

MITIGATED DETERMINATION OF NON-SIGNIFICANCE

Description of proposal: Preliminary Site Plan Review and Administrative Design Review for new 4,706 square foot Chick-fil-A restaurant; Administrative Use Permit for drive-through facility associated with the new restaurant; and Major Variance to authorize 48 off-street parking stalls, which exceeds the limits specified in FMC 22.60.

Applicant/Proponent: Chick-fil-A

Location of proposal, including street address, if any: 6520 and 6602 19th Street West, Fircrest, WA 98466

Lead agency: City of Fircrest

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period required for this DNS.

This MDNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 15 days from the date of issuance, below. Written comments on the MDNS must be submitted by 5:00 p.m. July 3, 2018.

Responsible Official: Angelie Stahlnecker
Position/Title: Planning and Building Administrator
Phone: (253) 238-4125
E-Mail: astahlnecker@cityoffircrest.net
Address: 115 Ramsdell Street, Fircrest, WA 98466

Signature: Angelie Stahlnecker

Date of Issuance: June 20, 2018

Pursuant to RCW 43.21C.075 and City of Fircrest environmental regulations, decisions of the Responsible Official may be appealed. Appeals are filed with appropriate fees at the City of Fircrest City Hall, located at 115 Ramsdell Street. Appeals must be filed within 14 days of the June 20, 2018 issuance date (July 3, 2018).

PROPOSED MITIGATION MEASURES

1. The on-site and off-site circulation plan shall be revised to limit ingress/egress for the proposed westerly driveway on 19th Street West to right in/right out only. The applicant shall install a median landscape island within the center turn lane located opposite the proposed westerly driveway. This island shall be designed to preclude left turn in/left turn out turning movements at the westerly driveway. At the mutual discretion of the City of Tacoma and City of Fircrest, this island may be extended in length to the west, and to the east, of the existing barrier located opposite the proposed westerly driveway to discourage U-turn movements by vehicles entering or exiting the nearby TCC driveway on the north side of 19th Street West. The final design shall ensure that the proposed easterly driveway will provide full access to and from the proposed restaurant parking lot and drive-through facility. The cities of Fircrest and Tacoma will cooperatively determine the landscape design, the applicant shall fund the installation of the island and its landscaping, and the cities of Fircrest Tacoma will cooperatively pursue a maintenance agreement to ensure municipal maintenance of the median island landscaping.
2. The project site is mapped within the Tacoma Smelter Plume study area as possibly containing concentrations of arsenic and lead in shallow soils above the Washington State Model Toxics Control Act (MTCA) Method A cleanup level. Terracon Consultants, Inc, has conducted a limited site investigation in accordance with Ecology's Tacoma Smelter Plume Model Remedies Guidance. Terracon concludes that the soil samples submitted for analysis do not contain lead at concentrations above the MTCA Method A cleanup level. However, one soil sample contains arsenic at a concentration of 180 mg/kg, which exceeds both the MTCA Method A cleanup level of 20 mg/kg and the elevated arsenic concentration level of 40 mg/kg listed in Ecology's Tacoma Smelter Plume Model Remedies Guidance. Since the arsenic concentration for the sample collected at HA1 exceeded 40 mg/kg, the arsenic level for the location of the property is considered "elevated" and will require additional assessment and possibly cleanup measures.

The applicant shall develop a soil remediation plan and enter into a Voluntary Cleanup Program with Ecology. The applicant shall obtain an opinion letter from Ecology stating that the proposed soil remediation plan will likely result in no further action under MTCA – and provide this letter to the City of Fircrest. Prior to the City issuing a site development permit, the applicant shall provide the City with a "No Further Action" determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.

3. Extra precautions shall be taken to avoid escaping dust, soil erosion and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from publicly accessible spaces. Any contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulations (Chapter 173-350 WAC).