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BEFORE THE HEARING EXAMINER FOR THE CITY OF PUYALLUP

Phil Olbrechts, Hearing Examiner

RE: ACT Common Thread Warehouse Conditional Use PLCUP20230103	FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION.
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INTRODUCTION

A Common Thread (ACT) seeks a conditional use permit application to operate a food repackaging, distribution, and storage warehouse facility in an existing building located at 1102 East Main Street, Suite B, Puyallup, Washington 98372. The proposed use includes staging, preparation, and storage of food, pallet sorting for delivery to offsite locations, refrigeration, onsite storage of 14' refrigerated truck, a donor kitchen, volunteer area, food distribution, and general operations. The application is approved.

ORAL TESTIMONY

Ms. Nabila Comstock, Associate Planner, City of Puyallup Planning Division, summarized the staff report. No one else testified.

EXHIBITS

Exhibits 1-11 listed in the Exhibit List prepared by staff were admitted during the hearing.

FINDINGS OF FACT

Procedural:

1. Applicant. ACT – A Common Thread (Ms. Brenda Jallits, president) 2914 21st St. Ave. Ct SE, Puyallup, WA 98372. The property owner is Mr. John Hopkins, 1102 East Main Street, Suite B, Puyallup, WA 98372.
2. Hearing. The Hearing Examiner conducted a virtual hearing on the application at 10:00 am on May 30, 2024.

1 **Substantive:**

2 3. Site/Proposal Description. A Common Thread (ACT) seeks a conditional
3 use permit application to operate a food repackaging, distribution, and storage
4 warehouse facility in an existing building located at 1102 East Main Street, Suite B,
5 Puyallup, Washington 98372.A. The proposed use includes staging, preparation, and
6 storage of food, pallet sorting for delivery to offsite locations, refrigeration, onsite
7 storage of a 14' refrigerated truck, a donor kitchen, a volunteer area, food distribution,
8 and general operations. ACT provides delivery and packaging for in-community (55
9 and older) free farmers markets to senior living facilities, housing and remote locations
10 across Pierce, Thurston, Lewis and King County. The subject site will be used for a
11 distribution center that provides a link between food sources, agencies, and senior
12 communities.

13 The existing building was previously a veterinarian's office and was listed on
14 Puyallup's local historic register in 2022 for its association with Dr. William F. Harris.
15 The structure is now being rented out in units to different businesses and uses.
16 The proposal would occupy 2,100 square feet of the existing 5,246 square foot building.

17 4. Characteristics of the Area. The surrounding area consists of professional
18 offices, general commercial, and limited manufacturing uses. The subject parcel is
19 directly north of a limited manufacturing (ML) zoned site with a general storage
20 warehouse and light industrial manufacturing building. To the north, west, and east of
21 the site are professional offices and general commercial buildings.

22 5. Adverse Impacts. No adverse impacts are anticipated from the proposal.
23 Pertinent impacts are addressed as follows:

24 A. Traffic and Parking. According to the staff report, the City's traffic engineer
25 has found that the proposal will not generate a volume of vehicle trips that
would warrant improvements or cause deficiencies (Exhibit 1, page 5). Staff
analysis has also determined that the site will be able to accommodate the three
(3) off-street parking stalls required for the use (Exhibit 1, page 6).

B. Critical Areas. The project site does not contain nor is within 300 feet of any
regulated critical area that necessitated reports for this scope of work. The only
critical areas located on this site or within 300 feet are the Lahar Zone and the
Aquifer Recharge Area. The City's critical area regulations do not require any
mitigation or assessment for the proposed use.

C. Compatibility. Sharing the characteristics of a modest commercial enterprise, the
proposal is fully compatible with the surrounding commercial, office and industrial
uses The proposal will be located in an existing commercial building and no
exterior alterations are proposed.

1 D. Utilities. Staff has indicated in their report (Exhibit 1, page 5) that the existing
2 water, sewer, and electrical utility connections available at site can serve the
3 use.

4 CONCLUSIONS OF LAW

5 **Procedural:**

6 1. Authority of Hearing Examiner. PMC 20.80.005 and 20.85.005 and
7 authorize the hearing examiner to hold a hearing and issue final decisions on
8 conditional use and variance applications.

9 **Substantive:**

10 2. Zoning Designation. The property is currently zoned CG, General
11 Commercial Zone.

12 3. Review Criteria. PMC 20.30.010 requires a conditional use permit for
13 limited manufacturing/light industrial uses located in the CG zone. PMC 20.80.010
14 governs the review criteria for conditional use permits. Pertinent criteria are quoted
15 below and applied via corresponding conclusions of law.

16 **PMC 20.80.010 Required findings to grant:**

17 *Each determination granting a conditional use permit shall be supported by written*
18 *findings of fact showing specifically wherein all of the following conditions exist:*

19 *(1) That the use for which the conditional use permit is applied for is specified by this*
20 *title as being conditionally permitted within, and is consistent with the description*
21 *and purpose of the zone district in which the property is located;*

22 4. Criterion met. The criterion is met.

23 PMC 20.30.005(5) provides as follows:

24 *The CG zone is intended to provide for retailing and other commercial services*
25 *that serve the large market area surrounding the Puyallup community. Such*
commercial developments usually rely upon the automobile as their principal
source of access....The CG zone is also intended to allow some uses which are
quasi-light industrial in character.

The proposed use meets the intent of the CG zone as quoted above. The proposed
delivery service is commercial in character and designed to serve the surrounding
community with its van service.

1 **PMC 20.80.010(2):** *That the granting of such conditional use permit will not be*
2 *detrimental to the public health, safety, comfort, convenience and general welfare, will*
3 *not adversely affect the established character of the surrounding neighborhood, and*
4 *will not be injurious to the property or improvements in such vicinity and/or zone in*
5 *which the property is located;*

6 5. Criterion met. The criterion is met for the reasons identified in Finding of Fact No.
7 5.

8 **PMC 20.80.010(3):** *That the proposed use is properly located in relation to the other*
9 *land uses and to transportation and service facilities in the vicinity; and, further, that*
10 *the use can be adequately served by such public facilities and street capacities without*
11 *placing an undue burden on such facilities and streets;*

12 6. Criterion met. The criterion is met. The proposal is located within an existing
13 building that is adequately served by existing streets and access. Staff has indicated that
14 improvements to frontage and or driveway access are not warranted. As determined in
15 Finding of Fact No. 5A, the proposal will not generate any additional traffic and thus
16 will not add to street capacity problems. As determined in Finding of Fact No. 5D, the
17 proposal will also be served by adequate water, sewer and electricity.

18 **PMC 20.80.010(4)** *That the site is of sufficient size to accommodate the proposed use*
19 *and all yards, open spaces, walls and fences, parking, loading, landscaping and other*
20 *such features as are required by this title or as are needed in the opinion of the hearing*
21 *examiner are properly provided to be compatible and harmonious with adjacent and*
22 *nearby uses;*

23 7. Criterion met. The criterion is met. The proposal will be located within an existing
24 building. As determined in Finding of Fact No. 5, the proposal will not create any
25 additional need for parking and as assessed in the staff report, the proposal is fully
compliant with all setbacks and other zoning bulk and dimensional standards. The
proposed use is not required to provide any additional yards, open spaces, walls or
fences, and landscaping as those present are adequate to accommodate the proposed
use.

PMC 20.80.010(5) *That the granting of such conditional use permit will not be*
contrary to the adopted comprehensive plan, or to the objectives of any code,
ordinance, regulation, specifications or plan in effect to implement said comprehensive
plan.

8. Criterion met. The criterion is met. The proposal is consistent with the City's
comprehensive plan because the comprehensive plan future land use map designates
the project site as General Commercial (CG), which is consistent with the proposed
use. As previously noted, the proposal is consistent with the applicable CG zoning
purpose and intent. Staff has reviewed the proposal for consistency with all applicable

1 development standards pertinent to conditional use permit review and found the project
2 consistent. There is nothing in the record to show otherwise and the proposal as
3 presented is found to conform to all applicable development standards, subject to
4 meeting the criteria for all other applicable permits.

5 **DECISION**

6 Based upon the conclusions of law above, the requested conditional use application is
7 approved.

8 Dated this 13th day of June, 2024.

9 *Phil Olbrechts*

10

Phil Olbrechts,
11 City of Puyallup Hearing Examiner

12 **Appeal Right and Valuation Notices**

13 This decision may be appealed to the City of Puyallup Appellate Hearing Examiner by
14 filing a petition for review with the City of Puyallup Planning Director as regulated by
15 PMC 2.54.150 et. seq.

16 Affected property owners may request a change in valuation for property tax purposes
17 notwithstanding any program of revaluation.
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