

## Appendix A

January 18, 2024 Hearing Transcript

Keimig CUP -- PLCUP20220162

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Examiner Olbrechts: (00:06):

Alright, perfect. For the record, it's January 18th, 2024, 10:00 AM I'm Berg's Hearing Examiner for the City of Puyallup. We have a conditional use permit application to consider today P-L-C-U-P 20 22 1 6 2. The hearing format is we'll have a presentation from staff first and that's going to be Ms. Comstock's going to give us an overview of the project. Once she's done, we'll move on to the applicants if they want to add anything they're not required to, but if they choose to, they can. Then after that public comments, then back to Ms. Comstock for some concluding comments and rebuttal information if she thinks that's necessary, then applicant gets final word and I get 10 business days to issue a final decision. Now I was just looking, I'm not sure, it's still kind of new to Puyallup. Do we have an exhibit list somewhere or usually that's in the staff report or sometimes it's a separate list. Does Puel prepare an exhibit list or anything like that or should I just use the portal list?

Ms. Comstock: (01:07):

Yes, the exhibit list should have been in there in the portal. I'm not sure why it's not showing up.

Examiner Olbrechts: (01:19):

Well, I think, well, I guess I can just share screen on the, I guess the portal has a complete list of, all the exhibits are one through 15. Yes. Yeah, I can just share that. That'll work. Hold on a second. Let's see. There we go.

Ms. Comstock:

Okay, and just, so for future though, you do usually have a separate exhibit list. That's how you do it instead of putting it in the staff report and then that's available at the portal. Does that help you out? Usually puts that together,

Ms. Comstock: (01:47):

Yes. And then it looks like it wasn't approved to be visible. That's my bad, so if you refresh the portal, it should be on there. I apologize. Oh,

Examiner Olbrechts: (01:56):

Okay. Let's try that. Let me stop the share. Let's

Speaker 3 (01:59):

See.

Examiner Olbrechts: (02:04):

Oh, there it is. Okay, lemme get that up on screen.

Speaker 3 (02:12):

Okay,

Examiner Olbrechts: (02:19):

There we go. Okay, so as I mentioned, we have 15 exhibits and who's in the hearing right now? It looks like just city staff. Is that right? Is there anybody else participating or is that it? Oh, I see. We've got participants in a separate, there we go. Okay. So we do have a few people participating. Good. Alright, I'll explain then. This is the city's exhibit list, which are the exhibits that Ms. Comstock put together, she feels are important to the application and that I and the public should have an opportunity to review. We have the conditional lease permit, application design, review application, CIPA checklist waiver. CIPA is the State Environmental Policy Act, which is where the requirements an environmental impact statement come from and one wasn't found necessary or even applicable in this case. We've got the site plan set, which diagrams how this project's going to look, the landscape or the landscaping's going to be architectural plans, stormwater report, critical areas that would be if there were any wetlands or streams or protected species involved, that kind of thing.

Examiner Olbrechts: (03:22):

And we also address traffic in exhibit 10, geotech in exhibit 11. That's for any steep slopes or unstable soils, that kind of thing that's assessed and what's needed for proper foundation, that kind of thing. Let's see. And then we have some comment letters from the tribe and D-R-T-D-R-T. Is that the development review team? Ms. Comstock? Yeah. Okay. And then the affidavit of of hearing. So at this point I just want to ask if anyone has any objections to entry of these documents into the record. If you do, go ahead and just hit the virtual hand at the bottom of your screen if you're participating virtually. See if we got any takers on that. No, it looks like we're okay with these. So I'll go ahead and admit exhibits one through 15, which includes the staff report. So Ms. Comstock, I'll clear you in at this point. Just raise your right hand. Do you swear affirm and tell the truth, nothing but the truth in this proceeding? Yes. Okay, great. Go ahead.

Ms. Comstock: (04:22):

Alright, so I'll go ahead and share my PowerPoint.

Examiner Olbrechts: (04:24):

Sure.

Ms. Comstock: (04:26):

Let's see. All right, Ken, you see my PowerPoint? Okay? Yes. Okay. All right. So hello, my name is Nala Comstock. I'm a planner with the city of Puyallup. For today's public hearing, I'll be presenting the conditional use permit application for the county storage and workspace, which is permit number PCP 20 22 0 1 62.

Ms. Comstock: (04:56):

So this conditional use permit application is for a light industrial use within the CG General Commercial Zone. The proposed project is to construct a 3,200 square foot building divided into four storage units and two associated workspaces. The project features the connection to utilities, landscaping, and rider of way dedication as well. The applicant for this project is the property owner, Samantha Kig. The site is located at one one fifth Street, Southeast and within the General Commercial Zone and has a future land use designation of auto oriented commercial. The project is not subject to CIPA and MAR review. So this application process started when the applicant submitted their preliminary plans and associated reports in November of 2022. The city sent a notice of application to the public in December, 2022. Following the notice of application staff began their initial review of the project and completed three rounds of review of the project before final development review. Team letter was issued to the applicant on November 15th, 2023.

Ms. Comstock: ([06:13](#)):

As stated in the last slide, we sent the notice of application in November of 2022, which included a mailer to surrounding property owners, an email to local government agencies and publication in the Tacoma News Tribu. We received only one comment back from the Squa Indian tribe who let us know they have no specific comments or concerns, but to inform them if there are any inadvertent discoveries of archeological resources or human burials. Otherwise, we received no other comments. Following the final DRT letter, we produced a notice of hearing that included the same public outreach in December, 2023. We received no comments response to the notice of hearing. So some key exhibits for this project were the staff report, the CFP application, non-residential design review application, the site plan, landscape plan, architectural plan, and final DRT letter. The development review team for this project included myself with planning Lance Hollinsworth with engineering Miko Hutchins with traffic, Janelle Montgomery with building and David Drake with fire. So for the project itself, the proposed project is for a limited manufacturing use within the general commercial zone. The proposed structure is a storage and workspace building at one one fifth Street Southeast. The property is within the CG general commercial zone and the surrounding area consists of professional office and retail uses to the north and limited manufacturing uses to the piece. And directly south of the site is the VNSF railway.

Ms. Comstock: ([07:55](#)):

So for the site plan, the proposed site plan includes four storage units located on the first floor of the structure as well as two associated workspaces located on the second floor. There are two driveways for access to the storage units located directly in front of the building as well as one driveway for access to the site and associated parking. The project includes four parking stalls, which meets the minimum required stall count for the proposed use. The project also proposes the required six foot landscape setbacks along the east, west, and south property lines, and along the north they have an eight foot pedestrian plaza followed by eight feet of landscaping. In order to meet the non-residential designer view standards for developments within the CG zone, although the pedestrian plaza and associated landscaping should be along the entirety of the front of the structure, a continuous landscape planting buffer would not be feasible due to the operation of the site. The applicant still proposes eight feet of pedestrian plus space and eight feet of landscaping and R two install freestanding landscape planners parallel to the storage unit. Driveways staff finds this to be an acceptable layout for the site. The project also includes two feet of right of way dedication to increase the width of the roadway as part of front edge improvements.

Ms. Comstock: ([09:24](#)):

So the proposed structure includes two stories, add first stories designated for the four storage units, and the second is for the two associated workspaces in the CG zone. They're required to meet non-residential design review standards found in PU municipal code section 20 26 300 staff found that the proposed elevations, material setbacks and site plan design principles for non-residential development were met. So there are four review criteria that must be met for a proposed CUP. The first criteria is that the use for which the CUP is applied for is consistent with the zoning storage facilities fall under the definition of limited manufacturing uses, which are conditionally permitted use within CG zone. So staff finds that the meets this criteria. The second is that the assurance of the CUP won't be detrimental to the public health, safety, comfort, convenience, general welfare of the property and improvement. It's in the area. The structure is located on parcel that abuts the railway to the south and has two parking lots on the east and west of it. North of this lot is a professional office plaza. So the addition of the storage units and associated workspaces would not be detrimental to the vicinity as it's consistent with its surrounding uses. The addition of landscaping around the perimeter of the site as well as the requirement to meet design review guidelines assist in maintaining the charact during intent of the zone. So staff finds that the proposal meets the second criteria.

Ms. Comstock: ([11:03](#)):

The third criteria is that the proposed use can be adequately served by public facilities without placing an undue burden on facilities and streets. So the storage and workspace is located along seventh Street Southeast, which is an existing paved alleyway. As part of the approval for the CUP, the applicant is required to make furniture improvements along the length of the parcel to properly serve the use. A two foot ride of way dedication is required as part of these frontage improvements in order to increase the width of the roadway and contribute to making the alley compliant in meeting roadway standards. Therefore, staff finds that the CP will not create an undue burden on streets and facilities. The fourth criteria is that the CIP fee of sufficient size in order to accommodate the proposed use and all required features for development from the Puyallup Municipal Code, the proposed use has been designed to accommodate the two story structure.

Ms. Comstock: ([12:00](#)):

Its required parking, driveways, design standards and landscaping without a need for deviation from city standards. So as a result of this, staff binds that the proposal meets this criteria as well. And the last criteria is that the granting of the CUP cannot be gone Contrary to the adopted comprehensive plan, staff found that the proposed storage units and workspace are consistent with the city's comprehensive plan policies. The policies that applied to this project included the land use element, community character element, and the economic development elements. There were no identified inconsistencies with these elements. So there were a total of 13 conditions for the project that can be found in the final DRT letter, which is Exhibit 14. These conditions were all related to future associated civil loan building permits and not directly related to the CUP approval itself. So staff recommends that the hearing examiner approve the CUP application for county storage and its associated workspace at one one Fifth Street Southeast as proposed.

Examiner Olbrechts: ([13:08](#)):

So do we have any more detail on what's going to be done in the workspaces? The purpose of conditional use permit review is to assess whether it's going to make noises and other impacts that adversely affect people. And we don't seem to know what they're going to be doing in the workspace. I mean, did they tell you or what's going on up there?

Ms. Comstock: (13:27):

My understanding was that it would be if you were to let's say rent or own one of the storage spaces, you would be able to use the associated workspace upstairs for office use or just another personal space associated with

Examiner Olbrechts: (13:43):

That. So it's not going to be any industrial use. I mean they're saying it's an industrial use, so it seems like, I mean, could they be doing some noisy sawing or whatever up there? Like I say, there's just no explanation of what's going to be going on up there. It sounds like you're assuming it's going to be office space, but it's not limited to that, is it?

Ms. Comstock: (14:07):

I think that would be a great question for the applicant. I believe I did not look any further. I was looking at the storage space being the reason for this

Examiner Olbrechts: (14:15):

VP

Ms. Comstock: (14:16):

Application.

Examiner Olbrechts: (14:16):

Okay, got you. Okay, sounds good. Thanks Ms. Comstock. Alright, well let's, let's move on to applicants. Did the applicants want to add anything at this point? Any takers out there? It looks like we got some Mr. Dorsey. Okay. Mr. Dorsey need to unmute yourself and I'll swear you in real quick. Just raise your right hand. Do you swear affirm to tell the truth, nothing but the truth in this proceeding? I do. Okay, great. And your last name is D-O-R-S-E-Y, is that correct? For the record? Correct. Alright. Okay, go ahead.

Speaker 4 (14:49):

I'm project architect Mark Dorsey with first lamp architecture owners representative. I wanted to speak to the approved use under the conditional use permit that's corrected as a manufacturing and industrial use as identified for the building and associated parking on the site. And so I think that does allow for the flexibility of light industrial primarily of storage use down low and accessory office use on the second floors. But the use permit would allow for light industrial light manufacturing use.

Examiner Olbrechts: (15:41):

I don't know if

Speaker 4 (15:41):

You have any follow-up questions to that.

Examiner Olbrechts: (15:43):

So I mean it's possible you might put some equipment up there and things and just do what's on

Speaker 4 ([15:49](#)):

The second floor specifically?

Examiner Olbrechts: ([15:50](#)):

Yeah, yeah. For the workspaces? Yeah,

Speaker 4 ([15:53](#)):

No, that would be just office

Examiner Olbrechts: ([15:57](#)):

Storage. Oh, it would be office. Okay. Okay. Yeah.

Examiner Olbrechts: ([16:01](#)):

Okay. Alright, got you. Thanks Mr. Dorsey, appreciate your comments. Okay, let's see. Let's move on to public comments. At this point, any members of the public want to say anything? If you do, just raise your virtual hand and we'll get to you. Not seeing any takers, just a lot of people watching what's happening today and that's great. Alright, well Ms. Comstock, any final comments before we wrap it up? No. Okay. Well I'll go ahead and close up the hearing and yeah, I just got to take a sort of a quick review of the uses. I might add some kind of limiting condition on the use to make sure that it's consistent with the zoning designation, but I recognize the surrounding uses are pretty, they're not very sensitive. I mean, you do have to worry about the office plaza a little bit, but it doesn't sound like there's much potential to create anything in the workspaces that would interfere with that. So anyway, with that, we'll go ahead and adjourn for today. Thanks all for your participation. We'll get that decision out in the next couple of weeks. Thanks a lot. Thank