

AGENDA
MASSILLON PLANNING COMMISSION
APRIL 12, 1995 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission Meeting of March 8, 1995.
2. Petitions and Requests

Rezoning Request

Location: 2109-2119 Lincoln Way East and 125 22nd Street, S.E., Lots No. 4328, 4329, 4330, and 4331, presently zoned RM-1 Multiple Family Residential, to be rezoned B-1 Local Business. This request has been submitted by Carl Oser, representing property owners Carla Oser and Donald Fox, who wish to utilize this property for commercial development.

Proposed Subdivision of Land

Location: Out Lot 245, a 1.76 acre parcel of land located on the south side of Lincoln Way, N.W., between 26th Street and 27th Street, N.W. The property is approximately 108 feet wide and 712 feet deep. The northern portion of this property is zoned B-1 Local Business, with the balance zoned R-1 Single Family Residential. Carl Oser, the property owner, is proposing to subdivide this parcel into 7 lots as follows: 1 lot fronting on Lincoln Way, N.W., zoned B-1 Local Business, and 6 R-1 Single Family Residential lots. A 22 foot wide private street or easement is also being proposed to provide these residential lots with access to Lincoln Way, N.W. A sketch plan has been prepared by Mr. Oser for review by the Planning Commission, in accordance with Section 1107.01 of the City Subdivision Regulations in advance of preparation of a formal plat.

Preliminary Plat - Legend Hill Estates

Location: Out Lot 557, a 109 acre parcel of land located between the Legends of Massillon Golf Course and Richville Drive, S.E. The proposed preliminary plat would subdivide this property into 222 lots zoned R-2 Single Family Residential. This plat has been prepared by Cooper & Associates, on behalf of the owner, James Jeffries.

Request for an Oil & Gas Well Drilling Permit

Location: Out Lot 57, located on the north side of Walnut Road, S.E., between Young Street, S.E., and 14th Street, S.E. This request has been submitted by MB Operating Co. The property owner is Patricia Giltz.

3. Other Business

The Massillon Planning Commission met in regular session on March 8, 1995, in Massillon City Council Chambers. The following were present:

MEMBERS

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

STAFF

Robert Wagoner
Aane Aaby
Marilyn Frazier

The first item of business was the minutes of the February 8, 1995, meeting. The minutes were approved as prepared.

The next item was a rezoning request.

Rezoning Request

Location: 2640 Lincoln Way West, Lot No. 14606, presently zoned B-1 Local Business, to be rezoned General Business. This request has been submitted by Louis Brio, a representative of Stark Management, Inc., the property owner, who wishes to operate a self-service car wash at this location.

Aane Aaby made the presentation. This property is on the north side of 26th Street, and presently has a building on it. There are a number of businesses in the area. Nine of the fourteen property owners have signed the petition. Mr. Brio was present and commented that this building was previously the Pizza Palace and would be demolished. He plans to have a four bay self-service car wash. He circulated a photograph of what he is planning to construct and the way it will be situated on the site. Mayor Cicchinelli moved for approval, Rev. Dodson seconded, motion carried.

The next item was also a rezoning request.

Rezoning Request

Location: 909 Lincoln Way East, Lot No. 1469, presently zoned B-1 Local Business, to be rezoned B-3 General Business. This request has been submitted by Jay Walker, who has a contingent purchase agreement for this property, and who wishes to operate an automobile dealership and auto appearance center at this location.

Mr. Aaby also presented this request. He commented that the property in question is Goodnight's Sunoco Station. Presently in the area are Sherwin Williams, an auto sales business, and Stark Metropolitan Housing Authority's Senior Housing complex. A similar type of request had been approved by the Planning Commission for this site but it was withdrawn prior to the public hearing. Sixteen of the twenty-four property owners signed the petition. Mr. Walker was present and commented that his plans are for a wholesale type of business. He will renovate the building to be very presentable and improve the neighborhood. Dale Walterhouse, 809 -16th Street, N.E., Third Ward Councilman, added that he had held a meeting with the Wellman Association officers and residents and Mr. Walker explained his plans. The residents have no objections to the proposal. Mayor Cicchinelli moved for approval, seconded by Rev. Dodson, motion carried 4 - 1.

The next item was a plat.

Replat of Part of Out Lot 150 and Part of Lot No. 10066

Location: A 1.2 acre vacant parcel of land located on the north side of Beckman Avenue, S.E., between 11th Street, S.E., and Johnson Street, S.E. The request is replat this property into six (6) lots zoned R-1 Single Family Residential. This plat has been prepared by Robert F. Wagoner, City Engineer, on behalf of the owner, Habitat for Humanity of Massillon.

Robert Wagoner presented the request. After a brief discussion, Michael Loudiana moved for approval, seconded by the Mayor, motion carried.

The final item for the evening was a request for variance.

Request for Variance from Subdivision Regulations

Location: Sherman Circle, N.E., a proposed new street to be constructed on the south side of Hills and Dales Road, west of Brighton Circle. This road is being constructed to provide access to the Massillon Nursing and Rehabilitation Center, also currently under construction. The request is to construct Sherman Circle, N.E., with a 26-foot wide pavement, rather than a 30-foot pavement width as required in the City subdivision regulations. Section 1113.07 of the City subdivision regulations gives the Planning Commission the authority to grant variances to these regulations in cases where strict compliance would create an extraordinary hardship and where granting such a modification would not be detrimental to the public interest. This request has been submitted by Alfred Berthold, Vice President of NBBJ, the nursing home designer and architect.

Aane Aaby presented the request. A couple months ago, the Planning Commission reviewed a dedication plat for the street. When the plans were brought in, they contained a 26-foot street as opposed to 30-foot as required. Alfred Berthold was present. He stated that he has been working with the developer for three years. It is the intention of the developer to provide a continuum of care:

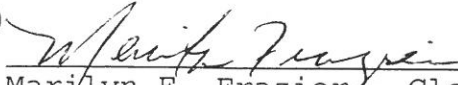
1. Assisted Living
2. Medical Office
3. Independent Living

There was a lengthy discussion about potential traffic problems in this heavily traveled area. It was decided that the developer is to sit down with the City Representatives, Mayor Cicchinelli, Engineer Robert Wagoner, and Planning and Community Development Director, Aane Aaby, in the near future to work on widening the approach at Hills and Dales and Sherman. Mayor Cicchinelli moved for approval, seconded by Michael Loudiana, motion carried.

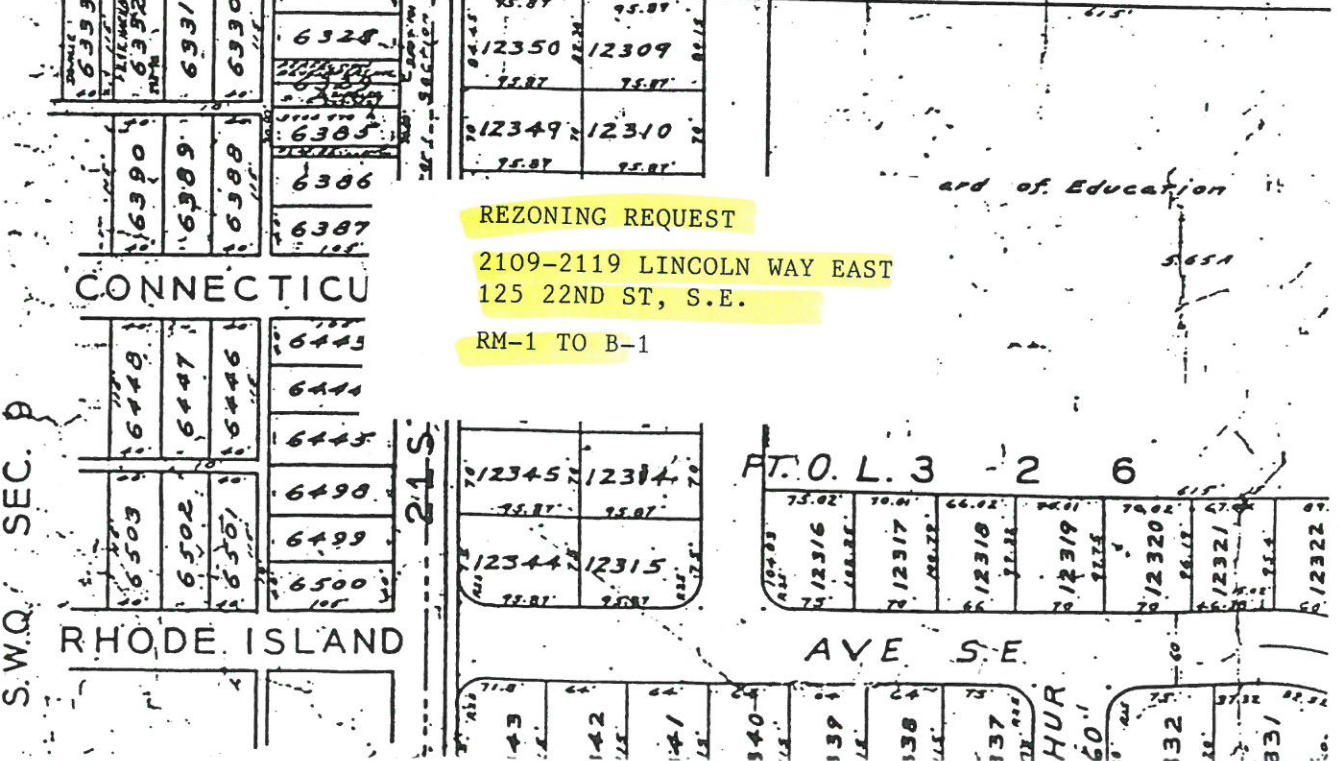
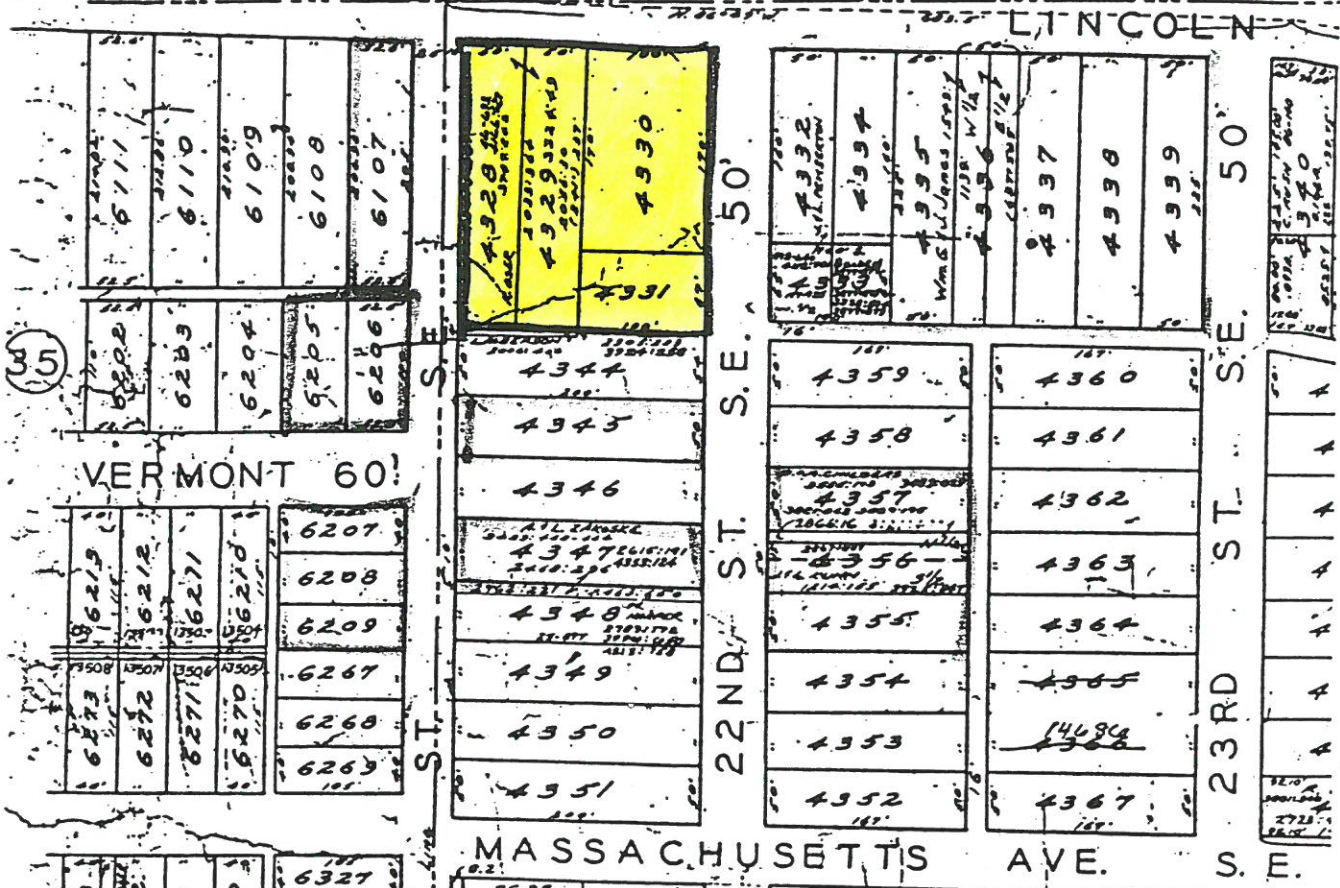
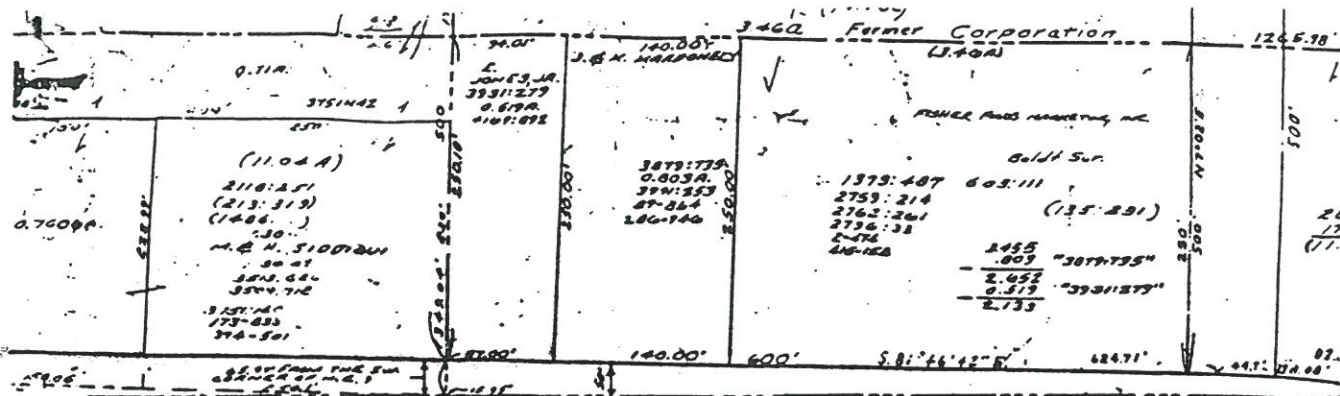
There being no further business, the meeting adjourned at 8:25 P.M.

Respectfully submitted,

Approval:


Marilyn E. Frazier - Clerk

MEF/ky



REZONING REQUEST

2109-2119 LINCOLN WAY EAST
125 22ND ST, S.E.

RM-1 TO B-1

B-3

LINCOLN WAY EAST

R-1

RM-1

RM-1 TO

B-1

RM-1

R-1

VERMONT SE

R-1

21ST ST SE

R-1

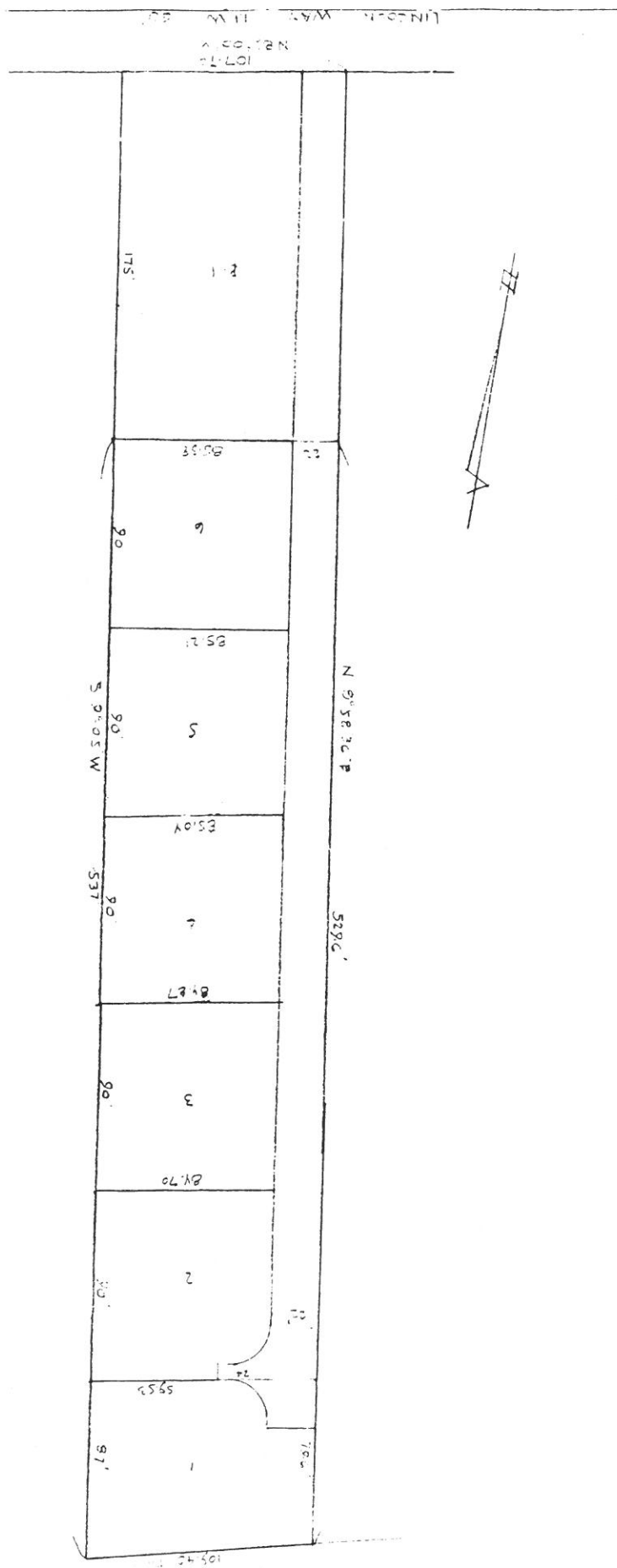
22ND ST SE

R-1

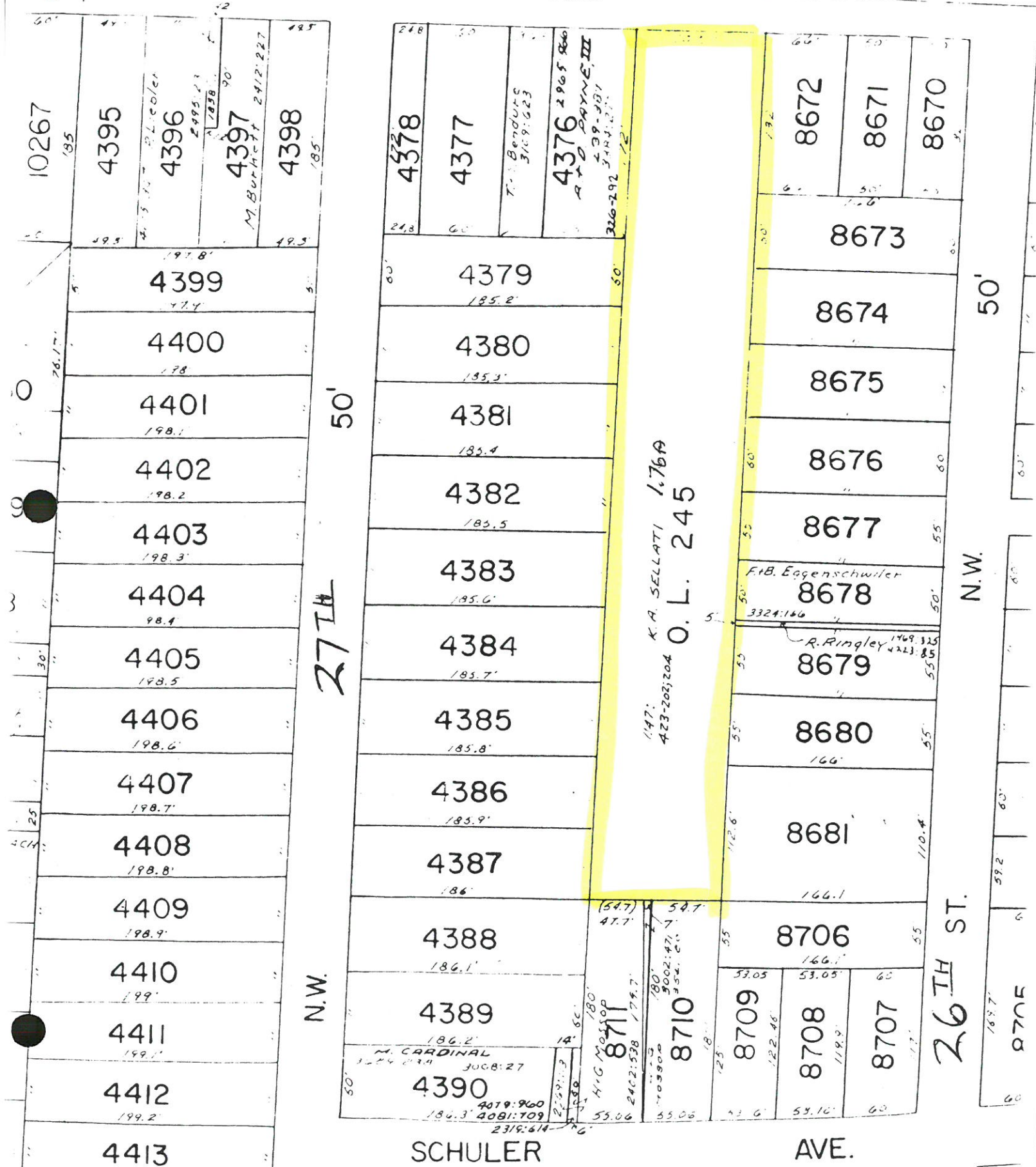
EXISTING ZONING
MAP

SCALE 1"=50'
CARL OSEB
OUT 245

PROPOSED SUBDIVISION
OUT LOT 245



N.W.





MB OPERATING CO., INC.

104 SIXTH STREET S.W.
CANTON, OHIO 44702

Fax (216) 456-4256

Telephone (216) 456-2454

April 5, 1995

**City of Massillon
City Hall
Massillon, OH 44646**

To Whom It May Concern:

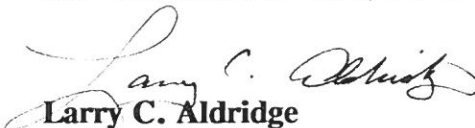
Please consider this letter and the enclosed information as our formal request for a permit to drill an oil and gas well within the corporate boundary of the City of Massillon.

To date we have obtained all necessary leases with the exception of a 4.44 acre lease from Conrail. Enclosed you will find correspondence from them which states their intent to grant our company a lease on the portion of right of way that we are interested in. As soon as we obtain said document, we will of course be more than willing to provide a copy to your office.

In the interim, we would like to initiate the permitting process. Please let us know if there are any questions regarding our proposal.

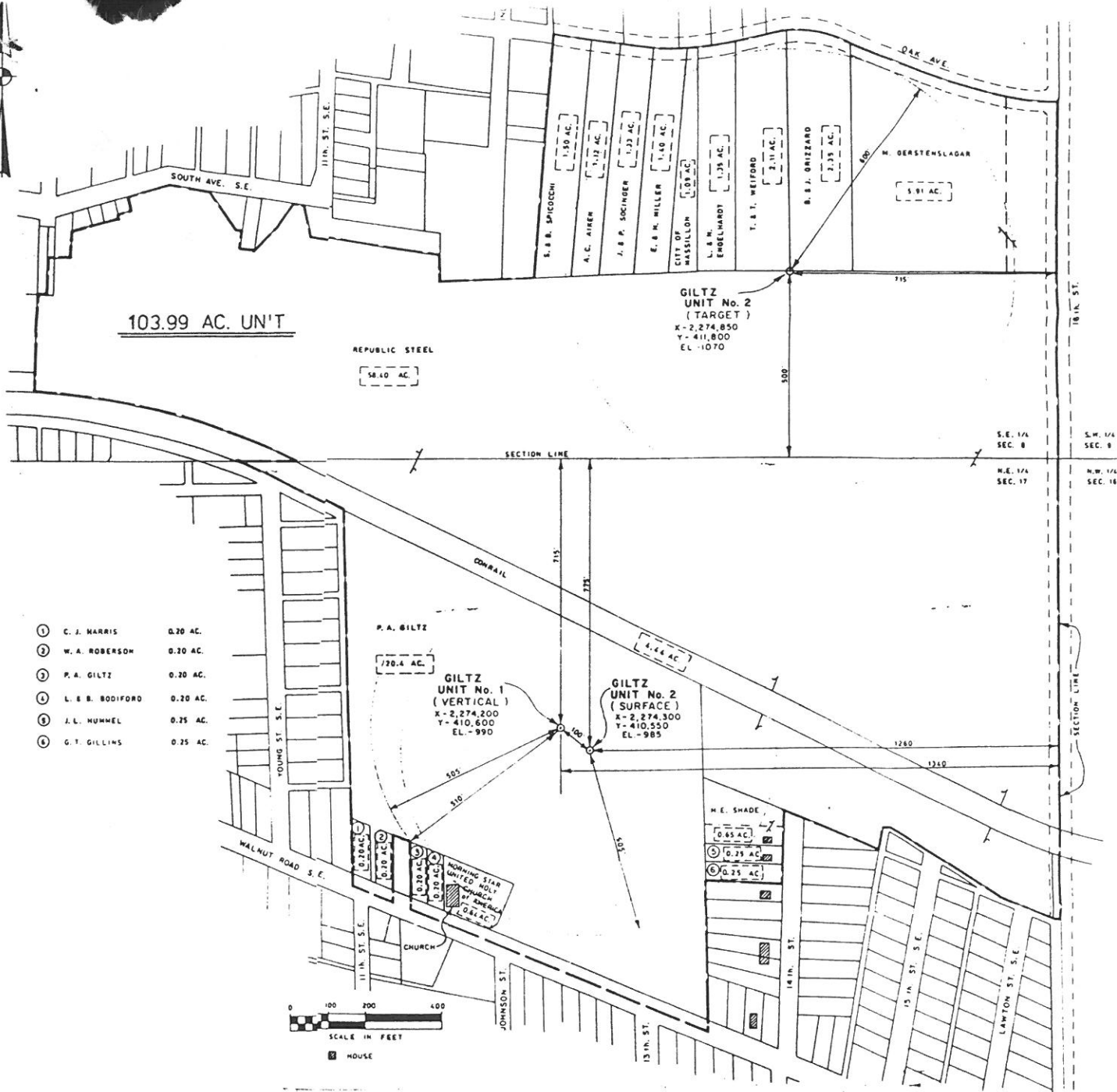
Sincerely,

MB OPERATING CO., INC.


**Larry C. Aldridge
Permitting Coordinator**

LA/cb

Enclosure



Plat Showing Location of Well
State of Ohio, Dept. of Natural Resources - Division of Oil & Gas, Columbus, Oh.

Well Name **GILTZ UNIT No. 1 & 2**

☒ Oil or Gas ☒ New Location Scale: 1"= 200'

I hereby certify that all drilling or producing wells within 1000 feet and all buildings and streams within 150 feet have been shown, there are no drilling unit lines nearer than 500 feet, that this plat is true and correct and was prepared according to the current State of Ohio, Department of Natural Resources, Division of Oil and Gas Regulations.

David J. Burt
Registered Surveyor Number 6321

Notary *Larry C. Aldridge*
Exp. Date _____
Larry C. Aldridge
Notary Public, State of Ohio
My Commission Expires June 17, 1996

Operator **MB OPERATING CO., INC.**
Address **104 6th ST SW CANTON, OHIO**
Surface **P. A. GILTZ**

Subdivision **Canton**
Township **10 N**
Range **9 W**

Landowner **Minerals SAME AS SURFACE**
Well No. **1 & 2** Drilling Unit Ac. **103.99**
County **STARK**
Township **PERRY**
Quad **MASSILLON**

Quarter Township _____
Section **17** Lot **O.L. 57**
Tract _____
Allotment _____
Fraction _____ Other **dy**

Date: **12/7/94**

PROPOSED OIL & GAS WELL