

MINUTES OF A REGULAR VOTING MEETING OF THE

FAIRFIELD PLANNING COMMISSION

SEPTEMBER 23, 2015

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

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

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held September 9, 2015, were approved as submitted.

OLD BUSINESS

Conditional Use – Used Car Lot – 5888 Dixie Hwy. (TABLED)

Mr. Bachman indicated that Staff sent a message to the applicant, and the applicant asked for their application to continue to be tabled. It was noted that the applicant has not attended a meeting since the application in July. Mr. Lepsky said they will discuss and either remove or vote on the application at the next meeting. Motion to table carried 6-0.

Minor Modification of the PUD – Stockton Station PUD

Motion to remove this item from the table carried 6-0. Slides were shown from the previous meeting, detailing the lot sizes and setbacks. Two new addresses were added to the slide showing the violations on an aerial map, bringing the total to 10. These basketball hoops were discovered after a visit to the site. Possible Conditions of Approval (attached) were discussed. Item #2 regarding basketball pole setback may need to be changed; a 15 foot setback for the poles may be a tight fit. Maintenance minimums may also be added to the list after viewing the violation pictures handed out to the board. (attached) Mr. Bachman stressed that the City does not want to be the “Basketball Police”.

One new letter and one additional phone call against the changes to the PUD were discussed. The letter was read into the record. Mr. Lepsky commented that he values the input of the residents, because once the Commission makes a decision, a precedent will be set.

Mr. D'Epifanio said he thought the nets should be nylon; no chain nets. Houses with shared driveways should be excluded from allowance and hours should be set. Mr. Bachman said he didn't want to set hours, because he doesn't want Staff to have to police them. Mr. Lepsky noted that agreeing on restrictions that make sense for the whole neighborhood would be a challenge. Mr. Woeste asked that the Residential Covenants, Restrictions and Requirements for the Stockton Station Planned Unit Development (Restrictions) be given to each of the Commissioners. Council was very concerned about the small lots when this subdivision was developed; there are 25 different items that were addressed in the Restrictions. The people who bought homes in the neighborhood bought them with the knowledge of these Restrictions. He drove through the subdivision and thought it was an

odd setup with the homes so close together. Policing the basketball hoops would be nearly impossible. Mr.

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Hasselbeck lives in a neighborhood with similar restrictions. He had to sign paperwork agreeing to the restrictions when he bought his home; it was disclosed up front. The intent was the betterment for everyone in the neighborhood. If the decision goes in favor of the changes, the nuisance comment #2 from the Restrictions could possibly cover the time allowances. Mr. Begley asked Mr. Clemmons for clarification on the home in litigation over this issue. Mr. Clemmons said that the home is actually not in court for the basketball pole yet, but it is in for a pool issue.

Karen Fields, 1048 Olde Station Ct. spoke. She wanted to address a couple of issues. Regarding the comment from the letter about hearing basketballs bouncing at night, she would rather hear them in the front of the homes, rather than in the back where the bedrooms of the homes are located. The homes are so close together, the area where the poles are located won't make a difference. Regarding the "policing" of the poles, they weren't a problem until one person that got a violation letter complained about the rest of the subdivision.

Art Fields, 1048 Olde Station Ct. spoke. He said he did not realize when he purchased his home that it was in the Stockton Station subdivision. He is not sure if he received the Restrictions. If he did, he did not read them. He is not sure why the Restrictions specifically just call out basketball hoops and not include other sports equipment.

Tracy and Carly Fields, 1048 Olde Station Ct. spoke. They were not born when the Restrictions were created; the neighborhood has changed and there are a lot more kids now. They also clarified that when they took their petition around, a lot of people weren't home.

Mr. Lepsky informed the Fields' that there is a section in the Restrictions that calls out "Children's Play Equipment" not just basketball hoops. The requirement states that they are to be kept in the back yard.

Mr. Bachman stated that the *Possible* Conditions of Approval will be on the website. He will make sure that it's stressed that they are just a draft and not final conditions.

Scott Lepsky, seconded by Bill Woeste, motioned to table the application until the 10/14/15 meeting. Motion carried 6-0.

NEW BUSINESS

Codified Ordinance Changes - Reclassify motor vehicle service and fuel dispensing facilities as Conditional Uses in the C-2 Zoning District and to clarify daycare centers as Conditional Uses in the D-1 Zoning District.

Slides were shown of all 8 of the areas of C-2 that will require motor vehicle and fuel dispensing facilities to be classified as Conditional Uses. While some of the areas will not likely be redeveloped, there are a few that will be and are very close to single family residential homes. The last slide referenced the D-1 clarification of a daycare as a Conditional Use. Mr. Woeste said this is an important issue, because without being classified as a Conditional Use, the Commission doesn't have the opportunity to ask important questions about them.

Mr. Clemmons asked that Ms. Donovan remove the reference to C-3A; this zone isn't technically being modified and needs to be deleted from the title. Also, in C-3, the wording used is "Motor Vehicle Service Facility" and not "Motor Vehicle Service Station". He asked for that wording to be changed.

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Scott Lepsky, seconded by Bill Woeste, motioned to recommend adoption of the Codified Ordinances changes to City Council, with the modifications that John Clemmons recommended. Motion carried 6-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Bob Myron reminded the Commission that the public input meeting about the Marsh Lake expansion is Thursday, September 24 from 7-9 pm. The area is currently 30 acres and will be expanded to 170 acres; 60 of which is water. He encouraged everyone to attend.

Brian Begley said the new schools are hoping to break ground in Mid-October.

Bill Woeste is on the Coalition for a Drug Free Fairfield. They recently received a grant from the Federal Government.

John Clemmons informed the Commission that the Fairfield Indians Football team is 4-0 right now. The Soccer teams are also state ranked.

Being no further business, the meeting adjourned.

Scott Lepsky, Chairman

Lynda McGuire, Secretary