

JAN 26 2018

EXHIBIT 3.3

TO: City of Beaverton

Planning Division

Written Comment: Submitted by Christina Gamgene, Laurel Road Resident, Beaverton, OR
Dated: January 26, 2018

Project Name: Chick-fil-A Extended Hours

Case File No.: CU2017-0013

Summary of Application: Extended Hours of Operation in order to accommodate one (1) semi-truck delivery from 5:00 am to 7:00 am, three to five days per week and to allow employees on premise in order to assist with delivery

Comments to be included in staff report (as follows):

Chick-Fil-A (CFA) initially submitted application and received approval for Application DR2017-0068, SDM2017-0008 – Chick-Fil-A Restaurant (to be located at 10655 SW Beaverton-Hillsdale Hwy) on September 28, 2017.

At that time, residents of Grand Fir Commons and properties East of us were not aware of the application, nor notified. We were therefore not able to attend a September 6, 2017 Review Meeting in which we could have expressed our concerns on a drive-thru restaurant on this site. On learning of impending build out of said property I contacted the Beaverton Planning Department and spoke with Elena Sasin, Assistant Planner. I was informed we did not receive notification because we are allegedly outside the 300' boundary that a Type 2 application requires notification to be sent. However, on further discovery days later Elena notified me that our Common Area was within the 300'.

Residents at Grand Fir Commons received letters dated October 18, 2017, from DOWL regarding a November 9, 2017 meeting at Garden Home Recreation Center to discuss an impending Conditional Use Permit for CFA to operate outside the hours of 7:00 am to 10:00 pm. We were included in this notification as allegedly a Conditional Use Permit requires notification to be sent to property within 500' of the proposed project.

Why do I bring these items up on this Hours of Operation application? It is because it is the first time I can address the City of Beaverton, the Mayor and the City Council, on record, that the initial process has serious flaws in that all residential property owners on Laurel were not notified of a project that will adversely affect the traffic on a once quiet residential street. A traffic study was conducted at the intersection of 107th and Laurel Road, but did not include the additional vehicles that will use Laurel Road as an ingress and egress use for CFA. Vehicular estimates on the initial CFA application indicate "full site buildout as proposed, would generate 2,402 trips on an average day" (Attachment A, FR-2) of which egress is onto 107th AND Laurel Road.

Is this the way City Planners, the City Council and the Mayor want to treat residential home owners?

Now, regarding Hours of Operation for the proposed CFA!

I submit that **Chick-Fil-A must operate between the INCLUSIVE hours of 7:00 am to 10:00 pm** per the City of Beaverton requirements for a Type 2 site project.

CFA was well aware at application time that these hours were all inclusive. The notice of Application as published in Community Newspapers stated these as hours of operation as well.

The approved Application DR2017-0068, SDM2017-0008 states "the proposed restaurant and associated drive-through will operate between the hours of 7:00 am and 10:00 pm" (Attachment A, FR-5). Apparently CFA was satisfied with these hours at application time and felt they would be able to adequately operate between them.

If we cannot completely stop the building of this type of drive-through restaurant that will adversely affect Laurel Road, then we must have the concession of NOT allowing extended hours of operation.

JAN 26 2018

Planning Division
Page 2 of 2

City of Beaverton
Case File No.: CU2017-0013


I spoke with the GM of CFA in Clackamas this morning to determine their hours of operation. He was extremely nice and candid. I learned the (3 to 5 days per week) deliveries originate in Seattle and deliver to CFA locations in Vancouver, Clackamas and Tanesborne. I suggest a guess Beaverton will be the last to receive goods since a route has already been defined with the other CFA deliveries. I suggest Beaverton would receive their goods near or at the 7:00 am hours and therefore no need for the extension.

Additionally, the GM stated he feels it is better to receive the deliveries closer to opening time.

To make an arbitrary extension of hours starting at 5:00 am seems excessive. We will already be experiencing an additional intrusion of daily pick up of trash trucks as needed for the restaurant.

If CFA wants to invade a residential area as permitted by the City of Beaverton, we can only hope we receive **CONSIDERATION, COMPASSION AND COOPERATION TO LISTEN TO AND RESPECT OUR NEEDS AND WANTS BY MAINTAINING THE INITIAL AGREED TO HOURS OF OPERATION OF 7:00 AM TO 10:00 PM.**

Respectfully submitted by,


Christina Gamgene
10457 Laurel Road, Beaverton

And including all the residents of Grand Fir Commons at 10481, 10475, 10469, 10463, 10451 SW Laurel Road, Beaverton