

A G E N D A
MASSILLON PLANNING COMMISSION
September 9, 2009 4:00 P.M.
MAYOR CICCHINELLI'S OFFICE

*******PLEASE NOTE TIME AND LOCATION CHANGE*******

- 1. *Approval of the Minutes for the Commission Meeting of July 8, 2009.***
- 2. *New Business***

Replat – 117 1st Street SW

Description: The request is to replat lots 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 14218, 14219, 14220, 14221, 14222, and 14223; located at the northwest corner of Tremont Avenue SW and 1st Street SW. These parcels will be combined into (1) new out lot of approximately 1.4654 acres. This is the site of the proposed NRP Senior Apartments development.

Applicant: NRP Group / Neff Design

- 3. *Other Business***

Massillon Planning Commission
July 8, 2009

The Massillon Planning Commission met in regular session on Wednesday, July 8, 2009, at 4:00 P.M. in the office of the Mayor, Municipal Government Annex Administration Building. The following were present:

Members

Chairman James Johnson
Vice Chairman Todd Locke
Safety Service Director Michael Loudiana
Frank Cilona
Tim Muzi
Susan Saracina
Elaine Campbell

Staff

Aane Aaby
Marilyn Frazier
Keith Dylewski
Jason Haines

The first item of business was approval of the minutes for the meeting of March 11, 2009. Mrs. Saracina moved for approval, seconded by Mr. Cilona, motion unanimously carried.

The next item was an alley vacation plat and replat presented by Mr. Haines.

Alley Vacation Plat and Replat – 112 1st Street NE

Description: The request is to vacate an unnamed 10-foot wide alley lying between Federal Avenue NE and North Avenue NE and running west to east between 1st Street NE and Conrad Place NE. The total length to be vacated is approximately 132 feet. The vacated portion will be combined with the adjacent property to the north.

Applicant: Robert P. Rohr

Mr. Haines explained that this is an unused alley which has been used for parking for a long time. The applicant, Robert Rohr owns property on both sides. Mr. Rohr was present and added that this vacation is needed for the construction project that is necessary because of the recent fire. Mr. Cilona asked about access for emergency vehicles. Mr. Haines replied this action wouldn't interfere with emergency vehicles. Mr. Rohr commented that the property has been used as a parking lot for 30 years. Mrs. Saracina moved for approval, seconded by Mr. Locke, motion unanimously carried.

There being no further business before the Commission, the meeting adjourned at 4:15 P.M.

Respectfully submitted,


Marilyn E. Frazier, Commission Clerk

Approval:



SURVEYOR CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON AN ACTUAL FIELD SURVEY PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. PERMANENT MONUMENTS WERE FOUND OR SET AT ALL LOCATIONS INDICATED HEREON.

ALL DIMENSIONS GIVEN ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BEARINGS SHOWN HEREON ARE TO THE CENTERLINE OF TREMONT AVENUE SW AS INDICATED ON THE PLAT & REPLAT OF THE LOWERY PRIZE REVENUE AREA "B" RECORDED IN VOLUME 50 OF MAPS, PAGE 22 OF STARK COUNTY RECORDS.

SITUATED IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO.
310, 311, 312, 313, 314, 315, 316, 317,
318, 319, 14218, 14219, 14220, 14221,
14222, AND 14223
REPLAT OF LOTS:

MATTHEW C. NEFF
OHIO PROFESSIONAL SURVEYOR #3115
AUGUST 7, 2008

CONVEYANCE ADDENDUM
THIS INSTRUMENT IS A REPLAT OF THE PATERNAL ORDER OF EAGLES #190, OWNER OF THE PROPERTY SHOWN HEREON. SAID PATERNAL ORDER HAS AGREED TO AND ADJUT THIS REPLAT AND ACKNOWLEDGE THAT THIS SAME WAS MADE AT MY REQUEST INDIVIDUALLY AND AS SECRETARY OF SAID PATERNAL ORDER.

PATERNAL ORDER OF EAGLES #190

JOHN E. WALSH
SECRETARY

STATE OF OHIO
COUNTY OF STARK

EXECUTED AND ACKNOWLEDGED BEFORE ME BY PATERNAL ORDER OF EAGLES #190, BY ITS SECRETARY, JOHN E. WALSH, THIS _____ DAY OF _____, 2008.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

APPROVED
APPROVED BY THE MASSILLON CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2008.

CHAIRMAN _____

SECRETARY _____

APPROVED BY THE MASSILLON CITY ENGINEER THIS _____ DAY OF _____, 2008 AND ASSIGNED THE LOT NUMBER SHOWN HEREON.

CITY ENGINEER _____

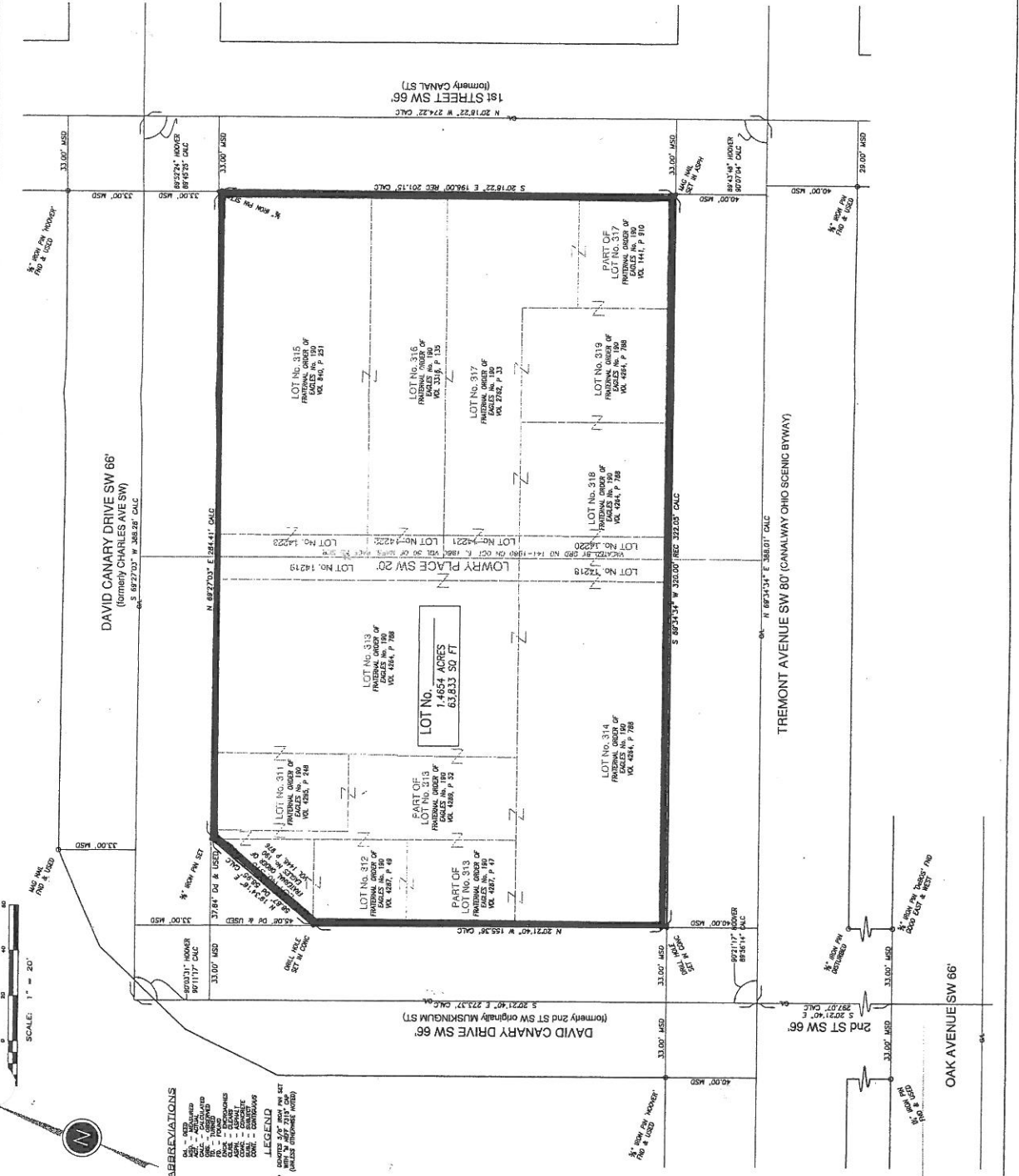
COUNTY AUDITOR _____

COUNTY RECORDER _____

m NEFF design group
DESIGNING LAND FOR YOUR WORLD
14855 Brookside Avenue, Suite 100-208 • Massillon, OHIO 44862
Tel: 216.833.8327 • Fax: 216.833.8321
www.mneffdesigngroup.com

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ABBREVIATIONS
M.S. - MEASURED
CALC. - CALCULATED
R.T. - RIGHT-OF-WAY
C.O.D. - CORNER OF DISTRICT
C.O.S. - CORNER OF SECTION
C.O.T. - CORNER OF TOWNSHIP
C.O.C. - CORNER OF COUNTY
C.O.S. - CORNER OF SECTION
C.O.T. - CORNER OF TOWNSHIP
C.O.C. - CORNER OF COUNTY

LEGEND
• SHOWS 24" MEASUREMENT
(UNLESS OTHERWISE NOTED)

THE CITY OF MASSILLON, OHIO

Internal Correspondence

To: City Planning Commission

Date: October 8, 2009

From: Aane Aaby, Community Development Director



Subject: Massillon Salvation Army Project

The Massillon Salvation Army is proposing to construct a new facility on a 3.5 acre parcel located at the northwest corner of 6th Street NE and North Avenue NE. This project is subject to review and approval by the City Planning Commission and is being placed on the Agenda for the October 14, 2009 Commission Meeting.

The project site is zoned R-1 One Family Residential. The project is being submitted for Planning Commission approval subject to Section 1153.03 (a) of the City Zoning Code as follows:

1153.03 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the Planning Commission:

(a) Churches and other facilities normally incidental thereto subject to the following conditions:

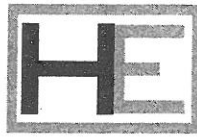
(1) Buildings of greater than the maximum height allowed in Section 1177.01 may be allowed provided front, side and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.

(2) All access to the site shall be in accordance with Section 1187.11.

REVIEW COMMENTS

The building plans for the facility include a Sanctuary, thus the facility is a church. In regards to Condition (1), the Salvation Army has already been granted a variance from the Zoning Board of Appeals for the building height, which was calculated as 34 feet. In accordance with Condition (1) the required building setback in this case is now 34 feet. The proposed building meets this conditional setback requirement.

In regards to Condition (2), Section 1187.11 requires that vehicular access to the facility be provided from a collector street. The City Subdivision Code (Section 1109.03(c)) states that collector streets shall have a minimum right-of-way width of 60 feet. Vehicular access to the Salvation Army site is being provided from 6th Street NE, which is a 66 foot wide right-of-way, and therefore, is classified as a collector street.



Hettler
Engineering LLC
Civil & Construction Consultants

October 6, 2009

City of Massillon
Community Development Department
Municipal Government Annex
Administrative Building
151 Lincoln Way East
Massillon, Ohio 44646

Attn: Aane A. Aaby
Community Development Director

Re: Proposed Building and Site Plan
For the Salvation Army

Dear Mr. Aaby:

The Salvation Army is proposing to construct a new facility on approximately 3.551 acres of land bounded by 6th Street N.E., 5th Street N.E., North Avenue N.E., and Chestnut Avenue N.E. in the City of Massillon. This parcel is zoned as an R-1 One-Family Residential District. It is our understanding that the proposed facility is allowed as a Principal Use Permitted in this type of district subject to Special Conditions (Section 1153.03 (a)) and the approval of the Planning Commission. We are asking for the Planning Commission to review the enclosed Site Plan and approve construction of the above referenced facility for the Salvation Army in the specified R-1 One-Family Residential District.

The final proposed site plan required two (2) variances from the Planning and Zoning Code. These variances were presented to the Massillon Zoning Board of Appeals on September 10, 2009 and approved. An appeal(s) were filed and the Massillon City Council voted to uphold the variances as granted at their meeting on October 5, 2009.

Variance One: The allowable height of a building in an R-1 zone is twenty-five (25) feet. The building height varies across the proposed facility with the highest portion of the building being the sanctuary. The ridge height of the sanctuary is forty-five (45) feet and the adjacent eave height is twenty-three (23) feet. Therefore the average sanctuary height is thirty-four (34) feet. A nine (9) foot variance was requested and granted (Section 1177.01).

Variance Two: The front building setback is thirty-four (34) feet based upon the building height. Per the code, parking is not permitted within the front building setback. The proposed site plan shows approximately fifteen (15) parking spaces partially within the front setback. A variance for parking within the front building setback was requested and granted. Approximately two (2) feet of the proposed parking spaces are within the front setback.

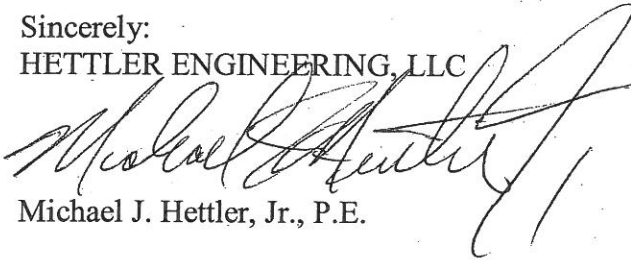
Please note that the original site plan also required side and a rear building setback variances but the site plan was revised and the building altered in order to move the proposed building within the required setbacks.

We have enclosed copies of the proposed site plan for your use.

We appreciate your consideration of this request. If you have any questions regarding this subject or require additional information please do not hesitate to contact us.

Sincerely:

HETTLER ENGINEERING, LLC

A handwritten signature in black ink, appearing to read "Michael J. Hettler, Jr.", written over the printed name.

Michael J. Hettler, Jr., P.E.

Enclosures

File

ON ARMY
MASSILLON, OHIO

C2.2

