

CITY OF FIRCREST PLANNING COMMISSION
Notice of Decision / Resolution No. 18-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FIRCREST, WASHINGTON, APPROVING AN ADMINISTRATIVE USE PERMIT FOR THE CONSTRUCTION OF A DRIVE-THROUGH FACILITY IN CONJUNCTION WITH A CHICK-FIL-A RESTAURANT TO BE CONSTRUCTED AT 6518, 6520 AND 6602 19TH STREET WEST

WHEREAS, an application was made by Chick-fil-A on March 3, 2018 for an administrative use permit to construct a drive-through facility in conjunction with a 4,706 square foot restaurant to be located at 6518, 6520 and 6602 19th Street West, Fircrest; and

WHEREAS, the application was assigned Case Number 18-06 and deemed complete on April 6, 2018; and

WHEREAS, a Notice of Application was issued on April 17, 2018 with a comment period of at least 14 days ending May 1, 2018; and

WHEREAS, a public hearing notice was mailed to owners of property located within 500 feet of the subject property on July 9, 2018, a legal notice for the hearing was published on July 10, 2018 in the Tacoma Daily Index, and the project site was posted July 10, 2018; and.

WHEREAS, the subject property is designated *Commercial Mixed Use* in the City's Comprehensive Plan; and

WHEREAS, the subject property is zoned *Commercial Mixed Use*, which permits drive-through facilities, subject to administrative use permit approval; and

WHEREAS, the Commission has held a public hearing on this application on July 19, 2018, considered public comment, and has examined pertinent maps, drawings, and documents; and

WHEREAS, the Commission has made the following Findings of Fact and Conclusions of Law:

1. The proposed Chick-fil-A drive-through facility will not be detrimental to the public health, safety and welfare; injurious to property or improvements in the vicinity; or adversely affect the established character of the surrounding vicinity. The proposed drive-through facility has been designed to minimize impacts on nearby properties and the abutting public street (19th Street West) in terms of noise, turning movement conflicts, and vehicular encroachment onto the street ROW or pedestrian circulation areas. The design and location of the facility behind the

proposed restaurant building will minimize its visual impact on the established character of the surrounding area, which includes a mix of food-serving establishments, service and office uses, and recreation enterprises. The drive-through facility will not be visible from the direction of Tacoma Community College (TCC) because of the intervening restaurant building. The distance separating the drive-through from the TCC Campus will ensure the facility will not have a detrimental impact on the school.

2. The proposed drive-through facility will meet or exceed all stacking space requirements set forth in FMC 22.60.012 and all applicable design guidelines for drive-through facilities in FMC 22.64.043. As conditioned below, final detailed plans will be required to be submitted to city staff for final approval prior to issuance of construction permits in order to demonstrate full code compliance.
3. The proposed drive-through facility will be consistent and compatible with the goals, objectives and policies of the comprehensive plan, in particular Policy LU6.6, which states the following:

Automobile-oriented businesses such as restaurants with drive-up windows may be permitted in commercial mixed use areas subject to compliance with screening and other site development standards intended to minimize impacts on neighboring properties. Site design for such businesses should ensure safe and convenient pedestrian access separate from drive-up access and that does not require the pedestrian to cross drive-up facilities to reach the pedestrian entry. Site design shall consider the safety of motorists, bicyclists, and pedestrians on the streets, shoulders, and sidewalks adjacent to the business driveways.

4. All conditions necessary to lessen any impacts of the proposed use are measurable and can be monitored and enforced. The conditions of approval listed below will ensure that all potential impacts resulting from the project are mitigated to a satisfactory level in conformance with applicable code requirements. All proposed conditions can be monitored and enforced through the administrative design review, site development permit, and building permit approval processes and subsequent site inspection process.

THEREFORE BE IT RESOLVED that the Planning Commission of the City of Fircrest hereby approves the administrative use permit for Case 18-06 with the following conditions:

1. The applicant shall obtain administrative design review approval prior to issuance of a building permit for the drive-through facility and associated restaurant building, construction of parking lot and other circulation improvements, installation of signage, installation of landscaping, and initiation of other site improvements.

2. The applicant shall obtain site development permit approval from the City of Fircrest prior to commencing work on site improvements and other new construction.
3. The final plans shall be designed in substantial conformance with the preliminary plans provided as Exhibit 2 to the staff report and approved pursuant to Case 18-06.
4. The proposal shall comply with all applicable design guidelines for drive-through facilities in FMC 22.64.043.
5. The proposal shall comply with all conditions imposed under the Preliminary Major Site Plan approval Resolution No. 18-07.

PASSED AND ADOPTED by the Planning Commission of the City of Fircrest on the 19th day of July, 2018 by the following vote:

AYES: ()

NOES: ()

ABSENT: ()

Karen Patjens, Planning Commission Chair

ATTEST: _____
Angelie Stahlnecker, Planning Administrator

Assessor's Notice per HB 2567: Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Information Regarding Appeals

Appeals of this decision shall be governed by the provisions contained within Fircrest Municipal Code Chapter 22.10. Only parties of record have standing to appeal the Planning Commission's decision. An appeal of this decision must be filed within fourteen (14) calendar days of the date of this Notice of Decision, which is July xx, 2018. Therefore, the appeal deadline for this decision is August xx, 2018 at 5:00 PM. Appeals shall be in writing, accompanied by an appeal fee, and containing the information

requested in FMC 22.10.004(A)(4). For more information, contact Angelie Stahlnecker, 115 Ramsdell Street, Fircrest WA 98466, 253-238-4125 or planning@cityoffircrest.net.

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