

**MINUTES OF A REGULAR VOTING MEETING OF THE**  
**FAIRFIELD PLANNING COMMISSION**  
**FEBRUARY 13, 2019**

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order. Members present: Scott Lepsky, Bill Woeste, Brian Begley, and Dale Paullus. Motion to excuse Don Hassler, Dean Langevin, and Terry Senger carried unanimously.

**MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting, held January 9, 2019 were approved unanimously.

**OLD BUSINESS**

**NEW BUSINESS**

**Rezoning – JTF Construction Inc. – 4235 Muhlhauser Rd.**

The applicant, JTF Construction, is requesting a zone change from PUD to M-2, the original zoning of the site. JTF purchased the property in 2013; previous to that it was vacant for 8-9 years. The property is now used for a construction company. When the PUD was approved in 1993, the owner at that time wanted to have a training center, beauty school, daycare, and spa on the property. These uses never came to fruition, but a large greenhouse was instead built on the site at that time. Erin Lynn, Planning Manager, discussed the proposed site plan. The applicant plans to construct an 11,000 square foot warehouse with a gravel equipment yard for the storage of construction equipment. One of the 5 existing curb cuts is going to be removed as part of the construction. Ms. Lynn stated the City encouraged the paved parking lot to be screened, but the lot is too close to the road for landscaping. There was discussion with Steve Wolterman, City Attorney, to allow the Planning Commission to waive the paving requirement for the gravel equipment lot and save the applicant a trip to the Board of Zoning Appeals. Mr. Wolterman indicated that Planning Commission could waive that requirement as part of their conditions of approval.

Terry Senger arrived at 6:05 p.m.

Greg Fisher, from JTF Construction, was in attendance and spoke. He said he wants to keep the gravel that is behind the fence, but he will pave the drive in front of the lot and up to the road.

The heavy equipment that he will be storing will tear up concrete. He is planning to clean up the rest of the site; once the warehouse is constructed he can store most of the equipment inside. Landscaping is planned around the proposed building and the piles of dirt from the pictures shown are already gone. He has had a problem with theft of his equipment; people were driving items directly off of the lot. He is going to install a 6 foot fence with barbed wire around the gravel equipment lot and cameras to help alleviate theft. Mr. Fisher asked if he should remove the curb cut apron at the street or if the City should remove. Greg Kathman, Director, indicated that he would get in touch with Public Works and let him know.

Scott Lepsky, seconded by Terry Senger, motioned to recommend approval of the rezoning to City Council, with the following conditions:

1. Parking of construction vehicles, equipment or outside storage is not permitted in the northeast area of the parking lot adjacent to Muhlhauser Road. This area is reserved for employee and visitor parking.
2. An opaque fence shall be used to screen the outdoor equipment lot located between the existing building and the proposed building.
3. All areas used by vehicles or for equipment/materials storage shall be constructed of a hard durable surface as stated in the zoning code. Only the equipment storage lot located between the existing building and the proposed building shall be permitted to be gravel.
4. No construction waste or debris shall be located on site unless stored in a wholly enclosed building.
5. Existing trees and landscaping shall be maintained as much as possible. New landscaping and trees shall be planted surrounding the proposed new building.
6. Any unused curb-cuts shall be removed and replaced with grass.

Motion carried 5-0.

Modification to Conditional Use Approval – Bargo’s Grill & Tap – 7105 B Dixie Hwy.

Ms. Lynn discussed the timeline of past extensions and approvals for Bargo’s Grill & Tap. The midnight closure time was proposed as a solution to the problems they were having with a late, nightclub crowd. A memo from Sgt. Lagemann indicates that the police have had no problems with the bar since the midnight closure and have no problem with a 1:00 a.m. closure.

Joe Nicholson, one of the owners of Bargo’s, was in attendance and spoke. They have been operating for a year and a half at the midnight closure time. When they initially opened, the close

time was 2:30 a.m.; they are only asking to open until 1:00 a.m. Reverting to a midnight closing time was extreme, but it had to be done to solve the problems they were having. If approved, they will continue to keep a close eye on the situation. Mr. Woeste asked if one of the owners would be there until closing. Mr. Nicholson said one of them would be there; sometimes he is there twice a day. They also have a good general manager there that they trust. Mr. Begley said the owners laid out a good argument in their email to change the hours. He said he is ok with the change as long as he is assured they will continue to monitor the situation. Mr. Senger said he will vote to approve the change permanently as long as they continue to keep the police calls down. There was discussion on whether to approve the change of hours on a temporary or permanent basis. The owners asked to be considered for a permanent change to the hours.

Scott Lepsky, seconded by Bill Woeste, motioned to alter the existing condition that specifies a midnight closing time to a 1:00 a.m. closing time. All other existing conditions remain. Motion carried 5-0.

#### **REPORTS/STUDIES/GENERAL DISCUSSION**

Steve Wolterman reported that the greenhouse previously discussed on the Mulhauser property was presented to the Parks Board for consideration at the last meeting.

Brian Begley reported that he has been appointed to serve another year on the Planning Commission.

Erin Lynn thanked everyone for coming to the Council Manager Briefing and Joint Public Hearing on Monday.

Motion to adjourn carried unanimously.

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Scott Lepsky, Chairman

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Lynda McGuire, Secretary