



**Proposal:** The application proposes to modify a lot line between three industrial lots, with some existing structures on all three lots. Each of the three have different property owners. More specifically the application proposes to:

- Alter Tax Lot 1500 to be enlarged from 3.23 acres (140,698.8 square feet) to approximately 3.85 acres (167,706 square feet). This lot is owned by Greg Brown.
- Alter Tax Lot 400 to be reduced from approximately 63.74 acres (2,776,514.4 square feet) to approximately 63.69 acres (2,774,336.4 square feet). This lot is owned by the Albany-Millersburg Economic Development Corporation.
- Alter Tax Lot 401 to be reduced from approximately 66.28 acres (2,887,156.8 square feet) to approximately 65.69 acres (2,861,456.4 square feet). This lot is owned by Linn County.

## I. BACKGROUND

- A. Applicant: Linn Economic Development Group  
321 1<sup>st</sup> Avenue NE, Suite 3A  
Albany, OR 97321
- B. Location: The properties are located easterly of Old Salem Road and westerly of I-5. Tax lots 10S-03W-21D- 1500, 400 and 401.
- C. Review Type: The proposed Property Line Adjustment requires a Type I decision by the City Manager. The action to approve the application was taken administratively by the City Planner acting on behalf of the City Manager on June 14, 2021. Type I land use decisions cannot be appealed.
- D. Review Criteria: Chapter 5.06.050
- E. Current Zoning: General Industrial (GI)
- F. Property Size: The existing lot sizes are:
- Tax Lot 1500 is approximately 3.23 acres
  - Tax Lot 400 is approximately 63.74 acres
  - Tax Lot 401 is approximately 65.69 acres

G. Background: The applicant is requesting to revise the property lines to dedicate more space to the railroad along the east side of tax lot 1500 and provide the property owner of tax lot 1500 more land to construct a new project.

## II. REQUIRED FINDINGS FOR A PROPERTY LINE ADJUSTMENT

The applicable criteria are from Code Section 5.06.050 and standards from Section 3.08.

### 5.06.050 Decision Criteria

**Approval of a property boundary adjustment shall require compliance with the following criteria:**

**(1) A property boundary adjustment cannot create or vacate a parcel. Creation or vacation of a parcel requires approval of a land division.**

**ANALYSIS:** The proposed property line adjustment neither creates nor vacates a parcel. The property line adjustment is shifting a property line, though all three lots will remain. The proposal would shift the east property line of tax lot 1500 west by 50 feet and the south property line of tax lot 1500 by about 120 feet.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(2) Following the adjustment, all lots or parcels must comply with the area and dimension standards of the applicable zone. For existing nonconforming lots or parcels, the adjustment shall not increase the degree of nonconformance of the subject property or surrounding properties.**

**ANALYSIS:** All three lots are located within the GI Zone. There is no minimum lot size or lot coverage for the GI Zone. The line change will not affect any street setbacks, as the proposed adjustment is not near any streets. There are no setbacks from the rear or side yards in the GI Zone.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(3) If there are existing structures on the lots or parcels, the boundary adjustment shall not reduce required setbacks or place a boundary beneath a structure.**

**ANALYSIS:** The proposed change does not affect the property lines near any existing structures.

**FINDING:** Based on the analysis above, the project meets the required criteria.

## III. LOT/PARCEL STANDARDS

### Section 4.02.030 Standards for Lots or Parcels

This section includes many standards for partitions. These include:

- o Lot to depth requirements - the depth shall not be more than three times the width.
- o All new lots shall provide at least 40 feet of frontage.

- Flag lots must have an access strip of at least 25 feet in width with an improved surface, and the access strip cannot exceed 150 feet in length without a turnaround.
- Through lots shall be avoided.
- Lot lines shall run at right angles when possible.
- Utility easements may need to be provided.

**ANALYSIS:** The parcel depth cannot exceed three times the width. Two of the larger properties involved in this change already exceed the ratio, but the proposed change is not exacerbating the non-conformity, it is actually reducing it. Tax lot 1500 will not exceed the ratio as planned. The proposed change will not alter the frontage on tax lot 1500; the other two lots have no frontage in the area proposed for change. Neither is a flag lot or a through lot, and all property line adjustments are perpetuating the existing nature of the property lines, which are not at 90 degree angles.

**FINDING:** Based on the analysis above, the project meets the required standards.

#### IV. **DECISION**

Based on the submitted plan (applicant's Exhibit A), with the applicable decision criteria in the Millersburg Land Use Development Code, the City Planner, acting as the City Manager's designee, reviewed the submitted application and **APPROVES** the requests subject to the following conditions:

- 1) The applicant must record the property line adjustment with the County within one year.
- 2) Once recorded, the applicant shall provide a copy of the recorded document to the City.

#### IV. **APPEAL**

A property line adjustment is a Type I process, which does not permit any appeals. The decision by staff is final.

#### V. **EXHIBITS**

- A. Applicant's materials



---

Matt Straite  
City Planner

cc: Linn County Surveyor's Office via e-mail

# 3790 CONSER ROAD PROPERTY LINE ADJUSTMENT

MILLERSBURG, OREGON

**FLOOD PLAIN NOTE:**  
THIS SITE IS LOCATED WITHIN ZONE "X", OUTSIDE OF 1% AND 0.2% ANNUAL CHANCE FLOOD PLAINS AS DESIGNATED ON THE 1995 FLOOD INSURANCE RATE MAP (FIRM) NUMBER 410402021H - LAST REVISED SEPTEMBER 20TH, 2010 AND 410402021H - LAST REVISED DECEMBER 8TH, 2016.

**WATER SYSTEM:**  
WATER DISTRIBUTION BY THE CITY OF MILLERSBURG

**SANITARY SEWER:**  
SANITARY SEWER IS BY THE CITY OF MILLERSBURG

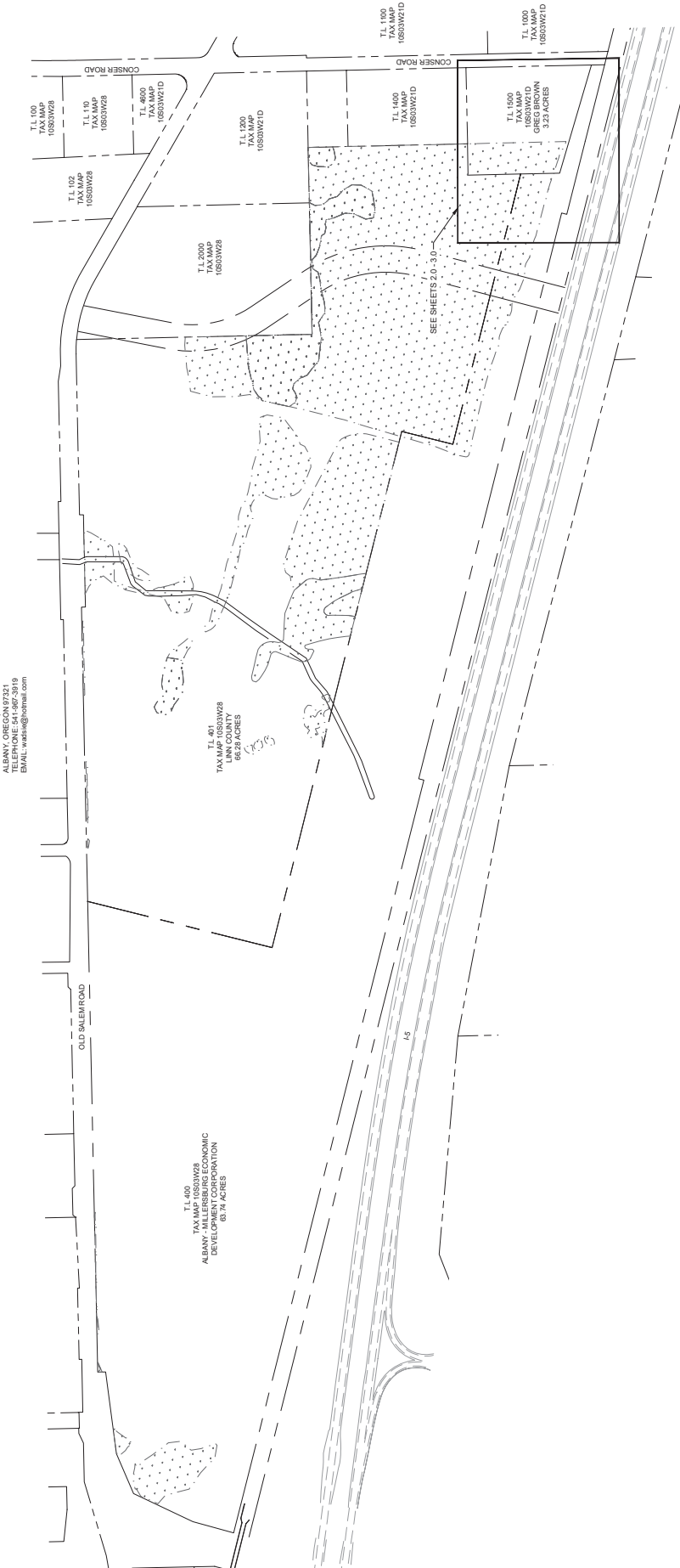
**SURVEYOR:**  
K&S ENGINEERING, INC.  
CO DAN WATSON, PE  
3221 FIRST AVENUE, SUITE 201  
ALBANY, OR 97321  
TELEPHONE: 541-928-2456  
EMAIL: dan@kandse.com

**SUBJECT PROPERTY:**  
LINN COUNTY ASSESSORS MAPS: 10503W2D AND 10503W2B  
ZONING: GENERAL INDUSTRIAL ZONE

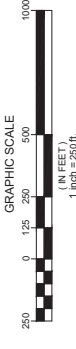
**OWNER/APPLICANT:**  
TAX LOT 400  
GREG BROWN PROPERTIES, LLC  
5823 PASCOMA STREET SE  
SALEM, OREGON 97337  
TELEPHONE: 503-584-5441  
EMAIL: mason@gbp.com

**OWNER:**  
TAX LOT 400  
ALBANY - MILLERSBURG ECONOMIC DEVELOPMENT CORPORATION  
335 1ST AVE. W. SUITE 3A  
ALBANY, OR 97321  
TELEPHONE: 541-928-2428  
EMAIL: dan@sm-engineering.com

**APPLICANT:**  
TAX LOT 400  
ALBANY - MILLERSBURG ECONOMIC DEVELOPMENT GROUP  
335 1ST AVE. SUITE 3A  
ALBANY, OREGON 97321  
TELEPHONE: 541-928-3919  
EMAIL: wds@ahotmail.com



**SITE OVERVIEW**  
SCALE: 1" = 250'



**PRELIMINARY - NOT FOR CONSTRUCTION**

RECEIVED  
MAY 17 2021  
MILLERSBURG, OREGON  
PLANNING DEPARTMENT

REVIEWS: 12/31/22

3790 CONSER ROAD  
LOT LINE ADJUSTMENT FOR LOTS 400, 401, & 1500  
GREG BROWN PROPERTIES, LLC  
MILLERSBURG, OREGON

PROJECT NO.  
**GBP2002**

DATE: 04-23-2021

DESIGNED: A. BETHROUNN

DRAWN: J. W. WATSON

CHECKED: J. WATSON

SCALE: AS INDICATED

PREPARED BY: J. WATSON

DATE: 04-23-2021

R&S  
K&S ENGINEERING, INC.  
3221 FIRST AVENUE, SUITE 201  
ALBANY, OREGON 97321  
PHONE: 541-928-2428  
FAX: 541-928-2456

**3790 CONSER ROAD  
LOT LINE ADJUSTMENT FOR LOTS 400, 401, & 1500**

MILLERSBURG, OREGON  
GREG BROWN PROPERTIES, LLC

PROJECT NO. <b>GBR2002</b>	
DATE	02-23-2021
DESIGNED BY	A. HERSHMAN
DRAWN BY	J. WHITE
CHECKED BY	J. WHITE
SCALE	AS INDICATED
SHEET NUMBER _____	

NO.	PLAN REVISIONS BY

REC'D  
PLANNING  
02/23/2021

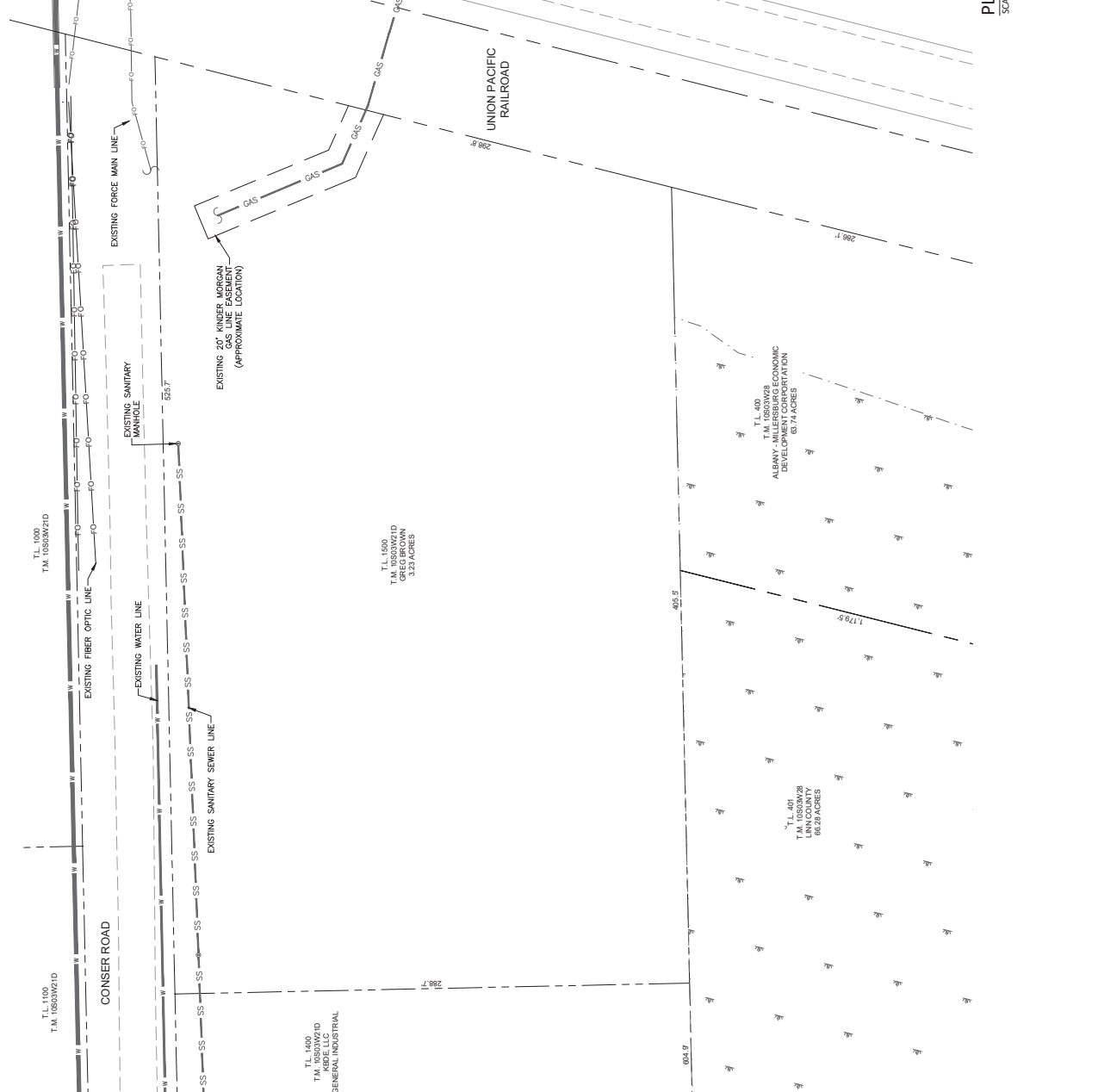
APPROVED  
02/23/2021

REVISIONS  
17/31/22

REC'D  
PLANNING  
02/23/2021

APPROVED  
02/23/2021

REVISIONS  
17/31/22

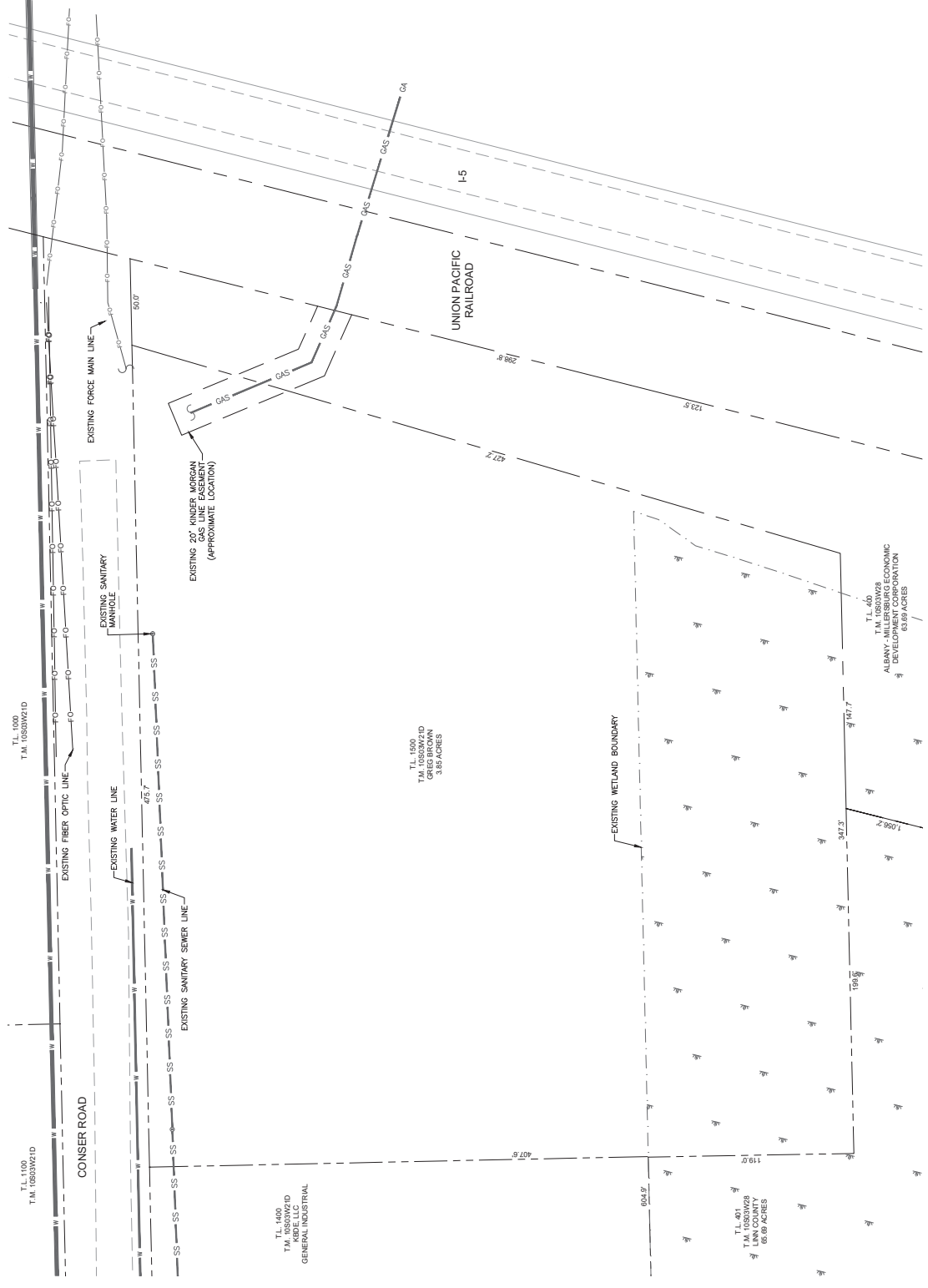


**PLAN: PRIOR TO LOT LINE ADJUSTMENT**

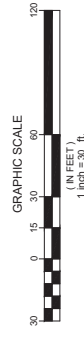
SCALE: 1" = 30'

GRAPHIC SCALE  
0 15 30 60 90 120  
(IN FEET)  
1 inch = 30 ft.

**PRELIMINARY - NOT FOR CONSTRUCTION**



**PLAN: AFTER TO LOT LINE ADJUSTMENT**



**PRELIMINARY - NOT FOR CONSTRUCTION**

**3.0**

Peace & Associates, Inc.  
221 First Avenue East, Suite 30  
Albany, Oregon 97121  
Phone: 541-926-2428  
Fax: 541-926-2456

**3790 CONSER ROAD**  
**LOT LINE ADJUSTMENT FOR LOTS 400, 401, & 1500**  
MILLERSBURG, OREGON  
GREG BROWN PROPERTIES, LLC

NO.	PLAN ADJUSTIONS BY

PROJECT NO.  
**GBP2002**  
DATE: 04-23-2021  
DESIGNED BY: AHERMANN  
CHECKED BY: J. WHITE  
SCALE: AS INDICATED  
SHEET NUMBER

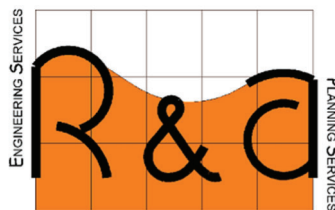
# Site Development Review/Property Boundary Adjustment Application

**3790 NE Conser Road**

**Prepared for:**

Greg Brown Properties, LLC  
C/O Greg Brown  
5862 SE Lipscomb Street  
Salem, Oregon 97317

**Prepared by:**



Reece & associates, inc.

Reece & associates, inc.  
321 first avenue east, suite 3a  
albany, oregon 97321  
541/926-2428  
[www.r-aengineering.com](http://www.r-aengineering.com)

March 10, 2021

Revised: May 24, 2021

**Project Summary**

Request:	Application for a Site Development Review to construct five new manufacturing buildings and permit four existing buildings.  Application for a property boundary adjustment to modify three properties.
Location:	3790 Conser Road NE Albany Oregon 97321 Linn County Assessor's Maps No. 10s03w21D and 10s03w28, Lots 1500, 401, and 400
Applicant/Owner (Lot 1500):	Greg Brown 5862 Lipscomb Street SE Salem, Oregon 97317 Phone: 503-364-8441 Email: gb.llorn@gmail.com
Applicant/Owner (Lot 401):	Linn County Darrin Lane 300 4 <sup>th</sup> Avenue SE Albany, Oregon 97321 541-979-4321
Applicant (Lot 400):	Linn Economic Development Group C/O Don Waddell 321 1 <sup>st</sup> Avenue NE, Suite 3A Albany, Oregon 97321 Phone: 541-967-3919 Email: wadsie@hotmail.com
Owner (Lot 400):	Albany-Millersburg Economic Development Corporation C/O John Pascone 435 1 <sup>st</sup> Avenue W Albany, Oregon 97321 Phone: 541-926-1519 Email: pasconj@peak.org
Engineer/Planner:	<b>Reece &amp; associates, Inc.</b> 321 1 <sup>st</sup> Avenue Suite 3A Albany OR 97321 541-926-2428 Engineer: David J. Reece, PE      Planner: Hayden Wooton dave@r-aengineering.com      haydenw@r-aengineering.com

Exhibits:

- A – Linn County Assessor's Maps
- B – Aerial Photograph
- C – City of Millersburg Zoning Map



## I. Project Description

This Site Development Review application proposes to adjustment the boundaries between three properties and construct five industrial manufacturing buildings at 3790 NE Conser Road in Millersburg, Oregon.

Each of these proposed industrial buildings will be rented to and occupied by various manufacturing operations, as such these buildings are classified as manufacturing uses for the purposes of this application. These five buildings will be constructed throughout the subject property in two phases of construction. Three buildings will be constructed in Phase One. The first building constructed during Phase One will be adjoining the existing 2,120-square-foot storage building. The other two buildings constructed during Phase One will be located near the gravel parking area. These two buildings will be constructed five feet north of the current southern property boundary. The two remaining buildings constructed during Phase Two will be constructed on the land gained during the proposed property boundary adjustment.

Furthermore, this Site Development Review application applies to four existing buildings on the subject property: a single-family dwelling, office building, storage building, and manufacturing building. These buildings were previously constructed without a land use approval and are being acknowledged by this application to correct this non-conforming situation. The proposed site improvements including parking areas, utility connections, landscaping, and stormwater system have been designed to serve both existing and proposed development.

The proposed development conforms to all applicable sections of the Millersburg Development Code (MDC). This application narrative provides findings of fact that demonstrate conformance with all applicable sections of the MDC. Applicable criteria of the City of Millersburg Development Code will appear in *italics* followed by the applicants' responses in regular font.

## II. Existing Conditions

The subject property can be identified by its address, 3790 Conser Road, or as Linn County Assessor's Map No. 10s03w21D, Lot 1500 (Exhibit A). Conser Road is a paved road, has one lane in each direction, and is not currently improved to Linn County's (the road authority) local street standards. This roadway serves as the property's northern boundary. The subject property has two unimproved driveway accesses on this street. Presently, the subject property is a moderately improved industrial site; it is mostly gravel with a few sections of pavement. There are five existing buildings on the property. Four of these buildings are not associated with a past land use approval, as previously discussed. One existing building located near the western property line was constructed under an approved Site Development Review permit. This approval also permitted the gravel storage area near the southwest corner of the property.

Linn County Assessor's Map No. 10s03w28, Lots 400 and 401, are subject to the proposed property boundary adjustment. Both properties have frontage and direct access to Old Salem Road, which intersects with Interstate-5 at the South Jefferson interchange approximately 2.4 miles north, the Murder

Creek interchange approximately 0.8 miles south, and the Knox Butte interchange approximately 2.5 miles south. Linn County is the road authority for Old Salem Road. Lot 400 is currently being developed under City of Millersburg File No. SP18-02.

For Adjacent zones and land uses refer to (Exhibit B for aerial photograph and Exhibit C for City of Millersburg zoning map):

North: Conser Road. One industrial property (3783 Conser Road NE) zoned General Industrial by the City of Millersburg

South: Old Salem Road and Arauco Duraflake Particleboard.

East: Interstate-5 and Union Pacific Railroad right-of-way.

West: Old Salem Road, Willamette Memorial Park, Weyerhaeuser Albany Distribution Center, Camco Manufacturing Inc., Pelletrox Truck Shop, vacant land owned by City of Millersburg, Gardner Trucking, Callisto Integration, and R.J. Reimers Co.,

### III. Property Boundary Adjustments

Per MDC 5.06.050, Decision Criteria, "Approval of a property boundary adjustment shall require compliance with the following criteria." The applicant has provided detailed findings of fact in response to these criteria below:

(1) *A property boundary adjustment cannot create or vacate a parcel. Creation or vacation of a parcel requires approval of a land division. (Added Response)*

The proposed property boundary adjustment does not create or vacate a parcel. Therefore, the proposed boundary adjustment satisfies with this criterion.

(2) *Following the adjustment, all lots or parcel must comply with the area and dimension standards of the applicable zone. For existing nonconforming lots or parcels, the adjustment shall not increase the degree of nonconformance of the subject property or surrounding properties. (Added Response)*

All subject properties are zoned General Industrial by the City of Millersburg and must comply with the area and dimension standards outlined in MDC 2.10.050.

Minimum Lot Size: The General Industrial zoning district does not have a set numerical minimum lot size. Instead, it requires a parcel contain enough area to meet setbacks and comply with other development requirements. As demonstrated by this section of the application narrative, the proposed boundary adjustment complies with required setbacks and development standards.

Minimum Setbacks: There are only two minimum setbacks applicable to these properties: yards adjacent to Old Salem Road and Conser Road. The proposed boundary adjustment does not cause structures on these properties to be situated closer to either roadway. Therefore, the proposed adjustment complies with this standard.

Maximum Lot Coverage: The maximum lot coverage in the General Industrial zoning district is 100 percent coverage. After the proposed boundary adjustment is completed, none of the subject

properties will have achieved 100 percent lot coverage. Therefore, the proposed adjustment complies with this standard.

*(3) If there are existing structures on the lots or parcels, the boundary adjustment shall not reduce required setbacks or place a boundary beneath a structure. (Added Response)*

The proposed property boundary adjustment does not reduce any required setbacks or place a boundary beneath a structure. Therefore, the proposed adjustment satisfies this criterion.

#### IV. Site Development Review Criteria

Because the subject property is zoned General Industrial by the City of Millersburg, development must comply with MDC 2.10.060(4): “All new development and expansion of an existing structure or use in the General Industrial Zone shall be subject to the site development review procedures of Chapter 5.05.” This section of the application narrative provides detailed findings of facts demonstrating compliance with the applicable Site Development Review criteria outlined in MDC 5.05.060.

*1. The proposed use is allowed in the zone and complies with the underlying zone development standards. (Revised Response)*

This proposal includes nine buildings and several different uses. Six buildings (five proposed and one existing) are intended to be industrial manufacturing operations, as described and permitted in MDC 2.10.020(1)(n). Another existing building, labeled as a storage building, has been included in this classification because it is used in conjunction with the existing on-site industrial buildings.

One existing building, an office, is operated by Pacific Excavation, a general contractor. Consequently, this office building is classified as a construction business, an approved use set forth by MDC 2.10.020(11).

Finally, the existing detached, single-family dwelling can continue to operate on this property as an existing nonconforming use under MDC 3.21.100(1).

MDC 2.10.050, GI Zone Dimensional Standards, details development standards applicable to construction including minimum lot area, minimum setbacks (all yards and yards adjacent to Conser Road), and maximum lot coverage.

Minimum Lot Area: The General Industrial zoning district does not prescribe a strictly defined minimum lot area. Instead, it requires a parcel contain enough area to meet setbacks and comply with other development requirements. As demonstrated by this application narrative, the proposed project complies with required setbacks and development standards.

All Yards (Minimum Setbacks): There are no required setbacks for all yards (zero-foot setback) in the General Industrial zoning district. The proposed development provides five-foot setbacks along the interior property lines. Therefore, this proposal complies with this standard.

Yards Adjacent to Conser Road (Minimum Setbacks): The subject property has frontage on Conser Road; consequently, the proposed development must comply with the required 30-foot front yard setback. At 33 feet from the north property line, the existing office building is the closest structure to Conser Road. All other buildings are setback further than the office. Therefore, this proposal complies with this standard.

Maximum Lot Coverage: Maximum lot coverage in the General Industrial zoning district is 100 percent coverage. After the proposed construction is completed, the entirety of the site will still not be covered by improvements. Therefore, this proposal complies with this standard.

As demonstrated by the applicant's response, the proposed and existing development are permitted in the General Industrial zoning district and complies with all applicable development standards of this zone. Therefore, the proposed development satisfies this criterion.

*2. The proposed use will not create negative impacts on the surrounding area resulting from traffic flow, noise, dust, glare, odor, potential incompatible adjacent uses such as parking lots, or other impacts identified in the public hearing process.*

As described in Section II of this application narrative, the surrounding properties are primarily industrial in nature. Existing and proposed uses of the subject property are permitted in the General Industrial zoning district, as such these uses have been determined to be compatible with other nearby industrial uses.

Traffic Flow: The subject property has two unimproved driveway accesses onto Conser Road. These are unmarked accesses and do not direct traffic in any particular direction. Although this proposal will not significantly increase the amount of traffic on Conser Road, it will improve existing circulation. Existing driveways will be improved to city standards and designate specific entrance and exit points. These improvements will more effectively direct traffic in and out of the proposed development to and from Conser Road.

Noise, Dust, Glare, and Odor: The existing and proposed buildings are not expected to generate significant levels of noise, dust, or glare. Because these are indoor operations, the ability to create noticeable levels of the above-mentioned impacts at the property line is incredibly limited. Additionally, mitigation will be provided through compliance with landscaping standards required by MDC Section 3.09 and the previously discussed setback standards. Unintentional dust production will be limited when travel aisles and parking areas are paved as proposed.

Potential Incompatible Adjacent Uses: The purpose of the General Industrial zoning district, as provide by MDC 2.10.010, is "*The General Industrial Zone is applied to area well suited for all types of industrial development that require excellent highway and rail access and are free from conflict with other non-compatible land uses*" (emphasis added). This proposal does not create negative impacts and complies with standards that traditionally mitigate for off-site impacts. Furthermore, it is the purpose of the applicable zone to permit more intensive uses in an area away from uses that could be considered incompatible. Therefore, the proposed development satisfies this criterion.

*3. The City may impose conditions of approval intended to mitigate potential impacts including but not limited to:*

While the applicant acknowledges the City of Millersburg's authority to impose conditions of approval intended to mitigate potential off-site impacts, the findings of fact provided in this application narrative demonstrate additional regulation is not necessary to prevent potential off-site impacts.

*3.a. Provisions for public utilities, including drainage and erosion control needs.*

Water: There is a 12-inch waterline located in Conser Road. This waterline already serves existing structures on this property and could serve the proposed development.

Sanitary Sewer: There is an eight-inch sanitary sewer line located in the subject property's frontage. This sanitary sewer line already serves existing structures on this property and could serve the proposed development.

Stormwater Drainage: Impervious surface will be constructed to direct stormwater into the proposed landscape islands, where it will be detained before leaving the project site. Final design details for stormwater facilities will be submitted and reviewed prior to construction of this project.

*3.b. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities.*

Conser Road is currently not improved to Linn County's standard for a local street; it lacks sidewalks along the subject property's frontage. The applicant is requesting to submit a waiver of non-remonstrance for participation in future street improvements, as permitted in MDC 3.02.030(13).

The proposed development ability to provide for internal circulation and parking facilities is addressed in Section IV of this application narrative. Findings and conclusions from the above-mentioned section are herein incorporated by reference. Therefore, the proposed development satisfies this criterion.

*3.c. Provisions for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering.*

As demonstrated by the attached plan sheet, the proposed development complies with the applicable landscaping standards in MDC Chapter 3.09. Compliance with these standards ensures the adequate buffering has been provided. Furthermore, the extent to the proposed development needs to provide buffering from non-compatible uses does not extend past the base requirements outlined in the MDC because it is surrounded by compatible uses. Therefore, the proposed development satisfies this criterion.

*3.d. Protections from any potential hazards.*

This proposal is not sited within a location identified as containing potential natural hazards. Additionally, the small-scale manufacturing buildings or existing uses are not anticipated to generate any potential hazards. Therefore, this criterion does not apply to the proposed development.

## **V. General Industrial Zone Development Standards**

As required by MDC 2.10.060, Development Standards, proposals in the General Industrial zoning district must comply with the specific standards outlined below. This section of the application narrative provides detailed findings of facts demonstrating compliance with these standards.

*(1) Off-Street Parking. Parking, Driveway, and loading improvements shall comply with provisions in Chapter 3.03.*

As required by MDC 3.03.060(1), the proposed development requires 54 parking stalls; the proposed development will construct 54 vehicle parking stalls and 3 bicycle parking stalls. All parking and travel aisles will be paved per MDC 3.03.080(1) and designed per 3.03.080(2)-(3). This proposal does not include buildings large enough to require loading areas. As demonstrated by the applicant's response, the proposed and existing development complies with all applicable development standards of this chapter.

*(2) Signs. Signs in the GI zone shall conform to the standards contained in Chapter 3.06.*

This proposal does not include the construction of signage. Therefore, the standards contained in Chapter 3.06 do not apply to the proposed development.

*(3) Yards and Lots. Yards and lots shall conform to provisions contained in Chapter 3.08.*

This proposal does not include front, side, or rear yard projections that would require compliance with MDC 3.08.030 through MDC 3.08.050. The remaining applicable standard in Chapter 3.08 governs Vision Clearance. Vision clearance triangles demonstrating compliance with these standards are shown on the attached plan sheet. Therefore, the proposed development complies with these standards when necessary.

*(4) Site Development Review. All new development and expansion of an existing structure or use in the General Industrial Zone shall be subject to the site development review procedures of Chapter 5.05.*

This application narrative, exhibits, and plans are for a Site Development Review intended to be processed under the review procedures of Chapter 5.05. Therefore, the proposed development complies with this standard.

*(5) Landscaping. Any required or established yard shall be landscaped with trees, shrubs, and groundcover and maintained pursuant to provisions in Chapter 3.09.*

As an industrial zone, all front and interior setbacks must be landscaped in accordance with Chapter 3.09. However, the proposed development only has one required setback: the front setback from Conser Road. Landscaping as described in MDC 3.09.030(1)(b)(i)-(iv) has been detailed on the attached plan sheet. Also applicable are the parking lot landscaping standards found later in this same chapter. An alternative plan as permitted in MDC 3.09.030(2)(c) has been designed to provide landscaping of at least five percent of the total parking area (please refer to the attached plan sheet for more information). Therefore, the proposed development complies with these standards.

*(6) Residential Screening. Property abutting an RL, RU, or RM zone shall be screened with a sight-obscuring fence not less than six feet in height. This requirement shall not include the front yard.*

The subject property is not adjacent to land zoned RL, RU, or RM. Therefore, this standard does not apply to the proposed development.

*(7) Environmental performance standards may limit placement of certain uses in the zone if the site is located within 300 feet of residential zoned land.*

The subject property is not located within 300 feet of residential zoned land. Therefore, this standard does not apply to the proposed development.

## **VI. Conclusion**

This application narrative and accompanying plan set demonstrate that all applicable provisions of the City of Millersburg Development Code are satisfied. We respectfully request approval of this Site Development Review application.