



City of Lynden

Conditional Use Permit Application



General Information:

Property Owner

Name: Don and Sally Korthuis
 Address: 1610 Grover St Suite B5
 Telephone Number: 360-354-1545 Fax Number: 360-354-1080
 E-mail Address: don@mrlynden.com / sally@mrlynden.com

Applicant (Agent, Land Surveyor or Engineer)

Name: _____
 Address: _____
 Telephone Number: _____ Fax Number: _____
 E-mail Address: _____

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): 2111, 2113, 2115, 2117, 2119 W. Front St, Lynden WA 98264
 Legal Description (attach if necessary): See attached
 Assessor's Parcel Number: 4002244050950000 Zoning Designation: ERC SR
 Parcel Square Footage: 308,840 Property Dimensions: 475' x 650'
 Applicable Sub-Area: _____ Building/Structure Size: 125,210
 Height of Structure: 25' Addition Size: Ø

Please describe request in detail:

CUP Criteria must be attached

Warehousing Included open to the public - Permitted
Wholesaling Included open to the public - ~~Permitted~~
~~Entry ways~~ - See Redevelopment agreement

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.

Applicant's Signature: [Signature] Date: 7/30/19

Property Owner's Signature: [Signature] Date: 7/30/19
Sally M. Korthuis 5/30/19

PRE-APPLICATION MEETING DATE: _____ HEARING DATE: _____
 (APPLICATIONS WILL NOT BE ACCEPTED WITHOUT A PRE-APPLICATION MEETING.)

FEE'S (CONDITIONAL USE PERMIT \$350.00 BASE FEE OR FINAL REVIEW COST) DATE PAID: 7-31-19 RECEIPT # _____

Don and Sally Korthuis
RE: Front Street station CUP
Address:
2111-2119 Front Street
Lynden, WA

Date: 8/23/19



Response to Lynden Ordinance 19.49.020 regarding Front Street Station CUP.

First of all we need to point out that getting the Conditional Use Permit (CUP) for Warehousing and Wholesaling is critical to the Front Street Station (FSS) development. Quite simply, without this, the project cannot proceed. We have toured this type of Business Park throughout the west coast. Every business park of this type has a component of warehousing and wholesaling. Warehousing and Wholesaling are central to the success of this project.

19.49.020 Standards and criteria for granting a CUP

A. Certain uses may be allowed by a CUP granted by the City Council, after it receives the recommendation of the Planning Commission. The Planning Commission shall issue its recommendation after a public hearing on the CUP application. In the application and during the hearing process, it shall be clearly shown by the applicant that the proposed use is not detrimental to the surrounding area or a liability to adjacent uses. For the purpose of this ordinance, the surrounding area, or neighborhood, means those parcels that are in close proximity to the subject parcel.

FSS Answer: Not only is our CUP not detrimental, it will enhance the surrounding area. This area of town was zoned Commercial Regional, for example, big box stores. Some of these stores, for example, Costco, are warehouse stores, which will require this change. Examples of a warehouse need would be a fastener company, paint supplier, surveying company, refinery supply co., etc, that will need an office or retail showroom up front, and a warehouse in the rear. Other warehouse needs would be a Canadian company that needs a USA presence, to ship and receive their products.

B. An application for a CUP may be made only for those uses specified under the conditional use section of the appropriate zoning district.

FSS answer: 19.23.020 is the ordinance we are seeking a change. Both Wholesaling and Warehousing are allowed as a Conditional Use. This application is to allow these two uses as part of the Front Street Station (FSS) business development agreement.

C. The Planning Commission and Council shall enter findings to support any recommendation or decision on a CUP application. Conditions may be attached to CUP approvals to mitigate any adverse impacts, protect surrounding properties and to promote the general welfare of the public. A 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:

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

FSS answer: Our goal to blend in with the surrounding businesses. The immediate businesses near this development are industrial and agriculture. Warehousing and Wholesaling are specifically in the definition as a CUP. Our goal is to have high end Warehousing and wholesaling as a part of this development.

Lynden's code 9.23.010 has a definition of CSR Commercial Services – Regional (underlying is added to emphasize) which supports our request: “The purpose of the CSR zone is to support the development of large format retail and regional commercial development. In addition, this zone may support commercial establishments which require a retail contact with the public together with professional offices, storage and warehousing, or light manufacturing. This zone is located where larger parcels and arterial streets are available to support the traffic and land needs for these types of uses. This zone provides the primary location for businesses serving both the local and regional trade area.”

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:
 - i) traffic and pedestrian circulation
 - ii) noise, smoke, fumes, glare or odors generated by the proposed use,
 - iii) building and site design,
 - iv) the physical characteristics of the subject property

FSS answer: We believe that the above criteria will be enhanced by FSS. We will not be renting to “dirty” businesses, such as car repair, fiberglass boat repair, etc. It is our goal to promote clean businesses in Lynden providing living wage jobs. Also to provide incubator location for new business. Lynden is in urgent need for wholesaling and warehousing;

See Business development agreement for the building and site plans.

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; and

FSS answer: At this time, adequate utilities are on or near the property for full development. We were very careful that traffic flow throughout FSS was adequate for both car and delivery truck traffic that a Warehouse or Wholesale use would require.

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.

FSS answer: Wholesaling and Warehousing will see no significant change of traffic versus the allowed business park uses.

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.

FSS answer: See site plan. Meets or exceeds all city codes for landscaping, parking, traffic flow.

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.

FSS answer: See site plan. Meets or exceeds all city codes for landscaping, parking, traffic flow.

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

FSS answer: N/A. There are none on site.

8. The proposed use is generally consistent with the purposes and objectives of the City Comprehensive Plan and applicable Sub-Area Plan.

FSS answer: Yes! We are excited to cooperate with the city goals of this area. Lynden is the only major community in Whatcom County without this sort of facility. It is our goal to make this facility enhance the City.

Conditional Use Permit for Front Street Station Manufacturing and Wholesaling

Currently the City of Lynden has two specific zoning use classifications relating to the Wholesaling and/or Warehousing of products.

Front Street Station desires to have both uses allowable in all the buildings proposed (A-E) in the new commercial business park for the following reasons:

In reference to buildings A, B, C, D, and E:

1. At Front Street Station, with its attractive design, more than adequate parking and traffic flow, we will accommodate many such Retailers-Open to the Public in an environmentally pleasing location, and safe due to high efficiency exterior lighting to include sufficient parking lot illumination.
2. Additionally, the ingress and egress for the both the shopper and businesses will be not only enhanced but also most accommodating because of the three (3) curb cuts. Since there will also be a multi-tenant business type park in the rear, these 3 curb cuts on Front Street will allow for a more efficient traffic flow, thus mitigating vehicles waiting ON Front Street for safe access into the property.
3. While Front Street Station is one block from the Guide Meridian with its retail, showrooms and shopping centers, it is still fully compatible with the surrounding area since the businesses that would locate there will still attract all the usual customers.

In reference to buildings A + E:

1. While so called Brick & Mortar (B&M) stores are seeing increasing competition from the On-Line stores, B&M will always have a very significant place in the overall shopping experience.
2. We see many examples not only in Whatcom County, but nationwide as well, where very successful B&M warehouse type stores, and for that matter wholesale stores are seeing an increased presence because of a changing demographic. That change being that it was once thought that the millennial shopper was more prone to use On-Line stores in place of B&M. However, research by shopping center and retail companies show that as those millennials have gotten older, they now are shopping with their children IN the B&M stores to provide the "hands on" experience, and to actually demonstrate the product(s) they are considering.
3. We see evidence of this in such type stores as Costco, Best Buy, WinCo, etc. for the Big Box stores. However, Front Street Station will not be attracting these stores. We envision stores that warehouse/wholesale such items carpet/floor coverings, for example, Great Floors, Fishtrap Creek Interiors, or Village Lighting., Home products such as doors, windows, (Lynden Door is an example), Furniture stores, etc. These stores are specifically set up to

have a retail presence in the front (30% of floor area) while warehousing and/or manufacturing a product in the rear. They also act as wholesalers to the general construction industry as evidenced by what Architects are designing and suggestion for their clients.

4. The shoppers experience will be one that they'll want to experience again.

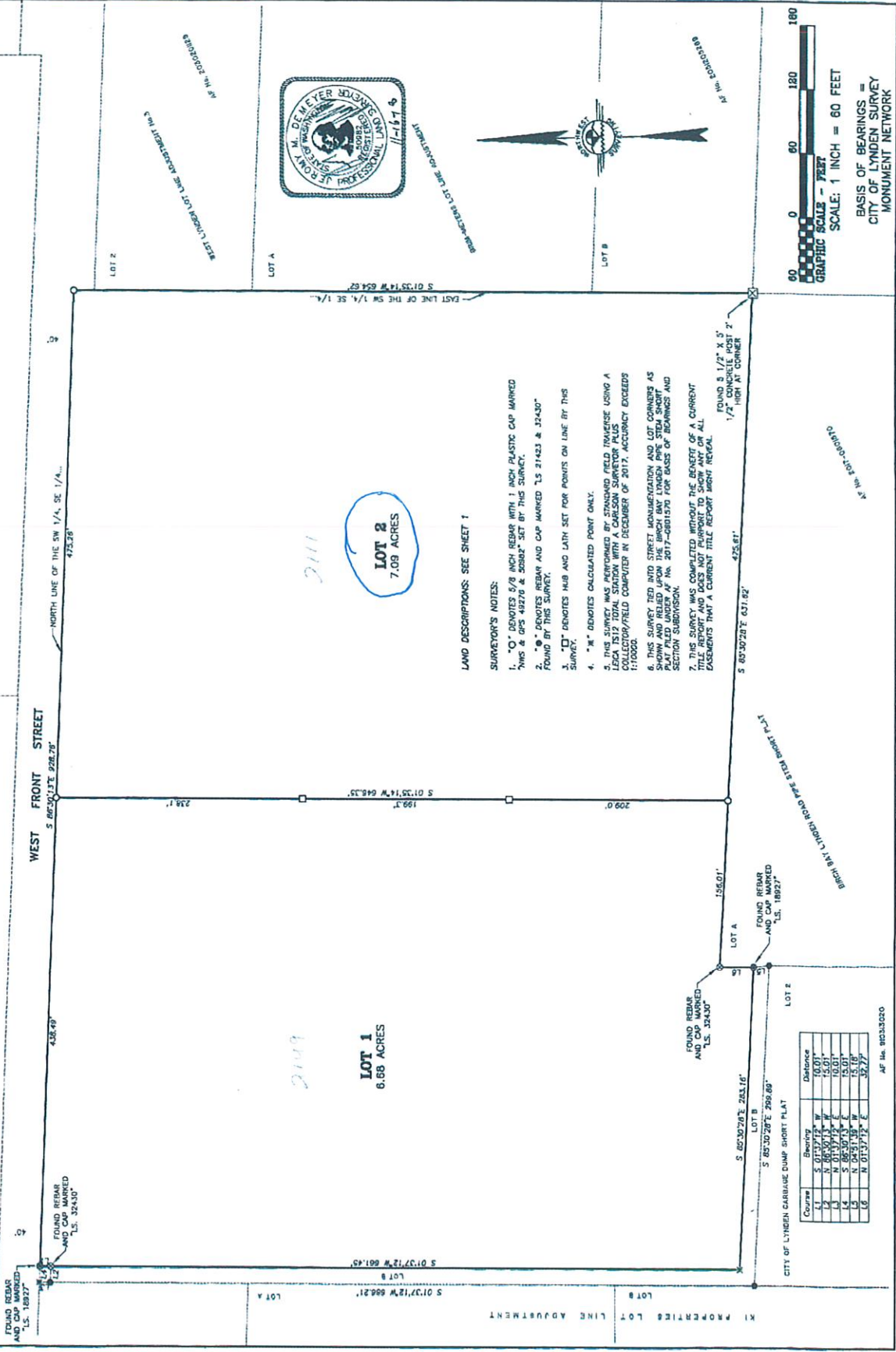
In reference to buildings B,C,D

- 1 In buildings such as these, where the front areas are either office or small retail showrooms, it is not only common but ubiquitous around the country that manufacturing and or wholesaling business are located here.
- 2 Such diverse type businesses would include for example Fastenal (over 1500 "stores" wholesale Open to the Public)) where the front portion is retail and balance is warehouse; small tech companies manufacturing a proprietary product with both offices and warehouse; cabinet/furniture businesses having a small office/showroom while building the product in the warehouse; lighting company catering to the architect/contractor where product is warehoused. The list of all such type users, both warehouse and wholesale could possibly be endless. It would be difficult to list all such specific users. It is the intent of Front Street Station in buildings B, C, and D to accommodate those businesses not needing any retail presence or even a location that the public can find. It is common that such users only have a very small sign on the glass front door for deliveries and those that have appointments.

2018-1101761

PARTITION BY COURT ORDER
 A PORTION OF THE SW QUARTER OF THE SE QUARTER OF SECTION 24,
 TOWNSHIP 40 NORTH, RANGE 2 EAST OF W.M.
 WITHIN THE CITY OF LYNDEN, WHATCOM COUNTY, WASHINGTON

SHEET 2 OF 2



LOT 2
7.09 ACRES

LOT 1
6.68 ACRES

LAND DESCRIPTIONS: SEE SHEET 1

SURVEYOR'S NOTES:

1. "O" DENOTES 5/8 INCH REDDIP WITH 1 INCH PLASTIC CAP MARKED "NMS 4024270 & 20082" SET BY THIS SURVEY.
2. "P" DENOTES REBAR AND CAP MARKED "S 21423 & J2430" FOUND BY THIS SURVEY.
3. "I" DENOTES HUB AND LATV SET FOR POINTS ON LINE BY THIS SURVEY.
4. "M" DENOTES CALCULATED POINT ONLY.
5. THIS SURVEY WAS PERFORMED BY STANDARD FIELD TRAVERSE USING A LEICA TS12 TOTAL STATION WITH A CARLSON SURVEYOR PLUS TRANSITORY/FIELD COMPUTER IN DECEMBER OF 2017. ACCURACY EXCEEDS 1:10000.
6. SURVEY TIED INTO STREET MONUMENTATION AND LOT CORNERS AS SHOWN AND RELATED TO THE BACK SIGHT MONUMENT STEEL SHORT PLAT FILED UNDER AF No. 2017-0801570 FOR BASIS OF BEARINGS AND SECTION SUBDIVISION.
7. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND DOES NOT INTEND TO SURPASS OR ALL DESIGNERS THAT A CURRENT TITLE REPORT SHOW RECAL.

CITY OF LYNDEN GARBAGE DUMP SHORT PLAT

| Course | Bearing | Distance |
|--------|---------------|----------|
| 1-1 | S 01°37'12" W | 10.01' |
| 1-2 | N 89°51'19" W | 15.01' |
| 1-3 | S 85°30'13" E | 15.01' |
| 1-4 | S 85°30'13" E | 15.01' |
| 1-5 | N 08°51'19" W | 15.19' |
| 1-6 | N 01°37'12" E | 35.77' |

GRAPHIC SCALE - FEET
 0 60 120 180
 SCALE: 1 INCH = 60 FEET
 BASIS OF BEARINGS =
 CITY OF LYNDEN SURVEY
 MONUMENT NETWORK



SP#207

LEGAL DESCRIPTION:

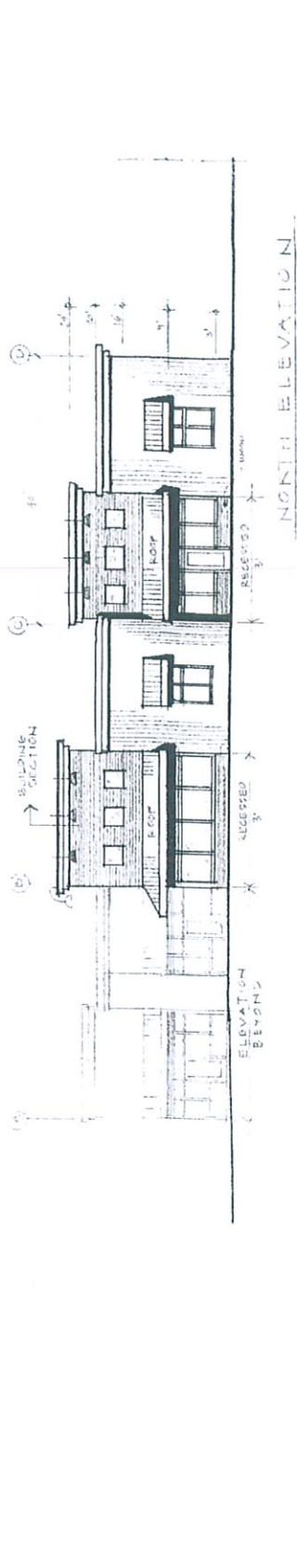
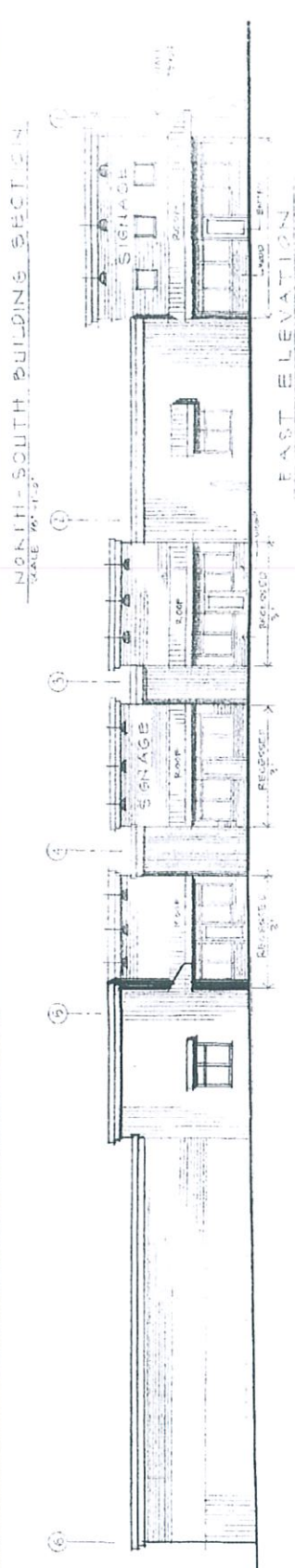
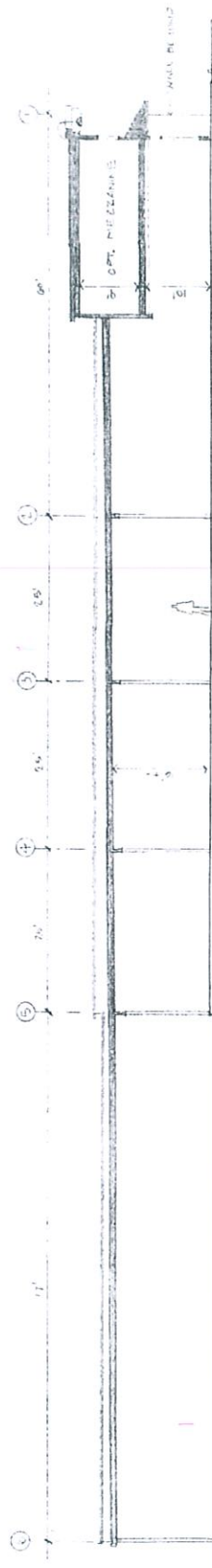
THE EAST 475.00 FEET OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 2, EAST OF W.M., MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH LINE OF SAID QUARTER QUARTER AT A POINT 364 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 660 FEET; THENCE EAST 282.8 FEET; THENCE SOUTH TO THE NORTH LINE OF THE TRACT OF LAND CONVEYED TO WHATCOM COUNTY, WASHINGTON, BY DEED RECORDED UNDER AUDITORS FILE NO. 637745, RECORDS OF WHATCOM COUNTY, WASHINGTON, WHICH TRACT IS NOW OWNED BY THE CITY OF LYNDEN; THENCE EAST, ALONG THE NORTH LINE OF SAID CITY OF LYNDEN TRACT AND SAID LINE PRODUCED EASTERLY, TO THE EAST LINE OF SAID QUARTER QUARTER; THENCE NORTH, ALONG SAID EAST LINE, TO THE NORTH LINE OF SAID QUARTER QUARTER; THENCE WEST, ALONG SAID NORTH LINE, TO THE POINT OF BEGINNING; EXCEPT THE RIGHT-OF-WAY FOR FRONT STREET/TROMP ROAD LYING ALONG THE NORTHERLY LINE THEREOF.

Lot 2 of Partition by Court Order
as recorded on November 19, 2018,
under Auditor's File Number 2018-

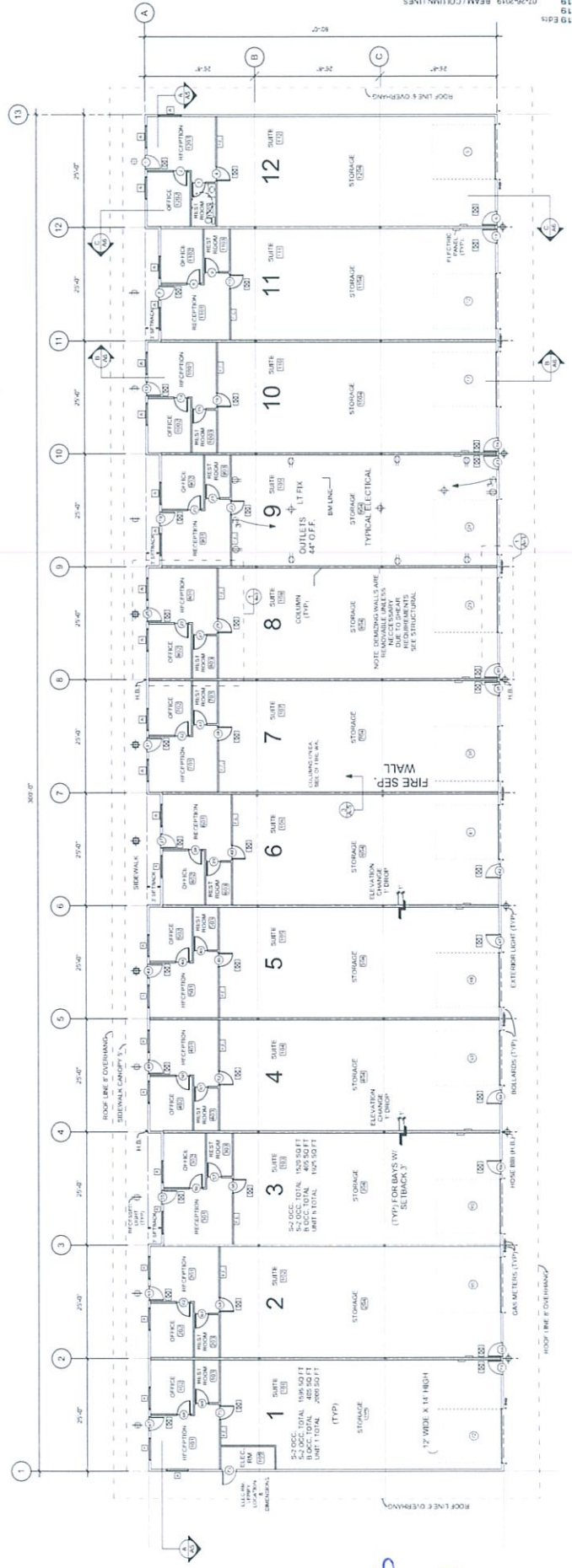
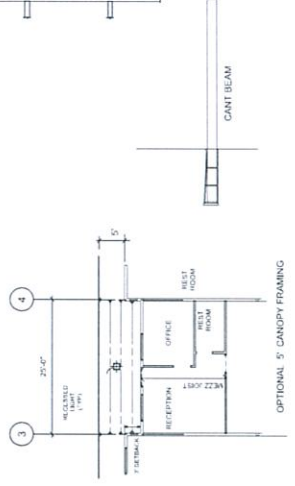
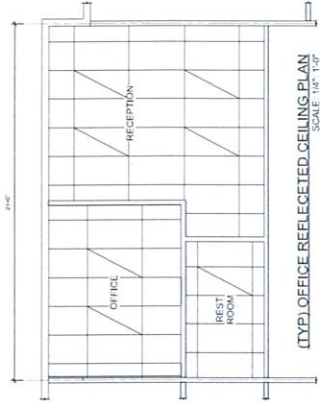
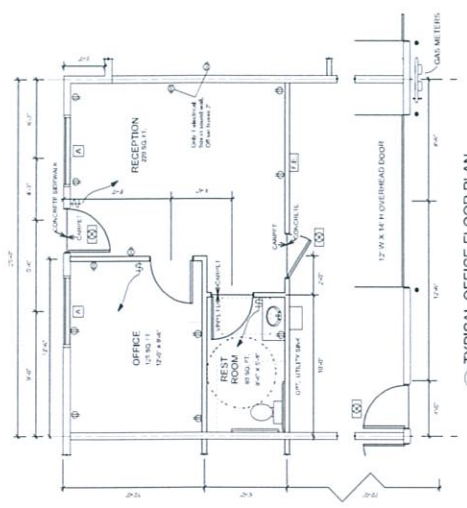
Whatcom Cty WA. Subj. to + tgw
all easements, cov. rest. +/or agreements
of record. Acc situ. it wh City WA.



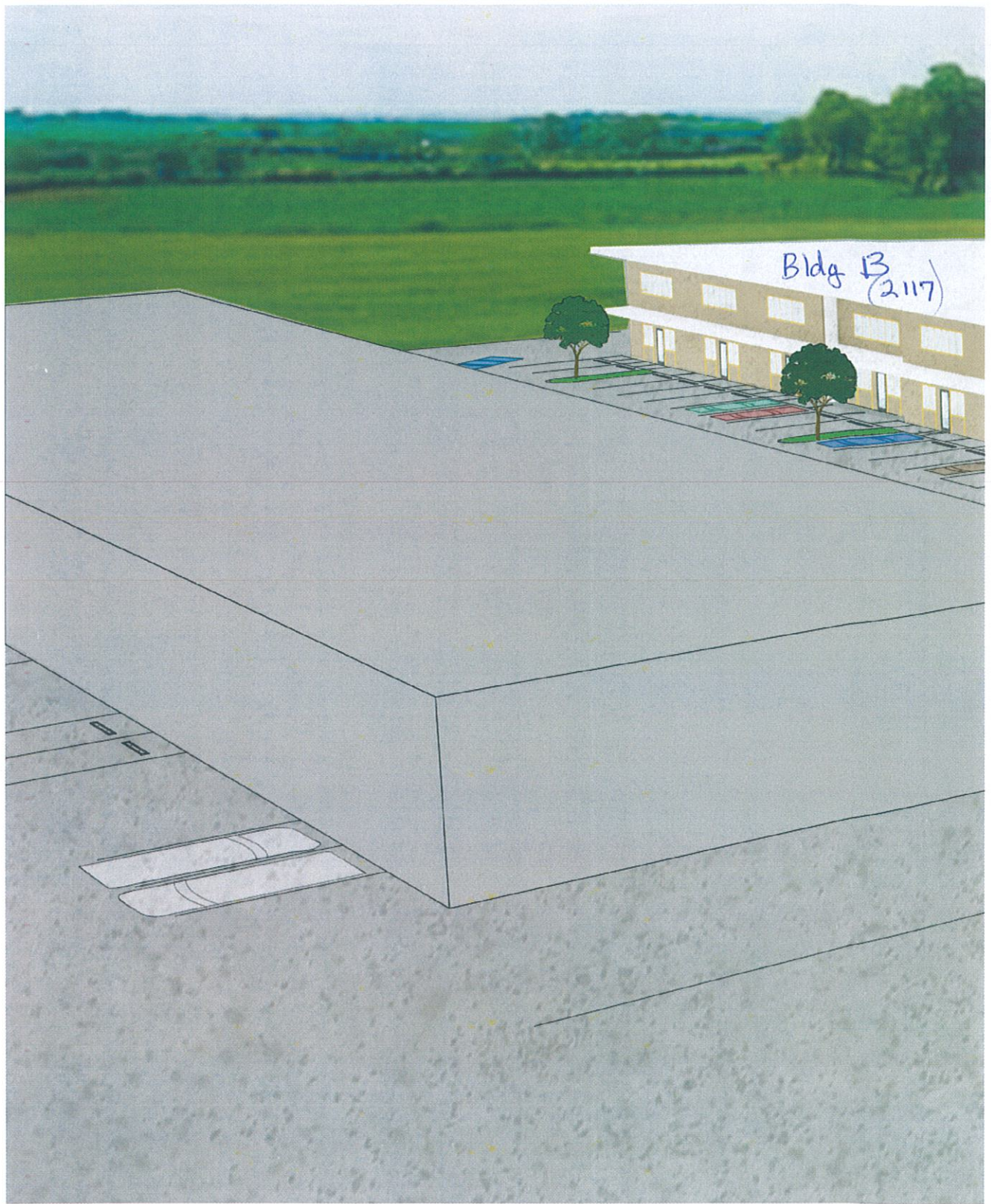
Building A

Building A (landscaping not accurate)

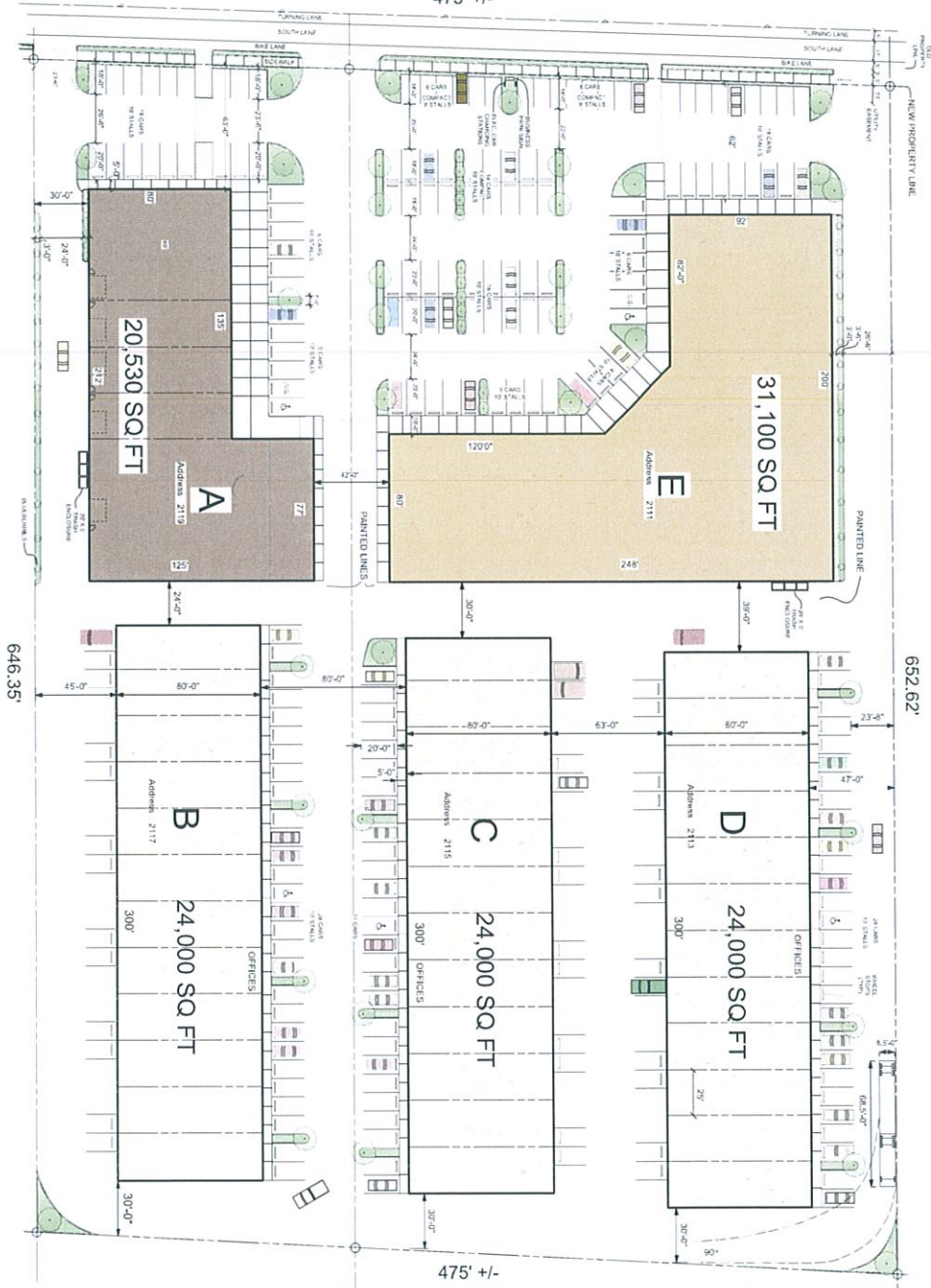




Buildg B



WEST FRONT ST.
475' +/-



PARKING

TOTAL PARKING SPACES 227
 REQUIRED ADA ACCESSIBLE 2% OF TOTAL (227) = 5 SPACES
 ADA ACCESSIBLE STALLS PROVIDED = 5



PRELIMINARY SITE PLAN
 SCALE 1" = 30'

- 3-13-2019 LANDSCAPING
- 3-07-2019 PARKING BY OH DRS
- 3-05-2019 ECTS
- 2-14-2019 PARKING/ PROPERTY LINES
- 1-23-2019 PARKING
- 1-18-2019 Blog cm, parking lot, move bldg
- 12-21-2018

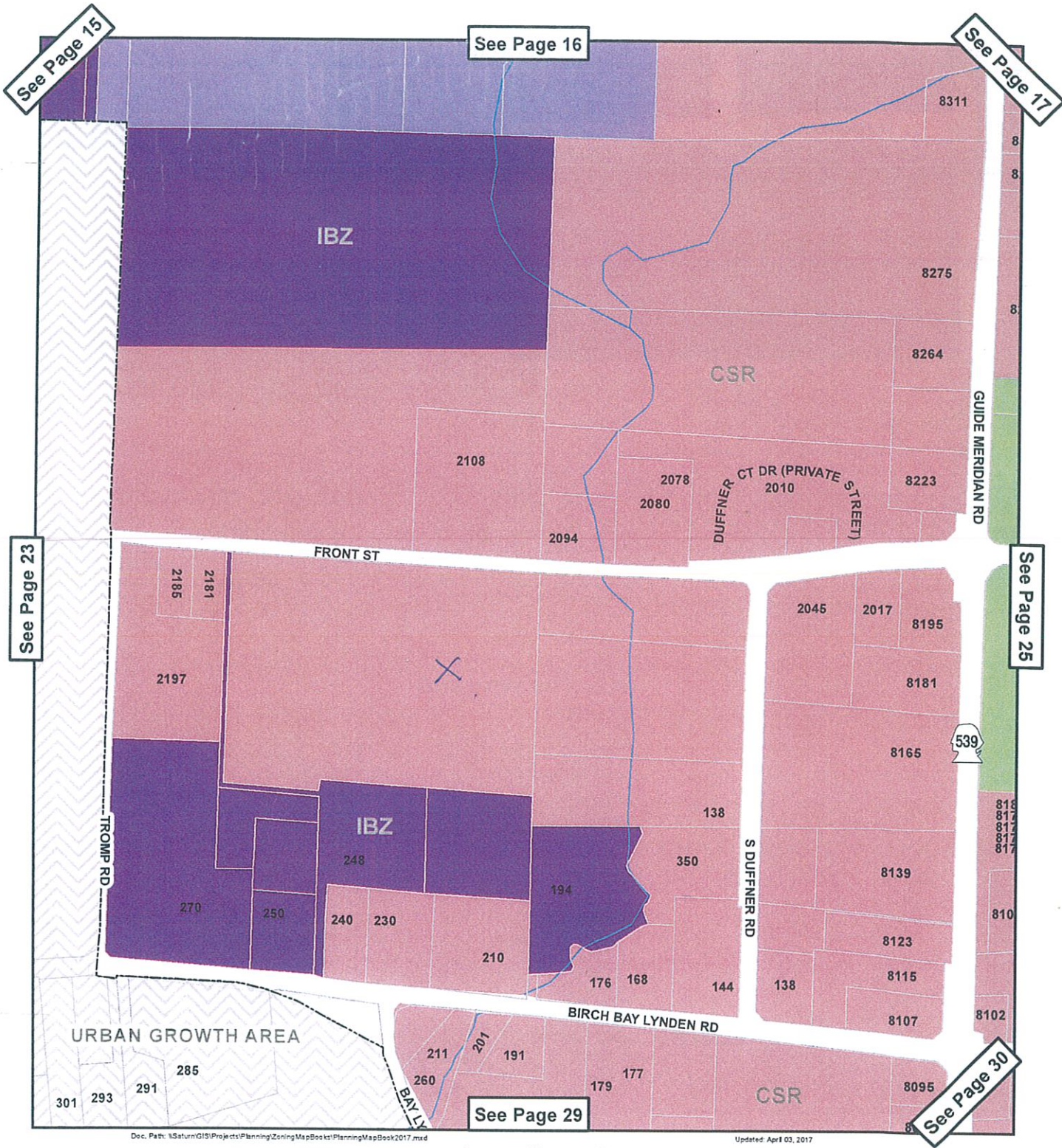
DOUGLAS LANSEM ARCHITECT AIA
 LICENSED ARCHITECT IN WASHINGTON, IDAHO, ALASKA, HAWAII
 1407 NORTH FOREST, BELLINGHAM, WA 98225 360.733.2466
 www.lansemarchitect.com dla@lansemarch.zet

FOR DON AND SALLY KORTHUIS

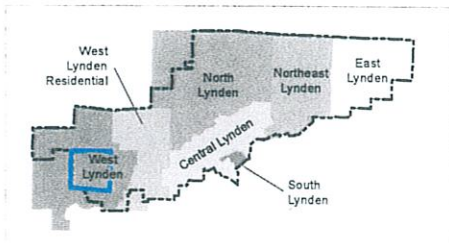


Date: 5/30/2013
 Document Path: \\lynden-ch2\proj\Projects\Planning\MISC\Korthuis\Project\Tromp_Storm.mxd
 Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerowis, swisstopo, and the GIS User Community

West Lynden Storm Lines



Sub-Areas



Sub-Areas: West Lynden

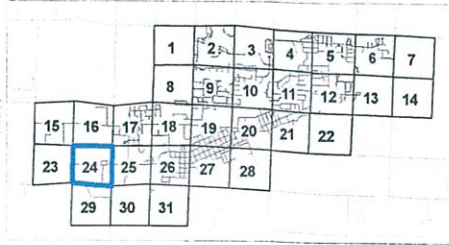
Zoning Designations

- | | |
|--------|--------------------------------|
| RS-100 | Public Use (PU) |
| RS-84 | Commercial (CSR) |
| RS-72 | Commercial Single-Family (CSL) |
| RMD | High Density Residential (HBD) |
| RM-1 | Industrial (ID) |
| RM-2 | Industrial Business (IBZ) |
| RM-3 | Additional Designations |
| RM-4 | Overlay |
| MH | |
| TR-RW | |

Features

- Fire Dept.
- Police Dept.
- Public Trail
- Golf Trail
- Railroad
- City Limits
- UGA
- PRD

Page Index



Section 24, Township 40N, Range 2E

landscaping

PARKING

TOTAL PARKING SPACES 227
REQUIRED ADA ACCESSIBLE 2% OF TOTAL (227) = 5 SPACES
ADA ACCESSIBLE STALLS PROVIDED = 5

Cedrus Decidua
grows to 20'-30' wide
70'-50' tall

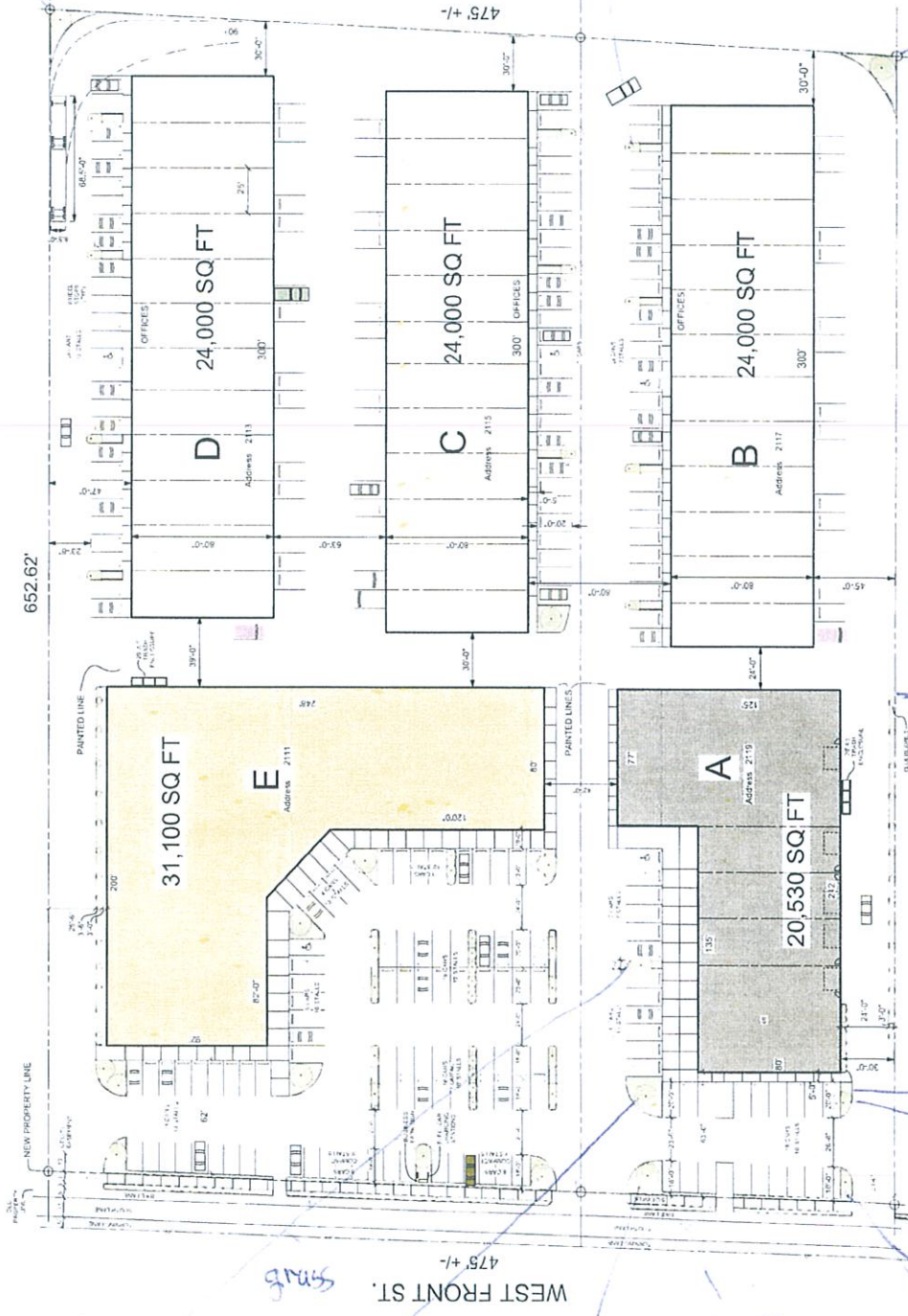
all spots in b
- flowering
cherry
lawn
25' tall
& wide

DOUGLAS LANDSEM ARCHITECT AIA
1755 ARCHITECT IN WASHINGTON, D.C., ALASKA, HAWAII
1407 NORTH FOREST, BELLEVUE, WA 98005
425.733.2466
dlandsem@earthlink.net

Cedrus Decidua
grows to 20'-30' wide
40'-50' tall

PRELIMINARY SITE PLAN

SCALE 1" = 30'



grows to 25' height
width
flowering
Cherry
lawn

grass
lawn

Katsura
45 height
25 width
lawn

grass

Katsura
lawn

181-151
Vireo
Thuja
plicata
Red
Cedar
western
Barbo
Bagatelle Diet (3)

Sunshine Blueberry hedge
grows to 3'



City of Lynden

Critical Areas Checklist

Section: 24 Township: 40 Range: 2 Parcel Number: 405 095

Site Address: 2111 - 2119 Front St., Lynden

Proposed Uses: Business Park

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

- 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
- Are there any surface waters (including year-round and seasonal streams, lakes, ponds, swamps)?
 Yes No Unknown
- Is there vegetation that is associated with wetlands?
 Yes No Unknown
- Have any wetlands been identified?
 Yes No Unknown
- Are there areas where the ground is consistently inundated or saturated with water?
 Yes No Unknown
- Are there any State or Federally listed sensitive, endangered, or threatened species and habitats?
 Yes No Unknown
- Are there slopes of 15% or greater?
 Yes No Unknown
- Is the project located within a Flood Hazard Zone?
 Yes No Unknown
- 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.


Applicant's Signature

7/31/19
Date