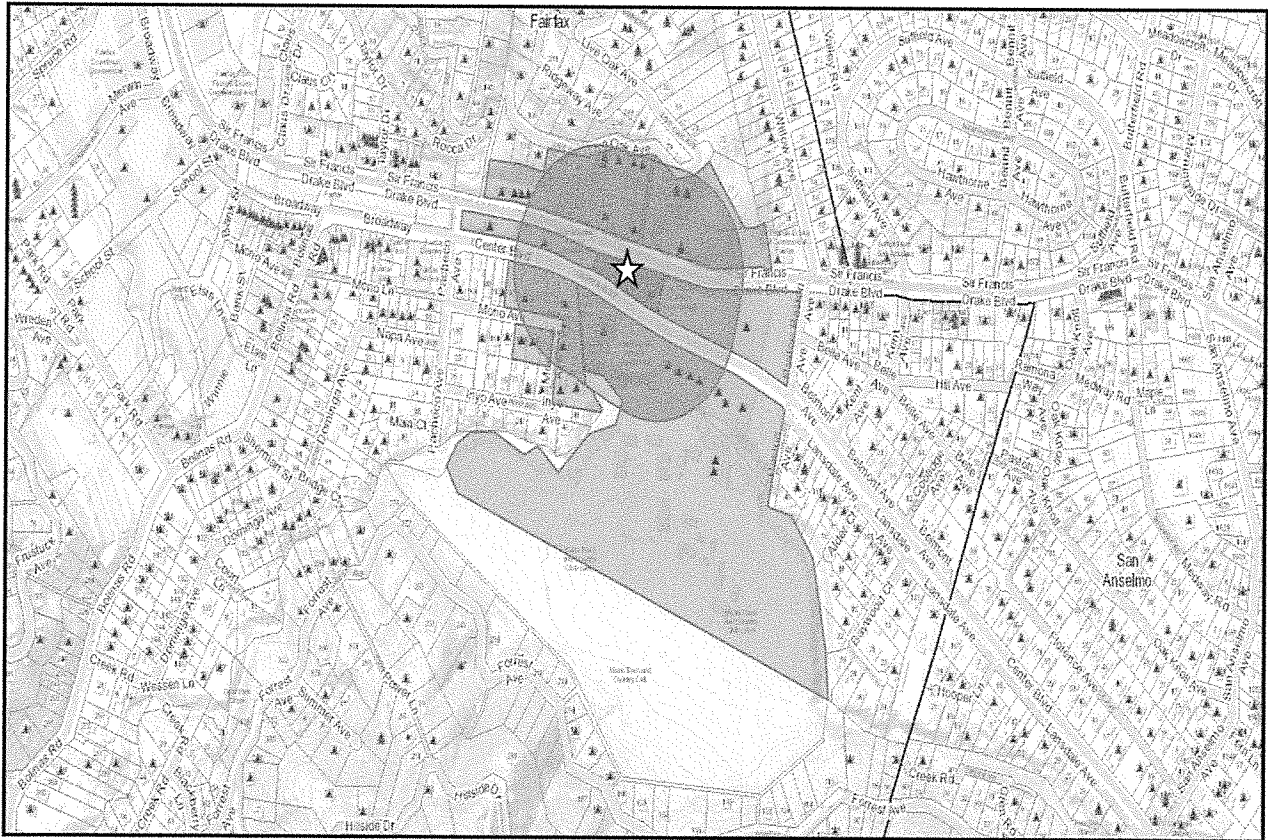


**TOWN OF FAIRFAX
STAFF REPORT**
Department of Planning and Building Services

TO: Fairfax Planning Commission
DATE: March 30, 2017
FROM: Linda Neal, Principal Planner
LOCATION: 760 Center Boulevard; Assessor's Parcel No. 002-131-13
ZONING: Highway Commercial CH Zone District
PROJECT: Exterior and Interior Modifications
ACTION: Modifications to an Approved Use Permit and Design Review Permit; Application # 14-06
APPLICANT: Rich Dowd, Architect
OWNER: Rick Carson
CEQA STATUS: Categorically exempt, §15301(a)



760 CENTER BOULEVARD

BACKGROUND

The 114,229-square-foot site is mostly level and is currently developed with the Good Earth Organic Foods market and the Java Hut drive-thru coffee building which is under construction. The previous Java Hut was a mobile cart with a weather screen that was located adjacent to and utilized a permanent structure that was originally built as a drive-thru Photomat Kiosk. The record is unclear as to when the Photomat Kiosk was approved and built.

The business operator had also placed picnic tables adjacent to the business that were used as informal seating for the drive-thru customers and/or pedestrians and bicyclists.

A Conditional Use Permit and a Design Review Permit for a movable coffee cart with signage to operate next to and utilize the vacant Photomat kiosk was approved in 1994. At the time of the original approval, one of the conditions of approval was that the cart was to be removed from the site and stored in the Fair Anselm Plaza buildings across the site at night.

In 1996 planning and building permits were granted for a more substantial enclosure with new signage around the coffee cart to protect employees from inclement weather because wind and rain were blowing right underneath the original Photomat Kiosk awning. At that time the owners were also supposed to place two planters adjacent to the business to create a safe zone for pedestrians accessing the cart enclosure to obtain coffee. The existing shade structure and outdoor seating (e.g., picnic tables) were never approved by the Town.

On March 20, 2014, the Planning Commission approved a Conditional Use Permit (CUP) and Design Review Permit to allow the construction of a permanent Java Hut building with a public bathroom, an outdoor seating area covered by a trellis and associated landscaping (Attachment B – Originally Approved Plans). The project was approved based on the findings and subject to the conditions listed in the attached Resolution No. 14-10 (Attachment A)

DISCUSSION

The applicant is requesting a modification of the approved CUP and Design Review Permit for the following changes to the project which is near completion:

1. The building height has been decreased 1-foot 9-inches in height from 18-feet to 16-feet 3-inches.
2. The bathroom would be for the use of the employees only with an entrance limited to the interior of the building accessed at the back of the kitchen area and no entrance from the outside.
3. The size of the landscaping area around the outdoor seating area would decrease by 28-square-feet, from 480-square-feet to 452-square-feet.

4. The trellis area would be increased by 4-square-feet from 406-square-feet to 410-square-feet.
5. The windows would be redesigned, eliminating one of the fixed windows on the south side of the building, and decreasing the length of the four order/service windows, 2 on the north side and 2 on the south side of the structure, from 5.5 ft. to 4 ft.
6. The menu boards would be relocated and decreased in number on the north and south sides of the building from 3 to 2, and the menu boards repositioned beneath the fixed windows instead of vertically on either side of the order/service windows.
7. The steel channel canopy with the wood cap that was going to run around the entire building would be eliminated and would be replaced with a steel channel that would run along the portion of the building that has the horizontal siding.
8. The red brick façade approved for the tower feature on the western side of the building would be replaced with gray brick.
9. The horizontal siding color would be changed from tan to a grey stain.
10. The timber benches underneath the trellis would be replaced with metal benches and counters attached to the trellis support posts.
11. The bicycle parking area would be relocated from the north side of the parking lot to the south side immediately adjacent to the nearest driveway entrance.
12. The crosswalk that was approved to access the public bathroom at the rear of the building would be eliminated and a fenced area would be constructed at the west end of the building to house the garbage and recycling cans.

Design Review

In staff's opinion, the proposed changes do not significantly impact the exterior design of the building. The previous design was more articulated with the reddish brick on the "tower" portion of the building and the two different siding types which were stucco painted tan on the upper portion of the building with the horizontal Douglas fir siding on the lower portion. However, the changes still result in a building that complies with the design review criteria contained in Town Code § 17.020.040(A) through (N).

Loss of the Public Restroom

The proposal eliminates the public restroom which was presented to the Planning Commission as one of the benefits to allowing the replacement of the temporary coffee cart with a permanent structure when the project was originally approved. The redesign

and construction eliminating the bathroom occurred without the approval of the Planning Commission or the Department of Planning and Building Services.

The Building Code requires that building either have public restroom facilities or be located within 500-feet of public restroom facilities (Attachment D – Memorandum from the Building Official dated 2/3/17). The applicant proposes directing his customers to the public restrooms within the Good Earth grocery store to meet this requirement (Attachment E – Letter dated 12/5/16 from one of the Good Earth grocery store owners).

Staff is disappointed that the promised public restroom will not be provided. The Building Official has indicated that it was possible to build the bathroom as proposed before the Planning Commission and it is not clear why this construction did not occur as proposed. To go back now and correct this would add significant cost to the project.

A formalized agreement with the Good Earth and, if deemed necessary by the Town Attorney, the property owner, signed by both parties and recorded at the Marin County Recorder's Office, will meet the building code requirement. Staff has included in the Resolution recommending approval of the requested modifications, the condition that a binding agreement to provide access to the Good Earth bathrooms by patrons of the Java Hut be drawn up by the Java Hut's attorney, for review and approval by both the Good Earth's attorney and the Town Attorney. Once approved, the document would be signed by the involved parties and be recorded at the County of Marin Recorder's Office prior to the project final inspection and issuance of the occupancy permit for the building.

If the owners are unable to execute the required agreement, the bathroom would have to be installed as originally proposed or the business will not be able to open until a solution that complies the Uniform Building Code is reviewed and approved by the Planning Commission.

RECOMMENDATION

1. Conduct the public hearing.
2. Move to approve the proposed modifications to the Conditional Use Permit and the Design Review Permit for application 14-06 by adopting Resolution No. 17-09 setting forth the findings and conditions for the approval.

ATTACHMENTS

- Attachment A – Resolution No. 17-09
- Attachment B – application form with project description
- Attachment C – plans approved on March 20, 2016
- Attachment D – March 20, 2016 approval Resolution No. 14-03
- Attachment E – Building Official memorandum dated 2/3/17

- Attachment F- Letter from one owner of the Good Earth indicating their willingness to provide bathroom access for Java Hut patrons
- Attachment G – Originally approved bathroom floor plan and proposed bathroom floor plan

RESOLUTION 17-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF FAIRFAX APPROVING MODIFICATIONS TO APPLICATION NO. 14-06 FOR DEVELOPMENT OF 760 CENTER BOULEVARD (APN # 002-131-13) WITH A PERMANENT STRUCTURE FOR A DRIVE-THROUGH COFFEE SHOP AND TRELLIS COVER OVER AN OUTDOOR SEATING AREA

WHEREAS, on January 25, 2017, Richard Dowd (“Applicant”) submitted an application to modify a previously approved use permit and design review permit, to the Town of Fairfax for the proposed use of 760 Center Boulevard (the “Site”) for a permanent structure for a drive-through coffee shop and outdoor seating area (the “Project”);

WHEREAS, on March 20, 2017, the Town of Fairfax Planning Commission held a duly-noticed public hearing to consider approval of Applicant’s requested modifications to the previously approved use permit and design review permit; and

WHEREAS, at the March 30, 2017, public hearing, the Planning Commission considered a staff report and its exhibits, and heard from the Applicant and the Business Owner, interested members of the public, and staff, and after so doing, indicated their general support of the project and directed staff to prepare a resolution for them to take action on at their March 30, 2017 meeting; and

WHEREAS, as set forth in the staff report prepared for the Planning Commission, the Site bears a General Plan land use designation of ‘Highway Commercial (per Figure LU-1 of the Fairfax 2010-2030 General Plan), and a zoning designation of ‘Highway Commercial; and

WHEREAS, drive-through coffee/food establishments with outdoor seating can be determined to be conditionally permitted uses within the ‘Commercial Highway’ zoning district, per Town Code § 17.096.050(10). In order to approve any conditional use permit, the approving body must be able to find that the proposed development satisfies four criteria set forth in Town Code § 17.032.060; and

WHEREAS, at the conclusion of the March 30, 2017, public hearing, the Planning Commission found that:

1. the findings required by § 17.032.060 of the Town Code to approve a modification to the use permit and design review permit to make modifications

- to the permanent structure for a drive-through coffee kiosk at this location can be made, given the details of the proposed Project;
2. the proposed modifications of the Project conform to applicable portions of the General Plan; and
 3. the proposed modification of the Project will bring the business which has existed in this location since 1994 and contributes to the small town atmosphere of Fairfax, into compliance with health code regulations for serving food and drink while and providing bathroom facilities within 500-ft. of the building for patrons.

NOW, THEREFORE, BE IT HEREBY FOUND AND RESOLVED by the Planning Commission of the Town of Fairfax:

Section 1. Town Code § 17.032.060 sets forth the four findings that must be made in order to grant a requested use permit and the modifications to that use permit and the design review permit. The Commission finds that the findings for the proposed use modifications and design changes can be made as follows:

1. Replacement of the existing temporary kiosk that has no water service with a permanent building that meets health code regulations for having running water and a public bathroom within 500 feet does not constitute a grant of special privilege.
2. The business will continue to operate using its current business plan and will implement parking lot improvements to ensure safe pedestrian, vehicular and pedestrian interactions around the building, within the lot and entering and exiting the site. Therefore, the development and use of property as approved under the use permit shall not cause excessive or unreasonable detriment to adjoining properties or premises, or cause adverse physical or economic effects thereto, or create undue or excessive burdens in the use and enjoyment thereof, or any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit and the proposed use permit modifications.
3. Approval of the modifications to the use permit, which include relocation of the public restroom to the good earth building, relocation of the bicycle parking, reduction in the number and size of the windows, relocation of the menu boards and other minor modifications to the building and trellis structures are not contrary to the General Plan or the goals or standards set forth in the Zoning Ordinance for sites in the Highway Commercial Zone which Town Code § 17.096.010(B) indicates shall be designed to cater to automobile traffic.

4. Approval of the use permit modifications will result in a better development of the premises by allowing permanent improvements for this business that has operated since 1994 from the site. The installation of water service and provision of formal access to nearby bathrooms will eliminate the need for patrons and employees to run across the street for water and to use restroom facilities. Therefore, the proposed use improvements are for the protection or enhancement of the general health, safety or welfare of the community.
5. The proposed building and associated trellis structure creates a well composed design, harmoniously related to other facilities in the immediate area and to the total setting as seen from hills and other key vantage points in the community.
6. The proposed development is of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.
7. Sufficient variety exists in the design of the structures and landscaping to avoid monotony in the external appearance of the project.
8. The parking lot striping and proposed signage shown on the revised plans received by the Town on March 16, 2017 will facilitate the accessibility of off-street parking areas and improve the circulation within the existing parking lot and when entering and existing the site.

Section 2. The Commission likewise determined that it can approve the proposed Project because of its conformance to the General Plan as follows:

1. The permanent building complies with General Plan Land Use Goal LU-7 by enabling this business that has operated from this location for going on twenty years to continue to operate, preserving the community and neighborhood character of this section of Center Boulevard.
2. The design of the new building and trellis will minimize the buildings visual mass in conformance with General Plan Land Use Policy LU-1.2.3.
3. The provision of nearby bicycle racks meets the intent of General Plan Circulation Goal C-5 by adding to the circulation network bicycle improvements and by doing so will encourage more bicyclists to patronize the business rather than vehicles.
4. Building signage shall include notices for vehicle traveling both directions to turn off their engines while waiting to minimize air quality impacts in conformance with General Plan Conservation Policy CON-2.1.2.

Section 3. WHEREAS, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. This approval is limited to the development illustrated on the plans prepared by Rich Dowd, RD Architecture and stamped received on March 16, 2017 by the Town, pages A1.01 through A1.05.
2. Prior to the final inspection of the project and issuance of the occupancy permit for the building the applicant or his assigns shall:
 - i. Have the on-site landscaping and irrigation reviewed and approved by the Planning Department.
 - ii. Submit a bond, letter of credit or other approved surety to the Town in an amount that will cover the cost of landscaping and irrigation materials and installation. The amount shall be retained for 18 months after issuance of the Certificate of Occupancy and/or final inspection of the landscaping.
 - iii. Secure written approval from the Ross Valley Fire Authority noting the developments conformance with their recommendations.
3. During the completion of the construction process and installation of the landscaping and irrigation all construction related vehicles including equipment delivery, cement trucks and construction materials shall be situated off the travel lane of the adjacent public right(s)-of-way at all times. This condition may be waived by the building official on a case by case basis with prior notification from the project sponsor.
4. Prior to issuance of an occupancy permit the Department of Planning and Building Services, Marin County Health Department, Ross Valley Fire Department, Marin Municipal Water District and Ross Valley Sanitary District shall field check the completed project and submit written certification to the Building Department that the project has been installed in compliance with agency specifications and the approved project plans.
5. The roadways and parking lot shall be kept clean and the site free of dust by watering down the site or sweeping the roadway daily, if necessary.
6. During construction developer and all employees, contractors and subcontractors must comply with all requirements set forth in Ordinance # 637 (Chapter 8.32 of the Town Code), "Urban Runoff Pollution Prevention".
7. Notwithstanding section # 17.072.050 of the Fairfax Zoning Ordinance, any changes, modifications, additions or alterations made to the approved set of plans will require a modification of this application by the Planning Commission. **Any construction based**

on job plans that have been altered without the benefit of an approved modification will result in the job being immediately stopped and red tagged.

8. Any damages to the roadways accessing the site resulting from construction activities shall be the responsibility of the property owner.

9. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director, Design Review Board or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.

10. Heavy construction truck trips should be restricted to non-peak traffic hours (10:00 AM through 3:00 PM).

11. The business shall obtain garbage service.

12. The applicants shall maintain the premises in a neat and attractive manner at all times. Such maintenance shall include, but not be limited to, exterior building materials, signage, windows, the planters, the ground and the pavement surfaces.

13. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act.

14. Any changes made to the exterior of the building, not shown on the plans listed in condition 1 above, including but not limited to new lighting, new signs, planters, etc, must

comply with the design review regulations of the Town Code, Chapter 17.020, and be approved by the Fairfax Planning Commission when required.

16. The parking lot, entrance, exit and bike lane signage and striping shall be subject to a final review and approval by the Town Traffic Engineer and shall be installed prior to the project final inspection.

Section 4. Based on the foregoing, the Planning Commission does approve Application the modification depicted in the revised plans by Rich Dowd, stamped received by the Town of Fairfax on March 16, 2017 for Application No. 14-03 in its entirety.

The foregoing Resolution was adopted at a regular meeting of the Planning Commission of the Town of Fairfax held in said Town on the 30th day of March, 2017, by the following vote, to wit:

AYES:
NOES:
ABSENT:

Norma Fragoso, Chair

Attest: _____
Linda Neal, Principal Planner

Date

PROJECT DESCRIPTION: RESUBMITTAL ON PREVIOUSLY APPROVED PROJECT. PROPOSED REVISIONS INCLUDE MAKING THE BATHROOM STAFF ONLY, REDUCE EXTENT OF STEEL CANOPIES, INCORPORATE A FENCE FOR TRASH STORAGE, AND UPDATE EXTERIOR FINISHES FOR SIDING COLOR, TRELLIS COVER, & GENERAL INFORMATION (if applicable): STONE COLOR AND FINISH.

Item	Existing	Proposed
Lot size	114,229 SF	114,229 SF
Size of structure(s) or commercial space (square feet)	N.A.	320 SF
Height and No. of stories	1 STORY 12'-9"	1 STORY - 16'-3"
Lot coverage	0.2 %	0.2 %
No. of dwellings units	N.A.	N.A.
Parking ¹ No. of spaces		
Size of spaces	STANDARD PARKING	STANDARD PARKING

Amount of proposed excavation and fill	Excavation =	Fill =
----------------------------------------	--------------	--------

Estimated cost of construction \$ 125,000

Lot Coverage is defined as the land area covered by all buildings and improvements with a finished height above grade and all impervious surfaces except driveways.

¹Minimum parking dimensions are 9' wide by 19' long by 7' high. Do not count parking spaces that do not meet the minimum standards.

Restrictions: Are there any deed restrictions, easements, etc. that affect the property, and, if so, what are they? NONE KNOWN

Signature of Property Owner

Richard Dowd
Signature of Applicant

Date

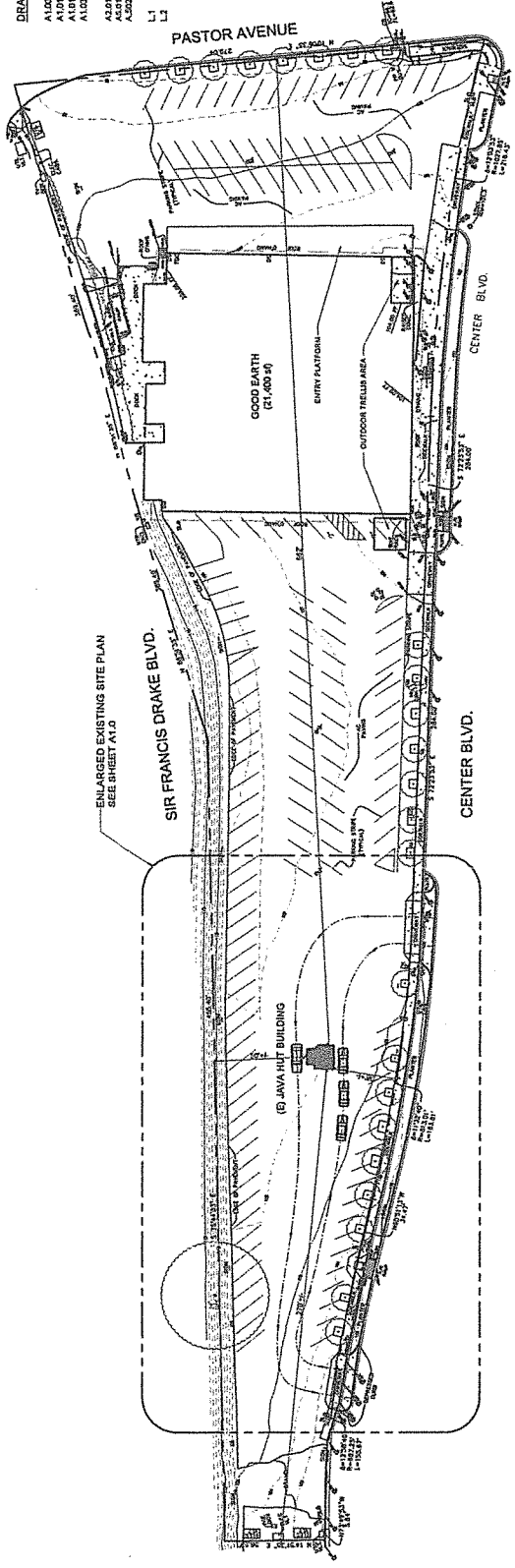
7.1.12.2017
Date

Planning Department staff is available by appointment between 8:30 a.m. and 12:00 noon and 1:00 p.m. and 5:00 p.m. Monday through Thursday at 142 Bolinas Road, Fairfax, CA. (415) 453-1584

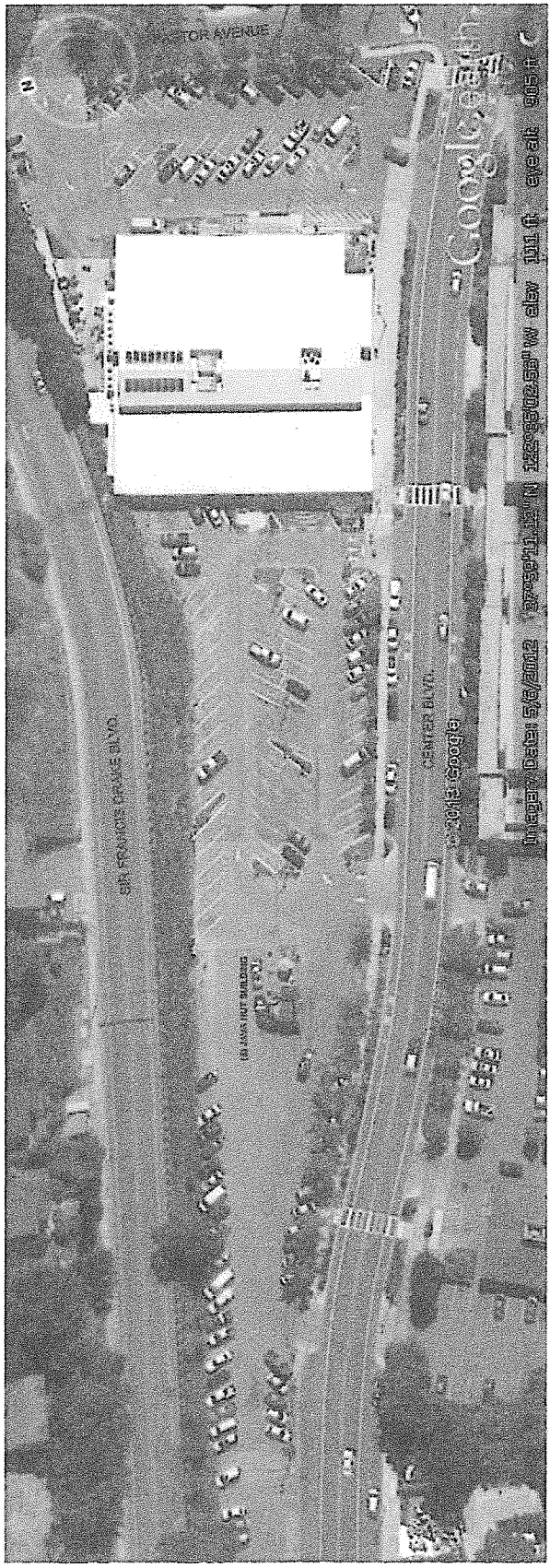
JAVA HUT
760 Center Blvd.
Folsom, CA 94530
APR. 000-00-000

RD ARCHITECTURE
RD ARCHITECTURE
1000 UNIVERSITY AVENUE, SUITE 100
BERKELEY, CA 94702
TEL: 415.863.1000
WWW.RDARCHITECTURE.COM

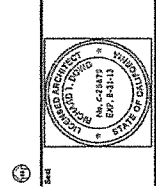
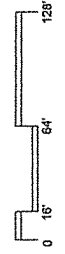
- DRAWING INDEX**
- A1.00 SITE MAP
 - A1.01 ENLARGED EXISTING SITE PLAN
 - A1.02 ENLARGED EXISTING SITE PLAN
 - A1.03 ENLARGED EXISTING SITE PLAN
 - A1.04 ELEVATION
 - A1.05 PROPOSED PLAN
 - A1.06 PROPOSED PLAN
 - A1.07 PROPOSED ELEVATIONS
 - A1.08 SCHEMATIC LANDSCAPE PLAN
 - A1.09 PLANT MATERIALS IMAGERY



2 EXISTING SITE PLAN
SCALE: 1/32" = 1'-0"
SITE AREA: 114,229 sf



1 SITE MAP
SCALE: 1/32" = 1'-0"
Image Date: 5/8/2012 12:55:02.55" W elev: 111 ft eye alt: 905 ft



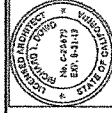
Project No.	000-00-000
Project Name	JAVA HUT
Project Location	760 CENTER BLVD., FOLSOM, CA 94530
Project Date	APRIL 2012
Project Status	PLANNING SUBMITTAL
Project Designer	RD ARCHITECTURE
Project Engineer	
Project Architect	
Project Planner	
Project Surveyor	
Project Geotechnical Engineer	
Project Environmental Engineer	
Project Traffic Engineer	
Project Civil Engineer	
Project Mechanical Engineer	
Project Electrical Engineer	
Project Structural Engineer	
Project Landscape Architect	
Project Interior Designer	
Project Other	

SITE MAP
EXISTING SITE PLAN
SCALE: 1/32" = 1'-0"
DATE: 5/8/2012 12:55:02.55"
ELEVATION: 111 FT
EYE ALTITUDE: 905 FT
A1.00
PLANNING SUBMITTAL

JAVA HUT
760 Center Blvd.
Fairfax, CA 94930
APR. 000-00-000

RD ARCHITECTURE
ARCHITECTURE

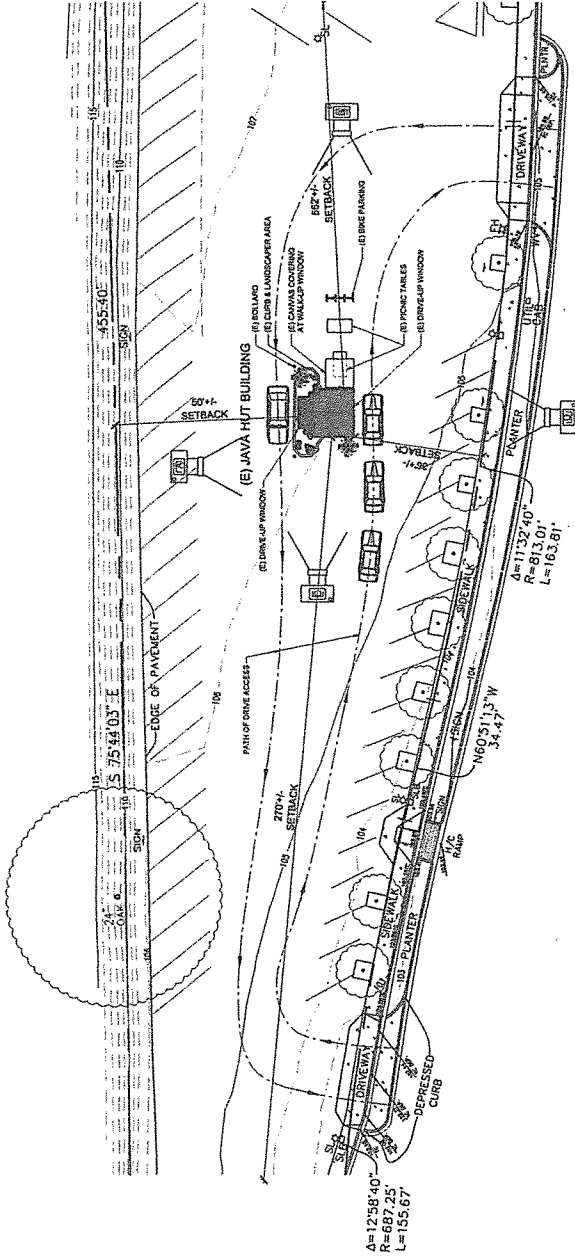
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1000 10TH ST
FAIRFAX, CA 94930
C. 415.324.2442
WWW.RDARCHITECTURE.COM
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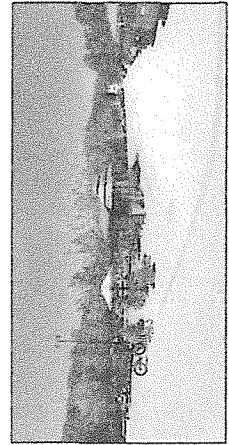
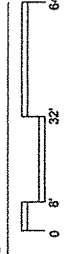
DATE: 7/10/2013
1 PLANNING SUBMITTAL

PROJECT: EXISTING SITE PLAN
SCALE: 1/16" = 1'-0"
DRAWING NUMBER: A1.01

A1.01
PLANNING SUBMITTAL



1 EXISTING SITE PLAN
SCALE: 1/16" = 1'-0"

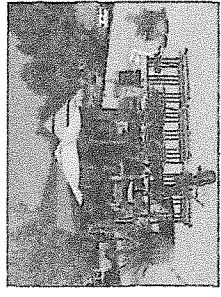


PANO FROM NORTH-EAST

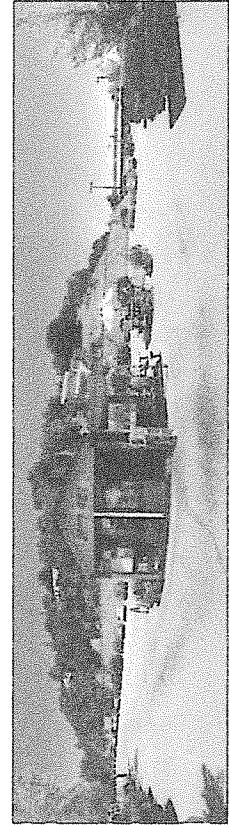


A. North Elevation

PANO FROM SOUTH-EAST



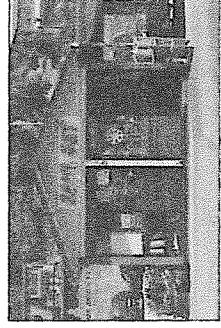
B. East Elevation



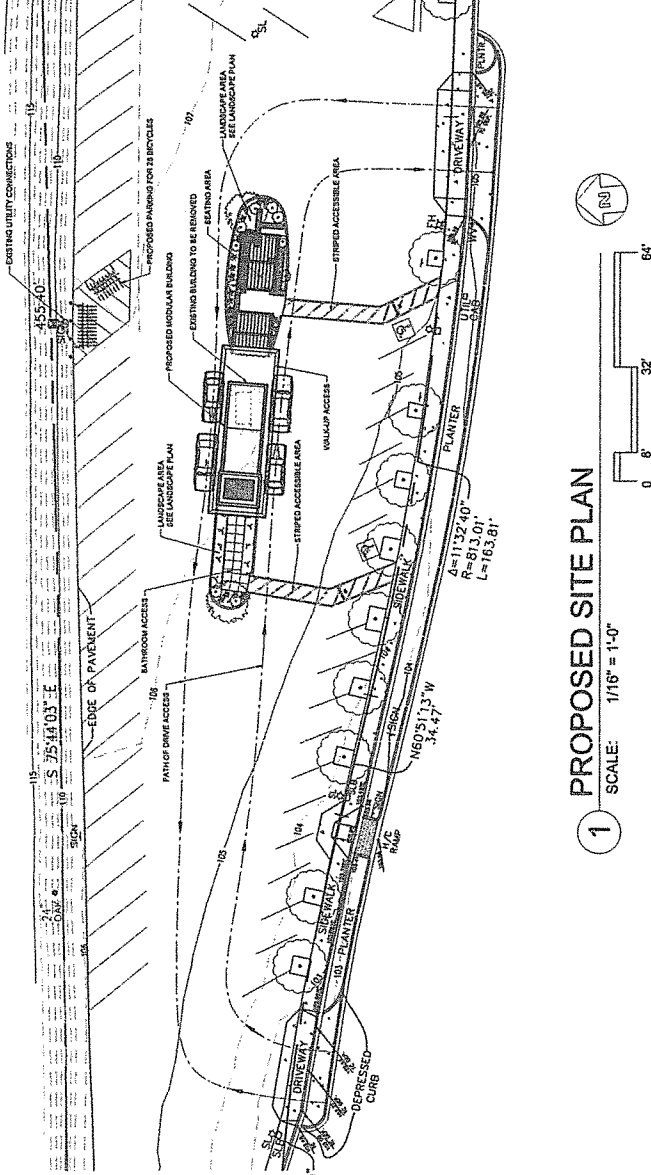
PANO FROM SOUTH-WEST



C. West Elevation



D. South Elevation



1 PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"

Project Description

The Java Hut coffee shop project proposes the removal of the existing structure and existing site landscaping features including the canopy roof and the existing structure with a prefabricated modular unit specifically built as a drive up coffee facility. The prefabricated unit improvements will also include the installation of an on-site ADA accessible bathroom within the prefabricated building and a new utility structure connected to the new canopy roof as on the site plan. The new utility structure will be located on the site and will provide a clear defined planting area bordered by a new curb. These proposed improvements will create a unified and aesthetically pleasing landscape building that will be commensurate with the surrounding area and provide a new look to the site. The improvements will also include the installation of a new sanitary sewer service where none had been previously provided, providing new water service where none had been previously provided, upgrading the existing electrical service, and installing new telephones and internet service.

Background

The Java Hut has been in business at this location for sixteen years, operating in the corner of the Java Hut, the Corner Lines in town and supports several local and other organizations including the Bruce Bennett Bike Team and local school teams. He gives generally to local school events at Erbeside, Moore and St. Rita's and donates to them. The Java Hut has also participated in and supported the local community. The Java Hut is committed to supporting people, their families and a lot of others in the community.

The existing building the Java Hut inhabits is a 1952 square foot building with no water service and no sewer service. The building is in poor condition and the condition is poor overall. The building is not up to code and does not meet current building codes. The replacement of this tiny building with a 300 square foot, prefabricated building to be placed on site and bonded up to water and utilities, is a natural upgrade for an established business and benefit to the community. The renovations will greatly improve the business and enhance its presence within the entry to Fairfax's eastside.

Project Data

Below please find the specifications on the existing building and services at the site on the proposed building and services. It is our assertion that the proposed building will be a higher standard than the existing building and will be bringing the building up to a higher standard than the existing building on one weekday and one weekend on a drop shot of current condition.

1. Existing Seating - "Ready"
 - a. Drive up: See Traffic Analysis info from Ken Anderson
 - b. Walk up: 120
 - c. Seating: 88
2. Existing Seating - Weekend (Saturday)
 - a. Drive up: See Traffic Analysis info from Ken Anderson
 - b. Walk up: 120
 - c. Seating: 88
3. Existing Bike Count
 - a. Weekday: approx. 20+ / day
 - b. Weekend: approx. 50+ / day
4. Existing Bike Rack Capacity: 20
5. Proposed Bike Rack Capacity: 20
6. Existing Seating Capacity: 20
7. Proposed Seating Capacity: 24
8. Existing and Proposed Menu:
 - a. Hot & Cold coffee/tea drinks
 - b. Cold smoothies
 - c. Baked goods and pastries
 - d. Pre-made breakfast Sandwiches & Burritos
 - e. Prepared for Cream Bars and Soft Ice Cream

Zoning Regulation Table

Item	Existing	Proposed
1. Zoning	Central Commercial	Central Commercial
2. Lot Area	114,230 SF	114,230 SF
3. Sign Requirements	NA	NA
4. Sign Characteristics	200 SF	320 SF
5. Barabanks	NA	NA
6. Height	20' 0" +/-	20' 0" +/-
7. Parking	1 Required	2 Required
8. Approximate Change	NA	2010 CBC
9. Building Occupancy	NA	Types V, B
10. Building Occupancy	NA	B
11. Signatures Required	NA	Yes*

Existing Server Activity

The existing building has 2 drive-up windows, 1 walk up window and 1 espresso machine. Two baristas run the espresso machine (1 walk up window and 1 espresso machine). Two baristas run the espresso machine (1 walk up window and 1 espresso machine). Two baristas run the espresso machine (1 walk up window and 1 espresso machine).

Proposed Server Activity

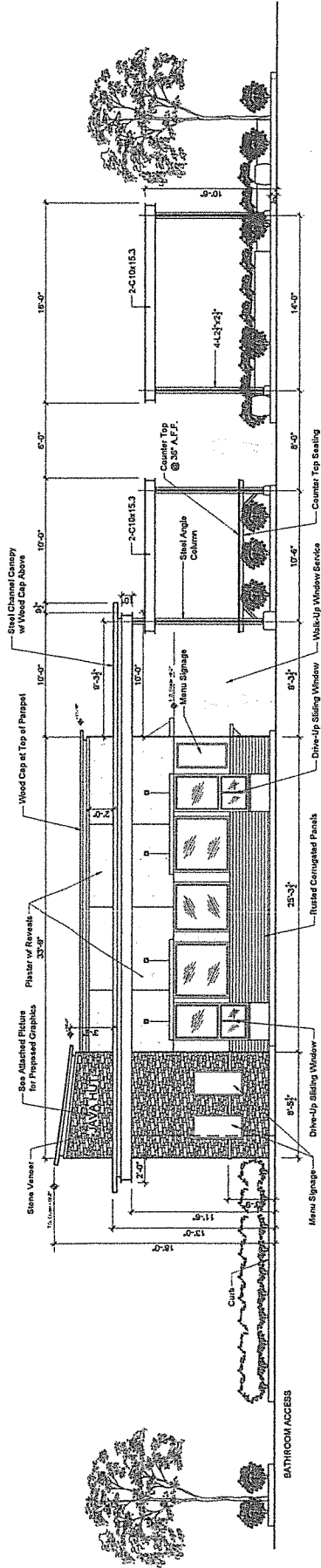
The new building will have 4 drive-up windows, 1 walk up services window, and two espresso machines. Two baristas will run the two espresso machines. Two baristas will run the espresso machine (1 walk up window and 1 espresso machine). Two baristas will run the espresso machine (1 walk up window and 1 espresso machine).

Conclusion

The proposed building replacement is being undertaken to improve on existing building that has been operating in a substandard location. The business has been serving the local community for a long time and the proposed building will be a higher standard than the existing building and will be bringing the building up to a higher standard than the existing building on one weekday and one weekend on a drop shot of current condition.

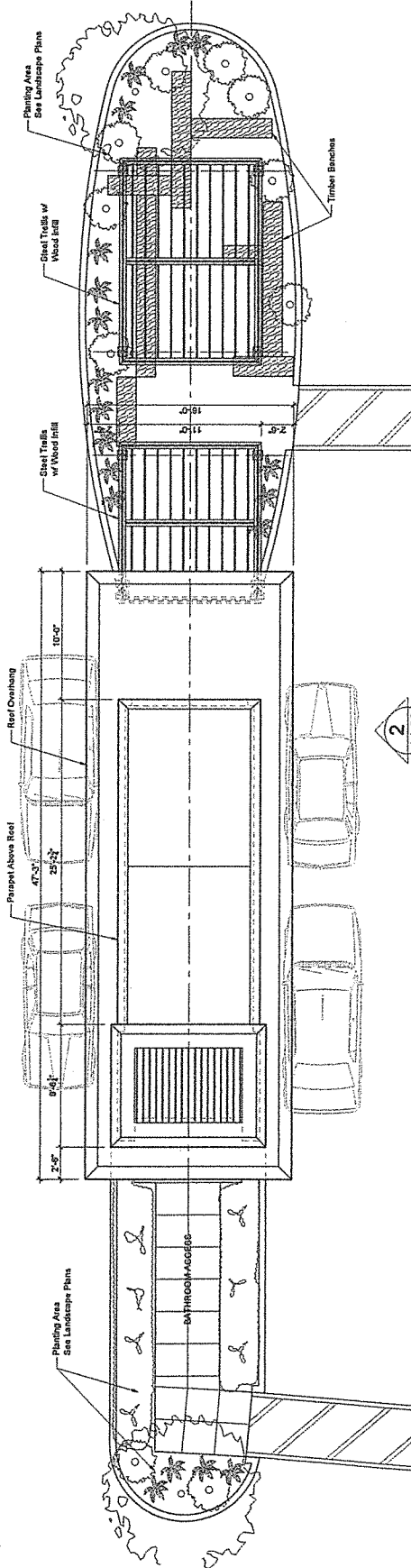
JAVA HUT
760 Center Blvd.
Folsom, CA 95630
APH: 000-00-000

RD ARCHITECTURE
ARCHITECTS AND INTERIORS
RD ARCHITECTURE
27 CENTER BLVD
FOLSOM, CA 95630
PH: 916.243.4131
ARCHITECTURE@RDARCHITECTURE.COM
RDARCHITECTURE.COM



2 PROPOSED OVERALL SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



1 PROPOSED OVERALL SITE PLAN

SCALE: 1/4" = 1'-0"

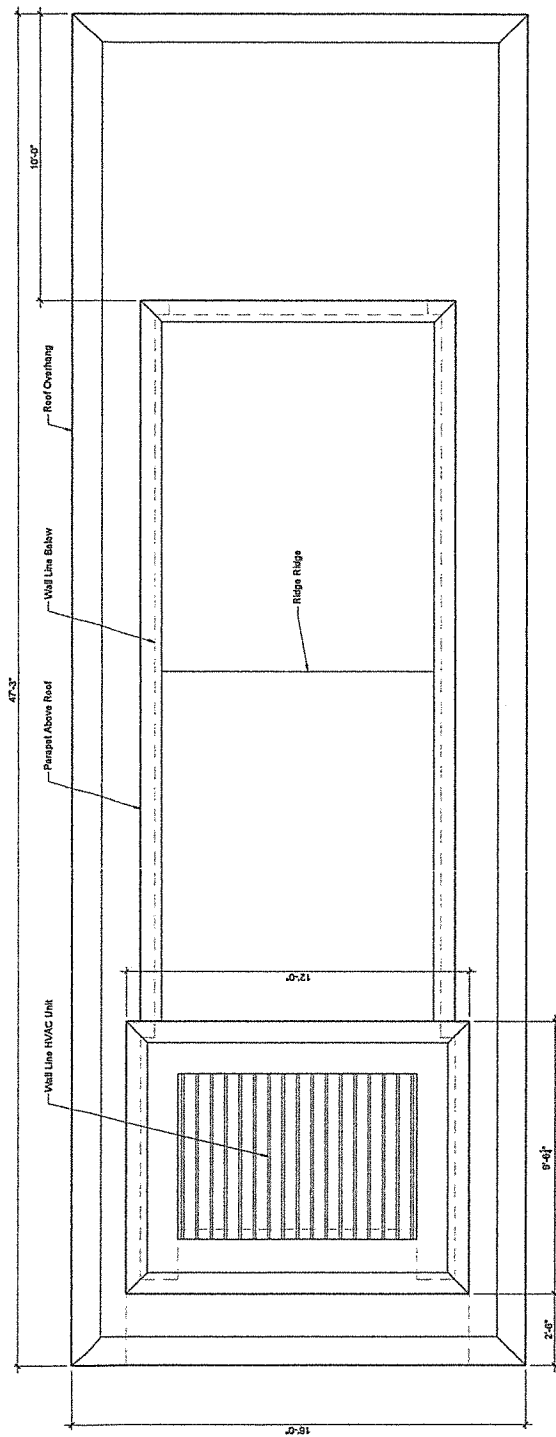


Project No. _____
Date _____
1 PLANNING SUBMITTAL 7.10.2013

PROPOSED COMPLETE
ROOF PLAN & ELEVATION
SCALE: 1/4" = 1'-0"
RD ARCHITECTURE
27 CENTER BLVD
FOLSOM, CA 95630
PH: 916.243.4131

A1.03

PLANNING SUBMITTAL

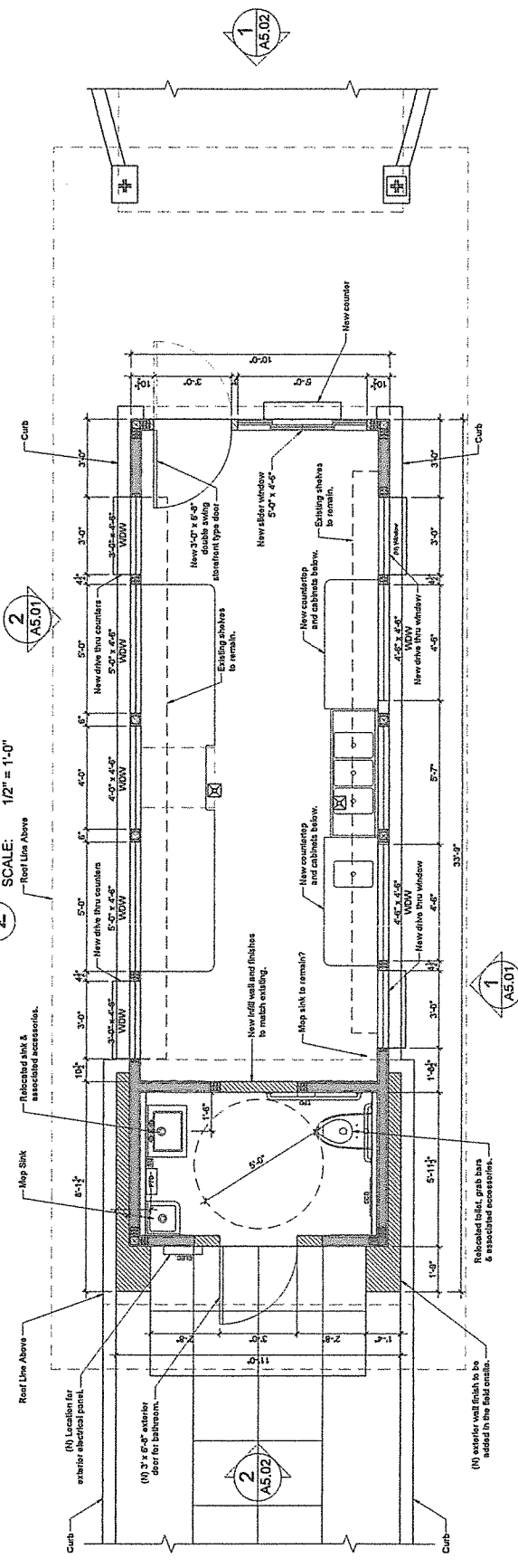


JAVA HUT
 760 Center Blvd.
 Palmdale, CA 94300
 A/E/C: 000-00-000

RD ARCHITECTURE
 ARCHITECTS
 RD ARCHITECTURE
 27200 WOOD
 CIRCLE ROAD
 CANTON, CA 95721
 C: 916.234.2441
 F: 916.234.2442
 www.rdarchitect.com
 11/18/2018 10:11 AM
 11/18/2018 10:11 AM

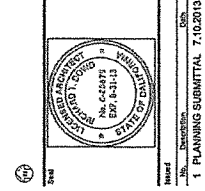
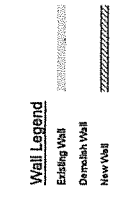
PROPOSED ROOF PLAN

2 SCALE: 1/2" = 1'-0"



PROPOSED PLAN

1 SCALE: 1/2" = 1'-0"



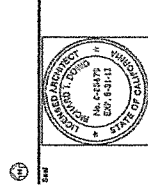
Sheet No. **1**
 Date: 11/18/2018
 Project: **1** PLANNING SUBMITTAL 7.10.2018

PROPOSED PLAN & ROOF PLAN
 SCALE: 1/2" = 1'-0"
 Drawing Number: **A2.01**
 PLANNING SUBMITTAL

JAVA HUT
 760 Center Blvd.
 Redding, CA 96001
 A/P# 000-00-000

RD ARCHITECTURE
 ARCHITECTS
 2000 10th St.
 Redding, CA 96001
 P: 530.242.4741
 F: 530.242.4742
 www.rdarchitecture.com

7/1/17

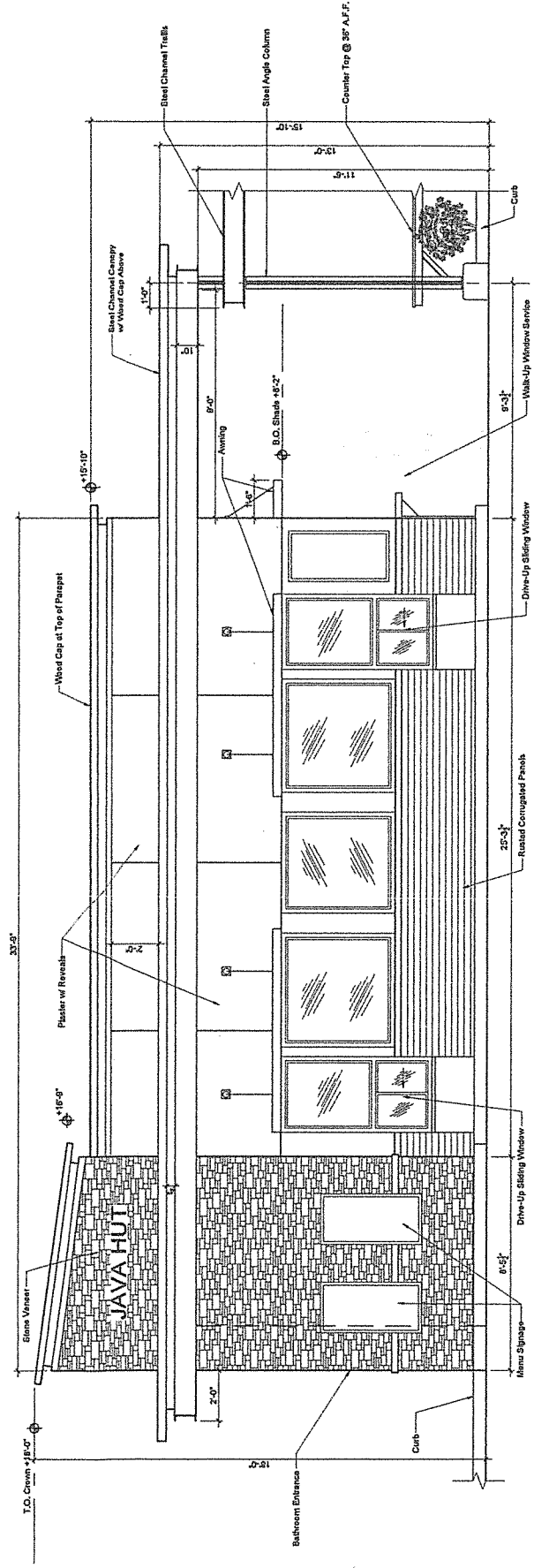


Project No.	20170001
Date	7/1/17
1	PLANNING SUBMITTAL 7.10.2015
Client	
Architect	
Engineer	
Designer	
Checker	
Approver	

PROPOSED ELEVATIONS

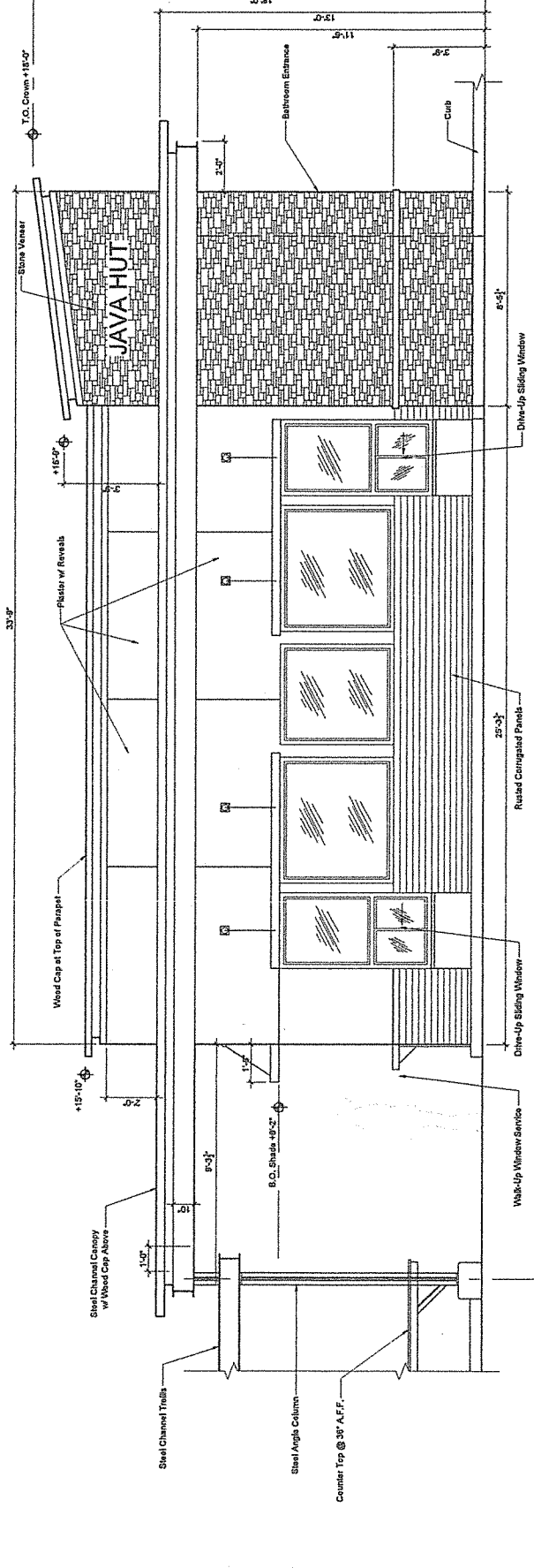
SCALE: 1/2" = 1'-0"

A5.01
 PLANNING SUBMITTAL



2 SOUTH ELEVATION

SCALE: 1/2" = 1'-0"



1 NORTH ELEVATION

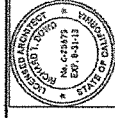
SCALE: 1/2" = 1'-0"

JAVA HUT
760 Center Blvd.
Folsom, CA 95630
APR: 600-96-000

RD ARCHITECTURE
ARCHITECTS INC. (INCORPORATED)
RD ARCHITECTURE

3000 W. 14th Ave.
Berkeley, CA 94710
P: (415) 841-2174
F: (415) 841-2175
RDARCHITECTURE.COM

10/1/16



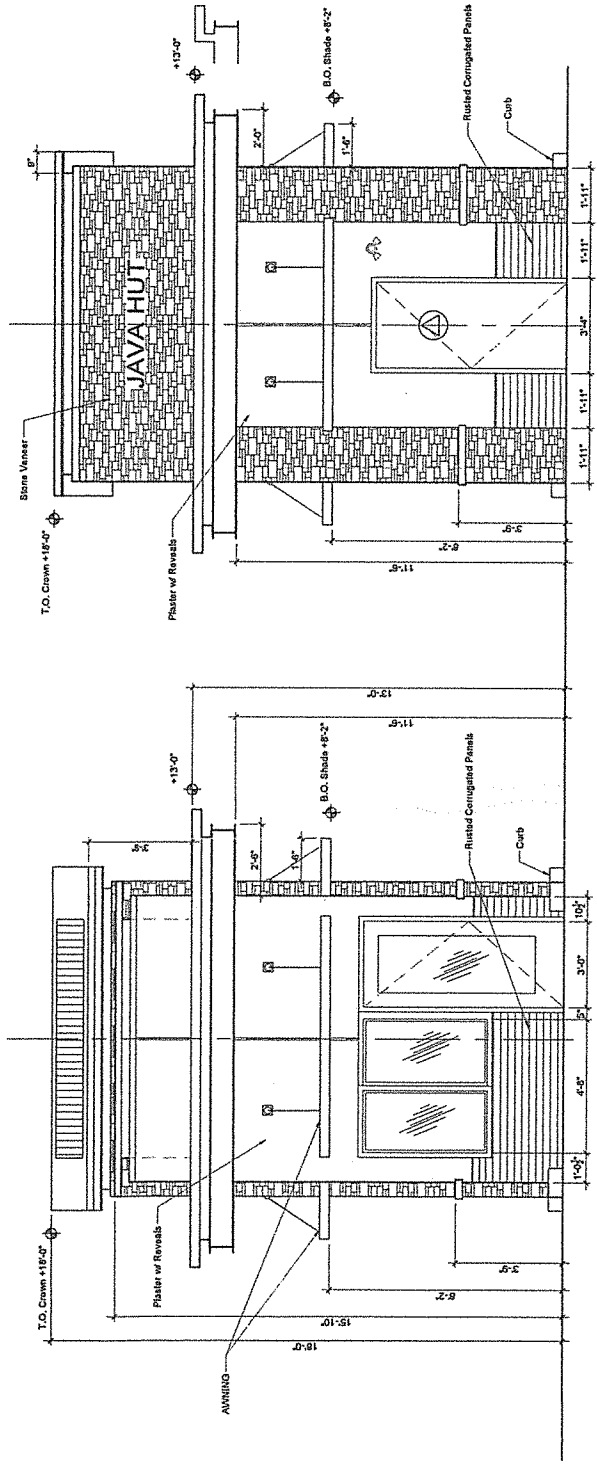
Project No.	00000000	Date	
Revision	1	PLANNING SUBMITTAL	7.10.2013
Author			
Checker			
Project Name			
Project Location			
Project Code			

PROPOSED ELEVATIONS

SCALE: 1/2" = 1'-0"
Drawing Number

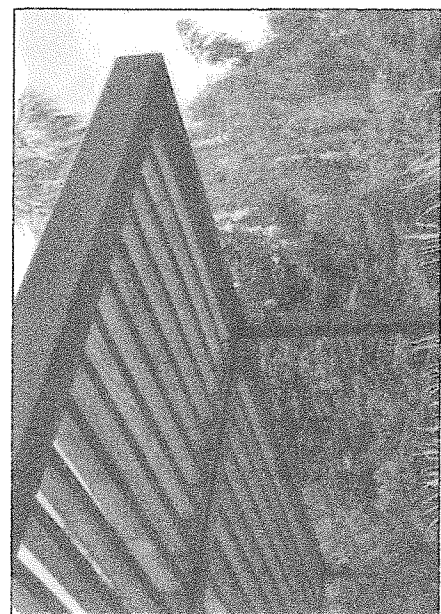
A5.02

PLANNING SUBMITTAL

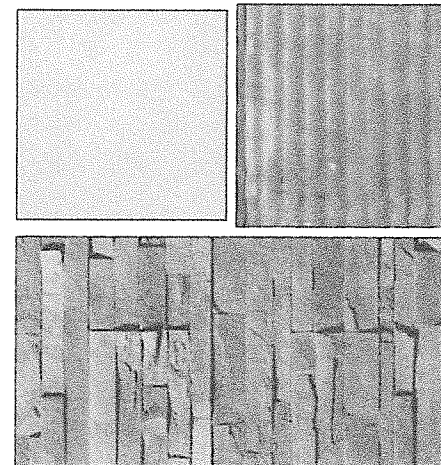


2 WEST ELEVATION
SCALE: 1/2" = 1'-0"

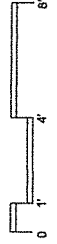
1 EAST ELEVATION
SCALE: 1/2" = 1'-0"



STEEL & WOOD TRELLIS IMAGERY



PROPOSED MATERIALS & FINISHES

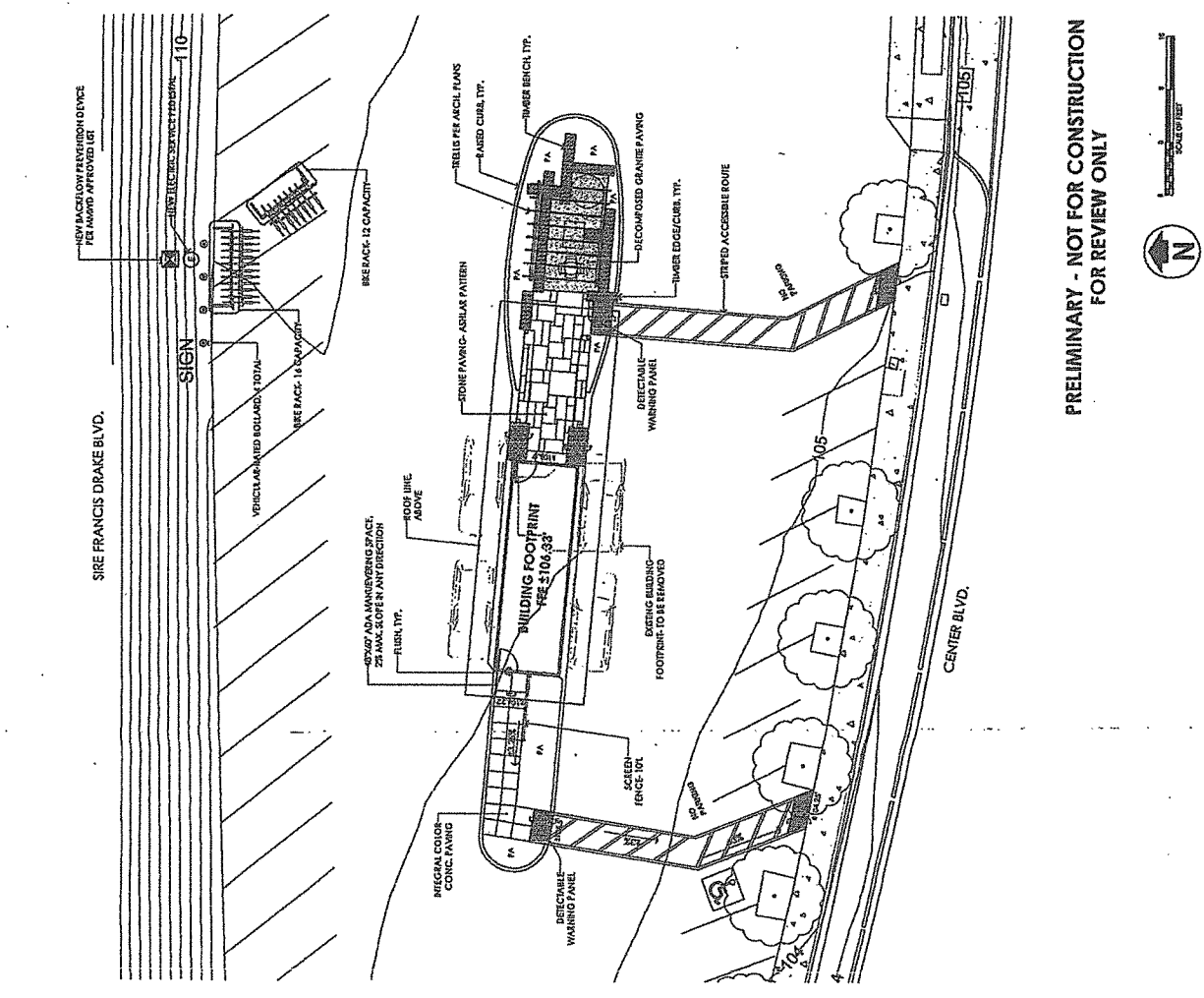


FAIRFAX, CA
 160 CENTER BLVD.
 JAVA HUT
 APN: 002-131-13
 CONSULTANT
 ROTH LANDSCAPE ARCHITECTS
 1515 14TH AVENUE
 SUITE 200
 FAIRFAX, CA 94533

SCHEMATIC PLAN
 DATE: 01/17/12
 DRAWN BY: JH/LL/12027/MS

NO. DATE REV. NOTES
 NO. DATE REV. NOTES
 DATE: 4/29/12
 SCALE: AS SHOWN
 DRAWING BY: JH/LL/12027/MS
 CHECKED BY: JH/LL/12027/MS

L1.0



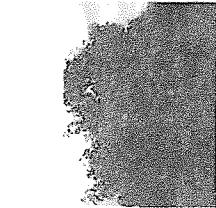
PRELIMINARY - NOT FOR CONSTRUCTION
 FOR REVIEW ONLY

JAVA HUT - FAIRFAX

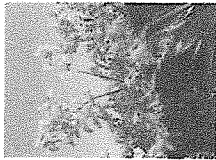
Landscape and Plant Materials Imagery

May 3, 2012

TREES

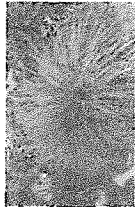


Diopyros kold
Pestimmon Tree

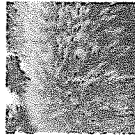


Diopyros kold
Pestimmon Tree

GRASSES



Helictotrichon sempervirens 'Sapphire'
Blue Oat Grass



Miscanthus sinensis 'Takushima Dwarf'
Dwarf Maiden Grass



Miscanthus sinensis
Maiden Grass

VINES

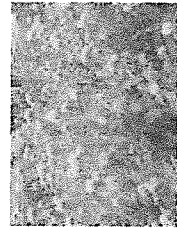


Lonchocarpus bibranchiata
Burmese Honeycucule



Solanum jasminoides 'Album'
White Palapa Vine

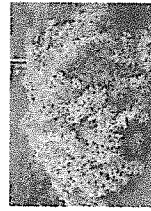
PERENNIALS



Phlox



Anigazanthus
Kangaroo Paw



Weigela florida 'Minuet'
Minuet Weigela



Verbena bonariensis
Tall Verbena

ORNAMENTAL SHRUBS



Rosmarinus officinalis 'Tuscan Blue'
Rosemary Shrub



Callunx cogcygia 'Royal Purple'
Snake Bush



Phormium 'Duet'
Flax

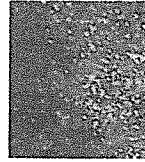


Euphorbia characias 'Wulfenii'
Euphorbia

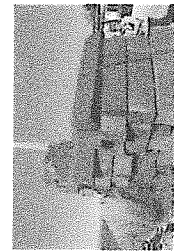
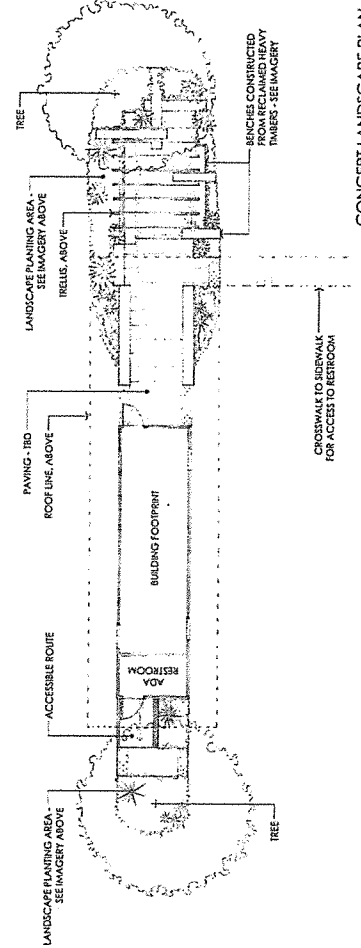
GROUNDCOVERS



Fragaria chiloensis
Ornamental Strawberry



Eragrostis karwinskianus
Feabane



Reclaimed Heavy Timbers

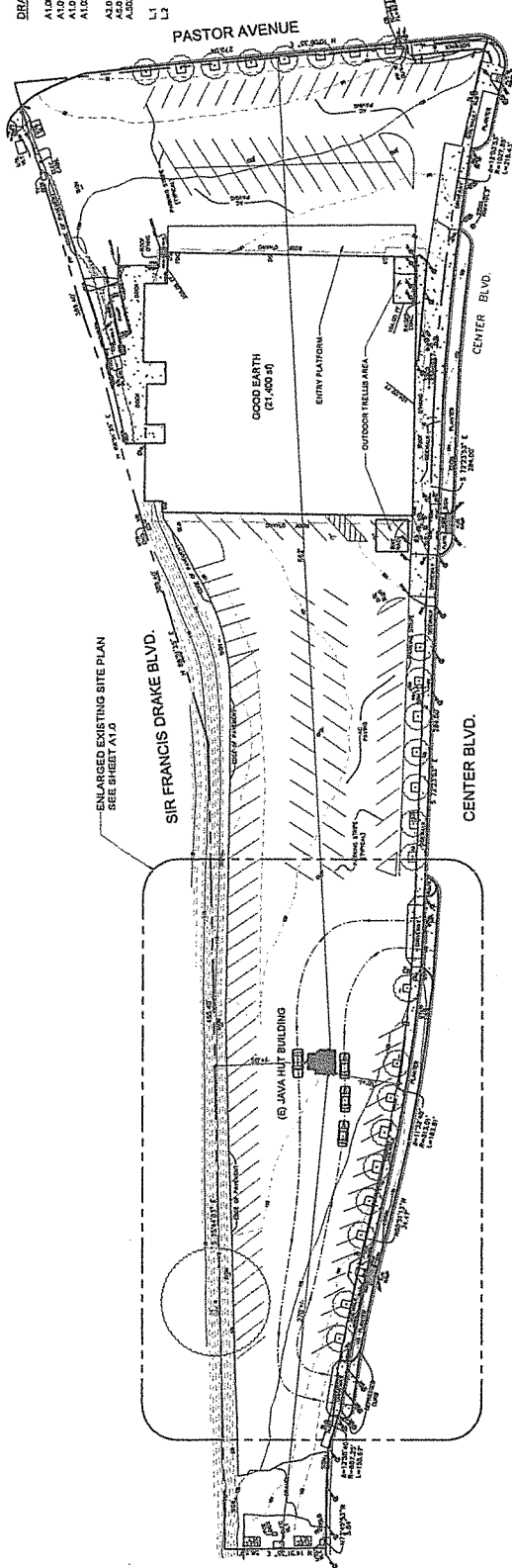


Mixed Cypress or Eucalyptus

Roth LaMotte
Landscape Architecture

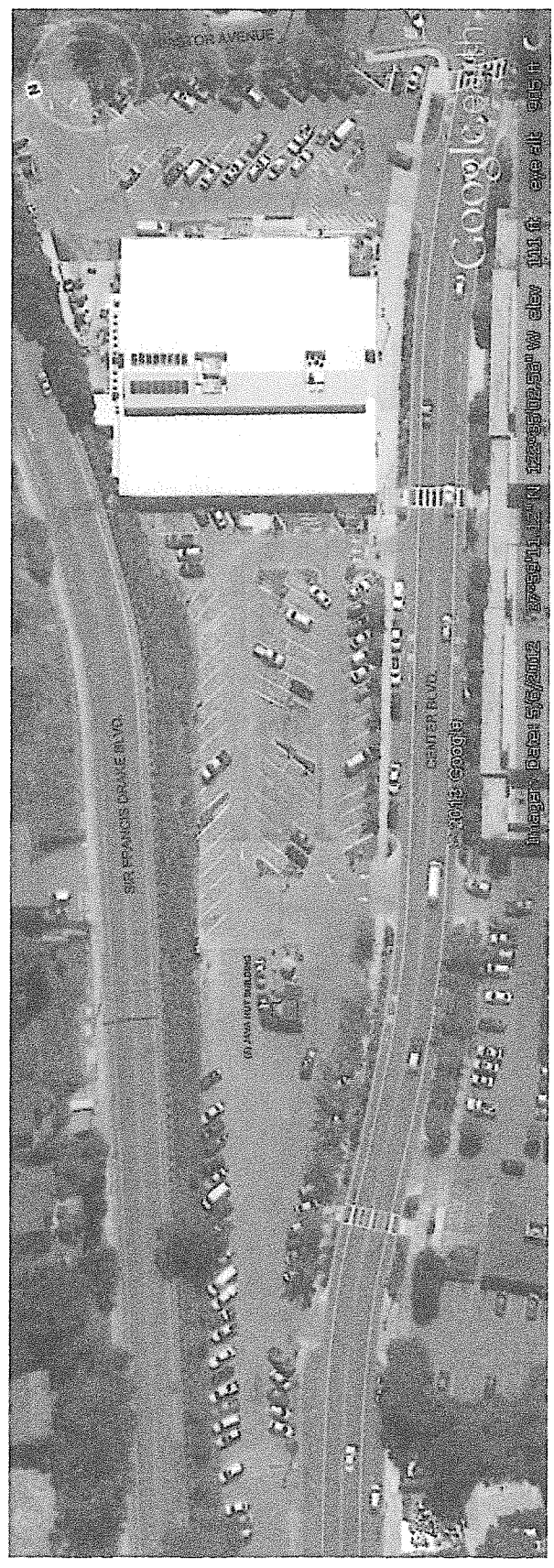
DRAWINGS INDEX

- A1.00 SITE MAP
- A1.01 EXISTING ENLARGED SITE PLAN
- A1.02 PROPOSED ENLARGED SITE PLAN
- A1.03 ENLARGED COMPLETE PLAN
- A2.01 PROPOSED PLAN
- A2.02 PROPOSED ELEVATIONS
- A3.01 EXISTING LANDSCAPE PLAN
- A3.02 PROPOSED LANDSCAPE PLAN
- A3.03 PLANT MATERIALS MAJORITY



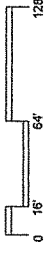
2 EXISTING SITE PLAN

SCALE: 1/32" = 1'-0" SITE AREA: 114,229 sq



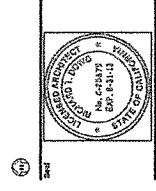
1 SITE MAP

SCALE: 1/32" = 1'-0"



JAVA HUT
760 Center Blvd.
Folsom, CA 94530
APR: 000-00-000

RD ARCHITECTURE
ARCHITECTURAL FIRM
2700 CENTER BLVD.
FOLSOM, CA 94530
TEL: 916.243.8111
WWW.RDARCHITECTURE.COM



DATE: 7.10.2013
1 PLANNING SUBMITTAL

SITE MAP
EXISTING SITE PLAN

SCALE: 1/32" = 1'-0"
DATE: 7.10.2013

A1.00

PLANNING SUBMITTAL

RESOLUTION 14-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF FAIRFAX APPROVING APPLICATION NO. 14-06 FOR DEVELOPMENT OF 760 CENTER BOULEVARD (APN # 002-131-13) WITH A PERMANENT STRUCTURE FOR A DRIVE-THROUGH COFFEE SHOP AND TRELLIS COVER OVER AN OUTDOOR SEATING AREA

WHEREAS, on July 11, 2013, Richard Dowd ("Applicant") submitted an application for a use permit, design review and a sign permit, to the Town of Fairfax for the proposed use of 760 Center Boulevard (the "Site") for a permanent structure for a drive-through coffee shop and outdoor seating area (the "Project");

WHEREAS, on February 20, 2014, the Town of Fairfax Planning Commission held a duly-noticed public hearing to consider approval of Applicant's requested use permit (design review, and sign permit; and

WHEREAS, at the February 20, 2014, public hearing, the Planning Commission considered a staff report and its exhibits, and heard from the Applicant and the Business Owner, interested members of the public, and staff, and after so doing, indicated their general support of the project and directed staff to prepare a resolution for them to take action on at their March 20, 2014 meeting; and

WHEREAS, as set forth in the staff reports prepared for the Town Council, the Site bears a General Plan land use designation of 'Central Commercial' (per Figure LU-1 of the Fairfax 2010-2030 General Plan), and a zoning designation of 'Highway Commercial because the Town Zoning Ordinance (found at Title 17 of the Town Code of Fairfax) has not been amended to conform to the newly-adopted General Plan, and the Site is currently zoned as 'Commercial Highway;' and

WHEREAS, drive-through coffee/food establishments with outdoor seating can be determined to be conditionally permitted uses within the 'Commercial Highway' zoning district, per Town Code § 17.096.050(10). In order to approve any conditional use permit, the approving body must be able to find that the proposed development satisfies four criteria set forth in Town Code § 17.032.060; and

WHEREAS, at the conclusion of the March 20, 2014, public hearing, the Planning Commission found that:

1. the findings required by § 17.032.060 of the Town Code to approve a use permit for a permanent structure for a drive-through coffee kiosk at this location can be made, given the details of the proposed Project;
2. the proposed Project conforms to applicable portions of the General Plan; and
3. the proposed Project will bring the business which has existed in this location since 1994 and contributes to the small town atmosphere of Fairfax, into compliance with health code regulations for serving food and drink while also providing on-site bathroom facilities for patrons; and

NOW, THEREFORE, BE IT HEREBY FOUND AND RESOLVED by the Planning Commission of the Town of Fairfax:

Section 1. Town Code § 17.032.060 sets forth the four findings that must be made in order to grant a requested use permit. The Commission finds that the findings for the proposed use can be made as follows:

1. Replacement of the existing temporary kiosk that has no water service with a permanent building that meets health code regulations for having running water and on-site bathrooms does not constitute a grant of special privilege.
2. The business will continue to operate using its current business plan and will implement parking lot improvements to ensure safe pedestrian, vehicular and pedestrian interactions around the building, within the lot and entering and exiting the site. Therefore, the development and use of property as approved under the use permit shall not cause excessive or unreasonable detriment to adjoining properties or premises, or cause adverse physical or economic effects thereto, or create undue or excessive burdens in the use and enjoyment thereof, or any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit.
3. Approval of the use permit, which includes bicycle parking and outdoor seating for bicycling, driving and pedestrian patrons to consume beverages on site safely, is not contrary to the General Plan or the goals or standards set forth in the Zoning Ordinance for sites in the Highway Commercial Zone which Town Code § 17.096.010(B) indicates shall be designed to cater to automobile traffic.
4. Approval of the use permit will result in a better development of the premises by allowing permanent improvements for this business that has operated since 1994 from the site. The installation of water service and on site bathrooms will eliminate the need for patrons and employees to run across the street for water and to use restroom facilities. Therefore, the proposed use improvements are for the protection or enhancement of the general health, safety or welfare of the community.

5. The proposed building and associated trellis structure creates a well composed design, harmoniously related to other facilities in the immediate area and to the total setting as seen from hills and other key vantage points in the community.
6. The proposed development is of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.
7. Sufficient variety exists in the design of the structures and landscaping to avoid monotony in the external appearance of the project.
8. The parking lot striping and proposed signage shown on the March 10, 2014 revision of the site plan will facilitate the accessibility of off-street parking areas and improve the circulation within the existing parking lot and when entering and exiting the site (Exhibit A).
9. The Sign Ordinance regulations are tailored to businesses in the Town Center area where building facades are continuous and located directly on the street. The Java Hut building is located midway between Center and Sir Francis Drake Boulevard and therefore, a third sign is the minimum necessary to alert passersby traveling east and west on both roadways

Section 2. The Commission likewise determined that it can approve the proposed Project because of its conformance to the General Plan as follows:

1. The permanent building complies with General Plan Land Use Goal LU-7 by enabling this business that has operated from this location for going on twenty years to continue to operate, preserving the community and neighborhood character of this section of Center Boulevard.
2. The design of the new building and trellis will minimize the buildings visual mass in conformance with General Plan Land Use Policy LU-1.2.3.
3. The provision of nearby bicycle racks meets the intent of General Plan Circulation Goal C-5 by adding to the circulation network bicycle improvements and by doing so will encourage more bicyclists to patronize the business rather than vehicles.
4. Building signage shall include notices for vehicle traveling both directions to turn off their engines while waiting to minimize air quality impacts in conformance with General Plan Conservation Policy CON-2.1.2.

Section 3. WHEREAS, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. This approval is limited to the development illustrated on the plans prepared by Rich Dowd, RD Architecture, pages A1.00, A1.01 through A1.03, A2.01, A5.01 (with the lower, corrugated, metal siding being replaced with skip planed reclaimed old patina Douglas fir) and A5.02 dated 7/10/13 and landscaping plans by Roth LaMotte Landscaping, page L1.0 dated 6/29/12
2. Prior to issuance of a building permit the applicant or his assigns shall:
 - i. Submit a construction plan to the Public Works Department which may include but is not limited to the following:
 - Construction delivery routes approved by the Department of Public Works.
 - Construction schedule (deliveries, worker hours, etc.)
 - ii. The applicant shall prepare, and file with the Public Works Director, a video of the roadway conditions on the construction delivery routes (routes must be approved by Public Works Director/ the Public Works Director can waive this requirement).
 - iii. Submit a bond to the Town in an amount that will cover the cost of grading, weatherization and repair of possible roadway damage. The applicant shall submit contractor's estimates for any grading, site weatherization and improvement plans for approval by the Town. Upon approval of the contract costs, the applicant shall submit evidence of a bond, letter of credit or some other form of surety approved by the Town equaling 100% of the estimated construction costs.
 - iv. The applicant shall submit a cash deposit, bond, letter of credit or other approved surety to the Town in an amount that will cover the cost of landscaping and irrigation materials and installation prior to issuance of a building permit. The amount shall be retained for 18 months after issuance of the Certificate of Occupancy and/or final inspection of the landscaping.
 - v. Plans and calculations of the foundation shall be stamped and signed by the structural engineer and submitted to the satisfaction of the Town Plan Check firm.
 - vi. Prior to submittal of the building permit plans the applicant shall secure written approval from the Ross Valley Fire Authority noting the developments conformance with their recommendations.
3. During the construction process the following shall be required:
 - i. The Building Official shall inspect the concrete forms whose location shall also be verified in the field by a surveyor who will provide the Town with a letter that certified the building is located as shown on the approved plans.

- ii. All construction related vehicles including equipment delivery, cement trucks and construction materials shall be situated off the travel lane of the adjacent public right(s)-of-way at all times. This condition may be waived by the building official on a case by case basis with prior notification from the project sponsor.
 - iii. Any proposed temporary closure of a public right-of-way shall require prior approval by the Fairfax Police Department and any necessary traffic control, signage or public notification shall be the responsibility of the applicant or his/her assigns. Any violation of this provision will result in a stop work order being placed on the property and issuance of a citation.
4. Prior to issuance of an occupancy permit the Department of Planning and Building Services, Marin County Health Department, Ross Valley Fire Department, Marin Municipal Water District and Ross Valley Sanitary District shall field check the completed project and submit written certification to the Town Staff that the project has been installed in compliance with agency specifications and the approved project plans.
5. The roadways and parking lot shall be kept clean and the site free of dust by watering down the site or sweeping the roadway daily, if necessary.
6. During construction developer and all employees, contractors and subcontractors must comply with all requirements set forth in Ordinance # 637 (Chapter 8.32 of the Town Code), "Urban Runoff Pollution Prevention".
7. Notwithstanding section # 17.072.050 of the Fairfax Zoning Ordinance, any changes, modifications, additions or alterations made to the approved set of plans will require a modification of this application by the Planning Commission. Any construction based on job plans that have been altered without the benefit of an approved modification will result in the job being immediately stopped and red tagged.
8. Any damages to the roadways accessing the site resulting from construction activities shall be the responsibility of the property owner.
9. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director, Design Review Board or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the

Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.

10. Heavy construction truck trips should be restricted to non-peak traffic hours (10:00 AM through 3:00 PM).

11. Garbage from the site shall continue to be disposed of across Center Boulevard on the Fair Anselm Shopping Center property designated as 711 Center Boulevard.

12. The applicants shall maintain the premises in a neat and attractive manner at all times. Such maintenance shall include, but not be limited to, exterior building materials, signage, windows, the planters, the ground and the pavement surfaces.

13. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act.

14. Any changes made to the exterior of the building, not shown on the plans listed in condition 1 above, including but not limited to new lighting, new signs, planters, etc, must comply with the design review regulations of the Town Code, Chapter 17.020, and be approved by the Fairfax Planning Commission when required.

15. If the applicant plans to operate from a temporary structure during construction of the permanent building the Building Official, Town Traffic Engineer, Ross Valley Fire Department and Fairfax Police Department must review the proposed location and a temporary circulation plan prior to issuance of the building permit for the project.

16. The parking lot, entrance, exit and bike lane signage and striping shall be subject to a final review and approval by the Town Traffic Engineer and shall be installed prior to the project final inspection.

Section 4. Based on the foregoing, the Planning Commission does approve Application No. 14-03 in its entirety.

The foregoing Resolution was adopted at a regular meeting of the Planning Commission of the Town of Fairfax held in said Town on the 20th day of March, 2014, by the following vote, to wit:


AYES: EZZET, GREEN, GONZALEZ-PARRER, HAMILTON, KERLIEN, KETCHAM.

NOES:

ABSENT: RECUSED: LAMOTTE



Brannon Ketcham, Chair

Attest: 
Jim Moore, Director of Planning and Building Services

3/28/14
Date



TOWN OF FAIRFAX

142 Bolinas Road, Fairfax, California 94930
(415) 453-1584 / Fax (415) 453-1618


Memorandum

TO: Linda Neal Principal Planner
FROM: Mark Lockaby Building Official
DATE: February 3, 2017
RE: Java Hut Bathroom Issues

This modular unit was approved for use by the State of California Housing and Community Development Department (HCD). HCD limits the amount of review and inspections that local Building Departments can perform. We are limited to inspecting: electrical, plumbing, and gas connections to the building, foundation and other exterior modifications. We were not allowed to inspect or review any of the interior facilities. At some point because of difficulty in getting responses from HCD the owner decided to deem the structure permanent, and allow local review and inspections by our department and the County Environmental Health Department. At that point we discovered that the business was no longer planning to provide public access to the bathroom for patrons.

The plans that were approved (by HCD) for the modular unit to be used for the new Java Hut coffee shop were designed for the installation of a new door at the back of the building to allow access for customers to use the bathroom. Once construction on the project began it became apparent that the electrical system, the plumbing for the bathroom, and the fixtures were located in such a way that adding a door although not impossible will be time consuming and very expensive.

The plumbing code allows for a maximum distance of 500 feet to the required bathroom facilities. The plumbing code also states that access to the required bathroom facilities may not pass through the kitchen/food prep area. If the Good Earth Grocery store will allow access to their bathroom facilities the intent of the code will be met. If the Good Earth will not allow permanent recorded access for patrons of the Java Hut, some other alternative bathroom facilities will have to be provided.


Mark Lockaby
Building Official

Attachment: Applicable Plumbing Code

ATTACHMENT E

ratios in Table 422.1 results in fractional numbers, such numbers shall be rounded to the next whole number. For multiple occupancies, fractional numbers shall be first summed and then rounded to the next whole number.

422.1.1 Family or Assisted-Use Toilet and Bathing Facilities. Where family or assisted-use toilet and bathing rooms are required, in applicable building regulations, the facilities shall be installed in accordance with those regulations.

422.1.2 [DSA-AS] Effective January 1, 1990, in new construction and those existing facilities which occupancy type are listed in Tables 422.1 and 4-4 for public use, which apply for permit to undertake construction, structural alterations, repairs or improvement which exceed 50 percent of the square footage of the entire facility, shall install water closets, urinals, lavatories and drinking fountains as stipulated in Tables 422.1 and 4-4 for public use. Community and/or municipal parks with a bleacher capacity not exceeding 500 seats shall be exempt from the requirements of this section and Tables 422.1 and 4-4. Each bathroom shall comply with Part 2, Chapter 11A and 11B of the California Building Code.

422.2 Separate Facilities. Separate toilet facilities shall be provided for each sex.

Exceptions:

- (1) Residential installations.
- (2) In occupancies with a total occupant load of 10 or less, including customers and employees, one toilet facility, designed for use by no more than one person at a time, shall be permitted for use by both sexes.
- (3) In business and mercantile occupancies with a total occupant load of 50 or less including customers and employees, one toilet facility, designed for use by no more than one person at a time, shall be permitted for use by both sexes.

422.2.1 [OSHPD 1, 2, 3 & 4] Separate toilet facilities shall be provided for the use of patients, staff personnel and visitors.

Exception for Primary Care Clinics only: Where a facility contains no more than three examination and/or treatment rooms, the patient toilet shall be permitted to serve waiting areas.

422.3 Fixture Requirements for Special Occupancies.

Additional fixtures shall be permitted to be required where unusual environmental conditions or referenced activities are encountered. In food preparation areas, fixture requirements shall be permitted to be dictated by health codes.

422.4 Toilet Facilities Serving Employees and Customers.

Each building or structure shall be provided with toilet facilities for employees and customers. Requirements for customers and employees shall be permitted to be met with a single set of restrooms accessible to both groups.

Required toilet facilities for employees and customers located in shopping malls or centers shall be permitted to be met by providing a centrally located toilet facility accessible

to several stores. The maximum travel distance from entry to any store to the toilet facility shall not exceed 300 feet (91 440 mm).

Required toilet facilities for employees and customers in other than shopping malls or centers shall have a maximum travel distance not to exceed 500 feet (152.4 m).

422.4.1 Access to Toilet Facilities. In multi-story buildings, accessibility to the required toilet facilities shall not exceed one vertical story. Access to the required toilet facilities for customers shall not pass through areas designated as for employee use only such as kitchens, food preparation areas, storage rooms, closets, or similar spaces. Toilet facilities accessible only to private offices shall not be counted to determine compliance with this section.

422.5 Toilet Facilities for Workers. Toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction.

422.6 [CA] Cosmetology. Each school shall provide public toilet rooms for each sex on the licensed premises in accordance with the California Plumbing Code, Table 422.1.

422.7 [CA] Cosmetology Establishments. Each establishment where hairdressing services are performed shall provide at least one public toilet room located on the premises in accordance with the California Plumbing Code, Table 422.1.

422.8 [DHS] Commissaries Serving Mobile Food Preparation Units. Commissaries serving mobile food preparation units shall have at least one hose bib. The hose bib shall be supplied with hot and cold water and be provided with a single spout, a backflow-preventer device and shall be located on the premises of the establishment.

422.9 [DPH] Employee Lavatories in Food Establishments. Employee lavatories installed in food establishments shall be equipped with an approved single spout capable of providing tempered (100°F - 115°F) (37.8°C - 46.1°C) running water.

Note: This requirement applies only to commissaries serving mobile food preparation units.

December 5, 2016

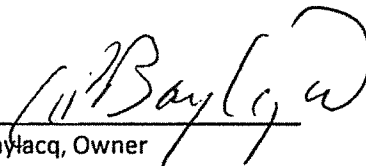
Town of Fairfax
142 Bolinas Road
Fairfax, California 94930

Re: **Java Hut Construction Project**
760 Center Blvd., Fairfax, CA

To Whom It May Concern:

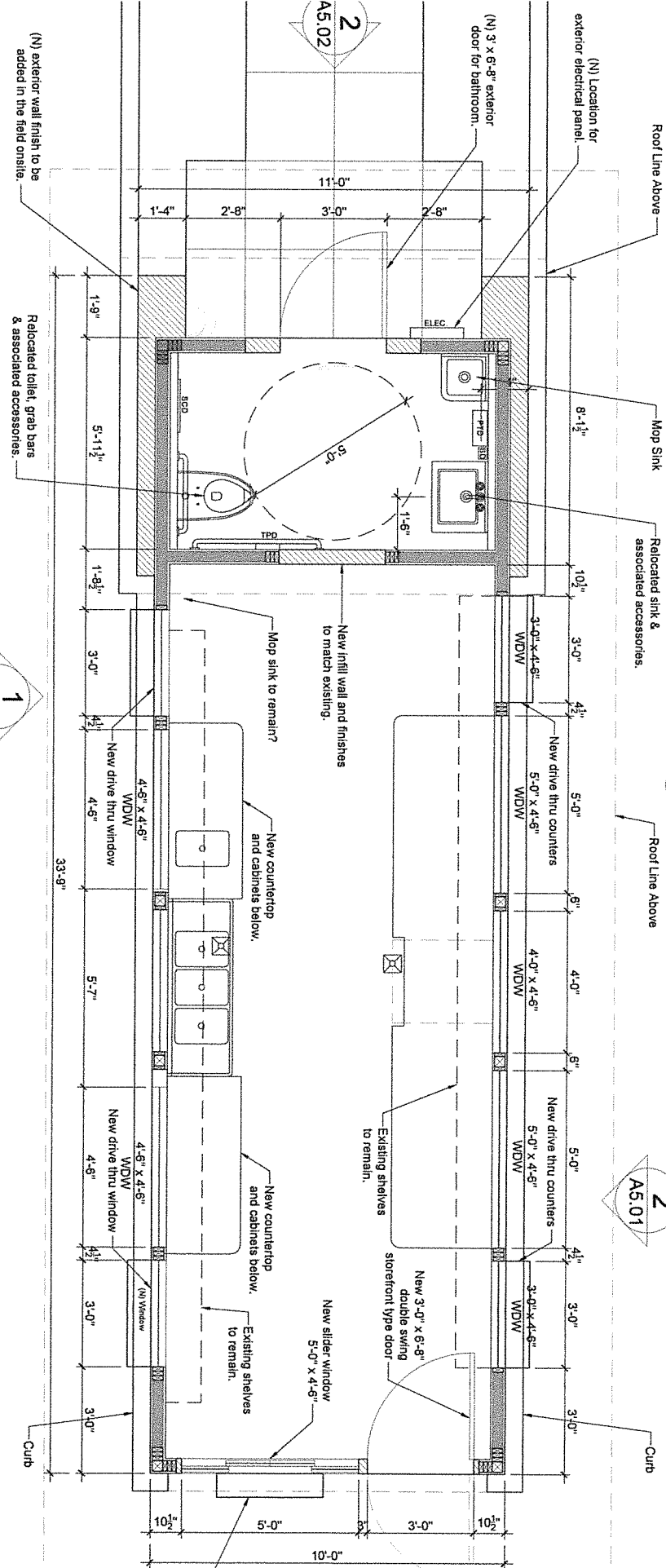
This letter is to notify the Town of Fairfax that Good Earth Natural Foods, located at 720 Center Boulevard in Fairfax, fully supports the Java Hut construction project located at 760 Center Boulevard in Fairfax. As you know, Java Hut has been doing business at 760 Center Boulevard for over 20 years. In the past, Java Hut's customers have had access to the restrooms at Good Earth Natural Foods. Please be advised, in support of the new Java Hut building, Good Earth Natural Foods hereby grants Java Hut the continued use of the restrooms located in Good Earth for its customers.

Sincerely,


Al Baylacq, Owner

Copies to: Rich Hall, Fairfax Center Properties
Richard Carson, Java Hut

ATTACHMENT F



1 PROPOSED PLAN

SCALE: 1/2" = 1'-0"

