

MINUTES OF A REGULAR VOTING MEETING OF THE

FAIRFIELD PLANNING COMMISSION

May 28, 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, Bob Myron, Tom Hasselbeck and Ron D'Epifanio.

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held May 14, 2014, were approved as submitted.

NEW BUSINESS:

Design Review Committee Items:

Pizza Hut – 5245 Pleasant Avenue – Gable Signage

Slides of the proposed location and sign were shown. Tim Bachman stated it was his understanding that the current Pizza Hut on Nilles Road is closing but the carry out will move to the Pleasant Avenue location. The recommendation from the Design Review Committee was to approve the sign with the condition that the holes in the gable be patched and the entire gable repainted prior to the new sign being installed. Steve Weeks, Tri-State Signs, informed the Commission the construction manager has agreed to the conditions of approval.

Scott Lepsky, seconded by Bill Woeste, made a motion that the sign for Pizza Hut at 5245 Pleasant Avenue be approved with the stipulation that the fascia be repaired and repainted.

Motion carried 7 – 0.

New Sign Package – Applebee's – 5331 Pleasant Avenue

Slides of the existing building and the improvements already completed at the Hamilton Applebee's were shown. Mr. Bachman pointed out that the awnings had already been removed and some painting started. The project stopped once Applebee's was informed of the approvals needed. The doors have already been painted brown but some of the green trim remains. The new awnings will be made out of an alumicore material that has adhesive vinyl applied. One question that could not be answered at Design Review was the color proposed for the top trim and standing seam on the gable. The drawing illustrates it as brown but it currently is tan.

Slides of all sides of the building were shown. Mr. Bachman stated the sign on the rear of the building will not be replaced. The Commission was shown the improvements made at the Hamilton location. The brown bracing over the awnings carries part of the structural load but also contains LED lights which externally light the awnings at night.

Mr. Brent Fothergill, Intergraded Sign and Graphics, stated the color shown in the photo is the final color for the trim. The front door is more of a bronze color and the green trim and lights will be painted to match. The new signs being installed have LED lighting. Mr. Fothergill passed around a picture of the Springboro store which has the same front façade as Fairfield's. He explained the lighting in the raceway of the awnings is covered with lexann which defuses the light. Their company has made these changes at approximately 55 stores; some stores using red awnings, others using yellow.

Bill Woeste, seconded by Bob Myron, made a motion to approve the sign package for Applebee's at 5331 Pleasant Avenue (included awnings and painting).

Motion carried 7 – 0.

Transfan2's Shop N Look – 5100 Pleasant Avenue – Face Change

Tim Bachman stated this business is located in Reigert Square. They are installing a new panel into an existing cabinet sign and the recommendation by Design Review was to approve as submitted.

Mark Morris, seconded by Bill Woeste, made a motion to approve the sign for Transfan2's Shop N Look at 5100 Pleasant Avenue as submitted.

Motion passed unanimously.

Patterson Place Demolition – 5065 Pleasant Avenue

Slides of the site and building were shown. Mr. Bachman stated there are four spaces remaining in the center. Marsh went out of business and is now vacant, Planet Fitness which still has at least 3 years left on their lease, Dollar General which moved across the street and a space which has been vacant for years. The proposal is to demo everything with the exception of Planet Fitness. Design Review recommended approval of the demolition plan with the conditions recommended by staff.

The tower will need to be re-worked; it currently ties into an existing wall that will be demolished so it will need to be re-supported. The back of the tower will be re-built and when complete, there will be four pillars with a space that you will be able see through.

When the exterior walls for Planet Fitness are exposed, staff would like to see them painted similar to the end walls scheduled for demolition (painting a horizontal and vertical stripe to break it up). We are also asking for trees to be planted. The site could sit for several years so we are asking that it be pleasant to look at.

Once the buildings are removed, the slab will be crushed and left on site. Over time, weeds could grow through and we are proposing an agreement similar to the one we have with Kroger in that if Neyer doesn't take care of them, the City will and place a lien on the property. Also, staff is recommending that the light pole bases be repainted.

Staff also has a concern with the parking of vehicles on all the open area being created; i.e. semi-tractor trailers, cars for sale, etc. The Design Review Committee discussed requiring these areas to be barricaded off. The Commission was presented with two barricade options. Both would basically come off the western landscape island and run to the corner of Planet Fitness then start at the other end of Planet Fitness and return to the landscape island on the east side of the site. Option A left an opening to gain access behind the building and in Option B, the opening was gated. Neyer is concerned with installing the type fence the City suggested and wishes to have something that accomplishes the intent but not be so visible.

Tim Bachman reviewed the staff memo to the Design Review Committee which is attached and made a part of the minutes.

Mr. Jeff Chamot, Neyer Properties, stated a portion of the center was demolished several years ago. Planet Fitness has been the only business they have been able to lease space to; Marsh and Dollar General moved out or closed. The way the building is positioned, it's not conducive for retail use. From Neyer's standpoint, it will be easier to market the property as a land site. Planet Fitness is happy at their location so the goal is to demolish the buildings around them. Should they move, that space will be demolished also. There's about 4 acres from Planet Fitness to Pleasant Avenue. Neyer is in agreement with all the conditions with the exception of the fencing. Mr. Chamot handed out a fence detail showing what they would like to install. The goal is to make the fence disappear; the wood posts with the steel cable would make it disappear but still look good from an aesthetic standpoint. The posts could be 3'-4' tall. Tim Bachman stated reflectors could be installed on the posts to make the fence more visible at night. The operational status of the light poles once the building comes down is not known. The electric service probably comes from one of the buildings. The City wants something permanent until the site re-develops. Ron D'Epifanio didn't feel the fence Neyer proposed was appropriate for the site.

Mr. Chamot informed the Commission they are under contract for 6 acres at the western portion of the site for senior housing.

Bill Woeste asked if there was a program in place for maintaining the asphalt while Planet Fitness is in operation. Mr. Chamot stated they would continue to maintain it as they do today. The reason behind leaving the asphalt is they may be able to re-use it depending upon how the site redevelops. Tim Bachman cautioned the Commission that whatever they approve for this project, will probably be there for a minimum of three years. It's been five years since the other portion of the center was demolished and it still has not redeveloped. The City created a TIF (Tax Increment Financing) district for this property and has not gotten any return to date. Mr. Woeste expressed his concern with marketing the property around a now stand alone Planet Fitness building. Mr. Chamot said there's approximately 4 acres from Planet Fitness to Pleasant Avenue. Neyer doesn't want to buy out the balance of the Planet Fitness lease but if someone would purchase the entire site, Planet Fitness has shown interest in possibly moving. They also have a renewal option at the end of their lease to remain where they are.

Don Hassler reiterated his concern regarding the lack of lighting. He stated if the light poles are fed from the portions being taken down, it needs to be redone. Mr. Woeste concurred. Scott Lepsky stated he would be comfortable with placing another condition that lighting is to be maintained at a safe level as determined by staff. That will give time to determine where the lights are fed from and reconnected elsewhere if needed.

Regarding the fence, Mr. Woeste agreed something needs to be put in that looks good. What Neyer is suggesting is functional but will make the site look like a brownfield. Mr. Morris pointed out that any type of fence is going to look strange; it's just going to be in a big open space. After further discussion, the Commission and Neyer opted for the option of gating the opening to allow access to the rear of the building. Mr. D'Epifanio stated he was in favor of the project but was against the fence Neyer is proposing.

Scott Lepsky, seconded by Mark Morris, made a motion that the Patterson Place demolition at 5065 Pleasant Avenue be approved with the following stipulations:

1. The 8 points as detailed by the Departmental Correspondence dated May 5, 2014 by Erin Donovan;
2. The barricade as submitted by the applicant is acceptable with reflectors on the posts and gated access for deliveries and trash removal for Planet Fitness (Option B); and
3. Lighting levels at Planet Fitness and parking area will be maintained at a safe level as determined by staff.

Motion carried 6 – 1; Ron D'Epifanio dissenting.

Consent Agenda – River Road Food Mart – 5040 River Road

Tim Bachman stated the River Road Marathon has changed names and is now River Road Food Mart.

REPORTS/GENERAL DISCUSSION

Route 4 Car Lots

The Commissioners were given a handout that illustrated the car lots on Route 4 and adjacent streets. It was keyed by new car lots, used car lots and decade of origin. Mr. Bachman stated his discussion was to see if the Commission felt it might be time to start regulating new and used car lots via a Conditional Use process. Currently in the C-3 and C-3A zoning districts, they are a permitted use. Car lots are opening on property that never was intended to be a car lot. If they are made a Conditional Use, there could be some City regulation in regard to where the cars can park, circulation, closing of curb cuts, landscaping, etc.

Slides were shown of a few existing lots on Route 4. The lot on the corner of Symmes and Route 4 did go before the Board of Zoning Appeals for a sidewalk waiver. The BZA waived the sidewalk and in return, placed conditions that cars could no longer be parked in the right-of-way and curb stops had to be installed so they couldn't.

Slides were shown of two existing car lots that have a solid curb cut along the front of the property. Rather than defining a curb cut, the businesses are parking cars in it. A slide was shown of a building previously used as an exterminator's office which is now a car lot. Mr. Bachman questioned if this is the best use for the property.

Several Commissioners expressed interest in pursuing this further. The existing lots would be grandfathered so it would only apply to new lots unless an older lot lost its non-conforming status (sat vacant for a year). Mr. Hasselbeck asked if it would be possible to adopt an ordinance that only a certain percentage of businesses in the City could be car lots. Mr. Clemmons stated the courts do not favor arbitrary rules. They say allow the uses the City sees as appropriate and allow the market to decide what uses go there. The Conditional Use process would regulate the aesthetics of the use. Mr. Bachman added it's also a safety issue. Mr. Woeste pointed out the amount of car lots that have opened in the past four years is just about as many that opened in the 2000 time period. Staff will do more research and have another presentation at the future meeting. It will ultimately take City Council approval to make the car lots a Conditional Use.

Mr. D'Epifanio stated he will not be available for the June 11th meeting.

Being no further business, the meeting adjourned.

Scott Lepsky, Chairman

Peggy Flaig, Clerk