

**MINUTES OF A REGULAR VOTING MEETING OF THE**  
**FAIRFIELD PLANNING COMMISSION**

**MAY 25, 2016**

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order.

Members present: Scott Lepsky, Don Hassler, Bob Myron, Brian Begley, Tom Hasselbeck, and Ron D'Epifanio. Motion to excuse Bill Woeste carried unanimously.

**MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting, held April 27, 2016, were approved as submitted.

**OLD BUSINESS**

**Conditional Use Application— One year review – Cardinal Motors – 4845 Dixie Hwy.**

Slides were shown of the site. The property is a former Swifty Gas Station. A Conditional Use for a car lot was approved, with conditions, in March of 2015. Tim Bachman, Development Services Director, showed pictures taken this week of some of the issues that need to be addressed by the car lot. There is an ongoing maintenance issue of weeds in their landscape beds. The grass area where the curb cut was removed on Dixie Hwy is not growing well. The area should be re-seeded. There are cars that overhang the sidewalk along Hicks Blvd. Curb and landscaping needs to be installed along this area, since the applicant is not going to be required to move the curb cut further from the intersection. Slides were shown of the existing and proposed landscape beds and were discussed. The following are the original conditions approved at the March 11, 2015 Planning Commission meeting, as well as additional recommended conditions of approval. Those conditions that have a "strike-through" are no longer recommended. Other conditions were completed or are an on-going issue, which must be monitored by the owner. Please see the notes in **BOLD**.

1. The northernmost curb-cut located closest to the intersection on Dixie Highway is to be permanently closed. The apron is to be removed and replaced with grass and Type 6 curbing. **COMPLETED IN 2015; HOWEVER, GRASS DID NOT FULLY GROW. SEE #15 BELOW.**
2. ~~The existing curb cut on Hick Blvd. is to be relocated farther to the west away from the intersection. Once relocated, the existing curb cut is to be permanently closed. The apron is to be removed and replaced with grass and Type 6 curbing.~~ **NO LONGER RECOMMEND**
3. The entire parking area shall be paved and curbed along the perimeter adjacent to the roadways. **PARTIALLY COMPLETED IN 2015. SEE #13 BELOW.**
4. All areas used to park, store or display vehicles are to be striped and each parking space is to be a minimum of 180 square feet per the Zoning Code. **COMPLETED IN 2015**
5. The proposed parking space at the corner of Route 4 and Hicks Blvd. is located in the right-of-way and must be removed. **COMPLETED IN 2015**

6. All parking areas are to be set back a minimum of five feet from the property line along Hicks Blvd. and five feet from the back of sidewalk on Dixie Highway. Within this area, no pavement or structures are permitted, except signage. Within this area, low level landscaping shall be planted. A planting plan shall be submitted to Development Services Staff for review and approval. **PARTIALLY COMPLETED. SEE #13 BELOW.**
7. ~~A landscape buffer along the entire property line with Express Scripts is required with input/review from Express Scripts. The final landscape plan is to be approved by Development Services Staff and Texas Gas since their easement would be impacted by any landscaping on the south side of the lot.~~ **NO LONGER RECOMMEND**
8. No vehicles are to be parked on site as to cause any visibility issues when entering/exiting the site. **MUST BE CONTINUALLY MONITORED BY OWNER**
9. The canopy, building and light poles are to be painted a uniform color that is aesthetically pleasing. **MUST BE CONTINUALLY MONITORED BY OWNER**
10. The current pole sign is non-conforming and must be removed. **COMPLETED IN 2015**
11. All existing temporary signage on the canopy must be removed. **MUST BE CONTINUALLY MONITORED BY OWNER**
12. Any unused concrete bollards must be removed. **SEE #16 BELOW FOR TIME FRAME**

Additional Recommended Conditions of Approval

13. The landscape buffer along Hicks Blvd. between the existing curb-cut and the southwest property line per Condition #6 shall be completed within 90 days of approval. Within this area the existing pavement is to be removed and planted with boxwoods and burning bushes similar to what is existing on site. Curbing is required along the entire perimeter of the buffer area.
14. Remove and replace dead plant material and apply appropriate herbicides/pesticides as required. The landscape beds are to be kept free of weeds and the mulch within the beds is to be seasonally replaced and maintained. Plant replacement shall occur within 30 days after plant(s) die, provided that in the event the plant(s) die during the period of October-February, plant replacement shall occur no later than the immediately following month of April and must conform to the approved landscape plan. If plantings and landscape beds are not maintained as stated above within 15 days of written notice by the City, the City will contract the work and assess the cost of the work plus a \$100 administrative fee as a lien on the owner's property taxes in accordance with standard property maintenance procedures adopted by the City.
15. Grass seed or sod is to be planted in the grass strip along Dixie Hwy. where the former curb-cut was closed within 90 days of approval. The applicant is to water the area appropriately.
16. Any unused concrete bollards are to be removed within 90 days of approval.
17. The conditions of approval run with the land. If the business is sold or transferred the conditions of approval shall apply to the new owner.

Charles Schafer, representative for the applicant, spoke. His client is in agreement with all of the conditions

discussed above and will comply within the required time frame. Regarding number 15, the applicant plans to scrape off the top layer of dirt and replace with topsoil and seed.

There was discussion regarding consequences if the conditions of approval are not met. Mr. Bachman indicated that if they didn't comply within the 90 days they would be taken to court to remove the Conditional Use. Mr. Schafer said that the applicant also purchased Cardinal Motors on the other side of Dairy Mart. He has made an investment in the community and plans to be in the city for a while. He also has additional plans for the subject property in the future. Ms. Donovan stated that if they plan to make changes to the site, they will have to come back before the Planning Commission for approval.

Scott Lepsky, seconded by Ron D'Epifanio, made a motion to approve the Conditional Use per the Conditions of Approval as stated above. Motion carried 5-1, Don Hassler dissenting.

Minor Modification of a PUD – One Year Review - Miles of Golf – 6400 Dixie Hwy.

Slides were shown of the site and the beer garden. The police have had no problems at this facility since they opened the beer garden. This use is non-transferable, a discussion point for clarification purposes. Dave Lambarth was in attendance from Miles of Golf.

Scott Lepsky, seconded by Don Hassler, motioned to approve the minor modification with the following conditions:

1. Hours of operation are Sunday-Thursday 12:00 pm to 10:00 pm, Friday-Saturday 12:00 pm to 12:00 am.
2. Only food and beverage service is allowed in outdoor fenced area.
3. Approval is for current owner with the condition that it is not transferable with the property without approval from the Planning Commission

Motion carried 6-0.

Window Signage – Boost Mobile – 822 Nilles Rd.

Slides were shown of the site and signage. The owner requested additional discussion on the window signage restrictions that were approved at the last meeting. Three letters were sent; one notifying the applicant of the Design Review meeting, one notifying the applicant and owner of the decision of the Design Review Committee and to inform them of the Planning Commission meeting, and one after the Planning Commission meeting, notifying the owner of their decision. Ms. Donovan met with the owner to discuss possible changes and compromises to the window signage restrictions. The compromise is to allow two signs; one located in one half of each of the two windows. The "Open" and "Hours" signs are not included in these totals.

Khalid Sager, owner, spoke. Boost Mobile corporate sends at least two signs a month to place in their store windows. Mr. Sager said that there are several businesses downtown that have these types of window signs with no restrictions. There was general discussion on window signs. If they are inside the windows, they are not required to obtain permits. The City doesn't have the staff or the time to police all of the window signs. Mr. Bachman verified that there are several other businesses in downtown with window signage.

Scott Lepsky, seconded by Ron D'Epifanio, motioned to approve 2 24" w x 30" h corporate signs, consisting of one sign in one half of each of the two windows. Per the previous meeting, no lights are to be installed in the windows or door. Motion carried 6-0.

## **NEW BUSINESS**

### **Minor Modification of a PUD – Church – 4630 Pleasant Ave.**

An application was submitted for a Minor Modification to the Symmes and Pleasant PUD, to operate a church. Walgreen's, which is located adjacent to the building, was notified of this application. Walgreen's expressed concern about the lack of parking and potential impact of a church next door with regard to their liquor permit. The church was notified of these concerns, and made the decision to withdraw their application.

Scott Lepsky, seconded by Don Hassler, motioned to remove this item from the agenda, per the applicant's request. Motion carried 6-0.

### **Design Review Items**

#### **-Face Change – Lisa's Grocery Store – 5080 Pleasant Ave.**

Slides were shown of the site and of the proposed signs. This business is located in Reigert Square. It is an ethnic grocery store. The proposed signs will be located on the building and on the existing pole sign. The Design Review Committee approved the signs at their meeting on May 19. There was discussion at this meeting regarding window signage and lights. The applicant did not plan to install lights, but did plan on putting signage in the window.

Scott Lepsky, seconded by Ron D'Epifanio, motioned to approve the signs as submitted. Motion carried 6-0.

#### **-Face Change – Lights Camera Action – 700 Nilles Rd.**

Slides were shown of the site and proposed signage. This business is a photography studio and sells photo booths. The applicant is requesting to install a face change to the existing awning and the marquis sign. There was discussion on the existing awning and marquis sign at this location. When the original permits were issued, the owner thought that as long as they were replacing the signs like for like, he did not have to keep coming back to the Design Review Committee and Planning Commission for approval. Ms. Donovan requested that approvals be made at staff level if they are just replacing the white lettering on the standard green awning. If any additional logos or artwork is added, it will have to be reviewed by Design Review and Planning Commission.

Scott Lepsky, seconded by Bob Myron, made a motion to approve the signage as submitted. This motion includes allowing Village Center signage consisting of the standard green awning with white lettering be approved at staff level. Any additional requests, such as a logo, will need to be approved through the Design Review Committee and Planning Commission. Motion carried 6-0.

## **REPORTS/STUDIES/GENERAL DISCUSSION**

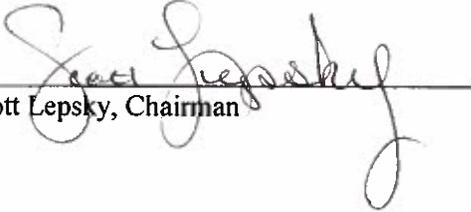
Bob Myron reported that the Fairfield Farmer's Market is doing very well.

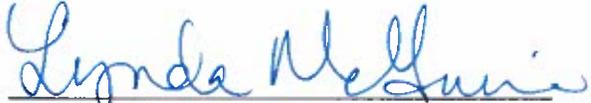
Brian Begley reported that a new superintendent will be chosen at the June 2 meeting.

Tom Hasselbeck informed the Committee there has been discussion about locating the Patterson Senior Housing rental office to a building in Reigert Square that is vacant.

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Being no further business, the meeting adjourned.

  
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Scott Lepsky, Chairman

  
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Lynda McGuire, Secretary