

CITY OF LYNDEN



CONDITIONAL USE PERMIT APPLICATION

City of Lynden use only:
CUP # 22-02 **Staff Initials:** KS 09.13.22

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: 220 West Champion Street, Suite 200, 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

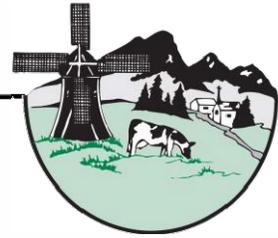
Project Location (street address / block range): 603 Curt Maberry Road
 Legal Description (attach if necessary): LOT 1 WEST MAIN STREET SHORT PLAT NO 2 AS REC AF 2150500587
 Assessor's Parcel Number: 400224161310000 Zoning Designation: IBZ
 Property Dimensions: 534 X 959 Parcel Square Footage: 512,106 SF
 Applicable Sub-Area: West Lynden Building/Structure Size: 194,250 SF
 Height of Structure: 50' Addition Size: _____

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

The project includes development of a seafood processing facility with associated truck access, employee parking, and utility infrastructure. The proposal includes a request to build the freezer portion of facility to 50 feet in height.

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:** 09/07/2022
Property owner signature: *Gary Edwards* **Date:** 9-8-22
Property owner printed name: GARY EDWARDS **Date:** 9-8-22



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 Facility
Building Size: 194,250 SF, Max. Building Height 50'
Hours of Operation: 6 am to 2 am, 6 days per week
Proposed Parking: 150 spaces
Number of Employees: 220-240 employees over two shifts
Traffic: 220-240 employee trips, 12 to 15 trucks trips per day

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 current zoning is Industrial Business (IBZ) per Lynden Municipal Code 19.25.030. The proposed use is consistent with the specification for Food and Pharmaceutical Processing Plants under LMC 19.25.030. The site is located 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 include fire lanes, truck access, loading areas, and employee parking 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 code and environmental standards for the controls of noise, glare, and odor. Operation of the 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 50 feet in height.

- d. The physical characteristics of the subject property.

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

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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 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 50 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.

In compliance with City of Lynden requirements, a 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 project site is located within the West Lynden Sub-Area. 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.

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CRITICAL AREAS CHECKLIST

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

Site Address: 603 Curt Maberry Road

Proposed Uses: Seafood Processing 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.

J.P. Slagle
Applicant's Signature

08/16/2022
Date