

A G E N D A

MASSILLON PLANNING COMMISSION

Meeting, June 10, 1981

City Council Chambers - 7:30 P.M.

1. Approval of Minutes for the April 8, 1981 Commission Meeting
2. Old Business
3. New Business

Towne Plaza Plat

In conjunction with the Towne Plaza Renovation Project, the City of Massillon is proposing to plat and replat Part of Out Lot 11 and Lot No. 12881, located at the northwest corner of Federal Avenue and First Street, N.W., and to dedicate as public street an approximate 40 foot extension to North Avenue, N.W., at the intersection to Weirich Boulevard.

Friendship Apartments Plat

The request is to plat and replat Part of Out Lot 144 and Lot No. 10077, located along Beckman Avenue, S.E., at the intersection of Fay Street, S.E. Submitted by Rev. Joseph Sinclair of Friendship Baptist Church.

Lot Split

The request is to approve the proposed split of a .028 acre tract from Lot No. 5719, located at the southeast corner of Neale Avenue and Sixth Street, S.W. The lot is presently occupied by a single family residence fronting on Neale Avenue and the Diamond Nite Club fronting on Sixth Street, S.W. The business is now being purchased, and it is necessary that it be split from the residence in order to close the mortgage. Submitted by Virgil L. Musser, Attorney at Law.

4. Progress Reports

The Massillon Planning Commission met in regular session on June 10, 1981, at 7:30 P.M., in Massillon City Council Chambers.

Members Present

Fred Wilson, Chairman
Mayor Delbert A. Demmer
Bernie Green
Frances Layton
Henry Joiner

Department Staff

Robert Wagoner, Planning Director
Aane Aaby, Assistant Planning Director

Chairman Fred Wilson called the meeting to order at 7:30 P.M. The first order of business was approval of the Minutes for the Planning Commission Meeting of April 8, 1981. Frances Layton made a motion to approve the Minutes as submitted. Seconded by Henry Joiner, the motion carried.

The Commission then considered a request from the City, in conjunction with the Towne Plaza Renovation Project, to plat and replat Part of Out Lot 11 and Lot No. 12881, located at the northwest corner of Federal Avenue and First Street, N.W., and to dedicate as public street an approximate 40 foot extension to North Avenue, N.W., at the intersection to Weirich Boulevard. In discussing this proposal, Robert Wagoner mentioned that Lot No. 12881 is owned by the City and is part of the old river channel. City Council is presently considering legislation to convey this property to the project developer, Towne Plaza Limited; the proposed plat and replat consolidates these parcels. The City land is needed to guarantee access to the Shopping Center.

Bernie Green strongly objected to the City's proposed conveyance of this land when it was originally included as part of the downtown parking areas for which downtown property owners were assessed. Robert Wagoner replied that the question before the Commission was not the selling of the land but the platting of the property. Frances Layton asked what is the purpose of this property transaction. Mr. Wagoner explained that Central Trust wishes to add additional drive-in windows, and that the City land is needed to provide access to these windows. Six of the forty-four parking spaces on this lot will be lost because of the bank's expansion. Attorney Virgil Musser was in the audience representing Towne Plaza Limited and he confirmed that Central Trust Bank has pledged to invest \$200,000 to construct a canopy and two drive-in windows at its shopping center facility.

Fred Wilson asked whether the platting should be contingent on Council approval of the property conveyance. In addition, he asked whether the City should consider trading parking spaces with Towne Plaza as replacement for those to be lost as part of the project. Bernie Green responded that while he has no objection to a trade-off of parking spaces, he does object to only the promise of some future trade-off. Mr. Wagoner replied that the developer was concerned about the possibility of the City, at some point in the future, selling off the traded parking lot property to another developer. In addition, he mentioned the difficulties in maintaining and controlling this area as City parking. Virgil Musser stated that the proposed plat and replat is basically a housekeeping matter and is something that should have been done when Towne Plaza was built in the 1950's.

Mayor Demmer made a motion to approve the plat and replat contingent upon Council approval to convey the City property. Seconded by Henry Joiner, the motion carried 3-1, with Bernie Green dissenting.

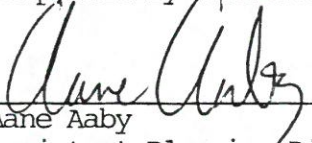
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The next item on the Agenda was a request to plat and replat Part of Out Lot 506 and Lot No. 10077, located along Beckman Avenue, S.E., at the intersection of Fay Street, S.E. The request was submitted by Rev. Joseph Sinclair of Friendship Baptist Church. Robert Wagoner reported that the Church has purchased Lot No. 10077 and plans to construct a four-unit apartment on this site. Part of Out Lot 506 is also needed for this project. However, the Church has had difficulty in obtaining financing because this Out Lot also contains the church building. Replatting would solve the Church's financing problems by separating that portion of the Out Lot needed for the apartments from that part on which the church is situated. This plat and replat does not involve the opening or dedication of any public street. Bernie Green made a motion to approve this plat and replat. Seconded by Frances Layton, the motion carried.

The next item on the Agenda was a request to approve the proposed split of a .028 acre tract from Lot No. 5719, located at the southeast corner of Neale Avenue, and Sixth Street, S.W. The lot is presently occupied by both a single family residence fronting on Neale Avenue, and by the Diamond Nite Club fronting on Sixth Street. The business is now being purchased, and it is necessary that it be split from the residence in order to close the mortgage. The request was submitted by Attorney Virgil Musser. Robert Wagoner stated that the Diamond Nite Club is a legal non-conforming use. The lot is substandard to begin with, and the business is situated very close to the house. Attorney Musser reported that the same now buying both the house and the business, but that different banks are lending on each building. Bernie Green made a motion to approve the lot split. Seconded by Henry Joiner, the motion carried.

There being no further business to come before the Commission, the meeting adjourned at 8:15 P.M.

Respectfully submitted,


Aane Aaby
Assistant Planning Director

Approved


Fred Wilson
Chairman, Planning Commission