

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 13th 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
Industrial				
(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.	Zone A: 0.4 spaces per 1,000 gross sq. ft. Zone B: 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 acquired¹ 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).

¹ 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 approved² 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.

² Full details on that approval can be accessed here:

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?

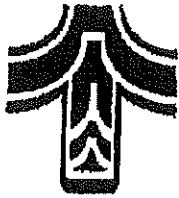
The objectives of the Tualatin Community Plan, provided in TDC 7.030, include the encouragement of new industrial development and providing increased local employment opportunity. Calmax is a new employer in Oregon, and, while the proposal is for the conversion of an existing building, the space will 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

Code Information:			
Code Section: TDC 80.040(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, Commercial		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: <i>Ethan B Pond</i>		Date: 10/18/16	
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: <i>George Marcinkowski</i>		Date: 10-18-2016	
(Note: Letter of authorization is required if not signed by owner)			
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: <i>Ethan B Pond</i>	Date: 10/18/16
--	----------------

Office Use		
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:	
(Note: Letter of authorization is required if not signed by owner)			
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 108th Avenue, Tualatin, OR 97062.

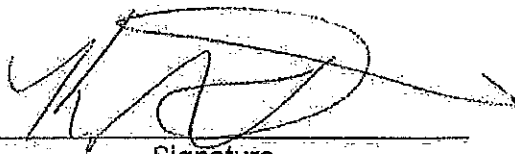
Discussed: CUP process and requirements around our proposal. We reviewed our plans and there were no specific concerns expressed. We discussed the number of employees we plan to hire and also reviewed our plans to accommodate parking for our employees with a shift plan. We were asked about building improvement 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)

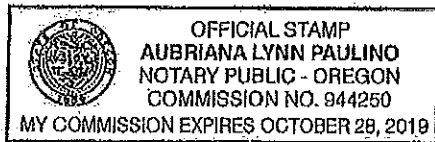
I, Katherine Maronkowski, being first duly sworn, depose and say:

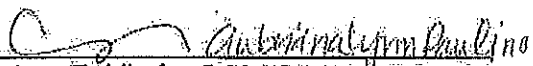
That on the 22 day of September, 2016, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of the Notice of Neighborhood/Developer meeting marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a 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 5th 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

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

NOTICE
NEIGHBORHOOD / DEVELOPER MEETING
__/__/2010 : __.m.
SW _____
503-____-____

18"

24"
16/3

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 >.

As the applicant for the

Calmax Technology Conditional Use Permit project, I

hereby certify that on this day, 9/22/10 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: *Ethan Pond*

Date: 9/22/10

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
HELSEY 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
FACILITIES 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

2S123BB00501
18355 SW TETON AVENUE TUALATIN O

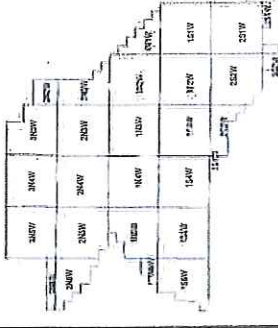
19114 35TH PL
LAKE OSWEGO, OR 97034-7470

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

Attached.

2S1 22AD Resolution No. 5309-17

Exhibit B 2S1 22AD



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

30	31	32	33	34	35	36
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	32
33	34	35	36	37	38	39
40	41	42	43	44	45	46

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

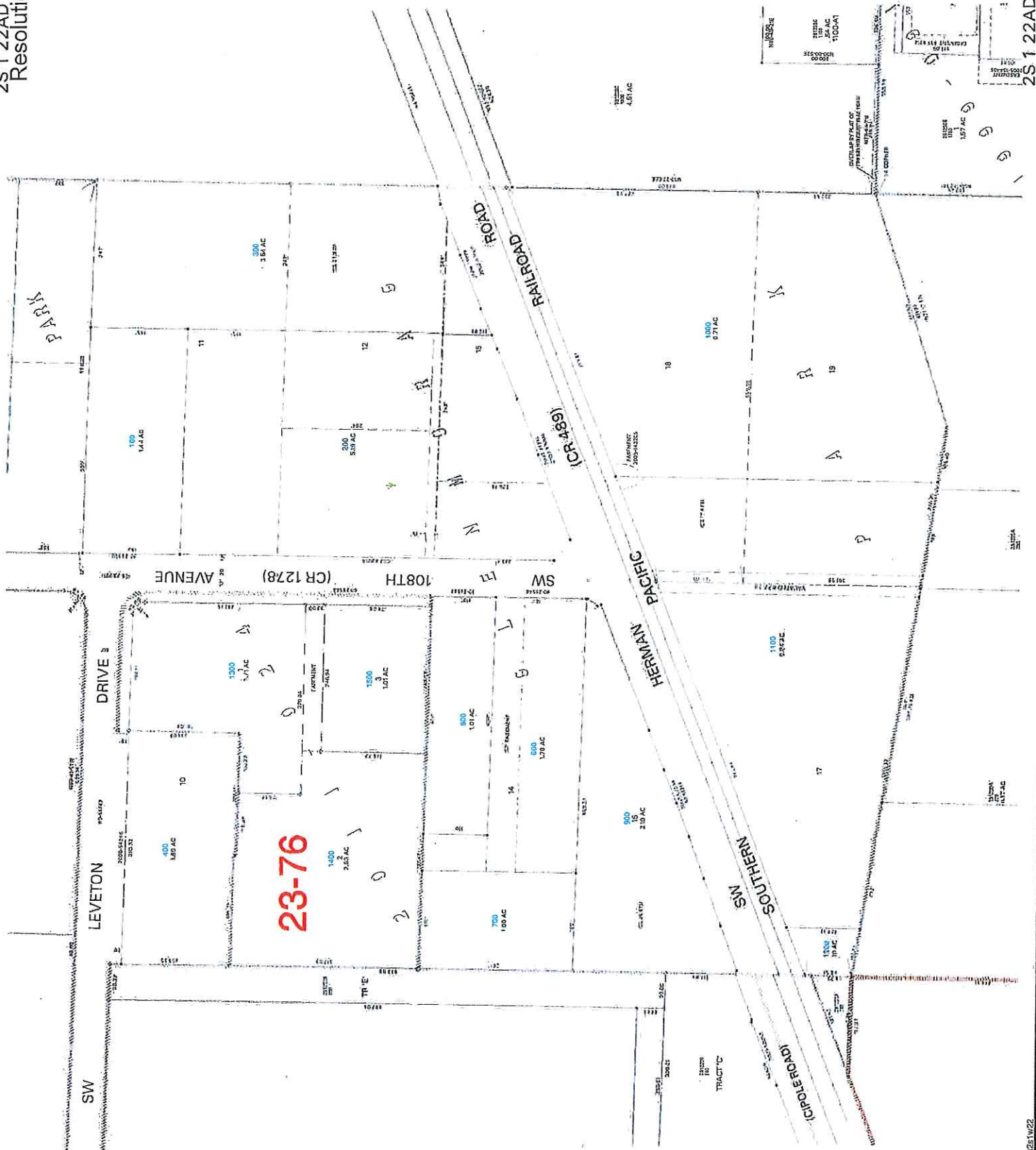


Cancelled Taxlots For: 2S122AD
 500.200-07.

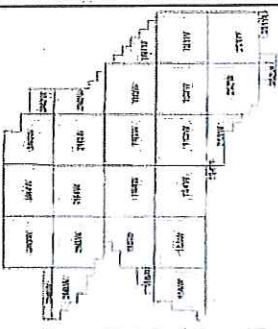


Plot Date: August 09, 2013
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE
 *Map users should verify any property lines and acreages shown on this map with the local assessor's office. Please contact the assessor's office for the most current information.

TUALATIN
 2S 1 22AD



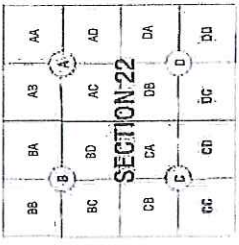
2S 1 22AD



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

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

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Teldis For: 2S122AA
 300-00-A1, 200-200-A1, 100-A1, 500-A1.

SCALE 1" = 100'



ASSESSMENT
 CARTOGRAPHY
 TUALATIN

PLOT DATE: August 09, 2013
FOR ASSESSMENT PURPOSES ONLY
NOT FOR OTHER USE

Map sheets delivered by e-file may contain a computer-generated pattern for reference only and may not indicate the most current property boundaries. Please consult the appropriate maps for the most current information.

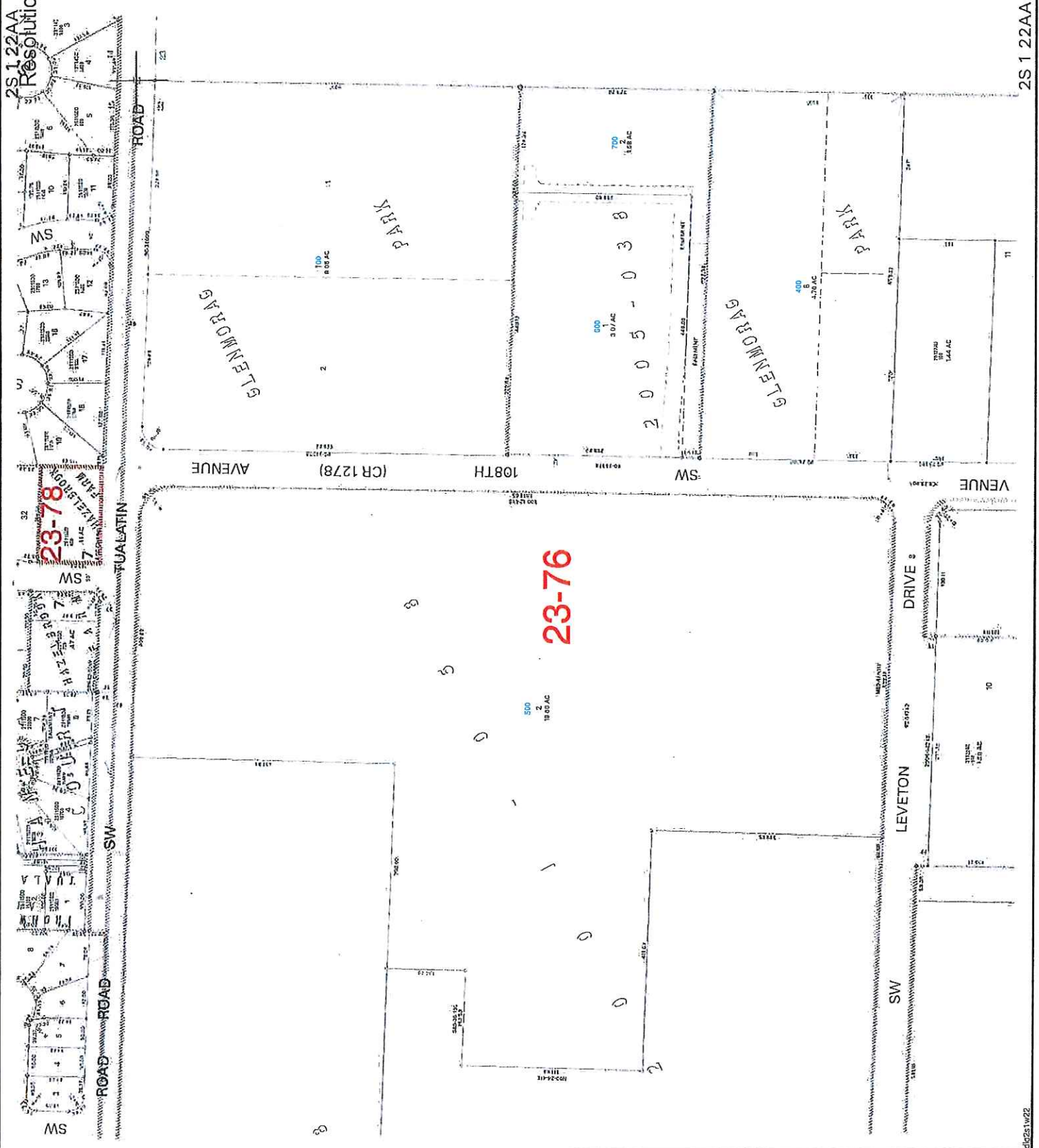


Exhibit B-25 1 22AB
Resolution No. 5309-17

2S 1 22AB

Resolution

2S 1 22AB

Resolution

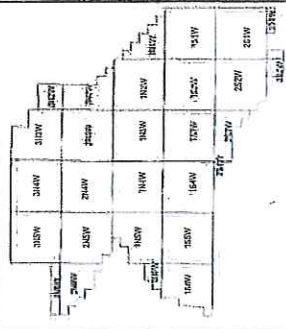
2S 1 22AB

Resolution

2S 1 22AB

Resolution

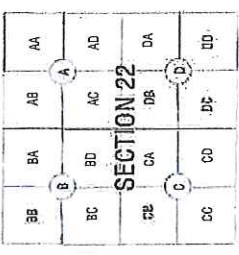
2S 1 22AB



WASHINGTON COUNTY OREGON
NW1/4 NE1/4 SECTION 22 T2S R1W W.M.
SCALE 1" = 100'

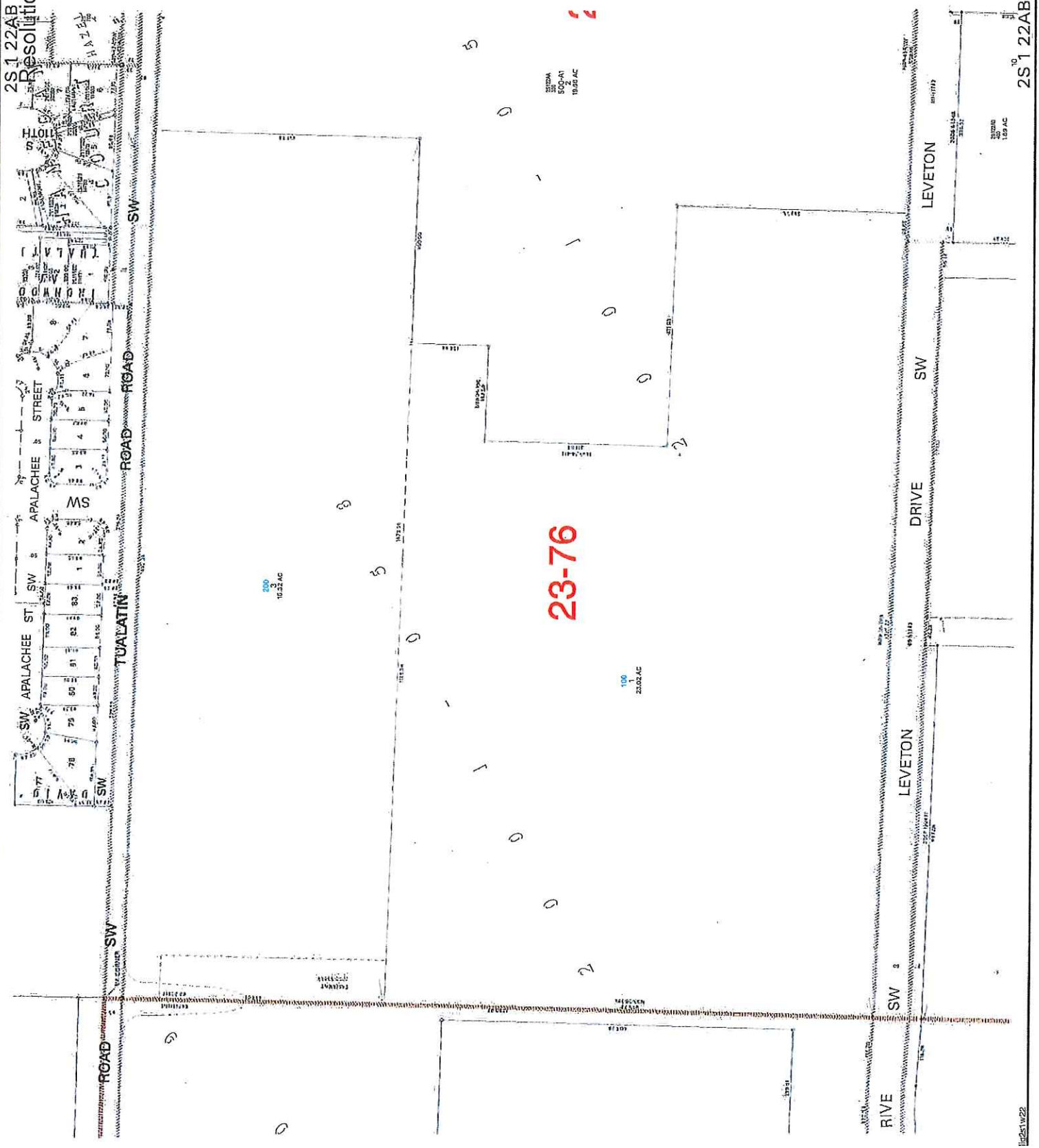
35	31	32	33	34	35	36
1	6	5	4	3	2	1
12	7	8	9	10	11	12
13	18	17	16	15	14	13
24	19	20	21	22	23	24
25	30	29	28	27	26	25
35	31	32	33	34	35	36
1	6	5	4	3	2	1

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



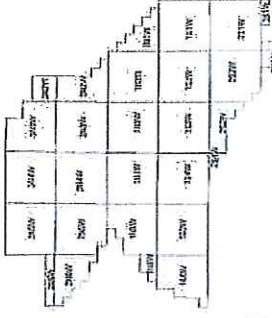
PILOT DATE: June 25, 2010
FOR ASSESSMENT PURPOSES ONLY
FOR OTHER USE
Map series displays the current assessed value, assessed value history, and current property boundaries. Please consult the appropriate map for the most current information.

TUALATIN
2S 1 22AB



2S 1 22AB

2S 1 22AB



SUPPLEMENTAL MAP NO. 1

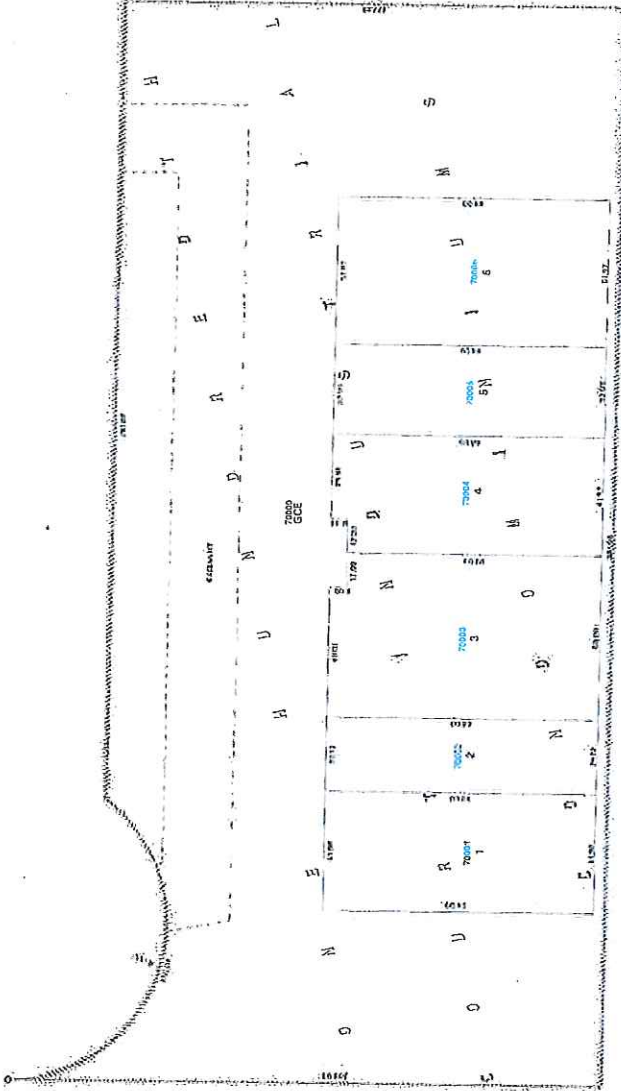
IN
NE 1/4 NW 1/4 SECTION 23 T2S R1W W.M.
WASHINGTON COUNTY OREGON
SCALE 1" = 30'

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

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

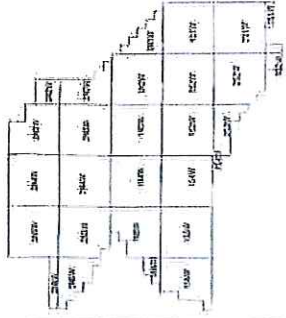
SECTION 23



PLOT DATE: October 13, 2006
**FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE**
Map data obtained by using GPS readings of horizontal lines
patterns are for reference only and may not indicate the most
current property boundaries. Please consult the appropriate maps
for the most current information.

SUPPLEMENTAL
MAP NO. 1

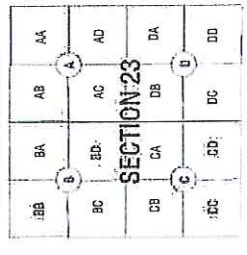
2S 1 23BA-S1



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

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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

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.cc.washington.or.us

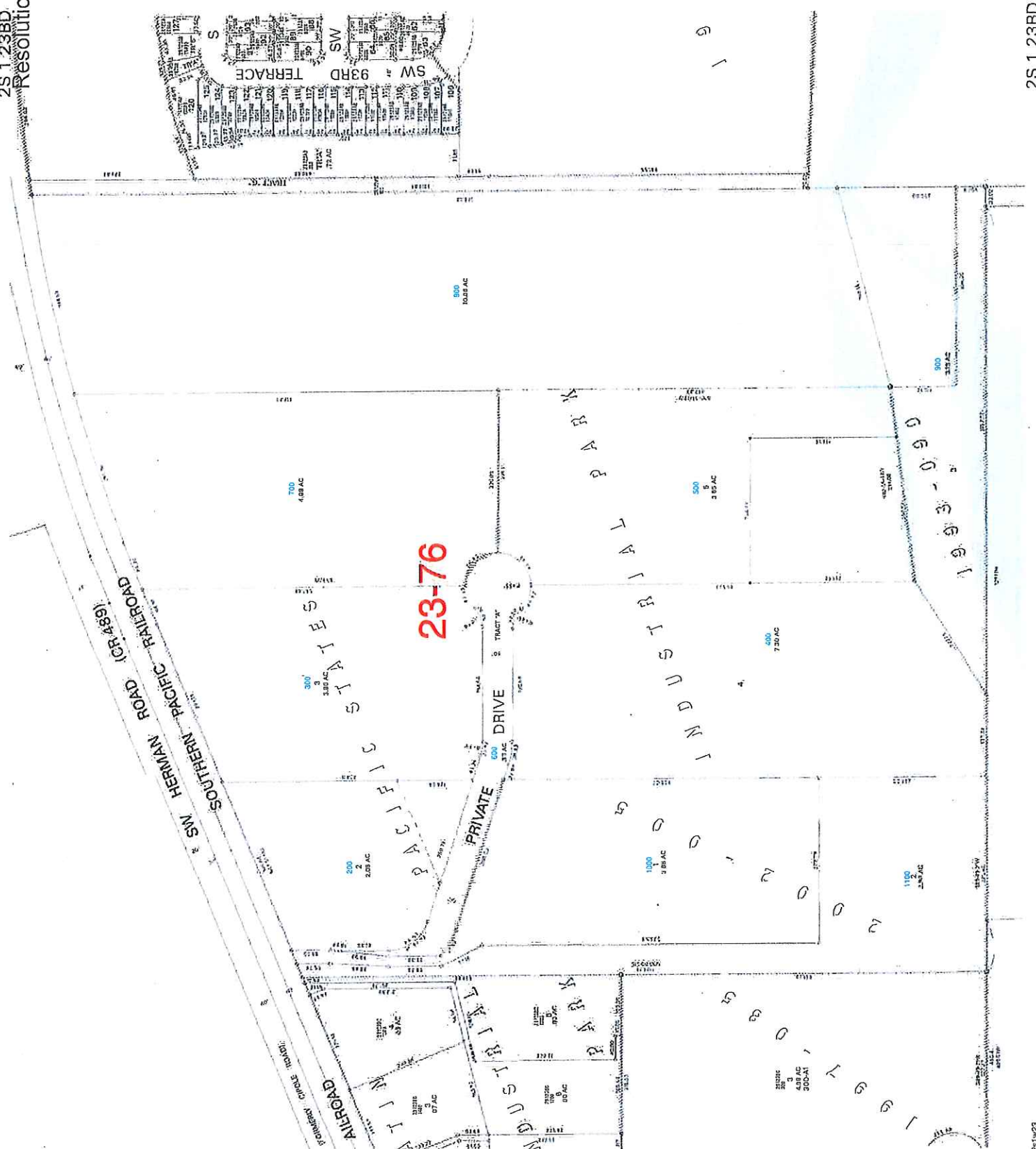


Cancelled Taxlots For: 2S123BD
101-201-100-000-A1, 800-A1, 801-A1, 400-A1,
700-A1, 900-A1



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

Map areas delineated by color 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.



2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600
------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------

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

30	31	32	33	34	35	36	37	38	39	40
1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30	31	32	33
34	35	36	37	38	39	40	41	42	43	44

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.wa.washington.or.us

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

Cancelled Taxlots For: 2S122DA
 800,600-A1,300-A1.



PLOT DATE: August 09, 2013
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE
 Map areas affected by sewer gas loading or a cross country claim are to be reviewed only and they do not indicate the actual current property boundaries. Please consult the appropriate map for the most current information.

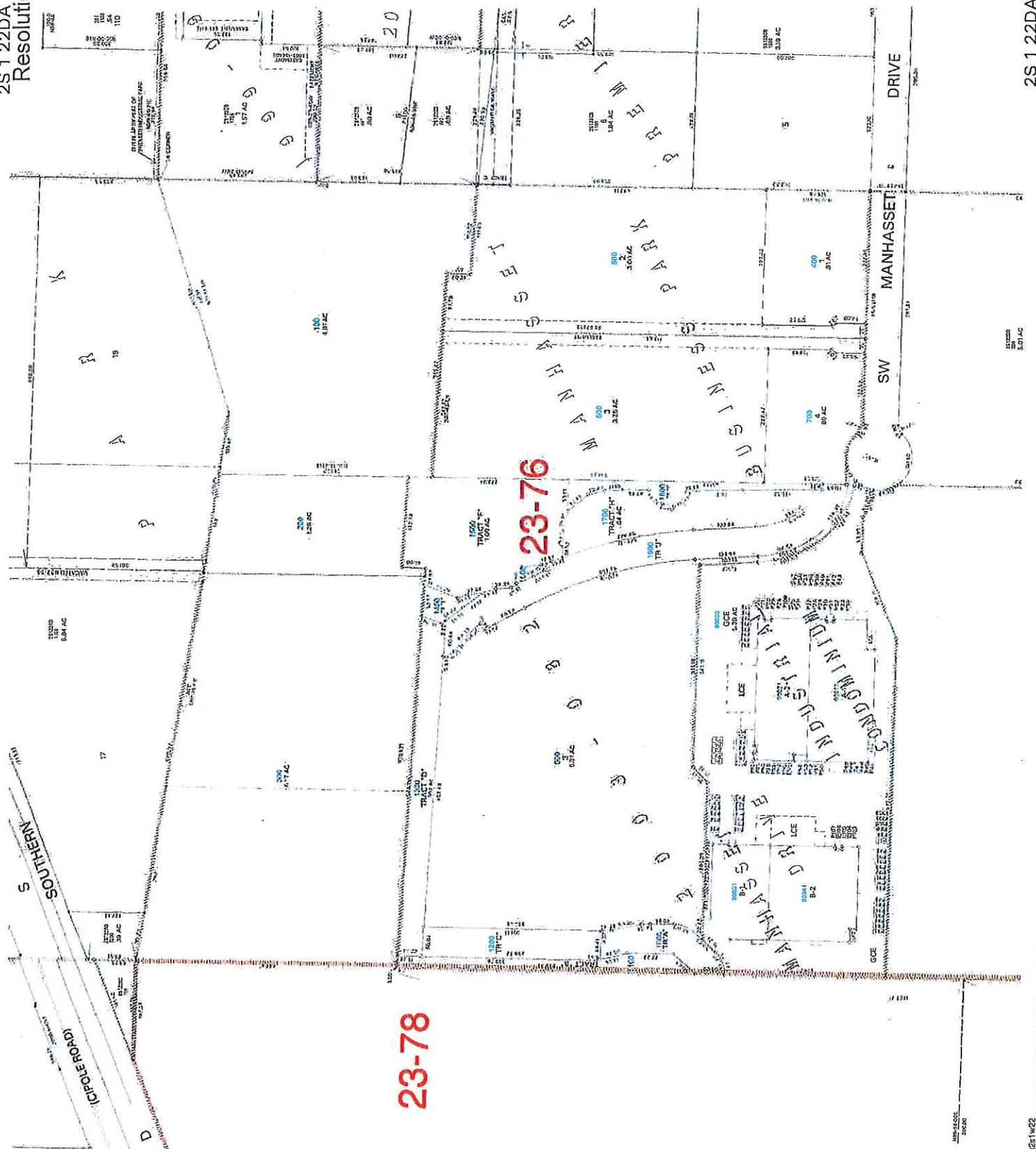
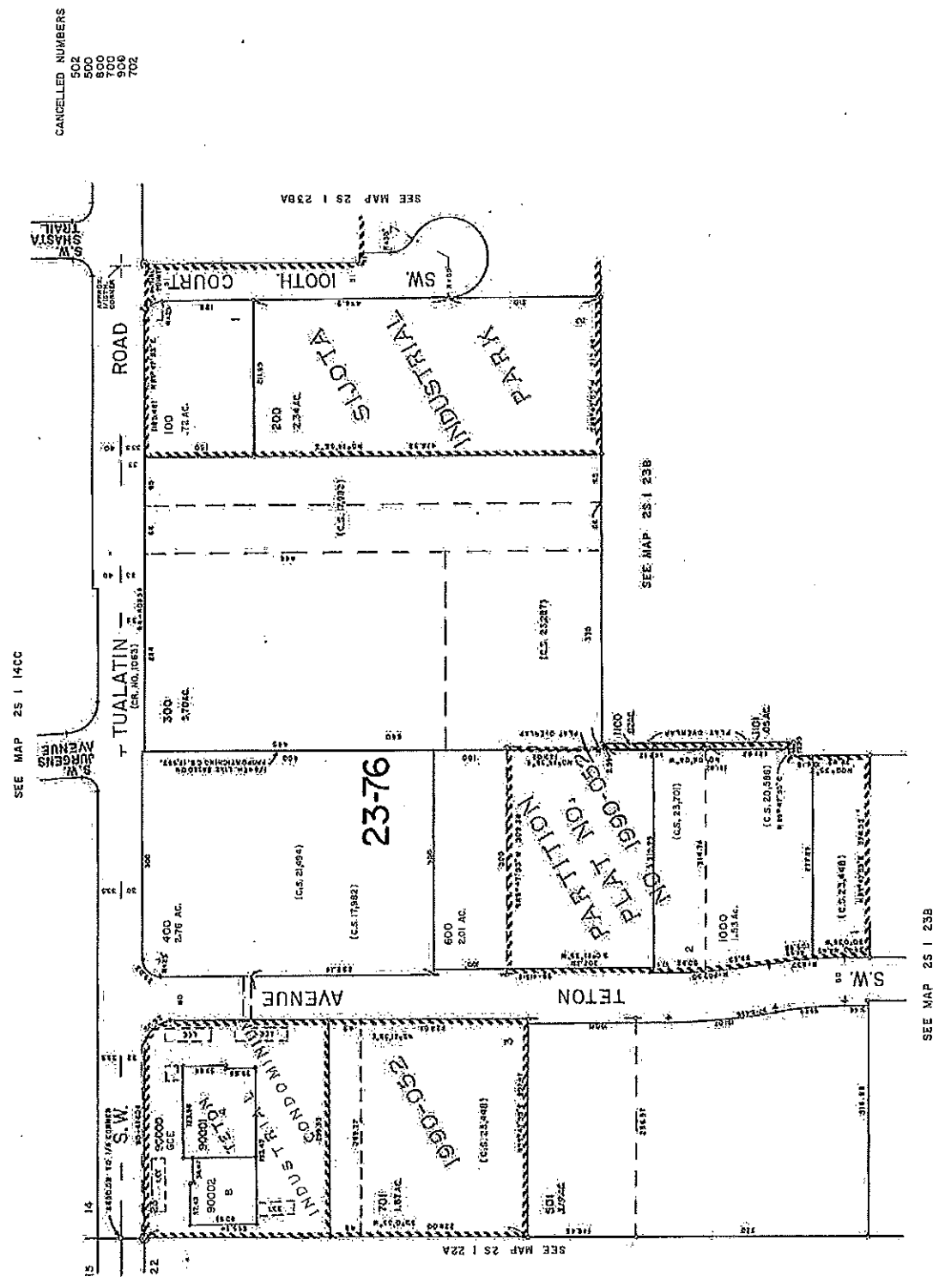


Exhibit B to
 Resolution No. 5309-17
 2S 1 23BB
 TUALATIN

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

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



TUALATIN
 2S 1 23BB



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:

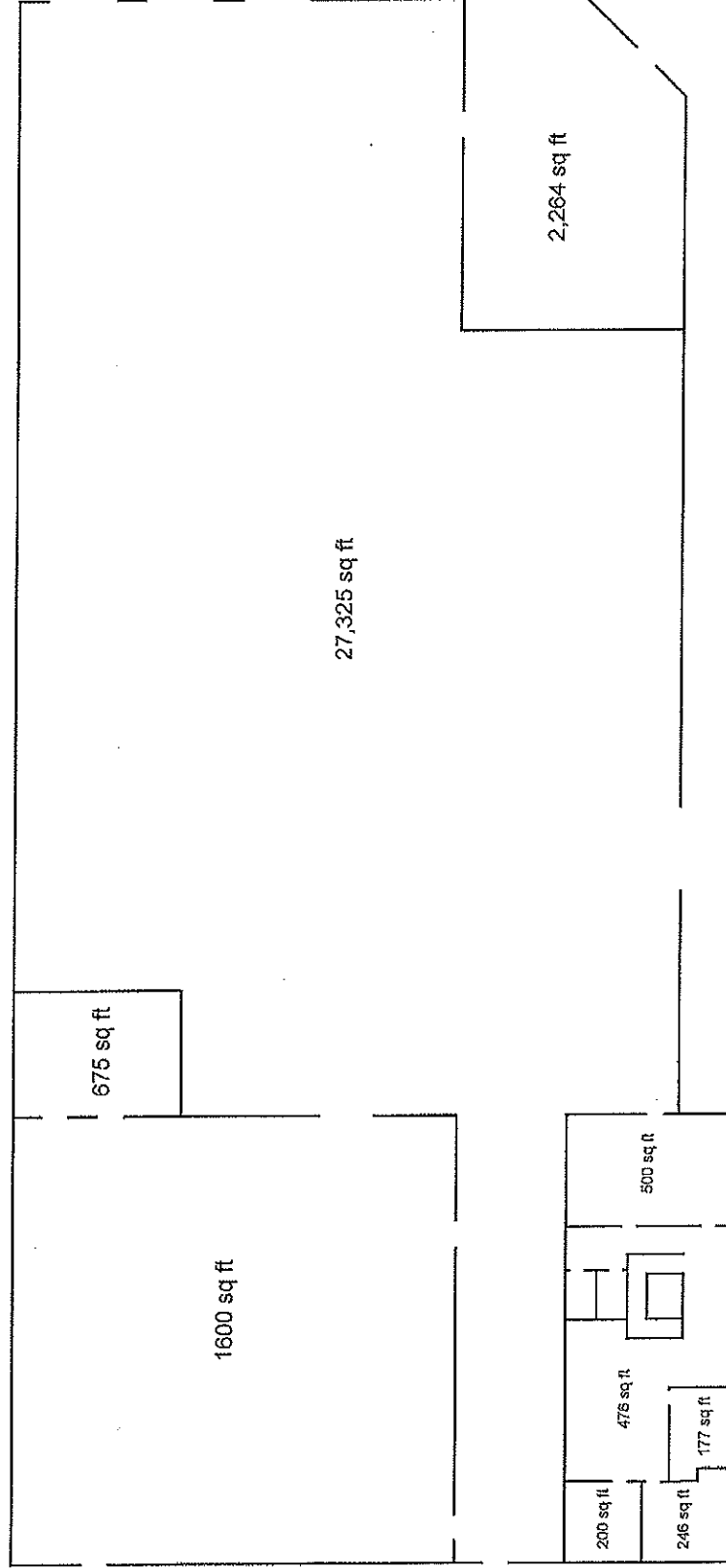
Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 2351" located at the Northeast corner of Tract "E" of PARTITION PLAT NO. 1993-098, said point also being at the intersection of the West line of GLENMORAG PARK and the Southerly right-of-way line of S.W. Leveton Drive; thence along 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°46'35" 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

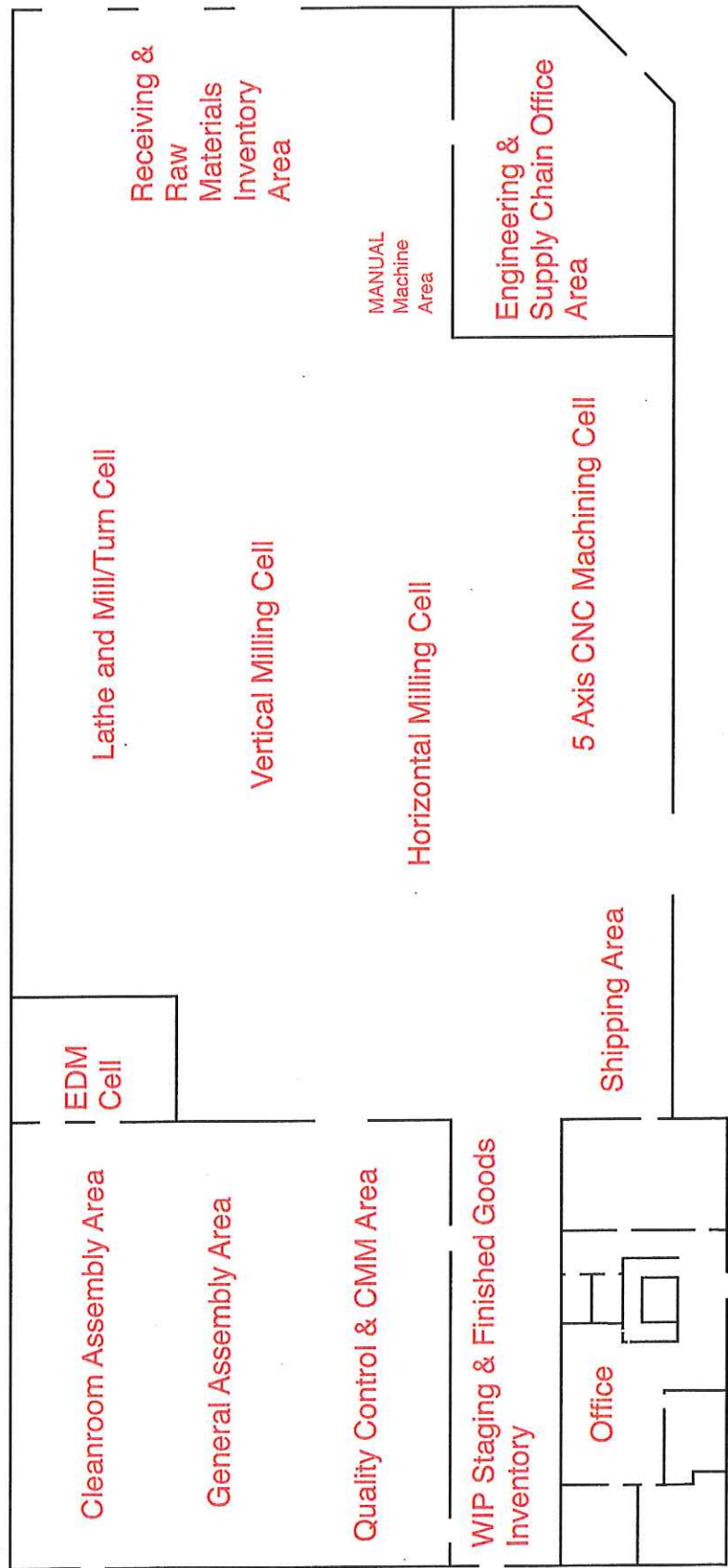
Attached.

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

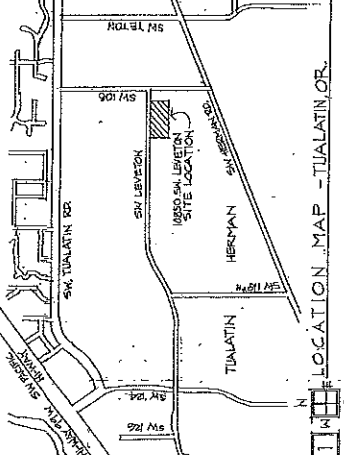


Scale: 3/8 in. = 1ft

ERIC R GAMER
DESIGN
3035 NE 59th AV
PORTLAND, OREGON 97213
503-284-6070 Fax 503-284-6055

3 CM STONE
TENANT IMPROVEMENT REMODEL
1000 SW LEVETON
TUALATIN, OR, 97062

7.29.08
7.7.09 rev.



PROJECT INFORMATION

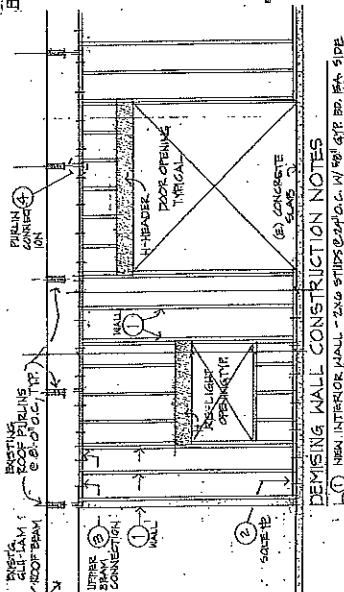
PROJECT DESCRIPTION
REMODEL EXISTING TYPICAL MANUFACTURING REMODEL FOR FABRICATION OF METALLIC ROOFING SYSTEMS FROM THE EXISTING STORAGE AREA. WALL INCLUDES RE-SPACING THE STONE FABRICATION FROM THE EXISTING STORAGE AREA. WALL INCLUDES RE-SPACING THE STONE FABRICATION FROM THE EXISTING STORAGE AREA. WALL INCLUDES RE-SPACING THE STONE FABRICATION FROM THE EXISTING STORAGE AREA.

PROJECT DETAILS
RADIO: TUALATIN, OREGON, 97114
TUALATIN, OREGON, 97114
TUALATIN, OREGON, 97114
TUALATIN, OREGON, 97114
TUALATIN, OREGON, 97114

PROJECT NOTES
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION AND ALL DIMENSIONS TO MATCH FACE OF WALL OR SURFACE UNLESS OTHERWISE NOTED (UON).
2. ALL DIMENSIONS TO MATCH FACE OF WALL OR SURFACE UNLESS OTHERWISE NOTED (UON).
3. NORTHWEST CORNER, UON ON CORNER.

ROOM & ABBREVIATION LEGEND

BT	POWER TRANSFORMER
P	PERFORATE WALL OPENING
PL	PROPERTY LINE
RM	ROOF RAMP UNDER
R	RELOCATE - EXTERIOR GLASS WINDOW
RV	ROOF VENT
ST	STORAGE AREA
SR	SKY LIGHT
SS	BATHROOM
STB	STORM SEWER OUTFALL
STM	STORM SEWER VALVE PER 402000
TEL	TELEPHONE
TY	TYPICAL
W	WATER - ROOM HAS COPPER WATER SUPPLY
WP	WATER - PROCESS WATER
WT	WATER - THERMO CIRCULATION WATER



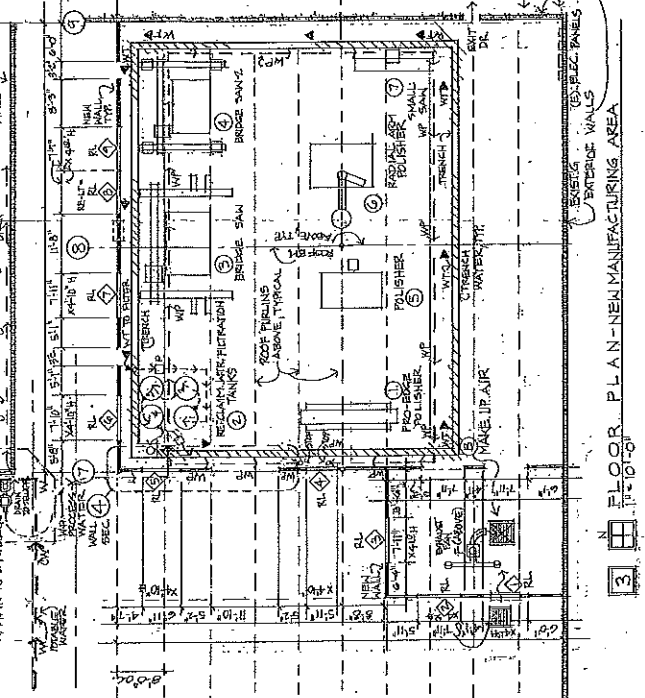
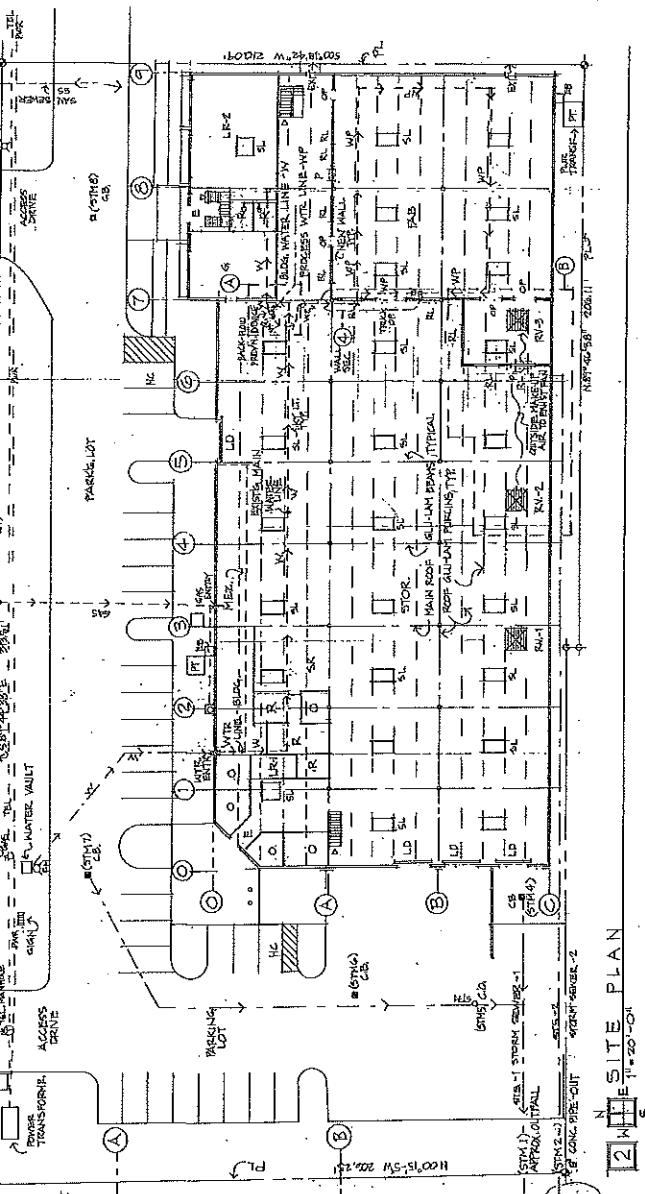
DEMISING WALL CONSTRUCTION NOTES

1. NEW INTERIOR WALLS TO BE STUDS @ 24" ON CENTER, 2" X 8" JOIST @ 24" ON CENTER, 1/2" GYPSUM BOARD ON BOTH SIDES.
2. INTERIOR WALL CONNECTION - WALLS SHOT INTO GULL-LAM BY EXISTING CONSTRUCTION.
3. ROOF PURLIN CONNECTION - 10 #4 NAILS SHOT INTO GULL-LAM BY EXISTING CONSTRUCTION.
4. HEADER - NON-STRUCTURAL - 10 #4 NAILS SHOT INTO GULL-LAM BY EXISTING CONSTRUCTION.
5. RE-LITS - CLEAR PLASTIC GLAZING W/ WOODEN CASING TRIM.



NOTES

1. INSTALL RP BRACKET ON PREVENTION DEVICE FOR CORNER TO SPAN BRACKET.
2. WALL TO BE 3 CM STONE.
3. WALL TO BE 3 CM STONE.
4. WALL TO BE 3 CM STONE.



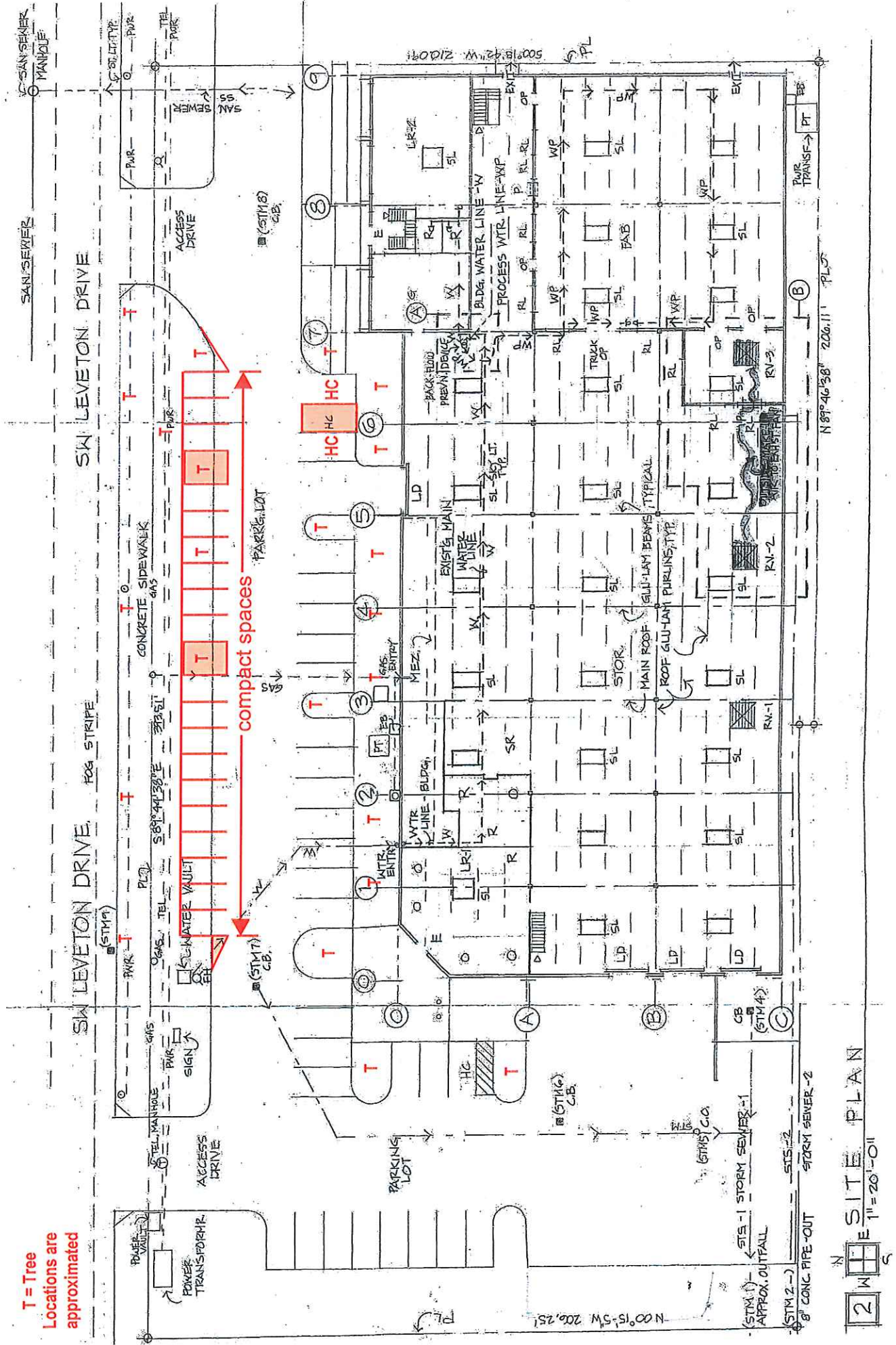
3 FLOOR PLAN - NEW MANUFACTURING AREA

2 SITE PLAN

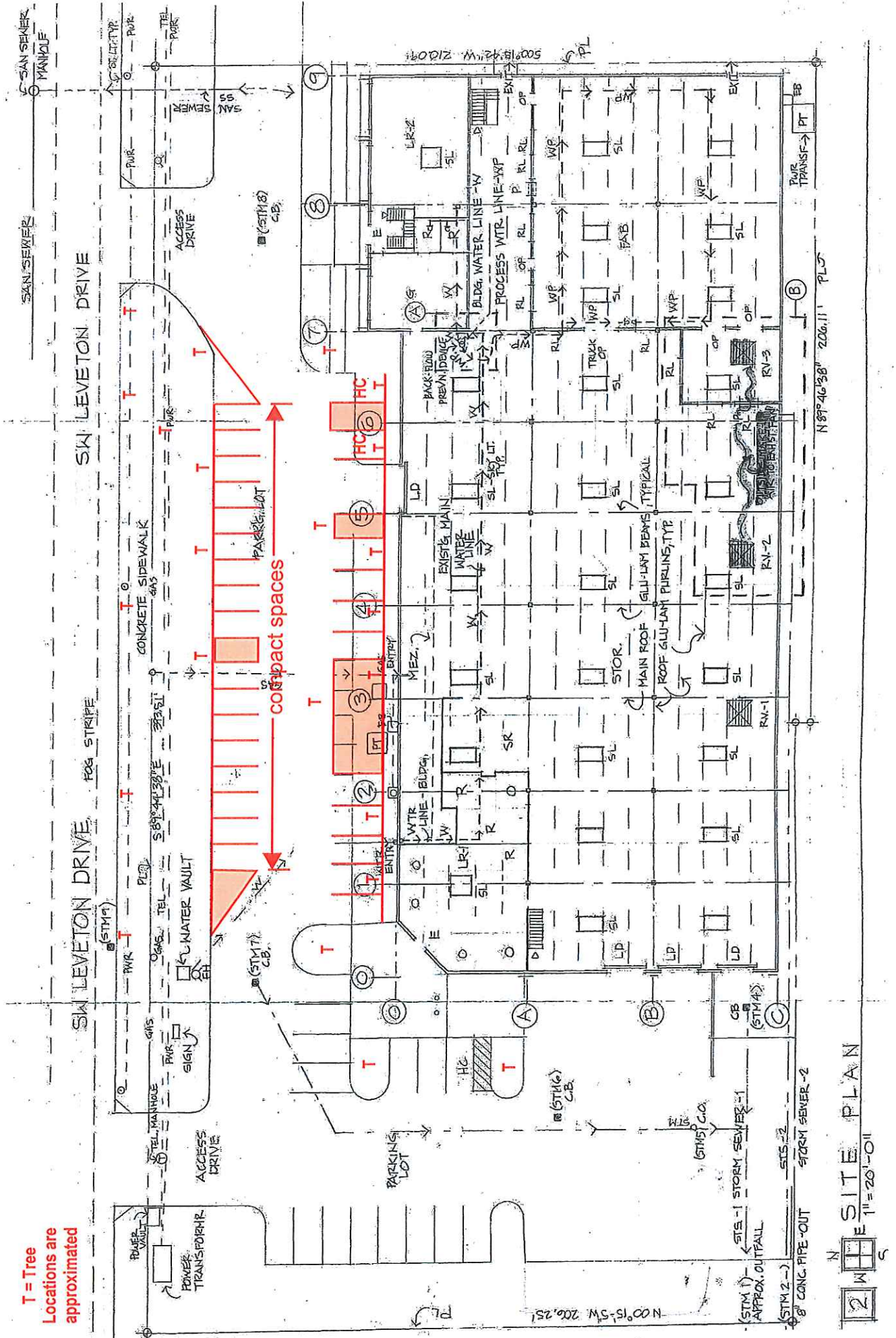
1 LOCATION MAP - TUALATIN, OR.

Exhibit B to
Resolution No. 5309-17

- 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.

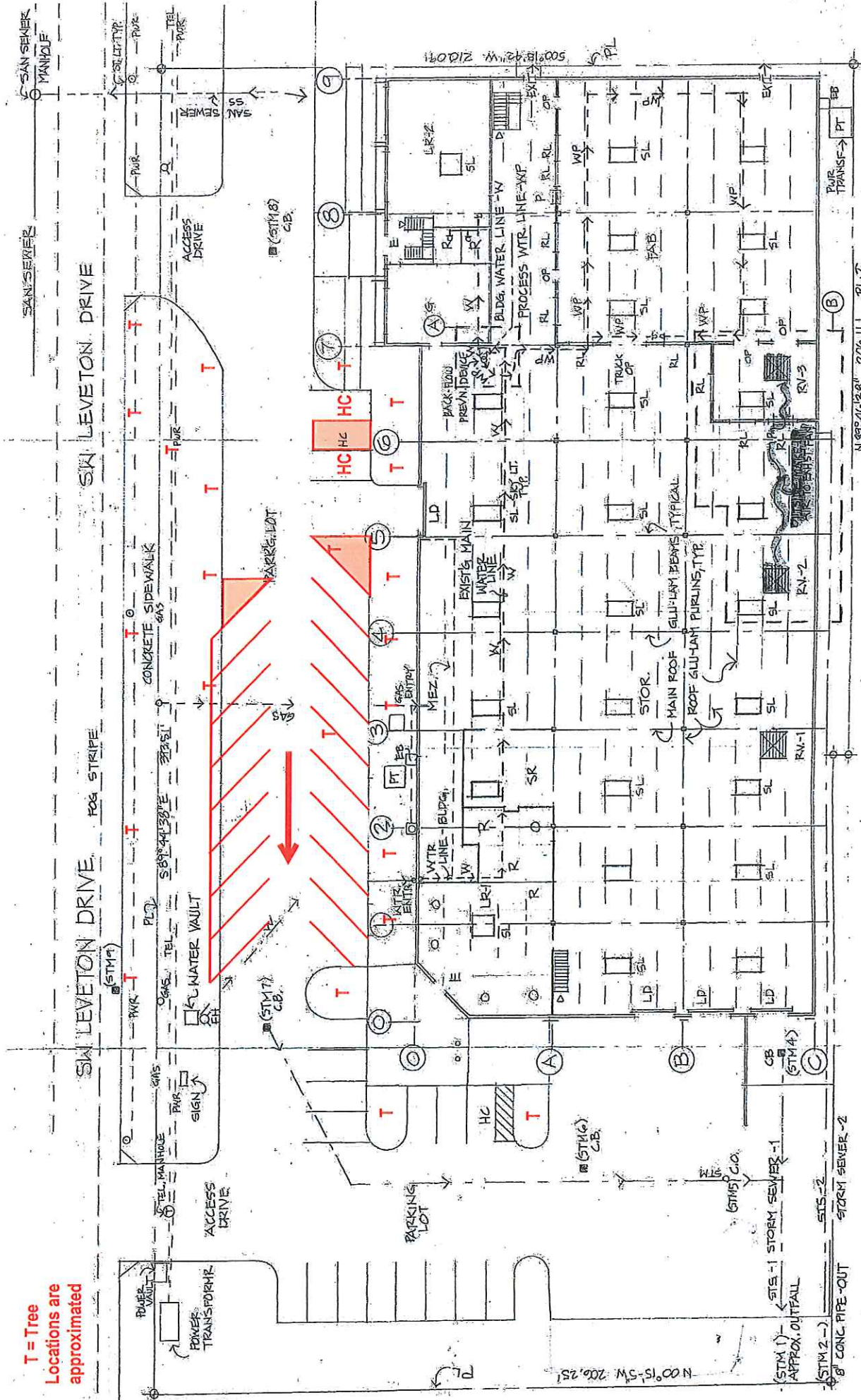


- Main Parking Concept 2: Narrow landscaping adjacent to building by 10 feet to provide compact parking on north side
- Remaining landscaping adjacent to building is 5 feet.
- Concept impacts at least 9 trees.
- Concept does not address landscape or water treatment requirements necessary for added parking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



- Resolution No. 5309-17
 HC parking - potential spaces +5
- Main Parking Concept 3: Narrow landscaping adjacent to street by 3 feet to provide some diagonal parking and revise 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.

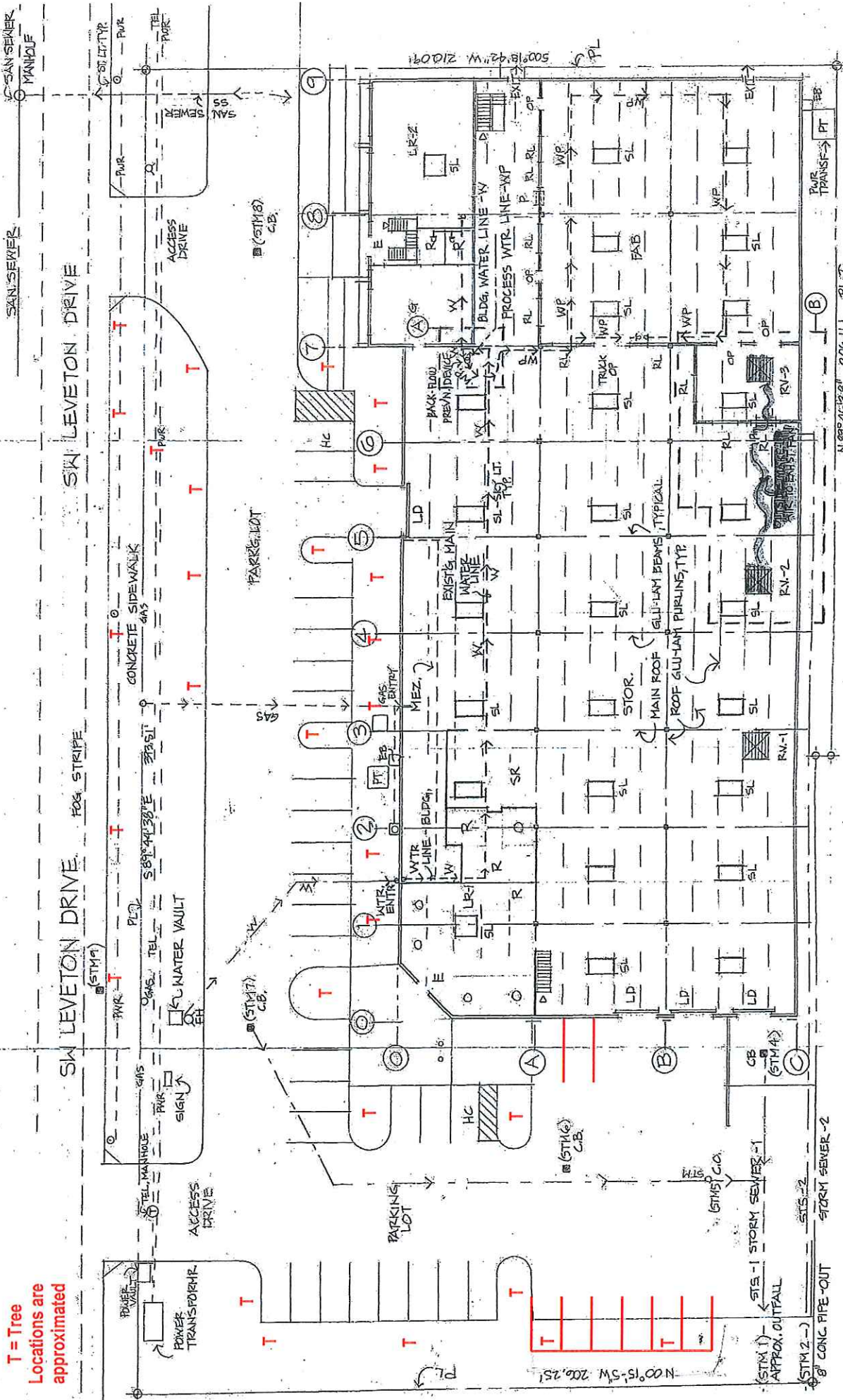
T = Tree
 Locations are approximated



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

- 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



2. WEST SITE PLAN
1" = 20'-0"

APPENDIX H
Traffic Study

Attached.

MACKENZIE.

DESIGN DRIVEN | CLIENT FOCUSED

Exhibit B to
Resolution No. 5309-17

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.



P 503.224.9560 • F 503.228.1285 • W MCKNZE.COM • RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214
ARCHITECTURE • INTERIORS • STRUCTURAL ENGINEERING • CIVIL ENGINEERING • LAND USE PLANNING • TRANSPORTATION PLANNING • LANDSCAPE ARCHITECTURE
Portland, Oregon • Vancouver, Washington • Seattle, Washington

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
Net New				-7	-9	-127


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 E. 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



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>.

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.

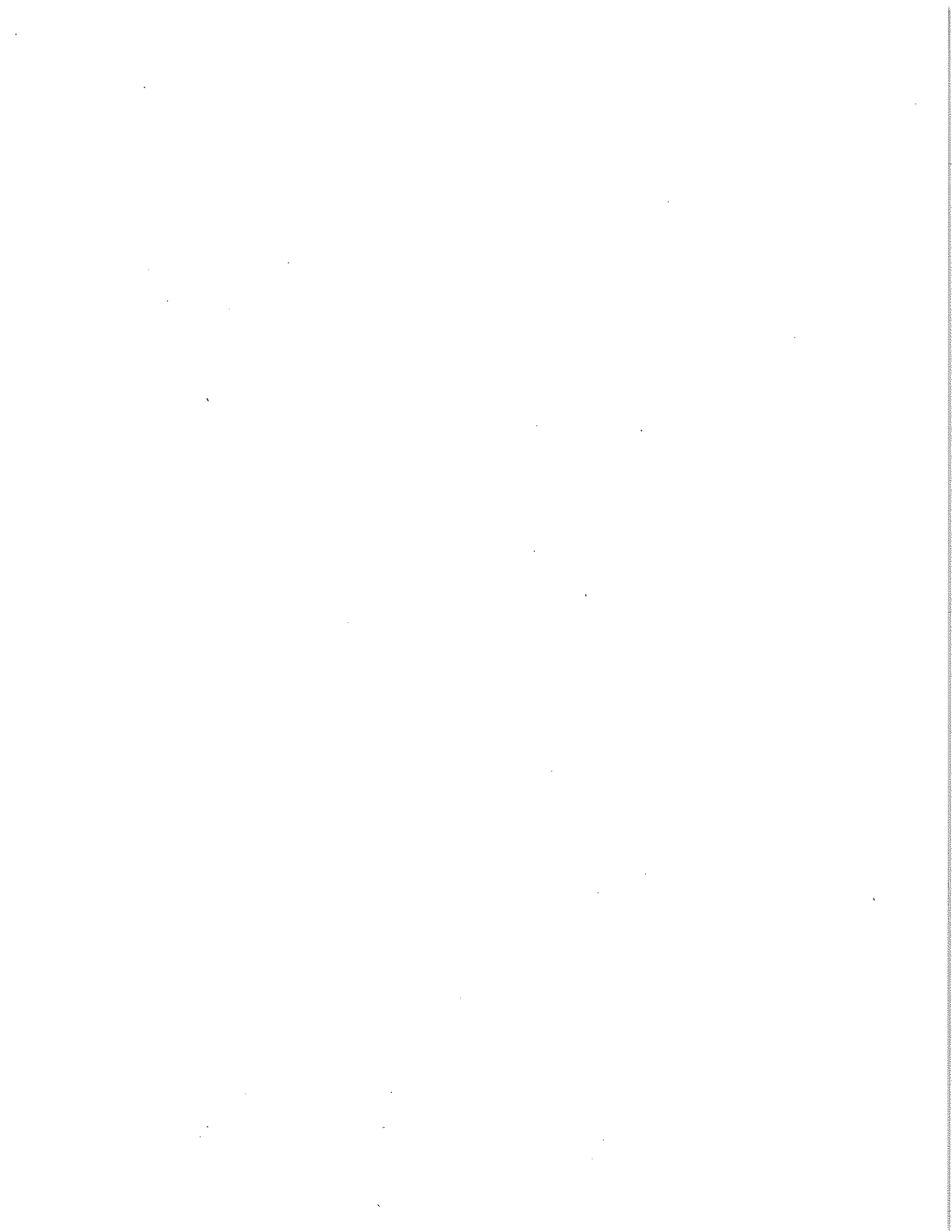
Applicant's Name: Ethan Pond, Director of Operations - Calmax Technology
 (PLEASE PRINT)

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

Washington County, Oregon **2016-080094**
D-DW
Str=20 | REED **09/30/2016 03:55:49 PM**
\$20.00 \$11.00 \$5.00 \$4,067.00 \$20.00 **\$4,123.00**

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

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.

CHICAGO TITLE 4725160062264-47

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

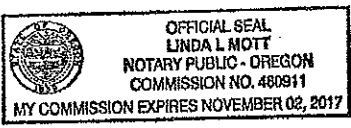


EXHIBIT "A"
Legal Description

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