

PLANNING COMMISSION
MINUTES

The Winchester Planning Commission held its regular meeting on Tuesday, February 21, 2012 at 3:00 p.m. in the Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

CALL TO ORDER: Chairman Shore called the meeting to order at 3:00 pm.

PRESENT: Chairman Dave Shore, Vice-Chairman William Wiley, Commissioners Kevin McKannan, Stephen Slaughter Jr., Jennifer Beatley and Kevin Talley, (6)

ABSENT: None (0)

EX-OFICIO: Councilor John Tagnesi and Interim City Manager Craig Gerhart

FREDERICK CO LIAISON: Commissioner Crockett

STAFF: Planning Director Tim Youmans, Zoning & Inspections Administrator Vince Diem and Secretary Paula Le Duigou

VISITORS: Helen Momsen, Jennifer Green

Committee Appointments

Chairman Shore stated that at the work session the Commission discussed the rotating attendance schedule of the Frederick County Liaison. He said that Commissioner Slaughter would be attending the EDA meeting and that they all agreed to suspend the Parking Authority. He said that Commissioner McKannan suggested that someone should attend the Old Town Development Board and Chairman Shore asked if he had given it any thought. Commissioner McKannan asked when the Board met, it was determined that they met the first Thursday of the month. Chairman Shore and Mr. Youmans discussed speaking with Mr. David Smith to see if the OTDB wanted one.

Approval of Minutes

Vice-Chairman Wiley moved, seconded by Commissioner Talley, to approve the January 17, 2012 minutes as presented. The motion passed unanimously.

Correspondence

Mr. Youmans stated that there were no additional agenda materials; however, Mr. Tagnesi would be making a presentation as item 3B.

Citizen Comments

Chairman Shore stated that this was a time for citizens to address the Commission about items that were not scheduled for public hearing. None were forthcoming.

Report of Frederick Co Planning Commission Liaison

Commissioner Stan Crockett stated that the Commissions' last meeting was February 15, 2012. He said that they had a resolution honoring George Close, who served on the Planning Commission for twelve years and was replaced by Kevin Kenney who is the Gainesboro district Commissioner. Commissioner Crockett said that they had two rezoning requests, Snowden Bridge Station, which they recommended approval of and sent on to the Board of Supervisors, and The Renaissance Commercial Center., which

was as well. Commissioner Crockett stated that the Renaissance Center was submitted by Greenway Engineering.

PUBLIC HEARINGS

CU-12-35 Request of Israel Brooks for a conditional use permit for a youth activity center at 720 South Braddock Street (*Map Number 212-01-F-5*) zoned Central Business (B-1) District.

Mr. Diem stated that the applicant is requesting a Conditional Use Permit to establish “Game Time Center,” a youth activity center at 720 South Braddock Street. As stated in the applicant’s letter of intent, the center will be a family friendly environment. Mr. Diem said that he and the applicant had spoken about some items that had been identified in the work session and subsequently, Mr. Brooks has prepared a presentation that he would like to share with the Commission. Mr. Diem said that initially the center had intended to be geared toward pre-school to high school age children, but that has since changed and be reflected in the presentation. The center will consist of a lobby with a secure door for members to access with a swipe card; snack bar; and, gaming area. Mr. Diem pointed out the footprint of the structure and stated that the rear section would be used for storage. He said that the basement would be used as part of the youth activity center as well. It is further intended to serve as an alternative to going to the movies or bowling.

The subject property is located in the northeast corner of the intersection of South Braddock Street and West Pall Mall Street. The property is zoned Central Business (B-1) and is located outside of the Historic Winchester (HW) overlay district. Similarly zoned parcels exist to the east, south, and west. Properties immediately to the north are zoned Residential Business (RB-1) with Historic Winchester (HW) overlay. A vacant convenience store (formerly 7-Eleven) with an expansive off-street parking area is situated across South Braddock Street, directly to the west.

The definition of *youth activity center* is provided in the Winchester Zoning Ordinance, as follows:

- 1-2-99 **YOUTH ACTIVITY CENTER:** A property devoted to providing services and facilities for youth and students up to 20 years of age. Such facilities and services may include, but are not necessarily limited to, recreational facilities such as pool, billiard, and/or ping pong tables and video arcades; gymnasiums and exercise rooms; food services; dance floors; auditoriums for occasional movies and live performances; meeting rooms and offices for organizations providing services to youth; nonresidential substance abuse treatment and education programs; and nonresidential care, education and rehabilitation programs for handicapped and disabled persons. (11/12/91, Case TA-91-03, Ord. No. 046-91; 8/16/02, Case TA-01-07, Ord. No. 036-2001)

Based on the materials submitted by the applicant, including the letter of intent, it appears as though the most closely related use and occupancy classification for the proposed use of Game Time Center is a *youth activity center*, as defined above. Specifically, providing services and facilities for youth and students up to 20 years of age; and which includes: video arcades, food services, and offices for organizations providing services to youth. However, the use as proposed does not appear to include nonresidential substance abuse treatment and education programs; or, nonresidential care, education and rehabilitation programs for handicapped and disabled persons.

A number of initial concerns and questions arose while reviewing the applicant’s request.

Off-Street Parking

Staff has received at least two (2) citizen concerns regarding the amount of off-street parking available for the proposed use, following the distribution of public hearing notices. There are a total of six (6) off-

street parking spaces provided on-site, including one (1) designated handicapped parking stall. The Zoning Ordinance allows for a change of use to a more intensive use without requiring additional off-street parking, so long as off-street parking currently exists on-site that otherwise meets the requirements pertaining to surface improvements, stall designation, and access drives. Additionally, the subject property is located within an area of the city that qualifies for a 50% reduction of required off-street parking. The proposed facility will only encumber a portion of the total building floor area, rather than assume the entire building layout. *Staff recommends that the owner/operator of the center identify alternative off-street parking arrangements as a contingency. Such opportunities may exist across the street at the former 7-Eleven convenience store or two blocks north at the South End Volunteer Fire Company.*

Adult Supervision

The applicant has not provided any indication of what the projected occupancy of the center will be and how many adult staff members will be present on-site while the center is in operation. Additionally, the training, experience, background, and certifications of staff have not been identified; although, that does not appear to be a mandatory requirement within the Zoning Ordinance for *youth activity centers*. The applicant has not identified the level of security or control that will be placed upon internet browsing and utilization of social media websites. *Staff recommends that the owner/operator identify the qualifications of each staff member, the proposed number of adult staff members who will be on-site while the center is open, and what the student-staff ratio will be. Additionally, it would be advisable for the center to require parents/legal guardians to review threats and concerns associated with social media websites and internet activity, as part of the membership application process.*

Broad Age Group

In the interests of promoting and protecting public health, safety, and welfare, it is necessary to consider the congregation of a wide age group of children from “*pre-school to high school aged children.*” There is no indication that the age groups will be segregated for age-appropriate play or activities; nor, how the ESRB game ratings and viewable games will be enforced so that younger children are not exposed to some of the more violent characteristics of games that are rated appropriate for older teens. The applicant has not identified what measures will be taken to prevent bullying and other potentially harmful effects of a wide variety of children socializing within one general location. *Staff recommends that the owner/operator separate age groups for play/entertainment activities either through dedicated periods of time or physical separation of activity areas based on the age ranges. Staff further recommends that at least one adult employee be assigned to each play area for close monitoring and supervision of activities, behaviors, and social atmosphere.*

For a conditional use permit to be approved, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The following recommendation is based on the aforementioned concerns identified within the Staff Comments portion of this report:

The Zoning & Inspections Administrator recommends that the Planning Commission forward the request to City Council recommending **approval** for a youth activity center to be located at 720 South Braddock Street, with certain conditions imposed so as to protect public health, safety, and welfare. The applicant shall be required to operate the youth activity center in strict conformance with the imposed conditions that are identified below. If, during that time period, the applicant fails to maintain conformity with the imposed conditions, the CUP (CU-12-35) for the Game Time Center located at 720 South Braddock Street, shall be subject to revocation.

Mr. Diem said that he would like to have Mr. Israel Brooks make his presentation at this time. Chairman Shore asked if the presentation would point out the differences, and Mr. Diem stated that it would. Chairman Shore said that they had discussed using the basement for activities and the concern over egress safety issues and asked if that was addressed. Mr. Diem stated that it wasn't but it was his recollection that both the owner and the applicant had spoken with the building official about it and had addressed and

clarified that because of the modifications being done there⁴ would not be an issue with building code. He said that a condition could be included if it was the Commission's intention to move this request forward to Council that any interior alterations comply with Virginia State code, which would occur anyway with the certificate of occupancy request for change of use.

Mr. Israel Brooks, applicant, and Ms. Jewel Brooks, applicant, addressed the Commission referring to the power point overhead:

*The Game Time Center (GTC) is a family friendly gaming environment geared towards middle and high school age groups. All ages are welcomed however, ages 12 and under will require adult supervision while in the facility. GTC is Winchester's alternative to going to the movies, bowling, and/or skating. GTC is a place to come to have an enjoyable gaming experience. We uphold all the ESRB game ratings and waivers **must** be signed by a parent or guardian for under aged gamers.*

Chairman Shore asked who would provide adult supervision; Ms. Brooks stated that a parent or guardian would have to be there with them.

GTC lobby will have sitting table and chairs with a computer available for customers to surf the web. GTC will have a small snack bar setup, all food items will be prepackaged and no food will be prepared on site.

*Game Time Center is a Brooks Solutions LLC company
Brooks Solutions is an IT and Services company established in 2008.
Family Owned and operated business.*

*Israel Brooks, CEO
11 years of IT Services and Program Management experience working with many Government and Military agency
Active Security Clearance.*

*Jewel Brooks, CFO
AA in Accounting; BA in Accounting (anticipated graduation date 12/13)
Eleven years of Accounting experience*

*Keesha Brooks, COO
BA in Health Administration
6 years of Medical Service experience*

Video or digital camera surveillance system that monitors all entrance and exit points, 24 hours 7 days a week during all hours of operation.

The videotapes or hard drive data will be maintained for a minimum of 72 hours.

Main Level Spacing – 2500 sq ft

Lower Level Spacing -1600 sq ft

We would like the ratio of each computer /gaming user station to floor space not to exceed 10 - 20 sq ft per station.

No closed booths but may have larger private room available.

Security guards will be hired if needed.

*GTC IT polices and security guidelines will be based on the **SANS Institute InfoSec Reading Room.***

http://www.sans.org/reading_room/whitepapers/casestudies/introducing-information-security-cyber-cafe_1361

*Information Security Specialist/Consultant to monitor the Information Security State of Game Time Center and make adjustments and additional recommendations as needed.
GTC will comply with existing regulation of sound amplification and noise*

Ms. Brooks referred to photos of the location in the power point.

*GTC will require pre-employment screening, including drug testing and/ or alcohol testing, and employee background checks for all future employees.
There will be at least one employee over the age of 18, designated as manager, during business hours.
One to Two staff members will also be on site during business hours*

Children 12 and under are invited to play at Game Time Center under the supervision of a parent or guardian.

No one under 18 allowed in the center before 2pm unless it is a scheduled school break. Proof will be required to support home schooling or breaks that are not in line with the public school schedule or with an adult or legal guardian.

Enforcement of ESRB game ratings.

GTC will enforce the curfew and truancy laws of Winchester City.

Game Time Center upholds all the ESRB game ratings and waivers must be signed for under aged gamers.

The Entertainment Software Rating Board (ESRB) ratings are designed to provide concise and impartial information about the content in computer and video games so consumers, especially parents, can make an informed purchase decision. ESRB ratings have two equal parts: rating symbols

http://www.esrb.org/ratings/ratings_guide.jsp#rating_symbols) suggest age appropriateness for the game and content descriptors

(http://www.esrb.org/ratings/ratings_guide.jsp#descriptors) indicate elements in a game that may have triggered a particular rating and/or may be of interest or concern.

Ms. Brooks stated that on the main level they would have the following age groups:

*Titles rated **EC (Early Childhood)** have content that may be suitable for ages 3 and older. Contains no material that parents would find inappropriate.*

*Titles rated **E (Everyone)** have content that may be suitable for ages 6 and older. Titles in this category may contain minimal cartoon, fantasy or mild violence and/or infrequent use of mild language.*

*Titles rated **E10+ (Everyone 10 and older)** have content that may be suitable for ages 10 and older. Titles in this category may contain more cartoon, fantasy or mild violence, mild language and/or minimal suggestive themes.*

She said that on the lower level they will have:

*Titles rated **T (Teen)** have content that may be suitable for ages 13 and older. Titles in this category may contain violence, suggestive themes, crude humor, minimal blood, simulated gambling, and/or infrequent use of strong language.*

*Titles rated **M (Mature)** have content that may be suitable for persons ages 17 and older. Titles in this category may contain intense violence, blood and gore, sexual content and/or strong language.*

She said that here intention is to keep the age groups separate. Ms. Brooks referred to the parental consent forms found in the power point. Mr. Brooks said that some parents may feel that their ten year old is able to play games that are rated (M) Mature, and the consent form for that age group will cover that consent requirement.

Ms. Brooks referring back to the power point, talked about parking:

GTC is expecting foot traffic from Handley High School students and the neighboring children that attends John Kerr and Quarles Elementary School.

GTC is reaching out to business owners in the surrounding area for use of their business parking lots

GTC - Welcomes all Neighbors to contact us at any time. Staff members have lived on Pall Mall St. and understand the frustration of coming home from work and not having a parking space.

GTC will do our best to keep our neighbors happy.

Ms. Brooks referred to photos in the power point of another gaming center and how it is set up.

Please note: At the present time SLB Foundation does not have exempt status approved by IRS.

SLB Foundation is geared towards Career and Technical education training.

This organization would provide training in the form of role playing, guest speakers, and introduction to technical trades such as, banking, stylist, culinary, software development, etc.

Currently this foundation is still in the start up phase. Planning to rent out the warehouse space at 720 and converting it into a training facility

If the SLB Foundation is successful and expands within 720 S. Braddock St.

Mr. Brooks, referring to the power point, discussed their five year plan:

GTC understand we will have to create a new Conditional Use Request with the Planning Commission for:

Variance from Business Zoning Administration for Side Yard Setback, pursuant to change of use from storage area to Youth Activity Center.

Expansion of previous Conditional Use Request.

SLB Foundation is accepting Donations, but the donor would not be able to deduct it on their tax return until the exempt status is approved by IRS.

Vice-Chairman Wiley said that this was an interesting business model and asked the applicant to describe the other site and educate him further. Mr. Brooks stated that it had been open about two years and has varied equipment, i.e., x-box, play stations, computers, and there are walls that separate the age groups.

Vice-Chairman Wiley expressed concern over the hours of operation and the noise. He said that there are residential neighbors and he asked Mr. Brooks how he would handle the noise concern. Mr. Brooks said that they hoped that the walls would absorb most of the noise. He said that they understood the concerns and believed that much of the noise from games would be below ground in the basement. He assured the Commission that they would address any concerns that arise in a timely manner.

Commissioner Beatley asked Mr. Brooks if they have identified the student to staff ratio. Mr. Brooks stated that they were looking to have manger and one to two employees but ultimately it will depend on the number of clientele they have. He said to start they will have one to two staff members and having parents there will help the number as well. Commissioner Beatley asked if he had a plan for monitoring the main level as well as the basement. Mr. Brooks stated that there would be cameras to assist in monitoring and someone in both areas at all times. Commissioner Beatley stated that in the basement there would be two different ratings of games and she wanted to know how they would be separated from each other. Mr. Brooks stated that there is a long hallway with a partition that would form the separation.

Commissioner McKannan asked what their benchmark would be in determining when they needed more staff. Mr. Brooks said that on line they have a ratio that they will stay consistent with. Commissioner McKannan asked how they would police the waiver and age restrictions. He gave an example of a 15 year old whose parents may feel that the child is mature enough to play games intended for older players, what would prevent the parent from signing off and then another child, a friend of their child's, playing the game as well. Mr. Brooks said that they would keep the waivers on file and if the other child did not have consent on file, they would not be permitted to play the game or be in the area where the game is being played. Commissioner McKannan stated that he was concerned about the "M" rated games. Mr.

Brooks said that he was concerned as well and would not have games that concern him or allow children to bring in games that he was uncomfortable with. Commissioner McKannan stated that essentially what games would be allowed on site would be to his discretion, and Mr. Brooks said that was true. Mr. Brooks stated that it was their intention to provide a nice environment for the City for the children to go to. Commissioner McKannan asked about the lobby and check in area and how people would be entering the building. Mr. Brooks stated that they were looking into some kind of secure key entry system. Commissioner McKannan said that he was concerned with how they would be able to monitor the age groups if it got hectic after school let out. Mr. Brooks said that he had similar concerns and it was something they were working on. He said that the work session last week was very helpful and they were open to any suggestions from the Commission.

Commissioner Talley said that it was a great idea; however the age range bothered him and he wanted to know how they would identify the children when they came in. Mr. Brooks said that they would require mandatory ID checks, and that they still needed to talk to their lawyers about that. He said that if they feel that someone is underage, they would card them, but they were concerned about discrimination. He said that he was looking for feedback and wondered if schools provided id's.

Commissioner McKannan said that most do. Mr. Brooks said that they could ask the children to bring their school id with them, but he needed to look further into the legal aspect of identifying children.

Commissioner Talley asked how Mr. Brooks would handle a thirteen year old whose parents felt that it was all right to allow their child in the teen area. Mr. Brooks said that they would not be permitted to go there and would need to remain on the main level.

Commissioner Slaughter asked Mr. Brooks what kind of training the staff would receive and whether he had a plan in place for that training. Mr. Brooks stated that the staff consultant at the LA location would provide training if the City approves his request. Commissioner Slaughter asked Mr. Brooks if he had read the conditions for the conditional use permit, and he responded that he had. He asked Mr. Brooks if he was comfortable with everything that was listed. He stated that he felt he had an understanding of what was being required. Commissioner Slaughter stated that he wanted to be sure that Mr. Brooks understood what he was agreeing to do under the conditions because he would be held accountable.

Commissioner Slaughter stated that he wanted follow up on egress and adult supervision. He said that reading through what Painter Lewis had submitted, and understanding that the building officials will make sure nothing happens, there is some language in the document that they will be asking for a special exemption as far as the maximum distance traveled and the one ingress to the basement. Directing his question to Mr. Diem, he asked whether this was a normal request and if granted should it dictate any special circumstances as far as supervision, fire escape plans, etcetera, because it sent up a red flag for him. Mr. Diem said that he didn't have the knowledge of what the building official might require as a modification step. He said that he knew historically the previous building official and the current one do what is best for the occupants. He said that he was unable to say what that would look like, but he could attest to the fact that Mr. Knight was conservative.

Commissioner Slaughter said that to go through that special process he may, to grant that special exemption, he may look at everything that is going on. Mr. Diem said yes.

Mr. Tagnesi asked if dancing would be allowed, Mr. Brooks said no.

Commissioner Beatley asked about the conditions of the conditional use permit as pertaining to background checks and verification through the sex offender and child protection registry. She asked Mr. Brooks to clarify that this would be done and he said that it would. Mr. Brooks said that they love the concept of a place for children to go and that is why they want to do this the correct way.

Chairman Shore opened the public hearing

Helen Momsen, resident, 112 West Pall Mall Street, stated that there are only four home owners on the street between Braddock and Washington, and she has seen many things happen since she moved there in 1988. She said that she was encouraged to buy the property because it was on the west side of Braddock Street and the property values would be better. She said that her home is located two houses behind the 7-11. She said that she has seen the tattoo parlor replace the kitchen shop, an office supply store replace Tire Distributors, and lately the 7-11 had moved away, which had lots of foot traffic from the High School children. Ms. Momsen said that they hadn't realized how much noise there was from the 7-11 until they moved away. She said that they now have a quiet neighborhood which is almost residential. She said that the owners have learned to live with the tattoo parlor, they were quieter than was expected, and that they have been concerned about what would replace the 7-11. She went on to add that she was picked to come to the meeting because she is the senior resident, and the other neighbors were unable to attend. Ms. Momsen said that all the residents were concerned about the noise and about the property values. She said that there was a couple that lived across the street but after the husband died the wife moved away and now the home is a Shenandoah University dormitory. She said that she could not understand how that could be because the home doesn't have off street parking and it's not zoned for it. Ms. Momsen said that at this time they have noise and traffic and if this new establishment is allowed they will have parents with kids as well and limited parking. She said that after the Shenandoah University kids moved in she had a hard time parking in front of her home, especially on party night, and sometimes her driveway is blocked. She said that these were some of the things that bothered her. She said that if she had children who would go to the Game Stop, she would worry about the traffic, especially with Cameron running both ways. Ms. Momsen said that she would rather see this type of establishment in a business park away from traffic. She said that there are only four owners on their street but they are very concerned about what happens. Ms. Momsen said that with the mish mash of industries and businesses on the street, it makes for a very busy place. She said that they hoped that they could have something that would make their properties worth more again. Ms. Momsen said that behind her property she has a storage unit and she has a difficult time accessing it due to parking issues. She said that the residents would like the establishment to be somewhere else that would be safer for the children, help their values to increase, and that the traffic to be reduced.

Chairman Shore closed the public hearing.

Commissioner Slaughter said that if the zoning ordinance allows it and while it's not the perfect situation, he is in favor of it. He said that the concerns he had have been addressed adequately by the applicant.

Commissioner Beatley stated that she likes the concept and feels that it makes sense. She said that condition number three of the requirements for the CUP should address the concerns of the neighbors. Vice-Chairman Wiley expressed concern over the hours of operation in the evening but said that he would vote in favor of the request and stated that the hours need to be watched as well as noise control for the neighbors.

Commissioner Talley said that he was not comfortable with the age ranges. He said that he felt it was a great idea to give the children a place to go, but he didn't like having children under the age of 12 mingling with the older children. He felt that it would be better for them to be at a different facility. He said that if this were to become a popular place they would have real issues with parking as there are only 6 spaces available and he would like to see a plan as to what they would do if this were to happen. He felt that he couldn't support the request at this time.

Commissioner McKannan asked Mr. Brooks what his plan was if it did become very popular. Mr. Brooks said that he had lived on Pall Mall and he understands their concerns very well. He said that he would talk with the neighboring businesses and see if they could utilize their parking. He felt that he could approach the South End Fire Company, the Cold Storage, and maybe use the 7-11 parking lot.

He said that he knows the neighbors frustrations with not having parking at the end of a long work day. Mr. Brooks said that they wanted to do something for the children that gave them a place to go that was a wholesome environment.

Chairman Shore said that the applicant had a tough row to hoe but it would be great if they could make it happen and the only way to do that is to give them a chance.

Commissioner Slaughter said that he would make a motion but asked Commissioner Talley if there was any certain language that he would like included in that motion. Commissioner Talley said that he didn't want to limit them because it sounded like a great idea; he was just uncomfortable with the age range. Mr. Brooks said that the arcade at the Mall doesn't have age restriction at their location, but they are trying to put rules in place for their establishment.

Commissioner Slaughter moved, seconded by Commissioner Beatley to forward CU-12-35 to the City Council recommending approval of a youth activity center at the Game Time Center, located at 720 South Braddock Street. The use, as required to be operated in strict conformity with the following imposed conditions, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood, nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is subject to the following modifications and conditions:

- 1. Evaluation and review of the approved use required in six (6) months, with reapproval required in one (1) year and every three (3) years thereafter;*
- 2. The business shall comply with the applicable noise and maximum sound level regulations per Sections 17-6 and 17-7.1 of the Winchester City Code, as amended;*
- 3. The applicant taking into consideration the concerns of all of the neighbors and addressing them as they come up;*
- 4. Any criminal offense police calls within or attributable to the establishment will cause the permit to be reviewed, which may lead to modification or revocation, pursuant to Section 18-2-3.9 of the Winchester Zoning Ordinance;*
- 5. Youth activity center use to cease no later than 9:00pm Monday through Thursday night and no later than 10:00pm Friday and Saturday night. As stated by the applicant, the center will not be open on Sundays;*
- 6. Strict compliance with all local and state laws, especially those pertaining to the Virginia Department of Health for any food service activities, if necessary; and, annual business licenses, including the payment of excise taxes;*
- 7. Appropriate supervision, care, and child monitoring shall be provided at all times while the establishment is open; in no case shall a child 12 or younger be allowed on the premises without a parent or legal guardian;*
- 8. Employees, volunteers, and owner/operators of the establishment shall be verified through the Virginia State Police Sex Offender Registry and Virginia Child Protective Services Registry;*
- 9. Sufficient exterior lighting, as verified by the Chief of Police, shall be installed and/or maintained so as to promote a safe and secure environment outside the structure during the hours of darkness, while the facility is open;*
- 10. The applicant is responsible for cleaning up any trash outside the facility after closing; and,*
- 11. The CUP expires automatically if the youth activity center use changes to another use or if the youth activity center use ceases for more than one year, in accordance with Section 18-2-3.8 of the Winchester Zoning Ordinance;*

The motion passed 5-1, (Commissioner Talley in the negative).

NEW BUSINESS

Annual Report Presentation

Mr. Youmans and Mr. Diem made presented the 2011 Annual Report to the Commission.

Commissioner Talley moved, seconded by Commissioner Slaughter, to accept and forward the report to City Council. The motion passed unanimously.

Councilor Tagnesi presented a plaque to Commissioner Talley on behalf of City Council to thank him for eight years of service to the Commission and the citizens of the City. Commissioner Talley thanked everyone and said that he had enjoyed his time very much.

ADJOURN

With no further business, the meeting was adjourned at 4:20 pm.

Dave Shore, Chairman