

City of Norton
PLANNING COMMISSION
Tuesday, January 14, 2014

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Spisak called the meeting to order at 6:00 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Ralph Dowling, Bill Courson

EXCUSED: Larry Chiavaroli
Russ Arters, Superintendent of Building & Zoning

ALSO PRESENT:

II. PUBLIC APPLICATIONS:

- A. PC Application CUP16-2013
For a Conditional Use Permit
The Club III
Deb Seabeck – Owner
Vicki Smith – Agent
3051 Barber Road
Norton, OH 44203
PPN – 4605551 and 4605552
[Skill Based Amusement Arcade]**

Chairman Spisak stated this was a public hearing and asked if the neighbors were notified via first class mail as required per section 6.03 of the City Charter; the stenographer replied yes.

Chairman Spisak asked the applicant to stand at the podium, state his name and address the Commission.

Chairman Spisak announced that the Board had three members tonight. He stated that three members are a quorum, but their vote would need to be done unanimously.

Ms. Vicki Smith, 3051 Barber Road, Norton, OH, 44203, approached the podium and stated she was the agent for Deb Seabeck and Charles Reed, Owners of The Club III. She stated both could not make it to the meeting tonight. She stated this business was an Internet Café and when the laws were changed the business switched to a Skill Based Amusement Arcade. She stated she had spoken with Russ Arters and the business is compliant. She stated that the business has had no issues or problems. She stated this business is also helping the City by hiring police officers to help with security. She stated some of her concerns are with the Skill Based fees. She stated that only four Skill Based Arcades are open right now. She asked if the Board would consider having the same or higher fees with fewer businesses allowed in the City. She stated to allow more Arcade businesses in the City with lower fees would create competition and make it difficult to stay in business. She stated the four businesses that are running now have stayed compliant and to bring in other Arcade business could possibly invite problems. She asked that the Board help the four businesses that are open now and consider less competition. She stated the building they leased had been vacant for two years prior to them signing a lease. She stated her landlord was grateful to have them as a business in his building. She stated the business was very busy now and asked the Board to consider her suggestions. Ms. Smith said her business took possession of their lease approximately four years ago. She stated the same machines are being used in the business and all have been updated by Mr. Mike Moneypenney. She stated Mr. Moneypenney was referred to her by Russ Arters.

Chairman Spisak thanked the Applicant for her presentation.

Chairman Spisak asked if the Commission members had any other questions for the applicant; no one spoke.

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, OH.,44203 approached the podium. Ms. Whipkey asked the Board if the applications were here tonight to get their permits to stay open. Chairman Spisak stated this Board was hearing the applications for Conditional Use Permits only. Ms. Whipkey stated she would like the applications to know that any Moratorium issues were being discussed at the Council meetings. Chairman Spisak stated this Board would make the recommendations that go to Council.

Chairman Spisak asked if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for the second time if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for the third and final time if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for a motion. Mr. Dowling moved to approve; Mr. Courson seconded the motion. ROLL CALL: Mr. Dowling-Yes; Mr. Courson-Yes; Chairman Spisak-Yes. The motion carried 3 - 0.

Chairman Spisak thanked the Agent for his presentation.

- B. PC Application CUP17-2013
For a Conditional Use Permit
Silver City Lights/Silver Pyramid
David Woodford – Owner
Tim and Tricia Surgen – Agents
4089 Cleveland-Massillon Rd
Norton, OH 44203
PPN – 4604308
[Skill based Amusement Arcade]**

Chairman Spisak made a motion to table this Application until all neighbors were notified. He stated the Board would revisit this Application at their next meeting on January 28th, 2014, at 6:00pm.

Chairman Spisak asked for a motion. Chairman Spisak moved to approve; Mr. Courson seconded the motion. ROLL CALL: Mr. Spisak-Yes; Mr. Courson-Yes; Chairman Dowling-Yes. The motion carried 3 - 0.

- C. PC Application CUP18-2013
For a Conditional Use Permit
Gold Rush Arcade
Nicholas Hourmouzis – Owner
2181 Wadsworth Road
Norton, OH 44203
PPN-4607470
[Skill Based Amusement Arcade]**

Chairman Spisak asked the next applicant to stand at the podium, state his name and address the Commission.

Mr. Jim Gamble, 2181 Wadsworth Road, Norton, OH, 44203, approached the podium and stated this business used to be a Skilled Café and stated he will be

making about half of what they have been making. He stated the more businesses the City allows in to operate, the less these businesses are making. He stated he also is willing to pay double in fees to have fewer Skill Based Arcades in the City. He stated that all the businesses currently in the City comply with all regulations and he would prefer to have fewer of these businesses allowed into the City. He stated he would also like to have the operating times increased if possible.

Chairman Spisak thanked the Applicant for his presentation.

Chairman Spisak asked if the Commission members had any other questions for the applicant; no one spoke.

Chairman Spisak asked if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for the second time if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for the third and final time if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for a motion. Mr. Courson moved to approve; Mr. Dowling seconded the motion. ROLL CALL: Mr. Courson-Yes; Mr. Dowling-Yes; Chairman Spisak-Yes. The motion carried 3 - 0.

Chairman Spisak thanked the Applicant.

III. OLD BUSINESS:

None

IV. NEW BUSINESS:

Chairman Spisak stated the Board would be going over Ordinances 856 and 828 on Skill Based Amusement Arcades at the next meeting. He stated at that time, they would also address arcade hours, fees and proper zoning.

IV. CONSIDERATION OF MINUTES:

Chairman Spisak announced the minutes for Tuesday, December 10th, 2013 would be tabled until January 28, 2014 to allow time for all Board members to review them for changes or corrections.

V. ADJOURNMENT:

With no further business before the Commission, Chairman Spisak announced the next scheduled meeting will be Tuesday, January 28, 2014.

Planning Commission Chair/
Vice-Chair

Planning Commission Vice-Chair/
Member

Date

*** ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL ***