

AGENDA  
MASSILLON PLANNING COMMISSION  
APRIL 13, 1994 7:30 P.M.  
MASSILLON CITY COUNCIL CHAMBERS

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1. Approval of the Minutes for the Commission Meetings of March 9 and 31, 1994.
2. Petitions and Requests

Rezoning Request - Healy Court, N.E.

Location: Lots No. 13820 and 13821, located on the east side of Healy Court, N.E., between First Street, N.E., and Janice Avenue, N.E. The request is to rezone this property from R-2 Single Family Residential to B-1 Local Business. The request has been submitted by Richard Bader, the property owner who wishes to operate an antique furniture repair and reproductions business at this location.

Rezoning Request - 739 1/2 Third Street, S.E.

Location: Out Lot 49 and Part of Out Lot 50 located on the west side of 3rd Street, S.E., between Walnut Road, S.E., and Maple Avenue, S.E. The request is to rezone this property from I-1 Light Industrial to I-2 General Industrial. This request has been submitted by Campbell Oil who wishes to utilize this property for the above ground storage of industrial oil.

Rezoning Request - 2109-2119 Lincoln Way East & 125 22nd St., S.E.

Location: Lots No. 4328, 4329, 4330, and 4331 located on the south side of Lincoln Way East between 21st and 22nd Streets, S.E. The request is to rezone this property from RM-1 Multiple Family Residential to B-1 Local Business. This request has been submitted by Carl Oser who wishes to utilize this property for business development.

Rezoning Request - Valerie Avenue, N.E.

Location: Out Lots 642 and 643, located on the west side of Valerie Avenue, N.E., north of Hankins Road, N.E. The request is to rezone these two parcels, which are presently vacant and approximately 16 acres in size, from R-4 Single Family Residential to R-3 Single Family Residential. This request has been submitted by Richard Proebstle, who wishes to develop this property with single family homes.

3. Other Business

## MASSILLON PLANNING COMMISSION

March 9, 1994

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

### Members

Chairman Fred Wilson  
Rev. David Dodson  
Mike Loudiana  
James Johnson  
Jeanette Holloway

### Staff

Robert Wagoner  
Aane Aaby

The first item on the agenda was consideration of the Minutes for the Commission Meeting of February 9, 1994. Rev. Dodson made a motion to approve the Minutes as mailed. Seconded by Jeanette Holloway, the motion carried.

Under **Item 2** on the agenda were the following requests:

**Replat - Lots No. 8786, 8822 & 11604** - Location: The west side of Wales Road, N.E. between Lennox Avenue, N.E., and Burd Avenue, N.E. The request is to replat Lots No. 8786, 8822, and 11604 into three new lots, as the original lots are irregular in shape, and the property is being sold to three separate owners. This request has been filed by Alfred D. McCallin, Attorney for Dr. and Mrs. Donald Wilson, the property owner.

Mr. Aaby explained that this property is located at 1943 Wales Road N.E. almost up to Burd Avenue on the west side of the street. The original lots are very irregular in size as Mr. Aaby pointed out on a map had on display. These properties were sold at an auction to three separate property owners and need to be replatted to a more uniform type lot size that would be more in conformance with the City's zoning requirements. This property is now zoned R-3 Single Family Residential and lots in that zoning classification should have a 90 foot minimum frontage and 12,000 sq. feet in size, and when these new lots are created they will have 95, 199 and 100 feet widths and they have depth from 205 to 286 feet, so they will meet the minimum sizes for the R-3 Single Family District. There cannot be a closing on this parcel until this replatting is approved. The driveway will be relocated also.

Mrs. Holloway questioned if the buyers are satisfied with the way the lots are measured out and they are. Rev. Dodson questioned if the City will need any easement for sanitary sewers to which Mr. Aaby replied there should be no easement requirements.

Jim Johnson moved to accept this replatting of the three lots, seconded by Michael Loudiana and the motion carried.

**Alley Vacation** - Location: Whittier Place, N.E., a 14 foot wide alley lying between Commonwealth Avenue, N.E., and State Avenue, N.E., and running in a north-south direction between Amherst Road, N.E., and 8th Street, N.E. Specifically, the request is to vacate that portion from the north right-of-way line of State Avenue, N.E., to the south property line of Lot No. 14225. This request has been submitted by Massillon Community Hospital.

Mr. Wagoner explained that the Massillon Community Hospital wants this vacation so they can make part of their existing parking lot, which now extends on both sides of the alley. Mr. Wagoner also explained that there is a sanitary sewer in this area but he doesn't know if anybody uses it.

Mr. Johnson questioned if the lots represented residential lots. Mr. Wagoner explained that the hospital had bought the lots and demolished the houses for their parking lot. There is a house at 2055 with a fence around it. Rev. Dodson clarified that the hospital owns the property on both sides of the alley for the duration of the vacation.

Rev. Dodson moved to accept the alley vacation, seconded by Jeanette Holloway and was carried.

**Request for Oil and Gas Well Permit** - Location: Out Lot 536 and 537, located at the southern end of the City between State Route 21 and the Tuscarawas River, in the vicinity of Indian River School and the Massillon Wastewater Treatment Plant. MB Operating Co., Inc., of Canton has filed a request for a permit to drill two oil and gas wells on these properties, both of which are owned by the City of Massillon. Chapter 741 of the Codified Ordinances of the City provides for Planning Commission review and recommendation to Council prior to the issuance by the City of an oil and gas well permit.

Mr. Wagoner explained that they have permission from the State of Ohio and Indian River School to drill these wells. They want to drill the one well at the top of the hill by the Wastewater Treatment Plant and the other one would be south of the plant. Representatives from MB Operating were in the audience for questions. They also have a transmission line in this area.

Mr. Johnson questioned if two wells meant one of each or two wells each. Gas and oil come from each well so it would be two only. Mr. Aaby stated that the property where the well are located are owned by the City. Rev. Dodson questioned if the royalties come to the City and Mr. Wagoner explained yes and the State of Ohio. MB representative explained they already have leases on these wells. Mr. Aaby explained that anybody who is a partner to the lease will receive royalties including the neighboring property owners. MB explained that the City owns 55% and the State of Ohio gets the

other 45% of royalties. At the present time they are only interested in drilling one of the wells on the eastern most side. This one will be closest to the facility. They will wait to see what they get from the first well before preceding to drill the second one. For the record the MB representatives present were Rich Sponical and Larry Uldrich. Mr. Wagoner explained that this would be a recommendation to City Council. Mr. Johnson questioned how deep these wells go, to which was answered about 4500 feet.

Rev. Dodson moved to grant these request for permits, seconded by Mr. Loudiana and was carried.

Mr. Loudiana moved for adjournment seconded and approved by all.

**MASSILLON PLANNING COMMISSION  
SPECIAL MEETING  
March 31, 1994**

The Massillon Planning Commission met in a special session on this date at 4:00 P.M. in City Council Chambers. The following members were present.

Members

Chairman Fred Wilson  
Mike Loudiana  
James Johnson  
Mayor Cicchinelli  
Al Climer

Staff

Robert Wagoner

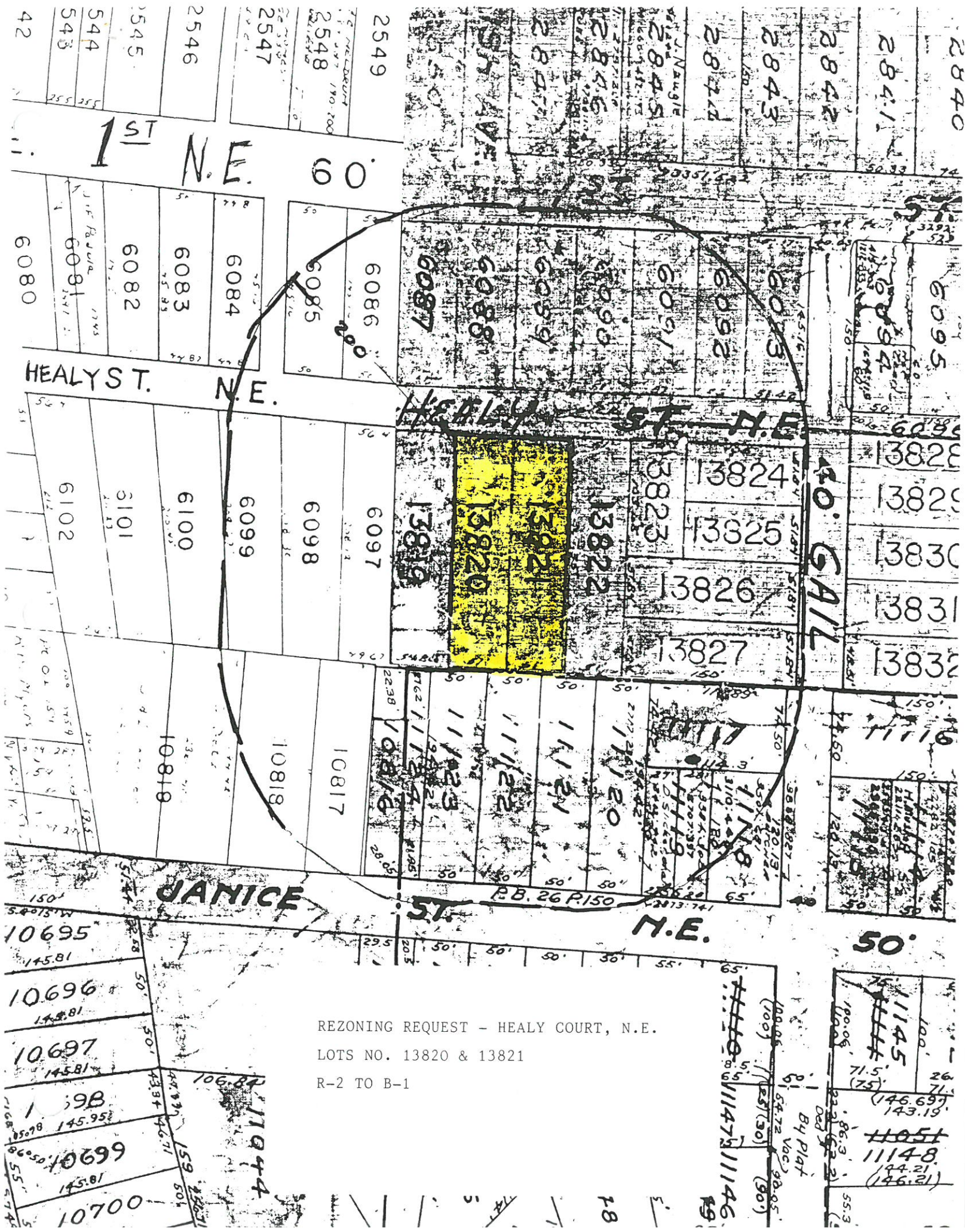
The only item on the agenda for consideration at this special call was the following:

**Request for Approval of Conditional Land Use in an I-1 Light Industrial District** - Location: A 7.6 acre parcel, zoned I-1 Light Industrial, located on the northeast corner of Erie Street South and Vista Drive, S.E., in Nova Technology Park. The request is to utilize this property for a 4,000 sq. foot restaurant. (A 7,500 sq. foot warehouse/distribution center will also be constructed on this parcel. In accordance with Section 1169.03(d) of the City Zoning Code, eating and drinking establishments and other retail uses which serve the convenience needs of an industrial district are permitted uses within such a district subject to the review and approval of the Planning Commission. This request has been submitted by Charles Stoner and Robert Barkheimer.

Mr. Wagoner showed on a map that 69.91 feet of the upper end of this parcel is in Perry Township, but the majority of it is in the City. They want to build a restaurant on this property. He also noted that the fire alarm from the State Hospital will have to be moved. There also are sanitary sewer and storm sewer easements. Mayor Cicchinelli stated for a point of reference, the northern section in Perry Township, the owners of this property plan to bring this portion into the City along with part of the golf course land in an annexation proposal. The 69.91 feet runs north and south. Chuck Stoner one of the owners brought photos and a plot plan which he went over with all members who were present. Mr. Wilson questioned if the warehouse and restaurant were going to be separate buildings and Mr. Stoner stated yes. Mr. Stoner stated 6.4 acres are usable not 7.2 as listed in the dimensions. A list of potential customers within a 2 mile radius was given to each member present, a copy of which is attached to the minutes. Mr. Johnson questioned what type of restaurant this was to be, whether family-style. Mr. Stoner stated it will be basically like a sports lounge with a D1-D2 liquor (beer and wine) license and 1AM closing.

Mr. Johnson moved to accept the conditional land use for these buildings, seconded by Mr. Loudiana and motion carried.

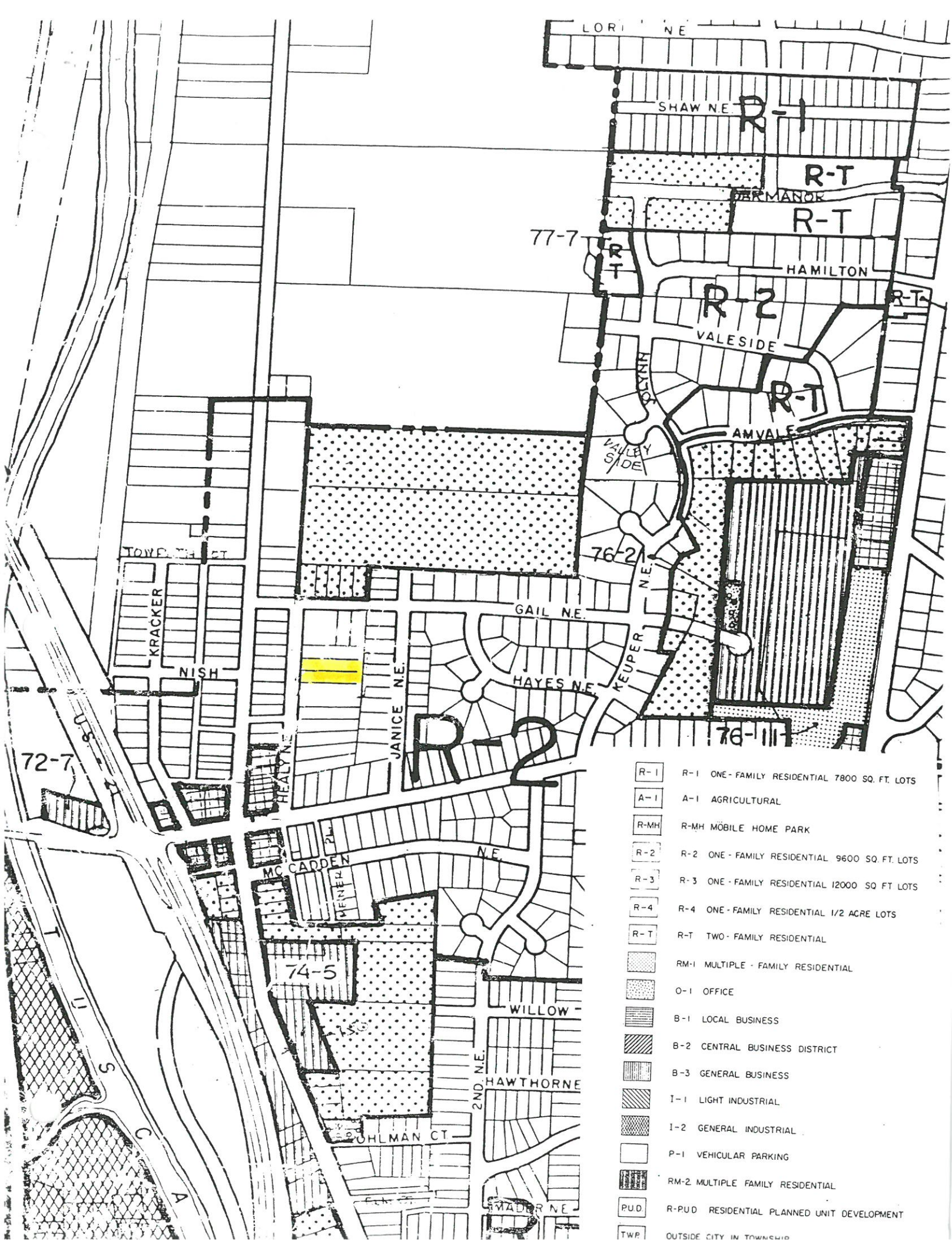
There being nothing further on the special call Mr. Johnson moved for adjournment, seconded and approved by all.



REZONING REQUEST - HEALY COURT, N.E.

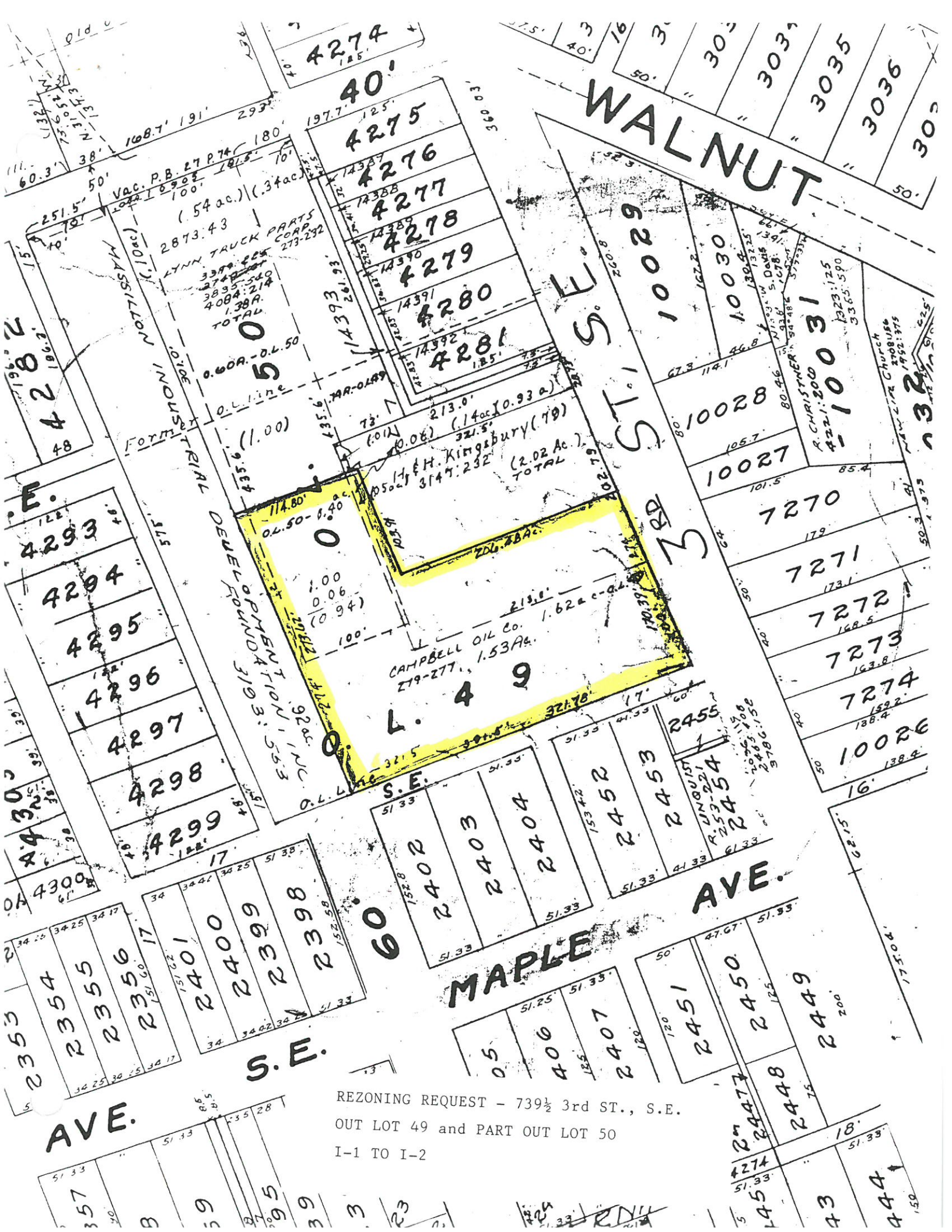
LOTS NO. 13820 & 13821

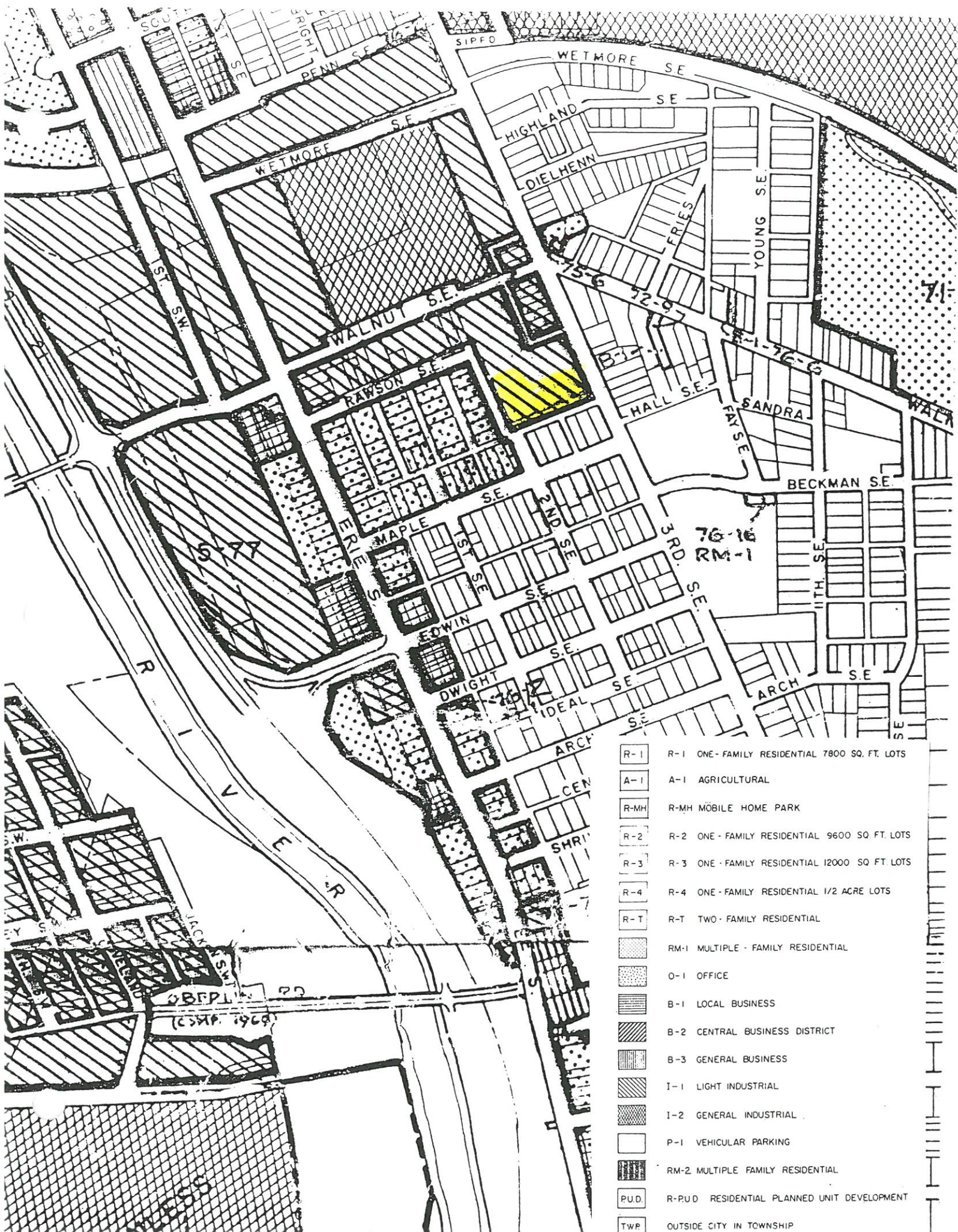
R-2 TO B-1



THERE PREVIOUSLY WAS A BUILDING  
ON THE SITE FOR 14 YEARS, WITH NO  
COMPLAINTS OR PROBLEMS FROM ANYONE  
A FIRE DESTROYED IT NOVE 8-93. I FEEL  
A SMALL ANTIQUE REPAIR, AND REPRODUCTION  
SHOP WOULD BENEFIT MUCH OF THE AREA  
ANTIQUA DEALERS AS WELL AS THIS CITY.  
AS THIS PARTITION SHOWS, 97% OF THE PROPERTY  
OWNERS AGREE. A NEW WATER MAIN WILL BE  
INSTALLED WITH A NEW FIRE PLUG SET, PAID  
FOR BY MYSELF. *Thank You*

*Richard Bader*







## *Campbell Oil Company*

This will bring increased business and more employment. We will be storing industrial oil for the Timken Company. This will not be detrimental to the neighbors because it is a non-hazardous material.

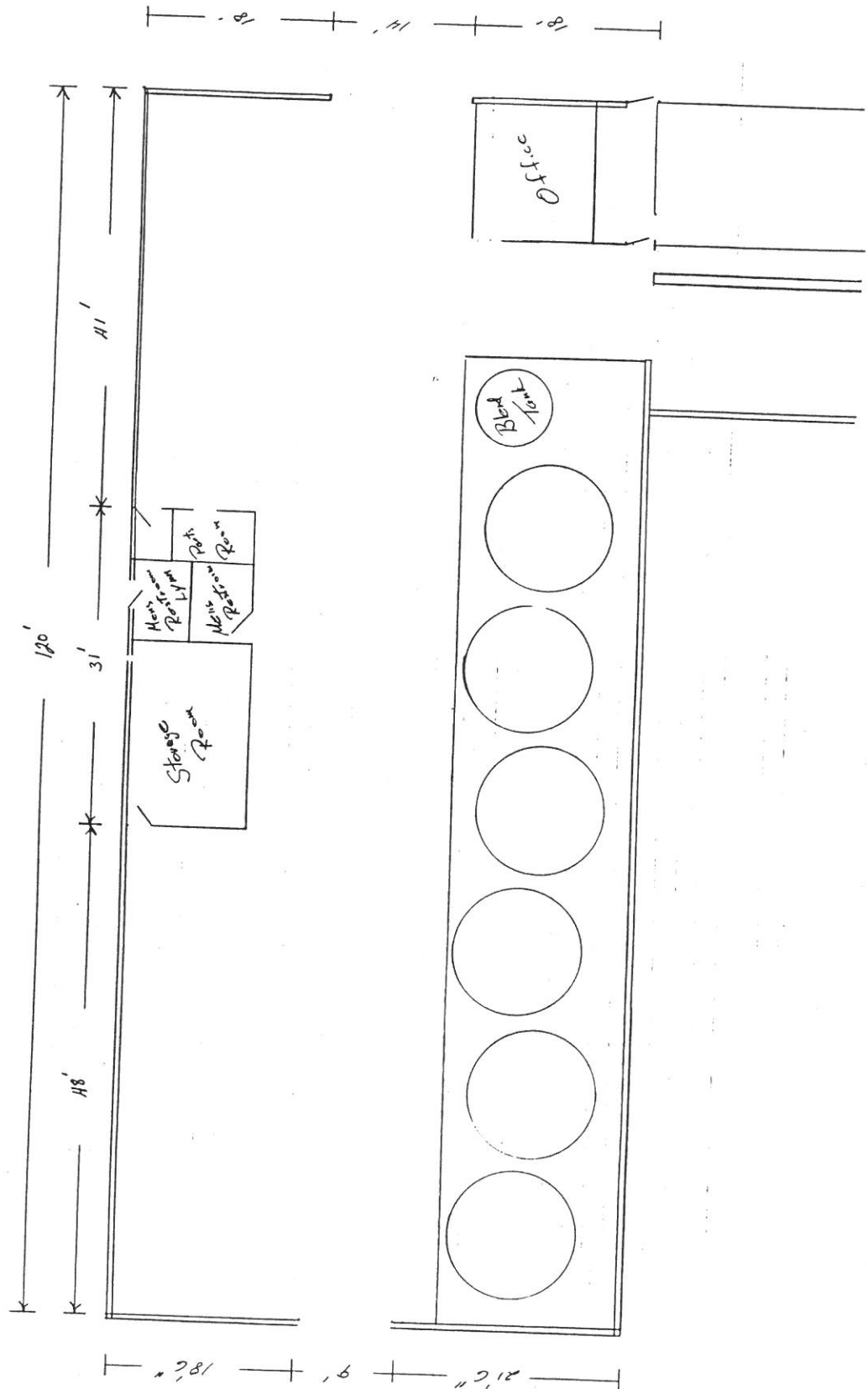


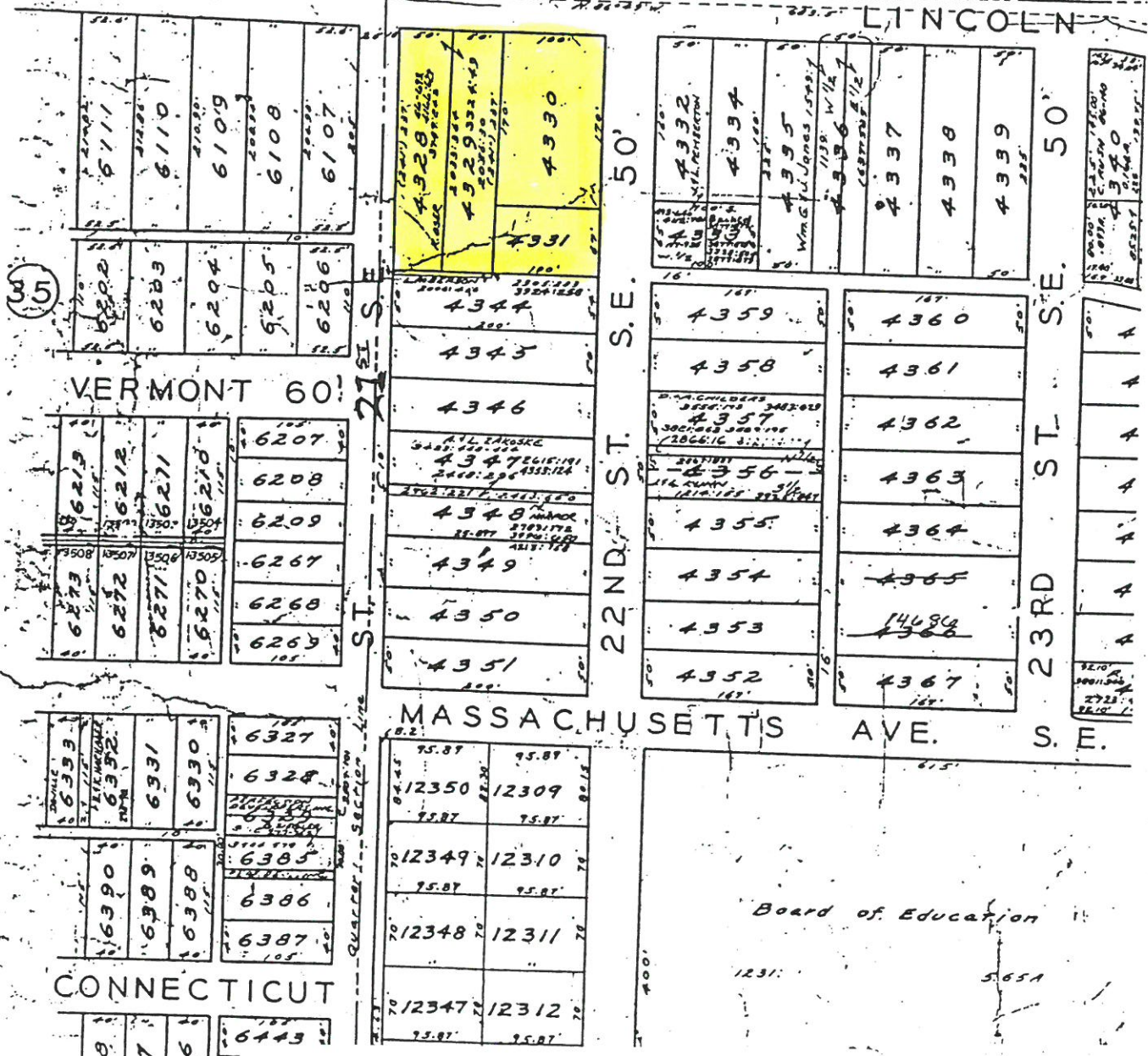
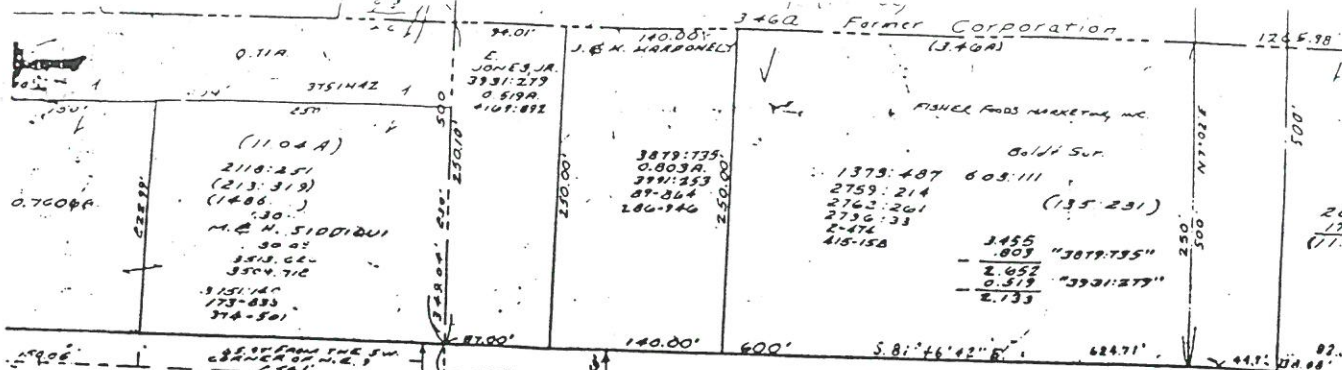
MAIN OFFICE: 611 SOUTH ERIE ST.  
P.O. BOX 558, MASSILLON, OHIO 44648  
(216) 833-8555

1000 WEST LIBERTY STREET  
P.O. BOX 965E, WOOSTER, OHIO 44691  
(216) 262-4911

111 RAY AVENUE N.W., P.O. BOX 189  
NEW PHILADELPHIA, OHIO 44663  
(216) 343-7031

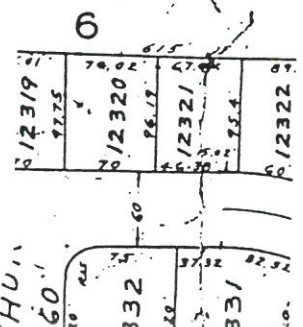
Building located at 739-1/2 Third Street, S. E. - Massillon





S.W.Q. SEC. 8  
RHODE IS

REZONING REQUEST - 2109-2119 LINCOLN  
WAY EAST & 125 22nd ST, S.E.  
RM-1 TO B-1



B-3

LINCOLN WAY EAST

R-1

1  
Σ  
R

RM-1 TO

B-1

RM-1

R-1

VERMONT SE

R-1

21 ST SE

R-1

22ND ST SE

R-1

EXISTING ZONING  
MAP

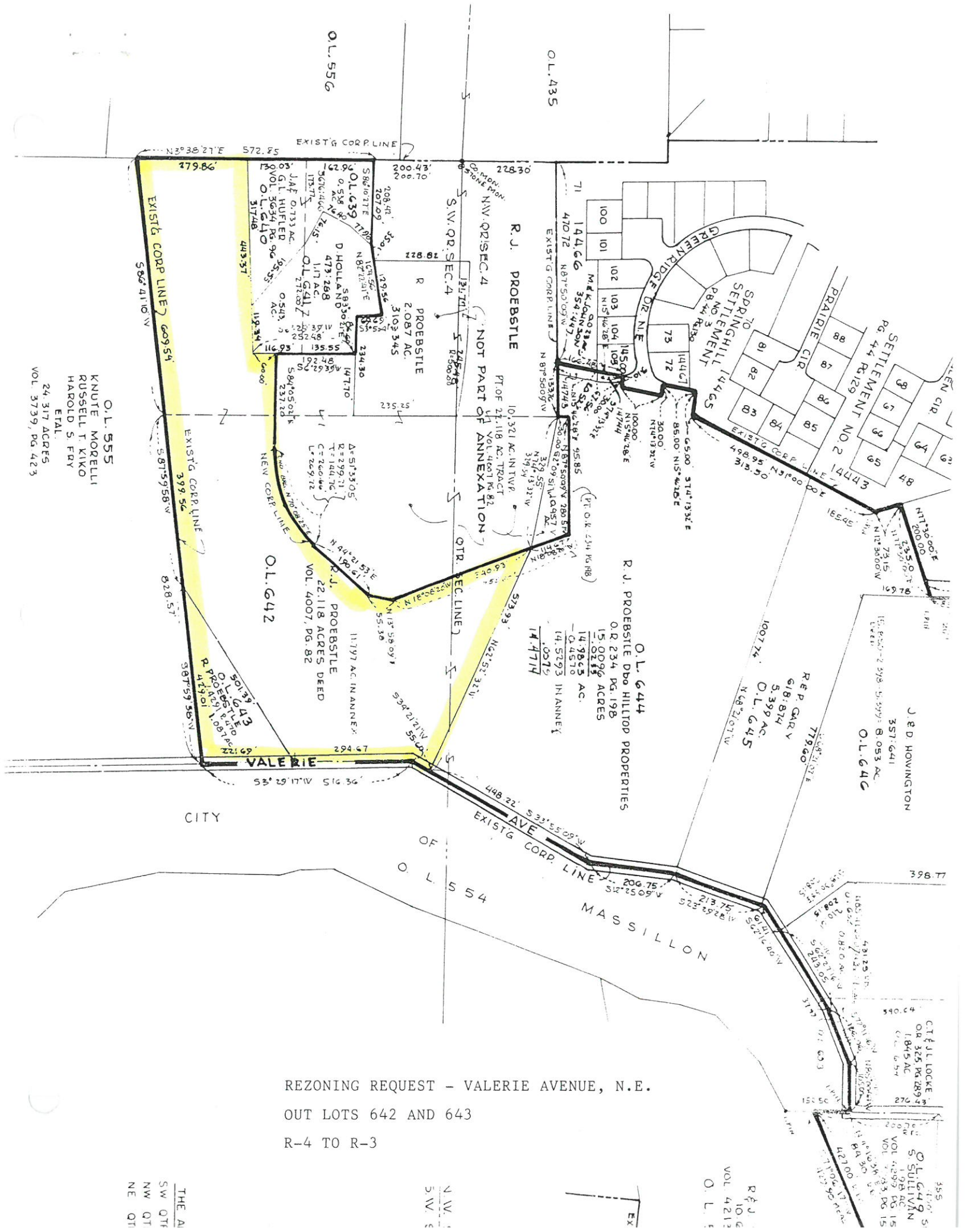
REZONING REQUEST - VALERIE AVENUE, N.E.  
 OUT LOTS 642 AND 643  
 R-4 TO R-3

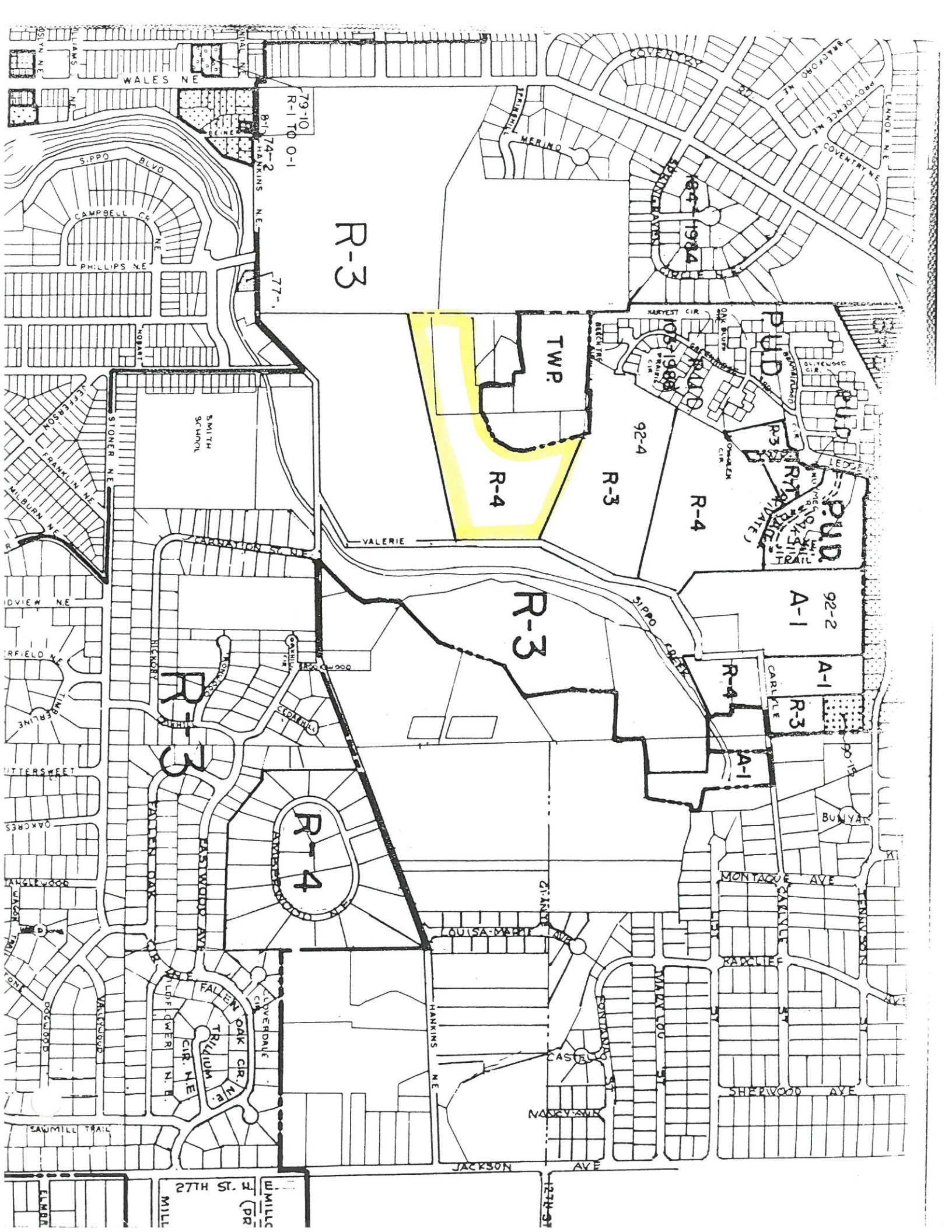
THE A  
 SW QTR  
 NW QTR  
 NE QTR

NW 1/4  
 SW 1/4

R.F.D.  
 10.6  
 VOL 4213  
 O.L. 1

355  
 O.L. 644  
 S. SULLIVAN  
 1845 AC  
 VOL 4213 PG 15  
 VOL 4213 PG 15



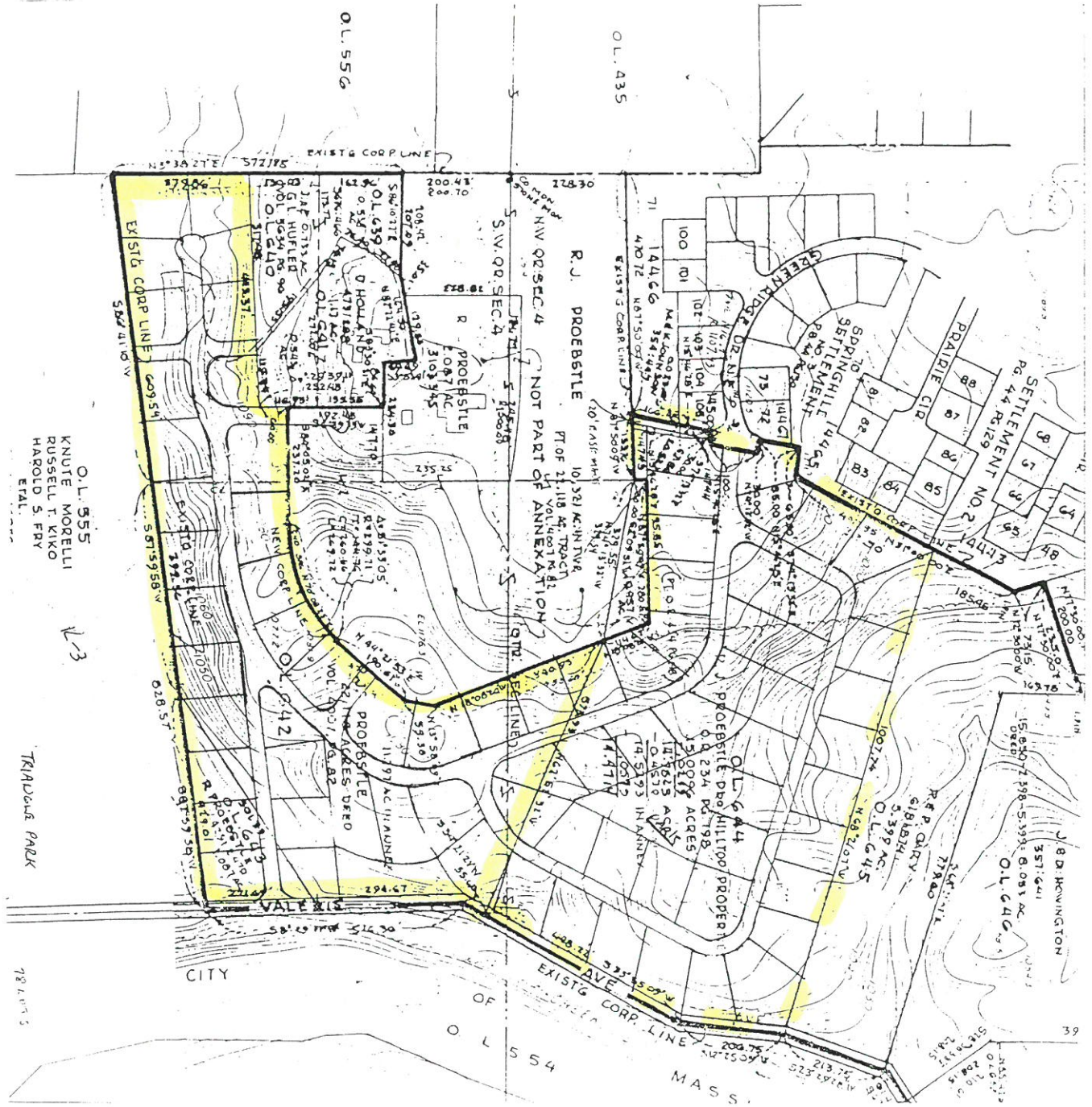


City of Massillon  
Planning Commission

Answer to Q. 7 of application:

After several discussions with the Mayor, city engineer, and several qualified realestate companies, the opinions are that Massillon needs R-3 zoning with quality mid-priced homes. R-4 zoning reduces the potential of the number of homes and therefore drives the cost of lots out of the moderate price range. R-3 will allow maximum use of the property and road access. R-3 will provide 35 homesites compared to approx. 16 if R-4 remains. R-3 will not change adjoining property owners status of single family homes but will provide neighbors with equal property values and access to city services. ALL ADJOINING PROPERTY IS ZONED R-3. Finally, it is not cost effective to develop the property with R-4 zoning and attain the mid-price range housing for Massillon.

*Richard P. Ricketts*



O.L. 555  
 KNUTE MORELLI  
 RUSSELL T. KIKO  
 HAROLD S. FRY  
 ETAL.

1-3

78.4.17.3