



**CITY OF CORNELIUS
COMMUNITY DEVELOPMENT DEPARTMENT**

PLANNING COMMISSION ADOPTED STAFF REPORT

**U-Haul – COMMERCIAL DEVELOPMENT
Type III Site Design Review
Type III Conditional Use Permit**

Land Use File Numbers DR-70-23 and CUP-02-03

**Planning Commission Hearing Date: February 27, 2024
Staff Report Date: February 20, 2024**

Request: A Type III Site Design Review (DR-70-23) and Type III Conditional Use Permit (CUP-02-23) to redevelop a commercially zoned property and build a new three-story self-storage facility that will be 38.6-feet in height (3.6-feet taller than the height standard of the zone). The development will include a three-story 94,764-sf building for a U-Haul moving and storage facility. The new building will have 843 interior storage spaces of various sizes, a 2,483-sf showroom/retail area, a 1,460-sf Delivery & Receiving (D&R) area, a new parking lot, landscaping, a water quality facility, and new frontage improvements.

Applicant: Shannon Marvin, MCP
2727 N Central Avenue
Phoenix, AZ 85004

Property Owner: Mary Delfs
2962 Baseline Street
Cornelius, OR 97113

Site: 2962 Baseline Street, Cornelius, OR 97113

Map: Township 1 North, Range 3 West, Map 34 DD, Tax Lot #07700 and #07900.

Zone: Highway Commercial, C-2

Applicable Criteria: CMC Title 18 Zoning: Chapter 18.10 Application Procedure, Chapter 18.15 Review Procedures; Chapter 18.15, Chapter 18.45 Highway Commercial (C-2), Chapter 18.100 Site Design Review, Chapter 18.105 Conditional Use Permit, Chapter 18.143 Transportation Facilities, Chapter 18.145 Off-Street Parking and Loading, and Chapter 18.155 Solar Access for New Development.

Process: Approval of a Type III Site Design Review, Type III Conditional Use Permit and Type II Land Partition with public hearing shall be processed consistent with Cornelius Municipal Code (CMC) Section 18.15.010(C), a Type III Planning Commission Review. The application shall be

processed with notice and a public hearing before the Planning Commission pursuant to CMC Chapter 8.15.040. The notice of the Planning Commission's decision shall be provided to the applicant, interested parties, and anyone that testifies in the matter.

APPEAL RIGHTS

An affected party may appeal a decision of the Planning Commission to the City Council by filing an appeal within ten (10) working days of notice of the decision pursuant to the CMC. The notice of appeal shall indicate the decision that is being appealed and include all required contents pursuant to CMC Chapter 18.15.090.

APPLICABLE CRITERIA OF THE CORNELIUS MUNICIPAL CODE

- Chapters 18.10 & 18.15 (Application & Review Procedures)
- Chapter 18.45 (Highway Commercial, C-2)
- Chapter 18.100 (Site Design Review)
- Chapter 18.105 (Conditional Use Permit)
- Chapter 18.143 (Transportation Facilities)
- Chapter 18.145 (Off Street Parking and Loading)
- Chapter 18.155 (Solar Access for New Development)

GENERAL FACTS

- The subject Site consists of two tax lots totaling approximately 2.96 acres.
- Tax lot # 7700 is approximately 2.53 acres. There is a 60-foot access easement along the northern edge of the parcel to four separate tax lots (#7400, #7500, #7600 and #7800). Each lot is developed with a dwelling.
- Tax lot #7900 is approximately .43 acres and is developed with a Furniture Store, commonly known as Murphy's Furniture.
- On May 30, 2023 via DR-34-23 the Community Development Director approved a change of use for a portion of the furniture store from retail sales to office/rental space for U-Haul.
- On June 14, 2023 via CUP-01-23 the Community Development Director approved the outdoor storage of rental equipment for U-Haul, as shown within Exhibit E.
- Baseline Street is an Oregon State Department of Transportation (ODOT) facility, commonly known as State Highway 8 or Tualatin Valley Highway (TVHWY). As this transportation corridor is a State facility, ODOT has control over improvements and access. The City of Cornelius Transportation System Plan (TSP) designates TVHWY as Priority Arterial.
- N. 29th Avenue is a city street with a Collector designation on the TSP.
- The applicant is proposing a new 3-story 94,746 sf building. The new building will have 843 interior storage spaces of various sizes, a 2,483-sf showroom, a 1,460 D&R (Delivery and

Receiving) area, new parking lot, landscaping, a water quality facility and new frontage improvements, as shown within Exhibit A.

- Through the CUP application, the applicant is requesting that the Planning Commission approve a deviation to the 35-foot height limit in the C-2 zoning district. The applicant is proposing a 38.6-foot-tall building.
- The applicant submitted an approved CWS Service Provider Letter (SPL), CWS file #23-001653. Prior to issuance of the CWS Service Provider Letter, the applicant submitted a wetland determination report to the Division of State Lands (DSL). DSL determined that no jurisdictional wetlands or other waters of the state are within the study area. The SPL and DSL letter are shown within Exhibit A.
- The existing structures on-site will be demolished so the new building and associated facilities can be constructed.
- The application was submitted on July 20, 2023 and was deemed complete on January 8, 2024. The lag time was due to a lengthy delay getting both CWS and DSL approval.
- The City Engineer submitted comments, which are attached as Exhibit B.
- Notice of the proposal was mailed to property owners within 250 feet of the subject property and affected agencies, and was published in the local newspaper on January 25, 2024. Both notices are shown in Exhibit, "C".
- As of the date of this report, no public and or other agency comments have been received.

FINDINGS

TITLE 18 ZONING

CHAPTER 18.10 AND 18.15 APPLICATION AND REVIEW PROCEDURES

Section 18.10.030 requires a Neighborhood Review Meeting prior to the submittal of a Type III request.

Findings: The applicant's submitted materials include the Neighborhood Review Meeting packet, including the affidavit of mailing notice to property owners within 250 feet of the site. (See Exhibit A).

Section 18.10.040 describes the application documents required.

Findings: The applicant submitted the application packet on July 20, 2023, which was deemed incomplete. On January 8, 2024, additional materials were submitted and the Community Development Director deemed the application complete. (See Exhibit A).

Section 18.10.060 requires a filing fee.

Findings: The applicant submitted the required filing fees on July 28, 2023.

Section 18.10.070 describes the jurisdiction and powers for applications.

18.10.070(2) describes that the Community Development Director may refer Type II applications to the Planning Commission for a hearing.

18.10.070(B) describes the authority of the Planning Commission as the administrators and enforcers of the provisions of Chapter 18.15, and to review and approve, approve with conditions or deny proposed development.

Findings: This application is a Type III Site Design Review Application and a Type III Conditional Use Permit to be reviewed by the Planning Commission.

Section 18.15.010(C) describes the process for Type III requests as requiring 1) a pre-application meeting, 2) a Neighborhood Review Meeting, 3) a complete application with public notice, 4) a staff report, 5) a Notice of Decision following the Planning Commission Decision, and 6) appeal of a Planning Commission Decision to the City Council.

Findings: The applicant: 1) attended a pre-application conference (PAC-02-23), 2) submitted the Neighborhood Review Meeting packet, including the affidavit of mailing notice to property owners within 250 feet of the site, 3) submitted a land use application to be reviewed by the Planning Commission, 4) staff prepared a staff report for the Planning Commission to review and consider on February 27, 2024, 5) upon the Planning Commission rendering a decision, a Notice of Decision shall be prepared and mailed to persons of record, and 6) any person of record may file an appeal to the City Council.

Conclusion: The application combines two Type III permits and the appropriate procedures have taken place.

Conclusion for Chapters 18.10 and 18.15, Application and Review Procedures: Based upon the findings above, and through application of appropriate conditions of approval, staff concludes the criteria for application submittal of a Type III Site Design Review and Type III Conditional Use Permit have been met for the project.

CHAPTER 18.45 HIGHWAY COMMERCIAL (C-2)

18.45.020 Uses permitted outright.

In a C-2 zone the following uses shall be permitted outright; provided, that all operations are conducted within an enclosed structure:

(A) General retail.

(C) Automobile, truck, marine, motorcycle, appliance and/or parts sales, service, repair, rental, and including custom vehicle assembly; provided, that all operations are conducted within an enclosed structure.

18.45.030 Conditional uses permitted.

In a C-2 zone the following uses and their accessory uses may be permitted when in accordance with Chapter [18.105](#) CMC:

(G) Requests to exceed the permitted building height.

(K) Indoor mini-storage facility.

Findings: The property is within the Highway Commercial (C-2) zoning district of Cornelius. The applicant is proposing a new three-story indoor mini-storage facility that will be approximately 94,764 sf in size. The applicant is also proposing a new 2,970 sf office space and retail sales area and a 1,460 sf D&R area within the facility. The new three-story building is proposed to be approximately 38.6-feet in height, (as shown on the building elevations) which is 3.6-feet above the 35-foot height limitation of the C-2 zone.

CMC 18.45.030 Conditional Use Permits within the C-2 zone allows a request to exceed the permitted building height and an indoor mini-storage facility may be conditionally permitted. Findings related to the Conditional Use Permit are located later in this staff report. Site redevelopment requires Type III Site Design Review per CMC 18.100, which is part also found later in this staff report.

18.45.040 Development requirements.

(A) Lot Size. In a C-2 zone there is no minimum lot size, save and except that the lot must be large enough to accommodate the proposed use, including all design standards and functional requirements related to the use.

Findings: The total Site is approximately 2.96 acres, according to the Washington County Tax Assessors Map. The Site is located along Baseline Street and N. 29th Avenue. Baseline Street is an Oregon Department of Transportation (ODOT) facility designated as a Priority Collector and N. 29th Avenue, a City of Cornelius Collector Street.

The applicant submitted a Type III Site Design Review application, including a detailed site plan and narrative. The submitted design and site plans demonstrate that the site is large enough for it to be functional for the proposed use.

As noted within the General Facts section of this report above, the subject site consists of two tax lots. The applicant's site plan and narrative describe that the new development will bisect the common property lines between tax lot #7700 and tax lot #7900. The applicant notes that in the future, once the property is under new ownership, a One-Lot Land Partition application will be submitted. This is an application to legally redescribe the two lots into one new lot. The configuration of the building and other amenities on the site requires that the two lots be legally combined into one. Therefore, the applicant shall apply for and receive approval of a

Preliminary Land Partition (One -Lot Partition), Final Plat application and record the mylar of the Final Plat with the Washington County Surveyor prior to building permit submittal. The City contracts with the City of Forest Grove Building Division for building services. This shall be a condition of approval.

(B) Setback Requirements. In a C-2 zone the following setbacks shall meet the base standard; however, the review body may require a greater or lesser setback based on the design review criteria set forth in this chapter:

(1) The front yard shall be 10 feet, except that:

(a) Parking shall be allowed within five feet of the front property line.

(b) For all properties abutting the south side of Baseline Road, there shall be a front yard setback equal to five percent of the average lot depth, but not less than four feet.

(2) No side yard shall be required, except five feet when abutting a residential use or zone, and when a side yard abuts a public street the setback shall be the same as the front yard.

(3) No rear yard is required, except five feet when abutting a residential use or zone, and when a side yard abuts a public street the setback shall be the same as the front yard.

Findings: The applicant has submitted a site plan (Exhibit, “A”) that identifies the proposed location of the new building. The building is setback approximately 70-feet from Baseline Street (side yard), 140-feet from N. 29th Avenue (front yard), 60-feet from the northern property line (side yard), and the rear of the building has a setback ranging between 10-feet to 14 -feet to the eastern property lines.

There are abutting residential lots to the east and north of the new building. The residential lots located to the north, are approximately 60-feet away from the new structure. The closest residential lot to east is approximately 20-feet from the new structure.

The site plan shows the parking lot is setback approximately 10-feet from the property line of Baseline Street and N. 29th Avenue. The 10-foot area between the parking lot and property lines of Baseline Street and N. 29th Avenue are proposed to be landscaped.

The applicant’s proposed site plan demonstrates that the minimum setback requirements of the zoning district are met.

(C) Height of Building. No building shall exceed a height of 35 feet, unless approved by the planning commission. [Ord. 810, 2000; Code 2000 § 11.20.54.]

Findings: The proposed new building will be approximately 38.6' in height, which is 3.6' taller than the 35' height limitation of the zoning district, as shown within Exhibit A. The applicant requests to exceed the height limit of the C-2 zoning district, which may be approved by the Planning Commission as a Conditional Use Permit, per CMC 18.45.030(G). This aspect of the application is addressed later in the staff report, under the Conditional Use Permit section.

18.45.050 Performance standards.

In a C-2 zone no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

(A) Design Review Approval. All design review requirements and conditions of approval, including all prior attached conditions shall be satisfied.

Findings: The application was submitted on July 20, 2023 and was deemed complete on January 8, 2024.

There are previous land use approvals and reviews for the site;

- On May 30, 2023 via DR-34-23 the Community Development Director approved a change of use within the furniture store from retail sales to office/rental space for U-Haul. Staff notes DR-34-23 will become null and void once the existing furniture store is demolished for the new facility that is proposed by U-Haul.
- On June 14, 2023 via CUP-01-23 the Community Development Director approved the outdoor storage of rental equipment for U-Haul, as shown within Exhibit E. As of date of this report, it appears the requirements from this approval can continue to be met.

The applicant submitted the necessary application materials for the Planning Commission to review and consider the proposal (DR-70-23 & CUP-02-23).

(B) Environmental Standards. All uses shall comply with required air, land, and water quality standards set forth by all state, federal and local jurisdictions (i.e., Department of Environmental Quality, Clean Water Services, and Metro).

Findings: The Site has sewer, water and stormwater availability. Stormwater is managed and regulated by Clean Water Services (CWS). The City Engineer has submitted comments regarding the stormwater system as described within Exhibit B. A condition of approval shall require that all CWS and City standards for the stormwater system be met prior to issuance of a final occupancy permit.

As noted within Exhibit B, the City Engineer identified that the design of the stormwater facility was inadequate and needed plan revisions. The City Engineer outlined changes and options in order for the stormwater facility to be functional and comply with CWS standards. After the Applicant submitted Exhibit B to the Community Development Department, Engineering comments were forwarded to the applicant, as noted within Exhibit D. The applicant updated their proposal as shown within Exhibit D, noting the changes to the stormwater facility. The City Engineer notes that the proposal is now acceptable. The revised drawing connects the detention pond drainage pipe to the Baseline Street stormwater system. Prior to building permit submittal to the City of Forest Grove Building Division, the applicant shall submit a final design of the utilities to the City Engineer for review and approval.

(C) Heat and Glare.

(1) Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed structure, such that glare is not visible from a public street or adjacent property.

(2) Exterior lighting shall be designed such that glare is directed away from public streets or adjacent properties.

Findings: The applicant submitted a lighting plan with fixture details. Within the narrative the applicant states that lighting has been designed to direct light down and away from adjacent properties. The lighting plan submitted appears to demonstrate that the exterior lighting can be placed on the property to comply with the CMC requirement. A condition of approval shall require the on-site lighting installation meet the glare requirements prior to issuance of a final occupancy permit and not glare into the abutting rights-of-way or adjacent properties.

(D) Insects and Rodents. Materials including wastes shall be managed and stored, and grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents or create a health hazard.

Findings: The applicant acknowledges this section. A condition of approval shall require that the Site be kept clean of wastes so it does not attract or aid in the propagation of insects or rodents, or create a health hazard. The applicant describes and shows that the proposed trash collection

area will be located within the existing building and on trash collection days the dumpsters/trash bins will be brought outside for collection. A condition of approval shall require that the dumpsters/trash bins be kept inside the designated trash collection area and they shall not be left outside for an extended period of time on trash collection days.

For all business within the City of Cornelius, separating recyclable materials from trash is necessary, per CMC 8.01.150 Business Recycling. Within the business and trash collection facilities, there shall be adequate instructions and containers for sorting and separating recyclable materials from trash. Therefore, a condition of approval shall require that business comply with CMC 8.05.150 Business Recycling.

(E) Outside Storage. Outside storage shall be appropriately screened consistent with CMC 18.55.070(F)(1).

Findings: The applicant via CUP-01-23 received Type II Conditional Use Permit approval for the outside storage and display of U-Haul rental equipment. The submitted site plan show the location of the outside storage and display areas. Within CUP-01-23, the applicant noted the outside storage and display areas, which is similar to the location included within this application packet. Therefore, no minor modification to CUP-01-23 is necessary. A condition of approval shall require that all applicable conditions of approval from CUP-01-23 remain applicable, as shown within Exhibit E.

18.45.060 Development standards.

In a C-2 zone no new use or occupation of land or a structure or a new structure and no change of use of land or a structure shall be permitted unless there is continuing compliance with the following standards:

(A) Landscape Plan.

(1) For all uses in a C-2 zone, the first five feet of lineal street frontage on the subject site shall be landscaped (exclusive of frontage trees) prior to occupancy, in accordance with the approved site plan and the standards set forth herein.

Findings: The submitted landscaping plan, as shown within Exhibit A, identifies that street frontages of Baseline Street and N. 29th Avenue will be landscaped with approximately a 10-foot-wide landscaped area, not including street trees and landscaping within the right-of-way.

The landscaping plan also includes a large corner landscaped area near N. 29th Avenue and Baseline Street.

A condition of approval shall require that landscaping be installed prior to occupancy of the new building, to the approved landscape plan.

(2) When at maturity, at least 80 percent of the proposed landscape area shall be covered by plant material, lawn, and trees. The remaining area may be covered in nonvegetative ground cover.

Findings: The landscaping plan identifies a list of plant materials, lawn areas and trees to be planted on-site. The applicant identifies that approximately 24.3% of the site will be landscaped. The applicant identifies within their narrative, the proposed landscaping is consistent with this standard. A condition of approval shall require that when at maturity, at least 80 percent of the landscape area shall be covered by plant material, lawn, and trees.

(3) Frontage Trees. Frontage trees shall be required and shall be selected from the approved public works street tree list. The total number of trees shall be determined by dividing the total linear footage of the site, which abuts a public street, by 30 feet. The location of the trees shall be determined through design review, and the following standards shall apply:

(a) Trees shall be located at least five feet from a utility pole, fire hydrant, driveway, crosswalk, or utility easement, except as may be approved by the public works director, and at least 20 feet from an overhead street light.

(b) There shall be no impervious material within a one-and-one-half-foot radius around the tree trunk.

(c) Trees at the time of planting shall have a minimum height of six feet from ground level, and shall be at least two inches in caliper (d.b.h.).

(d) Trees shall not cause any vision impairment to vehicular traffic.

(e) Installation of required landscaping may be deferred for up to six months; provided, that the owner posts with the city a cash deposit or irrevocable letter of credit assigned to the city for an amount equal to 150 percent of the estimated cost of the landscaping materials and installation by a qualified contractor.

Findings: The applicant has provided a landscaping plan as shown within Exhibit A that identifies a mixture of street trees from the approved City of Portland Street Tree list. Street trees are proposed to be planted along Baseline Street and N. 29th Avenue. The City Engineer

has reviewed the proposed street trees and their locations, as described within Exhibit B, which are acceptable.

The street trees are near the driveways, which are subject to CMC 18.150.070 Clear Vision Zones, as shown below.

18.150.070 Clear vision zones.

Except in the central mixed use (CMU) zoning district, a clear vision zone shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street.

(A) The clear vision zone is defined as the triangular area beginning at the intersection of the projected curb lines, and extending 15 feet along the leg of each intersection. No fence, berm, wall, hedge or other planting or structure shall be placed within the clear vision zone that would impede visibility between a height of 30 inches and 10 feet as measured from the top of curb, or in the absence of a curb, from the established street center line grades. If the relation of the surface of the lot to the streets is such that visibility is already obscured, nothing shall be done to increase the impediment to visibility within the vertical and horizontal limits set forth above. Poles, tree trunks, and similar objects less than 12 inches in width may be allowed in the clear vision zone if they meet the vertical requirements noted above.

(B) A private access shall be treated as a public street for the purpose of this section. The edge of the paved surface area of the private access, be it roadway, curb or sidewalk, shall be treated as the curb line in determining the vision clearance zone.

The site plan does not show the clear vision areas, however when applying a scale to the landscaping plan, the trees near the driveways appear to be outside of the 15-foot clear vision areas. A condition of approval shall require that the clear vision areas per CMC 18.150.070 at the driveways along N. 29th Avenue be met.

The plan shows compliance with the minimum landscaping requirements of the CMC. The street tree planting plan shall comply with the standards identified above and Section 5.11 of the Cornelius Public Works Standards.

As part of the required public improvements plans that the City Engineer will review and approve, the variety of street trees to City standards shall also be reviewed and approved by the City Engineer. Prior to issuance of the approved engineering plans, the applicant shall post with the City a performance security assigned to the City for an amount equal to 150 percent of the estimated cost of the landscaping materials and installation by a qualified contractor. The

planting and installation of the landscaping shall be to the approved plans and the CMC. These shall be conditions of approval.

(B) Vehicular Access, Internal Circulation and Clear Vision Areas.

(1) Where possible, vehicular access to commercial developments shall be from abutting arterial or collector streets, and shall be shared with adjacent properties to minimize multiple curb cuts. Access to individual lots from T.V. Highway shall be approved by ODOT with secondary access from adjacent collectors or minor local streets where possible. Except in the case of a multi-building complex, direct lot access to an arterial shall not be permitted, unless there is no viable alternative, and direct access to collector and local streets shall only be allowed as permitted by the review body.

Findings: There is currently an access onto the site from Baseline Street. Baseline Street is an Oregon Department of Transportation (ODOT) facility and is designated within the City of Cornelius Transportation System Plan (TSP) as a Principal Arterial. The applicant is proposing to permanently close the Baseline Street access and improve three accesses from N. 29th Avenue, which is a City of Cornelius Collector Street. The access from Baseline Street is located at the beginning of a deceleration and right turn-lane for N. 29th Avenue. The City and ODOT support removal of this driveway and improving access into the site from N. 29th Avenue. The applicant shall apply and receive all applicable permits from ODOT to permanently close the Baseline Street access.

(2) The minimum public street width for commercial development shall comply with the standards and design identified in CMC 18.143.040, Street design cross-sections per transportation system plan.

Findings: Baseline Street has a ROW that is 80-feet in width and N. 29th Avenue has a ROW that is 50-feet in width. The City of Cornelius Transportation System Plan (TSP) identifies that the typical right-of-way cross section for a Principal Arterial Street is 58-feet and for a Collector Street it is 50-feet. The applicant is proposing frontage improvements along N. 29th Avenue and Baseline Street, as shown within Exhibit A. Frontage improvements are reviewed and approved by the City Engineer and ODOT. The proposed frontage improvements shall be constructed to City and ODOT Standards, as required by the City Engineer and ODOT. This shall be a condition of approval.

(3) Internal Access. All internal roadways and drives shall be paved and maintained by the owner in accordance with city standards. No entrance or exit shall be located closer than 100 feet to any intersection of a public street, unless there is no reasonable alternative. They shall have the following minimum unobstructed pavement width:

(a) Two-way traffic: 24 feet;

(b) One-way traffic: 15 feet.

Findings: The applicant's site plan identifies that the internal drive aisles will be 24 feet in width or greater throughout the site. The vehicle maneuvering areas will be an asphalted surface. The applicant is proposing two driveways for the new self-storage facility from N. 29th Avenue. The existing driveway onto Baseline Street, an ODOT facility is proposed to be permanently closed.

The site plan shows the southern driveway from N. 29th Avenue is approximately 95-feet from the intersection of Baseline Street and N. 29th Avenue. This is slightly less than the 100-foot spacing standard, as identified above. The applicant acknowledges this distance, but describes the driveway is directly across from another access to the west and that City Staff mandated this alignment. When the applicant held the required pre-application conference with the City (PAC-02-23), the City Engineer did note that the proposed southern driveway would need to align with the existing driveway that is on the west side of N. 29th Avenue.

The site plan identifies a 60-foot access easement along the northern property line. This access easement is for tax lots #7400, #7500, #7600 and #7800. Where this access easement abuts N. 29th Avenue, the applicant is proposing a new 20-foot-wide driveway approach with a new 20-foot by 20-foot asphalt apron on the backside. From the end of the new asphalt of the driveway and apron, the vehicle maneuvering area within the easement is a mixture of older asphalt and gravel.

The applicant indicates that rental truck and trailer maneuvering will take place on the site, in front of the building. The site has been designed to display rental equipment, which are primarily moving trucks and trailers, as approved via CUP-01-23 (Exhibit E). On the south side of the building, the parking lot area is narrower and intended for customer parking.

(4) Internal sidewalks or pathways shall be provided to ensure safe and convenient pedestrian circulation throughout the development.

Findings: The applicant is proposing frontage improvements along Baseline Street and N. 29th Avenue. In front of the building, there are two sections of sidewalks between the parking spaces and front door entrances of the building. The sidewalks vary in width between 5-feet to 8-feet, as shown on the submitted site plan of Exhibit A.

The site plan shows internal parking along a portion of the southern property line, facing Baseline Street. The vehicle parking is setback 10-feet from the front property line. From these

parking spaces, there are no internal marked pedestrian crossings to the front door. Staff finds the site plan also does not provide or show pedestrian connectivity from the public sidewalks to the main entrance of the building. A pedestrian connection from the Baseline Street sidewalk to the front door can be reasonably accommodated, which will also benefit customers parking in this area. Therefore, prior to building permit submittal, a revised site plan shall be provided to the Community Development Department that shows a pedestrian connection from the Baseline Street sidewalk to the front door of the building. The internal pedestrian connection that crosses the internal drive-aisle shall be striped. This shall be a condition of approval.

(5) Clear vision areas shall be provided at all roadway and driveway intersections in accordance with the vision clearance standards set forth in CMC 18.150.070.

Findings: The applicant states that clear vision areas will be shown on the construction plans. As noted earlier within the staff report, the site plan does not show the clear vision areas, however when applying a scale to the landscaping plan, the trees near the driveways appear to be placed just outside of the 15-foot clear vision areas. A condition of approval shall require that the clear vision areas per CMC 18.150.070 at the driveways along N. 29th Avenue be met.

(C) Access Streets – Sidewalks – Drainage.

(1) All streets shall be designed in accordance with standards set forth in Chapter 18.143 CMC, Transportation Facilities, the subdivision code and public works standards.

(2) All driveways for new construction shall have minimum pavement width of 12 feet and shall not be more than 35 feet in width at the curb, unless specifically approved by the review body to meet unusual requirements of a particular use. Each driveway shall have a concrete curb apron designed to comply with public works standards.

Findings: As shown within Exhibit A, the applicant proposes to close the existing driveway onto Baseline Street and construct three new driveways onto N. 29th Avenue. The applicant has provided a civil set of plans, which the City Engineer has reviewed and provided comments on, as described within Exhibit B.

The northern driveway for the access easement is proposed to be 20-feet in width, while the other two southern driveways that access into the new facility are 40-feet in width. The applicant states that the 40-foot width will provide the safest layout for U-Haul customers, based upon vast experience in providing services to the community. These two driveways are 5-feet wider than the 35-foot standard. Staff finds that N. 29th Avenue is a Collector Street, which connects to several residential neighborhoods to the north. New pedestrian sidewalks along the frontage are proposed, which will be used by pedestrians who will walk from the Baseline Street

public facilities to the nearby residential neighborhoods. The distance of 35-feet, per the CMC, is the maximum distance that a driveway may be approved to unless approved by the reviewing body. Staff finds the site can be functional with 35-foot-wide driveways, as other commercial properties also have large vehicles entering and exiting their sites. Therefore, the plans to be reviewed and approved by the City Engineer and shall be adjusted for driveways not to exceed 35-feet in width. This shall be a condition of approval.

Access and the associated frontage improvements shall be designed to comply with the applicable standards as required by the City Engineer and ODOT. This shall be a condition of approval.

(3) Cul-de-sacs shall serve no more than four separate uses and shall have a minimum turning radius of 50 feet measured to the front edge of the curb.

Findings: The proposal does not involve a cul-de-sac, so this criterion is not applicable.

(4) Sidewalks and Improvements.

(a) For all new construction, curbs, gutters, and a minimum six-foot-wide sidewalk, with eight feet at a bus stop, shall be provided along the entire lot frontage, and shall meet ADA accessibility standards.

(b) Site design review Type II requests for remodels, alterations and/or additions to an existing building shall require a sidewalk if one does not exist, the driveway apron and paved driveway to be constructed to city standards. Commercial sidewalks shall be curb tight, unless otherwise approved by the review body.

Findings: Frontage improvements do not exist on N. 29th Avenue, therefore, frontage improvements will be necessary. The Site does have frontage improvements along Baseline Street; however, the Baseline Street access will be permanently closed. The applicant submitted plans that show planned frontage improvements for both N. 29th Avenue and Baseline Street. The frontage improvements along N. 29th Avenue and Baseline Street shall be required to be improved to City and ODOT standards. The City Engineer has submitted detailed comments regarding frontage improvements that will be required in order to meet applicable standards, as described within Exhibit B. Prior to Building Permit submittal, the City Engineer shall review and approve the public improvement plans. This shall be a condition of approval.

Along Baseline Street, there are two bus stops near the Site. One is just west of the N. 29th Avenue and Baseline Street intersection and the other is east, near the intersection of N. 31st Avenue and Baseline Street. There is no bus stop located in front of the subject Site. The Site is

at an intersection, with a pedestrian crossing N. 29th Avenue. At this intersection, there is an existing ADA ramp. The applicant shall verify that the existing corner ADA ramp meets current ODOT ADA standards. If the ramp does not meet the standards, the applicant is required to bring the ADA ramp up to the current standards. This shall be a condition of approval.

(5) Storm drainage shall be managed through a system of underground drainage lines and catch basins, which convey storm water off the site to a public storm system, and shall comply with Clean Water Services (CWS) standards for water quality and quantity.

Findings: The applicant shows within their submitted materials the proposed storm drainage plans. As noted within Exhibit B, the City Engineer identifies that the design of the stormwater facility is inadequate and must be addressed with plan revisions. The City Engineer outlines changes and options that the applicant must correct in order for the stormwater facility to be functional and comply with CWS standards. After Exhibit “B” was provided to the Community Development Department, the Engineering comments were forwarded to the applicant, as noted within Exhibit “D. Staff requested that applicant address significant stormwater facility design issues. For the new U-Haul facility to be functional, it must have an approvable storm water facility. The applicant has updated their proposal as shown within Exhibit D, demonstrating that changes have been made to the stormwater facility. The City Engineer notes that the proposal is now acceptable, which is to connect the detention pond drainage pipe into the Baseline Street line system. Prior to building permit submittal, the applicant shall submit a final design of the utilities to the City Engineer for review and approval.

To comply with CWS standards, the applicant is required to demonstrate on-site treatment with an additional Low-Impact Development Approach (LIDA). Therefore, prior to final occupancy, the stormwater systems shall be installed and comply with all applicable CWS standards, including LIDA. This shall be a condition of approval.

(D) Lighting Streets. Streets and walkways shall be lighted during the hours of darkness in accordance with public works standards.

Findings: The applicant has provided a lighting plan for the Site. The lighting plan shows how the interior of the Site will be lit during hours of darkness. The City Engineer identifies within Exhibit B, that street lights will be required along the street frontages. Therefore, prior to issuance of building permits, the City Engineer shall review and approve, as part of the public infrastructure plan, lighting of the street and sidewalk frontages as specified in Exhibit B. The required street lights shall be installed and functional, prior to issuance of a final occupancy permit. The streets and walkways shall be lit during the hours of darkness in accordance with the public works standards. These shall be conditions of approval.

(E) Mailboxes. Except for in-fill partitioning, clustered mailboxes shall be provided, consistent with the locational criteria set by the Post Master. They shall be of uniform style.

Findings: The applicant indicates that only one business (U-Haul) will receive mail at the site. If a mailbox is provided on-site, the placement shall be in agreement with the Post Master. If the mailbox is located along a street frontage, the City Engineer shall also review and approve of its placement.

(F) Screening.

(1) Sight-obscuring screening shall be provided for all garbage and trash collection areas, and for any approved outdoor storage, or parking lots abutting a residential development. Such screening shall be six feet in height, and shall consist of a wall of brick, stone, or other substantial material, or a densely planted evergreen hedge and a decorative fence, such as wrought-iron, or PVC or polymer covered chain link fencing. Galvanized chain link fencing shall not be permitted on new construction.

Findings: The applicant proposes that the garbage and trash collection area will be located within the new building, as described within Exhibit A. Therefore, no screening is necessary for the garbage and trash collection facility.

The applicant proposes a 6-foot black vinyl coated chain link fence on the site. The proposed fencing will enclose the water quality facility, and provide a barrier along the northern edge of the main parking lot and along the property line from the water quality facility south to Baseline Street. Staff finds that the proposed fencing with landscaping along the northern edge of the main parking lot will provide screening for the abutting dwellings to the north. The dwellings to the east will be screened by fencing around the perimeter of the water quality facility and by the back side of the building. The proposed fencing meets the standard as it is not galvanized. To ensure the fencing remains compliant, a condition of approval shall require non-galvanized fencing. This shall be a condition of approval.

For all business within the City of Cornelius, separating recyclable materials from trash is necessary, per CMC 8.01.150 Business Recycling. Within the business and trash collection facilities, there shall be adequate instructions and containers for sorting and separating recyclable materials from trash. Therefore, a condition of approval shall require that business comply with CMC 8.05. 150 Business Recycling.

(2) The reviewing body may require non sight-obscuring screening and/or fencing of parking lots abutting property lines, front yards abutting a public street, or other yards abutting a residential development.

Findings: The applicant is proposing a 6-foot black vinyl coated chain link fencing on the site, around the water quality facility and along a portion of the northern edge of the main parking lot area. Staff finds that the proposed fencing with landscaping along the northern edge of the main parking lot area will provide screening for the abutting residential dwellings to the north. The residential dwellings to the east will be screened by fencing around the perimeter of the water quality facility and by the back side of the building, as shown within Exhibit A.

(G) Parking and Loading Space.

(1) Off-Street Parking. Parking shall be provided as set forth in Chapter 18.145 CMC.

(2) Paving and Design. Off-street parking and maneuvering areas shall be paved with asphalt or concrete and designed in accordance with the standards of the off-street parking regulations of this title.

(3) Parking Lot Landscaping. There shall be a five-foot landscaped buffer at the perimeter of all parking lot areas. Parking lots shall be designed and landscaped so as to break up large paved areas with landscaped islands, such as every 10 spaces.

Findings: The applicant within Exhibit A, provides a detailed site plan that shows 29 on-site parking spaces and 3 bicycle parking spaces.

The use of the site is for self-service storage with sales, totaling approximately 94,764 sf. From this floor area, the sales/showroom will be approximately 2,483 sf.

Land Use	Minimum Parking Standards	Maximum Parking Standards		Minimum Bicycle Parking Standards
		Zone A	Zone B	
Self-Service Storage	1/5,000 sf up to 20,000 sf; 1/20,000 sf thereafter	none	none	1/50,000 sf

Table 1 Minimum and Maximum Required Off-Street Vehicle and Bicycle Parking Requirements (unless otherwise noted, standard is per 1,000 sf of gross floor area)				
Land Use	Minimum Parking Standards	Maximum Parking Standards		Minimum Bicycle Parking Standards
		Zone A	Zone B	
GENERAL RETAIL				
Sales-Oriented	3.7/1,000	5.1/1,000	6.2/1,000	0.3/1,000

The State of Oregon has mandated that cities within the Metro area can no longer require minimum on-site parking standards, however maximum standards are still applicable. Based upon new mandates and the CMC standards listed above, the proposed on-site parking numbers for vehicles is acceptable.

The change in law does not impact bicycle parking standards. The development will include a three-story 94,764-sf building for a U-Haul moving and indoor storage facility. The new building will have 843 interior storage spaces of various sizes, a 2,483-sf showroom/retail area, a 1,460-sf Delivery & Receiving (D&R) area. Based upon the proposed uses for the building a minimum of 3 bicycle parking spaces are required.

The proposed bicycle parking spaces are near the emergency exit of the building, which is near the SE corner of the building. CMC 18.145.050(M) describes that bicycle parking shall be conveniently located with respect to the street, bicycle path lanes and building entrances. For short-term bicycle parking, they are required to be located within 30-feet of the main entrance to the building. As proposed, the bicycle parking is approximately 85-feet from the main entrance. Therefore, the applicant shall submit a revised site plan that shows the location of the required on-site bicycle parking spaces near the front door of the office/retail area. The revised site plan shall be reviewed and approved by the Community Development Director prior to building permit submittal. This shall be a condition of approval.

18.45.070 Signs.

Signs within the C-2 zone may be allowed consistent with Chapter 18.175 CMC.

Findings: The applicant states that no sign permit is proposed with this application. Staff finds that in accordance with the CMC, all wall and freestanding signs shall be reviewed through a sign permit application. Any proposed freestanding signs and signage placed on the building will also require building permits. Therefore, all wall and freestanding signage shall receive sign permit and building permit approval prior to their installation. This shall be a condition of approval.

At the southeast corner of the site near Baseline Street, there is an existing billboard. Within the zoning district the sign code limits freestanding signage to no more than 32 sf for any one face with a height maximum of 20-feet. The billboard exceeds the size limitation of the zone and is considered non-conforming. The billboard appears to protrude into the Baseline Street ROW and is located within the proposed parking lot area of the new development. The applicant indicates that the property owner will cease their lease agreement with the billboard company and have the billboard removed, as described within Exhibit A. A condition of approval shall require that the billboard be permanently removed from the site prior to issuance of a grading permit.

Chapter 18.100 SITE DESIGN REVIEW

18.100.040 Approval criteria.

In addition to the other requirements of the zoning code and other city ordinances, a project submitted for design review shall comply with the standards and criteria in subsections (A) and (B) of this section; all applications for a sign permit subject to the provisions of the sign code, Chapter 18.175 CMC, inclusive, shall comply with the rules and regulations of the committee adopted under the provisions of Division III of this title and other applicable provisions of the Cornelius City Code.

(A) Technical Standards. Where applicable, required off-site improvements shall be based on proportional analysis.

(1) Facilities and Services. The public and private facilities and services provided by the development are adequate as to location, size, design and timing of construction in order to serve the residents or establishments to be accommodated and meet city standards and the policies and requirements of the comprehensive plan. The service provider is presumed correct in the evidence which they submit;

Findings: The applicant proposes a Type III Site Design Review (DR-70-23) and Conditional Use Permit (CUP-02-23) application to redevelop a commercially zoned property and build a new three-story self-storage facility that will be 38.6-feet in height (3.6-feet taller than the height standard of the zone). The development will include a three-story 94,764-sf building for a U-Haul moving and storage facility. The new building will have 843 interior storage spaces of various sizes, a 2,483-sf showroom/retail area, a 1,460-sf Delivery & Receiving (D&R) area, a new parking lot, landscaping, a water quality facility, and new frontage improvements.

The site abuts Baseline Street, which is an ODOT facility and designated as a ‘Principal Arterial’ as defined by the 2020 Cornelius Transportation System Plan. N. 29th Avenue is a designated ‘Collector’ street. The applicant has provided documentation from ODOT that outlines ODOT’s

recommended conditions of approval. The existing access onto Baseline Street is proposed to be closed and three new accesses (driveways) from N. 29th Avenue are proposed. Two of the driveways are for the new facility, while the remaining driveway will be for the existing access easement, which serves the existing 4 tax lots and their associated dwellings.

The applicant proposes to connect to city utilities. The applicant has submitted a completed Service Provide Letter from CWS File #23-001653. There are no identified wetlands on the site, which were verified by DLS in a December 18, 2023 letter, as shown within Exhibit A.

The City of Cornelius currently contracts building services through the City of Forest Grove Building Division. Electrical Permits for Cornelius are reviewed and approved through Washington County. Staff finds that for the development the applicant shall meet all applicable State, County and City Building, Electrical, Plumbing, Mechanical Code requirements. This shall be a condition of approval.

When Building Permits are submitted, a geotechnical report for the foundation and foundation drainage will need to be incorporated in the submittal for Building Permits. This shall be a condition of approval.

The City Engineer submitted detailed comments regarding the proposal as identified with Exhibit, "B". Within his comments, he discusses issues and requirements that relate to Streets, Water, Sanitary Sewer, Stormwater, Erosion Control and Plan Review. With the City Engineer requirements, the project, with conditions of approval can comply with all applicable technical standards for facilities and services.

(2) Traffic Generation. Based on anticipated vehicular and pedestrian traffic generation and the standards and policies of the comprehensive plan, adequate right-of-way and improvements to streets, pedestrian ways, bikeways, transit ways and other ways are provided by the development in order to promote safety, reduce congestion, conserve energy and resources, and encourage transit use, bicycling and walking. Consideration shall be given to the need for constructing, widening and/or improving, to the standards of the comprehensive plan and this code, public streets, bicycle, pedestrian, and other ways in the area of the proposed development impacted by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, transit facilities, street drainage facilities, traffic calming devices, and other facilities needed because of anticipated vehicular, transit, bicycle, and pedestrian traffic generation. Access and street design shall comply with the standards identified in Chapter 18.143 CMC, Transportation Facilities, inclusive. Street trees shall be installed to the standards identified in CMC 17.05.040(D) (3) (k). In lieu of actual construction of off-site

improvements, the committee may accept written waivers of remonstrance to the formation of local improvement districts for the purpose of providing the needed off-site improvements or cash payment to the city in an amount equal to the estimated cost of said off-site improvements;

Findings: Based on City standards, neither the City Engineer nor ODOT are requiring a Traffic Study for the proposed redevelopment.

The applicant has submitted civil plans which show the proposed frontage improvements. The frontage improvements as defined by the City Engineer within his comments (Exhibit, "B") are required. This shall be a condition of approval.

The Site is at an intersection, with a pedestrian crossing N. 29th Avenue. At this intersection, there is an existing ADA ramp. The applicant shall verify that the existing corner ADA ramp meets current ODOT ADA standards. If the ramp does not meet the standards, the applicant is required to bring the ADA ramp up to the current standards. This shall be a condition of approval.

Prior to issuance of a building permit, the City shall review the building permit plans and provide the applicant a Notice of Transportation Development Tax (TDT) Decision, per the Washington County TDT procedures. The applicant shall indicate to the City, prior to issuance of the building permit, the preferred method of payment and pay the TDT accordingly. The City of Cornelius shall calculate and collect the TDT. Prior to issuance of Building Permits, the applicable TDT shall be collected. This shall be a condition of approval.

(3) Dedication. Adequate dedication or reservation of real property for public use, as well as easements and right of entry for construction, maintenance and future expansion of public facilities and services, shall be required to protect the public from any potentially deleterious effects resulting from the proposed use to fulfill the need for additional, improved services, whether on- or off-site, created by the proposed use, and to effect the implementation of the standards and policies of the comprehensive plan;

Findings: The City Engineer provided comments in Exhibit B. All frontage improvements are to be placed within the right-of-way, unless otherwise approved by the City Engineer or ODOT. Based on the drawings and existing right-of-way of Baseline Street and N. 29th Avenue, no additional right-of-way will need to be dedicated, unless required by ODOT. N. 29th Avenue has a right-of-way that is 50-feet in width and Baseline Street has a right-of-way that is 80-feet in width (or greater in areas).

(4) Internal Circulation. There is a safe and efficient circulation pattern within the boundaries of the site. Consideration shall include the layout of the site with respect to the location, number, design and dimensions of vehicular, transit, and pedestrian access, exits, drives, walkways, bikeways, transit stops and facilities, building location and entrances, emergency equipment ways and other related on-site or off-site facilities so that there are adequate off-street parking and loading/unloading facilities provided in a safe, well designed and efficient manner. Consideration shall include the layout of parking, storage of all types of vehicles and trailers, shared parking lots and common driveways, garbage collection and storage points, as well as the surfacing, lighting, screening, landscaping, concealing and other treatment of the same. Developments shall provide a safe and reasonably direct pedestrian connection from the main entrance to the public right-of-way and/or the pedestrian system or both. The pedestrian connection shall be reasonably free of hazards from automobile traffic, so as to help encourage pedestrian and bicycle travel;

Findings: The applicant submitted a site plan that shows the location of the building, parking spaces, landscaping, street trees, water quality facility and internal sidewalks. In front of the building, there are two sections of sidewalk between the parking spaces and front door entrances of the building. The sidewalks vary in width between 5-feet to 8-feet, as shown on the submitted site plan of Exhibit A.

The site plan shows internal parking along a portion of the southern property line, facing Baseline Street. The vehicle parking is setback 10-feet from the front property line. From these parking spaces, there are no internal marked pedestrian crossings to the front door. Staff finds the site plan also does not provide or show pedestrian connectivity from the public sidewalks to the main entrance of the building. A pedestrian connection from the Baseline Street sidewalk to the front door can be reasonable accommodated, which will also benefit customers parking in this area. Therefore, prior to building permit submittal, a revised site plan shall be provided to the Community Development Department that shows a pedestrian connection from the Baseline Street sidewalk to the front door of the building. The internal pedestrian connection that crosses the internal drive-aisle shall be striped. This shall be a condition of approval.

The proposed bicycle parking spaces are near the emergency exit of the building, near the SE corner of the building. CMC 18.145.050(M) describes that bicycle parking shall be conveniently located with respect to the street, bicycle path lanes and building entrances. For short-term bicycle parking, they are required to be located within 30-feet of the main entrance to the building. As proposed, the bicycle parking is approximately 85-feet from the main entrance. Therefore, the applicant shall submit a revised site plan that show the location of the required on-site bicycle parking spaces near the front door of the office/retail area. The revised site plan shall be reviewed and approved by the Community Development Director.

In the front of the building, the paved parking lot/maneuvering area is approximately 140-feet by 360-feet in size. This area is accessed by two driveways from N. 29th Avenue. As noted earlier, these two driveways exceed the maximum width standard, which is 35-feet. The large paved parking lot/maneuvering area is designed to accommodate large rental trucks and trailers. There are loading/unloading bays inside the building for customers to access the internal self-storage units. Customer parking is located along the front of the building and on south side of the building.

The applicant describes that the trash collection and storage area will be within the building. On trash collection day the trash bins are proposed be accessible for the trash collection company. For all business within the City of Cornelius, separating recyclable materials from trash is necessary, per CMC 8.01.150 Business Recycling. Within the business and trash collection facilities, there shall be adequate instructions and containers for sorting and separating recyclable materials from trash. Therefore, a condition of approval shall require that business comply with CMC 8.05. 150 Business Recycling.

(5) Maintenance of Private Facilities. Adequate means are provided to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency;

Findings: This proposal does not affect nor prohibit the provision of the maintenance of private or public facilities. The storm water will be required to drain into an approved water quality facility that will be constructed as part of this project.

As noted within Exhibit B, the City Engineer identifies that the design of the storm water facility is inadequate and must be addressed with plan revisions. The City Engineer outlines changes and options that the applicant must correct in order for the storm water facility to be functional and comply with CWS standards. After Exhibit B was provided to the Community Development Department, the Engineering comments were forwarded to the applicant, as noted within Exhibit D. Staff requested that applicant address significant stormwater facility design issues. For the new U-Haul facility to be functional, it must have an approvable storm water facility. The applicant has updated their proposal as shown within Exhibit D, demonstrating that changes have been made to the stormwater facility. The City Engineer notes that the proposal is now acceptable, which is to connect the detention pond drainage pipe into the Baseline Street line

system. Prior to building permit submittal, the applicant shall submit a final design of the utilities to the City Engineer for review and approval.

Prior to occupancy, the water quality facility shall be constructed as required by the City Engineer and a private storm water quality facility maintenance agreement shall be signed and recorded by the applicant. This shall be a condition of approval.

(6) Public Facilities. The structures and public facilities and services serving the site are designed and constructed in accordance with adopted codes and/or city standards at a level which will provide adequate fire protection and protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development;

Findings: The public facilities that will serve the site shall be constructed to City Public Works Standards. A condition of approval shall require that the applicant submit the necessary documentation as required by the City Engineer (Exhibit B) for engineering plan review and approval of the public improvements.

The applicant shall also meet all applicable requirements as deemed necessary from the Building Official and Fire Department for fire protection and public safety.

The Building Official requires a geotechnical report with the Building Permit submittal. This shall be a condition of approval.

The Fire Marshall requirements include:

1. An Emergency Responder Communication System per OFC 510.1.1.
2. Landscaping needs to allow for effective access to all hydrants.
3. A Knox box is required for the front door and the riser room door.
4. A new fire hydrant shall be incorporated into the public improvement and utility plans. The location of the new fire hydrant shall be coordinated with the Fire Marshall and the City Engineer.

These shall be conditions of approval.

(7) Security. Adequate facilities shall be provided to prevent unauthorized entries to the property, facilitate the response of emergency personnel, and optimize fire protection for the building and its occupants. Adequate facilities may include, but not be limited to, the use of lighted house numbers and a project directory for multi-family projects of three or more units;

Findings: This is a commercial project. Prior to occupancy, the applicant/property owner shall comply with any fire, life, and safety requirements as deemed necessary by the Cornelius Fire

Department. Prior to occupancy, the new building shall be adequately addressed for location by emergency personnel. This shall be a condition of approval.

For commercial buildings, the Cornelius Fire Department requires installation of a Knox Box for emergency access. The Knox Box shall be installed prior to issuance of a final occupancy permit. These shall be conditions of approval.

The Deputy Fire Marshal has indicated that for buildings over 50K sf., they are required to have an Emergency Responder Communication System per OFC 510.1.1. This is a communication system that allows emergency personnel within a large commercial structure to communicate throughout it efficiently.

(8) Grading. The grading and contouring of the site takes place and site surface drainage and on-site storage of surface waters facilities are constructed so there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system and that said site development work will take place in accordance with the city site development code;

Findings: Prior to site development, the applicant shall be required to submit a final grading and storm water design to the City Engineer and Building Official for review and approval. This shall be a condition of approval. The grading and contouring of the site shall be so surface drainage and the water quality facility do not impact abutting properties.

The City Engineer identified that prior to development of the site a 1200-CN Erosion Control Permit is required. Therefore, this shall be a condition of approval. The applicant shall meet all applicable City and CWS requirements prior to any site work. This shall be a condition of approval.

(9) Utilities. Prior to the development of a site, utilities shall be extended to serve the site or financially secured for extension to serve the site. Connection to city utilities shall be required prior to final inspection and occupancy. Electric, telephone, and other utility services to new development shall be located underground. New utilities for redeveloped parcels shall be located underground from the right-of-way to the redeveloped parcels;

Findings: The lot is currently developed. For the new redevelopment, the applicant will permanently remove the existing structures. The applicant provided utility plans for the site. It is the developer's responsibility to connect to the public utility system. All utilities that will service the development shall be located underground from the right-of-way prior to occupancy. Prior to building permit submittal, a final design of the utilities must be reviewed and approved by the City Engineer. This shall be a condition of approval. As part of the required frontage improvements, utilities will also be required to be underground.

The City Engineer notes that no street lights are shown on the plans, as noted within Exhibit B. Street lights are necessary on Baseline Street and N. 29th Avenue. Street lights shall be shown on the final utility plans, as required by the City Engineer. The street lights on N. 29th Avenue and Baseline Street shall be installed and functioning prior to issuance of a final occupancy permit. This shall be a condition of approval.

(10) Accessibility. Access and facilities for physically handicapped people are incorporated into the site and building design with particular attention to providing continuous, uninterrupted access routes;

Findings: The applicant shall comply with the requirements of the Americans with Disabilities Act (ADA) prior to occupancy of the structure. The ADA parking space(s) and internal sidewalks and their connections to the public sidewalk shall meet all applicable Building Code and ADA requirements. This shall be a condition of approval.

Additionally, ODOT is requiring the applicant ensure that the ADA ramp at N. 29th Avenue is constructed to current ODOT ADA standards. If it is not constructed to the ODOT ADA standards, then the applicant is responsible for replacing the access to the current standards. This shall be a condition of approval.

(11) Bicycle Lanes and Sidewalks. Where street improvements on arterials and collectors are required as a condition of development approval, they shall include bicycle lanes and sidewalks constructed in accordance with city standards.

Findings: The applicant acknowledges where street improvements on arterial or collector streets are required, they shall include bicycle lanes or off-street multimodal pathways, and sidewalks constructed in accordance with city standards.

The City Engineer and ODOT are requiring minor frontage improvements along Baseline Street, which is a Primary Arterial. The existing access onto Baseline Street is proposed to be permanently closed.

Along the N. 29th Avenue frontage, the City Engineer is required full frontage improvements. N. 29th Avenue is designated within the City of Cornelius Transportation System Plan (TSP) as a 'Collector' street. Frontage improvements plans are required to be to city standards, which include sidewalks and bicycle lanes.

(B) Design Standards.

(1) Relation of Building to Site. The proposed structures shall be related harmoniously to the terrain and to existing buildings which have a visual relationship to the proposed structure. Building height, bulk, lot area, coverage, setbacks, and scale should be particularly considered with regard to achieving compatible relationships. Screening, except in the industrial zone, exposed storage areas, utility buildings, machinery, service and truck loading areas, solid waste disposal cans, containers and other structures, and other accessory uses and structures, shall be adequately set back and screened. If a building is constructed, enlarged or altered to meet Type II thresholds and is located within 500 feet of a bus/transit stop, a main entrance door shall be placed on the street side of the bus/transit line and located as close as structurally possible to the bus/transit stop in compliance with this title;

Findings: The applicant has submitted a site plan (Exhibit A) of the proposed development. The new building will be located mainly in the eastern half of the property. The site plan shows three new driveways along N. 29th Avenue. The retail/showroom area will be located in the SW corner of the building. The site plan shows no pedestrian connectivity from the public sidewalks to the main entrance of the building. Staff finds that a pedestrian connection from the Baseline Street sidewalk to the front door can be reasonably accommodated. Therefore, prior to building permit submittal, a revised site plan shall be provided to the Community Development Department that shows a pedestrian connection from the Baseline Street sidewalk to the front door of the building. The area of the internal pedestrian connection that crosses the internal drive-aisle shall be striped. This shall be a condition of approval.

The applicant provided renderings and architectural plans of the proposed structure to be placed on-site, as shown within Exhibit A. The setbacks comply with the C-2 zoning district standards. The applicant is requesting CUP approval to increase the height of the building 3.6-feet above the allowable 35-foot height limitation.

The applicant has provided a detailed landscaping plan. The landscaping plans show the location of the proposed landscaping with a plant schedule (variety type). The landscaping plan shows that landscaping will be located in key locations that will provide screening to the nearby residential neighborhood and provide for landscaping focal points from Baseline Street and N. 29th Avenue.

For all business within the City of Cornelius, separating recyclable materials from trash is necessary, per CMC 8.01.150 Business Recycling. Within the business and trash collection facilities, there shall be adequate instructions and containers for sorting and separating recyclable

materials from trash. Therefore, a condition of approval shall require that business comply with CMC 8.05.150 Business Recycling.

(2) Trees and Vegetation. The development has been designed to, where possible, incorporate and preserve existing trees or vegetation of significant size and species. Consideration shall be given to whether habitat, survival of the tree species, and aesthetics can best be achieved by preserving groves or areas of trees as opposed to only individual trees;

Findings: The site is currently developed with a commercial structure that is commonly known as Murphy's Furniture. The majority of the site consists of a field area, shrubs and a few trees. The applicant has submitted a detailed landscaping plan that shows the new landscaped areas. The applicant's proposal (Landscape Plan) appears not to preserve any of the existing trees or vegetation. Staff finds that the existing trees and vegetation are not significant in size.

(3) Historic Structures. Consideration is given to the effect of the proposed development on historic buildings or features both on the site and within the immediate area;

Findings: There are no known historic structures on or near the property.

(4) Grading and contouring of the site shall take place with particular attention to minimizing the possible adverse effect of grading and contouring on the natural vegetation and physical appearance of the site;

Findings: The lot is relatively flat with slopes towards the eastern property lines. There will be on-site grading necessary to redevelop the Site. The applicant provided an existing conditions plan, demolition plan, erosion control plan and site plan, a specific grading plan was not provided. The plans provided show the site in detail with topographical contours. Prior to issuance of any permits the applicant shall provide this department a copy of the grading plan. The grading and contouring plan shall be reviewed by the City Engineer and Building Official prior to issuance of a grading permit. This shall be a condition of approval.

As the site does have slopes, fill dirt may be necessary. It is unknown if retaining walls are proposed. The final grade and any soil retention methods used for the development shall not impact the abutting property owners and their land. This shall be a condition of approval.

(5) Landscaping. The quality, location, size, and structural and aesthetic design of walls, fences, berms, traffic islands, median areas, hedges, screen planting and landscape areas are such that they serve their intended purposes and have no adverse effect on existing or contemplated abutting land uses;

Findings: The landscape planting plan shows trees and ground cover to be placed on-site. The placement of landscaping on the site is in logical areas around the buildings, walkways and parking lot. The placement of the landscaping is not anticipated to have an adverse effect on the proposed development or abutting land uses. To ensure plant health, the living landscape areas shall be maintained and an irrigation system shall be installed. The installation of the irrigation system shall be to the City and State Plumbing Code. This shall be a condition of approval.

In addition to the current CMC landscaping standards, applicants are required to address a Climate Friendly and Equitable Communities (CFEC) rules and analysis. Staff finds this application was submitted prior to the rules; therefore, the development does not need to comply with these standards. In Oregon State, all applications are subject to the rules in effect at the time of application submittal. If a new application is submitted, then it shall comply with the applicable CFEC rules.

(6) Lighting. Adequate exterior lighting shall be provided to promote public safety, and shall be designed to avoid unnecessary glare upon other properties;

Findings: The applicant is proposing exterior lights throughout the development. A photometric plan and lighting fixture details have been provided, as shown within Exhibit A. It appears the proposed lighting plan will comply to the CMC standards. To protect the nearby uses on adjacent properties and public ROWs, a condition of approval shall require that unnecessary on-site lighting may not shine or glare into adjacent properties or public ROWs.

(7) Solar Access. In determining the appropriate relation of the building or structure to the site, the committee shall require that the building or structure be located on the site in a location and direction that will maintain, where feasible, solar access for adjacent properties and buildings or structures within the site.

Findings: The applicant states within Exhibit, “A”, “*As recommended by the city, the existing access has been relocated to align with the business across the street. Therefore, the proposed new development has been appropriately designed in relation to the site and is in a location and direction where feasible access for adjacent properties and buildings is provided. In additions, the site is designed to comply with City design standards, and to function safely and efficiently for the business and their customers. Deeper setbacks are proposed adjacent to residential uses to minimize impact, including a 50-foot easement, private road, building setback, and 20-foot buffers. The location of these physical elements on the development plan will minimize the shadow onto the adjacent residential properties to the maximum extent feasible.*”

Staff finds the placement of the proposed three-story structure, as described by the applicant, will have little to impact solar access. Public notice was mailed to adjacent property owners and as noted, no letters or concerns have been raised regarding the new building.

CHAPTER 18.105.030.B. CONDITIONAL USE PERMIT APPROVAL CRITERIA:

(1) The proposed development will comply with the Comprehensive Plan.

Findings: The subject parcel is designated on the Comprehensive Plan as Commercial. The City Zoning Map designates the parcel as Highway Commercial, C-2. In Chapter V (Economic Development) of the Comprehensive Plan there are policy statements that support and promote continued commercial activity and diversification.

To highlight the sections of the Comprehensive plan, staff provides the following findings:

- Chapter 1 Citizen Involvement; the City and the applicant has provided adequate public notice and held the required neighborhood meeting prior to this application submittal.
- Chapter 2 Urbanization; the proposal will not impact population growth statistics within the region.
- Chapter 3 Land Use; the proposed retail use (portion of) is specifically identified within CMC Section 18.45.020(A), which is permitted outright. The proposed redevelopment for an indoor mini-storage facility identified within CMC Section 18.45.030 (K) and request to exceed the maximum height limitation of the zone (G) are uses that require conditional use permit approval. The retail and servicing aspect of the proposed use are permitted outright, while the outdoor storage and display requires conditional use permit review, which was reviewed administratively through CUP-01-23 (Exhibit, “E”).
- Chapter 4 Housing; the proposal does not impact housing needs within the city.
- Chapter 5 Economic Development; the applicant describes that the proposal will benefit the city with additional jobs, tax revenue, and spending. With the proposal, it is compatible with nearby businesses and residential areas. As density of the city increases, with smaller lots, the proposed indoor storage facility with a height increase request will assist residences of the city and nearby communities to store their personal items.
- Chapter 6 Natural and Cultural Resources; The applicant has provided a CWS Service Provider Letter, CWS file #23-001653. Prior to issuance of the CWS Service Provider Letter, the applicant was required to obtain a wetland determination report from the Division of State Lands, DSL. DSL determined that no jurisdictional wetlands or other waters from the state are within the study area.

- Chapter 7 Public Facilities and Services; The applicant is proposing to redevelop the Site with this application. Connection to City services and improvements public facilities are proposed.
- Chapter 8 Transportation System Plan; The applicant is proposing to redevelop the Site. Frontage improvements along N. 29th Avenue to City Standards is proposed as well as improvement to the Baseline Street frontage.

This proposed use represents a highly diversified business with consumers who are looking for specific storage, moving equipment and services. The operation will also support local employment and dependence on other area commercial businesses. The applicant is not proposing a change in zoning or an amendment to the Comprehensive Plan to accommodate the proposed use.

Conclusion: Based upon the findings above, staff concludes this criterion is met.

(2) The applicable requirements of the zoning district are satisfied; and

Findings: The subject property is zoned Highway Commercial (C-2). Via DR-34-23 the applicant received Type I Site Design review approval for a ‘change of use’ within a portion of the building, from a furniture store to retail services for U-Haul. Within this application, the applicant indicated to the city that the whole site will be redeveloped, as proposed within Exhibit “A”. For redevelopment of the site a Type III Site Design Review application has been submitted (DR-70-23), as well as a Type III Conditional Use Permit (CUP-02-23) for a ‘Indoor mini-storage facility’ as identified via CMC 18.45.030(K) and a request to exceed the height limitation of the zone per CMC18.45.030(G).

Conclusions: Based upon the findings above, staff concludes this criterion can be met with conditions of approval.

(3) That the location, size, design, and functional characteristics of the proposed use are such that it can be made reasonably compatible with and have a minimum impact on the livability and appropriate development of other properties in the surrounding neighborhood.

Findings: The applicant has submitted a narrative statement and site plan, as shown in Exhibit A. The site currently developed with a commercial use. The proposed development (building) is orientated so there will be minimum impacts to the abutting properties. The outdoor equipment and activities will be facing Baseline Street and N. 29th Avenue.

No formal written comments regarding the applications, DR-70-23 and CUP-02-23 have been submitted.

Conclusions: Based upon the findings above, staff concludes this criterion can be met.

(4) The granting of the proposal will provide for a facility that is consistent with the overall needs of the city.

Findings: The applicant is requesting conditional use approval for an indoor mini-storage facility with a request to exceed the height limitation of the zone by 3.6 feet. The new building will be 38.6 feet tall. Staff finds that the proposed use will further enhance a growing commercial corridor. The proposal is consistent with Goal 5 (Economic Development) of the Comprehensive Plan, because the business will diversify the City's breadth of commercial uses. The business will also add employment and revenue opportunities to the City's economic base.

In addition, the proposed redevelopment of the site will add critical frontage improvements to N. 29th Avenue and improve the State Highway corridor (Baseline Street).

Conclusions: Staff concludes that the proposed indoor self-storage facility with a height increase for U-Haul can be reasonably compatible with and have a minimum impact on the livability and development of surrounding properties with the following conditions.

CONCLUSION

Based upon the findings above, staff concludes that the proposed redevelopment of the site, as proposed in Exhibit A, can conform to the applicable chapters of the CMC with conditions of approval.

RECOMMENDATION

Based upon the facts, findings, and conclusions presented in this Staff Report, the Community Development Director recommends that the Planning Commission approve DR-70-23 and CUP-02-23, subject to the following conditions of approval:

Prior to Building Permit Submittal to the City of Forest Grove Building Division

1. The applicant shall apply for and receive Preliminary Land Partition Plat and Final Plat approval for a 'One-Lot' Land Partition to legally redescribe the two tax lots into one lot. The Final Plat shall be recorded with Washington County.
2. The applicant shall submit a revised site plan that shows the location of the required on-site bicycle parking spaces (3 spaces) near the front door of the office/retail area. The revised site plan shall be reviewed and approved by the Community Development Director.
3. The applicant shall submit a revised site plan that shows a pedestrian connection (crossing) from the sidewalk of Baseline Street to the front door of the office/retail area.

The revised site plan shall be reviewed and approved by the Community Development Director.

4. The applicant shall submit a final design of the utilities to the City Engineer for review and approval.
5. The applicant shall submit their public improvement plans to be reviewed and approved by the City Engineer.
6. An additional fire hydrant shall be incorporated into the public improvement and utility plans. Its placement shall be reviewed approved by the City Engineer and Fire Department.
7. Plans to be reviewed and approved by the City Engineer and shall be adjusted for driveways so that they do not to exceed 35-feet in width.
8. The applicant shall submit an on-site grading plan for the City of Cornelius Community Development to review.
9. When Building Permits are submitted, a geotechnical report for the foundation and foundation drainage shall be incorporated in the submittal.

Prior to Site Development

10. The applicant shall obtain all the necessary demolition, grading and erosion control permits for on-site and off-site work.
11. The applicant shall submit the necessary documentation for engineering plan review and approval of the proposed public improvements as required by the City Engineer in Exhibit B.
12. The applicant shall obtain the necessary access, miscellaneous, and construction permits from ODOT. The applicant shall comply with ODOT's recommended conditions of approval for design along Baseline Street.
13. The applicant shall apply for and receive any permits as required by CWS.

Prior to Building Permit Issuance

14. The City shall review the building permit plans and provide the applicant a Notice of TDT Decision, per the Washington County TDT procedures. The applicant shall indicate to the City their preferred method of payment and pay the TDT accordingly, if necessary.

15. The applicant shall obtain all the appropriate Building, Plumbing, Electrical, and Mechanical Permits and shall meet all applicable Building Code requirements for the proposed development.
16. The applicant shall provide plans that demonstrate the stormwater system complies with all applicable CWS standards, including LIDA, to be reviewed and approved by the City Engineer.
17. Prior to issuance of the approved engineering plans, the applicant shall post with the City a performance security assigned to the City for an amount equal to 150 percent of the estimated cost of the landscaping materials and installation by a qualified contractor.
18. The existing billboard on-site shall permanently be removed.

Prior to Occupancy

19. Prior to issuance of Final Occupancy Permits, all required conditions of approval from this report shall be satisfied.
20. All landscaping, including street trees and irrigation, shall be installed per the approved landscaping plans. The installation of the irrigation system shall be to the City and State Plumbing Code.
21. The applicant shall coordinate with the City Engineer and install all frontage improvements that abut the property to the public works standards or ODOT standards, as applicable.
22. The internal pedestrian crossing from the Baseline Street sidewalk to the front door of the office/retail area shall be striped.
23. The applicant shall construct an on-site storm drainage system in conformance with CWS standards. All public improvements shall be in accordance with the City Engineer's comments, attached herein as Exhibit B.
24. A private storm water quality facility maintenance agreement shall be signed and recorded by the applicant.
25. The applicant shall comply with all requirements as deemed necessary by the Cornelius Fire Department and the Building Official.

26. The building shall be adequately addressed for location by emergency personnel.
27. A Knox Box shall be installed near the front entrance, as required by the Fire Department.
28. The building shall comply with communications enhancement requirements as required by the Fire Department.
29. All new utilities serving the site shall be located underground.
30. The applicant shall obtain any required maintenance bonds for street trees and the water quality facility.
31. The applicant shall coordinate the installation of a mail box with the City and the Post Master, if proposed.
32. All on-site lighting be installed and functional. Unnecessary lighting shall not glare or shine into abutting properties or into the abutting public rights-of way as required by CMC 18.45.050(C)(2).
33. The development shall comply with all applicable ADA requirements.
34. A pedestrian pathway that connects the front door of the new business to Baseline Street, shall be installed.
35. The street lights on N. 29th Avenue and Baseline Street shall be installed and functioning, as approved by the City Engineer and ODOT.

Other

36. Trees planted on-site be maintained according to ANSI standards. If any trees are removed, each tree must be replanted to the approved landscape plan *and supplemental landscape plan shown and submitted for the record on March 12, 2024.*
37. When at maturity, at least 80 percent of the landscape area shall be covered by plant material, lawn, and trees.
38. The clear vision areas per CMC 18.150.070 at the driveways along N. 29th Avenue shall be met.

39. The ADA ramp at the intersection of N. 29th Avenue and Baseline Street shall be improved to current ADA standards, if deemed necessary by ODOT and the City Engineer.
40. The applicant shall meet all applicable State, County and City Building, Electrical, Plumbing, and Mechanical Code requirements.
41. All applicable conditions of approval from CUP-01-23 (Exhibit E) for the approved the outdoor storage of rental equipment for U-Haul shall remain applicable.
42. The new building shall not exceed 38.6 feet in height.
43. Chain link fencing shall not be galvanized.
44. Signage that is placed on the property must receive Sign Permit approval through a Sign Permit application review process.
45. The streets and pedestrian walkways shall be lighted during the hours of darkness in accordance with the public works standards.
46. All materials and wastes shall be managed/stored and the grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents, or create a health hazard.
47. The dumpsters/trash bins be kept inside the designated trash collection areas and they shall not be left outside for an extended period of time on trash collection days.
48. The business shall comply with CMC 8.05.150 Business Recycling.
49. Any damage to any public improvements or the public right-of-way as a result of construction shall be repaired and/or replaced to City standards by the applicant/owner.
50. The Community Development Director is authorized to suspend or revoke any permit if there is probable cause to believe that the conditions of the permit or any provisions of this ordinance have been violated or that the use is causing a nuisance to the public or surrounding properties. In any case, where the Community Development Director finds a serious danger to the public health or safety, the Community Development Director may suspend the permit without a hearing. In all other cases, the applicant may appeal the Community Development Director's decision of revocation per the applicable Sections of the City Code.

Date of recommendation: **February 20, 2024**



Tim Franz, Senior Planner



Barbara Fryer, AICP, Community Development Director

Exhibits: “A” Applicant’s submittal
 “B” City Engineer
 “C” Affidavit of Public Notice
 “D” Updated Civil Plans with correspondence
 “E” CUP-01-23



CITY OF CORNELIUS
COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL STAFF REPORT

U-Haul – COMMERCIAL DEVELOPMENT
Type III Site Design Review
Type III Conditional Use Permit

Land Use File Numbers DR-70-23 and CUP-02-03

Planning Commission Hearing Date: February 27, 2024
Supplemental Staff Report Date: February 27, 2024

Request: A Type III Site Design Review (DR-70-23) and Type III Conditional Use Permit (CUP-02-23) to redevelop a commercially zoned property and build a new three-story self-storage facility that will be 38.6-feet in height (3.6-feet taller than the height standard of the zone). The development will include a three-story 94,764-sf building for a U-Haul moving and storage facility. The new building will have 843 interior storage spaces of various sizes, a 2,483-sf showroom/retail area, a 1,460-sf Delivery & Receiving (D&R) area, a new parking lot, landscaping, a water quality facility, and new frontage improvements.

Applicant: ~~Shannon Marvin, MCP~~ **Property** Mary Delfs
~~Lance Blades, Marketing President~~ **Owner:** 2962 Baseline Street
2727 N Central Avenue Cornelius, OR 97113
Phoenix, AZ 85004

Site: 2962 Baseline Street, Cornelius, OR 97113
Map: Township 1 North, Range 3 West, Map 34 DD, Tax Lot #07700 and #07900.
Zone: Highway Commercial, C-2

Process: Approval of a Type III Site Design Review, Type III Conditional Use Permit and Type II Land Partition with public hearing shall be processed consistent with Cornelius Municipal Code (CMC) Section 18.15.010(C), a Type III Planning Commission Review. The application shall be processed with notice and a public hearing before the Planning Commission pursuant to CMC Chapter 8.15.040. The notice of the Planning Commission’s decision shall be provided to the applicant, interested parties, and anyone that testifies in the matter.

APPEAL RIGHTS

An affected party may appeal a decision of the Planning Commission to the City Council by filing an appeal within ten (10) working days of notice of the decision pursuant to the CMC. The notice of appeal shall indicate the decision that is being appealed and include all required contents pursuant to CMC Chapter 18.15.090.

APPLICABLE CRITERIA OF THE CORNELIUS MUNICIPAL CODE

- Chapters 18.10 & 18.15 (Application & Review Procedures)
- Chapter 18.45 (Highway Commercial, C-2)
- Chapter 18.100 (Site Design Review)
- Chapter 18.105 (Conditional Use Permit)
- Chapter 18.143 (Transportation Facilities)
- Chapter 18.145 (Off Street Parking and Loading)
- **Chapter 18.155 (Solar Access for New Development)**

Chapter 18.155 Solar Access for New Development is the sole subject of this Supplemental Staff Report. This section was inadvertently missed in the original staff report.

18.155.040 Access to Sunshine.

The elements of a development plan shall be located and designed, to the maximum extent feasible, to protect access to sunshine for planned solar energy systems or for solar-oriented rooftop surfaces that can support a solar collector or collectors capable of providing for the anticipated hot water needs of the buildings in the project between the hours of 9:00 am and 8:00 pm PST on December 21st.

The project can support solar-oriented rooftop arrays to provide solar energy or power for hot water needs of the building. There is sufficient space and the solar arrays available in today's market place can be oriented to maximum the solar gain.

18.155.050 Shading.

(A)The physical elements of the development plan shall be, to the maximum extent feasible, located and designed so as not to cast a shadow onto structures on adjacent property greater than the shadow which would be cast by a 25-foot hypothetical wall located along the property lines of the project between the hours of 9:00 am and 3:00 pm PST on December 21st.

The following picture identifies the latitude and longitude of the project site.

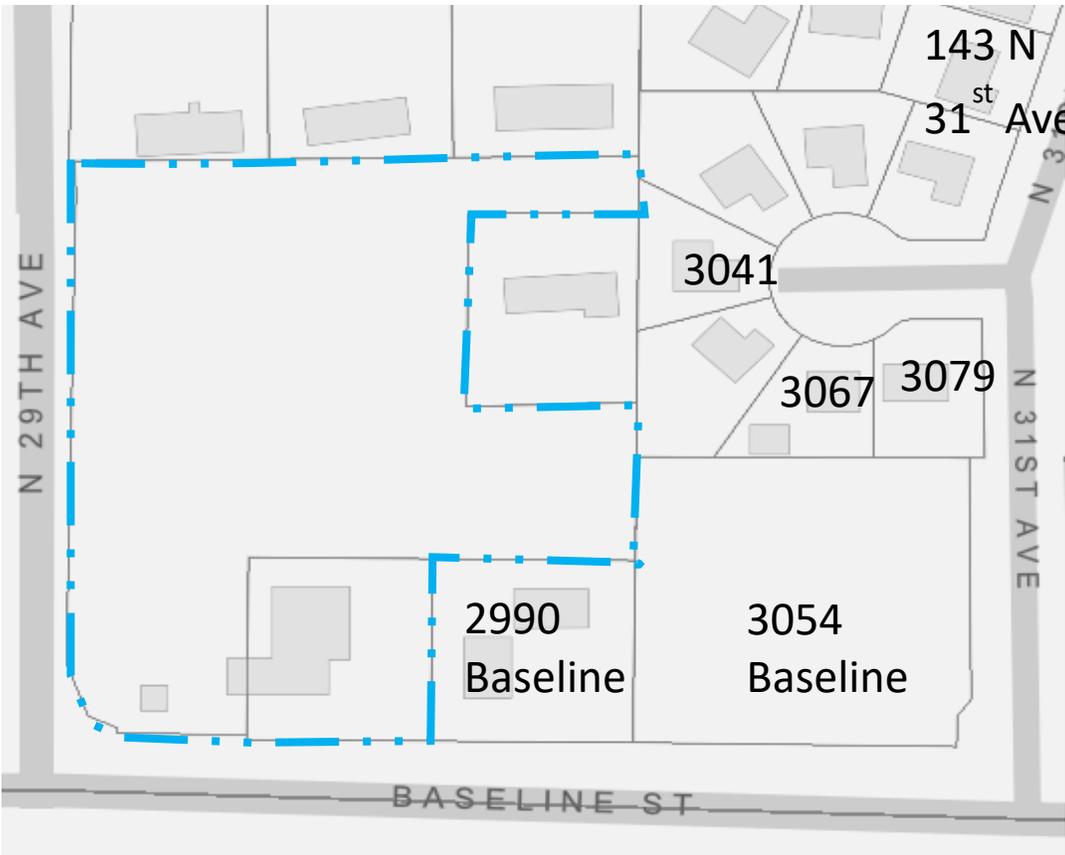
Assessment & Taxation Report	
General Property Information	
Site Address:	. CORNELIUS OR, 97113
Tax Lot ID:	1N334DD07700
Property Account ID:	R755837,
Property Classification:	2210 - - See full list of Codes
Neighborhood Code:	ZFGC
Latitude / Longitude:	45.5208522 / - 123.035139

The National Oceanic and Atmospheric Administration has a Solar Position Calculator on their web site. The following two charts are copied from that website and depict the solar position for the largest of the two tax lots in question. The first chart is for 9:00 am and the second chart is for 1500 hours, or 3:00 pm.

City:		Deg:	Min:	Sec:	Time Zone	
Portland, OR		Lat: North=+	45	31	1	Offset to UTC (MST=+7): Daylight Saving Time:
		South=-				
Click here for help finding your lat/long coordinates		Long: East=-	122	39	0	8 No
		West=+				
Note: To manually enter latitude/longitude, select Enter Lat/Long -> from the City pulldown box, and enter the values in the text boxes to the right.						
Month:	Day:	Year (e.g. 2000):	Time: (hh:mm:ss)			
December	21	2024	9	: 00	: 00	<input type="radio"/> AM <input type="radio"/> PM <input checked="" type="radio"/> 24hr
Calculate Solar Position						
Equation of Time (minutes):	Solar Declination (degrees):	Solar Azimuth:	Solar Elevation:	cosine of solar zenith angle		
1.57	-23.44	137.01	8.87	0.1542		
Azimuth is measured in degrees clockwise from north. Elevation is measured in degrees up from the horizon. Az & El both report dark after astronomical twilight .						

City:		Deg:	Min:	Sec:	Time Zone	
Portland, OR		Lat: North=+	45	31	1	Offset to UTC (MST=+7): Daylight Saving Time:
		South=-				
Click here for help finding your lat/long coordinates		Long: East=-	122	39	0	8 No
		West=+				
Note: To manually enter latitude/longitude, select Enter Lat/Long -> from the City pulldown box, and enter the values in the text boxes to the right.						
Month:	Day:	Year (e.g. 2000):	Time: (hh:mm:ss)			
December	21	2024	15	: 00	: 00	<input type="radio"/> AM <input type="radio"/> PM <input checked="" type="radio"/> 24hr
Calculate Solar Position						
Equation of Time (minutes):	Solar Declination (degrees):	Solar Azimuth:	Solar Elevation:	cosine of solar zenith angle		
1.45	-23.44	219.32	10.95	0.1899		
Azimuth is measured in degrees clockwise from north. Elevation is measured in degrees up from the horizon. Az & El both report dark after astronomical twilight .						

Using an obstruction shading calculator, a 25 foot height wall with the sun at 23.44 degrees (same solar declination for both times) would need a minimum distance of 57.7 feet to avoid shading. For a 38.6 foot building, the distance is 89 feet, while a 35 foot building is 80.7 feet. Based on analysis using the aerial view of the property and a GIS application, the yellow line on the next page is approximately 89 feet from the new proposed building.



The northern portion of the closest building would be shaded, however; the southern



Approximately 89 feet from the proposed building

exposure (where you would place solar) would not be shaded as the building is set back beyond the roof pitch line.

18.155.050 Shading.

(B)The impact of trees shall be evaluated on an individual basis considering the potential impacts of the shading and the potential adverse impacts that the shading could create for the adjacent properties in terms of blocking sunlight in indoor living areas, outdoor activity areas, gardens, and similar spaces benefiting from access to sunlight.

No new trees are proposed that would potentially block sunlight to any of the adjacent properties.

Date of Supplemental Staff Report: **February 27, 2024**



Barbara Fryer, AICP, Community Development Director

Date of Planning Commission Decision: March 12, 2024

Dave Waffle, Planning Commission Chair