

Town of Fairfax Planning Commission minutes
Fairfax Women's Club
Thursday, July 15, 2010

Call to Order/Roll Call:

COMMISSIONERS PRESENT: Terry Goyon
Shelley Hamilton
Brannon Ketcham (Chair)
Peter Lacques
Shelby LaMotte
Peter Ramsey

COMMISSIONERS ABSENT: Pam Meigs

STAFF PRESENT: Jim Moore, Planning Director
Linda Neal, Senior Planner
Joanne O'Hehir, Minutes-Secretary

Chair Ketcham called the meeting to order at 7.35 p.m

Approval of the Agenda

M/S, Hamilton/Goyan, Motion to approve the Agenda.

AYES: All

Public Comments on Non-Agenda Items

No-one from the public stepped forward to speak.

Consent Items

1. **126 Meernaa Avenue; Application # 10-15:** Request for a Use Permit to demolish an existing 115 square foot utility room/bathroom to construct a 276 square foot utility room/bedroom increasing an existing 783 square foot single-family residence to 944 square feet; Assessor's Parcel No. 002-161-05; Residential Single-family RS 6 Zone; Charles Little, applicant/owner; CEQA categorically exempt, § 15301(1).
2. **263 Bolinas Road; Application # 10-13:** Recommendation for continuance of a request for a Use Permit and Variances to replace an existing open sided shed and a storage structure in the Creek Setback with one, 370 square foot storage structure; Assessor's Parcel No. 002-024-13; Residential RD 5.5-7 Zone; Rich Dowd, Architect; Sandy Gartzman and Jack Judkins, owners; CEQA categorically exempt, § 15303(e) and 15305(a).

Chair Ketcham opened the hearing to the public but no one stepped forward to speak.

M/S, Goyan/Hamilton, Motion to approve the consent calendar.

AYES: All

Chair Ketcham read the appeal rights.

Public Hearing Items

3. **9 Broadway; Application # 10-16: Request for a modification of a previously approved Use Permit and Parking Variance to construct a 140 seat, 1,632 square foot, 6th theater onto the existing 5 screen Fairfax Theater cinema complex; Assessor's Parcel No. 002-121-19; Central Commercial CC Zone; Dave Corkill, applicant/property owner; CEQA categorically exempt, § 15301(e)(1).**

Senior Planner Neal presented the staff report. She noted that the box office would be remodeled to make it ADA compliant and that a Use Permit was necessary because the project involved expansion of a conditional use in the CC Zone. She discussed the landscaping plans and the Parking Variance, which she said was necessary because the theater already had insufficient parking.

Ms. Neal further noted that a traffic study had been peer-reviewed by the Town's traffic engineering firm and that it had been determined that the project did not meet the increased traffic threshold to necessitate the Traffic Impact permit process.

Ms. Neal noted that the Design Review Board would also be reviewing landscaping plan. She discussed the reasons why staff could support the expansion of the theater, which included allowing the theater to compete with large multiplexes in Marin County. Ms. Neal discussed the conditions of approval.

Ms. Neal and Commissioner Lacques discussed the additional seats, which Ms. Neal noted was lower than the number of seats installed when the theater had only one screen.

Chair Ketcham and Ms. Neal discussed the aisle width, which Ms. Neal noted would conform to the Building Code.

Dave Corkill, Applicant, discussed the number of seats that would be installed and also additional seating in the other theaters for which a permit had been obtained.

General discussion about seating expansion took place. Planning Director Moore noted that the additional seating in the other theater screens was not part of the project before the Commissioners and Ms. Neal noted that the expansion of the theater triggered the requested change to the Use Permit, not the number of additional seats.

Chair Ketcham and staff discussed the seating in relation to the parking variance and use permit

Staff confirmed that a handicap parking space would be replaced by planting but that the Building Official, the Town's ADA representative, had approved the plans.

Mr. Corkill and Commissioner Ramsay discussed landscaping. Commissioner LaMotte suggested some changes in the type of plants used.

Planning Director Moore noted that the Design Review Board would address any matters concerning the landscaping plan and tree replacement.

Commissioner Lacques and Mr. Corkill discussed water usage and Mr. Corkill noted that the new and existing toilets would be replaced with low-flow toilets.

Chair Ketcham opened the meeting to the public.

Cynthia Powell, Sir Francis Drake Blvd, discussed her safety concerns. She said that she had observed cars blocking the emergency exits, and she also discussed her landscaping concerns. Ms. Powell said that she supported the project.

Kevin Right, 66 Cascade Drive, supported the expansion but expressed his concern that the theater had one exit.

Paul Andronico, Gregory Drive, said that he strongly supported the expansion; that it would bring more people to dine and shop in town and provide another opportunity for residents to remain in town.

Edward Walsh, Dominga Drive, also supported the theater expansion. He said that his company installed a solar system for the theater and that the owner favored local businesses.

Gail Connolly, Willow Street, said that she supported the project because it would provide more variety.

Vice-Chair Hamilton and Planning Director Moore discussed the safety concern regarding the blocking of emergency exits. Commissioner LaMotte noted the plans showed bollards that would prevent cars from blocking emergency exits.

Commissioner Lacques discussed his concerns about inadequate parking and he said that he believed traffic would have a significant impact. He said he would be more comfortable approving the project if the applicant forewent the additional seating in the other theaters.

Ketcham and Neal discussed the parking variance in relation to the traffic impact report.

Vice-Chair Hamilton said that she would like the Fire Department to review the bollards in front of the emergency exits. She said that the traffic report had been peer-reviewed by the Town's representative and staff had concluded that a formal study would not be necessary. She supported the project.

General discussion took place on Finding Number 7 that related to traffic volumes and the number of theater seats. Planning Director Moore noted that the parking was substandard and that the Commissioners needed to determine whether the total number of additional seats would be acceptable.

Commissioner Goyan noted that people walked in Fairfax; that the theater was a vibrant business which was incapable of expanding its parking facilities. He applauded the owner for installing a solar system and said that he supported the project.

Commissioner Ramsay said that he had observed that parking was worse when the theater was a single-screen and that parking had not since been a problem. He said that they needed to be concerned with the overall parking situation in Fairfax and not how this particular use affected parking.

Planning Director Moore noted that a parking forum was planned, which he discussed.

Mr. Moore suggested an area on the plans which would be suitable for bicycle parking, which would be addressed by the Design Review Board in addition to other suggestions put forward by the Planning Commission.

Chair Ketcham noted that town businesses benefited from parking at the Parkade, which would include the theater. He said that he supported the recommendations that would be made to the Design Review Board. Chair Ketcham said that he supported the project.

Commissioner LaMotte said that it was unfortunate that so much space was given to cars and noted that other properties in town could not meet the parking standards. She said that she would prefer bike racks to parking spaces and noted that the theater would lose just one of its five spaces. Commissioner LaMotte said that she supported the project.

M/S, Hamilton/Goyan, Motion to approve Application # 10-16, a request for a modification to the previously approved Use Permit and Parking Variance to construct a 140 seat, 1,632 square foot, 6th theater onto the existing 5 screen Fairfax Theater cinema complex at 9 Broadway.

A roll call took place:

Goyan: Aye
Ramsay: Aye
Hamilton: Aye
Ketcham: Aye
Lacques: Aye
LaMotte: Aye

The motion passed unanimously and Chair Ketcham read the appeal rights.

Discussion Items

There were no discussion items.

Planning Director's Report

Planning Director Moore provided an update of the General Plan elements. He said that he hoped the Conservation and Housing Elements would be ready for review by the Commissioners and other boards in August/September.

Mr. Moore discussed the upcoming parking forum and Vice-Chair Hamilton noted that community outreach would be of benefit. Mr. Moore noted that the Chamber of Commerce would be involved in community outreach.

Approval of Minutes

4. Review of the minutes from the meeting of June 17, 2010.

Page 5, paragraph 4 of the draft minutes was amended to read: ".....Commissioner Lacques discussed the reasons he did not support this condition and therefore could not support the motion as a whole".

M/S, Ramsay/LaMotte, Motion to approve the minutes as amended:

AYES: Goyan, Ketcham, Lacques, LaMotte, Ramsay,
ABSENTION: Hamilton

Commission Comments and Requests

Chair Ketcham said that the Commissioners had worked hard on the elements for the General Plan and that he would like to use future workshop meetings when the General Plan had been completed on prioritizing and discussing other matters such as the green building ordinance.

Adjournment

A motion was made, seconded and unanimously passed to adjourn the meeting at 8.55 p.m.

Respectfully submitted,

Joanne O'Hehir