

A G E N D A
MASSILLON PLANNING COMMISSION
AUGUST 10, 2005 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of July 13, 2005.*

2. *Petitions and Requests*

Rezoning Request – Amherst Village

Property Description: An approximate 0.73 acre parcel located on the east side of First Street NE south of Amherst Meadows Care Facility, and consisting of Part of Out Lots 868.

Zone Change From: R-2 Single Family Residential

Zone Change To: RM-1 Multiple Family Residential

Applicant: Atwell-Hicks, consultants for Amherst Real Estate Holdings LLC

Proposed Use: The area being rezoned will be replatted with existing RM-1 property to provide a 2.19 acre site for the construction of 13 attached single-family owner-occupied housing units (3-three unit and 2 two-unit structures).

Replat – Amherst Village

Location and Description: Out Lot 868 and Part of Out Lot 932, located on the east side of First Street NE south of Amherst Meadows Care Facility. The request is to replat these parcels into one new lot, with a net area of 2.19 acres.

Applicant: Atwell-Hicks, consultants for Amherst Real Estate Holdings LLC

Lot Split / Replat – 1875 Harsh Avenue SE

Location and Description: Out Lot 455, located on the South side of Harsh Avenue SE, west of Kaymont Street. The request is to split a narrow strip of land off the south edge of the property, with frontage on the unimproved Kaymont Street. The remainder of the property would be replatted.

Applicant: Ansell Healthcare, LLC

Replat – Wright State Drive SE

Location and Description: Lots 16029 and 16867, located on the south end of Wright State Drive SE. The proposal is to split a 20' strip of land from Lot 16867 and combine it with Lot 16029 to make 1 buildable lot. All sewer and drainage easements will remain in place.

Applicant: PRMDC / Fred Tobin

Alley Vacation and Repat– 11th Street SE

Location and Description: Lots 10095 and 15674; located on the East side of 11th Street SE, North of Arch Avenue. The request is to vacate an 18' alley running East from 11th Street approximately 153.56', and combine the vacated portion with the adjoining parcels.

Applicant: Wayne Cecil

Variance Request: Gray Ridge Estates

Location and Description: Gray Ridge Estates, a proposed single family allotment located on the East side of 27th Street SE, South of Harsh Avenue. This project is currently in the design stages and the owner has requested the following variances of sections 1111.07 and 1111.08 for the 27th Street improvements:

- 1.) Lane width of 10'-6" instead of 13' lanes
- 2.) Type 6 straight curbs instead of standard curb and gutters
- 3.) No sidewalk along 27th Street improvements

In addition a variance is requested of Section 1111.09 as follows:

- 4.) No sidewalk along all interior streets of the allotment

Applicant: Barrington Mortgage / Ron Duplain

3. Other Business

The Massillon Planning Commission met in regular session on July 13, 2005, in Massillon City Council Chambers. The meeting started at approximately 7:45 P.M. due to problems gaining access to the site of the meeting. The following were present:

Members

Chairman Rev. David Dodson
Vice Chairman James Johnson
Mayor Francis H. Cicchinelli, Jr.
Susan Gordon
Vincent Pedro
Todd Locke

Staff

Aane Aaby
Marilyn Frazier
Jason Haines

The first item of business was the minutes for the Commission meeting of June 8, and June 22, 2005. Ms. Gordon moved to approve the minutes for both meetings, seconded by Mr. Pedro, motion unanimously carried.

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

Rezoning Request – Cherry Road NW

Property description: A 39.93 acre vacant tract of land located on the south side of Cherry Road NW, between 5th Street NW and 17th Street NW, and consisting of Out Lots 93, 94, and Part of Out Lot 91.

Zone change from: I-1 Light Industrial

Zone change to: RM-1 Multiple Family Residential and R-CRD Condominium Residential District

Applicant: bengrisezHomes, Inc.

Proposed use: Construct 15 4-unit condominium buildings and 4 16-unit apartment buildings on this property.

This request involves a 40-acre parcel on the south side of Cherry Road NW, near the Massillon Knights of Columbus, National Church Residence's senior housing facility, Friendship Village Housing, Massillon Cable Television, and Fiber Corr, Inc. The owner has negotiated a sale contingent on the property being rezoned. The first phase would be developed as condominiums and the second phase would depend on the success of the condominiums. If sales warrant, they'll build more condominiums, if not, apartments will be constructed.

The developer, Ben Grisez, was present. He said he has kept the neighborhood in mind while developing plans. He thought the neighbors were concerned with the type of apartments. He added further his intention is to develop luxury apartments desirable for retirees and young professionals. He'd take advantage of the Sippo Valley Trail in the development of the property. His name and reputation is at stake.

David Shew, President of Fiber Corr, Inc., was present. He commented that they have been good neighbors and good to the Massillon community. He is afraid the vandalism around the property will increase if the area is developed as apartments. He added that he is opposed to multi family housing and is prepared to fight against it "tooth and nail" to have the rezoning denied.

At one time, his company attempted to purchase the property but was unable to do so due to the property not passing Phase 1 and 2 Environmental Study. He said the property is better suited for industrial use. He also expressed concern about road and utility capability.

Rev. Dodson asked Mr. Grisez to respond to the utility comment. He replied he had spoken to all utility providers and didn't anticipate a problem.

John Bogger, one of the owners of the subject property, was present. He said he hadn't spoken to Mr. Shew, but the property has passed Phase 1 Study. He has been marketing the property for four years and the interest has been 20 – 1 industrial to residential. However, he felt it would be in everyone's best interest for industrial uses to locate at the industrial park. He said he has also had problems with vandalism. He added further, Mr. Grisez didn't contact him, he contacted Mr. Grisez. There is ample capacity for traffic. He feels the proposal would be in everyone's best interest.

Bob Princehorn, 999 Cherry Road NW, was present and commented he is opposed to the proposal because rentals create a nuisance. He has no problem with condominium development, but is not in favor of rentals. He also thinks this would add to existing traffic problems on Cherry Road.

Sam Daut, owner of Diversified Glass, commented that he prefers condominiums, and is against apartments.

James Shilling, 861 Cherry Road NW, asked about the location of the entryway to the proposed development. His concern was the proximity of the entryway to his property.

Mayor Cicchinelli asked Mr. Grisez if the location of the entryway could be changed, and would he be willing to develop condominiums only.

A discussion about CRD Condominium Zoning ensued. Chairman Rev. Dodson then called for a motion three times with no response. The item was automatically tabled due to the lack of a motion on the item.

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

Re-plat - 906 17th Street NE

Location and description: Lots 10503, 10504, and part of Out Lot 425, located on the east side of 17th Street NE, south of Hankins Road. The request is to combine the three existing parcels into one new lot. The property is zoned R-3 Single Family Residential.

Applicant: Adam Klinger

The property owner was informed by the Building Department that this procedure was necessary since he wished to construct an addition to his property. Mr. Klinger was present and commented he was amazed when he realized he couldn't add on to his property without this procedure. Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion unanimously carried.

The next item was also a re-plat.

Re-plat - 1607 Walnut Road SW

Location and description: Lots 10357 and 10358, located on the south side of Walnut Road SW, east of 17th Street SW. The request is to re-plat a 13' strip of land from Lot 10358 to Lot 10357 in order to retain an existing garage. The property is zoned R-1 Single Family Residential.

Applicant: Velma Owens/Robert Ralston

Both lots have houses on them, but one is scheduled to be demolished. The garage is on the lot where the house is being torn down. If the property is re-platted, the garage will then be on the same lot as the remaining house. Mr. Ralston was present and commented this property has been in his family since 1914. Mr. Locke moved for approval, seconded by Ms. Gordon, motion unanimously carried.

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

Final Plat – Sippo Reserves Allotment Phase 1

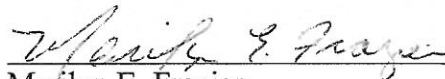
Location and description: Out Lot 783, located on the east side of Manchester Road NW, north of Woodstone Avenue. The request is to plat 22 lots and 2 new streets for Phase 1 of the development. The plat also contains the necessary utility and wetland easements. The property is zoned R-1 Single Family Residential.

Applicant: David Hayes/Crockett Homes

This property is across the street from Tuslaw High School. Mr. Hayes was present. After a brief discussion, Mayor Cicchinelli moved for approval, seconded by Ms. Gordon, motion unanimously carried.

There being no further business before the Commission, the meeting adjourned at 8:55 P.M.

Respectfully submitted,



Marilyn E. Frazier
Commission Clerk

Approval:

Rezoning Request – Amherst Village

Property Description: An approximate 0.73 acre parcel located on the east side of First Street NE south of Amherst Meadows Care Facility, and consisting of Part of Out Lots 868.

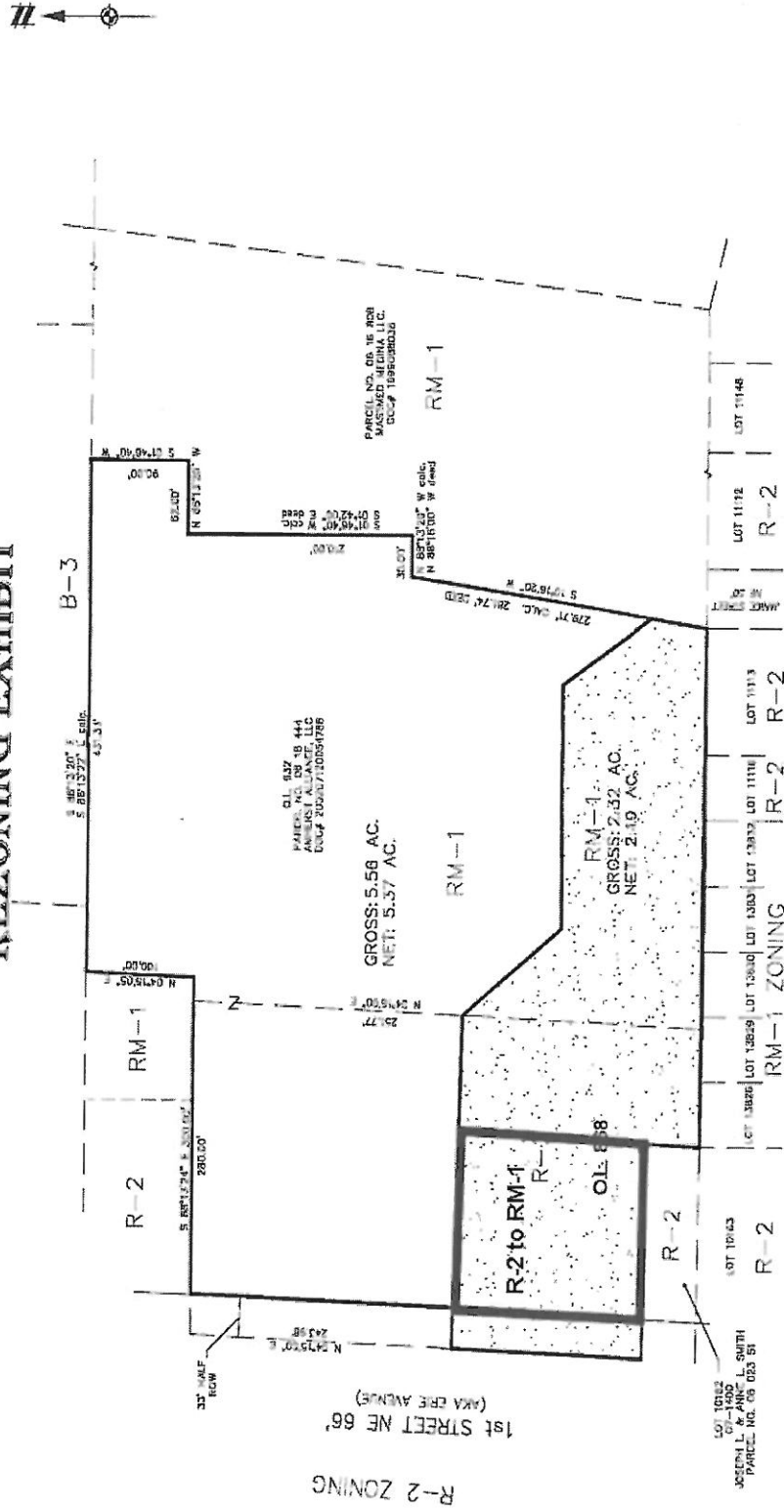
Zone Change From: R-2 Single Family Residential

Zone Change To: RM-1 Multiple Family Residential

Applicant: Atwell-Hicks, consultants for Amherst Real Estate Holdings LLC

Proposed Use: The area being rezoned will be replatted with existing RM-1 property

AMHERST VILLAGE REZONING EXHIBIT



LEGEND

PROPOSED RM-1 REZONING

PROJECT NO.: 05000680
DATE: 08-01-05

SCALE: 1" = 100'

ATWELL-HICKS

Engineering • Surveying • Planning
Environmental • Water/Wastewater

868 B S O 4 2 0 0
www.atwell-hicks.com
MICHIGAN ILLINOIS OHIO

DR. SVG
CAD FILE: 05000680WS-LB-11X17

41

Location and Description: Out Lot 868 and Part of Out Lot 932, located on the east side of First Street NE south of Amherst Meadows Care Facility. The request is to replat these parcels into one new lot, with a net area of 2.19 acres.

AMHERST VILLAGE PROPOSED REPLANT



ATWELL-HICKS
Engineering • Surveying • Planning
Environmental • Water/Wastewater

Dr. SMC
CAD FILE: 057000005-18-11147
866 650 4200
www.official-hicks.com
41

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Lot Split / Replat - 1875 Harsh Avenue SE

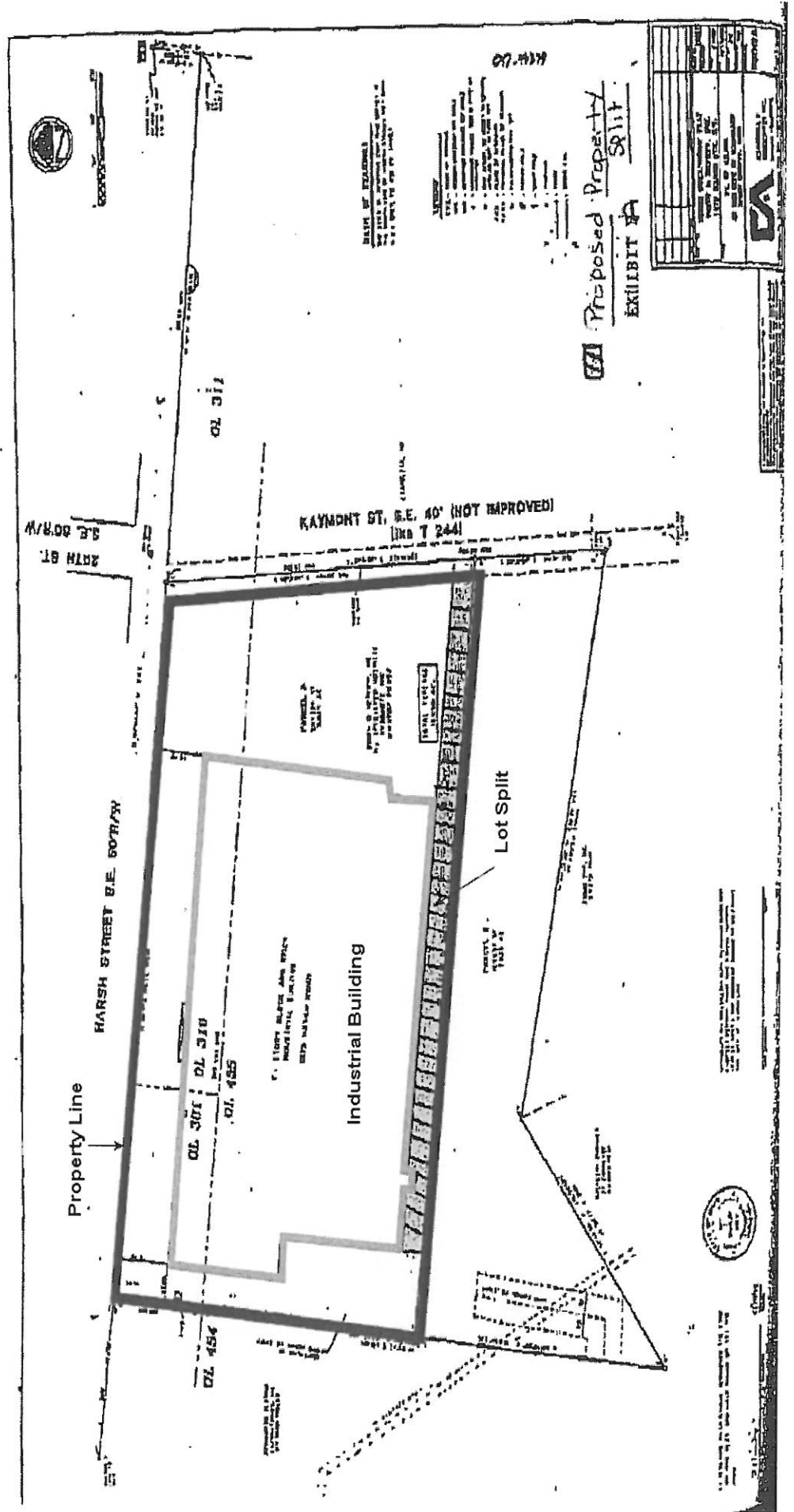
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Applicant: Ansell Healthcare, LLC

Exhibit A

17

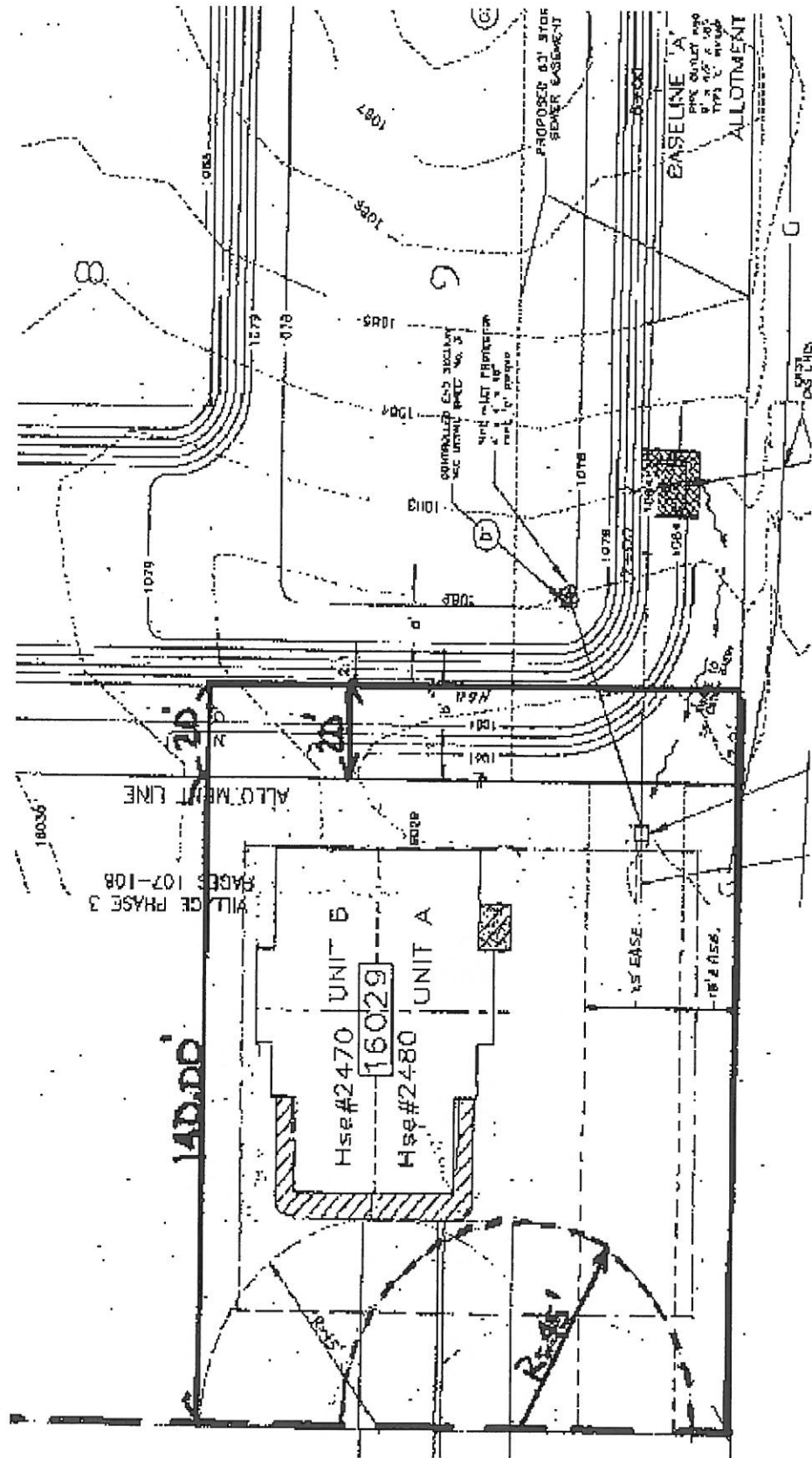
Proposed Lot Split - 1875 Harsh Avenue SE (former Ansell Perry Building)



Replat – Wright State Drive SE

Location and Description: Lots 16029 and 16867, located on the south end of Wright State Drive SE. The proposal is to split a 20' strip of land from Lot 16867 and combine it with Lot 16029 to make 1 buildable lot. All sewer and drainage easements will remain in place.

Applicant: PRMDC / Fred Tobin



Location and Description: Lots 10095 and 15674; located on the East side of 11th Street SE, North of Arch Avenue. The request is to vacate an 18' alley running East from 11th Street approximately 153.56', and combine the vacated portion with the adjoining parcels.

This is a detailed street map of a residential neighborhood in Chicago. The map shows a grid of streets with lot numbers and house numbers. The streets shown include Lincoln St, Arch Ave, and various streets running parallel to them. The map includes a compass rose and a scale bar. The map is oriented with North at the top. The streets are labeled with their names and numbers. The lot numbers are shown in the corners of the lots. The house numbers are shown on the lots. The map is a black and white line drawing.

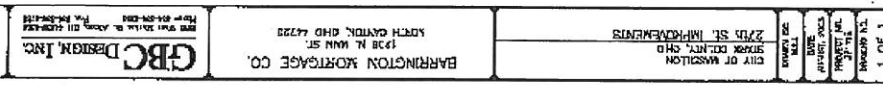
Streets shown:

- Lincoln St
- Arch Ave
- Various streets running parallel to Lincoln St and Arch Ave

Lot numbers and house numbers:

- Lot 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 80

Proposed drawings for 27th Street improvements



GBC DESIGN, INC.

3378 West Market Street Akron, OH 44333-3386
Phone 330-836-0228 Fax 330-836-5782
www.GBCdesign.com

Sy Cymerman, A.I.A.
Gary R. Rouse, P.E., P.S.
John E. Walsh, P.E., P.S.

August 4, 2005

City of Massillon
Department of Engineering
151 Lincoln Way East
Massillon, OH 44646

Attention: Jason Haines

Subject: **Gray Ridge Estates**
GBC Project No. 37119

Dear Jason:

On behalf of the Developer, we request that a variance be granted of Section 1111.07 (Pavement), 1111.08 (Curb & Gutter), & 1111.09 (Sidewalks) to allow for improvements to 27th Street from Harsh Avenue to proposed Gray Ridge Ave.

The existing right-of-way in this area is only 30 feet wide and the adjoining properties are not owned by the Developer. This width does not allow 27th Street to be improved to the City of Massillon Standard Section. The plan that is enclosed shows the improvements that are being proposed for 27th Street. This includes pavement and concrete curb. This Section is proposed from Harsh Avenue to the limits shown on the enclosed plan. The portion of 27th Street on the east side from the northerly line of Gray Ridge Estates to Gray Ridge Avenue however, will be constructed to the City of Massillon Typical Section except for no sidewalk construction. This alternate pavement section would provide 22' from back of curb to back of curb and would allow for two way traffic. An O.D.O.T. Type 6 Concrete Curb is proposed, as it will provide a wider travel lane. This would also allow for the proposed improvements to be constructed within the existing 30 foot right-of-way.

Harsh Avenue, 27th Street and other streets in the area typically measure only 18' from edge of pavement to edge of pavement, and have no curb or sidewalk.

If desired, "No Parking" signs could be installed on 27th Street to keep the roadway clear of parked vehicles.

All new streets within Gray Ridge Estates will be in accordance with the City of Massillon Typical Section except for no sidewalk. Since Harsh Avenue, 27th Street and other streets in this area have no sidewalk, no external sidewalk connection can be made. By not constructing the sidewalk a wider green area will be created. It is our opinion that any local pedestrian traffic within Gray Ridge Estates could utilize this green area or the roadway.

Jason Haines
August 4, 2005
Page 2 of 2

Your consideration of this request is greatly appreciated. Please call if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Michael Kendall". The signature is fluid and cursive, with the first name "D." and last name "Kendall" clearly distinguishable.

D. Michael Kendall, P.E.

Encl.

cc: Ron Duplain w/ encl.