Freeland and Associates, Inc.

2500 Elm Street, Suite 1
Bellingham, Washington
(360) 650-1408

August 31, 2023

City of Lynden
Planning & Community Development
300 4th Street
Lynden, WA 98264

Attention: Heidi Gudde – Planning Director

Subject: Conditional Use Permit Amendment
Project Zebra - 603 Curt Maberry Road
Parcel# 400224-16131-00000

Dear Ms. Gudde:

Project Zebra includes development of a 249,836-square foot seafood processing and cold-storage facility located at 603 Curt Maberry Road, Lynden, Washington. The current project proposal is considered an amendment to the existing conditional use permit application (CUP22-02). The redesigned facility contains an expanded freezer space with a maximum building height of 80 feet. A CUP amendment and associated building code height variance is requested based on the following design elements:

Freezer Capacity

The project site is located to the west of the existing Lineage Logistics cold-storage facility. Lineage Logistics, constructed in 2015, is currently at maximum storage capacity. Approval of a building code height variance for the proposed Project Zebra facility will create additional vertical storage capacity to support Lineage. Both facilities will provide commercial cold storage space to accommodate local farmers and the community.

Freezer Technology

Recent advancements in cold storage technology include equipment and automation designed to support freezers of increased building heights. These technologies have been incorporated into the current building design.

Stormwater Capacity

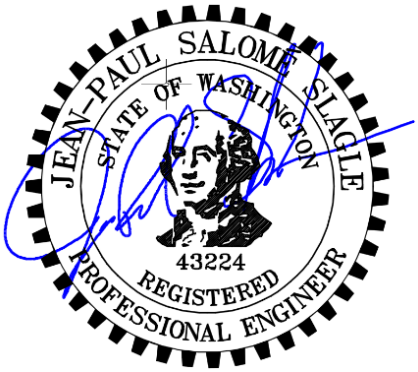
An increase in building height will allow for additional cold-storage capacity without increasing stormwater roof runoff volumes to the regional stormwater facility. This will reduce potential drainage capacity issues for the business park.

Site Access

The proposed development has been reconfigured to access solely off Curt Maberry Road. The access to Alderwood Road is no longer necessary to support this project.

Sincerely,
Freeland and Associates, Inc.

Jean-Paul (J.P.) Slagle, PE



Encl. Preliminary Site and Building Plans
Preliminary Stormwater Narrative
SEPA Checklist
Traffic Concurrency
Critical Areas Checklist

CITY OF LYNDEN

CONDITIONAL USE PERMIT APPLICATION

City of Lynden use only:
CUP # 23-01 **Staff Initials:** KS

Property Owner

Name: Chill Build Lynden III, LLC

Address: 6831 E. 32nd Street, Indianapolis, IN 46226

Telephone Number: (317) 491-2449 E-mail Address: cgooding@DEEMFIRST.com

Applicant (Agent, Land Surveyor or Engineer)

Name: J.P. Slagle, Freeland & Associates, Inc.

Address: 2500 Elm Street, Suite 1, Bellingham, WA 98225

Telephone Number: (360) 650-1408 E-mail Address: jpslagle@freelandengineering.com

Who is the primary contact for this project? This person will receive all official correspondence for the project. Property owner ☐ Applicant ■

Property Information

Project Location (street address / block range): 603 Curt Maberry Road

Legal Description (attach if necessary): LOT 1 WEST MAIN STREET SHORT PLAT NO 2 AS REC AF 2150500587

Assessor's Parcel Number: 400224161310000 Zoning Designation: IBZ

Property Dimensions: 534 X 959 Parcel Square Footage: 512,106 SF

Applicable Sub-Area: West Lynden Building/Structure Size: 249,836 GSF

Height of Structure: 80 feet (max) Addition Size:

Please describe request in detail: ■ **CUP Criteria must be attached**

The project includes development of a seafood processing and cold storage facility with associated truck dock, parking, and utility infrastructure. The proposal includes a request to build the freezer portion of the facility to 80 feet in height. This application is considered an amendment to CUP22-02.

****

By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.

Submitted by: J.P. Slagle, Freeland & Associates, Inc. **Date:** 08/30/2023

Property owner signature: Gary Edwards **Date:** 8/30/23

Property owner printed name: GARY EDWARDS **Date:** 8/30/23

CITY OF LYNDEN

CONDITIONAL USE PERMIT
CRITERIA WORKSHEET

A Conditional Use Permit (CUP) will be granted only if the proposed use complies with the standards and criteria listed below. The applicant shall bear the burden of proof in all CUP proceedings.

Please describe the proposed use. Relevant information may include hours of operation, parking requirements, anticipated traffic to the site, and how the site will be developed and used. Attach additional information and plans as needed.

Proposed Use: Seafood processing and cold-storage facility
Building Size: 249,836 square feet Building Height: 80 feet (max)
Hours of Operation: 6 am to 2 pm, 6 days per week
Proposed Parking: 15 dock spaces, 168 car spaces, 31 trailer spaces
Number of Employees: 240-260 employees over two shifts
Traffic: 240-260 employee trips, 30 to 50 trucks trips

Respond to each of the criteria below with the specifics of the proposed use in mind. *(per LMC 19.49)* Identify nearby streets and the uses surrounding the site.

1. The proposed use in the proposed location will not be detrimental to surrounding uses legally existing or permitted outright within the zoning district.

   The site is located in the Industrial Business Zone (IBZ) zoning district per Lynden Municipal Code 19.25.030. The proposed use is consistent with the specifications for Food and Pharmaceutical Processing Plants under LMC 19.25.030. The site is situated within the West Lynden Business Park, and neighboring properties are developed with similar uses.

2. The proposed use, together with proposed mitigation, will not be detrimental to public health or safety and will be compatible with the surrounding area and land uses with respect to the following:

   a. Traffic and pedestrian circulation;

      The proposed facility will contain fire lanes, truck access, loading areas, employee parking, and walkways using pre-planned access connections.

   b. Noise, smoke, fumes, glare or odors generated by the proposed use;

      The proposed facility will meet the state and federal building codes, and environmental standards for the control of noise, glare, and odor. Operation of the seafood facility occurs indoors.

   c. Building and site design; and

      The proposed facility's exterior will be constructed with industrial standard high quality building materials (white insulated metal panels) similar to other existing structures within the business park. The proposal includes a request to build the freezer portion of facility to 80 feet in height.

   d. The physical characteristics of the subject property.

      The site will be landscaped to meet City of Lynden landscaping requirements in order to make efforts to enhance the aesthetics of the vicinity.

CITY OF LYNDEN

CONDITIONAL USE PERMIT
CRITERIA WORKSHEET CONTINUED

3. The proposed use is supported by adequate public facilities and services unless conditions can be established to mitigate adverse impacts to those facilities or services.

   The site will be supported by municipal water and sewer service connections. Electricity, natural gas, and refuse service will be supplied by private providers. Fire protection infrastructure and security systems will be installed onsite to reduce impacts on fire and police protection services. Impact fees will also be paid to the City of Lynden to mitigate impacts to public services.

4. The traffic generated by the proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service.

   The proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service. The project will use existing access driveways established by the Binding Site Plan.

5. The proposed use complies with the performance standards, parking requirements, height, setback and lot coverage requirements, landscaping standards and other provisions of the Lynden Municipal Code.

   The proposal includes a request to build the freezer portion of facility to 80 feet in height. The proposed parking, setbacks, and lot coverage for the proposed use will comply with the provisions of the Lynden Municipal Code and Conditional Use Permit requirements. The project will provide parking for each employee on the largest shift. The site will be landscaped to meet City of Lynden requirements and make efforts to enhance the aesthetics of the vicinity.

6. There are adequate buffering devices, as specified in the landscape standards, or other topographic characteristics, to protect the adjacent properties from adverse impacts of the proposed use.

   A landscape buffering area will be installed to protect adjacent properties from adverse impacts of the proposed use.

7. The proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance.

   No features of major importance have been identified on or near the project site. Therefore, the proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance.

8. The proposed use is generally consistent with the purposes and objectives of the city comprehensive plan and applicable sub-area plan.

   The objectives for industrial developments within the West Lynden sub-area include the following: “Economic diversity and growth are the key components in Lynden’s Comprehensive Plan. The City adopted the Comprehensive Economic Development Plan in September 1998, which outlines the need and desire for family wage jobs within the community. It also expresses the benefits of a healthy economy as a method to support the services that the community values and the quality of life that is important to Lynden residents.” The proposed seafood processing facility will provide economic growth and new job opportunities for the local Lynden community.

CITY OF LYNDEN

CRITICAL AREAS CHECKLIST

Section: 24 Township: T40N Range: R02E Parcel Number: 4002241613100000

Site Address: 603 Curt Maberry Road

Proposed Uses: Seafood processing and cold-storage facility

Please answer the following questions concerning Critical Area indicators *located on or within 200-feet of the project area:*

a. Are you aware of any environmental documentation that has been prepared related to critical areas that includes the subject area? (If yes, please attach a list of document titles).
☐ Yes ☐ No ☐ Unknown

b. Are there any surface waters (including year-round and seasonal streams, lakes, ponds, swamps)?
☐ Yes ☐ No ☐ Unknown

c. Is there vegetation that is associated with wetlands?
☐ Yes ☐ No ☐ Unknown

d. Have any wetlands been identified?
☐ Yes ☐ No ☐ Unknown

e. Are there areas where the ground is consistently inundated or saturated with water?
☐ Yes ☐ No ☐ Unknown

f. Are there any State or Federally listed sensitive, endangered, or threatened species and habitats?
☐ Yes ☐ No ☐ Unknown

g. Are there slopes of 15% or greater?
☐ Yes ☐ No ☐ Unknown

h. Is the project located within a Flood Hazard Zone?
☐ Yes ☐ No ☐ Unknown

i. Do you know of any landslide hazard areas?
☐ Yes ☐ No ☐ Unknown

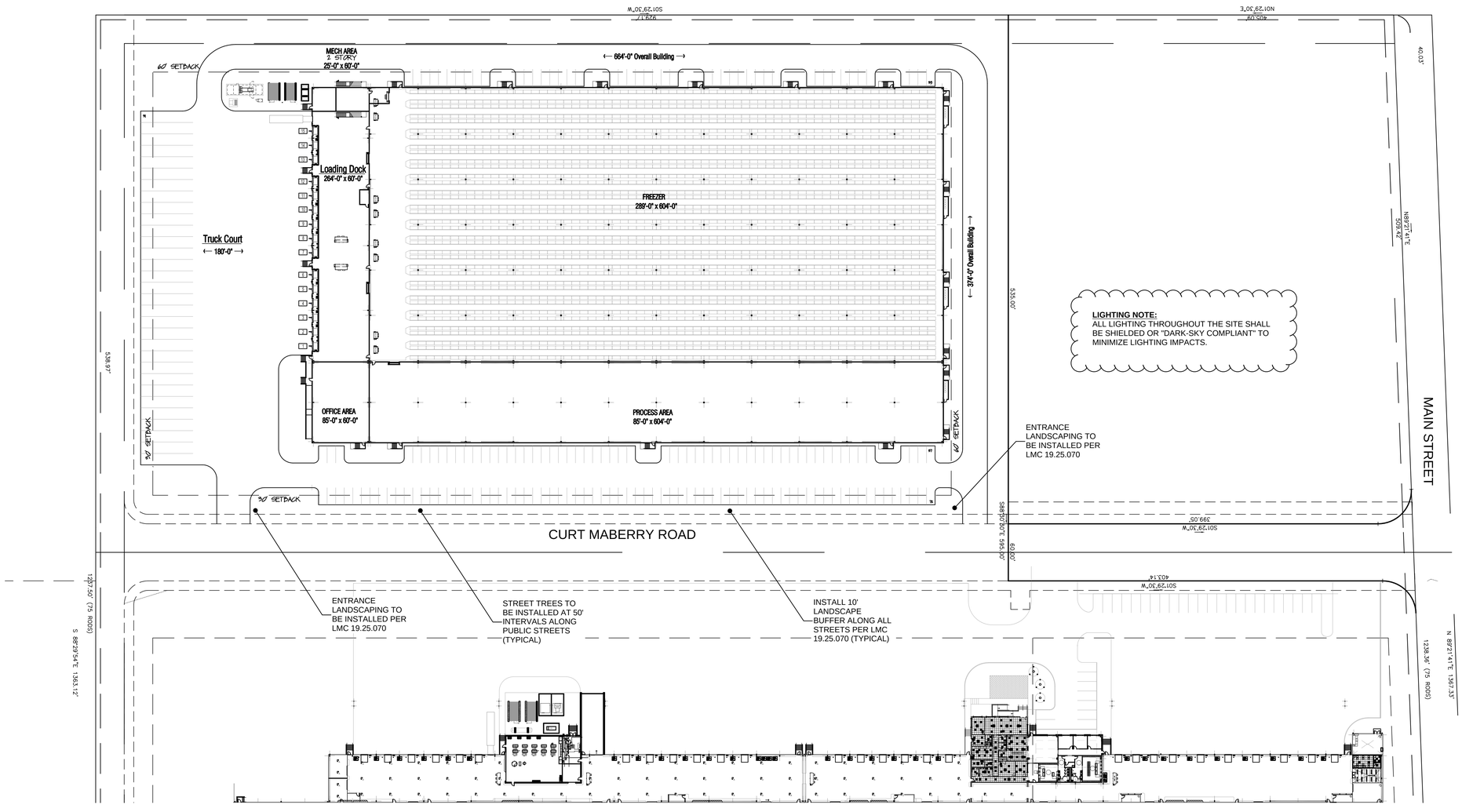
I grant permission to the field inspector to enter the building site to determine the presence or absence of critical areas.

I understand that if the information on this form is later determined to be incorrect, the project or activity may be subject to conditions or denial as necessary to meet the requirements of Chapter 16.16 of the Lynden Critical Areas Ordinance.

Jean-Paul Slagle
Applicant's Signature

08/30/2023
Date

CHILL BUILD PSL



Building Calculations

FREEZER = 174,556 GROSS S.F.
PROCESS = 51,340 GROSS S.F.
DOCK AREA = 15,840 GROSS S.F.
OFFICE AREA = 5,100 GROSS S.F.
MECH AREA = 3,000 GROSS S.F. (1,500 S.F. PER LEVEL)

Total Building Area = 249,836 g.s.f.

Pallet Counts (Freezer/Cooler)

130 PALLETS DN AISLE X 2 = 260 PALLETS
260 PALLETS PER AISLE X 18 = 4,680 PALLETS
4,680 PALLETS x 8 HIGH = 37,440 PALLETS

37,440 Total Pallets

15 Dock Spaces
168 Car Spaces
31 Trailer Spaces

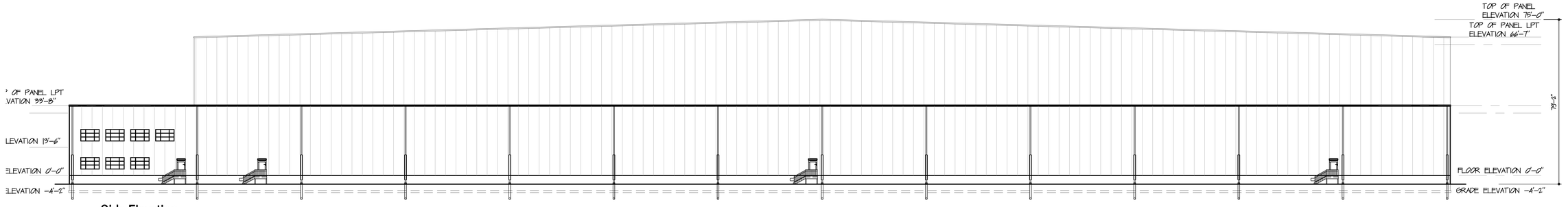
Lynden, Washington

Proposed Floor Plan

CHILL BUILD PSL

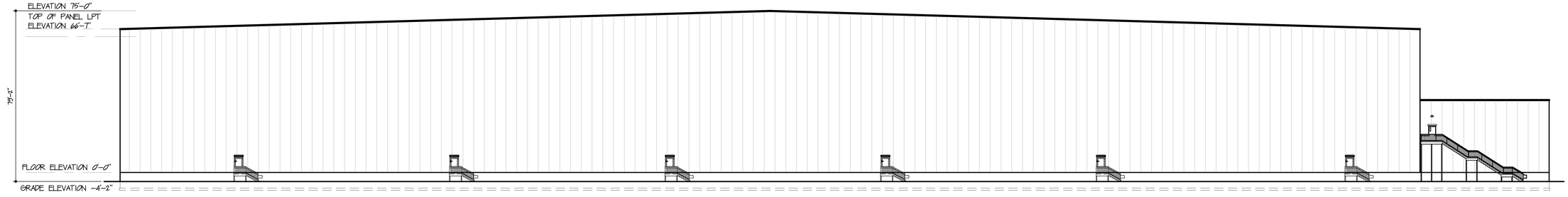
BUILDING HEIGHT IS 80'-0" FROM GRADE TO HPT OF RIDGE

Front Elevation
SCALE = 1" - 20'-0"

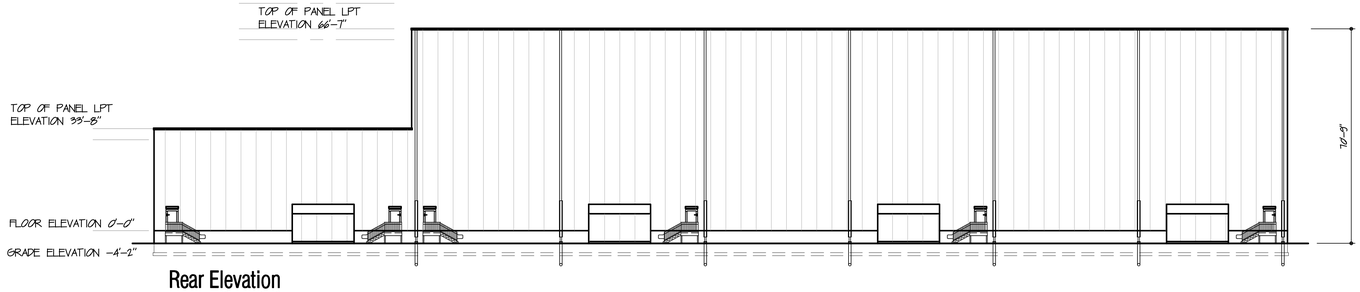


Side Elevation
SCALE = 1" - 20'-0"

Max building height from Grade - 80'-0"



Side Elevation
SCALE = 1" - 20'-0"



Rear Elevation
SCALE = 1" - 20'-0"

Building Calculations

FREEZER = 174,556 GROSS S.F.
PROCESS = 51,340 GROSS S.F.
DOCK AREA = 15,840 GROSS S.F.
OFFICE AREA = 5,100 GROSS S.F.
MECH AREA = 3,000 GROSS S.F. (1,500 S.F. PER LEVEL)

Total Building Area = 249,836 g.s.f.

Lynden, Washington
Exterior Elevations

Freeland and Associates, Inc.

2500 Elm Street
Suite 1
Bellingham, Washington
(360) 650-1408

August 30, 2023

City of Lynden
Public Works
300 4th Street
Lynden, WA 98264

Attention: Mr. Mark Sandal

Subject: **Preliminary Stormwater Design**
Project Zebra - 603 Curt Maberry Road
Lynden, Washington
F&A Project No. 21212

Dear Mr. Sandal:

Deem, LLC plans to develop the property located at 603 Curt Maberry Road, Lynden, Washington 98264. Refer to *Figure 1 – Vicinity Map* for the project location. This letter serves as a preliminary stormwater design proposal for the project.

The subject property includes a single tax parcel (APN 400224-161310) occupying approximately 11.77-acres of land to the west of Curt Maberry Road and north of Alderwood Drive. The site is located in the West Lynden Subarea and zoned Industrial Business Zone (IBZ). Adjacent properties within the vicinity of the site are developed with industrial uses or are vacant at this time. The property directly to the east is under the same property ownership and developed as a large-scale cold-storage facility.

The existing site is an undeveloped grass field forming a rectangular shape. Topography of the site is generally flat with grades averaging between 0-2%. Access to the site is provide from Curt Maberry Road to the east. Municipal water and sewer connections and private utility services (power, natural gas, cable) are available to the site from the adjacent right-of-ways. Refer to *Figure 2 – Aerial Photograph* for the existing site conditions.

Soils on the site are mapped by the Natural Resources Conservation Service (NRCS) as Edmonds-Woodlyn loams #45, 0 to 2 percent slopes. The Edmonds-Woodlyn loams series are dually classified as hydrologic group B/D. The first letter applies to the drained and the second to the undrained condition. Hydrologic group B soils have moderate infiltration rates when thoroughly wetted and consisting chiefly of moderately fine to moderately coarse textures. Hydrologic group D High runoff potential and very slow infiltration rates when thoroughly wetted. Refer to *Figure 3 – Soils Map* for the regional soils map. Soil reports within areas surrounding this project have shown consistent high

groundwater elevations throughout the winter months and it is anticipated that this site will as well. A site-specific soils evaluation by a geotechnical professional is in progress.

The project includes construction of a 249,836-square foot seafood processing facility and freezer storage with associated access, parking, and utilities. Access to the site will be provided from Curt Maberry Road to the east. Truck access, loading areas, and employee/visitor parking will be located to the south and east of the building. Municipal water and sewer service connections, and private utilities (power, natural gas, cable) are also planned to support the facility. The developed site will be enhanced with exterior building lighting and landscaping. Preliminary Site Plans have been prepared and are attached with this letter.

Stormwater management has been considered with development of the proposed plan. It is anticipated that stormwater management will be to convey all stormwater runoff from the site to the existing West Lynden Regional stormwater facility. Although the subject property is not currently contained within the pond's design contributing basin, the project's ownership has secured stormwater credits, which are currently being transferred. It is anticipated that these credits will cover most of the proposed hard surfaces proposed with this project. Additional surfaces outside of the capacity of the regional pond's credits will be mitigated with shallow, low-impact development techniques such as permeable pavement or bioretention facilities. These will reduce the effectiveness of the proposed hard surfaces and allow the project to fit into the regional pond' credit capacity for site. As noted previously, geotechnical evaluation of the soils is in progress.

With more than 5,000 square feet of combined hard surfacing, the project will be subject to Minimum Requirements #1 through #9 as provided in the 2019 DOE Manual. Minimum Requirements #1 through #9 are addressed below. Where applicable, each of the plans identified above will be addressed in greater detail.

Minimum Requirement #1 Preparation of Stormwater Site Plans

This letter serves as a Preliminary Stormwater Site Plan (SSP). All stormwater management systems have been designed according to Department of Ecology (DOE) and City of Lynden standards.

Minimum Requirement #2 Construction Stormwater Pollution Prevention (SWPPP)

A construction SWPPP will be prepared and included with construction documents.

Minimum Requirement #3 Source Control of Pollutants

The proposed processing facility project is not expected to create any unusual sources of stormwater pollutants. Seafood processing operations will occur indoors and are not considered a stormwater pollution concern. Pollutant sources include vehicular traffic, fertilizers, and other detergents or chemicals typical to building maintenance activities. These sources will be controlled at the source to the maximum extent possible. All known, available, and reasonable source control BMPs will be applied to the design and layout of the site plans and stormwater plans. Per the DOE Manual, land use controls that emphasize prevention of water quality impacts are preferred over treatment strategies. Therefore, clearing areas will be limited to the minimum areas necessary for construction.

Minimum Requirement #4 Preservation of Natural Drainage Systems and Outfalls

Currently, the entire project site is contained within a single regional basin. Cursory review of aerial topography shows that stormwater runoff from the site generally is conveyed south/southeast. Stormwater from the

developed site will be conveyed to the West Lynden Regional Pond detention facility. No significant stormwater diversions are proposed as part of this project.

Minimum Requirement #5 On-Site Stormwater Management

As a project that is expected to trigger Minimum Requirements #1 through #9, this project will be required to demonstrate compliance with the LID Performance Standard or shall use BMPs from List #2 in the 2019 DOE Manual. This project is expected to comply with List #2.

Projects choosing to utilize List #2 of the 2019 DOE Manual to meet the requirements of Minimum Requirement #5 – On-site Stormwater Management must consider the BMPS in the order listed for each type of surface. The first BMP that is considered feasible must be used on the site. No other On-site Stormwater Management BMPs are necessary for that surface. The following table identifies all of the required BMPs in List #2 and if they are feasible or infeasible.

TABLE 1 - MINIMUM REQUIREMENT #5 LIST #2				
Minimum Requirement		**Feasible**	**Infeasible**	**Criteria Comments**
#	**Lawn & Landscaped Area**			
1	Post-Construction Soil Quality and Depth - BMP T5.13	✓		This BMP will be applied to all areas outside of roofs or hard surfaces disturbed during construction.
#	**Roofs**			
1	Full Dispersion - BMP T5.30 Full Infiltration - BMP T5.10A		✓	Infeasible due to impervious surface coverage and lack of suitable vegetated areas to accommodate dispersion. High groundwater renders infiltration systems infeasible.
2	Bioretention – BMP T5.70	✓	✓	Soil investigation is ongoing. If applicable, this BMP will be employed to the maximum extent practicable.
3	Downspout Dispersion BMP T5.10B		✓	Infeasible due to impervious surface limits.
4	Perforated Stub-out Connection BMP T5.10C		✓	Infeasible due to impervious surface limits.
#	**Other Hard Surfaces**			
1	Full Dispersion BMP T5.30		✓	Infeasible due to impervious surface limits.
2	Permeable Pavement - BMP T5.15	✓	✓	Soil investigation is ongoing. If applicable, this BMP will be employed to the maximum extent practicable.
3	Bioretention – BMP T5.70	✓	✓	Soil investigation is ongoing. If applicable, this BMP will be employed to the maximum extent practicable.
4	Sheet Flow Dispersion BMP T5.12 Concentrated Flow Dispersion BMP T5.11		✓	Infeasible due to insufficient vegetated flow path length on site.

-

Preliminary Stormwater Management Summary

Proposed impervious surface coverage and high groundwater render the use of full-scale dispersion and infiltration systems on the project site. However, if determined applicable by the project geotechnical professional, small-scale implementation of shallow infiltration facilities, such as bioretention and permeable pavement in the low-use parking areas, will be installed to the maximum extent possible.

Larger scale stormwater management will include conveying stormwater runoff to the West Lynden Regional Stormwater Pond through purchase of stormwater credits. Credits have been purchased from another property and are currently being transferred to the subject property. BMP T5.13 will be applied to all areas outside of roof or hard surfaces disturbed during construction.

Minimum Requirement #6 Runoff Treatment

New pollution-generating hard surface (PGHS) areas are expected to exceed 5,000 square feet. Therefore, this project will exceed thresholds set forth in Section 2.5.6 in Volume I of the DOE Manual and stormwater treatment BMPs will be required.

Minimum Requirement #7 Flow Control

The proposed project will create more than 10,000 square feet of hard surfacing and will exceed flow control thresholds in Section 2.5.7 in Volume I of the DOE Manual. Stormwater flow control will be provided with conveyance to the West Lynden Regional Stormwater Pond.

Minimum Requirement #8 Wetlands Protection

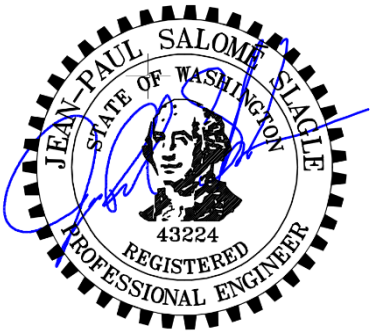
No existing wetlands have been identified on site or in the immediate vicinity. Therefore, no further wetland protection measures are required.

Minimum Requirement #9 Operation and Maintenance

A separate operations and maintenance manual will be prepared for the proposed stormwater management facilities. The manual will contain a description of the facilities, what the facilities do, and how they work. The manual will also identify and describe maintenance tasks for each component of the facilities and the required frequency of each task.

As shown above, this project can comply with current stormwater management requirements in place for the City of Lynden. Please contact us with any questions or concerns regarding these observations.

Sincerely,
Freeland and Associates, Inc.

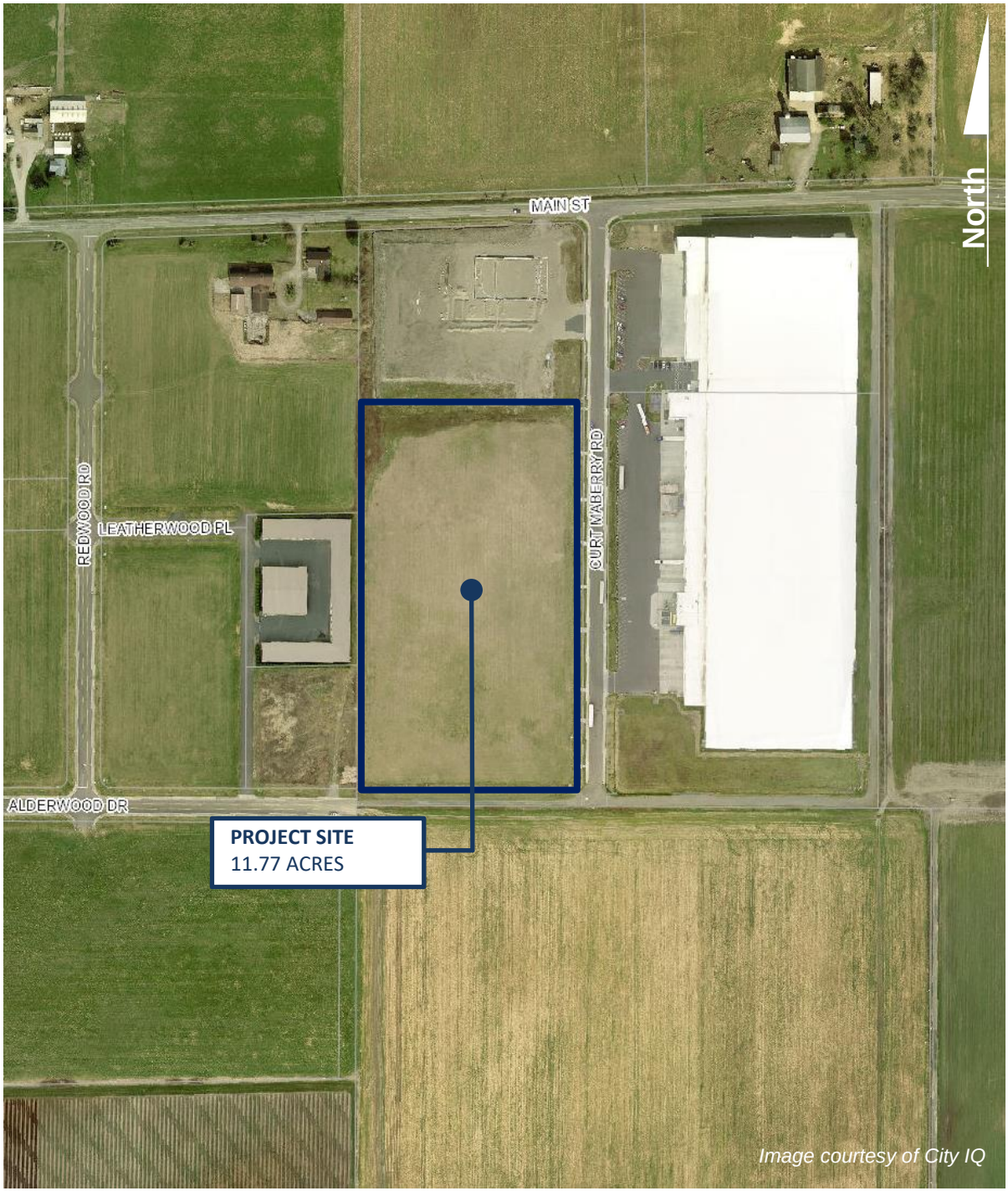


Jean-Paul (J.P.) Slagle, PE

Attachments

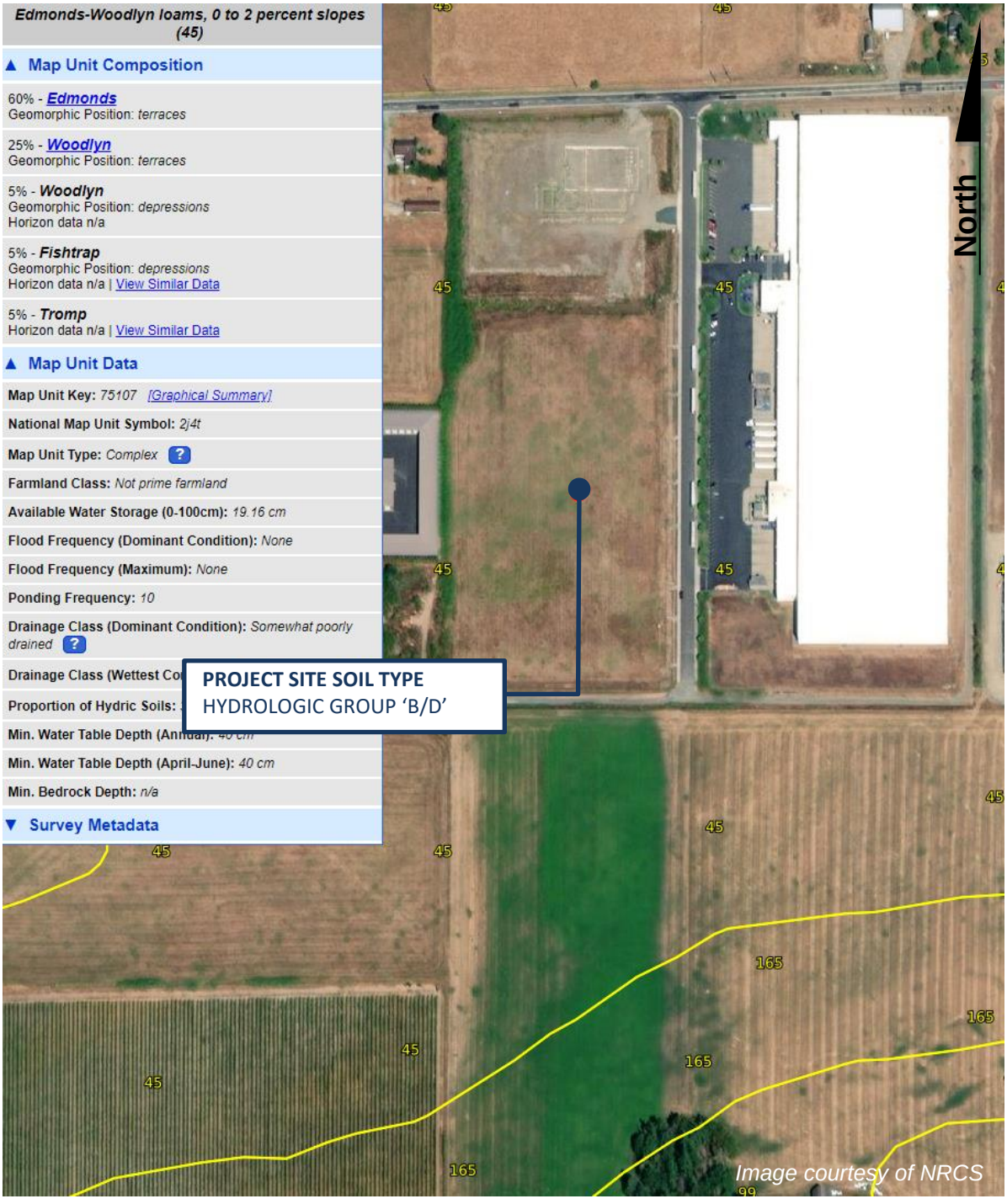
Fig. 1 Vicinity Map
Fig. 2 Aerial Photograph of Site
Fig. 3 Soils Map
Preliminary Site Plan

	Vicinity Map	**Figure 1**



Aerial Photograph of Site

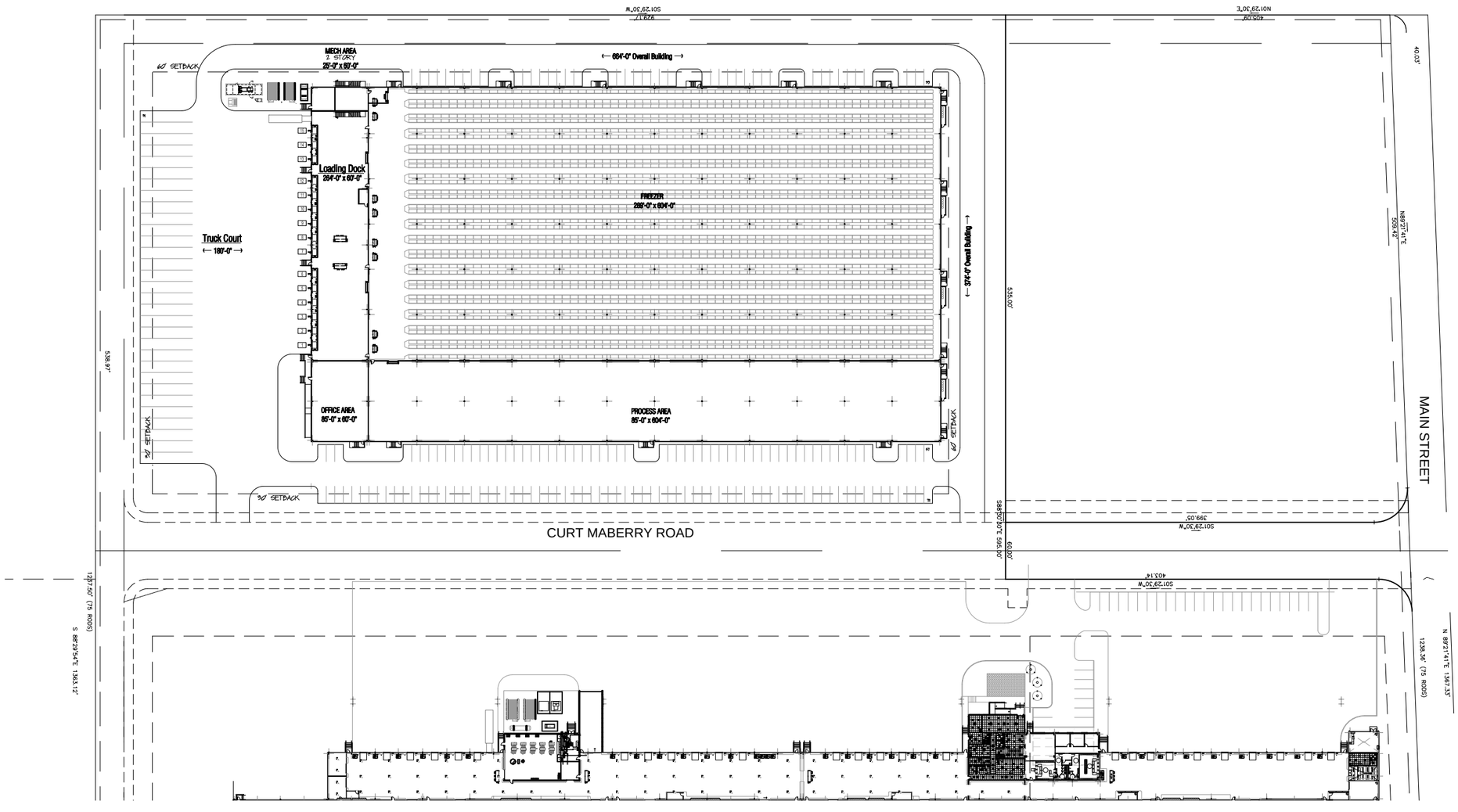
Figure 2



	Soils Map	**Figure 3**

Preliminary Site Plan

CHILL BUILD PSL



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Lynden, Washington
Proposed Floor Plan