

A G E N D A
MASSILLON PLANNING COMMISSION
AUGUST 9, 2006 **7:30 P.M**
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of July 12, 2006.*
2. *New Business*

Rezoning Request – Menard, Inc.

Location and Description: An approximate 45 acre parcel of land located on the west side of State Route 21 between U. S. 30 and Warmington Road SW and consisting of Out Lot 580 and Part of Out Lot 581. The majority of this property was rezoned to B-3 General Business in 2003. The specific request at this time is to rezone an 800 foot wide by 310 foot deep portion of Out Lot 581 from I-2 General Industrial to B-3 General Business.

Proposed Use: The construction of a shopping center anchored by a Menards Home Improvement Center

Applicant: Menard, Inc. (Mark Lee, Corporate Counsel)

Rezoning Request – Sanders Annexation

Location: Progressive Cadillac-Dodge, 7966 Hills & Dales NW, Out Lot 1029, a 4.2 acre parcel recently annexed to the City of Massillon from Perry Township.

Zone Change: From: Perry Township Zoning
To: B-3 General Business

Proposed Use: Existing Automobile Dealership

Applicant: City of Massillon

Replat – Citgo Gas Station - 1310 1st Street NE

Location and Description: The northeast corner of 1st Street NE and Lake Avenue NE. The request is to: 1) replat Lots No. 6078-6082 and 10455 into one new lot; and 2) replat Lots No. 6100 – 6102 into one new lot.

Applicant: Campbell Oil Company
Engineer: Hammontree & Associates

Replat – Connecticut Avenue SE

Location and Description: Lot 6473 and Lot 6474, located on the southwest corner of Connecticut Avenue SE and Russell Blvd. SE. The request is to split the lots to create one lot with an existing residence and one new building lot. The property is zoned R-1 single family residential.

Applicant: Colin and Krista Davidson

Replat and Dedication Plat– 15th Street NW

Location and Description: Parts of Out Lot 90, located on the east side of 15th Street NW, south of Cherry Road. The request is to split the lots to create 3 lots with existing homes and one new building lot. The request also includes the proposed dedication of additional right-of-way for 15th Street which may or may not be improved. The property is zoned R-2 single family residential.

The owner is requesting variances to the following sections:

- 1109.05 (c) All building lots to front on public street(end of street is not considered frontage)
- 1109.05 (d) Length to width ratio greater than 3 ½ to 1
- 1177.01 Minimum frontage for R-2 lots

Applicant: Jack Jenkins/Paul Rowlands

Easement Plat – Indian River Road

Location and Description: Out Lot 1007, located on the west side of Indian River Road SW, North of Massillon Marketplace. The request is to vacate an existing sewer easement and dedicate a new sewer easement in the new location of the line. The property is zoned R-1 single family residential.

Applicant: McCoy Associates / Steven Hamit

Street Vacation – Southway Street SE

Location and Description: 0.148 Acres of Southway Street SE, located at the new w Southway/Richville Drive intersection. The request is to vacate the south half of Southway Street between Sherbrook Street and the new Southway St. intersection. The roadway has been removed from this area. The north half of this street is still considered Perry Twp. and must be vacated by the Stark County Commissioners.

Applicant: City of Massillon

Proposed Amendment to Zoning Code – Non-Conforming Structures

Section 1179.04 (b) shall be amended to read:

Should such a nonconforming structure or nonconforming portion of a structure be destroyed by accidental means, it may be constructed in conformity with the regulations of the district in which it is located or to its original size and use.

The purpose of this amendment is to facilitate the sale and/or financing of existing non-conforming structures (such as dwellings) without going through the rezoning process, which often results in “spot zoning” of such properties.

3. *Old Business*

Massillon Planning Commission
July 12, 2006

The Massillon Planning Commission met in regular session on July 12, 2006, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Vice Chairman James Johnson
Mayor Francis H. Cicchinelli, Jr.
David Hersher
Susan Saracina
Todd Locke
Sheila Lloyd

Staff

Aane Aaby
Marilyn Frazier
Jason Haines

The first item of business was the minutes of the June 14, 2006, meeting. Mr. Locke moved for approval, seconded by Mayor Cicchinelli, motion unanimously carried.

Vice Chairman James Johnson announced the first item on the agenda, which was a rezoning request for a Rite Aid Drug Store, has been withdrawn.

The next item was a replat presented by Mr. Haines.

Replat – Erie Street North

Property description: Lot 2303, located on the east side of Erie Street North, south of Raymond Court. The proposal would create divide this lot into two new parcels, each containing a commercial building. The parcel is zoned I-1 Light Industrial.

Applicant: John Schwartz/Jeff Heitger

This is a lot split and replat. The present owner wishes to sell to separate buyers. John Schwartz, previous owner of Capital Plastics, was present. He said that over the years people have expressed an interest but nothing ever developed. He now has two parties who are seriously interested in the property. Jeff Heitger was also present. He said he is interested in acquiring one of the properties to be used for storage purposes. Mr. Locke asked about the property line. Mr. Haines responded that industrial uses don't have setback stipulations. Mr. Locke moved for approval, seconded by Mayor Cicchinelli, motion unanimously carried.

The next item was a replat presented by Mr. Haines.

Replat – 27th Street SE

Property description: Lots 10444 and 10445; located on the east side of 27th Street SE and the west side of Elizabeth Avenue SW, in Perry Township. The proposal is to create one new building lot to front on Elizabeth Avenue and combine the existing parcels into one lot to front on 27th Street. Included is a private sanitary sewer easement to serve the new building. The parcels are zoned R-1 Single Family Residential.

Applicant: Dave Wurtz/Genesis Construction

Mr. Haines explained that the new lot would be in both the City and Perry Township. Several Commission members expressed concern about creating a new lot which would be in two jurisdictions even though the situation currently exists. This could be a serious problem when response is needed for safety (fire and police) reasons. After a lengthy discussion, Mayor Cicchinelli moved to table the request, seconded by Mrs. Saracina, motion unanimously carried.

The next item was also a replat presented by Mr. Haines.

Replat – Cherry Road NW

Property description: Lots 17118, 17119, 17120, and 17121; located on the south side of Cherry Road NW, east of 17th Street NW. The proposal is to combine the four lots together to create three new building lots with frontage on Cherry Road. The parcels are zoned R-1 Single Family Residential.

Applicant: Marion, Francis, and Thomas Co.

This property is a part of the Cherry Springs Development. The replat is necessary due to the location of the electric and telephone lines. Ben Grizek, the developer, was present and re-stated the necessity of the requested replat. Mr. Locke moved for approval, seconded by Mrs. Saracina, motion unanimously carried.

The next item was a replat/dedication/easement plat presented by Mr. Haines.

Replat/Dedication/Easement Plat

Property description: Part of Out Lot 766, located on the southwest corner of Richville Drive SE and Ohio State Drive SE. The proposal is to dedicate right-of-way (R/W) for Richville Drive and dedicate a sanitary sewer easement for the proposed condominiums. This plat should also include a replat and renumbering of the existing acreage. The parcel is zoned RM-1 Multi-Family Residential.

Applicant: PRMDC/Fred Tobin

Mr. Tobin was present and commented that they are planning to construct two eight-unit townhouse condominiums to appeal to a younger population. After a brief discussion, Mayor Cicchinelli moved for approval, seconded by Mrs. Saracina, motion unanimously carried.

The next item was a sanitary sewer easement plat presented by Mr. Haines.

Sanitary Sewer Easement Plat

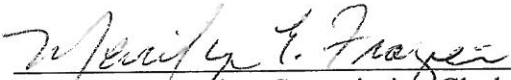
Property description: Part of Out Lot 933, 855, and lots 17112 through 17116; located on the North side of Hankins Road NE, west of Valerie Avenue. The proposal is to dedicate additional easement width due to field adjustments of the sanitary sewer. The parcel is zoned R-3 Single Family Residential.

Applicant: Robin Warstler/Gino Perceballi

Mr. Warstler was present and commented that the problem was discovered during excavation. Mr. Locke moved for approval, seconded by Mayor Cicchinelli, motion unanimously carried.

There being no further business before the Commission, the meeting adjourned at 8:15 P.M.

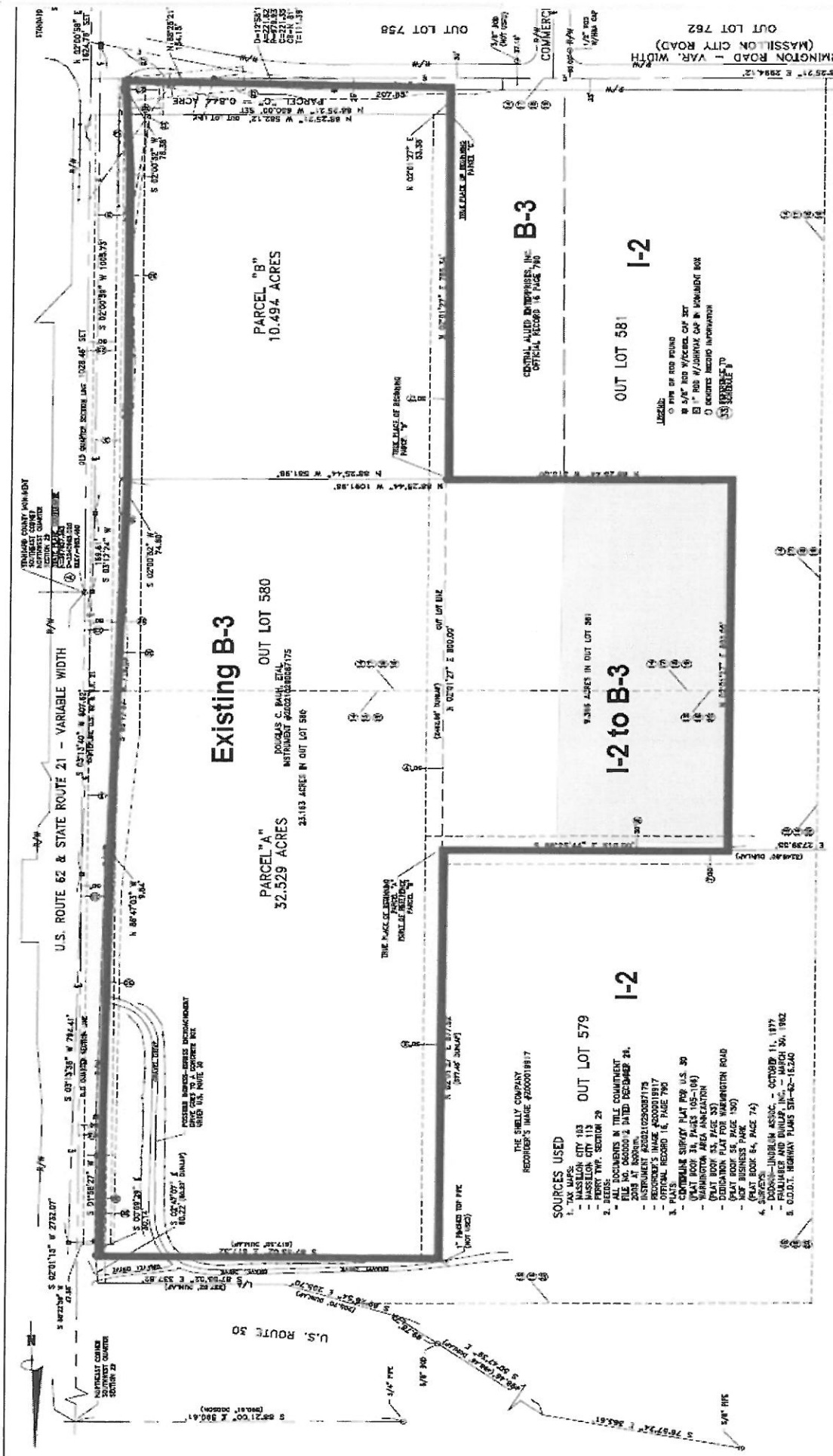
Respectfully submitted,


Marilyn E. Frazier, Commission Clerk

Approval:

MEF/ky

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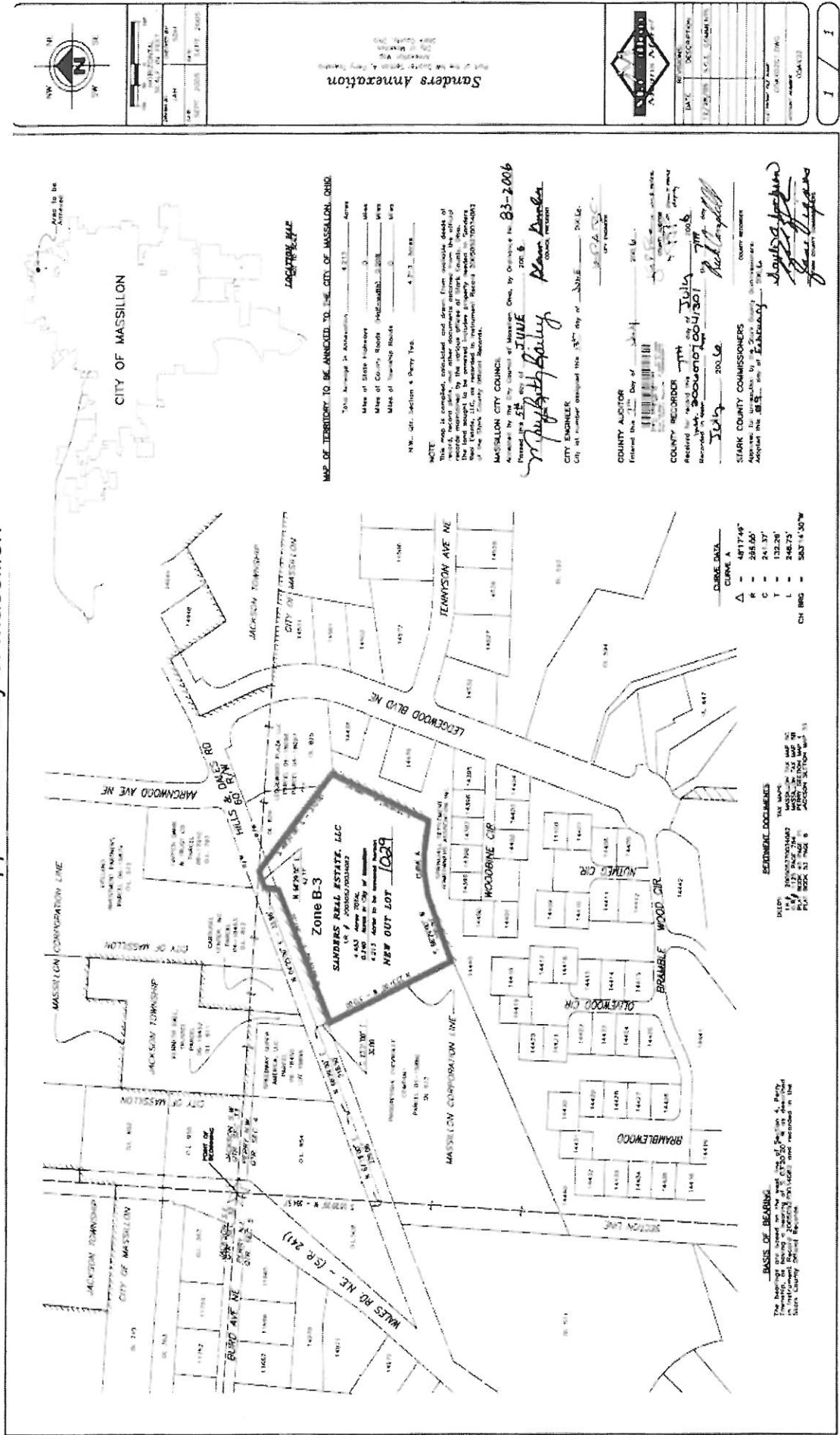
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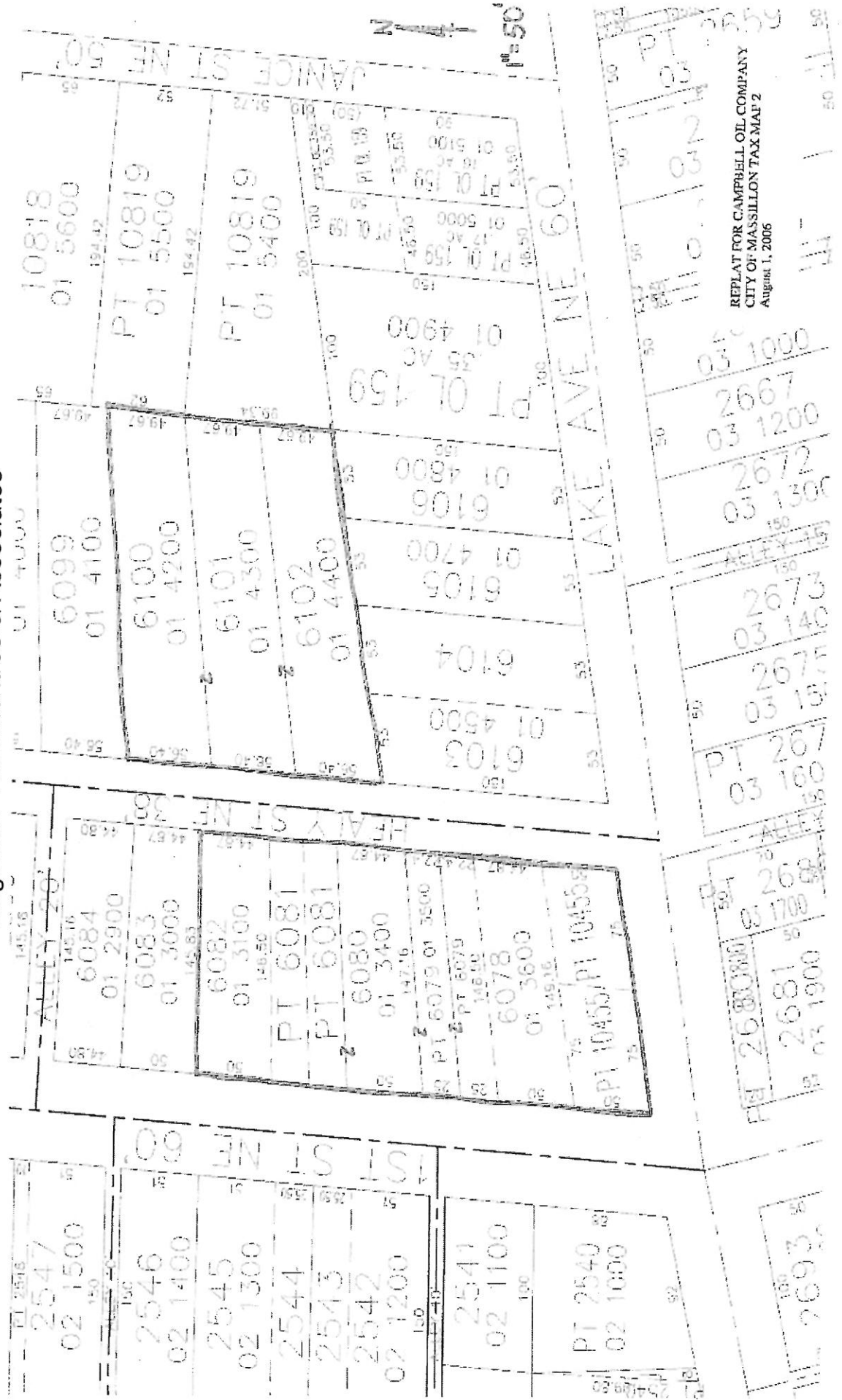
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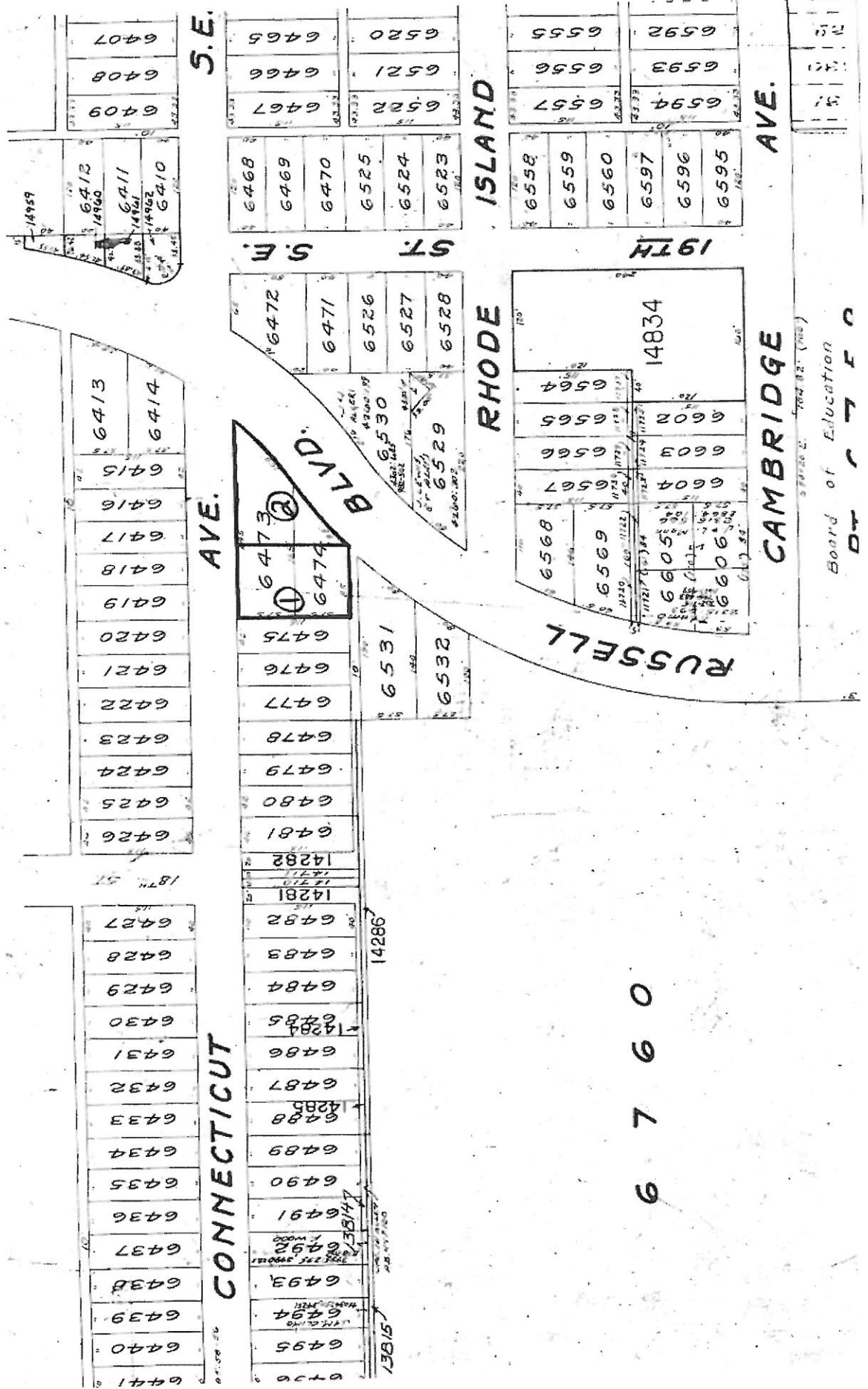
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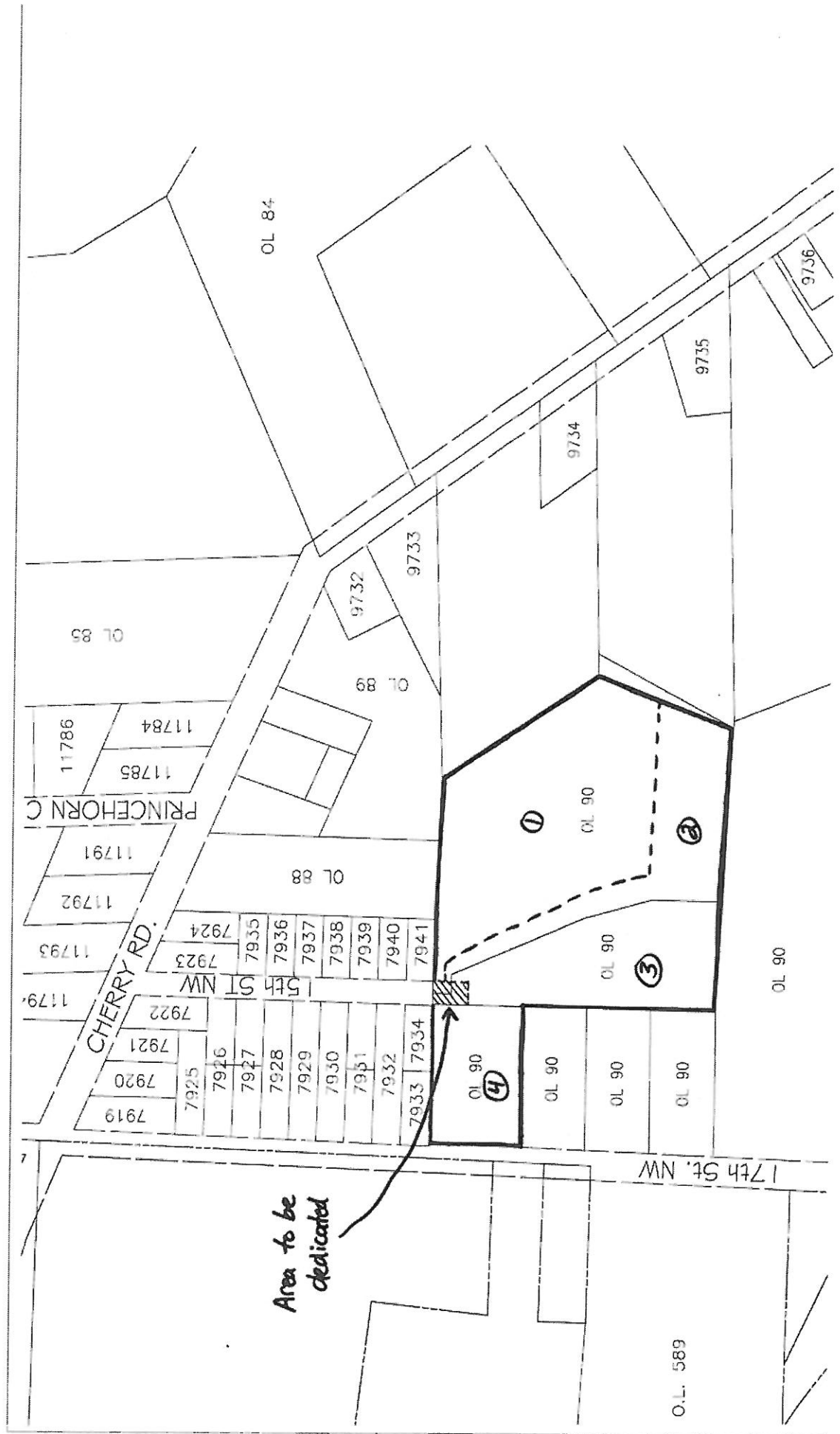


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Board of Education
07-7-00

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Applicant : City of Massillon

VACATION & REPLAT

