

A G E N D A
MASSILLON PLANNING COMMISSION
JULY 9, 2003 **7:30 P.M.**
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of June 18, 2003.*
2. *Petitions and Requests*

Re-Plat – Nova East Industrial Park

Location and Description: Part of Out Lot 767, located at the northwest corner of Richville Drive SE and Business Place SE, north of Drage Vocational School. The request is to plat a new 2.709 acre parcel from this property. This is the site of the proposed U.S. Dept. of Agriculture service center. The property is zoned I-1 Light Industrial.

Owner: Beaver Excavating Company

Engineer: Cooper & Associates

Re-Plat – West Brook Estates West

Location and Description: Lots No. 16595 - 16601, and Part of Out Lot 772, located at the northeast corner off Woodstone Avenue NW and Manchester Avenue NW in West Brook Estates West. The request is to split off an approximate 15 foot by 1100 strip of land from the north end of these lots. The property is zoned R-2 One Family Residential.

Applicant: Jacob & Dorothy Glick.

Engineer: Cooper & Associates

Re-Plat – 843 11th Street SE

Location and Description: Lot No. 10086 and Part of Out Lot 506, located at 843 11th Street SE. The request is to replat these parcels into one new lot. The property is zoned R-1 Single Family Residential.

Applicant: Richard Grewell.

Surveyor: Ronald Hinton

Dedication Plat & Sanitary Sewer Easement Plat

Location and Description: Out Lot 633, located at 12621 Lincoln Way West. The request is: 1) to dedicate a 50.08' x 577.24' area as right-of-way for Lincoln Way West; and 2) to dedicate a 40' x 237.88' sanitary sewer easement. The property is zoned O-1 Office.

Applicant: State of Ohio / City of Massillon

Engineer: Cooper & Associates

Sanitary Sewer Easement Plat

Location and Description: Part of Out Lot 634, located in the Friendship Acres subdivision on the north side of Lincoln Way West, east of Manchester Avenue. The request is to dedicate a 20 foot wide sanitary sewer easement. The property is zoned RM-1 Multiple Family Residential and R-T Two Family Residential.

Applicant: Jacob & Dorothy Glick / City of Massillon.

Engineer: Cooper & Associates

University Village – Wright State SE Temporary Turn-Around Easement

Location and Description: The request is to revise the temporary turn-around at the southern end of Wright State Drive SE in the University Village allotment., located on the west side of Richville SE, north of Nave SE. The easement will provide a turn-around with a 45 foot radius for public use until such time as Wright State Drive SE is extended.

Applicant: PRMDC

Engineer: Cooper & Associates

3. Other Business

Alley Vacation Request

Location and Description: An unnamed 16 foot wide alley lying between Erie Street North and 1st Street NE, and running in a north-south direction between Cherry Road NE and State Avenue NE. The request is to vacate that portion of the alley from the northeast corner of Lot No. 2298 southerly a distance of approximately 77.33 feet to the southeast corner of Lot No. 2298.

Applicant: David Piatt

This item was tabled at the June 18 Commission Meeting.

Rezoning Request – 2nd Street NE and Thorne Avenue NE

Location and Description:

Lot No. 613 (207 2nd Street NE) to be rezoned from RM-1 Multiple Family Residential to B-2 Central Business District.

Lot No. 611 (located on the west side of 2nd Street NE between North and Thorne Avenues NE, presently used as a driveway) to be rezoned from RM-1 Multiple Family Residential to P-1 Vehicular Parking.

Lot No. 621 (a vacant lot on the south side of Thorne Avenue NE, between 1st and 2nd Streets NE) to be rezoned from RM-1 Multiple Family Residential to P-1 Vehicular Parking.

Proposed Use: The properties will be used for parking and access to the commercial property located at 136 North Avenue NE.

Applicant: F & M Properties.

This item was tabled at the June 18 Commission Meeting.

The Massillon Planning Commission met in regular session on June 18, 2003, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Chairman Rev. David Dodson
Vice Chairman James Johnson
Mayor Francis H. Cicchinelli, Jr.
Thomas Seesan
Benjamin Bradley
Paul Manson
Vincent Pedro

Staff

Aane Aaby
Marilyn Frazier
Steve Hamit
Jason Haines

The first item of business for the evening was approval of the minutes of the Commission meeting of May 14, 2003. Mr. Bradley moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

The next item under Petitions and Requests was an alley vacation presented by Mr. Haines.

Alley Vacation Request

Location and Description: An unnamed 16 foot wide alley lying between Erie Street North and First Street NE, running in a north-south direction between Cherry Road NE and State Avenue NE. The request is to vacate that portion of the alley from the northeast corner of Lot No. 2298 southerly a distance of approximately 77.33 feet to the southeast corner of Lot No. 2298.

Applicant: David Piatt

Mr. Haines explained that this request is to vacate a small portion of this 18-foot alley. Mr. Piatt was present and explained that the safety of children is the reason for the request. There is a gate to a fence on the property which was formerly closed, but now is being left open to allow the access of vehicles. Jeff Heighter was present and commented that they own several rental properties, and a funeral home in the area. Therefore, they use the alley and would like it left open. Mr. Heighter presented a petition to the Commission to keep the alley open. Robert Heighter was also present and commented that the alley should remain open. Mayor Cicchinelli asked the involved parties to come together as neighbors and try to work this dispute out prior to the next Planning Commission meeting. Mayor Cicchinelli moved to table the request until the next meeting, seconded by Mr. Johnson, motion carried with Mr. Seesan abstaining.

The next item was a final plat presented by Mr. Haines.

Final Plat – St. Luke Lutheran Community Development

Location and Description: Out Lots 902 and 903, Lots No. 16314 – 16318, located on the south of Lincoln Way NW between Kenyon and Manchester Avenue. The request is to re-plat this property into 5 new out lots. The plat includes the dedication of a new as of yet unnamed public street. The property is zoned RM-1 Multiple Family Residential. *Engineer:* Rolling & Hoyer, Inc.

Applicant: The Waterford at St. Luke

Mr. Haines said this is a small subdivision on the west side in the area of Doc's Lawn and Garden. This forty acres will be re-platted to include an extension of a public street and the dedication of a three acre area to the City for park land. A nursing home is planned for this property. Mr. Haines added that a right-of-way easement should be extended for future development. Ron Derry, of St. Luke's Lutheran Community, was present and commented that Mr. Haines' remarks were accurate. They intend to construct a nursing facility with independent living units. Mr. Johnson moved for approval, seconded by Mr. Bradley, motion carried unanimously.

The next item was a re-plat presented by Mr. Haines.

Re-Plat – Massillon Marketplace

Location and Description: Out Lot 866, a 60.364 acre parcel located at the northwest corner of the SR 21 & U.S. 30 interchange. The request is to re-plat this property into 11 parcels, including 10 new out lots, and 1 new lot. The property is zoned I-1 Light Industrial.

Applicant: DeVille-THF Massillon Development LLC

Mr. Haines explained that according to the owners, each parcel has a separate lease. By splitting and re-platting the property, their taxes can be calculated separately. Patrick Sirpilla, of DeVille, stated that it is important to be able to properly assess management costs individually. Mr. Manson moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

The next item was a re-plat presented by Mr. Haines.

Re-Plat – West Brook Estates II

Location and Description: Lots No. 16674 – 16678, 16703 – 16705, and Out Lot 948, a total of 5.8630 acre parcel located at the southwest corner of Woodstone Avenue NW and Woodforest Street NW in West Brook Estates. The request is to re-plat this property into 9 new lots redistributing Out Lot 948 to the surrounding properties. The property is zoned R-2 One Family Residential. *Applicant:* A. R. Lockhart Development Company

Mr. Haines reported that this property is between Lincoln Way and Route 93. There are single lots, and a large out lot which is wetland and not suitable for building. The owners have decided to split this property up and divide it among the other land owners. Jeff Smith, of A. R. Lockhart Development Company, was present and concurred with Mr. Haines' comments. After a brief discussion, Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion carried unanimously.

The next item was re-plat presented by Mr. Aaby.

Re-Plat – 860 Campbell Circle NE

Location and Description: Lot Nos. 5962 and 5963, located at 830 Campbell Circle NE. The request is to re-plat these parcels into one new lot. The property is zoned R-1 Single Family Residential

Applicant: James and Vicki Keane

Mr. Aaby reported that the purpose of this re-plat is to permit the homeowner to construct a garage. Mr. Keane was present and confirmed his intentions. Mr. Manson moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

The next item was another re-plat presented by Mr. Aaby.

Re-Plat – 14th Street SE – Habitat for Humanity

Location and Description: Lot Nos. 16116, 16117, 16118, and 16119, located on the east of 14th Street SE, south of Walnut Road SE. The request is to re-plat these 4 parcels into 3 new lots. The property is zoned R-1 Single Family Residential.

Applicant: Massillon Chapter, Habitat for Humanity

Rev. Dodson relinquished the Chairman's position to Vice Chairman James Johnson for this item due to his position with Habitat for Humanity. Mr. Aaby explained that a year ago this property was acquired by a developer who had it re-platted into four (4) lots. The property was never developed. Habitat for Humanity is in negotiations to acquire the property. The way the lots were re-platted would result in awkward positioning of homes. Therefore, Habitat for Humanity is requesting the property be re-platted again into only three (3) lots which would create better positioning of the homes to be constructed. Habitat for Humanity is also requesting variances on curbing and the inclusion of a cul-de-sac. Mr. Bradley moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

The next item before the Commission was a rezoning request presented by Mr. Aaby.

Rezoning Request: Villas at Springhill Condominium Development

Location and Description: Part of Out Lot 933, an approximate 18 acre parcel located at the northwest corner of Hankins Road and Valerie Avenue NE.

Zone Change: From R-3 Single Family Residential to R-CRD Condominium Residential District

Proposed Use: To construct a condominium community consisting of 84 units plus a community clubhouse with a swimming pool *Applicant:* Concept Communities, Inc.

Mr. Aaby reported that earlier this year the Planning Commission and ultimately City Council passed an amendment to the zoning ordinance creating a condominium classification. Along with the rezoning application, the developer is required to provide a site plan for the development. This provides for more control of the proposed development. This proposed development is eighteen (18) acres in size and will contain eighty-four (84) condominium units. Access will be from Valerie Avenue NE.

The attorney for Concept Communities, Inc., Bill Williams, who is also a share holder of the company, complimented the City on its state and the development of the amendment to the ordinance. He also stated that he has been asked to draft deed restrictions to maintain the character and value of the adjacent property and community. He commented further that Concept Communities, Inc. and its president, Karl Balla, have a proven track and success record. He said that a community meeting was held on June 3, after sending letters to area residents. He said they also offered to hold a second meeting. Attorney Williams exhibited a rendering of the type and design of buildings. In his opinion, the structures resemble a large single family residence. The two-bedroom units are 1300 square feet and the three-bedroom units are 1900 square feet. The price range is \$149,900 - \$194,900. A clubhouse, swimming pool, golf putting green, and small pond with a waterfall are also included.

Studies indicate there is a strong market of "baby boomers" who are seeking this type of lifestyle. Studies further indicate that 20% of all new homes being sold are condominiums. If Massillon doesn't offer this option, those in the market for condominiums will go up the street to Jackson Township. The developer has agreed to some adjustments in an attempt to work with area neighbors.

Rev. Dodson then invited those who wished to speak, to do so in a respectful, concise manner. Joni Locke, 1525 Valerie NE, asked questions about the dredging of the Reservoir and also expressed concern about increased traffic. Ted Anderson, 1360 Laurenbrook Lane NE, claimed the residents were assured only single family homes would be built. Lillian Crimon, 1025 Scottwood Place NE, presented a petition which she said contained over 900 signatures of people not wanting condominiums. Katherine Catazarro Perry, 900 Mill Ridge Path NE, commented that she agrees with the concerns of the neighbors. Joe Quinn, 1038 Carnation Street NE, was concerned for children and felt if this development proceeds, there would be too many condominiums in one location. Jeremy Carpenter, 1520 Valerie NE, complained about increased traffic and losing the country-life atmosphere. Gerald Cody, who teaches land planning at Stark State College of Technology, criticized the developers due to density and possible infrastructure issues. Catherine Zalaskalns, 1028 Carnation NE, was concerned about traffic.

Mayor Cicchinelli commented that confusion is occurring which is creating problems. For the last five years, we (the City) have discussed developing a condominium zoning classification to eliminate the use of Multiple Family Zoning for condominiums which is not appropriate. Guy Cicchini, 1155 Valerie NW, commented that he lives next to the development and didn't receive notification about the meeting. Dale Walterhouse, 809 - 16th NE, asked about sidewalks, cul-de-sacs, and roads in the development. Councilman James Filhour was present and thanked the Commission for its hard work. He also said he thinks this property should be developed as single family. He said promises were made that there would be no more condominiums. Councilwoman Claudette Istnik, said a commitment was made to the residents that there would be no more condominiums. She felt "we" shouldn't say one thing and do another. Councilman Ronald Mang was also present and said he was unable to find documentation of the promise of "no more condominiums". He added that this promise should have been backed up with legislation. Mr. Seesan stated he really feels the city would be missing out on a good opportunity if this development doesn't occur. A lot of the complaints have been about traffic, but more traffic is generated by single family homes than by condominiums because usually there is only a single person or couple living in condominiums. He added he recently moved to a larger single family home which he purchased from a retired couple who moved into a condominium. He feels some of the residents have been misinformed.

Mayor Cicchinelli then commented that a considerable amount of misinformation has been disseminated throughout the community. He also commented that previous attempts had been made to rezone to RM-1 Multiple Family and it seems some people think that is what is occurring at this time. He continued to say that Councilman Filhour claimed he (Mayor Cicchinelli) promised there would be no more condominiums built in this area. Mayor Cicchinelli said he has researched both the Planning Commission and City Council minutes and could find no accounting of such a statement by him. Additionally, Mayor Cicchinelli said that Mr. Day and Abby Glenn's success with condominium development has led to this proposal for additional condominium development. Condominiums are a great housing option for retirees. Retirees are a tremendous benefit to the city. People have voiced a concern about traffic. Condominiums create less burden on traffic than traditional single family homes. "I feel for the betterment of the community, this is a good development", said Mayor Cicchinelli. Mr. Johnson then moved for approval, seconded by Mayor Cicchinelli, motion carried 5 - 1 by the following vote:

Mr. Johnson	-	yes
Mr. Manson	-	yes
Mr. Seesan	-	yes
Mayor Cicchinelli	-	yes
Mr. Bradley	-	yes
Mr. Pedro	-	no

The final item of business for the evening was a rezoning request presented by Mr. Aaby.

Rezoning Request – 2nd Street NE and Thorne Avenue NE

Location and Description:

Lot No. 613 (207 2nd Street NE) to be rezoned from RM-1 Multiple Family Residential to B-2 Central Business District.

Lot No. 611 (located on the west side of 2nd Street NE between North and Thorne Avenues NE, presently used as a driveway) to be rezoned from RM-1 Multiple Family Residential to P-1 Vehicular Parking.

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Proposed Use: The properties will be used for parking and access to the commercial property located at 136 North Avenue NE.

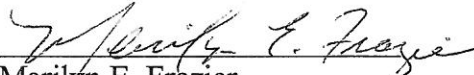
Applicant: F & M Properties

This request is for three (3) separate lots in the vicinity of 2nd Street and Thorne Avenue NE. The owner wishes to expand their business. Mildred Kowell, the property owner, was present. Sue Gordon, 504 Lincoln Way East, President of CHARM Resident's Association, is concerned about the integrity of the neighborhood. Lois McHugh, 523 3rd Street NE, voiced her concerns. Kelley and Joe Kovatch, 323 2nd NE both voiced concern about traffic and safety of children. Mayor Cicchinelli then commented that it appears there is the beginning of encroachment of business in this neighborhood. He further recommended that since this area has an active and successful resident association, that a meeting be called to review this situation.

He then moved to table this item until the next meeting, Mr. Bradley seconded the motion which carried unanimously.

There being no further business before the Commission, the meeting adjourned at 10:20 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

MEF/ky

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Mr. Haines reported that this property is between Lincoln Way and Route 93. There are single lots, and a large out lot which is wetland and not suitable for building. The owners have decided to split this property up and divide it among the other land owners. Jeff Smith, of A. R. Lockhart Development Company, was present and concurred with Mr. Haines' comments. After a brief discussion, Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion carried unanimously.

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Mr. Johnson	-	yes
Mr. Manson	-	yes
Mr. Seesan	-	yes
Mayor Cicchinelli	-	yes
Mr. Bradley	-	yes
Mr. Pedro	-	no

The final item of business for the evening was a rezoning request presented by Mr. Aaby.

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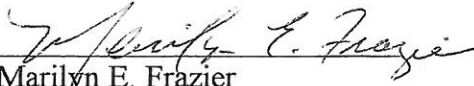
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Applicant: F & M Properties

This request is for three (3) separate lots in the vicinity of 2nd Street and Thorne Avenue NE. The owner wishes to expand their business. Mildred Kowell, the property owner, was present. Sue Gordon, 504 Lincoln Way East, President of CHARM Resident's Association, is concerned about the integrity of the neighborhood. Lois McHugh, 523 3rd Street NE, voiced her concerns. Kelley and Joe Kovatch, 323 2nd NE both voiced concern about traffic and safety of children. Mayor Cicchinelli then commented that it appears there is the beginning of encroachment of business in this neighborhood. He further recommended that since this area has an active and successful resident association, that a meeting be called to review this situation. He then moved to table this item until the next meeting, Mr. Bradley seconded the motion which carried unanimously.

There being no further business before the Commission, the meeting adjourned at 10:20 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

MEF/ky

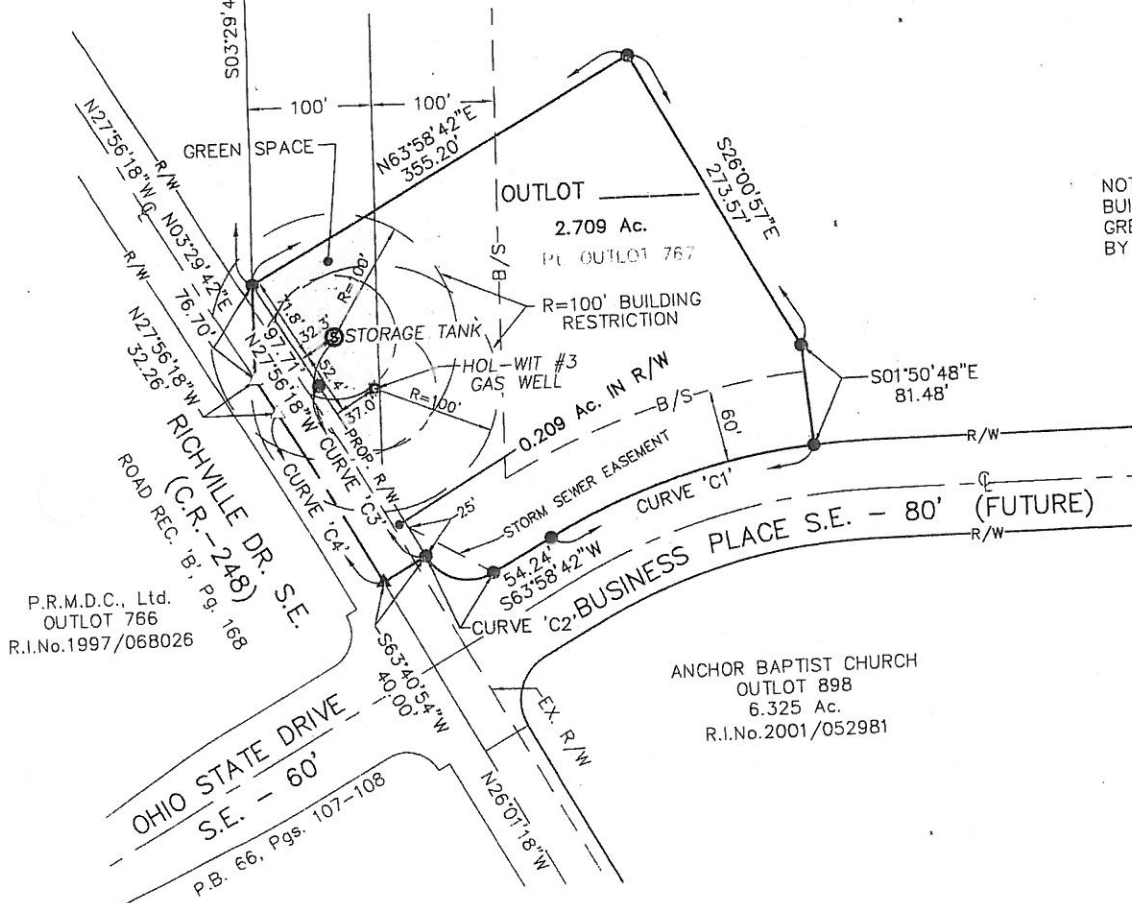
J. POLAND
1.48 Ac.
R.I.No.2001/
08160058771

T. SCHMIDT
Ac.
I.No. /046507

J. & R. BRAID
1.67 Ac.
D.V. 3753, Pg. 93

BEAVER EXCAVATING Co.
Pt. OUTLOT 767
(120.879 Ac.)
R.I.No.2001/003937

OUTLOT 767
N.E. CORNER OF
N.W. QUARTER OF
SECTION 22 IN
PERRY TOWNSHIP



NOTE:
BUILDING SETBACK LINE
GREEN SPACE ARE SH
BY THE MASSILLON CI

P.R.M.D.C., Ltd.
OUTLOT 766
R.I.No.1997/068026

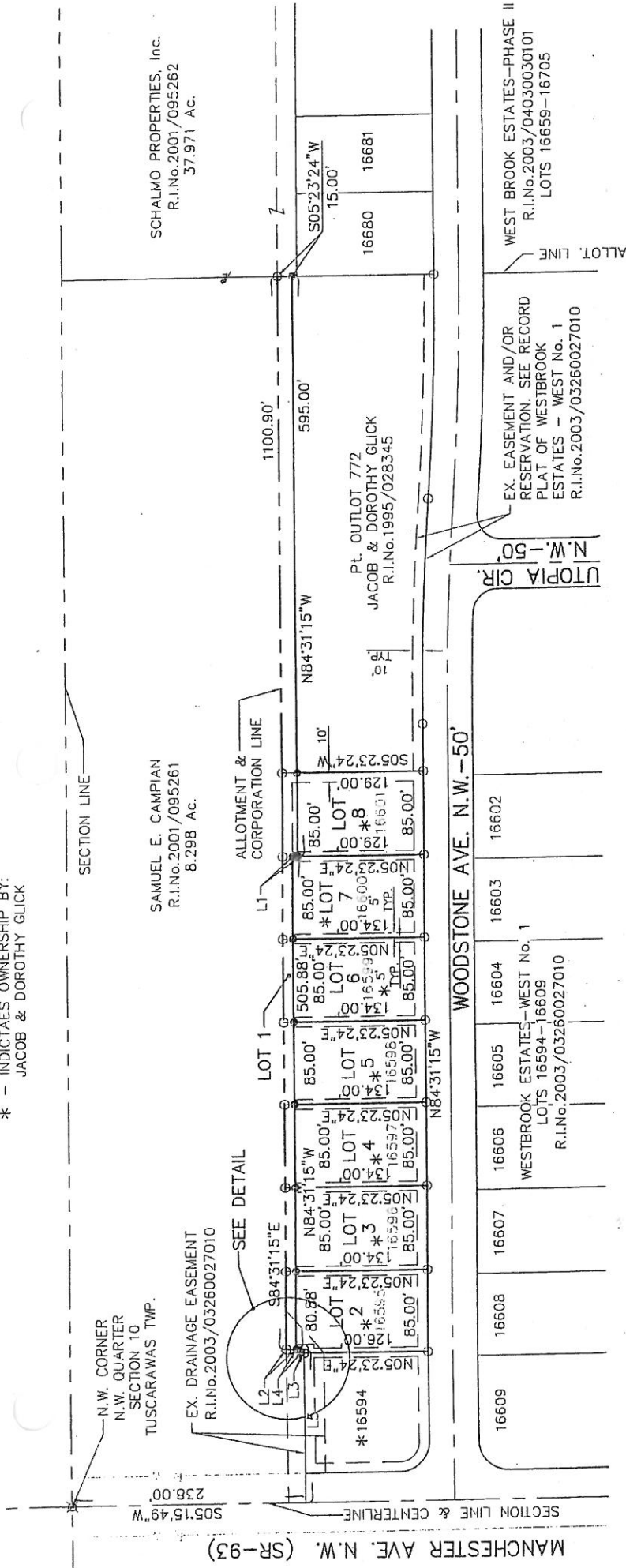
ANCHOR BAPTIST CHURCH
OUTLOT 898
6.325 Ac.
R.I.No.2001/052981

REFERENCE DIRECTION
THE SURVEYING SYSTEM USED WAS ESTABLISHED FROM THE RECORD PLAT OF
UNIVERSITY VILLAGE PHASE 3 AS RECORDED IN PLAT BOOK 66 PAGES
17 & 108 OF THE STARK COUNTY PLAT RECORDS; USING N26°01'18"W
OR A PORTION OF THE CENTERLINE OF RICHVILLE DRIVE S.E.

PERTINENT DOI
R.I.No.2001/003937
OWNER-BEAVE
ROAD REC. 'B',
R.I.No.2001/081
R.I.No.2001/052
R.I.No.2000/046
D.V. 3753, Pg.
P.B. 66, Pgs. 1

REPLAT & RENUMBERING PLAT	
OF A PART OF OUTLOT 767	
IN THE CITY OF MASSILLON, STARK COUNTY, OHIO	
FOR: BEAVER EXCAVATING Co.	
PROJ.#	03158
SHEET	1 OF 1
DRAWN BY: S.D.H.	
CHECKED BY: R.R.D.	
FIELD BOOK No.	
DATE JUNE 2003	

* - INDICATES OWNERSHIP BY:
JACOB & DOROTHY GLICK

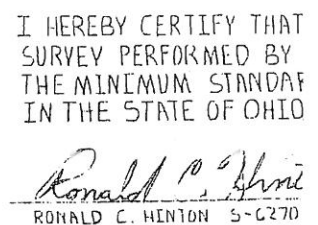


LOT ACREAGE TABLE		
LOT #	CITY LOT #	ACREAGE
1		0.3210 Ac.
2		0.2607 Ac.
3		0.2615 Ac.
4		0.2615 Ac.
5		0.2615 Ac.
6		0.2615 Ac.
7		0.2615 Ac.
8		0.2517 Ac.
TOTAL AREA IN LOTS		2.1409 Ac.

REPLAT & RENUMBERING PLAT

ALL OF LOTS 16595 THRU 16601 AND PART OF OUTLOT 772 IN THE CITY OF MASSILLON,
SITUATED IN PART OF THE N.W. QUARTER OF SECTION 10,
TOWNSHIP-12 (TUSCARAWAS TWP.), RANGE-10
STARK COUNTY, OHIO

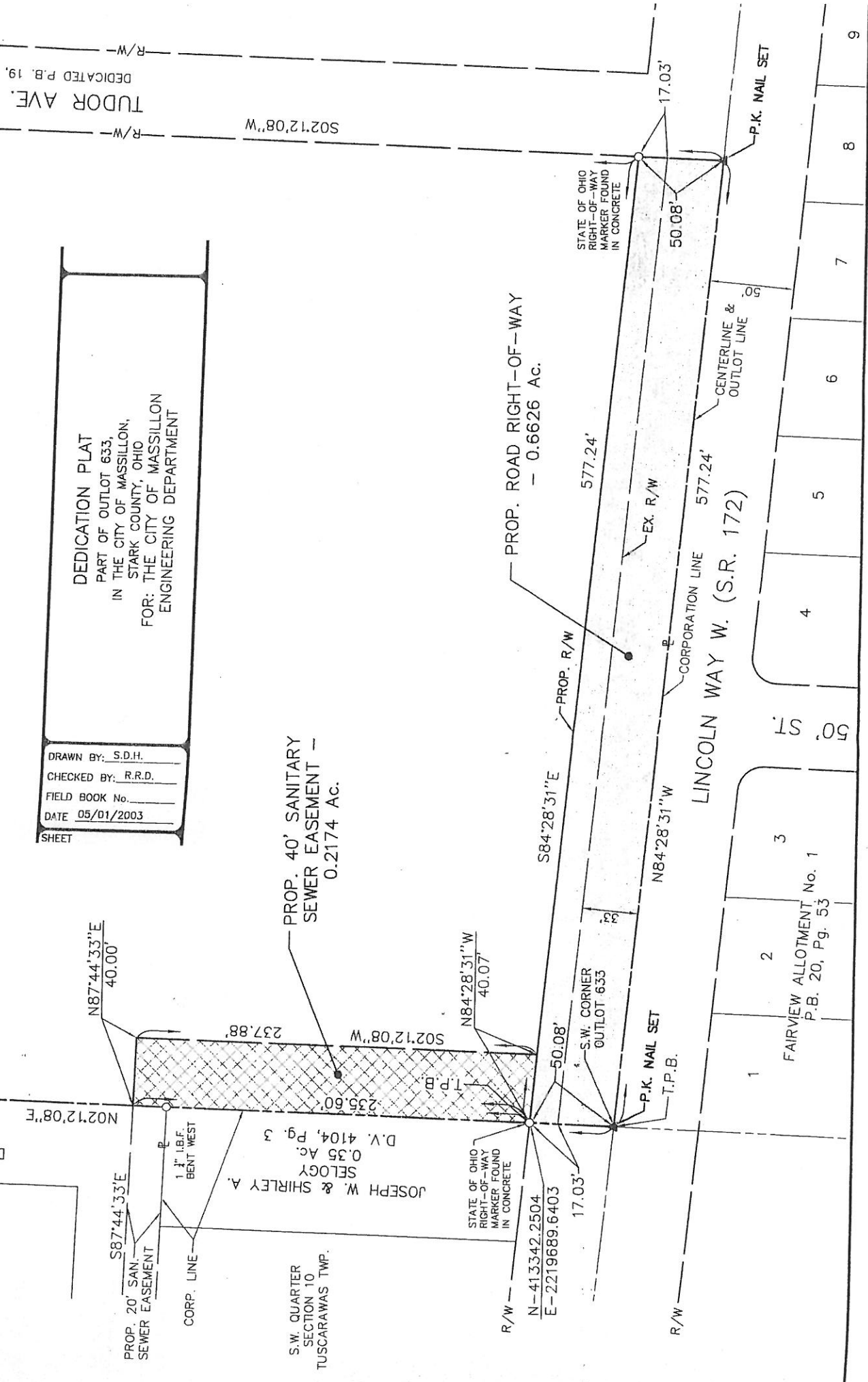
SCALE: 1" = 100' JUNE 2003



REPLAT OF LOT 10086 AND PART OF OUT LOT 506
IN THE CITY OF MASSILLON

STARK COUNTY, OHIO

DOI



DRAWN BY: S.D.H.
CHECKED BY: R.R.D.
FIELD BOOK No. _____
DATE 05/01/2003
SHEET

DEDICATION PLAT
PART OF OUTLOT 633,
IN THE CITY OF MASSILLON,
STARK COUNTY, OHIO
FOR: THE CITY OF MASSILLON
ENGINEERING DEPARTMENT

JOSEPH W. & SHIRLEY A. SELODY
D.V. 4104, Pg. 3
0.35 Ac.

S.W. QUARTER
SECTION 10
TUSCARAWAS TWP.

PROP. 40' SANITARY
SEWER EASEMENT -
0.2174 Ac.

PROP. ROAD RIGHT-OF-WAY
- 0.6626 Ac.

STATE OF OHIO
RIGHT-OF-WAY
MARKER FOUND
IN CONCRETE

STATE OF OHIO
RIGHT-OF-WAY
MARKER FOUND
IN CONCRETE

LINCOLN WAY W. (S.R. 172)

FAIRVIEW ALLOTMENT No. 1
P.B. 20, Pg. 53

1	2	3	4	5	6	7	8	9
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SANITARY SEWER EASEMENT PLAT
PT. OF OUTLOT 634, IN THE CITY OF MASSILLON,
STARK COUNTY, OHIO
FOR: CITY OF MASSILLON ENGINEERING DEPT.

S.E. QUARTER
SECTION 10
TUSCARAWAS TWP

PROP. 20' SANITARY
SEWER EASEMENT -
0.2862 Ac.

Pt. OUTLOT 634
DOROTHY E. & JACOB GLICK
4.514 Ac.
R.I.No.2000/014489

QUARTER SECTION LINE
& OUTLOT LINE

OUTLOT 633
STATE OF OHIO
10.66 Ac.
D.V. 1110, Pg. 91

PROP. 40' SANITARY
SEWER EASEMENT
(BY SEPERATE INSTRUMENT)

GERALD R. HOLLINGER
0.90 Ac.
D.V. 3540, Pg. 508

S.W. QUARTER
SECTION 10
TUSCARAWAS TWP

Pt. OUTLOT 634
DOROTHY E. & JACOB GLICK
4.514 Ac.
R.I.No.2000/014489

JOSEPH W. & SHIRLEY A.
SELOGY
0.35 Ac.
D.V. 4104, Pg. 3

LINCOLN WAY W. (S.R. 1772)

CENTIFRINE

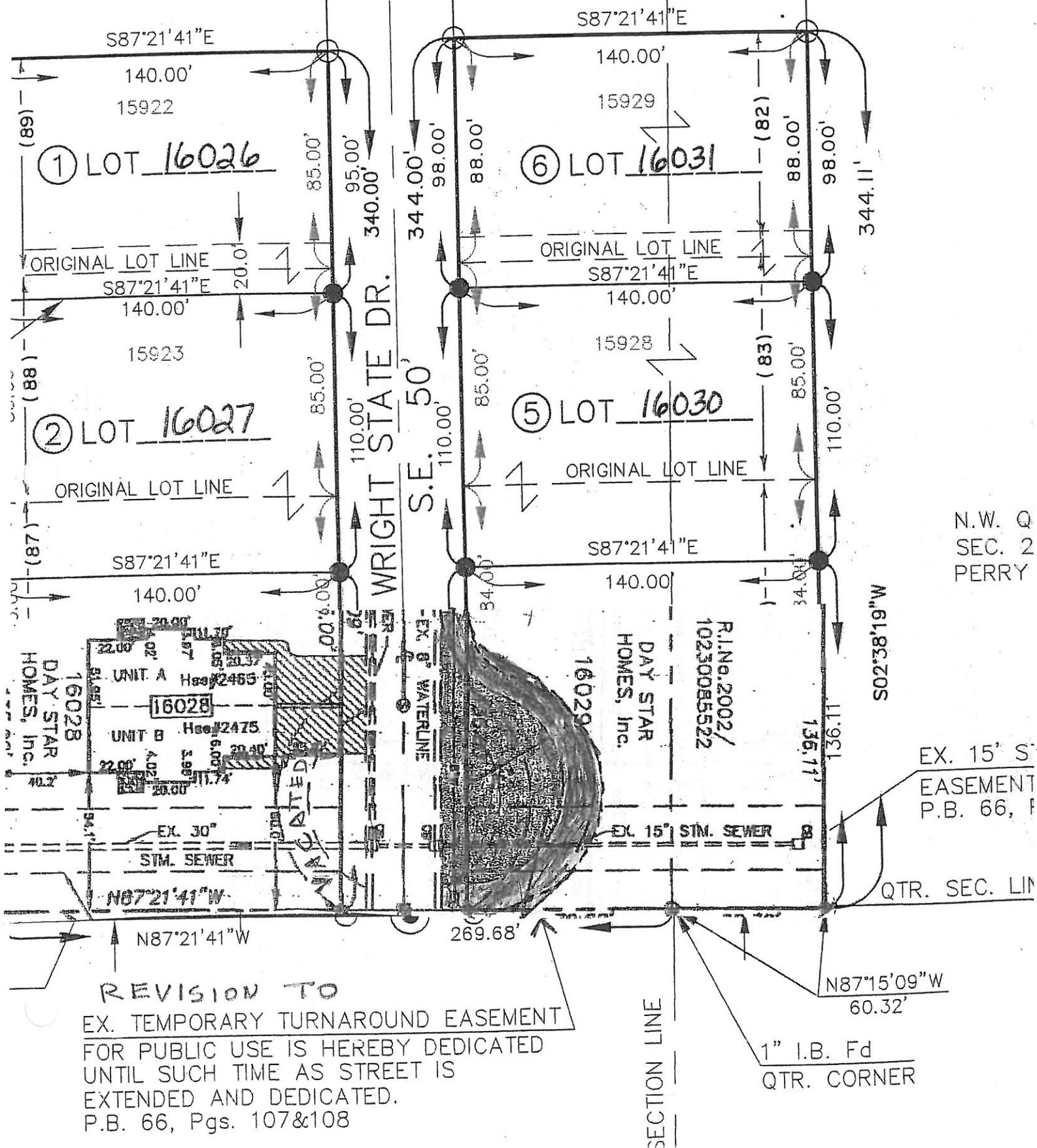
P.K. NAIL SET

-S.W. CORNER
OUTLOT 633
EX. R/W

✓PROP. R/W
N-413342.2504
E-2219689.6403

PERTINEI
P.B. 66,

UNIVERSITY VILLAGE Ph. 3
15921 LOTS 15904 THRU 15936 15930
P.B. 66, Pgs. 107&108



NORTH
ERIE

1ST ST NE

CHERRY RD NE

ALLEY VACATION REQUEST



Title: G:\1 City and Maps\Cities\Massillon\023e_MAS.dwg