## TOWN OF FAIRFAX STAFF REPORT

## Department of Planning and Building Services

TO:

Fairfax Planning Commission

DATE:

November 15, 2018

FROM:

Ben Berto, Director of Planning and Building Services

Linda Neal, Principal Planner

LOCATION:

1912-1914 Sir Francis Drake; Assessor's Parcel No. 001-223-12

ZONING:

Central Commercial CC Zone

PROJECT:

Expansion of existing restaurant at 1914 Sir Francis Drake to

improve and use enclosed and exterior space at 1912 Sir Francis

Drake.

ACTION:

Design Review Permit and Parking Variance; Application # 18-18

APPLICANT:

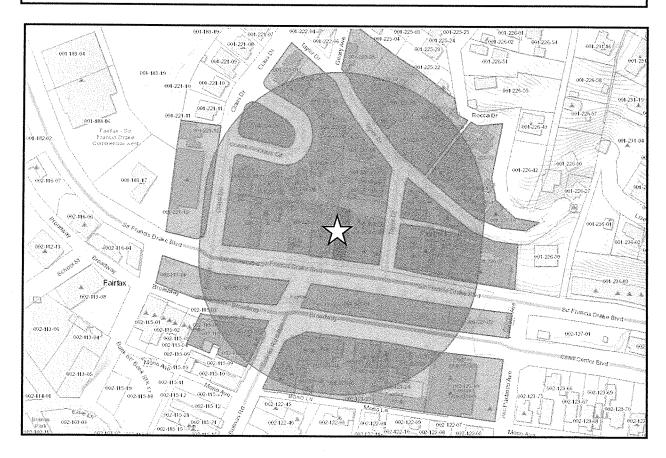
Paul Sroa with assistance by Julio Guerrero

OWNER:

Pau Sroa

**CEQA STATUS:** 

Categorically exempt, § 15301(a)



1912-1914 Sir Francis Drake

#### **BACKGROUND**

The location of this proposed project is in the heart of the Town's Central Commercial (CC) zone and is part of its Sir Francis Drake pedestrian-oriented commercial frontage. Pedestrian-oriented commercial abuts the existing and proposed restaurant space to the east and west. The proposed project is subject to design review.

No changes are proposed to the existing restaurant space at 1912 Sir Francis Drake, except to improve access to an existing unisex bathroom and to open up part of the demising wall between 1912 and 1914 Sir Francis Drake. At 1912 Sir Francis Drake, an existing 145 square-foot at shed (accessory structure) would remain.

At 1914 Sir Francis Drake, proposed interior improvements include:

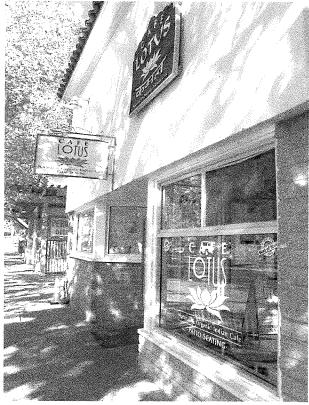
- · dining benches and movable seating,
- interior finishes.
- kitchen equipment,
- an ADA accessible rest room,
- HVAC equipment, electrical, plumbing, and
- enclosed walk-in cooler.

Residential uses are situated north of the project. Since enclosed walk-in cooler is proposed within the north wall of 1912 Sir Francis Drake, noise from the cooler's condenser will be evaluated to determine if and how noise should be mitigated.

No off-street parking is proposed. 1912 and 1914 Sir Francis Drake are interior lots that have a building along their entire street-facing frontage. No other parcels have off-street parking in the immediate vicinity, as this part of Sir Francis Drake offers a continuous street-facing pedestrian-oriented commercial fronts. Nevertheless, a Variance for parking must be obtained for expansion of the restaurant.

#### DISCUSSION

The applicant is proposing to expand the existing 746 square-foot restaurant at 1912 Sir Francis Drake into the adjacent vacant 575 square-foot commercial space at 1914 Sir Francis Drake, which was most recently occupied by a hair salon. No change to the



Sir Francis Drake building frontage is proposed, except to make inoperable the existing -entry door into 1914 Sir Francis Drake, with the sole (modified) entry to be on the 1912 Sir Francis Drake side of the remodeled space. The proposed includes the addition of a 41 square-foot utility room and an 80 square-foot refrigeration room at the rear of the building.

The proposed total commercial floor area would increase by 131 square feet, from 1,321 to 1,452 square feet. The increased floor area would be for service areas, a proposed ADA accessible rest room, an enhanced kitchen preparation area, and an enclosed walk-in cooler.

No setbacks are required in the Central Commercial Zone District except where a commercial property abuts a residentially zoned district. Then the development on the commercial property is required to maintain the setback required for the adjacent residential area (Town Code § 17.100.090). The parcel to the east (which contains the Barefoot Café on the ground floor and residential units to the rear and on the second floor) is also located in the Central Commercial Zone District so there is no required setbacks for 1914 Sir Francis Drake Boulevard. That being said, the new refrigeration room will be approximately 40 feet from the second story residential units to the east, and those to the north behind and above the Barefoot Café. In the interest of ensuring minimal noise disturbance to the residential units, and acoustical analysis and (if necessary) noise attenuation measures will be required prior to final inspection of the improvements.

## **Design Review**

Section 17.100.030 states:

All structures, physical improvements and exterior physical modifications of buildings in the CC zone are subject to design review unless specifically exempted in each instance by the Planning Commission.

While all proposed improvements are located interior to, or at the rear, of the existing building, except replacement of the western front door to 1912/1914 Sir Francis Drake Boulevard with a fixed window, design review remains at discretion of the Planning Commission. Town Code Section 17.020.040(B) states:

Only... exterior appearance of structures and facilities shall be considered; these elements may include height, arrangement on the site, texture, material, color, signs, landscaping and appurtenances.

Other pertinent design review criteria are spelled out in this same Section, including:

(A) ...a well composed design, harmoniously [with]... the immediate area ...;
(C) ... a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area;

- (E)... the design of the development shall conform in all significant respects with the plans [such as the
- (H) ...the extent to which the structure conforms to the general character of other structures in the vicinity ...; [and]
- (M) [consideration of] the effect of the proposed structure upon the character and value of the adjacent residential district area.

The proposed addition at the rear of the structure to add a room for new refrigeration unit(s) and a new service area and replacement of one front door with a window will not significantly alter the exterior appearance of the building. Staff has included a condition that the materials and colors of the addition at the rear and the window framing at the front of the new expansion shall complement the exterior design of the existing building.

## **Off-Street Parking**

While off-street parking is required of projects in the Central Commercial CC District, no off-street parking is proposed. 1912 and 1914 Sir Francis Drake are interior lots that have a building along their entire street-facing frontage and no possibility of parking elsewhere on the site. Consequently, the Applicant has applied for a Variance for parking per Section 17.100.120, subject to required Findings per Section 17.028.070, which states that facts must support all of the following determinations:

- (A) All of the following findings must be made in order to grant a variance:
- (1) Because of special circumstances applicable to the property, application of this title will deprive the applicant of privileges enjoyed by other property owners in the vicinity and under identical zone classification:
- (2) The variance or adjustment will not constitute a grant of special privilege, is consistent with the limitations upon other properties in the vicinity and under identical zone classification, and is consistent with the objectives of this title;
- (3) The strict application of this title would result in excessive or unreasonable hardship;
- (4) The granting of the variance or adjustment will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.
- (B) Findings for variances of off-street parking or off-street loading regulations.
- (1) Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.
- (2) Granting of the variance will not result in the parking or loading of vehicles on public streets in a manner as to interfere with the free flow of traffic on the streets.
- (3) Granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of this title.

Town Code § 17.052.030(H) requires that restaurants provide 1 one on-site parking space for each 200 square-feet of gross floor space. The expanded restaurant will be 1,452 square-feet in size and would have to provide 7 parking spaces to comply with the Code. It is physically impossible to provide parking on the site as there is no vehicular access to the rear of the property and the front of the building is at the front property line. This is typical of most of the buildings in the downtown commercial center of Fairfax. Parking Variances are granted routinely by the Planning Commission for the reuse and minor expansion of existing commercial buildings. The Commission can consider conditioning the project upon the owner signing a recorded agreement indicating he will support any "no net loss parking plan" that is developed in the future in conformance with the 2010-2030 Fairfax General Plan Town Center Element Program TC-3.2.6.2: The Town shall prepare a no net-loss parking plan for the downtown area, including on-street and off-street spaces and lots.

The restaurant expansion is not expected to generate a substantial increase in the need for parking spaces beyond the parking demand generated by the previous the hair salon, and will generally provide a more roomy dining area for its existing customers.

#### Traffic Impact Permit

Findings under subsection 17.100.120(B) requires technical analysis be performed to evaluate potential traffic impacts. Per Section 17.056.030, a project requires a traffic impact permit, unless it can be demonstrated that the new use will not generate 100 or more "average daily trips" (ADT).

In a letter dated August 31, 2018 (Attachment B), Stephen Abrams, a licensed Transportation Engineer for Abrams Associates Traffic Engineering, Inc., determined that 28 net new "average daily trips" (ADT) can be expected from the proposed project, compared to the estimated traffic generated by the former hair salon. This estimate utilized the "Traffic Generation Handbook" of the Institute of Traffic Engineers.

In a memorandum dated October 3, 2018 (Attachment 3), Andrew Lee, a licensed engineer, and Jasmine Stitt, an engineer in training, with Parisi Transportation Consulting, the Town's transportation planning consultants, examined and affirmed the analysis conducted by Abrams Associates, i.e. that 28 net new ADT was a consistent with methods and assumptions contained in the Institute of Transportation Engineers' (ITE's) "Trip Generation Handbook."

Regarding loading, Town staff conversation with Applicant representative indicated that the restaurant deliveries will continue to be received by at the curb adjacent to the restaurant and around 9am, when on-street parking demand is low. The number and times of deliveries is not expected to increase significantly because of the proposed expansion.

#### **Potential Noise Effects**

Residential uses are situated north and east of the project. Since an enclosed walk-in cooler is proposed within the north wall of 1912 Sir Francis Drake, noise from the cooler's condenser needs to be evaluated to determine if and how noise should be mitigated.

Exterior noise is limited by Town Code Section 8.20.050. Subsection B.1 defines the maximum nighttime noise level for residential uses is 40 Decibels. On October 10, 2018, a Nor-Lake, Incorporated, representative was contacted and stated, after consulting with Nor-Lake engineers, that cooler model specified ("Kold Locker Walk-Ins") generates noise levels as high as 75 Decibels.

Subsections 8.20.050 A.2-A.4 state that no source of sound shall exceed the noise level maximum when measured at the property line, while also accounting for intermittent noise and ambient noise.

At this time, it is not known to what extent noise from the compressor unit will be attenuated by distance to the residential property line and by the walls and door that will enclose the unit. A qualified engineer is appropriate to make such a determination and if noise levels are unacceptable, specify sound attenuation measures necessary for conformance to the Town's noise limits. Staff recommends this be included as a condition prior receiving a building permit.

### OTHER AGENCY/DEPARTMENT COMMENTS/CONDITIONS

Ross Valley Sanitary District (RVSD)

RVSD submitted written comments which have been incorporated into the conditions of approval and are summarized as follows: the sewer lateral at 1914 Sir Francis Drake must be evaluated to determine if it has adequate capacity and is in good condition, capacity will depend on the fixture count in the new utility area and ADA restroom and the project must comply with District Ordinance 90 relating to sewer connection fees

No other department or agency commented or placed conditions on this project.

### RECOMMENDATION

- 1. Conduct the public hearing
- 2. Move to approve the requested Design Review Permit and Parking Variance, Application # 18-18, by adopting Resolution No. 2018-19 setting forth the findings and conditions for the project approval.

## **ATTACHMENTS**

- Attachment A Resolution No. 2018-19 for approval of Permit 18-18.
- Attachment B Abrams Associates trip generation letter, submitted September 20, 2018.
- Attachment C Parisi Transportation Consulting trip generation letter, dated October 10, 2018
- Attachment D -- Applicant's "Supplemental Questionnaire," regarding parking Variance, submitted October 9, 2018.
- Attachment E Applicant's selected walk-in cooler specifications sheets, submitted October 9, 2018.

#### **RESOLUTION NO. 2018-19**

A Resolution of the Fairfax Planning Commission Approving a Design Review Permit and Parking Variance, Application # 18-18 to Allow Expansion of the Existing restaurant at 1912 Sir Francis Drake to Improve and Use Enclosed and Exterior Space at 1914 Sir Francis Drake.

**W**HEREAS, the Town of Fairfax has received an application to allow the restaurant at 1912 Sir Francis Drake to remodel and expand the space at 1914 Sir Francis Drake Boulevard and convert the area to additional restaurant area; and

**W**HEREAS, the Planning Commission held a duly noticed Public Hearing on November 15, 2018 at which time all interested parties were given a full opportunity to be heard and to present evidence; and

**WHEREAS**, based on the plans and supplemental information provided by the applicant as well as testimony at the public hearing, the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary for the Project's requested discretionary permits.

WHEREAS, the Commission has made the following findings:

## The proposal complies Fairfax General Plan Goals and Objectives as follows:

Town Center Element:

Policy TC-1.1.1: New and/or renewed development in the Town Center Planning Area shall preserve and enhance the village character and pedestrian scale of the downtown area.

Policy TC-2.1.1: New and/or renewed development in the Town Center Planning Area should be compatible with the architectural character of the downtown in terms of height, design treatment, colors, textures, and materials.

Policy TC-3.2.8: Promote locally-owned businesses.

## The proposal complies with the Zoning Ordinance as follows:

#### Central Commercial CC Zone Standards

The proposed project complies with all standards contained in Chapter 17.100: CC Central Commercial Zone.



## Off-Site Parking

The proposed project has no off-site parking because existing pedestrianoriented building is set at the front street-facing property line and it is on lots that do not allow side street access. Required findings are set forth below for granting a Variance to allow expansion with no off-street parking.

#### **Noise Control**

Residential uses are situated in relatively close proximity to the project. Since enclosed walk-in cooler is proposed in an area that is not completely enclosed, , noise from the cooler's condenser must be evaluated to determine if and how noise should be mitigated, before a building permit is granted.

At this time, the Town does not know the extent to which noise from the compressor unit will be adequately attenuated by distance to abutting residential property lines and by the walls and door that will enclose the walk-in cooler of which the compressor unit is a part. A qualified engineer can evaluate anticipated noise levels, and if determined to be unacceptable, specify sound attenuation measures in order to conform to the Town's noise limits.

## Purposes of Central Commercial Zone

The proposed project is consistent with the purposes of the Central Commercial CC Zone (Section 17.100.010) in that it supports the central business district as the "retail commercial heart of town," and "caters to and invites pedestrian traffic."

### **Design Review Findings:**

## Section 17.020.040 Design Review Criteria

The following criteria shall be applied in considering an application for design review approval:

The project proposes to make no changes to the façade facing Sir Francis Drake. The building's existing storefronts support the pedestrian-oriented commercial character of its neighbors along Sir Francis Drake. This Resolution makes the following pertinent findings.

- 1. The proposed project's frontage presents a well composed design that harmonizes with the immediate area, by virtue of its storefront fenestration, entry pattern, scale, modulation, signage types, and style.
- 2. The proposed project's design is of a quality and character appropriate to, and serves to protect the value of, private and public investments in the immediate area, as it will upgrade the property and is likely to increase foot traffic.

- 3. The proposed project conforms in all significant respects with adopted plans for the Town Center area, such as but not limited to its pedestrian-oriented front façade.
- 4. The proposed project conforms to the general character of other structures in the vicinity, by virtue of its scale and its zero setback from the public right of way.

## Variance for Waiver of Off-Street Parking

The proposed project conforms with required findings for waiving off-site parking requirements in the Central Commercial CC Zone, as are noted below.

- Requiring off-street parking will deprive the applicant of privileges enjoyed by other property owners in the vicinity and under identical zone classification, in that off-site parking can only be created if parts of the building are demolished and a curb cut from Sir Francis Drake is granted.
- 2. Granting a Variance will not constitute a grant of special privilege, as most properties in the vicinity are similarly configured, such that off-site parking cannot be reasonably attained.
- Strict application of off-street parking requirements would result in excessive or unreasonable hardship, for the reasons noted above.
- 4. Granting of the variance or adjustment will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated, as the maintenance of continuous pedestrian-oriented commercial frontage is important to maintaining the Town Center's character and economic vitality...
- 5. Neither present nor anticipated future traffic volumes generated point to the need for a strict or literal interpretation and enforcement of the specified regulation, as demonstrated by the project's estimated trip generation being well below 100 Average Daily Trips, and thereby not exceeding threshold for requiring a Traffic Impact Permit.
- 6. The variance will not result in the parking or loading of vehicles on public streets in a manner as to interfere with the free flow of traffic on the streets, as parking and loading will follow time of day patterns already established, such as the receipt of most deliveries at curb around 9am when on-street parking demand is relatively low.
- 7. Granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of Section 17.100.120.

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

1. 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.

- 2. 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.
- 3. Any changes made to the exterior of the building, including but not limited to new lighting, new signs, planters, etc., shall comply with the design review regulations of the Town Code, Chapter 17.020, and be approved by the Fairfax Planning Commission or staff as required.
- 4. 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.
- 5. The project final inspection and issuance of the occupancy permit shall not occur until all the building improvements are complete and approvals have been received from all agencies with jurisdiction over the project.
- 6. Any new exterior lighting shall be replace existing fixtures with fixtures that are shielded and directed down.
- 7. The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 21st day of May 2015, by the following vote

- 8. The proposed project shall be to conform to all provisions of Chapter 8.20 Noise Control by implementing the following process for evaluation and, if necessary, additional noise attenuation.
  - a. The applicant shall provide a report to the Town from a qualified engineer noise consultant paid for by the applicant, who shall provide the Town with an assessment of the anticipated noise levels from proposed refrigeration equipment, including effectiveness of the walls proposed in sound attenuation.
  - b. Using standard industry methods, noise consultant shall calculate the noise level at residential property lines if walk-in cooler compressor unit is assumed to emit the manufacturer's maximum estimated noise levels, while also accounting for intermittent noise and ambient noise as is permitted by the Municipal Code chapter on Noise Control.
  - c. If calculated noise exceeds limits for residential noise, as described in Section 8.20.050 Noise Control, then noise consultant shall propose project modifications that will attenuate noise to acceptable levels, such as by walls with off-set studs and insulation, and noise specified door and door frame.
  - d. The applicant shall revise construction documents to reflect changes recommended by noise consultant and submit to Town for zoning level review, prior to submitting the drawings for a building permit.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the Design Review Permit and Parking Variance can occur subject to compliance with the above conditions without causing significant impacts on neighboring businesses or residences; and

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 15th day of November 2015, by the following vote:

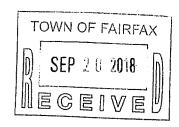
NOES: ABSENT:		
Attest:	Chair Newton	
Ben Berto, Director of Plannin	g and Building Services	

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		v.			
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August 31, 2018

Julio Guerrero Café Lotus 1912 Sir Francis Drake Boulevard Fairfax, CA 94930



Re: Trip Generation Analysis for the Proposed Expansion of Café Lotus in the Town of Fairfax

This report presents the results of the trip generation analysis of the proposed expansion of Café Lotus in the Town of Fairfax. The proposed project involves expansing the existing 746 square foot restaurant into the adjacent 575 square foot retail space which was previously occupied by a hair salon.

#### PROJECT TRIP GENERATION

The trip generation rates for this analysis are based on the Institute of Transportation Engineers rates for a High Turnover Sit-Down Restaurant (ITE Land Use Code 932) and a hair salon (ITE Land Use Code 918) taken from the 10th Edition of the ITE Trip Generation Manual. Please note a "trip" is defined in ITE's Trip Generation publication as a single or one-directional vehicular movement with either the origin or destination at the project site. As a result, a trip can be either "to" or "from" the site. Consistently, a single visit to a site is counted as two trips (i.e., one to and one from the site). For the purposes of determining the reasonable worst-case impacts of traffic on the surrounding street network from a proposed project, the trips generated by this proposed development are estimated for a typical weekday and also for the peak commute hours which represent the peak hours of "adjacent street traffic". This is the time period when the project traffic would generally contribute to the greatest amount of congestion.

Table 1 presents the trip generation for the restaurant space, which has been reduced by 43% to account for the fact that approximately one third of the trips would be forecast to be pass-by trips as determined from data contained in the standard reference for pass-by rates, the ITE Trip Generation Handbook. Pass-by trips are vehicle trips that are already considered part the traffic stream passing by the site and are not counted as new trips. Please note this reduction only applies to restaurant and retail uses. There are no pass-by reductions applied for a hair salon. As seen in Table 1, the proposed project is currently forecast to generate about 6 vehicles per hour during the weekday AM and PM peak hours. However, as noted above, ITE surveys of similar restaurants indicate that approximately 43% of the trips are drawn from the existing stream of adjacent traffic. Therefore, when this factor is accounted for the proposed project

# TABLE 1 TRIP GENERATION CALCULATIONS

Land Use	ITE	Size	ADT	AM Peak Hour			PM Peak Hour		
	Code			In	Out	Total	In	Out	Total
ITE High Turnover Sit Down Restaurant Rates - Trips per ksf	932		112.18	5.47	4.47	9.94	6.06	3.71	9.77
Restaurant Trip Generation		575 sq. ft.	65	3	3	6	4	2	6
Reduction for Pass-By Trips (43%)			28	1	1	2	1	1	2
Subtotals for the Proposed Restaurant Expansion			37	2	2	4	3	1	4
ITE Hair Salon Trip Rates - Trips per ksf	918		15.95	0.73	0.48	1.21	0.25	1.20	1.45
Subtotals for the Hair Salon Space Being Removed as Part of the Project		575 sq. ft.	· 9	1	0	1	0	1	1
Net New Trip Generation for the Proposed Project			28	1	2	3	3	0	3

SOURCE: Institute of Transportation Engineers Trip Generation Manual (10<sup>th</sup> Edition) and the Trip Generation Handbook (3<sup>rd</sup> Edition)

would be forecast to generate net increase on the surrounding street system of about 4 vehicles per hour per hour during the weekday AM and PM peak hours. If the traffic from the former hair salon is also subtracted from the project trip generation then the project would be forecast to generate about 3 vehicles per hour during the weekday AM and PM peak hours. To be conservative the trip generation does assume the restaurant would serve breakfast. Although the existing Café Lotus does not open until 11:30 AM, it is assumed the restaurant could open for breakfast in the future so based on the standard restaurant trip rates the AM peak hour is forecast to be roughly the same as the PM peak hour. While restaurant trip generation is normally based on the "per square foot" trip rates, it was verified the conclusions would be the same using ITE's "per seat" trip rates, based on the applicants estimate of 28 seats.

Please don't hesitate to contact me if you have any questions or need addional information.

Sincerely,

Stephen C. Abrams

President, Abrams Associates

T.E. License No. 1852

# Memo

To:

Matt Taecker, Contract Planner, Town of Fairfax

From:

Andrew Lee, PE, TE; Jasmine Stitt, EIT

Date:

October 3, 2018

Subject: Café

Café Lotus Trip Generation Peer Review

Parisi Transportation Consulting (Parisi) prepared this memorandum to summarize our review of the Café Lotus project applicant's traffic memo (Abram Associates, August 31, 2018). The proposed Project involves expanding an existing 746 square foot restaurant into the adjacent 575 square foot retail space which was previously occupied by a hair salon.

Parisi verified both the land uses and trip generation rates used in the Abrams Associates analysis, which were High-Turn Over Sit-Down Restaurant (ITE Land Use Code 932) and Hair Salon (ITE Land Use Code 918). The <u>Trip Generation</u> manual has two independent variables to generate restaurant trips, square footage and estimated seats, and one independent variable to generate hair salon trips, square footage. The trip generation analysis verified that the conclusion would be the same using either the ITE'S "per seat" trip rates or the "per square foot" trip rates. The <u>Trip Generation</u> manual recommends using caution when applying these data as the trip generation rates for both the café and the hair salon are based on a limited sample size (14 studies for the café and one study for the hair salon). For the café, the average rate was used to calculate the trips generated, as there is no fitted curve available for the data.

The Abrams Associates analysis estimated that the café would produce six trips in AM peak and six trips in the PM peak, reduced by two to account for pass-by trips, and reduced by one trip previously generated by the hair salon; the resultant is three net new vehicle trips during the weekday AM and PM peak hours. Parisi verified that the ITE <u>Trip Generation Handbook</u> estimates an average pass-by trip percentage of 43 percent (Table F.30). The trip generation analysis is conservative in calculating the AM peak hour trip generation rates, although the existing Café Lotus does not open until 11:30 AM. The Abrams Associates analysis is also conservative in rounding the pass-by trip reduction downward to the nearest whole number, rather than upward. The pass-by rate calculation reflects a 33 percent reduction.

We find the trip generation analysis prepared by Abram Associates to be consistent with the Institute of Transportation Engineers' <u>Trip Generation</u> methodologies and have no further comments.





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OCT 0 9 2018

	SUPPLEMENTAL QUESTIONNAIRE	-RECEIVED
	VARIANCE	
VARIANCE	(S) REQUESTED:	
10'-4"	foot front yard variance to construct a <u>outdoor cooler</u> within	
52'-9"	feet of the front property line.	
10'-4"	foot rear yard variance to construct aoutdoor coolerwithin	
39'-0"	feet of the rear property line.	
8'-0"		
3'-0"		
N/A	feet of the side property line.	
19/25	foot creek setback variance to construct awithinf  of the top of the creek bank,	eet
remain as is FINDINGS  1. List be or sur not be vicinited.  The main	height, building height, parking number or size, etc.) Existing fence blocking the s. No parking on site currently, no parking to be added as part of this project.  elow special circumstances applicable to the property, including size, shape, topograph troundings, to show why the variance should be granted; and why the granting of the eagranting of special privileges inconsistent with the limitations upon other propertity and zone (you may attach a statement).  Evaluance should be granted as the new project cooler installation will not be visit in street of Sir Francis Drake Boulevard. The cooler will be tucked away in the banew restaurant space. It will be located underneath the existing roof as well.	phy, location, variance will ies in the ble from the
perso injurio <u>The</u> the	elow your reasons why the variance will not materially adversely affect the health or ns residing or working in the neighborhood or be materially detrimental to the public bus to property or improvements in the neighborhood (you may attach a statement). a equipment that will be installed is rated for outdoor installation, being mindful or application piece of equipment will generate utilizing a high efficiency compressor. The unit accessed from the interior of the store, creating a safe, sealed space.	welfare or
The	in why complying with the Town Ordinance requirements will be a hardship for the owere is no area on the property to install parking stalls due to size constraints. The fic report seems to support that the traffic increase will be incremental due to this	e provided

## Variance - Additional information required.

- Include a cross section through the proposed project depicting the project and the relationship of the proposal to existing features and improvements on adjacent properties.
- Lot coverage calculation including all structures and raised wooden decks.

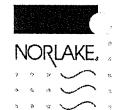
In order to approve your project, the Planning Commission must make findings of fact which state that 1) there is a special feature of the site (such as size, shape or slope) which justifies an exception; 2) that the variance is consistent with the treatment of other property in the neighborhood; 3) that strict enforcement of the ordinance would cause a hardship; and 4) that the project is in the general public interest.

In the space below, please provide any information which you feel is relevant to these issues and which further explains your project.

The project should be viewed as a benefit to the Town of Fairfax, but utilizing an existing
vacant space along the main street of the Town of Fairfaxinto an inviting, welcoming new
seating for an established existing restaurant. The traffic study has also been undertaken
to validate the assumption that the new project will not cause traffic, or parking issues in
the town. The existing town parking infrastructure should be able to accomodate the
incremental parking demand.

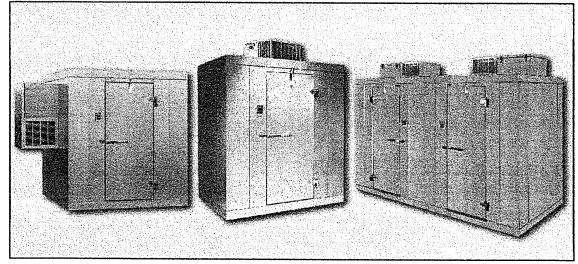
NOR-LAKE, INCORPORATED 727 Second Street P.O. Box 248 Hudson, Wisconsin 54016

.J-955-5253 715-386-2323 866-961-5253 Parts 800-388-5253 Service 715-386-4291 FAX www.norlake.com



## KOLD LOCKER<sup>TM</sup> WALK-INS

EQ-20



Standard Model Coolers, Freezers and Combination Cooler/Freezers In Stock for SAME DAY SHIPMENT

#### STANDARD FEATURES

- STANDARD MODELS SHIP THE SAME DAY\*
- Coolers, freezers and combination cooler / freezers
- Sizes from 3'6" x 6' to 10' x 14'
- Three heights: 6'7" & 7'7" with floor; 7'4" floorless
- Indoor or outdoor models
- Three temperatures: +35°F., -10°F., -20°F(-20°F 10 day ship).
- Capsule Pak™ refrigeration system (ceiling or wall mount)
- Air-cooled condensing unit (wall mount 10 day ship) Automatic condensate vaporizer. No drain line required on indoor units
- Time clock provided for automatic defrost on both coolers and freezers.
- 26 gauge corrosion resistant stucco embossed coated steel on all surfaces except interior floor
- Smooth aluminum interior floor (on models with floor)
- Floorless models supplied with NSF listed vinvl sealers
- Full 4" thick panels foamed-in-place with HFC-245fa polyurethane insulation which is CFC and HCFC free
- 26" wide, self closing door
- Heavy duty adjustable cam-lift hinges
- Spring actuated door closer
- Deadbolt locking handle with independent key/pad lock feature and inside safety release
- Magnetic gasket
- Digital thermometer and light switch
- Floor double sweep gasket
- Perimeter door heater wire
- Vapor-proof light
- NSF, UL flame spread 25 on all panels; UL and CSA electrical listing on door sections \*\*\*
- UL, C-UL listing on complete Capsule Pak™ refrigeration systems \*\*\*

Most options are available two weeks from receipt of order. Please contact us for specific questions.

- City of Houston listed
- California State listed
- CN UL flame spread approval
- DOE compliant
- Oregon State listed

Some models ship in 5 or 10 days

USDA accepted

- Registered by UL to ISO 9001:2008
- Fifteen year panel warranty
- 18 months parts & labor warranty

#### INDOOR MODELS:

Hot gas condensate vaporizer

#### **OUTDOOR MODELS:**

- White membrane roof and trim
- Refrigeration hood
- Door hood (optional)
- -20°Fahrenheit ambient controls

#### **OPTIONAL FEATURES\*\***

- U-shaped shelving system
- Alarm/light management system
- Floor tread plate kit
- Exterior ramp
- Condensing unit air deflector kit
- Heater kit for cooler located outdoors in below +32°F ambient
- Leak detector / alarm (may be a requirement in so areas)
- Three phase electrical
  - Remote Capsule Pak™ refrigeration systems
- Five year compressor warranty
- 5" thick panel models available - additional lead time required
- 220/50/1 electrical
- Heights: 8'7" with floor, 8'4" without floor Electric vaporizer (for Remote
- Capsule Pak™ applications)



Nor-Lake, inc Registered to ISO 9001:2008 File No. 10001816

**SPECIFICATION** 

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C-UL is Underwriters Laboratories Safety Certification Mark which Indicates that UL has tested the equipment to applicable CSA Standards. "UL Sanitation is Underwriters Laboratories Sanitation Mark which indicates that UL has tested the equipment to applicable NSF Standards.