



CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Aquilla Hurd-Ravich, Community Development Director
Keith Leonard, Associate Planner

DATE: November 10, 2025

SUBJECT:

Appeal or Request for review of the Architectural Review Board (ARB) September 10, 2025, decision to approve, with conditions, AR24-0002 Lam Research Corporation's TUX Development to construct four buildings on 4 lots located at 11155-11361 SW Leveton Drive (Tax Lots: 2S122AA500 & 800, 2S122A00100, 2S122BA00100) in the Light Manufacturing Park Zone (MP)

ISSUE BEFORE THE COUNCIL:

The Appeal was submitted by Brett Hamilton, Appellant, who provided both written and verbal testimony primarily in opposition to traffic and noise issues that he believes will be caused by the proposed development impacting his property value and quality of life (Exhibit B).

RECOMMENDATION:

Staff recommend that City Council consider the staff report, attachments, and materials submitted into the record and provide direction to staff. A resolution affirming the September 10, 2025, ARB approval of AR24-0002 (Exhibit A) is attached should you choose to affirm the ARB decision and deny the appeal.

EXECUTIVE SUMMARY:

- The hearing is a quasi-judicial procedure.
- All appeals are "de novo" meaning new evidence and argument may be submitted at the appeal hearing.
- AR24-0002 was submitted by Mackenzie, on behalf of LAM Research Corporation on July 7, 2024.
- The subject of appeal is AR24-0002 and the ARBs decision approving AR24-0002 on September 10, 2025.
- The subject property is 75.96-acres located at 11155-11361 SW Leveton Drive. The site is zoned in the Manufacturing Park (MP) Planning District and has frontage along SW Leveton Drive, SW 108th Avenue and SW Tualatin Road.
- On September 25, 2025, an Appeal or Request for Review was submitted by Appellant who provided both written and verbal testimony in opposition to the approval of AR24-0002 primarily due to traffic and noise issues (Exhibit B). Appellants' appeal stated that "without additional conditions of approval related to traffic and noise, this land use decision would negatively impact my property value and quality of life". Specific issues noted in the Appellants' Appeal are:
 - 1 - Land use application does not meet all applicable criteria

- a - Failure to send notice to CIOs as required by TDC 32.120(5)(b)(iii)
- b - Violations of Manufacturing Park Zoning and Tualatin Noise Ordinance
- c - Expanded North 108th Entrance does not meet New Driveway Approach Criteria
- 2 - Errors made by the Applicant:
 - a - Commitments to hold a second Neighborhood Developer Meeting and then not holding it
 - b - Traffic Impact Analysis did not consider additional employee work shifts
 - c - Claims that Traffic and Noise are beyond the scope of the Architectural Review
 - d - Claims that TDC Chapter 62 is not relevant AR criteria
- 3 - Errors made by the City of Tualatin:
 - a - Failure to provide the last 3 pages of Lam's noise model to the ARB at their hearing
 - b - Unnecessary delays in releasing Public Records
- All Appellants' written comments have been provided for Council's review (Exhibit C).
- Specific dates of Appellants' written comments that address these issues are September 9, 2024, January 29, 2025, August 8, 13, 18, 27, of 2025, and September 8, 2025.
- Staff have provided responses to each of the appellants' claims in Attachment B.

OUTCOMES OF DECISION:

Affirmation of the Architectural Review Board Decision AR24-0002 will result in the following:

- Uphold the September 10, 2025, Architectural Review Board decision approving AR24-0002 with conditions.
- Confirms that the requirements of TDC 33.020, TDC Chapter 62, 63, 73A-73D, 74 and 75 have been met either outright or with implementation of the Conditions of Approval.
- Appellants' Appeal of AR24-0002 would be denied ending all local appeals.

Reversal of AR24-0002 decision would result in:

- Concurring with the Appellant's appeal of the ARB decision.
- Either an outright denial of the application AR24-0002 or approval with amended conditions and findings as provided by the City Council.

ALTERNATIVES TO RECOMMENDATION:

The City Council may alternately:

- Deny the Appeal and affirm the Architectural Review Boards September 10, 2025, decision approving the application with Conditions.
- If the City Council identifies approval criteria that are not satisfied and is inclined to uphold the appeal, it must continue the proceedings to allow the applicant an opportunity to modify the proposal or recommend conditions of approval that would allow the application to be approved.
- Continue the hearing to a later date.

ATTACHMENTS:

- Attachment A – Presentation
- Attachment B – Memorandum Addressing the Appeal of AR24-0002.
- Attachment C – Resolution Affirming AR24-0002 ARBs Decision
- Exhibit A – AR24-0002 Analysis and Findings
- Exhibit B – Appellants' Appeal Form and Letter Detailing Claims
- Exhibit C – Appellants Public Comments
- Exhibit D – Public Notice
- Exhibit E – Lams' Noise Survey and Model 2025
- Exhibit F – Comments provided to the ARB at the September 10, 2025 Public Hearing
- Exhibit G – Lam's technical findings in response to the Appeal filed in AR 24-0002
- Exhibit H – AR24-0002 Transportation Impact Analysis (TIA)

- Exhibit I – ODOT Review Letter of AR24-0002
- Exhibit J – Pages 5-6 of Applicant's Narrative for AR24-0002