

Initial Project Review

Conditional Use Permit: Popeyes Restaurant, Frederickson Town Center

Application Number: 948327

Parcel Number: 0319258039

Frederickson Advisory Commission (FAC) Public Meeting: January 25, 2021, at 7:00 p.m. Due to COVID-19 restrictions, this meeting will be held virtually. To participate, visit www.Zoom.com and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: 942 1669 3492 and Passcode: 646325, or click on the following link:

<https://piercecountywa.zoom.us/j/94216693492?pwd=Z0Z2NzZNaUpNWmdXZnhWb3hJWWTZSdz09>

For additional questions regarding the virtual meeting process, contact Tiffany Aliment at 253-798-3226 or tiffany.aliment@piercecountywa.gov.

Proposal: Conditional Use Permit to construct a 2,333-square foot fast food restaurant with drive-through and 23 parking spaces. The development will be at the southwest corner of Canyon Park East and Canyon Road East. Access to the site will be via a private road at the west from Canyon Parkway East at the north.

Project Location: 17021 Canyon Parkway East, Tacoma, WA 98446 (Frederickson), within the SE 1/4 of Section 30, T19N, R4E, W.M., in Council District #3

Zone Classification: Employment Service (ES)

Community Plan Area: Frederickson

Report Summary: Staff has reviewed the proposal for compliance with all policies, codes and regulations, and intends to recommend approval with possible modifications and conditions.

State Environmental Policy Act (SEPA): SEPA review is not required for this proposal.

Reviewer: Jenny Kreifels, Associate Planner, Jennifer.kreifels@piercecountywa.gov, 253-798-6322

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=948327>



Project Data

Application Complete Date: November 23, 2020

Initial Project Review Mailed: January 15, 2021

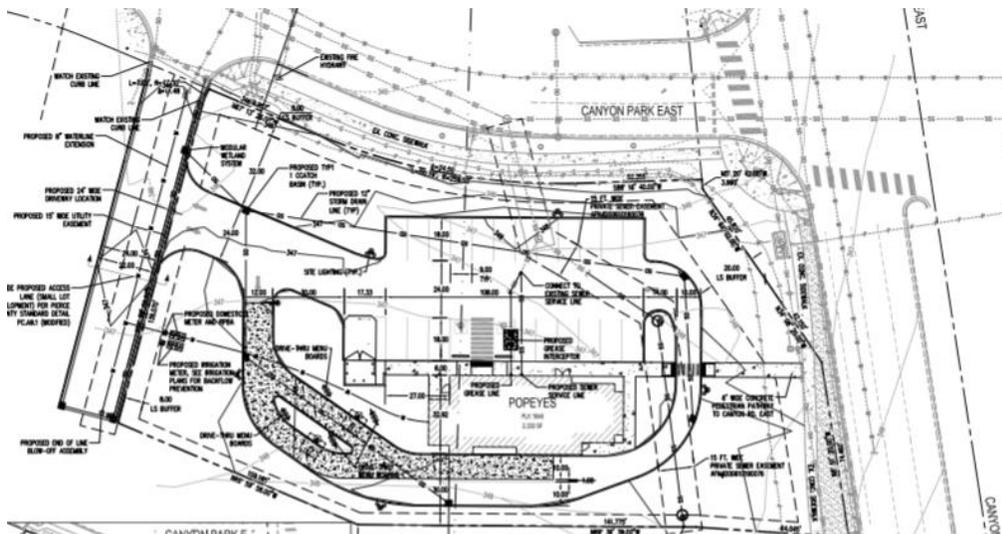
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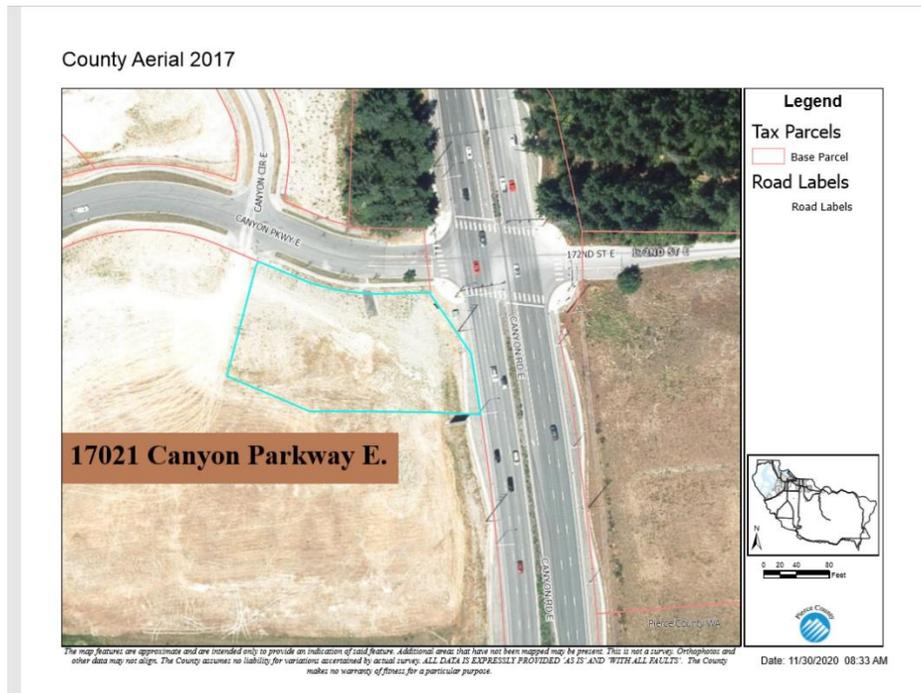
Legal Notice

- *December 3, 2020*: Notice of Application and Public Meeting Notice, including the Frederickson Advisory Commission (FAC) virtual meeting information, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *December 22, 2020*: The site was posted on this date and confirmed with a Declaration of Posting.
- *January 11, 2021*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*) advertising the FAC public meeting.

Site Plan



County Imagery 2017



Site Characteristics

- The County Assessor lists the parcel 0319258039 as being 0.91 acre in size.
- The parcel will be accessed from Canyon Parkway East at the north.
- Currently, the site is vacant undeveloped land.
- Road frontage improvements exist along Canyon Road East and Canyon Parkway East.
- The site is relatively flat.

Surrounding Land Use and Zoning Designation

	LAND USE	ZONING
North	Commercial Vacant Land	Employment Services (ES)
South	Commercial Vacant Land	ES
West	Commercial Vacant Land	ES
East	Canyon Road East	ES

Review Responsibility

The following list includes jurisdictional areas for County departments and divisions involved in the review and administration of this proposal:

- A. Planning and Public Works (PPW):
 - Current Planning verifies compliance with the Pierce County Comprehensive Plan, Frederickson Community Plan, and development regulations including zoning, critical areas, design review and potential environmental impacts.
 - Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions and road standards.
 - Cartography reviews road names and addresses.

- Transportation Services reviews for traffic.
- Sewer Utility Services reviews for sanitary sewer service.
- B. Fire Prevention Bureau reviews for emergency vehicle access and fire flow.
- C. Tacoma-Pierce County Health Department reviews for wastewater disposal and potable water.
- D. Assessor-Treasurer's Office reviews for tax segregation, depiction of record description, improvements, and property ownership.

Review Criteria

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County Development Regulations, and Construction and Infrastructure Regulations.
- B. Pierce County Comprehensive Plan and Frederickson Community Plan.
- C. Applicable state statutes.
- D. All applicable notes on related previously recorded County documents.

Agency Review Comments

The proposed project has been routed to interested departments and agencies for review. Additional comments may be forthcoming. To date, no comments have been received from neighbors or the public. Comments have been received and corrections and additional information requested by the following agencies:

- Pierce County Resource Management Section of PPW (Dara Kessler) has no further requests, as there are no wetland or fish and wildlife indicators on the site.
- Tacoma-Pierce County Health Department (Chris Hicks) requires an 8” water main extension with domestic and irrigation services.

Initial Planning and Public Works Staff Review for Consistency with Regulations and Policies

County Comprehensive Plan and Community Plan

The project complies or can be conditioned to comply with all applicable policies and objectives of the Comprehensive Plan and Frederickson Community Plan.

Development Regulations

Current Planning has reviewed the proposal for conformance with Pierce County Development Regulations Title 18A - Zoning, Title 18D – Environmental, Title 18E –Critical Areas, and Title 18J – Design Standards and Guidelines. Project features of interest are identified below.

Title 18A, Development Regulations - Zoning

18A.22.010 Frederickson Use Table

This Chapter provides the Use Tables and Density and Dimension Tables for the FAC area.

Staff Comment: Under the Commercial Use Category in Table 18A.22.010, Eating and Drinking Establishments Use Type is listed as Conditional Use Permit.

18A.33.270 Commercial Use Category – Description of Use Categories

G. Eating and Drinking Establishment.

Type refers to establishments that sell prepared food, beer, wine and/or liquor and may also provide music and dancing. Examples include, but are not limited to, espresso stands, fast food restaurants, full-service restaurants, taverns, brewpubs, craft distilleries and wineries.

Level 2: Fast food restaurants with drive-through facilities.

Staff Comment: The proposed project is a Fast food restaurant with drive-thru which falls under Level 2 of this use category per the Frederickson Use Table and is categorized as a Conditional Use in areas within the ES zoning classification.

Title 18A.35 – Parking

The purpose of this Section is to regulate off-street and on-street parking areas to ensure adequate parking, lessen traffic congestion, and create uniform standards which provide sufficient on-site areas for parking and maneuvering of motor, transit, and nonmotorized vehicles.

Staff Comment: PCC Table 18A.15.040-1 allows the restaurant to provide between 9 and 23 parking spaces. The proposal is for 23 parking spaces.

18A.75 Use Permits

18A.75.030 Conditional Use Permits

A Conditional Use Permit may be approved only if all the following findings can be made regarding the proposal and are supported by the record:

- a. That the granting of the proposed Conditional Use Permit will not:
 - (1) be detrimental to the public health, safety, and general welfare;
 - (2) adversely affect the established character and planned character of the surrounding vicinity; nor
 - (3) be injurious to the uses, planned uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

Applicant Comment: The approval of the proposed use will ensure compliance with zoning code and community standards and will not be injurious to the uses, property, improvements adjacent to and in the vicinity of the site.

- b. That the granting of the proposed Conditional Use Permit is consistent and compatible with the intent of the goals, objectives and policies of the County's Comprehensive Plan, appropriate Community Plan (provided that, in the event of conflict with the Comprehensive Plan, the Comprehensive Plan prevails), and any implementing regulation.

Applicant Comment: Upon granting of the Conditional Use Permit for the proposed use; goals, objectives and policies of the community and comprehensive plan and any additional regulations or conditions brought forth by this submittal will be achieved or resolved as required.

- c. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.

Applicant Comment: Should the Hearing Examiner or planning staff require conditions to lessen any negative impacts caused by the proposed use; it is expected that any such conditions will need to be met prior to final inspection or by other means of enforcement set forth by the County.

- d. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.

Applicant Comment: It is not expected that the proposed use will introduce hazardous conditions at the site that require mitigation.

- e. That the conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

Applicant Comment: It is not expected the proposed use will adversely affect public facilities and services.

- f. That the Level of Service standards for public facilities and services are met in accordance with concurrency management requirements.

Applicant Comment: It appears most necessary public services are available at the site at time of application. Access to the site from Canyon Parkway is proposed and included on the site plan. Any concerns brought forth by the Hearing Examiner or planning staff will be addressed.

Staff Comment: Per the submitted responses to the review criteria the applicants note they will be in compliance with the Conditional Use review criteria.

Title 18D - Environmental

The proposal is not subject to environmental review under the State Environmental Policy Act (SEPA).

Title 18E – Critical Areas

The site is in an aquifer recharge area and subject to requirements to ensure runoff is managed to protect the aquifer. No other critical areas have been identified on or near the site.

Title 18J – Design Standards and Guidelines

The required design standards and guidelines to promote compatibility between land uses by reducing visual, noise, and lighting impacts of development on users of the site and abutting uses are outlined in this section. The following are a list of the relevant standards and guidelines:

18J.15.030 Tree Conservation.

The purpose of this Section is to retain and/or restore the overall tree canopy in the County by using plant materials as a unifying element and tool to protect the health, safety and welfare of the public.

Staff Comment: The proposal will need to provide 5 tree unit credits per acre. The site is 0.9 acres per the Assessor-Treasurer records, requiring 5 tree units. The site plan shows 20 tree unit credits meeting the requirement of the section.

18J.15.040 Landscape Buffers.

The purpose of this Section is to use landscaping and buffering concepts to promote compatibility between land uses by reducing the visual, noise, and lighting impacts of development on users of the site and abutting uses.

Staff Comment: Level 3 landscape buffer is proposed along the eastern property line, along Canyon Road East, an arterial roadway. Level 2 landscape buffer is proposed along the north at Canyon Parkway East and west property line, along the private road access, both of which are non-arterial roadways. As the property to the west and south are vacant, landscape buffering is not required, however will be required, per 18J.15.090 D.4 Drive Through Facilities and shown on landscape plan.

18J.15.080 Off-Street Parking, Pedestrian, Bus and Bicycle Facilities.

To provide aesthetically pleasing parking facilities that accommodate motorized and nonmotorized modes of transportation and facilitate safe connections for vehicles and pedestrians between commercial areas and neighborhoods while minimizing impervious surfaces by sharing parking facilities where possible.

E. Standard – Location and Orientation. New parking lots for commercial and office uses shall have no more than 50 percent of required parking stalls between the road and building.

Staff Comment: An updated site plan will need to address the following:

- 18J.15.080 N. Pedestrian Circulation
 - Pedestrian connections from the restaurant building to Canyon Parkway East.
 - Hard surface pedestrian facilities shall be clearly marked with the use of pavers, stamped concrete, or by being raised a minimum of 6 inches above the adjacent surface and shall be of durable, non-slip surfaces.
- New parking lots for commercial and office uses shall have no more than 50 percent of required parking stalls between the road and building.
- Two outdoor benches and trash receptacles
- One bicycle rack
- Illumination in all pedestrian, parking, and other public areas
- Accent paving and pedestrian lighting

18J.15.085 Exterior Illumination. Provide safe and visible public areas exterior lighting that accents and complements the space and/or building architectural details.

Staff Comment: The parking areas will be required to meet the exterior illumination requirements.

18J.15.090 Parking Lot Landscaping.

The intent of parking lot landscaping is to provide visual and noise relief to adjacent uses from parking lots by enhancing public and private open spaces, and to facilitate aquifer recharge.

Staff Comment: Parking areas will be required to meet the parking lot landscaping.

18J.15.100-130 Landscaping Plant and Soil Requirements.

The intent of these code sections is to foster the use of plants native to Western Washington and drought tolerant plants common to this area, ensure compliance of applicable plant related design standards through installation concurrent with development of a project site, and ensure that vegetation required by this Chapter is healthy and continues to meet the objectives for the life of the project.

Staff Comment: All proposed landscaping must meet the requirements of these sections.

18J.15.155 Mechanical Equipment and Outdoor Storage Screening.

Protect the aesthetic quality of developments and surrounding properties by screening service areas for mechanical equipment and outdoor storage.

Staff Comment: Outdoor storage areas must be screened per this section.

18J.15.170 Stormwater Facilities. The following standards apply to development proposals for industrial uses. The standards set forth in this Section are supplementary to the requirements of the Pierce County Stormwater Management and Site Development Manual.

Staff Comment: The proposal must meet the requirements of this section.

18J.60 Frederickson Advisory Commission Community Plan Area Design Standards and Guidelines.

A review of the FCP Table 18J.60.020-1 Type of Review Required for Regulated Activities found the following sections will require compliance:

18J.60.060 Canyon Road Landscaping

A.1. Design Objective - Perimeter Buffers and Screening. Provide buffers between residential and non-residential uses and adjacent to arterials to reduce compatibility issues, increase privacy, create a well-defined, attractive streetscape, and partially reduce the visual and noise impact of traffic.

Staff Comment: The proposal must meet this objective.

18J.60.080 Building Design and Placement.

The Building Design and Placement standards are intended to guide the placement and design of commercial, civic, industrial, and multi-family structures. These standards apply primarily to new construction.

B. Design within the Mixed-Use District (MUD), Community Employment (CE), Employment Service (ES), and Employment Center (EC) Zones. Promote design in all building projects within the MUD, CE, and ES zones and non-industrial building projects within the EC zone that helps to provide cohesiveness, consistency, and architectural detailing without restricting architectural creativity. Promote developments which are both auto and pedestrian oriented and create buildings and site designs which appeal to both.

2. **Design Objective – Architectural Elements and Details.** Architectural elements and details shall be used that tend to reduce the perceived size of a building, provide a more human scale and provide for visual and functional continuity with adjacent and neighboring commercial, office/business, civic, and industrial structures which are consistent with design standards and guidelines of this Chapter.

Staff Comment: The proposal must meet these standards.

18J.60.110 Employment Service Zone Streetscape Plan

The purpose of this Section is to provide design direction and standards for landscape and urban design elements related to the streetscape along Canyon Road East and 176th Street East to enhance the overall character of the community and provide a consistent treatment throughout the Employment Service (ES) zone. All new commercial development shall meet the standards of this Section.

Staff Comment: The proposal must meet these standards.

Question from Staff for the FAC:

Does the FAC believe that the applicant is meeting the Conditional Use Permit Requirements?

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