

CENTERVILLE PLANNING COMMISSION
MINUTES OF MEETING
TUESDAY, NOVEMBER 28, 1978

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

Attendance: Mr. Elmer C. Tate, Jr., Mr. Dallas F. Horvath, Mr. Brian Bergsten, Mr. Roland McSherry, Mr. Bernard Samples. Also present: Mr. Karl M. Schab, City Engineer; Mr. Joseph S. Minner, Administrative Assistant; Mr. Alan C. Schwab, Planning Technician; Mr. Garth L. Reynolds, City Planner.

Mr. Horvath moved to approve the minutes of the October 31, 1978 Planning Commission Meeting as written. Seconded by Mr. Bergsten. Approved unanimously.

Mr. McSherry moved to approve the minutes of the November 14, 1978 Planning Commission Work Session as written. Seconded by Mr. Samples. Approved unanimously.

Mr. Tate suggested to hold the regular meeting for December on the 12th, due to the Christman holiday. Planning Commission members agreed on this date.

SETTING OF PUBLIC HEARINGS

Richard L. Beekman - 81-85 Westpark Road

Variance on setback requirement
To be heard December 12, 1978 at 7:30 p.m.

COMMUNICATIONS - none

PUBLIC HEARINGS

Winters National Bank - Sign Variance

Mr. Schwab gave a slide presentation of the project. The bank is located on the southeast corner of Whipp Road and Far Hills Avenue. The zoning is B-2. The variance requested is a variance in the size of the sign. The permitted signage for that useage in those two buildings with two uses in that building is 45 sq. ft. The requested signage is to be a total of 103 sq. ft. (both sides of sign). This would be a sign with 88 sq. ft. identifying Winters Bank with a Money Express sign adjacent to it. The existing sign is a legal-nonconforming sign that was in place before our new sign ordinance became effective. Mr. Schwab stated that this is a large sign by our existing ordinance. The staff recommendation is that in the past, any legal-nonconforming sign would be up-to-date when they changed to meet the new zoning ordinance. The new ordinance would require that sign to be 50 sq. ft., both sides total. What they're asking for is a sign totaling 103 sq. ft.

Mr. Dick Galusha representing Winters Bank, stated that all offices that now have the Money Express Machine have had the old signs replaced with the new type sign in order to identify a location with the Money Express Machine.

Mr. Tate asked if this was the normal sign which replaced the old signs. Mr. Galusha stated it was the standard identification sign used throughout the area.

Mr. McSherry stated he was not in favor of doubling the sign area.

The Planning Commission made reference to the sign for Winters Bank located in Centerville Square being different from this proposed sign.

Mr. Reynolds stated that that sign received a variance because it was combined with the sign for the shopping center.

Mr. Galusha stated that the proposed sign is just a replacement for the freestanding signs in the area. Also the need for a larger sign is necessary due to the setback of the sign--80 ft. from the right-of-way.

Mr. McSherry moved to deny the sign variance for Winters Bank. Seconded by Mr. Samples. Variance denied.

Mr. Tate informed Mr. Galusha that he had 5 days in which to appeal the decision of the Planning Commission and 10 days to actually appeal in writing.

Centerville Square - Sign Variance

Mr. Schwab made a slide presentation of the project, being located on the northwest corner of SR 48 and Spring Valley Road. The zoning is B-2. The sign variance being requested is for sign size, setback, and the number of freestanding signs on the project.

Currently, there is one freestanding sign on the project which is all that is allowed in conformance with the ordinance. This variance would allow two freestanding signs on the project. They are actually ground mounted signs; however they are classified as freestanding signs. Signage area for a freestanding sign is 50 sq. ft. total, 25 sq. ft. per side. The request is for a 64 sq. ft. total sign (4' x 8'), double sided. The required sign setback is 25 ft. from the right-of-way. The request is for 6 ft.--an area between the parking lot and the edge of the pavement. Location of the sign would be along Spring Valley Road on the north side. Mr. Schwab explained that the sign would be 4' x 8', made of plywood, being ground mounted with the sign being 6 ft. off the ground. Some kind of planting arrangement at the bottom of the sign will be designed. The sign will have raised white lettering on a light tan background. Since the application was filed, the applicant has decided to drop the individual names of the shops on the sign.

Mr. Schwab stated that staff would like to see a more detailed drawing of the sign. Also, staff would like to have a 50 sq. ft. total sign.

Mr. Jack Hutton, one of the owners of Centerville Square, stated that the reason the application was not as detailed as projects have been in the past was because he did not have adequate time to prepare this application in order to file it on time. He asked that the variance be approved tonight in order to get the sign up in time for Christmas.

Mr. Hutton agreed to cut the size of the sign down to 50 sq. ft.

Mr. Tate stated if this were the case, the variance was only for setback.

Planning Commission members agreed that a rendering must be approved by staff.

Mr. Reynolds stated that a little continuity might be in order regarding the sign design.

Mr. Horvath moved to approve the sign variance upon approval of the staff of the rendering

Mr. Schwab pointed out that the second freestanding sign is also a part of the sign variance and should be included in the motion.

Mr. Horvath moved to approve the sign variance upon approval of the staff of the rendering, this being the second freestanding sign for the project. Seconded by Mr. Samples. Approved unanimously.

Kistler Variance - Addition to residence (exterior fireplace)

Mr. Schwab reviewed the application for the addition to the residence located at 7665 Clys Road. The property is zoned R-O-I. The request for variance is for the addition of a fireplace to the exterior of the house.

Mr. Schwab stated that this is actually a technicality to the zoning ordinance because of it being a legal non-conforming use in the R-O-I district.

Mr. McSherry moved to approve the Kistler variance for the exterior fireplace. Seconded by Mr. Bergsten. Approved unanimously.

Greenbrier Commons - Identification Sign Variance

Mr. Schwab reviewed the variance application for Greenbrier Commons, located at 1225 East Alex-Bell Road. The zoning for the project is E-C. The variance requested is a sign setback variance. The required setback is 25 ft. from the right-of-way of Alex-Bell Road and Olde Greenbrier Lane.

Presently, the sign is in two parts--the wooden Greenbrier sign angled to the east and also angled to the westerly direction. Also, in the median area is a Greenbrier Commons sign identifying the project in that vicinity. What they are asking to do is add a brick wall that would be about 6 ft. high, starting at about the sidewalk vicinity and tapering down to about 3 ft. high, arcing along just inside the right-of-way on each side. Then the project would be identified with Greenbrier Commons written on that. Also, in the median area would be a new brick sign similar to the old one with a gold plaque identifying the complex.

The variance is required in this case because the sign is being located in the City right-of-way. The City would be responsible for maintaining that sign because it is in the City's right-of-way. Mr. Schwab stated that the City has requested a letter from the developer, owners, or homeowners association of the condominium project stating that they accept responsibility for the maintenance for the sign in the City's right-of-way. They have provided us with a letter to that effect.

The original submission located these walks directly in front of the sidewalks and staff requested to have these moved just inside the right-of-way to allow the extension of the sidewalks to tie into a sidewalk that would appear in the future along Alex-Bell Road. They have complied with this and relocated the wall on their drawings. Staff has no objection to this with submission of the letter saying that the homeowners association accepts responsibility on the maintenance of the sign. Traffic engineers for the City also do not see any problem with side distance in the future with the brick wall, seeing as it does taper down to the roadway.

Mr. Don Ernst of the Ralph Woolpert Company indicated he would answer any questions if the Planning Commission had any.

Mr. Tom Martin, representing the Greenbrier Commons Homeowners Association, stated that the homeowners do want the sign and are willing to take responsibility to maintain the sign.

Mr. Jim Mastandrea, Ohio Midwest Development Corporation, stated he will be the new owner of Greenbrier Commons. He stated that there are still 141 units to be constructed--at least 37 units to be completed by next year.

Mr. Horvath moved to approve the sign variance with the condition that the homeowner's association provide a letter accepting responsibility for the maintenance of the structures and signs, approved by the Municipal Attorney. Seconded by Mr. Samples. Approved unanimously.

UNFINISHED BUSINESS

Centerville City Schools - Expansion of Centerville High School

Mr. Reynolds stated that the School Board had held a public meeting last night concerning the new stadium expansion. He indicated that the City's main concerns are with the drainage, runoff, and accessibility. Also, the plan that the City reviewed was different from the plan that was discussed at last night's meeting. The plan submitted to the City provided 1,800 parking places for the new facility; however, the plan submitted at the School Board meeting last night appears not to have adequate parking and appears to need a variance if this is the case.

Mr. Reynolds gave a copy of the new plan to Planning Commission members for their review. Members of the audience were invited to look at the plan also.

Mr. Don Ernst, Ralph Woolpert Company, stated that they are designing for a 10-year storm which is standard. He stated also that the drainage will be surface drainage. There is currently a problem on the west side of the school. A swale was constructed along the south and west side of the school to correct the situation at the school structure itself.

Mr. Schab stated that it is hard to say what the runoff quotations will be. Mr. Schab stated that in his opinion, this area used to be a man-made lake.

Mr. Ernst stated that they are requesting not to have to pave all the parking because it will create a 25% increase in runoff.

Mr. Schab indicated that there is definitely a problem with drainage; however, it is nothing that cannot be resolved to an extent.

Mr. Ernst stated that they are willing want to put as much retention into the area as possible.

Citizen Comments--

Mr. Del Tickel of 8500 Maltbie Road, stated that he contacted the Department of Natural Resources and spoke with Mr. Bob Goertemuller. Mr. Goertemuller stated that there are three verdicts in three court cases within the last six months where it has been out that downstream does have something against damage after it is done. There is no state law for protection today and Ohio is one of the last states to develop. The courts are going to force it in.

Mr. Tickel stated that he understood that there are now three proposals before the legislature to introduce legislation against downstream damage. We cannot do anything until legislation is past and take care of the damage that is already done then. Mr. Roger Millican with the Department of Natural Resources in Dayton has volunteered his services to try to work with the political bodies to try to resolve this problem. He has inspected the site and thinks it will take a combination of retention and runoff. Mr. Tickel stated that these services from the Department of Natural Resources are free of charge and suggests that someone contact them to try to resolve the problem.

Mr. Doug McClain, corner of Eccles and Maltbie (directly south of the school property), stated that the drop-off from the school property to his property is approximately 15 ft. Mr. McClain stated that if the facilities are to be used as they are intended, they should be drained properly. If the drainage is going to be done properly, you are going to have to retain the water or else you are adding to a problem that already exists. I would like to see the stadium go in, the parking problems resolved, the ingress and access problems resolved. At this time the School Board has not presented anything that convinces me that I am not at least personally going to have a very serious problem with a 12% water increase from the school property.

Ms. Pauline Silver, 8600 Maltbie Road, stated that the existing 2 ft. deep drainage ditch was never improved after the school was constructed in order to take care of the extra water runoff the new school building created. She stated she has been to the County and the Township--she has been everybody. No one will clean the creek out.

Mr. Tate asked what the objection was to not cleaning the creek out.

Mrs. Silver stated that the government officials told her that they cannot go onto private property. At one time she had the permission of all the property owners but they still would not do anything. The County Commission, Mr. Ray Wolfe, came down and sooked at the situation. He said that the County would do something about the problem. Mrs. Silver said that was 2 years ago.

Mr. John Elder, East Franklin Street, stated that his main concern is access; however, he wants to stress the importance of cooperation between Washington Township and the City of Centerville, symbolized by a school system that we both participate in. If it is possible that Planning

Commission make in its recommendation that Washington Township Trustees and Centerville Council get together and see the completion of a joint school system. Also, Mr. Elder suggested that Planning Commission go to the County and state that we are a part of the County and we do deserve considerations of caring for drainage problems in this part of the County. Mr. Elder indicated he would like to speak about the traffic problem when that issue comes up.

Dr. Edward R. Thomas, property owner adjacent to the school property, stated he would like to clear up some matters. He stated the little lake Mr. Schab had referred to was built by his father. They built the lake which was a 3 acre lake 300 ft. above Eccles Place in 1946. The dam was approximately 3 ft. long and it was 12 ft. at the top, it was over 50 ft. at the bottom and it was a 3 acre lake. We had to have 2 spill ways built on this dam because of the amount of water access. We had a 10-year storm every other year. The stand pipe in the lake was 12 inches in diameter, it was 16 ft. deep, and it was constantly emptying the lake. In the spring, we had a 3 ft. over flow pipe which was at the end of the dam to drain the lake in the event of flooding. Every year, the 3 ft. pipe was completely filled. The second spill way was beyond the dam, around the dam, and every other year the water not only filled the 3 ft. spill was but it was filled a considerable amount going around the dam. It was my job in the middle of these rain storms to go down and check the dam and make sure the spill way, the pipe was open and that the water was moving properly because we were always afraid of the washing out of the dam and because we were afraid of flooding out the community below us. In the end, in the past couple of years, before the school bought the property, the hazard of flooding was so great that it was necessary to empty the lake. The stand pipe was broken, the stream was kept open but still again it did control--it was an effective TVA dam so to speak for the community below us because it had only a 12 inch diameter and would limit the flow going to the community and into the lake below us.

In your planning, I think in handling your water I think it really starts down on Dr. _____ property. I hate to see somebody say who's responsibility is it. You must maximize your drainage area so that you are not working on a minimum. Having lived on that farm next door, I can guarantee you that from mid-November until May 1 that will fields are soggy to a point that we can not get on them with the equipment to do anything. I believe my Jeep got stuck out in the pasture of the school last year and it was stuck for 3 months--to actually drive out enough that we could get the Jeep out of the school field. I think you have a real problem with your drainage. You should start in Sugarcreek and bring it all the way up. I think there is no excuse why that catch basin has not been cleaned out. Living across the street from the school we happen to know the traffic problems that exist in their parking lots, the policing problems, the speeding problems--they turned over a car last fall in the parking lot that must have been going over 80 miles an hour, they have hit our fence 3 times, I have called the school at least 6 times since May to repair damage to the chain link fence between our properties and to this date nothing has been done. I think it is not only planning but also who's going to be responsible for excellent maintenance once this project has taken place.

Mr. _____ stated that the State makes it very difficult for any municipality to go onto private property in order to make improvements to drainage.

The only way a municipality can go in is if a roadway is endangered by flooding.

A citizen from the audience stated that last fall the school did some regrading and part of it was put in grass and some sort of ground cover. The other part to the east was not planted. There is extensive soil erosion in the swale. There is a tremendous amount of silt which has been brought down from this soil erosion to the catch basin. It has plugged up the catch basin. The school has not cleaned up their own problem and taken care of the current drainage problem. If you can't get rid of the present soil erosion problem, I am very concerned about the future.

Mr. Tate stated that since Mr. Buchanan lives in the area with the drainage problem, it seems as though he would get something done about it.

Someone asked if the renting out of the stadium was in violation of the zoning ordinance.

Mr. Tate stated that the state law regulates the policies of the schools and without Mr. Farquhar here this evening, the Planning Commission cannot respond. It will be discussed with him as soon as possible.

Ms. Charlene DeCamp, representing the School Board, agreed that the maintenance is not what it should be and found it inexcusable. The meeting last night was to talk about the problems in order to work them out. Mrs. DeCamp stated that she does not want to punish the residents in the area by making the situation worse. However, she does not think it is fair to penalize the school for poor planning by the governmental bodies. If Planning Commission has suggestions to make, the School Board wants to consider them.

Mr. Tate stated that really the Planning Commission has not been given a plan to act on. The plan they received has since been changed.

Mrs. DeCamp stated that changes were made to the plan:

1. Access to Clyo Road was found to be impossible.
2. With paving the required number of parking spaces, the Board found that this increased the drainage problem.

If the Planning Commission has specific recommendations, the School Board would be happy to receive them as well as from the governmental agencies they have written and are awaiting response from.

Mr. Reynolds stated that he felt it would be difficult to come up with specific recommendations, since the City has not even received a copy of the new plan.

Mrs. DeCamp stated that the School Board wrote a letter and has received comment from the City just yesterday.

Mr. Reynolds stated that the City does a lot of planning and it is something that takes quite a bit of time.

Mrs. DeCamp stated that all they wanted was a general layout of the plan to give their architect by the middle of next month.

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T.C.C. has responded to the letter from the School Board. The letter stated that they would need more access.

Mr. Schwab stated that the plan T.C.C. reviewed is not the current plan.

There was a suggestion to make a resolution that the Planning Commission is opposed to the School Board making any decision on a plan that does not address the drainage, parking and traffic problems.

Mr. Reynolds stated that this project should be handled no different than any other one. A workshop should be set up to deal with the consultant and engineers, and if necessary T.C.C. and County engineers to try to resolve the problems. At this point what needs to be done is for the School, City, Township, County, T.C.C., etc., to sit down and look at the same plan and then give their recommendations to the School Board. That is the way we handle any other development in the City and I can't see any other difference.

Mr. Horvath stated that they are not pointing a finger at the School Board as the bad guys--they're just the matter of situation.

Mr. Horvath moved to plan a workshop which we invite the Board of Education and representatives and anyone else interested in trying to solve the neighborhood problems. Seconded by Mr. McSherry. Approved unanimously.

Hidden Hills (formerly Whispering Hills) - Preliminary Plan Amendment

Mr. Reynolds made a slide presentation of the amendment for Hidden Hills. The developer of Hidden Hills has acquired the portion of ground situated to the south of the present development. The acquisition of this ground will enable the developer to finish a cul-de-sac.

The developer for the project, Mr. Dale Smith, stated the reason for the amendment is because the land was just acquired in order to finish off the cul-de-sac.

Mr. Reynolds indicated that lots 46, 47, and 48 could be developed with zero lot lines.

Mr. Horvath moved to approve the Preliminary Plan of Hidden Hills with the zero lot line development on lots 46, 47, and 48. Seconded by Mr. Samples. Approved unanimously.

Southpoint Two, Sec. 1 and 2 - Release of Performance Bonds

Mr. Schab referred to the two recommendations he had handed out to Planning Commission concerning Sections 1 and 2 of Southpoint Two.

Mr. McSherry moved to approve the bond release of \$118,000.00 subject to receipt of a Maintenance Bond in the amount of \$5,900.00 for Section 1; and of \$81,350.00 subject to receipt of a Maintenance Bond in the amount of \$4,100.00 for Section 2 of Southpoint Two. Seconded by Mr. Samples. Approved unanimously.

There being no further business, the meeting was adjourned.

