

AGENDA
MASSILLON PLANNING COMMISSION
JANUARY 12, 1994 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission Meeting of December 8, 1993.
2. Introduction of new members and election of officers for 1994.
3. Petitions and Requests

Rezoning Request - Albrecht and Carmont Avenue Annexation Areas

Location: The east side of 17th Street, S.W., from Albrecht Avenue, S.W., southerly to U.S. 30, including those properties that were recently annexed to the City as part of the Albrecht Area and U.S. 30/Carmont Area Annexations. The City of Massillon is proposing that these properties be rezoned A-1 Agricultural, R-3 Single-Family Residential, and I-1 Light Industrial as indicated on the attached map.

Dedication Plat - Oxford Avenue, N.E.

Location: An existing private road located at the north end of Amherst Park Shopping Center and running in an east-west direction between Amherst Road, N.E., and Keuper Boulevard, N.E. The request is to dedicate this existing private road as Oxford Avenue, N.E. The parcels of land to be dedicated as public right-of-way are Part of Out Lot 159, Part of Lot No. 14814, Part of Out Lot 520, Part of Lot No. 13572, and Part of Lot No. 13774. This request has been submitted by Chet and Mildred Keuper, Citizens Savings Bank, and GMS Management Company

4. Other Business

MASSILLON PLANNING COMMISSION

December 8, 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:

<u>Members</u>	<u>Staff</u>
Chairman Fred Wilson	Aane Aaby
Rev. David Dodson	Patti Slabaugh
Mike Loudiana	
James Johnson	
Mayor Francis H. Cicchinelli, Jr.	

The first item of business was the approval of the minutes for the November 10, 1993, Commission meeting. Mr. Johnson made a motion for approval of the minutes, seconded by Mr. Loudiana, motion carried and passed.

The only item under Petitions and Requests was a rezoning request. Location: Out Lot 686, an 18.23 acre vacant parcel of land located on the south side of Hills & Dales Road N.E., between Ledgewood 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.

Mr. Aaby presented the rezoning request. This parcel is part of the Aaronwood Area Annexation which the Commission considered at last month's meeting. At that time it was recommended to be zoned R-3 Single Family Residential because that matches the zoning in Jackson and Perry Townships. The area is on the south side of Hills & Dales between Ledgewood Blvd. and Brighton Circle. The initial site plan shows the health care center with nursing home and rest home facilities. A portion of the land is available for development, and they are proposing that with this facility there will be a demand for office space for doctors or other health care offices. They are requesting the entire 18-acre parcel be zoned O-1 Office.

Chairman Wilson introduced Attorney Tim Putman. Mr. Putman then introduced Mr. Paul DePalma, the owner of this property, who stated he was present to answer any questions and familiarize the Commission with the proposed development of this parcel.

Chairman Wilson asked what the zoning was when the land was acquired. Mr. Aaby stated it was R-3 Single Family Residential when we looked at this at last month's Commission meeting. He stated our law requires when property is annexed the City shall zone it according to a district which most closely approximates the zoning in that township. We had requested R-3 Single Family Residential. Mr. DePalma and Atty. Putman have a proposed development and have filed a rezoning application with the City, and in order to develop this parcel they would like to have it zoned with this nursing care facility as O-1 Office. The City was aware of this proposed development when the annexation was going through its channels and was also aware that the request from the property owner would come very quickly after the property was in the City. Chairman Wilson asked is there was any request to the township prior to the annexation. Mr. DePalma stated no; he tried not to further complicate matters. Rev. Dodson asked if any of the adjacent properties nos. 53-59 were occupied on Brighton Circle. Atty. Putman stated yes with a couple of exceptions; nos. 52 and 53 were vacant, and the rest were occupied and as multi-family buildings. Mr. Aaby stated that this property abuts Multi-Family Residential property and zoning this property O-1 Office would provide a buffer for Multi-family Residential districts from Hills & Dales Road. Rev. Dodson asked if we need any proper consent from these properties. Mr. Aaby answered that said owners will be notified when the public hearing is held whether they are inside or outside the City. Our law stated we have to provide proper notice to those owners. Mayor Cicchinelli stated that Brighton Circle is outside the City.

Chairman Wilson questioned what type or way would we handle these other properties to protect those other persons that abut or are close to this proposed facility. Mr. DePalma stated the area is heavily wooded. He had not considered any special landscaping, although he wants to stay away from the swale on this land and the building will be at least more than one hundred feet from the swale. The closest area would be sixty feet from the south property line. In the future the addition will be within forty feet of the property line, and there would not be a visual barrier.

Atty. Putman discussed the zoning of O-1 office and stated 1) Section 1161.01 says the intent of O-1 district is for the use of offices, banks, and personal services which consists of transitional areas between residential and commercial districts, which we feel this area is, and it will provide a transition between major thoroughfares such as Hills & Dales Road and residential districts; and 2) it is the zoning which Massillon City Code recommends for nursing home or convalescent care type facilities without a request for special conditions request. This will create a buffer between the Multi-family Residential Zoning and Commercial or Residential districts, and we think this area was a perfect fit like a glove. Mr. DePalma stated the building will be a single-story brick, wood frame, and brick veneer style.

Mr. Aaby stated they have the Certificate of Need from the State which is necessary to operate this type of facility and once it is financed, it will be a go project. Mr. Depalma stated this building will be approximately 54,000 square feet in size; it will cost 5.2 million dollars in total expense with an annual payroll over two million dollars a year. This will be a five-million dollar a year business for economy and will generate \$30,000.00 a year income tax for the City.

Chairman Wilson asked if there were any further questions of the Commission. With no further questions or comments, Rev. Dodson made a motion for the rezoning request to be approved. Mr. Johnson seconded the motion, and the motion was carried and passed.

Chairman Wilson then brought up an item not on the agenda that was a replat of three lots on 13th Street S.E., to be replatted into two lots. This information was submitted by Mr. Joseph Lemon of 1321 - 13th Street S.E., Massillon, OH.

Mr. Aaby presented the replat. He stated there were three lots on 13th Street S.E., that were narrow lots, being forty feet wide, being Lot Nos. 5417, 5418, and 5419. There are homes on Lot Nos. 5417 and 5419, and Lot 5418 in the middle is a vacant lot. The owners are father and son and are requesting to split the vacant lot in the middle and add that to the other lots to make them larger. It involves no street dedication, and the owners would like to accomplish this by the end of the year for tax purposes. Rev. Dodson made a motion to place the replat on this evening's agenda, and Mr. Loudiana seconded the motion; the motion was carried. Mr. Aaby stated with the lots split instead of forty-foot lots they will be sixty-foot lots; this will make them in compliance with our City Code which specifies fifty-five foot wide minimum lots for R-1 Single Family Residential. Mr. Johnson made a motion to accept the replat, seconded by Rev. Dodson, the motion was carried and passed.

There being no further questions or comments of discussion from the Commission Mr. Loudiana made a motion to adjourn the meeting, seconded by Rev. Dodson, the meeting was adjourned at 7:54 p.m.

Respectfully submitted:

Approval:


Patti Slabaugh, Acting Clerk


Fred Wilson, Chairman

TUSCARAWAS

PERRY

GLADIS ST.

78-2

BOULEVARD SW
INDUSTRIAL AVE SW
PINE ST SW

ZONING KEY

A-1 Agricultural

R-3 Single Family Res.

I-1 Light Industrial

A-1

A-1

A-1

A-1

A-1

A-1

HIGH 9

CARMONY

30



STARK COUNTY
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