DRAFT Town of Fairfax Planning Commission Minutes
Fairfax Women's Club
Thursday, September 19, 2013

Call to Order/Roll Call

COMMISSIONERS PRESENT:	Roxanne Ezzet-Lofstrom Shelly Hamilton (Chair) Brannon Ketcham Shelby LaMotte (Vice-Chair)
COMMISSIONERS ABSENT:	Laura Kehrlein
STAFF PRESENT:	Linda Neal, Senior Planner Neal Joanne O'Hehir, Minutes Secretary

Chair Hamilton called the meeting to order at 7.15 p.m.

APPROVAL OF AGENDA

M/s, Ezzet-Lofstrom/Ketcham, Motion to approve the agenda:

AYES: All

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No one from the public came forward to speak.

CONSENT ITEMS

1. **1621 Sir Francis Drake Boulevard; Application # 13-27**
   Request for a Use Permit to locate two office spaces on the ground floor of an existing structure located in the Central Commercial CC Zone District where offices are only permitted on the second floor; Assessor's Parcel No. 002-211-02; Central Commercial CC Zone; Genevieve LeGoff, applicant; William Lehrke, owner; CEQA categorically exempt, § 15301.

M/s, Ketcham/Ezzet-Lofstrom, Motion to approve the consent item:

AYES: All

Chair Hamilton announced the appeal rights.

PUBLIC HEARING ITEMS

2. **2001 Sir Francis Drake Blvd.; Application # 13-32**
   Request for a Conditional Use Permit, Formula Business Use Permit, Design Review, Sign Permit and Traffic Impact (TIP) Permit to open a gas station/convenience market on

AGENDA ITEM # 4

a site that has historically been used as a gas station/car repair business; Assessor's Parcel No. 002-116-04; Central Commercial CC Zone District; Ron Jacobs, PM Design Group, applicant; Arash Salkhi, owner; CEQA categorically exempt, § 15301(a).

Senior Planner Neal presented the staff report, when she provided background information on the site, and noted that it had been rezoned Central Commercial. Ms. Neal discussed an excavation permit that had been issued, before discussing the proposed project, which she said consisted of a request to convert a former auto repair site into a gas station and convenience store. Ms. Neal noted that a Conditional Use Permit would be necessary for reasons she explained. She went on to discuss the hours of operation, which staff believed would not impact nearby residences.

Ms. Neal discussed the parking requirements and some issues with the proposed parking spaces. She noted that insufficient spaces existed but that, since shop purchases were most often made by those stopping for gas, staff believed that the gas service bays could contribute towards the parking requirements. Ms. Neal discussed exceptions to the parking regulations that could be made with regard to Conditional Use Permits.

Ms. Neal discussed formula business uses in relation to the code. She noted that named brand gasoline was currently not sold in town, and that the proposed project would be similar to the site's former use as an auto repair business, which were reasons that staff could support the project.

Ms. Neal noted that the design review part of the project consisted primarily of the building, landscaping and signage. She discussed the refurbished canopy and building colors, and she noted that the façade of the building would be light brown. Ms. Neal said that the proposed signs were similar to those at other gas stations, but that staff did not support the request for an interior illuminated sign that had been proposed for reasons she explained.

Ms. Neal went on to discuss the traffic study, which she said concluded that the proposed business would not significantly affect traffic flow.

Ms. Neal discussed the Council's recommendation to the applicant that they consider adding a driveway leading to Broadway, which staff had included in the conditions of approval. She also suggested that a further condition of approval should be added that the driveway should be realigned to allow a sidewalk to be constructed and that the applicant should make a contribution towards the sidewalk improvements.

Commissioner Ketcham and Ms. Neal discussed parking on site, the recommended driveway, and egress.

In response to Commissioner Ketcham, Ms. Neal noted that the Town Council would review the traffic study.

Chair Hamilton and Commissioner LaMotte discussed their concerns about lack of parking for the convenience store. Ms. Neal reiterated the fact that purchases were generally made when customers bought gas and were parked in a gas bay. She also noted that a Conditional Use Permit

allowed the Planning Commission to review its decisions after a period of time had elapsed once a project had been completed.

General discussion took place on formula businesses. Commissioner Ketcham discussed the reasons why he supported a third gas station business in town, one of which related to competition.

Vice-Chair LaMotte discussed her concern that the colors and signage should blend in more with the image of the town, that they needed toning down. She also expressed her concern regarding the height and extent of the canopy, and that more lighting than was necessary had been proposed.

Ron Jacobs, Project Architect, discussed the problems associated with the lack of parking. He noted that they were happy to work with the town over the angling of the front spaces but that they were trying to maximize parking. He said that they would be willing to work with the town over the lighting and the canopy. Mr. Jacobs noted that they would be using LED lighting, which was more energy efficient.

In response to Commissioner Ketcham, Mr. Jacobs noted that they town had asked them to study the feasibility of adding a driveway to Broadway; that they hadn't been asked to show it on the plans but to consider whether it would be possible.

Mr. Jacobs and Commissioner Ketcham discussed the street sign on Sir Francis Drake Blvd with regard to lighting. Mr. Jacobs said that they intended to light the canopy but that they did not propose adding lighting to the building.

General discussion took place on the colors of the canopy and the building. Commissioner Ezzet-Lofstrom suggested that the blue color could perhaps be changed, since it seemed to be incongruous with its surroundings. Mr. Jacobs said that they might be open to changing the color since the site was not owned by Chevron, and he suggested that the panels of the canopy be changed to a more muted shade to tie in with the building and perhaps match the fascia color, to which there appeared to be general agreement.

Commission Ketcham and Mr. Jacobs discussed the condition that related to the traffic engineer reviewing and recommending modifications to the site should improvements be made to the Bank Street easement. Mr. Jacobs said that the site's owner was aware of the condition, which he discussed.

David Creasy, the town's Traffic Engineer, and Commissioner LaMotte discussed the route tankers would make and their access to the site.

Mr. Salkhi, property owner, discussed delivery times at other locations and said that he had control over deliveries. He said that Chevron would be happy to operate under whatever hours were directed. Mr. Salkhi discussed gas prices in relation to market supply.

In response to Commissioner Ketcham, Mr. Salkhi said that gas deliveries would be made between 6 a.m. and 9 p.m. when an employee would be present.

Chair Hamilton opened the public comment period.

Kelly Bright, Cascade Drive, said that she would like to know if auto mechanical work would take place at the site. In response, Mr. Salkhi said that the site would dispense gas and house a convenience store.

Chair Hamilton closed the public comment period.

In response to Commissioner LaMotte, Ms. Neal noted that a revocable encroachment permit formed part of the conditions of approval in relation to improvements made in the public easement.

Commissioner Ezzet-Lofstrom and Mr. Jacobs discussed the materials for the south elevation of the building. Mr. Jacobs said that it was covered in ivy and plant growth and that they proposed using a pressure cleaning system on the colored concrete wash.

Mr. Jacobs noted that the applicant would not want the item to be continued because of lighting issues and that they would be happy to comply with whatever guidelines the Commission felt were fit.

General discussion on lighting ensued and there was general agreement that lighting should be kept to a minimum level required for safety and ADA accessibility.

Discussion took place on the excavation permit. Mr. Salkhi confirmed that the permit had been issued and that work would begin next week.

David Creasy, Traffic Engineer, discussed the Traffic Impact Report. He discussed trip rates and distribution of trip rates that related to the intersections in the vicinity, which he confirmed should operate at acceptable levels. Mr. Creasy also discussed traffic delays for drivers entering the site via a left-turn from Sir Francis Drake Blvd, and he discussed the parking bays in front of the store. He discussed staff's recommendation that a sidewalk be provided along the frontages and that bike parking facilities should be installed.

General discussion took place on the location where delivery tankers could turn on Sir Francis Drake Blvd.

Dalene Whitlock, W Trans, discussed the turns that delivery tankers would need to make to access the site. She noted that there were different options available of which the best would need to be determined.

In response to Commissioner Ezzet-Lofstrom, Ms. Whitlock discussed tanker access to the site if the easement area were removed.

Commissioner Ketcham and Mr. Creasy discussed egress in relation to the proposed Broadway driveway and the reasons why consideration had been given to providing an additional driveway to allow access from Broadway.

Ms. Neal noted that staff had suggested a condition of approval that the project should be subject to a six-month review after the site had been operating to allow the Town Engineer and the Planning Commission to review an analysis of traffic circulation.

Commissioner LaMotte discussed her concern that tanker turns would affect other businesses in town in relation to ingress and egress.

General discussion took place on the problems of traffic build-up on Sir Francis Drake Blvd from the east that related to two sets of traffic signals that were not coordinated, one of which was not in Fairfax.

Chair Hamilton said that she would not want to penalize a business due to general traffic issues that were not of their making. She also noted that it would be better for the site to be utilized than to remain undeveloped.

Commissioner Ezzet-Lofstrom and Mr. Creasy discussed possible increased traffic volumes due to high school students frequenting the store. Mr. Creasy said he did not believe this would occur and that trip generation data had been collected under comfortable scenarios.

In response to Commissioner Ezzet-Lofstrom, Ms. Neal noted that the Traffic Safety Committee could review a new traffic analysis report after the business had been open for 6 months to determine if improvements or changes were needed, which they could recommend to the Planning Commission.

Commissioner Ketcham discussed his concern that the town might be held accountable should the Broadway exit be constructed at the town's insistence and then later found not to work. In response, Ms. Neal said that the Town Council and the Town Attorney would be reviewing the project and would draw up their own resolution.

Commissioner LaMotte and Ms. Neal discussed the monument sign.

General discussion on internally illuminated signs took place. Ms. Neal noted that the town discouraged such signs but that the applicant had requested an internally illuminated sign on the building.

In response to Commissioner LaMotte, Ms. Neal noted that the pump decals were not considered to be signs, albeit that they are not addressed by the sign ordinance.

Discussion on the color of the canopy fascia took place.

M/s, Ketcham/Ezzet-Lofstrom, Motion to approve Application # 13-21, a request for a Conditional Use Permit, Formula Business Use Permit, Design Review, Sign Permit and Traffic

Impact (TIP) Permit to open a gas station/convenience market on a site that has historically been used as a gas station/car repair business at 2001 Sir Francis Drake Blvd. with the following amendments and additions to the findings and conditions of approval to Resolution 13.06:

Findings

Use Permit Findings:

The finding regarding the proposed business hours of operation shall be amended to read:

With the proposed hours of operation being from 6:00 AM to 9:00 PM, when deliveries must also be made, the business would presumably not impact....."

The site is limited by the town's interest in maintaining the easement, so the gas bays may function as additional retail parking to meet the parking requirements.

Formula Business Use Permit Finding No. 8 shall be amended to read:

The proposed location of a gasoline station on this site is appropriate because the site has historically been developed and used as a service station with a second complimentary use (previously auto repair) in the existing building. While there is another station directly to the northeast, the Town of Fairfax has supported three (3) gas stations for over forty (40) years and the business will promote economic prosperity through increased competition.

Signs: Under Exceptions to the Sign Ordinance, amendments were made as follows:

One 10.5 square foot Chevron logo sign is proposed.

An exception to erect four (4) signs instead of the permitted 2 [(Town Code § 17.064.050(B)]

Conditions:

Condition 2 e shall be added:

Prior to issuance of the building permit, revised plans shall be submitted to the Building, Planning and Engineering departments with the following: Revised landscaping and irrigation plan to include the south side of the building, site parking, striping and circulation time, a Broadway entrance design, lighting plan and design review revisions to the canopy colors and signage per the additional conditions.

Condition 15 shall be amended to read:

The Use Permit shall be subject to a six (6) month review after opening at which time the Town Traffic Engineer and Planning Commission shall evaluate a site circulation analysis of how the site circulation is operating, as well as delivery truck routes, prepared by the project traffic

engineer for possible Use Permit modifications. The Commission review shall occur after the analysis is reviewed by the Fairfax Traffic Committee.

Condition 18 shall be amended to read:

Lighting shall not exceed minimum safety and ADA standards in order to minimize light trespassing beyond property lines.

Condition 29 shall be changed to 19.

Condition 20 shall be amended to read:

Any lighting mounted on the building shall be recessed or shielded so the light source is not directly visible from the property line and the light is directed downward and not be internally illuminated.

Condition 23:

Should a driveway entrance to Broadway be installed, the applicants shall include a pro rata share of sidewalk costs.

Condition 24:

The business shall operate between the hours of 6 a.m. and 9 p.m. No deliveries for fuel or retail items shall occur outside business hours.

Condition 25:

Nothing in this granting of the Use Permit shall impede the potential for the Town of Fairfax to make improvements in the Bank easement in relation to the Town Center Plan.

Condition 26:

The canopy fascia shall be in white with blue lettering as shown on the plans, and the number of signs shall be as per the existing drawings.

A roll call was taken:

Ezzet-Lofstrom	AYE
Hamilton	AYE
LaMotte	AYE
Ketcham	AYE

The motion passed unanimously and Chair Hamilton read the appeal rights before announcing a 10-minute break at 10:00 p.m.

MINUTES

3. Minutes from the August 15, 2013 meeting.

M/s, Ketcham/Ezzet-Lofstrom, Motion to approve the minutes of August 15, 2013:

AYES: Ketcham, Ezzet-Lofstrom, Hamilton
ABSTAIN: LaMotte

DISCUSSION ITEMS

Chair Hamilton noted that the matrix from the General Plan would be presented at a future meeting for discussion and that the General Plan Implementation Committee had completed the Climate Action Plan. It had yet to be determined if the Planning Commission needed to review the Climate Action Plan.

COMMISSIONER COMMENTS AND REQUESTS

In response to Commissioner Ketcham, Ms. Neal said that the Housing Element seemed to be on track to meet its timelines.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10:15 p.m.

Respectfully Submitted,

Joanne O'Hehir