

MINUTES OF A REGULAR VOTING MEETING OF THE
FAIRFIELD PLANNING COMMISSION
JANUARY 27, 2021

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order. Members present: Scott Lepsky, Don Hassler, Dean Langevin, Melissa O'Brien, Bill Woeste, Gwen Ritchie and Brian Begley.

MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held January 13, 2021 were approved unanimously.

OLD BUSINESS

NEW BUSINESS

I. **Conditional Use – Motor Vehicle Repair Garage – 160 Donald Dr.**

An application has been submitted to operate a motor vehicle repair garage in the M-2 zoning district. The property is located on the northeast corner of Industry Drive and Donald Drive. The multi-tenant building consists of two offices with warehouse spaces behind them. The entrance to the business is off of Industry Drive. There is an existing chain link fence that is screened with fabric that hides the cars behind the building from view. The fabric is showing signs of wear and will need to be replaced with something more durable. There will be 10 parking spaces striped behind the building. There are currently cars parked in the gravel and grass behind the building. The applicant has been informed that they cannot park in this area unless it is paved. The warehouse area is 7500 square feet. Erin Lynn, Planning Manager, previously visited the site and stated that there were at least 14 cars inside the building. There is also a paint spray booth inside of the space. Between the 10 striped spaces outside and all of the square footage inside, there are plenty of parking spaces for the business.

Juan Rocha, 160 Donald Dr., was in attendance. He stated he planned to move the cars from the grass in the next few days. He understands and accepts all of the conditions of approval. There was discussion regarding his business. He has been operating at this location for 3-4 months, but was previously located in Hamilton for 8 years. He plans to perform minor body repairs, such as bumper and fender replacement. There will be no frame work done. He also does not plan to purchase and resell cars. He has two employees at this location. His hours of operation are 9:30 am to 6:00 pm.

Don Riesenber, property owner, was in attendance. He has owned the building for 4 months

and operates a business out of the other warehouse space. He currently employs one full-time employee and will hire additional people as needed; likely up to 5. There is an existing business operating out of the office space in front of the applicant's warehouse space.

Mr. Lepsky stated that in light of the problems the city has had with recent auto repair businesses, he would like to add a condition of approval for a 6-month review.

Scott Lepsky, seconded by Bill Woeste, motioned to approve the conditional use with the following conditions of approval:

1. The conditional use is only for the applicant (Juan Rocha) and shall not be transferable without obtaining Planning Commission approval.
2. The applicant shall obtain a permit from the city prior to operating the spray booth.
3. The applicant shall stripe the parking lot in accordance with the approved site plan and Chapter 1183 of the Planning and Zoning Code by March 1, 2021. All vehicles shall be parked in these spaces only.
4. No outdoor storage of any items, including vehicle parts, is permitted.
5. Only undamaged vehicles, and damaged vehicles awaiting repair are permitted on site. No disassembling, dismantling, cutting up, stripping or otherwise wrecking such motor vehicle to extract parts is permitted.
6. All vehicles awaiting repair shall be located behind the building, within the fenced-in area, and screened from view. The applicant shall submit to city staff the material and design used for the screening by February 5, 2021. Fabric screening is not permitted. The screening material shall be installed by March 1, 2021.
7. No parking is permitting on the grass/gravel area on the north side of the property, unless it is paved with a hard, durable surface. If that should occur, a revised parking plan shall be submitted to city staff for review and approval.
8. All repair work is to occur inside the building.
9. A 6-month review of the conditions of approval is required to determine continuation of the conditional use approval.

Motion carried 7-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Mr. Woeste reported that Scott Timmer, former Finance Director, has been appointed as the new assistant city manager. Discussions are still being held regarding the hire of the next City Manager.

Ms. Lynn stated that at the December Planning Commission meeting, the Commission requested a briefing regarding various zoning issues. One of the issues that is being discussed is vape shops in the downtown. They are a permitted use in commercial districts; including in the D-1 zoning district. Most conditional uses regulate the operations that affect the outside of the property; vape shops are businesses that operate wholly inside. John Clemmons, Law Director, stated a conditional use is a land use issue; policing by zoning is really a licensing issue. It is the opinion of the Law Department that vape shops are not something to police with the zoning code. The Police Department is aware of the issues that have been reported in the parking lot. The Development Services Department will continue to monitor the situation and take the necessary enforcement actions to resolve zoning issues.

Overparking in residential areas and the parking of commercial vehicles in residential areas was discussed. The zoning code currently limits the amount of pavement in front of a house to 35% of the front yard. Vehicles must be licensed and operable and must not overhang the sidewalk. There are families that have recently moved to Fairfield that consist of multiple generations living in the same household. Because of this, households have multiple drivers and cars. Mr. Kathman said he is currently interviewing people for the new Neighborhood Development Manager position. One of their job responsibilities will be to communicate with new residents that may not be familiar with the rules and regulations of Fairfield. There was discussion regarding work vans parking in residential neighborhoods. Any vehicle $\frac{3}{4}$ ton or over is considered commercial and work vans are generally under $\frac{3}{4}$ ton.

Mr. Kathman stated that due to an excess of calls from parties interested in truck parking lots, staff will be researching and drafting legislation to address this issue for Planning Commission to approve in the near future.

Motion to adjourn carried unanimously.

Scott Lepsky, Chairman

Lynda McGuire, Secretary