

AGENDA
MASSILLON PLANNING COMMISSION
JUNE 12, 1996 **7:30 P.M.**
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of May 8, 1996.*
2. *Petitions and Requests*

Rezoning Request

Location: Part of Out Lot 291, a 5.93 acre parcel of land located on the north side of Finefrock Boulevard, S.W., between 8th and 9th Streets, S.W. The request is to rezone this property from I-1 light industrial to RM-1 Multiple Family Residential. This request has been submitted by B.M.R. Development Corporation of Akron, who wishes to construct an apartment project consisting of 72 two-bedroom units on this property. The eastern end of this parcel along 8th Street, S.W., is not part of this rezoning request and would remain R-1 Single Family Residential. The developer is proposing to construct approximately 11 single family homes on this portion of the site.

Re-Plat: Star Junction Estates

Location: Part of Out Lot 398, a 0.6173 acre parcel of land located at the southeast side of the Stoner Avenue, N.E./Deerfield Lane, N.E./ Timberline Circle, N.E. intersection. The request is to re-plat this parcel into two lots, both zoned R-3 Single Family Residential. The property owner is Ramsier & Company. The engineer is Poggemeyer Design Group.

3. *Other Business*

The Massillon Planning Commission met in regular session on May 8, 1996, at 7:30 P.M., in Massillon City Council Chambers. The following were present:

MEMBERS

Mayor Francis H. Cicchinelli, Jr.
Chairman Fred Wilson
Michael Loudiana
Jim Johnson
Rev. David Dodson
Moe Rickett

STAFF

Aane Aaby
Marilyn Frazier

The first item of business was the minutes of the April 10, 1996, meeting. Mayor Cicchinelli moved for approval, Rev. Dodson seconded, motion carried.

The next item under Petitions and Request was an alley vacation.

Alley Vacation Request

Location: A 12-foot wide alley lying between 8th Street, S.E., and 11th Street, S.E., and running in a north-south direction between Oak Avenue S.E., and South Avenue, S.E.; specifically, the request is to vacate that portion of the alley from the south property line of Lots No. 2225 and 2226 northerly a distance of 170 feet to the north property line of Lots No. 2225 and 2226. This request has been submitted by John Siravo.

Aane Aaby presented this request. He commented that the request was filed in the Engineer's Office this week. The 15-foot alley is open and very narrow and runs between 8th and 11th Street. He commented further that he was unable to get much information from the Engineer's office because the person who took the complaint was unavailable. A copy of the Agenda was sent to the owner. Rev. Dodson moved for approval, seconded by Jim Johnson, motion carried.

The next item under Old Business was a rezoning request.

Rezoning Request: Forest-Erie Annexation Area

The following Lots were mistakenly omitted when the Forest-Erie Annexation Area was rezoned from Perry Township to Massillon zoning.

Lots No. 15395 through 15402 should be zoned R-1 Family Residential.

Lots No. 15403 and 15415 should be zoned I-1 Light Industrial

Lot No. 15416 should be zoned RM-1 Multiple Family Residential

Mr. Aaby presented this request. This rezoning is necessary to correct the error which occurred because these lots weren't on the annexation map. Jim Johnson moved for approval, seconded by Michael Loudiana, motion carried.

Mr. Aaby then informed the Commission that two requests had been submitted after the Agenda was mailed. One is to rezone two lots on Wales Road and the other was a rezoning on Walnut Road, S.E. Rev. Dodson moved to add both items to the Agenda, seconded by Mayor Cicchinelli, motion carried.

He then presented the two additions to the Agenda.

The first was a Replat

Replat - Lots No. 1340 & 1344

Location - two lots located on the south side of Gray Court, N.E., between Wales Road, N.E., and Parkview Street, N.E. Lot No. 1344 is a small 44 ft. by 60 ft. parcel that contains a large apartment with an address of 443 Wales Road, N.E. Lot No. 1340 is the larger of the two lots at 45 ft. by 120 ft. and contains a small single family house with an address of 442 Parkview Street, N.E. The request is to split 53 feet off the east end of Lot No. 1340 and add this land to Lot No. 1344. This area between the two buildings has been used by the apartment tenants for off-street parking for many years. This lot split will enable this area to continue to be used by the tenants for this purpose. This request was submitted by David Brugh of Brugh Realty. Mayor Cicchinelli moved for approval, seconded by Jim Johnson, motion carried.

The other was a Rezoning Request.

Rezoning Request

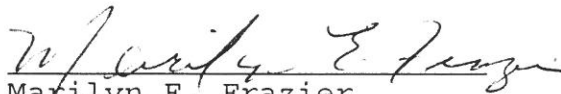
Lot No. 3413, a vacant parcel of land located on the south side of Walnut Road, S.E. between 15th and 16th Streets, S.E., from B-3 General Business to R-1 Single Family Residential. This rezoning application has been submitted by Neighborhood Housing Services of Massillon, Inc., (NHS) which is proposing to construct affordable housing on this property.

This property had been rezoned from single family residential to general business back in 1972, for development of a proposed drive-through restaurant. However, these plans never materialized and the property was never developed commercially. NHS has recently acquired the property and demolished the dilapidated dwelling which was located on the site. The agency now seeks to construct single family housing for sale to prospective homeowners. Gayle Gamble, Executive Director of NHS of Massillon, was present.

The Commission felt that encouraging new single family residential development in this neighborhood was a desirable planning objective and for this reason, Rev. Dodson recommended approval of this rezoning request, seconded by Mayor Cicchinelli, motion carried.

There being no further business, the meeting adjourned at 8:00 P.M.

Respectfully submitted,


Marilyn E. Frazier
Clerk

TO THE PLANNING COMMISSION:

(We), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the zoning map as hereinafter requested and in support of the Application, the following facts are shown: (Complete either 1 or 2)

1. The property is part of a recorded plat. The property sought to be rezoned is located at _____ between _____ Street and _____ on the _____ side of the street, and is known as Lot(s) Number _____ of _____ (subdivision). It has a frontage of _____ feet and a depth of _____ feet.
2. The property is in acreage, and if not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage also.)
Part of Out Lot Number 291
See Attachment 1 - Legal Description

3. The property sought to be rezoned is owned by: _____
NAME: M.E. Developers
ADDRESS: 2398 Ashdale Street
CITY: N. Canton, Ohio 44720
4. It is desired and requested that the foregoing described property is rezoned from I-1, Light Industrial _____ to RM-1, Multiple-Family Residential _____

5. It is proposed that the property will be put to the following use:
Construct an apartment project consisting of 72 two-bedroom units with a row of
single family homes along the eastern edge of the property.
6. It is proposed that the following building(s) will be constructed:
A total of 12 2-story apartment buildings ((8) eight five-unit buildings and (4)
four eight-unit buildings), and (11) eleven one story single-family homes. See
Attachment 2, preliminary site plan.
7. Attach a statement here to indicate why, in your opinion, the change
is necessary for the preservation and enjoyment of substantial
property rights, and why such change will not be detrimental to the
public welfare, nor the property of other persons located in the
vicinity thereof.

See Attachment 3.
8. Attach two (2) prints of a parcel map drawn at a scale of not less
than 1" = 20', if the parcel is under three (3) acres and 1" = 100'
if the parcel is three (3) acres or more, showing the lot or parcel
in question and all adjacent and abutting property lines, public
right-of-ways, and existing zoning.

B.M.R. Development Corporation
Signature of Applicant: By: Condy S. Allen, PRES.

Address: 525 Society Building, 159 S. Main Street

City: Akron, Ohio 44308

Phone Number: (330) 762-9102

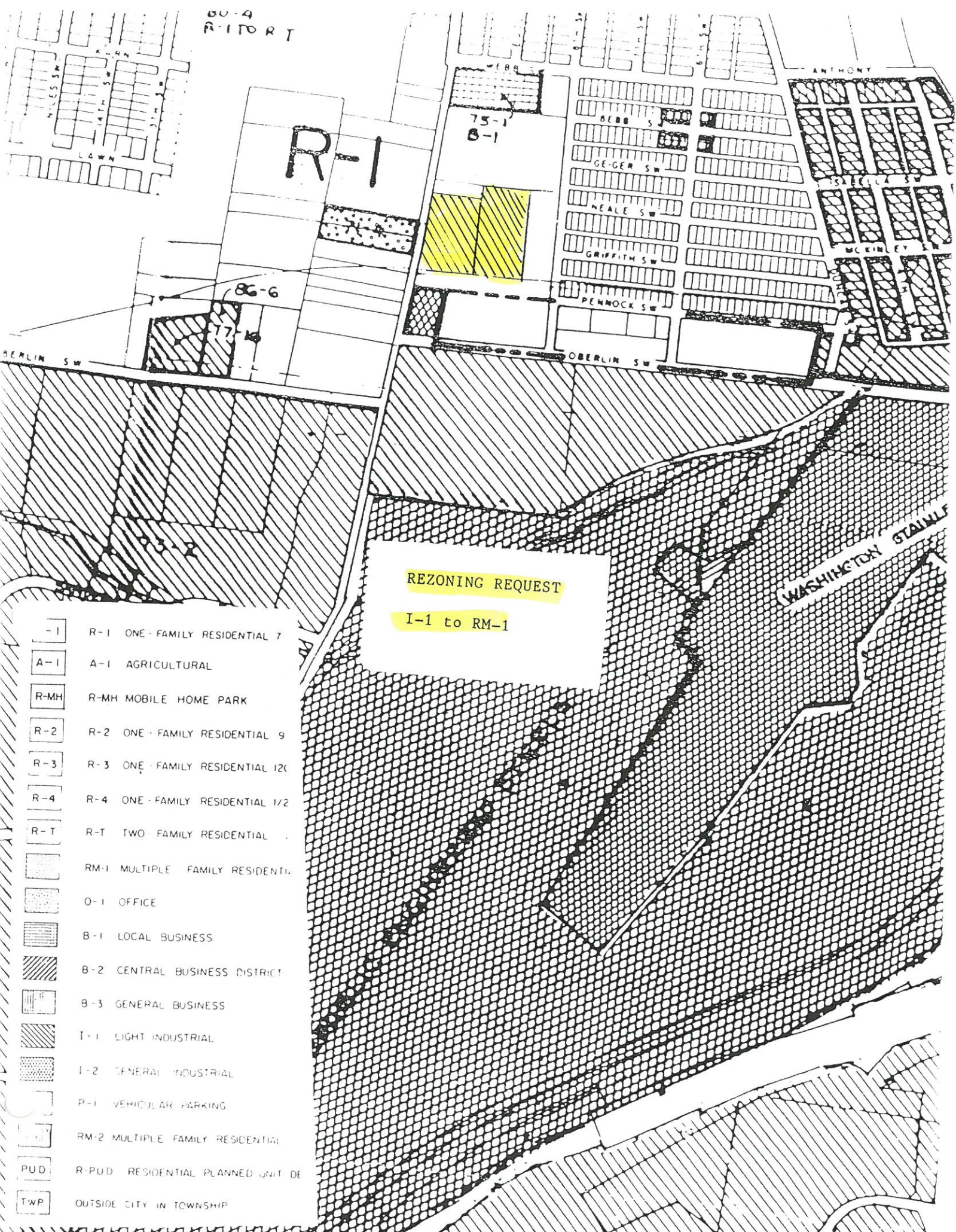
9. Applicant's basis of representation (e.g., legal representative,
owner, option to buy):

Option to buy.

#7. Attachment 3

It is our opinion that the property's current zoning designation of Light Industrial is inappropriate for the location. The manufacturing facilities are all located on the south side of the new highway (St. Rt. 241) and they should remain there. The north side of the highway is primarily residential in nature and our proposed zoning change to multi-family residential conforms to the surroundings. The upgrading of this parcel to Multi-Family (from Light Industrial) will also create a nice transition or buffer from the manufacturing on the south to the residential on the north. The upgrading of this parcel from Light Industrial to Multi-Family should have no adverse effect to the public welfare nor to the property of other persons in the vicinity. The upgrading will allow for the creation of quality housing alternatives for the community and will have a positive impact in an area of Massillon that has in recent history seen little activity of new residential units.

80-4
R-1 TO R-T



R-1

75-1
B-1

86-6

77-1

BERLIN SW

OBERLIN SW

ANTHONY

STEELE ST

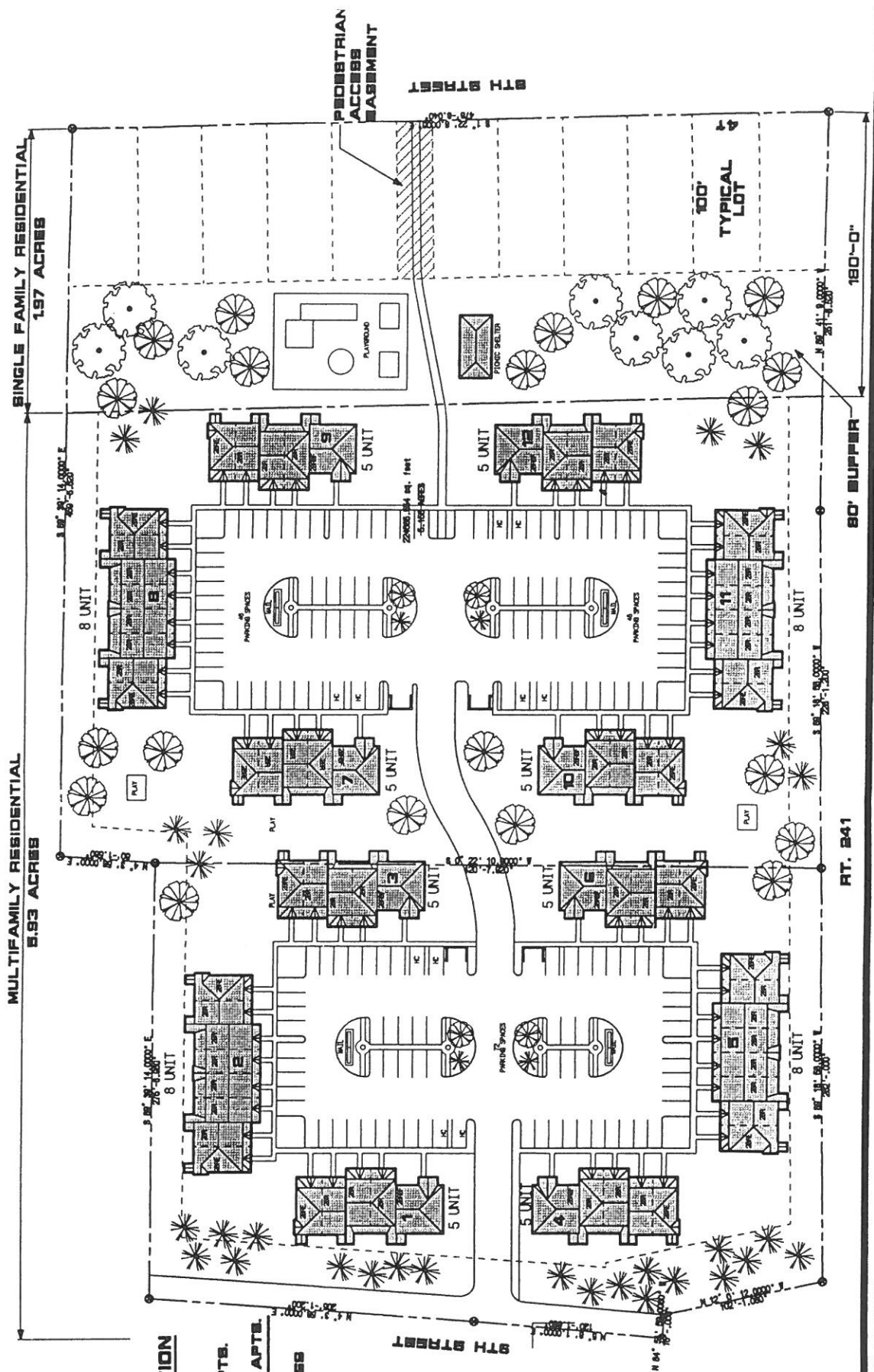
MCKINLEY

REZONING REQUEST

I-1 to RM-1

WASHINGTON STAINLY

-  R-1 ONE-FAMILY RESIDENTIAL 7
-  A-1 AGRICULTURAL
-  R-MH MOBILE HOME PARK
-  R-2 ONE-FAMILY RESIDENTIAL 9
-  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
-  PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT
-  TWP OUTSIDE CITY IN TOWNSHIP



SITE TABULATION

7.9 ACRES
84 - 2 BEDROOM TOWNHOUSE APTS.
8 - 2 BEDROOM BARRIER-FREE APTS.
78 - TOTAL APTS.
193 PARKING SPACES
11 NEW HOMESITES

STAR JUNCTION ESTATES

PART OF OUT LOT 398

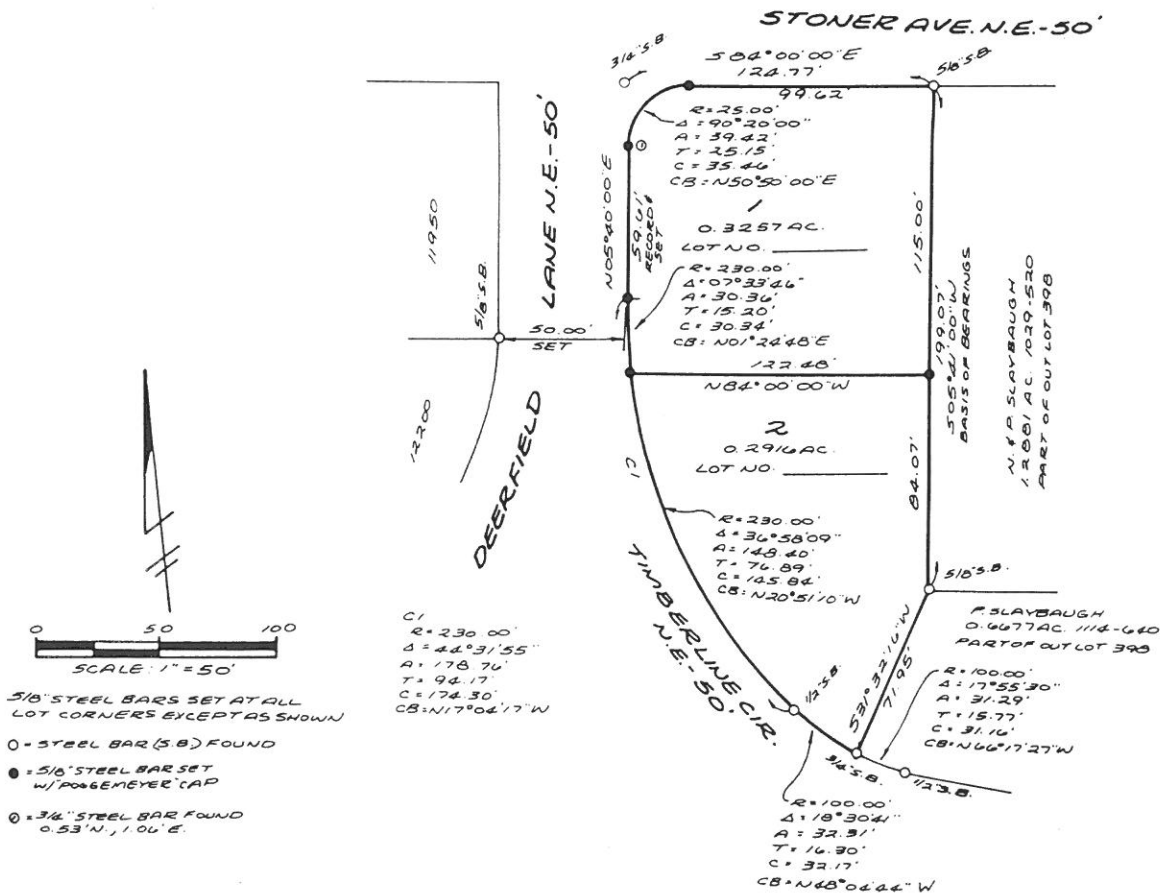
CITY OF MASSILLON

STARK COUNTY, OHIO

BY:
 POGGEMEYER DESIGN GROUP, INC.
 5440 FULTON DR. N.W. SUITE 211
 CANTON, OHIO 44718
 (216)-966-8808

2 LOTS
 DATE: JUNE, 1996

ACREAGE SUMMARY
LOTS 0.6173 AC.



KNOW ALL MEN BY THESE PRESENTS, THAT THE OWNER OF THE LANDS SHOWN ON THIS PLAT DOES HEREBY GIVE AND GRANT TO THE OHIO EDISON COMPANY, AMERITECH CORPORATION AND MASSILLON CABLE TV, INC., THEIR SUCCESSORS AND ASSIGNS, A PERPETUAL RIGHT OF WAY AND EASEMENT TO INSTALL, CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN, REPAIR, SUPPLEMENT AND REMOVE AN ELECTRIC POWER DISTRIBUTION SYSTEM AND COMMUNICATION SYSTEMS, TOGETHER WITH ALL SUCH FACILITIES, INCLUDING ABOVE AND BELOW GROUND CONDUITS, MANHOLES, WIRES, CABLES, FIXTURES AND APPURTENANCES, AS MAY BE REQUIRED OR DEEMED PROPER THEREFOR, WITHIN A STRIP OF LAND TEN FEET WIDE ADJOINING ALL DEDICATED STREETS IN THIS ALLOTMENT