Land Use Application
Project Narrative: AltaBird Investments

Updated: August 10, 2022 [Pre Completeness Review]

Applicant:
AltaBird Investments
1411 N Cedar Street
Tacoma, WA 98406
Phone - 206.605.4898
Contact: BRENDAN MASON
brendan@altabirdinvestments.com

Development Location:
N 4th Avenue & N Holladay Street

Prepared for:
City of Cornelius
Community Development Department
1300 S. Kodiak Circle
Cornelius, Oregon 97113

Prepared by:
First Forty Feet
412 NW Couch Street, Suite 205
Portland, Oregon 97209
Contact: Will Grimm, will@firstfortyfeet.com
Phone – 802-595-9448

In collaboration with:

Mildren Design Group
4875 SW Griffith Drive, Suite 300
Beaverton, Oregon 97005
Jeff Wilder – jeff@mdgpc.com
Phone – 503-244-0552

Development Review Application

Explanation of Intent

The proposed use is permitted outright within the M-1.

First Forty Feet, in collaboration with Mildren Design Group, will be submitting for the following applications:

1) One-Lot Land Partition to legally re-describe the multiple tax lots into one new lot. This action is a Type III review before the Planning Commission, Per CMC 18.95.060.

2) Land Partition Final Plat. This is an administrative review to ensure that the proposed one-lot land partition plat conforms to the approval, prior to recordation by Washington County.

3) Type III Conditional Use Permit/Planned Unit Development for the proposed height deviation and to address the Natural Resource Overlay (NRO) zoning requirements. This is reviewed and approved by the Planning Commission.

4) Type III Site Design Review. This is a technical review of the proposed on-site improvements by the Planning Commission.

PROJECT SUMMARY

The applicant is proposing to develop approximately 7.35 acres of land for an industrial warehouse that will be approximately 154,000 sf in size. The proposed warehouse will have 33 loading bays, 102 vehicle parking spaces and other associated on-site improvements. The tenant of the proposed warehouse is yet to be determined.

The property is in the General Industrial, M-1 zone. The Site consist of two tax lots. Tax Lot# 100 is approximately 3.60 acres in size and Tax Lot# 400 is approximately 3.75 acres in size. There is an identified wetland on Tax Lot #400, which also has resulted in a Natural Resource (NRO) zoning designation on the property.

EXISTING CONDITIONS

The properties is actively being farmed with the farmer's lease terminating on 9/30/2022.

PARCEL

Tax lot ID: #1N333CA00400 & 1N333CA00100

SITE DESIGN

Building Address: North Holladay Industrial Park
Zoning: M-1 (General Industrial)
Site Area: 320,342 sf (7.35 acres)
Proposed Building Area: 154,643 sf (48.3%)
Parking Area: 18,933 sf (5.9%)
Paving Area: 109,732 sf (34.3%)
Lot Coverage / Impervious Area: 283,330 sf (88.4%)
Landscape Area: 387,012 sf = 11.6% of total site area
Building Height = 45' (measured to top of parapet)
Construction Type: B; F1; S1
Total Parking Spaces: 102 stalls

Applicable Standards

The following Standards and Regulations have been addressed within this Narrative.

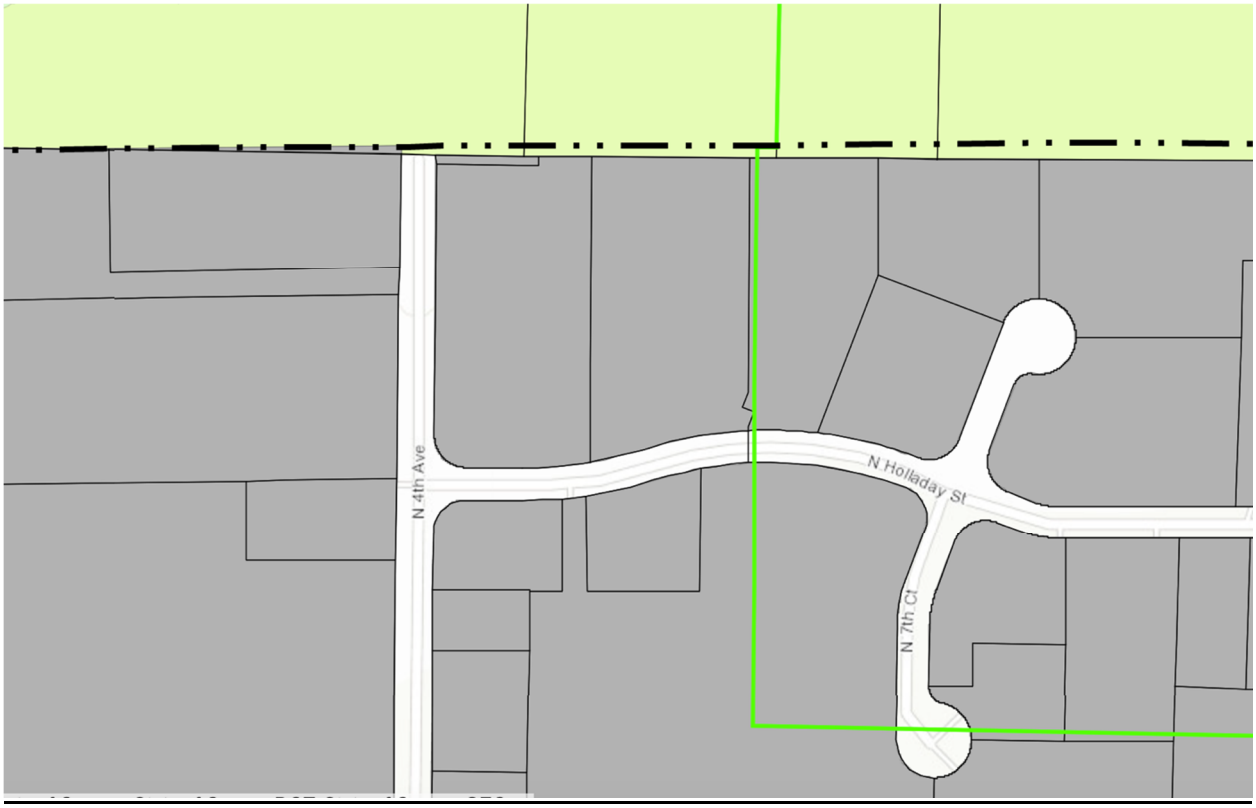
Title 17
17.05.030 Land Partition

Title 18 Development Code - Zoning
18.55 General Industrial (M-1) zone
18.100 Site Design Review
18.105 Conditional Use Permit
18.143 Transportation Facilities
18.145 Off-Street Parking
18.150 Clear Vision Zones
18.155 Solar Access for New Development
18.10.030 Neighborhood Review Meeting
18.05.030 Development Standards

CMC 18.95 Natural Resources Overlay
CMC 18.110 Planned Unit Development

Table 18.05.030

Development Standards in the M-1 Zone



Title 17.00 Land Partition

17.05.030 Land partitioning

(A) Requirements for Land Partitioning Actions.

(2) The standards and regulations of this section shall apply to partitions of land as defined in ORS 92.010(9).

Response: The proposed development qualifies as land eligible for land partitioning according to ORS 92.010(9**). The proposed development has provided a Preliminary Plat Map of existing and proposed improvement plan.**

(B) Application Requirements. The community development director shall provide forms that specify the information required for submission of land partitions. The applicant shall prepare a map together with other supplementary material as may be required and shall submit the necessary number of copies to the community development director.

Response: A preliminary existing and proposed partition map has been developed by the surveyor and architect team.

(D) Required Improvements. For any partitioning of land, where applicable, the following design and development standards and requirements may apply to partitions. These standards shall apply at the point of construction of improvements and/or land developments. The community development director shall have the authority to impose any such standards or requirements as conditions of approval.

Response: The proposed development requests the combination of the two tax lots #1N333CA00400 & 1N333CA00100 to become one whole parcel. Please see Preliminary Plat Map for legal description of the proposed single plat.

(F) Easement.

(1) Utility Lines. Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated. Easements for water, sewer, or drainage on interior lot lines shall be 20 feet in width, the center line of which shall be the lot lines. Easements for water, sewer, or drainage along exterior lot lines shall be 20 feet in width, except no easement will be required for those lot lines paralleling a street or other public way. Tie-back easements shall be six feet wide and 20 feet long along lot side lines at change of direction points of the lot lines. Easements for utilities such as electrical, gas, cable, and fiber optics (public utility easement, or PUE) shall be dedicated along all right-of-way frontages, including woonerfs, and shall be eight feet in width. A PUE is not required along the right-of-way of an alley, unless a parcel on an alley does not also front on a street or woonerf directly.

Response: The proposed development anticipates the need for utility easements for sewers, drainage, water mains, and electric lines to be 20 feet in width. All required utility easements will be sized to meet all easement dimension requirements. The development will be constructing a PUE along N. Holladay and N. 4th Ave.

(G) Lot Size and Shape. Lot size, width, shape and orientation shall conform to the requirements of this title for the applicable zoning district.

Response: The proposed development lots' dimensional qualities conform to the requirements.

(H) Access. Each lot shall abut upon a public street, for a distance of at least 20 feet, and comply with CMC 18.143.050, Access standards.

Response: The proposed development lots abuts two public streets for a distance of more than 20 feet and comply with the city's access standards. Site access is proposed on at three locations, one along N. 4th Ave and two along N. Holladay.

(I) Dedications. Public streets, sidewalks, pedestrian ways, bike paths, parks, open space, and other public rights-of-way required by or reasonably related to the development shall be dedicated or otherwise conveyed to the city or the appropriate jurisdiction for maintenance. Further, any park or open space proposed may be required to be dedicated to the public if it is designated in the city's comprehensive plan. An appropriate instrument granting or conveying the park or open space must be approved by the jurisdiction to whom the park or open space is being dedicated prior to final plat approval.

Response: The proposed development will include sidewalks, pedestrian ways, and public rights of way. There will be no parks or public open spaces included in this proposal.

(J) Utilities. All utilities shall be placed underground per standards identified by the city engineer.

Response: All utilities will be placed underground per the city's standards identified by the city engineer.

(K) Street Trees. Trees shall be installed along street frontages in accordance with the adopted Cornelius public works standards. Actual location and spacing of trees shall be at the discretion of the city engineer.

Response: The proposed development will include a new landscape design, including street trees installed along street frontages in accordance with the adopted public works standards.

(3) Improvement Requirements. Improvements to be installed at the expense of the developer are as follows:

(b) Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the land division to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage shall be in accordance with adopted Cornelius public works standards and shall allow for the extension of the system to serve other areas.

(c) Sanitary Sewers. Sanitary sewers shall be designed in accordance with adopted Cornelius public works standards and installed to serve the land division and to connect the land division to existing mains.

(d) Water System. Water lines with valves and fire hydrants serving the land division, connecting the land division to city mains, shall be installed in conformance with the adopted Cornelius public works standards. The design and construction by the developer shall take into account provisions for extension beyond the land division and to adequately grid the city system.

(e) Street Trees. Street trees shall be planted along street frontages in accordance with the following:

(i) For all land divisions, the developer shall pay a per tree security to the city. The surety bond shall be based upon the number of trees included in an approved street tree plan.

(ii) Trees shall be planted in accordance with the adopted Cornelius public works standards.

(f) Bike and Pedestrian Ways. Bike and pedestrian ways shall be constructed according to adopted Cornelius public works standards.

(g) Other improvements reasonably related to the impacts of the development which may be required at the partial or total expense of the developer:

(i) Improvement of arterial and collector streets providing primary access to land division streets.

(ii) Signals, traffic control devices, and traffic calming devices.

(iii) Intersection improvements.

(iv) Parks and open space shall be improved as required by the city and/or appropriate jurisdiction.

(h) Street Lights. Street lights shall be installed in accordance with adopted Cornelius public works standards.

(i) Curb cuts and driveway installations are not required of the developer but, if installed, shall be according to adopted Cornelius public works standards.

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

Response: The proposed development includes many improvements outlined under this code provision. The development intends to create a comprehensive industrial development and warehouse operations that will strengthen connections, improve safety, and create a model for industrial development in Cornelius.

18.55 General Industrial (M-1) Zone

18.55.020: Permitted Uses
The proposed development is permitted outright under (A) General uses involving manufacturing, processing, or storage. **The proposed development is speculative and could be a combination of manufacturing, warehousing, and storage. The owner does expect to address all zoning and land use code provisions if the future tenant produces odors, noise, or vibrations due to operations.**

18.55.030: Conditional Uses Permitted
The following uses shall be permitted as a conditional use subject to the standards contained in CMC 18.55.060 and Chapter 18.105 CMC, Conditional Use Permit. In an M-1 zone the following uses and their accessory uses may be permitted when in accordance with Chapter 18.105 CMC:

(C) Height of Building. No building shall exceed a height of 35 feet, unless approved by the planning commission.

Response: Under 18.55.030 (G)-- Team requests the city to consider our proposal to exceed the maximum building height of 35'. Our proposed building height Is 38'. The internal storage rack design and operational access and maneuvering require a clear height of 35', plus depth of roof structure will require additional height. The proposal would like to request **10' of additional height to 45'.**

18.55.050 Development Requirements
(A) Lot Size. In an M-1 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.

Response: Lot is large enough to accommodate the proposed use, including circulation, access, parking, stormwater, infrastructure design, and building operations.

(B) Setback Requirements. In an M-1 zone the following setbacks shall be the minimum required. The approval authority may require greater setbacks for uses allowed under CMC 18.55.030, based on the approval criteria in Chapter 18.105 CCC, 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.

Response: (1) front yard setbacks (south) is ~114' from public right of way
Response: (2) the west yard setbacks are 20'-0"; east yard setback is 40'-0"; the north yard setback is 154'-6"

(C) Height of Building. No building shall exceed a height of 35 feet, unless approved by the planning commission.

Response: See Conditional Use Application and narrative section **18.55.030: Conditional Uses Permitted.**

18.55.060 Performance Standards
In an M-1 zone no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

(B) Environmental Standards.

Response: We have included a letter (Exhibit B) from the owner stating our intentions to work with the city and Clean Water Services to address all environmental concerns and air, land, and water quality standards while proceeding at risk with Site Design Review.

(C) Heat and Glare.

Response: (1) Our proposal ensures glare is not visible from a public street or adjacent property. (2) Our proposal ensures exterior lighting shall be designed such that glare is directed away from the public streets or adjacent properties. See Photometric Plan.

(D) Insects and Rodents

Response: All materials will be managed and stored in a manner that will not attract or aid the propagation of insects or rodents or create a health hazard.

Response: All warehousing materials will be managed and stored in a manner that will not attract or aid the propagation of insects or rodents or create a health hazard.

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

Response: There are no plans for exterior storage; however, if a future tenant needs exterior storage then they will be required to follow permit procedures, address all code provisions and guidelines, and obtain approval.

Response: All associated storage will be enclosed entirely within the building. **The proposed development is speculative and could be a combination of manufacturing, warehousing, and storage. The owner does expect to address all zoning and land use code provisions if the future tenant produces odors, noise, exterior storage, or vibrations due to operations.**

18.55.070 Development Standards
In an M-1 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 an M-1 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.
(2) At least 80 percent of the landscape area shall be covered by plant material, lawn, and trees when the plantings are at maturity. The remaining area may be covered in nonvegetative ground cover.
(3) Street Trees. Street 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 lineal footage of the site which abuts a public street by 30. The location of the trees shall be determined through design review, and the trees shall be installed in accordance with the adopted public works standards.
(4) 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.

Response: (1) The proposal provides a setback more than the requirement of the first five of lineal street frontage of landscaping for public right of way improvements. See Landscape Plan for planting plan of the frontage along N. Holladay.

Response: (2) 80% of the landscape area will be covered by plant material, lawn, and trees when the plantings are at maturity. The remaining area will be covered in nonvegetative ground cover.

Response: (3) Street trees will be planted 30' on-center within the landscaped frontage. The trees have been selected from the approved public works street tree list. The total number of trees have been determined by dividing the total lineal footage of the site which abuts a public street by 30. The new street trees shall be installed in accordance with the adopted public works standards.

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

(1) Where possible, vehicular access to industrial 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 a local street shall only be allowed as permitted by the review body.

(2) The minimum public street width for industrial development shall comply with Chapter 5 of the adopted public works standards.

(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 pavement width:

(a) Two-way traffic: 24 feet;

(b) One-way traffic: 20 feet.

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

(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.

Response: (1) The proposed development includes three (3) truck and vehicular access points. Two access points are off N. Holladay Street and the third off N. 4th Ave.

Response: (1) The proposal will not be enclosed with a security fence or gates.

Response: (2) Our proposal does not have public streets within the development. All roadways and circulation will be private roadways.

Response: (3) Internal access 'impervious' concrete and asphalt roadways and drives will be paved and maintained by owner. See site plan— all areas in light grey will be asphalt and areas in dark grey and truck loading areas are concrete. All entrance and exits will be located greater then 100' to any intersection of a public street.

Response: (3) Internal roadway and access lanes dimensions are two-way and greater or equal to 24' feet.

Response: (4) The proposal provides internal sidewalk and pathway, from the public right of way along N. Holladay, to the facility's main office. A pathway varies in width but provides safe and convenient pedestrian circulation throughout the development with safety striping, especially at critical crossings.

18.150.070 Clear vision zones.
(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.

Response: (5) Clear vision areas have been indicated on the site plan A 1.0. Plan illustrates all driveway access points are in accordance with the vision clearance standards set forth in CMC 18.150.070.

(C) Access Streets – Sidewalks – Drainage.

Response: (2) The two driveway / access points measure 30' and 40' wide respectively. The center access point is designed for automobile access only. The eastern most access is designed to the requirement for large trailer trucks to maneuver entry and exit turning radii.
Response: **(2) The proposal does not include entry gates, nor fencing around the building. If a future tenant would like to include a fence and gate, then the owner will address all planning and zoning code provisions.**
Response: (4) The proposal provides new construction, curbs, gutters, and a minimum 5' wide ADA accessible sidewalk along the entire lot frontage. Pedestrian sidewalks connect all future office entry spaces (west entry and east entry) to the public right of way (indicated in red on the site plan, sheet A1.0). Sidewalks are provided from both N. Holladay St and N. 4th Ave.
Response: (5) Proposed storm drainage is managed through a system of underground drainage lines. Please sheet C2.1 for details. The stormwater management system complies with Clean Water Services (CWS) standards and guidelines.

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

Response: The lighting design plan for all roadways and walkways will be lit during the hours of darkness in accordance with public works standards. The plan references the location, height, mount, and type of lighting used throughout the plan. See Photometric Lighting Plan.

(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.

Response: The proposal locates a mailboxes along N. 4th Ave in close proximity to the building entry. See Figure E.1

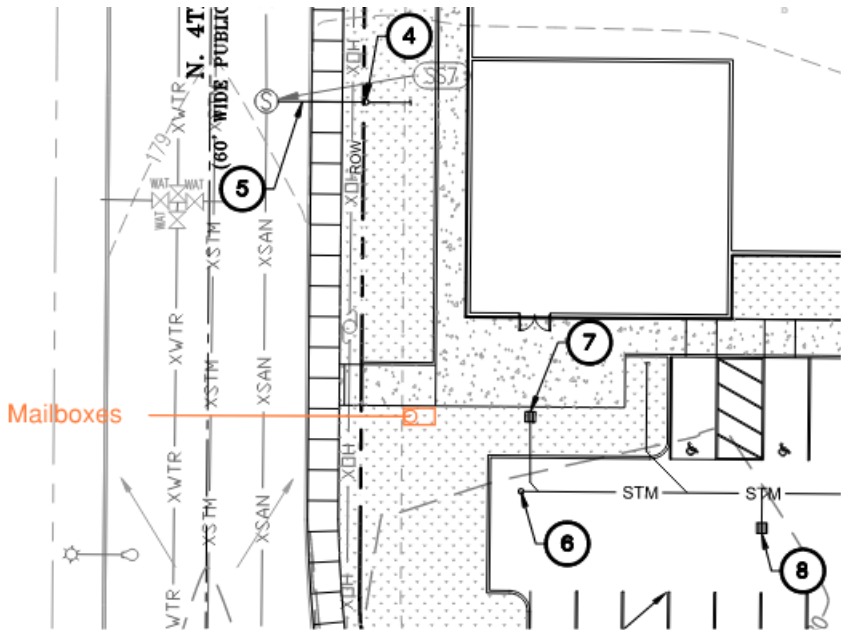


Figure E.1

(F) Screening.

Response: Sight-obscuring screening will be provided for all garbage and trash collection area. The proposed screening will be screened on three sides from all neighbors. The collection area is located more than 300' from the entry and built of 8'-0" tile concrete surrounding a 40-yard dumpster.

(G) Parking and Loading Space.

(1) Off-street Parking

Response: Total parking provided is 102 stalls, which includes 6 Accessible. Proposed parking is provided as set forth in Chapter 18.145 CMC and 18.145.030 - Table 1. Land Use –
WAREHOUSE =148,088 GSF
(149088/1000)0.5 = 74.5 PARKING SPACES (MINIMUM)
(149088/1000)1.2 = 185.6 PARKING SPACES (MAXIMUM)
OFFICE = 5,555 GSF
(5,555/1000) X 2.7 = 15.0 PARKING SPACES (MINIMUM)
(5,555/1000) X 4.1 = 22.8 PARKING SPACES (MAXIMUM)
TOTAL PARKING SPACES REQUIRED = 89.5 (MINIMUM REQUIRED)
TOTAL PARKING SPACES REQUIRED= 201.7 (MAXIMUM , ZONE B)
TOTAL PARKING SPACES (PROVIDED)= 102 PROVIDED

(2) Paving and Design

Response: Off-street parking areas will be paved with asphalt and designed in accordance with the standards. All paving will be impervious concrete or asphalt.

(3) Parking Lot Landscaping

Response: The proposed development has provided a 5' landscaped buffer at the perimeter of all parking areas, screened with evergreen plantings at a min. of 36" in height.

18.55.080 Signs.

Signs within the M-1 zone may be allowed consistent with Chapter 18.175 CMC.

Response: The developer and architect will apply for a Sign Permit during the Building Permitting stage. Signage design is unknown at this time.

18.100 Site Design Review

18.100.010 Purpose.
The council finds that projects involving building design and development of land should have special review in order to promote and protect the public health, safety, and welfare of the city, to promote orderly growth of the community, to enhance aesthetic values, to assure development which is suitably related to its environment, to prevent both extremes of monotonous uniformity and substantial dissimilarity, and to conform with the comprehensive plan of development of the city, and, that to promote and implement these policies requires consideration of the particular character and impact of new development over and above that included in the zoning, subdivision and building code, ordinances and regulations.

A) Purposes and Objectives.
(B) Professional Quality Design Required.

Response: The proposed plans will be under Type III Site Plan Review and have been designed and drawn by a licensed architect.

18.100.020 Authority.
(A) Facilities and Design Review Committee.
(B) Jurisdiction and Powers.
(C) Provisions
(D) Cumulative Action.

18.100.030 Types of applications.
(C) Design review Type III actions are those which are major and include:

Response: Our proposal meets (C) (2) – General site plans for new development or substantial redevelopment.

18.100.040 Approval criteria.
(A) Technical Standards.

Response: All submitted drawings and narratives meet all appliable standards of practice.

(B) Design Standards.

Response: All submitted drawings and narratives meet all appliable standards of practice.

18.100.050 Special conditions.
18.100.060 Compliance with approvals.

18.105 Conditional Use

18.105.010 Purpose.
Certain types of uses require special consideration prior to being permitted in a particular district. The reason for requiring special consideration involves, among other things, the size of the area required, the nature of the traffic problems, the effect such uses have on any adjoining land uses and, on the growth, and development of the community as a whole. The uses are listed in each use district as a conditional use

18.105.020 Authority.
(A) Authorization to Grant or Deny Conditional Uses.

Response: Under 18.55.030 (G)-- Team requests the city to consider our proposal to exceed the maximum building height of 35'. Our proposed building height Is 38'. The internal storage rack design and operational access and maneuvering require a clear height of 35', plus depth of roof structure will require additional height. The proposal would like to request **10' of additional height to 45'.**

18.143 Transportation Facilities

18.143.010 Purpose and intent.
It is the purpose and intent of this chapter to establish design standards and performance requirements for all streets and other transportation facilities constructed or reconstructed within the city of Cornelius.

18.143.010 General provisions.

Response: The proposal does not include off-site transportation facilities.
Response: No traffic impact analysis is required for this project.

18.145 Off-Street Parking

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

18.145.010 General Provisions

Response: (B) All parking and loading spaces are located in a required yard.

18.145.020 Off-Street Parking

Response: Off-street parking is provided based on the primary use of the site according to the following standards (Table 1)

18.145.030 Required Off-Street Parking Space

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	
INDUSTRIAL				
Industrial Services	0.8/1,000	1.2/1,000	1.8/1,000	0.1/1,000
Manufacturing; Production; Light Industrial; General Industrial; Heavy Industrial	1.6/1,000	none	none	0.1/1,000
Research and Development	2.0/1,000	3.0/1,000	3.8/1,000	0.5/1,000
Warehouse/Freight Movement	< 150,000 sq ft: 0.5/1,000 > 150,000 sq ft: 0.3/1,000	0.8/1,000 0.4/1,000	1.2/1,000 0.5/1,000	0.1/1,000
Waste-Related	5	7	10	none
Wholesale Sales	0.8/1,000	1.2/100	1.8/1,000	0.1/1,000

Response: Our proposal land use anticipates –

Warehouse/Freight Movement with a minimum parking standard of >150,000 sq. ft: 0.3 per 1,000. Warehouse (148,088 sq. ft / 1,000) X 0.5 = 74.5 parking spaces + (148,088 sq. ft / 1,000) X 1.2 = 185.6 parking spaces.

Office – (5,555 sq. ft / 1,000) X 2.7 = 15.0
Office - (5,555 sq. ft / 1,000) X 4.1 = 22.8

Response: Minimum bicycle parking standards:

Warehouse = 0.1 / 1,000. (154,643 sq.ft / 1,000) X 0.1 = 14.9 spaces
Office = 0.5/ 1,000. (5,555 sq.ft / 1,000) X 0.5 = 2.8 spaces.
The proposal provides 17 total bicycle parking spaces.

18.145.040 Off-Street Loading

(A) Buildings and structures to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading space as follows:

Table 2 Off-Street Loading Requirements	
Land Use	**Loading Space Required**
Industrial	
Floor Area:	
Under 25,000 sq ft	1
25,000 to 50,000 sq ft	2
50,000 to 100,000 sq ft	3
Commercial	
Floor Area:	
Under 5,000 sq ft	0
5,000 to 25,000 sq ft	1
25,000 to 50,000 sq ft	2
50,000 to 100,000 sq ft	3

Table 3 Minimum Loading Berth Dimensions		
Land Use	**Length – Linear Feet**	**Width – Linear Feet**
All uses except wholesale and industrial	35	12
Wholesale storage l industrial	65	12

Calendar

Response: The anticipated operations include freight movement and proposes 33 trailer truck containment parking spaces for operations.

(B) Passengers.

Response: Driveways have been designed for continuous forward flow of passenger vehicles.

C) Merchandise, Materials or Supplies

Response: The proposed loading berth dimensions of all off-street loading is 60’ linear feet and 12’ in width and 15’ in height.

(D) Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and appropriately designed to prevent the encroachment of delivery vehicles into off-street parking areas or into a public street.

Response: All passenger vehicles and off-street parking areas have been designed to prevent the encroachment of delivery vehicles.

(E) Modification of off-street loading requirements

(F) Exceptions and Adjustments.

18.145.050 Design and maintenance standards for off-street parking and loading facilities.

(A) Except as otherwise defined in this code, "one standard parking space" means a minimum of a parking stall of 9 feet in width and 20 feet in length. To accommodate compact cars more efficiently, up to 25 percent of the available parking spaces may have a minimum dimension of 8' feet in width and 16 feet in length, so long as they are identified as compact car stalls and are not readily accessible to large cars.

Response: All vehicle parking spaces are 20 feet in length and 9 feet in width.

(C) Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress consistent with CMC 18.150.070, and maximum safety of pedestrians and vehicular traffic on the site.

Response: All precautions and clear vision zones tested to facilitate the flow of traffic to provide maximum safety of pedestrians and vehicle traffic.

(D) Each parking and/or loading space shall be accessible from a street and the access shall be of a width and location as described in this section.

Response: All parking areas and loading areas will be accessible from a street.

(E) Parking space configuration, stall and access aisles shall be of sufficient width for all vehicles turning and maneuvering.

Response: All parking spaces and loading spaces have been tested for sufficient width and turning and maneuvering.

(G) Except for single- and two-family residences and multi-family uses with not more than four units in the core residential zone, all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of city streets. Off-street parking spaces for single- and two-family residences and multi-family uses with not more than four units in the core residential zone shall be improved with an asphalt or concrete surface to specification as approved by the building official.

Response: All proposed surfaces will either be impervious asphalt or concrete.

(H) Parking spaces along the outer boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located three feet back from the front of the parking stall. The facilities and design review

committee or the planning commission may approve parking spaces without wheel stops, provided the abutting sidewalk is increased by three feet in width and/or the appropriate landscaping is planted where the bumper would overhang.

Response: All parking spaces will include wheel stops.

(I) Off-street parking and loading areas shall be drained in accordance with specifications approved by the city engineer.

Response: Off-street parking and loading areas have been designed to drain in accordance with stormwater management best practices and avoid flow of water across public sidewalks.

(J) Artificial lighting on all off-street parking facilities shall be designed to deflect all light away from surrounding residences and so as not to create a hazard to the public use of any road or street.

Response: See Photometric Plan. The lighting design plan for internal streets and walkways will be lit during the hours of darkness in accordance with public works standards.

(K) Signs which are provided on parking lots for the purpose of meeting this section shall be as prescribed by the building official.

Response: Our intent will be to apply for a signage permit with our building permit.

(L) All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly, and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

(M) Bicycle parking spaces shall be conveniently located with respect to the street, bicycle path/lane and building entrance. Bicycle parking spaces shall not conflict with off-street vehicle parking spaces and drive aisles. There shall be at least 36 inches of clearance between parked bicycles and other obstructions or buildings.

Response: Our proposal does not include bike lanes within the development; however, we have provided pathways for bicyclists to walk their bicycles to the bicycle parking areas.

(G) Parking and Loading Space.
(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.

Response: All proposed surfaces will either be impervious asphalt or concrete.

(3) Parking Lot Landscaping. There shall be a five-foot landscaped buffer at the perimeter of all parking lot areas. The parking area shall be screened with evergreen plant material maintained at a minimum of 36 inches in height. Parking lots shall be designed and landscaped to break up large, paved areas with landscaped islands, every 10 parking spaces.

Response: See Landscape Plan. The proposed parking lot landscaping design allows for at least 5' landscaped buffer at the perimeter of all parking lots areas. The parking layout design does include a landscaped island every 10 parking spaces.

18.55 Solar Access for New Development

18.155.010 Purpose.
It is the city's intent to encourage the use of both active and passive solar energy systems for heating air and water in homes and businesses, as long as natural topography, soil, or other subsurface conditions or other natural conditions peculiar to the site are preserved. While the use of solar energy systems is optional, the right to solar access is protected. Additionally, a goal of this section is to ensure that site plan elements do not excessively shade adjacent properties, creating a significant adverse impact upon adjacent property owners. Thus, standards are set forth to evaluate the potential impact of shade caused by buildings, structures, and trees.

18.155.020 Applicability.

Response: The building does include solar skylights to provide natural daylighting within the facility's interior. The building has been designed to anticipate solar panels in the future.

18.155.050 Shading.

Response: The building has been designed to avoid shadow overcasting onto neighboring buildings or residents.

18.10.030 Neighborhood Review Meeting

Response: Our team conducted a neighborhood meeting on May 18th @ 6:30p-7:30p to gain insight and feedback on the proposed development. Please see list of addresses within 250 feet of the property. Please see attached notice sent to residents indicating date, time, and location of meeting. All mailers were sent 20 days prior to the required neighborhood review meeting.
Response: There were no attendees at the meeting.

18.10.040 Application documents.
(H) Documentation of Neighborhood Review Meeting, if Required.

Response: Please see the following documents attached to the permit application:

- A copy of the notice sent to surrounding property owners within 250 feet of the subject parcel.
- A copy of the mailing list used to send out meeting notices.
- Representative copies of written materials and plans presented at the neighborhood review meeting.
- Notes of the meeting, including the meeting date, time, and location, the names and addresses of those attending, and oral and written comments received

Chapter 18.105 Conditional Use Permit

18.105.010 Purpose.

Certain types of uses require special consideration prior to being permitted in a particular district. The reasons for requiring special consideration involves, among other things, the size of the area required, the nature of the traffic problems, the effect such uses have on any adjoining land uses and on the growth and development of the community as a whole. The uses are listed in each use district as a conditional use.

18.105.020 Authority.

The planning commission may approve, approve with conditions, or deny the application for a conditional use permit. In permitting a conditional use, the planning commission may impose conditions found necessary to protect the best interests of the surrounding property or neighborhood, or the city as a whole. A conditional use permit shall not grant variances to the regulations prescribed by this title.

(A) Authorization to Grant or Deny Conditional Uses.

(1) Uses designated in this title as conditional uses permitted shall be permitted or enlarged or altered upon approval of the commission in accordance with the standards and procedures specified in this chapter.

(2) The conditions may include, but are not limited to, the following requirements:

(a) Increasing the required lot size or yard dimensions;

(b) Controlling the location and number of vehicular access points to the property;

(c) Increasing street width;

(d) Increasing the number of off-street parking or loading spaces required;

(e) Limiting the number of signs;

(f) Limiting the coverage or height of buildings because of obstruction to view or reduction of light or air to adjacent property;

(g) Requiring sight-obscuring fencing and landscaping where necessary to reduce noise or glare or maintain the property in a character in keeping with the surrounding area; and

(h) Requirements under which any future enlargement or alteration of the use shall be reviewed by the city and new conditions imposed.

(3) Change in use, expansion or contraction of site area, or alteration of structures or uses classified as conditional existing prior to the effective date of the ordinance codified in this title shall conform to the regulations pertaining to conditional uses. If the site is found inappropriate for the use requested, the commission may deny approval of the conditional use.

(4) In addition to all other applicable standards and authority regulating the consideration of applications for a conditional use for home occupation, the following standards and conditions shall apply:

(a) A conditional use permit for a home occupation shall be valid for a period of one year following the effective date of the approval. No person operating an authorized home occupation shall have employees engaged in the home occupation on the premises other than members of the person's immediate family. See CMC 18.20.080 and 18.25.080 for home occupation standards.

(b) No signs, placards, notices or other materials advertising the home occupation shall be erected, placed or permitted to be affixed to the land or dwelling within which the home occupation is being conducted. See Chapter 18.175 CMC for sign code standards.

(c) A conditional use permit for home occupation can be renewed for an additional one-year period, without an additional application fee, if the application for renewal is filed not less than 60 days prior to the expiration of the permit. The planning commission may impose additional conditions upon the permit upon renewal to carry out the purposes of the underlying zoning district.

Response: Team requests the city to consider our proposal to exceed the maximum building height of 35'. Our proposed building height Is 38'. The internal storage rack design and operational access and maneuvering require a clear height of 35', plus depth of roof structure will require additional height. The proposal would like to request **10' of additional height to 45'.** The proposed development considers the impacts to an increased height and bulk characteristics. We feel the structure will maintain harmony with the area in which the proposed development is located.

18.105.030 Conditional Use Permit
(B) Approval Criteria. The approval, approval with conditions or denial of an application for conditional use or to enlarge or to alter a conditional use shall be based on findings of fact with regard to each of the following approval standards:

- LAND USE: To provide sufficient land to meet the need for growth in a manner that ensures quality of development and a balanced and orderly urban growth pattern
- ECONOMIC DEVELOPMENT: To develop a diversified economic base that is supportive of existing commercial and industrial development and attractive to selected commercial and industrial development.

Response: The proposed development is consistent with the land use and the economic development goals.

The proposed development is consistent with the following industrial land use policies:

- Industrial development will coincide with the provision of public streets, water, and sewerage facilities. These public facilities shall be capable of adequately servicing all intervening properties as well as the proposed development and will be designed to meet the zoning and subdivision standards. Sidewalks and off-street parking will be required in all new industrial developments.

  Response: The development will construct the required public improvements as identified in it's submitted plans.

- A storm water drainage plan will be submitted with all proposed subdivisions, land partitions, and site development plans to show how storm water will be handled to avoid effects on other property. Storm sewers consistent with CWS standards for water quality and quantity shall be required as a condition of approving all developments. Further, development designs shall be coordinated with CWS to insure compliance with METRO Title 3 criteria and federal clean water act standards.

  Response: The development is proposing stormwater drainage plans consistent with CWS standards to ensure compliance.

- The City recognizes state noise, air quality and emission control standards and will cooperate with the Department of Environmental Quality in enforcement and administration of these standards.

  Response: Proposed uses within the facility will be required to meet state noise, air quality and emissions standards.

- Support and promote continued commercial and light industrial development and diversification of the area's economy.

  Response: The proposed development will provide new industrial space that supports the recruitment of new business to Cornelius and/or the expansion of existing Cornelius businesses that have increasing/changing space needs.

- Encourage robust business recruitment, retention, and growth through the adoption and future implementation of the Cornelius Economic Opportunity Analysis: Economic Development Strategic Action Plan

  Response: Applicant's development is speculative and will provide the city with needed industrial space to recruit new businesses to the community in the sectors of manufacturing, tech, and warehousing as identified in the strategic plan.

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

Response: As outlined in the full contents of Applicant's project narrative, the proposed development is consistent with and meets the applicable requirements of the zoning district.

(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;

Response: The proposed uses and development are compatible with and have minimum impact on the surrounding properties that are also zoned industrial. The proposed development is not adjacent to neighborhoods.

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

Response: To accomplish the city's economic development goals (including recruitment of new businesses), the city needs additional industrial space. The proposed development would create new industrial space consistent with the current market demands in the manufacturing, tech, and warehousing sectors of the economy. This will assist the city in fulfilling it's economic development priorities including family wage jobs.

Chapter 18.110 Planned Unit Development (PUD) Conditional Use

18.110.010 Purpose.

It is the purpose of these provisions to allow a planned unit development as a conditional use in any residential, commercial or industrial zoning district. Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The planned unit development concept supports a growing urban area by encouraging a more creative approach in the development of land, while at the same time enhancing and preserving the value, spirit, character and integrity of surrounding areas which have developed or are developing under conventional district regulations. Deviations from specific site development requirements and a mixture of combinations of residential, commercial and industrial uses is allowable, subject to the provisions of the comprehensive plan, as long as the general purposes for the requirements are achieved and the general provisions of the zoning regulations are observed. It is further the purpose of authorizing planned unit developments to take into account any or all of the following:

(A) Advances in technology and design;

(B) A comprehensive development equal to or better than that resulting from traditional lot-by-lot land use development, in which the design of the overall unit permits flexibility in the placement and uses of structures and the location of open spaces, circulation facilities, off-street parking areas and other facilities;

(C) The potential of the site characterized by special features of geography, topography, size or shape; and

(D) The height and bulk characteristics of structures can vary as long as the ratio of site area to uses and openness of the site will be in harmony with the area in which the proposed development is located.

Response: Team requests the city to consider our proposal to exceed the maximum building height of 35'. Our proposed building height Is 38'. The internal storage rack design and operational access and maneuvering require a clear height of 35', plus depth of roof structure will require additional height. The proposal would like to request **10' of additional height to 45'.** The proposed development considers the impacts to an increased height and bulk characteristics. We feel the structure will maintain harmony with the area in which the proposed development is located. The deviation of bulk and massing will result in advances in flexibility of use and advances in technology in operations. The proposed development will provide the flexibility for a variety of potential uses and operations from an expanded tenant pool, not limiting the operations to just traditional industrial operations.

Chapter 18.95 Natural Resources Overlay (NRO)

18.110.010 Purpose.

(A) The purpose of the natural resources overlay is to protect the significant natural resources identified in the city's natural resources inventory and map. The natural resources overlay shall protect resources and functional values that have been identified by the city and state as providing benefits to the public. The natural resources overlay complies with the direction of the comprehensive plan and State Planning Goal 5.

(B) Natural resources overlay (NRO) is applicable to the resource sites and abutting properties identified in the natural resources inventory and map, the Goal 5 ESEE analysis and to future lands annexed into the city that are identified as or contain Goal 5 resources.

(C) The natural resources overlay shall encourage coordination between city, county, regional, state and federal agencies concerned with natural resources.

(D) Uses shall comply with requirements and regulations of all jurisdictional agencies including but not limited to Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Division of State Lands and Clean Water Services.

(E) All significant natural resources shall be delineated, and applicable protection setbacks and requirements shall be determined from Table A in the natural resource protection plan and implemented.

(F) All parcels newly annexed into the city containing Goal 5 natural resources shall receive a NRO designation over the entire parcel. A property owner may subsequently commission a certified wetland/natural resource inventory delineating protected resource boundaries and establishing a new NRO boundary and respective protective setback consistent with Table A (Natural Resource Protection Setbacks) in the city of Cornelius natural resource protection plan, and in conformance with Clean Water Services regulations.

18.110.030 Planned Unit Development Conditional Use Permit

(B) Approval Criteria. In order to approve a PUD, findings of fact shall be made to support the following conclusions:

(1) There are special physical or geographic conditions or objectives of development which warrant a departure from the standard title requirements.

Response: The development objective is to attract a high-quality industrial tenant. In order to meet market conditions for industrial space, the developer needs to construct the facility with a building clear height that satisfies at least the minimum currently demanded in the market. The increase in building height is viewed by industrial tenants as critical to maximizing their internal storage space to fit racking and/or necessary to accommodate equipment associated with manufacturing processes – or both.

(2) Resulting development will be consistent with overall planning and zoning objectives of the city.

Response: The subject development is located within an industrially zoned area of the city, which the city intends to support economic development objectives. The resulting development proposal with increased building height is necessary to ensure the city's industrial building inventory is competitive and can attract high quality tenants.

(3) The area around the development can be planned to be in substantial harmony with the proposed plan.

Response: The area surrounding the proposed development is industrial. The additional building height will not be inconsistent with these uses and harmony with the city's overall plan can be achieved.

(4) If the applicant is proposing phasing the project, then identify the schedule for phasing. If the applicant is not proposing to phase the project, then identify the time frame for completion.

Response: The applicant is not proposing a phased project. The construction period shall be 18-24 months, as noted on G3.0.

(5) Provide findings that economically justify a proposed commercial or industrial development.

Response: The site is zoning industrial and can accommodate a combination of warehousing, manufacturing, or storage.

The additional building height is necessary to achieve clear heights within the facility that are market competitive to current tenants in the market.

(6) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

Response: Applicant has provided information with its application demonstrating that the streets serving its development will not be overloaded.

(7) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

Response: The proposed utility and drainage facilities have been designed based on the type of uses anticipated in this development, the size of the project, and applicable design standards and regulations.

18.95.020 Permitted uses.

The following uses are permitted outright in the natural resources overlay:

(A) Resource enhancement and restoration activities.

(B) Land divisions per Chapter 17.05 CMC.

(C) Removal of nonnative or invasive vegetative species.

(D) Dedication of rights-of-way.

(E) Temporary emergency procedures necessary for the protection of property.

(F) Actions taken by the city to correct or abate a nuisance.

(G) Approved storm water discharge.

(H) Existing lawn within the riparian area may be maintained, but not expanded into the resource area.

(I) Existing utility lines.

(J) Existing legal nonconforming structures. Replacement of nonconforming structures shall comply with Chapter 18.135 CMC.

Response: Our team is in coordination with Clean Water Services to confirm the significant natural resources identified in the city's natural resources inventory and map. We understand that the natural resources overlay protects resources and functional values; however, our environmental consultant has determined that the area identified as natural resources does not provide a benefit to the public. Please reference the 'Natural Resource Assessment Meadowlark Industrial Center' memo prepared by Pacific Habitat Services.

Response: Oregon Statewide Planning Goals and Guidelines provide a framework for Oregon's municipalities to balance various public policies through a series of goals and guidelines that cover a variety of broad subjects, including economic development. We believe that the Statewide Planning Goal No. 5 does not apply for this site; however, Statewide Planning Goal 9 does and requires municipalities to "provide adequate opportunities throughout the state for a variety of economic activities, vital to the health, welfare, and prosperity of Oregon's Citizens." Among the guidelines for Goal 9 is that Comprehensive Plans for urban areas "provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses with plan policies."

Our team will provide further analysis and determinations from Clean Water Services to confirm NRO designation.

18.95.030 Administrative review approval.

The following uses are permitted in the natural resources overlay, subject to a Type I design review approval, including compliance with other natural resource agencies:

(A) Repair, maintenance, and replacement of existing utility lines.

(B) Fencing.

(C) Removal of a hazardous tree.

(D) Maintenance of streambank stabilization and flood control structures.

(E) ESEE Analysis Findings and Conclusion. The ESEE analysis findings and conclusions identified in the natural resource protection plan provide site specific exceptions to protection measures based on conflicting uses and mitigating consequences of implementation. The sites are specific to the 2002 Natural Resources Inventory and Map.

Response: The proposed development is not currently permitted on the site due to the extent of the natural resources overlay. The team's environmental consultant, Pacific Habitat Services is working with Clean Water Services to assess and confirm the quality and significance of the site's wetland.

18.95.040 Conditional uses

The following uses are permitted in the natural resources overlay, subject to approval of a conditional use permit, Chapter 18.105 CMC:

(A) Streets, roads, recreational trails and paths in the riparian area.

(B) Fill, grading and/or alteration of topography in the riparian area.

(C) New drainage facilities, utilities and pump stations.

(D) Water related recreational facilities.

(E) New construction or expansion of streambank stabilization and flood control structures.

(F) New development on property with significant natural resources per Chapter 18.110 CMC, Planned Unit Development (PUD) Conditional Use, and CMC 18.95.060, Resource protection exception process.

(G) Resource protection exception process per CMC

18.95.050 Prohibited uses.

(A) New development on significant natural resource sites and property, except as identified in CMC 18.95.040.

(B) Removal of native trees and vegetation from resource areas.

Response: The proposed development is a prohibited use due to the extent of the natural resources overlay. The team's environmental consultant, Pacific Habitat Services is working with Clean Water Services to assess and confirm the quality and significance of the site's wetland. Pacific Habitat Services have developed an Alternative Analysis to make the case for Oregon Statewide Planning Goal No. 9.

18.95.060 Resource protection exception process.

When planned development can occur that provides for the protection of the resource and permitted use through increased densities, clustered development or the transfer of development rights, a plan shall be submitted and approved through the administrative review, Type II process. Any associated partition, subdivision or design review applications that are required with the planned development shall be processed as a Type III application and reviewed by the planning commission.

(A) New residential, commercial and industrial development or substantial redevelopment requests involving deviation of natural resource protection requirements shall be reviewed through the conditional use permit/planned unit development process.

(B) Transfer of development rights (TDR) may be applied for as a conditional use permit/planned unit development (PUD). Development rights shall only be transferred between residential zones within the city.

(C) Proportional Increase in Density on an Individual Parcel. Increased density requests shall provide for a development equal or better than required by the base zone.

(2) Commercial or Industrial PUD. Natural resource protection setbacks may be applied to meet private landscaping requirements. New development or substantial redevelopment of properties where natural resource protection setbacks are required may request approval of a conditional use permit (CUP) and/or a planned unit development (PUD) to permit a 1:1 ratio exchange for square footage of native landscaped protection setback area in lieu of required private on-site landscaping.

For example: A proposed industrial development property has 350 feet of street frontage, which requires 5 feet of landscaped area along the frontage or 1,750 square feet of landscaping. The industrial lot also abuts a significant natural resource for 35 lineal feet and is required to provide a 50-foot setback, which equals 1,750 square feet of natural resource protection. The applicant would be able to request the use of the natural resource protection setback area in lieu of the required private landscaping requirement through the conditional use permit process.

Response: The proposed development is a prohibited use due to the extent of the natural resources overlay. The team's environmental consultant, Pacific Habitat Services is working with Clean Water Services to assess and confirm the quality and significance of the site's wetland. Pacific Habitat Services have developed an Alternative Analysis to make the case for Oregon Statewide Planning Goal No. 9.