

DRAFT Town of Fairfax Planning Commission Minutes
Fairfax Women's Club
Thursday, March 15, 2012

Call to Order/Roll Call:

COMMISSIONERS PRESENT: Barbara Coler
Morgan Hall
Shelly Hamilton (Chair)
Laura Kehrlein (Arr. 7.30 p.m.)
Shelby LaMotte (Vice-Chair)

COMMISSIONERS ABSENT: Brannon Ketcham
Peter Lacques

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

Vice-Chair LaMotte called the meeting to order at 7.05p.m.

APPROVAL OF AGENDA

M/s, LaMotte/Hall, Motion to approve the agenda with changes to the order as deemed necessary.

AYES: All

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No one from the public came forward to speak.

CONSENT ITEMS

No consent items were scheduled.

PUBLIC HEARING ITEMS

1. 1789 Sir Francis Drake Boulevard; Application # 12-01: Request for design review of a proposed 199 square foot addition to an existing gasoline service station kiosk; Assessor's Parcel No. 002-127-01; Highway Commercial CH Zone; Laura Kehrlein, Fred Divine and Associates, Architect; Dusty Divine, owner; CEQA categorically exempt, § 15301(e)(1).

Senior Planner Neal presented the staff report. She discussed the kiosk expansion and noted that it would be painted to match the existing building and the trellises would be stained to match the existing trellises.

Ms. Neal went on to discuss parking and landscaping and she noted that the landscaping had not been maintained.

Ms. Neal also addressed signage. She explained that staff could support the special circumstance to approve an additional 2 square feet of signage than the code allowed because there was no sign on Center Boulevard to alert passers-by to the business.

Ms. Neal discussed further reasons that staff could support the project, which included the reason that additional parking would not be required and that the design of the addition would complement the existing building.

Commissioner Coler and Ms. Neal discussed the landscaping deposit. Ms. Neal said that a contractor's estimate would be required to provide guidance for the amount that would be requested by the Town as a deposit.

Fred Divine, project architect, noted that the signage was required to post gas prices but that they could reduce it in size if the commissioners deemed it necessary. He discussed the difficulties of planting deer-resistant landscaping, although he said that they recognized the need to weed more often and improve the look of the site.

Commissioner LaMotte, staff and Mr. Divine discussed the trellis design. Mr. Divine agreed to an extension of the trellis to the south west corner of the addition.

M/s, LaMotte/Hall, Motion to approve a request for design review of a proposed 199 square foot addition to an existing gasoline service station kiosk at 1789 Sir Francis Drake Boulevard, with the following additional condition of approval:

That an additional trellis would be added to the south west corner of the addition.

AYES: All

Chair Hamilton read the appeal rights.

DISCUSSION ITEMS

Since the Town's Assistant Attorney had not arrived, general consensus was reached to move the discussion item forward.

2. Continued discussion/Consideration of a permitting process to allow "parklets" (temporary sidewalk extensions turning parking spaces into pedestrian gathering spaces).

Planning Director Moore led a discussion on “parklets”. He noted that Commissioner Coler had suggested that the Chamber of Commerce should have input, which he said he supported and would recommend to the Town Council.

Commissioner Coler discussed the difficulty of placing “parklets” on Fairfax streets which were not wide. She discussed photographs she had seen depicting a “parklet” looking beautiful when first erected but then not being maintained as trash was dumped. However, she suggested that a portable “parklet” could perhaps be tried out to see if it worked well in Fairfax, the costs for which she thought the merchants might be willing to share.

Commissioner Hall said that the merchants should be involved through the Chamber of Commerce. He suggested that business owners should be polled and that he would encourage the Chamber to develop ideas. However, he believed that the Town would need to bear responsibility for implementing guidelines due to insurance and upkeep issues.

Commissioner Kehrlein joined the meeting at 7.30 p.m.

In response to Chair Hamilton, Planning Director Moore said that information was not available on the economic impact of “parklets”.

Vice-Chair LaMotte said that “parklets” were geared towards restaurants in order to provide a café feel to the sidewalk. She noted the difficulties that might be encountered in complying with ADA standards that related to curbs. Vice-Chair LaMotte noted that the Commissioners needed only to come up with language that would allow “parklets” on a temporary basis.

In summation, Mr. Moore said he would update the Town Council on the foregoing discussions and Commissioner Hall would discuss “parklet” ideas with the Chamber of Commerce.

APPROVAL OF MINUTES

3. Minutes from the January 19, 2012 and February 16, 2012 meetings.

M/s, LaMotte/Kehrlein, Motion to approve the minutes of the January 19, 2012 meeting:

AYES: Hall, Hamilton, Kehrlein, LaMotte,
ABSTAINED: Coler

M/s Coler/LaMotte, Motion to approve the minutes of the February 16, 2012 meeting.

AYES: Coler, Hall, Kehrlein, LaMotte
ABSTAINED: Hamilton

PLANNING COMMISSION TRAINING SESSION

2. The Town's contract law firm of Watson and Gershon, will hold a Commissioner training session focusing on Commissioner legal responsibilities and conflict of interest.

Inder Khalsa, Assistant Town Counsel, introduced the training session. She noted that the law required Planning Commissioners to be provided with training.

Ms. Khalsa explained the reasons that AB1234 had come into law. She also discussed minimum ethical standards and enforceability of the law.

Ms. Khalsa then covered the principles of ethics, before going on to the Brown Act and topics related to the Brown Act.

Commissioner Coler and Ms. Khalsa discussed quorums. Ms. Khalsa said she would investigate the definition of a quorum, whether it related to the number of seats that included vacant seats on a board or commission, or if it related only to the number of seats filled.

Ms. Khalsa went on to discuss the Public Records Act and policy statements.

General discussion took place on copyright law. Ms. Khalsa confirmed that architectural drawings were protected under copyright law and that she thought copyright law probably did not apply to soils reports.

Ms. Khalsa continued with discussions on Fair Process Laws, campaign distributions and incompatible offices before concluding the discussion for the evening on competitive bidding.

PLANNING DIRECTOR'S REPORT

Planning Director Moore discussed the progress that has been made in relation to the gas station and easement that would be affected by the Town Center Plan.

Mr. Moore provided a General Plan Update, which he said should be presented to the Town Council at their meeting of April 4, 2012, for adoption into the General Plan. He said that GPAC would then begin implementation.

General discussion took place on the Housing Element, which Mr. Moore confirmed would be put forward for adoption by the Council in its present form.

COMMISSIONER COMMENTS AND REQUESTS

There were no comments or requests.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9.25 p.m.

Respectfully submitted,

Joanne O'Hehir