

**A G E N D A**  
**MASSILLON PLANNING COMMISSION**  
**AUGUST 8, 2007                      7:30 P.M.**  
**CITY COUNCIL CHAMBERS**

1. *Approval of the Minutes for the Commission Meeting of July 11, 2007.*

2. *New Business*

**Replat - Lincoln Way East**

*Location:* Lots 9550, 9551, 9552, and parts of Lots 9553 and 9561; located on the north side of Lincoln Way East, east of Wales Road. The request is to combine the existing lots into (1) new lot in preparation for construction of a new commercial building. Total acreage of site is 0.76 acres. The property is zoned B-3 Central Business.

*Applicant:* WXZ Development / Daniel Bond

**Replat - Vista Avenue SE**

*Location:* Out Lots 601 and 709; located on the north side of Vista Avenue SE, east of Erie Street South. The request is to combine the existing lots into (3) new lots; two with existing commercial buildings and one vacant lot. All lots to have frontage on Vista Avenue. Total acreage in replat is 4.715 acres. The property is zoned I-1 Light Industrial.

*Applicant:* PCS Development / Spring Realty

**Replat - Warwick Avenue NW**

*Location:* Lots 3540 and 3541; located on the south side of Warwick Avenue NW, west of Erie Street. The request is to combine the existing lots into (1) new lot; with frontage on Warwick Ave. The property is zoned B-1 Local Business.

*Applicant:* Dylan Palmer / Carl Oser

**Easement Plat - Bottoms Park Area**

*Location:* Part of Out Lots 24, 26, & 27; located on the west side of 6<sup>th</sup> Street NW, in the Bottoms Park facility area. The request is to grant a 20 to 30 foot wide easement to Aqua Ohio Water Co. for construction of a new water main project.

*Applicant:* Aqua Ohio Water / City of Massillon

**Vacation and Replat - Taylor Street SW**

*Location:* Part of Taylor Street SW; a 30-foot wide right-of-way located between Glenn Place SW and 11<sup>th</sup> Street SW, north of Walnut Road. The intent is to vacate that portion from the north line of Lot 7703 approximately 160 feet north and replat with adjoining lots on the east and west sides.

*Applicant:* Jay Howell, Ghetta Murray, Kelley Jacobs, Randy & Jodi Cockrill

**3. Old Business**

**Replat - Alpha Street NW**

*Location:* Part of Out Lot 781, and Lot 84 in Westbrook Estates; located on the West side of Skyland Avenue NW; and east of Alpha Street NW. The request is to split approximately 2 acres out of the original property and combine it with Lot 84 on Alpha Street. The property is zoned A-1 Agricultural and R-2 Single Family. This item was tabled at the June 13, 2007 meeting.

*Applicant:* Mary Smeyres, Tillman & Ann Manuel

**Rezoning Request – 1<sup>st</sup> Street & McCadden Ave NE**

*Property Description:* Lots No. 2678, 2683, 2684, 2685, 2686, 15434, 15435, and Out Lot 160, located on east side of 1st Street NE and the south side of McCadden Avenue NE. The total site is approximately 1.91 acres in size.

*Zone Change From:* RM-1 Multiple Family Residential, R-T Two Family Residential, and R-1 One Family Residential

*Zone Change To:* B-3 General Business

*Applicant:* Nation Land Company LLC (Michael & Rochelle Farina)

*Proposed Use:* Development of a retail commercial shopping area.

**4. Other Business**

**Proposed Amendment to Zoning Code – Chapter 1137 Changes & Amendments**

The proposed amendment would add the following additional submission requirement to a request for zone change: an applicant would have to submit either a petition signed by a majority of the property owners within 300 feet of the area sought to be changed or an applicant would have to submit evidence that a meeting was held with neighboring residents and property owners to review the proposed zone change. In addition, the proposed amendment would reduce the time period for resubmission of a zone change request from 12 months to 6 months.

***Massillon Planning Commission***  
***July 11, 2007***

The Massillon Planning Commission met in regular session on July 11, 2007, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

**Members**

Chairman Rev. David Dodson  
Vice Chairman James Johnson  
David Hersher  
Sheila Lloyd  
Todd Locke  
Susan Saracina

**Staff**

Aane Aaby  
Marilyn Frazier  
Jason Haines

The first item of business was an addendum to the agenda to include a lot split and replat on Taggart Avenue NE. Mr. Locke moved to approve the addendum, seconded by Mrs. Saracina, motion unanimously carried.

The next item was approval of the minutes for the committee meeting of June 13, 2007. Mrs. Saracina moved for approval, seconded by Mr. Locke, motion unanimously carried.

The next item under New Business was a street vacation presented by Mr. Haines.

**Street Vacation – Sweetleaf Circle NW**

*Description:* Sweetleaf Circle NW, a 50-foot wide right-of-way, located on the north side of Sippo Reserves Drive NW, east of Manchester Road. The request is to vacate that portion from the north side of Sippo Reserves Drive approximately 115 feet in a northerly direction. Said property will be re-platted with the adjoining lots on either side of the street. A 50-foot wide utility easement will remain on the property planned for vacation.

*Applicant:* Crockett Homes/Nathan and Tig Held

This is near the northwest corner of the city in the vicinity of Route 93 and Manchester Road across from Tuslaw High School, and a part of a new subdivision. When it was initially platted it was thought an adjoining allotment would be connected. Plans have now changed and Tuslaw School District has purchased the adjoining property to construct a new school. The property owner now wishes to vacate the street. David Hayes of Crockett Homes was present. He said he is concerned about increased traffic. He has met with the Superintendent of Tuslaw Schools, but feels vacating the street would be in the best interest of the property owners. Mrs. Saracina moved for approval, seconded by Mr. Hersher, motion unanimously carried.

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

**Rezoning request – First Street and McCadden Avenue NE**

*Property description:* Lots No. 2678, 2683, 2684, 2685, 2686, 15434, 15435, and Out Lot 160, located on east side of First Street NE and the south side of McCadden Avenue NE. The total site is approximately 1.91 acres in size.

*Zone change from:* RM-1 Multiple Family Residential, R-T Two Family Residential, and R-1 One Family Residential.

*Zone change to:* B-3 General Business

*Applicant:* Nation Land Company LLC (Michael and Rochelle Farina)

*Proposed use:* Development of a retail commercial shopping area.

Michael and Rochelle Farina have acquired properties to be rezoned B-3 General Business for the purpose of constructing a strip shopping center. At last month's meeting, the Farinas were instructed to hold a meeting with the residents to explain their intentions and address concerns.

Sean Roseman of Nation Land Company, commented that they distributed 15 – 20 fliers, but only 4 people attended the meeting.

Emily Sikorsky of Nation Land Company, added that the concerns expressed, which included the view of the center, traffic, and exterior lighting, will be addressed in the plans.

Jeanne Pedone of 1119 First Street NE, commented that she didn't receive a flier and is very concerned about construction, additional traffic, including trucks, and sewer and water problems.

Beth Ann Adams of 1113 First Street NE, also commented she didn't receive a flier. She recently found out her property is zoned Business. She expressed frustration that her real estate agent who sold her the house didn't inform her of the zoning classification.

Mr. Hersher asked how it was determined who received fliers.

James Ehret of 630 Sandy Avenue NE, owns property in the area (1109 First Street NE), but didn't receive a flier either. He wondered why an owner of property in the area wouldn't be notified of a meeting.

Mr. Hersher asked about how long it would take to have a drawing prepared. Mr. Locke added, it would be worth the investment since it would provide the residents more information so they would know what was planned for the neighborhood. Mr. Hersher then moved for denial, seconded by Mrs. Saracina.

After a brief discussion about the rezoning process, Mr. Hersher withdrew his motion to deny, Mrs. Saracina also withdrew her second. Mr. Locke then moved to table the request to allow the applicant the opportunity to have a drawing completed and presented to the property owners in the area. Mrs. Saracina seconded the motion, which unanimously carried.

Rev. Dodson asked the applicants if they understood what was expected prior to the next meeting. Ms. Sikorsky responded "yes", to have a drawing of the proposed development completed.

The next item was the addendum to the agenda, which was a lot split and replat presented by Mr. Haines.

**Lot split and re-plat – Taggart Avenue NE**

*Location and description:* Lots No. 11331, 11332, 11333, and 14052, located at 184 and 214 Taggart Avenue NE. The request is to split 50 feet off the east side of Lot No. 11331 and add this to Lot No. 14052 and then replat these parcels into two new lots. The property is zoned R-3 One Family Residential.

*Applicant:* Ronald and Margaret Mang and Doris McCloud

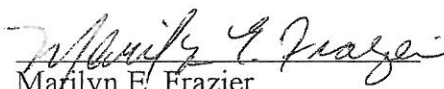
Mr. Haines commented there was some confusion with the surveyor getting information in on time. Mr. Mang has negotiated with the owner of Lot No. 11331 to purchase a portion of the lot.

Ron Mang of 214 Taggart NE, was present and commented he has been communicating with the trustee of the Doris McCloud's estate, who lives out of the area. After a brief discussion, Mr. Johnson moved for approval, seconded by Mr. Hersher, motion unanimously carried.

Mr. Locke requested Mr. Aaby to include an agenda item next month pertaining to the process of accepting requests for action by the Commission.

There being no further business before the Commission, the meeting adjourned at 8:20 P.M.

Respectfully submitted,

  
Marilyn E. Frazier  
Commission Clerk

Approval:

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MEF/ky

**Replat - Alpha Street NW**

**Location:** Part of Out Lot 781, and Lot 84 in Westbrook Estates; located on the West side of Skyland Avenue NW; and east of Alpha Street NW. The request is to split approximately 2 acres out of the original property and combine it with Lot 84 on Alpha Street. The property is zoned A-1 Agricultural and R-2 Single Family. This item was tabled at the June 13, 2007 meeting.

**Applicant:** Mary Smeyres, Tillman & Ann Manuel



OUT LOT 783  
RICHARD G. FOWLER  
INSTRUMENT No. 20250404020551  
35.245 Ac.

RICHARD G. FOWLER  
STR. No. 20250404020551  
2.127 Ac.

OUT LOT 1782  
ALEXANDER BUILDING ET AL  
INSTRUMENT No. 2027061253  
214.3 Ac.

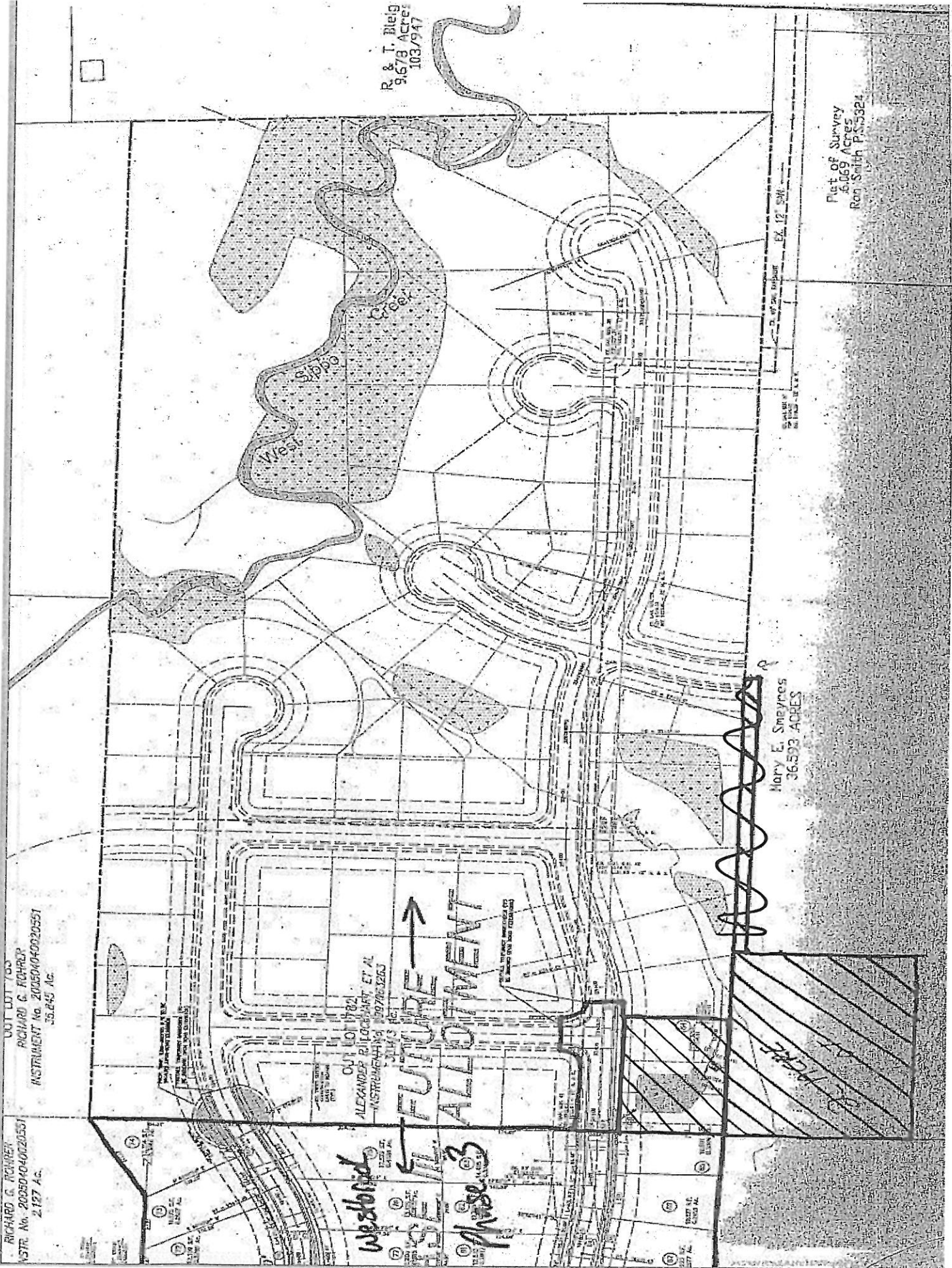
**FUTURE  
ALLOTMENT**

**Westford  
Hill  
Phase 3**

R. & T. Rieg  
9678 Acres  
103/947

Plot of Survey  
6069 Acres  
Ron Smith P.S. 5324

Mary E. Sneyres  
36.593 ACRES

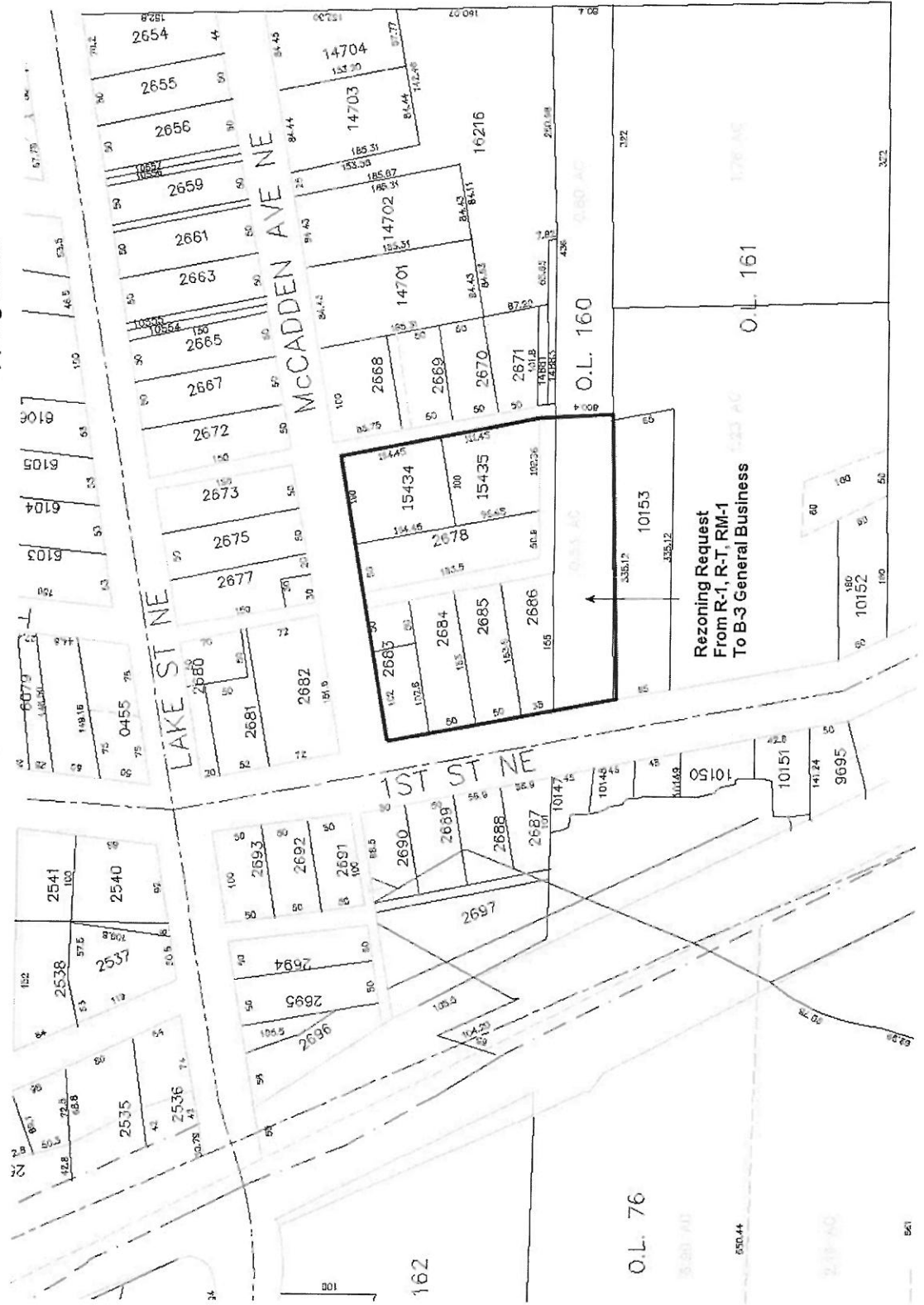


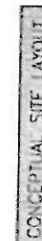
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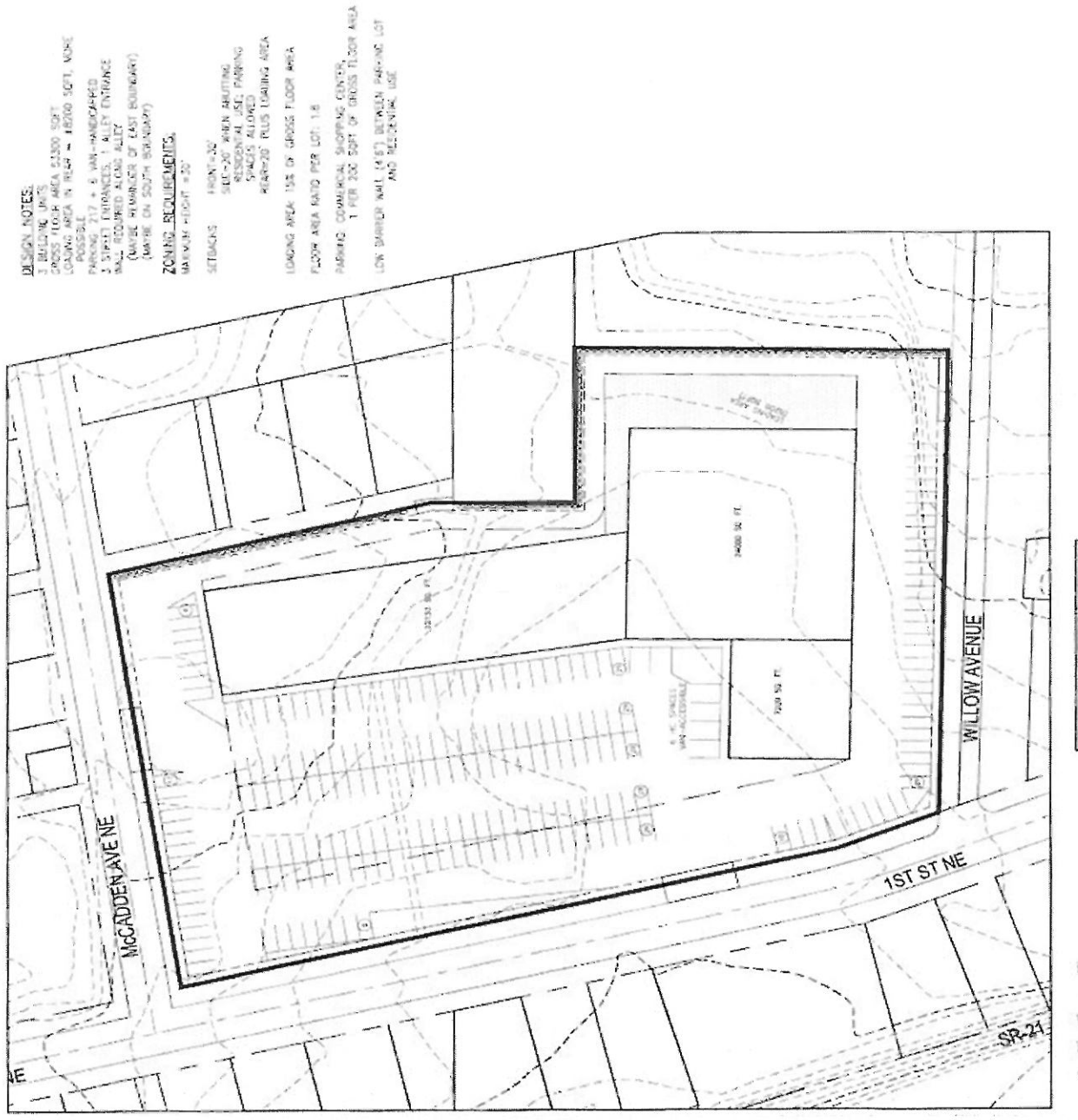
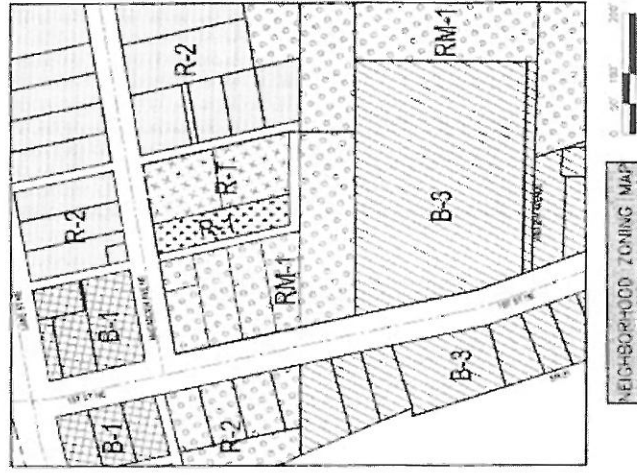
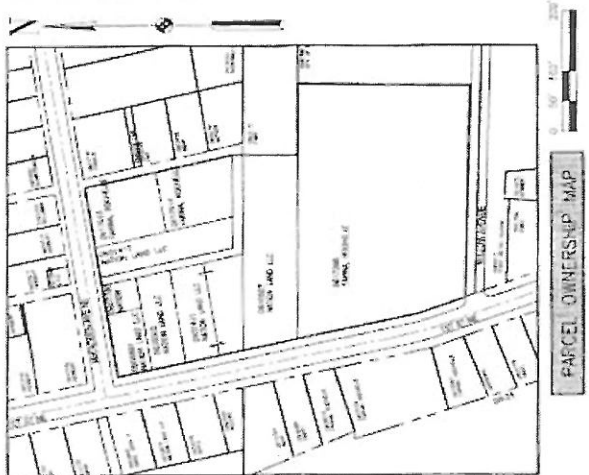
**Applicant:** National Land Company LLC (Michael & Rochelle Farina)

**Proposed Use:** Development of a retail commercial shopping area.





1 PER 200 SQ FT OF GROSS FLOOR AREA  
LOW BARRIER WALL (4'6") BETWEEN PARKING LOT  
AND RESIDENTIAL USE



**DESIGN NOTES:**  
 3 BUILDING UNITS  
 GROSS FLOOR AREA 2200 SQFT  
 LOADING AREA IN REAR - 4000 SQFT, MORE  
 POSSIBLE  
 PARKING: 217 + 4 MIN-HANDICAPPED  
 3 STREET ENTRANCES, 1 ALLEY ENTRANCE  
 WALL REQUIRED ALONG ALLEY  
 (NORTH SIDE OF EAST BUILDING)  
 (NORTH ON SOUTH SIDE)  
**ZONING REQUIREMENTS:**  
 MAXIMUM HEIGHT - 35'  
 SETBACKS: FRONT - 20'  
 SIDE - 20' WHEN ADJUTING  
 RESIDENTIAL USE, PARKING  
 SPACES ALLOWED  
 REAR - 20' PLUS LOADING AREA  
 LOADING AREA: 15% OF GROSS FLOOR AREA  
 FLOOR AREA RATIO PER LOT: 1.8  
 PARKING: COMMERCIAL SHOPPING CENTER  
 1 PER 100 SQFT OF GROSS FLOOR AREA  
 LOW BARRIER NAIL (4.5') BETWEEN PARKING LOT  
 AND RESIDENTIAL USE

*Location:* Lots 9550, 9551, 9552, and parts of Lots 9553 and 9561; located on the north side of Lincoln Way East, east of Wales Road. The request is to combine the existing lots into (1) new lot in preparation for construction of a new commercial building. Total acreage of site is 0.76 acres. The property is zoned B-3 Central Business.



WEX RETAIL GROUP/MASSILLON, LLC

LOT CONSOLIDATION PLAN

mNEFF design group



|              |                                 |
|--------------|---------------------------------|
| Project Name | WEX RETAIL GROUP/MASSILLON, LLC |
| Project No.  | 10000                           |
| Sheet No.    | 1                               |
| Scale        | 1" = 20'                        |
| Date         | 12/31/2014                      |

THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED SURVEYOR IN THE STATE OF NORTH CAROLINA. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETENESS OF THESE PLANS. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETENESS OF THESE PLANS. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETENESS OF THESE PLANS.

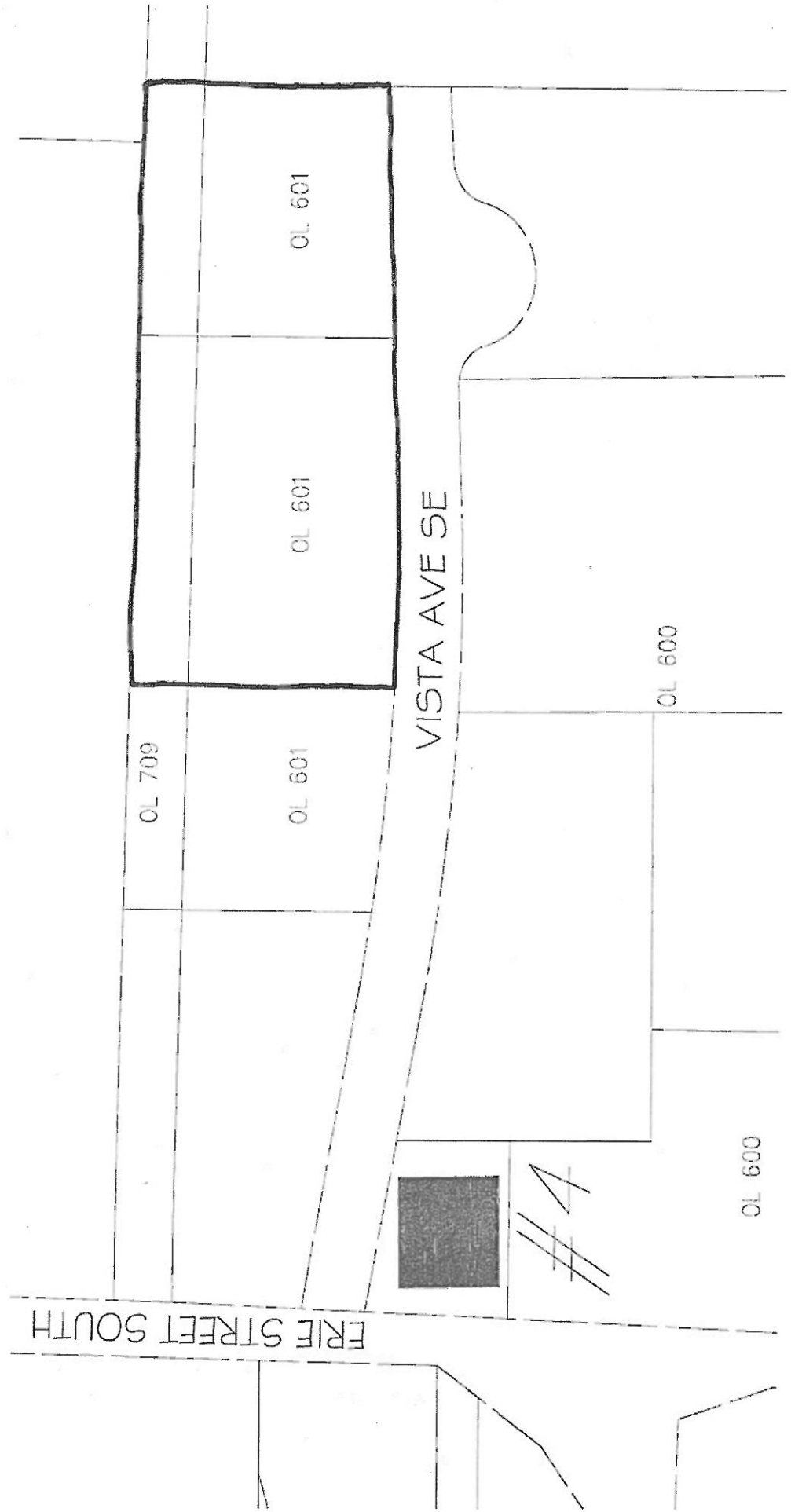
NOTICE: THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT IS ADVISED THAT THE ACCURACY OF THIS PLAN IS NOT GUARANTEED AND THAT THE CLIENT SHOULD CONSULT WITH A PROFESSIONAL ENGINEER OR ARCHITECT FOR FURTHER INFORMATION. THE CLIENT IS ADVISED THAT THE ACCURACY OF THIS PLAN IS NOT GUARANTEED AND THAT THE CLIENT SHOULD CONSULT WITH A PROFESSIONAL ENGINEER OR ARCHITECT FOR FURTHER INFORMATION. THE CLIENT IS ADVISED THAT THE ACCURACY OF THIS PLAN IS NOT GUARANTEED AND THAT THE CLIENT SHOULD CONSULT WITH A PROFESSIONAL ENGINEER OR ARCHITECT FOR FURTHER INFORMATION.



**Replat - Vista Avenue SE**

*Location:* Out Lots 601 and 709; located on the north side of Vista Avenue SE, east of Erie Street South. The request is to combine the existing lots into (3) new lots; two with existing commercial buildings and one vacant lot. All lots to have frontage on Vista Avenue. Total acreage in replat is 4.715 acres. The property is zoned I-1 Light Industrial.

*Applicant:* PCS Development / Spring Realty





**Replat - Warwick Avenue NW**

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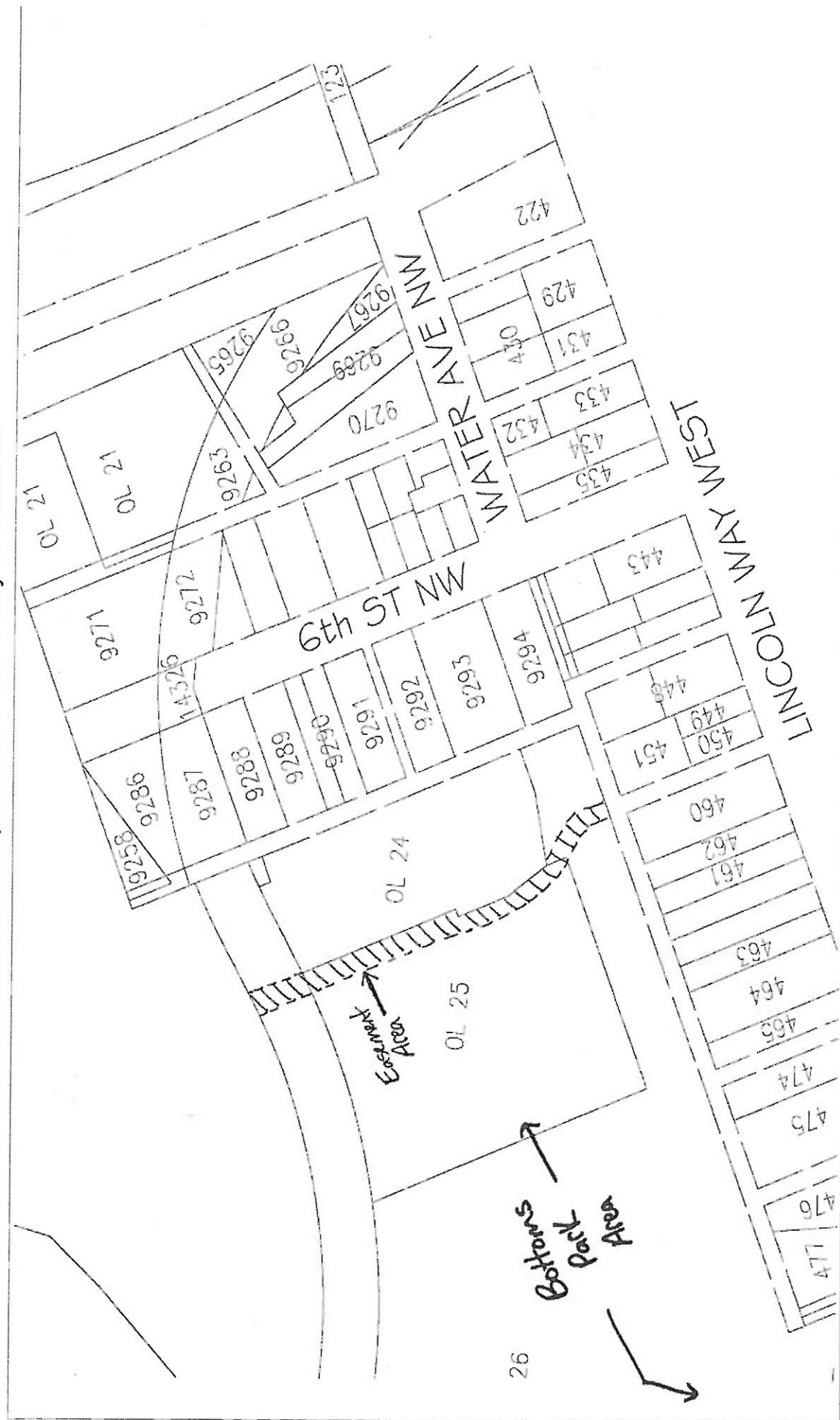
property is zoned B-1 Local Business.

**Applicant:** Dylan Palmer / Carl Oser



*Location:* Part of Out Lots 24, 26, & 27; located on the west side of 6th Street NW, in the Bottoms Park facility area. The request is to grant a 20 to 30 foot wide easement to Aqua Ohio Water Co. for construction of a new water main project.

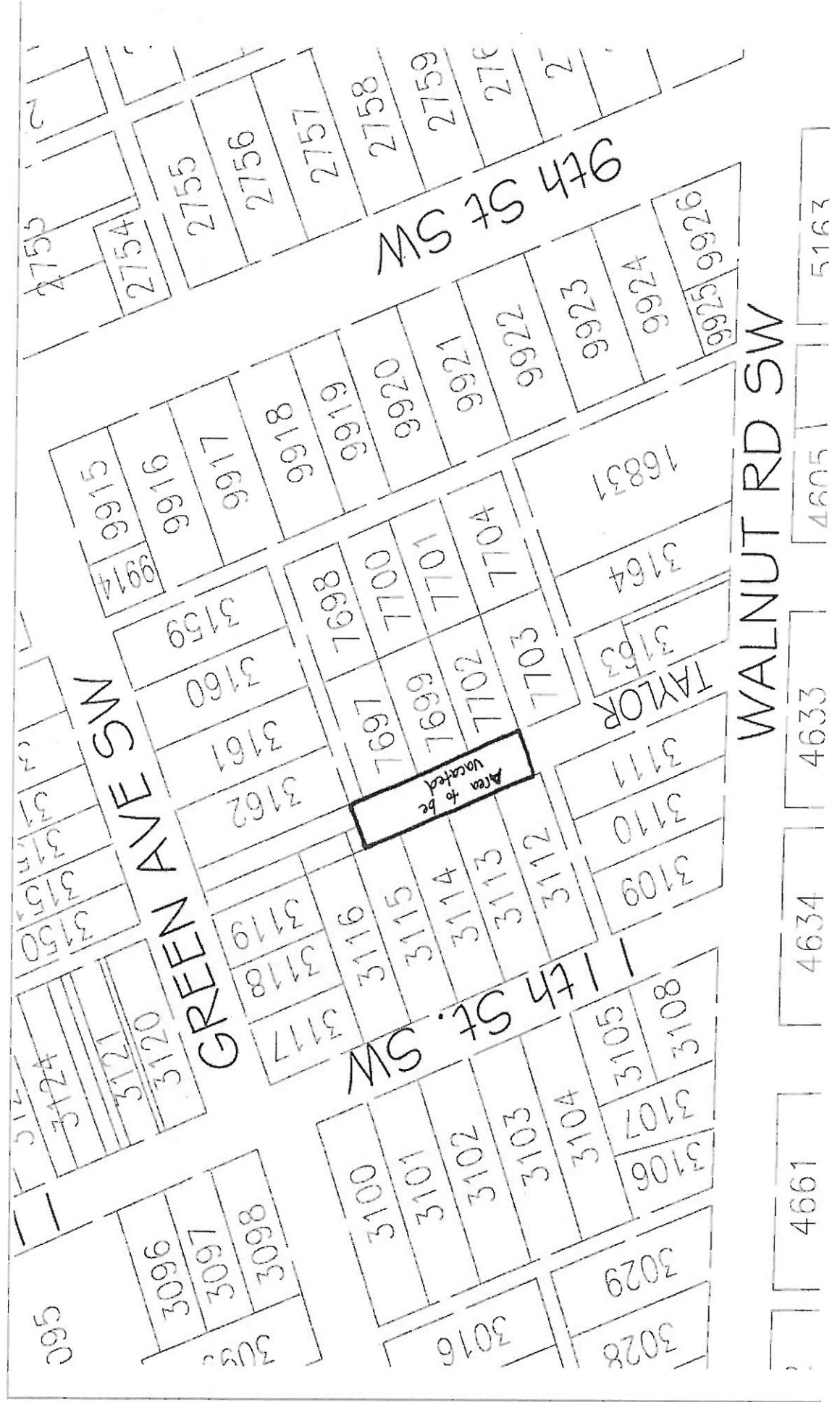
Applicant: Aqua Ohio Water / City of Massillon



**Vacation and Replat - Taylor Street SW**

**Location:** Part of Taylor Street SW; a 30-foot wide right-of-way located between Glenn Place SW and 11th Street SW, north of Walnut Road. The intent is to vacate that portion from the north line of Lot 7703 approximately 160 feet north and replat with adjoining lots on the east and west sides.

**Applicant:** Jay Howell, Ghetta Murray, Kelley Jacobs, Randy & Jodi Cockrill



## **\* Proposed Amendment**

### CHAPTER 1137 Changes and Amendments

|         |                           |         |                              |
|---------|---------------------------|---------|------------------------------|
| 1137.01 | General.                  | 1137.06 | Notice of final disposition. |
| 1137.02 | Details of procedure.     | 1137.07 | Publication and record of    |
| 1137.03 | Application fees.         |         | changes.                     |
| 1137.04 | Reference and hearing.    | 1137.08 | Frequency of applications.   |
| 1137.05 | Change in recommendation. |         |                              |

### CROSS REFERENCES

Council may amend districting or zoning - see Ohio R.C. 713.10  
Board of Zoning Appeals - see P.& Z. Ch. 1129

#### 1137.01 GENERAL.

(a) Whenever the public necessity, convenience, general welfare or good zoning practices require, Council may amend, supplement or change the regulations, district boundaries or classifications of property, after receipt of recommendation thereon from the Planning Commission, and subject to the procedures established under Ohio R.C. Chapter 713, as amended.

(b) It shall be the duty of the Planning Commission after investigation, hearing and study, to submit its recommendations regarding all applications for amendments, supplements or changes to Council.  
(Ord. 82-1970. Passed 11-2-70.)

#### 1137.02 DETAILS OF PROCEDURE.

(a) Applications for any change in the regulations, district boundaries, or classifications of property shall be made in the following manner:

- (1) On the initiative of Council, which shall be by passage of a resolution that it is deemed advisable that the Planning Commission investigate and study the proposed change.
- (2) On the initiative of any property owner in the City, which request shall be accompanied by:
  - A. A completed "Application for Zoning Change" form, which shall be provided by the Department of Community and Economic Development.
  - B. The name and address of the applicant (if the applicant is not the owner of the land involved, written authorization from the owner consenting to the application must be included.)