

MINUTES OF A REGULAR VOTING MEETING OF THE

FAIRFIELD PLANNING COMMISSION

June 23, 2010

Jerry Dailey, Chairman, called the Regular Meeting of the Fairfield Planning Commission to order.

Members present: Jerry Dailey, Deborah Rhees, Mark Morris, Don Hassler and Scott Lepsky.

Scott Lepsky, seconded by Deborah Rhees, made a motion to excuse Mitch Rhodus and Jeff Holtegel. Motion carried 5 – 0.

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held May 26, 2010, were approved as submitted.

NEW BUSINESS:

Conditional Use Application – Church – 642 Reigert Square

Tim Bachman informed the Commissioners this is the stand along building near Pleasant Avenue/Sandy Lane and is currently vacant. The applicant is requesting approval to relocate from Patterson Place into this building. Mr. Poku, applicant, stated they have been in Fairfield for 10 years; three years in the Patterson Drive strip center. They are currently renting the Italian American Society building on Joe Nuxhall Way until they can find a permanent location.

Tim Bachman stated our Building Inspector has recently inspected the building and it is in fair condition with the exception of the HVAC and some plumbing. One issue staff has is parking. There is a church next door and there might be times when both churches are holding services. Mr. Poku stated their hours of operation would be on Sunday morning from 9:30 – 12:30; Wednesday evening from 7:00 – 8:30 and the last Friday of every month from 8:30 – 10:00. Services on Sunday evening are no longer held. Their congregation is less than 50 and they would need approximately 25 – 30 parking spaces. Mr. Bachman stated other items of concern include the weeds between the sidewalk and building, broken and boarded up windows, building code compliance and patching and striping of the parking lot. These items will need to be corrected by either the applicant or property owner, depending how the lease is structured. Jerry Dailey asked if there had been any further discussion regarding gating Sandy Lane and Mr. Bachman replied there had but the property owner has the legal right to do so.

Deborah Rhees, seconded by Don Hassler, made a motion to approve a Conditional Use for the relocation of Alpha Omega Bible Church to 642 Reigert Square with the following conditions:

1. Weeds need to be removed between the sidewalk and building;
2. Broken and boarded up windows need to be replaced;
3. Building interior must be in Code compliance; and
4. Pot holes in the parking lot need to be repaired and the lot striped.

Motion carried 5 – 0.

Design Review Committee Item – New Signage – Planet Fitness – 550 Patterson Drive

Tim Bachman stated this is the sign package for Planet Fitness which locating at 550 Patterson Drive. When they submitted their sign package, they were over the allowable square footage so one of the signs on the tower has been deleted. The side facing Patterson will contain signage and the side facing Pleasant Avenue will be blank. Mr. Scott Holthaus, Holthaus Signs, submitted a sample of the vinyl that will be used for the tower signage. It will be mounted on a steel frame and inserted into the opening of the tower. This product, made by 3-M, is seamless and can be backlit. It resists fading and the sign is digitally printed on it.

Mr. Dailey asked what is currently being constructed on the roof of the center. Tim Bachman replied it is the parapets approved by the Design Review Committee and Planning Commission which will contain the signage for the businesses located there.

Deborah Rhees, seconded by Mark Morris, made a motion to approve the sign package for Planet Fitness, 550 Patterson Drive, consisting of one sign in the tower, 3' tall illuminated channel letters on the parapet and a new panel on the pylon sign. The colors are to be purple, yellow, black and white as recommended by Design Review.

Motion carried 5 – 0.

GENERAL DISCUSSION

Proposed Ordinance Changes – Alternative Forms of Energy

Tim Bachman stated that government grants and technology improvements to wind and solar power have created greater public interest in moving toward utilizing these as a means of power.

Wind – Tim Bachman stated that currently, windmills of any height are permitted by code. Any of these alternative energy devices could be classified as a windmill and would be permitted. During a presentation to the Commission by Blue Chip Solar and Wind, we were told that Fairfield is not in a wind corridor. There are also two types of wind turbines – a horizontal turbine and vertical axis or egg beater. The horizontal turbines are not suited for this area but the vertical axis turbine can run on a wind speed of 4 mph. They also don't need to be as high in the air. The ordinance was written to permit the egg beater type in residential areas with restrictions. The ordinance is drafted to be more lenient in commercial/industrial areas. Something the Commission does not consider is though is with a 40' side yard setback, a tower could fit in most R-0 lots. Also, noise also has to be considered especially if they are mounted on a home. The Commission might want the ordinance to regulate them based on lot size, location, etc. Hamilton County permits the turbines through a Conditional Use process. It was the consensus of the Commission the turbines be regulated via a Conditional Use in both residential and non-residential areas.

Solar – Tim Bachman stated solar power is created by sunlight; not the heat from the sun. Currently, solar panels are permitted on rooftops. The new ordinance reiterates this. Previously, there was discussion about regulating the location of the panels. They are only functional with southern

exposure. If their location is regulated, it might preclude a lot of residences from being able to utilize them. The ordinance is proposed to allow their installation on any side of the roof but puts restrictions on their installation and appearance. Regarding solar trees, they will only be permitted in industrial and commercial districts.

Stockton Station Deed Restrictions – Fences and Basketball Structures

Erin Donovan informed the Commission fences and basketball structures are permitted in Stockton Station under certain conditions. Currently, there are several violations pertaining to these two structures.

Fences – Only split rail fence (wood or vinyl) was originally permitted. This was done in an attempt to maintain a sense of open space with the smaller lots in the subdivision. Fencing was amended in 2004 to allow vinyl privacy fence for screening of hot tubs only (6' in height and no greater than 20' in length). There are 13 privacy fences with no permits; two are located around a deck, one is along the rear property line, one encloses the entire rear yard and nine that are around or adjacent to a patio where there's not a hot tub. Another privacy fence encloses the entire yard and was issued a permit in 2004 (thus amending the fence restriction for hot tubs only). Two privacy fences received permits, a lattice fence along the entire rear property line and a solid privacy fence around the entire patio.

Tim Bachman stated staff's options at this point would be to send a violation letter to the homeowners that have the privacy fence not screening a hot tub informing them they are in violation of the P.U.D. and the fence must be removed or consider amending the P.U.D. that allows privacy fences around decks/patios. The residents of the subdivision would be notified and asked for their input if the restrictions are amended. Ms. Donovan added Village Green has the same city enforced deed restrictions so what is done at Stockton Station could potentially impact Village Green.

Basketball Structures – The deed restrictions prohibit basketball structures from being in the front or side yards. There are 7 in violation of this restriction; five in the driveways and two located by the curb in the right of way. All of them are the temporary structures. Mr. Clemmons stated unless they are creating a safety problem (which can be handled by the Police), he recommended leaving them alone unless the neighbor(s) complain about the activity (blocking the street, etc.). People feel they are being discriminated against when cited for having these structures.

It was the consensus of the Commission not to enforce the basketball structures at this time. The privacy fence restriction should be reviewed and possibly amended to allow privacy fences around patios/decks with or without hot tubs. Also, perimeter fencing between the single family and multi-family should be addressed.

Patterson Drive Streetscape Project Update

Erin Donovan informed the Commissioners the City received \$215,000 in Community Development Block Grant funds to make improvements to Patterson Drive. Improvements will consist of a entry sign which says Patterson Place. Three landscape medians will also be constructed. A berm will be installed in front of Symmes Townhomes and street trees planted on the entire south side of

Patterson. It is staff's intention to have the project under construction by September. Mr. Hassler suggested that staff work with the owners of the BP station to try to get them to landscape their property.

Being no further business, Scott Lepsky, seconded by Don Hassler, made a motion to adjourn. Motion carried 5 – 0.

Jerry L. Dailey, Chairman

Peggy Flaig, Clerk