

RESOLUTION NO. 5086-12

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR SEASONAL PRODUCTS ON BEHALF OF PRIMESOURCE BUILDING PRODUCTS, INC. TO ALLOW BUILDING MATERIALS AND SUPPLIES, WHOLESALE SALES, AND WHAREHOUSING IN THE GENERAL MANUFACTURING (MG) PLANNING DISTRICT AT 10595 SW MANHASSET DRIVE (TAX MAP 2S1 22DA, TAX LOT 500) (CUP -11-04).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on January 9, 2012, upon the application of Seasonal Products LLC, on behalf of proposed tenant PrimeSource, a purveyor of construction fasteners; and

WHEREAS notice of public hearing was given as required by the Tualatin Development Code by mailing a copy of the notice to affected property owners located within 1,00 feet of the property, which is evidenced by the Affidavit of Mailing marked "Exhibit A," attached and incorporated by this reference, and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B," attached and incorporated by this reference; and

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

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 5-0] with Councilors Truax and Beikman absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated January 9, 2012, marked "Exhibit C," attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

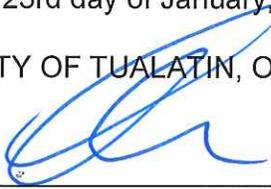
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Council grants CUP-11-04 allowing building materials and supplies, wholesale sales, and warehousing in the General Manufacturing (MG) Planning District at 10595 SW Manhasset Drive (Tax Map 2S1 22DA, Tax Lot 500)(CUP-11-0) with the following conditions:

- The applicant shall comply with all applicable policies and regulations of the Tualatin Development Code (TDC).
- The applicant shall remain in compliance with all conditions of approval of Architectural Review AR-90-33 and Minor Architectural Review MAR-11-09.
- If there is a change to the site development that would necessitate Architectural Review (AR), the City may require review of CUP-11-04 to ensure compliance with conditions of approval.
- The applicant shall operate the proposed use in a manner consistent with statements made in the application materials dated November 21, 2011.

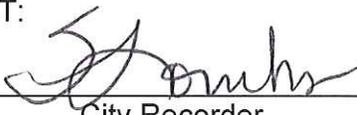
INTRODUCED AND ADOPTED this 23rd day of January, 2012.

CITY OF TUALATIN, Oregon

By 

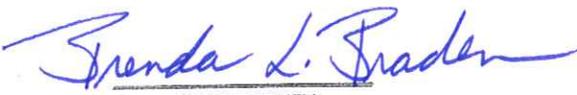
Mayor

ATTEST:

By 

City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

ITEMS REFERRED TO AS EXHIBITS IN THE FOREGOING RESOLUTION ARE ATTACHED TO THE ORIGINAL. THEY HAVE BEEN OMITTED FROM THE COUNCIL PACKET AS A CONSERVATION MEASURE. IF THESE EXHIBITS NEED TO BE EXAMINED, PLEASE CONTACT THE CITY RECORDER.



AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss
COUNTY OF WASHINGTON)

I, Lynette Sanford, being first duly sworn, depose and say:

That on the 28th day of November, 2011, I served upon the persons shown on Exhibit A, attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing 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 at Tualatin, Oregon, with postage fully prepared thereon.

Dated this 28th of November, 2011

Lynette Sanford
Signature

SUBSCRIBED AND SWORN to before me this 28th day of November, 2011.



Maureen A Smith
Notary Public for Oregon

My commission expires: July 4, 2013

RE: CUP-11-04: A Conditional Use Permit for PrimeSource, Building Materials and Supplies, Wholesale Sales, and Warehousing in the General Manufacturing (MG) Planning District at 10595 SW Manhasset Drive (Tax Map 2S1 22DA, Tax Lot 500)

EXHIBIT A



City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

A public hearing will be held before the City Council:

Monday, January 9, 2012
7 p.m.
Council Building
18880 SW Martinazzi Ave
Tualatin, OR 97062

To consider:

- A Conditional Use Permit (CUP-11-04)
- Building materials and supplies, wholesale sales, and warehousing
- Pursuant to Tualatin Development Code (TDC) 61.030(1) & 60.040(1)(b)
- Located at 10595 SW Manhasset Dr (Tax Lot 2S1 22DA 500) in the General Manufacturing (MG) Planning District.

To view the application materials visit www.ci.tualatin.or.us/landusenotices.

This meeting and any materials being considered can be made accessible upon request. For additional information, contact **Colin Cortes, AICP, CNU-A** at **503-691-3024** or **ccortes@ci.tualatin.or.us**.

PLEASE PASS THIS NOTICE ALONG TO NEIGHBORS AND INTERESTED PARTIES.



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Tualatin, OR 97062

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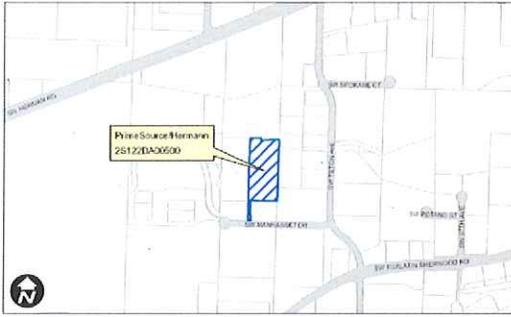
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NOTICE OF HEARING AND OPPORTUNITY TO COMMENT

CITY OF TUALATIN, OREGON



You received this mailing because you own property within 1,000 feet (ft) of the site.

In reviewing the conditional use the City Council must find that:

- (1) The use is listed as a conditional use in the underlying planning district;
- (2) The characteristics of the site are suitable for the proposed use;
- (3) The proposed use is timely;
- (4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the uses of surrounding properties for the primary uses listed in the underlying planning district;
- (5) The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

- **All citizens are invited to attend and be heard upon the application.** Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA) based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.
- **Individuals wishing to comment** may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings begin with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing.
- **Copies of the application,** all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and copies will be provided at a reasonable cost. A copy of the staff report, resolution, and supporting documents will be available for inspection at no cost at the Tualatin Planning Division and Tualatin Library at least seven days prior to the hearing, and will be provided at reasonable cost.



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2S122AD 01000
Marshall Associated LLC
Po Box 278
Tualatin, OR 97062-0278

2S122DA 00200
Wetlands Conservancy Inc The
Po Box 1195
Tualatin, OR 97062-1195

2S122DA 00600
Tualatin & Coon Rapids LLC
Po Box 2399
Kailua Kona, HI 96745-2399

2S122DA 00900
Pacific Metal Company
10700 SW Manhasset Dr
Tualatin, OR 97062-8608

2S122DA 01300
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 01600
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 01900
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 90011
Lic LLC
4514 SW Trail Rd
Tualatin, OR 97062-7787

2S122DA 90041
Tualatin Industrial Ventures LLC
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DD 00200
Axiom Industries Inc
Po Box 1147
Tualatin, OR 97062-1147

2S122AD 01100
Travis Garske
Po Box 729
Colbert, WA 99005-0729

2S122DA 00300
Wetlands Conservancy Inc The
Po Box 1195
Tualatin, OR 97062-1195

2S122DA 00700
Frank Properties LLC
10655 SW Manhasset Dr
Tualatin, OR 97062-8588

2S122DA 01000
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 01400
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 01700
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 90000
Manhasset Drive Industrial
1001 SW 5th Ave Ste 2000
Portland, OR 97204

2S122DA 90021
Tualatin Industrial Ventures LLC
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DD 00100
Bt Property LLC
Po Box 28606
Atlanta, GA 30358-0606

2S122DD 00300
Nds Investment
Po Box 68
Tualatin, OR 97062-0068

2S122DA 00100
Carolla Fritzler
6061 SW Prosperity Park Rd
Tualatin, OR 97062-6737

2S122DA 00400
Bc Calkin LLC
Po Box 3450
Tualatin, OR 97062-3450

2S122DA 00900
Pacific Metal Company
10700 SW Manhasset Dr
Tualatin, OR 97062-8608

2S122DA 01000
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 01500
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 01800
Manhasset Business Center Owners
1498 SE Tech Center Pl #150
Vancouver, WA 98683-5518

2S122DA 90000
Manhasset Drive Industrial
1001 SW 5th Ave Ste 2000
Portland, OR 97204

2S122DA 90031
Cjo Properties LLC
14859 SW 162nd Ter
Tigard, OR 97224-0826

2S122DD 00100
Bt Property LLC
Po Box 28606
Atlanta, GA 30358-0606

2S122DD 00400
Sidiel LLC
6550 SW 63rd Ave
Portland, OR 97221-1026

2S122DD 00400
Anthro Corporation
10450 SW Manhasset Dr
Tualatin, OR 97062-8591

2S123BC 00100
Paramount Development LLC
5516 SW Hamilton St
Portland, OR 97221-2068

2S123BC 00800
Olazaba Enterprises Inc
4308 Solar Way
Fremont, CA 94538-6335

2S123BC 01000
Marshall Associated LLC
Po Box 278
Tualatin, OR 97062-0278

2S123CB 00100
Pacific Foods Properties LLC
19480 SW 97th Ave
Tualatin, OR 97062-8505

2S123CB 00100
Inpaco Corporation
Po Box 1039
Wilmington, DE 19899-1039

2S123CB 00102
Wire Components Precision
10230 SW Spokane Ct
Tualatin, OR 97062-8823

2S123CB 00401
Thomas Nisbet
15896 SE 82nd Dr
Clackamas, OR 97015-8576

2S123CB 00700
Wetlands Conservancy Inc The
Po Box 1195
Tualatin, OR 97062-1195

2S123CB 00900
Leasing Abbey
19480 SW 97th Ave
Tualatin, OR 97062-8505

2S122DD 00500
1701 Nw 14th LLC
3030 NW 29th Ave
Portland, OR 97210-1708

2S123BC 00200
Two In The Key LLC
21820 SW Aebischer Rd
Sherwood, OR 97140-8604

2S123BC 00900
United States Of America
160 Inverness Dr W #400
Englewood, CO 80112-5005

2S123BC 01100
Marshall Associated LLC
Po Box 278
Tualatin, OR 97062-0278

2S123CB 00100
Pacific Nutritional Foods
9960 SW Potano St
Tualatin, OR 97062-8492

2S123CB 00101
Wetlands Conservancy Inc
Po Box 1195
Tualatin, OR 97062-1195

2S123CB 00200
Northwest Natural Gas Company
220 NW 2nd Ave
Portland, OR 97209-3943

2S123CB 00600
Wetlands Conservancy Inc The
Po Box 1195
Tualatin, OR 97062-1195

2S123CB 00800
Wetlands Conservancy Inc The
Po Box 1195
Tualatin, OR 97062-1195

2S123CB 00900
Leasing Abbey
19480 SW 97th Ave
Tualatin, OR 97062-8505

2S122DD 00600
James Huston
2268 SE Mulberry Dr
Milwaukie, OR 97267-4541

2S123BC 00800
Pacific Northwest Properties LP
Po Box 2206
Beaverton, OR 97075-2206

2S123BC 01000
Marshall Assoc Cntr
18855 SW Teton Ave
Tualatin, OR 97062-8882

2S123BC 01100
Conger Northwest Inc
2429 N Borthwick Ave
Portland, OR 97227-1704

2S123CB 00100
Pacific Nutritional Foods
9960 SW Potano St
Tualatin, OR 97062-8492

2S123CB 00102
Pascuzzi Investment LLC
10250 SW North Dakota St
Tigard, OR 97223-4237

2S123CB 00400
Wetlands Conservancy Inc
9675 SW Tualatin Sherwood Rd
Tualatin, OR 97062-8560

2S123CB 00601
Wetlands Conservancy Inc The
Po Box 1195
Tualatin, OR 97062-1195

2S123CB 00900
Elsinore Development Group LLC
19480 SW 97th Ave
Tualatin, OR 97062-8505

2S123CB 01000
Pipe Facility LLC
4706 SE 18th Ave
Portland, OR 97202-4789

2S123CB 01001
Lbj LLC
Po Box 308
Tualatin, OR 97062-0308

2S123CB 01400
Sw Teton Properties LLC
19500 SW Teton Ave
Tualatin, OR 97062-8825

2S123CB 01600
Wetlands Conservancy Inc
9675 SW Tualatin Sherwood Rd
Tualatin, OR 97062-8560

2S123CB 01900
Teton Park LLC
19602 Derby Ct
West Linn, OR 97068-2207

2S123CC 00500
Sw Teton Properties LLC
19500 SW Teton Ave
Tualatin, OR 97062-8825

2S123CC 00700
Anthro Corporation
10450 SW Manhasset Dr
Tualatin, OR 97062-8591

2S123CC 01400
Teton Rb LLC
15825 NE Eilers Rd
Aurora, OR 97002-8508

2S123CC 01500
Air Liquide America Ltd Ptshp
Po Box 460149
Houston, TX 77056-8149

2S126B0 00105
Air Liquide America Ltd Ptshp
Po Box 460149
Houston, TX 77056-8149

2S123CB 01100
Fulbright Development LLC
19335 SW Teton Ave
Tualatin, OR 97062-8847

2S123CB 01400
Manufacturing Premier
19500 SW Teton Ave
Tualatin, OR 97062-8825

2S123CB 01700
Parrish-Church LLC
Po Box 2687
Tualatin, OR 97062-2687

2S123CB 02000
Teton Industrial Park LLC
Po Box 2510
Tualatin, OR 97062-2510

2S123CC 00600
Anthro Corporation
10450 SW Manhasset Dr
Tualatin, OR 97062-8591

2S123CC 00800
Anthro Corporation
10450 SW Manhasset Dr
Tualatin, OR 97062-8591

2S123CC 01500
Air Liquide America Ltd Ptshp
Po Box 460149
Houston, TX 77056-8149

2S123CC 01500
Air Liquide America Ltd Ptshp
Po Box 460149
Houston, TX 77056-8149

2S123CB 01200
Lp 560 LLC
19495 SW Teton Ave
Tualatin, OR 97062-8846

2S123CB 01500
Stavig Limited Partnershi
11695 SE 147th Ave
Happy Valley, OR 97086

2S123CB 01800
Teton Park LLC
19602 Derby Ct
West Linn, OR 97068-2207

2S123CB 02100
Conservancy The Wetlands
Po Box 1195
Tualatin, OR 97062-1195

2S123CC 00700
Anthro Corporation
10450 SW Manhasset Dr
Tualatin, OR 97062-8591

2S123CC 00900
Anthro Corporation
10450 SW Manhasset Dr
Tualatin, OR 97062-8591

2S123CC 01500
Air Liquide America Ltd Ptshp
Po Box 460149
Houston, TX 77056-8149

2S123CC 01500
Air Liquide America Ltd Ptshp
Po Box 460149
Houston, TX 77056-8149

NOTICE

NEIGHBORHOOD / DEVELOPER MEETING

11/19/2011 11:00 a.m.

10595 SW Manhasset Drive

360-225-1705

Neighborhood/Developer Meeting

Pursuant to TDC 31.063, Seasonal Products LLC posted a Notice of Neighborhood Meeting sign and mailed notice as required by TDC 31.064. The Neighborhood/Developer meeting was held on November 19, 2011 at 11:00 a.m. Attending the meeting were the applicants, Jim and Sharon Hermann from Seasonal Products LLC. There were no neighbors or other persons in attendance.

NEIGHBORHOOD / DEVELOPER MEETING CERTIFICATION OF SIGN POSTING

<p style="text-align: center;">NOTICE</p> <p style="text-align: center;">NEIGHBORHOOD / DEVELOPER MEETING</p> <p style="text-align: center;">__/__/2010 __:__.m.</p> <p style="text-align: center;">SW _____</p> <p style="text-align: center;">503-__-__</p>	18"
---	-----

24"

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 <http://www.ci.tualatin.or.us/departments/communitydevelopment/planning>.

As the applicant for the

CONDITIONAL USE PERMIT-10595 SW MANHASSET DR. project, I

hereby certify that on this day, Nov. 5, 2011 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: Sharon Hermann (SEASONAL PRODUCTS LLC)
(PLEASE PRINT)

Applicant's Signature: Sharon Hermann

Date: 11-18-2011

CUP-11-04 ATTACHMENT C:

ANALYSIS AND FINDINGS

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:

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

The subject property, Tax Lot 2S1 22DA 500, is within a General Manufacturing (MG) Planning District. "Building materials and supplies, wholesale sales, and warehousing " is a conditional use within MG pursuant to TDC 61.030(1) & 60.040(1)(b).

The criterion 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.

Size: The minimum lot size within an MG Planning District is 20,000 square feet (s.f.) or approximately 0.46 acres. The subject property is approximately 3.38 acres, exceeds the minimum lot size requirement, and is already developed via Architectural Review AR-90-33. The applicant seeks to lease vacant tenant space within the existing building.

The site size is suitable for the proposed use.

Shape: The subject property is a flag lot with access from SW Manhasset Drive. The site is already developed.

The lot shape is suitable for the proposed use.

Location: The proposed use is located within an MG Planning District with access from SW Manhasset Drive. The site is already developed.

The location is suitable.

Topography: The developed site has negligible slope, which would not interfere with the proposed use.

Improvements: The site was originally developed through Architectural Review AR-90-33. The applicant seeks to lease vacant tenant space within the existing building. The applicant proposes not to

EXHIBIT

Analysis and Findings

C

change the building exterior or site development such that Architectural Review would be required pursuant to TDC 73.040. The applicant had proposed minor changes to existing fencing, outdoor storage, and parking that staff approved through Minor AR MAR-11-09 in October 2011.

The Engineering Division Memorandum (Attachment D) identifies no problems regarding public facilities that would result from the proposed use.

Natural Features: Because the site is already developed, no natural features remain.

Criterion 2 is met.

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.

The following information is reproduced from the Engineering Division Memorandum (Attachment D):

Transportation: The site is adjacent to the street SW Manhasset Drive designated by the City of Tualatin as a Local Commercial Industrial (BCI) with a total width of 60 feet. This includes two 13-foot travel lanes, a 14-foot center turn lane, 4-foot planter strips, and 6-foot sidewalks. The street has been fully constructed with curb tight sidewalks and the planter strip on the outside.

Reasonable Worst Case Site Trip Generation:

The submitted application included an evaluation of trip generation, created by Charbonneau Engineering, of the existing 43,200 square foot building. The evaluation compares the existing reasonable worst case of manufacturing to the proposed use of warehousing.

Project	Site Use	ITE	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Reasonable Worst Case	Manufacturing	140	165	25	7	32	12	20	32
CUP 11-04	Warehouse	150	154	10	3	13	4	10	14
Net Trip Chage			-11	-15	-4	-19	-8	-10	-18

The proposed trip generation for ADT, AM Peak, and PM Peak is less than the currently allowed reasonable worst case trip generation for this zone. This CUP will not degrade the LOS at nearby intersections.

Washington County has not commented as of this writing.

Water, Sanitary, & Storm: Connections to City systems currently exist. For the future Architectural Review, downstream sizing for all public utilities will need to be evaluated by the developer for the change from permitted uses to the proposed development. Any upsizing will be a requirement in the Architectural Review decision.

Criterion 3 is met.

4. 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 planning district.

The subject property is in an MG Planning District. Surrounding land uses by cardinal direction and planning district include:

N:	MG	Hedges Creek
E:	MG	Cascade Acoustics Inc.
S:	MG	Skedco, Epe Corp.
W:	MG	Trans-Pak

There are no residential areas adjoining the subject property. The buildings in the vicinity of the subject property are general industrial buildings with manufacturing, warehousing, and wholesaling uses.

All industrial uses regardless of planning district are subject to TDC 63, which contains environmental regulations of noise, vibration, air quality, odors, and heat and glare. Staff expects that noise, vibration, air quality, odors, and heat and glare are not nuisances within the area of the subject property. The applicant's narrative states:

PrimeSource is not in the lumber business. It's [*sic*] outside storage are typically products like, Roofing, Felt Paper, Rebar, Wire Fencing, Foam Board, T -Post's, Silt Fence and Barrier Fence.

The applicant's narrative describes storage of building materials as in keeping with the intent and regulations of an MG Planning District.

Based on the applicant's submitted information and staff review, the proposed use would not alter the character of the surrounding area in any manner which substantially limits, impairs or precludes the surrounding properties for the primary uses listed in the underlying planning districts.

Criterion 4 is met.

5. The proposal is consistent with plan policies.

The applicable Tualatin Community Plan policies are in TDC Chapter 7 "Manufacturing Planning Districts," Sections 7.030 "Objectives" and 7.040 "Manufacturing Planning District Objectives." Other TDC Sections that are not part of the Community Plan yet are relevant include Chapter 32 "Conditional Uses," Section 32.030 Conditional Uses – Siting Criteria and Chapter 61 "General Manufacturing Planning District (MG)," Section 61.031 "Restrictions on Conditional Uses."

TDC 7.030(1) states, "Encourage new industrial development." The conditional use request is for building materials and supplies within an existing site development. Approval would allow the owner to lease vacant tenant to the applicant, a business seeking to relocate from outside city limits. The applicant's narrative states:

Although the change in use will potentially be less intense from an employment standpoint, this will be a first location within the State of Oregon for the new tenant, and will create 8-10 new jobs.

Therefore, allowing the use maintains industrial development and indirectly promotes the objective.

TDC 7.030(2) states, "Provide increased local employment opportunity." Approval would allow the owner to lease vacant tenant space to the applicant, a business seeking to relocate from outside city limits. The applicant's narrative states:

Although the change in use will potentially be less intense from an employment standpoint, this will be a first location within the State of Oregon for the new tenant, and will create 8-10 new jobs.

TDC 7.040(2)(a) states that the MG 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." As quoted from the applicant's narrative for discussion of Criterion 4, storage of building materials and supplies within an existing site development would generate no significant noise, dust, odor, vibration, or smoke that would affect other businesses or the public.

TDC 60.041 restricts conditional uses within the MG Planning District that involve (1) the retail sale of products manufactured, assembled, packaged or wholesaled on the site and (2) other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site. The request is for approval of a conditional use within MG. Because the applicant proposes no retail sales, and the subject property is not subject to the Special Setbacks for Commercial Uses pursuant to TDC 60.035 and illustrated by TDC Map 9-5 "Special Commercial Setback & Commercial Services Overlay" the restrictions are not applicable.

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The proposal satisfies those objectives and policies of the TDC that are applicable to the proposed use.

The proposal is consistent with plan policies.

Criterion 5 is met.

Based on the application and the above analysis and findings, the storage of building materials and supplies, wholesale sales, and warehousing by PrimeSource Building Products Inc. (CUP-11-04) meets the criteria of TDC 32.030.