

A G E N D A
MASSILLON PLANNING COMMISSION
NOVEMBER 10, 2009 7:30 P.M.
CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of October 14, 2009.*
2. *New Business*

Replat and Dedication Plat – 1715 Woodruff Ave. NW

Location: Part of Out Lot 252, located on the south side of Woodruff Ave. NW , just west of 17th Street NW. The request is to replat the existing (2) lots into (1) new parcel approximately 0.401 acres. Also included is the dedication of a small portion of Woodruff Ave. NW. The property is currently zoned R-1 Single Family.

Applicant: Daniel and Susan Neglic / Campbell Associates

Replat – 17th Street SW

Location: Lots 10347, 15519, Out Lot 744, and part of Out Lot 271, located on the west side of 17th Street SW, south of Tremont Ave. The request is to combine these lots into (2) parcels with existing houses and (1) vacant outlot. The property is zoned R-1 Single Family.

Applicant: David and Carol Senften

Rezoning – 1620 1st Street NE

Property Description: Out Lot 367, located at 1620 1st Street NE.

Zone Change From: R-2 One Family Residential

Zone Change To: RM-1 Multiple Family Residential

Applicant: Amherst Alliance, LLC

Proposed Use: Construction of an addition to Amherst Meadows Nursing Home.

Replat – Amherst Meadows, 1610 1st Street NE

Location: Out Lot 1024, Out Lot 367, and Lot 13833, located on the east side of 1st Street NE, north of Gail Avenue NE. The request is to combine these properties into one new lot.

Applicant: Amherst Alliance, LLC

3. *Other Business*

Massillon Planning Commission October 14, 2009

The Massillon Planning Commission met in regular session on October 14, 2009, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Chairman James Johnson
Vice Chairman Todd Locke
Frank Cilona
Sheila Lloyd
Susan Saracina

Staff

Aane Aaby
Marilyn Frazier
Jason Haines

The first item of business was the minutes for the Commission meeting of September 8, 2009. Mr. Cilona moved for approval, seconded by Mrs. Saracina, motion unanimously approved.

The next item under New Business was a request for approval of permitted use subject to special conditions presented by Mr. Aaby.

Request for Approval of Permitted Use Subject to Special Conditions – Salvation Army

Location: Lot No. 580, a 3.5 acre parcel bounded by 5th Street NE, 6th Street NE, North Avenue NE, and Chestnut Avenue NE

Existing Zoning: R-1 One Family Residential

Request: The Massillon Salvation Army is proposing to construct a new facility on this property, pursuant to Section 1153.03(a) of the Massillon City Zoning Code. (Principal Uses Permitted in a R-1 District Subject to Special Conditions – Churches and other facilities).

Applicant: The Salvation Army / Hettler Engineering

Mr. Aaby reviewed a correspondence he had sent to Commission members explaining the request. A copy is attached and is a permanent part of these minutes. As stated under 1153.03 Principal Uses Permitted Subject to Special Conditions, (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.

Mr. Aaby commented that the building proposed by the Salvation Army contains a sanctuary, therefore is a Church. Further, regarding condition (1), the Salvation Army has been granted a variance from Zoning Board of Appeals for building height. Accordingly, the building meets the conditional set back requirement.

Regarding condition (2), access to the building as proposed, is in accordance with Section 1187.11, vehicular access to the Salvation Army is being provided from 6th Street NE which is a 66 foot right-of-way, and therefore is classified as a collector street.

Mr. Locke asked Mr. Aaby if the proposed building met all necessary requirements. The answer was yes, it does.

Richard Lutz of Lawrence and Dykes Architects was present and commented that they have attempted to cooperate with the City and neighborhood.

Paul Doering, 318 4th Street NE, was present and disputed that the Salvation Army was more than a Church, but also a social welfare agency, and would bring a lot of people to the area. He also said he doesn't think this area is the place for commercial activity.

Captain Tawny Zanders from the Salvation Army, commented that the Salvation Army is a Church that holds services and ministers to the community.

Mr. Locke moved for approval, seconded by Mr. Cilona, motion carried 3 in favor and one abstaining (Susan Saracina). Mr. Doering asked if there was a procedure for appeal. Mr. Aaby replied, there is not.

There being no further business before the Commission, the meeting adjourned at 7:45 P.M.

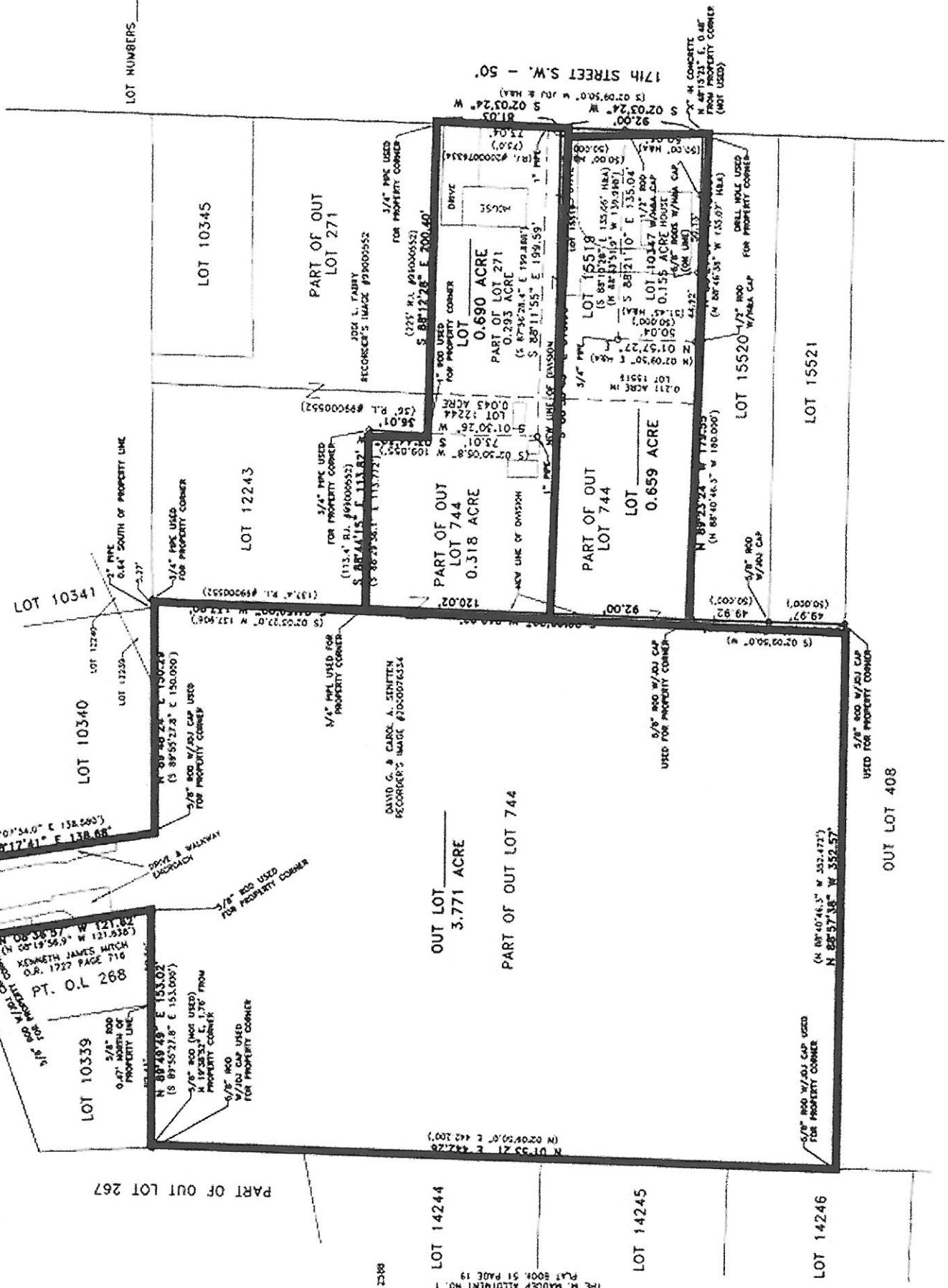
Respectfully submitted,


Marilyn E. Frazier, Commission Clerk

Approval:

MEF/ky

Replat Lots 10347, 15519, Out Lot 74 and part of Out Lot 271



TO THE PLANNING COMMISSION:

We, the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the zoning map as hereinafter requested and in support of the Application, the following facts are shown: (Complete either 1 or 2)

1. The property is part of a recorded plat. The property sought to be rezoned is located at

1620 1ST STREET N.E.

between GAIL AVENUE N.E. Street and TRAPHAGEN ROAD N.W. on the

EAST side of the street, and is known as Lot(s) Number 0608192

3671

~~18228~~. The property to be rezoned has a frontage of 100.00'

feet and a depth of 300.00' feet.

2. The property is in acreage, and is not therefore, a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage also.)

3. The property sought to be rezoned is owned by:

Name: STEVEN R. WISE

Address: 1620 1ST STREET N.E.

City/State/ZIP: MASSILLON, OHIO

Owner's Signature: Steven R. Wise

4. It is desired and requested that the foregoing described property is rezoned as follows:

From: RZ, ONE FAMILY RESIDENTIAL

To: RM-1, MULTIPLE FAMILY RESIDENTIAL

5. It is proposed that the property, once rezoned, will be put to the following use:

ADDITION TO EXISTING NURSING HOME &
ASSISTED LIVING FACILITY.

6. It is proposed that the following building(s) will be constructed on the property:

ADDITION TO EXISTING NURSING HOME &
ASSISTED LIVING FACILITY.

7. Attach a statement to indicate why, in your opinion, the change is necessary for the preservation and enjoyment of substantial property rights, and why such change will not be detrimental to the public welfare, nor to the property of other persons located in the vicinity thereof.
8. Attach two (2) prints of a parcel map drawn at a scale of not less than 1" = 100' showing the lot or parcel in question and all adjacent and abutting property lines, public right-of-ways and existing zoning.
9. The applicant shall submit and attach, as part of this application for zone change either one of the following submission requirements:

- (i) A Petition for Zone Change signed by a majority of the owners of real estate lying within 300 feet of any part of the area sought to be changed.

--OR--

- (ii) Evidence that the applicant has held a meeting with neighboring property owners and/or residents to review and discuss the proposed zone change. Items to be submitted as documentation for such meeting(s) shall include the following:

- A copy of the meeting notice listing the date, time, place, and purpose of the meeting.
- A listing of those persons, businesses, and organizations, receiving notice of said meeting.
- A copy of the sign-in sheet from said meeting.
- Copies of any documents, hand-outs, and other materials distributed at said meeting.

9. Applicant's Name: MARC H. COHEN
NORTH COAST ARCHITECTS, INC.
Address: 23811 CHAGRIN BLVD., SUITE 160
City/State/ZIP: BEACHWOOD, OHIO 44122
Telephone Number: 216.464.7494
Applicant's Signature: Marc H. Cohen

Applicant's basis of representation regarding the property for which rezoning is being requested (e.g., owner, legal representative, holder of valid option or purchase agreement)

REPRESENTATION FOR AMHERST ALLIANCE LLC.
HOLDER OF OFFER TO PURCHASE REAL
ESTATE AGREEMENT



NORTH
COAST
ARCHITECTS, INC.

23811 CHAGRIN BOULEVARD
SUITE 160
BEACHWOOD, OHIO 44122

PHONE: 216-464-7494
FAX: 216-464-3046

REZONING REQUEST FOR:
AMHERST ALLIANCE, LLC
PARCEL NO. 0608192
MASSILLON, OHIO

26 OCTOBER 2009

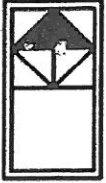
Amherst Alliance LLC is requested the rezoning from R2 to RM-1 to allow for an addition to their existing nursing home and assisted living facility. The rezoned parcel will be contiguous to the existing property and integrate with it. A portion of the property is already zoned RM-1 so the rezoning will bring the entire property into one zoning classification.

The essential characteristics of the neighborhood would not be lost and the surrounding properties would not be suffering a substantial detriment if the rezoning was granted.

The rezoning would not adversely affect the delivery of governmental services. The infrastructure is in place to support the development of the rezoned land.

The rezoning of the property will not grant the owner any special privilege that is denied other properties in the area.

The rezoning will allow for the expansion of the existing facility and for the owner to continue to provide the much needed services to the community.



**NORTH
COAST
ARCHITECTS, INC.**

23811 CHAGRIN BOULEVARD
SUITE 160
BEACHWOOD, OHIO 44122

PHONE: 216-464-7494
FAX: 216-464-3046

October 26, 2009

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

Attn: Planning Commission

RE: Lot Consolidation / Re-Plat
Amherst Meadows

Planning Commission Members:

Amherst Alliance LLC is requesting your approval of a lot consolidation / re-plat for the following lot numbers / parcels: OL1024 / 0619105, OL367 / 0608192, and 13833 / 0614551. The re-plat would include taking 30' from the front of the property in the right of way and having it dedicated to the city.

Upon receiving your approval, the Owner will authorize the completion of the lot consolidation / re-plat site plan which will then be submitted for the appropriate signatures and filed with the County.

Sincerely,

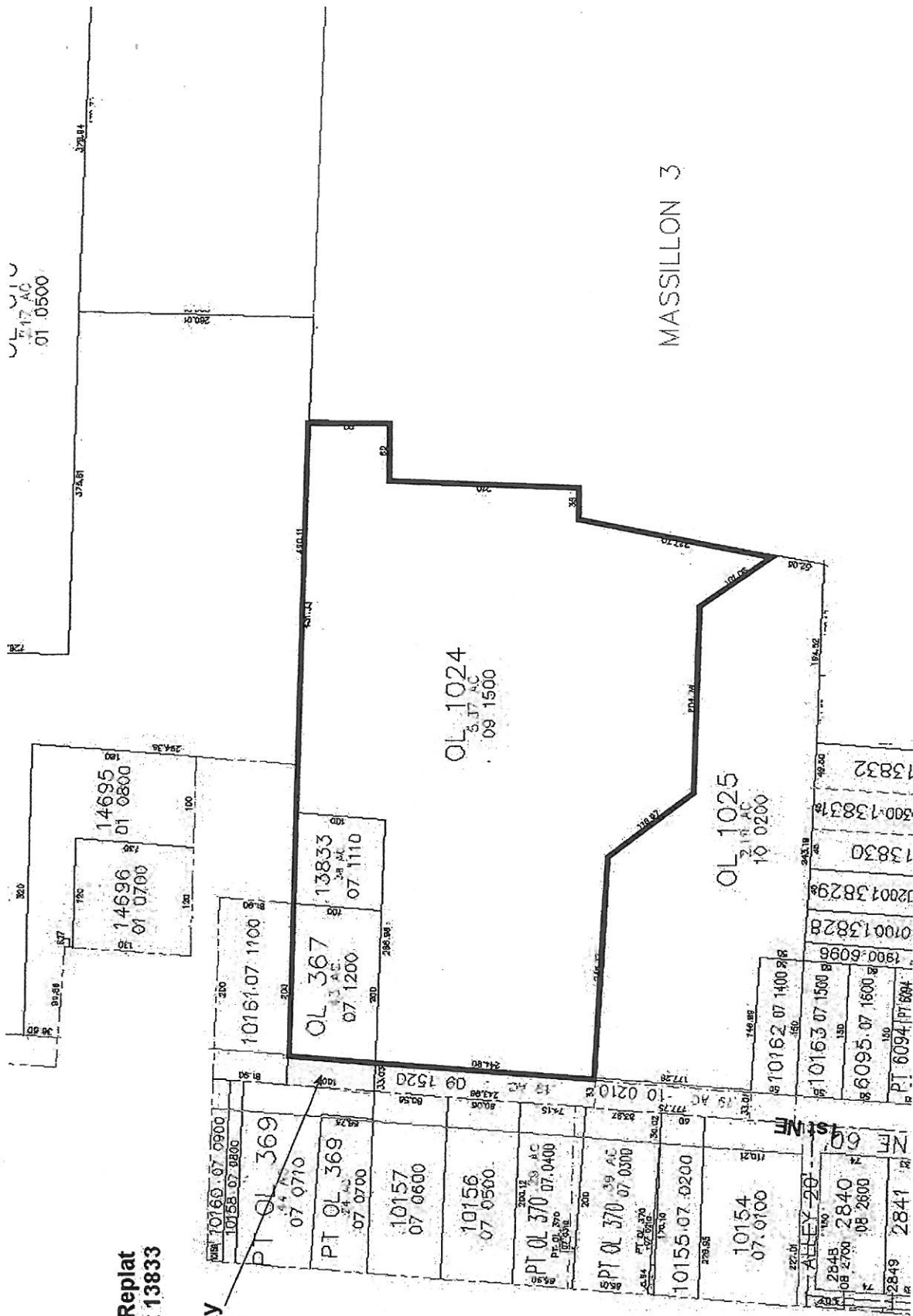
NORTH COAST ARCHITECTS, INC.

Marc H. Cohen
President

Amherst Meadows - Replat
OL 1024, OL 367, Lot 13833

Includes Right-of-Way
Dedication 1st St NE

QTR SEC 6



Massillon Planning Commission
Tuesday, November 10, 2009 - 7:30 P.M.
City Council Chambers

Sign in Sheet

Name:

Address and/or organization

MARC COHEN
NORTH COAST ARCHITECTS

RONALD KUCHIN
NORTH COAST ARCHITECTS

Evan Hamilton

TIM BRIGGS

DAVID G. SENFTEN

AMHERST MEADOWS
1620 1ST STREET NE

AMHERST MEADOWS
1620 1ST STREET NE

1610 Amherst Meadows

CAMPBELL & ASSOC. - (NEGLIC)

743 17TH ST SW, MASSILLON, OH

Massillon Planning Commission
(updated:06/24/09)

Cell phones for MEF's purposes only)

Mayor Francis H. Cicchinelli, Jr. *yes*
(Jan. 1988)
(Home: 832-3373) W: 830.1700

Mike Loudiana *- if needed*
Safety Service Director
Home: 832.9986 Cell: 353.1800

Frank Cilona
2345 Xavier Drive SE
Massillon, Ohio 44646
330-834-3113

yes
Susan Saracina
504 Lincoln Way East
Massillon, Ohio 44646
330.209.8515 (02/08/06)

yes
Todd Locke, Vice Chairman
1525 Valerie Avenue NE
Massillon, Ohio 44646
car: 936.2055 (495.9358 "don't use")
Work: 493.8866 Ext. 119

Newspapers, radio, etc.
Only get copy of agenda:

Robert McCune (Doug Staley left 10/06)
The Independent
50 North N.W. (833.2634 #81124)
Massillon, Ohio 44647

Benjamin Duer 12/13/04
The Repository (580-8300 #8567)
500 Market Avenue South
Canton, Ohio 44702

ESPN 990
P. O. Box 608 (837-9900)
Massillon, Ohio 44648

Account Relations Dept.
East Ohio Gas
4725 Southway Street SW
Canton, Ohio 44706.1936

Prepare sign-in sheet

Date: 11/10/09

yes
Sheila Lloyd (Jan.2000)
707 Eighth Street, S.W.
Massillon, Ohio 44647
Home: 833-2834 works at
home 833.8591 (9/15/05)fax: 833.8592

yes
Elaine Campbell *Sent her note 11/5/09 to CATH*
2540 Fallen Oak Circle N.E.
Massillon, Ohio 44646
330-837-2720 (02/09-6yrs.)

yes
James E. Johnson, Chairman *Call him w/ Quorum Res. H.*
320 Taggart N.E.
Massillon, Ohio 44646
Home: 832-2233

yes
Tim Muzi *no*
2535 Linda Lane S.W.
Massillon, Ohio 44647
He wants us to use:330.418.8820
Not home #330.832.9296

MEF, Aane, Jason, Keith, AAA's book:
Get copies of everything
City Council/ AGENDA only
Make 11 - 1 EXTRA for Mary
Beth

Mail minutes & agenda each month with
envelope they provide:

Vin Core, LLC
1133 Bonnie Lane
Mayfield Hts. Ohio 44124 (Vince Russo)

Pinnacle Financial Group
P. O. Box 31561
Cleveland, Ohio 44131.9602
Attn: Daniel A. Rose

Claire Khalid, Pre-bid Reporter
The Builders Exchange
9555 Rockside Rd. #300
Cleveland, Ohio 44125

Julie Poole
Dodge
1175 Dublin Road
Columbus, Ohio 43215.9596

All American Energy Cooperative Asso. Inc.
P. O Box 640
Malvern, Ohio 44644

Special Notes: Be sure to call newspapers
and radio station with any time change in
meeting. Also call WHBC.
A staff member usually will open door. If
not, contact Jerry H. 330-919-5741 pgr
Home: 837.1303



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Marc H. Cohen
President

Includes Right-of-Way Dedication 1st St NE

MASSILLON 3

