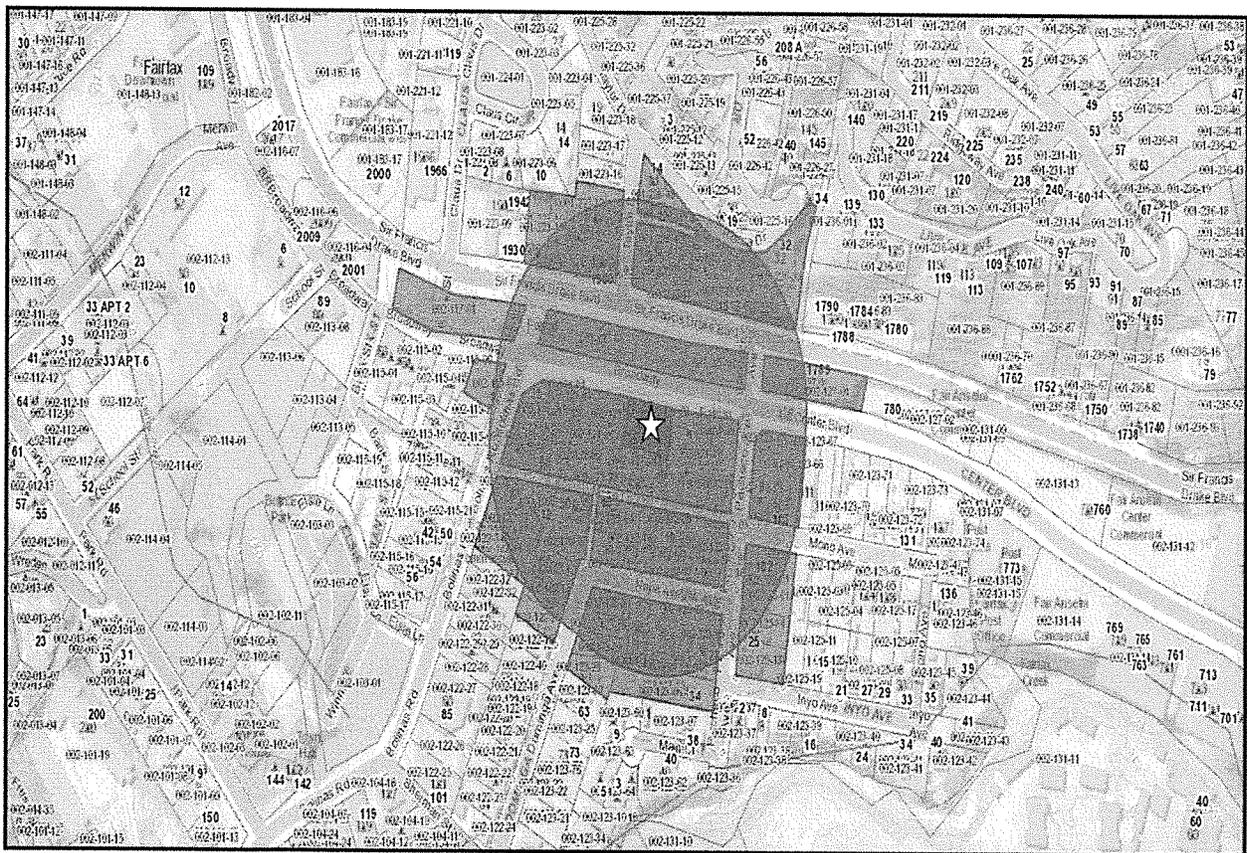


**TOWN OF FAIRFAX
STAFF REPORT
Department of Planning and Building Services**

TO: Fairfax Planning Commission
DATE: August 18, 2016
FROM: Jim Moore, Director of Planning and Building Services
Linda Neal, Principal Planner
LOCATION: 17-19 Broadway; Assessor's Parcel No's. 002-121-23 and 24
ZONING: Central Commercial CC Zone
PROJECT: Food Trailer
ACTION: Use Permit and Exception (Variance) to the Parking Regulations;
Application # 16-29
APPLICANT: Tony DeFrance
OWNER: Garrett and Amory Graham
CEQA STATUS: Categorically exempt, § 15301(a)



17 AND 19 BROADWAY

AGENDA ITEM # 3

BACKGROUND

This item was continued from both the July 21, 2016, and August 18, 2016, Planning Commission meeting(s) where the Commission directed the applicant to provide them with the following items for consideration at the September 15, 2016 Planning Commission meeting:

1. The Commission requested that the applicants Investigate and provide bids to the Department for both the installation of a commercial kitchen within the existing building and for the addition of a kitchen to the side of the building. These improvements would be long term solutions to serving restaurant food in the bar. Since the proposal is now for the owner of Casa Manana to prepare the food, the estimates should be for a kitchen similar in size to the one currently used by Casa Manana;
2. A copy of the Health Department certificate and application (we have already obtained a copy of the certificate and application from the Marin County Health Department);
3. Provide evidence that the trailer is licensed with the Department of Motor Vehicles (DMV);
4. A Planning Commissioner commented on the lack of adequate maintenance in the area where the trailer is currently and would continue to be parked. The applicant shall provide information on how the area around the truck would be maintained;
5. Clarify, in writing, the most recent proposal for the use of the trailer for food service. Provide as much information as possible but at a minimum your response should include the following information:
 - a) Would the food trailer be operated solely by the current owner of Casa Manana, only? If not, how many other employees would assist with food preparation associated with the trailer and how many employees would be on-site at any one given time;
 - b) Provide written confirmation that the food from the food truck would be served in the bar and to Fairfax Inn patrons only and would not include carry out service;
 - c) Indicate the proposed hours of food service now that the trailer would be operated by the current owner of Casa Manana;
 - d) If the grease separator would be located within the trailer itself, please provide a written explanation detailing how often the grease separator would be emptied and/or cleaned;

e) If the grease separator would not be installed within the trailer, indicate on the site plan how the building code requirements would be met for permanent installation of the separator;

f) Staff has been directed to contact the Marin County Health Department to clarify the conditions of their approval for operation of the food trailer. Please provide information regarding the Health Department's conditions of approval for operation of the food trailer. For instance, were the dishes and utensils going to be washed at the commercial food commissary?

The Commission advised the applicants that the food truck shall not be operated and the grease separator shall not be installed until the Commission provides its final action on the Use Permit and Parking Variance for the project. Thus, operation of the food trailer must cease at this time.

The applicants have indicated that they are still working on addressing the Planning Commission's requests and are asking for a continuance until the October 20, 2016 meeting.

RECOMMENDATION

Staff recommends that the Planning Commission grant the requested continuance.