

**MINUTES OF A REGULAR VOTING MEETING OF THE**

**FAIRFIELD PLANNING COMMISSION**

**January 27, 2010**

Jerry Dailey, Chairman, called the Regular Voting Meeting of the Fairfield Planning Commission to order.

Members present: Jerry Dailey, Jeff Holtegel, Deborah Rhees, Mitch Rhodus, Scott Lepsky and Mark Morris.

Jeff Holtegel, seconded by Mitch Rhodus, made a motion to excuse Don Hassler. Motion carried 6 - 0.

**MINUTES OF THE PREVIOUS MEETING:**

The minutes of the previous meeting, held December 9, 2009, were approved as submitted.

**NEW BUSINESS:**

**Design Review Committee Item – Cabinet Sign – The Little Clinic – 560 Wessel Drive**

Tim Bachman explained the Design Review Committee had concerns with allowing a cabinet sign and the future possibility of additional cabinet signs. All existing signage on the façade is channel letters. The Design Review Committee asked that the sign be modified to channels letters and the colors be the same as the Kroger sign (blue) and the former Fifth Third sign (red). Ms. Teri Cantor, ABC Signs, stated her client has agreed to use channel letters mounted on a raceway with the colors recommended by Design Review. The sign would look like the picture of the West Chester sign Ms. Cantor submitted for the Commission's review. The new sign will be 29.8 s.f. which is still less than the Fifth Third sign it's replacing.

Jeff Holtegel, seconded by Scott Lepsky, made a motion to approve the sign for The Little Clinic, 560 Wessel Drive, as submitted this evening. The colors will also be red and blue as discussed earlier.

Motion carried 6 – 0.

**Minor Modification to the Fredrics P.U.D. – 4211 – 4235 Muhlhauser Road**

Tim Bachman stated the City approved a Planned Unit Development for various uses on this property in 1993. Those uses included office/warehouse, a day care, dormitory and beauty school/training facility. Due to a change in market conditions, those uses are no longer occurring there. The property has been for sale and a new user would like to acquire the 5.6 acre piece and use it for ministerial purposes. The new proposed uses would include worship sanctuary, multi-purpose room and children's area. Future plans include construction of a multi-purpose facility/conference center. An aerial slide showed the parking, office/warehouse and greenhouse. There was a building between the greenhouse and office/warehouse which was demolished in 2007. The two curb cuts

Planning Commission Meeting Minutes

which served that building still remain. A creek also runs along most of the property's boundary.

Mr. Chris Finney, attorney representing Heirs International Ministries and Heirs Covenant Church of Cincinnati, introduced Associate Pastor Arnold Colbreath and the owner of the property, Fred Holzberger. The change in use of the P.U.D. will need approval. Drawings were given to the Commissioners to review during the presentation. Mr. Colbreath stated the project will be completed in phases. Phase one will be to move into the building as it current exists. The yellow area will be the sanctuary which can accommodate 320 people and meets Fairfield's parking requirements. The second phase shows the sanctuary being expanded into the warehouse space which would seat up to 500. Additional parking will have to be added with this expansion. Plans for phase three include the construction of the new multi-purpose/conference center and installation of 42 more parking spaces. Both Heirs International Ministries and Heirs Covenant Church of Cincinnati would like to conduct workshops and conferences from this facility. The community could also have events in this building (i.e., weddings, receptions, scout meetings, etc.).

Tim Bachman asked what the plans were for the balance of the warehouse area (white area) and Mr. Colbreath replied they would like to expand the children's and youth ministry into that area. There is not a timeframe established for when the different phases will occur.

Deborah Rhees asked if the day care, conference center and other items mentioned in their correspondence would be open to the general public as a revenue maker. Mr. Colbreath stated the day care services would be offered during worship services, meetings, etc. The conference center may become an income generator. Ms. Rhees expressed her concern with the exemption status in that area since the City made a large investment planning for future growth there. Mr. Finney explained that ownership of property is not tax exempt; uses are. If the property is used for worship services, it becomes tax exempt. If it is turned into a profit making enterprise, the tax exempt status is no longer applicable. When you have a property owned by a church that is used for profit, the property is no longer tax exempt. Employees of the church will still have to pay income tax.

Jeff Holtegel stated when the Muhlhauser extension was completed, the City invested a lot of money outside of the corporation limit with the intent it would open up an artery for future economic development into the City. Mr. Colbreath said it is the desire of Heirs International Ministries and Heirs Covenant Church of Cincinnati is to be an asset to the community, not a drag. Mitch Rhodus suggested the possibility of the church making a payment to the school for the lost tax revenue similar to what is done when taxes are abated for businesses. Tim Bachman stated other issues that need to be considered are growth and access issues. A lot will occur with phase 2 and staff has not reviewed the plans for compliance with ordinances or the building code . Mr. Colbreath stated there are 89 existing parking spaces. When the sanctuary expands to 500 seats, 32 additional spaces will be added. If the conference center is built, the 32 parking spaces will be expanded to 74.

Scott Lepsky asked if staff has had any inquiries from businesses looking to locate in the Muhlhauser corridor. Mr. Bachman replied yes but not regarding this particular piece. The vacancy rate in the Greater Cincinnati area is 4.2 million square feet. The Muhlhauser corridor has several vacant properties. The piece across the street is offering approximately 50,000 s.f. The warehouse adjacent

to the Fredric's property was just acquired and is being used for plastic recycling. Mr. Lepsky asked Mr. Holzberger how many employees he has and was told this site was originally purchased to house a beauty school and be a distribution hub for his Aveda products. The parking was insufficient for clients and students. The building has not been occupied for five years and has been used strictly for storage. It has been on the market with not much interest. The day care building was torn down due to the amount of repairs required and the cafeteria was also demolished as part of the Muhlhauser Road improvements. The property itself is in the Lakota school district so the Fairfield schools receive no tax benefit. Regarding employment, Mr. Holzberger had 30 employees in the field working in Ohio, Indiana, Kentucky and Michigan and total employment was approximately 80, full and part-time. He initially anticipated around 120 students for the school.

Mr. Lepsky stated there is concern as to whether the area can handle 300 - 500 people coming to attend services. City staff should have the opportunity to review items such as the curb cuts, traffic generation, etc. Mr. Bachman suggested this item be tabled to allow staff to review the concerns expressed. Mr. Holtegel also asked that a map be generated showing the conditional uses approved for churches within the past 3 years that are still active. Mr. Lepsky asked how often training is given at their existing facility. Mr. Colbreath stated the large training sessions are offered twice a year on weekends and draw approximately 300 people.

The possibility of combining the lots was discussed. Mr. Bachman stated he prefers the lots remain as they are since there is the possibility of some of the property becoming tax exempt.

Scott Lepsky, seconded by Jeff Holtegel, made a motion to table this item so further study can be completed by staff. Motion carried 6 – 0.

#### Fisher Homes Proposed 2010 Product Line – Emerald Lake Subdivision

Tim Bachman gave an overview of the project history (see slides 1 – 3). Jeff VanFossen, Welsh Development, stated they started this project six years ago. The best thing that could happen to this community is to keep Fischer involved building and selling houses. This will help increase the property value. Mr. VanFossen stated there are 37 lots remaining in Section 1, 2 and 3 and 14 lots left in the Reserves section. It's doubtful Section 4 will develop this year. Mr. VanFossen introduced Ann Kresky, Sales Manager for Fischer Homes in Butler, Warren and Hamilton counties. Fischer has revamped their product line to bring fresh perspectives that reflect several different architectural styles. Home sizes are trending down throughout the United States and are appraised dollar for dollar on a square foot basis. A 2,600 s.f. home selling for \$260,000 is just as valuable as a 2,800 home selling for \$280,000 (\$100/s.f.). It would be more harmful to build a larger product and make it more affordable than it would be to build a smaller home for a lesser price. Fischer uses the American Society of Interior Design Standards to calculate their square footage of the homes. Two story open space is not calculated, neither is a closet unless it is a walk in or foot trafficable. Only space above grade is counted and Ms. Kresky did not know how the Fischer calculations compared to the County Auditor's calculations.

Copies of the Emerald Lake Proposed 2010 Product Line were given to the Commission and audience. Mr. Bachman explained only the homes that are new elevations or are elevation changes

will be discussed. Homes listed on the sheet with (NC) no change, were approved in 2007. The second page of the handout lists the homes that are brand new to the Fischer line. Slides were shown of the elevation changes and new elevations proposed. Ms. Kresky pointed out the elevations show front entry garages. Most of the subdivisions they build in do not have the side entry requirement so all of the brochures were designed showing front entry garages. Regarding the Clayton Craftsman, the stone entrance is not an option. It would be a standard feature.

Ms. Kresky also informed the Commission all elevations of the Harvard are being removed from consideration as they do not meet the square footage requirement.

Several of the Commissions expressed their concern with the increased use of the hardi-plank material and the use of multiple materials on the front of the homes. These home styles would be fine in a brand new subdivision but cannot necessarily be retrofitted into Emerald Lake. Ms. Kresky stated Fischer Homes offer a multitude of different architectural styles.

Mitch Rhodus said he could not support any elevation that doesn't have a first floor brick or stone façade. It was the consensus of the Commission that the homes listed on the right side of the handout should not be considered. Mark Morris added the intent of the original contract made with the residents should be protected. Mr. Bachman explained the original agreement with Ryan was the front façade of the home was to be brick or stone and the first floor elevation of the sides and rear were also to be brick or stone. The minimum square footage established was 2,800 for a two story and 2,200 for a ranch home. When Fischer introduced their homes into the subdivision, the second story of the front façade was modified to allow the hardi-plank material. The Hayden ranch was the only home approved that did not have the first story brick or stone requirement. As a compromise, the Commission placed a condition that the Hayden had to have a side entry garage. Mr. Bachman suggested staff meet with Fischer to see if they would like to modify any of the elevations so they meet the square footage and brick/stone requirement.

Mr. Bert Huffer, 5973 Emerald Lake Drive, stated Emerald Lake was sold as an up-scale subdivision with homes starting at \$350,000. The average Ryan home cost was approximately \$426,000. Now, homes are starting at \$260,000. It was a requirement that the front façade of all the homes be brick or stone. Fischer is using hardi-plank and some elevations are as much as 50% hardi-plank and/or cedar siding. He asked that the City uphold the development standards that have been established. The homeowners should not be penalized for decisions made by the developer or builder.

Adam Kraft, 5893 Emerald Lake Drive, bought one of the Fischer market homes last year. Emerald Lake was also sold to them as an upscale community. Mr. Craft feels that the homes shown this evening are a step backwards. Fischer is using the excuse of market conditions to bring in lower scale homes.

Jarrold Bradford, 6093 Edmorr, stated he moved into one of the newer model styles offered by Fischer. He does not agree with reducing the square footage of the homes and feels some of the homes are not appropriate for this subdivision. One of the things he liked about Fischer is the diversity in appearance. He does not want to see the development cheapened but feels there doesn't need to be such a rigid standard as to how the houses have to look.

Shirley Haynes, 5896 Emerald Lake Drive, asked the Commission to keep the standards to what they were when the subdivision was first approved.

Ben Showole, 5845 Emerald Lake Drive, asked what the objective is behind the changes being proposed. Prices for the new product line have not been discussed and he expressed his concern about lower priced homes being built in the subdivision.

Mitch Rhodus asked who was in control of the HOA and was told Welsh still controls it.

Mark Ware, 4252 Waterfront Court, stated Welsh has 10 votes per lot for each lot they still own. He asked the Commission to turn down any home less than the minimum square footage that has been established.

Tim Bachman proposed modifying the list based on comments received (keeping the same square footage as previously approved and first floor brick/stone facade). Ann Kresky told the Commission she will submit pictures of home elevations that have already been constructed. Some of the models are so new, they either have not been built or are in a stage of construction where pictures will not show anything.

Pat Newman, 5880 Emerald Lake Drive, asked the Commission to consider the amount of hardi-plank being used on the front of the homes.

Bud Miyahara, 4292 Waterfront Court, stated the presentation should be narrowed down to show what home styles are going to sell better. He asked the Commission to also consider what materials will be used on the other sides of the homes.

Jeff Holtegel, seconded by Deborah Rhees, made a motion to table this item for further review. Motion carried 6 – 0.

Being no further business, the meeting adjourned.

---

Jerry L. Dailey, Chairman

---

Peggy Flaig, Clerk