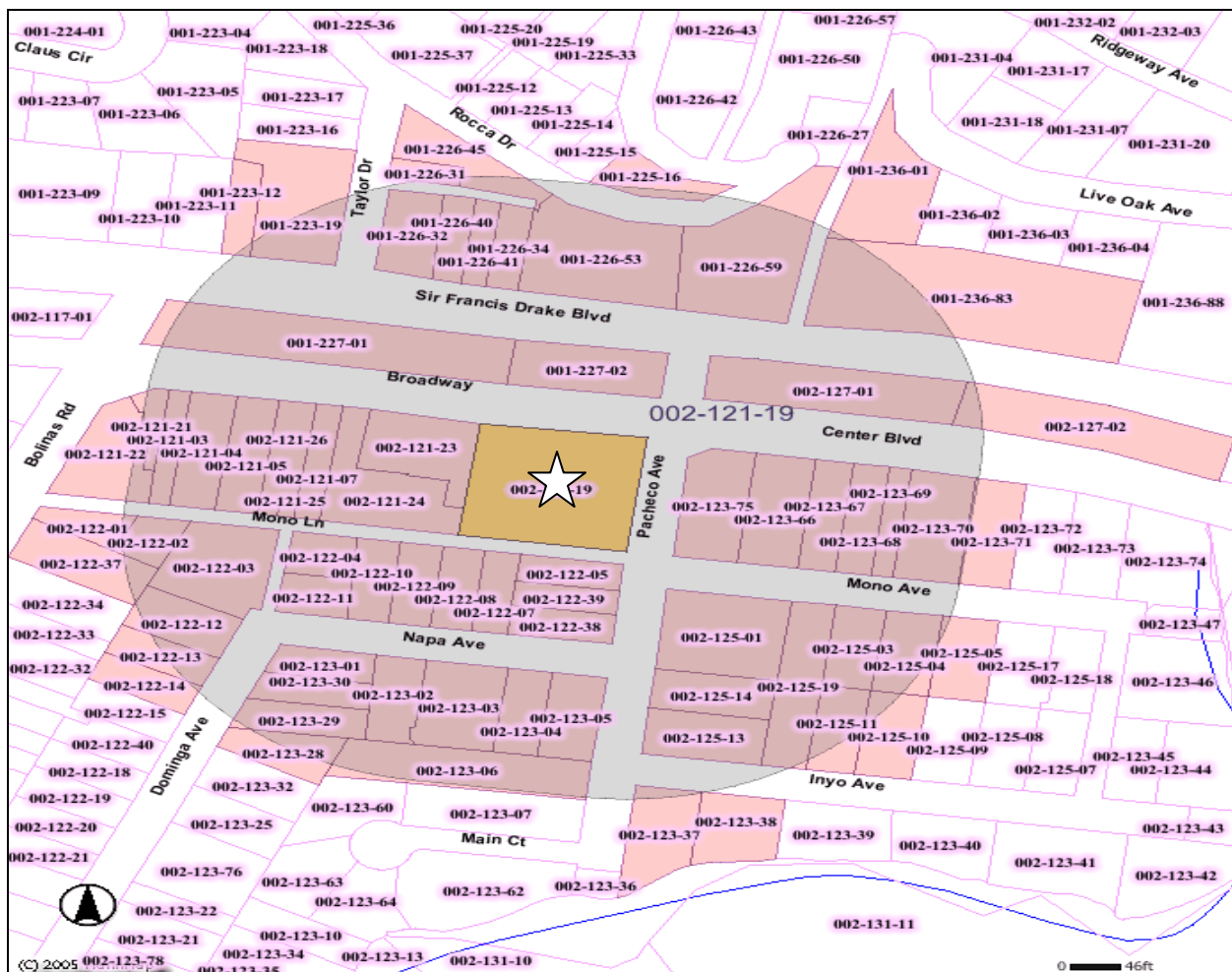


# TOWN OF FAIRFAX STAFF REPORT

## Department of Planning and Building Services

**TO:** Fairfax Planning Commission  
**DATE:** July 18, 2013  
**FROM:** Jim Moore, Director of Planning and Building Services  
 Linda Neal, Senior Planner  
**LOCATION:** 9 Broadway; Assessor's Parcel No. 002-121-19  
**PROJECT:** Replacement of originally approved mural artwork  
**ACTION:** Design Review; Application # 13-9  
**APPLICANT:** Dave Corkill  
**OWNER:** Same  
**CEQA STATUS:** Categorically exempt, § 15301



## 9 BROADWAY

## **BACKGROUND**

Currently existing on the 20,250 square foot site is a 10,210 square foot, 5 theater cinema complex. The original structure was built in 1952 with one 650 seat theater. The theater was divided into two (2) smaller theaters, one with 160 seats and a second with 385 seats in 1992. The theater was expanded and remodeled into a 10,210 square foot, four theater complex in 1998. A remodel occurred in 2004 within the existing structure to accommodate 5 screens. The final 1,632 square foot addition to create the 6<sup>th</sup> theater was approved in 2010 and included approval of a 39 foot x 29 foot mural of Mount Tamalpais shown in the distance beyond some trees (Exhibit A – pencil drawing of proposed mural). The mural used pastel colors of brown and green for the trees, pastel blues for the sky, different shades of tan for the clouds and deep varying shades of green and purple for the mountain itself (staff will bring the color palette to the meeting on July 18<sup>th</sup>, 2013, we were never provided with a color copy of the proposed mural and the Board at the time agreed to allow the artist some freedom with the final mural product).

## **DISCUSSION**

The owner is now proposing a different mural for the same upper portion of the eastern wall of the theater. The proposal includes features of the original design such as clouds, trees and Mount Tamalpais but is also includes the Broadway building streetscape, a glimpse of Bolinas Road, and people as well as a car and bicycles. The artwork is much less formal than the originally proposed mural (Exhibit B – proposed mural design).

The proposal does not conflict with any of the design review criteria contained within Town Code § 17.020.060 and will maintain the unique character of Fairfax.

## **RECOMMENDATION**

Staff recommends that the Commission approve application 13-9 for the proposed mural design depicted in Exhibit B with the artwork designed by Kennan Brothers and described in the staff report based on the following findings and subject to the following condition:

### **Recommended Findings**

1. The proposed mural will create 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.
2. The proposed mural is of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.
3. The proposed artwork maintains the unique character of downtown Fairfax.

## **Recommended Conditions**

Prior to beginning work on the mural the applicant shall provide the Department of Planning and Building Services with the following:

- A work timeline for the completion of the mural.
- A bond to cover the cost of repainting the eastern wall of the building to match the rest of the structure. The bond amount shall be determined based on review and approval of a bid and/or estimate of these costs from at least two licensed painting contractors.
- Should work on the mural lapse for period of 60 days after it is started, the Town will hire a painting contractor to repaint the western wall to match the rest of the building and bill the property owner.

## **ATTACHMENTS**

Exhibit A – pencil drawing of previously approved mural

Exhibit B – proposed mural