

## Madeleine Nelson

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**From:** Madeleine Nelson  
**Sent:** Monday, July 8, 2024 1:25 PM  
**To:** Wil Anderson  
**Cc:** Steve Koper  
**Subject:** Notice of Decision Extension Request "AR22-0003 - Avery Industrial"



### NOTICE OF EXTENSION REQUEST

Phelan MJD2 LLC requests an extension of the Architectural Review decision dated July 13, 2022, for the proposed Avery Industrial development, case file AR22-0003. The applicant requests to extend the decision through July 13, 2025. The 7.4-acre site is located in the General Manufacturing (MG) District at 10700 SW Tualatin-Sherwood Road, Tax Lot: 2S127AA02100.

You may view the application materials on our Projects web page: <https://www.tualatinoregon.gov/planning/ar22-0003-avery-industrial-extension-request>

#### **Comments Due: July 22, 2024**

Individuals wishing to comment must submit written comments to [mnelson@tualatin.gov](mailto:mnelson@tualatin.gov) or 503.691.3027 within the 14-day period in order to receive a Notice of Decision and have standing to submit an Appeal, in accordance with TDC 32.220. Issues which may provide the basis for an appeal to the Architectural Review Board, City Council and Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient detail and clarity to enable the decision maker to respond to the issue and state how a person may be adversely affected by the proposal.

**Type II Extension of Permit Expiration:** Applicable criteria include Tualatin Development Code Chapters 32 and 33. Staff may grant the extension if:

- (i) The applicant submitted a written extension request prior to the expiration date;
- (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.

#### **Madeleine Nelson**

Assistant Planner

City of Tualatin | Planning Division

503.691.3027 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)



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**From:** Madeleine Nelson  
**Sent:** Monday, July 8, 2024 1:26 PM  
**To:** Dyami\_Valentine@washingtoncountyor.gov; theresa\_cherniak@co.washington.or.us; LUComments@cleanwaterservices.org; McGladrey, Alexander M.; KHerrod@republicservices.com  
**Cc:** Steve Koper  
**Subject:** Notice of Decision Extension Request - " AR22-0003 Avery Industrial"



### NOTICE OF EXTENSION REQUEST

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**Madeleine Nelson**  
Assistant Planner





# AFFIDAVIT OF MAILING

STATE OF OREGON)

) ss

COUNTY OF WASHINGTON)

I, Lindsey Hagerman being first duly sworn, depose and say:

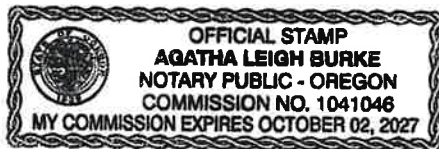
That on the 8 day of July, I served upon the persons shown on Exhibit A, attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing/Application/Decision marked Exhibit B, attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses reflect information received from the relevant party or agency, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, prepared to receive postage administered by city staff.

Dated this 8 of, July 2024

Lindsey Hagerman  
Signature

SUBSCRIBED AND SWORN to before me this 7/8/2024

Agatha Leigh Burke  
Notary Public for Oregon



My commission expires: 10/02/2027

RE: AR22-0003 AVERY INDUSTRIAL DECISION EXTENSION REQUEST

Beth Zauner

AAI Engineering

4875 SW Griffith Drive, #100

Beaverton, OR 97005

Phelan MJD2, LLC.

450 Newport Center Drive, #405

Newport Beach, CA 92660



**NOTICE OF APPLICATION SUBMITTAL AND OPPORTUNITY TO COMMENT  
DECISION EXTENSION REQUEST: AR 22-0003 — AVERY INDUSTRIAL**

**NOTICE IS HEREBY GIVEN** that a request for extension of permit expiration has been made for AR22-0003 “Avery Industrial” on June 4, 2024, known as:

**“Avery Industrial”  
File No. AR 22-0003**

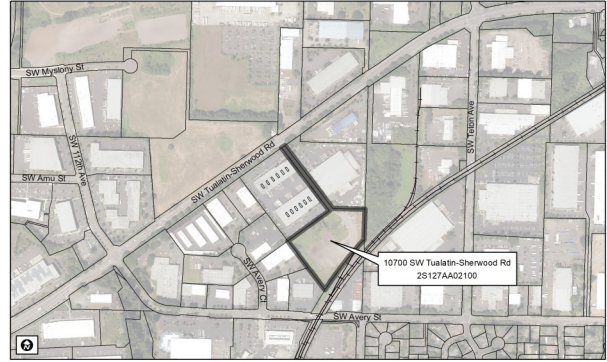
Phelan MJD2 LLC requests an extension of the Architectural Review decision dated July 13, 2022 for the proposed Avery Industrial development, case file AR22-0003. The applicant requests to extend the decision through July 13, 2025.

To view the application materials visit:  
[www.tualatinoregon.gov/projects](http://www.tualatinoregon.gov/projects)

**Individuals wishing to comment on the request, must do so in writing by 5 pm on July 22, 2024 to:**

Planning Division  
Attn: Madeleine Nelson  
mnelson@tualatin.gov or 503.691.3027

**The property is located at:** 10700 SW Tualatin-Sherwood Road  
**Tax Lot:** 2S127AA02100



**Type II Extension of Permit Expiration:** Applicable criteria include Tualatin Development Code Chapters 32 and 33. Staff may grant the extension if:

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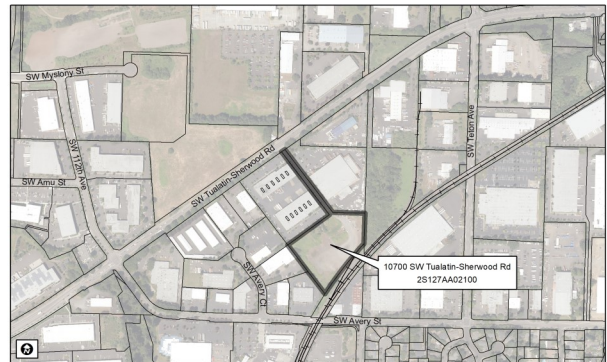
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- **Print copies** of the application are available at a reasonable cost.
- **Individuals wishing to comment on the application** must do so in writing to the Planning Division prior to the decision. Materials must be received by July 22, 2024.
- **Notice of the Decision** will only be provided to those who submit written comments regarding the application.

*You received this mailing because you own property within 1,000 feet (ft) of the site or within a residential subdivision which is partly within 1,000 ft.*

For additional information contact:

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