

A G E N D A
Massillon Planning Commission
April 8, 1987 7:30 P.M.
Massillon City Council Chambers

1. Approval of the minutes for the February 11, 1987 Commission meeting
2. Petitions and Requests

Street Vacation

Location: To vacate 8 feet from the west side of Fir Street, S.W. from Lincoln Way, West southerly to Wabash Avenue, S.W. This request has been submitted by William E. Brough.

Re-plat of Lot No. 10437

Location: 1610 Tremont, S.E. The purpose of this request is to replat this lot into two separate lots: Tract I to contain 10,042 square feet and Tract II to contain 13,013 square feet. This request has been submitted by Irene and Dominic Dottavio, the property owners.

Re-plat of Part of Ledgewood Commons

Location: The north side of Tennyson Street, N.E., east of Springhill Avenue, N.E. The purpose of this request is to re-plat a portion of this property into four new lots. This request has been submitted by Ray Deville.

Alley and Street Vacations - Lincoln Center Project

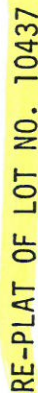
The City of Massillon is requesting the vacation of the following streets and alleys as part of the Lincoln Centre Redevelopment Project:

1. Second Street, N.W., from Lincoln Way, West northerly to Market House Court, N.W.
2. Market House Court, N.W., from Second Street, N.W., westerly to Third Street, N.W.
3. Henderson Place, N.W., from Lincoln Way, West northerly to Market House Court, N.W.

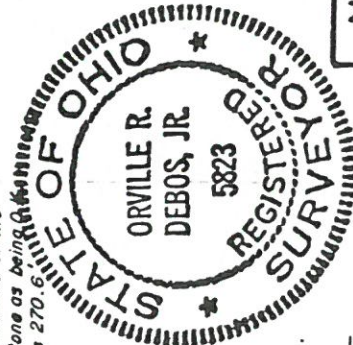
3. New Business
4. Other Business

of MARCH

FOR: DOTTAVIO

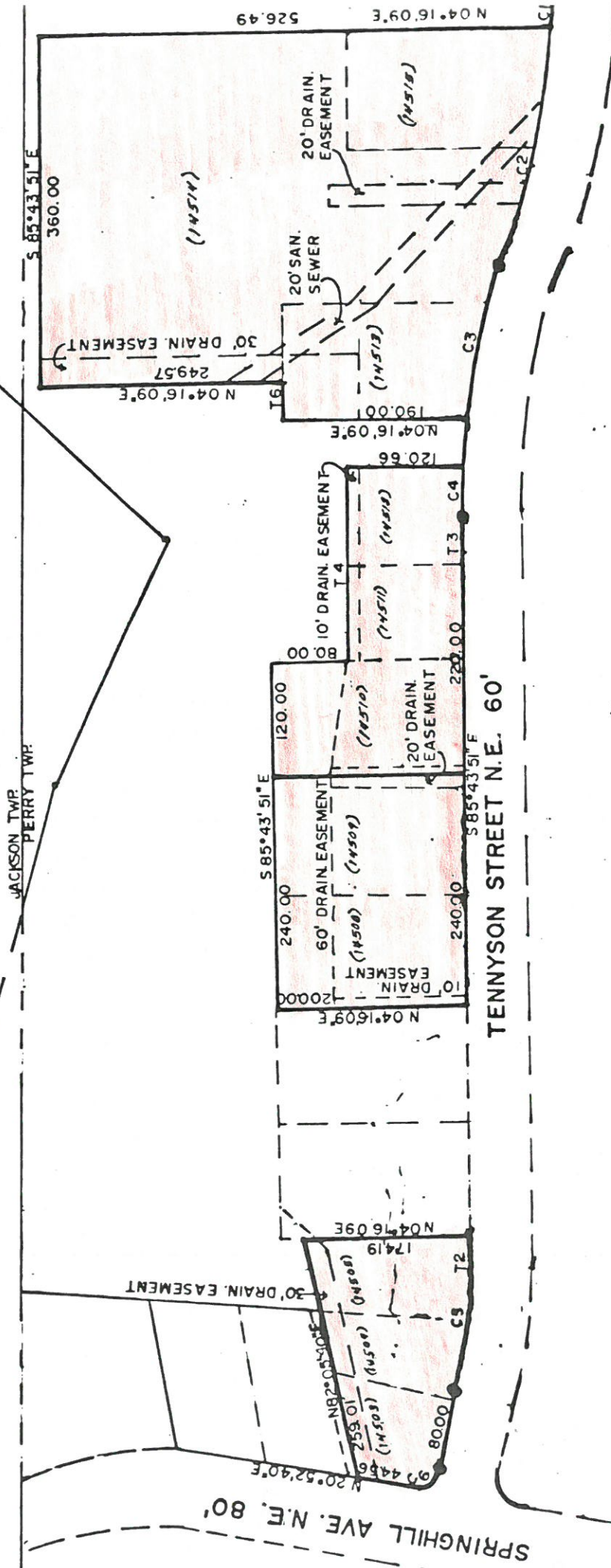


In Jan. of 1932 Sam Jones and Geo. Wallace run Section Line and Stone Monument found to be 4.60' east of true Section Line at the Northwest Corner of Lot 10-437, and note all previous surveys between Lincoln Way and Tremont Ave. recognize this stone as being. Also survey dated Aug. 14, 1905 shows distance east from stone at 4.085 chains or 269.6', 269.17' Meas. Tax Map shows 270.6'. The above found in F. Book C, page 52, and F. Book B, page 75, Massillon City Engineer's Office Basis of Bearing taken from Survey of B. Conery dated 6/6/84.



STARK COUNTY AUDITOR

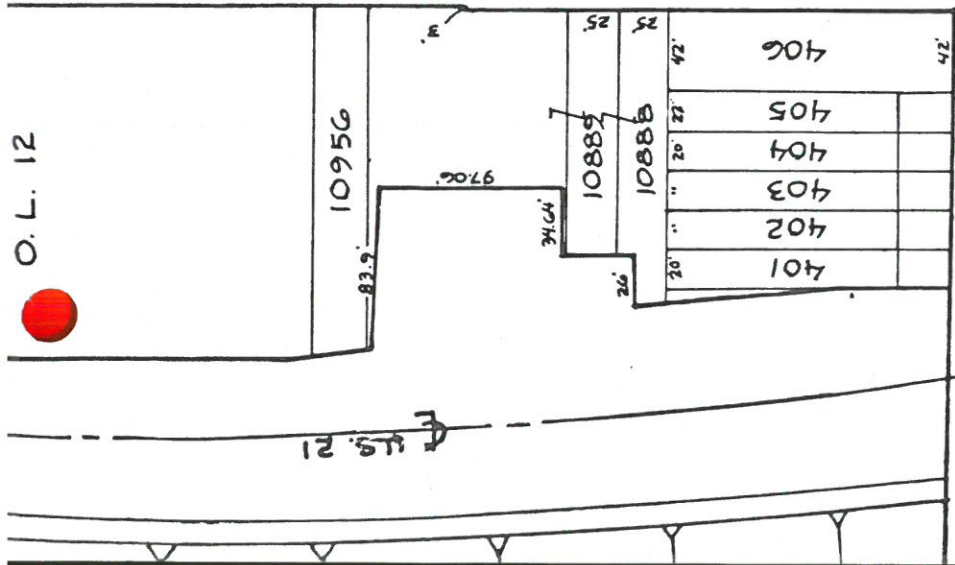
RE-PLAT OF PART OF LEDGEWOOD COMMONS



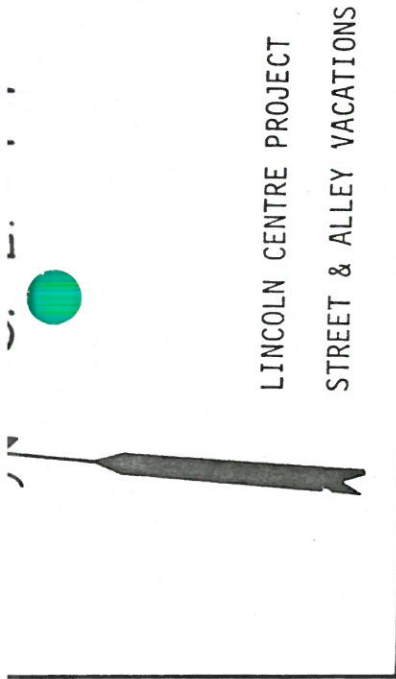
CURVE DATA

CHORD	DELTA	RADIUS	ARC	TANGENT
36.38	2° 32' 31"	820.00	36.38	18.19
253.89	17° 48' 39"	820.00	254.90	128.49

O. L. 12

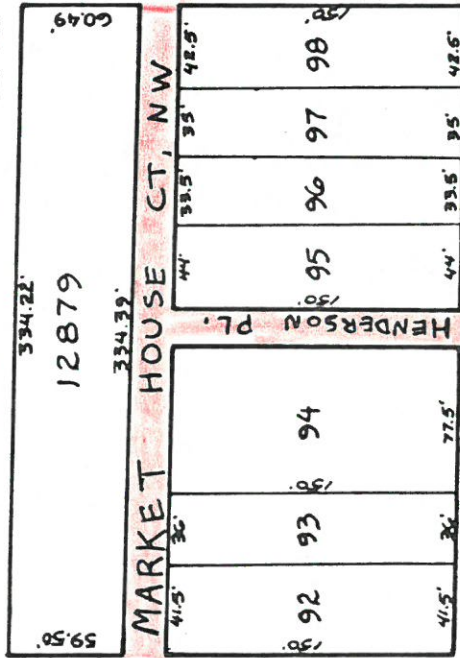


3RD ST. N.W.



LINCOLN CENTRE PROJECT
STREET & ALLEY VACATIONS

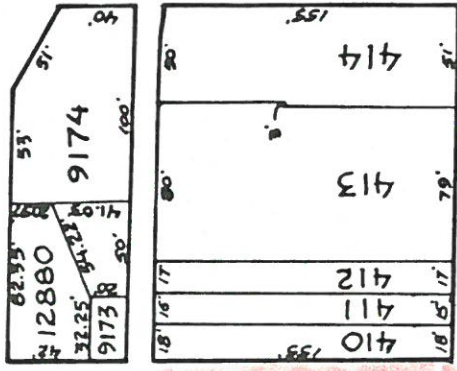
FEDERAL AVE N.W.



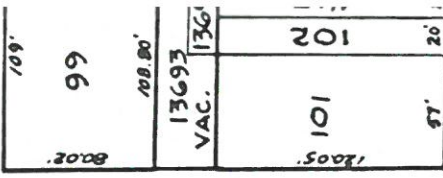
MARKET HOUSE CT, NW

HENDERSON PL.

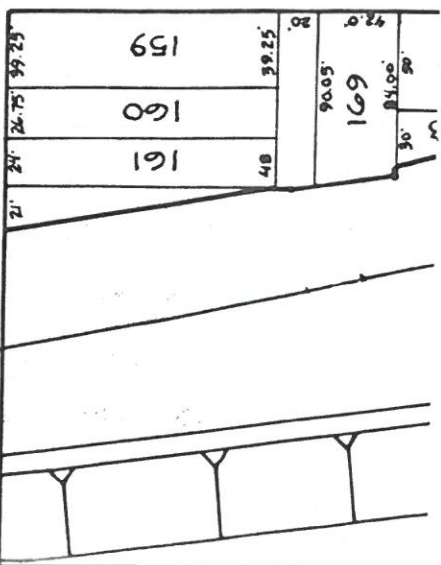
2ND ST. N.W.



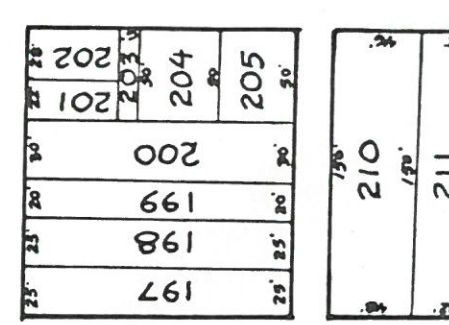
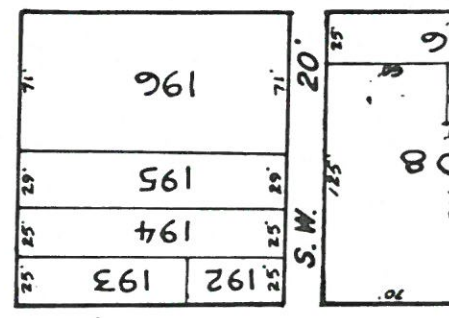
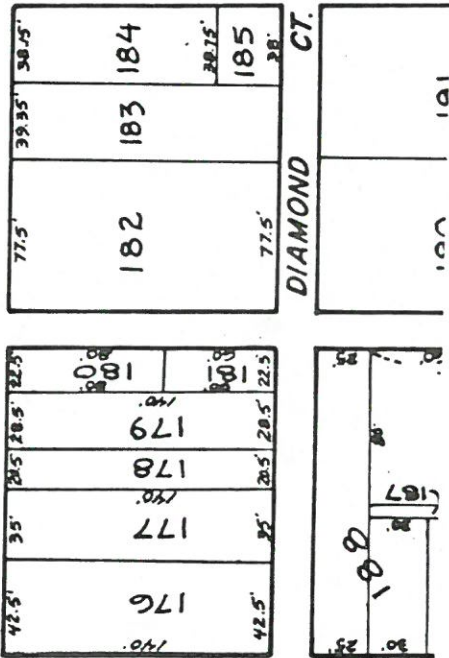
1ST ST. N.W. 66'



LINCOLN WAY WEST 100'



ST. S.W. 66'



THE CITY OF MASSILLON, OHIO

INTERNAL CORRESPONDENCE

TO..... PLANNING COMMISSION MEMBERS

DATE March 6, 1987

FROM... Marilyn Frazier, Clerk

SUBJECT Meeting scheduled for Wednesday, March 11, 1987

Due to a lack of business for the agenda, the meeting regularly scheduled for Wednesday, March 11, 1987, has been cancelled. The next scheduled meeting will be held on April 8, 1987.

The Massillon Planning Commission met in regular session on February 11, 1987, at 7:30 p.m. The following members were present:

Chairman Fred Wilson
Vice Chairman Rev. David Dodson
Dr. Dale Hart
Doris Hintz
Bernie Green
Mayor Delbert Demmer
Ted Willoughby
Henry Joiner

Staff

Robert Wagoner
Aane Aaby
Marilyn Frazier

The first item of business was the minutes for the January 14, 1987, meeting. The minutes were approved as prepared.

The next item under Petitions and Requests was a rezoning request. Location: 2417, 2427, 2431, and 2439 Lincoln Way, East, Lots No. 3641, 3642, 3643, 3644, and 3645, to be rezoned from RM-1 Multiple Family Residential to B-1 Local Business to the purpose of developing a strip commercial shopping center. This request was submitted by Carl Oser. It is a revised version of the rezoning request considered by the Planning Commission at its January 14, 1987, meeting. Mr. Aaby presented the request. The previous proposal was revised by adding two additional lots, 3644 and 3645. The proposal for the area is a two and a half acre strip shopping center. There has been a petition filed by neighbors in opposition of the proposal. Mr. Aaby said that he and Mr. Wagoner had discussed the possibility of a buffer area to prevent business from approaching the residences. Mr. Oser was present and commented on the benefits to the City. Mark Perez, 2427 Lincoln Way, East was also present and spoke on behalf of the proposal. Virginia Paris 2407 Lincoln Way, East commented that she sees no difference in this proposal and the previous one. She commented further that her home is unique in design and she and her husband does not want to sell it. Jerry Tully, 147 25th Street, S.E. appealed to the Commission to please consider the request carefully. Josephine Annen, 2439 Lincoln Way, East was present and added that she also owns 2431 Lincoln Way, East. Her comments were in favor of the zoning change. Richard Henry, who lives on 24th Street, commented that he doesn't feel the neighborhood has deteriorated since the construction of Oak Park Shopping Center as others had said. He feels the traffic problems are a result of the location of the traffic light. Donald Paris, 2407 Lincoln Way, East anticipates a serious drainage problem. Dale Maurer, 129 25th Street, and Tom Robinson, 2455 Lincoln Way East also commented in opposition of the request. Councilman David Smith had submitted a letter regarding the request. This was read by Chairman Wilson. (A copy of the letter is kept on file) Mr. Green commented on Mr. Smith's letter. He also commented that the commission must decide what is the best concept for the area. Henry Joiner added that he sympathized with the residents even though he felt that eventually Lincoln Way will become completely business. Rev. Dodson added that there are positives and negatives to every decision, but the Commission had to decide what is best for the City. Dr. Hart then moved to recommend denial of the request, Mrs. Hintz seconded, the motion carried 4 to 3, with the Mayor abstaining.

The next item of business was a rezoning request. Location: 38 Pearl, S.E., Lot No. 10003, to be rezoned from R-1 Single Family Residential to RM-1 Multiple Family Residential. This request has been submitted by Todd and Kathey Mays who wish to convert the existing residence into apartment units. Mr. Aaby presented the request. He said the property was an older house that Mr. and Mrs. Mays wanted to convert into apartments. Mr. Mays commented that they thought it was an opportunity to make some extra money by renting the property.

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Rev. Dodson moved to recommend approval of the request, seconded by Bernie Green, motion carried.

The next item of business was a Lot Plat. Location: North side of Lincoln Way, N.W., west of 23rd Street, N.W. the purpose of the request is to designate with a new City lot number, an existing parcel of land situated between Lot No. 10178 and Out Lot No. 169. This existing parcel is approximately 7 feet wide and 195 feet deep. This request has been submitted by Peoples Federal Savings and Loan Association, the property owner. Mr. Wagoner presented the request. Mr. Wagoner stated that evidently, in 1928 when lots were re-numbered, this one was missed. The Law directed had told him that the only way to correct the situation, was to re-plat the lot. Bernie Green moved to recommend approval of the platting of the lot, seconded by Henry Joiner, motion carried.

The next item was a Replat of Lots. Location: Southwest corner of Cherry Road, N.W., and 5th Street, N.W.; including Lot No. 9746, Part of Lot No. 9747, Lot No. 10456, and Out Lot No. 97. The purpose of the request is to replat these 4 parcels of land into 3 new City Lots. This request was submitted by the owner. Mr. Wagoner presented the request. He stated that a young gentleman had purchased these properties and wanted to sell them. In order to do so, they had to be re-platted. The Mayor moved for approval, seconded by Bernie Green, motion carried.

The next item for the evening was a Lot Split. The request was to split off a parcel of land, 50 feet wide and 130 feet deep, from part of Out Lot No. 298, located on the north side of Marion Avenue, S.E., between 1102 Marion, S.E. and 3rd Street, S.E. This was requested by the Owner. Mr. Wagoner presented the request. He said the deed was brought in for approval, but it didn't conform to subdivision regulations. The request is to enable the owner to add the other property to his and use it as yard area. A motion for approval carried contingent on 15 feet being left public.

The next item was Historic Districts-Proposed City Council Ordinance The Historic Preservation Study Committee of Massillon City Council has introduced an ordinance that would regulate the establishment and preservation of historic districts within the City. This ordinance is being submitted to the Planning Commission for its review and recommendation. Mr. Wilson explained that Kirk Albrecht was Chairman of the Council committee, but was unable to be here, but Gene Boerner and Steve Seeton were present and would explain the Ordinance. Mr. Boerner is from First Savings and Loan and Mr. Seeton is from the Main Street Program. They are working on the proposed Historic District ordinance with City Council committee members. Mr. Seeton gave a presentation of the proposal. Mr. Green stated that he objected to the idea of a committee telling a property owner how to renovate his property. He felt that the property owner should be a part of the review process. There was a lot of discussion about this aspect of the ordinance. Dr. Hart moved to recommend support of the overall concept, with the stipulation that the property owner be a part of the review process. Rev. Dodson seconded Dr. Hart's motion, which carried.

Under Old Business, there was a discussion about the possibility of a study being conducted of the Lincoln Way area to determine future zoning options.

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There being no further business before the Commission, the meeting
adjourned at 9:30 p.m.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read "Marilyn Frazier".

Marilyn Frazier, Clerk

Approved:

Fred Wilson, Chairman

David A. Smith

**THIRD WARD COUNCIL MEMBER
MASSILLON, OHIO**

414 - 17TH ST. N.E.

PHONE 833-0091

Dear Members of the Planning Commission,

Please forgive me for not attending in person, but I do have another commitment tonight. I have long admired the work you do and rarely come before you to express my concern, but prefer to let you objectively come to your decisions. The request for rezoning along the south side of Lincoln Way across from Oak Park is an interesting one for your body to consider. I have the highest respect for all parties concerned, and enjoy the faith of the developer in his anticipated success. However, Massillon's plan for its land use requests that this area remain multi-family use to serve as a buffer between a busy roadway and residential area, which I believe should remain intact. If the city were to undertake a study on the entire Lincoln Way corridor from Tremont east I doubt if the study would change the recommendations. The residents in the area to the south of Lincolnway are still adjusting to the traffic flows generated by Oak Park. Oak Park, you must remember, is only half developed with empty frontage and vacant stores on the eastern side of the project. One of the stores which moved to Oak Park came from Meadows, which has left a vacant store there. Eastlin Square is also scheduled for development which will cause serious traffic problems between Hess Boulevard and Wales Road. These developments have not required zone changes, but brings

forth the question: Do you want what will become the most retail space in the city to be located in the third ward along a roadway already under a heavy traffic load?

City council has set in motion the leveling of several blocks in the downtown area and stands ready to help in its development. The question of how much retail space our city can support is a pertinent one. Already I am quite concerned that the developments in place will be healthy in the long term.

Lastly I am certain that my position on zoning is quite clear. Persons in the area in question have every right to expect the zoning laws to remain intact. They knew going in what zoning was there, and have every right to expect the city to honor its policy on long term land use under its Master Plan. My policy has always been that adjacent property owners be in agreement, and that at least 80% be in favor in the affected area. In this matter I have received a counter petition, and am aware that not all adjacent owners are in agreement. At this point I know that I am being asked not to support the change. These decisions are difficult, and I know I have disappointed some interested in the project. Everyone has taken the time to keep me informed, I feel our citizens are the best people in the world to work with. I thank you for your time and wish you well in your deliberations.


Dave Smith

February 6, 1987

A new movement has been started to rezone the south side of Lincoln Way East for commercial use. We; who sign this petition feel that the north side of Lincoln Way East has caused heavy traffic problems and lowered the quality of life and property in this area and we want to keep the south side zoned residential and multi-dwelling.

1. Annus E. Butts 125 25th ST. S.E.
2.

1. Caroline J. Furel } 124 25th ST. S.E.
2. Joseph E. Furel }

1. Pamela Maurer 129- 25th St. SE.
2. Paul Maurer

1. Arthur T. Meyers Sr 161 25th ST SE
2. Charlotte W. Meyers 161 25th SE

1. Thomas E. Hensley 177 25 SE
2.

1. Dorothy W. Houghton 155 25th ST SE. (indoor)
2.

1. Melte S. Fern 130 25th SE (indoor)
2.

1. Ann Tully 147-25th SE
2. Emily Tully 147-25th ST. S.E.

1. Patrick B. Smith 174 25th ST SE
2. Irene Benhovich 174 25th SE

1. Betsy Conley 133-25th ST S.E.
2. Susan Conley 133 25th ST S.E.

1. Daniel C. Sanders 165-169- 25th ST SE
2.

1.
2.

1.
2.

1.
2.

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- [illegible]