

MINUTES OF A REGULAR VOTING MEETING OF THE

FAIRFIELD PLANNING COMMISSION

June 25, 2014

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

Members present: Scott Lepsky, Don Hassler, Bill Woeste, Mark Morris, Tom Hasselbeck and Ron D'Epifanio.

Mark Morris, seconded by Bill Woeste, made a motion to excuse Bob Myron. Motion carried 6 – 0.

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held June 11, 2014, were approved as submitted.

NEW BUSINESS:

Design Review Committee Item – New Building Sign – Apex Eye – 563 Wessel Dr.

Slides were shown of the building and proposed sign. Tim Bachman stated the sign will be installed on the gable and Design Review unanimously recommended that it be approved. There is also a panel on the ground sign which they do not want to change at this time while the business is in transition. They stated they would change it in 6 – 12 months.

Don Hassler, seconded by Bill Woeste, made a motion to approve the sign for Apex Eye at 563 Wessel Drive as submitted. Motion carried unanimously.

GENERAL DISCUSSION

Regulation of Car Lots within the City

A slide was shown to the Commission of the existing car lots on Route 4 and in the general vicinity (new car sales, used car sales and decade of establishment). Other communities were reviewed in regard to how used car lots are treated. They are Conditional Uses in Oxford, Hamilton, Mason, Montgomery, Milford, Glendale, Reading and Deerfield Township. Other regulations include a minimum size of 2.5 acres in Monroe, maximum of two 35' wide curb cuts in Milford, Mason and Middletown require landscaping and Anderson Township requires traditional parking lot striping.

Fairfield's C-3 and C-3A zoning districts state permitted uses include "Motor Vehicle Service; Farm Implements – Automobiles, trucks, trailers, farm implements for sale, display, hire or major or minor motor vehicle repair, including sales lots, used car lots, trailer sales lots....". At the last meeting, it was suggested that the new car sales remain a permitted use. The second bullet of the slide addressed the sale of new cars which could be defined by a percentage, authorized brand dealership or the used car sales are incidental to the new car sales.

The third bullet addressed conditions that could determine if a Conditional Use would be needed – primary sales are used cars (over 20%) or possibly a non-authorized car brand dealership which would sell any make or model. These are just ideas staff has come up with for discussion purposes.

If the sale of used car is made a conditional use, the Commission needs to consider other possible regulations. A checklist can be created and used as a guide when someone is looking at property to open a lot. Things the Commission may want to consider is size and number of curb cuts, circulation throughout the lot, pavement being a minimum of 5' from the right-of-way, perimeter curbing, landscaping, permanent foundation for building, prohibited in shopping centers, etc.

Slides were shown of existing car lots within the City and how some of the regulations previously discussed it would affect them. The first was at the corner of Donald and Route 4. The pavement currently goes to Route 4 and if the 5' setback was applied, that area would have to be placed in grass. Curbing would also have to be installed since there are no defined curb cuts. This particular property would not have room for a drive isle between the parked cars along Route 4 and the building which would make the site not suitable for a car lot. This location went before the Board of Zoning Appeals and received a variance to be able to park within the 5' setback along Donald Drive. A condition of approval was that the applicant was supposed to install curb stops and has not. Staff is working through this issue. If it had been approved via a conditional use, the Commission could rescind the approval and he would lose his zoning. The Commission discussed problems with this item throughout the City. The car lot next to Miles of Golf on Route 4 frequently parks cars very close to the right of way making it difficult to exit Miles of Golf. Mr. Bachman stated he is working with the Police Department to start issuing warnings or writing tickets which he felt will resolve this problem.

Mr. Hasselbeck asked if the pavement running to the roadway was a result of road widening throughout the years. Mr. Bachman stated 40 – 50 years ago, it was common to have a rolled curb with paving extending to the street which could be driven over. The curb types have changed to chair back which cannot be driven over and they're using these areas now to park cars on which is unsafe. If parking 5' off the right of way is enforced, a landscape area can be created. When a re-development occurs, we would make the new business create the landscape area. On a re-use, the new business might not make changes that would force them to come into full compliance. Should the City decide to regulate the used car lots, the existing ones would be grandfathered. If another used car lot locates there, the new business could have to come before the Commission to have the use approved. The Commission discussed the resistance expected from the property owners. Mr. Bachman stated the City of Hamilton is currently going through the same process in regard to car lots. Their business community is both for and against regulating the lots. Mr. Lepsky pointed out several of the items that have been discussed are for safety reasons. We may not be able to get landscaping on each car lot that comes through but certainly the safety items could be addressed.

The second slide was of a lot on the corner of Dixie and Symmes. Curb stops were put in but the cars still overhang them. For the most part, the cars are parked neatly but there are some parked haphazardly. The cars should be pushed back so they don't overhang the sidewalk. The City did make him install dedicated curb cuts but there are areas where a curb cut wasn't closed off and cars are parked so the curb cut cannot be used.

The next slides viewed were of a used car lot in Fairfield and one in Anderson Township. In Anderson, the business was required to install a green strip area. Mr. Bachman explained the next step is to write an ordinance and submit it to Council. A Public Hearing will be held and then deferred to the Commission.

Several Commissioners expressed their support of moving forward. Mr. Morris suggested the percentage idea be dropped as it would be difficult to manage; franchised dealership would be easier. Mr. Hasselbeck also felt the 2.5 acre minimum that Monroe has is too restrictive.

Being no further business, the meeting adjourned.

Scott Lepsky, Chairman

Peggy Flaig, Clerk