

ESSEX GENERAL CONSTRUCTION: TUALATIN OFFICE

18520 SW 108TH Avenue | Tualatin, Oregon | 97062

CONDITIONAL USE NARRATIVE



RELEASE DATE: 12/10/2024
CIDA PROJECT NUMBER: 240134.01



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I. Project Summary



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Owner (Current):	Ascentec Engineering 18500 SW 108 th Avenue Tualatin, Oregon 97062 Contact: Kim Brady E: kimbrady@ascenteceng.com
Applicant / Owner (Purchaser):	Essex General Construction 17400 SW 65 th Avenue, Suite 100 Lake Oswego, OR 97035 Contact: Bo Oswald E: bo.oswald@essexgc.com
Architect / Applicant's Representative:	CIDA, Inc. 15895 SW 72 nd Avenue, Suite 200 Portland, OR 97224 Contact: Erik Winter, Architect E: erikw@cidainc.com T: (503) 226-1285
Civil Engineer:	Humber Design Group 110 SE Main Street Portland, OR 97214 Contact: Dave Humber E: dave.humber@hdgpdx.com T: (503) 946.5370
Project Location:	18520 SW 108 th Avenue Tualatin, OR 97062
State ID No.:	2S122AD00100 / R530125
Lot Size:	Approximately 62,725 square feet (1.44-acres)
Zoning:	Light Manufacturing (ML)
Application Type:	Conditional Use Permit
Procedure Type:	Type III Review
Pre-Application Meeting Date:	July 24, 2024
Neighborhood Meeting Date:	December 4, 2024
Existing Structures:	(2) existing, single level storage buildings. (1) existing structure will be removed as part of the proposed development.
Proposed Scope of Work:	The Project will include the development of a new 12,000 square foot contractors office building and associated site improvements. The program will generally include administrative office(s), a conference room, storage, and support space(s) for a general contractor's operations.



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About the Applicant.

This application requests Conditional Use Permit approval for the development of Essex General Construction's ("Applicant") new office building, and associated site improvements, at a site located at 18520 SW 108th Avenue, Tualatin, Oregon, 97062 ("Subject Site").

Essex General Construction is a commercial general contractor and founded in Eugene, Oregon in 1987. Today, Essex General Construction has offices in both Eugene and Portland, Oregon.

The applicant's intended use of the site is to have it be the base of their Portland operations. It will house personnel and other support and storage improvements to support the operation of their business in the Portland metro area.

Existing Site Description and Surrounding Land Uses.

The approximately 1.44-acre site is currently in the process of being purchased by Essex General Construction, Inc., from Ascentec Engineering ("Property Owner"). The Project Site is currently located within City of Tualatin's jurisdiction and is generally flat, with a slope from the northwestern property line (high side) to the southeastern property line (low side).

The Project Site has frontage on one (1) right-of-way: SW 108th Avenue along the entire western property line – site access will be provided along this frontage. The project has existing mature trees on site. The proposed development may require the removal of existing trees along the western portion of the site; existing trees along southern and eastern portions of the site are expected to remain. The site contains no known wetlands, buffers, floor plains, or sensitive areas.

The site contains existing gravel surface parking and two existing pole barn shop buildings. The existing gravel parking and eastern most building will remain in place and are not part of this project's scope of work.

Proposal.

This application requests approval of a Conditional Use Permit for the development of a general contractor's office, storage and associated site improvements located in the Light Manufacturing (ML) District. Chapter 39 of the Tualatin Development Code (TDC) identifies Light Manufacturing as the assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such activity takes place, and where such processes are housed entirely within a building. Light Manufacturing also includes the repair and/or servicing of industrial, business, or consumer machinery, equipment, products, or by-products, or in training or instruction of such repair or servicing. Products are generally not displayed or sold on site, but if so, sales and display are accessory to the primary use and subject to restrictions, such as size, set forth in the planning district in which the use will be located. Specifically, Section 39.400 – Light Manufacturing, identifies examples uses within this zone, including "Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials."

The applicant is a commercial general contractor who provides services throughout the Pacific Northwest region, thus meeting the definition of Light Manufacturing per TDC Chapter 39. Per TDC Section 60.200, Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials is a conditional use when located within the Light Manufacturing zone, requiring the Conditional Use Permit approval criteria in Section 33.040 be met.

The following is a brief summary of the proposed development. The Project will generally include the development of a new office building and associated site improvements, inclusive of the following program and assumptions noted below:

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1. **Site Improvements.** Site improvements include, but are not limited to, the following:
 - a. Development of the site to accommodate the proposed general contractor office building.
 - b. Below-grade utility routing from adjacent right-of-way(s) for the proposed general contractor building.
 - c. On-site stormwater treatment, and/or mitigation, as required.
 - d. On-site parking, sidewalks, and site lighting.
 - e. New exterior trash enclosure.
 - f. Landscape improvements / buffers as required.
 - g. Removal of hazardous trees, if determined to be present.
2. **Building Development.** Building Development includes, but are not limited to, the following:
 - a. Construction of (1) one, office building and attached warehouse consisting of approximately 12,000 total square feet.
 - b. Program will generally include administrative office(s), a conference room, storage, and support space(s) for a general contractor's operations.
 - c. Construction of site accessory structures to support the office building program, including but not limited to an exterior trash enclosure, exterior storage building(s), and bicycle storage (as required).

Though this application is for Conditional Use approval only, preliminary site, grading, and utility plans have been submitted for context (**Exhibit D**). An associated Architectural Review application with the same site plan will be submitted separately, the decision for which is contingent on Conditional Use approval. If approval of the requested Conditional Use is granted, and the Architectural Review approval is subsequently granted, it is the Applicant's intent to pursue construction of the proposed improvements the general contractor's office building. The remainder of the site, outside of the area of work, will be retained as existing use(s).

As described above and subsequently analyzed in Part 3. Compliance with Conditional Use Permit Approval Criteria of this narrative, the proposal meets the development standards applicable to the project.

A pre-application meeting for the project was held with the City of Tualatin on July 24, 2024, followed by a neighborhood/developer meeting on December 4, 2024; mailing labels, invitation letter, affidavit of mailing, certification of posting, and meeting sign-in sheet are attached to this application as **Exhibits B.1 – C.2**.

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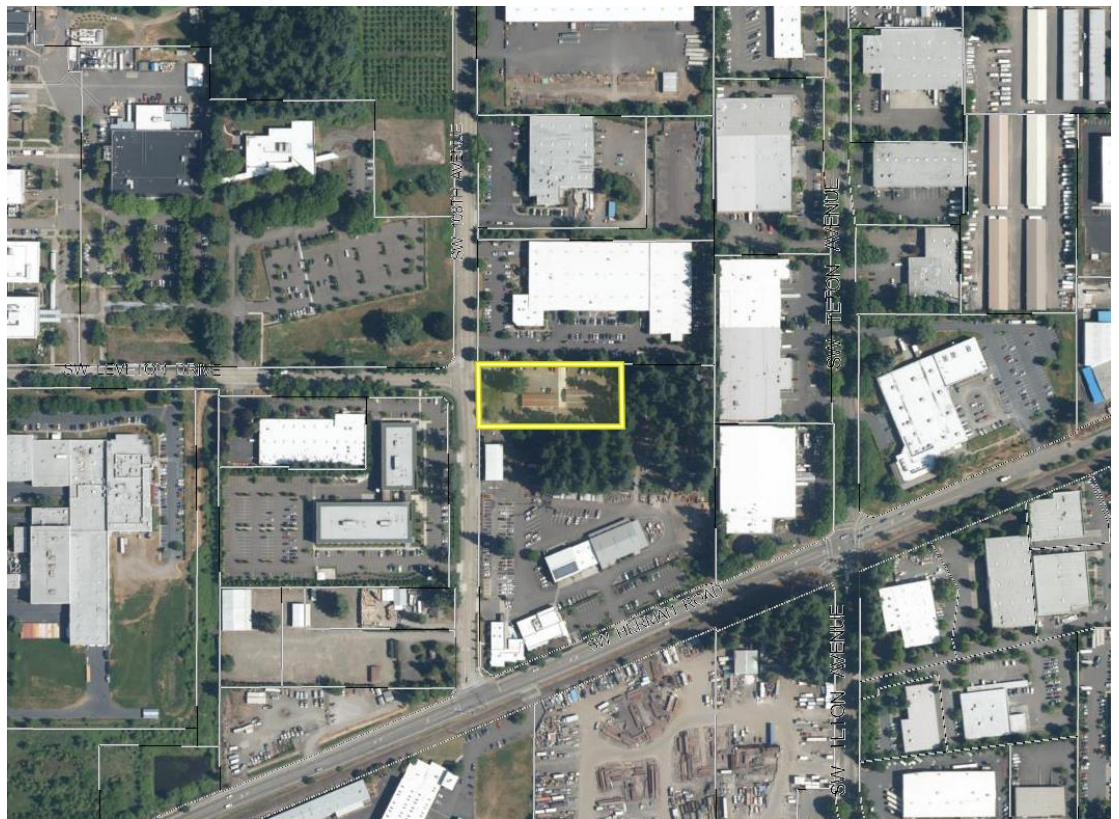
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Aerial Image [Source: Washington County GIS Intermap]



Street View [Source: Google Earth Pro]

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3. Compliance with Conditional Use Permit Approval Criteria



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The project is subject to a Conditional Use Permit per TDC 60.200 Table 60-2. This narrative addresses all standards of the TDC relevant to Conditional Use Permit review, specifically those under Chapter 33, Section 33.040 TDC – Conditional Use Permit. Standards applicable to Architectural Review are not included with this application, as they are being applied and reviewed in a separate Architectural Review application. All applicable criteria and analysis of consistency with each criterion is set forth below.

Chapter 33 TDC: Applications and Approval Criteria

TDC Section 33.040 Conditional Use Permit.

(1) *Purpose.* It is the intent of this chapter to provide a set of procedures and standards for conditional uses of land or structures which, because of their unique characteristics relative to locational features, design, size, operation, circulation and public interest or service, require special consideration in relation to the welfare of adjacent properties and the community as a whole. It is the purpose of the regulations and standards set forth below to:

- a) Allow practical latitude for utilization of land and structures, while maintaining adequate provision for the protection of the health, safety, convenience and general welfare of the community and adjacent properties; and
- b) Provide machinery for periodic review of conditional use permits to provide for further conditions to assure conformity of such uses more adequately to the public welfare.
- c) Provide siting criteria for the conditional uses specified herein and guidelines for the imposition of conditions to the end that such uses will.
 - i. Be consistent with the intent and purpose of the zone in which it is proposed to locate such use, meet the requirements of the Tualatin Comprehensive Plan with regard to providing benefit to the general welfare of the public, and fill a probable need of the public which can best be met by a conditional use at this time and in this place; and
 - ii. Comply with the requirements of the zone within which the conditional use is proposed and in accordance with conditions attached to such use under the authority of this chapter.

Response: The applicant proposes an Industrial use on the subject site, which is zoned Light Manufacturing (ML). As noted in Table 60-1 of TDC, Use Categories in the ML Zone, general contractor offices and associated storage is an Industrial use requiring Conditional Use Permit approval. Due to the nature of general contractor's business operations, which involves the delivery and storage of construction materials and equipment, the use is most practical and feasible in an industrial zone. The proposed subject site is bordered on all sides by industrial or institutional zoning and uses, thereby providing adequate buffering – by distance as well as intervening structures and uses – from less intense uses that may be sensitive to industrial operations. The closest residential development is at least 1,350' from the northern property boundary is separated by four separate parcels and (1) right-of-way. Because the residences are a considerable distance from the proposed development, and the surrounding uses are all industrial in nature, the proposed use will not alter the character of the surrounding area. The intent of the Conditional Use Permit Purpose is met.

(2) *Applicability.* A request for a conditional use, modification of an existing conditional use permit, or a review of an existing conditional use permit may be initiated by a property owner or the owner's authorized agent.

Response: Essex General Construction has been given permission by the current property owner, who intends to sell the property to Essex General Construction, to initiate this Conditional use Permit Application. Refer to land use application which includes the signature of the current property owner, authorizing for Essex General Construction to initiate this conditional application permit application. This standard is met.

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(3) *Procedure Type.* Conditional use permits are processed in accordance with the Type III review procedures in Chapter 32.

Response: As required per this Subsection, the subject application is being processed as a Type III review procedure, to be reviewed by the Planning Commission. This standard is met.

(4) *Specific Submittal Requirements.* In addition to the general submittal requirements in TDC 32.140 (Application Submittal), the applicant must submit the following additional information and materials:

a) *Project title;*

Response: The title of the proposed development is Essex General Construction Office – Tualatin. This standard is met.

b) *The architect, landscape architect and engineer;*

Response: The project team firms, including the architect and civil engineer, are identified in Section I – Project Summary Section of this Narrative and in the attached submitted plan set. This standard is met.

c) *A site plan, drawn to scale, showing the dimensions and arrangement of the proposed development;*

Response: A site plan illustrating the dimensions and site layout of the proposed development is included on Sheet A1.0 of the submitted plan set (**Exhibit D**), set to a scale of 1/16" = 1'-0". Additional information and dimensions are included on the attached civil drawings, which are part of **Exhibit D**. This standard is met.

d) *A Service Provider Letter from Clean Water Services (CWS) indicating that a "Stormwater Connection Permit Authorization Letter" will likely be issued; and*

Response: A pre-screening form from Clean Water Services (CWS) regarding service to the site is included with this application submittal as **Exhibit E**. This standard is met.

e) *If a railroad-highway grade crossing provides or will provide the only access to the subject property, the applicant must indicate that fact in the application and the City must notify the ODOT Rail Division and the railroad company that the application has been received.*

Response: Access to the site does not involve a railroad-highway grade crossing. This standard is therefore not applicable.

(5) *Approval Criteria.* The applicant must provide evidence substantiating that all the requirements of this Code relative to the proposed use are satisfied and demonstrate that the proposed use also satisfies the following criteria:

a) *The use is listed as a conditional use in the underlying zone.*

Response: The applicant requests approval of a conditional use permit for a general contractor's office and storage use, at the subject site. Per TDC Section 60.20, general contractor's offices are permitted as a conditional use within the Light Manufacturing (ML) zone. This approval criterion is met.

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

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Response: The subject site is located on an 1.44-acre lot with SW 108th Avenue frontage along the entire western property boundary. SW 108th Avenue is considered a collector street per Washington County's May 2, 2024 Transportation System Plan. City of Tualatin Staff have identified the intersection of SW 108th Avenue and Leveton Drive as a potential future location of a signalized intersection. The proposed signalized intersection is included in the City of Tualatin's transportation plan and the design of the signalized intersection has not yet started (per City of Tualatin Staff). The proposed use at the subject site does not generate sufficient trip counts to cause or adversely impact the previously planned signalized intersection. The proposed site development will include a dedication along the frontage as well as an easement for the future signal equipment, both of which will be defined by City of Tualatin Transportation Engineering Staff. The proposed site access is located at the northwest corner of the subject site, aligning with Leveton Drive, as required by City of Tualatin Transportation Engineering Staff.

The minimum lot size in the ML zone is 20,000 square feet. The subject site is approximately 62,725 square feet (1.44-acres), exceeding the minimum lot size requirement. This criterion is met.

The minimum lot width is 100 feet when the lot has frontage on a public street. The lot width along the western property boundary, fronting SW 108th Avenue, is approximately 165', exceeding the lot size requirement. This criterion is met.

Topographically, the site is relatively flat, with a slight cross slope from the northeast corner of the site down to the southwest corner of the site. No notable or documented natural resources exist on site. Vegetation is limited to existing tree clusters along the northern, southern, and eastern property edges, as well as (3) existing trees along the western frontage. The latter (3) trees are planned to be removed as part of the proposed development.

Two single-story, existing storage buildings are currently located on the site. Both buildings are located centrally on the site, with existing gravel surface parking around the perimeter in a looped configuration. The western most building will be removed as part of the proposed redevelopment. The eastern most building will remain and not be affected by this project's scope of work.

The applicant proposes (1) new 12,000 square foot building. The building will generally include administrative office(s), conference and training rooms, storage, and support space(s) for a general contractor's operations.

The standards of this section are met.

- c) *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:*

Response: The site has frontage and access on SW 108th Avenue, which is under City of Tualatin's jurisdiction and designated as a collector street by Washington County. The Applicant has been advised that the intersection of SW 108th Avenue and SW Leveton Drive will potentially receive a traffic signal in the future. The design and details of this future signal have not yet been developed by the City of Tualatin Traffic Engineering Staff. The proposed use at the subject site does not generate sufficient trip counts to cause or adversely impact the previously planned signalized intersection. The proposed site development will include a dedication along the frontage as well as an easement for the future signal equipment, both of which will be defined by City of Tualatin Transportation Engineering Staff. The proposed site access is located at the northwest corner of the subject site, aligning with Leveton Drive, as required by City of Tualatin Transportation Engineering Staff.

A Traffic Impact Study memorandum was prepared, and attached (refer to **Exhibit G**) based on Staff's request. The analysis was based on the ITE land use (General Light Industrial #110) and trip counts noted in the 9th Edition of the Institute of Transportation Engineers Trip Generation. The findings have been shared with the City of Tualatin's Transportation Engineer, prior to the submittal of this application, who concurs with the applicant's findings.

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A topographic survey was completed and indicates public utilities available as noted below, in addition city master plans were consulted to confirm capacity.

Public sanitary service is available along the west side SW 108th Avenue in an existing service is 8-inch concrete sanitary pipe. The 2019 City sewer master plan indicates that this pipe is currently sized appropriately for this zone as no Capital Improvement project is noted in the vicinity of the project. Capacity is therefore available.

Public storm sewer is available along the west side of SW 108th Avenue in an existing 18-inch concrete storm pipe. The 2019 City storm sewer master plan indicates that this pipe is currently size appropriately for this zone as no Capital Improvement project is noted in the vicinity of the project. Capacity is therefore available.

Public water service is available along the east side of SW 108th Avenue in an existing 16-inch ductile iron water pipe. Project proposed to connect to an existing 8-inch stub out near the south end of the subject parcel. The 2023 City water system master plan indicates that this pipe is currently sized appropriately for this zone as no Capital Improvement project is noted in the vicinity of the project. Capacity is therefore available.

- d) *The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone; and*

Response: Surrounding zoning designations include Light Manufacturing (ML) to the north and west (opposite side of SW 108th Avenue). The zoning designation of the adjacent property fronting the southern and eastern boundaries is Institutional (IN) and is owned by the City of Tualatin. Neighboring uses predominantly include warehousing, manufacturing, and industrial offices.

The surrounding uses are industrial in nature, the proposed use will not alter the character of the surrounding area in any manner that limits, impairs, or prevents the use of surrounding properties from the primary uses listed in the underlying planning district. This approval criterion is met.

- e) *The proposal satisfies those objectives and policies of the Tualatin Comprehensive Plan that are applicable to the proposed use.*

Response: The Light Manufacturing Planning District (ML) land use designations and zoning definitions identified in the City of Tualatin's Comprehensive Plan 2040, define the ML zone as:

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. Also suitable, with appropriate restrictions, are the retail sale of products not allowed for sale in General Commercial areas, subject to applicable zoning overlay standards. Also suitable are accessory commercial uses subject to area limitations for the sale of products manufactured, assembled, packaged, or wholesaled on the site.

The purpose of this 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. The purpose is also to allow the retail sale of products manufactured, assembled, packaged, or wholesaled on the site subject to area limitations. Certain heavier manufacturing uses may be allowed as conditional uses. [Page 39 of Tualatin Comprehensive Plan 2040]

The applicants proposed use of the site is appropriate suited for this zone, is a defined use within the zone (subject to conditional use approval) and aligns with the description of the ML Planning District. proposed development satisfies the goals and objectives of the Tualatin Comprehensive Plan 2040. This approval criterion is met.

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Chapter 60 TDC: Light Manufacturing Zone (ML)

TDC Section 60.200 Use Categories.

- (1) *Use Categories.* Table 60-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the ML zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 60-1 and restrictions identified in TDC 60.210. Limitations may restrict the specific type of use, location, size, or other characteristics of the use category. Use categories which are not listed are prohibited within the zone, except for uses which are found by the City Manager or appointee to be of a similar character and to meet the purpose of this zone, as provided in TDC 31.070.
- (2) *Use Categories in the Limited Commercial Setback.* Commercial uses may be further restricted within the Limited Commercial Setback, see TDC 60.210(4).
- (3) *Overlay Zones.* Additional uses may be allowed in a particular overlay zone. See the overlay zone Chapters for additional uses.

Response: This application is for use of a specific ML-zoned property for a general contractor's office and storage which is listed as a conditional use. The applicant is seeking approval of a Conditional Use Permit prior to developing the site, in accordance with TDC requirements.

TDC Chapter 39 – Use Categories identifies Light Manufacturing as the assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such activity takes place, and where such processes are housed entirely within a building. Light Manufacturing also includes the repair and/or servicing of industrial, business, or consumer machinery, equipment, products, or by-products, or in training or instruction of such repair or servicing. Products are generally not displayed or sold on site, but if so, sales and display are accessory to the primary use and subject to restrictions, such as size, set forth in the planning district in which the use will be located.

Examples of Uses per TDC 39.400(2) include "Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials". The proposed use at the subject site is a general contractor's office and storage. On the basis of this definition, the proposed use complies with the LM zoning use definition.

This standard is met.

TDC Section 60.300 Additional Limitations on Uses.

- (1) *Sale of Goods Produced On-Site.* The retail sale of goods produced on-site is permitted, provided that the retail sale area, including the showroom area, is no greater than five percent of the gross floor area of the building and does not exceed 1,500 square feet.

Response: This standard is not applicable because the proposed use and the applicant's intended use of the site does not include retail sales of goods produced on-site. This criterion is not applicable.

- (2) *Limited Commercial Uses.* Commercial uses permitted as limited uses, as specified in Table 60-1, must be located on the same site as a permitted industrial use. The site must be used substantially for industrial purposes and the commercial use is subject to the following limitations. The office, retail, and service uses may be located in a standalone building or combined in a building with other permitted uses.

- a) *Offices.* Office uses must not exceed 25 percent of the total gross floor area of all buildings on the site.
- b) *Retail Sales and Services, Eating and Drinking Establishments, or Other Educational and Vocational Services.* Permitted uses in these categories, as specified in Table 60-1, are subject to the following additional standards.

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- i. *Maximum Size. The use must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all retail or service uses on the site.*
- ii. *Spacing Standard. Uses must not be located within 80 feet from any Residential Planning District and from the right-of-way of SW Tualatin-Sherwood Road.*
- iii. *Access Standard. If located in a standalone building, the uses must not have direct access onto any arterial or collector street.*

Response: The applicant is requesting conditional use approval for a primary use described under the Industrial Use Category listed in Table 60-1. Conditional uses permitted under the Light Manufacturing classification include "Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials." The proposed use(s) align with the permitted uses, with conditional use approval, as defined in TDC Table 60-1, and as defined in TDC 39.400 – Light Manufacturing. This application meets the criterion stated in TDC Table 60-1 and TDC 39.400.

This application is not requesting commercial use(s) be granted per TDC Table 60-1. The requirements and limitations of this section apply only to commercial uses, as defined within TDC Table 60-1. As such, this criterion, including the requirements and limitations noted, are not applicable.

(3) *Size Limitation on Commercial Uses. Commercial uses permitted outright or as a Conditional Use as the primary use of a site, as specified in Table 60-1, are subject to the following size limitations.*

- a) *Employment Areas or Corridors. Commercial uses on land designated as an Employment Area (EA) or Corridor (CO) Design Type on Comprehensive Plan Map 10-4 must not exceed 60,000 square feet of gross floor area per building or business.*
- b) *Industrial Areas. Commercial uses on land designated as an Industrial Area Design Type on Map 9-4 must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all commercial uses on the site. Commercial uses permitted in the Limited Commercial Setback are exempt from this requirement.*

Response: The proposed development is for Light Manufacturing permitted use(s) described in TDC Table 60-1, as defined in TDC 39.400. The proposed use, building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials, requires conditional use approval in the ML District. The standards for commercial uses does not apply for this application because the application is not for a listed limited commercial use.

(4) *Limited Commercial Setback. The purpose of the Limited Commercial Setback is to restrict commercial uses from locating within 300 feet from the centerline of SW Tualatin Sherwood Road and SW 124th Avenue and 350 feet from the centerline of SW Pacific Highway 99W west of Cipole Road, as depicted in Comprehensive Plan Map 10-5.*

- a) *Restriction on Commercial Uses. No commercial uses, including parking or outdoor storage and display areas, are permitted outright in the Limited Commercial Setback.*
- b) *Conditional Uses. Quick Vehicle Service uses and the sale and service of manufactured dwellings are permitted as Conditional Uses in the Limited Commercial Setback.*

Response: This standard is not applicable because the proposed use is not a listed commercial use in TDC Table 60-1.

(5) *Additional Commercial Office Uses. As specified in Table 60-1, uses permitted in the CO district are permitted in ML if any portion of the lot is within 60 feet of the CO district boundary, subject to the following:*

- a) *Development Standards. Uses must comply with the CO district development standards.*

3. Compliance with Conditional Use Permit Approval Criteria



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- b) *Trip Generation Limit. The gross floor area of the use is limited based on vehicle trip generation. The limitation is determined through the Architectural Review process using the following formula: $(A \times 24) / ITE = MTGSF$, where:*
- i. *A = Developable area (in acres);*
 - ii. *24 = Vehicle trip generation cap for P.M. peak hour trips per acre of land (constant determined by city);*
 - iii. *ITE = Average vehicle trips per 1 000 square feet gross floor area on a weekday P.M. peak hour of the adjacent street as determined using the latest edition of the ITE Trip Generation Manual, or actual trip rate figures based on a traffic analysis approved by the City Engineer; and*
 - iv. *MTGSF = Maximum thousand gross square feet of floor area allowed on the developable area.*
- c) *Continuity Requirement. If CO use is located on a parcel in the ML district it must abut the CO district.*

Response: This standard is not applicable because the subject site is not located in the CO District.

- (6) *Automobile Service Stations. Automobile Service Station uses are subject to the following additional standards.*
- a) *Spacing Requirements. Automobile Service Station uses must not be located within the specified distance of the following uses:*
- i. *Existing Automobile Service Stations. No closer than 3,000 feet to another operating Quick Vehicle Service use, measured from the closest lot line of the two lots;*
 - ii. *Arterial Streets. No closer than 300 feet from centerline of SW 124th Avenue and 350 feet from the centerline of SW Pacific Highway (99W); and*
 - iii. *Day Care Centers. All exterior walls and pump islands must be a minimum distance of 400 feet from the exterior walls and outdoor play areas of any day care center or family day care provider, irrespective of any structures in between.*
- b) *Development Standards. Quick Vehicle Service Uses are subject to the following additional development standards.*
- i. *The minimum street frontage is 120 feet on corner lot and 150 feet on interior lot;*
 - ii. *The minimum building setback from any street right-of-way is 40 feet; and*
 - iii. *The minimum pump island setback from any lot line is 15 feet.*
- c) *Access Standards. In addition to access standards of [TDC Chapter 75](#), only two access points are allowed for an interior lot and one access point per street frontage for a corner lot or through lot.*
- d) *Accessory Uses. A minimart is permitted as an accessory use, except for at a cardlock station, provided the minimart does not exceed 3,500 square feet of gross floor area and no seating is provided.*
- e) *Outdoor Storage and Display. The outdoor storage and display of merchandise or vehicles is not permitted.*
- f) *Non-Conforming Uses or Structures. Those uses in operation or with a conditional use permit as of March 25, 2002 that do not meet the spacing or setback standards do not become non-conforming uses solely because of failure to meet spacing or setback standards.*

Response: This standard is not applicable because the proposed use is not an automobile service station.

- (7) *Spacing Requirement for Conditional Uses. A conditional use must not be located closer than 300 feet to any residential planning district boundary. This requirement does not apply to schools or transportation facilities and improvements.*
- a) *Measurement. The spacing standard is measured from the closest point on the building to the residential planning district boundary and does not include setbacks, parking areas, circulation areas and landscaping.*

3. Compliance with Conditional Use Permit Approval Criteria



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- b) *Modification of Existing Uses. New buildings, expansions, or additions to existing buildings, except for office uses related to on-site operations, must be sited in the following locations, in order of priority, as site conditions permit:*
 - i. *Must be greater than 300 feet from any residential district;*
 - ii. *Must be the opposite side of existing buildings from any residential district; and*
 - iii. *Must not be closer than existing buildings to any residential district.*

- c) *Definition of Existing Uses. For purposes of this section, buildings approved through the Architectural Review process as of September 24, 1990, in accordance with Ordinance 812-90, are considered existing buildings.*

Response: This standard is not applicable because the subject property is not located within 300 feet of any residential planning district boundary.

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The applicant's development proposal of a building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials is classified under TDC 39.400 – Light Manufacturing. Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials requires conditional use approval in the Light Manufacturing (ML) District per TDC 60.200 – General Light Manufacturing Zone Use Categories, including TDC Table 60-1. This application requests Conditional Use Permit approval for the Essex General Construction operation and development at the subject site.

This application demonstrates that the proposed use meets all applicable Conditional Use standards and approval criteria, as well as the objectives and policies of the Tualatin Comprehensive Plan 2040, as described in this narrative. The development will improve an existing under-utilized site, be compatible with current and existing surrounding uses and is designed to comply with the zoning requirements of the Light Manufacturing Planning District; the actual site development plan will be detailed in a separate Architectural Review application. This application complies with City requirements, will result in economic growth for the area, and merits approval as requested.

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