

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

**FAIRFIELD PLANNING COMMISSION**

**April 24, 2013**

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

Members present: Scott Lepsky, Don Hassler, Bob Myron, Tom Hasselbeck, Bill Woeste and Mark Morris.

Scott Lepsky, seconded by Don Hassler, made a motion to excuse Jeff Holtegel. Motion carried 6 – 0.

**MINUTES OF THE PREVIOUS MEETING:**

The minutes of the previous meeting, held April 10, 2013, were approved as submitted.

**NEW BUSINESS:**

**Replat – Lots 13794 and 13795 – Debbie-Symmes Industrial Park**

An aerial of the property was shown. Mr. Bachman explained two lots are being combined and existing easements along the common property lines removed. This is being done to facilitate a sale for an industrial development.

Don Hassler, seconded by Bob Myron, made a motion to approve the replat for lots 13794 and 13795 as submitted.

Motion carried 6 – 0.

**Design Review Committee Items:**

**Reface Existing Roof Sign – Kupper Computers – 690-B Nilles Road**

Mr. Bachman stated this is located in the strip center next to Hot Head Burritos. An aerial of the property was shown. This sign will replace the existing sign on the roof which was approved by the Board of Zoning Appeals with the stipulation that if there is an overall comprehensive sign replacement strategy in the center, this sign will have to be removed. Since that has not occurred, this sign is still allowed. Design review recommended approval of the sign.

Tom Hasselbeck, seconded by Don Hassler, made a motion to approve the sign for Kupper Computers, 690-B Nilles Road, as submitted.

Motion carried 6 – 0.

New Building Sign – Mazagan Clothing – 5174-B Pleasant Avenue

Mr. Bachman stated this business is locating in the strip center where Little Caesars and Snap Fitness are. An aerial of the strip center was shown. The proposed sign is channel letters mounted on a raceway and the colors are red and blue. Mr. Bachman added that the Board of Zoning Appeals granted more signage to the strip center due to the amount used by Little Caesars and Snap Fitness. The applicant informed the Commission they are permitted 42 s.f. but are only using 28.

Scott Lepsky, seconded by Bob Myron, made a motion to approve the new building sign at 5174-B Pleasant Avenue for Mazagan Clothing as submitted.

Motion carried 6 – 0.

Paired Cottage Elevations – 5590 and 5598 Olde Winton Court

An aerial of the lots where the Ambrose is proposed was shown. The concept of the paired cottage was previously approved and the final design is now being submitted for the Commission's consideration. Mr. Bachman explained the common wall between the 2 units will sit on the middle property line of the two lots. The rendering submitted by the developer at the previous meeting was shown along with the construction drawings Mr. Richardson submitted for approval by the Commission. A slide of the front and rear elevation was shown. The brick proposed on the front is shown slightly higher than a knee wall. Mr. Bachman suggested the front façade be all brick with the exception of the gables. The concept plan showed an architectural feature on the gable which Mr. Bachman felt also needed to be added to the construction plans since the building is garage dominate. On the concept plan, the gable above the garages appears to be a shake of some sort. Mr. Richardson is proposing siding which Mr. Bachman felt needs to be more decorative. Regarding the rear elevation, the construction plan shows a walk out basement for the unit on the right. The plan notes the foundation will be exposed concrete or siding as required. Mr. Bachman suggested siding be installed to grade.

A slide of the floor plan was shown. The unit on the right is approximately 1,625 s.f. and the left, 1,140 s.f. The plot plan was also shown. It was suggested that the structure be moved further away from the road. Mr. Bachman explained that by removing the side yard setback on the common lot line and the ingress/egress easement serving both lots, 650 s.f. per lot is gained which could be incorporated into the building. He asked the developer to address why they are not taking advantage of this additional square footage during their presentation.

The side elevations were shown and brick was added to the left elevation.

Rex Richardson, developer, stated the minimum square footage for the subdivision is 1,000. There are 4 or 5 other houses in the subdivision that are under the smaller side of the paired cottage. Regarding the front façade, the drawing shown tonight was done only for a building permit. The modifications in terms of design are done by Mr. Richardson's team. Mr. Richardson stated he would follow the recommendations discussed by Mr. Bachman.

Mr. Hassler asked if there was ample room for cars to park in the driveway and was told the distance from the edge of the garage to the house side of the sidewalk is about 19'. It's far enough for cars to not over burden the sidewalk. Mr. Lepsky suggested there be a minimum distance requirement established to assure cars do not overhang the sidewalk. Mr. Bachman stated the City's standard is 19' to 20'. The distance from the curb to the sidewalk is 5'. Mr. Richardson stated the house could be moved back a few more feet.

Mr. Hasselbeck asked how the walkout for the paired cottage would affect the adjacent homes and Mr Richardson replied the lot for the right side of the cottage falls off dramatically. The adjacent house does not have a basement so it shouldn't have any affect.

Mr. Woeste asked what the market interest is with this product as he was trying to gauge how many will be built in the subdivision. Mr. Richardson stated it's tremendous. There is a special consideration for this type of loan through the VA. The paired home is purchase and the owner lives in one side and could have family live in the other. Lots for four pairs of cottages were approved at the last meeting but could be sold as single family.

Ms. Pat Stroz, 5671 Old Winton Court, asked when the paired cottage concept was approved and was told January, 2007 but was only for cottages in several locations on Olde Winton Lane. The location for the Ambrose was granted this month as well as shifting one location on Olde Winton Lane.

Denise Waterman, 5670 Olde Winton Court, spoke on her and her fathers' behalf who owns a house at 5606 Olde Winton Court. She and her parents purchased homes in 2007 with the understanding that this was a single family home community. They were not in agreement with the multi-family units when they first heard about it and are against any 2 or 3 family units in the subdivision. It changes the nature and atmosphere of the neighborhood. More renters will be moving in resulting in neighbors that potentially would have less pride in their dwelling and be more transient. While they don't doubt the quality of the homes being proposed or the aesthetic appeal, they feel it will suggest a condominium type unit instead of individual homes. The additional parking pads on the sides and back explained to them at the HOA meeting, will give the appearance of having a parking lot right next door to hers and her fathers' homes. Multi-units will potentially lower the value of their homes which was her largest investment and she has already taken a hit on the value of her home due to the time she purchased it. Ms. Waterman could have purchased a condo when she decided to downsize and move but chose Olde Winton because of the concept of the patio homes and setting. She asked the Commission to consider both the feelings and financial concerns of the residents who are already living in what is now a single family community and was sold to them as such. The residents living in the subdivision chose not to live in a condo type community but a single family community.

Ed Stroz, 5671 Olde Winton Court, stated Mr. Richardson just built their house in 2012. There was an HOA meeting recently and that was the first they heard the double and triple dwelling units ever mentioned. The layout of the subdivision shows all single lots; no double lots anywhere. Had he known there was going to be one duplex there, he would not have built. The HOA discusses 9 styles of homes which are all single family homes. There are no duplexes or triplexes reflected in the HOA documents and felt very deceived about the whole deal.

Mr. Lepsky asked if the P.U.D. documents stipulate that the homes were to be owner-occupied only and was told they do not.

Brenda Smoot, 5557 Olde Winton Court, stated when she chose her plan, a double was shown and there still is a double shown on one of the boards in the subdivision. Two of the owners of the development team also own property in the subdivision so they wouldn't do anything to devalue it.

Mr. Kirsch, development team, stated they are not proposing combining the two lots. They will remain fee simple lots that could be transferred separately and independently. Mr. Bachman explained that in replatting the lots for the paired cottage, the building setback lines on the common middle lot line and the ingress/egress easements will be removed. The actual property lines will remain the same so there will still be two lots. Mr. Stroz stated the people purchasing the Ambrose are planning to rent out the other side. Judy Richardson, 5816 Olde Winton Lane, stated the single family homes can also be rented. There is no way to have control over what is going to happen.

Roger Tucker, 5582 Old Winton Court, stated he will be the neighbor and knows it will be hard to build 2 single elevations on those lots. Even though it has two garages, he feels it looks like a single home.

Mr. Hasselbeck stated Greenhills has a lot of properties just like these that were built years ago. They are not condominiums but considered single family homes. Hopefully, we have control that what happens to one unit (re-roof, paint, etc.) has to happen to the other. Ms. Richardson is correct; you cannot control what gets rented. There is an outfit in Cincinnati and in seven other states called American Homes for Rent. They are buying 200 units a month and are financed by the Alaskan State Teachers Retirement fund. They have purchased over 30 million dollars in real estate in the Greater Cincinnati market and are buying clean, presentable homes that they can rent. Penklor is the property management company for these 200 plus homes. The homes will be rented and as the market turns, they will resell them and reclaim the money for the State Teachers Retirement Association. Mr. Stroz pointed out the homes they are purchasing are still single family. Ms. Stroz asked what was to keep Mr. Richardson from selling to them and Mr. Richardson stated he was approached by them to purchase all the remaining lots in the subdivision and said no. He lives there and does not want to trash the subdivision.

Mr. Woeste commented that at the last meeting when the paired cottage concept was voted on, Mr. Richardson lead the Commission to believe there wasn't any objection but apparently there is. Financial impact should be taken into consideration and he hoped everyone was on the same page. Mr. Lepsky stated he didn't think there was an individual in attendance that didn't understand the investment of homeownership to your immediate lifestyle and to your future. It weighs on everyone and the comments and concerns discussed will be taken into consideration. Mr. Richardson clarified he said he had not received concerns from any owners to that point (April 10<sup>th</sup>) but they were having a homeowners meeting. Mr. Lepsky said Mr. Woeste was implying that at the time of the discussion, Mr. Richardson had not received any objection which is accurate.

Scott Lepsky, seconded by Mark Morris, made a motion to approve the Ambrose at 5590 and 5598 Olde Winton Court with the following conditions:

1. Brick façade is required on the front elevation with the exception of the gable shakes;
2. Architectural elements will be added to the garage area and will be approved by staff;
3. Siding elements other than horizontal siding will be used on the garage area and need to be approved by staff;
4. The structure will be shifted toward the rear property line to allow for better driveway access with a minimum 22' space required from sidewalk to garage entry. If an alternate is required for building purposes, it will need staff approval (target of 22');
5. Side elevation will include brick to the knee wall and per the P.U.D. there will be no more than 24" of exposed concrete along the base of the buildings' structure.

Motion carried 6 – 0.

#### Triplex Concept – Lots 13941 thru 13943 and 13937 thru 13939

A slide was shown of the lots where the two triplex buildings are proposed (adjacent to the detention basin). Mr. John Kirsch, representative of Olde Winton LLC who is the developer of the project stated at the last meeting when the triplexes were discussed, the Commission asked for additional information and input from the homeowners. They met with the homeowners last week and received feedback regarding the triplexes. Mr. Kirsch stated they want to listen to the concerns from the homeowners and Commission and requested the agenda item be tabled in terms of voting on it. Mr. Kirsch and Mr. Richardson are both property owners in the subdivision and want what is best for the subdivision. When the project is complete, they want something that the City and other homeowners can be proud of.

Mr. Myron asked if two story buildings are proposed and Mr. Richardson replied the final design will determine that. They likely will have a master bedroom and a story and a half on top. The Commissioners asked to hear from the residents in attendance.

Mr. Ed Stroz, 4571 Olde Winton Court, stated his house is located in the vicinity of the proposed triplexes and he will look straight at them from his front porch. They worked with Rex for the last year and never once was anything said about duplexes or triplexes. These will be nothing more than apartment houses which are not in the HOA documents and it is not the bill of sale pitched to perspective purchasers. He would have never considered building there had the duplexes and triplexes been disclosed. Mr. Kirsch said the motivation is in response to the market and to solve as what they perceive as a parking issue later. Mr. Stroz stated the parking issue was presented to the homeowners last weekend. Parking shouldn't be a problem – the subdivision is empty nesters, basically 55 and older that don't party every weekend. They had an open house after they moved in and parking was not an issue.

Mr. Rob Payne, 5549 Olde Winton, stated he and his wife were the first to build in the subdivision. At the meeting he attended a week ago Monday, parking was discussed and he doesn't understand how the triplexes will benefit anyone except for the people who live there. When the subdivision was developed, why were the streets not made wider? Now, you can only park on one side of the

street because of fire access. Mr. Payne stated the Commission shouldn't consider the concept until they see what the actual buildings will look like. Mr. Lepsky replied any design or change in the subdivision has to come before the Planning Commission. The Commission is only discussing the concept and the applicant has asked for it to be tabled so no vote will be taken at this meeting. The applicant is interested in feedback from the residents and Planning Commission and it has been made pretty clear regarding the duplexes and now triplexes.

Mr. Bachman stated there seems to be confusion regarding the parking issue and asked the development team to address. Mr. Richardson stated the parking that will be made available will be done by utilizing the driveways of the individual homes. They will have additional parking just like the Ambrose home allowing two cars in the garage, two cars in the driveway. Street parking is the concern. Parking is only permitted on one side and there are two cul-de-sacs that are virtually useless. The units will look just like homes but connected. Driveways in the front will provide the off street parking. Mr. Stroz asked why the homes had to be connected; driveways will be in front regardless. Mr. Lepsky suggested the residents have another homeowners meeting to answer questions they still have.

Mr. Bachman stated that if the issue is parking and can be resolved by a front entry garage, the homes don't need to be attached. He explained the concept of the side entry garages approved by the Commission several years ago. There was a common driveway for two homes in order to complete the turn into the garage. If one person left their car parked on the common driveway, the adjacent garage cannot be used. This is not working so the developers are asking for a front entry garage for a portion of the subdivision since there isn't an alley.

Mr. Kim Smith, engineer for the developer, explained with the lots being so small, it's difficult to build a house with a front entry garage and a driveway for additional parking. By being able to attach the units, the additional square footage gained by the side yard setback can be utilized to widen and shorten the units allowing for the garage and driveway.

Ms. Stroz submitted a letter on behalf of Ms. Waterman who had to leave earlier during the meeting. She pointed out that she could have paired cottages to the side of her and now triples across the street and was upset that she and her husband were not informed of either concept from the developer.

Mr. Bachman asked if the proposed triplexes would be walk outs. Mr. Richardson replied they would be mandatory walk outs due to topography. Mr. Bachman stated the schematic passed around earlier showed two story buildings from the front which would appear to be three stories from the rear. Mr. Hasselbeck expressed his concern with the center unit only being able to have windows on the front and rear.

Mr. John Kirsch stated they will see what they can come up with to meet the concerns of the homeowners and try to come to some resolution. The developer and staff agreed to review the triplex concept again in 60 days which is June 26<sup>th</sup>. If the developer submits earlier, the neighbors will be notified.

Bill Woeste, seconded by Don Hassler, made a motion to table the triplex concept on lots 13941 thru 13943 and lots 13937 thru 13939 for 60 days maximum or until June 26<sup>th</sup>.

Mr. Bachman added that whenever their submittal comes in, staff will notify the neighbors at least 10 days in advance. Any information submitted is needed at least 2 weeks before the meeting.

Motion carried 6 – 0.

Design Review Committee Item

New Panel to Existing Pole Sign – Cell Phone Doctor – 5128 Pleasant Ave.

Don Hassler, seconded by Tom Hasselbeck, made a motion to table.

Motion carried 6 – 0.

Election of Officers

Mr. Bachman read the names of the commissioners currently serving on various boards and positions. Scott Lepsky, seconded by Bob Myron, made a motion to keep the officers the same.

Motion carried 6 – 0.

**GENERAL DISCUSSION**

Bob Myron reported the Parks Department is in the process of submitting for a grant for the Black Bottom Park project.

Mr. Morris reported the school board is getting closer to opening the new building (district offices).

Being no further business, the meeting adjourned.

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Scott Lepsky, Chairman

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Peggy Flaig, Clerk