

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, December 15, 1981

Mr. Tate called the meeting to order at 7:30 p.m.

Attendance: Mr. Elmer C. Tate, Jr. Mr. Dallas Horvath, Mr. Brian Bergsten, Col. Stanley Morrow, Mr. Bernard Samples, Mrs. Marian Simmons, Mr. Robert Chappell. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Steve Feverston, Planner I.

Approval of minutes of November 24, 1981, Planning Commission Regular Meeting:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of November 24, 1981, as written. Mr. Horvath seconded the motion. The motion was approved unanimously.

PUBLIC HEARINGS

Bench Billboard Company - Sign Variance

Mr. Schwab made a slide presentation of the variance applications submitted by the Bench Billboard Company requesting the placement of two (2) benches, one to be placed on the southeast corner of SR 48 and Loop Road and the other to be placed on the southeast corner of SR 48 and Fireside Drive. The zoning on each site is B-2 although the actual locations are within the City right-of-way. The request is asking for three (3) different variances:

1. To allow a sign to be located in the right-of-way.
2. To allow an off-site advertising sign to be erected in a business district.
3. To allow a bench sign to be erected.

Mr. Schwab stated that these particular benches would have an advertising sign for Voss Chevrolet on the backs of them.

In reviewing the guidelines for granting a variance, Mr. Schwab stated that staff could find no unusual circumstances that would warrant a variance. It is, therefore, staff recommendation to deny the variance request.

Mr. Tate opened the public hearing.

Mr. Fred Graumlich, owner of Bench Billboard Company, stated that he would like to submit a petition from Centerville residents requesting that the variance be approved in order to place benches at the locations in question.

Mr. Chappell asked if the benches were maintained by the company.

Mr. Graumlich stated that the company does maintain their benches on a regular basis. They are overhauled once a year and the weeds are cut around them. He stated that there are two (2) benches at the Elder-Beerman store, however, the signs to not face the street.

There being no other speakers for or against the request, Mr. Tate closed the public hearing.

Mr. Bergsten requested that the language from the Ordinance be read regarding the prohibited signs.

Mr. Schwab read the following sections from the Ordinance:

Section 32 - Sign Ordinance

General Provisions

- A. All signs shall be set back twenty-five (25) feet from the right-of-way as shown on the official thoroughfare plan for Centerville, Ohio, unless modified herein.

Prohibited Signs

- C. No sign shall be attached or otherwise applied to trees, bus shelters, utility poles, benches, trash receptables, newspaper vending machines, or other unapproved supporting structure, or otherwise placed in the public right-of-way.

An advertising sign is not permitted in a business district. An advertising sign is defined in the Zoning Ordinance as follows:

A sign which directs attention to a use, commodity or service not related to the premises on which the sign is located.

Mrs. Simmons stated that the Planning Commission had denied a church permission to place off-site signs to promote their church.

Mr. Horvath stated that the City could place benches in those locations without advertising and it would still serve the purpose.

Mr. Bergsten stated that the petition should be sent to City Council for action. He stated that he sees no reason why the Planning Commission should go against the spirit of the Ordinance by issuing a variance for this application. He stated if this is the wish of Council, then a change in the Ordinance should be made.

Mrs. Simmons commented that many of the petitioners do not live anywhere near those proposed bench locations.

Mr. Samples stated that he recently reviewed other ordinances of surrounding cities regarding benches. He stated that it is a very common restriction to not allow advertising benches.

MOTION: Mrs. Simmons moved to deny the two (2) variances as requested by the Bench Billboard Company. Mr. Horvath seconded the motion. The motion was approved unanimously.

Mr. Tate stated that the applicant does have the right to appeal the decision of the Planning Commission to City Council. Mr. Farquhar reviewed the appeal process and filing procedure to the applicant.

NEW BUSINESS

The Country Place, Section 1 - Record Plan

Mr. Schwab made a slide presentation of the proposed record plan for The Country Place, Section 1, located north of Rahn Road at Coppermill Place and west of Mad River Road in Washington Township. Section 1 covers a 24 acre tract on which 19 lots will be developed. Thoroughfare improvements will be required along Rahn Road. The development will be a combination of cluster homes and single-family homes.

Staff recommends to approve the record plan for The Country Place, Section 1, with the following conditions:

1. The City Engineer approve amended construction drawings for the improvement of Rahn Road incorporating the following design concepts:
 - A. A left turn lane on Rahn Road at the entrance to Country Place.
 - B. A third lane of pavement with appropriate tapers on the north side of Rahn Road. Pavement may be added to the north and/or south side of Rahn Road.

Mr. Schwab stated that Rahn Road bends severely to the south and the submitted construction drawings show about one (1) lane of pavement being added between the two (2) driveways. Staff's concern is that with left turning traffic headed in an easterly direction and stopping to go into the project, traffic that rounds the curve area will have to wait which could create a severe safety problem. The staff traffic engineer studied this problem and it appears that with the existing right-of-way for Rahn Road as well as what is being dedicated, a through lane could possibly be created.

- C. All utilities and storm drainage structures and swales be relocated or improved as necessitated by the redesign of Rahn Road.
 - D. Appropriate signage and pavement striping for the Rahn Road improvement.
2. The City Engineer approve an amended set of construction drawings for all the improvements required for the plat.
 3. The City Engineer approve performance bond and inspection fee amounts based on the amended construction drawings.

4. In lieu of completion of the required improvements prior to the recording of the plat, a subdivider's agreement between the City and the developer be entered into with a performance bond and inspection fee in amounts approved by the City Engineer to be deposited with the City.

MOTION: Mr. Horvath moved to approve the record plan for The Country Place, Section 1, with the following conditions:

1. The City Engineer approve amended construction drawings for the improvement of Rahn Road incorporating the following design concepts:
 - A. A left turn lane on Rahn Road at the entrance to Country Place.
 - B. A third lane of pavement with appropriate tapers on the north side of Rahn Road. Pavement may be added to the north and/or south side of Rahn Road.
 - C. All utilities and storm drainage structures and swales be relocated or improved as necessitated by the redesign of Rahn Road.
 - D. Appropriate signage and pavement striping for the Rahn Road improvement.
2. The City Engineer approve an amended set of construction drawings for all the improvements required for the plat.
3. The City Engineer approve performance bond and inspection fee amounts based on the amended construction drawings.
4. In lieu of completion of the required improvements prior to the recording of the plat, a subdivider's agreement between the City and the developer be entered into with a performance bond and inspection fee in amounts approved by the City Engineer to be deposited with the City.

Mr. Chappell seconded the motion. The motion was approved unanimously.

The Country Place, Section 2 - Record Plan

Mr. Schwab made a slide presentation of the proposed record plan for The Country Place, Section 2, located north of Rahn Road at Coppermill Place and west of Mad River Road in Washington Township. Section 2 covers an area of 16.3 acres and will have nine (9) lots developed on it. Mr. Schwab stated that the conditions of approval for the preliminary plan have been incorporated into the proposed record plans. It is, therefore, staff's recommendation to approve the record plan for The Country Place, Section 2, with the following conditions:

1. The City Engineer approve an amended set of construction drawings for all the improvements required for the plat.
2. The City Engineer approve performance bond and inspection fee amounts based on the amended construction drawings.

3. In lieu of completion of the required improvements prior to the recording of the plat, a subdivider's agreement between the City and the developer be entered into with a performance bond and inspection fee in amounts approved by the City Engineer to be deposited with the City.

MOTION: Mrs. Simmons moved to approve the record plan for The Country Place, Section 2, with the following conditions:

1. The City Engineer approve an amended set of construction drawings for all the improvements required for the plat.
2. The City Engineer approve performance bond and inspection fee amounts based on the amended construction drawings.
3. In lieu of completion of the required improvements prior to the recording of the plat, a subdivider's agreement between the City and the developer be entered into with a performance bond and inspection fee in amounts approved by the City Engineer to be deposited with the City.

Col. Morrow seconded the motion. The motion was approved unanimously.

Washington Creek, Section 5 - Bond Release

Mr. Schab stated that all work has been completed on the residential development located north of Spring Valley Road, east of Clyo Road and south of and adjacent to the Centerville Corporation Line. All improvements have been made including corrective changes in the design of the multi-plate pipe arch. Maintenance of the streets has been accepted by the Washington Township Trustees.

It is the recommendation of staff to release the performance bond subject to receipt of a maintenance bond in the amount of \$15,000 and a new \$2,000 performance bond to be specifically designated for corrections at the inlet of a storm pipe located between lots 302 and 303. Installation of an additional area drain and filling of eroded lands may be required and is to be scheduled by the developer in the Spring of 1982.

MOTION: Mr. Bergsten moved to approve the release of the performance bond for Washington Creek, Section 5, subject to:

1. Receipt of a maintenance bond in the amount of \$15,000;
2. A new performance bond in the amount of \$2,000 specifically designated for corrections at the inlet to a storm pipe located between lots 302 and 303.

Mr. Chappell seconded the motion. The motion was approved unanimously.

There being no further business, the meeting was adjourned.

1-26-82 

