



# City of Tualatin

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June 20, 2019

## NOTICE OF PLANNING COMMISSION DECISION

**\*\* APPROVAL WITH CONDITIONS \*\***

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Case #:	CUP-19-0001
Project:	Mutual Materials Tualatin
Location:	10700 SW Tualatin-Sherwood Road; Tax lots: 2S1 27AA 02100
Applicant:	Suzannah Stanley, Mackenzie
Property Owner:	Kimberly Eiring, Mutual Materials

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### I. FINDINGS

- A. An application for Conditional Use Permit (CUP) was filed by Mackenzie on behalf of Mutual Materials for the wholesale sales of building materials and supplies, specifically for the sale of bricks and pavers on land located in the General Manufacturing (MG) zoning district. Wholesale sales of building materials and supplies are conditionally permitted in the General Manufacturing (MG) zone as identified in Tualatin Development Code Table 61-1.
- B. The Tualatin Planning Commission (TPC) conducted a noticed quasi-judicial public hearing on June 20, 2019 in conformance with the laws of the State of Oregon and the City of Tualatin.
- C. The Planning Commission found with removal of condition of approval CUP-3, regarding limitations on the hours of operation in the June 20<sup>th</sup> Analysis and Findings for Mutual Materials Conditional Use Permit (Exhibit A), the development will comply with the standards of the Tualatin Development Code (TDC). The TPC finds that the findings and analysis, the applicant's presentation, testimony at the public hearing, materials in the record, and discussion on the record, support the approval of the CUP-19-0001 with the conditions of approval CUP-1 through CUP-4.

### II. ACTION

The Tualatin Planning Commission approved CUP-19-0001 with conditions CUP-1 through CUP-4 and adopted the analysis and findings, dated June 20, 2019.

CUP-19-0001 is subject to the following conditions of approval:

- CUP-1** Site improvements to support the wholesale sales of building materials and supplies approved under CUP-19-0001 must be constructed as conditioned under AR-19-0003 approval, except as subsequently modified as provided by TDC 33.020(7).

*Arrangements can be made to provide these materials in alternative formats such as large type or audio recording. Please contact the Planning Division at 503.691.3026 and allow as much lead time as possible.*

- CUP-2** On-site retail sales to the general public must remain limited and incidental to wholesale sales of building materials and supplies.
- CUP-3** On-site showroom space must be limited to 4,200 square feet of indoor space and 9,000 square feet of outdoor space, as indicated on the submitted site plan in Exhibit B.
- CUP-4** Any modification to these Conditions of Approval will be subject to additional Conditional Use Permit application review.

### III. APPEAL

The applicant or any person who submitted written comments or testified orally or in writing at the Tualatin Planning Commission hearing and who may be adversely affected by the Commission's decision may file a request for review of the final decision of the Conditional Use Permit to the City Council.

The Tualatin Planning Commission's decision will be final after 14 calendar days from the mailing of this order, unless a written appeal is received by the **Community Development Department Planning Division at 18880 SW Martinazzi Avenue, Tualatin, Oregon, before 5:00 p.m., July 5, 2019. The appeal must be submitted on the City appeal form with all the information requested provided thereon and signed by the appellant.** The record and appeal forms are available at the Planning Division offices. The appeal forms must include reasons and the applicable appeal fee and meet the requirements of Section 32.310 of the Tualatin Development Code. The City Council will review and make a decision. The parties will be notified of the Council meeting date.

ADOPTED THIS 20<sup>th</sup> DAY OF JUNE, 2019.

CITY OF TUALATIN  
PLANNING COMMISSION

BY:



Mona St. Clair, Vice-Chair  
Tualatin Planning Commission

**Exhibit A:** Analysis and Findings and Exhibits