

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, May 26, 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, Mr. Robert Chappell, Col. Stanley Morrow, Mrs. Marian Simmons, Mr. Bernard Samples. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Joseph S. Minner, Assistant City Manager.

Approval of minutes of April 28, 1981, Planning Commission Regular Meeting:

MOTION: Mr. Horvath moved to approve the Planning Commission minutes of April 28, 1981, as written. Mrs. Simmons seconded the motion. The motion was approved 6-0-1. Mr. Tate abstained.

COMMUNICATIONS

Nutt Road Estates-Two - Extension of Preliminary Plan Approval

Mr. Schwab stated that a request has been received to extend the approval of the preliminary plan for Nutt Road Estates-Two for an additional year. This development is located east of Polo Club Estates and north of Social Row Road in Washington Township. Staff recommends approval of this request since there have been no changes in that area that would require anything different from the approved preliminary plan.

MOTION: Mrs. Simmons moved to grant the extension of approval for a period of one (1) year with the condition that the plan be reviewed by the City Engineer for compliance with any new regulations that might go into effect in the meantime. Mr. Chappell seconded the motion. The motion was approved unanimously.

Wrens Cross - Extension of Subdivider's Agreement

Mr. Schwab stated that another request has been received to extend the time period for the installation of a portion of sidewalk in Section 1 of Wrens Cross. The portion of sidewalk in question is that which will tie in with the Walnut Grove subdivision. The developer has indicated that due to bad weather conditions, he has been unable to comply with the May 15, 1981 deadline that was given by the Planning Commission in a previous action.

Col. Morrow indicated that this issue has been going on for quite some time. He stated that the sidewalks have been installed along Clyo Road on both sides during the past six (6) weeks.

Mr. Schab stated that it is the developer's intention to install the sidewalks, however, he is having some problem subcontracting the work out.

MOTION: Mr. Bergsten moved to grant a forty-five (45) day extension to the sidewalk construction requirement for Wren Cross, Section 1, which will extend the time period to June 30, 1981. Col. Morrow seconded the motion. The motion was approved unanimously.

PUBLIC HEARINGSAn Ordinance Amending Resoultion Number 22-75, Resolution Number 23-75  
And Ordinance Number 44-75, And Providing A Flood Damage Prevention  
Program For The City Of Centerville, Ohio.

Mr. Schwab stated that as of 1975 or 1976 the City entered into the Emergency Phase of the Flood Hazard Program. In that phase, all areas of the City are considered the same flood risk. A limited amount of flood insurance is made available at a nominal premium which is subsidized by the Federal Government. Under the Emergency Phase, the same amount of insurance is available to everyone at the same premium rate.

The Federal Government has contracted with the Corp of Engineers to do a more detailed analysis of where the 100-year flood plains are, where the flood channels are, and on the basis of that additional data have prepared a map that shows the 100-year flood elevations on different streams within Centerville. Insurance risks have been assigned to different areas within the City so that flood insurance rate zones can be established. This ordinance is part of the Federal requirement to protect areas that are identified as having a flood hazard from the affects of new development or alterations that would affect the flood levels in that area.

This particular ordinance sets up some standards and the requirement for a development permit for new development in areas that are identified as recorded as having a flood hazard.

MOTION: Mr. Horvath moved to recommend approval of the Flood Damage Prevention Program Ordinance to City Council with the effective date of the ordinance being amended to state November 18, 1981. Mr. Bergsten seconded the motion. The motion was approved unanimously.

UNFINISHED BUSINESSShadybrook - Preliminary Plan

To remain on the table.

NEW BUSINESSSign Ordinance - Draft Copy

Mr. Schwab stated that the Sign Ordinance being reviewed tonight is a rough draft and it is not officially being heard as a public hearing at this time. He stated that this draft has been taken before Council in work session and also the BAR for comments. Staff is really asking the Planning Commission for comments on this particular draft. Based on all the comments from Council, the BAR, and Planning Commission, a revised draft will be prepared.

Some basic changes in the Ordinance includes the following:

1. The definition of a sign considers a searchlight as a sign.
2. Roof signs are not permitted except where you have a mansard facade on a building that is simply a flat roofed building. In that case, it would be considered a wall sign.

3. A 25-foot setback from the future right-of-way now applies in conjunction with the Thoroughfare Plan. This Ordinance proposes to change the 25-foot setback from the existing right-of-way line.
4. Wall signs would be limited to 120 square feet.
5. Freestanding (ground) signs would be limited to a maximum of 6 feet in height.
6. Political signs will require a \$25.00 deposit to insure removal. Council has requested that the deposit be raised to \$100.00. A sign permit will be required. The signs will be permitted no more than 60 days prior to the election and are to be removed within 10 days after the election.
7. Maintenance of signs will be required. Signs will be required to be removed if they have been left abandoned for a certain period of time.
8. Any violation of the Sign Ordinance will be considered a public nuisance. The person responsible would be notified and given a reasonable period of time to correct a deficiency or appeal it to a board of staff members which would include the City Manager, Law Director, and City Engineer. If the finding of that board was the person was in fact in violation of the Ordinance, then he would be required to remove the nuisance. If the removal of the nuisance is not done within a certain period of time, the City could go onto the property and cause the nuisance to be removed. If the bill is not paid within a certain period of time, the amount of the bill would be assessed on the property.
9. A specific sign permit will be issued other than a zoning permit and a building permit.
10. Real estate signs will increase to 15 square feet in total sign area. Information indicating that real estate has been sold will not be permitted.

Mr. Horvath asked about the regulation of garage sale signs since off-premise signs are prohibited.

Mr. Schwab stated that Council discussed garage sale signs and came to the conclusion that they would be very hard to control. He stated that many cities have regulations on garage sales; however, at this point, Council feels that there is not a severe problem.

11. Signs in the APD would have a color chart similar to that of the building colors. The BAR will review all signs in the APD. Staff could approve minor sign changes that would meet the criteria of the Ordinance.

Mrs. Simmons stated that under "Prohibited Signs", signs cannot be attached or otherwise applied to trees, utility poles, etc. She stated that if this is the case, all political signs will have to be free-standing. She suggested that political signs be exempted during the 60-day period.

Mr. Tate asked the next step on the Sign Ordinance.

Mr. Schwab stated that staff will redraft the Ordinance to include the changes discussed by Council, the BAR, and Planning Commission. The number of changes will require a work session with Council again. Mr. Schwab stated that it will possibly be ready for consideration this fall.

#### GENERAL DISCUSSION

Mrs. Simmons stated that the County Commissioners' Association of Ohio has a number of groups one of which is Water and Sewer. A questionnaire among members of that committee indicated an extensive interest in the drainage problems. Mrs. Simmons stated that after researching the drainage problems, she found that there may be some real liability involved. She stated in order to protect the City from liability in future development, an ordinance should be adopted.

Mr. Farquhar stated that the City is aware of the liability problems. He stated that none of the cases have been in this jurisdiction; however, they are monitoring the situation.

Mr. Schab stated that when a plat comes in, he could recommend that it be approved subject to the storm tiles being a certain size, back-to-back curbs be installed, and that the developer provide retention of an amount of water which is equal to the difference between before development and after development. He stated that sooner or later the City will need an ordinance addressing the drainage problem.

Mr. Farquhar stated that anytime you have excavation, under the Building Code you have tight control, as the Building Code is very stringent as far as erosion is concerned.

Mr. Horvath stated that in looking at the landscaping at Revere Village Apartments, he noticed the landscaping sign was lighted. He stated that when the project was originally discussed, the sign was to only appear during the daylight hours. Mr. Horvath stated that he just wanted to bring this to the attention of the Planning Commission that the lighting issue slipped by.

Mr. Schwab stated that during the past year, staff has worked with Miamisburg to try and get them to limit their 3-mile jurisdiction along the division between Miami and Washington Townships because of the confusion it causes by the overlapping boundaries. Miamisburg has passed an ordinance that restricts the 3-mile jurisdiction on the eastern boundary to Miami Township.

There being no further business, the meeting was adjourned.

*M. Brian Bergsten / June 30, 1981*