

MINUTES OF A REGULAR VOTING MEETING OF THE

FAIRFIELD PLANNING COMMISSION

September 25, 2013

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

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

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held September 11, 2013, were approved as submitted.

NEW BUSINESS:

Design Review Committee Items:

Face Change on Pole Sign – Lee’s Chinese Restaurant – 5106 Pleasant Ave.

Slides were shown on the building, pole sign and roof sign. Mr. Bachman explained the pole sign was taken through the Board of Zoning Appeals as it had lost its non-conforming status. BZA approved it and it then went to the Design Review Committee for review of the panel in the top portion of the sign. Design Review also approved it with the condition that the pole and sign frame be cleaned and re-painted. The bottom portion of the sign will remain blank and when Mr. Lee leases out the adjacent space in his building, that tenant will use the bottom portion.

Jeff Holtegel asked about the bright background of the sign and was told the pole sign matches the roof sign which was approved by Design Review and Planning Commission in 2007.

Jeff Holtegel, seconded by Bob Myron, made a motion to approve the face change on the pole sign as recommended by the Design Review Committee.

Motion carried 7 – 0.

Erin Donovan also explained the face change for Pleasant Avenue Boxing, 5072 Pleasant Avenue, went to Design Review as a Consent Agenda item. It was a name change only and very similar to the sign that was there. No action is needed as Consent items are for informational purposes only.

OLD BUSINESS:

Applications to modify the Concept and Final Development Plan Approvals for the Meijer-S. Gilmore Road Planned Unit Development

Jeff Holtegel, seconded by Don Hassler, made a motion to remove this item from the table. Motion carried 7 – 0.

Slides were shown of the property and proposed elevations. Mr. Bachman stated the property is 2.6 acres and is part of the Meijer P.U.D. It was approved as perpetual green space and serves as a buffer between Meijer and the offices and mall across the street. Staff and the developer were working thru issues brought up at the last meeting. Staff was informed that Fifth Third bank no longer wanted to be a part of this project and would not be purchasing the 1.1 acres as originally shown. Three options were discussed – the developer could pull the plan until he had a comprehensive plan to present; try to find a new tenant for the property; or ask the Commission to consider the retail building only and allow conditions to be placed on the remaining property to be developed. The north piece where the bank was proposed would be approved in concept only.

Mr. Bill Martin, developer, stated they were dismayed when Fifth Third pulled out since Fifth Third approached them in the first place. Mr. Martin stated they would like to proceed and asked the Commission to consider the retail portion only.

Mr. Woeste asked if there was the possibility for extending the retail onto the northern portion of the lot. Mr. Martin replied it was always their intention to split and sell that portion off. Whoever the end user is will have to meet the criteria established by the Planning Commission. Mr. Bachman pointed where the lot line was proposed and stated if it is split, cross easements will be needed.

Mr. Bachman reviewed the two page “Possible Conditions of Approval” memo: (attached and made a part of these minutes)

The Shoppes at Fairfield Final Development Plan

1. Details for the gateway sign have been provided.
2. This will be completed when the development plans are approved for the northern portion.
3. Staff felt it was important that the rooftop units be screened from the three sides. It is okay if they are seen from Meijer’s parking lot or Casual Drive
4. Irrigation is to be approved by staff.
5. The revised landscape plan should clearly illustrate the two proposed curvilinear walls.
6. This is the same condition that was placed on Kroger to assure their landscape is maintained.
7. Two dumpsters are proposed on the retail site and staff felt it was important that the screening match the exterior building wall that it is closest to.
8. The plans need to reflect access to the retail portion from the Gilmore Road sidewalk.
9. No comment.
10. The Gilmore Road sidewalk on the northern portion of the property will still need to be installed with the Shoppes of Fairfield sidewalk.
11. Staff felt the walls should be consistent with the gateway sign in regard to materials.

Mr. Holtegel expressed his concern with traffic circulation through the retail portion. He felt cars stacking at the drive thru could be a problem with other traffic entering or exiting the site. Directional signage should either be installed or arrows painted on the blacktop. Mr. Martin pointed out that the cross access which was by Casual Drive has been moved closer to Gilmore Road. If the drive thru is full, cars can use the bypass lane to go around the building and stack on the north side. The drive thru is not the main focus of Panera’s business. If it becomes a problem, they will address it. Mr. Hasselbeck’s concern was deliveries to the other tenants in the center. Cars for the drive thru

will be blocking the rear door to their spaces and with Panera's hours, it might be a problem. Mr. Martin stated traffic from the other uses will be less intensive.

Mr. Woeste asked about the landscaping and Mr. Martin informed the Commission the landscape along all of Gilmore will be installed with the Shoppes at Fairfield; Kolb Drive landscaping will be installed when the site is built on.

Modified Concept Plan (1.154 acre site north of The Shoppes at Fairfield)

1. There currently is control over the green space and staff feels there still should be some control. The City is going on a leap of faith with no tenant. Restricting uses is proposed to protect future tenants. The Commission might want to also consider restricting uses for the retail portion. The corridor has evolved and there are some uses that should not be permitted to locate in this project.
2. Under phase 1, the curb cut to the north piece has been established. No additional curb cuts will be permitted.
3. Easements will be created when property develops.
4. Development on the north piece should play off the materials and elements as the Shoppes.
5. Accomplished with this site plan.
6. Discussed earlier.
7. The north portion of the property shall remain as grass until developed. Add "and maintained to the same standards as the Shoppes at Fairfield."
8. The landscape around the Meijer sign will need to be re-worked. It is probably the original landscaping and is overgrown.
9. Mr. Bachman thought this was already part of the contract between Meijer and the developer.

Mr. Martin stated he felt the conditions are consistent with what they envision for the entire shopping center. He was taken aback by not being able to have dry cleaning services. Tide dry cleaners are very nice and shouldn't be excluded. A caveat was added to item 1 which states "or a use approved by the Planning Commission". Mr. Bachman stated this property was originally zoned B-1 and rezoned in 1995 to a P.U.D. This space has been open for 18 years. If approved, it will be a final development plan approval for the south portion and a concept approval for the north. If the Commission is uncomfortable with this, it can be turned down. The developer is okay with the conditions except for a use issue. The Planning Commission should not be put in a position to have to approve every use. By disallowing a few uses, guidelines have been established with what is permitted. The developer has the option to apply to the Commission for certain uses. The Commission agreed that use restrictions should also be placed on the retail portion. Mr. Bachman stated the corridor is changing and whatever happens to the mall will have further impact on the corridor. Mr. Clemmons added that there needs to be some protection in the development agreement that if this deal doesn't happen, the property remains green space.

Mr. Martin asked what the definition of a discount store is. Off-Saks is an upscale discount store. Before an entire category is killed, there should be some flexibility to work with staff to get a new tenant. Mr. Bachman stated the agreement will be amended to reflect changes discussed this evening.

Scott Lepsky, seconded by Jeff Holtegel, made a motion to recommend approval of the revised site plan with the new changes to the departmental correspondence dated September 25, 2013 and as discussed in this meeting:

- Page 1, add an item 12 which creates the same use provisions as on the 1.154 acre piece;
- Item 7 on Page 2, add “and maintained”; and
- One the use provisions for both pieces, add “or use approved by the Planning Commission”.

Motion carried 7 – 0.

Being no further business, the meeting adjourned.

Scott Lepsky, Chairman

Peggy Flaig, Clerk