

**MINUTES OF A REGULAR VOTING MEETING OF THE**  
**FAIRFIELD PLANNING COMMISSION**

**AUGUST 24, 2016**

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

Members present: Scott Lepsky, Don Hassler, Bill Woeste, Dale Paullus, Brian Begley, Tom Hasselbeck, and Ron D'Epifanio.

**MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting, held August 10, 2016, were approved as submitted.

**OLD BUSINESS**

**NEW BUSINESS**

**-Design Review Items-**

**--Face Change – Sushi House – 510 Nilles Rd.**

Slides were shown of the site and the proposed signage. The applicant is proposing face changes on an existing monument sign and directional signage. The color scheme consists of a light green colored background with red and yellow accents and white lettering. Muhammed Shameen, with Khan Signs, spoke. The existing sign is in good condition. They are not planning on doing any structural work to the sign base, but are proposing covering the base with brick. The client has already purchased residential-type brick. Landscaping was discussed. They should keep the landscaping as close to the ground as possible, so as not to cover the brick base.

Scott Lepsky, seconded by Bill Woeste, motioned to approve the sign per the Design Review Committee recommendation with the brick base as shown; with the condition that the applicant includes low level landscaping around the base of the sign. Motion carried 7-0.

**--Wall Signs – Petco – 675 Deis Dr.**

Tim Bachman, Development Services Director, showed slides of the site, existing, and proposed signage. The applicant is proposing installation of two new wall signs totaling 44 square feet. The signs are red lettering and will say “wellness center” and “dog training”. This Petco location is the largest local store. The new lettering that is proposed will look the same as the existing “grooming” lettering on the right side of the space. The proposed signage will not be on a raceway; the existing is installed directly on the building, and to keep everything consistent, staff recommends permitting the applicant to install the signage directly on the building. There was discussion on boarding pets at

this location. They do not plan to allow overnight boarding.

Scott Lepsky, seconded by Bill Woeste, motioned to approve the signage as recommended by the Design Review Committee. Motion carried 7-0.

Conditional Use – Church – 447 Nilles Rd. Unit 10 & 11

Slides were shown of the site and floor plans. The office space used to be a physical therapy office. The applicant wants to purchase the two units and operate a church at this location. The church plans to utilize the upstairs and downstairs areas in the units; a total square footage of just over 5000 square feet. There are two exits on the east side of the basement, which is important for the public assembly use. The floor plans and use of each room were discussed. A representative from the church spoke. Their former location was located on Industry Dr. Their unit caught fire, and they were forced to find a new location. The new units do not need much work done to them; they are in the process of hiring an architect and will be submitting plans soon.

Mr. Bachman asked how many people were in the congregation. There are currently 14 adults and 15 kids that attend. The applicant said he was told by an architect that he could have 106 people in the space. Hours of operation were discussed. They plan to be open Wednesday nights, some Friday and Saturday evenings, and Sunday mornings. The classrooms in the basement will be used for the children while the services upstairs are in session. Erin Donovan, Planning Manager, spoke. She counted 76 parking spaces available for the church, including 4 parallel parking spaces available in the back of the building. It is difficult to calculate the number of parking spaces required, since the applicant did not submit a drawing to scale. There are 9 other tenants in the building; as long as the church operates at different times than them, the parking should not be an issue. The church will not operate during the same hours as the other offices; they will have mostly evening hours and Sunday mornings. The tenants and owners of all of the other spaces were notified of this meeting and there were no letter, calls or emails received.

The applicant spoke regarding the church. The top floor is where they plan to hold services; there is a total of 2632 square feet available. Their architect told them 26 parking spaces were required; taking into consideration number of seats and hours of operation. They do not plan on using the basement for services; the basement will be used only for children's classes. If they ever plan to use the basement for worship services, there will be a parking problem. Their proposed hours are: Wednesdays 7 pm to 9 pm, Fridays 7 pm to 9 pm, Saturdays after 5 pm, and Sundays 10 am to 2 pm. Mr. Woeste asked about their plans to purchase the two spaces. The realtor was in attendance and spoke. They currently have a contract to purchase. They were already a couple of weeks into the contract when they were told they needed a Conditional Use. The applicants have been in contact with the Building Division; there are only a couple things that need to be done to bring the building up to code. John Clemmons, Law Director, reminded the Commission that other churches have had noise complaints relating to music, especially adjacent to residential areas and if they approve the Conditional Use, they may want to include a condition to minimize noise. The realtor indicated that they will be sound proofing the wall that adjoins the space next to them, which is currently a law office. The applicants have been in contact with the Owner's Association and it was suggested that

they contact their neighbors to start a business relationship.

Scott Lepsky, seconded by Ron D'Epifanio, motioned to approve the Conditional Use with the following conditions:

1. The days and hours of operation shall be limited to: Sundays 10 am to 2 pm, Wednesdays 7 pm to 9 pm, Fridays 7 pm to 9 pm and Saturdays 5 pm to 7 pm.
2. Prior to occupying the site, the applicant shall submit architectural plans for review and approval for a change in use from office to assembly. In addition, a certificate of occupancy shall be obtained.
3. The applicant has one year to begin operating a church at this location. If no action is taken by the applicant within one year, the conditional use shall be void.
4. Worship services in the basement are not permitted.
5. The church and participants must keep noise at a level as not to disturb the neighboring properties.

Motion carried 7-0.

#### Transfer of a Conditional Use Approval – Blue Note Pub– 465 Nilles Rd

Slides were shown of the site. A request has been submitted to transfer a Conditional Use approval given to the Doug Gundrum, for the Blue Note Pub, to the new owner, Richard Elkins. The approval was granted on November 12, 2015. The possible Conditions of Approval from Staff are as follows:

1. Doors are to be kept closed so noise cannot be heard beyond the property line.
2. Dumpster is to be located fully within the existing dumpster enclosure and to remain within said enclosure at all times, except when being emptied.
3. No DJ entertainment.
4. No outside promoters permitted to operate the establishment.
5. The business is to operate in accordance with the business plan, which includes applicant's commitment that he will personally be at the business on a daily and nightly basis.
6. The approval is for a six month trial period from the date of approval. Applicant is required to return to the Planning Commission for a six month review. (*February, 2017*)
7. There shall be no outdoor music live or piped. (*BZA condition of approval for outdoor seating*)

Scott Lepsky, seconded by Ron D'Epifanio, motioned to table the Conditional Use until the next meeting, scheduled for September 14, 2016, to allow time to notify the applicant and for a background check. Motion carried 7-0.

#### REPORTS/STUDIES/GENERAL DISCUSSION

Mr. Bachman informed the board that, regarding the upcoming Code changes, Staff made a mistake. Staff was under the impression that a Clinic was already a Conditional Use in the C-3 zoning district. This is actually not the case, and this issue will be modified before it is heard before City Council.

Mr. Bachman informed the board that he is retiring from the City. His last day will be September 8 and he will be taking a position with REDI Cincinnati.

Dale Paullus reported that there is another upcoming meeting regarding Harbin Park.

Bill Woeste reported that he started the Fairfield Opiate Taskforce and they have had their first meeting.

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Scott Lepsky, Chairman

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Lynda McGuire, Secretary