



**CITY OF CORNELIUS
COMMUNITY DEVELOPMENT DEPARTMENT**

STAFF REPORT

**FOREST GROVE SCHOOL DISTRICT -
CORNELIUS ELEMENTARY**

**Type III Site Design Review and Type III Conditional Use/Planned
Unit Development Permit**

Land Use File Numbers DR-71-23 and CUP/PUD-03-23

Planning Commission Hearing Date: September 26, 2023

Staff Report Date: September 19, 2023

Request: A Type III Design Review and Planned Unit Development Conditional Use Permit (DR-71-23 & CUP/PUD-03-23) application to replace an existing elementary school at 200 N. 14th Avenue with a new elementary school with parking and play areas while retaining the cafeteria and gym for repurposing at a later date.

Applicant: Forest Grove School District

Applicant's Representative: Melissa Slotemaker, AICP, AKS Engineering and Forestry.

Property Owner: Forest Grove School District

Location: 200 N 14th Avenue

Map: Township 1N Range 3W Map 33DD, Tax Lot #04500

Zone: Corridor Commercial, CC.

Process: Approval of a Type III Site Design Review and Conditional Use/Planned Unit Development 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 18.15.040. The notice of the Planning Commission’s decision shall be provided to 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 18.65 (Corridor Commercial, CC)
- Chapter 18.100 (Site Design Review)
- Chapter 18.105 (Conditional Use Permit)
- Chapter 18.110 (Planned Unit Development (PUD) Conditional Use)
- Chapter 18.145 (Off Street Parking and Loading)
- Chapter 18.155 (Solar Access for New Development)

GENERAL FACTS

- The subject Site consists of one lot (1N333DD04500) that is approximately 8.32 acres in size.
- The subject Site is developed with an elementary school that is commonly known as ‘Cornelius Elementary’.
- The subject Site abuts N 14th Avenue, N 15th Avenue, N 16th Avenue, N Clark Street, two alleyways and N Adair Street. N Adair Street is an Oregon Department of Transportation (ODOT) facility, while the remaining streets are City streets.
- N 14th Avenue is identified as a Collector Street within the City Transportation System Plan (TSP).
- N Adair Street is identified as an Arterial Street within the TSP.
- The applicant is proposing a new 81,050 sf two-story elementary school, as described within Exhibit “A”. The first floor will be 45,685 sf, the second floor will be 35,365 sf in size.
- Once the new elementary school is completed, 27,360 sf of the existing school will be demolished, along with removal of the existing portable classrooms, which total 4,930 sf.
- The application was submitted on July 24, 2023 and was deemed incomplete.

- On August 10, 2023, the applicant submitted additional materials and the Community Development Director deemed the application complete.
- 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 August 31, 2023. Public Notice, including the affidavit of mailing is shown within Exhibit “B”.
- The City Engineer submitted comments, which are attached as Exhibit “C”. Supplemental comments are expected and will be published separately.
- As of the date of this staff report, the City has received no public comments.

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, one on July 24, 2023, which was deemed incomplete. On August 10, 2023, 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 24, 2023. (Receipt is attached at the end of Exhibit “A”).

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/Planned Unit Development 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-01-23), 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) upon the Planning Commission rendering a decision, a Notice of Decision shall be prepared and mailed to persons of record, and 5) 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/PUD have been met for the project.

CHAPTER 18.65 CORRIDOR COMMERCIAL ZONE (CC)

18.65.010 Purpose.

The corridor commercial (CC) zone serves as the gateway to the town center core, transitioning from a highway-oriented environment towards a main street character with smaller-scale businesses and attractions. Uses include commercial retail and services, along with opportunities for multi-family residential uses in a mixed use environment, civic uses including schools and parks as district anchors, and limited light industrial uses. The area is primarily defined by small, individual sites, with several large sites that connect and relate to the scale of surrounding uses. Pedestrian-scale development and streetscape standards inclusive of pedestrian and bicyclist amenities encourage users to experience the district on foot, while standards discourage automobile presence and auto-oriented uses. Development and redevelopment in this district creates a street presence along the N Adair and Baseline couplet, defined by primary entrances, building presence and landscaping. The CC zone standards guide new development and redevelopment that support active commercial and civic opportunities and an engaging street presence to welcome residents and visitors to the town center.

Findings: The applicant is proposing to redevelop the Cornelius Elementary School site. The Site is located along N. Adair Street and it is located across from the Cornelius Place and the Civic buildings for Cornelius. The proposal is to develop toward the rear of the property while proposing a new athletic field and community garden. Demolition of 32,292 SF of the existing building will occur with the remaining 15,946 SF (gymnasium and cafeteria) to be repurposed for a future public use. The applicant is proposing a Conditional Use Permit/Planned Unit Development to deviate from developing along N Adair Street. Retention of the gymnasium and cafeteria area and the parking lot along Adair satisfies the requirement to maintain activity along Adair Street.

18.65.020 Permitted uses.

The following uses and their accessory uses are permitted outright:

(M) Cultural and educational resource facilities.

(O) Government structure or use including but not limited to public and private park, playground, library, museum, fire station, post office, community center, noncommercial recreational facilities.

18.65.030 Conditional uses permitted.

The following uses and their accessory uses are permitted when in accordance with Chapter 18.105 CMC:

(E) School, public or private. Nursery, primary, middle, junior or senior high, college or university.

Findings: The applicant is proposing a new 81,050 sf. two- story elementary school at the north end of the site. The new proposed elementary school may be permitted per subsection (E) of 18.65.030, above. As part of this application, there will be significant demolition and remodeling of the elementary school that is near the corner of N 14th Avenue and N Adair Street. The future use of this remodeled area most likely will be cultural and educational resource facilities or government structure such as a community center. Both uses are permitted outright per 18.65.020 (M) and (O), as noted above.

18.65.045 Applicability of development and design requirements.

(A) New buildings must meet all standards of this chapter.

(B) Redevelopment valued at 50 percent of the building's assessed value or more or expansions of more than 50 percent of the building's gross floor area shall meet all standards for any expanded portions of the building and shall meet CMC [18.65.060](#)(B) and (E) for the entire building.

(C) Redevelopment valued at less than 50 percent of the building's assessed value that does not expand the gross floor area of the building by more than 10 percent shall be exempt from compliance with CMC [18.65.060](#) and the expanded portion shall use materials that substantially match the originals. CMC [18.135.020](#), Nonconforming structures, shall apply.

(D) Redevelopment valued at less than 50 percent of the building's assessed value that includes expansions of existing gross floor area by 10 to 50 percent shall either:

(1) Meet CMC [18.65.060](#)(B) and (E) for any expanded portions of the building; or

(2) Use materials that substantially match the originals for any expanded portions of the building.

Findings: The applicant is proposing to build a new 81,050 sf two-story elementary school on the north side of the 8.32 acre site. The submitted site plan and application packet (Exhibit "A") demonstrates how the project will comply with the standards of the zone.

18.65.050 Development requirements.

(A) Lot Size. No minimum lot size is required. All lots must be functional and meet the minimum setback and parking requirements.

(B) Setback Requirements. For purposes of this section, the Adair or Baseline Street frontage shall be deemed the front lot line for any lots with multiple frontages including frontage on Adair or Baseline Street. Through lots with frontage on both Adair and Baseline Street with a lot depth greater than 225 feet at any point shall meet the front setbacks for both the Adair and Baseline Street frontages.

(1) Front Setbacks. The front building setback shall be a minimum of zero and a maximum of 10 feet, unless the setback area is developed as an enhanced setback area consistent with CMC [18.65.060\(D\)](#). No vehicular parking, storage, access or other use is permitted within the front yard setback, except for a single driveway to access an off-street parking area.

(2) Side Setbacks. The minimum building setback at a side lot line shall be zero. No vehicular parking, storage, access or other use is permitted within the street side yard setback, except for a single driveway to access an off-street parking area.

(3) Rear Setbacks. The minimum building setback at a rear lot line shall be zero.

(C) Height of Buildings.

(1) Buildings may be a maximum of three stories or 40 feet in height, whichever is less.

(D) Lot Coverage. A minimum of 10 percent of each lot, or multiple lots if developed concurrently, shall be landscaped and maintained free of buildings, pavement, or any other form of impermeable cover.

Findings: The applicant's materials, Exhibit "A", includes a detailed site plan of the new school facility, along with its associated amenities.

The site has multiple street frontages, including N. Adair Street. The proposed school is setback greater than 10 feet from N. Adair Street. While this is the case, the area of the school proposed for retention is at the corner of 14th and Adair, leaving the corner of the site active and meets the criteria.

This application packet also includes a Conditional Use/Planned Unit Development (CUP/PUD) component, as a deviation to a set standard is proposed. This property qualifies for PUD application due to the site acreage of 8.32 acres, greater than the 1 acre minimum required for a PUD. Within the application materials (Exhibit "A"), the applicant provides justification for a deviation from the front setback standard. The applicant is proposing open space for recreational purposes as well as ample space to provide security for the elementary school students from N. Adair Street, an Oregon Department of Transportation (ODOT) facility.

As the N. Adair Street property line (southern) is considered the 'Front yard' of the site, the side yard setbacks are considered to be the western and eastern property lines. The rear property line is the northern property line. As indicated above the CMC requires minimum zero line setbacks with prohibitions to vehicle parking, storage, access or other uses within the side yard areas. The applicant is also requesting deviations to these standards with CUP/PUD findings. The submitted materials show that the scale of the new Elementary School and its placement is designed to accommodate parking, accessory structures and other uses within the side yard areas. Staff finds appropriate buffers between the new school and existing residential homes on the north, east and west sides of the property.

The new building will comply with the rear setback and the proposed new school at its highest point will be approximately 35'-2" in height, less than 40-foot in height limitation. The landscaping plan (Sheet L-200 LU) indicates that approximately 41.5% of the lot will be landscaped. The landscaping plan shows a variety of trees, shrubs and lawn areas.

Staff finds that this use of the site is unique with the placement of an elementary school on the site for Pre-kindergarten through fourth grade at the site, making school safety the utmost priority.

Placing the new structure at the northern end of the site allows for greater access control and safety for the student body. With the CUP/PUD application, staff finds that the applicant may deviate from the setback requirements to fulfill the mission of student safety.

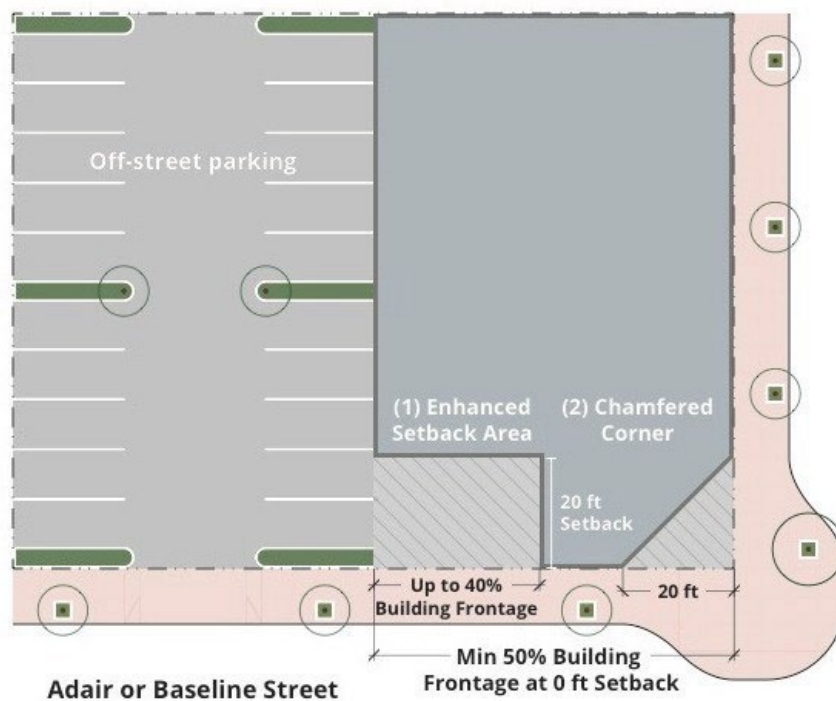
18.65.060 Design requirements.

(A) *Building Frontage on Adair and Baseline.* For lots with frontage on Adair or Baseline Street, buildings shall occupy 50 percent of the width of the parcel’s frontage on Adair or Baseline Street with a maximum front setback of zero feet. For through lots with frontage on Adair and Baseline Streets with a lot depth greater than 225 feet at any point, both frontages shall comply with this section. The following exceptions shall apply:

(1) Up to 40 percent of the building frontage may be set back up to 20 feet if the setback area is developed as an enhanced setback area consistent with subsection (D) of this section or outdoor seating area consistent with subsection (F) of this section; and/or

(2) A chamfered corner for a building at the intersection of two streets may be set back from the lot frontage for a maximum width of 20 feet along the lot frontage.

Figure 18.65.060-1: Minimum Building Frontage Requirements



Findings: As noted, this application includes a CUP/PUD request for deviations to the standards of the zone. There are existing conditions along N Adair Street, such a water quality facility, the existing building that is proposed to be repurposed as well as other considerations for placing a larger elementary school near a State Highway facility. Staff finds that the size of the lot, proposed continued use, new building, and the CUP/PUD allows for variance from the standards. The retention of buildings to maintain activity at the corner of N 14th Avenue and Adair meets the intent of activation of the site without removing the water quality facility and constructing the new school abutting Adair.

(B) *Entrances and Orientation.* Building entrances shall define the building’s orientation toward the street.

(1) *Main Entrances.* Buildings shall provide at least one main entrance facing the street. For lots with a frontage along Adair or Baseline Street, at least one main entrance shall face Adair or Baseline Street or be

oriented to the corner of two streets. Main entrances shall be clearly defined and distinguished from other parts of the building by at least one of the following design elements:

(a) Recessed entry.

(b) Entry surrounds such as arches, columns, insets and design elements above and/or flanking the entrance.

(c) Transom windows above the entrance door.

(d) Weather protection consisting of permanent canopies, awnings or arcades; canvas or fabric awnings are not considered permanent for the purposes of this standard because of their short life span.

(2) Secondary Entrances. Through lots with frontage along both Adair and Baseline Streets shall provide a secondary entrance on the frontage opposite the main entrance developed consistent with subsection (B)(1) of this section. Secondary entrances may be provided on any other frontage.

(3) All entrances shall be served by a direct and convenient pedestrian connection from the street frontage, either by being located along the frontage or connected by a pedestrian path.

(4) All entrances must have a light source to illuminate the entrance.

Findings: The applicant describes that how the new elementary school complies with the main entrance standards, as described within the narrative and building elevations within Exhibit “A”.

In the future, when a new use is proposed for the existing elementary school, it will be required to receive its own land use approval and site design review. At that time, improvements shall be proposed and made so it complies with the Cornelius Municipal Code. This shall be a condition of approval.

(C) Pedestrian Connectivity. All sites shall provide internal pedestrian connections between individual buildings, through parking areas, and between parking areas and buildings, linking to the street frontage. Pedestrian connections shall be direct, safe, and separated from vehicular traffic.

Findings: Direct connectivity is provided for students who walks to the site, who are dropped off from parents, and for those arriving by bus, as described within the narrative and building elevations within Exhibit “A”.

(D) Enhanced Setback Area. All setback areas between buildings and the street allowed under subsection (A)(1) of this section shall be enhanced with the following improvements:

(1) A paved area for use by pedestrians incorporating permanent amenities such as textured paving, planters connected to the earth and planting areas, seat walls and fences a maximum of 42 inches in height, outdoor lighting, short-term bicycle parking, kiosks, colonnades, drinking fountains, public art, etc.; or

(2) A landscaped area incorporating ground cover and shrubs with a mature height of less than five feet to maintain visibility between buildings and the street, achieving 80 percent plant cover at maturity; or

(3) A combination of the above and/or outdoor seating areas per subsection (F) of this section.

Findings: The Enhanced Setback Area standards are applicable to the retained structure and shall be complied with at a future date when the structure’s use is determined and final plans are

developed. At that time, improvements shall comply with the Cornelius Municipal Code. This shall be a condition of approval.

(E) Windows.

(1) Windows, doorways and other openings along the ground-floor facade shall be arranged to prevent a blank length of wall more than 20 linear feet along any street-facing facade within 20 feet of the lot line. A blank wall is a wall that contains no openings such as windows or doorways within the ground-floor wall area.

(2) Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used for ground-floor windows.

Findings: The applicant describes that the new elementary school complies with the window standards, as described within the narrative and building elevations within Exhibit “A”. Specifically, Plan Sheet A-211 LU depicts all four elevations with windows. The east elevation depicts a blank wall for approximately 100 feet. This area faces the residential area to the east and is intended to minimize noise conflicts with the abutting neighborhood.

(F) Outdoor Seating Areas. Outdoor seating areas are encouraged to increase pedestrian activity and interest along the street.

(1) Outdoor seating areas, excluding any portion located within the sidewalk, shall be permitted on up to 25 percent of the gross site area.

(2) Outdoor seating areas are permitted anywhere on site, including within the enhanced setback area and the sidewalk fronting the site, as approved by the city engineer. A minimum width of six feet shall be maintained for pedestrian movement along the sidewalk.

(3) Outdoor seating areas shall be approved through a site design review.

Findings: As described within the narrative and building elevations within Exhibit “A”, outdoor seating will not exceed 25 percent of the site. It appears to be limited to the interior courtyards and the outdoor play area on Plan Sheet L-202.

(G) Outdoor Display and Storage.

(1) Outdoor display of merchandise and vendors shall be permitted within the enhanced setback area and the sidewalk, as approved by the city engineer. Such outdoor display shall be limited to plants, gardening/floral products, food, books, newspapers, clothing, bicycles, and similar small items for sale or rental to pedestrians (i.e., non-automobile-oriented), and shall only be displayed during business hours. A minimum width of six feet shall be maintained for pedestrian movement along the sidewalk.

(2) Outdoor storage outside of business hours shall only be located to the side or rear of the lot and shall not be located on the sidewalk or the enhanced setback area. Such storage may only be approved through a site design review, which may include conditions limiting the size and requiring screening of such storage.

(3) Outdoor storage and display, excluding any portion within the sidewalk, shall not exceed 20 percent of the gross site area unless approved as a conditional use. [Ord. 2019-10 § 1 (Exh. A), 2019.]

Findings: Outdoor display and storage, likewise, are not proposed as part of the application, so this criterion is not applicable.

18.65.070 Parking.

(A) Off-Street Parking Requirements. Off-street parking shall be provided in accordance with the standards in Chapter [18.145](#) CMC, as adjusted by the following provisions:

(1) On-street parking spaces adjacent to the street frontage of a building or tenant lease space shall be counted toward meeting the minimum off-street parking requirement. Twenty-two feet of uninterrupted street frontage shall count as a single parking space, rounded down to the nearest whole number.

(2) The minimum required off-street vehicle parking requirements in CMC [18.145.030](#) shall be reduced by 15 percent for all sites.

(3) Developments with a mix of uses are encouraged to make use of shared parking, and may utilize additional parking reductions in CMC [18.145.020\(D\)](#) in addition to the reductions in this section.

(B) Off-street parking areas shall be located to the side or rear of the lot. No parking areas shall be located between the front of the building and the street. For through lots with frontage along both Adair and Baseline Streets, the Adair Street frontage shall be deemed the front of the lot, except that such lots with a lot depth greater than 225 feet at any point shall treat both the Adair and Baseline Street frontages as the front of the lot.

Findings: Off-Street parking is proposed at the rear of the property, behind the building area to be retained. This requirement is met.

18.65.080 Signs.

Signs within the CC district shall conform with Chapter [18.175](#) CMC.

Findings: A 5 foot tall monument sign is proposed with building identification, address numerals and a digital reader board. A digital reader board is allowed in the Corridor Commercial zoning district. A separate application is required for this monument sign. Signage is reviewed through a separate Sign Permit application process per CMC 18.175. A condition of approval shall require that signage receive sign permit approval.

Conclusion for Chapter 18.65, Corridor Commercial, CC: Based upon the findings above, and through application of appropriate conditions of approval, staff concludes the performance standards for the Corridor Commercial District can be met for the project.

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 site is currently developed with 48,238 sf, which includes 43,306 sf main building and 4,932 sf of portables. The applicant proposes a new 81,050 sf elementary school building in two-floors, including a new parking lot area and landscaping as described within Exhibit “A”.

The site has access from N 14th Avenue and N Clark Street and N 16th Avenue. N 14th Street is a Collector on the TSP and will include on-street angled parking. Pedestrian connectivity, safety improvements and traffic flow improvements are proposed for N 14th Avenue, N Clark Street and N 16th Avenue.

The applicant proposes to connect to city utilities. The applicant has submitted a completed CWS Service Provider Letter (Exhibit “A”). Prior to the issuance of any building permits, the requirements of the approved CWS Service Provider Letter shall be met. This shall be a condition of approval.

Staff finds that the development shall be required to meet all applicable State, County and City Building, Electrical, Plumbing, Mechanical Code requirements. This shall be a condition of approval.

As required by the Building Official, 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.

(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, the City Engineer is required a Traffic Study for the proposed re-development.

ODOT is requiring closure of the Adair Access. This shall be a condition of approval, prior to occupancy. Additionally, ODOT is requiring that the applicant shall verify that the existing corner ADA ramp meet the 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 at the corner of Adair and N 14th Avenue. (See Exhibit “B” for internal and agency comments.)

Frontage improvement requirements along Adair are not required. The frontage improvements as defined by the City Engineer within his comments (Exhibit “C”) are required. 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. This shall be a condition of approval. 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.

(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: Twenty (20) feet of right of way dedication is required to place the angled parking and sidewalk on the east side of N 14th Avenue. This shall be a condition of approval.

(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 has submitted a site plan that shows the location of the building, parking spaces, internal sidewalks, trash enclosure, and sidewalk connections to N Adair Street and N 14th Avenue, as identified within Exhibit “A”.

There is a bus circulation area off of N Clark Street with faculty parking proposed in 20 stalls within the bus circulation bulb. An additional five faculty parking spots are proposed in a side access aisle along the eastern side of the building. A total of 25 dedicated faculty spaces are proposed. A separate area is proposed for pickup and drop off of students allowing 26 vehicles to park along the perimeter to pick up and drop off students. Internal to this oval shape, there are 34 parking stalls and an additional 4 ADA parking stalls. This area is accessed off of N 14th Avenue at its intersection with n Barlow Street. An additional 29 angled parking stalls are proposed along the east side of N 14th Avenue. Sidewalks and raised paving direct students to the entrance of the building.

The applicant is required to install a 5-foot concrete sidewalk on 16th Avenue connecting the site to Davis Street. This shall be a condition of approval.

The applicant shows the location of the proposed enclosed trash receptacle area. The structure will be located on the eastern boundary of the site. The new trash enclosure shall be screened and covered. This shall be a condition of approval. The structure will have a double gate at the front of it for removing the trash bins. Staff finds that the gates will not swing into the internal drive-aisle, but rather slide horizontally along the plane of the trash enclosure area.

(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 drain to an approved water quality facility that will be constructed as part of this project. Prior to occupancy, this 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 “C”) for engineering plan review and approval of the public improvements.

The applicant shall also submit 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.

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: 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. For commercial/industrial buildings, Fire Department requires installation of a Knox Box, for emergency access. The applicant/owner shall contact the Fire Department and discuss emergency protection measures. Two Knox Boxes shall be installed prior to issuance of a final occupancy permit. These shall be conditions of approval.

(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: The applicant submitted an existing Topo/Site Conditions plan, as shown within Exhibit “A”. The site is relative flat so minimal on-site grading will be necessary. 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. These shall be conditions of approval.

The City Engineer identified that prior to development of the site an Erosion Control Permit is required for the Site. Due to the size, more than 1 acre, a DEQ 1200-C Permit from Clean Water Services 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 applicant included a detailed utility plan. It is the developer's responsibility to connect to the public utility systems. All utilities that will serve the development shall be located underground from the right-of-way. Additionally, all overhead utilities lines on the east side of N 14th Avenue shall be undergrounded and new Cobra head street lights shall be installed. All utilities shall be installed in compliance with public works standards prior to occupancy. Prior to building permit submittal, a final design of the utilities must be reviewed and approved by the City Engineer. These shall be conditions 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 structures. The ADA parking space(s) and internal sidewalks and their connections to the public sidewalks 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 14th and Adair 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 City Engineer is requiring frontage improvements, which include a 5' sidewalk on 16th Avenue connecting the site to Davis Street. Bollards are required to be placed across the driveway on Adair Street prior to occupancy. These shall be conditions of approval. The angled parking proposed on N 14th Avenue requires dedication of 20 feet of right-of-way and placement of the sidewalk. This shall be a condition of approval.

(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 generally be on the northern portion of the site. Two staff parking areas and one public parking area are proposed. All three areas are appropriately located and provide for adequate access aisles and loading and unloading of students.

(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 an elementary school. A majority of the site is currently turf, used for as athletic fields with limited trees and shrubs. The applicant submitted a detailed landscaping plan (Plan Sheets L-201 LU through L-205 LU within Exhibit “A”).

(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. The applicant included a grading plan on Sheet C-310LU within Exhibit “A”. 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.

The applicant is also required to meet all applicable City and CWS requirements prior to any site work. The applicant shall obtain all the necessary grading permits for on-site and any off-site right-of-way work prior to commencing site work. 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 applicant submitted a detailed landscaping plan (Plan Sheets L-201 LU through L-205 LU within Exhibit “A”). The landscape planting plan shows a diverse variety of trees, shrubs, grasses and ground cover to be placed on-site. The placement of the 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 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.

(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”, Plan Sheet E-100 LU. To protect the nearby uses on adjacent properties and public rights-of-way, a condition of approval shall require that no on-site lighting may shine or glare into adjacent properties or public rights-of-way.

(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 has indicated that the project will not impact solar access on adjacent properties. Staff finds that the footprint and orientation of this structure is similar to other buildings and developments along the highway corridor. The relation of the building to nearby properties will not impact solar access.

Conclusion, CHAPTER 18.100 SITE DESIGN REVIEW: Based on the facts and findings above, this proposal, with conditions of approval, can meet the Site Design Review approval criteria of Section 18.100.040.

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 Public Facilities The City Zoning Map designates the parcel as Corridor Commercial (CC)). In Chapter VIII (Public Facilities and Services Element) of the Comprehensive Plan there are policy statements that support and promote school development as the District needs change.

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

- Chapter 1 Citizen Involvement; 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 use is specifically identified as an elementary school is Conditional Use within CMC Section 18.65.030(E).
- Chapter 4 Housing; the proposal does not impact housing needs within the City.
- Chapter 5 Economic Development; the proposal does not impact employment opportunities or economic development in the City.
- Chapter 6 Natural and Cultural Resources; the applicant has obtained an approved Service Provider Letter signed by Clean Water Services (Exhibit “A”).
- Chapter 7 Public Facilities and Services; the proposed redevelopment of the site will include the addition of public infrastructure along the frontage of the site. The development will be required to connect to and be served by city services. Additionally, Policies 1 and 2 of this chapter are applicable:
 1. *The City shall coordinate with the school districts for efficient expansion or development of new schools and facilities.*
 2. *The City shall provide opportunities in the zoning code for alternative and private schools.*
- Chapter 8 Transportation System Plan; the City Engineer comments that the proposed project will need to comply with the adopted City Transportation System Plan. Frontage improvements to current City Standards are proposed.

This proposed use is a new school facility to replace the oldest school in the city not a change in zoning or an amendment to the Comprehensive Plan to accommodate the proposed use.

2. *The applicable requirements of the zoning district are satisfied; and*

Findings: The subject property is zoned Corridor Commercial (CC) zoning district. The applicant is proposing a CUP/PUD to allow for flexibility in the setback standards. all other development standards of the zone are proposed to be met or 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 submitted a narrative statement and site plan, as shown in Exhibits “A”. The site has its primary access from N 14th Avenue and N Clark Street. As noted by the City Engineer, street frontage improvements are required, such as sidewalks, street trees, street lights and a landscape strip. In addition, the trees shall be irrigated and shall be maintained for two years, as required by the City. Staff finds that as proposed, deviations from the setback standards will have little to no impact to the abutting residentially zoned properties. In fact, providing a greater than zero setback of this school use from the abutting neighborhood could be considered a mitigation to minimize potential impacts to the surrounding neighbors.

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 to exceed zero setback standards. The applicant has provided renderings and elevations of the proposed new building. Staff finds that the proposed deviation will enhance compatibility with the neighborhood. Also, staff finds that activation of the corner of N 14th and Adair by leaving the gym and cafeteria for a future use will satisfy the intent of the Town Center. The proposal is consistent with the Public Facilities and Service Element of the Comprehensive Plan, by replacing an out of date school with a new school meeting the needs of the growing community

Conclusion: Based on the findings above, Staff concludes this criterion can be met.

Conclusion, CHAPTER 18.105 CONDITIONAL USE PERMIT: Based on the findings above, staff concludes that, with conditions of approval, the request to

CHAPTER 18.110 PLANNED UNIT DEVELOPMENT (PUD) CONDITIONAL USE.

Section 18.110.010 identifies the purpose of authorizing planned unit development is to take into account any or all of the following:

- (A) Advances in technology or 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 space, 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.

Findings: The applicant submitted a narrative that speaks to the need to apply for a Planned Unit Development to provide safety for the student body and to provide some buffer between the use as an elementary school and Adair (a state highway) and the abutting neighborhood.

Section 18.110.030(B) provides the approval criteria for a PUD:

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

Findings: Safety in schools is paramount in today's day and age. To ensure safety of the student body, separation of young children (Pre-K through 4th Grade) from a busy State Highway and to maintain a campus that can be secured, the applicant has proposed the new campus on the northern edge of the site. It is fortuitous that the lot is large enough to allow for continued classroom instruction in the old school while the new school is under construction. Additionally, retention of the corner use as a community resource will keep activation of the corner as intended in the Town Center Plan.

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

Findings: As noted in the Comprehensive Plan section of this report, the City anticipated the need for development of new school capacity in the future. This proposal accommodates almost 100 more school children on site in a new facility and retains the community use at the corner. This is a win for the community, the children and the school district.

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

Findings: The site is within the Town Center and is zoned Corridor Commercial. The abutting zoning includes Core Residential, which is planned to be redeveloped with greater densities, if the Town Center Plan is built out. Also to the west, the zoning is Central Mixed Use. This area is intended to redevelop with more intensive uses that combine commercial and residential uses in

structures up to 4 stories. The proposal, as identified in the drawings and described in the narrative, is substantially harmonious with future redevelopment of the surrounding properties.

(4) If the applicant is proposing to phase 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.

Findings: The applicant is proposing a phased approach to the project as described within the application packet. The applicant's narrative notes that the construction period is anticipated to be complete by the end of 2025.

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

Findings: The applicant is not proposing a commercial or industrial development; therefore, this requirement is not applicable.

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

Findings: The streets are adequate for serving the proposed development, according to the City Engineer. Completing the street with a sidewalk, lighting and street trees rounds out this area. The streets have been planned for development within the Town Center and are on the City's Transportation System Plan as Local, Collector and Arterial Routes.

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

Findings: The utilities in this area have been planned for a variety of developments within the Town Center. Storm drainage will meet the existing standards, with conditions of approval.

Conclusion for CHAPTER 118.110.030 PLANNED UNIT DEVELOPMENT

CONDITIONAL USE PERMIT: Based on the findings above, staff concludes that the proposal meets the criteria for a Planned Unit Development Conditional Use Permit for deviations from the setback standards.

CHAPTER 18.145 OFF-STREET PARKING AND LOADING.

A At the time of erection of a new structure or at the time of enlargement of change in use of an existing structure within any zone in the city, off-street parking spaces shall be provided in accordance with CMC 18.145.030.

18.145.030 Requires a maximum parking standard of 7.0 spaces plus 1 per classroom for preschool and 7.0 plus 2.5 per classroom for elementary schools.

Similarly, bicycle parking is identified as 1.0 per classroom for preschool and 6.0 per classroom for elementary.

Findings: This site is a combination pre-K through grade 4, making it fall within both classifications. Two pre-K classrooms are proposed and 26 elementary classrooms are proposed. Calculating 7.0 spaces plus 1 per class from for pre-K results in 9 spaces. For the remaining classrooms, the calculation is 7.0 spaces plus 2.5 per classroom, resulting in 65 spaces. Total for the campus would be 74 spaces. The applicant proposes 63 on-site parking spaces, well below the maximum of 74 spaces allowed on site.

Required bicycle parking results in 158 bicycle parking spaces. The applicant requested a deviation from this requirement to a maximum of 20 parking spaces. Staff is supportive of this request.

Provision of a maximum of 63 on-site parking spaces, as noted in the applicant and provision of 20 bicycle parking spaces shall be a condition of approval.

Conclusion: Based on the findings above, staff concludes this criterion can be met.

Conclusion, CHAPTER 18.145 OFF-STREET PARKING AND LOADING: The proposal shows adequate on-site parking and loading for the parent pick up and drop off and bus parking for bus pick up and drop off.

CHAPTER 18.155 SOLAR ACCESS FOR NEW DEVELOPMENT.

Section 18.155.0450 Elements of the 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 3:00 pm PST, on December 21st.

Findings: The proposed development is oriented on an east-west access and at its tallest point is approximately 35'-2". Future solar may be applied to the rooftop, should the owner desire. The installation of future solar panels may be permitted as a condition of approval. Additionally, the building with its setbacks and proposed plantings do not block the potential for future solar on future buildings to the east, north or west. Staff finds that the footprint and orientation of this structure is similar to other buildings within the Town Center area. The relation of the building to nearby properties will not impact solar access.

Conclusion, CHAPTER 18.155 SOLAR ACCESS FOR NEW DEVELOPMENT: This proposal will not impact solar access on adjacent properties.

OVERALL CONCLUSION

Based upon the findings above, staff concludes that development 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-71-23 & CUP/PUD-03-23, subject to the following conditions of approval:

1. The proposal includes a Type III Site Design Review and Conditional Use/Planned Unit Development for a new 81,050 sf elementary school facility within the Corridor Commercial (CC) Zoning District.

Prior to Building Permit Submittal

2. The applicant shall submit a final design of the public improvement plans and utilities to the City Engineer for review and approval.
3. When Building Permits are submitted, a geotechnical report for the foundation and foundation drainage shall be incorporated in the submittal.

Prior to Site Development

4. The applicant shall obtain all the necessary grading and erosion control permits (1200-C) for on-site and off-site work.
5. 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 “C”.

Prior to Building Permit Issuance

6. 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.
7. 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.
8. The applicant shall provide plans that demonstrate the storm water system complies with all applicable CWS standards, including LIDA, to be reviewed and approved by the City Engineer.
9. The Applicant shall secure all necessary grading permits for on-site and off-site right-of-way work.
10. 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.

Prior to Occupancy

11. Prior to issuance of a Final Occupancy Permit, all required conditions of approval from this report shall be satisfied.
12. All landscaping, including street trees and irrigation, shall be installed per the approved landscaping plans. Any modification or deviation to the approved landscape plan shall require a Minor Modification application to be reviewed and approved by the Community Development Director. The installation of the irrigation system shall be to the City and State Plumbing Code.

13. The applicant shall coordinate with the City Engineer and install all frontage improvements that abut the property to the public works standards. 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 "C".
14. A private storm water quality facility maintenance agreement shall be signed and recorded by the applicant.
15. Dedication of 20 feet of right-of way along N 14th Avenue to accommodate the angled parking and the sidewalk is required.
16. The applicant shall install a 5-foot concrete sidewalk on 19th Avenue connecting the site to Davis Road.
17. The building shall be adequately addressed for location by emergency personnel.
18. Two Knox Boxes shall be installed, one near the front entrance and one at the riser room door, as required by the Fire Department.
19. Landscaping will need to allow for effective access to all fire hydrants.
20. An emergency Responder Communication System will need to be installed per OFC 510.1.1.
21. All new utilities serving the site shall be located underground.
22. All utilities along the eastern frontage of N 14th Avenue shall be undergrounded.
23. Bicycle parking for 20 bicycles shall be required.
24. A maximum of 63 automobile parking spaces shall be required.
25. The applicant shall obtain any required maintenance bonds for street trees and the water quality facility.
26. The applicant shall coordinate the installation of a mail box with the City and the Post Master, if proposed.
27. All on-site lighting be installed and functional. Lighting shall not glare or shine into abutting properties or into the abutting public rights-of way.
28. The parking lot shall be constructed and all improvements such as striping, ADA parking, landscaping and wheel stops shall be installed in accordance with the approved site plan.

The ADA parking space(s) and internal sidewalks and their connections to the public sidewalks shall meet all applicable Building Code and ADA requirements.

29. The screened trash enclosure shall be installed with screened doors and a roof. 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.
30. Pedestrian pathways shall meet all applicable ADA requirements. In addition, the pathways shall be lit to provide visibility during nighttime hours.
31. The streets and walkways shall be lighted during the hours of darkness in accordance with the public works standards. Cobra head streetlights shall be installed on the eastern frontage of N 14th Avenue.
32. All pedestrian pathways that connect the front door of the school to the N 14th Avenue and N Adair Street frontages, shall be installed.
33. Where the pathways cross private internal drive-isle, for pedestrian safety, a striped crosswalk shall be installed.
34. Prior to occupancy, bollards shall be placed along the property line to block access to the site from the driveway on Adair Street.
35. The applicant shall determine if the ADA ramp at the northeast corner of N 14th Avenue and Adair Street meets the current ODOT ADA requirements. If the ramp does not meet the requirements, the applicant shall construct a new ramp meeting the requirements after securing the appropriate ODOT right of way permits.

Other

36. In the future, when a new use is proposed for the existing elementary school, it will be required to receive its own land use approval and site design review. At that time, improvements shall be proposed and made so it complies with the Cornelius Municipal Code.
37. The applicant shall meet all applicable State, County and City Building, Electrical, Plumbing, and Mechanical Code requirements.
38. Signage that is placed on the property must receive Sign Permit approval through a Sign Permit application review process.
39. The building height shall not exceed 40 feet.

40. Future solar panels on the roof, if proposed in the future are approved and shall not protrude past the parapet. Building Permits are required for solar panels.
41. 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.
42. 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 Staff Report: September 19, 2023



Barbara Fryer, AICP, Community Development Director

Exhibits: “A” Applicant’s Submittal
 “B” Public Notice including affidavit of mailing and newspaper notice.
 “C” Internal and public agency comments
 ODOT
 City Engineer comments dated 8-7-2023 and 9-19-2023
 Building Official email
 Fire Marshal email
