



# TUALATIN CITY COUNCIL

Monday, February 13, 2017

**JUANITA POHL CENTER**

**8513 SW Tualatin Road**

**Tualatin, OR 97062**

**WORK SESSION** begins at 5:00 p.m.  
**BUSINESS MEETING** begins at 7:00 p.m.

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**Mayor Lou Ogden**

**Council President Joelle Davis**

**Councilor Robert Kellogg**

**Councilor Paul Morrison**

**Councilor Jeff DeHaan**

**Councilor Frank Bubenik**

**Councilor Nancy Grimes**

**Welcome!** By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings), the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at [www.tvctv.org](http://www.tvctv.org). Council meetings can also be viewed by live *streaming video* on the day of the meeting at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings).

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

## PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

## PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
  - a) In support of the application
  - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

## TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

## EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



## OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR FEBRUARY 13, 2017

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### A. CALL TO ORDER

Pledge of Allegiance

### B. ANNOUNCEMENTS

1. Update on the Tualatin Youth Advisory Council's Activities for February
2. New Employee Introduction- Stacy Ruthrauff, Human Resource Director

### C. CITIZEN COMMENTS

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

### D. CONSENT AGENDA

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of January 23, 2017
2. Consideration of Recommendations from the Council Committee on Advisory Appointments
3. Consideration of Resolution No. 5309-17 granting a Conditional Use Permit to Calmax Technology to allow a machine shop of 7,500 gross square feet or larger in the Light Manufacturing Planning District for property located at 10850 SW Leveton Drive (Tax Map 2S1 22AD, Tax Lot 00400) (CUP-16-0001).

### E. ITEMS REMOVED FROM CONSENT AGENDA

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

### F. COMMUNICATIONS FROM COUNCILORS

### G. ADJOURNMENT



**City Council Meeting**

**Meeting Date:** 02/13/2017

**ANNOUNCEMENTS:** Tualatin Youth Advisory Council  
Update

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**ANNOUNCEMENTS**

Update on the Tualatin Youth Advisory Council's Activities for February

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A. YAC Update

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February 13, 2017

# *Tualatin Youth Advisory Council*

*Youth Participating in Governance*

# *National League of Cities*

## **Congressional City Conference**

- March 11-15
- 5 YAC members attending
- Civic engagement, leadership development, networking
- Thank you to Republic Services, PGE, and Comcast

**NLC** NATIONAL  
LEAGUE  
OF CITIES  
CITIES STRONG TOGETHER

**Congressional City  
Conference**

MARCH 11-15, 2017 WASHINGTON, DC

# Project FRIENDS

- Day-long anti-bullying workshop for 5<sup>th</sup> grade students
- Curriculum researched and designed by YAC members
- Scheduled for May 19, 2017





# *Other Activities*

- ◎ Park After Dark – January 20<sup>th</sup>, hosted a fondue and karaoke night, 25 youth attended
- ◎ Next event scheduled for March 17 – scary movie night!
- ◎ Summer kick-off program with Teen Library Committee



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 02/13/2017

**SUBJECT:** Consideration of Approval of the Minutes for the Work Session and Regular Meeting of January 23, 2017

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### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of January 23, 2017 .

### **RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** [City Council Work Session Minutes for January 23, 2017](#)  
[City Council Meeting Minutes for January 23, 2017](#)



Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Absent: Councilor Nancy Grimes

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele;  
Present: Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris

## CALL TO ORDER

Mayor Ogden called the meeting to order at 6:18 p.m.

### 1. ***Land Use Hearings – a Briefing.***

City Attorney Sean Brady presented an informational briefing about land use hearings. He covered topics including each type of hearing and process, appeals, ex-parte contacts and communications, bias, and conflicts of interest.

### 2. ***Council Meeting Agenda Review, Communications & Roundtable.***

Councilor Bubenik announced the Washington County Policy Advisory Board will be reviewing grant applications on Thursday with final funding decision being made on Saturday.

## ADJOURNMENT

The work session adjourned at 7:00 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 23, 2017

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Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis;  
Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Absent: Councilor Nancy Grimes

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele;  
Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris;  
Associate Planner Charles Benson; Public Works Director Jerry Postema

### A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:02 p.m.

### B. ANNOUNCEMENTS

#### 1. New Employee Introduction- James Moore, Utility Technician 1

Public Works Director Jerry Postema introduced Utility Technician James Moore. The Council welcomed him.

### C. CITIZEN COMMENTS

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Tualatin Chamber Director Linda Moholt invited Council to a meet and greet to be held prior to the State of the City.

Representative Len Schaber of the Stafford Hamlet provided the Council with a brief history on the Stafford Hamlet Compromise. City Manager Lombos stated the County Board of Commissioners has been working with Metro on the remand of the area. She noted staff will be working with the County on the project. Updates will be provided soon.

### D. CONSENT AGENDA

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire*

*Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Joelle Davis, SECONDED by Councilor Frank Bubenik to adopt the consent agenda.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Frank Bubenik, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Nancy Grimes (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of January 9, 2017
2. Notice and File with the City Council the 2016 Tualatin Development Commission Annual Financial Report
3. Consideration of **Resolution No. 5308-17** Making Council Appointments to the Architectural Review Board and Core Area Parking District Board.

**E. PUBLIC HEARINGS – Quasi-Judicial**

1. Consideration of a Conditional Use Permit for Calmax Technology to Allow a Machine Shop of 7,500 Gross Square Feet or Larger in the Light Manufacturing (ML) Planning District at 10850 SW Leveton Drive (Tax Map 2S1 22AD, Tax Lot 00400) (CUP-16-0001)

Mayor Ogden opened the public hearing for consideration of a conditional use permit (CUP) for Calmax Technology to allow a machine shop of 7,500 gross square feet or larger in the Light Manufacturing (ML) Planning District at 10850 SW Leveton Drive. He read the rules of the hearing in accordance with ORS 197.765(5) and (6) and ORS 197.79(3)(b).

Planning Manager Aquilla Hurd-Ravich and Associate Planner Charles Benson presented an application for conditional use permit for Calmax Technology. The staff report and attachments were entered into the record. Planner Benson stated the applicant is proposing to reuse an existing building in the light manufacturing park. The need for the CUP was triggered because the proposed machine area is greater than the 7,500 square feet. Planner Benson reviewed the CUP approval criteria and covered staff recommendations. Standard conditions of approval were recapped. Planner Benson stated based on staff analysis and findings the proposed application met the CUP criteria and recommended approval with the identified conditions in the staff report.

Director of Operations for Calmax Technologies Ethan Pond and their Legal Council Zoe Powers thanked staff for all their hard work. They made themselves available to answer questions.

PUBLIC COMMENT

None.

#### COUNCIL QUESTIONS

Councilor Bubenik asked about the hours of operations. Mr. Pond stated the facility is currently a daytime operation with the hope of adding a swing shift in the future.

Councilor Morrison asked about the inability to meet parking criteria when the prior tenant was able to. Manager Hurd-Ravich stated parking is based on facility use so the previous tenant had a lower requirement.

#### COUNCIL DELIBERATIONS

None.

MOTION by Councilor Jeff DeHaan, SECONDED by Councilor Paul Morrison to approve the conditional use permit for Calmax Technology and direct staff to prepare a resolution granting Conditional Use Permit (CUP) 16-0001 with recommended conditions.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Nancy Grimes (Absent)

MOTION CARRIED

#### **F. COMMUNICATIONS FROM COUNCILORS**

Councilor Bubenik complimented the Operations crew on their outstanding work during the last snow storm.

#### **G. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 7:36 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 02/13/2017

**SUBJECT:** Consideration of Recommendations from the Council Committee on Advisory Appointments

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### ISSUE BEFORE THE COUNCIL:

Consideration of appointments to the Budget Committee.

### RECOMMENDATION:

Staff recommends the City Council approve the recommendations from the Council Committee on Advisory Appointments (CCAA).

### EXECUTIVE SUMMARY:

The CCAA met and interviewed citizens interested in participating on City advisory committees. The Committee recommends appointing the following individuals:

<b>Individuals</b>	<b>Board</b>	<b>Term</b>
Taylor Sarman	Budget Committee	New Appointment Term Expiring 12/31/19
Brittany Valli	Budget Committee	New Appointment Term Expiring 12/31/19
Terri Ward	Budget Committee	Re-appointment Term Expiring 12/31/19
Rebekah Morse	Budget Committee	New Appointment Term Expiring 12/31/19

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### Attachments:



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Sean Brady, City Attorney

**DATE:** 02/13/2017

**SUBJECT:** Consideration of Resolution No. 5309-17 granting a Conditional Use Permit to Calmax Technology to allow a machine shop of 7,500 gross square feet or larger in the Light Manufacturing Planning District for property located at 10850 SW Leveton Drive (Tax Map 2S1 22AD, Tax Lot 00400) (CUP-16-0001).

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### **ISSUE BEFORE THE COUNCIL:**

Consideration of Resolution No. 5309-17 granting a Conditional Use Permit to Calmax Technology to allow a machine shop of 7,500 gross square feet or larger in the Light Manufacturing Planning District for property located at 10850 SW Leveton Drive (Tax Map 2S1 22AD, Tax Lot 00400) (CUP-16-0001).

### **RECOMMENDATION:**

Staff recommends Council adopt Resolution No. 5309-17.

### **EXECUTIVE SUMMARY:**

Resolution No. 5309-17 grants a Conditional Use Permit (CUP-16-0001), with conditions, to Calmax Technology to allow a machine shop of 7,500 gross square feet or larger in the Light Manufacturing Planning District for property located at 10850 SW Leveton Drive (Tax Map 2S1 22AD, Tax Lot 00400).

On January 23, 2017, Council held a quasi-judicial public hearing to consider approval of a Conditional Use Permit application filed by Calmax Technology (CUP-16-0001). At the public hearing, Council heard and considered the testimony and evidence presented on behalf of the Applicant, City staff, and those appearing at the public hearing. After hearing the testimony and argument, Council closed the public hearing, deliberated, and voted to grant the Conditional Use Permit with conditions. No procedural or other objections were voiced by any party.

The Findings and Conclusions in support of the decision are contained in Exhibit A to Resolution No. 5309-17. The Application filed by Calmax Technology is attached as Exhibit B to Resolution No. 5309-17.





RESOLUTION NO. 5309-17

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO CALMAX TECHNOLOGY TO ALLOW A MACHINE SHOP OF 7,500 GROSS SQUARE FEET OR LARGER IN THE LIGHT MANUFACTURING PLANNING DISTRICT FOR PROPERTY LOCATED AT 10850 SW LEVETON DRIVE (TAX MAP 2S1 22AD, TAX LOT 00400) (CUP-16-0001).

WHEREAS, Calmax Technology submitted an application to the City for a Conditional Use Permit, for property located at 10850 SW Leveton Drive, Tualatin, Oregon, 98062 (Tax Map 2S1 22AD, Tax Lot 00400); and

WHEREAS, the Council held a quasi-judicial public hearing on January 23, 2017 to consider the application; and

WHEREAS, notice of public hearing was given as required by the Tualatin Development Code; and

WHEREAS, the Council heard and considered the testimony and evidence presented on behalf of the applicant, City staff, and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing the Council voted to approve the application with conditions;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

**Section 1. Findings.** The Council adopts the findings which are attached as Exhibit A, and incorporated by reference.

**Section 2. Conditions.** The Conditional Use Permit (CUP-16-0001) for Calmax Technology, which is attached as Exhibit B and incorporated by reference, is approved with the following conditions:

A. The approval of Conditional Use Permit 16-0001 does not approve any site redevelopment or exterior building modifications, and the applicant shall obtain approval from the City for any site or exterior modifications, pursuant to TDC 73.040(1) and TDC 73.100(1) and (2).

B. To meet parking standards in TDC Chapter 73 Community Design Standards, and to ensure Calmax is continuing to provide sufficient off-street parking, Calmax or subsequent operator will, on or before the two-year anniversary date of the effective date of CUP-16-0001, provide the City with reasonable evidence that it has either provided on- or off-site parking sufficient to meet the operational needs in continuing conformance with TDC 73.370(1)(a) allowing a lesser

number of parking spaces.

C. If operational characteristics within two (2) years of the effective date of CUP-16-0001 change and the operator can no longer provide such evidence as to conformance with TDC 73.370(1)(a) allowing a lesser number of parking spaces (e.g., number of employees has increased by more than 30 per shift), Calmax or subsequent operator shall submit one of the two following options: Option A, a Joint Use Parking Agreement that conforms to Section 73.370(1)(m), or Option B, a survey of on-site parking showing the minimum number of spaces in conformance with Section 73.370(2)(a) and that also conforms to all parking standards in Chapter 73.

D. The applicant shall operate the use consistent with all application materials submitted to the City dated October 18, 2016.

E. The applicant shall comply with the noise standards in TDC 60.085.

F. The applicant shall—separately from the CUP—submit any sign permit applications pursuant to and in compliance with TDC Chapter 38.

G. The approval period shall be pursuant to TDC 32.090 Automatic Termination of Conditional Use as reproduced:

- (1) Unless otherwise provided by the Council in the resolution granting approval of the conditional use permit, a conditional use permit shall automatically become null and void two years after the effective date upon which it was granted unless one of the following events occur:
  - (a) The applicant or his successor in interest has secured a building permit within said two-year period, if a building permit is required, and has actually commenced construction of the building or structure authorized by the permit within said two-year period.
  - (b) The applicant or his successor in interest has commenced the activity or installation of the facility or structure authorized by the conditional use permit within said two-year period.
- (2) The applicant may submit a written request to the City Council for an extension of time on the conditional use permit to avoid the permit's becoming null and void. The request for extension must be submitted prior to the expiration of the times established by Subsection (1) above. The City Council may, in the resolution granting such conditional use permit, provide for an extension of time beyond 1 year.

H. The applicant shall comply with all applicable TDC policies and regulations.

**Section 3.** This resolution is effective upon adoption.

INTRODUCED AND ADOPTED by the City Council this 13<sup>th</sup> day of February, 2017.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

BY \_\_\_\_\_  
City Attorney

ATTEST:

BY \_\_\_\_\_  
City Recorder

**CALMAX TECHNOLOGY DEVELOPMENT PROJECT**  
**CONDITIONAL USE PERMIT APPLICATION (CUP-16-0001)**

**ANALYSIS AND FINDINGS**

The issue before the City Council is consideration of a conditional use permit for Calmax Technology, Inc., to allow a machine shop of 7,500 gross square feet or larger.

In order to grant the proposed Conditional Use Permit, the request must meet the approval criteria of Tualatin Development Code (TDC) Section 32.030. The applicant prepared a narrative that addresses the criteria, which is within the application materials (Attachment B), and staff has reviewed this and other application materials and included pertinent excerpts below.

*The following materials and descriptions are based largely on the applicant's narrative; staff has made some minor edits. Staff comments, findings, and conditions of approval are in italic font.*

**(1) The use is listed as a conditional use in the underlying planning district.**

**Applicant Response:** The subject property, Tax Lot 2S1 22AD 00400, is located in the Light Manufacturing (ML) Planning District. Yes. A “machine shop, including automobile machine shop, of 7,500 gross square feet or larger” is a conditional use in the ML Planning District pursuant to TDC 60.040(1)(g).

*Staff finds that Criterion 1 is met.*

**(2) The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements, and natural features.**

**Applicant Response:**

Size: The minimum lot size within a ML Planning District is 20,000 SF, or approximately .046 acres (per TDC 60.060). The subject property is approximately 1.69 acres and Calmax is not proposing any changes to the site plan.

The site size is suitable for the proposed use.

Shape: The subject property is rectangular, is already developed, and Calmax is not proposing any changes to the site plan.

The lot shape is suitable for the proposed use.

Location: The subject property is located within a ML Planning District with access via two existing driveways onto SW Leveton Street.

The location is suitable for the proposed use.

Topography: The property is flat.

*Staff finds that the topography is suitable for the proposed use.*

Improvements: The property has been developed and includes off-street parking and loading, lighting, landscaping, frontage improvements, utility improvements and access to SW Leveton Street. There are two existing driveways onto SW Leveton Street, each approximately 30 feet wide. The site provides four loading spaces, one on the north side of the building and three on the west side of the building. There are 35 existing parking spaces, including two handicap parking spaces. There are also four loading docks.

*Staff finds that generally the on-site improvements are suitable for the proposed use but will discuss parking requirements under Criterion 3.*

Natural Features: Because the site is already developed, no natural features remain. On-site landscaping includes buffers along the north and west property lines and islands within the parking lot area.

*Staff finds that—with the exception of on-site landscaping—there are no natural features on the subject site and the proposed use will not affect natural features.*

As noted, no changes to the building exterior or site, including the existing parking and loading areas, are proposed with this application. In particular, Calmax does not propose to change the building exterior or site development such that Architectural Review (AR) would be required pursuant to TDC 73.040. Calmax may elect to complete minor repairs or restriping of existing parking and loading areas but does not plan to alter the lot to add or remove any parking or loading spaces.

*Staff finds that the following condition of approval is required to meet Criterion 2:*

*Condition of Approval No. 1: The approval of Conditional Use Permit 16-0001 does not approve any site redevelopment or exterior building modifications, and the applicant shall obtain approval from the City for any site or exterior modifications, pursuant to TDC 73.040(1) and TDC 73.100(1) and (2).*

**(3) The proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use.**

**Applicant Response:**

**Transportation Systems**

Primary access to the site will continue to be provided by two 30-foot-wide driveways onto SW Leveton Drive, an established minor arterial providing direct connections to (State Highway) 99W via SW 124th Avenue and SW Tualatin/Sherwood Road and SW Herman Road via SW 108th Avenue and SW Teton Avenue. As provided in the traffic study included as Appendix H in Attachment B, "Application Materials," the proposed conditional use is anticipated to generate fewer daily trips (127 fewer) and fewer peak hour trips (7 fewer AM peak hour and 9 fewer PM peak hour trips) than the existing permitted use and will therefore not result in traffic impacts during peak hours on the adjacent street network.

**Off-Street Parking**

Based on Tualatin Development Code (TDC) off-street parking provisions in TDC 73.370(2), the existing building on the project site housing manufacturing uses would require 56 parking spaces, much greater than the existing 35 off-street parking spaces, signifying a potential parking shortfall. However, the operational characteristics of the proposed use would make an alternative parking ratio allowing retention of the existing 35 parking spaces appropriate in this case. Calmax's near term operations will

require less than 30 people on site per shift, making the existing 35 parking spaces sufficient to provide off-street parking for all of Calmax's needs; Calmax will reserve two (2) on-site spaces for vanpool/carpool parking to comply with TDC standards. Calmax also proposes to add four (4) covered bike parking spaces to the property, which currently does not have any bike parking, to meet the needs of employees biking to work. If Calmax increases the number of people it employs in Tualatin in the future, which would require additional parking, Calmax would have the option to add parking through a modification of existing on-site parking or providing additional parking off-site, either through shared parking or a joint use agreement with a neighboring property owner with excess parking capacity.

In order to ensure that Calmax is continuing to provide sufficient off-street parking, Calmax will, on or before the two year anniversary of the effective date of the Conditional Use Permit, provide City staff with reasonable evidence that it has, either on or off site, provided parking sufficient to meet its operational needs. Such evidence may include, but is not limited to: a parking study with employment numbers showing that the operational characteristics of the use have not materially changed (in particular, above 30 employees per shift); a survey of on-site parking showing at least 56 spaces; or evidence of agreements with neighboring landowners providing sufficient parking off-site to total at least 56 spaces when considered with on-site parking. If Calmax provides City staff with such reasonable evidence of sufficient off-street parking, a new land use review application for modification of the conditional use approval will not be required.

#### Public Facilities and Services

Public sewer, water, and storm connections currently exist and are adequate to serve the property and the proposed use.

*Staff finds that the Tualatin Development provides some flexibility regarding parking requirement standards in the Conditional Use Permit and Architectural Review processes; TDC 73.370(1)(a) states the following:*

*“At the time of establishment of a new structure or use, or change in use, or change in use of an existing structure, within any planning district of the City, off-street parking spaces, off-street vanpool and carpool parking spaces for commercial, institutional and industrial uses, off-street bicycle parking, and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the **conditional use permit** or the Architectural Review process, based upon clear findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare or **that a lesser number of vehicle parking spaces will be sufficient to carry out the objectives of this section.**”*

*As noted above, there are an existing 35 off-street parking spaces on the subject site, and Calmax reports that its near term operations will require less than 30 people on site per shift. In a conservative scenario where all employees drive to work—discounting any instances of carpooling, bicycling, or other non-vehicular means of arriving to work—the existing on-site parking is sufficient to accommodate Calmax parking demand in the near term. Staff notes that Calmax will reserve two (2) on-site spaces for vanpool/carpool parking and will also provide four (4) interior bicycle parking spaces for its employees, with the potential for further lessening parking demand.*

Exhibit A to  
Resolution No. 5309-17

Staff finds that minimum off-street parking provisions are included in TDC 73.730(2)(a); the uses applicable to the proposed development are summarized in this table:

Use	Minimum Motor Vehicle Parking Requirements	Maximum Motor Vehicle Parking Requirements	Bicycle Parking Requirements	Percentage of Bicycle Parking to be Covered
<u>Industrial</u>				
(i) Manufacturing	1.60 spaces per 1,000 gross sq. ft.	None	2, or 0.10 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater
(ii) Warehousing	0.30 spaces per 1,000 gross sq. ft.	<u>Zone A:</u> 0.4 spaces per 1,000 gross sq. ft. <u>Zone B:</u> 0.5 spaces per 1,000 gross sq. ft.	2, or 0.10 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater
(ii) Wholesale Establishment	3.00 spaces per 1,000 gross sq. ft.	None	2, or 0.50 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater

Based on 29,550 square feet of manufacturing use and 5,250 square feet of warehousing use (the material stocking area and shipping/receiving areas) in existing on-site building, the proposed development will require a total of 49 off-street parking spaces to meet the minimum TDC requirements. As such, the proposed use will require an additional 14 spaces to comply with TDC off-street parking standards pursuant to TDC 73.370(2)(a).

Staff finds that the following conditions of approval are required to meet Criterion 3:

Condition of Approval No. 2: To meet parking standards in TDC Chapter 73 Community Design Standards, and to ensure Calmax is continuing to provide sufficient off-street parking, Calmax or subsequent operator will, on or before the two-year anniversary date of the effective date of CUP-16-0001, provide the City with reasonable evidence that it has either provided on- or off-site parking sufficient to meet the operational needs in continuing conformance with TDC 73.370(1)(a) allowing a lesser number of parking spaces.

Condition of Approval No. 3: If operational characteristics within two (2) years of the effective date of CUP-16-0001 change and the operator can no longer provide such evidence as to conformance with TDC 73.370(1)(a) allowing a lesser number of parking spaces (e.g., number of employees has increased by more than 30 per shift), Calmax or subsequent operator shall submit one of the two following options: Option A, a Joint Use Parking Agreement that conforms to Section 73.370(1)(m), or Option B, a survey of on-site parking showing the minimum number of spaces in conformance with Section 73.370(2)(a) and that also conforms to all parking standards in Chapter 73.



- (4) The proposed use will not alter the character of the surrounding area in any manner, which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying Planning District.**

**Applicant Response:** The property sits on the boundary between the Light Manufacturing (ML) planning district (to the south and east) and properties for more intense industrial uses in the Manufacturing Park (MP) planning district (to the north and west). There are no residential areas adjoining the subject property. Surrounding land uses by cardinal direction and planning district are:

North: Manufacturing Park (MP) Planning District  
Lam Research Corporation (electronics manufacturer) campus at 11155 SW Leveton Drive (across SW Leveton Drive)

East: Light Manufacturing (ML) Planning District  
Ascentec Engineering (machine shop and tooling company) at 18500 SW 108th Avenue (across SW 108th Avenue); D.O.T. Inc. outdoor vehicle storage facility at 18520 SW 108th Avenue (across SW 108th Avenue); City of Tualatin Operations Department, public works yard at 10699 SW Herman Road (across SW 108th Avenue)

South: Light Manufacturing (ML) Planning District  
Northwest Metal Fab & Pipe Inc. outdoor equipment yard at 18805 SW 108th Avenue (vehicle storage and junkyard area)

West: Manufacturing Park (MP) Planning District  
Fujimi Corporation (manufacturing related to semiconductor industry) at 11200 SW Leveton Drive

There are a number of high-tech manufacturing uses already operating in the area, including Fujimi, Ascentec, and Lam Research. And notably, Ascentec Engineering, which conducts similar machine shop type work Calmax proposes, operates in the same ML planning district. As such, the proposed use will continue to build the character of this area as a high-tech manufacturing hub for Tualatin.

*Staff finds that Criterion 4 is met.*

- (5) The proposal will satisfy those objectives and policies of the Tualatin Community Plan which apply to the proposed use.**

**Applicant Response:** The objectives of the Tualatin Community Plan, provided in TDC 7.030, include the encouragement of new industrial development and providing increased local employment opportunity. Calmax is a new employer in Oregon, and, while the proposal is for the conversion of an existing building, the space will be upgraded to a higher level of industrial development. Calmax will increase local employment by employing two shifts of around 30 employees each.

The ML planning district, in particular, is addressed in TDC 7.040(2) of the Tualatin Community Plan. The purpose of the ML planning district “is to provide sites for manufacturing uses that are more compatible with adjacent commercial and residential uses and would serve to buffer heavy manufacturing uses.” In accordance with that section, Calmax’s proposed use is a non-hazardous manufacturing process that does not create undue amounts of noise, dust, odor, vibration, or smoke. Calmax’s processes are clean and very self-contained, which will buffer heavier manufacturing uses in the adjacent MP planning district.

Finally, the adjacent MP planning district also provides opportunities for industrial development, with a focus on high-tech uses. Similarly, Calmax’s Computer Numerical Control (CNC) machining and

integrated clean room assembly business supplies a variety of high-tech products for the semiconductor, aerospace, solar, and medical industries. The proposed use is consistent with plan policies.

*Staff finds that the applicable Tualatin Community Plan policies and TDC regulations that apply to the proposed conditional use in the ML Planning District include:*

- 1. Section 7.040 Manufacturing Planning District Objectives, Subsection (2) Light Manufacturing Planning District (ML);*
- 2. Section 32.030 Criteria for Review of Conditional Uses; and*
- 3. Section 60.010 Purpose (Light Manufacturing Planning District [ML]).*

*Section 7.040 Manufacturing Planning District Objectives, Subsection (2) Light Manufacturing Planning District (ML)*

*Section 7.040 Manufacturing Planning District Objectives, Subsection (2) Light Manufacturing Planning District (ML) states that this planning district is “suitable for warehousing, wholesaling and light manufacturing processes that are not hazardous and that do not create undue amounts of noise, dust, odor, vibration, or smoke.”*

*The Calmax Technology Development project includes converting an existing industrial building formerly used by a stone fabricator into a high-tech manufacturing use for the assembly of a variety of products for semi-conductor, aerospace, solar, and medical industries. All manufacturing activities are internal and the proposed use is a non-hazardous manufacturing process that does not create undue amounts of noise, dust, odor, vibration, or smoke. The proposed use meets this standard.*

*Section 32.030 Criteria for Review of Conditional Uses*

*Section 32.030 Criteria for Review of Conditional Uses states that the “City Council may allow a conditional use, after a hearing conducted pursuant to TDC 32.070, provided that the applicant provides evidence substantiating that all the requirements of this Code relative to the proposed use are satisfied.” The Analysis and Findings included in this attachment (Attachment C) address the five (5) identified criteria listed in Section 32.030 to aid in the City Council decision on whether or not a proposed conditional use meets applicable TDC requirements.*

*Section 60.010 Purpose (Light Manufacturing Planning District [ML])*

*Section 60.010 Purpose states that the “purpose of this district is to provide areas of the City that are suitable for industrial uses and compatible with adjacent commercial and residential uses” and that this “district serves to buffer heavy manufacturing uses from commercial and residential areas.”*

*The proposed conditional use permit will allow the conversion of the existing manufacturing building that is currently being used for fabrication of natural stone products to a machining and assembly facility for Calmax Technology Inc. The proposed uses in the converted building will include: a Computer Numerical Control (CNC) machining area; assembly and quality control areas, office and administrative space, material stocking and storage areas (internal), and shipping/receiving area. The conditional use permit is required for the approximately 21,000-square-foot CNC machining component of this project as ML planning districts only allow 7,500 square feet of this use without a conditional permit. All proposed uses are clean and self-contained, which will buffer heavier manufacturing uses in the adjacent MP planning district, and are consistent with adjacent uses in both the ML and MP planning districts. The proposed use meets this standard.*

*Staff finds that the following conditions of approval are required to meet Criterion 5:*

*Condition of Approval No. 4:* *The applicant shall operate the use consistent with all application materials submitted to the City dated October 18, 2016.*

*Condition of Approval No. 5:* *The applicant shall comply with the noise standards in TDC 60.085.*

*Condition of Approval No. 6:* *The applicant shall—separately from the CUP—submit any sign permit applications pursuant to and in compliance with TDC Chapter 38.*

*Condition of Approval No. 7:* *The approval period shall be pursuant to TDC 32.090 Automatic Termination of Conditional Use as reproduced:*

- (1) Unless otherwise provided by the Council in the resolution granting approval of the conditional use permit, a conditional use permit shall automatically become null and void two years after the effective date upon which it was granted unless one of the following events occur:
  - (a) The applicant or his successor in interest has secured a building permit within said two-year period, if a building permit is required, and has actually commenced construction of the building or structure authorized by the permit within said two-year period.*
  - (b) The applicant or his successor in interest has commenced the activity or installation of the facility or structure authorized by the conditional use permit within said two-year period.**
- (2) The applicant may submit a written request to the City Council for an extension of time on the conditional use permit to avoid the permit's becoming null and void. The request for extension must be submitted prior to the expiration of the times established by Subsection (1) above. The City Council may, in the resolution granting such conditional use permit, provide for an extension of time beyond 1 year.*

*Condition of Approval No. 8:* *The applicant shall comply with all applicable TDC policies and regulations.*

## **SUMMARY OF ANALYSIS AND FINDINGS**

Based on the application materials, conditions of approval, and the analysis and findings presented above, staff finds that CUP-16-0001 meets all criteria of TDC 32.030 "Criteria for Review of Conditional Uses."

**CONDITIONAL USE APPLICATION  
FOR CALMAX TECHNOLOGY DEVELOPMENT PROJECT  
LOCATED AT 10850 SW LEVETON DRIVE, TUALATIN, OREGON 97062  
October 18, 2016**



We are pleased to present you with this conditional use application for 10850 SW Leveton Drive, Tualatin, OR 97062. Please find enclosed the following information, as requested by the City of Tualatin Conditional Use Application Instructions:

Written Narrative Addressing Approval Criteria	Appendix A
Application Form	Appendix B
Information on Neighborhood/Developer Meetings	Appendix C
Assessor's Maps Showing Subject Property and Properties Within 1,000 Feet	Appendix D
Names and Addresses of Property Owners Within 1,000 Feet of Subject Property	Appendix E
Legal Description	Appendix F
Site Plan	Appendix G
Traffic Study	Appendix H
Affidavit of Sign Posting	Appendix I
Proof of Ownership for Recent Acquisition	Appendix J

APPENDIX A  
*Written Narrative Addressing Approval Criteria*

**I. Background**

Calmax Technology, Inc., a California corporation (“**Calmax**”) is a precision machining and contract manufacturing firm headquartered in Santa Clara, CA. Calmax has acquired<sup>1</sup> a site in Tualatin at 10850 SW Leveton Drive that it seeks to develop as a contract manufacturing and integrated clean room assembly of a variety of products for semi-conductor, aerospace, solar, and medical industries. The existing site is currently developed with an existing 34,600 square foot (“**SF**”) building and is being used for fabrication of natural stone products by the tenant, 3CM Stone. The site is zoned Light Industrial (“**ML**”).

Calmax proposes a contract manufacturing use and supporting accessory uses through an internal conversation of the existing 34,600 SF building:

- 60% Computer Numerical Control (CNC) Machining Area (21,000 SF)
- 13% Office & Administrative Areas (4,664 SF)
- 5% Clean Room Assembly Area (1,750 SF)
- 3% Non-Clean Room Assembly Area (1,050 SF)
- 5% Quality Control Lab Area (1,750 SF)
- 10% Material Stocking Area (3,500 SF)
- 5% Shipping & Receiving Area (1,750 SF)

Calmax met with City staff at a scoping meeting held July 20, 2016, and a pre-application conference held September 19, 2016, to discuss the proposed use, potential site improvements, and review procedures. Staff stated that the proposed use would be classified as a “machine shop” use under the zoning code. TDC 60.040(1)(g) lists machine shops larger than 7,500 SF as a conditional use in the ML zone. Therefore, Calmax is now applying for a conditional use permit (“**CUP**”) as indicated by staff.

**II. Application Questions**

- a) Is your proposed use listed as a conditional use in the Planning District where your site is located?**

Yes. A machine shop over 7,500 SF is a conditional use in the Light Industrial (ML) zone per TDC 60.040(1)(g).

<sup>1</sup> City staff indicated in the pre-application meeting that it would be helpful to provide evidence of ownership for the recent acquisition. As such, the deed transferring ownership is provided in Appendix J. As indicated on the deed, the property is owned through a special purpose entity named “10850 SW Leveton LLC.” 10850 SW Leveton LLC then leases the entirety of the property to Calmax. Documentation of that lease can be provided as needed.

**b) Are the characteristics of the site suitable for the proposed use, considering size, shape, location, topography, existence of improvements, and natural features?**

Yes. In fact, Calmax is not proposing any changes to the site plan in order to convert the existing building to the machine shop use. The features of the property already meet the needs of the proposed use:

**Size:** The minimum lot size within a ML Planning District is 20,000 SF, or approximately .046 acres. TDC 60.060. The subject property is approximately 1.69 acres and Calmax is not proposing any changes to the site plan. Therefore, the site size is suitable for the proposed use.

**Shape:** The subject property is rectangular, is already developed, and Calmax is not proposing any changes to the site plan. The lot shape is suitable for the proposed use.

**Location:** The subject property is located within a ML Planning District with access via two existing driveways onto SW Leveton Street. The location is suitable for the proposed use.

**Topography:** The property is flat.

**Improvements:** The property has been developed and includes off-street parking and loading, lighting, landscaping, frontage improvements, utility improvements and access to SW Leveton Street. There are two existing driveways onto SW Leveton Street, each approximately 30 feet wide. The site provides four loading spaces, one on the north side of the building and three on the west side of the building. There are 29 parking spaces provided, including two handicap parking spaces. There are also four loading docks.

**Natural Features:** Because the site is already developed, no natural features remain. Onsite landscaping includes buffers along the north and west property lines and islands within the parking lot area.

As noted, no changes to the building exterior or site, including the existing parking and loading areas, are proposed with this application. In particular, Calmax does not propose to change the building exterior or site development such that Architectural Review would be required pursuant to TDC 73.040. Calmax may elect to complete minor repairs or restriping of existing parking and loading areas but does not plan to alter the lot to add or remove any parking or loading spaces.

The property is suitable for the proposed use.

**c) Is the proposed development timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use?**

Public sewer, water, and storm connections currently exist and are adequate to serve the property and the proposed use. The property is adjacent to, and takes access from, two existing driveways onto SW Leveton Street, each approximately 30 feet wide.

The proposed conditional use is anticipated to generate fewer daily trips (127 fewer) and fewer peak hour trips (7 fewer AM peak hour and 9 fewer PM peak hour trips) than the existing permitted use. As provided in Appendix H, Mackenzie has prepared a trip generation letter to document the anticipated trips associated with the proposed conditional use relative to the 'worst-case' trip generation anticipated for allowed uses in the ML zone. City staff confirmed at the pre-application conference that, based on the significant reductions in trips generated, a full traffic impact study is not required as part of this application.

As also discussed in the scoping and pre-application meetings, Calmax is requesting that the City approve an alternative parking standard based on operational characteristics instead of current code compliance. Calmax asks that this request be reviewed in conjunction with the CUP application. The development code standard for manufacturing uses is 1.6 spaces per 1,000 SF of manufacturing space, which would total approximately 56 parking spaces for the 34,600 SF building. The property as developed has 29 existing parking spaces. However, City staff indicated that alternative parking ratios could be approved through the CUP process that are more tailored to the needs of the development, such as by tying the number of spaces to the number of employees.

In the near term, Calmax proposes to retain the existing 29 parking spaces and to self-limit to 30 employees on site per shift. Calmax also proposes to add four bike parking spaces to the property, which currently does not have any bike parking, to meet the needs of employees biking to work. At Calmax's facility in Santa Clara, on average, only 78% of employees drive to work, while 18% use public transportation and 4% bike or walk to work. Using those percentages, and without accounting for any carpooling, Calmax would only need 24 parking spaces for each shift of 30 employees – allowing the excess five spaces to be used during shift changes for any transitioning employee parking overlap that may occur. Therefore, the existing parking, coupled with the availability of public transit, carpooling, and biking options, will be more than adequate to meet the parking needs of the use when the facility opens.

If Calmax is able to grow the number of people it employs in Tualatin in the future, which would require additional parking, Calmax would have the option to add parking either onsite or offsite. For either option, Calmax proposes that the City provide a condition of approval for the CUP that would enable it to provide documentation to the City of the newly available parking rather than submitting a new land use review application for modification of the CUP to have more than 30 employees on site per shift. This would allow Calmax to quickly open its facility and start business in Oregon, while providing security and increased certainty for Calmax as it plans for future expansion and increased employment in Tualatin.

First, onsite parking could be provided through a parking lot remodel. Preliminary plans for such a remodel are provided with the site plans in Appendix G. Calmax understands that if it changes the site plan to add parking it would need to pursue land use reviews triggered by the changes, if any, including Architectural Review and compliance with then-current stormwater standards established by Clean Water Services.

Second, offsite parking could be added through shared parking or a joint use agreement with a neighboring property owner with significant excess parking capacity. As you may know, City Council recently approved<sup>2</sup> Jack Martin's proposed development of a 90,000 SF industrial building intended for a high-tech client directly adjacent to the subject property, at 18625 SW 108th Ave. The Martin approval includes 336 parking spaces, but the development only requires 128 spaces. Furthermore, there is an access easement recorded across the Calmax property and the Martin property that grants Martin access to a driveway onto Leveton. That easement would facilitate integration of parking spaces on Martin property through a shared parking or a joint use agreement. Calmax has discussed this possibility with Jack Martin and he is amenable to negotiating to an agreement.

As such, Calmax proposes that the city attach the following condition to the CUP:

"The retention of the existing 29 parking spaces is approved for the proposed use, provided, however, that Calmax will limit the number of employees working at the subject property to be no more than thirty (30) per shift. Calmax may expand the number of employees to be greater than thirty (30) per shift by providing City staff with evidence that Calmax has provided, either on or off site, a total of at least 56 parking spaces. Such evidence may include, but is not limited to: (a) evidence of a parking lot remodel and any required land use approvals, if any, such as Architectural Review or stormwater compliance documentation; or (b) evidence of a parking agreement with a neighboring property. If Calmax provides City staff with reasonable evidence that it has provided at least 56 parking spaces, a new land use review application for modification of the conditional use approval will not be required for Calmax to expand the number of employees to be greater than thirty (30) per shift."

**d) Will the proposed use alter the character of the surrounding area in any manner, which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying Planning District?**

No, the proposed use will not alter the character of the surrounding area in any manner, as the area already supports a number of contract manufacturing uses and the subject property is directly adjacent to a number of more intensive industrial uses in the Manufacturing Park ("MP") zone. In the pre-application meeting, City staff indicated that they did not anticipate conflicts with adjacent uses.

As provided in TDC 60.010, the ML Planning District is: "suitable for warehousing, wholesaling, and light manufacturing processes that are not hazardous and do not create undue amounts of noise, dust, odor, vibration, or smoke." Calmax's operations are not anticipated to increase the amounts of noise, dust, odor, vibration, or smoke. There will be no outdoor storage of materials or creation of particulate emissions or similar noxious impacts.

<sup>2</sup> Full details on that approval can be accessed here:  
<http://www.tualatinoregon.gov/planning/ar-15-0028-jack-martin-building-leveton>



The property sits on the boundary between properties zoned ML (to the south and east) and properties for more intense industrial uses in the MP zone (to the north and west). There are no residential areas adjoining the subject property. Surrounding land uses by cardinal direction and planning district are:

- N: MP Lam Research Corporation (electronics manufacturer) campus at 11155 SW Leveton Drive (across SW Leveton Drive)
- E: ML Ascentec Engineering (machine shop and tooling company) at 18500 SW 108th Avenue (across SW 108th Avenue); D.O.T. Inc. outdoor vehicle storage facility at 18520 SW 108th Avenue (across SW 108th Avenue); City of Tualatin Operations Department, public works yard at 10699 SW Herman Road (across SW 108th Avenue)
- S: ML Northwest Metal Fab & Pipe Inc. outdoor equipment yard at 18805 SW 108th Avenue (vehicle storage and junkyard area)
- W: MP Fujimi Corporation (manufacturing related to semiconductor industry) at 11200 SW Leveton Drive

We note particularly that Ascentec Engineering conducts the same machine shop type work Calmax proposes and that Ascentec's property is zoned the same as Calmax's property. Therefore, the proposed use will not alter the character of the surrounding area.

**e) Does your proposal satisfy those objections and policies of the Tualatin Community Plan which apply to the proposed use?**

The objectives of the Tualatin Community Plan, provided in TDC 7.030, include the encouragement of new industrial development and providing increased local employment opportunity. Calmax is a new employer in Oregon, and, while the proposal is for the conversion of an existing building, the space will be upgraded to a higher level of industrial development. Calmax will increase local employment by employing two shifts of around 30 employees each.

The ML planning district, in particular, is addressed in TDC 7.040(2) of the Tualatin Community Plan. The purpose of the ML planning district "is to provide sites for manufacturing uses that are more compatible with adjacent commercial and residential uses and would serve to buffer heavy manufacturing uses." In accordance with that section, Calmax's proposed use is a non-hazardous manufacturing process that does not create undue amounts of noise, dust, odor, vibration, or smoke. Calmax's processes are clean and very self-contained, which will buffer heavier manufacturing uses in the adjacent MP planning district.

Finally, the adjacent MP planning district also provides opportunities for industrial development, with a focus on high-tech uses. Similarly, Calmax's Computer Numerical Control (CNC) machining and integrated clean room assembly business supplies a variety of high-tech products for the semiconductor, aerospace, solar, and medical industries. The proposed use is consistent with plan policies.

APPENDIX B  
*Application Form*

Attached.



# City of Tualatin

www.tualatinoregon.gov

## APPLICATION FOR CONDITIONAL USE PERMIT

<b>Code Information:</b>			
Code Section: TDC 80.040(1)(g)		Condition Use to Allow: Machine Shop	
Assessor's Map Number: 2S122A000400	Tax Lot #: R530278	Lot area in acres: 1.6948 (73,829 SF)	
Address of Property: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Existing Buildings (# and type): One, Commercial		Current use: Fabrication of Natural Stone Products	
<b>Applicant</b>			
Name: Ethan Pond, Director of Operations		Company Name: Calmax Technology / 10850 SW Leveton LLC	
Address: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-885-0723 Ext. 501	Fax:	Email: ethan.pond@calmaxtechnology.com	
Applicant's Signature: <i>Ethan B Pond</i>		Date: 10/18/16	
<b>Property Owner</b>			
Name: 10850 SW Leveton Drive LLC (This application is signed by the sole member of owner, George Marcinkowski)			
Address: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-885-0723 Ext. 501	Fax:	Email: ethan.pond@calmaxtechnology.com	
Property Owner's Signature: <i>George Marcinkowski</i>		Date: 10-18-2016	
(Note: Letter of authorization is required if not signed by owner)			
<b>Contact</b>			
Name: Ethan Pond, Director of Operations			
Address: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-885-0723 Ext 501	Fax:	Email: ethan.pond@calmaxtechnology.com	

As the person responsible for this application, I, the undersigned, hereby acknowledge that I have read the above application and its attachments, understand the requirements described herein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Applicant's Signature: *Ethan B Pond* Date: 10/18/16

<b>Office Use</b>		
Case No:	Date Received:	Received by:
Fee: Complete Review:	Receipt No:	



# City of Tualatin

www.tualatinoregon.gov

Exhibit B to  
Resolution No. 5309-17

## APPLICATION FOR CONDITIONAL USE PERMIT

Code Information:			
Code Section: TDC 60.040(1)(g)		Condition Use to Allow: Machine Shop	
Assessor's Map Number: 2S122AD00400	Tax Lot #: R530278	Lot area in acres: 1.6948 ( 73,829 SF)	
Address of Property: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Existing Buildings (# and type): One, Commerical		Current use: Fabrication of Natural Stone Products	
Applicant			
Name: Ethan Pond, Director of Operations		Company Name: Calmax Technology / 10850 SW Leveton LLC	
Address: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-885-0723 Ext. 501	Fax:	Email: ethan.pond@calmaxtechnology.com	
Applicant's Signature:		Date:	
Property Owner			
Name: 10850 SW Leveton Drive LLC (This application is signed by the sole member of owner, George Marcinkowski)			
Address: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-885-0723 Ext. 501	Fax:	Email: ethan.pond@calmaxtechnology.com	
Property Owner's Signature:		Date:	
<b>(Note: Letter of authorization is required if not signed by owner)</b>			
Contact			
Name: Ethan Pond, Director of Operations			
Address: 10850 SW Leveton Drive			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-885-0723 Ext 501	Fax:	Email: ethan.pond@calmaxtechnology.com	

As the person responsible for this application, I, the undersigned, hereby acknowledge that I have read the above application and its attachments, understand the requirements described herein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Applicant's Signature:

Date:

### Office Use

Case No:

Date Received:

Received by:

Fee: Complete Review:

Receipt No:

APPENDIX C  
*Information on Neighborhood/Developer Meetings*

Attached.



Neighborhood Development Meeting Notes

Calmax Technology, Inc.

10/5/2016

Visitors: Ian Ruef & Morris Torseth – Ascentec Engineering (Neighboring Business) – 18500 SW 108<sup>th</sup> Avenue, Tualatin, OR 97062.


Discussed: CUP process and requirements around our proposal. We reviewed our plans and there were no specific concerns expressed. We discussed the number of employees we plan to hire and also reviewed our plans to accommodate parking for our employees with a shift plan. We were asked about building improvement plans and we indicated we do not have specific plans determined in regards to building improvements at this time.

**NEIGHBORHOOD/DEVELOPER MEETING  
AFFIDAVIT OF MAILING**

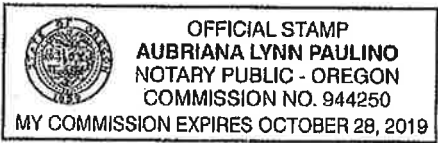
STATE OF OREGON            )  
  ) SS  
COUNTY OF WASHINGTON    )


I, Katherine Marankowski, being first duly sworn, depose and say:

That on the 22 day of September, 2016, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of the Notice of Neighborhood/Developer meeting marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail with postage fully prepared thereon.

  
\_\_\_\_\_  
Signature

SUBSCRIBED AND SWORN to before me this 22nd day of September, 2016.



  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 10/28/19

RE: \_\_\_\_\_



09/20/2016

Calmax Technology, Inc.  
10850 SW Leveton Dr.  
Tualatin, OR 97062

RE: Calmax Technology, Conditional Use Permit, 10850 SW Leveton Drive, Tualatin, OR 97062

Dear Property Owner:

You are cordially invited to attend a meeting on October 5<sup>th</sup> at 5:30 p.m. at Juanita Pohl Center - 8513 SW Tualatin Road, Tualatin, OR 97062. This meeting shall be held to discuss a proposed project located at 10850 SW Leveton Dr. Tualatin, OR 97062. The proposal is to operate a contract manufacturing and machine shop larger than 7500 Square Feet in a ML-Light Manufacturing Zone.

The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet and discuss this proposal and identify any issues regarding this proposal.

Regards,

Ethan Pond  
Director Of Operations - Tualatin  
Calmax Technology, Inc.  
Phone: 503-885-0723  
[ethan.pond@calmaxtechnology.com](mailto:ethan.pond@calmaxtechnology.com)

As the applicant for the Calmax Technology Conditional Use Permit

Project, I hereby certify that on this day, 9/22/16 notice of the

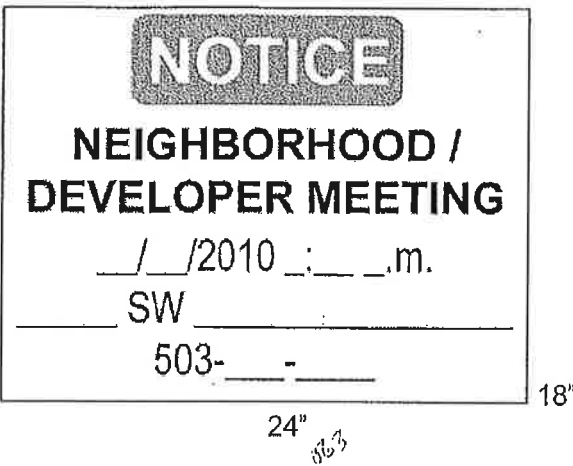
Neighborhood / Developer meeting was mailed in accordance with the requirements of the Tualatin

Development Code and the Community Development Department – Planning Division.

Applicants Name: Ethan Pond

Applicants Signature: Ethan Pond

### NEIGHBORHOOD / DEVELOPER MEETING CERTIFICATION OF SIGN POSTING



In addition to the requirements of TDC 31.064(2) quoted earlier in the packet, the 18" x 24" sign that the applicant provides must display the meeting date, time, and address and a contact phone number. The block around the word "NOTICE" must remain **orange** composed of the **RGB color values Red 254, Green 127, and Blue 0**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at < [www.tualatinoregon.gov/planning/land-use-application-sign-templates](http://www.tualatinoregon.gov/planning/land-use-application-sign-templates) >.

As the applicant for the  
Calmax Technology Conditional Use Permit project, I  
 hereby certify that on this day, 9/22/14 sign(s) was/were posted on the  
 subject property in accordance with the requirements of the Tualatin Development Code  
 and the Community Development Department - Planning Division.

Applicant's Name: Ethan Pond  
 (PLEASE PRINT)  
 Applicant's Signature: [Handwritten Signature]  
 Date: 9/22/14

Exhibit B to  
Resolution No. 5309-17

2S1220000300  
PHIGHT LLC  
ONE BOWERMAN DR

BEAVERTON, OR 97005

2S1220000600  
TUALATIN CITY OF

18880 SW MARTINAZZI AVE  
TUALATIN, OR 97062-7092

2S122AA00100  
HELSEER LIMITED PARTNERSHIP

PO BOX 1569  
TUALATIN, OR 97062-1569

2S122AA00600  
HR LLC

14855 SW MURRAY SCHOLLS DR  
BEAVERTON, OR 97007-9711

2S122A800200  
LAM RESEARCH CORPORATION  
DBA: NOVELLUS SYSTEMS  
C/O DSI - DAVID LERNER  
2025 GATEWAY PL; STE #228  
SAN JOSE, CA 95110-1000

2S122AD00300  
TUALATIN CITY OF

18880 SW MARTINAZZI AVE  
TUALATIN, OR 97062-7092

2S122AD00700  
MORGAN WILLIAM RAY &  
JANICE ELLEN REV LIV TRUST

4500 SW ADVANCE RD  
WILSONVILLE, OR 97070-7753

2S122AD01000  
MARSHALL ASSOCIATED LLC

PO BOX 278  
TUALATIN, OR 97062-0278

2S122AD01300  
LEVETON LLC  
BY BULLOCH MGMT

PO BOX 15523  
SEATTLE, WA 98115-0523

2S123B000600  
CHAMBERLAIN / HUSSA  
PROPERTIES

18755 SW TETON  
TUALATIN, OR 97062-8848

2S1220000400  
FUJIMI CORPORATION

11200 SW LEVETON DR  
TUALATIN, OR 97062-8094

2S1220000700  
TUALATIN CITY OF

18880 SW MARTINAZZI AVE  
TUALATIN, OR 97062-7092

2S122AA00400  
ASCENTEC ENGINEERING LLC

18500 SW 108TH AVE  
TUALATIN, OR 97062-8017

2S122AA00700  
LUMBER FAMILY CO LLC

PO BOX 1404  
TUALATIN, OR 97062-1404

2S122AD00100  
DOT INC

PO BOX 115  
TUALATIN, OR 97062-0115

2S122AD00400  
BUILDER'S WHOLESALE STONE LLC  
AN OREGON LIMITED LIABILITY CO

10850 SW LEVETON DR  
TUALATIN, OR 97062-8091

2S122AD00800  
MORGAN WILLIAM RAY &  
JANICE ELLEN REV LIV TRUST

4500 SW ADVANCE RD  
WILSONVILLE, OR 97070-7753

2S122AD01100  
GARSKE TRAVIS W

PO BOX 729  
COLBERT, WA 99005-0729

2S122AD01400  
LEVETON LLC  
BY BULLOCH MGMT

PO BOX 15523  
SEATTLE, WA 98115-0523

2S123B000602  
TUALATIN TETON LLC

621 SW ALDER #800  
PORTLAND, OR 97205-3623

2S1220000500  
WASHINGTON COUNTY  
FACILITES MGMT

169 N FIRST AVE #42  
HILLSBORO, OR 97124-3001

2S1220000800  
TUALATIN CITY OF

18880 SW MARTINAZZI AVE  
TUALATIN, OR 97062-7092

2S122AA00500  
LAM RESEARCH CORPORATION  
DBA: NOVELLUS SYSTEMS  
C/O DSI - DAVID LERNER  
2025 GATEWAY PL; STE #228  
SAN JOSE, CA 95110-1000

2S122AB00100  
LAM RESEARCH CORPORATION  
DBA: NOVELLUS SYSTEMS  
C/O DSI - DAVID LERNER  
2025 GATEWAY PL; STE #228  
SAN JOSE, CA 95110-1000

2S122AD00200  
TUALATIN CITY OF  
BY AMERICAN TOWER

10 PRESIDENTIAL WAY  
WOBBURN, MA 01801-1053

2S122AD00600  
MORGAN WILLIAM RAY &  
JANICE ELLEN REV LIV TRUST

4500 SW ADVANCE RD  
WILSONVILLE, OR 97070-7753

2S122AD00900  
PNWP LLC #5  
BY PACIFIC NW PROPERTIES

PO BOX 2206  
BEAVERTON, OR 97075-2206

2S122AD01200  
PASCUZZI INVESTMENT LLC

10250 SW NORTH DAKOTA  
TIGARD, OR 97223-4237

2S122AD01500  
LEVETON LLC  
BY BULLOCH MGMT

PO BOX 15523  
SEATTLE, WA 98115-0523

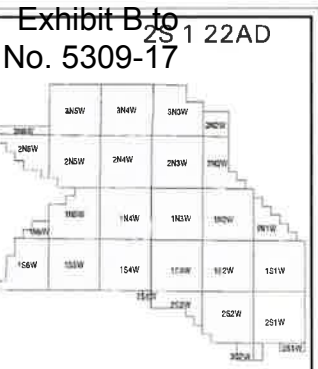
2S123B800501  
18355 SW TETON AVENUE TUALATIN O

19114 35TH PL  
LAKE OSWEGO, OR 97034-7470

APPENDIX D

*Assessor's Maps Showing Subject Property and Properties Within 1,000 Feet*

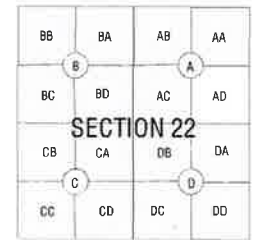
Attached.



WASHINGTON COUNTY OREGON  
SE 1/4 NE 1/4 SECTION 22 T2S R1W W.M.  
SCALE 1" = 100'

38	31	12	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)



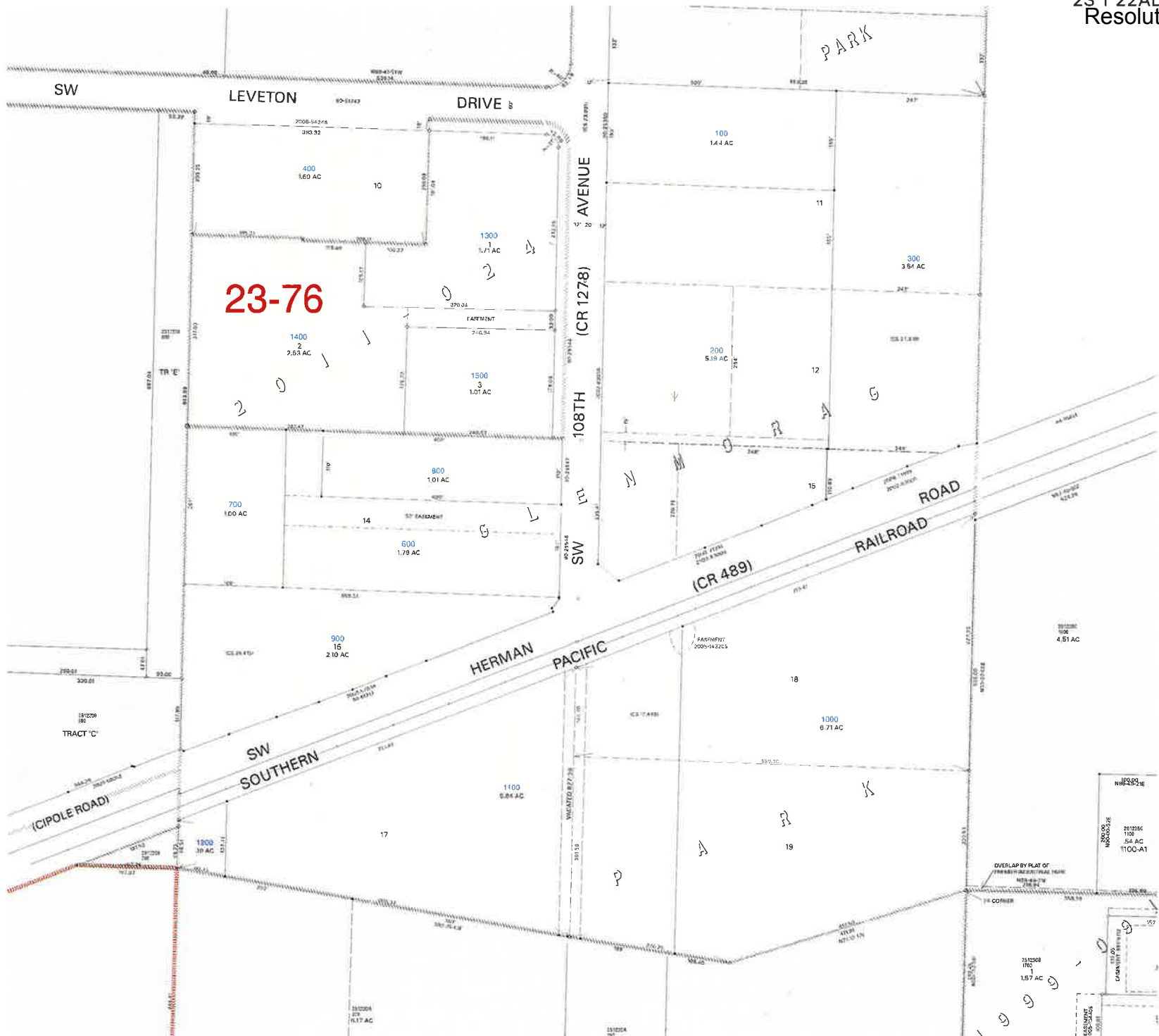
Cancelled Taxlots For: 2S122AD  
500.200-C1.

SCALE 1" = 100'

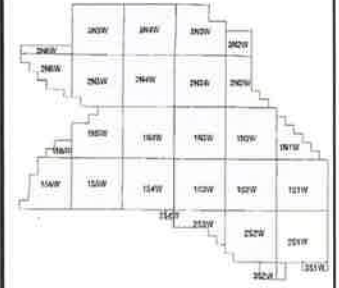
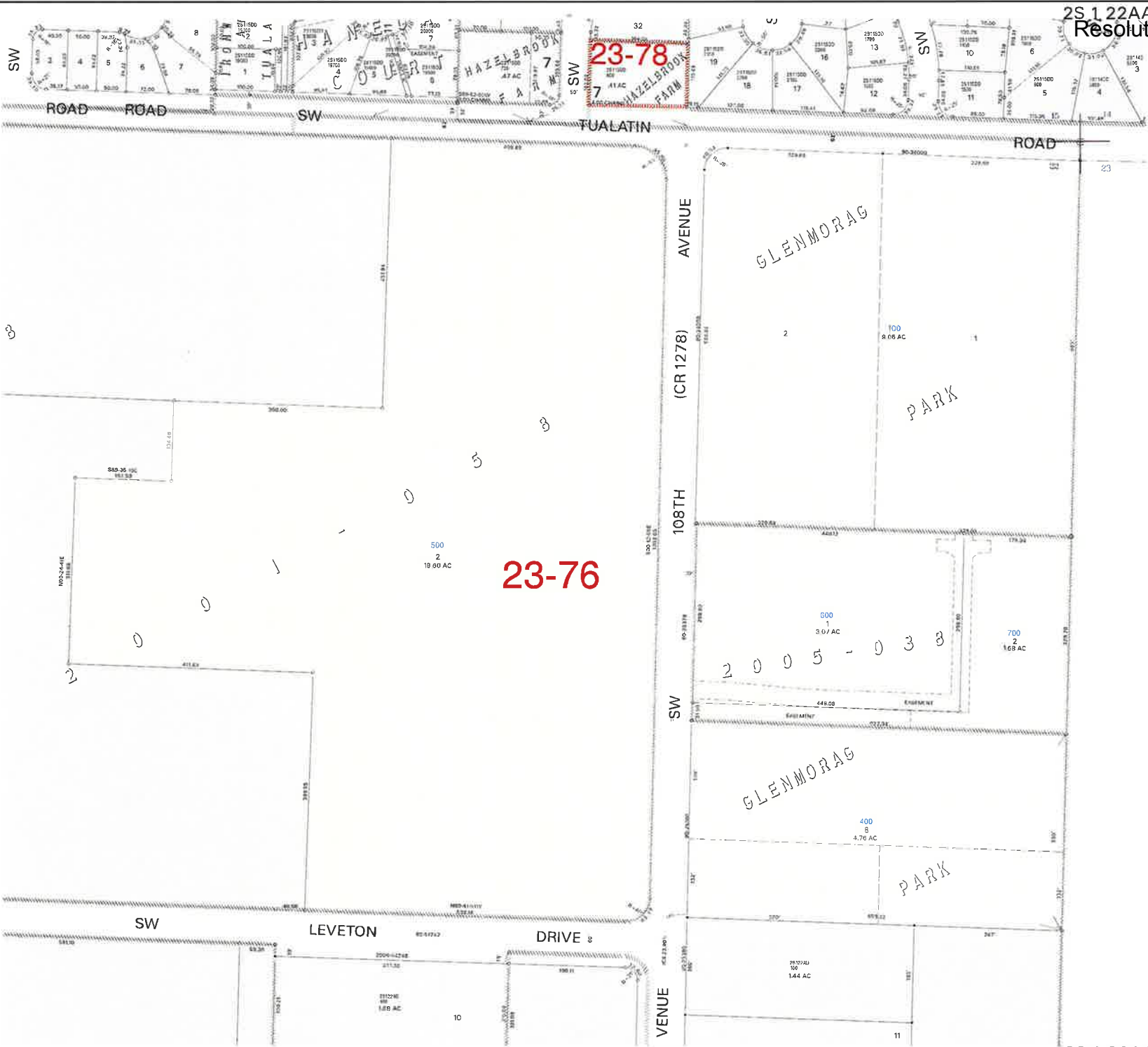
Assessment  
CARTOGRAPHY  
Taxation

PLOT DATE: August 09, 2013  
FOR ASSESSMENT PURPOSES  
ONLY - DO NOT RELY ON  
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.



23-76



WASHINGTON COUNTY OREGON  
NE 1/4 NE 1/4 SECTION 22 T2S R1W W.M.  
SCALE 1" = 100'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)

BB	BA	AB	AA
(B)	(D)	(A)	(C)
BC	BD	AC	AD
SECTION 22			
CB	CA	DB	DA
(C)	(D)	(B)	(A)
CC	CD	DC	DD

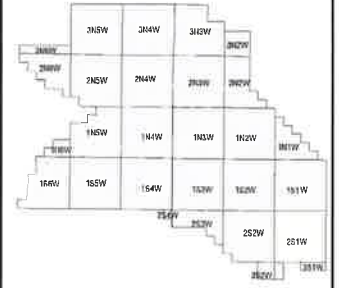
Cancelled Taxlots For: 2S122AA  
300,400-A1,200,200-A1,100-A1,500-A1.

SCALE 1" = 100'

**Assessment  
CARTOGRAPHY  
Taxation**

PLOT DATE: August 09, 2013  
**FOR ASSESSMENT PURPOSES  
ONLY - DO NOT RELY ON  
FOR OTHER USE**

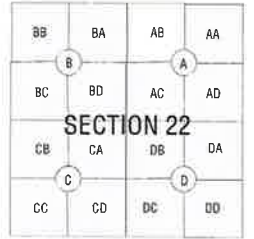
Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.



WASHINGTON COUNTY OREGON  
NW 1/4 NE 1/4 SECTION 22 T2S R1W W.M.  
SCALE 1" = 100'

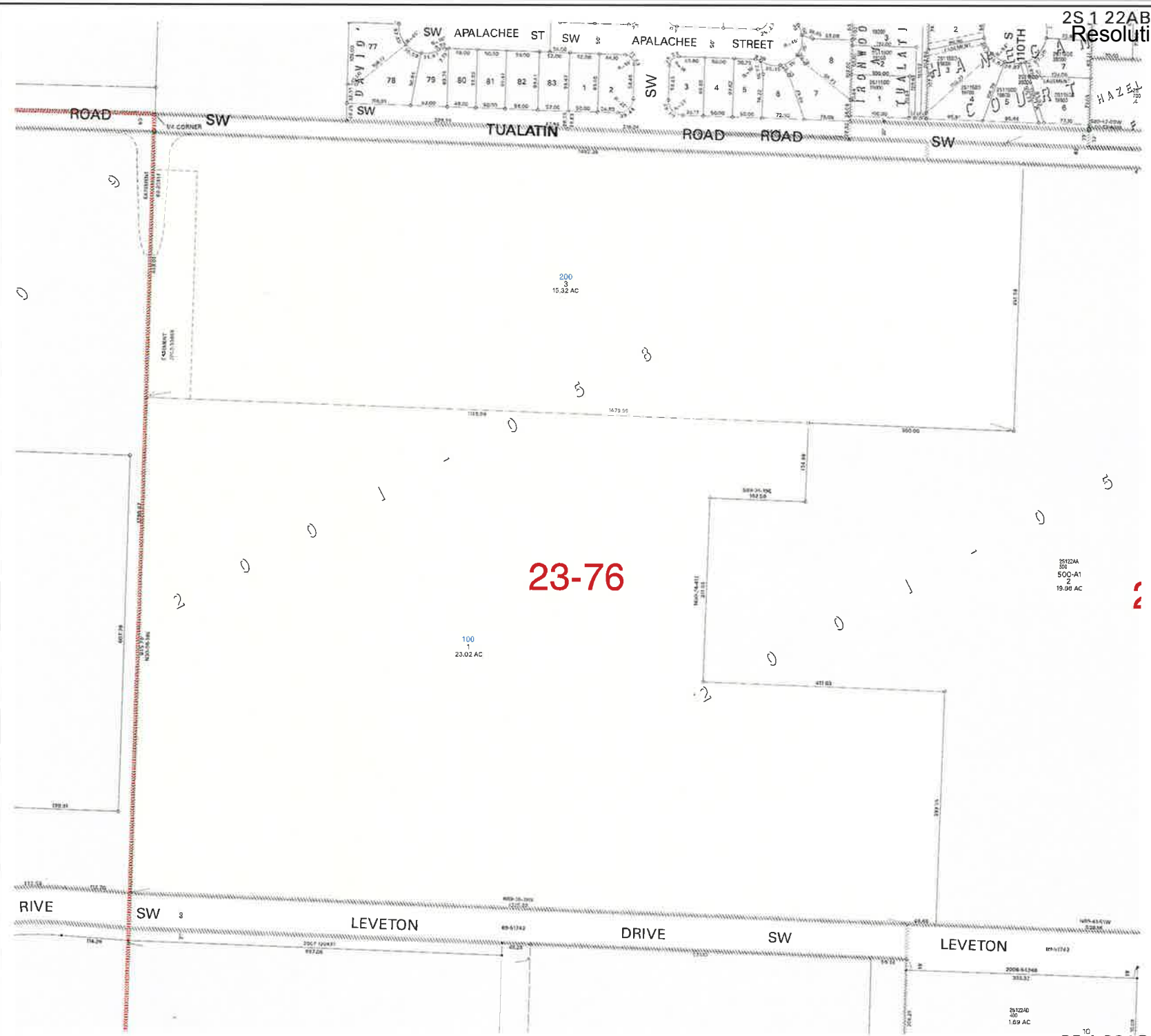
35	31	32	33	34	35	36	31
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13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)



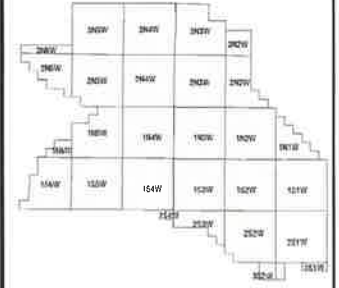
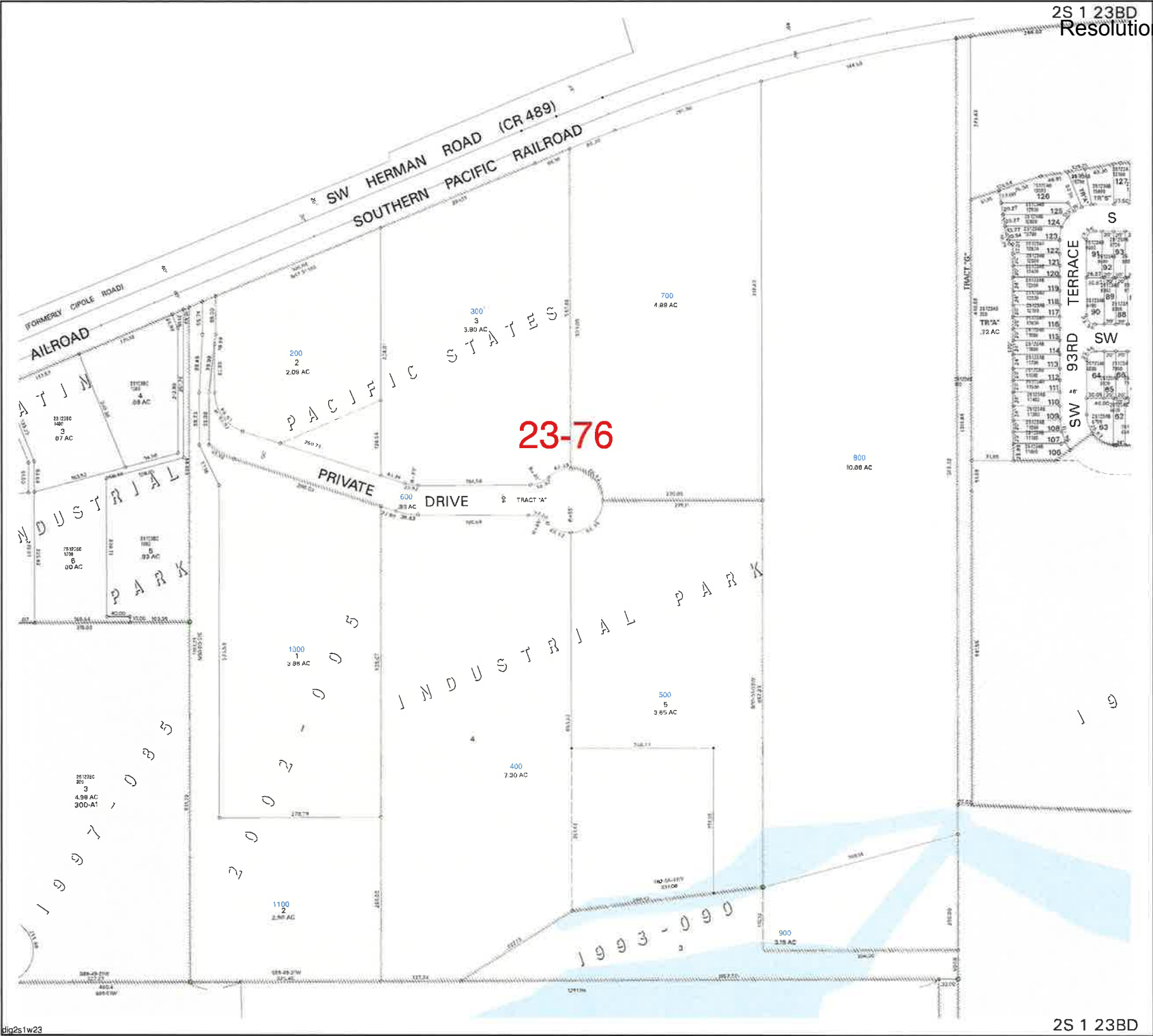
PLOT DATE: June 25, 2010  
**FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE**

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.









WASHINGTON COUNTY OREGON  
SE1/4 NW1/4 SECTION 23 T2S R1W W.M.  
SCALE 1" = 100'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)

BB	BA	AB	AA
B	BD	AC	AD
<b>SECTION 23</b>			
CB	CA	DB	DA
C	CD	DC	DD

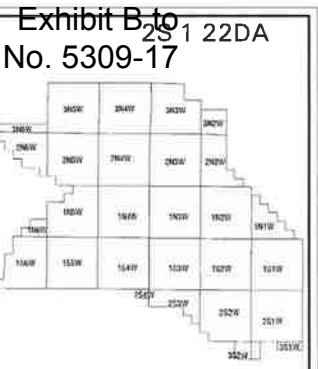
Cancelled Taxlots For: 2S123BD  
101,201,100,800-A3,700-A1,800-A1,501,400-A1,  
700-A2,700-A3.

SCALE 1" = 100'

**Assessment  
CARTOGRAPHY  
Taxation**

**PLOT DATE: June 19, 2013**  
**FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE**

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.



WASHINGTON COUNTY OREGON  
NE1/4 SE1/4 SECTION 22 T2S R1W W.M.  
SCALE 1" = 100'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)

BB	BA	AB	AA
B	BD	AC	AD
SECTION 22			
CB	CA	DB	DA
C	CD	DC	DD

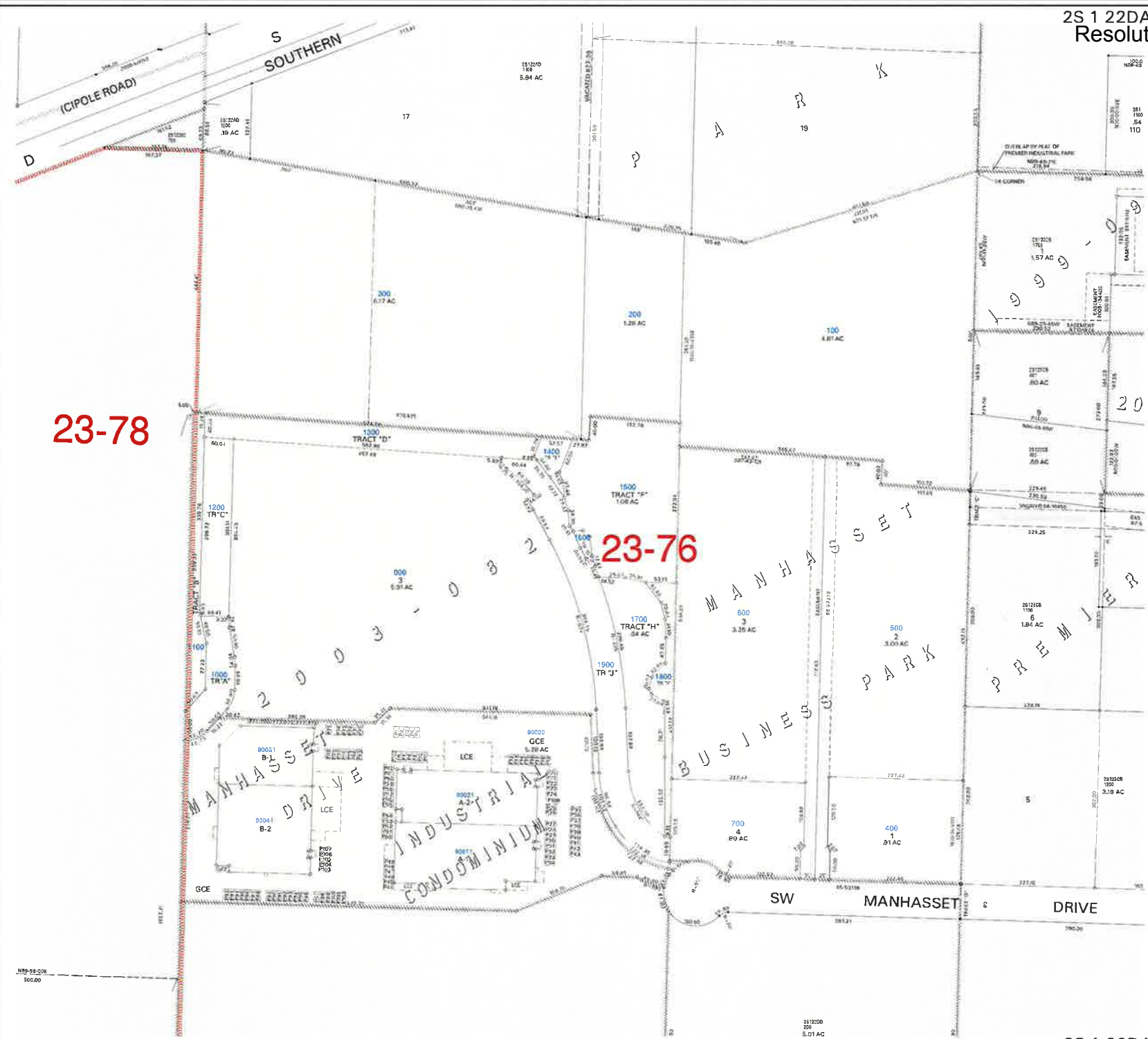
Cancelled Taxlots For: 2S122DA  
800,600-A1,900-A1,



PLOT DATE: August 09, 2013  
**FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE**

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

TUALATIN  
2S 1 22DA

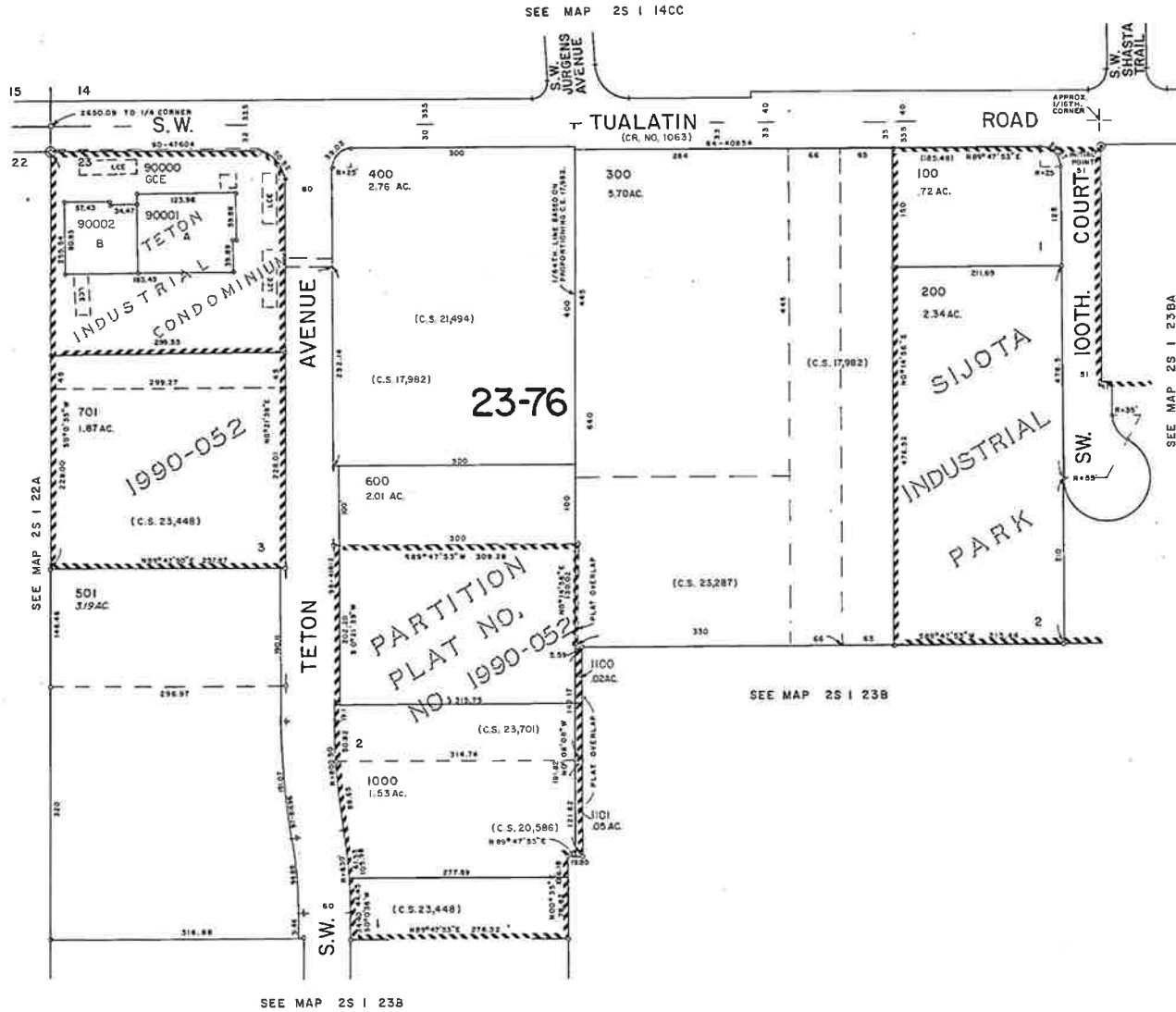


23-78

23-76

FOR ASSESSMENT PURPOSES ONLY  
 DO NOT RELY ON FOR ANY OTHER USE

NW 1/4 NW 1/4 SECTION 23 T 2 S R 1 W W.M.  
 WASHINGTON COUNTY  
 SCALE 1"=100'



- CANCELLED NUMBERS
- 502
  - 500
  - 800
  - 700
  - 900
  - 702

APPENDIX E

*Names And Addresses Of Property Owners Within 1,000 Feet Of Subject Property*

Attached.

***Please also see copies of labels provided with the packet of  
application materials.***

Exhibit B to  
Resolution No. 5309-17

2S1220000300 PHIGHT LLC ONE BOWERMAN DRIVE BEAVERTON, OR 97005	2S1220000400 FUJIMI CORPORATION 11200 SW LEVETON DRIVE TUALATIN, OR 97062-8094	2S1220000500 WA CNTY FACILITIES MGMT 169 N FIRST AVENUE #42 HILLSBORO, OR 97124-3001
2S1220000600 CITY OF TUALATIN 18880 SW MARTINAZZI AVE TUALATIN, OR 97062-7092	2S122000700 CITY OF TUALATIN 18880 SW MARTINAZZI AVE TUALATIN, OR 97062-7092	2S12000800 CITY OF TUALATIN 18880 SW MARTINAZZI AVE TUALATIN, OR 97062-7092
2S122AA00100 HELSEER LIMITED PRTRNSHP P.O. BOX 1569 TUALATIN, OR 97062-1569	2S122AA00400 ASCENTEC ENG. LLC 18500 SW 108TH AVENUE TUALATIN, OR 97062-8017	2S122AA00500 NOVELLUS SYSTEMS 2025 GATEWAY PL, STE 228 SAN JOSE, CA 95110-1000
S2122AA00600 HR LLC 14855 SW MURRAY SCHOLLS BEAVERTON, OR 97007-9711	2S122AA00700 LUMBER FAMILY CO LLC P.O. BOX 1404 TUALATIN, OR 97062-0115	2S122AB00100 NOVELLUS SYSTEMS 2025 GATEWAY PL, STE 228 SAN JOSE, CA 95110-1000
2S122AB00200 NOVELLUS SYSTEMS 2025 GATEWAY PL, STE 228 SAN JOSE, CA 95110-1000	2S122AD00100 DOT INC. P.O. BOX 115 TUALATIN, OR 97062-0115	2S122AD00200 CITY OF TUALATIN AM TWR 10 PRESIDENTIAL WAY WOBURN, MA 01801-1053
2S122AD00300 CITY OF TUALATIN 18880 SW MARTINAZZI AVE TUALATIN, OR 97062-7092	2S122AD00400 BUILDERS WHOLESALE STONE 10850 SW LEVETON DRIVE TUALATIN, OR 97062-8091	2S122AD0060 MORGAN RAY LIVING TRUST 4500 SW ADVANCE ROAD WILSONVILLE, OR 97070-7753
2S122AD00700 MORGAN RAY LIVING TRUST 4500 SW ADVANCE ROAD WILSONVILLE, OR 97070-7753	2S122AD00800 MORGAN RAY LIVING TRUST 4500 SW ADVANCE ROAD WILSONVILLE, OR 97070-7753	2S122AD00900 PNWP LLC #5 P.O. BOX 2206 BEAVERTON, OR 97075-2206
2S122AD01000 MARSALL ASSOCIATED LLC P.O. BOX 278 TUALATIN, OR 97062-0278	2S122AD01100 GARSKE TRAVIS W. P.O. BOX 729 COLBERT, WA 99005-0729	2S122AD01200 PASCUZZI INVESTMENT LLC 10250 SW N. DAKOTA TIGARD, OR 97223-4237
2S122AD01300 LEVETON LLC/BULLOCH MGT P.O. BOX 15523 SEATTLE, WA 98115-0523	2S122AD01400 LEVETON LLC/BULLOCH MGT P.O. BOX 15523 SEATTLE, WA 98115-0523	2S122AD01500 LEVETON LLC/BULLOCH MGT P.O. BOX 15523 SEATTLE, WA 98115-0523
2S123B000600 CHAMBERLAIN/HUSSA PROP. 18755 SW TETON TUALATIN, OR 97062-8848	2S123B000602 TUALATIN TETON LLC 621 SW ALDER #800 PORTLAND, OR 97205-3623	2S123BB00501 19114 35TH PLACE LAKE OSWEGO, OR 97034-7470

APPENDIX F  
*Legal Description*

A portion of Lot 10 of GLENMORAG PARK, in the Southeast Quarter of Section 22, Township 2 South, Range 1 West of the Willamette Meridian in the City of Tualatin, Washington County, Oregon, more particularly described as follows:

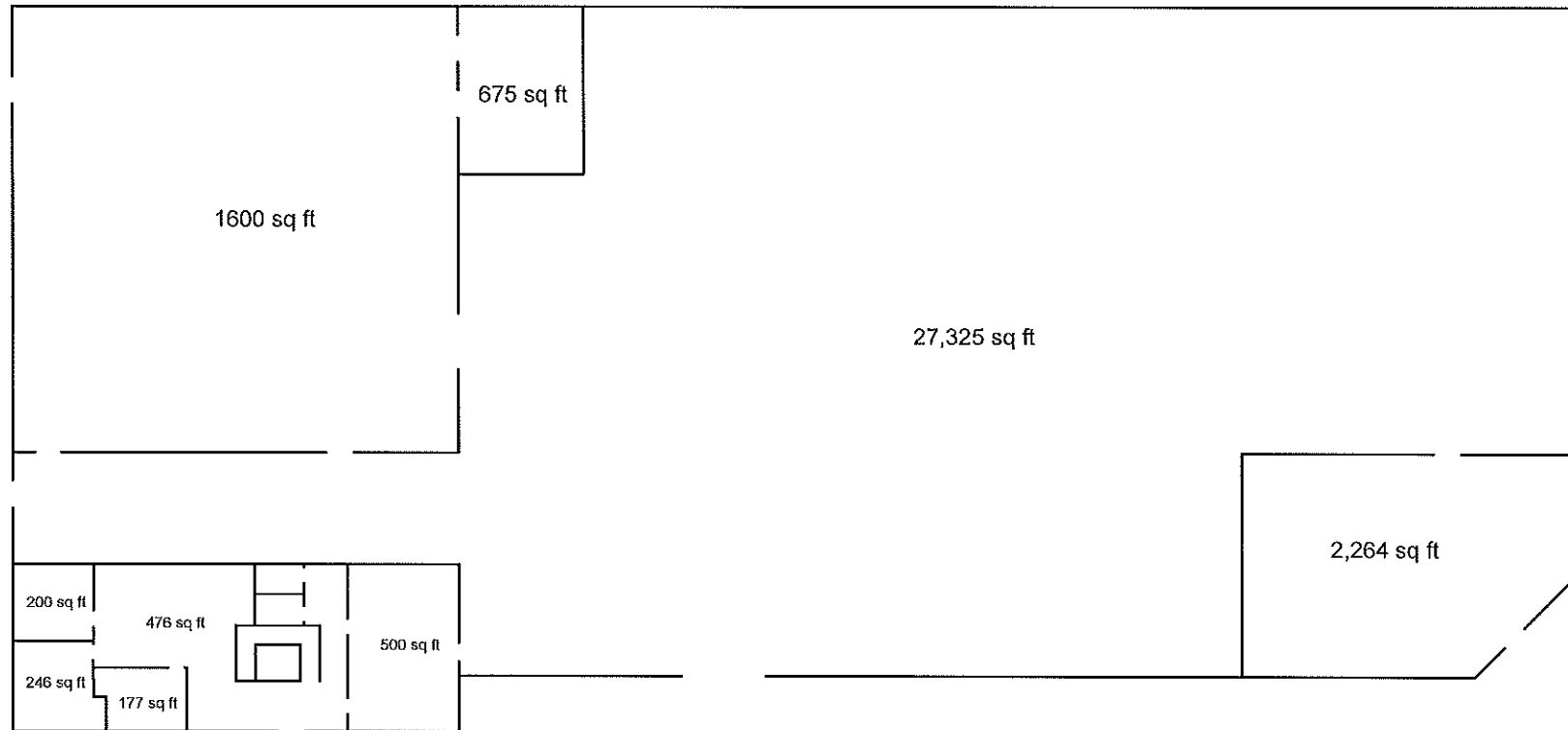
Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 2351" located at the Northeast corner of Tract "E" of PARTITION PLAT NO. 1993-098, said point also being at the intersection of the West line of GLENMORAG PARK and the Southerly right-of-way line of S.W. Leveton Drive; thence along said Southerly right-of-way line, South 89°44'38" East 393.51 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc."; Thence leaving said Southerly right-of-way line, South 00°18'42" West 210.09 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc."; Thence North 89°46'38" West 206.11 feet to a 1-1/16 inch brass disk stamped "Stubbs LS55469"; Thence North 00°18'36" East 4.08 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc."; Thence North 89°46' 38" West 185.31 feet to the West line of said Lot 10, said point marked by a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc.": Thence along said West line of Lot 10, North 00°15'58" West 206.25 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion dedicated to the City of Tualatin by "Dedication Deed", recorded June, 16, 2008, Recorder's Fee No. 2008-054246.

APPENDIX G  
*Site Plans*

Attached.

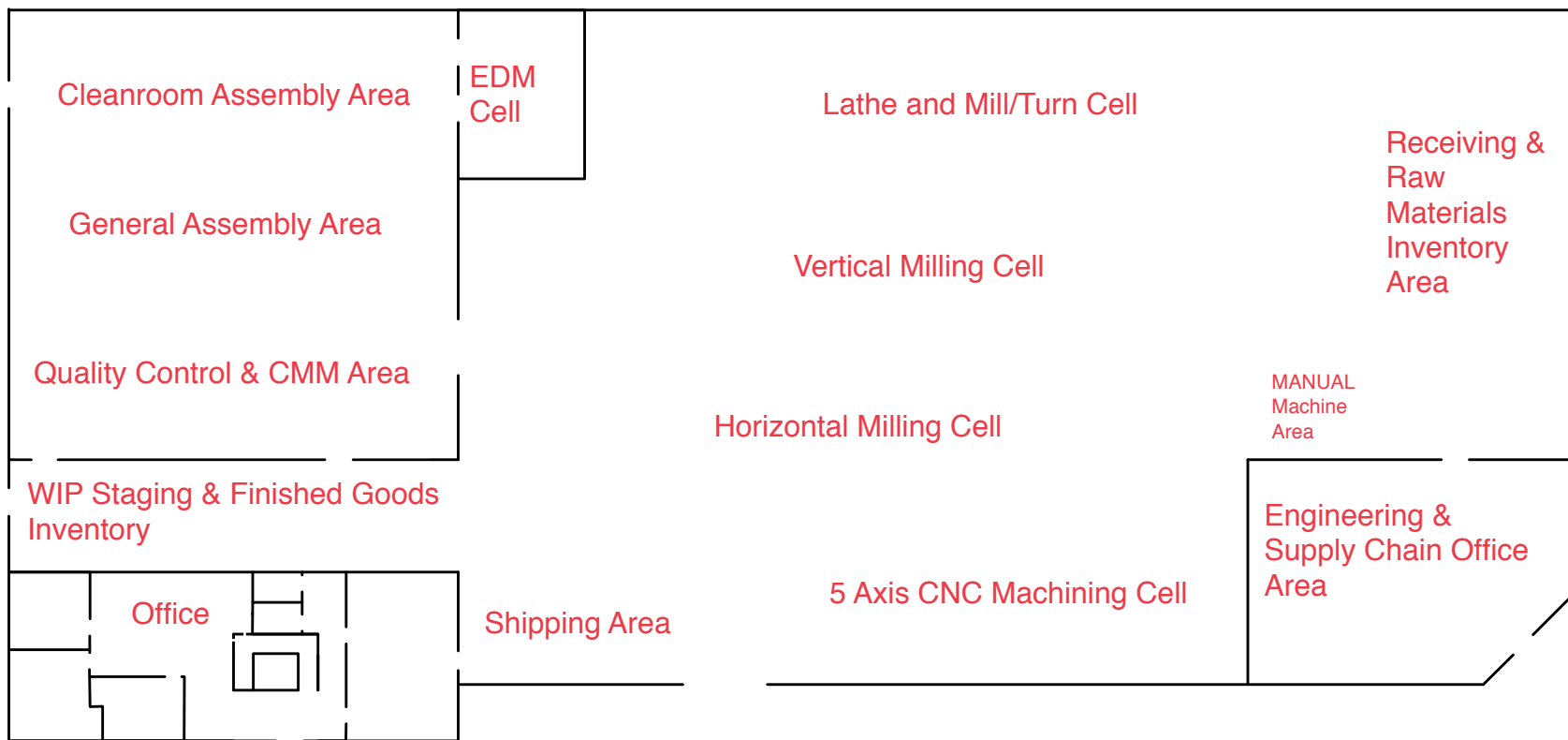
Calmax Technology Inc.  
10850 SW Leveton Dr.  
Tualatin, Or. 97062



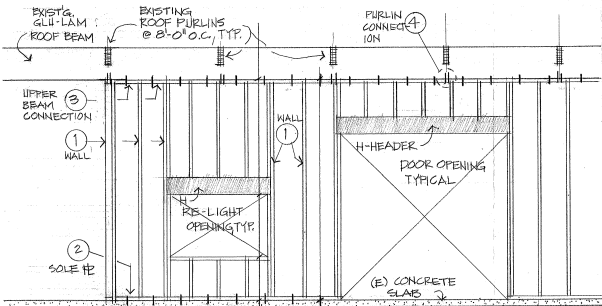
Scale: 3/8 in. = 1ft



Calmax Technology Inc.  
10850 SW Leveton Dr.  
Tualatin, Or. 97062



Scale: 3/8 in. = 1ft



DEMISING WALL CONSTRUCTION NOTES

- 1 NEW INTERIOR WALL - 2X6 STUDS @ 24" O.C. W/ 3/8" GYP. BD. BA. SIDE
- 2 SOLE PLATE - 16d NAILS SHOT INTO CONC. SLAB @ 24" O.C. - 2x6 D. IMBED.
- 3 UPPER CONNECTION - 16d NAILS SHOT INTO GULL-LAM BM @ 24" O.C. ROOF.
- 4 ROOF PURLIN CONNECTN. - (A) 16d NAILS SHOT INTO GULL-LAM BM @ PURLIN
- 5 H-HEADER - NON STRUCTURAL - (B) 2X12 @ 2' EACH RF-LT. @ DOOR OPENINGS
- 6 RE-LTS - CLEAR PLASTIC GLAZING W/ WOODEN CASING TRIM.

4 WALL SECTION - TYPICAL  
1/4" = 1'-0" 7.7.09

ROOM & ABBREVIATION LEGEND

CB CATCH BASIN - LYNCH STYLE	PT POWER TRANSFORMER
CO CLEAN OUT	P PERFORATED WALL OPENING
E ENTRY	PL PROPERTY LINE
EX EXIT	PWR POWER CONDUIT LINE
EB ELEC. POWER JUNCTION BOX	R REST ROOM - UNISEX
F FABRICATION AREA	RL RE-LIGHT - INTERIOR GLASS WINDOW
FH FIRE HYDRANT	RV ROOF VENT
G GYM	ST STORAGE AREA
HC HANDICAP REQUIREMENTS	SR SHOW ROOM
LD LUNCH ROOM	SL SKY LIGHT
LR LOADING DOCK	SS SANITARY SEWER OUTFALL
MEZ MEZZANINE	STS STORM SEWER OUT FALL
O OFFICE	STM STORM SEWER NOTES PER 5/27/2008
EXIST'G EXISTING	LAND & TITLE SURVEY
	TEL TELEPHONE LINE CONDUIT
	TYP TYPICAL
	W WATER - BLDG. MAIN COPPER WATER SUPPLY
	WP WATER - PROCESS WATER
	WT WATER - TRENCH CIRCULATION WATER

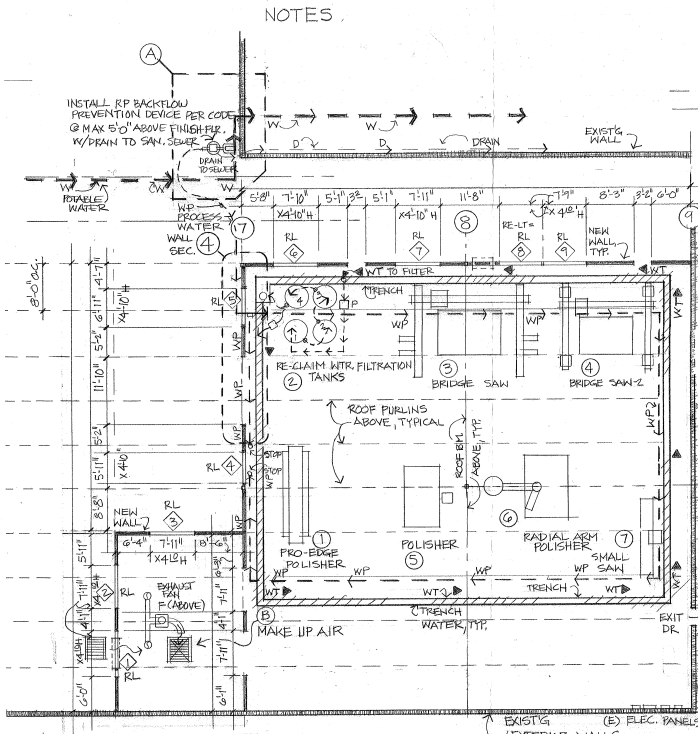
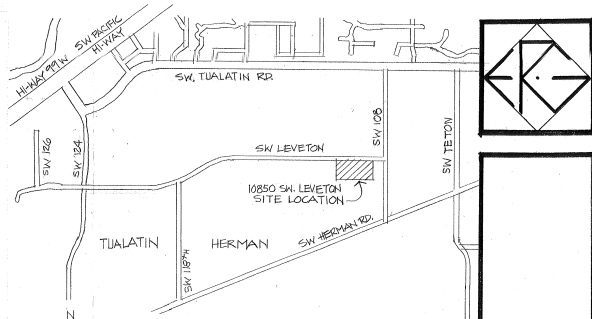
PROJECT INFORMATION

**PROJECT DESCRIPTION**  
PROJECT IS AN INTERIOR TENANT IMPROVEMENT REMODEL FOR A FABRICATOR OF NATURAL STONE PRODUCTS COMPANY. REMODEL INCLUDES CONSTRUCTION OF A DEMISING WALL SEPARATING THE STONE FABRICATION FROM THE STONE STORAGE AREA. WALL INCLUDES RE-LIGHTS, MAIN AND TRUCK DOORWAY OPENINGS AND OTHER OVERHEAD PENETRATIONS AS SHOWN ON THE ACCOMPANYING DRAWINGS.  
OWNER REQUESTS A BUILDING PERMIT, A PLUMBING PERMIT FOR THE INSTALLATION OF A NEW PROCESS WATER PIPING DISTRIBUTION SYSTEM FOR THE FAB AREA, AND A MECHANICAL PERMIT FOR THE FAB AREA EXHAUST FAN INSTALLATION.  
EXISTING BUILDING IS FULLY SPRINKLED.

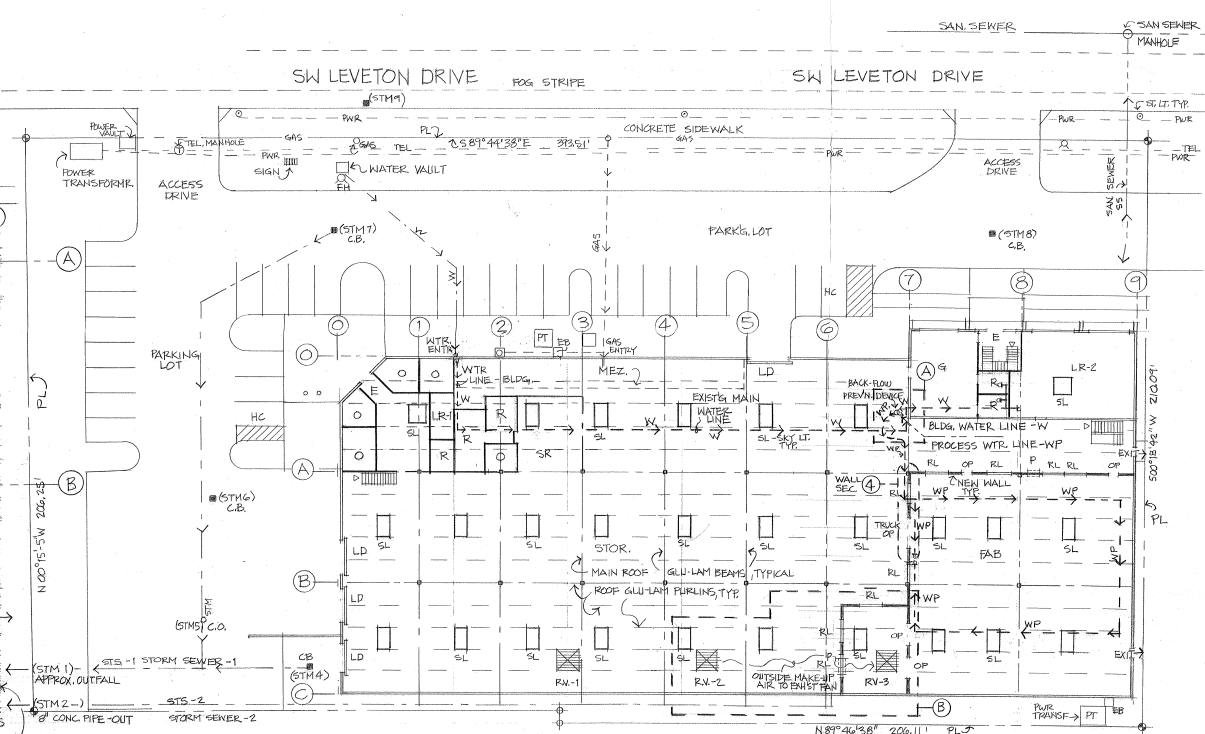
**PROJECT DETAILS**  
JOB SITE: 10850 SW LEVETON TUALATIN, OREGON 97214  
JURISDICTION: CITY OF TUALATIN, WASHINGTON COUNTY, STATE OF OREGON  
TAX LOT: 401 MAP 2 BY 2040 DOCUMENT NO. 2008-00865  
LEGAL DESCRIPTION: A PORTION OF LOT 10 OF "OLENORO PARK" A PLAT OF RECORD IN WASHINGTON COUNTY, LOCATED IN THE SE QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN THE CITY OF TUALATIN, COUNTY OF WASHINGTON, STATE OF OREGON, U.S.A.  
BUILDING CODE: 2007 INTERNATIONAL BUILDING CODE  
REMODEL SQ. FT.: 7,190 SQUARE FEET  
BUILDING SQ. FT.: 34,800 SQUARE FEET  
SITE AREA = 81,739 SQUARE FEET.  
CONTACT: 3 CM STONE, MARK CHIMENTO, 503-626-5150

PROJECT NOTES

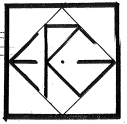
1. ALL WORK PERFORMED ON THIS PROJECT SHALL CONFORM TO ALL APPLICABLE CODER, STANDARDS, ORDINANCES, ETC. FOR THE GOVERNING MUNICIPALITY, CITY, COUNTY, OR STATE WHICH HAS JURISDICTION.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY MR. GAMER OF ANY DISCREPANCIES, AND CONFIRM NOTES MARKED VERIFY.
3. ALL DIMENSIONS TO FINISH FACE OF WALL OR SURFACE UNLESS OTHERWISE NOTED (U.O.N.)
4. SITE PLAN INFORMATION BASED ON LAND AND TITLE SURVEY COMPLETED BY NORTHWEST SURVEYING, INC. ON 5/27/08.



3 FLOOR PLAN - NEW MANUFACTURING AREA  
1" = 10'-0" N



2 SITE PLAN  
1" = 20'-0" N



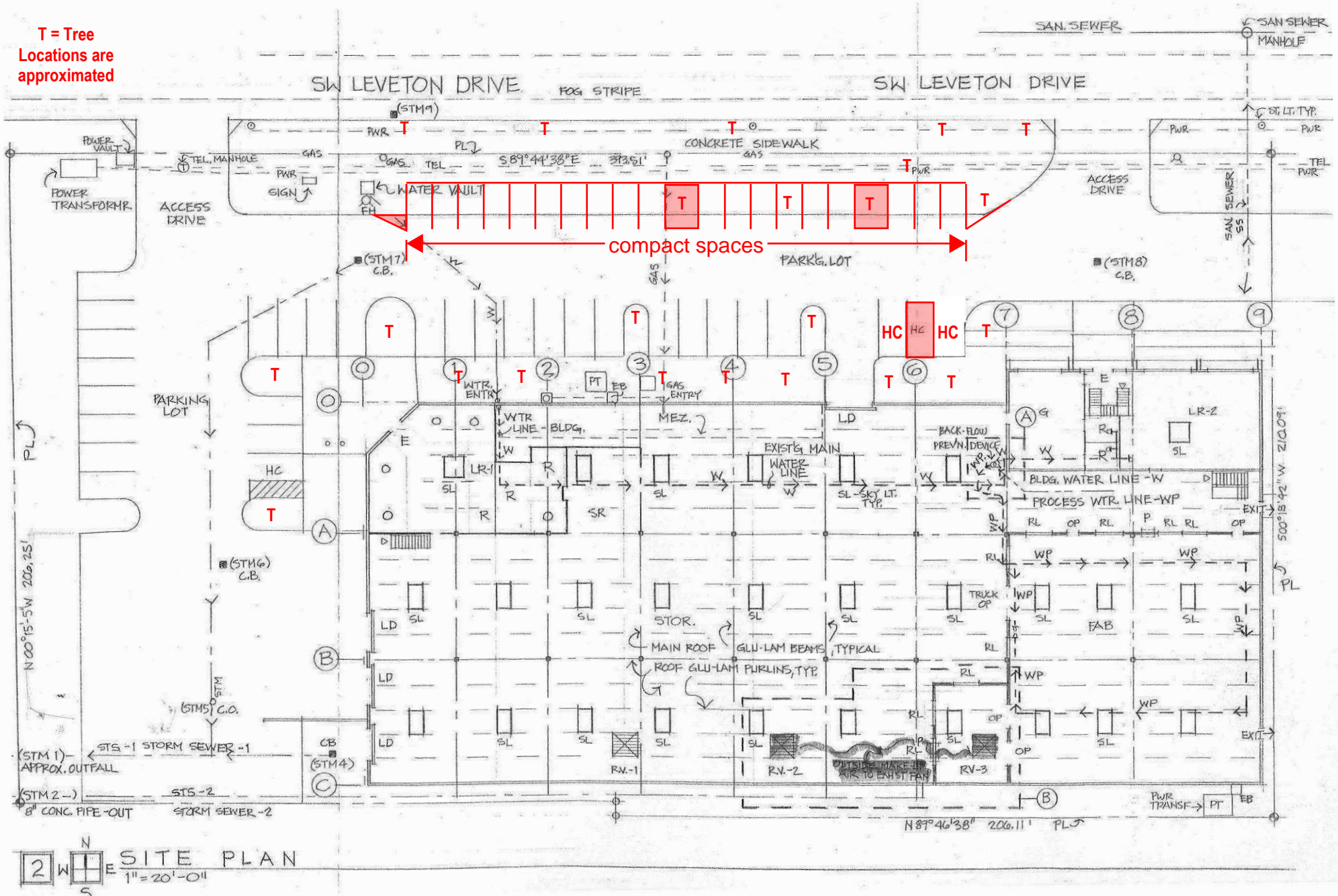
3 CM STONE  
 TENANT IMPROVEMENT REMODEL  
 10850 SW LEVETON  
 TUALATIN, OR. 97002  
 ERIC GAMER  
 DESIGN  
 3305 NE 59th AVE.  
 PORTLAND, OREGON 97213  
 503-284-6070 Fax 503-284-6055

12.9.08  
7.7.09 rev.

CITY OF TUALATIN  
 AUG 11 2009  
 BILLINGHAM ENGINEERS

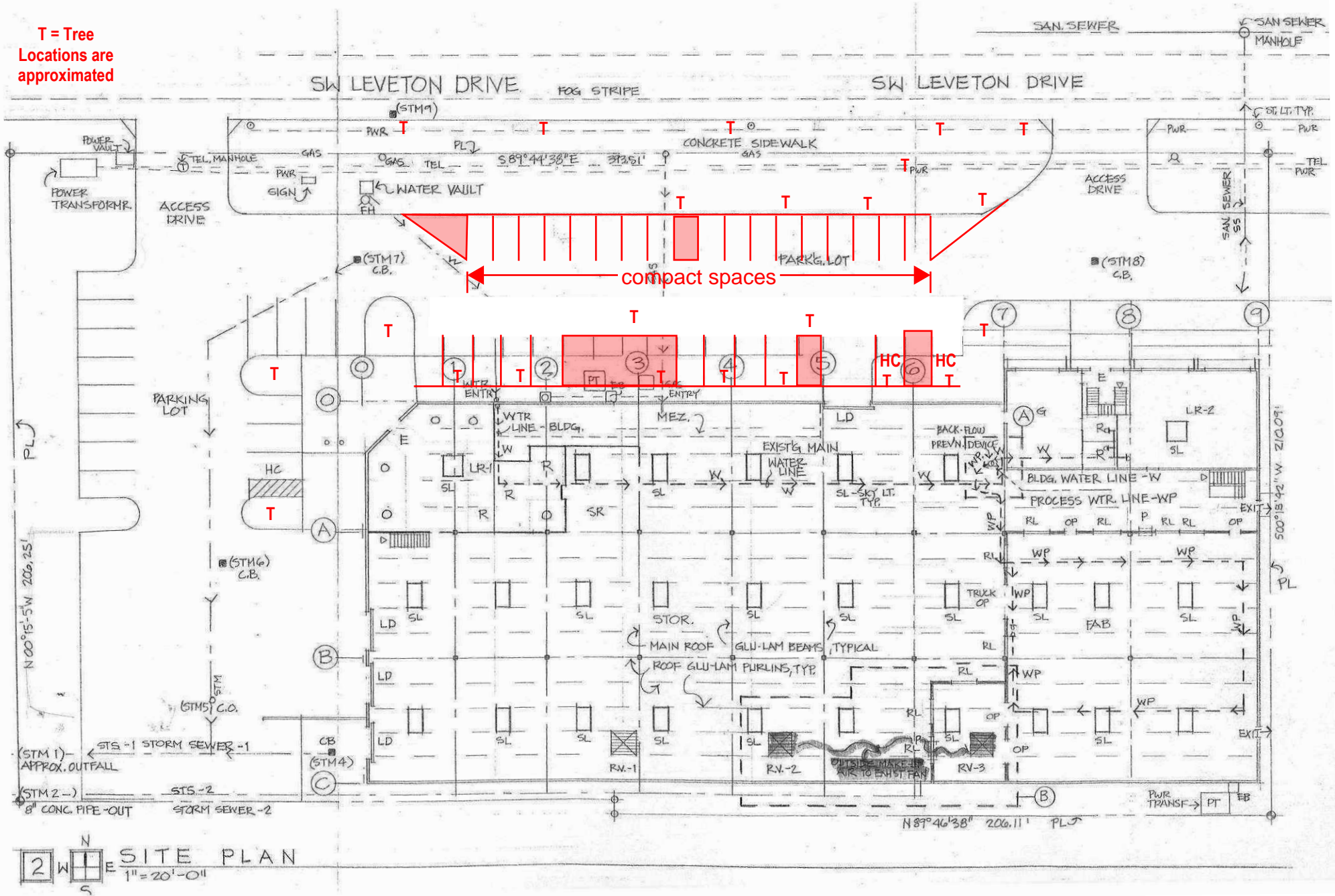
- Main Parking Concept 1: Narrow landscaping adjacent to street by 10 feet to provide compact parking on north side of lot - potential spaces + 19**
- Remaining parking setback from property line would be 9-10 feet (minimum is 10 ft per Section 60.070(5) of code).
  - Concept attempts to preserve as many existing trees as possible (1 lost for certain).
  - Concept does not address landscape or water treatment requirements necessary for added parking area. Increased impervious surface ~1,750 sf.

T = Tree  
Locations are approximated



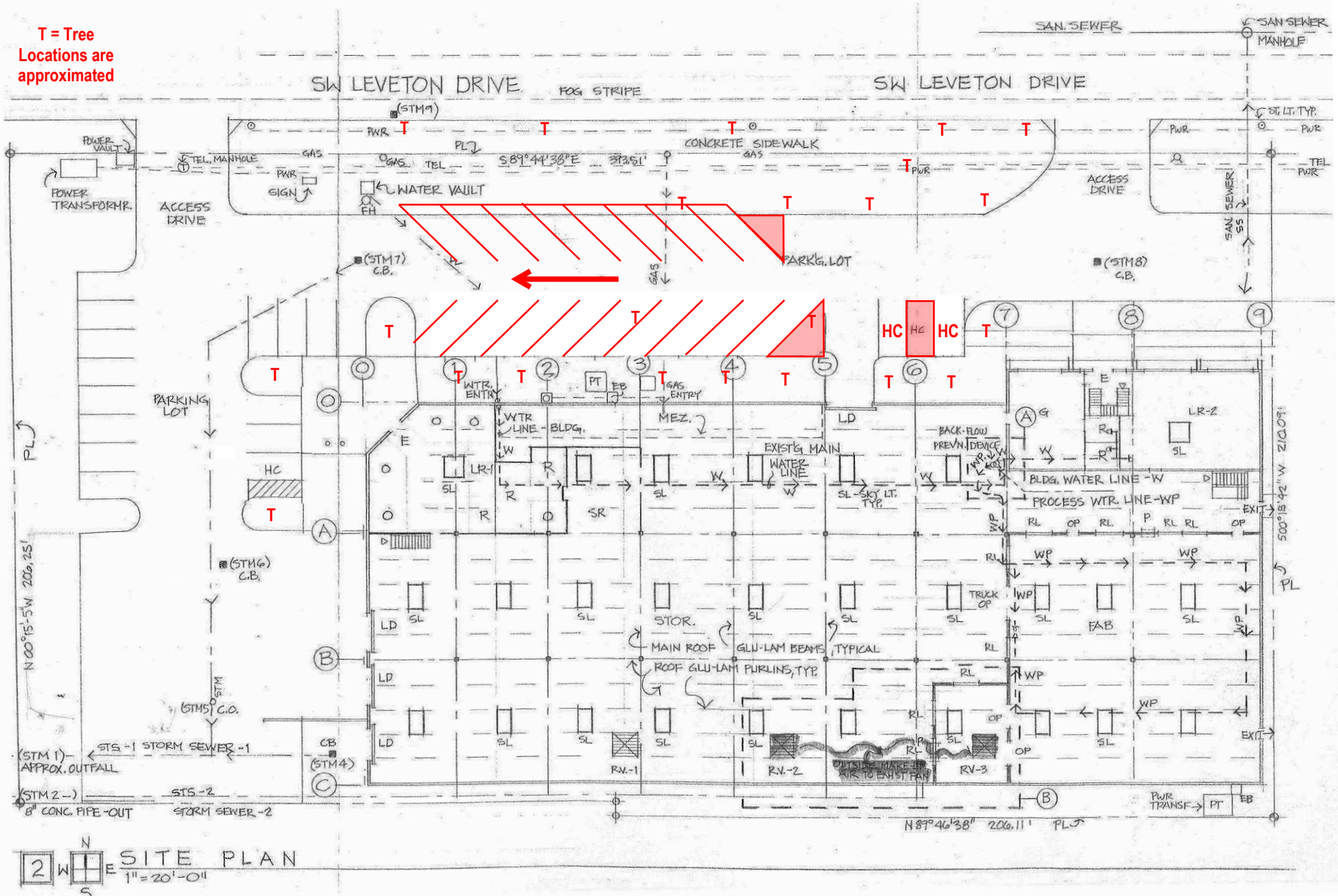
- Main Parking Concept 2: Narrow landscaping adjacent to building by 10 feet to provide compact parking on north side of lot - maximum spaces + 17
- Remaining landscaping adjacent to building is 5 feet.
- Concept impacts at least 9 trees.
- Concept does not address landscape or water treatment requirements necessary for added parking area. Increased impervious surface ~1,550 sf.

T = Tree  
Locations are approximated



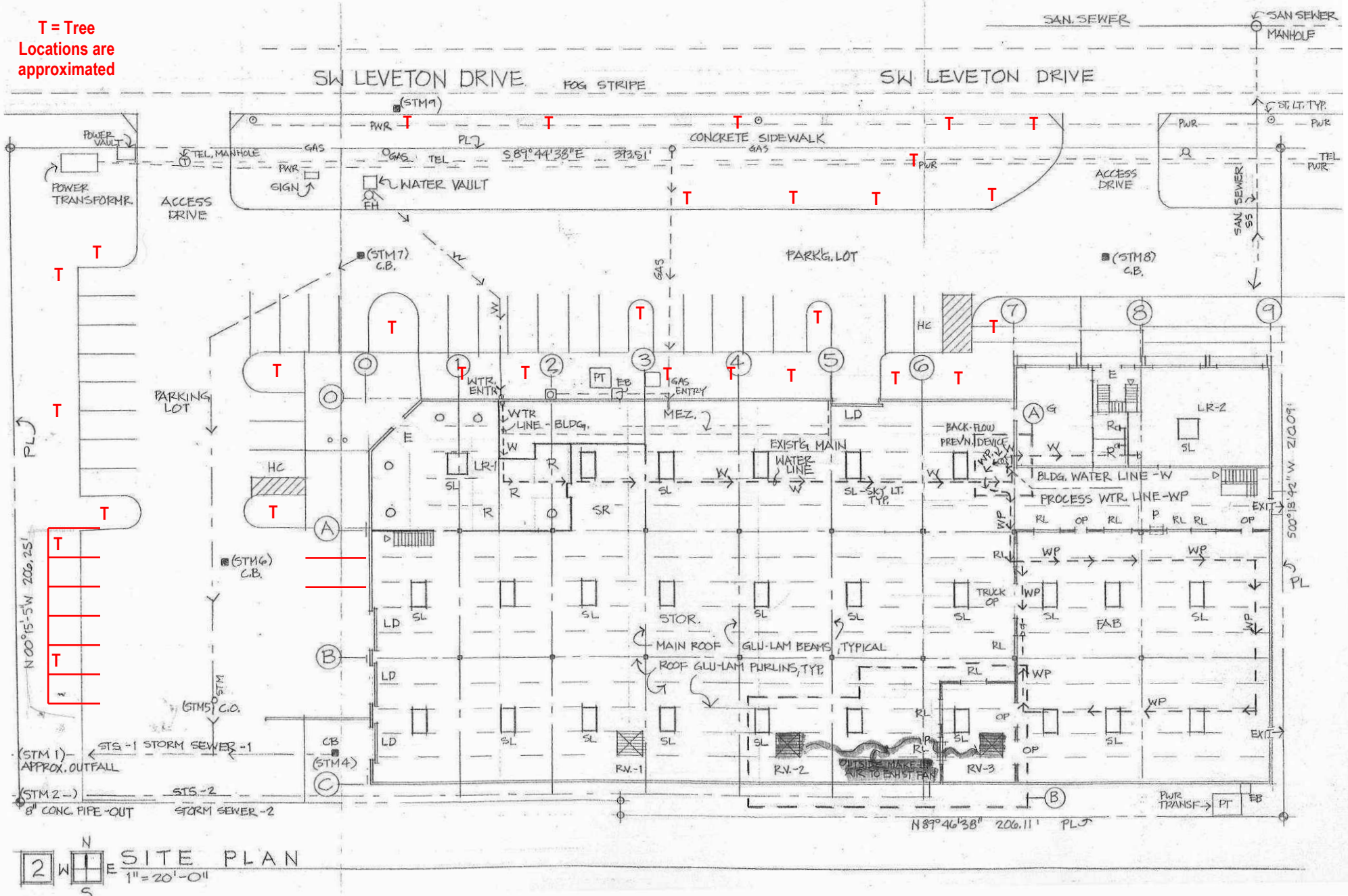
- Main Parking Concept 3: Narrow landscaping adjacent to street by 3 feet to provide some diagonal parking and revise HC parking - potential spaces +5**
- Remaining parking setback from property line would be 16-17 feet (minimum is 10 ft per Section 60.070(5) of code).
  - Concept attempts to preserve as many existing trees as possible (1-2 lost).
  - Concept does not address landscape or water treatment requirements necessary for added parking area. Increased impervious surface ~300 sf.

T = Tree  
Locations are approximated



- Loading Area Parking: Add parking in the loading area - may require narrowing side yard up to 10 feet - potential additional +8
- Remaining parking setback from property line would be 10-20 feet (minimum is 10 feet per Section 60.070(5) of code).
- Concept attempts to preserve as many existing trees as possible (1-2 potentially lost).
- Concept depends on loading activity requirements specific to your building.
- Concept does not address landscape or water treatment requirements necessary for added parking area. Increased impervious surface 0-550 sf.

T = Tree  
Locations are approximated



APPENDIX H  
*Traffic Study*

Attached.

September 9, 2016

City of Tualatin  
Attention: Tony Doran  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062

Re: **Calmax Tualatin Site**  
*Trip Generation Letter*  
Project Number 2160418.00

Dear Mr. Doran:

Mackenzie has prepared this letter to present the trip generation estimates for the proposed contract manufacturing use for Calmax Technology, Inc. at 10850 SW Leveton Drive in Tualatin, Oregon.

## INTRODUCTION

Calmax Technology has acquired the site at 10850 SW Leveton Drive in Tualatin, Oregon. The site is currently zoned Light Manufacturing (ML) and is currently developed as a fabrication facility of natural stone products.

Calmax Technology seeks to develop the site as a contract manufacturing and integrated clean room assembly, with a majority of the building serving as a Computer Numerical Control (CNC) machining area. The proposed manufacturing is not allowed outright as a permitted use; however, the City has agreed that it can be permitted as a conditional use under Section 60.040 (1)(g) Machine shop, including automobile shop, of 7,500 gross square feet or larger.

As we discussed in a phone call on August 12, 2016, a trip generation study is needed to determine if the proposed conditional use will generate more trips than the existing permitted light industrial use. The Institute of Transportation Engineers' (ITE) *Trip Generation Manual, 9th Edition* was used to estimate the potential trip generation of the existing and proposed uses.

## EXISTING TRIP GENERATION

The City requires that trip generation be based on the reasonable worst case of the zone. The trip generation corresponding with the reasonable worst case for permitted uses of the existing building in the ML zone was estimated by testing trip generation rates for several ITE "Industrial" land uses.

The "General Light Industrial" land use was found to be the most applicable use estimated to generate the highest number of trips for the existing 34,600 square foot building. This land use is consistent with the existing ML zoning as it is described by ITE to consist of "free-standing facilities devoted to a single use" and facilities that have "an emphasis on activities other than manufacturing and typically have minimal office space." Typical light industrial activities include printing, material testing, and assembly of data processing equipment.





The reasonable worst case trip generation estimates for the existing building are summarized in Table 1.

TABLE 1 – EXISTING TRIP GENERATION					
ITE Code	Land Use	Size	AM Peak Hour	PM Peak Hour	Daily
110	Light Industrial	34.6 KSF	32	34	241

The existing permitted use is estimated to generate 32 AM peak hour trips, 34 PM peak hour trips, and 241 daily trips based on a reasonable worst case.

**PROPOSED TRIP GENERATION**

The proposed use will consist mainly of a machining area, with about 60% of the facility dedicated to CNC machining, while the remainder of the facility will include some assembly, lab, stocking, and administrative areas.

The trip generation estimates for the proposed site were based on data for the “Manufacturing” ITE land use. ITE’s description of a “Manufacturing” land use is consistent with the proposed function of the Calmax site which includes “areas where the primary activity is the conversion of raw materials or parts into finished products” and “In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research and associated functions.”

The reasonable worst case trip generation estimates for the proposed use are summarized in Table 2.

TABLE 2 – PROPOSED TRIP GENERATION					
ITE Code	Land Use	Size	AM Peak Hour	PM Peak Hour	Daily
140	Manufacturing	34.6 KSF	25	25	114

The proposed conditional use is estimated to generate 25 AM peak hour trips, 25 PM peak hour trips, and 114 daily trips based on a reasonable worst case.

**NET NEW TRIP GENERATION**

The proposed use is anticipated to generate fewer trips than the existing use. Table 3 summarizes the net new trip generation resulting from the proposed change of use.



City of Tualatin  
Calmax Tualatin Site  
Project Number 2160418.00  
September 9, 2016  
Page 3

TABLE 3 – NET NEW TRIP GENERATION						
Development Scenario	ITE Land Use	ITE LUC	Size (KSF)	AM Peak Hour	PM Peak Hour	Daily
Existing	General Light Industrial	110	34.6	32	34	241
Proposed	Manufacturing	140		25	25	114
<b>Net New</b>				<b>-7</b>	<b>-9</b>	<b>-127</b>

Based on a reasonable worst case assessment of trip generation for the existing and proposed uses, it is estimated the proposed conditional use will generate fewer daily and peak hour trips than the existing permitted use.

**CONCLUSION**

Since the proposed conditional use is anticipated to generate fewer trips than the permitted building use, a full traffic impact study will not be required. However, as discussed with City staff, a capacity review of the proposed traffic at the two site driveways will be conducted following confirmation of this trip generation assessment.

If you have any questions regarding this trip generation letter, please do not hesitate to contact me.

Sincerely,

  
Jennifer Danziger, PE  
Transportation Engineer | Project Manager

- c: Ethan Pond - Calmax Technology, Inc.
- Janet Jones - Mackenzie



APPENDIX I  
*Affidavit of Sign Posting*

Attached.

***Please note that we have dated the affidavit for 10/28/16 in order to allow time to receive the application number for posting on the subject property.***



# City of Tualatin

www.tualatinoregon.gov

## CONDITIONAL USE PERMIT CERTIFICATION OF SIGN POSTING



24" 18"

The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain **lime green** composed of the **RGB color values Red 146, Green 208, and Blue 80**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at < [www.tualatinoregon.gov/planning/land-use-application-sign-templates](http://www.tualatinoregon.gov/planning/land-use-application-sign-templates)>.

As the applicant for the \_\_\_\_\_  
Calmax Technology Development \_\_\_\_\_ project, I hereby  
certify that on this day, 10/28/16 sign(s) was/were posted on the subject property  
in accordance with the requirements of the Tualatin Development Code and the Community  
Development Department - Planning Division.

Applicant's Name: Ethan Pond, Director of Operations - Calmax Technology  
(PLEASE PRINT)

Applicant's Signature: 

Date: 10/18/16

APPENDIX J  
*Proof of Ownership for Recent Acquisition*

Attached.

RECORDING REQUESTED BY:



1433 SW 6th Avenue  
Portland, OR 97201

GRANTOR'S NAME:

Builder's Wholesale Stone, LLC, an Oregon limited liability company

GRANTEE'S NAME:

10850 SW Leveton LLC

AFTER RECORDING RETURN TO:

Boguslaw Marcinkowski  
10850 SW Leveton LLC  
10850 SW Leveton Drive  
Tualatin, OR 97062

SEND TAX STATEMENTS TO:

10850 SW Leveton LLC  
10850 SW Leveton Drive  
Tualatin, OR 97062

R530278, and 2S122AD-00400  
10850 SW Leveton Dr, Tualatin, OR 97062

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Builder's Wholesale Stone, LLC, an Oregon limited liability company, Grantor, conveys and warrants to 10850 SW Leveton LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR MILLION SIXTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$4,067,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Washington County, Oregon	<b>2016-080094</b>
D-DW	
Stn=20 I REED	<b>09/30/2016 03:55:49 PM</b>
\$20.00 \$11.00 \$5.00 \$4,067.00 \$20.00	<b>\$4,123.00</b>
I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.	
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio	

Memorandum recorded  
9/30/2016 as fee  
number 2016-080075

CHICAGO TITLE 472-516006264-42

**STATUTORY WARRANTY DEED**  
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9-29-2016

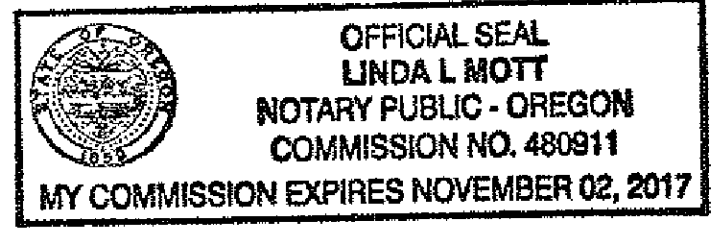
Builder's Wholesale Stone, LLC  
BY: [Signature]  
Mark Anthony Chimento, Manager

State of Oregon  
County of Clackamas

This instrument was acknowledged before me on 9/29/2016 by Mark Anthony Chimento, Manager of Builder's Wholesale Stone, LLC, an Oregon limited liability company.

[Signature]  
Notary Public - State of Oregon

My Commission Expires: 11/2/2017



**EXHIBIT "A"**  
Legal Description

A portion of Lot 10 of GLENMORAG PARK, in the Southeast Quarter of Section 22, Township 2 South, Range 1 West of the Willamette Meridian in the City of Tualatin, Washington County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 2351" located at the Northeast corner of Tract "E" of PARTITION PLAT NO. 1993-098, said point also being at the intersection of the West line of GLENMORAG PARK and the Southerly right-of-way line of S.W. Leveton Drive; thence along said Southerly right-of-way line, South 89°44'38" East 393.51 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc."; Thence leaving said Southerly right-of-way line, South 00°18'42" West 210.09 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc."; Thence North 89°46'38" West 206.11 feet to a 1-1/16 inch brass disk stamped "Stubbs LS55469"; Thence North 00°18'36" East 4.08 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc."; Thence North 89°46' 38" West 185.31 feet to the West line of said Lot 10, said point marked by a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying Inc.": Thence along said West line of Lot 10, North 00°15'58" West 206.25 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion dedicated to the City of Tualatin by "Dedication Deed", recorded June, 16, 2008, Recorder's Fee No. 2008-054246.



## EXHIBIT "B" Exceptions

**Subject to:**

Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2016-17.

Tax Identification No.: R530278

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The City of Tualatin

Purpose: Slope

Recording Date: October 24, 1989

Recording No: 89-051742

Affects: The Northerly portion

Easement Agreement and Declaration of Covenant, including the terms and provisions thereof;

Executed by: Adjoining property owners

Recording Date: June 16, 2008

Recording No.: 2008-054248

Easement Agreement, including the terms and provisions thereof;

Executed by: Adjoining property owners

Recording Date: June 16, 2008

Recording No.: 2008-054249