

MINUTES OF A REGULAR VOTING MEETING OF THE
FAIRFIELD PLANNING COMMISSION

SEPTEMBER 14, 2016

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

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

MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting, held August 24, 2016, were approved as submitted.

Mr. Lepsky introduced Greg Kathman as Interim Director of Development Services.

OLD BUSINESS

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

Motion to remove this application from the table carried unanimously.

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 original approval was granted on November 12, 2015. This approval contained a condition stating that the Conditional Use was non-transferable. The application was tabled from the last meeting to allow time to notify the applicant and perform a background check; which is standard for entertainment uses. The background check from Sgt. Lagemann came back with no problems.

Richard and Julie Elkins, owners, were in attendance and spoke. The Elkins' owned a bar in Monroe for 10 years. This bar is now closed, because the property where the building was located was sold. At the Blue Note Pub, on a busy night, there are around 80 people in the bar. They can accommodate around 20 more on the patio outside. They will not have music outside. There was discussion on the Conditions of Approval that were given to the applicants. The applicants agree with all of the items on the list. They said they were a little worried about the success of the bar; the previous owner was less than forthcoming with all of the details when they purchased the bar. They were told the bar had only been closed a couple of weeks when they took over, when actually it had been closed for approximately 4 months. They are also interested in putting up more signage, either on the existing ground sign or on the building. Erin Donovan, Planning Manager, said that she thought the ground sign was at the maximum allowable square footage, but suggested the applicants contact Sunoco and the Building Division to discuss additional signage.

There was discussion on the operations of the bar. They want to be known as a local pub. They

would like to have bands that play country music and acoustic bands. The applicants plan on having the bands 1 or 2 times a month. They never plan to have DJ's or outside promoters at this location. Their customer's average age is 40; and ranges from 30 to 60 year olds. Ms. Elkins opens the bar every day at 3:00 pm and Mr. Elkins arrives to close the bar at night. They would like to serve food at some point, but they would have to build a kitchen, as there is none there currently. The applicants were told they would need to contact the Building Division if they plan to do any renovations.

Bill Woeste, seconded by Dale Paullus, motioned to approve the Continuation of the Conditional Use, with the following Conditions of Approval:

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 the applicant's commitment that they 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.
7. Approval is given to the current business owner and shall not be transferable with the business.
8. There shall be no outdoor music, live or piped. (*BZA condition of approval for outdoor seating*)

Motion carried 5-0.

NEW BUSINESS

Conditional Use – Church – 7255 Dixie Hwy. Unit M/N

Slides were shown of the site, storefront and aerial. The applicant is proposing to open a church in a space within the shopping center. The space is 3000 square feet.

Caroline Akinyi, representative for the church, was in attendance and spoke. The church they are opening in this location has a presence around the world, but currently not in the Cincinnati area. There are 35 members, including adults and children. In the future, they plan to do some interior work at this location, but for now, they will make do with what they have. Ms. Donovan informed her that if they plan to do work, they need to notify the Building Division to see if a permit is required. They plan to meet for services on Wednesdays, from 6-8 pm, and Sundays, from 10:30 am to 12:00 pm. There occasionally may be services planned on other days for special events. There will be no other additional social activities planned for this location. Mr. Woeste said it was nice to have an application for a church with no parking issues. The neighboring businesses were not notified of the Conditional Use application, because there were no parking issues. There was

discussion on what was at this location before. Ms. Akinyi said she thinks it was a church.

Scott Lepsky seconded by Bill Woeste, motioned to approve the Conditional Use for the church with the following Conditions of Approval:

1. A certificate of occupancy shall be obtained from the Fairfield Building Division prior to occupying the site.
2. 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.
3. Church members shall keep noise at a level as not to disturb the surrounding businesses.

Motion carried 5-0.

New Home Elevation – 6106 Edmorr Way

Slides were shown of the aerial, site plan and proposed elevations. The applicants are building a home on the last vacant lot adjacent to the undeveloped Section 4 of the Emerald Lake subdivision. The development agreement states “brick, stone or comparable building material shall be required for the front façade and on the entire first floor elevations of the remaining sides of the homes.” The applicant is requesting to use vinyl shake siding on the second floor of the front façade of the home. Ms. Donovan gave a brief history of the Emerald Lake subdivision for the Commission. Cementitious siding was eventually approved for use as a comparable building material on the front façade as an accessory to the brick or stone. Various examples were shown of approved elevations for this subdivision.

Matt Berding and Kevin Keyes, were in attendance and spoke. They offered the buyer HardiePlank siding, but they wanted vinyl shake, because of lower maintenance. Mr. Lepsky said there have been other builders who have come before the Commission asking for vinyl siding and they were denied. In fact, it took many meetings and discussions for the Commission to agree to allow the HardiePlank. Mr. Hasselbeck said he wants to stay consistent with the Development Agreement at this point. There was a brief discussion about the garage requirements in the subdivision. Mr. Keyes asked if the Commission would approve the cementitious siding on the front façade and if they could install lap siding instead of the shake siding. Both of these items would be acceptable, as long the siding is cementitious. There was discussion on the side and rear elevations and whether or not vinyl was allowed to be installed. There are no restrictions on the sides and rear elevations relating to vinyl on the second floor; it is permitted. Ms. Donovan told the applicants that they will need to submit a final design to the Building Division before the permit can be issued.

Scott Lepsky, seconded by Tom Hasselbeck, motioned to approve the elevation, with the stipulation that the siding on the second floor of the front elevation must be cementitious and may be shake, lap, or other type of design. Motioned carried 5-0.

Dedication Plat and Re-Plat - Michael Ln.

Motion to add the dedication plat and re-plat on Michael Ln. to the agenda was approved unanimously.

Slides were shown of the site. The Commission will be approving a Dedication of Right of Way Plat and a Re-Plat to allow future development of the site. Some easements will be created, others vacated and there will be a total of two lots.

Scott Lepsky, seconded by Ron D'Epifanio, motioned to approve the Dedication Plat and Re-plat for Michael Lane. Motion carried 5-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Erin Donovan informed the Commission that there is a Public Hearing on September 26, 2016 at 7:00 pm. There will be a Planning Commission meeting on September 28, 2016. Hopefully everyone can attend both meetings that week.

With no further business, the meeting was adjourned.

Scott Lepsky, Chairman

Lynda McGuire, Secretary