

MINUTES OF A REGULAR VOTING MEETING OF THE

FAIRFIELD PLANNING COMMISSION

OCTOBER 14, 2015

Tom Hasselbeck called the Regular Meeting of the Fairfield Planning Commission to order.

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

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held September 23, 2015, were approved as submitted.

OLD BUSINESS

Conditional Use – Used Car Lot – 5888 Dixie Hwy. (TABLED)

Mr. Bachman indicated that he sent an email to the applicant, informing him that the board intended to remove his Conditional Use application from the agenda. It was noted that the applicant has not attended any meetings since he submitted his application in July. Motion to remove this application from the agenda carried 6-0.

Minor Modification of the PUD – Stockton Station PUD (TABLED)

Motion to remove this item from the table carried 6-0. Slides were shown from the previous meeting, detailing the lot sizes and setbacks. Possible Conditions of Approval (attached) were discussed. These conditions were also posted to the City website and sent to previously interested parties. Mr. Bachman read into the record an email in support of the basketball hoops.

Tracy Fields, 1048 Olde Station Ct. spoke. She told the Commission that there are more kids living in the subdivision now than there were in 2000, when the regulations were put in place. There won't be a need for the "basketball police" if the City can trust people to take care of the basketball hoops.

Karen Fields, 1048 Olde Station Ct. spoke. They want to be good neighbors. There have been no complaints for the 3 years that the basketball hoop has been up on their property. She doesn't think having the hoops in the neighborhood will lower property values. She has no problems with the Possible Conditions of Approval. She said most of the neighbors don't care if the restrictions are modified; most of them signed the petition.

Mr. D'Epifanio said that he understands that the government needs to be involved in certain things, such as property maintenance, but not all things. If people have problems with these hoops they can call the City to complain. He plans on voting yes.

Mr. Hassler stated that he has received phone calls from residents of the neighborhood who could not attend the meeting, but told him they bought their homes because of the small lots and the peace and quiet. They asked him not to support the modification.

Mr. Woeste wanted to remind everyone that people bought their homes with the restrictions trust the Planning Commission to uphold them. He will not be supporting the modification.

Mr. Begley said he appreciates the efforts of the Fields', but doesn't think the changes will be good for the neighborhood. Not everyone's basketball hoops are maintained well.

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Mr. Myron stated that although the Fields' cul-de-sac doesn't have issues, one house doesn't represent the majority of the subdivision.

Tom Hasselbeck, seconded by Don Hassler, motioned to deny the Minor Modification of the Stockton Station PUD. Motion carried 5-1, with Ron D'Epifanio dissenting.

Mr. Bachman informed the Fields' that they can keep their hoop until the end of the year, but it must be removed by January 1, 2016.

Mrs. Fields asked if they could appeal the Commission's decision. Mr. Bachman said the Butler County Common Pleas Court would be the next step. Mr. Clemmons suggested they contact their own legal counsel. They may ask City Council to consider a modification to the restrictions. The Board of Zoning Appeals would not have jurisdiction. There was discussion regarding the definitions of front, side and rear yards.

NEW BUSINESS

Conditional Use – Entertainment - Sabor Peruano – 7245 Dixie Hwy.

Slides were shown of the property, floor plan and site. The building is approximately 17,000 square feet. The applicants acquired this property after the fire at their Mack Rd. location. Previously, this building was the Crystal Palace and more recently, Nuevo Rodeo, who had many problems that involved the police department. The police department was contacted for this Conditional Use application, and they indicated that there have been no problems with the entertainment use at Sabor Peruano at their previous location.

The Possible Conditions of Approval were discussed. Potential security issues can be resolved with police presence. Third party and outside promoters were discussed are a problem; security is not something they worry about, they are paid by how many people they have come to the events.

Salvador Ruiz, representing the owners of the restaurant, spoke. He knows the owners of the previous Nuevo Rodeo, they are Mexican, like him, and he agrees they are "rowdy". He said the Peruvian culture is very different. A security plan is in place; the owners plan to hire security for the events that are planned, preferably off duty Fairfield police officers. It was suggested that if Fairfield police officers weren't available, they should contact the Butler County Sheriff's office. They plan to have weddings, birthdays and anniversaries. These events will likely take place after 9 pm and they will offer food. Mr. Bachman said reviewed correspondence from Chief Dickey, and was told they would allow officers to work security during special events, but not as a bar use. Mr. Clemmons asked if the applicants should speak to the police department before the commission gives approval on the Conditional Use application. Mr. Bachman said the Commission can put conditions on the approval relating to police approval. There was discussion on events they plan to host. The owners can only staff one event per night. Ms. Donovan previously spoke to the owner, and she was interested in also having bands and dancing, in addition to weddings, birthdays and anniversaries. Mr. Ruiz said the conditions will work for the owners; they will do whatever they have to do in order to get their Conditional Use. Mr. Woeste commented that they never looked too busy at their old location, and hoped that they were making enough money to stay afloat.

Don Hassler, seconded by Brian Begley, motioned to approve the Conditional Use, with the Conditions of Approval. Motion carried 6-0.

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Minor Modification of the PUD – Stockton Station Office Park

Slides of the location were shown. They are asking for a minor modification of the PUD, relating to the sizes of the proposed buildings. They would like to construct two 12,000 square foot buildings and one 10,200 square foot building; 8000 square foot buildings were originally approved for the PUD.

Lance Brown, one of the owners, 5380 Pleasant Ave., spoke. He has owned the property since 2010. Loveland Excavating owned it previously. He said there was originally a small 2400 square foot building planned for the complex, but they are completely removing that building. Two of his existing tenants want to expand and need loading docks. Rather than lose them, he would like to offer them spaces in the new buildings. Cincinnati Gymnastics, another tenant, also needs more space. His tenants would like to be able to store everything inside, as break-ins have recently occurred at this property. Their buildings are fully occupied and offering the new buildings will provide the area with something you don't see much of in Fairfield; a 6000 square foot space with a dock door.

There was discussion on site layout. The parking lots to the existing buildings and the new buildings are connected. They plan to use both entrances; the Office Park Dr. entrance and the public street to the north of the property. Mr. Woeste asked if manufacturing was a permitted use in the C-3A zoning district. Light manufacturing is a conditional use and would have to obtain Planning Commission approval.

The Possible Conditions of Approval were discussed. Mr. Brown stated that they recently upgraded the lighting on and around the existing buildings. The existing buildings are pre-engineered metal buildings. The new buildings won't have as many windows, because windows are not necessary for the warehouse portion of the building.

Bill Woeste, seconded by Don Hassler, motioned to approve the minor modification of the Stockton Station Office Park PUD with the Conditions of Approval. Motion carried 6-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Bob Myron reported that the Marsh Lake Expansion meeting was held 9/24/15 and was well attended and received.

Brian Begley reported that the new schools groundbreaking is tomorrow before the school board meeting.

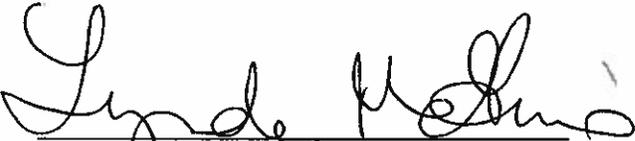
Bill Woeste reported that City Council passed the ordinance changes that were previously approved by the Commission. Richard's Pizza 60th anniversary and the City of Fairfield's 60th anniversary festivities are also happening this week.

The Holiday schedule was approved unanimously. There will be no meeting on November 25 or December 23.

Being no further business, the meeting adjourned.



Scott Lepsky, Chairman



Lynda McGuire, Secretary

DEPARTMENTAL CORRESPONDENCE

City
of
Fairfield



TO Planning Commission

FROM Erin Donovan, Planning Manager

SUBJECT Sabor Peruano – Possible Conditions of Approval

DATE 10-14-15

Possible Conditions of Approval

1. A security plan shall be submitted for review and approval by Staff that, at a minimum, addresses the following items:
 - number of security guards present at special events (Police Department recommends 1 security guard/100 patrons)
 - security guards that are professionally trained
 - security guards to wear clothing that states, "security"
 - age restrictions and the prevention of underage alcohol consumptionSecurity plan approval is required prior to operating the entertainment portion of the business.
2. The special events portion of the business is to operate in accordance with the security plan and that plan must include the applicant's commitment that management will be at the business during the special events. No outside promoters or 3rd party leasing agents are permitted to operate the entertainment portion of the establishment.
3. No more than ___ special events open to the public are permitted per month.
4. No outdoor consumption, eating or entertainment without BZA approval.
5. No teen nights.
6. Parking lot shall be maintained at all times (e.g. litter and weed removal; parking lot lights operational).
7. The conditional use is granted for a six month trial period. At the end of six months, the conditional use shall be reviewed by the Planning Commission for continuation. Additional conditions may be added or modified, pending the performance of the special events during the conditional use period.
8. Approval is given to current owner and not transferable with the property.

DEPARTMENTAL CORRESPONDENCE

City
of
Fairfield



TO Planning Commission
FROM Erin Donovan, Planning Manager *ED*

SUBJECT Stockton Station Office Park – Conditions of Approval

DATE 10-14-15

Possible Conditions of Approval

1. The conditions of approval associated with the original PUD dated 3-22-00 shall be modified as follows:
 - A. Warehousing is only permitted in the C-3A zoning district as a conditional use.
Office/warehouse is the permitted use proposed for the three buildings therefore a blanket approval for warehousing only will apply.
 - B. Parking lot lighting and landscaping shall be similar to what is located at the existing office park.
 - C. The underlying zoning district is C-3A, General Business District Modified.
2. The construction of the proposed buildings shall conform to the approved site plan.
3. The proposed buildings shall look similar to the existing buildings in terms of color, building materials and design.
4. All activities shall occur within the building; no outdoor merchandise, material or equipment storage is permitted.
5. Dumpsters must be screened with either a solid wood privacy fence or a masonry material.