

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

1. Approval of the Minutes for the Commission Meetings of June 8, 1994.
2. Petitions and Requests

Rezoning Request - Legends of Massillon Municipal Golf Course

Location: Out Lots 558, 559, 561, and Parts of Out Lots 562 and 563, located on the north side of Nave Road, S.E. Presently zoned R-2 Single Family Residential, the request is rezone this property R-3 Single Family for the purpose of assisting the proposed residential development around the golf course. This request has been submitted by the City of Massillon.

Alley Vacation Request

Location: A 15 and 20 foot wide alley lying at James Avenue, N.W., and running in a north/south and east/west direction between 3rd Street, N.W., and S.R. 21; specifically, to vacate that portion from the north right-of-way line of James Avenue, N.W., northerly a distance of 220 feet, then easterly a distance of 108 feet to the southeast corner of Lot No. 2804. This request has been submitted by Joseph Berens.

Alley Vacation Request

Location: A 12 foot wide alley lying between 23rd Street, N.W., and 24th Street, N.W., and running in a north/south and east/west direction between Duane Avenue, N.W., and Lincoln Way, N.W.; specifically, to vacate that portion from the north right-of-way line of Duane Avenue, N.W., northerly a distance of 261.51 feet, then westerly a distance of 172 feet to the east right-of-way line of 24th Street, N.W. This request has been submitted by Reinhold Dominick.

Replat of Lot Nos. 9014, 9015, 9016, & Part of Out Lot 288

Location: 1405 and 1417 Lawn Avenue, S.W. The purpose of the request is to replat the above parcels into two separate lots. This request has been submitted by Frances Majcan.

Lot Split - Lot No. 1432

Location: The south side of South Avenue, S.E., between 3rd Street, S.E., and Ogle Place, S.E. The request is to split off the triplex located at 217 South Avenue, S.E., into a separate lot. This request has been submitted by Edgar and Jack Herring.

3. Other Business

The Massillon Planning Commission met in regular session on June 8, 1994, at 7:30 P.M., in Massillon City Council Chambers. The following were present:

Members

Chairman Fred Wilson
Rev. David Dodson
Michael Loudiana
Thomas Wilson
Wendell Edwards

Staff

Robert Wagoner, City Engineer
Aane Aaby, Planning Director
Marilyn Frazier, Clerk

The first item of business was the minutes of the May 11, 1994, meeting. There was a correction - concerning the first rezoning request.

Rezoning Request - 2617 Lincoln Way, N.W.

Location: Lot No. 8672, located on the south side of Lincoln Way, N.W., between 26th Street, N. W., and 27th Street, N.W. The request is to rezone this property from R-1 Single Family Residential to B-1 Local Business. The request has been submitted by Timothy J. Putman, Attorney at Law, on behalf of Tode Gorgievski, the property owner, who wishes to construct an office-type commercial building on this property.

The motion to approve the request was made by Mayor Cicchinelli and seconded by Wendell Edwards. It carried by a three (3) for and two (2) against vote, with Mayor Cicchinelli, Jim Johnson, and Wendell Edwards for and Fred Wilson and Jeannette Holloway opposed.

The minutes were approved with that one correction.

The next item of business was a Street Dedication - Raymond Court, N.E.

Location: The dedication of an extension to exisiting Raymond Court, N.E., establishing a 26-foot wide right-of-way located between Cherry Road, N.E., and Willard Avenue, N.E., and running in an east-west direction between Erie Street North and exisiting Raymond Court, N.E.

Mr. Wagoner made the presentation. He stated that the owner made a request for an easement but the City felt a dedication would be more appropriate since it is presently being used as a road. After a brief discussion, Rev. Dodson moved for approval, seconded by Thomas Wilson, motion carried 5 - 0.

The next two items were under Old Business. The first one was a Street Dedication.

Street Dedication - Veteran's Boulevard, S.E., and Augusta Drive, S.E.

Location: Veteran's Boulevard, S.E., is a proposed 60-foot right-of-way located on the north side of Nave Road, S.E., and will be the principal road into the proposed residential subdivision along the Legends of Massillon Municipal Golf Course. Augusta Drive, S.E., is a proposed 60-foot right-of-way that will be the roadway within this proposed subdivision. The portion of Augusta Drive, S.E., proposed for dedication at this time will extend westerly a distance of 525 feet from the northern end of Veteran's Boulevard, S.E. (This item which was approved by the Planning Commission at last month's meeting is being brought back for reconsideration to add the proposed dedication of August Drive, S.E.)

Mr. Wagoner presented the request. He commented that this dedication is needed for access to the golf course. Mr. Edwards inquired about why the entire road was not named Veteran's Boulevard. Mr. Wagoner replied it may later be renamed. Mr. Edwards moved for approval, seconded by Thomas Wilson, motion carried. 5 - 0.

The next item of business was the reconsideration of a rezoning request - Logan Area Annexation.

Reconsideration of Rezoning Request - Logan Area Annexation

Location: Out Lots 689, 690, 691, and 692 located on the south side of Nave Road, S.E., north of U.S. 30. These properties were recently annexed to the City from Perry Township. The City is requesting to rezone this area from Perry Township General Commercial zoning to B-3 General Business. (At last month's meeting, the Planning Commission recommended rezoning this area to I-1 Light Industrial.)

Mr. Aaby made the presentation. He explained that when this annexation was before the Commission, there was some confusion as to the zoning classification of Perry Township. After further investigation, it has been determined by the staff that B-3 General Business is comparable to Perry Township's General Commercial rather than I-1 Light Industrial.

However, Mr. Aaby also stated that Jehovah's Witnesses, which owns Out Lot 592, wishes to construct a church facility on this property. Such a use required residential zoning according to the City zoning code. In addition, Logan Rentals, which owns Out Lots 689, 690, and 691, wishes to construct and operate a storage business on these properties. Such a use would have been permitted in the Perry Township general commercial district, but would require I-1 Light Industrial zoning according to the City zoning code. For these reasons, Thomas Wilson moved to recommend R-1 Single Family for Out Lot 692, and I-1 Light Industrial for Out Lots 689, 690, and 691. Mike Loudiana seconded the motion which was carried 5 - 0.

The next item under New Business was Proposed Amendment to City Zoning Code - Solid Waste Composting Facilities.

Proposed Amendment to City Zoning Code - Solid Waste Composting Facilities

The City is proposing an amendment to its Zoning Code to regulate the siting of solid waste composting facilities. The amendment would permit Class III and IV solid waste composting facilities within I-1 Light Industrial areas, and would permit Class I and II solid waste composting facilities within I-2 General Industrial areas.

Mr. Aaby made the presentation. He explained the regulations regarding landfills has changed and now it is unlawful for landfills to accept yard waste. Mr. Aaby reviewed the section of the law regarding composting facilities.

He explained that Class IV solid waste composting facilities are defined in the Ohio Administrative Code as facilities that accept only source-separated yard waste. As such, this would be the only type of composting permitted in an I-1 light industrial district; in addition, such uses would also be subject to review and approval by the Planning Commission. Class I, II, and III solid waste composting facilities allow both source-separated yard waste and animal wastes, and for this reason, such uses would be restricted to I-2 general industrial districts.

Planning Commission - May 8, 1994

The City has been meeting with Martin Pallet and industries from Finefrock Industrial Park in anticipation of providing this service. After a lengthy discussion by the members, Mr. Loudiana cited some examples of the way composting is handled in other cities.

Mr. Edwards recommended approval of the following amendment to the zoning code.

1. An amendment to Section 1169.03 "Principal Uses Permitted Subject to Special Conditions" (in an I-1 Light Industrial District):

Adding a new paragraph (g) Class IV solid waste composting facilities.

2. An amendment to Section 1171.02 "Principal Uses Permitted" (in an I-2 General Industrial District):

Adding a new paragraph (g) Class I, II, and III solid waste composting facilities. (Existing paragraph (g) would become paragraph (h) under the proposed amendment).

Class IV solid Waste composting facilities are defined in the Ohio Administrative Code as facilities that accept only source-separated yard waste. As such, this would be the only type of composting permitted in an I-1 light industrial district; in addition, such uses would also be subject to review and approval by the Planning Commission. Class I, II, and III solid waste composting facilities allow both source-separated yard waste and animal wastes, and for this reason, such uses would be restricted to I-2 General Industrial districts.

The motion was seconded by Rev. Dodson, and carried 5 - 0.

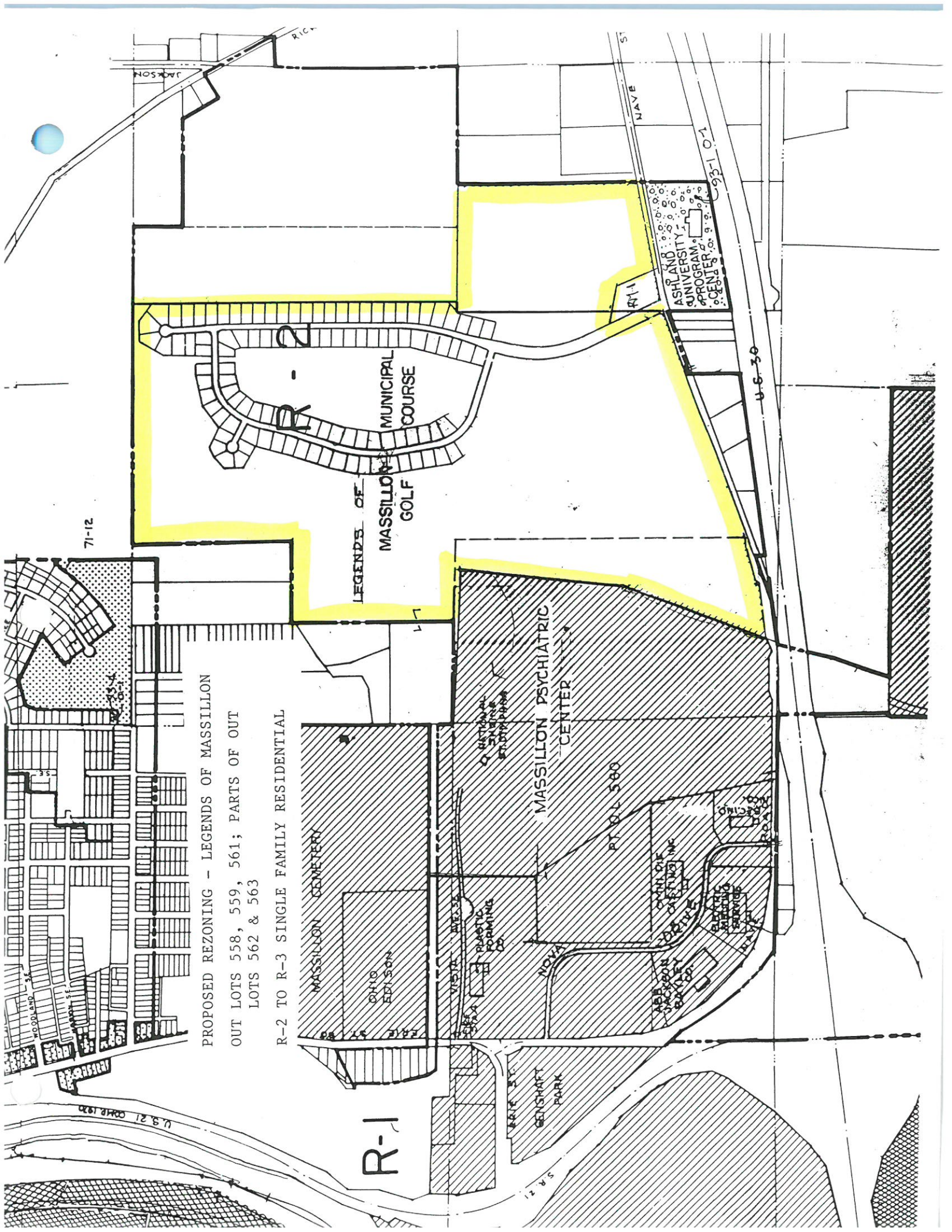
Mr. Wilson then asked about the regulations of day care facilities and how the zoning code addressed that issue. After a brief discussion, it was decided that the staff would investigate and report back to the Commission.

There being no further business, the meeting adjourned at 8:25 P.M.

Respectfully submitted,


Marilyn E. Frazier - Clerk

MEF/ky



71-12

PROPOSED REZONING - LEGENDS OF MASSILLON

OUT LOTS 558, 559, 561; PARTS OF OUT
LOTS 562 & 563

R-2 TO R-3 SINGLE FAMILY RESIDENTIAL

R-1

LEGENDS OF
MASSILLON
GOLF COURSE

MASSILLON CEMETERY

CHING
EDISON

PLASTIC
FORMING
CO

MASSILLON PSYCHIATRIC
CENTER

NOVA

PT. O. L. 500

ASHLAND
UNIVERSITY
PROGRAM
CENTER

MASSILLON
PSYCHIATRIC
CENTER

MASSILLON
PSYCHIATRIC
CENTER

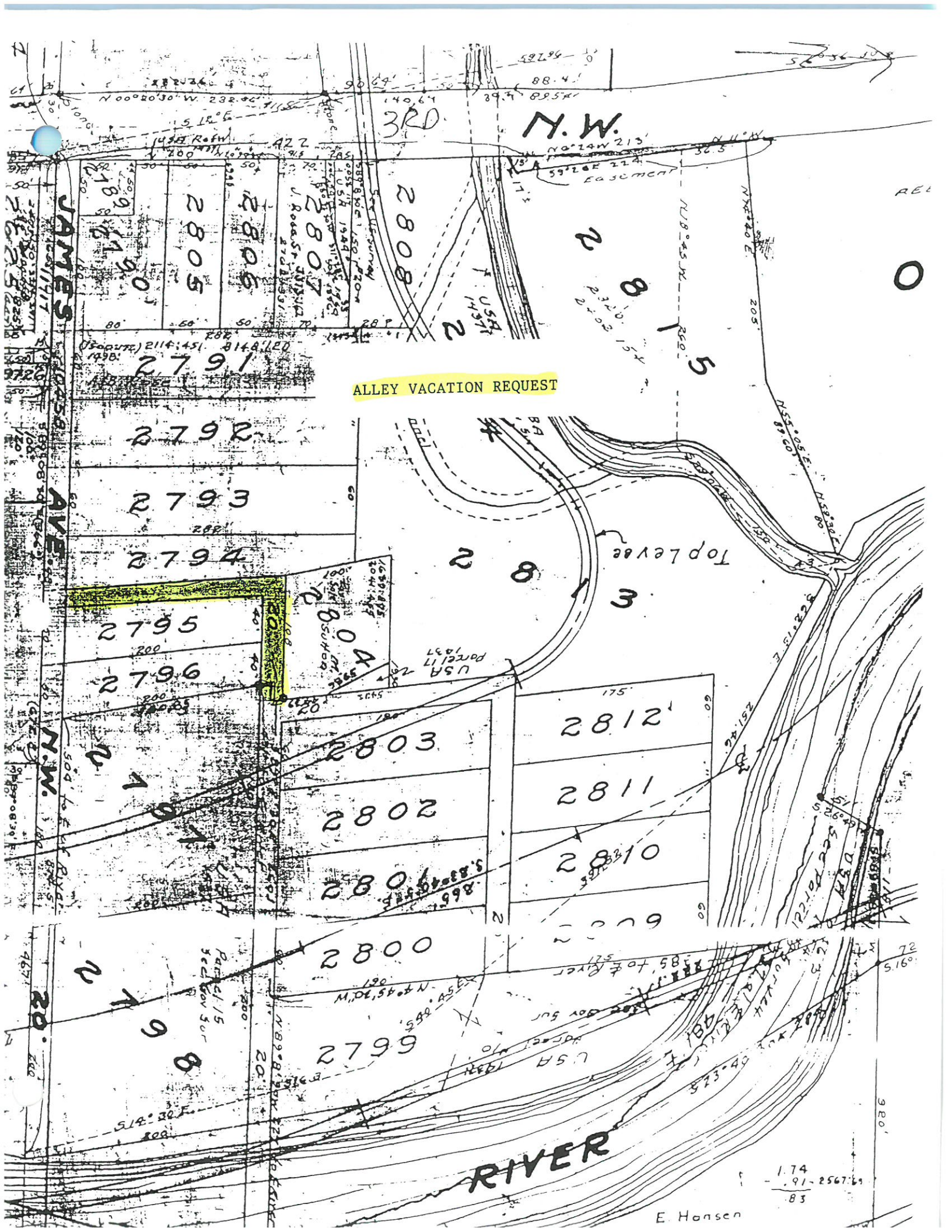
GENSHART
PARK

NAVE
ST

93-1 0-1

U.S. 30

U.S. 21 COR. 1920



ALLEY VACATION REQUEST

RIVER

E. Hansen

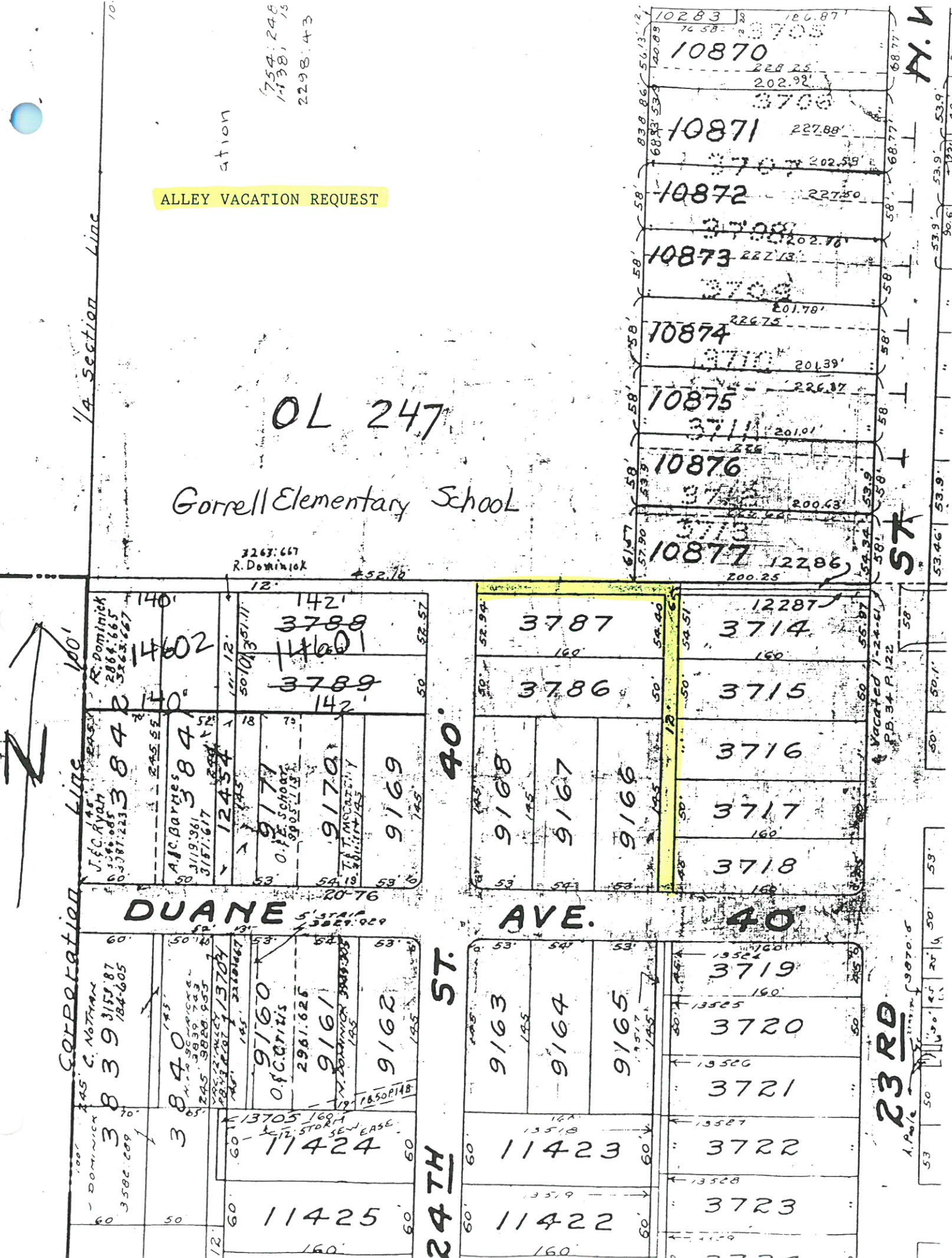
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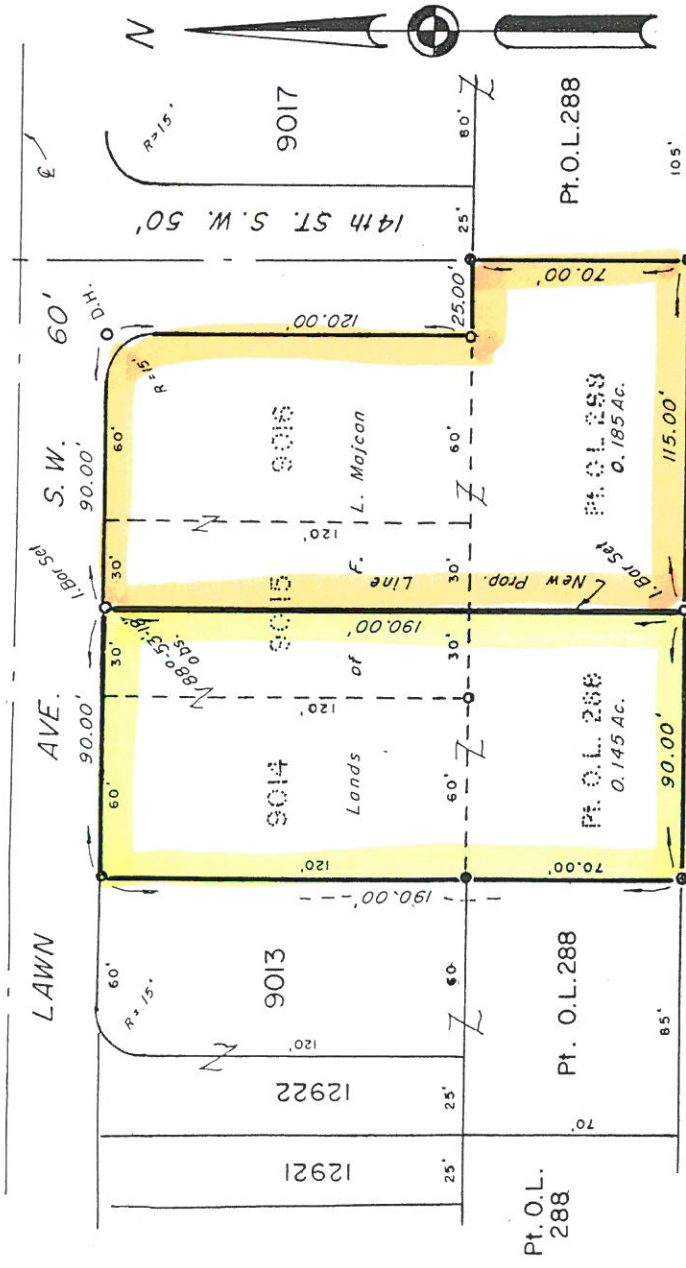
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ALLEY VACATION REQUEST

OL 247

Gorrell Elementary School





Ref Used: Landnote Addition No. 2 Plat Book 19, Pg. 74 - 75
 Beeds: 3262, Pg 540
 3480, Pg 438

Wagoner Survey - Pts. of O.L. 288, Sept. 1967.
 Tax Map # 61 Massillon

Denotes: Lot Lines ---
 o Brass Rod in Conc. Fnd.
 • I. Pin Fnd.

STARK COUNTY RECORDER

Received for record this _____ day of _____, 19____, Page _____, this _____ day of _____, 19____.

STARK COUNTY AUDITOR

Enter for transfer this _____ day of _____, 19____.

Miss Frances Majean
1417 Lawn Ave SW

Copy 14
for recording

CERTIFICATION

I hereby certify the adjacent plat to be correct, as surveyed by me this 10th day of June, 1994.

Orville R. DeBos, Jr.
 Reg. Surveyor # 5823

PLANNING COMMISSION

Approved by the Massillon Planning Commission at a meeting held _____, 19____.

CITY COUNCIL

Accepted by the City Council of Massillon, Ohio, by ord. no. _____, passed this _____ day of _____, 19____.

COUNCIL ACCEPTANCE NOT NECESSARY NO STREET DEDICATION HEREON Per Section 1107.3 (b), (5), Codified Ord. Massillon, Ohio
 CLERK
 MASSILLON CITY ENGINEER

Lot Numbers _____ assigned by Massillon City Engineer

ACKNOWLEDGEMENT

Know all men by these present, that we the undersigned owners of the land delineated hereon, do hereby acknowledge the signing of the same to be our free act and deed, and do hereby replat our land.

WITNESS

OWNERS

COUNTY OF STARK

STATE OF OHIO ss.

Before me a Notary Public, in and for said county, did personally appear, the above, who acknowledge the signing of the same to be our free act and deed according to law.

In witness whereof, I hereunto set my hand and seal this _____ day of _____, 19____.

My commission expires _____, 19____.

Notary Public

REPLAT of LOT NUMBERS 9014, 9015, 9016, & Part of Lot 288.

In the City of Massillon, County of Stark, State of Ohio.

SCALE: 1" = 50'



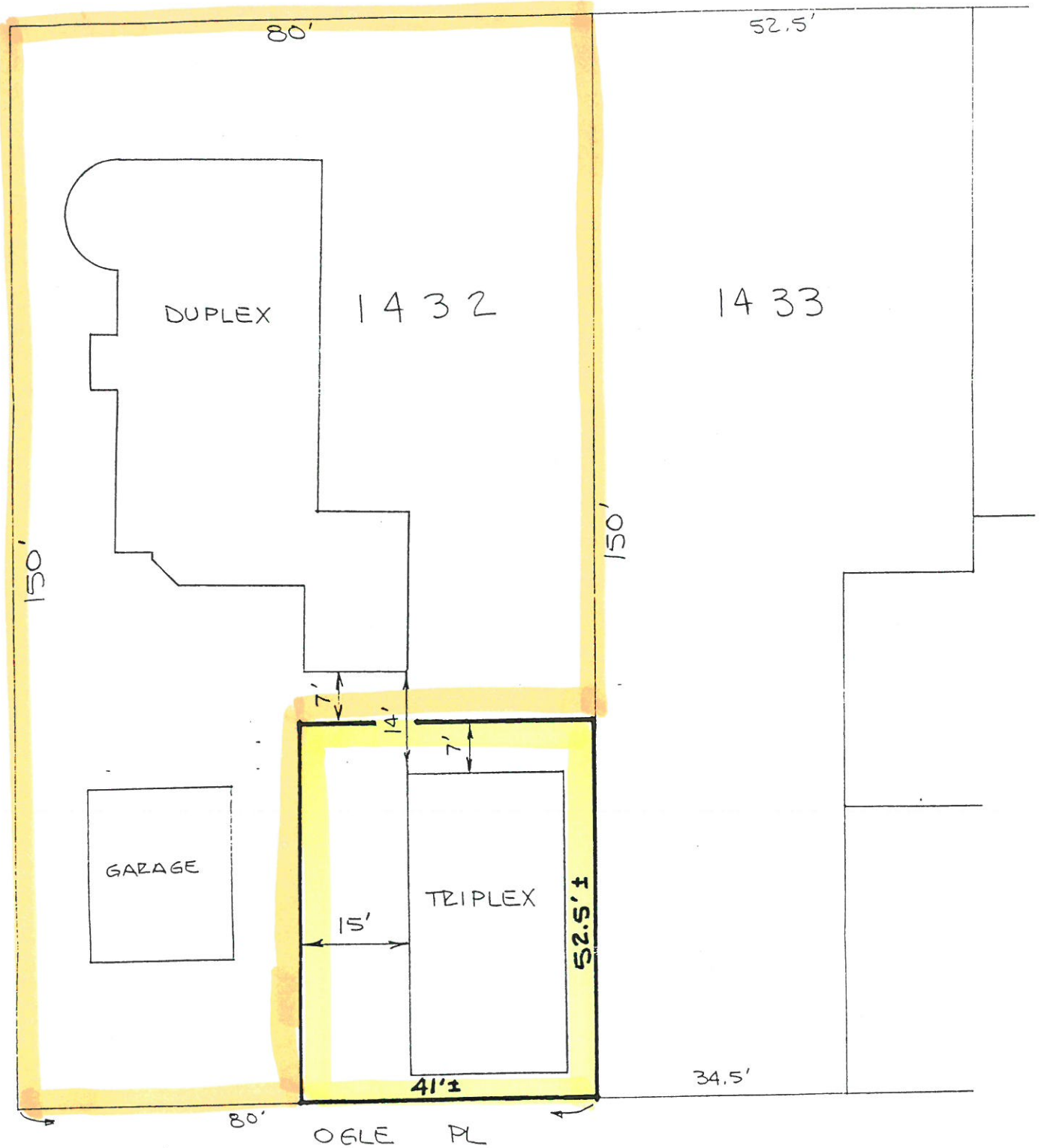
FOR: MAJCAN

SD

ACC. No.

3rd ST. S.E.

SOUTH AVE S.E.



PROPOSED LOT SPLIT
MASSILLON CITY LOT 1432

7-1-94

1" = 20'