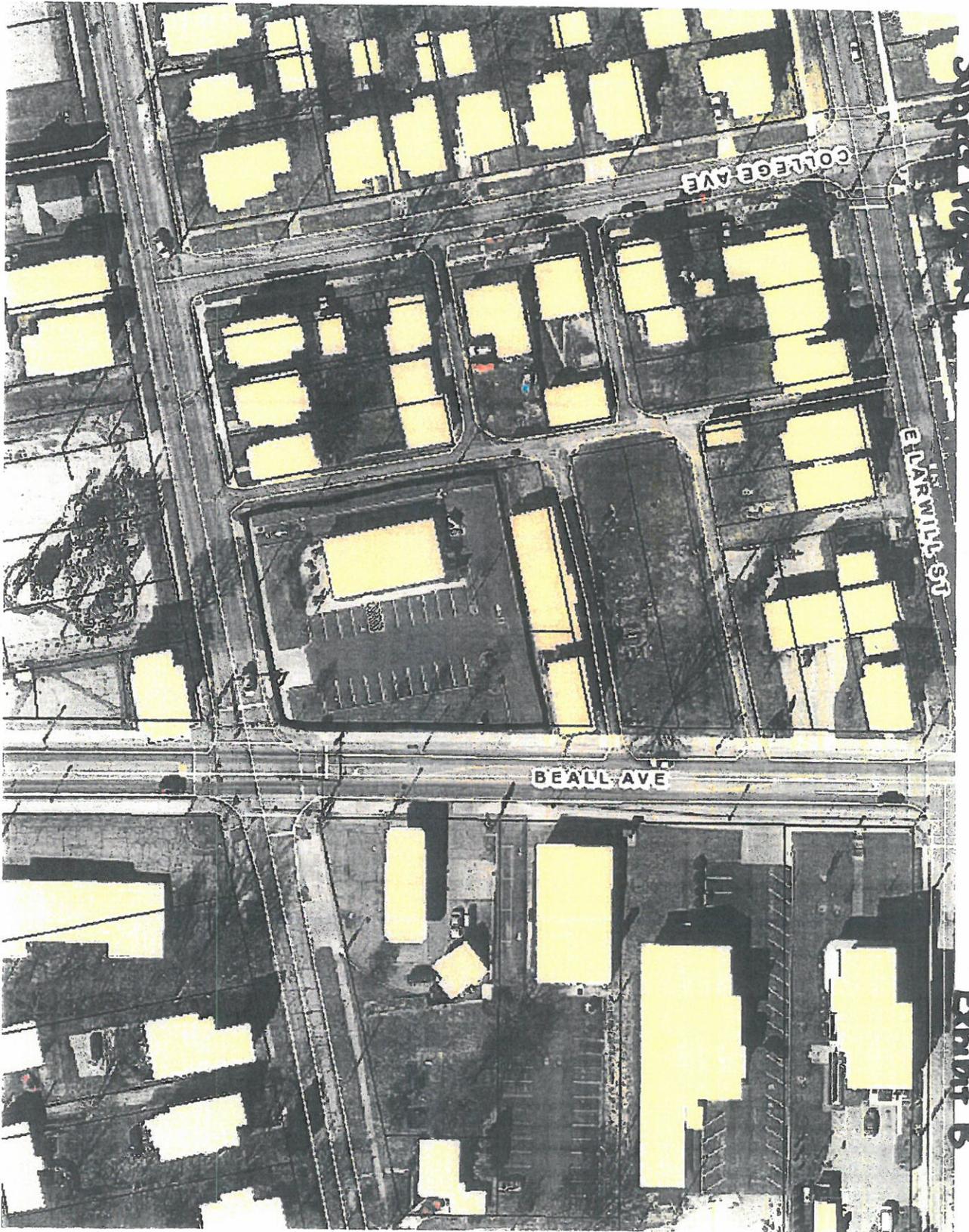
Subject Property



BEALL AVE



Exhibit B



Subject Property

Exhibit B

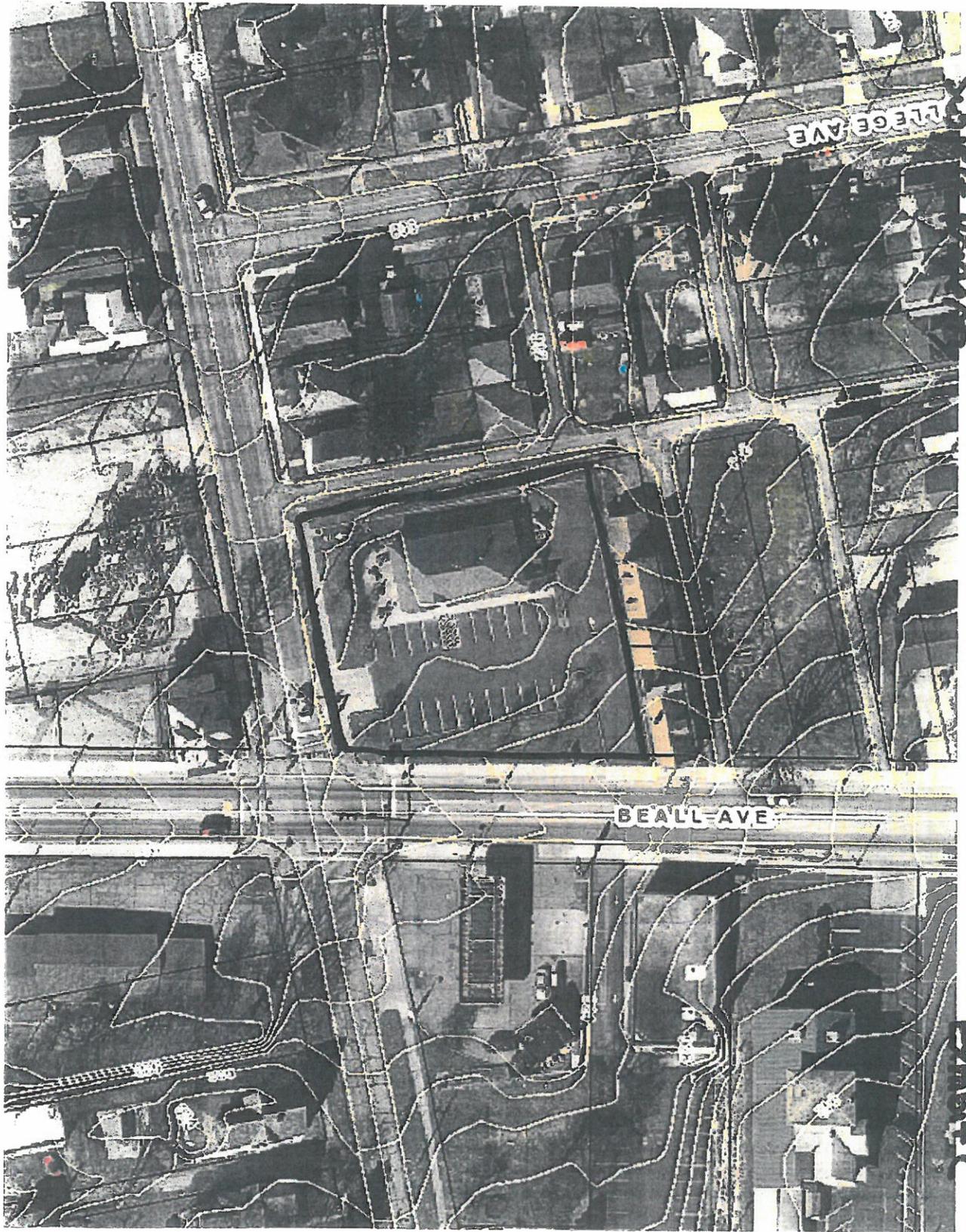
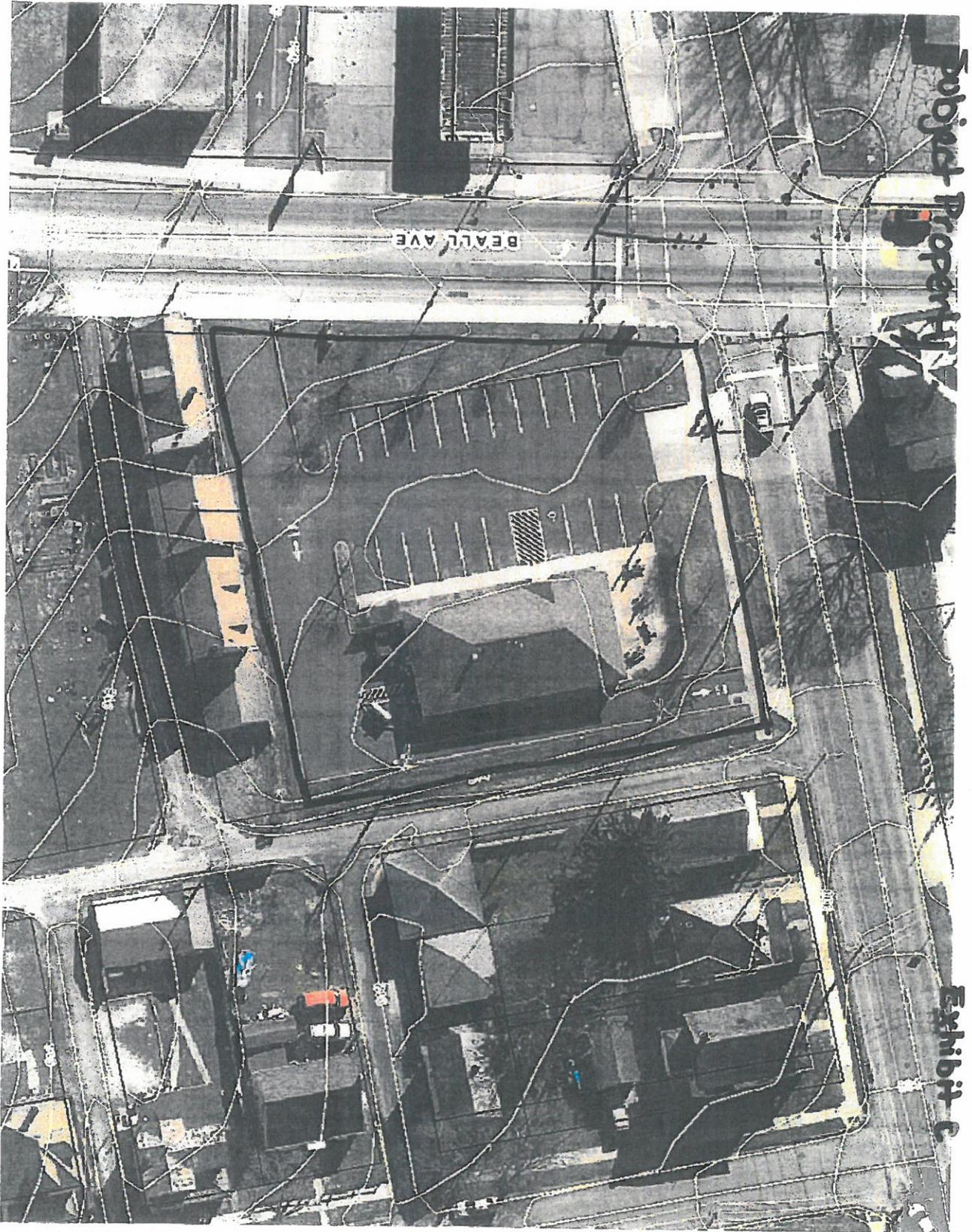


Exhibit B

Exhibit C



Subject Property

Exhibit C

**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 28th, 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 1st 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.	<i>1171.10</i>	<i>Electronic message center signs.</i>
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. ~~t~~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.

1171.112 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 1171.112(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 1171.112 Administrative Requirements.

Table 1171.112 Administrative Requirements		
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. 2016-30

AN ORDINANCE RE-DESIGNATING A REVITALIZATION DISTRICT WITHIN THE CITY OF WOOSTER

WHEREAS, this Council, by adoption of Ordinance No. 2008-39, previously designated an area of the downtown as a Revitalization District, and then expanded the designated areas to its current extents by adoption of Ordinance No. 2009-23; and

WHEREAS, an application has been filed with Mayor Breneman by Michael Sigler seeking the enlargement of the existing Revitalization District in downtown Wooster, in accordance with R.C. §4301.81, by adding an area that extends across the northwest intersection of Beall Ave. and E. North St.; and

WHEREAS, the application (copy attached) conforms to all statutory requirements, and notice of the filing of such application has been published twice in a newspaper of general circulation in the community, as provided by law; and

WHEREAS, Mayor Breneman submitted his recommendation to this Council that the application be granted for the reason that the proposed district will substantially contribute to entertainment, retail, educational, sporting, social, cultural and arts opportunities for the community, only if the area first attains C-4 zoning, as provided in proposed Ordinance No. 2016-28

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

SECTION 1. That in accordance with R.C. §4301.81, this Council enlarges and re-designates as the Downtown Revitalization District the area identified in the application of Michael Sigler, dated August 28, 2016, for the reason that such district will substantially contribute to entertainment, retail, educational, sporting, social, cultural and arts opportunities for the community.

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.

Request for Agenda Item Non-Capital

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

This legislative item seeks Council's authorization to expand the City's current Revitalization District by approximately 0.60 acres to encompass Parcel 64-00922.000, also known as 206 Beall Avenue in Wooster, Ohio 44691. Located at the northwest intersection of Beall Avenue and E. North Street, the site is contiguous to the existing boundaries of the Revitalization District. The location is the site of *Smoke The Burger Joint*, a downtown restaurant that is also seeking to sell alcohol.

Mayor Robert F. Breneman, in his letter to Council dated October 5, 2016 (attached), recommended the expansion of the district to include the proposed property **provide that the proposed new site first attains C-4 Zoning.** (Parcel 64-00922.000 is presently zoned C-2). The current Revitalization District is entirely contained within the C-4 District, in which every property falls under the jurisdiction of the Design and Review Board, among other zoning criteria. Therefore, attainment of C-4 zoning is appropriate so as to ensure all properties enjoying access to the Revitalization District operate under the same rules and regulations.

The Revitalization District was established by Ordinance Number 2008-23. This District, created with Main Street Wooster's support, made available inexpensive liquor permits for downtown restaurants and other businesses for the purpose of encouraging reinvestment, particularly in terms of creating opportunities for restaurants, entertainment, and culture. The permits, known as D5L, are only available to entities where food constitutes the majority of sales. Currently, there are no other liquor permits available within city limits.

Council previously permitted the extension of the Revitalization District to South Street, which also had C-4 zoning, through Ordinance No. 2009-23. The current application, should C-4 zoning first be attained, will contribute to furthering the goals of the Downtown Plan, which seeks the revitalization of the Beall Avenue and E. Liberty Street area.

For reference, please find attached the original application from Michael Sigler, in addition to the Mayor's recommendation and reference map. Thank you.

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

This request is intended to be considered concurrently with a zoning map amendment request concerning the same property.

Manager Requesting

Date

Approved for Agenda



CITY OF WOOSTER
538 N. Market Street
P.O. Box 1128
Wooster, Ohio 44691-7082

Jonathan S. Millea, AICP
Development Coordinator
Phone: (330) 263-5250
Fax: (330) 263-5247
Email: jmillea@woosteroh.com

5 October 2016

Wooster City Council
c/o Christa Sturgeon, Clerk of Council
538 N. Market Street
Wooster, Ohio 44691

Mayoral Recommendation for Downtown Wooster Revitalization District Expansion to Parcel 64-00922.000

Dear Members of Wooster City Council,

Please accept this letter as my recommendation to expand Downtown Wooster's Revitalization District by approximately 0.60 acres to encompass Parcel 64-00922.000, also known as 206 Beall Avenue, Wooster Ohio, provided that the same property first attains C-4 Downtown Commercial Zoning.

The Revitalization District was established, with Main Street Wooster's support, to make available inexpensive liquor permits for downtown restaurants and other businesses for the purpose of encouraging reinvestment, particularly in terms of creating opportunities for restaurants, entertainment, and culture. The permits, known as DSL, are only available to entities where food constitutes the majority of sales.

When my office receives a request from a business to expand our community's Downtown Revitalization District, it is my responsibility, in accordance to Ohio Revised Code 4301.81, to render a recommendation to Wooster City Council. Following this recommendation, Wooster City Council is required by the same law to "by notice published once a week for two consecutive weeks in one newspaper of general circulation in the municipal corporation" to notify the public that the application is on file in the office of the Clerk of Council. The legislative authority by ordinance or resolution shall approve or disapprove the application based on whether proposed revitalization does or will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community.

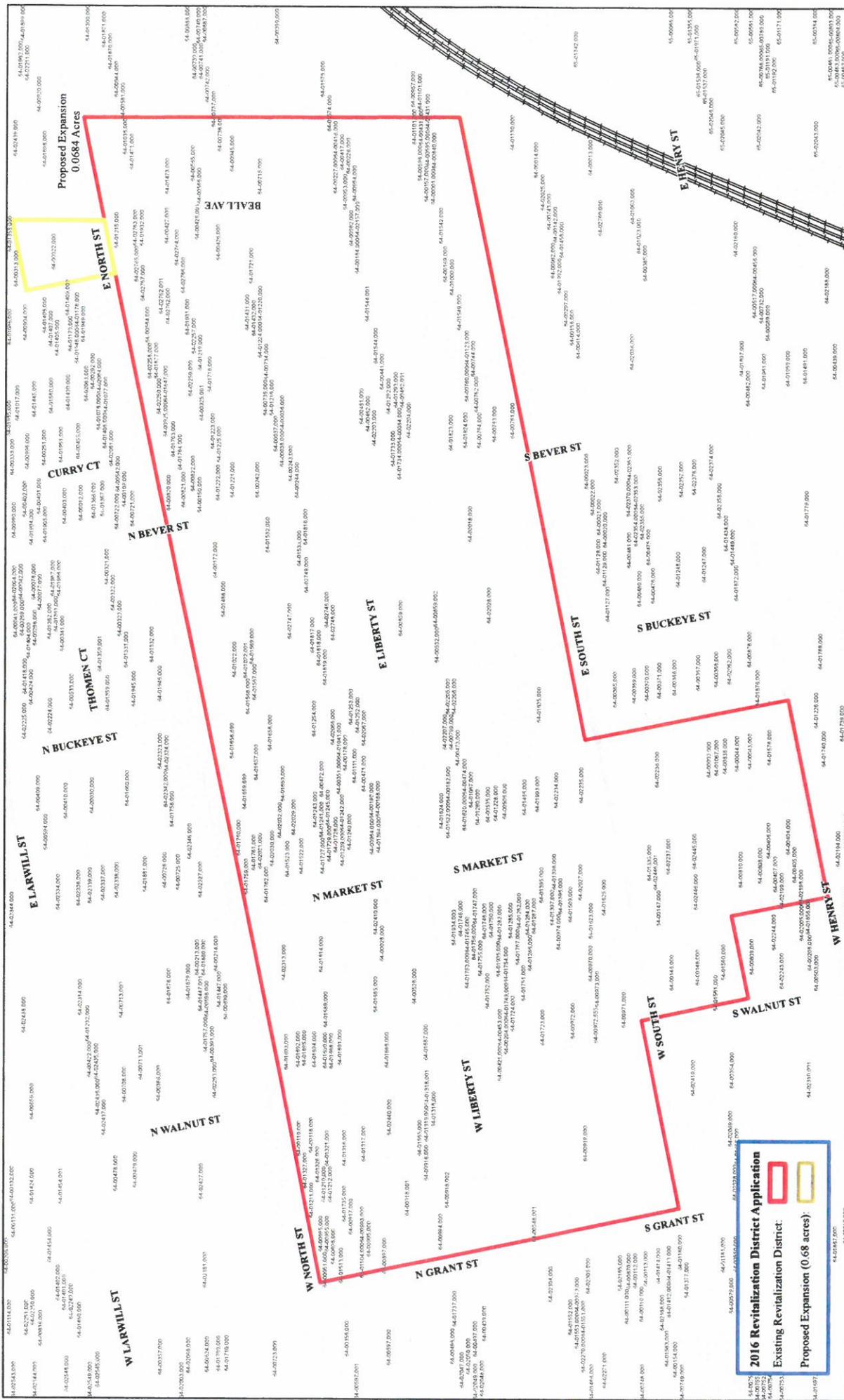
On September 1st, 2016, our office received an application from Michael Sigler of 3153 W. Smithville Wester Road of Wooster, being the owner of the 206 Beal Avenue (Parcel Number 64-00922.000). The property will be the site of a new restaurant named *Smoke, the Burger Joint*, which will feature a special wine along with local beer as an integral part of its business. The property is immediately adjacent to the current boundaries of the Downtown Revitalization District. No other liquor permits are available in the City at this time.

As the applicant's proposed site is zoned C-2, Neighborhood Business, it would not be subject to the same rules as all other businesses currently in the Revitalization District which feature C-4 Central Business Zoning. Among other regulations, properties zoned C-4 also require recommendations from the Design and Review Board when making alterations to building exteriors. At the same time, the proposed project will contribute to the Downtown Plan, which seeks the revitalization of the Beall and E. Liberty Street area. Therefore, we have advised the applicant to also seek a change of zoning from C-2 to C-4, a change we understand has been recommended by the City of Wooster Planning Commission on September 28, 2016.

Pending Council's approval of C-4 Zoning for Parcel 64-00922.000, please consider approval of the Downtown Revitalization District as referenced in the attached map. Thank you.

Sincerely,

Robert F. Breneman
Mayor, CEO



Proposed Expansion
0.0684 Acres

2016 Revitalization District Application

Existing Revitalization District:

Proposed Expansion (0.68 acres):

City of Wooster
518 N. Market Street
Wooster, Ohio 44691
Print Date: 10/22/16

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In accordance with Ohio Revised Code 4301.80, the Wooster City Council will hold a public hearing on a request by Michael Sigler, of 3153 W. Smithville Wester Rd, Wooster, Ohio 44691, to expand the City of Wooster's Downtown Revitalization by approximately 0.68 acres so to incorporate the applicant's commercial property known as 206 Beall Ave., Wooster, Ohio 44691 (PPN: 64-00922.000). The Revitalization District allows qualifying businesses the ability to purchase DSL liquor licenses.

Michael Sigler Revitalization District Expansion Application
Map Provided by City of Wooster - Economic Development Data Request

Wooster
Robert F. Revinter, Mayor

**APPLICATION TO THE MAYOR OF THE CITY OF
WOOSTER OHIO TO ESTABLISH REVITALIZATION
DISTRICT PURSUANT TO 4301.80 OF THE OHIO REVISED CODE**

- (1) I, Michael Sigler, 3153 W Smithville Western Road, Wooster Ohio 44691 being the owner of property located within the proposed district, do hereby apply to the City Council of Wooster, Ohio, pursuant to Section 4301.80 of the Ohio Revised Code, for the re-designation of the City of Wooster's Revitalization District to include the associated property at 206 Beall Avenue in Wooster (PPN: 64-000922.000).
- (2) The boundaries of the proposed district are as follows:

On the north by the south right-of-way line of North Street to the Southeast Corner of PPN: 64-000922.000; thence north along the property lines of PPN: 64-000922.000 to the districts eastern boundary. On the west by the east right-of-way line of Grant Street

On the south by a line beginning at the northeast intersection of the right-of-way lines of Grant and South Street east to the east right-of-way line on Walnut Street; thence south approximately 250 feet to the centerline of an alley,; thence east along the centerline of the alley approximately 225 feet to the centerline an alley,; thence south along the centerline of the alley to the centerline of Henry Street,; thence east along the centerline of Henry Street to an alley located approximately 225 feet east of Market Street on Henry Street; thence north along the centerline of the alley to the north right-of-way of South Street; thence east to the eastern boundary of the district; and

On the east by a north-south line extending from North Street to South Street, parallel to and 200 feet east of Beall Avenue.

A map of the proposed district is attached hereto (Exhibit A).

- (3) The proposed property has historically been devoted to retail sales ranging from the most recent use as a restaurant to past uses as a gas station and auto mechanics shop. The most recent acquisition of the property occurred in 2003 and included a significant amount of physical improvement to the parcel which transitioned the property from a gas station/auto mechanic shop to the restaurant facility that is on site in August 2016.

The proposed district is in an area that was designated by the City Council of Wooster as a Community Reinvestment Area in 2003. Since that time numerous buildings have been purchased and renovated.

The new businesses are primarily specialty shops, and the area now contains arts and crafts shops, gift shops, jewelry stores, bookstores, restaurants, coffee shops and various other specialty/niche stores.

APPLICATION TO THE MAYOR OF THE CITY OF
WOOSTER OHIO TO ESTABLISH REVITALIZATION
DISTRICT PURSUANT TO 4301.80 OF THE OHIO REVISED CODE
(page 2)

- (4) The area is heavily developed, and additional redevelopment efforts are currently underway. New construction and revitalization efforts within the district has been realized, which has led to a vibrant area of commerce and community involvement. Recent efforts and investments have been realized in the East Liberty corridor in the vicinity of Beall and Liberty Streets. These investments and revitalization efforts has created an area of pedestrian traffic, active commerce and public facility improvements.

Various County Agencies (Wayne Center for the Arts, Wayne County Public Library, Wayne County Health Department, Wayne County Courts) are located in the general downtown area, which has established the area as a consistently strong area for public involvement and utilization.

In the immediate area of the proposed addition to the revitalization district, there has been a significant amount of public facility improvements that have been realized to support future commerce and pedestrian foot traffic.

Additionally there have been various property acquisitions by local stakeholders that will support future development efforts in this area.

The extension of the Revitalization District as requested in this application will result in the addition of a property and end uses that meets the original intent of Wooster's Revitalization District.

- (5) All land within the proposed District is zoned commercially and the proposed use is in accordance with the City's Zoning Code and Comprehensive Plan.

- (6) The area of the district is estimated to be 60.9 acres (Exhibit A).

Aug. 28, 2016
Date

Michael A. Sigler
Michael Sigler
Katherine A.S.:jkr



MAIN STREET WOOSTER, INC.

377 WEST LIBERTY STREET • WOOSTER, OH 44691 • (330) 262-6222

AUGUST 31, 2016

To:

ROBERT F. BRENNEMAN, MAYOR
MEMBERS OF WOOSTER CITY COUNCIL

RE: ZONING AMENDMENT REQUEST OF KEVIN MEDVED (SMOKE THE BURGER JOINT)
RE-DESIGNATION OF THE REVITALIZATION DISTRICT TO INCLUDE PROPERTY

ON BEHALF OF MAIN STREET WOOSTER, INC., PLEASE ACCEPT THIS LETTER OF SUPPORT FOR THE PROPOSED RE-ZONING REQUEST OF KEVIN MEDVED, OWNER OF NEW BUSINESS, SMOKE THE BURGER JOINT.

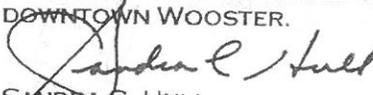
THIS RESTAURANT WILL BE A POSITIVE ADDITION TO THE DOWNTOWN WOOSTER RESTAURANT SCENE AND AS PART OF THE REDEVELOPMENT OF THE EAST LIBERTY AREA, A FOCUS OF THE CITY OF WOOSTER DOWNTOWN STRATEGIC PLAN AND MAIN STREET WOOSTER AND PROPERTY OWNER EFFORTS.

MR. MEDVED WILL PARTNER WITH THE EXISTING JAFB BREWERY TO PROMOTE THEIR RESPECTIVE BUSINESSES AND ADD ENTERTAINMENT TO THE AREA. THE RECENT RELOCATION OF MUDDY'S AND THE COMMERCIAL SAVINGS BANK AND THEIR RESPECTIVE BUILDING RENOVATIONS HAS INCREASED THE COMMERCIAL TRAFFIC TO THIS AREA .

MR. MEDVED IS ENTHUSIASTIC REGARDING THE DOWNTOWN REDEVELOPMENT AND WANTS TO BE AN INTEGRAL PART OF THE ONGOING PROJECT. THE ATTRACTIVE BUILDING (FORMERLY KATE'S DINER) WITH ITS PATIO FOR OUTDOOR DINING AND THE EXTENSIVE MENU OF SPECIALTY HAMBURGERS WILL BE ANOTHER "HIT" RESTAURANT WITHIN THE DOWNTOWN WOOSTER OFFERINGS. (DURING THE "TASTE OF DOWNTOWN WOOSTER" EVENT, SMOKE WAS THERE TO INTRODUCE THEIR BURGERS TO THE ATTENDEES; THERE WAS A LONG LINE WAITING TO "TASTE"!)

AS A PROPOSED NEW BUSINESS IN THE C-4 DISTRICT, SMOKE WILL BE WITHIN THE DESIGN & REVIEW DISTRICT WHICH IS AN IMPORTANT COMPONENT OF THE DOWNTOWN LANDSCAPE.

THANK YOU FOR YOUR CONSIDERATION OF THIS ZONING AMENDMENT, THE RE-DESIGNATION FOR INCLUSION IN THE REVITALIZATION DISTRICT, AND THE FUTURE, POSITIVE OUTCOME FOR DOWNTOWN WOOSTER.


SANDRA C. HULL
EXECUTIVE DIRECTOR

RESOLUTION NO. 2016-52

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF AN ADDITION TO THE PROPERTY AT 1514 WEST OLD LINCOLN WAY FOR THE DISTRIBUTION/ COLLECTION SUBDIVISION OF UTILITIES

WHEREAS, due to the continued growth of the Distribution/ Collection Subdivision of Utilities ("D &C"), and the need for a centralized location of personnel, equipment, parts, and manpower to complete responsibilities, including responding to emergencies, the City desires to enter into a contract to construct an addition to its facility at 1514 West Old Lincoln Way.

WHEREAS, the City, during 2014, purchased property and a building from ODOT at 1514 West Old Lincoln Way for \$100.00. While the building on the 4.75 acre property is currently being used to store parts, equipment, and vehicles, the site lacks adequate office space, restrooms, lockers, and lunch rooms for personnel to create a centralize location.

WHEREAS, the City has budgeted for the estimated design and construction costs of the addition to the existing building.

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

SECTION 1. The Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for the construction of an addition to the property at 1514 West Old Lincoln Way, in accordance with specifications on file in the office of the director.

SECTION 3. 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.

SECTION 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2016
Mayor

Introduced by: David Silvestri

Request for Agenda Item
Authorization for Bid or Purchase of Capital Item

Division Utilities

Project Name Distribution/Collection Building Addition

Requested Meeting Date 10/17/2016

- Approved for Agenda
- Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase

This request is for authorization to bid and award the contract to construct an addition to the property at 1514 West Old Lincoln Way (former ODOT Facility). This property was purchased by the City in 2014 at a cost of \$100. The facility is used to store parts, equipment and vehicles out of the elements to extend their usable life. While the main structure is physically sound, it lacks adequate restrooms, lockers, meeting/lunch room and office space for personnel. The design estimate is \$430,000.

Justifications / Benefits

With the continuing growth of the City along with the decline of the aging infrastructure, the workload of the Distribution/Collection Subdivision of Utilities (D&C) has steadily increased since its formation in 2002. As a result, D&C has outgrown its current facility due to the increased need of manpower, equipment and parts storage. D&C currently has personnel housed in two different locations and stores equipment, parts and materials in four separate locations within the City. The building addition would allow for the relocation of all the personnel and related materials to be housed together at one site thus reducing the amount of time to gather equipment, parts and manpower to complete tasks (especially emergency response). The current location of the D&C Subdivision (1171 Mechanicsburg Road) would be vacated and utilized by Public Properties Maintenance Division (PPM) to store equipment that would normally be stored outside in the elements. The additional PPM inside storage should reduce corrosion and wear on equipment extending its working lifespan.

How will this project effect the City's operating budget?

What alternatives exist, and what are the implications of the alternatives?

The Division could continue current operations with manpower and materials spread throughout the City. Although, this option is not as efficient and does not alleviate the insufficient storage issues for D&C or PPM.

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

Requesting suspension of the rules?

If Yes, explain reasons.

Division Manager

Kevin P Givins

Date 10/7/2016

585/Back-Orrville



Justification/Benefits for the Distribution/Collection Building Addition

In 2015, the City purchased the former ODOT Wayne County Service Garage located at 1514 Lincoln Way West (Ordinance No. 2015-18) for \$100. The property contains multiple structures that were used to store materials, vehicles and equipment, some of which are heated, others are three-sided cold storage shelters at the 4.75 acre site.

For the past several years, the Distribution Collection Subdivision of Utilities (D&C) has maintained a “split staff” at two locations and stored equipment and material at multiple City sites as space allowed. The (current) D&C Operations building (1171 Mechanicsburg Road) has been expanded twice and still does not have enough space to house all the division’s equipment or staff. Some equipment is left out in the elements resulting in higher maintenance cost and shorter useful life. Materials are stored off site making response/project completion times longer as parts are gathered or retrieved. The Operations Building has also had numerous structural problems (resulting in thousands of dollars in repairs) because of foundation settling. The site was used as a construction/demolition disposal area and the shifting fill has caused many cracks in the floors and walls. And quite frankly, D&C has outgrown its space.

As a way to consolidate the City’s utility operation, most of the parts and supplies have been relocated to the old ODOT site. To further the consolidation, **it would be much more efficient to house all the manpower, equipment and materials at one location.** Although the buildings are structurally sound, they lack sufficient office, lavatory, locker and lunch room space to adequately house a staff of 10 fulltime and 4 seasonal employees. As the City and the customer base that the Utility Division serves continues to grow, it may also become necessary to increase the manpower to service the additional water and sewer service demands. A new addition at the former ODOT site would allow **all D&C staff** to be located together with **all of their equipment, parts and material** and any future space needs.

The chart below shows our City Utility growth in just the past 14 years.

Year	Miles of Water Main	Miles of Sewer Main	Customer Accounts Water	Customer Accounts Sewer
2002	130	162	9046	9995
2010	141	182		
2016	154	192	9857	10975

As an example, below are some of the functions that D&C completes on an annual basis and the frequency at which they are completed.

D&C Utility Service	
Water Services	
Water Main Break Repair	35/yr
Valve Cycling	800/yr
Curb Box Replacement	100+/yr
Meter Service Calls	800/yr
Hydrants Flushed	2000+/yr
Sewer Services	
Televis Mains	8,000 ft/yr
Jet Mains	20,000 ft/yr
Root Treat	21,000 ft/yr
Back up resolution	30+/yr
Grease treat/clean manholes	500/yr

In addition, the current Operations Building would be vacated and utilized by the Public Properties Maintenance Division (PPM). With the additional amount of storage PPM would be able to store all of their equipment under roof. The additional space would enable PPM to have both heated and/or cold storage because of how the building is divided. Non-seasonal equipment would be stored in the building so that employees will not have to travel back and forth from the PPM Building throughout the day to utilize different pieces of equipment.

PPM would not run any of the daily operations from the current D & C Building. It would only be used for storage.

RESOLUTION NO. 2016-53

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM SYSTEMATIC SIGN REPLACEMENT ON STATE ROUTE 3, FROM 0.15 MILES SOUTH OF STATE ROUTE 226 TO US 30, IN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 3 • 906 CLARK AVE • ASHLAND, OHIO 44805 • (800) 276-4188
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • HOWARD P. HUEBNER, DISTRICT DEPUTY DIRECTOR

October 5, 2016

Robert F. Breneman
Mayor, City of Wooster
538 North Market Street
Wooster, OH 44691

Re: PID 82267 D03-SYSSIGN-FY2017

Dear Mayor Breneman,

Enclosed are two (2) copies of an ordinance form, to be enacted by the City Council for the referenced project.

Please make arrangements to have the ordinance forms presented to the City Council for consideration and when enacted, **return two (2) original signature copies to this office.** An original signature copy will be returned to the City later with a signature of the Director of ODOT affixed.

The title of the contractual officer should be affixed on page two and that person should sign as the contractual officer on page three. If the City does not have an official seal, please attach a copy of a statement to that effect, to the return transmittal. **Please return these documents to this office by November 7, 2016.**

Please call me at 419-207-7179 or via email at Adam.Mellen@dot.ohio.gov should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Adam Mellen".

Adam Mellen, E.I.
Planning & Engineering Department
District 3

LAF:ACM:acm

Attachments

cc: project file, I:Drive file

CONSENT LEGISLATION

~~Ordinance~~/Resolution No. 2016-53
PID No. 82267
Project Name D03 SYSSIGN FY2017

The following 2016-53 enacted by the City of Wooster of Wayne County, Ohio,
(~~Ordinance~~/Resolution)
hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

To perform a systematic sign replacement on State Route 3 from 0.15 miles south of State Route 226 to US 30 in the City of Wooster in Wayne County. The systematic sign replacement on State Route 3 in Wooster is part of a larger systematic sign replacement project in ODOT District Three.

Approximately 0.36 miles of the project is within the City.

This project is currently scheduled to be constructed in the summer of 2017.

NOW THEREFORE, be it ordained by the City of Wooster of Wayne County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

SECTION IV - Maintenance

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION V - Authority to Sign

The _____ of said City of Wooster is hereby empowered on behalf
(Contractual Agent)
of the City of Wooster to enter into contracts with the Director of Transportation
necessary to complete the above described project.

Passed: _____, 201____.
(Date)

Attested: _____ (Clerk) _____ (Officer of City - title)

Attested: _____ (Title) _____ (President of Council)

This 2016-53 is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
project and to promote highway safety. Following appropriate legislative action, it shall take
effect and be in force immediately upon its passage and approval, otherwise it shall take effect
and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO
City of Wooster of Wayne County, Ohio

I, Christa Sturgeon as Clerk of the City of Wooster of Wayne County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of 2016-53 adopted by
the legislative Authority of the said City of Wooster on this day of , 201 ,
(Ordinance/Resolution)

that the publication of such 2016-53 has been made and certified of record according to
law; that no proceedings looking to a referendum upon such 2016-53 have been taken;
(Ordinance/Resolution)

and that such 2016-53 and certificate of publication thereof are of record in
 , Page .
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this day of , 201 ,

(SEAL)
(if Applicable)

Clerk Signature
City of Wooster of Wayne County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Wooster of Wayne County, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

Requested is Council's authorization to appropriate an additional \$163,000 to the Community Development Block Grant (CDBG) Fund from the unappropriated balance in the CDBG Fund. While best efforts are made each year, the nature of the CHIP program sometimes requires special adjustments as grant programs approach completion, as is the case in this instance.

This is appropriation will allow for final disbursements to be made for remaining housing rehabilitation projects under the PY 2014 CDBG Community Housing Impact and Preservation (CHIP) program. The CHIP Program serves to preserve housing opportunities for low-to-moderate income families through providing grants to repair existing housing stock. The program is managed with the aid of the Wayne Metropolitan Housing Authority, with the City of Wooster serving as the Administrative Lead. In total, the Wayne County and City of Wooster CHIP Partnership was awarded \$850,000 to repair 41 homes through 2016 (with \$400,000 allocated to the City of Wooster to repair 18 homes.)

The City anticipates receiving the same amount from the Ohio Development Services Agency in approximately 75 days from this request as the grant is closed-out, fully reimbursing this appropriation.

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

A suspension of the rules is requested in order to allow the grant process to move forward and meet reimbursement and grant close-out deadlines.

Manager Requesting

Date

Approved for Agenda