

AGENDA
MASSILLON PLANNING COMMISSION
DECEMBER 14, 1994 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission Meeting of November 9, 1994.
2. Petitions and Requests

Rezoning Request - Campbell Oil Co.

Location: 652 Erie Street South, consisting of Out Lot 44 and Lot Nos. 4270 and 4271, presently zoned I-1 Light Industrial, to be rezoned I-2 General Industrial. This request has been submitted by Campbell Oil Co. who wish to utilize the property for a lubricant and truck storage facility.

Dedication Plat - Sherman Circle, N.E.

Location: The south side of Hills & Dales Road west of Brighton Circle. The request is to dedicate a new right-of-way to provide access to the Massillon Nursing and Rehabilitation Center now under construction.

Request for Special Use - GTE Mobilnet Tower

Location: Stadium Park, located on the northeast corner of 16th Street, S.E., and Oak Avenue, S.E. GTE Mobilnet is seeking approval to construct a 185 foot monopole tower at this location to improve the company's wireless service in the Massillon community. Commercial transmission towers are subject to the provisions of Section 1187.01 of the City Zoning Code, including review and recommendation by the Planning Commission, and approval by City Council. Representatives from GTE Mobilnet wish to meet with the Commission at this time to make a general informational presentation concerning the proposed project.

3. Other Business

The Massillon Planning Commission met on November 9, 1994, at 7:30 P. M.
The following were present:

MEMBERS

Chairman Fred Wilson
Rev. David Dodson
Michael Loudiana
Wendell Edwards
Thomas Wilson
Mayor Francis H. Cicchinelli, Jr.

Staff

Robert Wagoner
Aane Aaby
Marilyn Frazier
Also present,
Stephen Paquelet,
6th Ward Councilman

The first item of business on the agenda was the minutes of the October 12, 1994, meeting. Michael Loudiana moved for approval, seconded by Mayor Cicchinelli, motion carried.

The next item was under Petitions and Requests.

Request for Special Use - GTE Mobilnet Tower

Location: Kiwanis Park, located on the northwest corner of 16th Street, S.E., and Oak Avenue, S.E. GTE Mobilnet is seeking approval to construct a 185 foot monopole tower at this location to improve the company's wireless service in the Massillon community. Commercial transmission towers are subject to the provisions of Section 1187.01 of the City Zoning Code, including review and recommendation by the Planning Commission, and approval by City Council.

Aane Aaby reported that representatives from GTE Mobilnet had met with City representatives and decided to wait until the plans were more concrete before bringing this to the Commission.

The next item was a request for variance from Subdivision Regulations.

Request for Variance from Subdivision Regulations - Castle West Estates

Location: 1020 and 1106 - 32nd Street, N.W. The owners of these two properties (Lots No. 14736 and 14741 respectively) are requesting a variance from Section 1111.09 of the City Subdivision Regulations requiring construction of sidewalks in residential areas within one-quarter mile of schools and parks. In accordance with Section 1113.07 of the City Subdivision Regulations, the City Planning Commission may grant variances to these regulations in situations where there are unusual or exceptional circumstances. This request has been submitted by Richard and Kim Himmel and by Robert and Sandra Eberhart.

The request was presented by Robert Wagoner and Aane Aaby. Mr. Wagoner commented that these particular properties are not very close to the school. Mr. Aaby added that when the subdivision was planned, all of the property was under one ownership. The present owners do not want the sidewalks. They are also opposed to the widening of the street because it will decrease their yards. Mr. Aaby added further that he had contacted the Law Director who said the City would not incur any expense associated with the waiver especially since the work is under contract. There are no sidewalks on 32nd Street. These properties are a part of Castle West, but since they face 32nd Street, they do not appear to be a part of the subdivision.

Mayor Cicchinelli commented that when this allotment was laid out, the thinking was for the safety of the children.

Mrs. Eberhart commented that the sidewalks serve no purpose and the children in the area ride the bus. Kim Himmel was present and said she was not aware sidewalks were necessary, nor about the street widening. Mr. Aaby referred to the minutes of the Planning Commission of January 1991, when Mrs. Himmel was representing the developer and this information was mentioned. Stephen Paquelet added that this will not present a problem for the children in the area. Also since all properties in this area do not have sidewalks, he does not think it will be a problem.

Mr. Edwards commented that he is disturbed by the fact that there is an ordinance on the books and we can choose not to enforce it. Mr. Wilson added that he feels sidewalks are needed. After further discussion by the Commission, Mayor Cicchinelli moved to add to the request a variance to the subdivision standards for street width and moved for approval of the amended request, seconded by Rev. Dodson, motion carried.

The next item was a rezoning request.

Rezoning Request

Location: 2299 - 17th Street, S.W., Lots No. 13970 and 13971; presently zoned R-1 Single Family Residential, to be rezoned O-1 Office. This request has been submitted by James and Karen Lane who wish to operate a beauty shop at this location.

This request was presented by Aane Aaby. The Lanes wish to operate a beauty shop on part of their property. They have more than a majority of the signatures. Mr. Wilson commented that this was spot zoning. Mr. Aaby commented that he is recommending office zoning because if they moved the future use would be limited and not detrimental to the neighborhood. He also added that there is adequate space for parking. Rev. Dodson then moved to recommend approval, seconded by Thomas Wilson, motion carried.

Aane Aaby then requested that the Commission add a Rezoning Request to the Agenda for Hills and Dales Road Nursing Home to correct an oversight from an earlier rezoning. Mayor Cicchinelli moved to add the item, seconded by Michael Loudiana, motion carried.

Mr. Aaby explained the following:

Back on March 7, 1994, City Council passed Ordinance No. 225-1993 rezoning Out Lot 686 from R-3 Single Family Residential to O-1 Office. This property was part of the Aaronwood Annexation and is located on the south side of Hills & Dales Road. The zoning was requested to permit the construction of a nursing home on this property. However, through an oversight, one of the lot numbers comprising this parcel was omitted from the rezoning request. The entire 18.23 acre parcel is comprised of not only Out Lot 686, but also Out Lot 688, which is a small 0.866 acre parcel at the southern end of the site. Out Lot 688 was not included in the rezoning legislation.

The site plan for development of the nursing home indicates that no portion of the building will be constructed on Out Lot 688. The City has already issued a building permit for this project and construction will soon begin. However, the developers wish that their entire parcel have the same zoning and the Law Director has stated that the City will have to go through the process to rezone Out Lot 688 to O-1 Office. Tom Wilson moved for approval, seconded by Rev. Dodson, motion carried.

Mr. Aaby then reported that he had received a response from the Law Director regarding the construction of a street in the Colonial Hills area. The letter states:

"It is my legal opinion that the property owner is the person or entity that must submit a dedication plat. In this case, Mr. Conant does not own the property that the street is to be constructed over. The city cannot accept the dedication plat without the owner's approval or consent".

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

Respectfully submitted,

Approval


Marilyn E. Frazier

MEF/ky

WETMORE AVE. S.E.

MASSILLON WASHED GRAVEL

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O. L. 44

O. L. 45

O. L. 46

O. L. 47

O. L. 48

RD. WAGNET S.E.

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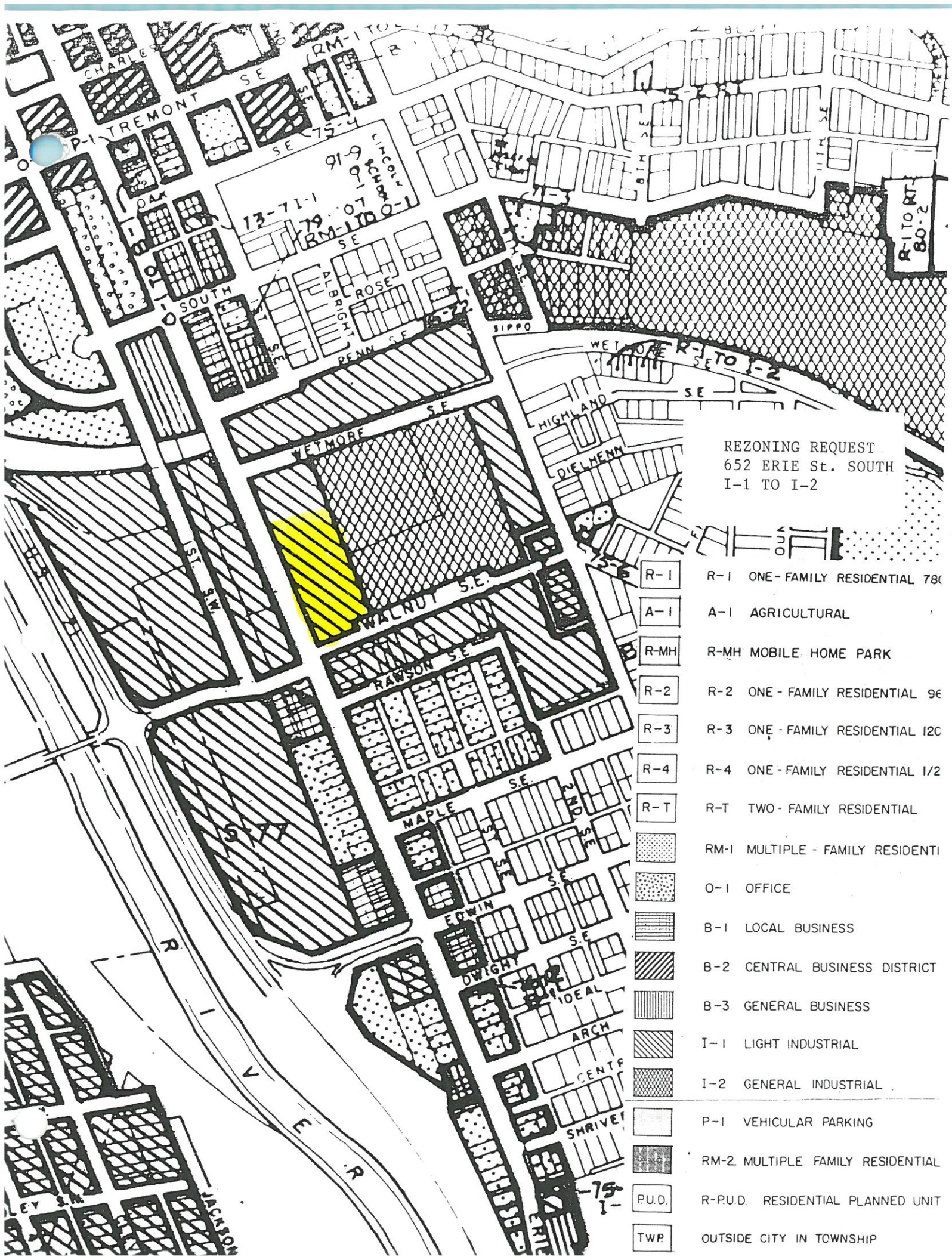
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- R-1 ONE - FAMILY RESIDENTIAL 780
- A-1 AGRICULTURAL
- R-MH MOBILE HOME PARK
- R-2 ONE - FAMILY RESIDENTIAL 96
- R-3 ONE - FAMILY RESIDENTIAL 120
- R-4 ONE - FAMILY RESIDENTIAL 1/2
- R-T TWO - FAMILY RESIDENTIAL
- RM-1 MULTIPLE - FAMILY RESIDENTIAL
- O-1 OFFICE
- B-1 LOCAL BUSINESS
- B-2 CENTRAL BUSINESS DISTRICT
- B-3 GENERAL BUSINESS
- I-1 LIGHT INDUSTRIAL
- I-2 GENERAL INDUSTRIAL
- P-1 VEHICULAR PARKING
- RM-2 MULTIPLE FAMILY RESIDENTIAL
- P.U.D. RESIDENTIAL PLANNED UNIT
- TWP. OUTSIDE CITY IN TOWNSHIP



Campbell Oil Company

The Campbell Oil Company, a long time established and supportive business in the community, has exhausted its current operating space at 611 S. Erie. With the increased lubricant business secured over the past few years it is necessary to increase the size of our facility. A new facility will allow for additional much needed bulk lubricant storage.

With the property at 625 S. Erie being located directly across from our existing facility, this is the most logical location for this type expansion. This change would merely supplement activity already existing. The adjacent property to the east consisting of approximately 15 acres is zoned general industrial.

We operate our facilities in such a way that the area will actually benefit over what has existed at this location in the past. We pride ourselves in the maintenance of our facilities and in the clean and safe manner in which we perform our business. Naturally, all construction will conform with existing fire and building codes.

Due to growth in our business, 20% of our employees were newly hired in 1994. This expansion is necessary to continue this type of growth.

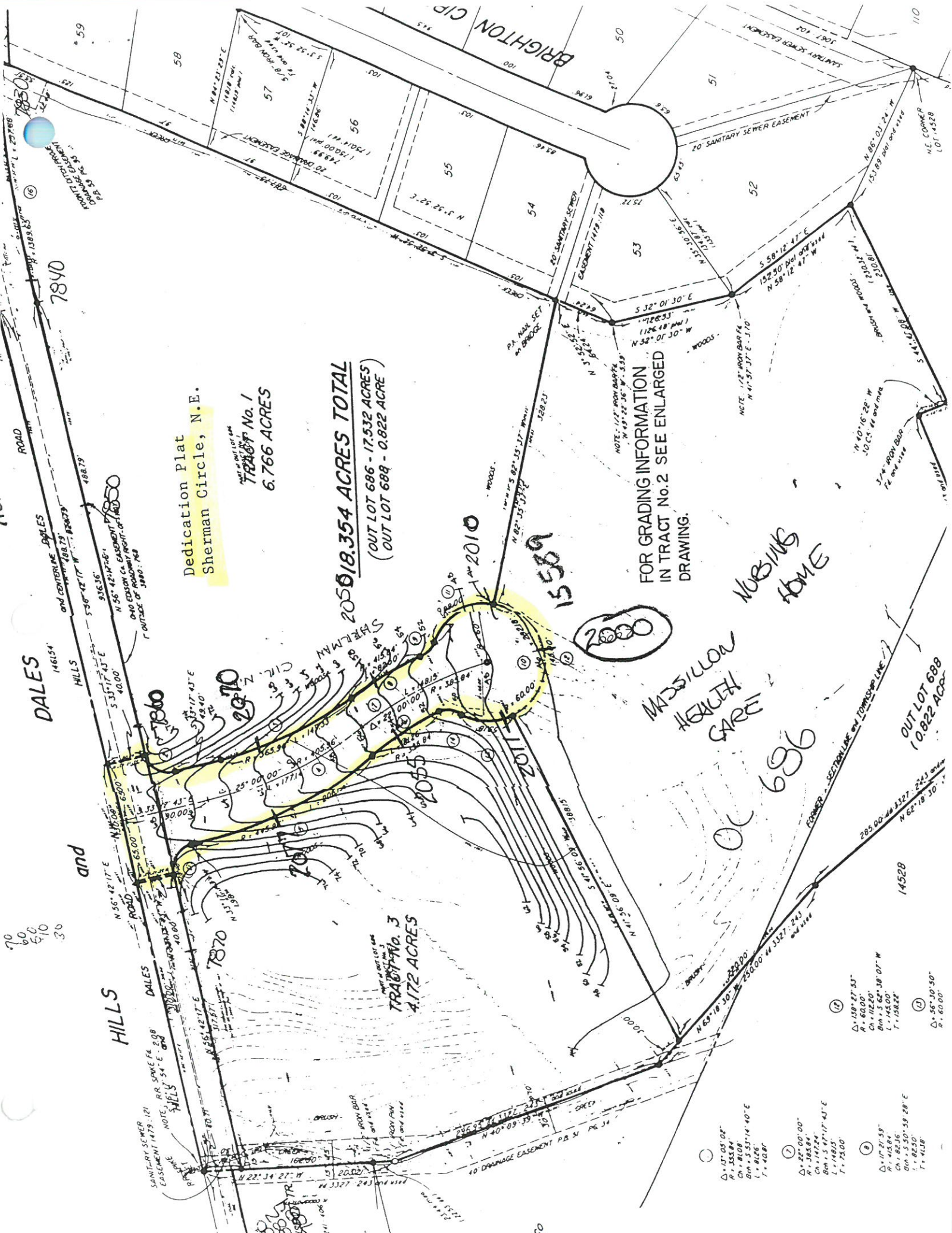
It is our hope to maintain a viable business with a strong future in the City of Massillon.



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



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DALES

and

HILLS

Dedication Plat
Sherman Circle, N.E.

TRACT No. 1
6.766 ACRES

TRACT No. 2
17.532 ACRES
(OUT LOT 686 - 0.822 ACRES)

TRACT No. 3
4.172 ACRES

FOR GRADING INFORMATION
IN TRACT No. 2 SEE ENLARGED
DRAWING.

MILLION
HEATH
GARDEN

OUT LOT 688
0.822 ACRES

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L = 812.6'
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R = 165.84'
Ch = 147.84'
Bm = 5 47' 17" 43° E
L = 148.5'
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R = 415.84'
Ch = 822.36'
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