

A G E N D A
MASSILLON PLANNING COMMISSION
JULY 14, 1999 **7:30 P.M.**
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of June 9, 1999.*
2. *Petitions and Requests*

Rezoning Request - 2109-2119 Lincoln Way East

Location: 2109-2119 Lincoln Way East, consisting of Lot Nos. 4328, 4329, and 4330, totaling approximately 0.93 acres in size. Presently zoned RM-1 Multiple Family Residential, the request is to rezone this property to B-1 Local Business. This request has been submitted by Carl Oser who wishes to use this property for commercial development.

Rezoning Request - Hills and Dales Area Annexation

Location: A 2.527 acre area located on the north side of Hills and Dales Road, east of Wales Road. Recently annexed to the City from Perry and Jackson Townships, the area includes a portion of the Massillon Auto Club facility, a bank office, and a gasoline station. The City is recommending that this annexation area be zoned B-1 Local Business.

Request for Commercial Development in I-1 District: Massillon Marketplace

Location: Out Lot 764, a 67.17 acre parcel located on the northwest quadrant of the U.S. 30 / S.R. 21 interchange. The property is zoned I-1 light industrial. Deville Developments is proposing to develop this property with a commercial shopping center to be known as Massillon Marketplace. Retail uses are permitted within the I-1 District pursuant to Section 1169.03(d) of the City Zoning Code, subject to review and approval by the Planning Commission.

Street Vacation Request - Wray Street NE

Location: The vacation of a portion of Wray Street NE, lying between Shaw Avenue NE and Lori Avenue NE, and running in a north south direction between the Massillon west corporation line and Amherst Road. The specific request is to vacate that portion of Wray Street NE from Lori Avenue NE southerly to Shaw Avenue NE, a distance of approximately 256.05 feet. This request has been submitted by A.J. Diana Sons, Inc.

Alley Vacation

Location: A 10 foot alley lying between Connecticut Avenue SE and Massachusetts Avenue SE, and running in a west/east direction between 16th Street SE and 18th Street SE. The request is to vacate that portion of the alley from 18th Street SE westerly a distance of 40 feet. This request has been submitted by Ralph Harris.

3. *Other Business*

The Massillon Planning Commission met in regular session on June 9, 1999, at 7:30 P.M., in Massillon City Council Chamber. The following were present:

MEMBERS

Chairman Fred Wilson
Vice Chairman Rev. David Dodson
Mayor Francis H. Cicchinelli, Jr.
Paul Manson
Ben Bradley
Sheila Lloyd

STAFF

Aane Aaby
Marilyn Frazier

The first item of business before the Commission was the minutes of the Commission meeting of May 12, 1999. Rev. Dodson moved for approval, seconded by Mr. Bradley, motion carried.

The first item of business under Old Business was a replat.

Replat – Out Lots 775 and 776

Location: The west side of 32nd Street, N.W., south of Ruby Avenue, N.W. The request is to replat these two existing lots into two new lots, one of which will be 1.524 acres in size (formerly 1.196 acres), and the other to be 1.054 acres in size (formerly 1.382 acres). The properties in question are presently zoned R-2 Single Family Residential. The property owner is James R. Hamel II. The surveyor is Deibel Surveying.

The request was presented by Mr. Aaby. Last year the owner requested a replat. Since then, he has decided to re-configure the property into two new lots. The owner wasn't able to attend last meeting due to an emergency. A sale is pending. Mr. Hamel was present and commented that he had intended to sell his home but decided to remain and sell the lot in the rear. Mr. Manson moved for approval, seconded by Mayor Cicchinelli, motion carried.

The next item was a rezoning request.

Rezoning Request – Farris Produce

Location: 2421 Lincoln Way, N.W., consisting of Lot No. 10268, Out Lot 246 and Part of Out Lot 247, totaling approximately 1.86 acres in size. Presently zoned R-1 Single Family Residential, the request is to rezone this property to B-1 Local Business. This request has been submitted by Edward Farris of Farris Produce for the purpose of allowing for expansion of the business located on this property.

Mr. Aaby presented the request. Farris Produce has been at this location for many years. The business operates as a legal non-conforming use. They wish to construct an addition, but can't unless the property is rezoned. It is near single family homes and Gorrell School, with Mayflower Shopping Center across the street. All of the abutting residents have signed the petition.

Attorney Thomas Ferrero was present representing Farris Produce. He explained that when they requested a variance, the Building Department suggested they request rezoning. Mr. Farris was also present. Mayor Cicchinelli moved for approval, seconded by Mr. Bradley, motion carried unanimously.

The next item before the Commission was a final plat.

Final Plat – University Village Phase 4

Location: Part of Out Lot 557, a 15.394 acre parcel located on the north side of Nave Road, S.E., between University Drive, S.E., and Richville Drive, S.E. This plat will create a total of 37 lots as follows:

- 20 lots zoned R-3 Single Family Residential
- 15 lots zoned R-2 Single Family Residential
- 2 lots zoned R-1 Single Family Residential

This plat also includes the dedication of the following streets:

John Carroll Drive, S.E.; Case Western Drive, S.E.; and portions of Heidelberg Avenue, S.E.; and Mount Union Avenue, S.E.

The property owner/developer is P.R.M.D.C. LTD. The project engineer is Cooper and Associates.

Mr. Aaby made the presentation. University Village has a variety of zonings and developments. The City Engineer is on vacation, therefore, his comments aren't available. Mayor Cicchinelli moved for approval, seconded by Mr. Manson, motion carried.

The next item was also a final plat.

Final Plat – Autumn Ridge Estates Phase II

Location: Part of Out Lot 502, a 6.679 acre parcel located on the east side of 29th Street, N.W., south of Lincoln Way, N.W. This plat will create a total of 16 lots zoned R-2 One Family Residential. This plat also includes the dedication of the following streets: Fire Bush Drive, N.W.; Lauren Circle, N.W.; and Turning Leaf Avenue, N.W. The property owner/developer is D.W.P. The project engineer is NALEX.

Mr. Aaby presented the request. He commented that since the City Engineer is on vacation, his comments aren't available on this request either. After a brief discussion, Rev. Dodson moved for conditional approval based on the review of the City Engineer, seconded by Mayor Cicchinelli, motion carried.

The next item on the agenda was also a final plat - Westbrook Estates Phase I. It was withdrawn by the applicant prior to the meeting.

The next item was a replat.

Replat – Lots No. 6260 and 6261

Location: The south side of Vermont Avenue, S.E., between 16th and 18th Streets, S.E. The replat will combine these two lots into one new lot. The property in question is presently zoned R-1 Single Family Residential. This request has been submitted by Habitat for Humanity, Massillon Chapter.

Mr. Aaby presented this request. Habitat for Humanity, Massillon Chapter has acquired this property and is in the process of clearing the land. They would like to combine these two lots into one and construct a home. Rev. Dodson commented that this property was donated to Habitat for Humanity. Mayor Cicchinelli moved for approval, seconded by Mr. Manson, motion carried.

The next item was a replat.

Replat – Lot No. 13384 and Part of Lot No. 13383

Location: The west side of 27th Street, N.W., south of Duane Avenue, N.W. The request is to replat these two existing lots into one new lot. The property in question is presently zoned R-1 Single Family Residential. The property owner is Ruby Tiller.

Mr. Aaby presented the request. Rev. Dodson moved for approval, seconded by Mayor Cicchinelli, motion carried.

The next item was a replat.

Replat – Lots No. 4724 and 4725

Location: 732 14th Street, S.W. The request is to replat these two existing lots into one new lot. The property in question is presently zoned R-1 Single Family Residential. The property owner is Traci Alcorn.

Mr. Aaby presented the request. The owner wishes to build a garage which is not permitted on a lot by itself. Therefore, it is necessary to replat the two lots into one. Mayor Cicchinelli moved for approval, seconded by Rev. Dodson, motion carried.

The next item before the Commission was an Alley Vacation.

Alley Vacation

1. A 20 foot wide alley lying between Cherry Road, N.W., and Out Lot 83 and running in an east/west direction between Cliff Street, N.W., and Fourth Street, N.W. The request is to vacate that portion of the alley beginning at the northwest corner of Lot No. 2963 approximately 117 feet easterly.
2. A 15 foot wide alley lying between Cliff Street, N.W., and Fourth Street, N.W., and running in a north/south direction between Cherry Road, N.W., and Out Lot 83. The request is to vacate that portion of the alley from the southeast corner of Lot No. 2963 and the southwest corner of Lot No. 2964 approximately 80 feet northerly.

This request has been submitted by the abutting property owners: Terry Barboza, Massillon Cable TV, Inc., and Consumers Ohio Water Co.

Mr. Aaby presented the request. The alley isn't open and runs to another unopened alley. It is grass covered. Terry Barboza was present and commented that this was suggested by legal council during the loan closing. Rev. Dodson asked several questions. Mayor Cicchinelli moved for approval, seconded by Ms. Lloyd, motion carried.

The next item was also an Alley Vacation.

Location: A 15 foot alley lying between Green Avenue, S.W., and Walnut Road, S.W., and running in a west/east direction between 9th Street, S.W., and Euclid Street, S.W. The request is to vacate that portion of the alley from 9th Street, S.W., easterly approximately 130 feet. This request has been submitted by Kimberly Cole.

Mr. Aaby presented the request. This is an open alley and can be used for vehicle access. The reason for the request was to eliminate speeding for the safety of the children. Mayor Cicchinelli moved for approval, seconded by Mr. Bradley, motion carried.

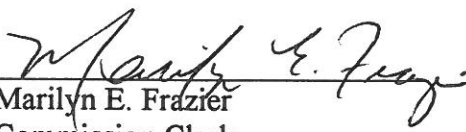
Mr. Aaby requested that an additional item be added to the Agenda. Mayor Cicchinelli moved, and Rev. Dodson seconded to add the item which was a replat.

Replat part of Lot No. 8252, 8257, 8256 and Out Lot 275

Location: Overlook and 17th Street, S.W. The request is to replat these lots into one lot. The request is being submitted by Scott Cooper who is the property owner. Mr. Aaby explained that he had talked to Mr. Cooper previously and he is in the audience. He wishes to build an addition and a garage. Rev. Dodson moved for approval, seconded by Mr. Bradley, motion carried.

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

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approved:

MEF/ky

S.W.Q. SEC. 8

RHODE IS

CONNECTICUT

VERMONT 60

MASSACHUSETTS AVE.

S. E.

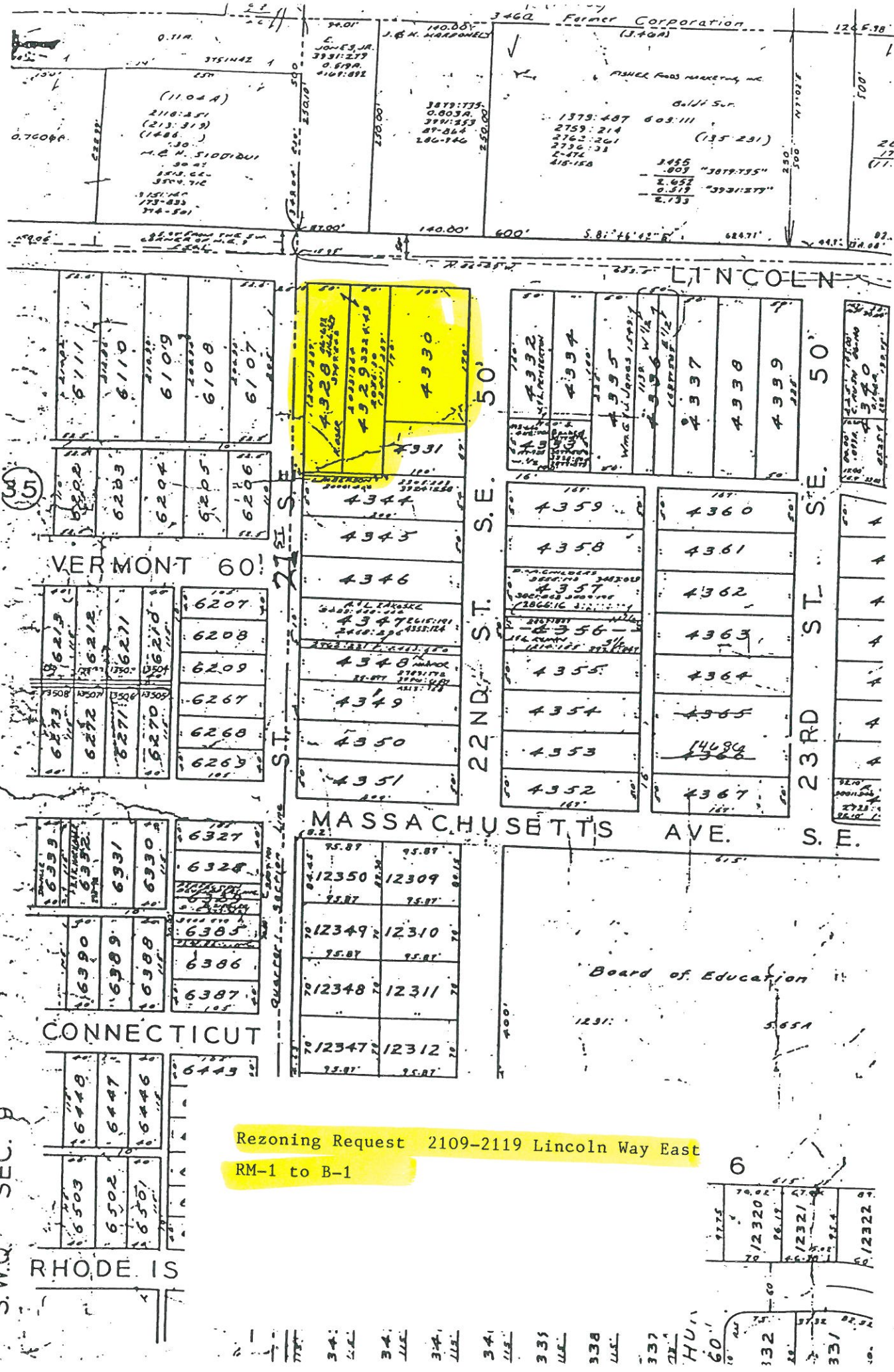
LINCOLN

22ND ST. S.E.

23RD ST. S.E.

Rezoning Request 2109-2119 Lincoln Way East
RM-1 to B-1

6





July 7, 1999

Mr. Fred Wilson, Chairman
The Massillon City Planning Commission
1 James Duncan Plaza
Massillon, Ohio 44646

RE: N.W. Quadrant U.S. 30 and S.R. 21
Massillon, Ohio

Dear Mr. Chairman,

We would like to propose for your review and approval our site plan for the N.W. Quadrant of U.S. 30 and S.R. 21, containing approximately 67 acres.

Our plan promotes the most desirable use of the land, conforms to the permitted uses under Chapter 1169 of the Planning and Zoning Code, and not only protects but significantly increases the city's tax base.

Our two primary anchor businesses are Wal-Mart with 220,000 square feet and Lowe's with approximately 135,000 square feet. Each of our two primary anchors will have some space allocated for outside storage of seasonal sale items, building materials, and garden and home improvement items. The balance of the shopping center will be connected with a series of smaller retail shops and two mini anchors. The smaller shops and mini anchors will require several more months to bring to term before we can legally identify them.

The development will also include approximately twelve (12) outlots. These outlots will be occupied with businesses that help serve the needs of the patrons to the main shopping center as well as the needs of the community in general and the travelers along U.S. 30 and S.R. 21. These businesses are typically restaurants, motels and banks, as well as auto service and personal service businesses.

We have been working for over three years to put this plan together and we are very pleased with the cooperation, encouragement and guidance that has been provided to us by all of the city's personnel.



Mr. Fred Wilson

July 7, 1999

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This development will provide many new jobs, encourage additional development within the city, and the development will be free from offensive noises, smoke and toxic materials.

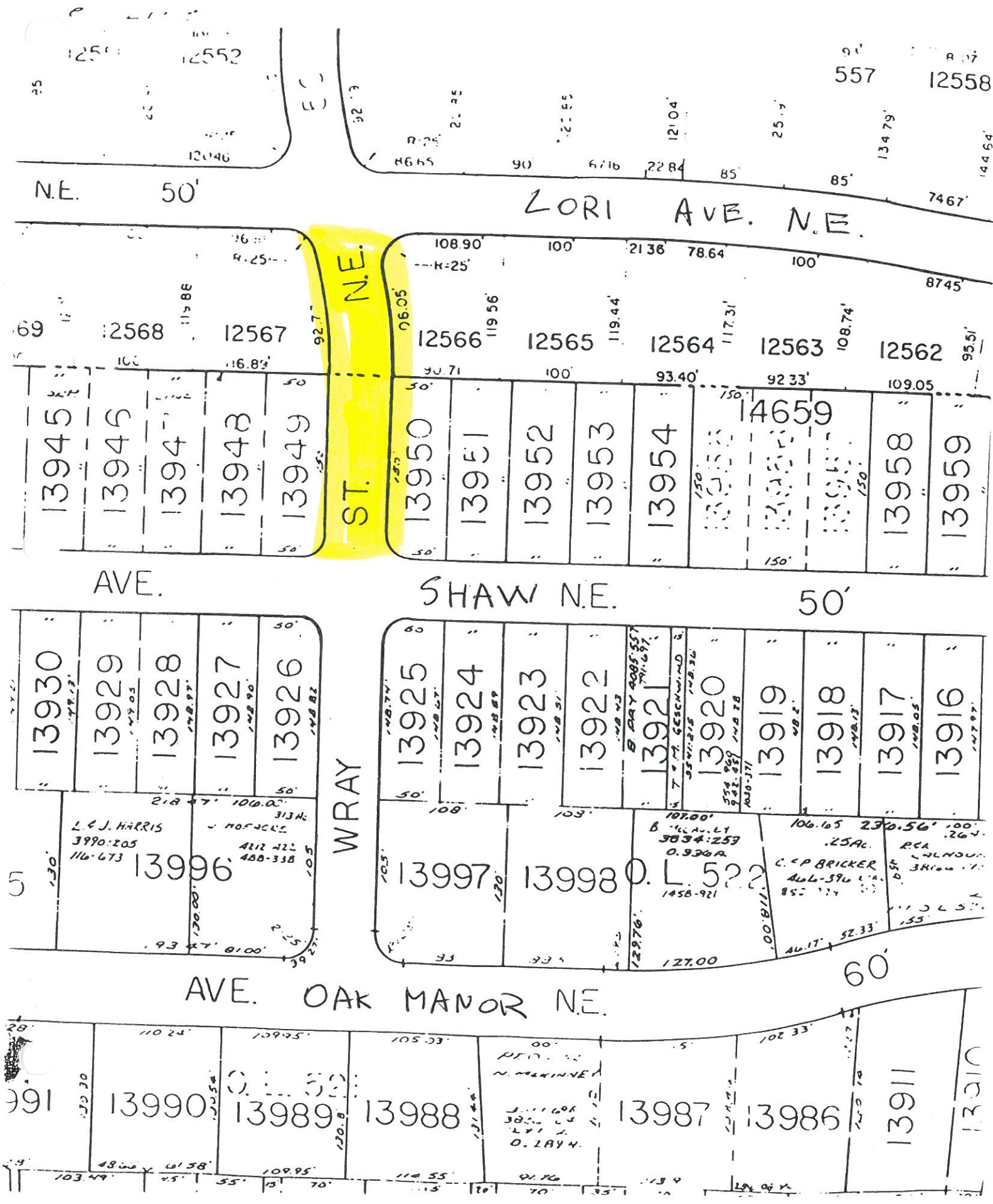
I thank you for taking the time to review our plan.

Very Truly Yours,

Roger L. DeVille

RLD/lp
Encl.

STREET VACATION - WRAY STREET, N.E.



S.E.

5157	6158	6159	6160	6161	6162	6163	6164	6165	6166	6167	6168	6169
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VERMONT

6326	6325	6324	6323	6322	6321	6320	6319	6318	6317	6316	6315	6314	6313	6312	6311
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MASSACHUSETTS

6497	6496	6495	6494	6493	6492	6491	6490	6489	6488	6487	6486	6485	6484	6483	6482	6481	6480	6479
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CONNECTICUT

6426	6425	6424	6423	6422	6421	6420	6419	6418	6417	6416	6415	6414	6413	6412	6411	6410	6409	6408	6407	6406	6405	6404	6403	6402	6401	6400	6399	6398	6397	6396	6395	6394	6393	6392	6391	6390	6389	6388	6387	6386	6385	6384	6383	6382	6381	6380	6379	6378	6377	6376	6375	6374	6373	6372	6371	6370	6369	6368	6367	6366	6365	6364	6363	6362	6361	6360	6359	6358	6357	6356	6355	6354	6353	6352	6351	6350	6349	6348	6347	6346	6345	6344	6343	6342	6341	6340	6339	6338	6337	6336	6335	6334	6333	6332	6331	6330	6329	6328	6327	6326	6325	6324	6323	6322	6321	6320	6319	6318	6317	6316	6315	6314	6313	6312	6311	6310	6309	6308	6307	6306	6305	6304	6303	6302	6301	6300	6299	6298	6297	6296	6295	6294	6293	6292	6291	6290	6289	6288	6287	6286	6285	6284	6283	6282	6281	6280	6279	6278	6277	6276	6275	6274	6273	6272	6271	6270	6269	6268	6267	6266	6265	6264	6263	6262	6261	6260	6259	6258	6257	6256	6255	6254	6253	6252	6251	6250	6249	6248	6247	6246	6245	6244	6243	6242	6241	6240	6239	6238	6237	6236	6235	6234	6233	6232	6231	6230	6229	6228	6227	6226	6225	6224	6223	6222	6221	6220	6219	6218	6217	6216	6215	6214	6213	6212	6211	6210	6209	6208	6207	6206	6205	6204	6203	6202	6201	6200	6199	6198	6197	6196	6195	6194	6193	6192	6191	6190	6189	6188	6187	6186	6185	6184	6183	6182	6181	6180	6179	6178	6177	6176	6175	6174	6173	6172	6171	6170	6169	6168	6167	6166	6165	6164	6163	6162	6161	6160	6159	6158	6157
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ALLEY VACATION REQUEST

