

**A G E N D A**  
**MASSILLON PLANNING COMMISSION**  
**FEBRUARY 10, 2010 4:00 P.M.**  
**MAYOR CICCHINELLI'S OFFICE**

**\*\*\*\*PLEASE NOTE MEETING TIME AND LOCATION CHANGE\*\*\*\***

**1. *Approval of the Minutes for the Commission Meeting of January 13, 2010.***

**2. *New Business***

**Replat – Erie Street South**

*Location:* Part of Out Lot 1044, located on the west side of Erie Street South , just south of the Route 30 / Route 21 interchange. The request is to divide a small parcel approximately 0.956 acres out of the existing 45 acres. The property is currently zoned B-3 General Business.

*Applicant:* Ryan Oyster / GPD Associates

**Replat and Dedication Plat – 1136 Lincoln Way East**

*Location:* Lots 9563, 9564, 9565, 9566, 9567, 9568, located on the north side of Lincoln Way East , just west of Wales Road. The request is to combine these parcels to create (1) new lot approximately 1.585 acres. Also included is the dedication of a small portion of right-of-way for Lincoln Way East. The property is currently zoned B-3 General Business.

*Applicant:* Mary Ann Wervey / Zaremba Development

**Zoning Code Amendments – Miniature Golf Courses**

Proposed amendments to the zoning code regarding miniature golf courses. These amendments have been prepared by Perry Stergios, City Law Director.

**3. *Other Business***





## PROPOSED AMENDMENTS TO MASSILLON CITY ZONING CODE

### SECTION 1121.02 DEFINITIONS

Add the following:

- (89) "Golf Course" means a tract of land laid out for playing the game of golf and consisting of a minimum of nine (9) holes situated on said land. The land would also be improved with tees, greens, fairways, and hazards. Further, a golf course must be comprised of real estate in excess of five (5) acres of land. A "Miniature Golf Facility" or "Miniature Golf Course" is not a golf course as defined under this paragraph.
- (90) "Miniature Golf Course" is a miniature version of the sport of golf. Miniature Golf Course is also known by the names: Mini Golf, Midget Golf, Goofy Golf, Extreme Golf, Mini Putt, Putt Putt, and other similar variations. Miniature Golf Course typically is built on a parcel of real estate less than five (5) acres in size, is composed of fake or artificial surfaces, grass, miniature obstacles, including windmills, castles and wishing wells, and miniature hazards. A Miniature Golf Course typically involves the use of one (1) club per player and is played by putting on a series of artificial surfaces, golf holes that are one-tenth (1/10) of the size of regular golf course holes, and man made obstacles as part of the miniature golf course.

### SECTION 1153.03 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS (R-1 through R-4)

1153.03(f) to be amended by adding a new subsection (4):

- (4) A Miniature Golf Course is not a Golf Course and as such a Miniature Golf Course is not a principle use permitted subject to special conditions as defined herein.

### SECTION 1163.02 PRINCIPAL USES PERMITTED (B-1 Local Business District)

Add the following:

- (k) Miniature Golf Courses

**Massillon Planning Commission**  
**January 13, 2010**

The Massillon Planning Commission met in regular session on January 13, 2010, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

**MEMBERS**

Chairman James Johnson  
Vice Chairman Todd Locke  
Mayor Francis H. Cicchinelli, Jr.  
Frank Cilona  
Sheila Lloyd

**STAFF**

Aane Aaby  
Marilyn Frazier  
Jason Haines

The first item of business was the minutes for the Commission meeting of November 10, 2009. Mr. Cilona moved for approval, seconded by Mr. Locke, motion unanimously carried.

The next item was a lot split/dedication plat presented by Mr. Haines.

**Lot Split/Dedication Plat - 2600 Lincoln Way East**

*Location:* Part of Out Lot 330, located on the north side of Lincoln Way East, just west of 27<sup>th</sup> Street NE. The request is to divide a small parcel approximately 0.981 acres out of the existing 6.4 acres. Also included is the dedication of a small portion of Lincoln Way East. The property is currently zoned B-3 General Business.

*Applicant:* Daniel G. Kamin Massillon, LLC/Bayer-Becker Engineering

This is the property that Kmart is located on. The request is to split approximately one (1) acre off in preparation of selling it for the development of an auto parts store. The zoning is B-3 General Business. Mr. Cilona asked if they had a buyer. Brian Johnson was present representing O'Reilly Auto Parts, Inc., who will occupy the property. He had no additional comments. Mr. Locke moved for approval, seconded by Mayor Cicchinelli, motion unanimously carried.

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

**Replat – 1888 Southway SE**

*Location:* All of lots 12820, 12821, 12822, 12823, 12839, 12840, 12841, 12847, 12850, 12851, 12852, 15845, 15846, 15847, 15848, 15849, 15840, 15851, 15852, 15853, 15854, 15855, 15857, 15858, 15859, 15860, 15894, 15895, 15896, 15897, 17187; parts of lots 12823, 12848, 12849, 13796, 13999; and parts of Out Lots 485, 486, 488. Property is located on the north side of Southway Street, east of 16<sup>th</sup> Street SE. The request is to combine these lots into one (1) new outlot approximately 42 acres. The property is zoned I-1 Industrial and 1-2 Industrial and R-1 Residential.

*Applicant:* Fresh Mark Inc./Cooper and Associates

This property is located in the vicinity of Walnut Road and Southway SE. Fresh Mark is planning an expansion and would like to replat all of these smaller lots into one (1) new outlot. Bryan Ashman of Cooper and Associates was present and commented that the Engineer's office requested these lots be replatted. Mr. Locke asked about Fresh Mark's plans. He replied that two (2) portions of the building would be expanded. Shawn Harper of Fresh Mark was also present and added that this is a two (2) phase project totaling approximately 90,000 square feet for May and November of this year.

Mayor Cicchinelli moved for approval, seconded by Mr. Cilona, motion unanimously carried.

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

**Rezoning – 1888 Southway SE**

*Property description:* Part of Lots 12848, 13796, 15860, 15894, and all of Lots 12838-12841, 15857, 15895-15897, and 13999, located at 1888 Southway SE

*Zone change from:* R-1 One Family Residential

*Zone change to:* I-1 Light Industrial

*Applicant:* Fresh Mark, Inc.

*Proposed use:* To provide sufficient area for plant expansion

A portion of the property needed for the expansion is zoned R-1 Single Family Residential. Fresh Mark's main facility is zoned I-1 Heavy Industrial, but they are requesting an I-1 Light Industrial and not including three (3) lots to provide a buffer in the interest of the residential neighbors. Bryan Ashman of Cooper and Associates said that he and Mr. Haines met with some of the property owners to inform them of their intentions.

Eugene Yeager, 1125 Harcrest SE, was present to express concern about traffic and property values.

Rosemary Failor, 1950 Southway SE, was present and expressed concern about her septic system and her desire to connect to Fresh Mark's sewer line. She also commented about noise and property values.

Don Witmer, 1944 Southway SE, was present and expressed concern about noise and property values.

Mayor Cicchinelli commented that it has been a goal of his administration to bring jobs back to Massillon. At one time, Fresh Mark employed approximately 1200 people, and at another time after the fire, only approximately fifty (50). Now they are up to three-hundred (300) with more to come. He added that he supports the rezoning, but would like for Mr. Ashman and Mr. Harper to talk to Fresh Mark executives about possibly removing Lots 12838, 12841, 12847 from the rezoning request prior to a final vote by City Council. This suggestion was made to provide additional protection to the residents in the area.

The final item on the agenda under Other Business was the election of officers for 2010. Mayor Cicchinelli moved to retain the current officers, Jim Johnson, Chairman, and Todd Locke, Vice Chairman, seconded by Mr. Cilona, motion unanimously carried.

Mr. Locke than thanked and commended Marilyn Frazier for her years of service to the Planning Commission. All present joined him in thanking Marilyn.

There being no further business, the meeting adjourned at 8:40 P.M.

Respectfully submitted,



Marilyn E. Frazier, Commission Clerk