

A G E N D A
MASSILLON PLANNING COMMISSION
OCTOBER 21, 1998 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meetings of September 9 and 30, 1998.*
2. *Petitions and Requests*

Street and Alley Vacation Request

- (1) 19th Street, S.E., a 50 foot street lying between Connecticut Avenue, S.E., and Rhode Island Avenue, S.E. and running in a north-south direction between Russell Boulevard, S.E., and 20th Street, S.E., The request is to vacate that portion of 19th Street, S.E., from Connecticut Avenue, S.E., southerly to Rhode Island Avenue, S.E.; and
- (2) An unnamed 10 foot alley lying between Massachusetts Avenue, S.E., and Connecticut Avenue, S.E. and running in a north-south direction between Russell Boulevard, S.E., and 20th Street, S.E. The request is to vacate that portion of the alley from Connecticut Avenue, S.E., northerly to an unnamed 10 foot alley running in an east-west direction between Russell Boulevard, S.E., and 20th Street, S.E. This request has been submitted by Joe Jones, Jr..

Alley Vacation Request

A 20 foot alley located between 7th Street, N.E., and 8th Street, N.E., and running in an east-west direction between North Avenue, N.E., and Andrew Avenue, N.E. The request is to vacate that portion of the alley as shown on the attached mortgage survey, approximately 3 feet by 14.6 feet in area. This vacation request has been submitted by Attorney James Snively on behalf of the property at 221 8th Street, N.E. The dwelling on this property has been determined to encroach on said unnamed alley. The vacation is being requested due to a pending sale on this property.

Replat - Lots No. 4402 & 4404

Location: 451 27th Street, N.W., The request is to replat these two lots into one lot. The property owner is Gerald Howell.

Replat - Lots No. 13926, 13927, & 13928

Location: The southwest corner of Shaw Avenue, N.E., and Wray Street, N.E. The request is to replat these three lots into two lots. The property owner is A. J. Diana and Sons, Inc.

Replat - Lots No. 630

Location: 318 First Street, N.E. The request is to replat this property into two lots, separating the residence from the business in the rear of the property. The property owners are Donald and Dennis Lemon.

3. Old Business

Final Plat - Lincoln Hills No. 6

Location: A 5.953 acre parcel, consisting of Out Lots 179 and 180, and part of Lot No. 10195, located north of Lincoln Way, N.W., in the Lincoln Hills Allotment. The plat will create a total of 18 lots, zoned R-2 Single Family Residential. In addition, the plat will dedicate Wagoner Street, N.W., and portions of Abraham Avenue, N.W., and Lee Avenue, N.W. The property owner is Earl J. Glick. The engineer is Cooper & Associates.

The owner is requesting a variance from the Planning Commission so as not to install sidewalks in the subdivision. Attached is a letter from Cooper and Associates in support of this request.

4. New Business

Westside Master Land Use Plan

A presentation will be made on this plan, which was prepared by a private consultant at the direction of the City and with the cooperation of the Westside Citizens Committee. The purpose of this plan is to serve as a reference guide for proposed future development on the west side of Massillon.

The Massillon Planning Commission met on September 9, 1998, at 7:30 P.M. The following were present:

MEMBERS

Chairman Fred Wilson
Vice Chairman Rev. David Dodson
Mayor Francis H. Cicchinelli, Jr.
Ben Bradley
Sharon Eslich

STAFF

Aane Aaby
James Benekos
Marilyn Frazier

The first item of business was a rezoning request.

Rezoning Request - North Avenue, N.E.

Location: 120, 124, 128, 136, North Avenue, N.E. and 206 First Street, N.E., including Lots Nos. 614, 615, Part of 616 (33 ft. East Side), part of 616 (39 ft. X 103.5 ft. Southwest corner), and 623. The request is to rezone this property from RM-1 Multiple Family Residential to B-2 Central Business. This request has been submitted by Gene Boerner, on behalf of the property owners.

Mr. Aaby made the presentation. There are a number of businesses in the area. The petition contains signatures of more than 50% of the surrounding property owners. Mr. Boerner was present and commented on the request. Rev. Dodson moved for approval, seconded by Mayor Cicchinelli, motion carried.

The next item was also a rezoning request.

Rezoning Request

Location: A 94 acre parcel consisting of Out Lot 782 (29 acres) and Part of Out Lot 636 (65 acres), located on the north side of Lincoln Way, N.W., between Kenyon Avenue and Manchester Avenue. The request is to rezone this property from A-1 Agricultural to R-2 Single Family Residential. This request has been submitted by W. G. Lockhart Construction Co., who wishes to develop a single family residential subdivision on this property.

Mr. Aaby presented this request. This is the upper portion of the west side annexation which was rezoned to A-1 Agricultural. A very preliminary plat on the proposed development was presented. This development will coincide with the other developments in the area. Ray Henley, representing Lockhart Construction, commented that the drawing had changed a little, but the plans far exceed requirements. Mayor Cicchinelli moved for approval, seconded by Ben Bradley, motion carried.

The next item was a final plat.

Final Plat - Lincoln Hills No. 6

Location: A 5.953 acre parcel, consisting of Out Lots 179 and 180, and part of Lot no. 10195, located north of Lincoln Way, N.W., in the Lincoln Hills Allotment. The plat will create a total of 18 lots, zoned R-2 Single Family Residential. In addition, the plat will dedicate Wagoner Street, N.W., and portions of Abraham Avenue, N.W., and Lee Avenue, N.W. The property owner is Earl J. Glick. The engineer is Cooper & Associates.

Mr. Aaby presented this request. Earlier this year, a preliminary plat was reviewed. Mr. Benekos is working with the developer and recommends approval. Mayor Cicchinelli moved for approval, seconded by Rev. Dodson, motion carried.

The next item was a re-plat.

Re-plat - Lot No. 11777

Location: Lot 11777, located on the north side of Woodruff Avenue, N.W., west of 17th Street, N.W. The request is to split this lot (which was part of a previously vacated alley) into two lots as part of a proposed land sale. The property owner is Joseph Kircher. The surveyor is Curtis Deibel.

Mr. Aaby presented the request. The upper portion would go with the lot that fronts on Lincoln Way and the other portion would go with the Woodruff Street property. Mr. Benekos added that he recommends the approval of the lot split. Mayor Cicchinelli moved for approval, Sharon Eslich seconded, motion carried.

The next item was also a re-plat.

Re-plat - 620 Bebb Avenue, S.W.

Location: Lots No. 5567 and 5568, located at 620 Bebb Avenue, S.W. The request is to re-plat these parcels into one lot to permit the owner to construct a garage. The property owners are John and Kathie Williams. The surveyor is Orville DeBos.

The request was presented by Mr. Aaby, who stated that the owner would like to build a garage. A garage can't be built on a vacant lot, therefore, the two lots must be combined. Mr. Williams was present and confirmed his intentions. Mr. Bradley moved for approval, seconded by Mayor Cicchinelli, motion carried.

The next item was an alley vacation request.

Alley Vacation Request

Location: A 10 foot wide unnamed alley lying between Chester Avenue, S.E., and Forest Avenue, S.E., and running in and east-west direction between 13th Street, S.E., and Erie Street South. The request is to vacate that portion of the alley from the southwest property line of Lot 7882 easterly to the southeast property line of Lot No. 7882, a distance of 50.1 feet. This request has been submitted by Thomas Carrico.

Mr. Benekos presented this request. Mr. Carrico, who was present, is interested in the vacation and has the signature of the abutting owner. Mayor Cicchinelli moved for approval, seconded by Mr. Bradley, motion carried.

Under Old Business, the first item was a re-plat.

Re-plat: Lots No. 541 and 542

Location: 823 North Avenue, N.E., (Lot No. 541), located on the southwest corner of North Avenue, N.E., and 9th Street, N.E. The request is to re-plat Lot No. 542 (presently vacant) and Lot no. 541 into one lot. This request has been submitted by Charles Baker and Regina Moore, the property owners. The surveyor is Nichols Field Services, Inc.

Mr. Benekos presented the request. The owners, who were present, wish to build a tool shed or garage. Rev. Dodson moved for approval, seconded by Mayor Cicchinelli, motion carried.

The final item was under Old Business which was a rezoning.

Rezoning - Richville Drive, S.E.

Location: Out lots 767, 768, 769, 770, located on the east side of Richville Drive, S.E., north of Nave Road, S.E. The request is to rezone this property from R-1 Single Family Residential to I-1 Light Industrial. This request is being submitted by D. Wayne and Deborah L. Whipkey, who wish to develop the property as an industrial park.

Mr. Aaby presented the request. The property is near the proposed University Village Allotment whose owner doesn't consider the industrial park to be detrimental to his proposed allotment. Also in the area is R. G. Drage and single family homes. The City feels this project is an excellent opportunity to provide jobs to area residents. Mr. Whipkey is providing buffers for the residences. An industrial park fits into the City's plans for this area. Wayne Whipkey was present and explained the buffer he would be providing.

Mayor Cicchinelli requested that additional consideration be provided to the existing property owners.

Tom Lenox, 6500 Nave, S.W., Canton, stated that he didn't feel this was a good fit, and was concerned about the teenage drivers and young children in the area.

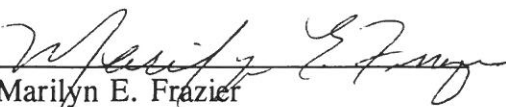
Jeff Poland, who owns 1700 Jackson S.W., felt additional mounding was needed near his property.

Ruth Braid, 7051 Richville Drive, said she feels homes should be build on this land instead of an industrial park.

Mayor Cicchinelli said even though the single family properties are not in the city of Massillon, he would like to meet with the home owners and Mr. Whipkey to try to reach an agreement. Rev. Dodson further encouraged cooperation among all parties. Mrs. Eslich moved to table the request until such a meeting could be held, seconded by Rev. Dodson, motion carried.

There being no further business before the Commission, the meeting adjourned at 9:25 PM

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

The Massillon Planning Commission met in special session on September 30, 198, at 7:30 P.M. The following were present:

MEMBERS

Chairman Fred Wilson
Rev. David Dodson
Mayor Francis H. Cicchinelli, Jr.
Attorney Joel Fichter
Sharon Eslich
James Johnson

STAFF

Aane Aaby
James Benekos
Marilyn Frazier

The first item before the Commission was a rezoning request which was tabled from the September 9, 1998 meeting.

Rezoning - Nova East Industrial Park

Location: Out Lots 767, 768, and 770, located on the east side of Richville Drive, S.E., north of Nave Road, S.E. The request is to rezone this property from R-1 Single Family Residential as follows:

<u>Out Lot No.</u>	<u>Property Owner</u>	<u>Acreage</u>	<u>Rezoning</u>
Part of OL 767	D. Wayne & Deborah Whipkey	122.494 Acres	I-1 Light Industrial
Part of OL 767	D. Wayne & Deborah Whipkey	4.618 Acres	O-1 Office
Out Lot 768	Filters, Inc.	5.008 Acres	I-1 Light Industrial
Out Lot 770	M. B. Operating Co., Inc.	6.198 Acres	I-1 Light Industrial

Mr. Aaby presented the request. The request had been tabled at the request of the Commission so that the residents and the developer could meet in an effort to reach an agreement. A modification has been made to make a portion of the property O-1 Office for the protection of the area homeowners.

Mr. Whipkey was present and briefly explained the additional buffers which includes dirt mounds and pine trees. A plat with this information was exhibited.

Ruth Braid, 7051 Richville Drive, S.W., commented that she is purchasing land adjacent to her property to provide additional protection from the industrial park. She'd like to purchase more but can't afford to do so at this time.

Tom Lenox, 6500 Nave Street, S.W., expressed opposition to the proposed industrial park, although he appreciated the meeting to try to reach an agreement.

Jeff Poland, who owns property at 1700 Jackson, S.W., requested additional mounding near his property.

Mayor Cicchinelli asked Mr. Whipkey if he could consider some additional buffering. Mr. Whipkey replied that although these changes will increase his costs, he'd be willing to compromise. The buffer zone will consist of 200 ft. with six foot high dirt mounds. Pine trees will be planted on top of the mounds to further lessen the impact on neighbors. After additional discussion, Rev. Dodson moved for approval, seconded by James Johnson, motion carried 6-0.

The next item was the plat for the Industrial Park.

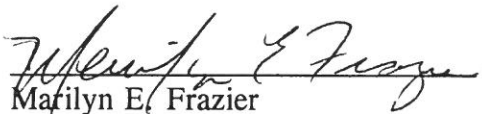
Record Plat - Nova East Industrial Park

Location: Out Lot 767 and 768, a 132.121 acre parcel located on the east side of Richville Drive, S.E., north of Nave Road, S.E. The request is to replat this property into ten (10) lots, including the establishment of designated green space areas and building setback lines. The plat also includes the dedication of Business Place, S.E., Venture Circle, S.E., and portions of Richville Drive, S.E., and Nave Road, S.E. The property owners are Deborah and D. Wayne Whipkey. The project engineer is Cooper & Associates.

Jim Johnson moved for approval, seconded by Sharon Eslich, motion carried 6-0.

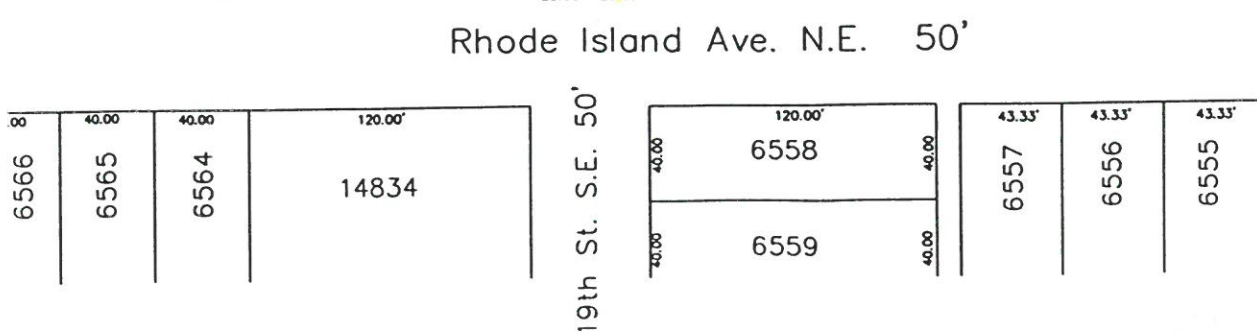
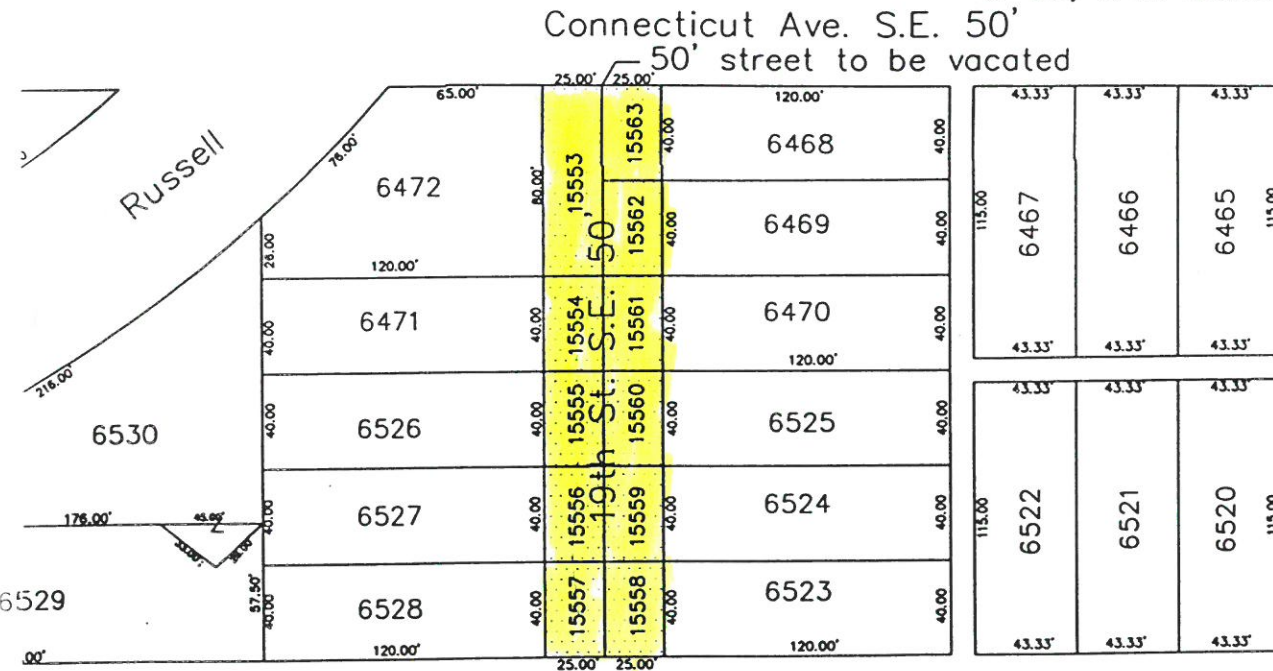
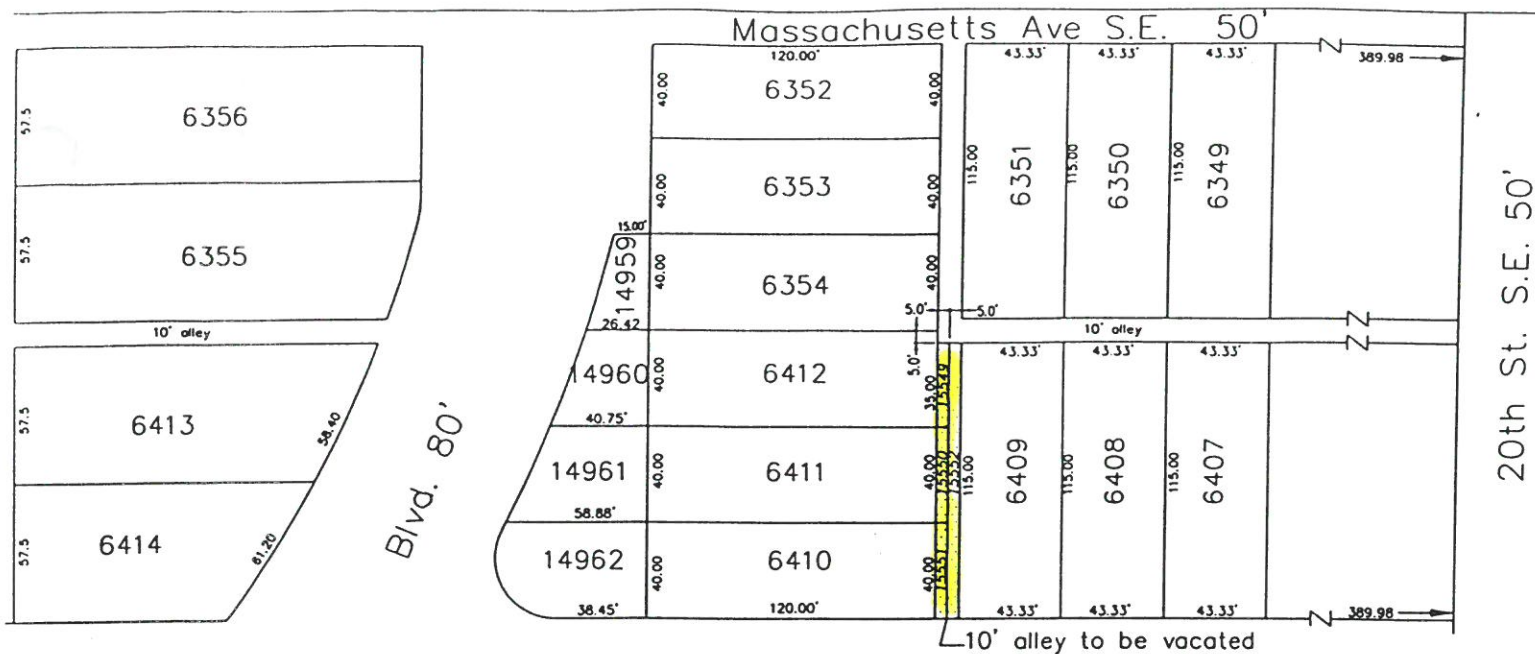
There being no further business before the Commission, the meeting adjourned at 8:25 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

MEF/ky



DESCRIPTION

Vacate a portion of 19 St S.E., a 50' street, lying between Connecticut Ave. S.E. and Rhode Island Ave. S.E., and running in a north/south direction between Russell Blvd. S.E. and 20th St S.E., vacating that portion from Connecticut Ave. S.E. southerly to Rhode Island Ave. S.E. and to:

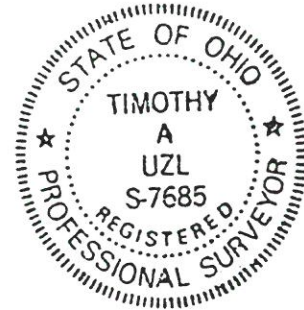
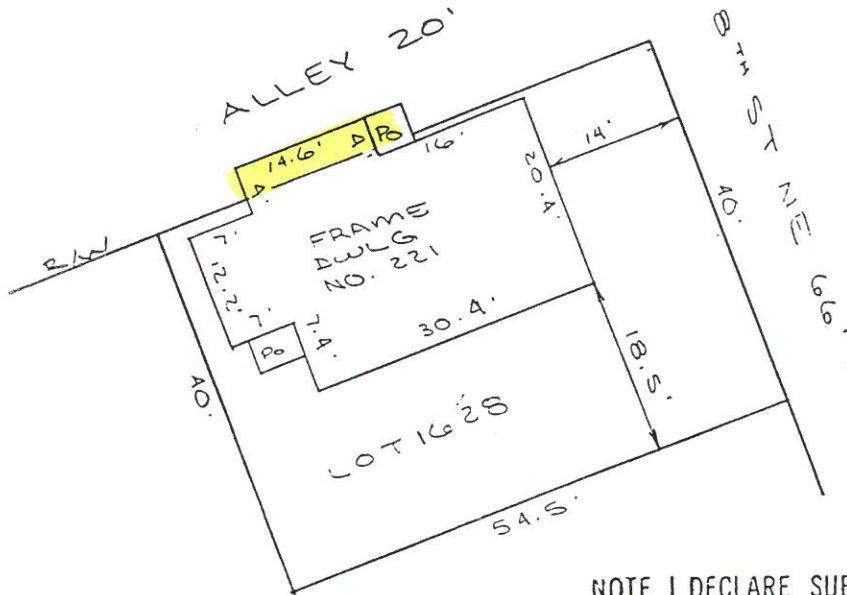
Vacate a portion of an unnamed 10' alley, lying between Connecticut Ave. S.E. and Massachusetts Ave S.E., and running in a north/south direction between Russell Blvd. S.E. and 20th St S.E., vacating that portion from Connecticut Ave. S.E. northerly to an unnamed 10' alley running in a east/west direction between Russell Blvd. S.E. and 20th St S.E.



CAMPBELL &
ASSOCIATES, INC.
Surveying • Engineering

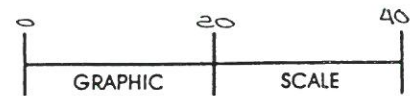
MORTGAGE LOCATION SURVEY

(330) 455-3707
130 DeWalt Ave., N.W.
Suite # 210
Canton, OH 44702



NOTE I DECLARE SUBJECT PROPERTY
TO BE LOCATED WITHIN A ZONE C,
WHICH IS NOT A FLOOD HAZARD AREA
PER FIRM MAPS. 390517 0002C
7-5-82

*NOTE: SUBJECTS
DWELLING ENCLOSED
NR 3' +/-
INTO R/W OF ALLEY



SCALE: 1"=20'

Address 221 8th Street NE

Lot 1628 TM 23D

State of Ohio, County of Stark

Client Order No. 98-382-8-2

City of Massillon

Date September 11, 1998

New Owner Judith D Hodgson

Present Owner Betty S Ream

C & A Order No.
CA101040

This is to certify to Peoples Federal Savings and Loan and/or West Stark Title

that a visual inspection of the property and buildings shown (if any) has been made and there are no apparent encroachments or visible easements unless otherwise shown. This service was not performed for the purpose of establishing boundary lines, and is not to be used for that purpose.

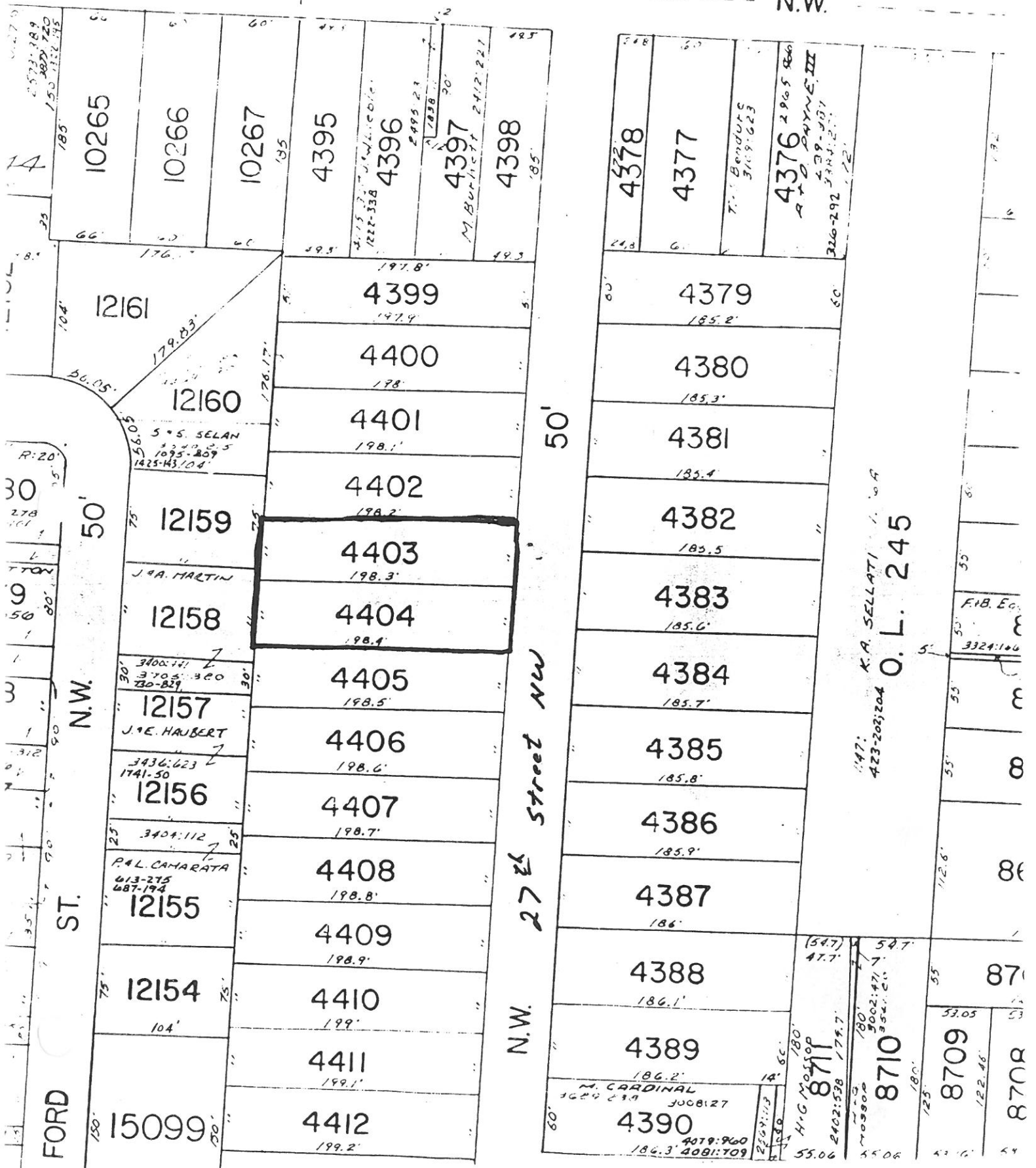
This Mortgage Location Survey has been prepared in accordance with Chapter 4733-38, Ohio Administrative code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code

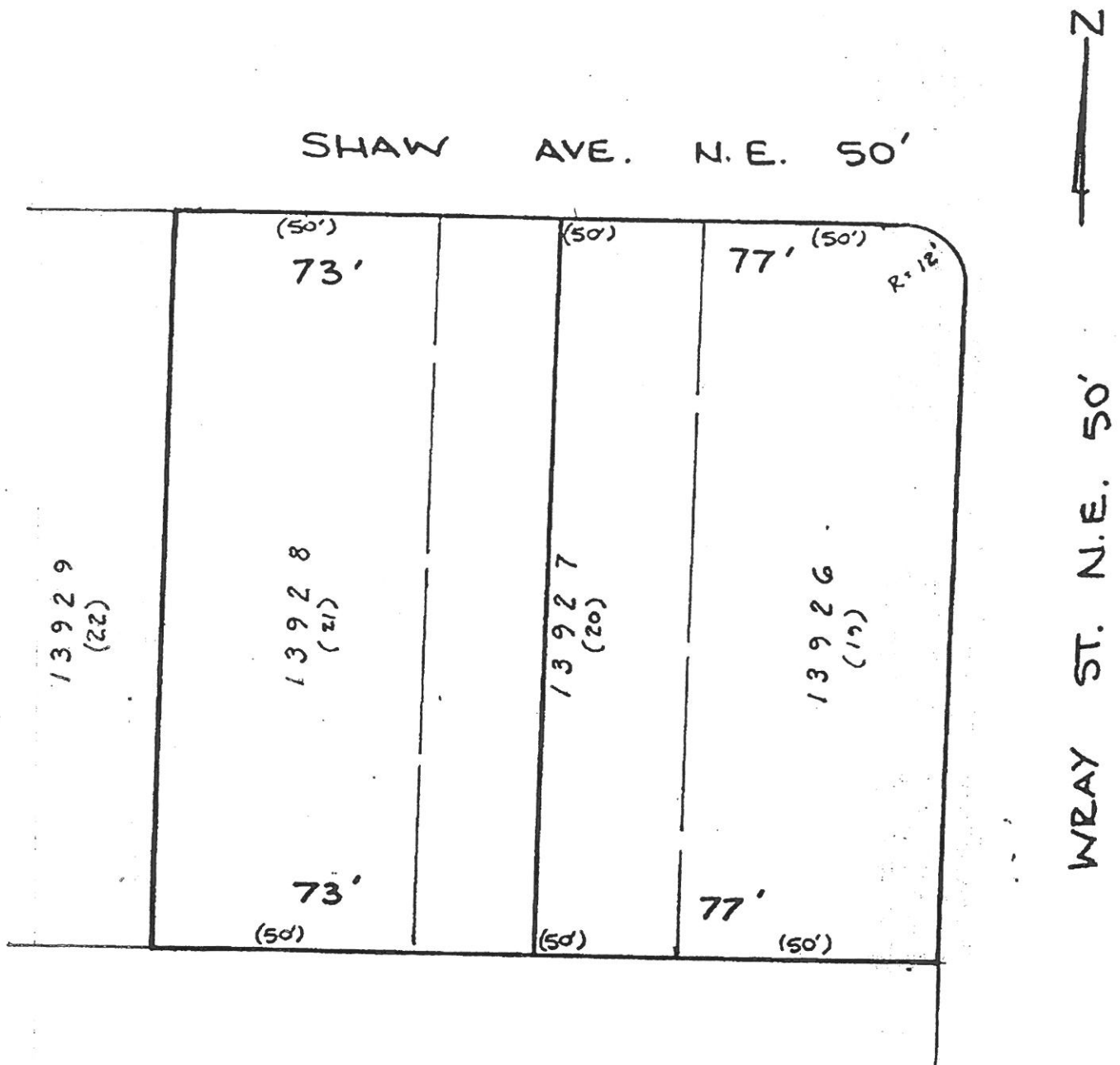
Timothy A. Uzl - Reg. Surveyor No. 7685

WAY

LINCOLN WAY NW

N.W.

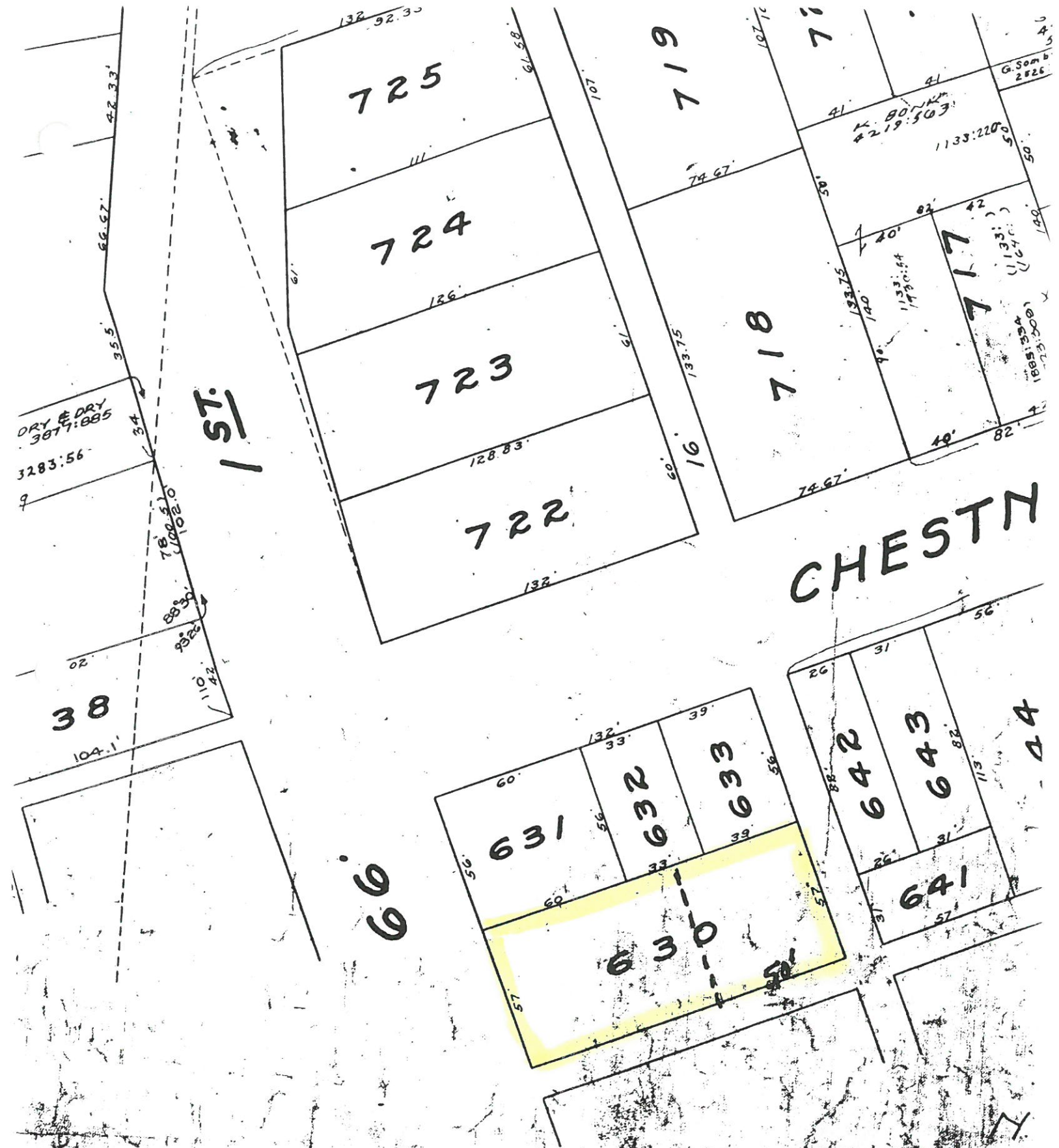




PROPOSED REPLAT

LOTS 13926, 13927 & 13928 IN THE CITY
OF MASSILLON, OHIO

FORMERLY KNOWN AS LOTS 19, 20 & 21
IN THE BUHECKER ADDITION, PB 18 P. 46





1359 MARKET
AVENUE NORTH
CANTON, OHIO
44714

COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS

PHONE: (330) 452-5731

FAX: (330) 452-9110

BRYAN J. ASHMAN
JEROLD E. GEIB

October 8, 1998

City of Massillon - Engineering
City Hall; 1 James Duncan Plaza
Massillon, Ohio 44646

Att: Mr. James Benekos
Ref: Lincoln Hills #6

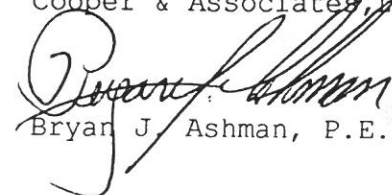
Dear Mr. Benekos:

On behalf of our client, Mr. Earl Glick, Cooper & Associates is requesting your consideration of the following variance to your subdivision regulations for the above referenced project:

- Our client has requested not to install sidewalks within this subdivision. This development is the final portion of Lincoln Hills and has roadway service only from roadways within the existing portions of Lincoln Hills. The existing portions of Lincoln Hills has no sidewalks, therefore, it does not appear warranted to install sidewalks for the remaining lots.

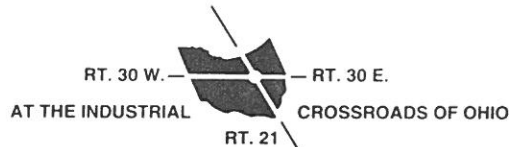
Please consider this request and notify me of your decision. If you have any questions, or if additional information is required, contact me.

Sincerely,
Cooper & Associates, LLP



Bryan J. Ashman, P.E.

cc Mr. Earl Glick



THE CITY OF MASSILLON, OHIO

Francis H. Cicchinelli, Jr.
Mayor

Phone (330) 830-1700
Fax (330) 830-1764

Director of Public Safety & Service
Alan W. Climer – 830-1702

Public Service
830-1701

City Engineer/Planning Director
James J. Benekos – 830-1722

**Community/
Economic Development Director**
Aane Aaby – 830-1721

Golf Course Superintendent
Martin A. Young – 830-4653

Chief Building Official
Starr Surbey – 830-1724

Housing Director
Marilyn Frazier – 830-1717

**Wastewater Treatment Department
Manager**
833-3304

Collections Department Chief
Linda S. McGill – 830-1705

Chief of Police
Mark D. Weldon – 830-1762

Fire Chief
Tommy R. Matthews – 833-1053

**Equal Employment Opportunity/
Minority Business/Drug Coordinator**
Edward W. Grier – 830-1716

Health Commissioner
Richard J. Kaserman – 830-1710

Parks & Recreation Director
James P. Seikel – 832-1621

Youth Director
Constance Ledwell – 837-3137

Senior Citizens Director
Nancy A. Johnson – 837-2784

Data Center Chief
Keith Wires – 830-3647

Income Tax Administrator
Kirk T. Albrecht – 830-1709

Date: October 16, 1998

To: West Side Land Use Plan Citizens Committee

From: Aane Aaby, Community Development Director

Subject: October 21, 1998 Planning Commission Meeting

Attached is a copy of the Agenda for the upcoming October 21, 1998 Planning Commission Meeting. At this meeting, the Planning Commission will be reviewing the Westside Master Land Use Plan, that was prepared for the City by the consulting firm of Berquist Consulting, Inc., in cooperation with the West Side Land Use Plan Citizens Committee.

The City of Massillon appreciates the hard work that the Citizens Committee put into the preparation of this plan. You are invited to attend this meeting of the Planning Commission and participate in the review of this planning document.

Please contact me at your convenience at 830-1721 if you have any questions regarding this matter.

Very truly yours,

Aane Aaby
Community Development Director
City of Massillon

AA:aa
encl.

Massillon Municipal Government Center
One James Duncan Plaza
Massillon, Ohio 44646