

AGENDA
MASSILLON PLANNING COMMISSION
DECEMBER 8, 1993 **7:30 P.M.**
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission Meeting of November 10, 1993.
2. Petitions and Requests

Rezoning Request

Location: Out Lot 686, an 18.323 acre vacant parcel of land located on the south side of Hills & Dales Road, N.E., between Legdewood Blvd. and Brighton Circle. This property is part of the recent Aaronwood Area Annexation, and has been annexed to the City from Jackson and Perry Townships. This rezoning request has been filed by Timothy J. Putman, Attorney at Law, who is requesting that this property be zoned O-1 Office, for the purpose of constructing a licensed skilled nursing care facility, including a 90 bed nursing and 32 bed rest home facility.

3. Other Business

MASSILLON PLANNING COMMISSION

November 10, 1993

The Massillon Planning Commission met in regular session on this date at 7:30 p.m. in City Council Chambers. The following were present:

Members

Chairman Fred Wilson
Rev. David Dodson
Dr. Dale Hart
Mike Loudiana
James Johnson

Staff

Aane Aaby
Patti Slabaugh

The first item of business was the approval of the minutes for the October 13, 1993, Commission meeting. Dr. Hart made a motion for approval of the minutes, seconded by Rev. Dodson, motion carried and passed.

The first item under Petitions and Requests was an alley vacation. Location: An unnamed 12 foot wide alley lying between Second Street N.E., and Amherst Road N.E., and running in a north-south direction between Commonwealth Avenue N.E., and an unnamed 12.5 foot wide alley; specifically to vacate that portion from the south property line of Lot No. 4819 northerly a distance of 130 feet to the north property line of Lot No. 4819. This request has been submitted by Bryce Wolfe, 230 Commonwealth Avenue N.E.

Mr. Aaby made the presentation. He stated that this proposed alley vacation was the first alley to the east of 2nd Street N.E., on Commonwealth is opened, but when you drive by it appears to be a driveway and serves as access to garages at Lot Nos. 4819 and 4820. The reason they want to vacate this alley is to keep cars from using it as a cut through. This is not an even alley; it serves no purpose for public access except for the adjoining owners. There are no easements in this alley. All surrounding property owners have access to their garages in the rear. Mr. Fred Wilson asked if the vacation will not appear to create any problems. Mr. Aaby said no; there are additional alleys to 2nd Street to the east, and they look like driveways. All property owners involved in proposed alley vacation were notified of the meeting.

Rev. Dodson made a motion to approve the alley vacation, seconded by Mike Loudiana, motion carried and passed.

The next item on the agenda was a rezoning request for the Aaronwood Annexation Area. Location: A 38.6 acre area located along Aaronwood Avenue N.E., and Hills & Dales Road N.E. This area has been annexed to the City from Jackson and Perry Townships, and the City is requesting that this area be zoned R-3 Single Family Residential, RM-1 Multiple Family Residential, and O-1 Office, as indicated on the attached map.

Mr. Aaby made the presentation. He stated that the bulk of the area annexed is in Jackson Township. The Jackson/Perry Township line is to the south, and only a small triangle was in Perry Township. The annexation was approved by the County Commissioners. Jackson Township filed an appeal to get the annexation overturned, but the court denied approval. The City has approved the annexation at last Council meeting. There are several different parcels to it. A small parcel owned by Stergios & Kurtzman and an adjoining doctor's office owned by Dr. Eighan is outlined in red. There are two apartment buildings outlined in orange at the south portion of Hills & Dales Road. The Stark County Commissioners' property is a workshop on north side of Hills & Dales Road and is outlined in yellow. Also in yellow are two large vacant parcels of land owned by the Hillside Investment Corporation which are on both sides of Hills & Dales Road and are heavily wooded. Our Zoning Code states when property is annexed to the City and it is to be given a zoning classification it should be zoned to correspond most closely to the classification the property had in the township. The parcel in red owned by Stergios & Kurtzman and Dr. Eighan was zoned B-1 in Jackson Township. We recommend it be zoned O-1 Office for office and limited business. The apartment area with two apartment buildings on the south side of Hills & Dales Road and east of Ledgewood Boulevard were zoned medium density multiple family residential. We recommend zoning them RM-1 Multiple Family Residential. The large area in yellow, the vacant tracts of land and Stark County Commissioners' workshop building were zoned in the township as rural residential, which is their largest lot for single family residential zoning. We recommend the City zone it R-3 Single Family Residential. All property owners were given notice for this meeting with a copy of the map.

The large vacant tract on the south side of Hills & Dales Road is being proposed for development. At the December on January Commission meeting there will be a proposal to have this area zoned for a nursing home, although it will be brought into the City with the zoning it had in the township. The developer will be seeking to proposed zoning for a multi-family residential to accommodate a nursing home.

Mr. Wilson asked how the workshop building was classified. Mr. Aaby said not residential, more like an institutional use. It was a quasi public building. He further stated the zoning may not be quite appropriate, but it is being zoned as closely as it was zoned in the township. It is possible it will be in compliance with our zoning for a public building with an operational government. If it were rural land we would probably give it a zoning as O-1 Office, but it was zoned rural residential in the township.

Mike Loudiana made a motion to accept the zoning request for the newly annexed area. James Johnson seconded the motion, and the motion was approved and carried.

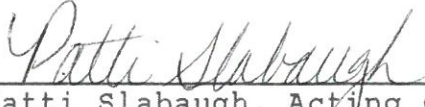
The next item under Other Business was the discussion of the meeting time for the Commission meetings in the future.

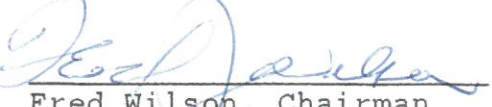
Mr. Wilson stated this item was carried from the last Commission meeting. He stated that the Commission needed to discuss the meeting times for future Commission meeting which had items on the agenda for noncontroversial matters. The Commission members discussed the pros and cons of changing the meeting times, and it was finally decided that the Commission members would leave it to the discretion of Mr. Aaby, Mr. Wagoner, and Mr. Wilson for any future Commission meetings with noncontroversial matters on the agenda. There was no vote nor motion made on this matter.

There being no further business James Johnson made a motion to adjourn the meeting; Reverend Dodson seconded the motion, and the meeting was adjourned at 7:52 p.m.

Respectfully submitted:

Approval:


Patti Slabaugh, Acting Clerk


Fred Wilson, Chairman



Approved for Annexation by
City of _____
day of _____

Accepted by the City Council
this _____ day of _____

City lot numbers assigned

Entered for Transfer this _____

Received for
Recorded in

SURVEYOR'S CERTIFICATE
I hereby certify this
from Deeds of Record

MAP OF TERRITORY

AARONWOOD/H

PART OF
PART OF

DE BY RON MCPHER
CITY ENGINEER
SCALE 1" = 100'

AREA TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO
S.W. QTR SEC 33 JACKSON TWP 37.621 AC
N.W. QTR SEC 4 PERRY TWP 0.992 AC
TOTAL AREA 38.613 AC

Response for Question #7

It is the applicant's opinion that the proposed zoning request, if approved, will not significantly impact the enjoyment of substantial property rights, the public welfare or the property of persons located in the vicinity of the subject property in any negative fashion. This opinion is predicated upon the following:

The majority of land holders immediately adjacent to the east, south and west of the subject property have put their property to multi-family use.

The major land holder immediately north of the subject property, which is currently vacant and located across Hills and Dales Road, sold the subject parcel to the current owner with a thorough understanding of the proposed use to which the subject property would be put. This property is immediately east of property whose uses are similar that of the subject property.

The exterior elevation of the proposed use is both residential and multi-family in character and will blend well with the surrounding uses of the adjacent properties.

The proposed use will in-fill an area already developed for multifamily and commercial purposes and will provide a transitional use from the residential areas located easterly of the proposed project to the heavily commercialized uses located westerly of the subject site.

While the proposed project's staff will work in shifts, generally two to three shifts per day, traffic from such shifts will occur before the morning "rush hour" (approximately 6:30 to 7:30 a.m.); before the evening "rush hour" (approximately 2:30 to 3:30 p.m.); and, at night (approximately 10:30 to 11:30 p.m.).

Traffic attributable to supply deliveries occur infrequently, generally 2 to 4 times per week during usual daytime business hours.

Traffic associated with visitors is generally light, except during festive holidays, e.g., Easter, Christmas, Thanksgiving, etc.

In general, traffic patterns associated with the proposed use will be no more congestive than the surrounding uses.

The proposed project will contribute significantly to the community by providing approximately 70 -75 full time equivalent employment positions (because many individuals employed by health care facilities prefer part-time employment, it is expected that more than 100 persons will be employed by this project).

The project will provide a valuable service to the residents of this vicinity by offering restorative and rehabilitative health care services in a safe residential-like environment as well as a sheltered living environment in which persons who are unable to live alone can receive services associated with activities of daily living.