

Appendix A

March 28, 2025, Hearing Transcript

Chick-Fil-A

File No. – CUP 2-24

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Examiner Olbrechts: [\(00:03\)](#):

Perfect. Alright, for the record, it is March 28th, 2025. I'm Phil Albright's, hearing examiner for the City of Burlington, holding a hearing today on a conditional use permit application for a new Chick-fil-A store out in the city of Burlington. No city is complete without one. I think this is file CP two dash 24. The hearing format is we'll have a presentation from staff and is that going to be Ms. Sers? You're going to be giving us the overview of the project today.

Mr. Johnson: [\(00:34\)](#):

Hi Phil, this is Brad Johnson, community development Director. Yeah, Ms. Sers be doing the presentation today and I would just point out that she is a new planner and is going through her first hearing this morning. So any deference you can show in terms of the procedural aspects and patients would be greatly appreciate.

Examiner Olbrechts: [\(00:49\)](#):

Sure, sure. Yeah, no problem. Yeah, this should be a fairly not too complicated one to do today. So after Ms. Cyrus is done with her presentation, then we'll move on to applicant comments if they want to make any. After that, we move on to the public and that would include anyone in the hearing room as well as anyone who's attending virtually. We'll make sure that everyone who wants to speak today will have that opportunity. Once we're done with public comments, we'll jump back to Ms. Sers to answer any questions that were raised during the public testimony and MSS also has that chance to complete the record with any added information she thinks is necessary to support her recommendation. And after that, then I'll hear back from the applicant as a matter of due process, they get final word and then I get 10 business days to issue that final decision. Now by state law, I'm only allowed to consider evidence that's put in the record today. That way everyone who participates in the hearing knows the information that's considered for that final decision. And Ms. Sers has put together an exhibit list and I'm trying to, let's see if I can find that. Here we go. Yeah, let me share my screen on that if I have that capability. Hold on a second.

[\(02:07\)](#):

Oh, there we go. Oh, I'm disabled from doing that. Is that, maybe can someone else maybe share a screen with the current exhibit list? See at least we've got a blank document up there, right? Or I can just go through the list real quick. That's not a problem. Yeah, well I don't know, I just do that or unless, can you maybe enable me to share a screen?

Planner Sires: [\(03:08\)](#):

Can you see that

Examiner Olbrechts: (03:09):

Now? Oh, now we've got it. Okay, perfect. Alright, so as you can see there's a lot of work that goes into these conditional use permit applications. We've got the staff report itself, site plans, landscaping plans, lighting plans, trash enclosure details, elevation plans, a geotechnical report was done and it's the environmental review which essentially determined that no environmental impact statement is necessary for this project as well as a traffic analysis, parking analysis, and the hearing notices, that kind of thing. A total of looks like 24 exhibits are proposed to be added to the record. At this point I just want to ask if anyone needs to see any of these documents or has any objection to their entry in the record. If you do, you're participating virtually, just click on the virtual hand at the bottom of your screen or if you're in the meeting room, just wave your hand and the staff will recognize you. So not seeing any takers on that, which is pretty standard for this kind of thing. I'll go ahead and admit exhibits one through 24. Ms. Sers, at this point I'll swear you in and then you can go ahead and give us your presentation. Just raise your right, oh sorry,

Planner Sires: (04:14):

Sorry, excuse me Phil, I think we have someone in the audience who is wanting to speak about the exhibit list.

Examiner Olbrechts: (04:19):

Alright,

Planner Sires: (04:21):

Can you just go to the podium and then click the button so the blue light is on and maybe state your name as well.

Speaker 5 (04:33):

Name is Andrew Hun. Thank you. I just wanted to make sure staff received something for the public record this morning around 8:15 AM and if was that put in the exhibit lifts and if not, if that could be added.

Planner Sires: (04:47):

Yes, staff did receive that. We haven't had time to review it, so we were going to ask the hearing examiner if we could send it after for him to review. Okay, excellent. Thanks.

Examiner Olbrechts: (04:56):

Yeah, and then the speaker, when it's time for public comment, you can certainly, or if you're on behalf of the applicant, whenever you speak today, you can move to have that admitted into the record, that won't be a problem. So we'll get that in one way or another. Okay. Ms. Sears, let me swear you in at this point, just raise your right hand. Do you swear affirm to tell the truth, nothing but the truth in this proceeding?

Planner Sires: (05:19):

I do.

Examiner Olbrechts: (05:19):

Okay, great. Go ahead.

Planner Sires: (05:22):

Hi. Thank you everyone for attending. So we have a project for Chick-fil-A for queuing lane restaurant drive through with an indoor play area. It's off of six 80, highway 20 and 8 0 8 Neve Road, kind of by McDonald's right there. What is currently there is a 10 room motel. It's currently vacant so they will be demolishing that and putting in their restaurant. So staff has issued a recommendation of approval for this project. So we have the staff report and then along with that staff report, the applicant has addressed a few questions and comments and so we then addressed a supplemental memo to the original staff report and then as we had just addressed, the applicant then furthered this morning, sent more comments and questions which city has not been able to review. So we will review that after and give it to the hearing examiner as well.

Examiner Olbrechts: (06:20):

Okay. Is that it from staff?

Planner Sires: (06:23):

Yes. Thank

Examiner Olbrechts: (06:23):

You. Okay, perfect. Alright, let's applicants at this time, do you want to add anything at this point?

Planner Sires: (06:32):

Go ahead and go up there

Examiner Olbrechts: (06:34):

And yeah, I'll just, anyone who wants to speak I'll have to swear you in and then you'll have to give us your name and the spelling so we get that right for the transcripts and then you can have your say so Sir, let me swear you in first. Just raise your right hand. Do you swear affirm to tell the truth nothing but the truth in this proceeding?

Speaker 5 (06:50):

I do.

Examiner Olbrechts: (06:51):

Okay. You

Speaker 5 (06:51):

Swear to tell the truth nothing but the truth.

Examiner Olbrechts: (06:53):

Great. And what's your name for the record sir?

Speaker 5 ([06:56](#)):

Andrew Hunt.

Examiner Olbrechts: ([06:57](#)):

Okay, Mr. Hunt, go ahead.

Speaker 5 ([06:59](#)):

Thank you Mr. Hearing examiner and city staff, I don't know if this would be a good time to kind of go through what the applicant sent in this morning. There's about five or six points on it. Each should take about three or so minutes. I think they're vital to the conditions of approval and one of the things we wanted to mention here today, or if I should wait until later,

Examiner Olbrechts: ([07:22](#)):

Give us a quick overview. I think what I'm going to do since there seems to still be a lot of back and forth before staff is probably leave the record open once the hearing is done today, a few days for staff and applicant to come to a final resolution as far as they can on agreed conditions and stuff and then just forward that to me. So I probably don't need to go in a whole lot of detail about the latest revisions you want, but a little overview would be fine. Sure,

Speaker 5 ([07:52](#)):

Absolutely. Thank you Mr Hearings Lerner. First of all, just real high overview. We're thankful to the city of Burlington staff for everything we've done and worked through this far. Congratulations on your first hearing with the hearing examiner and welcome. It is my understanding you're a new hearing examiner

Examiner Olbrechts: ([08:11](#)):

Here. That's right.

Speaker 5 ([08:12](#)):

So congratulations as well. This has been something Chick-fil-A has been wanting to work on for a while now. We think we've been working with the staff for over a year, both informally and informally. I think it was January of 2024 we did our first technical review committee and now here we are today trying to move past and I believe we will move past with this recommended approval to move into building permits and see this store built. So it's something Chick-fil-A is extremely excited about. We do overall agree with the staff's recommendation for approval. We're thankful for their partnership through all of this from the beginning. They've been very willing to work with us and we're very grateful for that. So I think there are a few things that will be added to public record that we just wanted to highlight and go through those real briefly.

([08:57](#)):

Maybe not spend three minutes each of them, but just highlight I think the important ones. And then otherwise the items that are not mentioned in the supplemental applicant memo. There are no other questions or comments. I believe we've resolved all the rest of them with staff and there's really no questions aside from that. This memo dated today covers I think six conditions or six items, the first of which being the sidewalk. So condition seven J just very briefly, it talks about sidewalk with a minimum width of five feet shall be provided along the western edge of the wash dot access road. The part would like to add the verbiage in there that very clearly specifies the words from SR 20 and extending down

and not past the southernmost access along the wash dot access road and then the rest of the condition as written. And this will be seen in further detail in the actual supplemental memo, but the intent here is that this access road to the East Wash dot has agreed that with the applicant that it should not be considered a public access street.

[\(10:07\)](#):

And so for safety reasons and circulation reasons and because there is no parking or pavement or anything south of that curb cut, there really should be no sidewalk. It's not leading to anything. It seems to make logical sense and would say both the city and the applicant confusion and money to not extend that. So that was a recommendation that the applicant had. The next piece is related to condition three. And just real briefly I'll read it. Given the before mentioned information, the applicant respectfully request requests the removal of recommended revision condition number three, all revision to the language which says the civil engineering plans submitted with the grading permit application shall include design specifications for the approved, I'm sorry, proposed access road to the east of the development site in the wash dot striking out the word right away, calling it an access road and then adding some verbiage in here which distinguishes it as a private access street. Again based on conversations directly with Washau staff who owns that property.

[\(11:16\)](#):

The next item applicant wanted to draw the attention to is eight F. And very briefly I want to read this first section here, which I believe adds some good context. It says in relation to finding 22, the applicant respectfully requests the removal or strikethrough of condition eight F with reference to the information provided from Skagit County assessor's office wash dot records and correspondence, records of survey and Burlington City zoning maps, which all indicate that a type three buffer to the east of the subject parcel is not required given that the subject site is not adjacent to a freeway. There were some earlier on that applicant had with staff trying to determine what was east of the subject site. After confirming as the notes say with WashDOT records of survey, et cetera, we found through factual evidence that actually the property at East is a WashDOT access road or street.

[\(12:11\)](#):

Either way, there are exceptions in code table 17 81 1 10 C, one exception one states and adjacent property is one that directly abuts a property on which the development is occurring. And there's a note here that says property separated by a street or a railroad right of way shall not be considered adjacent. No buffer shall be required. So whether it's viewed as a street or a property to our east, regardless, we don't believe the type three buffer applies. So that's another piece. The last three briefly I just wanted to cover was I don't know how staff or the hearing examiner would want to cover this because there was no actual condition of approval associated with it, but the applicant may recommend that a condition of approval be added for some clarifying language. The applicant would like to respectfully request the city staff or hearing examiner to confirm the definition of a cuing lane as the applicant cannot file Arlington municipal code.

[\(13:10\)](#):

Queuing lane is a lane or lanes where the customers or peoples may queue or wait for their food or service. The applicant can only find one instance of a pedestrian path crossing the queuing lane on this proposed site which is in the middle of the drive-through, not at the end where customers have already picked up their food and served and serviced over. And so the question here is either can the city staff or hearing examiner make no on record there's only one crossing, or if that's not acceptable, can there be a condition added that alternatively allows the applicant to provide stamped concrete rather than raise pedestrian crossings? And without getting too much detail, there is detail in the report that the

applicant provided, but essentially there's quite a significant hazard that restaurants, fast food restaurants particularly run into when a customer has been served and there's a speed table or a raised crossing after they've been served, it disrupts the driver and they tend to focus more on their food and their drinks rather than the safety of pedestrians crossing. And so if it's acceptable to staff and sufficient, we would like to offer that either that's not in the queuing lane and we would not like to count that technically speaking or if we don't see eye to eye on that, that's acceptable if a striped delineated, clearly delineated concrete area be called out instead.

[\(14:35\)](#):

The last two items very briefly were related to parking, which the city and applicant spent a lot of time on and we very much again appreciate the city's work with us through this. There was a desire to come with more supplemental and technical data in our parking memo. We believe that 10 w the traffic engineer on record for this applicant has provided that. And again, there's a lot of detail in here that the hearing examiner and city staff can read after the hearing or there could be questions if you guys have them for the applicant. But I just wanted to read a short section. As requested by city staff, the applicant has provided a revised traffic study and supplemental parking memo as of the 26th of March in which 10 w references the peak parking demand with the ITE manual and utilizes trip generation studies conducted at four existing Chick-fil-A restaurants.

[\(15:28\)](#):

These two technical analysis paired together to factor weekday peak hour trip rates are 70% higher than typical fast food restaurants. 10 w concludes that noting 75 stalls will ensure that the estimated peak demand will be accommodated on site without neighboring impacting neighboring businesses. As we received a public comment from a neighbor who said parking may be an issue as well as acknowledging that off street parking is not permitted or designed for with this establishment. So there's a lot more detail in here, but the big picture is if this Chick-fil-A project is only approved with let's say 25 or 31 stalls, that will not safely, Chick-fil-A does not believe that will safely accommodate or provide for the proposed property. And I cannot see this project moving forward with anything less than somewhere around that 75 number. And so that 75 number is now hopefully we believe justified with technical analysis and data and if there's any questions related to parking, the applicant themselves, Chick-fil-A is here digitally to answer some questions.

[\(16:37\)](#):

I'm sure they'd be happy to, but I wanted to cover that as well very quickly. The last piece and thank you for the time to speak through these items was related to the setbacks and just I wanted to note that the setbacks was something I think the biggest item that really set the applicant by surprise. Given that we went through the technical review committee, we do understand that it's the informal guidance. We did however, receive a very clear in our understanding interpretation from the community development director in an interpretation for the waiver for the setback. And so in part of our response we noted how throughout the whole land use process, both the informal process and formal, we never received any comment about any issue of the setback. And we have pointed out that since we got this formal staff report, the applicant would like to pursue the same waiver that it was granted in the informal technical review committee comments, which is that a waiver could apply and there's details again in this report and that if the applicant would try to, for example, as staff said, add some sort of wall to the canopy, these new canopies are not like the pictures that were provided.

[\(17:53\)](#):

There's not a design standard for them to do that. So that's not like, it's just something that can be put together like those old ones were. So for that last condition, which is condition 18 from the original staff

report, the applicant respectfully requests that a waiver be granted that no maximum building setback need to be addressed and that it can be waived. Thank you. Hearing examiner and city staff.

Examiner Olbrechts: (18:18):

Okay Mr. Hunt. So let's just ask then if anyone has any objections to Mr. Hunt's supplemental? I don't want you, what's your document called? Mr. Hunts Again?

Speaker 5 (18:29):

The title is Conditional Use Permit Applicant Requests to Recommendations.

Examiner Olbrechts: (18:33):

Okay. Alright. Any objections over entry of that document by anyone in the hearing room or anyone attending virtually? Okay, hearing none will add that as exhibit 24 to the exhibit list. Thanks Mr. Hunts. Okay, at this point then we, oh, we can now move on to public comments. We'll start off with people in the meeting room. If there's anyone in the meeting room that wants to comment now is your chance, you just need to go up to the podium there. I'll swear you in. Tell us your name and then you can go ahead and make your comments if you want. Alright. Just raise your right hand and do you swear affirm to tell the truth, nothing but the truth in this proceeding?

Ms. Steen: (19:24):

Okay, just notes on my name's Diane Steen.

Examiner Olbrechts: (19:28):

Okay. Oh, and let me start, do you swear or tell the truth nothing but the truth in this proceeding?

Ms. Steen: (19:33):

Yes, I do.

Examiner Olbrechts: (19:34):

Okay, great. And then what was your name again?

Ms. Steen: (19:36):

My name is Diane Steen.

Examiner Olbrechts: (19:37):

Okay. And how do you spell your last name?

Ms. Steen: (19:39):

Across the street.

Examiner Olbrechts: (19:40):

Okay.

Ms. Steen: (19:40):

S-T-E-E-N.

Examiner Olbrechts: ([19:42](#)):

Okay, great. Go ahead.

Ms. Steen: ([19:45](#)):

First of all, I think there's a lot of positive things about this and that's not what I'm going to talk about. So I'm not totally negative. I am concerned about parking and the traffic in front where they're trying to make this new turn lane. When we developed our property and even McDonald's has, we have pull through parking because in our area we get a lot of campers, especially in the summertime, campers, people pulling trailers, buses. It's different than being in the city where everybody's driving a small car and a lot of box trucks too. We have so much contractors that come into our area now, the Nevi Road has developed into a heavier traffic street compared to when it was developed because of all the apartments that are going on. And I read that there were another 360 proposed on the road. So I think we're going to have a lot more traffic on road.

([20:48](#)):

So it's the pocket that I'm a little bit concerned about. It's directly across from one of our businesses. So we have people exiting there and that's not the only problem I see where I think it has space for three cars. And what happens when the light turns is we get a pretty big number of cars coming who are going westbound on Highway 20. So that brings a lot in. And then they have the free right hand turn for the cars going eastbound. So there's a lot of convergence of traffic and if you have three cars or a car with a trailer in that pocket, it's going to jam up and people are going to go back out into Highway 20 because it's so close. I'm not sure what kind of delivery trucks you have. I just took a picture of McDonald's semi-truck this morning and if it's coming from the south, which I'm expecting, then they're going to be using that turn lane as well and stopping things. So I don't know how that's going to work. I hope I'm wanting everything to work out so that it's positive because I think your development looks beautiful, the landscaping looks great, but traffic is still a concern of ours. So I just want to make sure that that's brought up.

Examiner Olbrechts: ([22:12](#)):

Okay. Thank you for your comments. Much appreciated. And I'll ask the applicant once we get back to applicant comments and they said they have some of their consultants there, maybe they can have if their traffic consultant is available to address that. I did see that the traffic report base, that's trip generation estimates on other Chick-fil-As, which was certainly a good thing because Chick-fil-A's probably do generate more traffic than your typical fast food plays. So hopefully you got a consultant that can address that. But anyone else in the audience who want to speak on this at this point? Ms. Cys, do we have any takers?

Planner Sires: ([22:51](#)):

I don't see anyone online.

Examiner Olbrechts: ([22:52](#)):

Okay. Or in the meeting room. Alright. Okay, well let's go back to you Ms. Cys. Any comments you want to make at this point?

Planner Sires: (23:07):

Okay. Hi. Sorry, not anything too. I think you make good points and the thing you sent this morning, but like I said earlier, staff hasn't really reviewed it yet, so we would like to take the time to review it if that's acceptable to the hearing examiner.

Examiner Olbrechts: (23:22):

Definitely. Yeah, like I said, I'll be leaving the record open for that purpose.

Planner Sires: (23:26):

Okay, perfect. Yeah, other than that, yeah, staff stands by the memo and the staff report that we sent out and we'll take a look at what the applicant has sent us this morning.

Examiner Olbrechts: (23:36):

Okay. Alright, we'll go on back to Mr. Hunt. Mr. Hunt. As I said, if you have your traffic consultant online, maybe he can address the queuing issues at the, I believe that's the left turn lane is what was talked about and that kind of thing.

Speaker 5 (23:50):

Absolutely. Thank you Mr. Hearing Examiner. I believe we have Chris Forster from 10 W here, raised his hand. Chris, do you want to jump in, maybe introduce yourself?

Mr. Johnson: (23:58):

Sure.

Speaker 5 (23:59):

And maybe talk a little bit about not only the traffic concerns, but also some of the improvements we're doing to the intersection. I think that'd be helpful for, yeah.

Examiner Olbrechts: (24:08):

Okay. Mr. Forer, let me swear you in first. Just raise your right hand. Do you swear firm tell the truth, nothing but the truth in this proceeding?

Mr. Forster: (24:15):

I do.

Examiner Olbrechts: (24:15):

Okay, great. Go ahead.

Mr. Forster: (24:18):

I don't know, can you see my face or is it just a picture?

Examiner Olbrechts: (24:21):

No, you see your face actually I can even see it.

Mr. Forster: (24:23):

Oh, okay. I couldn't see it on my screen. So yeah, we were the traffic consultant in charge of doing the traffic and parking studies for the project. Just to give you a little background, I'm a licensed professional engineer in Washington, Oregon, Idaho, Montana. I've been doing studies like this for 28 years now. And like I said, we prepared the traffic report, parking, parking analysis, which Andrew kind of touched on earlier. I totally understand the comments from Diane about the queuing on road. When we first started the project, we met with Burlington and WashDOT staff. WashDOT is going to be very heavily involved with any changes to that road just given that it's state Route 20, it's a state route. They require a pretty thorough analysis whenever we're doing traffic analysis that's reviewed by them. So we coordinated with them early on. Some of the comments has been alluded to earlier is the use of Chick-fil-A specific trip rates. A lot of cities do require that for Chick-fil-A because Chick-fil-A's popularity is pretty high right now and they generate generally more traffic than your standard fast food restaurant. That's just based on what the data shows. And so we studied four other locations, we estimated trip generation based on those and it was about 70% higher than the ITE manual, which is the Institute of Transportation Engineers. That's the manual that we typically use for just an everyday fast food restaurant.

(26:26):

Nonetheless, we use the trip generation rate from these chick from Chick-fil-A. So we feel good about that, that we've accounted for the forecast traffic. And one of the issues that we noted early on in the project was the fact that if you're coming from State Route 20 and you're headed westbound from the freeway, say from northbound I five, you get off the off ramp and you head westbound on 20, you need to make a left onto Neve Road. Well there's no currently, there's no left turn lane that would allow now left turn access or at least easy left turn access into the proposed driveway location, which as Diane noted that it is directly across from their driveway to the gas station across the street.

(27:19):

The current configuration of never road in that location on the northbound approach, it has two northbound right turn lanes and a left turn lane. And so there's three lanes of storage for vehicles. And what we did is we said, okay, well first of all, first question is are those two northbound right turn lanes really needed? Because if they're not, it would be nice to be able to take part of that left turn lane and allow that to be our left turn pocket into the proposed Chick-fil-A right away. And if you do that, you're reducing that left turn storage by 50 to 75 feet. And so we believe that would not provide enough storage for left turns. So we basically converted the center lane, which is currently a right turn lane into a second left turn lane. And so the proposed improvements include two northbound left turn lanes and a right and a single right turn lane at the Ne Road SR 20 intersection.

(28:32):

And so we knew right away if we're proposing a change like that, that we're going to have to get the city approval and washed out approval. And like I said, we scoped our analysis, we did some detailed traffic operations studies using a simulation analysis where it actually tracks individual vehicles and compute statistics for queuing. And based on the proposed channelization, all of the queues are expected to be accommodated within the turn pockets at the intersection and between the driveway and state Route 20, including the southbound left turn that Diane mentioned as being a concern, the southbound left turn cues would be accommodated into the Chick-fil-A file. We did also look at queuing in and out of the driveway to the gas station. The 95th percentile cues, the 95th percentile is typically what we as traffic engineers kind of design facilities to. And that's a vehicle Q length that is only exceeded 5% of the time during the peak hours statistically. So the Q length for traffic exiting the gas station in that 95th percentile condition was about three to four vehicles, not unreasonable for a side street stop controlled

driveway on a street like nett. And then likewise the Q length exiting Chick-fil-A was about three vehicles as well.

(30:23):

Some other things to note regarding whether the two northbound taking away a northbound right turn lane at net is justified. The overall volumes on nevi really are fairly evenly balanced between traffic going northbound in terms of left turns and right turns because if you want to get onto I five southbound, you're going to be making a left turn. And if you're wanting to get on I five northbound, you're going to be making a right turn. So the volumes today and even in projected into the future are pretty well balanced. And so converting that right turn lane into a left turn lane, that center right turn lane into a left turn lane, we showed actually it is just more efficient use of the turn lane storage there. And I think Diane also mentioned when the right turn, the right turn actually has more capacity to operate in a single lane because it actually gets more green time from the traffic signal than the left turn.

(31:42):

And that's because it has that phase where when the westbound left turns are going on State Route 20, the right turns are also able to go on a green arrow. I think everybody's probably seen that situation happen when they're driving. So bottom line is we've conducted a very thorough analysis it wash. You got two public agencies that are scrutinizing our analysis and we did go back and forth a couple times and tweak some things just to make sure our analysis was sound and meeting everybody's requirements and wash in the city approved our analysis and approved the proposed change in Channelization on Nevi Road. I hope that doesn't provide too much.

Examiner Olbrechts: (32:42):

No, that was very helpful and I should correct myself. It turns out that the funny looking guy on the screen is myself, not you. We did just have a picture of you there, but that's just fine. It's a good picture. I was wondering though, it seems like, I think your report also said there's 37 onsite queuing spots. Is that correct?

Mr. Forster: (33:02):

Yeah, in the proposed drive-through lane, that's a separate analysis that we also do for a lot of these Chick-fil-A's and 37 drive-through spaces for Vehicles is what is being proposed.

Examiner Olbrechts: (33:20):

That's pretty unusually large, isn't

Mr. Forster: (33:22):

It? If you compare that to any other fast food restaurant, it far exceeds that and that's just Chick-fil-A has learned over especially the last few years that they need to provide

Speaker 2 (33:37):

That

Mr. Forster: (33:38):

Because otherwise you could create issues where you're backing it, the queues are backing up into the parking area affecting parking efficiency and then worst case it backs up onto the public streets. And so you see on the site plan how the entry to the Q lane is kind of pretty far from the main entrance on nevi.

So not only do you have storage for those 37 cars in the actual drive-through lanes, but you do have room in case those even were full, that it could back out into some of the parking areas before it would ever impact the driveway operation on Nevin.

Examiner Olbrechts: [\(34:22\)](#):

Yeah, that's good to see because seen that, especially that problem with both Chick-fil-As and in outs, it's just sometimes it's a nightmare where you have cars circling around parking lots that were never intended for that kind of circulation pattern. Okay. Well thanks for your comments. That's been very helpful and I hope it has been for the audience too. So Mr. Hunt, any other comments on behalf of the applicant

Speaker 5 [\(34:46\)](#):

Hearing Examiner City staff? I don't think I have any more new comments. I just do want to reiterate at the end of staff's original report, they had mentioned how this seems to fit with the comprehensive plan as well as the city's goals and initiatives. And we'd agree this location is a large site, it's a site where we have reduced from 90 something parks down to 75, which we believe is the minimum of just the right number to give us a safe parking count. This is right off the highway, both SR 20 and I five. We do believe it'll serve this community well. We're very excited to serve Burlington. And I think a large part of this too is there's a lot going into this with the ization, like Chris mentioned, redevelopment of the site. There's significant progress and work the city has already put into this project and as well as ourselves. And we're just very excited and we'll continue to work with staff to get to the finish line as far as these conditions are related and build this building and we're just very thankful. So thank you.

Examiner Olbrechts: [\(35:52\)](#):

Okay, great. Well yeah, let's deal with all the revisions and that kind of thing. I think that probably just to have a really good clean record and to minimize the opportunity for mistakes, submit missions, that kind of thing, be helpful for staff and applicant to come to a meeting of the mind, to the extent they possibly can that then Ms. Sers put all that into a final revised staff report so that I don't have four different documents that I have to meld together. That's where I'm trying to avoid the potential mistakes, that kind of thing. So I want to try to get a final staff report from Ms. Sers after she's done everything she can to come to agreement on terms with the applicant. And then if there's still some outstanding issues, then I'll allow the applicant and city to put in writing what their differences of opinion are and then I'll resolve those. That's my role here I guess. So I, let's put some dates on that little post post-hearing process. So I dunno, how much time do you think Ms. Sers, do you need to work with the applicant to see how much you can work out here and to come up with a final revised staff report?

Planner Sires: [\(37:03\)](#):

Maybe two weeks if we're any more back and forth. I would say maybe two weeks.

Examiner Olbrechts: [\(37:09\)](#):

Okay.

Planner Sires: [\(37:10\)](#):

Okay.

Examiner Olbrechts: [\(37:11\)](#):

Okay. Yeah, so we say, let's see, that would be fourth the 11th, then come up with a final revised staff report if there are any outstanding concerns after the final report is done, then I'll give the parties a week to kind of submit their differences in writing as to why they believe their positions should be supported. So that would be do the 18th if there's any remaining outstanding concerns. And then also if anyone out there wants to see that exchange and let staff know and you'll be included in the distribution of documents. And then if there's somebody out there that wants to comment on those exchanges, then I'll give some time for additional comment as well. But just make sure to make that request to Ms. Sers if you're a member of the public and you say, I want to submit some comments on these revisions and then I'll set up an opportunity for you to provide your comment and response from applicant and staff. Does that make sense to everybody? So we got the final revised staff report due on the 11th. Any differences of opinion remaining after that between applicant and staff? Each party can then write that up there differences and submit that by the 18th. And then I'll just ask if we got any members of the public who want to comment, I'll say, yeah, get your comments in by the 18th. That would be in response to the staff final, final staff report prepared by Ms. Sers. So is that fairly clear, Ms. Sers or,

Planner Sires: [\(38:42\)](#):

Yeah, that's

Examiner Olbrechts: [\(38:42\)](#):

Perfect, thank you. Okay. Alright, sounds good. Alright, well thank you everybody, and always good to see some healthy economic development out there in an area, which isn't too controversial anyway, so that's nice. It worked out pretty well. Really good thorough analysis and good presentation. So I guess we're done for the day. Have a great rest of the day and our weekend.