TUALATIN CITY COUNCIL
AND
TUALATIN DEVELOPMENT COMMISSION
Monday, March 9, 2009

City Council Chambers
18880 SW Martinazzi Avenue, Tualatin, Oregon

WORK SESSION begins at 5:00 p.m.

REGULAR MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Chris Barhyte
Councilor Monique Beikman
Councilor Joelle Davis
Councilor Jay Harris
Councilor Donna Maddux
Councilor Ed Truax

WELCOME! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda – Item C, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the world wide web at www.ci.tualatin.or.us, at the Library located at 18878 SW Martinazzi Avenue, and are also on file in the Office of the City Manager for public inspection. Any person who has any question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011 (voice) or 503.692.0574 (TDD). Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised "live" on the day of the meeting on Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org.

Your City government welcomes your interest and hopes you will attend the City of Tualatin City Council meetings often.

- SEE ATTACHED AGENDA -

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A "legislative" public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. The Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, deny, or "continue" the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A "quasi-judicial" public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. The Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report to the Council.
3. Public testimony is taken:
    a) In support of the application
    b) In opposition or neutral
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, approve with conditions or deny the application, or "continue" the public hearing.

TIME LIMITS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 10 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* the employment of personnel; ORS *192.660(2)(b)* the dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.

A. CALL TO ORDER

Pledge of Allegiance

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Tualatin Student Visual Chronicle Presentation
2. New Employee Introductions – *Linda Odermott, Legal Services; Amy Honisett, Library*
3. Tualatin Historical Society Presentation – Oregon 150th Celebration

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA *(Item Nos. 1 – 6)*

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The Consent Agenda will be enacted with one vote. The Mayor will first ask the staff, the public and the Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under "Items Removed from the Consent Agenda." At that time, any member of the audience may comment on any item pulled from the Consent Agenda. The entire Consent Agenda, with the exception of items removed to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.

1. Approval of Minutes for the Special Work Session of February 4, 2009 and the Work Session and Meeting of February 9, 2009, and the Work Session and Meeting of February 23, 2009 5
2. Approval of 2009 Liquor License Renewals – Late Submittals 32
3. Approval of New Liquor License Application for Marinepolis Sushi Land 33
4. Resolution No. 4869-09 Affirming the December 19, 2008 Historic Landmark Demolition Decision of the Gerald Avery Building Located at 19945 SW Boones Ferry Road (2S123DD 500) (HIST-08-01) 35
   [Item removed from Consent Agenda at Work Session -- heard under General Business]
5. Resolution No. 4870-09 To Close Out the City Center Remodel Fund and Transfer Remaining Funds to the General Fund 41
6. Resolution No. 4871-09 To Authorize Interfund Loan for Voice Over Internet Protocol Phone System 44

E. PUBLIC HEARINGS – *Legislative or Other*

1. Ordinance Relating to Monument Signs in the Office Commercial (CO) Planning 47
   District; Amending Provisions and TDC 31.060 and 38.190 (PTA-08-07)

   Ordinance No. 1276-09 Relating to Monument Signs; and Amending TDC 31.060, and 38.190 (PTA-08-07)

2. Ordinance Relating to Definitions and Parking Standards for Single-Family Residential 69
   Development; Amending Definitions and Parking Standards; and Amending TDC 1.020; 31.060 and 73.370 (PTA-08-08)

   Ordinance No. 1277-09 Relating to Residential Dwellings; and Amending TDC 1.020; 31.060; and 73.370 (PTA-08-08)

F. PUBLIC HEARINGS – *Quasi-Judicial*

None.

G. GENERAL BUSINESS

1. Ordinance No. 1278-09 Adopting Core Area Parking District Tax Rate and Credit 86
   Year 2009/10

2 Youth Advisory Council Monthly Report and Discussion of Mayors' Action Challenge 89a
For Children and Families

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COUNCILORS

J. EXECUTIVE SESSION

K. ADJOURNMENT

CITY COUNCIL MEETING
SIGN-UP SHEET

PLEASE COMPLETE TO GIVE TESTIMONY

DATE: March 9, 2009

PLEASE LIMIT TESTIMONY TO THREE MINUTES

PLEASE PRINT CLEARLY			AGENDA ITEM(S)	PROPONENT (if applicable)	OPPONENT (if applicable)
NAME	ADDRESS	REPRESENTING *(if applicable)*			
Loyce Katunagi					
JON HARTMAN					
Amy Anderson	22923 SW Cowlitz DR.				
DEREK COLBY	21717 SW ASPEN PL	COMMUNITY			
DAVE SIMMONS	11425 SW KAUSPEL	CH2M HILL			
Mike Shiffer	9563 SW Sidney Ln	Tualatin Food Pantry			

STAFF REPORT
CITY OF TUALATIN

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: March 9, 2009

SUBJECT: APPROVAL OF THE MINUTES FOR THE SPECIAL WORK SESSION OF FEBRUARY 4, 2009, THE WORK SESSION AND MEETING OF FEBRUARY 9, 2009, AND WORK SESSION AND MEETING OF FEBRUARY 23, 2009

ISSUE BEFORE THE COUNCIL:
The issue before the Council is to approve the minutes for the Special Work Session of February 4, 2009 and the City Council Meetings of February 9, and February 23, 2009.

RECOMMENDATION:
Staff respectfully recommends that the Council adopt the attached minutes.

FINANCIAL IMPLICATIONS:
There are no financial impacts associated with this item.

Attachments: Minutes

City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary Maureen Smith

SPECIAL TUALATIN CITY COUNCIL MEETING MINUTES OF FEBRUARY 4, 2009

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris *[arrived at 8:00p]*, Donna Maddux, and Ed Truax

STAFF PRESENT: Sherilyn Lombos, City Manager; Doug Rux, Community Development Director, Aquilla Hurd-Ravich, Senior Planner; Paul Hennon, Community Services Director, Abigail Elder, Library Manager; Brenda Braden, City Attorney; and Maureen Smith, Recording Secretary

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The special work session was called to order at 6:15 p.m. at the Tualatin Police Facility.

1. ANNOUNCEMENTS – None.

2. ITEMS DISCUSSED

   A. Library Issues

   City Manager Sherilyn Lombos welcomed Community Services Director Paul Hennon and Library Manager Abigail Elder. In addition to the memorandum prepared, additional information was made available to Council that included a report on options for Washington County libraries, and current trends and future directions of public libraries. Three areas of discussion will include: Washington County Cooperative Library Services (WCCLS) Strategic Plan, WCCLS funding and governance models and options, and Clackamas County Library Services.

   Mr. Hennon began discussion on the Strategic Planning for Services and said this planning process will assist the WCCLS in planning and services for Washington County residents and provide options for long-term, stable funding. The plan includes performance measures, recommendations for serving urban and unincorporated populations, service levels defined by scope, and recommendations for services that are more efficiently or economically delivered centrally or in a decentralized manner. The study is now underway and will be complete in spring 2009. Surveys of public and library staff will be available in the coming week.

   Staff has brainstormed priorities for Tualatin, with focus groups currently taking place. Issues such as local control, population, demographics, and youth focus have been discussed. Council discussed their views of what is valued for the future of the library and the types of services to provide. Mention was made of promotion of adult literacy, integration of cultures, and to continue to provide and "maintain" the same level of services Tualatin currently provides.

Four funding and governance models / options were reviewed and discussed:

1) *Status Quo*
   a. *Format:* countywide cooperative with some centralized services
   b. *Funding*: County General Fund and Local Option Levy
   c. *Governance*: Locals manages libraries

2) *Cooperative County Service District*
   a. *Format:* countywide district with some centralized services
   b. *Funding:* County levies a permanent tax, and locals can supplement
   c. *Governance:* Locals manage libraries

3) *Consolidated County Service District*
   a. *Format:* Countywide library district
   b. *Funding:* County levies a permanent tax
   c. *Governance:* Washington County manages the libraries

4) *Special District*
   a. *Format:* Countywide library district
   b. *Funding:* District levies a permanent tax
   c. *Governance:* District has an elected board and manages the libraries

Mr. Hennon said a permanent rate system is being looked at which would allow for predictability in funding and to provide capital funding for unincorporated areas as stated in the study. Discussion followed about providing library services to unincorporated areas, and whether or not to include unincorporated areas. A suggestion was made to keep the countywide rate (as currently) and be one service district, have the district's charter fund each city library based upon a service area, with each *individual* service area serving the unincorporated areas within their respective areas. Also discussed was whether it could be done to require the unincorporated areas to pay their share, and how WCCLS is currently funded.

Discussion followed, and Council noted their desire to stay *status quo* for Tualatin. Council is not opposed to a countywide cooperative with local control, with Washington County still contributing its share of the permanent tax base. All Councilors present indicated they were not interested in a *consolidated county service district* or a *special district*. Any changes would happen sometime after 2010 according to Mr. Hennon.

Clackamas County Library Service was reviewed with Council. The issue at hand is addressing Clackamas County's discontinuance of funding its libraries through their county permanent tax rate. Voters passed a new Clackamas County Library District with a permanent tax rate of $0.3974 per $1,000 taxable assessed value. It was noted that Council had previously opted out of being part of the Clackamas County Library district, with the provision that Tualatin's Clackamas County residents could vote to join the district in the future if desired. With the passage of the district, Tualatin residents located in *Clackamas County* will not be eligible for the same level of library service at *non-Tualatin* libraries as Tualatin's *Washington County* residents as they will not be a part of the new Clackamas County Library District nor part of the WCCLS.

The Clackamas County portion of Tualatin is an area east of 65th Avenue, with approximately 3,000+ residents. The number of active card holders for Clackamas County residents is almost 800. Also reviewed were tax rates and what is currently designated to library funding in both counties, and what the tax rate would end up to be in Clackamas County if Tualatin residents chose to be part of the new district.

Three options to initiate discussion were reviewed:

Option 1 would provide Tualatin Library "courtesy cards". Residents would then have the option to purchase "non-resident" library cards from other libraries. Mr. Hennon reviewed a chart listing the differences between regular, non-resident, and courtesy card options. A non-resident card would cost $95 per year. The Tualatin Library currently has a courtesy-card program, but does not offer the same privileges of either county's resident library card. Option 2 would be to hold an election giving Tualatin's Clackamas County voters the opportunity to join the new district, and Option 3 is contract with Washington County for library services.

Discussion followed on how to address library services for Tualatin's Clackamas County residents. Putting the issue to a vote to Clackamas County residents was discussed and that it should be done as soon as possible. Discussion followed on the timeline needed to get this to the ballot. Annexing was also discussed.

City Manager Lombos summarized the discussion – direction from Council is to move forward with placing the issue on the ballot in November, which puts in motion a number of steps. Staff will bring back a sequence of events that will need to happen to be able to place on the November ballot. It was asked and staff replied that it would likely cost less than $10,000 to put this on the ballot in November 2009.

B. ***Local Aspirations – Urban/Rural Reserves Discussion***

Community Development Director Doug Rux began with a PowerPoint on urban/rural reserves local aspirations. This is the third meeting with Council where this has been discussed. Mr. Rux gave a brief background on the history of the Urban Growth Boundary (UGB) expansion. Metro manages the UGB with the last expansions occurring in 2002 and 2004. Addressing communities concerns of the requirement to first look at urban reserve lands (none were identified), followed by exception lands and then consideration of soils classifications, a one-time extension of the evaluation and expansion process was passed by the legislature. Also passed was a new process to establish urban and rural reserves in the metropolitan region. The region has been involved since January 2008 in Metro's "Making the Greatest Place" urban/rural reserve program, with a subcomponent entitled "Local Aspirations."

The role for the City Council and the community is the future of Tualatin in the next 20 to 50 years. Metro is looking at roughly 400,000 acres of land. Committees in Washington and Clackamas counties meet regularly to discuss this issue. A map of a five mile buffer of land was displayed. The goal for this meeting to identify potential candidate urban reserves. There will be more detailed discussion in the coming months as this moves forward.

[Councilor Harris arrived at 8:00 p.m.]

Senior Planner Aquilla Hurd-Ravich continued with the PowerPoint. The town center area was reviewed and its redevelopment potential over next 20 to 50 years, with the current zoning as it is today. Businesses by type were looked at and based on redevelopable acreage, with hundreds of additional jobs in the next 20 and 50 years. Industrial building square footage was reviewed, with the gross square feet calculated. A planning area map of net developable vacant land was displayed. Commercial building square footage per year was reviewed and the current vacant commercial land available. Medical Center district land was separated out and reviewed. Residential land was reviewed, with map review of net developable vacant residential land.

Capacity outside the planning area was reviewed; Southwest Concept Plan, South Tualatin (North Wilsonville Study Area), and Sphere of Influence (Stafford Basin acreage and Knife River/Morse Brothers area acreage).

Discussion followed, and staff noted more detail of these projections/calculations will be reviewed in future discussions that will be held.

A Stafford Study "Sphere of Influence" done in 2000 was reviewed, and a map of Stafford Basin net vacant acres was displayed. Staff arrived at two scenarios of the Stafford Basin area of lows and highs of dwelling units per acre calculation, population, and jobs. Discussion followed on the two scenarios presented and the uncertainty of population growth.

The unknown factor of what would be best for Tualatin is difficult to know. Discussion followed with mention of cities not wanting to actually expand the UGB, and keep all land all in rural reserves, which is not necessarily realistic if Tualatin does not want the community to end up like large cities that have high density.

Considerable discussion followed on how to arrive at local aspirations and the density levels. It was suggested to preserve the most options by keeping a potential urban reserve candidate (sphere of influence area of Morse Bros 117 acres, and Stafford Basin 2,900 gross acres (north of 205 is some model of a little more dense, mixed use, south of 205 is rural reserve) and what Council is okay with

The discussion concluded, and staff said the next step is to schedule another special work session, and relay information to Clackamas and Washington counties on potential urban reserve candidates. Updates will be given through February with the counties on the what has been determined by cities, and staff will then come back to the City Council the first part of March for another in-depth discussion.

4. ADJOURNMENT

The special work session adjourned at 9:35 p.m.

Sherilyn Lombos, City Manager

Recording Secretary Maureen Smith

City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary M Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF FEBRUARY 9, 2009

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Paul Hennon, Community Services Director; Dan Boss, Operations Director; Kent Barker, Police Chief; Carina Christensen, Assistant to the City Manager; Aquilla Hurd-Ravich, Senior Planner; Will Harper, Associate Planner; Eric Underwood, Development Coordinator; Maureen Smith, Recording Secretary

ABSENT: None.

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Ogden called the work session to order at 5:00 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Metro's Transit Oriented Development (TOD) Program*

Metro representative Leila Aman presented a *PowerPoint* on their Transit Oriented Development (TOD) program. The program is to create public-private partnerships in the region that produce TOD development projects and vibrant, compact urban centers to increase travel by transit, walking and biking.

The program was discussed, and what, if any implications it may have for Tualatin and concluded with key messages of what Metro is trying to accomplish. More information is available online at www.oregonmetro.gov/tod.

Discussion followed and mention was made of the recent opening of the commuter rail and the issue associated with the train horn noise. It was also asked if developable land would be reduced because of noise issues. Ms. Aman said there are a number of commuter trails across the U.S. and will look into how other communities have handled noise mitigation. City Manager Sherilyn Lombos said staff has been in contact with Metro regarding noise impact associated with TOD.

2. *Tualatin-Sherwood Road Pedestrian/Landscape Improvements Project*

City Manager Lombos said this is a follow-up to the project discussion in November 2008, with Council direction to provide further information on this project.

Consultants Carol Mayer-Reed, Mayer/Reed, and Dave Simmons, CH2M Hill were present to review several options for pedestrian/landscape improvements on Tualatin-Sherwood Road from I-5 to SW 90th. Three different streetscape options were presented. The options are traditional boulevard, nature greenway, and ornamental parkway. Ms. Mayer-Reed reviewed each of the three options, and explained the differences between the three.

Discussion followed on how the proposed options would fit in with the existing land and the proposed design, with the ability to have as much canopy and mass as possible. The proposed costs were reviewed, along with what could be done in phases. Also asked and answered that the signal improvements are aesthetic and also giving a chance to update equipment. What is presented is a streetscape that does include a gateway.

Community Development Director Doug Rux reviewed various options for reducing the project scope and budget. Also discussed was what could be done of the elements of each option and the availability of funding.

Mayor Ogden asked Council if there is interest in completing certain portions of project, and general consensus was if Council were to move forward with the project it would be done in its entirety. Councilor Truax said he doesn't agree with the project and is in favor of finishing the Commons and building the tower. Councilors Beikman, Davis and Maddux were in favor of any funds that could be used for train horn noise abatement. Mr. Rux said the funds have to be used within the district boundaries and what is specified in the plan. It was noted by City Manager Lombos that the train horn noise mitigation is not specified in the Tualatin-Sherwood Road area, etc.

Councilors Barhyte, and Harris agreed that this would be an identity for Tualatin, one of the first things people see when they come to Tualatin. Councilor Harris said he also agreed with Councilor Truax, but he wanted to be certain the community would be behind the Commons project completion. Councilor Maddux asked how much of district funding has been used for aesthetics and for functional uses. Mr. Rux said a considerable amount has been spent on roads, and infrastructure improvements, but does not have the data available at this meeting and will provide the information to Council at a future meeting.

Ms. Mayer-Reed said as consultants they have been following a scope but she is also seeing how there is an evolution of thinking in the two meetings that have been held with Council. Ms. Mayer-Reed said with Tualatin struggling with identity it could be hard to justify spending the funds for the project, and could take a look at other ways. Councilor Beikman said she was not in favor of sending staff back again for a completely different project scope. Staff noted that the Council/Commission has from time to time modified projects and that staff has been moving forward with what was given as direction from the Council/Commission, but are free to change the project scope if they choose to do so.

It was suggested to set the options aside and take a look at a water feature/gateway feature and gather input from advisory committees and come back to Council at a future time.

3. *Access Way Restrictions*

City Manager Lombos revisited the issue of access way restrictions. This arose from the placement of a fence by a property owner on city-owned property to restrict access on a path next to the homeowner's house. After discussion by Council in October, a Revocable Permit was brought back to Council in November, which would allow the fence to remain in its current location. The item was removed from the agenda for further discussion at a future work session. Staff said direction is needed from Council regarding whether restriction of public access ways is permissible, and if yes, under what circumstances.

Council discussion followed. Moving the fence back off public property was mentioned, and also clarified that the city owns the sidewalk. A revocable permit could be done to take care of this issue as it stands to date. It was also mentioned that no other neighbors have objected.

All Council present, except for Councilor Beikman, had no objection to the fence and to have a Revocable Permit put in place. Councilor Beikman noted disagreement and will vote no when this comes back to Council on a future agenda.

C. CITIZEN COMMENTS
N/A

D. CONSENT AGENDA
None.

E. PUBLIC HEARINGS – *Legislative or Other*
N/A

F. PUBLIC HEARINGS – *Quasi-Judicial*
N/A

G. GENERAL BUSINESS
N/A

H. ITEMS REMOVED FROM CONSENT AGENDA
N/A

I. COMMUNICATIONS FROM COUNCILORS
Councilor Maddux said at the Washington County Commission on Children and Families, program budgets were reviewed and mentioned the healthy start (teen-based programming) took the bulk of cuts.

Councilor Harris gave a brief update on the Clackamas County Coordinating Committee meeting.

Councilor Barhyte attended a MACC (Metropolitan Area Communications Commission) meeting and noted the digital transition has been put on hold until June 2009.

Mayor Ogden gave a brief update on I-5/99W connector project. He said the project will likely not be moving forward. Looking to have Alternative 7 be the final recommendation that is passed on to Metro's JPACT (Joint Policy Advisory Committee on Transportation) and placed on the Regional Transportation Plan. Also mentioned was how some funds from federal, state and county levels that have been earmarked for the connector project could be spent on other transportation projects. Possible projects were mentioned and Mayor Ogden suggested Council put together some projects and discuss at the next work session before the next steering committee on February 25, 2009.

J. EXECUTIVE SESSION
None.

K. ADJOURNMENT
The work session adjourned at 7:06 p.m.

Sherilyn Lombos, City Manager

Recording Secretary Maureen Smith

City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary M Smith

TUALATIN CITY COUNCIL MINUTES OF FEBRUARY 9, 2009

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Dan Boss, Operations Director; Kent Barker, Police Chief; Maureen Smith, Recording Secretary

ABSENT: None.

Mayor Ogden called the meeting to order at 7:08 p.m.

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Councilor Maddux led the Pledge of Allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Tualatin Youth Advisory Council Update*
   Representatives from the Youth Advisory Council (YAC) gave an update on various activities in recent weeks. The YAC explained Project F.R.I.E.N.D.S., which involves 5th graders from all elementary schools getting together to help build self esteem, connect and communicate, with mentoring done by the YAC. The event will take place the morning of May 1, 2009. Council thanked the YAC for their appearance at the meeting.

2. *Tigard-Tualatin Family Resource Center Update – Catherine West*
   Catherine West, Executive Director, gave a brief background and update on the Tigard-Tualatin Family Resource Center. Ms. West noted the Resource Center has been helping families since 1992. Ms. West thanked the Council for the recent $5,500 grant for the center, and also thanked Councilors Beikman and Maddux for serving on their steering committee. Ms. West also introduced their new office staff assistant. Councilor Maddux commented on the value of the Resource Center for the community, and as a member of the Washington County Commission on Families and Children, the recent budget review involved almost no cuts for the center. Ms. West said the Tigard-Tualatin Resource Family Resource Center can be reached at 503.603.1585.

3. *Proclamation Declaring February 2009 as "Smart Kids Smart Community" Month*
   Maureen Wolf and Margie Green from the Foundation for Tigard-Tualatin Schools were present and gave a brief report on the Foundation's mission. The Foundation was created in 1991 and services extend to hundreds of students. They believe that raising the bar for one raises for all and they are proud of the Foundation. Ms. Green noted the upcoming "Smart Kids Smart Community" fund drive in February and presented a short video clip, and thanked Council for their support.

Councilor Beikman read the Proclamation declaring February 2009 as "Smart Kids Smart Community" month in the City of Tualatin.

In response to Councilor Maddux' request, Ms. Wolf also explained how the "Caring Closet" works and what and how it provides for families in need. It is located across from the Family Resource Center.

4. *30-Year Service Award Presentation – City Engineer Mike McKillip*
City Manager Sherilyn Lombos presented City Engineer Mike McKillip with his service award, and gave a background on his tenure with the City of Tualatin over the past 30 years. Mayor Ogden also noted Mr. McKillip's accomplishments and thanked him for his years of service and dedication to the City and the community.

C. CITIZEN COMMENTS

Marissa Houlberg, 9789 SW Coquille Court, was present to request that the Tualatin Youth Advisory Council (YAC) and teen programs be able to be the main use of the Van Raden Center. Ms. Houlberg gave a detailed background of what activities and programs the YAC is involved with, in addition to other teen activities. Mayor Ogden said staff has met to discuss this issue and City Manager Lombos said staff will be coming back to Council to discuss recreation priorities and look at the what has been proposed for the center, and whether or not to table that effort, which would allow for teens and YAC to use the Van Raden Center as dedicated space.

Derek Colby, 21717 SW Aspen Place, was present to revisit train horn noise, and asked if the City has received a number of complaints, if TriMet has agreed to participate in any problem-solving, and whether there is any legal actions that can be taken. Mr. Colby also asked if the City can contract to have an independent report to rebut the findings of the noise impact study done by TriMet. Mr. Colby also inquired whether the City has the ability to charge fees in the parking lots, not only the train lot, but bus lots as part of the solution to the financial impact.

Mayor Ogden said a number of complaints have been received and Council recognizes the train horn noise situation and has been meeting with citizens and legislators to ask that the train horn noise issue be part on the recent federal stimulus package. Council is looking at what types of sources of funding may be available for train horn noise mitigation. Mayor Ogden added that horns are a "federal" requirement and cautioned that there may not be legal standing with TriMet for any misrepresentation. In response to Mr. Colby's question regarding parking lot fees, City Attorney Brenda Braden said the lots are not part of the city's jurisdiction, and some sort of "tax" would need to be done if wanting to go that route. TriMet could be asked to charge a fee and direct funds to Tualatin. This is the first "transit" function that has noise associated with it. Mr. Colby asked and Mayor Ogden replied that any possible adjustments to the trains during the morning and evening times would have to be asked of TriMet. Monthly passes are available for "all" TriMet mass transit including the commuter rail.

Also mentioned was the importance for people to send e-mails not only to the City Council, but also to TriMet's Board of Directors, State legislators, etc. A link on the City's website will be made available to provide information and where to send comments in response to Mr. Colby's request.

Mayor Ogden concluded that this is a community problem and that legislators do know about the train horn noise. Mayor Ogden also wanted to note that the commuter rail project was originally a product of Washington County and asked TriMet to build the project, and in many respects, TriMet is doing the project that was asked for.

David Anderson, 22923 SW Cowlitz, was present to express his unhappiness with the train horn noise and also noted other area neighbors were present to express the same concern. Mr. Anderson also submitted signatures from neighbors about the train horn noise. Mayor Ogden reiterated that Council recognizes the problem and hasn't lost sight that this is the number one issue in Tualatin right now.

Trevor Engels, 22945 SW Cowlitz, asked how the impact of train horn noise was not examined fully. Mayor Ogden answered that an impact analysis was done and the City followed the correct process. The notion of freight whistles was not part of scenario and nowhere in that process at that time was the train horn noise mentioned. Council takes full responsibility for the oversight, and added that Council did question the decimal noise issue and impact analysis that was actually done several years before by TriMet. Also mentioned is the requirement by the Federal Railway Administration (FRA) to blow horns at a certain decimal level, as there is a safety factor, and not sure if TriMet has the ability to look at modifying. The only possible solution would be establishing quiet zones, but they come with a large price tag.

Mayor Ogden concluded discussion by noting that the City Council is fully aware of the train horn noise problem and are looking to do what can be done to solve the problem.

D. CONSENT CALENDAR

MOTION by Councilor Maddux, SECONDED by Councilor Barhyte to adopt the Consent Agenda as read:

1. Resolution No. 4864-09 Awarding Bid for the Tualatin Operations Yard Parking Lot, Storage Yard and Utility Improvements
2. Establishment of an Ad Hoc Committee to Coordinate the 2009 Arbor Week Celebration

MOTION CARRIED.

E. PUBLIC HEARINGS – *Legislative or Other*

None.

F. PUBLIC HEARINGS – *Quasi-Judicial*

1. Request for Review of the December 19, 2008 Historic Landmark Designation Decision to Approve the Demolition of the Gerald Avery Building Located at 19945 SW Boones Ferry Road (2S123DD 500) (HIST-08-01

Mayor Ogden read language required by legislation before a comprehensive plan or land-use regulation [ORS 197.763(5) and (6)] and opened the public hearing.

Mayor Ogden noted that the City Council has participated in public meetings for use of the site, alternatives uses of the site, and have spoken with individuals and groups for the last several years. *No bias was noted*, but there has been ex parte contact. Councilor Harris noted he met with the Tualatin Historical Society on tree issue discussion and talked about this in general but not specifics about this application.

Associate Planner Will Harper presented the staff report and entered the entire staff report and attachments into the record. Also noted for the record were three e-mail comments that were recently received by staff. This is an appeal by Yvonne Addington on behalf of the Tualatin Historical Society, and appeal of the December 19, 2008 affirming the Historic Landmark Demolition Findings and Decision of the Community Development Director approving the demolition of the "Gerald Avery Building" located at 19945 SW Boones Ferry Road.

Mr. Harper said the purpose of demolition is to allow redevelopment of acreage which is owned by the Tigard-Tualatin School District (TTSD). The Gerald Avery building was built in 1939 and was listed in the City's landmark inventory in 1993. The TTSD closed the elementary school In 2005 to open a newly constructed school. Mr. Harper read the criteria listed in the staff report for the decision that was made for demolition. Five reasons were raised for the appeal, and also noted in the staff report is substantial documentation addressing the reasons for the appeal.

Staff recommends the City Council consider the staff report and Attachment A-F, and materials submitted into the record and direct staff to prepare a resolution affirming the December 19, 2008 Historic Landmark Demolition Certificate of Appropriateness Findings and Decision on the demolition of the Gerald Avery Building in HIST-08-01, subject to the conditions noted.

PROPONENTS

Kirsten Van Loo, land use planner, Emerio Design, 6107 SW Murray, Suite 147, Beaverton, OR, representing Marquis Development noted the hearing's purpose is to review the evidence on the record and the appropriateness of staff's recommendation. Ms. Van Loo noted that an application was submitted and upon appeal has collected a significant amount of data in documenting the decision making process, and examining the uses and reuses associated with this building. Marquis Development has also submitted considerable information about the building. Ms. Van Loo acknowledged the significance of the building and the challenge of finding a way to reuse the building that is reasonable, functional, and can be integrated with the rest of the proposed development. The information has shown that the Tigard-Tualatin School District has spent a number of years to find a way to reuse the building. Left with a difficult decision, there is no practical, economic, or viable way to preserve this building for any use. Ms. Van Loo concluded that there is no money, no outpouring of community support, have tried to find a way to reuse this building, and said she was present to affirm staff's recommendation to the City Council.

Scott Miller, Marquis Companies Inc., 4560 SW International Way, Milwaukie, OR, said Marquis has spent the past two years trying to determine the best way to reuse the building. They like the site and are willing to spend time and money to get to the point where they feel comfortable submitting the application, having tried to figure out a way to incorporate the design of the current Gerald Avery building, none of which were viable. Marquis hired several architects to look into the design, and after meeting with the Tualatin Historical Society, staff and others, what has been presented by Marquis is where they are today with the project.

Rob Saxton, TTSD Superintendent, 6960 SW Sandburg Lane, Tigard, OR, commented with several points about the property and said the School District supports the staff decision. He noted the District considered a number of opportunities after the building was no longer used for school, all of which were not viable. After a number of School Board meetings that were held, it was determined to sell the property and the TTSD received no opposition except from the THS. It became clear that the cost of renovating the building would be too much for many non-profits, etc.

OPPONENTS

Tualatin Historical Society President Yvonne Addington took the opportunity to note she hired City Engineer Mike McKillip *(recognized earlier for his 30-years of service)* when she was Tualatin city manager 30 years ago.

Ms. Addington acknowledged conflicted feelings and the emotional attachment she has had with this issue, and that the THS has been advocating saving the site with the TTSD and City. It has been a multi-year struggle and 850 to 1,000 signatures have been gathered asking Council to consider keeping the building and the site. Ms. Addington noted some success with other buildings in the City and feels there are more threats to historic structures to come, and asked the Council to use their role as public officials to consider what is happening with historic buildings. She said the developer, Marquis, has been wonderful, but she first must advocate for the preservation of the building and believes the City will need that land in the future. Since it appears that the entire 12-acre site is not being used, Ms. Addington suggested Marquis could use a portion of the site and the TTSD could hold the remaining property until an appropriate use comes along. An alternative would be to ask for conditions on approval of the demolition if Council chooses. Mention has been made by the developer for an opportunity to reuse some of the materials such as the bricks, windows, and gym floor for a proposed public auditorium where historical information would be available for the purpose of the public having access to. Ms. Addington said THS is looking for a way to attach some reasonable conditions for the site to be memorialized and used for public purpose.

Chris Krivens, 22464 SW 107th Avenue, said this came to his attention after driving past the building many times. He understands this has been addressed over the years, and he has not previously been at a Council meeting and was not aware this issue had been in the community for the last four years. After talking with his neighbors and friends they all expressed an interest in a way to reuse the site in some fashion. He also asked if there is anything Council sees as a way to preserve the building, as he believes it is an important piece of property.

Beth Roach, 22382 SW 107th Avenue, said with the City having gone through the "Tualatin Tomorrow" process in the past few years, asked to consider holding off on making a decision on the property and take time to consider the citizens in Council's decision.

Ms. Addington also introduced Evi Andrews, and as a former teacher in the early years of the Tualatin Elementary School, asked that the cherry tree located on the property be preserved in her honor.

REBUTTAL

Ms. Van Loo said it important to understand that the site Marquis is looking at for development is removal of its historical designation. Marquis will be buying 5-1/2 acres, leaving the remaining acreage which is not part of this application. The site is comprised of three actual parcels within the entire acreage. This application and decision falls under State law and there is no methodology that affords the Council to impose an extended delay, as the 120-day period is up in either March or April 2009. It is important \to note that the TTSD started in October, 2005 holding public hearings and public meetings. Ms. Van Loo also mentioned the condition of the building and the seismic report indicating it is not safe and three architects tried every which way to find a way to save the building. Marquis is also looking at ways to save some of the materials, and also reiterated that the TTSD owns the land and is a different ownership entity than the City or the THS. The TTSD has legal responsibility for this land and their decision came after a lengthy evaluation. Ms. Van Loo concluded that

while appreciating that a 1,000 signatures were gathered, it is not easy to come up with the millions of dollars needed to upgrade the building.

Marquis representative Mr. Miller said there has been some e-mails sent on ways Marquis has looked at preserving and reusing the gym flooring and windows, bricks, and other items, and they are more than willing to put something in writing when the process moves forward. The proposed auditorium space will be available to the public and they offered to reuse the flooring and would then donate back to the THS, and Marquis would even store the materials if needed. They are looking at using the bricks at access points, walkways, or a memory walk, and Marquis believes there is value in the history there. However, from a marketing standpoint to construct a retirement community to attract senior citizens to move to, Marquis would not proceed if the building were still in place.

Kellie Hoosani, 111 SW Fifth Avenue, Suite 500, Portland, OR, attorney with Miller Nash, representing the Tigard-Tualatin School District (TTSD), wanted to comment that the TTSD and Marquis have reviewed all the avenues possible and no one will be able to take on that building as it is. The School District does not want to have conditions placed on the application and they recognize Marquis will do everything possible to preserve as much of the materials of that building as possible.

STAFF RESPONSE

Associate Planner Harper noted the 120 day limit is up the first week of March. Also in response to questions about Council's ability to impose conditions, staff proposed six conditions that are directly from the Tualatin Development Code which are standard conditions of approval. However, staff could add conditions that have not already been mentioned.

COUNCIL DISCUSSION

Council questioned the permit is approved when demolition would take place.

Council discussion followed with questions on when the building would be demolished if approved, and subsequent development, and if conditions can be placed by Council. Staff noted there are specific guidelines to follow, and there is no connection between the demolition and the proposed development. Council quoted the criterion from TDC Section 68.060(c) of the benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark, is clearly linked to the use that is proposed. Staff noted it has been addressed in the conditions of approval requiring all permits to be in place before demolition or excavation.

Mayor Ogden said the decision for demolition is based on the proposed use, and Ms. Van Loo again quoted, ..."The benefits of demolishing the landmark and the construction of the identified conflicting permitted uses(s) outweigh the value to the community of preserving the landmark..." and said it is important to understand the underlying land designation and be reminded about developers that showed no interest in the property. If the building is not removed it prevents development of the property.

Mayor Ogden reiterated the proposed use for the site is not a permitted use, and asked staff the logic used in the benefit to the community of developing the land on any currently permitted use that outweighs keeping the structure. Staff said what Marquis is proposing can be done through a conditional use permit (CUP), as technically, but not specifically, it is an allowed use. Staff also did not evaluate on

anything other than the proposed housing project for that site. Marquis representative Scott Miller said they would not continue with the project if the demolition is not approved.

Associate Planner Harper said Criterion (c) is a judgment that balances preservation with other community use, and the quandary is to make sure that the terms or value is one that would allow Council to agree that the criteria has been met. As decision-makers Council could disagree with the calculation arrived at in the staff report.

Ms. Hoosani reiterated that the building has to be removed and it is in the record that TTSD has talked with many people in taking a hard look at this building, and Criterion (c) doesn't need to be quoted as the record support a finding that the benefits of demolishing a landmark and being able to construct identifying conflicting uses. If something were to happen to the proposed Marquis development there is still no value to TTSD as Criterion (c) has been met. Ms. Hoosani said Council could make a finding based on the evidence that Criterion (c) has been met, with or without the Marquis development, and if conditions are placed on the Marquis project, they will be back again at some point arguing the same issues.

Council discussion followed. Mr. Miller said a project of this size is $40 million, and just to get the condition of approval will exceed $2 million, without even knowing if Marquis will have the demolition in place. Marquis will not do anything on the site until they know they can build their building.

Mayor Ogden questioned what actual conditions would be defensible, and asked if Council would have any grounds by placing any conditions. City Attorney Braden said Council could run into problems by doing so, such as placing a condition to save as much of the materials as possible, but that it could possibly be done because the applicant would be willing to accept the condition.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATIONS

MOTION by Councilor Barhyte, SECONDED by Councilor Harris, to approve the demolition permit, with the condition that prior to demolition the applicant has gone through the conditional use process or architectural review for the approved project.

Discussion on Motion
Councilor Maddux asked how that process differs from what is already provided for in the Development Code. Mayor Ogden clarified that Council would grant the demolition, if and only if, the applicant met all the subsequent conditions of approval of the project.

Councilor Harris said his only question is the importance of recycling and reuse of materials and suggested adding a condition.

MOTION TO AMEND by Councilor Harris to include a condition to require as much viable reuse and recycling of materials from the building.

Discussion on Motion
Councilor Beikman said she would only support the amendment portion of the motion for reuse and recycle of materials.

Councilor Truax noted agreement with Councilor Beikman, but does not support the motion at all, was not supportive of placing conditions on the applicant, and was also not sure of the viability of reusing some of the materials.

Councilor Maddux said she was in agreement with Councilors Beikman and Truax, and commented that the School District is tied to an unsalable piece of land.

MOTION FAILED.
[Vote: 5-2; NO – Ogden, Beikman, Davis, Maddux, Truax; YES – Barhyte, Harris]

MOTION by Councilor Maddux, SECONDED by Councilor Beikman to adopt the staff report, and Attachments A-F and materials submitted into the record and direct staff to prepare a resolution affirming the December 19, 2008 Historic Landmark Demolition Certificate of Appropriateness Findings and Decision on the demolition of the Gerald Avery Building in HIST-08-01, subject to the conditions noted.

Discussion on Motion
Councilor Barhyte said the appeal does not address the uses, and TTSD is not the applicant. Councilor Harris said he agrees with Councilor Barhyte and will not vote to approve, and believes placing certain conditions would not place the Council in harms way with the State Land Use Board of Appeals (LUBA).

Councilor Davis said she prefers to support a motion that would include the recycling and reuse of materials as previously stated.

MOTION TO AMEND by Councilor Davis to add a condition to include recycling and reuse of materials. MOTION DIED for lack of agreement.

Discussion on Motion
Mayor Ogden said in his opinion he does not believe Council has the legal ability to place requirements on the applicant, and believes they are obligated to grant the staff report.

Councilor Truax called for the question.

MOTION RESTATED by Councilor Maddux, SECONDED by Councilor Beikman to adopt the staff report and Attachments A-F and materials submitted into the record and direct staff to prepare a resolution affirming the December 19, 2008 Historic Landmark Demolition Certificate of Appropriateness Findings and Decision on the demolition of the Gerald Avery Building in HIST-08-01, subject to the conditions noted. MOTION CARRIED. *[Vote: 4-3; YES – Ogden, Beikman, Maddux, Truax; NO – Barhyte, Davis, Harris]*

G. GENERAL BUSINESS

1. 2008 Heritage Center Annual Report

Community Services Director Paul Hennon said the purpose is to present Council with the 2008 Tualatin Heritage Center Annual Report. He noted that it is operated by a successful partnership with the Tualatin Historical Society (THS) and the City of

Tualatin. The annual report was presented to TPARK, and provided feedback to THS, and staff's recommendation is council accept the 2008 heritage center annual report.

THS President Yvonne Addington said they are working on many projects this year, and are also looking at developing a strategic plan. The goal in the coming year is to involve more and younger people. Membership is now over 200+.

Heritage Center Director Larry McClure continued with a PowerPoint presentation and reviewed highlights of Heritage Center activities and events in the past year. Mr. McClure also acknowledged the support the City Council has given to the Heritage Center.

Mayor Ogden noted the good work the THS has done with the community and their core mission. Councilor Harris asked about long term plans for the center with the need for more space and Mr. McClure said they are always looking for possible venues, etc. Ms Addington added that many artifacts are stored in other places because of lack of space. Council thanked the THS for their work with the Heritage Center and look forward to the coming year.

MOTION by Councilor Barhyte, SECONDED by Councilor Beikman to accept the 2008 Heritage Center Annual Report. MOTION CARRIED.

2. I-5 / 99W Connector Update

City Engineer Mike McKillip gave a brief PowerPoint presentation on the I-5 / 99W Connector project benefits and impacts of "Alternative 7", also known as the "Hybrid" or "Three Arterial" alternative. The staff report includes information that outlines the impacts of Alternative 7 and compares it to the other six alternatives previously presented. The Policy Steering Committee will meet February 25, 2009, and hopefully will forward to Metro for inclusion as an amendment to the Regional Transportation Plan (RTP). The specifics of Alternative 7 were reviewed by Mr. McKillip. Councilor Harris asked about extension of Tualatin Road/Herman Road, and said there is a need of sports fields, but doesn't see a lot of use for the boat ramp.

Mayor Ogden said he is not certain the work that was done on "Alternative 7" is how it will actually end up, particularly with funding issues.

Bob and Kathy Newcomb, 17515 SW Cheyenne Way, said it was interesting to view the presentation, and commented there are several problems with Tualatin Road in relation to Herman Road, and they do not approve of the widening of Tualatin-Sherwood Road. Ms. Newcomb mentioned the neighbors that had appeared before Council on a portion of Tualatin Road (across from the cemetery) that has traffic safety issues. She was also surprised to learn the Tualatin Chamber endorsed Alternative 7, and was not happy that residents were not able to be part of the selection process, and that this should not be taken to Metro without public input. Ms. Newcomb asked that more information be provided in the City's newsletter. Mr. Newcomb said his main concern is Tualatin Road and the difficulty they have accessing Cheyenne Way from Tualatin Road.

Dolores Hurtato, 8685 SW Chinook Street, was present to express her concerns about the proposed project. She has a condominium and where she lives, under this particular plan her home would be gone. She said she wants to be able to live and

stay in her home and said the public should be invited to look at this particular proposal.

Mayor Ogden said he understands the concerns expressed, but said the project will likely not occur for a very long time. He further explained the transportation system that has been adopted in Tualatin, and the TSP has had a substantial amount of public involvement, has been regularly reviewed, and that this project has been part of the plan for the past nine years. It is a long way to being committed to by this Council, as it remains to be designed and engineered, and is nowhere close to being funded.

Ms. Newcomb reiterated her request for public input and that Council not recommend "Alternative 7" when presented at their February 25, 2009 Council meeting.

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. EXECUTIVE SESSION

None.

J. COMMUNICATIONS FROM COUNCILORS

Councilor Beikman mentioned the recent "Tualatin Tomorrow" luncheon. Many good ideas were raised and also possible partnering opportunities.

Councilor Harris said the Tualatin Library Foundation had its first fundraiser with a great turnout, and welcomed all the support. He also thanked Legacy Meridian Park Hospital for being the main sponsor of the event and looking forward to next year's event.

K. ADJOURNMENT

MOTION by Councilor Truax, SECONDED by Councilor Harris to adjourn the meeting at 11:34 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary Maureen Smith

City of Tualatin

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Approved By Tualatin City Council
Date 3-9-09
Recording Secretary MSmith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF FEBRUARY 23, 2009

PRESENT: Mayor Lou Ogden (via phone), Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Kent Barker, Chief of Police; Dan Boss, Operations Director; Don Hudson, Finance Director; Carina Christensen, Assistant to the City Manager; Doug Rux, Community Development Director; Eric Underwood, Development Coordinator; Will Harper, Associate Planner; John Stelzenmueller, Building Official; Ginny Kirby, Recording Secretary

ABSENT: Donna Maddux* *[* denotes excused]*

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Council President Barhyte called the work session to order at 5:02 p.m. He stated that the Consent Agenda would be reviewed first this evening, then recess to the Development Commission work session, then reconvene Council work session.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Utility Undergrounding Policy Discussion

Mike McKillip, City Engineer, said after bringing a draft of the Utility Underground Master Plan to Council last April, Council directed staff to research viable options for undergrounding utilities. Staff did as directed and is back with four options:

1. underground utility ordinance similar to the City of Tigard;
2. utility fee;
3. undergrounding subsidy; and
4. a City of Tigard style ordinance non-excise tax.

If the City chooses to do a utility fee, based on the number of accounts, we would realize approximately $84,000/year (7,000 subscribers - $1.00/month fee). This would not add up quickly towards accomplishing projects that need to be done. Discussion followed. Mr. McKillip reiterated that staff is looking for feedback from Council on what direction to go.

Mayor Ogden questioned how long the City could legally hold onto monies collected before the money must be used; Ms. Braden said she didn't believe there was a set time limit. Mr. McKillip said we may get a general "push back" from contractors who feel this is not the economic time to be instituting a new fee. Councilor Beikman agreed with Mr. McKillip, that contractors probably wouldn't like a new fee at this time. It just doesn't seem appropriate timing now, but do keep this for the future. At some point it could just be a City-wide fee.

After further discussion, Council directed staff to come back in the future with a proposed City-wide ordinance for undergrounding. Implementation is not of highest priority unless we get new and expanded lands and have in place for the SW Concept Plan or Urban/Rural Reserves. Mr. McKillip said staff will come back to Council in the next 9 to 12 months with a draft ordinance for review.

Code Changes Identified After LUBA Decision on Single-Family Residential Issue

Doug Rux, Community Development Director, and Will Harper, Associate Planner. Mr. Harper noted the origin of the proposed amendments to the TDC is Oxford House discussions in the Fall of 2008, along with questions raised by neighbors and property owners regarding rental housing, garages, definition of family, on-site parking, etc.

The first issue addressed tonight is the definition of "family". Mr. Harper said what is proposed is removal of the current definition of family and replace it with the following: "Family – A person living alone or two or more related or unrelated persons living together in a single dwelling unit." This proposed definition of family has takes out the numbers and the defined relationships, and makes it very simple. It is not intended to work in a financial or property tax method, it is not meant to work in social or religious terms, but to work in a Tualatin zoning setting.

The second issue is parking for single-family residences. Mr. Harper noted current language of the minimum off-street parking requirements for a one family dwelling says "1.00 space per dwelling unit, in addition to the garage." The proposed amendment would remove the "... in addition to the garage." in the parking standards and clarify that attached garages are not a required element for residential uses.

Staff is proposing the City specify the minimum parking be increased from one off-street space to two off-street parking spaces for new single family residential. The proposed amendment also clarifies that an expansion of an existing single family residential use, such as an addition or space conversion, does not subject the residence to meeting the increased parking standard. In addition, it would clarify that a residential garage does not count as a required parking space unless approved in the Architectural Review process. Brief discussion followed and staff stated a draft ordinance will be brought to Council at the March 9 Council meeting.

Signs in Office Commercial (CO) Districts

Will Harper, Associate Planner, gave a PowerPoint presentation. He stated staff had been approached by Cushman Wakefield, representing the South Center development, with a request for a large directory sign at an entrance to the site. The requested directory sign would exceed the maximum 32 square feet currently allowed in the CO Planning District. Mr. Harper noted that due to the layout of the buildings and the land, it can be difficult to give adequate directions to customers on how to navigate through the interior roadway in this development.

The proposed directory sign for South Center is along SW Mohawk on the south side of the roadway. The roadway is wider and allows for a vehicle to stop and read a directory sign without impeding traffic. Councilor Davis asked if a sign directing motorists to the directory sign would be installed; Mr. Harper said that would be allowed.

Council President Barhyte expressed some reservations about the language in the proposed ordinance; he wanted to ensure that a directory sign did not impede traffic. Staff will add some language and bring back to Council March 9.

I-5 to 99W Connector Project Discussion

Mayor Ogden reiterated some of the discussions that have already taken place between Tualatin, Sherwood, and Wilsonville. After much discussion it seems most are favoring Alternative 7, except for Wilsonville. The last Steering Committee meeting will be this week; possibly the only dissenting votes would come from Clackamas County and Wilsonville.

Wilsonville suggested not voting in favor of Alternative 7, but are in favor of revising language in the Regional Transportation Plan (RTP) to address some issues. If some other suggested projects are put in the RTP, then can possibly go and ask for "bits" of money to try to do portions of projects.

This may open the door to get some funds for 124th Avenue to connect to I-5, as basically the project is dead due to funding problems. This would at least allow for conversation to continue with 124th Avenue and allow monies to come available for smaller projects to chip away at the "wish list" of projects.

Discussion followed regarding Metro and how likely would it be for them to approve over great opposition from Clackamas County and Wilsonville. If this project goes away, then money is freed up for other projects such as I-5 bridge, etc. Mr. McKillip voiced concerns if the City says they don't want Alternative7 and want to change language in the RTP. Mayor Ogden suggested moving forward with Alternative 7 to JPACT, make some amendments to it, and make some modifications to RTP language. If nothing substantive comes from a study, we won't get any funds.

Linda Moholt, Tualatin Chamber of Commerce, noted she had attended a meeting where members stated a couple more Councilors may be in favor, which could help in getting the vote for Alternative 7. The Chamber has been working with businesses to educate people about Alternative 7. Ms. Lombos said she attended a Wilsonville work session last Wednesday. Mayor Ogden commented that possibly we could put off for 60 to 90 days to give time to potentially sway some of the thinking of Wilsonville.

Councilor Beikman suggested going ahead and advancing Alternative 7 on Wednesday and then work diligently with Sherwood and Wilsonville to amend language. Further discussion followed. Mr. McKillip stated that he is meeting with Sherwood and Wilsonville people on Tuesday; Mayor Ogden said he would be interested in going to the PSC with a concept plan and asking for another 60 to 90 days to work on it. Possibly Sherwood would accept an RTP amendment that does not have a southern corridor; and Wilsonville might accept one that does have a southern corridor.

After further brief discussion, Councilor Truax stated he would support the "plan on the table; Councilors Harris and Barhyte said they would support either route.

Council Communications & Roundtable

Councilor Harris noted that he had attended WCCCA meeting. There will be 9% to 12% increases coming from them. Ms. Lombos said that Tualatin can't operate a fulltime call center for what the City is paying WCCCA. The 9-1-1 revenue is flat, it is not going up as costs are going up. Also, legislature is looking at taking away some of the 9-1-1 money and using it elsewhere.

Ms. Lombos said the City was notified today that Davis Wright Tremaine has submitted a tort claim regarding Stars Cabaret; they have not yet filed a lawsuit. They missed the February OLCC hearing; next hearing date will be in April. Brief discussion followed.

Ms. Lombos spoke to the issue of train noise. TriMet has done a couple of short-term things: 1) a quieter horn is currently being tested, and 2) the decibel level on ALL horns has been ratcheted down to 97.5 decibels (originally was over 100). The City has submitted a Federal appropriations application and the prospectus for transportation stimulus money (in the $700,000 range), which would be for two crossings (Teton Avenue and 95th Avenue). Approximate costs would be $615,000 for 4-quadrant arms on Teton Avenue; $60,000 for 95th Avenue.

It was reiterated that the FRA calculator shows doing the Nyberg crossing; four crossings would have to be upgraded to qualify for quiet zones (at a cost of approximately $2.5 million). Councilor Harris questioned whether establishing quiet zones enhanced safety; he would like staff to research and follow-up on this. Mayor Ogden questioned how the stimulus money was being divided; Mr. McKillip stated it was split by population and he briefly explained the process. Mayor Ogden asked that Ms. Lombos write a letter to Fred Hanson, General Manager, TriMet.

C. CITIZEN COMMENTS

Not applicable.

D. CONSENT AGENDA

The Consent Agenda was reviewed by Council.

Ms. Lombos stated that Item D.3. was being removed from the agenda in its entirety; it will be rescheduled for a meeting in March.

The Work Session recessed at 5:05 p.m. and reconvened at 5:07 p.m.

E. PUBLIC HEARINGS - *Legislative or Other*

Not applicable.

F. PUBLIC HEARINGS - *Quasi-Judicial*

Not applicable.

G. GENERAL BUSINESS

1. Ordinance No. 1275-09 Relating to the Library Rules of Conduct; and Amending TMC 5-1-010, 5-1-030, 5-1-050, 5-1-070, 5-1-080, 5-1-090, and 5-1-100

MOTION by Councilor Harris, SECONDED by Councilor Davis for a first reading by title only. MOTION by Council Harris, SECONDED by Councilor Davis for a second reading by title only. MOTION CARRIED. The poll was unanimous *[Maddux absent.]* MOTION by Councilor Harris, SECONDED by Mayor Ogden to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

H. ITEMS REMOVED FROM CONSENT AGENDA
Not applicable.

I. COMMUNICATIONS FROM COUNCILORS
None.

J. EXECUTIVE SESSION
None.

K. ADJOURNMENT
The meeting adjourned at 6:53 p.m.

Sherilyn Lombos, City Manager

Recording Secretary Jenny Kirby

City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary M Gonnik

TUALATIN CITY COUNCIL MEETING MINUTES OF FEBRUARY 23, 2009

PRESENT: Mayor Pro tem Chris Barhyte, Councilors Monique Beikman, Joelle Davis, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Don Hudson, Finance Director; Kent Barker; Chief of Police; Doug Rux, Community Development Director; Dan Boss, Operations Director; Carina Christensen, Assistant to the City Manager; Paul Hennon, Community Services Director; Nancy McDonald, Human Resources Director; Ginny Kirby, Recording Secretary

ABSENT: Lou Ogden*, Donna Maddux* *[* denotes excused]*

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Pro tem Barhyte called the meeting to order at 7: 02 p.m.
Councilor Harris led the pledge of allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Tualatin Tomorrow – Arts, Culture, and Education (ACE) – *Larry McClure*
   Mr. McClure reminded everyone this is a long range planning process. The topic tonight is "ACE" (Arts, Culture, and Education) which has seven domains of activities: education, community facilities, cultural opportunities, youth, volunteerism, sense of community, and recreation. Tonight we will focus on just two of the seven: 1. performing arts and visual arts, and 2. higher education and workforce development.

   Arts and Culture. Mr. McClure introduced Nancy Wellman, President, Lumiere Players (Tualatin's own community theater). Currently the Lumiere Players are doing the play "Dearly Beloved". Ms. Wellman noted that the Sunday performance was standing room only. Performing arts brings money into the community, people who come to attend performances may also go shopping, dine in Tualatin, purchase gasoline, etc. Ms. Wellman invited everyone to attend performances of the Lumiere Players.

   Mr. McClure introduced Rebecca Pratt, Willowbrook Summer Arts Day Camp. Willowbrook started in 1982 by Althea Pratt-Broome, at the John Sweek House. A few years ago the site was changed to Browns Ferry Park. Ms. Pratt took over as Program Director in 2008. Approximately 1900 students were served last summer, 562 students was the top daily attendance, and there were 182 staff members in 2008, which includes some high school students as staff. Willowbrook has 37 learning centers, divided into three age groups; the bulk are in the 8 to18 age group

(youngest are 3 to 4 year olds). Ms. Pratt urged interested people to check out their website: willowbrookartscamp.org for further information.

Education Workforce Development is aimed primarily at adults. Mr. McClure introduced Jill Culyer, who is here tonight representing Washington County for Oregon Department of Employment. Ms. Culyer gave a brief overview of the economy at this point in time. Oregon's economy is in negative growth; December 2008 down by 3.6% over previous year; statewide there is 9% unemployment rate. Tualatin's unemployment was 6.2% as of December 2008, up from 3.6% in 2007. Ms. Culyer said the State economist predicts Oregon's economy won't show much increase until the year 2010. Mr. McClure said that Portland Community College is an important partner with the Mohawk Street office of the State Employment Office.

Councilor Beikman thanked Mr. McClure for all his time on Tualatin Tomorrow and time spent on programs at the Heritage Center. It was noted that the Tualatin Tomorrow Annual Event is set for April 30th; more information will be available soon on the website, www.tualatintomorrow.org.

C. CITIZEN COMMENTS

City Manager Lombos gave a brief update on WES as there have been many concerns regarding short-term and long-term actions regarding train horn noise mitigation. She reported that TriMet has adjusted train horns to the lowest allowable decibel level, 97.5, from the previous level that was over 100. TriMet is experimenting with a "kinder gentler" horn; testing is currently in progress.

City Manager Lombos said the City has submitted an application to the Federal government regarding establishment of Quiet Zones. The packets include the problem statement, maps, and letters of support. The Council will be kept updated on this issue.

City Manager Lombos noted that Tualatin's share of the Stimulus funds will be approximately $700,000. In addition, TriMet has tentatively offered $500,000 to go towards train horn noise mitigation. They suggested wayside horns as they weren't certain the necessary upgrades could be done in a short time line. Also, there may be some unused MSTIP funds available, as well as some Urban Renewal funds. The City must upgrade four crossings (Tonquin, Teton, 95th, and Nyberg) to be eligible for a Quiet Zone designation; costs will be in the range of $2 million.

Linda Moholt, Tualatin Chamber of Commerce, SW Martinazzi Avenue. Ms. Moholt was here to speak about transportation and the importance to the entire region; the Chamber has taken a great interest. They support Alternative 7. Being part of the Tualatin Tomorrow process has made clear the important transportation issues in the region. Alternative 7 could help alleviate congestion; overall it could improve connectivity, and also aids in safety response time for fire and police. Ms. Moholt said that last Monday night Wilsonville voted against Alternative 7; she is here tonight to say the Chamber supports pushing forward this alternative and going forth to amend the RTP. Ms. Moholt stated the Chamber wants the community to realize just how important this is; this decision needs to move forward. She urged Wilsonville residents to call their representatives and voice their concerns and ask that they move it forward.

Mayor Pro tem Barhyte noted that Councilor Beikman is the Council's representative on the committee, in Mayor Ogden's absence, and Councilor Beikman will be attending the PSC meeting on Wednesday. City Manager Lombos stated that, on a staff level, she wants the Chamber to know how much all their work with the business community is appreciated.

Erin Stadick, Cowlitz Drive, Tualatin. Mr. Stadick feels the quality of life is now completely different, much more negative with the train horn noise that starts so early in the morning. He thanked the City Manager for her comments tonight on what is being done to help alleviate the issue and greatly appreciates what is being done. Mr. Stadick asked if the City feels helpless if the stimulus money is not received. Mayor Pro tem Barhyte said things sound much more positive at this point, but it depends on if money is received. Councilor Beikman expressed her concerns regarding safety, as the commuter trains are very quiet; she feels if the City can have quiet zones and pedestrian safety measures in place, then she would be more comfortable. Mayor Pro tem Barhyte encouraged citizens to write Council expressing their concerns. Councilor Harris reiterated that with a quiet zone, trains can still sound their horns if they see a safety issue that warrants the horn. When funds come through, Council will have further policy discussions to decide what additional safety measures might be needed. Mayor Pro tem Barhyte reiterated that when stimulus funding is received, there is a strict timeline in which the improvements would need to be done.

Mr. Stadick asked about the two Tonquin Road crossings (one private, one public) and whether both crossings would need to be protected by a quiet zone. City Engineer McKillip said the private crossing would be treated same as a public crossing. However, the private crossing would be "included" with the public and may not need to have a separate treatment. Mr. Stadick asked for some clarification on the process. Councilor Truax explained how the Federal Rail Administration (FRA) sets out the numbers and how to see what upgrades need to be done to make crossings meet "warrants" to be a quiet zone. Depending upon upgrades and at which crossings can affect how the FRA calculator works to determine what would be needed. Mayor Pro tem Barhyte reiterated a big issue is the money, if the City has the money, the improvements could be done.

Mr. Stadick does not feel that wayside horns would be a viable solution. He asked where else could money come from to accomplish upgrades to qualify for quiet zones. It was noted that TriMet is having a Board Meeting on Wednesday morning and they will be talking about stimulus money, etc. City Manager Lombos noted the City will have a representative present at that meeting thanking TriMet for their partnership and "lobbying" for funds. Councilor Harris said that Council is having a special meeting regarding Urban Renewal funds and what may be available; a notice will be posted and also be on the City's website.

Derek Colby, SW Aspen Place, Tualatin. Mr. Colby thanked the Council for their work on train horn noise mitigation. He asked the City Engineer when the City became aware that commuter rail was coming. Mayor Pro tem Barhyte noted that when commuter rail was first talked about, there was somewhat of a disconnect regarding exactly what it would be. Some felt it would be similar to light rail and be very quiet. Also, the report that TriMet produced didn't reflect a serious noise issue. Mr. Colby said he appreciated Councilor Beikman's concerns for safety. Mayor Pro tem Barhyte noted that TriMet now realizes the train horn noise is an issue they need to address or commuter rail will not be welcome in other areas. Councilor Beikman stated that staff has been working diligently

on this issue and TriMet has installed some fencing and will be installing more in a few areas along the tracks. City Manager Lombos noted the timing of the stimulus money is opportune now with the train horn noise issues that need solving.

Councilor Harris noted he wishes TriMet and other agencies would step up and provide funds that can be used for the train horn noise and the stimulus money could be used for a project that would create jobs and help alleviate transportation issues in the area. Mr. Colby said he agrees with Councilor Harris, the pressure needs to be kept on TriMet for funding to solve this issue of the noise. Discussion followed regarding funding. Mayor Pro tem Barhyte thanked Mr. Colby for voicing his concerns. Councilor Davis said unfortunately Tualatin is somewhat of a guinea pig with this commuter rail and any other community faced with this will be able to learn from Tualatin.

Kathy Newcomb, Cheyenne Way, Tualatin. Ms. Newcomb stated she was here about the 99W Connector. She has been looking at the Transportation Plan and the consultant information and is very concerned about what has been said about the northern Tualatin arterial... 5-lanes starting at Tualatin/Herman heading east, to Community Park, then a bridge crossing over the river and then to Boones Ferry Road and continuing to Bridgeport Road. Ms. Newcomb did not find dollar figures reflecting costs as high as what is being mentioned now. The phasing seems to be unclear in the plan. She felt there were mixed signals between the information available; she thought open houses that would dispense accurate information would be helpful. Ms. Newcomb complimented Mayor Pro tem Barhyte for his earlier statement that even though he does not live where he is directly affected by the train horn noise, what happens in the City DOES affect him. We want people happy that they are residents of Tualatin.

Mayor Pro tem Barhyte thanked Ms. Newcomb for her input. He noted that before anything else is built (such as a bridge over the river, etc.), that it will be taken to the public.

D. CONSENT AGENDA

MOTION by Councilor Harris, SECONDED by Councilor Beikman to adopt the Consent Agenda as read and amended:

1. Approval of Minutes for the Meeting of January 26, 2009 and the Special Work Session of January 27, 2009

2. Approval of 2009 Liquor License Renewals

3. Resolution No. ____ Affirming the December 19, 2008 Historic Landmark Demolition Decision of the Gerald Avery Building Located at 19945 SW Boones Ferry Road (2S123DD 500) (HIST 08-01)
[removed from the agenda in its entirety during work session]

4. Resolution No. 4865-09 Adopting an Intergovernmental Agreement Between the Tigard-Tualatin School District and the City of Tualatin For Safe Schools and Health Students

5. Resolution No. 4866-09 Approving Settlement Agreement with Qwest, as part of the Oregon Municipal Audit and Review Committee (OMARC) Audit

G1. Ordinance No. 1275-09 Relating to the Library Rules of Conduct; and Amending TMC 5-1-010, 5-1-030, 5-1-050, 5-1-070, 5-1-080, 5-1-090, and 5-1-100

MOTION CARRIED.

E. PUBLIC HEARINGS - *Legislative or Other*

1. Public Hearing on Proposed Supplemental Budget and Changes to the Adopted 2008-2009 Budget

   Resolution No. 4867-09 Approving Changes to the Adopted 2008-2009 Budget

   Mayor Pro tem Barhyte opened the public hearing.

   Don Hudson, Finance Director, stated that after the public hearing, there is a resolution for Council acceptance approving the changes to the adopted 2008-2009. The reason the public hearing is necessary is because there are increased expenditures in the Library Improvement Fund and the transfer of reserves from the Infrastructure Reserve Fund to cover unanticipated sewer projects.

   The budget changes that are not required to be part of the public hearing, but are included in the resolution are transfers out of Contingency in the General Fund (for Stars Cabaret outside legal counsel, impacts of PERS legislation, and city Core Area parking fees). There are project related contingency transfers needed for a traffic signal in the Road Development Fund, a water line project in Water Development Fund, and two repair projects in the Storm Drain Fund. The last budget change recommended is to transfer printing budget from the Council and Legal budgets into the Administration budget. This transfer is necessary to accommodate changes which occurred when Administration moved into the Seneca building.

   PROPONENTS - none

   OPPONENTS - none

   COUNCIL QUESTIONS - none

   Mayor Pro tem Barhyte closed the public hearing.

COUNCIL DISCUSSION - none

MOTION by Councilor Truax, SECONDED by Councilor Beikman to approve the resolution approving the changes to the adopted 2008-2009 budget. MOTION CARRIED.

F. PUBLIC HEARINGS - *Quasi-Judicial*
None.

G. GENERAL BUSINESS

Item G.1. was placed on the Consent Agenda during work session.

2. Resolution No. 4868-09 Authorizing a Revocable Permit to Allow a Fence in Tract Q in the Victoria Woods No. 3 Subdivision

Mike McKillip, City Engineer, noted that in Fall 2008 Mr. Hulsman came before Council with his issue of public coming onto his property as there was no barrier to keep them off his property. Mr. McKillip stated that Mr. Hulsman agreed to and signed a Revocable Permit with the City allowing him to keep the fence up, but will, in the future, remove it if the City so desires.

MOTION by Councilor Harris to approve the Revocable Permit, SECONDED by Councilor Davis.

Discussion on Motion. Councilor Truax stated that Council has been faced with similar situations in the past and found solutions that did not cut off access, and were amenable to all parties. He said he is not in favor of approving this fence as it cuts off an accessway. Mayor Pro tem Barhyte said he agrees up to a point, as in this case, the accessway leads to private property. Councilor Harris said his understanding was that there was a fence that kept falling down, so this fence replaces that. Councilor Beikman stated that she is not in favor of installing a fence on public property due to liability issues. Councilor Harris pointed out that there is a hold harmless clause included, so the liability should not be an issue.

MOTION CARRIED. *[Vote: 3-2-2, Yes-Davis, Barhyte, Harris; No-Beikman, Truax; Absent-Ogden, Maddux]*

H. ITEMS REMOVED FROM CONSENT AGENDA
None.

I. COMMUNICATIONS FROM COUNCILORS

J. EXECUTIVE SESSION
None.

K. ADJOURNMENT
The meeting adjourned at 8:30 p.m.

Sherilyn Lombos, City Manager

Recording Secretary Ginny Kirby

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary MSmith

STAFF REPORT
CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: March 9, 2009

SUBJECT: APPROVAL OF 2009 LIQUOR LICENSE RENEWALS – LATE SUBMITTALS

ISSUE BEFORE THE COUNCIL:
The issue before the Council is to approve liquor license renewal applications for 2009. The businesses listed below submitted their 2009 renewal application too late to be included in the renewals approved at the February 23, 2009 Council meeting. Copies have not been included with this staff report but are available at the City Offices for review.

RECOMMENDATION:
Staff respectfully recommends that the Council approve endorsement of the following liquor license application renewals for 2009:

- ClubSport
- Fuddrucker's Restaurant
- La Isla Bonita Mexican Restaurant
- Thai Bistro
- Tualatin Indoor Soccer

EXECUTIVE SUMMARY:
Annually the Oregon Liquor Control Commission (OLCC) requires all liquor licenses be renewed. According to the provisions of City Ordinance No. 680-85, establishing procedures for liquor license applicants, applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The liquor license renewal applications are in accordance with all ordinances and the Police Department has conducted reviews of the applications.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license renewal requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:
A renewal fee of $35 has been paid by each applicant.

STAFF REPORT
CITY OF TUALATIN

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: March 9, 2009

SUBJECT: APPROVAL OF NEW LIQUOR LICENSE APPLICATION FOR MARINEPOLIS SUSHI LAND

ISSUE BEFORE THE COUNCIL:
The issue before the Council is to approve a new liquor license application for Marinepolis Sushi Land.

RECOMMENDATION:
Staff respectfully recommends that the Council approve endorsement of the liquor license application for Marinepolis Sushi Land.

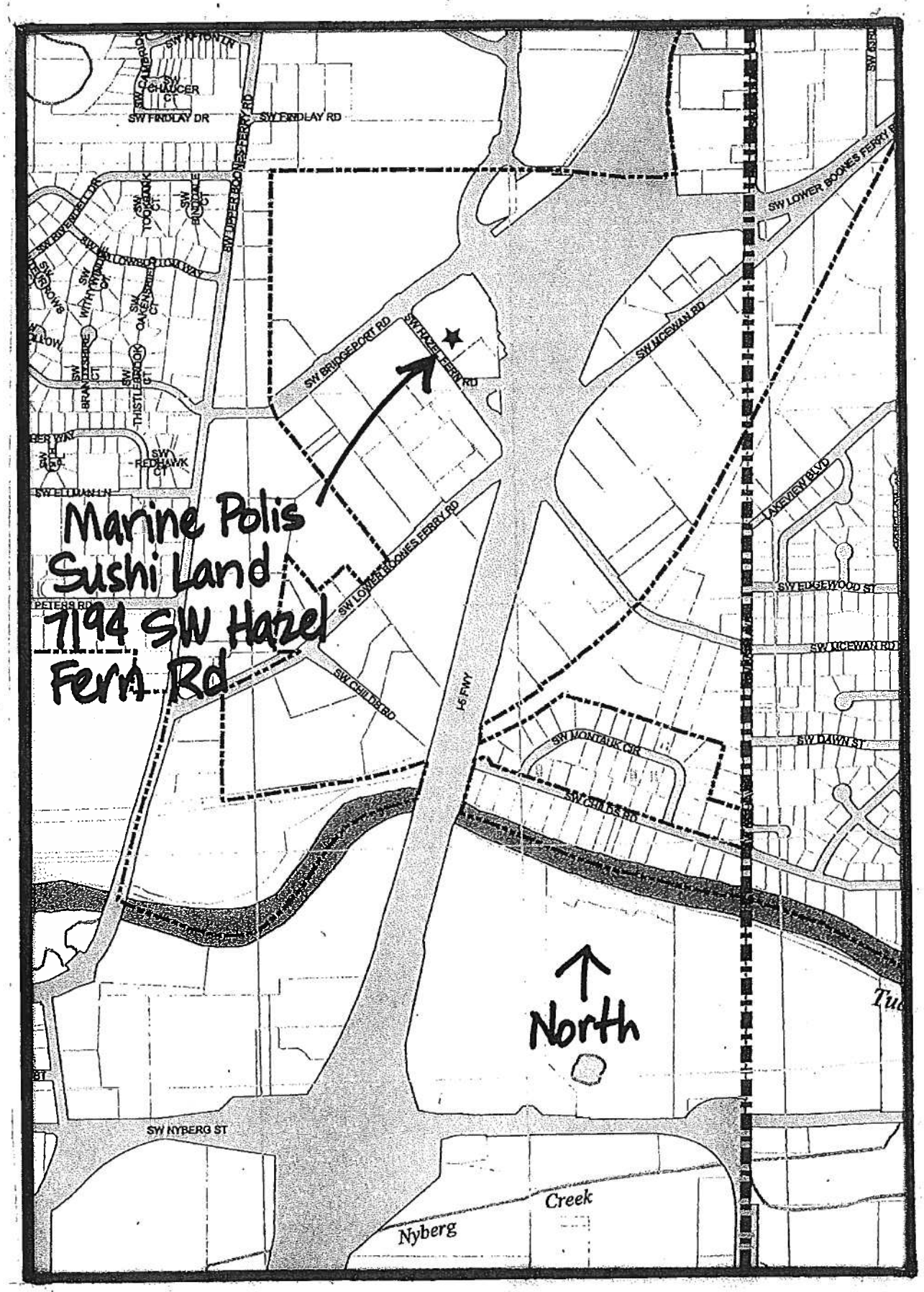
EXECUTIVE SUMMARY:
Marinepolis Sushi Land has submitted a new liquor license application. The liquor license is for Limited On-Premises Sales. The business is located at 7194 SW Hazelfern Road. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed and signed off on this application.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:
A fee has been paid by the applicant.

Attachments: Vicinity Map


Marine Polis
Sushi Land
7194 SW Hazel
Ferry Rd
SW FINDLAY DR
SW FINDLAY RD
SW LOWER BOONES FERRY RD
SW BRIDGEPORT RD
SW HAZEL FERRY RD
SW MCEWAN RD
SW LOWER BOONES FERRY RD
SW PETERS RD
SW CHILDS RD
I-5 FWY
SW MONTAUK CIR
SW DAWN ST
SW EDGEWOOD ST
LAKEVIEW BLVD
SW NYBERG ST
North
Nyberg Creek

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

STAFF REPORT
CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Brenda Braden, City Attorney BB

DATE: March 9, 2009

SUBJECT: A RESOLUTION AFFIRMING THE DECEMBER 19, 2008 HISTORIC LANDMARK DEMOLITION DECISION OF THE GERALD AVERY BUILDING LOCATED AT 19945 SW BOONES FERRY ROAD (2S123DD 500) (HIST-08-01)

ISSUE BEFORE THE COUNCIL:
The Council will consider a resolution that would affirm the December 19, 2008 Historic Landmark Demolition Decision of the Gerald Avery Building located at 19945 SW Boones Ferry Road, described as 2S123DD 500 (HIST-08-01).

RECOMMENDATION:
Staff recommends that the City Council approve the resolution affirming HIST-08-01.

EXECUTIVE SUMMARY:
On February 9, 2009, the City Council held a quasi-judicial public hearing (HIST-08-01) to decide whether to affirm the Community Development Director's decision that approved an Historic Landmark Demolition Certificate of Appropriateness for the Gerald Avery and Gymnasium located at 19945 SW Boones Ferry Road. At the conclusion of the public hearing, the Council affirmed the Community Development Director's Decision, (Vote 4-3) with Mayor Ogden, Councilors Truax, Maddux and Beikman voting to affirm, and Councilors Barhyte, Harris and Davis in opposition, and directed Staff to bring back a resolution affirming HIST-08-01.

FINANCIAL IMPLICATIONS:
Revenue for Historic Landmark Demolition Certificates of Appropriateness has been budgeted for Fiscal Year 08/09.

Attachments: Resolution

RESOLUTION NO. 4869-09

A RESOLUTION AFFIRMING THE DECEMBER 19, 2008 HISTORIC LANDMARK DEMOLITION DECISION TO APPROVE THE DEMOLITION OF THE GERALD AVERY BUILDING LOCATED AT 19945 SW BOONES FERRY ROAD (2S123DD 500) (HIST-08-01).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on February 9, 2009 upon an appeal filed by Ms. Yvonne Addington, on behalf of the Tualatin Historical Society, of the Community Development Director's decision of December 19, 2008. That decision approved an Historic Landmark Demolition Certificate of Appropriateness for the Gerald Avery Building and Gymnasium located at 19945 SW Boones Ferry Road (2S123DD 500); 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 300 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 the Council affirming the decision approving the Historic Landmark Demolition Certificate of Appropriateness by of vote of 4-3, with Mayor Ogden and Councilors Truax, Maddux and Beikman in favor and Councilors Barhyte, Harris, and Davis in opposition; 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 February 9, 2009, marked "Exhibit C," which is 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 an Historic Landmark Demolition Certificate of Appropriateness have been satisfied and that affirming the Community Development Director's decision 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. In addition to the findings in the February 9, 2009 Staff Report, the City Council also finds that:

(a) The Tigard/Tualatin School District, the current owner of the Gerald Avery Building and Gymnasium, actively sought to find a buyer for the property that would purchase and renovate, reuse, or relocate the historic landmark but was unsuccessful.

(b) The Tigard/Tualatin School District has been unable to find any purchaser for the property, except Marquis Development, because potential purchasers decided that the condition of the Gerald Avery Building made the property less valuable than if the land were vacant.

(c) The Tigard Tualatin School District has demonstrated it has thoroughly examined all uses or adaptive uses of the building and that there would be no reasonable, long-term economic benefit to the District as property owner from preservation of the landmark, Gerald Avery Building.

(d) The criterion listed in TDC 68.060(2)(b) has been met.

(e) With the evidence on the record that there is no viable, economically feasible use of the Gerald Avery Building, there is greater benefit to the community to allow the Gerald Avery Building to be demolished to allow other potential uses proposed for the site.

(f) The criterion listed in TDC 68.060 (1)(c) has been met.

Section 2. The City Council denies the appeal and affirms the Community Development Director's decision to approve a Certificate of Appropriateness allowing the demolition of the Gerald Avery Building proposed in HIST-08-01, subject to the following conditions:

HIST –1 To meet the requirements of TDC 68.080(5)(a), list the landmark for sale with a real estate agent for a period of not less than 90 days. The landmark shall be advertised in at least one local or state newspaper of general circulation in the City for a minimum of 10 days over a 5-week period. A copy of the advertisement shall be submitted to the Planning Division prior to issuance of a demolition permit from the Building Official.

HIST –2 To meet the requirements of TDC 68.080(5)(b), post a notice provided by the City offering the building "For Sale" as follows: HISTORIC BUILDING TO BE DEMOLISHED – FOR SALE. The sign shall be posted by the applicant in a prominent and conspicuous place within ten feet of a public street on the parcel on which the landmark is located. The applicant is responsible for

assuring that the sign is posted for a continuous 90-day period in conjunction with the requirements of 68.080(5)(a) above. Marketing conducted by the applicant or property owner prior to application for demolition or relocation, which meets the requirements of (5)(a) and (b) above may be applied towards meeting the requirements.

HIST –3 To meet the requirements of TDC 68.080(5)(c), prepare and make available through the City any information related to the history and sale of the property to all individuals, organizations and agencies who inquire.

HIST – 4 To meet the requirement of TDC 68.050(5)(d), the applicant shall prepare photographic documentation of the building's exterior and interior, provide copies of the building's original and subsequent architectural drawings, and other graphic data or history of the school, the building and its uses to preserve an accurate record of the landmark. The documentation and historic information shall be submitted to the Community Development Director prior to issuance of a Demolition Permit.

HIST –5 The applicant shall obtain all necessary permits prior to demolition.

HIST –6 The approval shall be void after one year unless: (1) A building permit has been issued and substantial construction under the permit has taken place as defined by the State Uniform Building Code; or (2) The Community Development Director finds that there have been no changes in any ordinances, standards, regulations or other conditions affecting the previous approval that would warrant a new review.

INTRODUCED AND ADOPTED this 9th day of March, 2009.

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.

STAFF REPORT
CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Doug Rux, Community Development Director
William Harper, Associate Planner

DATE: February 9, 2009

SUBJECT: REQUEST FOR REVIEW OF THE DECEMBER 19, 2008 HISTORIC LANDMARK DEMOLITION DECISION TO APPROVE THE DEMOLITION OF THE GERALD AVERY BUILDING LOCATED AT 19945 SW BOONES FERRY ROAD (2S123DD 500) (HIST-08-01)

ISSUE BEFORE THE CITY COUNCIL:
Whether the City Council should affirm the Historic Landmark Demolition Findings and Decision of the Community Development Director in HIST-08-01 approving the demolition of the "Gerald Avery Building". The Council may affirm, revise, modify or reverse the decision of the Director in all or in part.

RECOMMENDATION:
Staff recommends that City Council consider the staff report, Attachments A-F, and materials submitted into the record and direct staff to prepare a resolution affirming the December 19, 2008 Historic Landmark Demolition Certificate of Appropriateness Findings and Decision on the demolition of the Gerald Avery Building in HIST-08-01, subject to the conditions contained therein.

EXECUTIVE SUMMARY:
- This is a Quasi-judicial action that follows the Evidentiary Hearing procedures set forth in TDC 31.077.
- The subject of review is HIST-08-01 and the Community Development Director's Decision dated December 19, 2008 to allow demolition of the Historic Landmark "Gerald Avery Building" with the attached "Gymnasium/Auditorium" (Attachment B). The building is identified in the Tualatin Development Code (TDC) 68.040 Landmark Inventory and is subject to the provisions of TDC Chapter 68, Historic Preservation.

EXHIBIT C

- The subject Historic Landmark and property is in the City of Tualatin, Low Density Residential (RL) Planning District, at 19945 SW Boones Ferry Road, upon real property described by the Washington County Department of Assessment & Taxation as Tax Account 2S1 13DC, Tax Lot 1200. The property is the site of the Old Tualatin Elementary School and is owned by the Tigard-Tualatin School District.
- HIST-08-01 is an application by Marquis Companies and TTSD to demolish the "Gerald Avery Building" & Gymnasium/Auditorium. The Community Development Director's Findings & Decision HIST-08-01 dated December 19, 2008 evaluated the application in accordance with the Demolition Criteria of TDC 68.060(1)(Criteria "a, b and c") and considered the Factors of 68.060(2) and decided approval of the demolition with conditions. To approve a demolition, one of the criteria "a, b or c" must be found to be met. The Director's Decision found based on the application materials and information that Criterion "c" which considers the "benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark" is met. Criteria "a" & "b" relating to the current historical and architectural significance of the landmark are not cited or disputed in the demolition application, nor challenged in appeal.
- A Request for Review (Attachment A) was filed on December 29, 2008 by Ms. Yvonne Addington on behalf of the Tualatin Historical Society. Ms. Addington had submitted comments that were incorporated into the Findings & Analysis of the December 19, 2008 Historic Landmark Decision. The issues (reasons) raised in the Request for Review that are relevant to the Demolition Criteria and Factors to be Considered of TDC 68.060 are:
  - Reason #1. Whether the demolition is "...not necessary or essential to the development..." and development could be accommodated on other portions of the property. [Reason #1 is relevant to TDC 68.060(1) Criterion #C and Factors 68.060(2)(b) & (c)]
  - Reason #2. Whether the property owner (Tigard-Tualatin School District) conducted "...pro-active efforts..." to retain the site and building for physical education facilities, sports facilities and open space. [Reason #2 is relevant to Criterion #C and Factors 68.060(2)(b) & (c)]
- Other issues that were raised (but not applicable to TDC 68.060 Criteria & Factors) include:
  - Reason #3. Preserving and salvaging the building's historical and original features.
  - Reason #4. The Historic Landmark Demolition review process including notification and public involvement.
- The applicant's prepared responses to the Request for Review are Attachments D & E.
- Staff prepared responses to the issues raised in the Request for Review and findings that TDC 68.060(1)(Criterion "c") is met (see Attachment F).
- Staff finds that when considering the issues raised in the Request for Review of HIST-08-01 and evaluating the information in the applicant's responses (Attachments D & E) and the analysis and findings in the staff responses (Attachment F) the Historic Landmark Demolition Criteria of 68.060 [specifically 68.060(1)(Criterion "c")] are met and recommend that the Director's Decision of approval with conditions be affirmed.

- Before affirming the December 19, 2008 Historic Landmark Demolition Findings and Decision for the Gerald Avery Building with regard to the issues raised by Ms. Addington, the City Council must find that the requirements of the Tualatin Development Code (TDC) Chapter 68, Historic Preservation are met.

OUTCOMES OF DECISION:
Affirmation of the Historic Landmark Demolition Findings and Decision will result in the following:

- Approves the December 19, 2008 Community Development Director's Findings and Decision on the demolition of the Gerald Avery Building & attached Gymnasium of HIST-08-01, subject to the conditions contained therein or specified by the City Council.
- Confirms that the requirements of TDC 68.050 & 68.060 have been met.
- Allows the property owner and applicants to proceed with removing the Gerald Avery Building and attached Gymnasium.

Reversal of the HIST-08-01 Historic Landmark Demolition Findings and Decision will result in the following:

- Concurs with the Appellant's challenge of the HIST-08-01 Findings and Decision and finds that the requirements of TDC 68.050 & 68.060 have not been met.
- Denies approval of the demolition of the Gerald Avery Building & attached Gymnasium proposed in HIST-08-01 and approved in the December 19, 2008 Community Development Director's Findings and Decision.
- Prohibits the property owner and applicants from proceeding with demolishing the Gerald Avery Building & attached Gymnasium.

ALTERNATIVES TO RECOMMENDATION:
The alternatives to the staff recommendation for the City Council are:

- Affirm the December 19, 2008 Community Development Director's Findings and Decision on the demolition proposed in HIST-08-01, subject to conditions established by the Council, and adopt a written order that clearly states the basis for the Council's decision.
- Revise or modify the Findings and Decision and adopt a written order that clearly states the basis for the Council's decision.
- Reverse the HIST-08-01 Findings and Decision and adopt a written order that clearly states the basis for the Council's decision.

FINANCIAL IMPLICATIONS:
The appellant submitted the required $100.00 fee with the Request for Review of HIST-08-01.

DISCUSSION:
The appellant requests a public hearing of HIST-08-01 by the City Council "...before determining that this important structure is no longer needed by the public." The reasons listed in the Request for Review include Reasons #1 and #2 that apply to TDC 68.060(1) Criterion #C and Factors 68.060(2)(b, c & d). The #1 and #2 reasons center on the extent of the property owner's efforts to find an adaptive reuse of the Gerald Avery Building for public or private activities, and the decision to sell the property for private redevelopment that resulted in a development plan that conflicts with retaining the building. The applicant's responses to #1 and #2 are provided in Attachments D & E and the Staff response in Attachment F.

Reason #3 calls for conditions of approval in a demolition decision that would require "...historical preservation of any part of the building..." Ms. Addington wants the property owner or developer to commit to preserving certain historical elements and architectural features of the Gerald Avery Building and school site. A response to Reason #3 by Marquis Companies is included in Attachment E. A staff response to Reason #3 is provided In Attachment F.

Reason #4 questions the "public information process" as "...insufficient and not very transparent to date in determining the need for demolition." It goes on to cite issues with notice, timing and attendance of the first neighborhood meeting conducted by the developer. A staff response to Reason #3 is provided In Attachment F.

PUBLIC INVOLVEMENT:
On January 19, 2009, a Notice of Hearing was mailed and posted as required in TDC 31.077(5). The purpose of this Quasi-judicial Evidentiary Hearing is to provide all interested persons a reasonable opportunity to participate in the hearing process and to provide for a full and impartial hearing on the application before the City Council.

Attachments:

A. Request for Review submitted by the Tualatin Historical Society by Yvonne Addington; submitted on December 29, 2008
B. December 19, 2008 Historic Landmark Demolition Findings & Decision for HIST-08-01
C. Background
D. Letter submitted by TTSD Superintendent Rob Saxton responding to issues raised in Request for Review of HIST-08-01
E. Letter, criteria analysis and supplementary documentation submitted by Marquis Companies responding to issues raised in Request for Review of HIST-08-01
F. Staff Response to issues raised in Request for Review of HIST-08-01

CITY OF TUALATIN
RECEIVED

DEC 2 9 2008

COMMUNITY DEVELOPMENT
ECONOMIC DEV DIVISION

City of Tualatin

REQUEST FOR REVIEW OF HISTORIC
LANDMARK CERTIFICATE OF APPROPRIATENESS
FINDINGS AND DECISION

Name of Party requesting Review: Tualatin Historical Society

Address: P. O. Box 1055, Tualatin, Oregon 97062

Date: December 28, 2008 Telephone: 503-885-1926/503-625-2704

You represent, or you are: _____Other: Tualatin Historical Society

I request a review of Case No. HIST-08-01

Project: Demolition of Tualatin Elementary School Gerald Avery Building and Gymnasium Building locate at 19945 S.W. Boones Ferry Road (2S123DD 500)

Explain clearly which portions of the decision you are asking to be reviewed (attach separate sheet if needed). This should specify how you are adversely affected by the decision and how the decision is allegedly not in conformance with applicable Tualatin Development Code requirements:

The Tualatin Historical Society requests City Council review of the Community Development Planning Division staff decision to issue a certificate of appropriateness to demolish the historic Tualatin Grade School building and gymnasium known as the "Gerald Avery Building" on 12.75 acres owned by the Tigard-Tualatin School District.

The Tualatin Historical Society has worked hard to support the preservation of historical buildings designated by the City's listing of historic buildings by ordinance in 1993. It has had significant successes working with the City in the past and appreciates the extra attention given to this matter. In no way should this appeal reflect negatively upon our positive meetings so far with the proposed developer in our quest to preserve all or part of the building and land.

In June, 2000, the National Trust for Historic Preservation included neighborhood schools on its annual list of "America's Eleven Most Endangered Historic Places". In taking this action, the National Trust sought to make the general public aware of threats to irreplaceable historic school buildings. The threats include deferred maintenance, lack of needed repairs, demolition plans, public policies that make it hard to preserve these schools and preference for placing money and profits above all other preservation and community needs. The Oregonian newspaper recently editorialized negatively on the

Riverdale School District's decision to demolish their architecturally and historically significant school building. School buildings that have remained such as the Cipole, Carlon, Stafford, Lake Oswego, Durham and part of the Tigard Grade School (leased recently by the District for $1.00) have proved to be great assets to the community.

Therefore, the above and following reasons, as well as the previous submissions represent our request to conduct public hearings by the elected City Council before determining that this important structure is no longer needed by the public.

1. The demolition is not necessary or essential to the development of the $35-40 million senior living center which proposes housing 200-250 people. The developer has shown a need for only 5 acres for the 3-4 three story buildings, which can be easily accommodated, if not preferred, on other parts of the 12.75 acres of land surrounding the building, all of which is in the sole ownership of the School District .

It appears that the parcel containing the Avery Building was carefully created and priced lower than the other parcel by the School District to subsidize the demolition of the building and other buildings not on the historical preservation list. It is our understanding that the senior living development could have been placed on the westerly portion of the parcel, away from the traffic noise, and was requested by the developer but the price of those acres were set higher which affects the cost of development.

2. Although there is a continued need for room for both children and adult physical education activities, sports facilities and open space, it appears that no pro-active efforts to retain the site and building have been conducted by the School District and they have only reacted to proposals for the sale and demolition of the buildings. This is contrary to the original comprehensive planning adopted by the City which planned to coordinate and cooperate with the School District in the cost of development of sports, facilities and other activities centrally located within walking distance of the neighborhood, for the benefit of the public.

3. Although verbal discussions have occurred, nothing exists to show that any historical preservation of any part of the building will take place if demolition is determined. No conditions for any preservation of any existing parts of the building are in writing, should this developer not develop as proposed or a request for higher density be denied. The proposed developer and/or the school district of the remaining site have already terminated plans for one development.

4. The public information process seems to be insufficient and not very transparent to date in determining the need for demolition. The Historical Society was not notified by the city and only a couple hours ahead by the proposed developer, of the first neighborhood meeting held to discussion demolition. It was conducted by the developer as required but no city council or school district officials were present at the hearing. In fact, the meeting conflicted with the City Council picnic honoring volunteers in the adjacent park lands that night. The required sign posted in the Boones Ferry Road

right of way advertises a demolished building for sale and indicates that it is already a "done deal".

A decision to demolish the historic building is irreversible and we believe it should be made by elected school district and city councilors showing the need for this action in a public process rather than by a non-public staff decision. Therefore, on behalf of those who advocate the preservation of such community facilities such as this one that was built in a similar economy over 65 years ago and became the focus of community pride, community activity and education for thousands of area residents, the Tualatin Historical Society requests City Council consideration in a public forum.

Very truly yours,

Yvonne L. Addington

Yvonne L. Addington
President-Elect

City of Tualatin

www.ci.tualatin.or.us

December 19, 2008

HISTORIC LANDMARK DEMOLITION CERTIFICATE OF APPROPRIATENESS

FINDINGS AND DECISION TO APPROVE WITH CONDITIONS

Case #:	HIST-08-01
Project:	Demolition of Tualatin Elementary School Gerald Avery Building and Gymnasium Building
Location:	19945 SW Boones Ferry Road (2S123DD 500)
Applicant:	Scott Miller, Marquis Companies (971-206-2330) Rob Saxton, Superintendent (503-431-4007) Tigard-Tualatin School District 23J
Owner:	Tigard-Tualatin School District

INTRODUCTION

On November 5, 2008, Mr. Scott Miller of Marquis Companies submitted an application to demolish a building on the former Tualatin Elementary School site known as the "Gerald Avery Building" located at 19945 SW Boones Ferry Road. The Gerald Avery Building with the attached "Gymnasium/Auditorium" are identified in the Tualatin Development Code (TDC) 68.040 Landmark Inventory and is subject to the provisions of TDC Chapter 68, Historic Preservation. The property is in the Low-Density Residential (RL) Planning District. The property is owned by the Tigard-Tualatin School District.

The Gerald Avery Building with the attached Gymnasium/Auditorium was constructed as a grade school for the Tualatin School District in 1939. The Gerald Avery Building is a two-story brick exterior structure, approximately 60 ft. x 160 ft. in size for a total square footage of approximately 19,200 s.f. The attached school gymnasium/auditorium wing on the west is approximately 82 ft. x 68 ft. The building is part of a group of four other school buildings, three temporary modular "classroom" buildings and a maintenance building on the site that are not designated as Historic Landmarks. The Gerald Avery Building with the Gymnasium/Auditorium wing has retained its original appearance through the years modified only by the addition of window awnings.

ARRANGEMENTS CAN BE MADE TO PROVIDE THESE MATERIALS IN ALTERNATIVE FORMATS, SUCH AS LARGE TYPE OR AUDIO CASSETTE TAPE. PLEASE CONTACT THE PLANNING DIVISION AT 503-691-3026 AND ALLOW AS MUCH LEAD TIME AS POSSIBLE

The building was listed in the City's Landmark Inventory in 1993 as the Tualatin Grade School (c.1939) 19945 SW Boones Ferry Road (2S123DD 500).

The proposed demolition is to include the following:

1. With Historic Landmark Demolition approval, demolish the existing Gerald Avery Building with the attached Gymnasium/Auditorium after dismantling and preserving certain building features or materials spoken for by interested groups including exterior bricks, windows, interior trim, flooring and the Gymnasium floor. Remove the demolition materials and clear the building site.
2. Demolish the four other Tualatin Elementary School buildings after dismantling and preserving certain building features or materials including the gymnasium floor. Remove the three temporary buildings from the site. The existing Maintenance Building west of the school buildings may also be demolished with the other buildings or when the western 7 acres of the property are redeveloped. Remove the demolition materials and clear the building site. These buildings are not subject to the Historic Landmark Demolition process and can obtain a demolition permit directly from the Building Division.

An Email comment on the Historic Landmark Demolition application was received on November 24, 2008 from Martha and Don Edwards, neighboring property owners. A letter was received on December 4, 2008 from Ms. Yvonne Addington, President-Elect of the Tualatin Historical Society (THSociety). A copy of the Email and letter are included as Attachment 4. Staff responses to the questions and issues raised in the Edwards Email and the THSociety letter are included in Section 7 of this staff report.

HISTORIC LANDMARK DEMOLITION DECISION

FINDINGS

Section 68.050(1) of the Tualatin Development Code (TDC) provides that the Community Development Director and if appealed, the City Council, shall have the authority to issue a Certificate of Appropriateness regarding demolition of designated landmarks. TDC 68.060(1) requires that in determining whether a request for demolition of a landmark shall be approved, approved with conditions or denied, the Community Development Director shall find that one of the criteria (listed) are met:

(a) The landmark is no longer historically significant.
(b) The landmark is no longer architecturally significant.
(c) The benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark.

TDC 68.060(2) requires that factors (a-f) be considered in making a decision on a demolition. If the request meets none of the criteria, the Community Development Director shall deny the request. Reviewing this application in terms of the TDC the following findings are relevant. All references are to sections in the TDC unless otherwise noted.

1. **Previous Land Use Actions:**

The site was listed as a Landmark in the TDC on May 24, 1993 (ORD 894-93).

AR-79-13 granted approval for the construction of a play structure on the school site. CUP-88-02 was granted for the addition of at temporary building addition. AR-90-19 granted approval for a portable classroom on the site. CUP-90-02 was granted for construction of a temporary classroom. AR-96-18 and AR-01-28 approved portable classroom buildings.

2. **Other Permit Actions:**

None.

3. **Planning Districts and Adjacent Land Uses:**

The site is located in the Low-Density Residential (RL) Planning District. Schools are allowed as a conditional use [40.030(4)(i)].

Adjacent Planning Districts and land uses are:

N: RH, Chelan Apartments
E: RL, Residential, Church (Across SW Boones Ferry Road)
S: RL, Residential (Across SW Sagert Street)
W: RL, School Site playground and Maintenance Building
RML, Residential SF and Duplexes/Tualatin Heights Apartments

4. **Lot Size, Setback Requirements, Structure Height, and Access:**

The lot dimensional requirements and various site development requirements are not relevant to the application for demolition of the Gerald Avery Building & Gymnasium/Auditorium since the building is being requested to be demolished and no new structures are proposed at this time. These requirements would be applied at the time of redevelopment or modifications to the subject site. The seven other existing school buildings on the portion of the TTSD property that the Gerald Avery Building sits on will also be demolished or removed prior to redevelopment on the site. The Maintenance Building west of the school buildings may also be demolished prior to redevelopment on the property.

5. **Tualatin Community Plan**

TDC Chapter 16 - Historic Preservation
16.030 Objectives (1-25). The Historic Preservation Objectives of TDC 16.030 (1, 2, 3, 4, 5, 6, 8, 9, 11, 15, & 16) apply. The applicant does not address the Objectives in their narrative. Overall, the objectives refer to historic buildings and how they impact many aspects of the community such as: education, cultural,

neighborhood identity, economy, public awareness and many others. Objectives 1-6, 11, 15 &16 are objectives for efforts to identify, promote and retain historical elements of the City. Objectives 1-6 & 11 are associated with developing a local historic resource plan such as Tualatin's Historic Preservation provisions.

16.0030 Objective (1) Promote the historic, educational, architectural, cultural, economic, and general welfare of the public through the identification, preservation, restoration, rehabilitation, protection and use of those buildings, structures, sites and objects of historic interest within the City;
(2) Foster community and neighborhood pride and sense of identity based on recognition and use of historic resources;
(3) Strengthen the economy of the City by encouraging property owners to preserve historic resources for tourists, visitors and residents;
(4) Encourage public awareness, understanding and appreciation of the City's history and culture;
(5) Promote the enjoyment and use of historic resources appropriate for the education and recreation of the people of Tualatin;
(6) Identify and preserve diverse architectural styles reflecting periods of the City's historical and architectural development, encourage complementary design and construction for alterations affecting historic resources and encourage relocation of historic resources over demolition;
(11) Prepare a report describing the comprehensive history of the City's past;

Because the TES property is in the RL Planning District, Objectives 15 & 16 are relevant and addressed below:

(15) Retain landmarks in the Low Density Residential (RL) Planning District on parcels which cannot be partitioned or subdivided by preserving and not demolishing or relocating them;
(16) Retain landmarks located on parcels which can be partitioned or subdivided in the Low Density Residential (RL) Planning District by property owners and developers integrating the resource into proposed lot configurations and development proposals;
The TES property is approximately 12 acres and can be partitioned or subdivided. The Tigard-Tualatin School District considered proposals to develop the property while utilizing the Gerald Avery Building and Gymnasium/Auditorium in redevelopment or development of the site including: Community Partners for Affordable Housing (CPAH); the City of Tualatin and Marquis Companies. The City of Tualatin decided not to purchase the property. The School District chose the Marquis Development proposal for the eastern 5 acre portion of the site where the Gerald Avery Building and Gymnasium are located. Marquis Companies considered several project alternatives that would integrate the building into a senior housing development including relocation on the site and renovation as a community building. Marquis decided that they were unable to incorporate the Gerald Avery Building and Gymnasium/Auditorium into the senior housing development.

Objectives 8 & 9 address the issues of balancing preservation and development of a historic resource and are addressed below.
Objective (8) Identify and resolve conflicts between the preservation of historic resources and alternative land uses.
Objective (9) Integrate the management of historic resources into public and private land management and development processes;

The Tigard-Tualatin School District was aware of the Historic Landmark designation of the Gerald Avery Building & Gymnasium/Auditorium prior to its decision to sell the TES property. Evaluations of the building for renovation and reuse by the school district and others identified critical structural and material problems that required costly repair, hazardous material removal and upgrades to the building's structure & integrity. Following its closure as a school building in 2004, occupancy of the building was prohibited for building code and fire & life safety reasons.

The substantial costs and complications of meeting building code standards and renovating the building for any reuse limit the feasibility for a buyer of the property to retain and utilize the building. As reported in the application, the TTSD as the property owner and Marquis Companies as a prospective purchaser and developer of the property and building explored multiple ways to preserve the building and integrate it into a viable development plan. Both the TTSD and Marquis were unable to find a way to use the building in a way that would support preserving it. The proposed demolition of the building is a response to the objectives to retain and utilize the building in the face of its poor physical condition, the need for removal of hazardous materials and its deficiencies in meeting building and fire & life safety requirements. The proposed demolition of the historic building resolves the conflict between the preservation of the resource and redevelopment of the TTSD property and responds to Objectives 8 and 9.

The demolition of the Gerald Avery Building will not impede objectives 1-6, 8-9, 11, 15 & 16 from being achieved Citywide.

TDC Chapter 68 - Historic Preservation

The City's Historic Preservation program objectives in TDC Chapter 16 are implemented with the creation of Chapter 68 Historic Preservation in the Tualatin Development Code. This chapter sets up the process for altering, relocating or demolishing historic landmarks. The applicant is proposing demolition through the processes set up in Chapter 68 of the Tualatin Development Code.

6. **Landmark Demolition Criteria**

68.060 Demolition Criteria. (1) In determining whether or not a request for demolition of a landmark shall be approved or approved with conditions, the Community Development Director shall find that one of the criteria (a), (b), or (c) has been met. If the request meets none of the criteria, the Community Development Director shall deny the request.

(a) The Landmark is no longer historically significant. The applicant does not contend that the Gerald Avery Building & Gymnasium/Auditorium is no longer a historically significant Landmark. The applicant states "...Current residents of Tualatin did attend the school and there is some documented local history associated with the structure. The building is historically significant to the current residents of Tualatin who attended school in this building. There is some historic significance attached to several of the trees/shrubs still located near the building... " (Attachment 2, pg. 5)

There is no evidence that the historic aspects of the Gerald Avery Building & Gymnasium/Auditorium that existed when it was designated a historic landmark or as it exists today, were lost or degraded to a degree that would overturn the buildings designation as historically significant. Staff agrees that the Gerald Avery Building & Gymnasium/Auditorium remains a historically significant landmark.

(b) The landmark is no longer architecturally significant. The applicant does not contend that the Gerald Avery Building & Gymnasium/Auditorium is no longer an architecturally significant Landmark. The applicant states "...The building is architecturally significant as typical of the building constructed by the Federal Public Works Administration prior to the Second World War. The findings made in 1993 supporting the original designation as 'historic' are still valid today... " (Attachment 2, pg. 5) The building is currently vacant and in need of repair, but the exterior architecture and features that are representative of a WPA public building such as the large double-hung windows, detailed brick work and terra cotta ornamental features remain relatively intact. Staff agrees that the Gerald Avery Building & Gymnasium/Auditorium remains an architecturally significant landmark.

(c) The benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark. The request is to demolish the Gerald Avery Building & Gymnasium/Auditorium. The demolition of the buildings on the TES site will allow the TTSD to sell the eastern 5 acre portion of the property occupied by the Gerald Avery Building & Gymnasium/Auditorium for development by Marquis Companies as a senior housing facility. (Attachment 2) The remaining 7 acres of the TTSD property are slated for sale by the school district for redevelopment as well. The conflicting use in the case of the Gerald Avery Building & Gymnasium/Auditorium is redevelopment of the 5 acre portion of the TES property as a senior housing facility which is an allowed use in the RL Planning District and other residential planning districts.

In a discussion of the benefits of demolition in comparison to the value to the community in preserving the landmark, the applicant states "There is no long term economic benefit to be derived from preservation of the historic building or the entire campus structure by either the current owner or any future owner." (Attachment 2, pp.5-6) The applicant lists six circumstances and factors to support the statement summarized or cited as follows:

(1) The TES site is designed as a education facility and is not suitable for other feasible uses without "...wholesale remodeling/restructuring of all the buildings...";
(2) "No other educational organization has expressed interest in using the building or buying the campus in its current condition."
(3) "No public service group or institution... has expressed interest in using the building(s) or buying the campus in its current condition.";
(4) "The campus site has been for sale for several years without any committed interest, due to the specter of the immense cost associated with building refurbishing/demolition and contaminant abatement.";
(5) "The historic building must be completely rebuilt to meet any current structural codes and the abatement procedures required to 'clean' the building for reuse are cost prohibitive.";
(6) "Preservation and/or relocation of the historic structure would only preserve the 'shell' of brick and perhaps some of the structural materials, while requiring removal of all of the interior portions of the building-thus preserving only the image' of the building, while forcing great expense onto a developer with little /no benefit. "

The TTSD as the current owner decided to sell the property after considering the renovation and reuse of the Gerald Avery Building & Gymnasium/Auditorium and other TES campus buildings for school district and other uses. In response to the TTSD and the Tualatin Historical Society, the City of Tualatin City Council considered alternative uses for the property and the landmark including using it as a community facility. In 2006, the City conducted an Architect's Analysis of the building to identify its suitability for a public use (a City Hall/Community use and a Public Library use) and a cost estimate of renovation. The study identified costs of renovating the building to the public uses with the necessary hazardous material removal, replacement of mechanical, electrical, and plumbing and a "Level 2" Seismic structural upgrade ranging from $5.2M to $6.0M (not including land purchase and supporting site improvements). The Council learned that the costs of purchasing the property and estimated costs for repair and renovation of the buildings for a community or public use were considerable and the Council decided not to pursue further involvement.

The Community Partners for Affordable Housing (CPAH) discussed with the TTSD in March/April 2006 a possible purchase and development of the property for a low-moderate income housing facility development that would utilize the Gerald Avery Building & Gymnasium/Auditorium facility. Ultimately the concept was dropped by CPAH due to state funding issues and time limitations.

While several educational and community service groups expressed interest in using the property and buildings as is (without performing the needed or necessary repair and renovation) or contingent on obtaining grants and subsidies, no party has come forward to take over the Gerald Avery Building & Gymnasium/Auditorium by purchase and renovate it up to code or to relocate it.

As mentioned by the applicant in the response to the analysis of factors 68.060(2)(a-f), the landmark's design and its structural and material conditions have discouraged purchase of the Gerald Avery Building & Gymnasium/Auditorium for preservation and reuse. The co-applicant and prospective buyer of the 5 acre portion of the TES site, Marquis Companies considered several improvement alternatives that would incorporate preserving the Gerald Avery Building & Gymnasium/Auditorium with their plans to develop a senior housing facility on the site. The options included using the building as a community facility adjacent to a senior housing facility, moving the building on the site and participating in reconstructing the building in another location. However, the TTSD and Marquis concluded that due to the high cost of repairing and renovating the building and the costs and uncertainty of trying to move the building, it was not feasible to preserve the building. The TTSD and Marquis Companies have concluded that the benefits of demolishing the landmark and the development of a senior housing facility on the TES buildings site outweigh the value to the community of preserving the landmark.

Staff agrees that considerable efforts were made to utilize the Gerald Avery Building & Gymnasium/Auditorium and preserve it by: 1) the property owner; 2) the prospective developer; 3) various interested groups including the CPAH and the City of Tualatin. None of the efforts were able to overcome the structural weaknesses and considerable costs of abatement, repair and renovation necessary to utilize the building. No one has expressed interest in relocating the building and preserving it. Given the current occupancy-restricted status of the building, the multi-million dollar costs of repairing and renovating the building for any use, the lack of prospects for another use of the building or relocation, the constraints of the residential zoning designation that restricts commercial uses, and the owner's financial limits to adequately maintain and preserve the building as a historic landmark, a decision to remove the building is justified. If not removed and without reuse, renovation and perpetual repair and maintenance, the historic architectural value and the already limited market value of the Gerald Avery Building & Gymnasium/Auditorium will continue to diminish.

The proposed conflicting use is a senior housing/care development by Marquis Companies with 200 to 250 residents (60-80 independent units + 40-60 assisted living units + 50 skilled nursing beds with a change in Planning District designation from the current RL to RML or RMH) that would occupy the 5 acre portion of the TES site where the Gerald Avery Building & Gymnasium/Auditorium is located. As a conflicting use, a senior housing facility will have considerable value to the community as:

1. housing for the elderly;
2. a facility offering care services to the elderly;
3. an employer of skilled and unskilled workers, and;
4. a multi-million dollar development investment in the City.

These values are a considerable benefit to the Tualatin community. Staff concludes the benefits of demolishing the Gerald Avery Building & Gymnasium/Auditorium in order to feasibly develop the property for the proposed

senior housing facility conflicting use outweighs and exceeds the current and expected diminishing values of preserving it.

68.060(2) The following factors shall be used by the Community Development Director in making a decision on demolitions:
(a) The information used in the original designation of the landmark; The designation of the building on the Historic Landmark Inventory in TDC 68.040 was based on the City of Tualatin Historic Resource Technical Study and Inventory 1992/93. The building is identified in the inventory as Local ID No. 54, (c.1939) 19945 SW Boones Ferry Road. The Historic Resource Survey Form is included as in the applicant's materials. The information developed in the Historic Resource Inventory, the Conflicting Use Analysis, the Historic Determination (Attachment 3), and the Plan Text Amendment PTA-92-02 (Ordinance 894-93) designating this property as a Historic Landmark were considered in making this decision. Originally the building was identified as having a secondary ranking and that it met 8 of the 12 significance criteria in the City of Tualatin Historic Resource Technical Study and Inventory 1992 (Attachment 2). The historical significance of the Gerald Avery Building is based on "... the architectural design, method of funding, citizen participation in construction and it being the oldest operating (at the time) school building in Tualatin." (Attachment 3, Historic Determination, pg. 4)

Staff agrees with the applicant that it is the Gerald Avery Building & Gymnasium/Auditorium that is the designated historic landmark and that the four other school buildings and the three "portables" on the site are not designated as part of the landmark. No one is questioning the information used in the original designation as a historic landmark.

(b) Any evidence the applicant or property owner has provided demonstrating that there would be no reasonable, long-term economic benefit to the property owner from preservation of the landmark. In making this determination, the owner must show that all uses or adaptive uses of the landmark have been thoroughly examined. For example [See (b)(I & ii following], Staff agrees with the applicant's statement (Attachment 2, pg. 3) that the options for adaptive reuse have been well examined by the owner and by Marquis Companies both in the context of the proposed senior housing development as well as with educational, service, institutional and historic uses. The TTSD looked at options for preserving the building that included:

1. using it for school district uses;
2. selling the property to a educational or service organization;
3. selling the property to the City of Tualatin for use as a community facility.

The City of Tualatin study identified costs of renovating the building to the public uses ranging from $5.2M to $6.0M (not including land purchase and supporting site improvements). The Council decided not to pursue further involvement. None of the other TTSD options were accepted or turned out to be feasible.

The options listed by Marquis Companies include:

1. Preserving the building in-situ by integrating it into the proposed Marquis Companies senior housing and care facility development;
2. Preserving the building by moving the building to another location on-site and repairing and renovating it;
3. Salvaging historic and architectural features of the building and using them in new development or making them available for preservation.

Neither of the two preservation options were feasible for the proposed Marquis Companies project. The third option was demolition with salvaging materials for reuse. The building is also on the market for removal and relocation.

In the Applicant's Response to 68.060(1)(b, c) & (2) the applicant states "There is no reasonable long-term supporting benefit to be derived from preservation of the historic building or the entire campus structure by either the current owner or any future owner of the property, because:" [see six factors listed above in 68.060(1)].

There is no reasonable, long-term economic benefit to the property owner from preserving the landmark.

(b)(i) The fact that a higher economic return would result from demolition than preservation is insufficient to meet criterion (b). The applicant states "There is no long term economic benefit to be derived from preservation of the historic building or the entire campus structure by either the current owner or any future owner." The applicant provides information on the reasons for proposing demolition of the building and establishing that the property owner is expecting no reasonable, long term economic return from the building as it is or its uses [see applicants response to Section 68.060(1)(b)]. None of the reasons for demolition include a desire for a higher economic return, but are related to the lack of preservation interest that are financially viable and the substantial costs of repairing, restoring and maintaining the structure in a sustainable, preservation state. There is no reasonable, long-term economic benefit to the property owner from preservation of the landmark.

(b)(ii) A lack of adequate funds to pursue potential uses or adaptive uses is insufficient to meet the criterion (i.e., selling, partially preserving, or moving the landmark are options that shall be considered). The applicant does not claim a lack of adequate funds to pursue potential uses or adaptive uses. The applicant states:

> "Financial support alone is not adequate to preserve the building or campus, as there has been no community-expressed need or desire for the building. In order to pursue potential new or adaptive uses for the original building for the Gerald Avery Building, a developer would be required to expend approximately $1,500,000 to:
>
> - abate the asbestos in all the buildings;
> - demolish all of the other buildings on the site;
> - move the original building to a portion of the site where it can be well integrated with other potential uses of the land;

- build a new foundation for the original building;
- complete a structural analysis and design a structural retrofit."

The TTSD considered making the Gerald Avery Building & Gymnasium/Auditorium property available for a charter school and a technical school. The City of Tualatin looked a rehabilitating the building for community use. CPAH looked at the building and site as a location for low-income housing.

Marquis estimates the value of the proposed senior housing project is $35-40 million, with the costs of preserving and utilizing the Gerald Avery Building & Gymnasium/Auditorium in addition.

Staff agrees the TTSD and Marquis Development pursued various options for adaptive uses and relocation including relocation on site, relocation elsewhere, repairing and restoring the building for TTSD, Marquis Development or a local organization to use. As described in the application, none of the options to preserve the structure were found to be viable or financially feasible for the prospective parties. The applicant is required to present the property for sale (TTSD has currently listed the property for sale) as a condition of approval of the application according to TDC Section 68.080(5)(a).

(c) Whether issuance of a Certificate of Appropriateness approving the demolition request would act to the detriment of the public welfare; The public welfare issues in regard to this building and the proposal to demolish it center on the community's interest in the particular building as a historic feature and whether removing the building from the site will harm neighboring residents and property owners or the community as a whole. The applicant notes the attendance of 15 persons (out of 100 invitations) at a community meeting on the TTSD sale and Marquis Development project and states "While a committed group of individuals in Tualatin supports the preservation of much of Tualatin's historic past - the general population - and the surrounding community adjacent to the Gerald Avery building-are not particularly sentimental about this building."

Staff agrees with the applicant that the removal of the Gerald Avery Building & Gymnasium/Auditorium in its current condition will not have a detrimental effect on the public welfare of the surrounding area. In 2005-2006, the City of Tualatin was invited to consider options for public development on the TTSD site and the preservation of the Gerald Avery Building & Gymnasium/Auditorium. In April 2006, the City of Tualatin conducted a survey on community support for a $12M bond measure to renovate the TES site for use as a community facility. The results of the survey were not conclusive in support. The Tualatin Tomorrow visioning project did not mention this facility in the Action Plan. The "Thinking Forward" section in the Tualatin Tomorrow Appendix did mention the TES site. The City Council considered the survey and the Architect's Analysis in deciding not to move forward on public purchase and renovation of the property.

In 2006, the TTSD invited prominent residential developers and the City of Tualatin to come up with projects to redevelop the property with considerations to using the Gerald Avery Building & Gymnasium/Auditorium. The Tualatin Historical Society and the surrounding property owners participated in the various steps of the TTSD decision process but there was limited involvement from the overall community. None of the participating private and community groups were able to develop a plan that feasibly supported preservation of the building and demolition is not a detriment to this aspect of the public welfare.

There is no evidence that demolition of the building will cause harm to neighboring residents and property or to the community as a whole. The building is currently vacant and cannot be occupied, is in need or repair and maintenance and cannot be occupied and used without substantial repair and renovation.

As described in the Inventory and Historic analysis, the building has a "Secondary" ranking (constructed after 1900). The issuance of a Certificate of Appropriateness for demolition will not be a detriment to the public welfare.

(d) The Economic, Social, Environmental and Energy consequences to the community of demolishing the landmark as compared to preserving it;
The Economic, Social, Environmental and Energy Analysis (ESEE) for the Gerald Avery Building was documented in the City of Tualatin Historic Resource Technical Study and Inventory 1992/93 (Attachment 2, Applicant's Materials). The analysis, as provided by the applicant in the submitted materials, was based on comparing preserving the building in the Historic Landmark process, or allowing a conflicting use conforming with the RL Planning District such as a residential development.

This application proposes demolishing the building and not replacing it. The following is the applicant's analysis of the ESEE consequences of demolishing the Gerald Avery Building as compared to continuing to preserve it as a Historic Landmark.

Economic Consequences
The economic value of the building is associated with the structure as an improvement on the property; the rent/lease market factors; the property tax assessment on the property; the uses allowed in the RL Planning District; the condition of the building in respect to Building Code/Fire & Life Safety requirements for a particular use; the aesthetic value of the building on the property; and the value to the property owner or community as a historic resource.

The Economic Consequences discussed in the Gerald Avery Building & Gymnasium/Auditorium Historic Analysis (Attachment 3) considers the school use of the building in comparison to subdivision of the 12 acre property to a 46 lot single family residential development in the RL Planning District. The analysis examined the public costs of maintaining the landmark in a usable condition and the public ownership of the property in comparison to the tax and development value of residential development. The substantial costs of renovation and reuse

were not quantified, but a general statement notes that "the exception could be to a resource with severe structural integrity problems."

The building is the one of nine existing structures on the subject property and is intact. The building is currently vacant and is unoccupied (by Building Department order) due to its structural and physical condition in respect to building code and fire & life safety standards. The estimates to bring the building up to current code and standards for occupancy without renovation or remodeling begin at $1.5 M. The current owner and the prospective developer have been unable to develop a plan to feasibly use the Gerald Avery Building & Gymnasium/Auditorium and no other buyer or organization has been able to develop a viable and sufficiently funded use for the building. Due to its condition, the costs of repair and renovation, the difficulty in adapting the building to an allowed use on the property, the market value of the Gerald Avery Building & Gymnasium/Auditorium is limited and minimal.

The building and property are currently owned by the TTSD, a public school district that is property tax exempt. The Gerald Avery Building & Gymnasium/Auditorium and property are not assessed property taxes ($0 property tax). The proposed conflicting use involves the sale of the 5 acre eastern portion of the property where the Gerald Avery Building is to a private company with plans for development of senior housing on the site, which is an allowed use. With sale and redevelopment of the site, the property and facility will be subject to property taxes based on its real market value.

The building is not listed on State or Federal Historic Registers and its demolition will not have a negative effect on the tax incentives available to the owners through those programs. The Gerald Avery building is listed as a "secondary" resource in the Landmark Inventory based at the time of designation primarily on the "...architectural design, method of funding, citizen participation in construction, and at the time being the oldest operating school in Tualatin." (Historic Determination, pg. 3). Following completion of the new Tualatin Elementary School on SW Avery Street, the Gerald Avery Building is no longer a school operation or use.

The aesthetic value of the building is associated with its WPA public school design, the use of a brick exterior and its prominent and visible location to SW Boones Ferry Road. The historic value of the building is associated with its architecture and its presence as a public grade school that was in operation from 1939 through its replacement and closure in 2004.

The applicant states "Economically and socially, it is better for the community to demolish these buildings on the campus and enable a developer to proceed with new residential development, adding life and vitality to the local neighborhood. The benefit of demolishing the buildings is the opportunity afforded to a developer to work with a 'clean slate'..." "While the original building does have history and some degree of character- there is no doubt that there is no use allowed within the residential zoning districts that can realistically use the historic building as part of a new development either in its current location or relocated elsewhere on the site."

The demolition of the Gerald Avery Building & Gymnasium/Auditorium will have limited economic consequences for the community. The redevelopment of the site and a senior housing project that is proposed will have more positive economic impacts to the City by providing new housing and care facilities in the City, related improvements to the supporting public infrastructure and increasing the assessed value of the City. In comparison, continuing to preserve the building will have minimal economic consequences for the community without substantial investment in repair and renovation. The building's school design, the condition of the building and the costs of repair and renovation for any reuse, and its secondary historic resource status do not add up to a significant economic value to the community that justifies preservation.

Social Consequences

The social value of the building was identified originally as the last remaining school pre-dating 1940 and its value as the location of where a number of community were educated and where countless hours of community involvement were invested. The areas surrounding the building have been developed and redeveloped during the time the building has been located in its present location. After constructing a new elementary school nearby, the school district has ceased operations in the building, vacated it and is in the process of selling the property. The proposed conflicting use is a senior housing and care facility on the 5 acre portion of the TTSD school property. In light of the current demographic trends of an increased age population and a demand for senior housing and care facilities in the Tualatin area, the proposed redevelopment of the site will have a significant social value to the local community.

The social consequences to preserving the building include limiting or losing a proposed senior housing and care facility on the site. The Gerald Avery Building & Gymnasium/Auditorium location conflicts with the proposed facility and there is no apparent interest or ability to relocate the building. Opportunity and availability of senior housing and care is a significant social value in Tualatin. The applicant has indicated that unless the Gerald Avery Building & Gymnasium/Auditorium is removed, the developer will be unable to construct the senior facility and drop plans to purchase the property.

Staff believes that allowing the conflicting use will provide a greater social benefit than continued preservation will. Continued preservation will result in forgoing the social benefits for the community that a senior housing and care facility will provide.

Environmental Consequences

The applicant describes the building's condition and notes the presence of environmentally hazardous materials, "No use could be made of the buildings until these hazardous materials have been abated and removed from the site."

In comparison, the environmental consequences to the community of demolishing or preserving the Gerald Avery Building & Gymnasium/Auditorium are minimal.

The building interior has environmentally hazardous materials such as asbestos throughout that require special handling during reconstruction or demolition. Leaving the building undisturbed is not an option for property, security and building integrity reasons. The site is developed with the former TES improvements and with the required erosion control, stormwater quality and minimum landscaping standards, demolition and redevelopment will not result in environmental degradation or loss. With redevelopment, the environment will be enhanced with the addition of trees along the adjoining streets to provide shade. Additionally, the Tualatin Historical Society has requested salvage of certain materials from the buildings for reuse in other historic projects.

Energy Consequences
To use the building, it will have to be substantially redone inside to meet environmental requirements, building and life safety standards, energy efficiency standards and accommodate any use. The building is most likely in a state that is relatively energy efficient. To move the structure to another location and preserve it would require extensive amounts of energy as originally discussed in the ESEE analysis completed in 1992/1993. Materials such as masonry, steel, architectural features and wood trim and flooring can be salvaged for reuse, providing an energy savings for the original materials. A redevelopment of the site will result in more energy efficient buildings on the site. There would be a high energy impact if the Gerald Avery Building is not demolished and is repaired and renovated compared to redevelopment of the site as a senior housing facility.

Staff believes that demolishing the Gerald Avery Building & Gymnasium/Auditorium and redeveloping the TTSD site have positive ESEE benefits as compared to continuing to preserve it as a Historic Landmark.

(e) The physical condition of the landmark; The applicant provides information on the condition of the building. The condition is documented with photographs and the application narrative. The TTSD and Marquis Development held meetings with the public and the City of Tualatin where they considered the various options for preservation of the building. The TTSD decided that retaining and restoring the building was not feasible and no group or organization was able to take on purchasing the site and repairing, reconstructing and reusing the building. Marquis Development could not integrate the building into their redevelopment plans in terms of costs, location and use. The building's substandard condition was an important factor in the decisions by the owner and user parties.

(f) Whether the landmark is identified as a primary or secondary resource. Additional importance shall be accorded to preserving landmarks with a primary designation. The Gerald Avery Building & Gymnasium/Auditorium is identified in the Inventory as a "secondary" ranking (constructed after 1900). With a secondary ranking, additional importance for preserving the landmark is not required.

7. Comments Received:

An Email message commenting on the Historic Landmark Demolition application was received on November 24, 2008 from Martha and Don Edwards, residents of SW Sagert Street (Attachment 4). The Edwards comments noted that if the historic building is kept it would need to restored and have specific uses for it. They also expressed the belief that "...if the property is actually owned by the school district and demolishing that building will benefit the school district in whatever way, then yes, it should be done."

A letter commenting on the Historic Landmark Demolition application was received on December 4, 2008 from the Tualatin Historical Society (Attachment 4). The letter was from Yvonne Addington, President-Elect of the THSociety. The comments in the THSociety letter pertaining to the proposed demolition of the Gerald Avery Building and its discussions with the prospective developer of the 5 acre eastern portion of the former TESchool site include:

1. "The building is still historically significant to the community as evidenced by community support to save the building, to the thousands of students who received a good primary education there, the people who found jobs there in hard economic times and the parents and community members who worked so hard to build and preserve it in the past."

2. "There is little land of this size or structures of this size, especially in current public ownership, which would allow many of the current needs which are identified in the Tualatin Tomorrow Plan. Those needs justify the public entities to give more serious thought to preserving the building and site for the public."

Staff Response: There is agreement by the property owner and the prospective developer that the Gerald Avery Building & Gymnasium/Auditorium remains to be historically significant in its history and its architecture. The findings and analysis of this decision also conclude this.

In regard to the suitability of the TTSD property and the buildings for public uses and efforts to secure them for public use, the TTSD, the City of Tualatin and the prospective developer have explored numerous options for and with local groups interested in public use of the property. The negotiations and efforts to obtain public ownership of the property or incorporate public use or services on the property were not successful.

3. "There are reasonable long-term economic benefits to the property owner from preservation of the landmark since the beneficiaries of the property are the public which the owner represents. Our understanding is that not all alternative uses of the building and property by the school district, city

or proposed developer have been explored. For example, if not all of the of the land can be preserved for public purpose, could the developer purchase and develop the western 5 acres instead, demolish the several adjacent buildings that are not designated for historic preservation, which may allow funds for rehabilitation for the existing historical building and some preservation of land for ball fields or other public purposes."

4. "The use of federal funds for public works, community development, job creation and other funds to help low and moderate income persons has not been fully explored to date. A phased plan for purchase and improvements over time needs to be updated. "

Staff Response: The TTSD decided to sell the Tualatin Elementary School property and solicited proposals from development interests and from the City of Tualatin. A range of purchase and redevelopment proposals were presented and explored. The results of the process is the Marquis Development proposal to purchase and develop the eastern 5 acres. The TTSD remains interested in selling the entire property including the western 7 acres of the property. Marquis is interested in developing a project on the east portion of the property and not the western portion. Marquis indicated that the firm explored development concepts that would incorporate the Gerald Avery Building, but was unsuccessful in making that work for the business.

No group or organization has been successful in obtaining funding for public works or community development facilities on the TTSD property or has presented an acceptable proposal to the property owner.

5. "The Economic, Social, Environmental and Energy consequences to the community include elimination of a centrally located, public facility that can support the people's temporary, but basic needs for food and support in addition to the social and physical needs of those who live in existing and planned future residential. "

6. "The original comprehensive plan proposed joint development of public outdoor facilities on the school land and depended on the school site as part of open space and public facilities."

Staff Response: THS is referring to the former use of the Tualatin Elementary School site by local service agencies during and following the site's use as a grade school. The Tualatin Resource Center, the Caring Closet and the Food Pantry shared the Gerald Avery Building & Gymnasium/Auditorium with the Tualatin Elementary School for approximately 2 years before moving to the modular buildings. The agencies, the TTSD and the City have explored alternatives that would include use of the TTSD property for local support and service agencies. No alternatives have emerged from these efforts and negotiations.

The Tualatin Elementary School property by virtue of its TTSD ownership and development as a 12 acre school campus property has served as open space and as a public (school) facility. The City of Tualatin Comprehensive Plan and Development Code have not designated the property for public open space or to be retained as a public facility.

7. "The condition of the building is mentioned in the application as a reason to demolish but that should have nothing to do with the historic preservation. The property owners are responsible to keep the building(s) in good shape and free of attractive nuisances or uninvited persons. The School District should feel obligated to the public to protect the facility and keep it from deteriorating. If owners of historic buildings can get away with letting the building deteriorate, be vandalized, and eventually burned down like the Nyberg House was, then we wonder about the value of any historic preservation ordinances."

Staff Response: While the present condition of the historic landmark building is not a determining factor in the Demolition criteria, the costs of renovating a building to allow occupancy and use can be considered when evaluating the value of the property for preservation. A property owner of a historic landmark is expected to maintain the property in a safe and sustainable condition, but the Tualatin Historic Landmark provisions do not require it. The "Preservation Of Property Of Historic Significance" subsection of Oregon Revised Statutes ORS 358 applies to the TTSD as owner of the Gerald Avery Building & Gymnasium/Auditorium Historic Landmark, stated as follows:

> ORS 358.653 Conservation program; leases. (1) Any state agency or political subdivision responsible for real property of historic significance in consultation with the State Historic Preservation Officer shall institute a program to conserve the property and assure that such property shall not be inadvertently transferred, sold, demolished, substantially altered or allowed to deteriorate.
> (2) State agencies and political subdivisions may and are encouraged to lease real property of historic significance to private businesses and nonprofit organizations for purposes which are consistent with the nature of the property.
> (3) Where possible, the Oregon Department of Administrative Services shall acquire or lease buildings of historic significance for state use.
> (4) As used in this section, "political subdivision" includes counties, cities, school districts and any other governmental unit within the state not included in ORS 358.635. [1983 c.295 §§1,5,6; 1989 c.743 §3]

8. "The Tualatin Historical Society has met two times with owners and project managers of Marquis Companies Inc and have sincerely appreciated their efforts. Our purpose has been to explore ways of preserving the building and other alternatives. We asked for concepts in writing and written proof of the expense involved that prohibits saving the building before we could vote to support or oppose their applications to demolish. To date we have not received anything further and costs alone cannot alone be the deciding factor according to the city criteria. "

9. "Our hesitancy to support demolition if that is the only resort, is based on the need for more concrete information to justify such a drastic event. Isn't there an alternative that could satisfy all parties?"

Staff Response: Any efforts by property owners or other parties to preserve the building or preserve the buildings historical features are encouraged. If the property owner or prospective developer are able to preserve elements of the Gerald Avery Building & Gymnasium/Auditorium by carefully retaining or salvaging them and incorporating the historic features into development on-site or in the local area, that is highly encouraged. The demolition application mentions the possibility of salvaging certain features of the Gerald Avery Building & Gymnasium/Auditorium for use with the Marquis Development project or for use by a local group such as the THS. Staff encourages TTSD and Marquis contact the THS and provide more information on preserving elements of the Gerald Avery Building & Gymnasium/Auditorium.

8. **Landmark Demolition Approval Conditions**

68.080(5) As conditions of approval for demolition the applicant shall:
(a) List the landmark for sale with a real estate agent for a period of not less than 90 days. The landmark shall be advertised in at least one local or state newspaper of general circulation in the City for a minimum of 10 days over a 5-week period. A copy of the advertisement shall be submitted to the Planning Division prior to issuance of a demolition permit from the Building Official. The applicant will be required to provide documentation of the listing of the property as a condition of approval.

(b) Post a notice provided by the City offering the building "For Sale" as follows: HISTORIC BUILDING TO BE DEMOLISHED - FOR SALE. The sign shall be posted by the applicant in a prominent and conspicuous place within ten feet of a public street on the parcel on which the landmark is located. The applicant is responsible for assuring that the sign is posted for a continuous 90-day period in conjunction with (a) above. Marketing conducted by the applicant or property owner prior to application for demolition or relocation which meets requirements of 5(a) and (b) above may be applied towards meeting the requirements. The applicant will be required to provide documentation of the posting of the property as a condition of approval.

(c) Prepare and make available through the City any information related to the history and sale of the property to all individuals, organizations and agencies that inquire. The applicant will be required to provide documentation of the history and sale of the property as a condition of approval.

(d) Prepare photographic documentation, architectural drawings, and other graphic data or history as deemed necessary by the Community Development Director to preserve an accurate record of the landmark. The basic format to be followed will be guidelines from the Historic American Building Survey (HABS, December 1973). The historical documentation materials shall be the property of the City or other party determined appropriate by the Community Development Director. The application does not include information documenting the property and providing an accurate record of the landmark as required (Attachments 2-3). To meet the requirement of 68.050(5)(d), the applicant shall prepare photographic documentation of the building's exterior and interior, provide copies of the building's original and subsequent architectural drawings, and other graphic data or history of the school, the building and its uses to preserve an accurate record of the landmark. The documentation and historic information shall be submitted to the Community Development Department prior to issuance of a Demolition Permit.

8. **Time Limit on Approval**

Historic preservation approvals shall be void after one year unless: (1) A building permit has been issued and substantial construction pursuant thereto has taken place as defined by the State Uniform Building Code; or (2) The Community Development Director finds that there have been no changes in any ordinances, standards, regulations or other conditions affecting the previous approval so as to warrant a new review.

LANDMARK DEMOLITION DECISION

Based on the Findings and Conclusions presented, a Certificate of Appropriateness allowing the demolition of the Gerald Avery Building proposed in HIST-08-01 is approved subject to the following conditions:

HIST-1 To meet the requirements of 68.080(5)(a), list the landmark for sale with a real estate agent for a period of not less than 90 days. The landmark shall be advertised in at least one local or state newspaper of general circulation in the City for a minimum of 10 days over a 5-week period. A copy of the advertisement shall be submitted to the Planning Division prior to issuance of a demolition permit from the Building Official.

HIST-2 To meet the requirements of 68.080(5)(b), post a notice provided by the City offering the building "For Sale" as follows: HISTORIC BUILDING TO BE DEMOLISHED - FOR SALE. The sign shall be posted by the applicant in a prominent and conspicuous place within ten feet of a public street on the parcel on which the landmark is located. The applicant is responsible for assuring that the sign is posted for a continuous 90-day period in conjunction with (a) above. Marketing conducted by the applicant or property owner prior to application for demolition or relocation, which meets requirements of 5(a) and (b) above may be applied towards meeting the requirements.

HIST-3 To meet the requirements of 68.080(5)(c), prepare and make available through the City any information related to the history and sale of the property to all individuals, organizations and agencies who inquire.

HIST-4 To meet the requirement of 68.050(5)(d), the applicant shall prepare photographic documentation of the building's exterior and interior, provide copies of the building's original and subsequent architectural drawings, and other graphic data or history of the school, the building and its uses to preserve an accurate record of the landmark. The documentation and historic information shall be submitted to the Community Development Department prior to issuance of a Demolition Permit.

HIST-5 The applicant shall obtain all necessary permits prior to demolition.

HIST-6 The approval shall be void after one year unless: (1) A building permit has been issued and substantial construction pursuant thereto has taken place as defined by the State Uniform Building Code; or (2) The Community Development Director finds that there have been no changes in any ordinances, standards, regulations or other conditions affecting the previous approval so as to warrant a new review.

APPEAL

The Landmark Demolition decision will be final after 10 City business days on **January 2, 2009**, unless a Request for Review is received by the Planning Division at 18876 Martinazzi Avenue (mailing address 18880 SW Martinazzi Avenue, Tualatin, Oregon) before 5 p.m., **December 31, 2008.** The Request for Review of a Historic Landmark Demolition form is available at the Tualatin Library and at the Planning Division office. Landmark Demolition Requests for Review are reviewed by the City Council.

Submitted by,

William Harper, AICP
Associate Planner

Attachments:
1. Vicinity Map
2. Application Submittal
3. Gerald Avery Building & Gymnasium/Auditorium Historic Inventory, Historic Landmark Determination & ESEE Analysis
4. Edwards Email Comment
   Tualatin Historical Society Letter

OLD TUALATIN ELEMENTARY SCHOOL SITE

City of Tualatin

Application for Landmark Demolition

MARQUIS
COMPANIES

1st Submittal – 11/05/08

EMERIO
Design

I. PROPOSAL SUMMARY

GENERAL INFORMATION

Property Owner	Tigard Tualatin School District 6960 SW Sandburg St. Tigard, Oregon 97223
Applicant	Marquis Companies, Inc. Scott Miller 4560 SE International Way, Ste. 100 Milwaukie, OR 97222 (T) 971.206.2330
Applicant's Representative	Emerio Design, LLC Kirsten Van Loo 6107 SW Murray Blvd., Ste. 147 Beaverton, OR 97008 (T) 503.956.4180
Map and Tax Lot	TL 5000 - 2S1 23 DD
Site Location	19945 SW Boones Ferry Rd.
Size	12 acre site
Comprehensive Plan Designation	City of Tualatin - Residential
Zoning	R-5
Pre-Application Meeting Date	August 6, 2008
Neighborhood Meeting Date	September 18, 2008

EXECUTIVE SUMMARY

The site of the Tualatin Elementary School has been available to potential developers for sale for several years. The school has not been used for educating elementary students since its closure in the spring of 2004. After considerable evaluation and feasibility study, Marquis Companies, a senior housing provider, has contracted with the School District to begin the development-related land use procedures facilitating eventual completion of a project on a portion of the site.

The existing building(s) on the site served the district well for many years as an elementary school. The original building - the Gerald Avery Building - was designated as a local historic landmark in 1992 by the City of Tualatin Community Development staff. Numerous buildings/wings were added to the campus after construction of the original building in 1939/40, but those additions are not included in the historic designation.

Marquis consultants have evaluated the original school building with alternative scenarios of:

- Preserving the building and integrating it into the proposed new development,
- Relocating the building to a different position on the property and integrating it into the proposed development,
- Demolishing the building while preserving some of the construction materials and incorporating those materials - as feasible - into the new development,
- Demolishing the building and removing all materials from the site, while offering the Historic Society opportunity to have some of the building construction materials,
- Demolishing the building and disposing of all construction materials.

After considerable research Marquis has decided to proceed with demolishing the building while preserving some of the construction materials and incorporating those materials - as feasible - into the new development. This land use application is the first procedural step towards that goal.

Request

The site of the Tualatin Elementary School has been available to potential developers for sale for several years. The school buildings have not been used for educating elementary students since closure in 2004. After considerable evaluation and feasibility study, Marquis has developed a project plan and program for 5 acres of the school property, Lot 34 of the Tualatin Gardens subdivision. The buildings on Lot 34 must be removed prior to initiation of the project. The Gerald Avery Building is designated as a historic structure on the City of Tualatin's historic building list, and as such, permission to remove the designation and demolish the building is necessary as required by Section 68.050 of the Tualatin Development Code.

Surrounding Area

The area surrounding the Gerald Avery Building contains a mix of residential uses. The site is on the corner of Boones Ferry Road and Sagert Street. There are single family residences along the south side of Sagert Street. Several detached homes and a small cluster of attached dwellings abut the school district property at the SW corner, on the north side of Sagert. Boones Ferry Road is a major Arterial winding through Multnomah County, Washington County and into Clackamas County. There is a new subdivision across Boones Ferry Road containing a historic house – the Logan House. Single family homes abut Boones Ferry Road, and a condo project is located east of the Logan House Estates project, on the north side of Sagert, east of Boones Ferry Road. Multi-family development abuts both sides of Boones Ferry Road as it travels north towards central Tualatin.

Section 68.060 Demolition Criteria

(1) In determining whether or not a request for demolition of a landmark shall be approved or approved with conditions, the Community Development Director shall find that one of the criteria (a), (b), or (c) has been met. If the request meets none of the criteria, the Community Development Director shall deny the request.

(a) The landmark is no longer historically significant.

(b) The landmark is no longer architecturally significant.

Response: The original building for the Gerald Avery Building has a secondary ranking. When the building was evaluated in 1992 it was just over 50 years old and was determined to meet seven of the twelve evaluation criteria. It is not listed on the National or State of Oregon Historic Register. Current residents of Tualatin did attend the school, and there is some documented local history associated with the structure. The building is historically significant to the current residents of Tualatin who attended school in this building. There is some historic significance attached to several of the trees/shrubs still located near the building. The building is architecturally significant as typical of the buildings constructed by the Federal Public Works Administration prior to the Second World War. The findings made in 1992 supporting the original designation of the building as "historic" are still valid today.

(c) The benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark.

(2) The following factors shall be used by the Community Development Director in making a decision on demolitions:

(a) The information used in the original designation of the landmark;

(b) Any evidence the applicant or property owner has provided demonstrating that there would be no reasonable, long-term economic benefit to the property owner from preservation of the landmark. In making this determination, the owner must show that all uses or adaptive uses of the landmark have been thoroughly examined. For example:

(i) The fact that a higher economic return would result from demolition than preservation on its own is insufficient to meet criterion (b).

Response: The original building for the Gerald Avery Building is designated as a local historic structure. In addition to that building there are numerous other structures/additions constructed on the 12 acre site owned by the school district. There is an addition to the original building, and four other buildings on the site, as well as three "portable" classroom structures. None of these additions are part of the historic designation.

There is no reasonable long-term economic benefit to be derived from preservation of the historic building or the entire campus structure by either the current owner or any future owner of the property because:

- The campus is designed as an education facility, without realistic opportunity for any other feasible use unless wholesale remodeling/restructuring of all of the buildings were accomplished,
- No other educational organization (private school, charter school, community college extension, etc.) has expressed interest in using the buildings or buying the campus in its current condition,
- No public service group or institution (church, house of worship, or public service agency) has expressed interest in the building(s) or campus in its current condition,
- The campus site has been for sale for several years without ANY committed interest, due to the specter of the immense cost associated with building refurbishing/demolition and contaminant abatement,
- The historic building must be completely rebuilt to meet any current structural codes, and the abatement procedures required to "clean" the building for reuse are cost-prohibitive,
- Preservation and/or relocation of the historic structure would only preserve the "shell" of brick, and perhaps some of the structural materials, while requiring removal of all of the interior portions of the building – thus preserving only the "image" of the building, while forcing great expense onto a developer with little/no benefit.

(ii) A lack of adequate funds to pursue potential uses or adaptive uses is insufficient to meet the criterion (i.e., selling, partially preserving, or moving the landmark are options that shall be considered).

Response: As stated above – there has been no interest in the campus in its current condition. Financial support alone is not adequate to preserve the building or campus, as there has been no community-expressed need or desire for the building. Recently the City polled its citizens in order to gauge interest in preserving the building for a public use, i.e. a new library, and little enthusiasm was expressed. In order to pursue potential new or adaptive uses for the original building for the Gerald Avery Building, a developer would be required to expend approximately $1,500,000 to:

- abate the asbestos in all of the buildings,
- demolish all of the other buildings on the site,
- move the original building to a portion of the site where it can be well integrated with other potential uses of the land,
- build a new foundation for the original building,
- complete a structural analysis and design a structural retrofit,

Further architectural work and construction (with additional costs that cannot be currently estimated) would need to be accomplished to:

- design a new interior structure,
- attempt to integrate the building shape with other uses on the site,

- and finally – completely rebuild the interior of the building for a new use.

The costs associated with the rehabilitation and reconstruction of the Gerald Avery building far exceeds the cost of a new structure and, realistically, the expense makes such endeavors commercially unviable, as evidenced by the lack of interest to-date. While one could argue that preservation of historic buildings should be accomplished without regard for the cost – it is necessary to balance a desire for preservation of any building with the costs of doing so, the realistic probability that the project would actually be completed, and the degree of community support for such a project. The hard costs are significant, as noted above.

(c) Whether issuance of a Certificate of Appropriateness approving the demolition request would act to the detriment of the public welfare;

Response: The notice for the neighborhood meeting held prior to the submittal of this application included invitations to over 100 citizens/property owners in the neighborhood. The site was posted with a public notice sign informing passers-by of the meeting. Even with this level of public notice – less than 15 citizens attended the meeting or made inquiries as to the future of the buildings on-site. While a committed group of individuals in Tualatin supports the preservation of much of Tualatin's historic past – the general population – and the surrounding community adjacent to the Gerald Avery Building – are not particularly sentimental about this building. The comments of participants at the neighborhood meeting were more focused on the vintage plants/trees on the site, and the lack of maintenance of the overall campus.

There has been no community support in the form of significant financial commitment to preserve the building. Dialogue with the Historic Society has centered on preserving elements of the building (building materials) that can be reused in any future buildings/development on site. The developer has committed to that effort to the best abilities possible – depending on the requirements/impacts of the abatement processes.

(d) The Economic, Social, Environmental and Energy consequences to the community of demolishing the landmark as compared to preserving it; and

Response: The original building for the Gerald Avery Building was at one time a source of pride and focus for the community. This is not the case today. The entire campus is abandoned, in poor maintenance and has become a nuisance site. Local police make regular calls to the campus to deal with vandals and inappropriate behaviors on-site. The woebegone look of the campus reflects poorly on the surrounding neighborhood, and causes concerns for nearby residents. Economically and socially it is better for the community to demolish these buildings on campus and enable a developer to proceed with

new residential development, adding life and vitality to the local neighborhood. The benefit of demolishing the buildings is the opportunity afforded to a developer to work with a "clean slate", while working diligently to incorporate existing trees and recycled building materials into the new development scheme. While the original building does have history and some degree of character – there is no doubt that there is no use allowed within the residential zoning districts that can realistically use the historic building as part of a new development, either in its current location or relocated elsewhere on the site.

Environmentally and energy-related, the existing buildings are loaded with pollutants, contaminants, and asbestos. No use could be made of the buildings until these hazardous materials have been abated and removed from the site. The cost to accomplish this task, while preserving only the shell of one or more of the buildings is completely out of balance with the community value of the remaining structure.

(e) The physical condition of the landmark.
Response: The Gerald Avery Building has been altered over time. It is currently in stable but dilapidated condition, with hazardous materials in the building as discussed above.

(f) Whether the landmark is identified as a primary or secondary resource. Additional importance shall be accorded to preserving landmarks with a primary designation.
Response: The Gerald Avery Building has a secondary ranking. When the building was evaluated in 1992 it was just over 50 years old and was determined to meet seven of the twelve evaluation criteria.

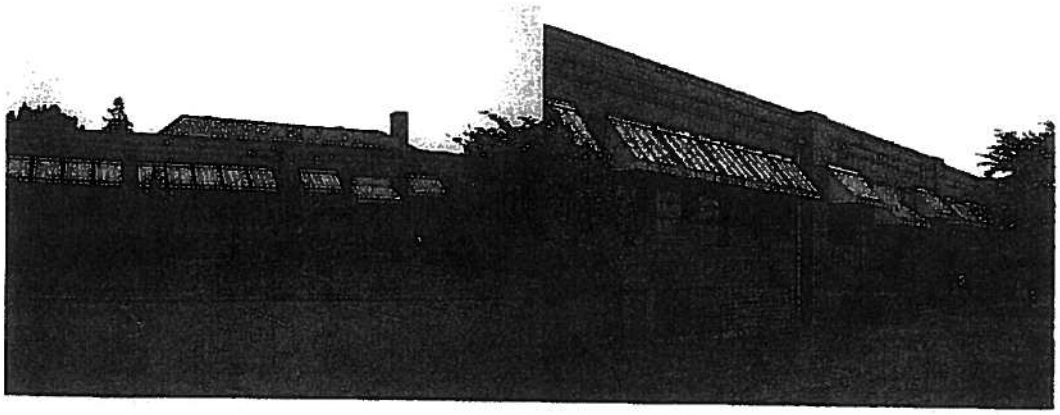
(e) Whether the designated landmark is structurally capable of relocation.
Response: Relocation is not a feasible option for the Gerald Avery Building.

(f) Whether the proposed relocation site is an appropriate setting for the designated landmark.
Response: Relocation is not a feasible option for the Gerald Avery Building.

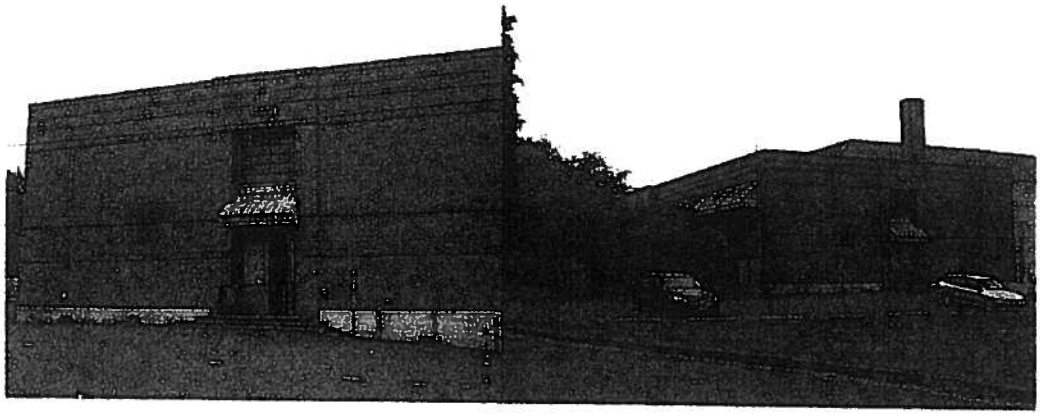
(g) Whether the proposed relocation site is within the City limits or preferably within the neighborhood within which it is currently located.
Response: Relocation is not a feasible option for the Gerald Avery Building.

(h) The Economic, Social Environmental and Energy consequences to the community of relocating the landmark as compared to preserving it.
Response: Relocation is not a feasible option for the Gerald Avery Building.

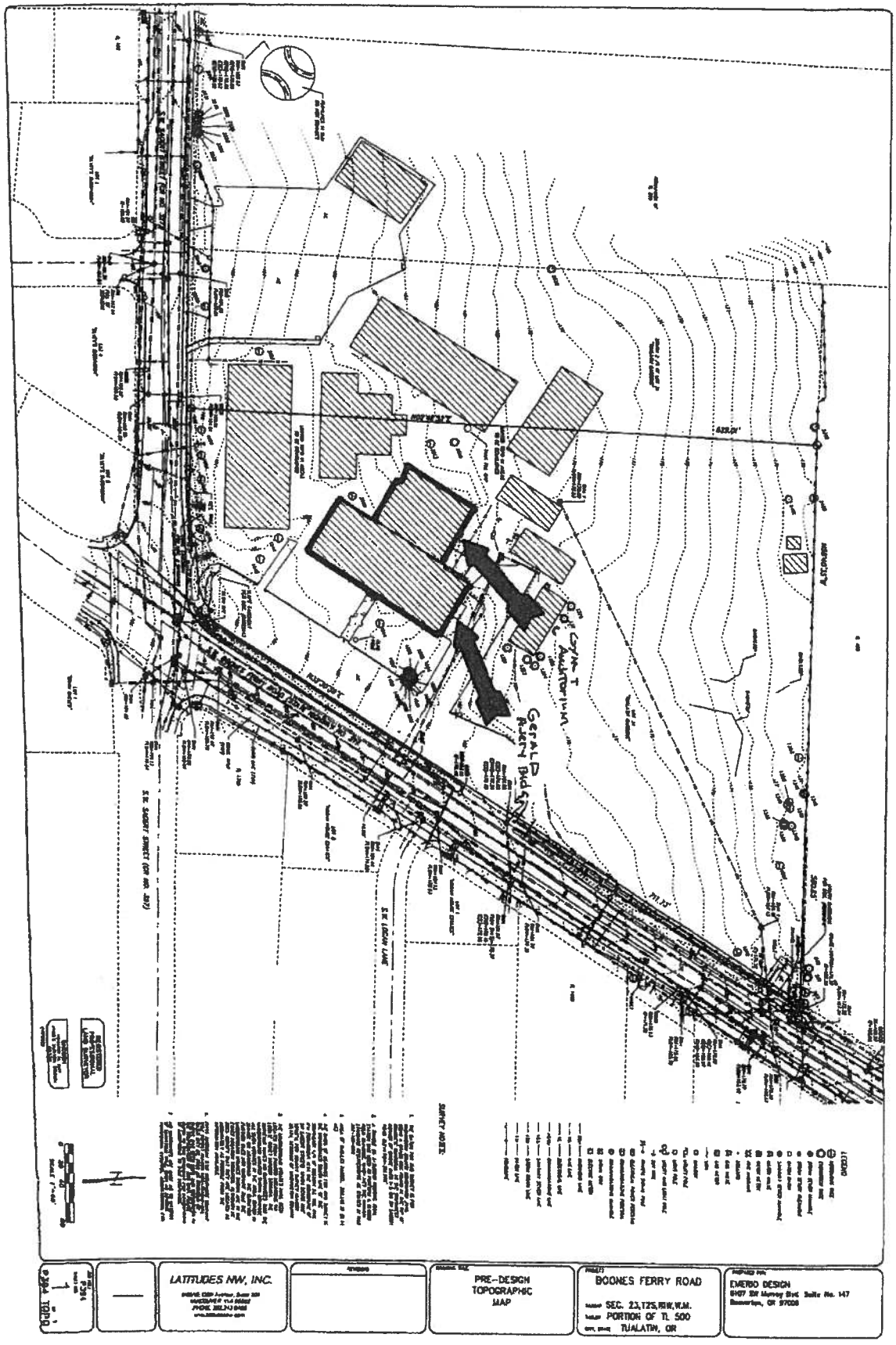
In conclusion, the approach proposed by Marquis Companies is the correct procedure for this campus. Preservation of materials will keep the memories and character of the original building alive while facilitating new residential development on the former school campus.



Front elevations



Side elevations


LATITUDES NW, INC.
PRE-DESIGN TOPOGRAPHIC MAP
BOONES FERRY ROAD
SEC. 23,T2S,R1W,W.M.
PORTION OF TL 500
TUALATIN, OR
EMERIO DESIGN
SURVEY NOTES:

(32) ??

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY FORM

SHPO Inventory No.: COUNTY: WASHINGTON Local ID: 54

Historic Name: Tualatin Grade School
Date of Construction: 1939

Common Name: Tualatin Grade School
Address: 19945 SW Boones Ferry Road
City: Tualatin
Owner Name: School District 1C JT
Address 1: 13137 SW Pacific Highway
Address 2:
City, ST, Zip: Tigard, OR 97223
T/R/S: 2S/1W/23
Parcel: 2S123DD00500
Addition: Tualatin Gardens (1892)
Block: NA Lot: 34&36

Orig. Use: School
Pres. Use: School
Architect: F.M. Stokes
Builder: Work Project Administration
Theme: Education
Style1: School House
Style2:
Object: BLDG Ranking: Secondary
Style Notes: (None)
Quad: Beaverton

Plan Type/Shape: Rectangle No. of Stories: 2.0
Primary Foundation Material: Concrete Basement: N
Second Foundation Material:
Roof Form: Flat Roof Material: Built-up
Wall Construction: Brick Structural Frame: Brick
Primary Window Type: 2/2 and 3/3 double hung sash
Exterior Surfacing Material: Brick
Decorative Features: Variable soldier courses in brick work near parapet and at windows, decorative ornaments (terra cotta) above entrances, projecting building entrance
Other Notes: (None)
Condition: GOOD Moved Y/N: N Date:

Exterior Alterations/Additions (Date):
Numerous classroom additions to the west in the 1950's, 60's and 70's. Addition of awnings over windows.
Noteworthy Landscape Features:
Heritage Trees - 1918 Douglas Fir and 1938 English Chestnut.
Associated Structures:
(None)
Known Archaeological Features:
(None)
Setting: Located west of Boones Ferry Road just north of Sagert Street. School is across from Logan and Sherburn houses. Site zoned for single family residential use.

Sources: Tigard Tualatin School District; Tigard Times, May 6, 1976; Washington County Department of Assessment and Taxation; Tualatin Historical Society, Tualtin Gardens Plat (1892); Corps of Engineers Aerial Photo 1940.

Statement of Significance:
ARCHITECTURAL: The Tualatin Grade School is designed using numerous exterior surfacing materials. The primary building which includes classrooms and office space has a brick exterior on a concrete foundation. The brick work is accented by 6 dark brick bands.

Recorded by: Douglas R. Rux
Date: 05/01/92
Designation:

Tualatin Grade School

02/05/93 F1:Y F2: Sym: 0 Mkr:21 SHPO

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY FORM

SHPO Inventory No.: COUNTY: WASHINGTON Local ID: 54

Historic Name: Tualatin Grade School Date of Construction: 1939

Four of the bands are located between the upper windows and parapet. The remaining two identify the area between windows. The entrances into the building (main, north and south) project out from the main wall plan. Four terra cotta ornaments accent the building, one each over the north and south entrances and two over the main entrance. At the main entrance the brick work has been done to appear as four columns. The main entrance is also accented by glass double doors with top and side light wells. Windows for the building include 3/3 double hung sash on the main level and 2/2 double hung sash on the lower level. The north and south entrance include a 30-pane top light well and two double doors with glass insets.

The auditorium and gym project are off of the west side of the main school building. Yellow metal awnings have been added over all second level windows and at door entrances. The additions somewhat cover the architecture of the building.

HISTORICAL: The Tualatin Grade School is the fifth in a line of local schools within the community. The first log school was built in 1856 north of Herman Road on what is now the Walgrave property. The second school was on Robbins Road east and south of what are now I-5 and I-205. The third school was constructed in 1869 at the northeast corner of Boones Ferry and Avery Streets. This school operated for more 30 years. The fourth school was built in about 1899 just north of the existing Tualatin Grade School. The Tualatin Grade School was constructed after World War II with a Federal Grant from the Federal Public Works Administration. The building was designed by F.M. Stokes, an architect located in Portland, Oregon. Survey work was by L.L.McIntyre, a registered engineer. Datum points were taken from a nail in a root of a double 24" fir tree. project was built by the Work Project Administration for the Tualatin School Distri then known as District 1C-JT Washington County, 304-JT Clackamas County. Local citizens were involved in funding portions of the improvements for the new building. Originally, the gym floors were to be fir. Residents wanted oak floors. Funds were raised to pay for the oak gym floors with enough money left over to pay for clocks in the classrooms.

what year

Graphic Sources: Douglas R. Rux

Negative No.: Roll #3-6 Slide No.: Roll#2-5&6

Little Red Schoolhouse

Its possible this school was built in 1863

Recorded by: Douglas R. Rux
Date: 05/01/92
Designation:

Tualatin Grade Scho

02/05/93 F1:Y F2: Sym: 0 Mkr:21 SHPO Inventory No.:

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY FORM

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02/05/93 F1:Y F2: Sym: 0 Mkr:21 SHPO Inventory No.:

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY FORM - TWO

SHPO Inventory No.:

Local ID: 54

Historic Name: Tualatin Grade School
Address: 19945 SW Boones Ferry Road
Tualatin

T/R/S: 2S/1W/23
Parcel: 2S123DD00500
Quad: Beaverton

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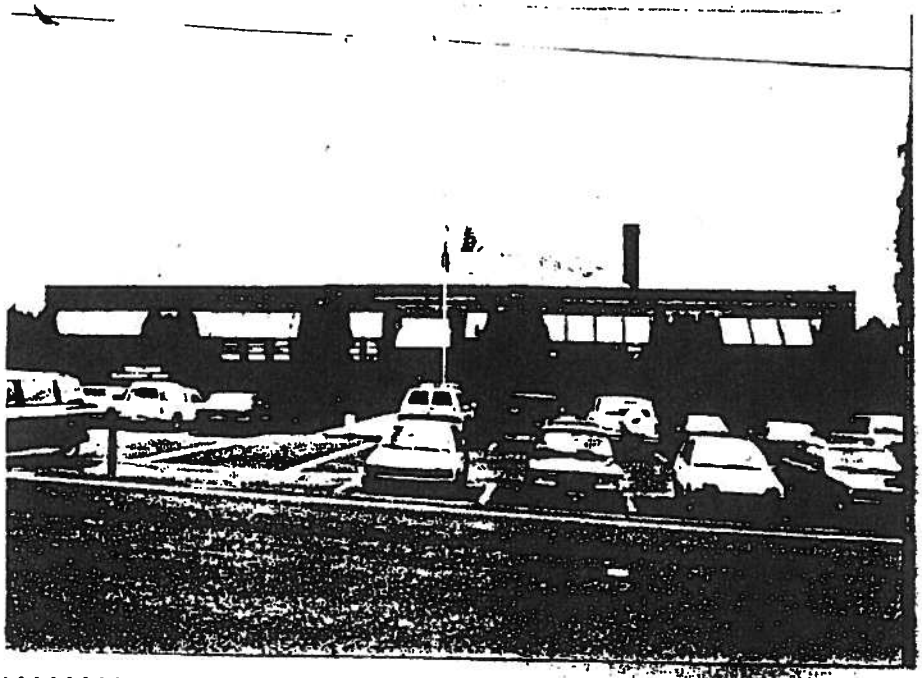

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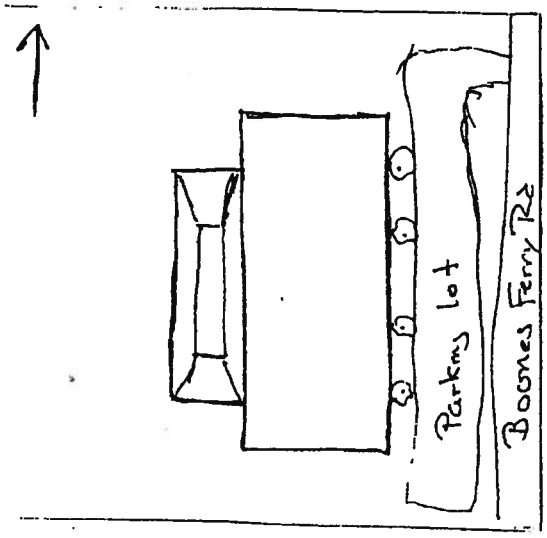

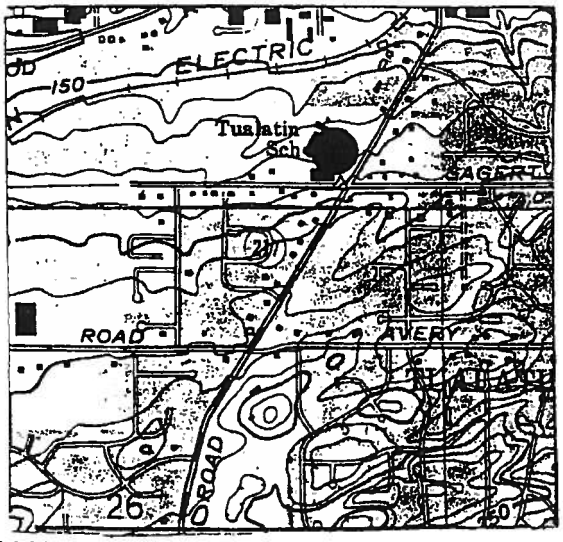

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Graphic & Photo Sources: Douglas R. Rux

01/29/93 F1:Y F2: Sym: 0 Mkr:21

SHPO Inventory No.:

Tualatin Grade School
19945 SW Boones Ferry Road
Tualatin, OR 97062

ANALYSIS

A. **The site or structure shall have a primary or secondary ranking. A structure less than 50 years of age may be designated a landmark upon application by the owner; and**

Findings: The structure has a secondary ranking being constructed in 1939. The date of construction makes the structure approximately 53 years old.

Conclusion: This criterion has been met.

B. **The site or structure shall meet one or more of the following:**

(i) The resource is listed on the National Historic Register of Historic Places.

Findings: This structure is not listed on the National Register of Historic Places.

Conclusion: This criterion has not been met.

(ii) The site or structure is associated with the life of a person significant in local, state or national history.

Findings: The Tualatin Grade School has been associated with a significant number of people since its inception, construction and operation in 1939-1940. No one specific individual has stood out as having significance. No information is available on owners or occupants of this structure.

Conclusion: This criterion has not been met.

(iii) The site or structure is associated with events that have significantly affected past social or economic activities in the community, state or nation.

Findings: No information could be found indicating significant economic activities occurring at this location. This structure was instrumental in the social development of the Tualatin area. The Tualatin Grade School is the 5th school structure constructed in the area. The first was a log school followed by a school on Robbins Road, the Little Red School, and Tualatin High School. The educational opportunities that the school has provided have been instrumental in shaping the identity of the community and the knowledge background of its residents.

Conclusion: This criterion has been met.

(iv) The structure is in its original setting and remains essentially as originally constructed.

Findings: Available information indicates that the structure is in its original location, but has been slightly altered from its original construction appearance. The original structure did not contain the attached gymnasium in 1939. The site also did not contain the additional classroom space which has been added. The main original portion of the building has retained the exterior brick appearance, windows and doors. Over the windows awnings have been added. The terra cotta work above the entry doors has been retained as well. The main portion of the school is essentially as originally constructed.

Conclusion: This criterion has been met.

(v) The structure embodies the distinctive characteristic of a type, period or method of construction that was used in the past.

Findings: This structure is representative of an educational building constructed as part of the Federal Public Works Administration prior to WW II.

Conclusion: This criterion has been met.

(vi) The structure's original workmanship and material remain to show the construction technique and stylistic character of a given period.

Findings: The structure's original workmanship and materials remain to assist in identifying the stylistic character of this structure.

Conclusion: This criterion has been met.

(vii) The structure represents the work of a master, i.e., is a noteworthy example of the work of a craftsman, builder, architect or engineer significant in local, state or national history.

Findings: No information has been found that the builder of this structure was a master craftsman, builder, architect or engineer. The architect for this project was F.M. Stokes who practiced out of Portland, Oregon.

Conclusion: This criterion has not been met.

(viii) The structure possesses high artistic values in its workmanship and materials.

Findings: This structure has some significant artistic values. The design is simple and functional with detailed brick work and terra cotta above the entrance. This is one of two standing brick buildings constructed pre-1940 and the only structure with terra cotta accents.

Conclusion: This criterion has been met.

Findings: Available information indicates that the structure is in its original location, but has been slightly altered from its original construction appearance. The original structure did not contain the attached gymnasium in 1939. The site also did not contain the additional classroom space which has been added. The main original portion of the building has retained the exterior brick appearance, windows and doors. Over the windows awnings have been added. The terra cotta work above the entry doors has been retained as well. The main portion of the school is essentially as originally constructed.

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Conclusion: This criterion has been met.

(ix) The immediate setting of the site retains the planting scheme, plant materials or land uses of the relevant historic period or the landscaping is consistent with that period.

Findings: The original planting scheme for this structure has been retained. The site used to contain several structures and open fields. The open fields have been retained and replaced with shrubs and trees. An English Chestnut and stand of Douglas fir, sequoia and grand fir have been designated as heritage trees. The trees were planted in 1938 and 1918 respectively.

Conclusion: This criterion has been met.

(x) The site or structure yields or may be likely to yield information important in history or prehistory.

Findings: No information can be found to support this criterion.

Conclusion: This criterion has not been met.

(xi) The site or structure is significant as a visual landmark.

Findings: This structure is located in an area of residential development. The site is adjacent to Boones Ferry Road and is highly visible to members of the community and visitors. The design of the structure identifies its period of construction.

Conclusion: This criterion has been met.

CONCLUSION

Review of the structure at Tualatin Grade School against the 12 criteria indicates that the basic 50 year requirement along with criterion iii, iv, v, vi, vii, ix and xi have been met. This is 8 of the 12 criteria. The historical significance of this structure is based on the architectural design, method of funding, citizen participation in construction and on it being the oldest operating school building within Tualatin.

RECOMMENDATION

Based on the staff report and information in the case file, staff recommends that the Tualatin Historic Preservation Advisory Committee forward a recommendation to the City Council that the Tualatin Grade School be designated a landmark.

Respectfully submitted,

Douglas B. Rux
Associate Planner

file: 19945 SW Boones Ferry Road
19945.RPT

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY FORM - TWO

SHPO Inventory No.: Local ID: 54

Historic Name: Tualatin Grade School
Address: 19945 SW Boones Ferry Road
Tualatin

T/R/S: 2S/1W/23
Parcel: 2S123DD00500
Quad: Beaverton

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Negative No.: Roll #3-6

Slide No.: Roll#2-5&6

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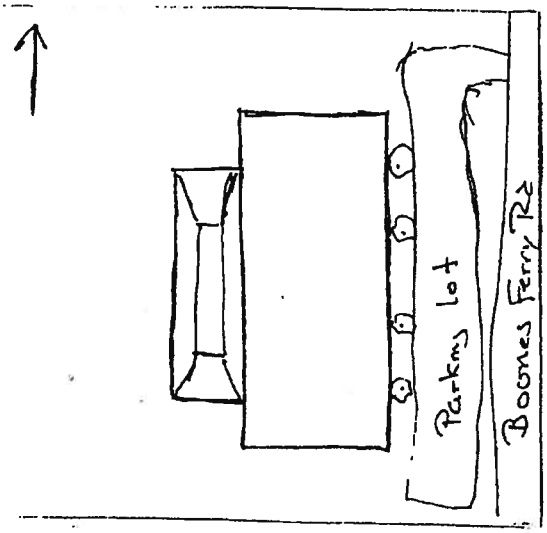

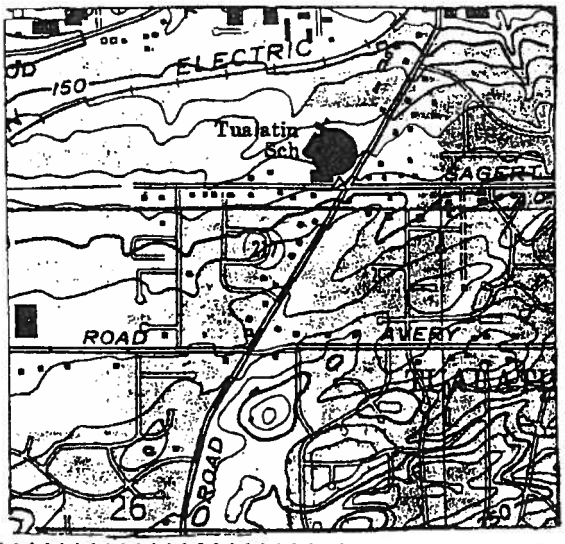

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Graphic & Photo Sources: Douglas R. Rux

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SHPO Inventory No.:

CHAPTER 5

ECONOMIC, SOCIAL, ENVIRONMENTAL AND ENERGY ANALYSIS

Background

To meet the requirements of OAR-660-16-000, an economic, social, environmental and energy (ESEE) analysis must be conducted for inventoried resources determined to have historic significance. The evaluation methodology to meet the ESEE requirement has been approached with a broad view according to planning district designation. This category is further broken down to individual properties with identified specific conflicts. The need for a site specific evaluation is based on the Oregon Supreme Court decision concerning Columbia Steel Castings Co. v. City of Portland. This case focused on OAR-660-16 and the need for the conflicting use and ESEE analysis for specific resource sites under Goal 5. The holding in the case was that area wide findings were inadequate and need to be detailed enough to determine the impacts on a specific resource site.

For this review the planning districts include:

1. Low Density Residential (RL District)

2. Multifamily Residential (Medium to Low Density - RML, Medium to High Density - RMH and High Density High Rise - RH/HR Districts)

3. Commercial (Office Commercial - CO and Central Commercial - CC Districts)

4. Manufacturing (General Manufacturing - MG District)

For purposes of this review the term "conflicting use" means a permitted or conditional use allowed by the Tualatin Development Code which conflicts with the historic use of the property. Examples might include additional housing on a site located in a RL District or a single family residence in a commercial planning district. The term "adaptive reuse" in the context of this study means modifying the historic use of a resource to a use or activity which is allowed under the respective planning district designation.

Low Density Residential Planning District (RL)

Description of Potential Conflicting Uses: The Low Density Residential (RL) Planning District allows for single family development and other uses permitted by Section 40.020 of the Tualatin Development Code (TDC). Conditional uses are listed under 40.030, TDC and include as examples churches, schools and hospitals. The minimum lot size in this district is 7,000 square feet for permitted uses and 6,000 square feet for conditional uses.

Fourteen structures in this planning district have met the historic designation criteria requirements. This is 42% of the overall significant resources. Conflicting uses in this planning district are considered minimal due to the planned residential character. Single family development and allowable conditional uses are the identified uses to continue into the future. Development pressure is likely to occur on parcels which have not been partitioned or subdivided. Eleven of the identified resource sites are large enough to be divided into smaller parcels. Allowing development adjacent to these resources may affect the historic character of a specific resource contributed by the adjoining open space, outbuildings or associated landscape features.

Other conflicts to preservation may include deteriorated building condition. A structure which has minimal physical integrity may not have as much value as a significant historic resource for protection purposes. Eight of the significant resources in the RL District (57%) have been determined to be in good condition. Six are in fair condition (43%) and none are in poor condition.

Programmed City public improvements which may affect a historic resource may also be considered a potential conflict to preservation. Review of the City's public facilities plan indicates no short or long-term sanitary sewer, storm drainage, transportation or water system projects which would detrimentally affect any of the significant historic resources in the RL District.

One of the resources within the RL Planning District is a public educational building rather than a residential structure. This is the Tualatin Grade School, which is presently used by the Tigard-Tualatin School District. Two of the resources are agricultural barns.

Economic

a) General Impacts of Preserving Historic Resources: Historic resources have increasingly been recognized as having value to society as examples of a particular architectural style, by providing a link with the past or because of identification with important or notable person(s) or a significant event. The interest which has resulted from this recognition often has economic side effects, as visitors are attracted to an area to view historic resources and spend money in local business establishments (e.g. restaurants and retail stores), which benefits the local economy.

In addition to having value as potential visitor attractions, historic resources also may have special economic value to some individuals as residences. This value may be derived from others with an appreciation of the resources' intrinsic character and willingness to pay higher purchase prices, or from the land use or tax benefits associated with ownership of some historic resources (e.g. properties on the National Register of Historic Places). These special values are unique to historic resources, and are diminished or lost if the resource is inappropriately altered, relocated or demolished.

There are also economic benefits derived from alteration, restoration or remodeling of a historic resource. These improvement projects provide construction-related jobs within the community.

b) General Impacts of Allowing Conflicting Uses: The most significant impact of allowing conflicting uses in whole or in part is the potential demolition, relocation or reduction in the integrity of a historic site. Allowing conflicting uses could provide an expanded construction industry job base and increased potential for tax revenue. The addition of new structures could have an overall effect of lowering individual tax burdens while increasing the need for local services. New structures also supply additional City revenue through building permits and connection to City sewer and water services. There is likely to be significant economic pressure to remove historic resources from sites in this planning district which are large enough to develop. If development of a historic resource site is proposed, it could incorporate the historic resource into the development. The exception could be to a resource with severe structural integrity problems.

Specific Impacts

There are eleven sites which have the potential to be partitioned or subdivided with conflict to the identified resource. The resources are on sites larger than 14,000 square feet (.32 acres). These include the Byrom House, Jurgens Farm (barn), Zeke Eddy House, Barngrover Barn, Richardson House, Minnie Skog House, Logan House, Sherburn House, Gerald Avery House, Dunmire House and Tualatin Grade School. The Francis House, Elmer House, Luster House, and Avery Chicken Hatchery are not large enough to be partitioned or subdivided under existing lot size requirements. Appendix D details parcel size and 1990 assessed land values for the identified significant resource sites and other inventoried sites.

In determining land values a base of $26,000 was established for a lot with a structure using Washington County tax records (Washington County Department of Assessment and Taxation 1990). Undeveloped land may have an assessed value less than $26,000. Using current market conditions undeveloped lots could range from $30,000 to $50,000 using information available from the Building Industry Journal (Home Builders Association of Metropolitan Portland 1992).

Luster House: The Luster House is located on a .19-acre parcel (8,276 square feet). The site is not large enough to create two usable lots using the 7,000 square foot minimum lot size. The most viable economic benefit is to retain the structure and continue the use as a residential dwelling. Demolition of the structure and construction of a new dwelling may add additional taxable value, but only through substantial capital outlay to purchase the site and building which are assessed at $26,00 and $34,860 respectively.

into a subdivision design. The economic loss would be the value of one new dwelling.

Sherburn House: The Sherburn House is located on a .55-acre parcel (23,958). There is a potential for three lots on this site and an estimated assessed land value of $26,000 per parcel. Dependent on specific market conditions the potential market value is $30,000 to $50,000 per vacant lot. The retention of this structure can be achieved by integration of the resource into a partition or subdivision design. The economic loss would be the value of two new dwellings.

Gerald Avery House: The Avery House is located on a .68-acre parcel (29,620 square feet). There is a potential for four lots on this site and an assessed land value of $26,000 per parcel. Dependent on specific market conditions the potential market value is $30,000 to $50,000 per vacant lot. The retention of this structure can be achieved by integration of the resource into a partition or subdivision design. The economic loss would be the value of one vacant parcel and one new dwelling.

Dunmire House: The Dunmire House is located on a .42-acre parcel (18,295 square feet). There is a potential for two lots on this site and an assessed land value of $26,000 per parcel. Dependent on specific market conditions the potential market value is $30,000 to $50,000 per vacant lot. The retention of this structure can be achieved by integration of the resource into a partition or subdivision design. The economic loss would be the value of one vacant parcel and one new dwelling.

Avery Chicken Hatchery: The Avery Chicken Hatchery is located on a .18-acre parcel (7,840 square feet). The site is not large enough to create two usable lots using the 7,000 square foot minimum lot size. The most viable economic benefit is to retain the structure and continue the use as a residential dwelling. Demolition of the structure and construction of a new dwelling may add additional assessed value, but only through substantial capital outlay to purchase the site and building which are assessed at $26,000 and $88,050 respectively.

Tualatin Grade School: The Tualatin Grade School is located on a 12.27-acre parcel. It is currently in use as a public elementary school. If it were closed, redevelopment could produce forty-six developable residential parcels using the 3.6 dwelling units per gross acre formula. Presently there is no economic benefit to the public due to the tax exempt status of the site. Redevelopment could add an assessed land value of $26,000 per parcel, plus the value of new residential structures. Dependent on specific market conditions the potential market value is $30,000 to $50,000 per vacant lot. Because the structure is under public ownership there are substantial public costs to maintain the structure in a usable condition. Protection of the resource does not require that it be maintained.

in housing style and material which identify the Tualatin area.

Gerald Avery House: The Avery House is one of the early structures in the Tualatin area dating from the 1930's and has significant social value as indicated in the history of Tualatin and Historic Resource Inventory. Retention of this structure will keep intact the early architectural style and land development pattern indicative of Tualatin's early beginnings. Loss of the structure would cause the loss of one of the community's earliest buildings and deplete the variety in housing style and material which identify the Tualatin area.

Dunmire House: The Dunmire House is one of the early structures in the Tualatin area dating from the 1930's and has significant social value as indicated in the history of Tualatin and Historic Resource Inventory. Retention of this structure will keep intact the early architectural style and land development pattern indicative of Tualatin's early beginnings. Loss of the structure would cause the loss of one of the community's earliest buildings and deplete the variety in housing style and material which identify the Tualatin area.

Avery Chicken Hatchery: The Avery Chicken Hatchery is one of the early structures in the Tualatin area dating for the 1930's and has significant social value as indicated in the history of Tualatin and Historic Resource Inventory. Retention of this structure will keep intact the early architectural style and land development pattern indicative of Tualatin's early beginnings. Loss of the structure would cause the loss of one of the community's earliest buildings and deplete the variety in housing style and material which identify the Tualatin area.

Tualatin Grade School: The Tualatin Grade School is one in a long line of educational buildings which have housed and taught the residents of the community. As the last remaining school pre-dating 1940 which still functions for its constructed purpose. The school has seen countless hours of community involvement from the time of initial construction to present day. Retention of the structure provides a tie to the oldest public building constructed during WW II and one of the few buildings constructed during the historic period which used brick as an exterior material. Allowing the conflicting uses could cause the loss of the resource.

Environmental

a) General Impacts of Preserving Historic Resources: There are minimal impacts to the environment of retaining historic resources in this planning district. Air quality, water quality, vegetation, etc. would likely remain the same on the resource site.

b) General Impacts of Allowing Conflicting Uses: Impacts of allowing conflicting uses may include erosion, runoff, water

Social

a) General Impacts of Preserving Historic Resources: The community image of Tualatin is made up of many aspects. The types and styles of buildings, the ages of structures, how structures relate to each other, landscaping and many other factors combine to give Tualatin a particular image. Because historic resources provide a link with the past, are unique or important examples of an architectural style or building technique, or are identified with important or notable persons or events, they have value to society. If a historic resource is compromised due to alteration or relocation, or lost to demolition, the social value associated with that resource is also affected or lost.

Preserving historic resources in this planning district provides opportunities for a wider range of housing choices. As demographic shifts occur and tastes change, so do architectural style and building types. Many buildings from the historic period vary in size, shape, detailing and scale from later structures, providing variety in housing choices. Preserving historic resources also provides educational and recreational opportunities, contributes to the community identity and image, and provides architectural interest. Identification and celebration of National Historic Preservation Week and walking tours along public rights-of-way provide an opportunity for residents of the community to become familiar with historic buildings, people and developments. This provides both educational and recreational opportunities.

b) General Impacts of Allowing Conflicting Uses: As with economic impacts, the loss of the ability to develop the lower intensity uses allowed in this planning district would have a relatively minor impact. In single family residential districts a developer may have to redesign a project to accommodate a historic resource. At worst the number of anticipated new dwelling units may have to be reduced depending on parcel size which in turn reduces housing opportunities.

It is unlikely that allowing conflicting uses to coexist side by side in this case will have any serious impacts on the public, since it is the structure, not the particular site, which represents the historic resource. However, if a historic resource contributes to a neighborhood streetscape there could be a loss if the resource is replaced. There may also be some structures where alteration of a resource will have a positive impact. Alteration of a historic resource to improve its appearance consistent with its original character can have a positive social impact.

Specific Impacts

Luster House: The Luster House is the oldest structure in the Tualatin area and has significant social value as indicated in the history of Tualatin and in the Historic Resource Inventory. Retention of this structure will keep intact the

the structure will maintain the existing landscaping which occupies the perimeter of the building. Allowing the conflicting uses would cause a major environmental change. The conflicting uses could increase the impervious surface area of the site and reduce the amount of ground water recharge. Conflicting uses also could cause a modification to the site topography and vegetation. The visual environment would also change if conflicting uses area allowed. Presently the site contains substantial open space areas. The conflicting uses, primarily single family residences, would eliminate this open space.

Energy

a) General Impacts of Preserving Historic Resources: There should be a minimal energy impact of preserving historic resources in the Low Density Residential Planning District. Energy efficiency is greater in newer construction, however retro-fitting in terms of window replacement, insulation and weather stripping are options for historic resources which will increase energy efficiency. In terms of energy consumption for travel there should be little impact.

b) General Impacts of Allowing Conflicting Uses: Allowing conflicting uses may result in slightly more energy efficient buildings. Retro-fitting may achieve a similar level of efficiency in the historic structures. If conflicting uses are allowed outright, citizens may have to travel a further distance to enjoy historic resources, increasing fuel consumption.

Specific Impacts

Luster House: The Luster House has been remodeled during the course of its history. Presently the house in undergoing interior remodeling. New construction would require substantial energy costs for demolition and new construction. The amount of energy consumption for transportation would not change if the structure is left in its current state. New construction would not affect the transportation energy issue.

Byrom House: The Byrom House has seen a number of improvements over time which have increased the energy efficiency of this structure. New construction would require substantial energy cost for demolition and new construction. The amount of energy consumption for transportation would not change if the structure is left in its current state. New construction would not affect the transportation energy issue.

Jurgens Farm (barn): This structure is not energy efficient due to its intended use as an out-building. The energy efficiency could be improved, but at substantial cost. Demolition would require a significant amount of energy as would new construction.

Francis House: The Francis House has seen a number of improvements over time which have increased the energy efficiency of this structure. New construction would require

Richardson House: Preserving the Richardson House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Elmer House: Preserving the Elmer House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Minnie Skog House: Preserving the Minnie Skog House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Logan House: Preserving the Logan House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Sherburn House: Preserving the Sherburn House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Gerald Avery House: Preserving the Avery House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Dunmire House: Preserving the Dunmire House should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Avery Chicken Hatchery: Preserving the Avery Chicken Hatchery should have minimal impacts on the existing environment. The current site conditions would be maintained. Allowing the conflicting uses could cause additional solid waste, reduction in air quality due to demolition and the equipment used, and disturbance of the existing established vegetative material.

Tualatin Grade School: Preservation of this structure will have minimal impact on the physical environment. Retention of

Dunmire House: The Dunmire House has the potential to be upgraded in regards to energy efficiency while maintaining the architectural character of the structure. The cost for these improvements would be substantially less than new construction.

Avery Chicken Hatchery: The Avery Hatchery has seen a number of improvements over time which have increased the energy efficiency of this structure. New construction would require substantial energy cost for demolition and new construction. The amount of energy consumption for transportation would not change if the structure is left in its current state. New construction would not affect the transportation energy issue.

Tualatin Grade School: Improvements have been made over the years to the school which have increased the energy efficiency. The cost of these improvements have been substantially less than the energy costs to construct a new school or the conflicting uses which are permitted for this site. The energy efficiency for the physical layout of the building is likely less than new educational buildings constructed by the district of the past ten years.

Allowing the conflicting uses on the site would require substantial energy output in the form of new processed raw materials for construction. Additionally, the conflicting uses would displace the existing school facility to a new location potentially farther away from the residential area which in turn would increase fuel consumption.

Conflict Resolution

The biggest conflict with significant resources in the Low Density Residential Planning District is the potential for development or redevelopment through land partitioning or subdividing. Resources in this planning district can be integrated into new development proposals with minimal impact on the resource if attention is paid to integrating associated outbuildings, and if landscape features are included. The financial implications are minimal, but would include potentially fewer lots and lost revenues to developers. The direct consequence of this action is to reduce the potential assessed valuation and reduce the anticipated gross revenue potential. Allowing limited conflicting uses would provide property owners with a potential for economic gains.

Proposed Plan Policies to Guide Preservation of the Significant Resources

Retain historic resources in the Low Density Residential (RL) Planning District on parcels which cannot be partitioned or subdivided by preserving and not demolishing or relocating these resources.

Retain historic resources located on parcels which can be partitioned or subdivided in the Low Density Residential (RL) Planning District by property owners and developers integrating the resource into proposed lot configurations and development proposals.

Will Harper

From: Martha [timeseye1@verizon.net]
Sent: Sunday, November 23, 2008 10:36 AM
To: Will Harper
Subject: Tualatin Elementary

Dear Mr. Harper,

My husband and I live on Sagert St. directly across from Tualatin Elementary School.

Over the years we have seen it become many things other than that for which it was intended. We appreciate the chance to speak on this matter. We both believe that if this building were to be kept as a historical landmark it would need to be restored to look much better than what it does today and there would need to be specific uses for it.

As it is the property has become a flea market, a car sales lot, an employment agency and a training spot for fire fighters. None of these things are bad, especially the training center for the fire fighters. But, we haven't seen much of anything happening within the building itself.

Empty buildings tend to attract vandals. Since the lower windows have been boarded over, I suspect that has already been the case here.

We believe that if the property is actually owned by the school district and demolishing that building will benefit the school district in whatever way than yes, it should be done. Schools have a hard enough time in any economy. With things the way they are now, they should have the option to help themselves when the government can't or won't. We won't be standing in the way of any positive change, most especially for schools.

Sincerely,

Martha and Don Edwards

Tualatin Historical Society
P.O. Box 1055
Tualatin, Oregon 97062
December 4, 2008

CITY OF TUALATIN
RECEIVED

DEC 0 4 2008

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Mr. William Harper, AICP
Associate Planner
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062

Re: Courtesy Notice of Application and opportunity to comment Hist-08-01, Historic Landmark Relocation and alteration of the Tualatin Elementary School Gerald Avery Building Located at 19945 SW Boones Ferry Road (2S123DD Tax Lot 500)

Dear Mr. Harper:

Thank you for sending the Tualatin Historical Society (THS) a copy of the application of the Tigard-Tualatin School District and Marquis Companies, Inc. to demolish the Gerald Avery Building located on the old Tualatin Elementary School site of approximately 12+ acres. The building is designated a historical landmark by City Ordinance adopted in 1992. The city process was very intensive, methodical and professional, and the process found the building met 7 of the major 12 criteria needed for designation of a historical building. Several citizens, including members of the Tualatin Historical Society provided input and over-site at the time for historical reasons to preserve the old school building. We believe it still meets those criteria and should not be demolished without more investigation of alternatives for continued public or if not possible, for private uses.

<u>1992 State Historical Preservation Office Inventory of Historic Properties (Inventory was a state requirement).</u>
The final recommendation which was included in Section 68.040 Landmark Inventory placed only 23 structures on the list, including the old Tualatin Grade School building, 18 houses (1 destroyed by fire), 2 barns, 2 commercial buildings (1 preserved and rehabilitated), one church (preserved and rehabilitated), the Winona Grange building and the Winona Cemetery. The School District proposes demolition of the school building and should the city approve, the building and the site is gone from public use forever. Therefore, we thought we should respond to the proposal to demolish as advocates and representatives who still believe there is good and sustainable use of this centrally located building.

<u>Successful Support and Implementation of Chapter 68- Tualatin Development Code- Historic Preservation</u>
As you know, the Tualatin Historical Society has been in operation since 1986 with a clear purpose to identify and preserve the history of the Tualatin area. Again, it participated in and has supported the City Preservation Ordinance and has been successful in helping save the "old Brick Store" which many said could not be done (a private developer is being honored for continued and sustainable use in saving this building). The "old Methodist Church" building is a second successful and major implementation of the ordinance. THS, as owner of the then vacant building, raised money to preserve it and worked in partnership with the City to use it as the Tualatin Heritage Center, now heavily used by public and private users. Again, this historic building was preserved despite many who said it could not be done. Most of the other designated structures still are being used successfully.

<u>School District and City Decisions leading up to this project and public request to have another look</u>
In early 2007, the Tualatin Historical Society learned that the Tigard-Tualatin School District had declared the buildings and site as surplus and offered them for sale and there was little interest in the City to obtain the site for continued public uses. The major objection to preserving the site was the estimated cost to rehabilitate the brick building. THS asked members and the public if they wanted the Tigard-Tualatin School District and the City to have

another look. In about three weeks time, over 870 persons signed petitions asking both public agencies to please try to preserve the site for current and future public use. Neither entity wanted to preserve or use the building at that time.

Times have changed and we still look forward to future efforts to preserve the building and work to a satisfactory conclusion with all parties in the near future. We are most grateful for the invitation to comment on this proposal and to Marquis Companies representatives for meeting with us. Attached are more specific responses to the current demolition proposal which pertains to the Tualatin Development Code, Section 68.060 Demolition Criteria.

Very truly yours,

Yvonne Addington

Yvonne Addington, President-elect
Tualatin Historical Society

Att.

Tualatin Historical Society Responses to Demolition Application of Gerald Avery Building by Tigard-Tualatin School District

"Section 68.060 Demolition Criteria. ***In determining whether a request for demolition of a landmark shall be approved, approved with conditions or denied, the Planning Director shall make a decision that the landmark is:***

(a) No longer historically or architecturally significant; and (b) That the benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s)outweigh the value to the community of preserving the landmark."

THS Response: The building has not been significantly altered since the original architectural importance of the building was found in 1992. The vacation of the building for school use does not impact the architectural importance of the designation. Other uses have been identified and still exist, as discussed below. The building is still historically significant to the community as evidenced by community support to save the building, to the thousands of students who received a good primary education there, the people who found jobs there in hard economic times and the parents and community members who worked so hard to build and preserve it in the past. There is little land of this size or structures of this size, especially in current public ownership, which would allow many of the current needs which are identified in the Tualatin Tomorrow Plan. Those needs justify the public entities to give more serious thought to preserving the building and site for the public.

"Section 68.060 (2). The following factors shall be used by the Planning Director in making a decision on demolitions:

(a) The information used in the original designation of the landmark: (b) Any evidence the applicant or property owner has provided demonstrating that there would be no reasonable, long-term economic benefit to the property owner from preservation of the landmark. In making this determination, the owner must show that all uses or adaptive uses of the landmark have been thoroughly examined. For example, (i) the fact that a higher economic return would result from the demolition than preservation is insufficient to meet this criterion. (ii) A lack of adequate funds to pursue potential uses or adaptive uses is insufficient to meet the criterion (i.e. selling the landmark in an option that shall be considered)."

THS Response: There are reasonable, long-term economic benefits to the property owner from preservation of the landmark since the beneficiaries of the property are the public which the owner represents. Our understanding is that not all alternative uses of the building and property by the school district, city or proposed developer have been explored. For example, if not all of the land can be preserved for public purpose, could the developer purchase and develop the western 5 acres instead , demolish the several adjacent buildings that are not designated for historic preservation, which may allow funds for rehabilitation of the existing historical building and some preservation of land for ball fields or other public purposes. Ironically, the current need for a facility to help over 400 families (and increasing daily during the current economic crisis) is the same as when federal Works Progress Administration funds were provided in 1937 to construct the building and create jobs for the unemployed in the community. One of many examples of current and future needs of the community is evidenced by the unsuccessful search to date for other centrally located facilities for the Tualatin Food Pantry. The use of federal funds for public works, community development, job creation and other funds to help low and moderate income persons has not been fully explored to date. A phased plan for purchase and improvements over time needs to be updated. It may not be necessary to improve the whole facility immediately to regain use of the facility.

The recent voter turn down of a city community center complex and other facilities does not eliminate the need for these facilities now and in the future. It only indicates that more planning and alternatives are necessary; perhaps the plan was too big, too expensive or not good timing for the economic times, leading to another reason to have another look at preservation possibilities.

"Section 68.060 (2) (c). ***Whether issuance of a Certificate of Appropriateness approving the demolition request would act to the detriment of the public welfare; (d) The Economic, Social Environmental and Energy consequences to the community of demolishing the landmark as compared to preserving it; and (e) The physical condition of the landmark. (f) Whether the landmark is identified as a primary or secondary resource. Additional importance shall be accorded to preserving landmarks with a primary designation.***

THS Response:

The process seems out of sync with a major decision to demolish the building. The staff can allow the demolishing which can occur on one day and the developer or school district can pull out of proposed plans or change them significantly—but by that time, the building is gone. Does the decision contain conditions of approval? This and the other issues in this response seem to indicate the demolition would be a detriment to the public welfare.

The Economic, Social, Environmental and Energy consequences to the community include elimination of a centrally located, public facility that can support the people's temporary, but basic needs for food and support in addition to the social and physical needs of those who live in existing and planned future residential. The existing mobile unit used on the site would be eliminated with a development plan but if part of the brick structure was rehabilitated, the Food Bank could reuse the facility it once enjoyed and could afford. The relocation of the Tualatin Food Bank from this central location is another example that would be detrimental to most needy residents and children who might not be able to walk or use public transit to access the assistance in another location. It could also be economically challenging for the users and providers. The traffic impacts, energy savings and environmental problems go with the elimination of this central location. And, ideally, one shouldn't have to drive a car to enjoy the open spaces, sports facilities and other civic activities in a city of Tualatin's size and increased density. The original comprehensive plan proposed joint development of public outdoor facilities on the school land and depended on the school site as part of open space and public facilities.

The condition of the building is mentioned in the application as a reason to demolish but that should have nothing to do with the historic preservation. The property owners are responsible to keep the building(s) in good shape and free of attractive nuisances or uninvited persons. The School District should feel obligated to the public to protect the facility and keep it from deteriorating. If owners of historic buildings can get away with letting the building deteriorate, be vandalized, and eventually burned down like the Nyberg House was, then we wonder about the value of any historic preservation ordinances.

Alternatives and Concerns

The Tualatin Historical Society has met two times with owners and project managers of Marquis Companies Inc and have sincerely appreciated their efforts. Our purpose has been to explore ways of preserving the building and other alternatives. We first discussed saving the building for public use and using the gymnasium floor for community sports related functions. In the second meeting, Marquis discussed their intent to demolish the building if allowed to because of economics and proposed layout of their skilled nursing and independent living center. At that time, they proposed a public meeting room of about 4,000 square feet, where they could re-use the gym floor and display several of the schools historic materials. We asked for the concepts in writing and written proof of the expense involved that prohibits saving the building before we could vote to support or oppose their applications to demolish. To date, we have not received anything further and costs can not alone be the deciding factor according to the city criteria. A small amount of suggested ideas we discussed is included in the application.

Our hesitancy to support demolition if that is the only resort, is based on the need for more concrete information to justify such a drastic event. Isn't there an alternative that could satisfy all parties? This seems to be a reasonable request due to the fact that there have been so many changes in plans and proposed developments in the last two years. We have concerns about what is proposed for the remainder of the 12+ acres since Marquis Companies has current plans for only about 5 acres. To date, there have been no other planning meetings with the School District or City although they know of our concerns. It has also been suggested that we have closer contact with the Tualatin representative of the School Board in the future.

The process seems out of sync with such a major decision to demolish a PUBLICLY owned building. A neighborhood meeting was held by the developer with small attendance and was not attended by any city staff to hear concerns, although considerable concerns were expressed there. There was no prior notice to the Tualatin Historical Society given by the city and an hours notice to the Society by the developer although it was well known of the concerns of the Society. It was not well publicized in the media for such a large proposal.

ATTACHMENT C

HIST-08-01: BACKGROUND INFORMATION

Pertinent background information obtained from the submitted application and the Community Development Director's Findings & Decision for HIST-08-01 and other supporting documents are summarized in this section.

The applicant is Scott Miller of Marquis Company. The Tigard-Tualatin School District (TTSD) is the owner of the 12 acre, Tax Lot 500 (Map 2S123DD) subject property located at 19945 SW Boones Ferry Road in the Low-Density Residential (RL) Planning District. The property is the site of the Old Tualatin Elementary School (TES). A Tax Map and a Site Map are included with Attachments E. The HIST-08-01 December 19, 2008 Director's Decision with application materials including a site plan are included as Attachment B.

In 2004, the TTSD opened a new elementary school on SW 95th Avenue/Avery Street and closed the old school. Following an assessment of the Old TES property's suitability for school district uses, TTSD designated the property and the existing buildings as surplus in 2005, and put it on the market for redevelopment. Several private developers, community groups and the City of Tualatin looked at the property for reuse and redevelopment. One of the private developers was Marquis Companies, which was selected and agreed to purchase and develop the 5 acre eastern portion of the Old TES property as a senior housing facility. As proposed, seven existing buildings (not historic landmarks) and the existing Gerald Avery Building & Gymnasium would need to be removed to make way for the senior housing facility development.

HIST-08-01 is an application by Marquis Companies and TTSD to demolish the school building on the site known as the "Gerald Avery Building". The Gerald Avery Building with the attached "Gymnasium/Auditorium" are identified in the Tualatin Development Code (TDC) 68.040 Landmark Inventory and is subject to the provisions of TDC Chapter 68, Historic Preservation. The Gerald Avery Building with the attached Gymnasium/Auditorium was constructed as a grade school for the Tualatin School District in 1939 and is an example of a public school designed and constructed with the Federal Works Progress Administration (WPA) program. The building was listed in the City's Landmark Inventory in 1993 as the Tualatin Grade School (c.1939) 19945 SW Boones Ferry Road (2S123DD 500) meeting criteria for both historical and architectural significance.

CITY OF TUALATIN
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COMMUNITY DEVELOPMENT
PLANNING DIVISION

Tigard - Tualatin School District 23J
Larry Hibbard Administration Center
6960 SW Sandburg Street
Tigard, Oregon 97223
503-431-4000 · fax 503-431-4047
www.ttsd.k12.or.us

January 13, 2009

Tualatin City Council
18880 SW Martinazzi
Tualatin, OR 97068

Subject: HIST-08-01 Certificate of Appropriateness – Demolition of Gerald Avery Building

Tigard-Tualatin School District is the owner of the Gerald Avery Building, located on the old Tualatin Elementary School site, which is at issue in the Tualatin Historical Society's appeal of the City of Tualatin's certificate of appropriateness for demolition of that building. The purpose of this letter is to support the City's certificate of appropriateness and to provide some additional information and evidence as to the District's efforts over the last few years to find a buyer for the old Tualatin Elementary property and preserve the Gerald Avery building.

In the fall of 2005, the District's Board began a comprehensive survey and evaluation of District-owned properties to ensure that the District's constituents were being well-served by the use of those properties. One of the properties evaluated was the old Tualatin Elementary School site. In mid-September 2005, the District sent notice to all property owners within 500 feet of the old Tualatin Elementary property informing them that the Board was evaluating the property, and informing them of how they could provide input on that evaluation. Options for input included submission of written comments over a six week period, and attendance at a public hearing on October 6, 2005. Several comments were received with respect to the property, but only one, from the Tualatin Historical Society, expressed any concern about the fate of the Gerald Avery building as a historical resource. Most of the applicable comments received centered around a desire for additional sports fields and the possible utility of the old Tualatin Elementary site for that purpose. One request came from the City of Tualatin asking that any sale of the property be delayed at least four months to allow the City and any other interested group to come forward with a reasonable proposal for purchasing the building site and a couple of adjacent acres.

At its October 17th, November 3rd, and November 17, 2005, Board meetings, the Board considered all of the oral and written comments it had received from the public, as well as the recommendation from its administrative staff that the property be declared surplus and sold. In support of its recommendation, staff submitted to the Board the information and analysis contained in Attachment 1. This analysis concluded that the property should be declared surplus

and sold as neither the property nor the Gerald Avery building had any utility to the District, especially as the building was not readily or cost-effectively adaptable to a new use. At the November 17, 2005 meeting, the Board declared the property surplus and directed that it be listed for sale after allowing for the four month delay requested by the City of Tualatin.

As noted in the City's decision issuing the certificate of appropriateness, during this four month period the City explored the possibility of purchasing the Gerald Avery building and some surrounding acreage, but found an ultimate lack of public support for doing so. Also during this period, the District received inquiries and expressions of interest in purchasing and reusing the Gerald Avery building from a couple of non-profit senior housing providers, the Oregon Department of Administrative Services, and the MITCH Charter School, none of which went beyond the level of initial interest. The District contacted McMenamins about a possible brewery/restaurant at the site, but was told that the company had plenty of properties in the pipeline at that time, and would not even begin evaluating additional properties for purchase for at least a year or two.

During the spring and summer of 2006, the District made preparations to put the old Tualatin Elementary school property on the market. It was the District's desire to sell the property as a whole, with the Gerald Avery building intact. From earlier studies commissioned by the District on the condition of the Gerald Avery building, the District knew that the Gerald Avery building would make the property substantially less desirable to purchasers. As noted in Attachment 1:

> "The Gerald Avery building has a number of issues that impact its long term usability. A study commissioned by the District and completed by Gotchall and Associates Structural Engineers in January of 2000 indicates that the cost to retrofit the building so that it meets seismic code would cost $1,505,700. A conservative estimate to complete that same work today [2005] is approximately $1,957,010. Other needed upgrades include fire systems (alarms, sprinklers, detectors), Fire Rated corridors, American Disabilities Act improvements, Asbestos and Hazardous Material abatement, and new surface finishes push that cost to between $3.5 and $4.5 million. Even when these upgrades are completed the building is still 1938 vintage making plumbing, electrical, roofing, and other issues a constant maintenance concern. These are the very issues that caused the District to build a new Tualatin Elementary School and abandon the old building."

As a result of an October 2005 appraisal of the old Tualatin Elementary School property, the District also knew that the Gerald Avery building decreased the value of the property by about $625,000. The reality, however, was even more profound. When the District put the property up for bid in the fall of 2006, the District received a number of phone calls from developers who would have been otherwise interested in bidding on the property, but declined to do so due to the existence of the Gerald Avery building and the financial uncertainty it created. Of the bids the District did receive, none were responsive, because all contained some level of contingency for dealing with the Gerald Avery building, e.g., eventual demolition approval, large price discount if no demolition approval.

To market the property in the fall of 2006, the District ran an ad in the Daily Journal of Commerce over a two week period. The District also sent letters directly to the appropriate

contact people at 20 of the region's largest developers advising them of the sale and asking them to consider bidding on the property. On October 24, 2006, the City of Tualatin also held an informational meeting for prospective purchasers of the property to provide the regulatory framework for its development. The District sent over 22 informational binders to requesting bidders, along with bid forms. Approximately five written responses were received by the bidding deadline. As noted above, none of the bids received were responsive.

In the spring of 2007, the District contacted approximately five or six of the developers who had expressed interest in the old Tualatin Elementary property in the fall, and asked if they would be interested in submitting a proposal to the District for the purchase of the property. Several responded, and from those responders the District chose to negotiate further with Matrix and Marquis Companies. The negotiations with Matrix did not ultimately lead to a signed purchase and sale agreement, but the negotiations with Marquis did.

As set out in the City's decision, aside from the above-described efforts, the District also had a number of contacts with Community Partners for Affordable Housing ("CPAH") during the 2006-2007 timeframe. CPAH was interested in rehabilitating and reusing the Gerald Avery building as part of an assisted living facility. State funding timelines and land use contingencies, however, made a deal infeasible. At the end of the day, Marquis Companies was the only prospective purchaser with both the means and the willingness to give the Gerald Avery building a good-faith, meaningful evaluation for rehabilitation and reuse.

The District believed and still believes that the purchase and sale agreement it entered into with Marquis is consistent with both the mission of the District to educate children, and the broader public interest in historic landmark preservation. The District has no use for the building or the larger site. The District does not have the funds to rehabilitate the building and then sell it for what will almost certainly amount to a loss. The open market also recognizes that the building would take far more money to remodel into a useful space than it will be worth when the remodel is finished. It is unfortunate, but it is also a financial reality.

In conclusion, the District supports the City's issuance of the certificate of appropriateness for the Gerald Avery Building demolition and respectfully requests that the City Council deny the appeal of that decision.

Sincerely,

Rob Saxton, Superintendent

PROPERTY RECOMMENDATIONS
11-03-05

The Tigard-Tualatin School District Administration makes the following recommendations concerning the dispensation of the following District properties:

FORMER TUALATIN ELEMENTARY SCHOOL

Description: This 12.75 acre property is located just Northwest of the intersection of Boones Ferry and Sagert roads. The address is 19945 SW Boones Ferry Rd, Tualatin (all of WCTM 2S123DD, Tax Lot 500).

The school is made up of a number of improvements on the site which includes the original Gerald Avery Building. This building is on the Oregon Inventory of Historic Properties (Local ID 54) and is part of the City of Tualatin's Goal 5 Inventory. This facility was built in 1938 with a federal grant from the Public Works Administration. Other improvements not designated as historic include the Evie Andrews Wing (1952), Beatrice Cole Wing (1960), Isaac Bald Wing (1972) and John Brown Wing. Two heritage trees (1918 Douglas Fir and 1938 English Chestnut) also stand on the site.

Zoning: RL – Low Density Residential – a maximum of 6.7 unites per net acre.

Recommendation: The administration recommends that the Board declare this site surplus and direct the administration to sell the property. However, given that there has been significant public interest in retaining the original Gerald Avery Building as a community asset, the administration further recommends that the Board not take action for up to 4 months (March 9th Board meeting), giving groups the opportunity to come forward with a reasonable proposal for the building. The proposal would need to be cost-neutral (no loss in sale price) to the District. This recommendation would allow for a subdivision of the property that could carve out the approximately 2 acre area occupied by the Gerald Avery Building.

Rationale: The location, size, and flat, nature of this site make it a highly valuable property. In fact, the revenue generated by its sale would bring in more dollars than are currently needed to fund the remainder of the bond construction projects identified for completion by the Board. The real estate market is very strong currently and waiting for any time period to sell the property could allow for the market to cool. The 4 month waiting period suggested in the recommendation is intended to mitigate that possibility.

The Gerald Avery building has a number of issues that impact its long term usability. A study commissioned by the District and completed by Gotchall and Associates Structural Engineers in January of 2000 indicates that the cost to retrofit the building so that it meets seismic code would cost $1,505,700. A conservative estimate to complete that same work today is approximately $1,957,010. Other needed upgrades include fire systems (alarms, sprinklers, detectors), Fire Rated corridors, American Disabilities Act improvements, Asbestos and Hazardous Material abatement, and new surface finishes push that cost to between $3.5 and $4.5 million. Even when these upgrades are completed the building is still 1938 vintage making plumbing, electrical,

roofing, and other issues a constant maintenance concern. These are the very issues that caused the District to build a new Tualatin Elementary School and abandon the old building

Two District programs were moved out of portable buildings on the property and into the Gerald Avery building this year in order to make room for Alberta Rider students. These programs can move back into District owned portables in the future. The Tualatin Schoolhouse Food Pantry has been in the Gerald Avery Building for the past 12 months. The District and other community agencies would want to work with the group to find another location for the future. If, over the long term it became possible to allow continued use of this facility for these three programs, the building would require upgrades to meet current occupancy codes with costs similar to those outlined above. City building officials likely would not allow continued occupation of the building in its current state.

The historic designation and emotional significance of the Gerald Avery building to the Tualatin community should not be minimized. The school served the community for many years, including its time as the Tualatin K-12 school. Again, this recommendation would allow for a subdivision of the property that could carve out the approximately 2 acre area occupied by the Gerald Avery building. The recommendation is looking for a solution that would be cost neutral to the District and allows a timeframe for interested parties to make their proposal to the Board.

MARQUIS
COMPANIES

OUR MISSIO

To promote vitality within each of our clients and staff member

January 22, 2009

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COMMUNITY DEVELOPMENT
PLANNING DIVISION

Tualatin City Council
18880 SW Martinazzi
Tualatin, OR 97068

Subject: HIST-08-01 Certificate of Appropriateness – Demolition of Gerald Avery Building

Marquis Companies, Inc. is the developer who has contracted with the Tigard-Tualatin School District to purchase and develop the western 5.44 acre portion of the property located at the Old Tualatin Elementary School site. In response to the Tualatin Historical Society's appeal to the City of Tualatin's certificate of appropriateness for demolition of the Gerald Avery Building, Marquis Companies would like to provide an historical timeline to the City Council outlining the efforts made by Marquis Companies and its design team regarding the refurbishment of the building and ultimate decision to demolish. Support and back-up of the timeline below is attached.

- April, 2007 - Marquis Companies first engages in conversations with the school district to purchase the property.
- May, 2007 – Marquis engages local architect Barry R. Smith to do some preliminary layouts incorporating Marquis' senior services building and services directly with the Gerald Avery Building. It was determined at this early stage that the gymnasium would at least need to be removed for this purpose.
- May 19, 2007 – First attempt at incorporating plans into existing building
- May 22, 2007 – Modified plan to account for more acreage
- June/July, 2007 – Began working with residential developers on site planning coordination
- July 31, 2007 – Met with the Tualatin Historical Society to discuss our vision and plans for the school site and to encourage suggestions on options.
- May 31, 2007 – Received bid to demolish outer buildings and the gymnasium of the Gerald Avery Building.
- July 16-17, 2007 – Two options for partitioning land between Marquis and other developers on the site
- Aug. 6, 2007 – Meeting with new architect (CB2) to try and continue design plans incorporating the school building
- Sept. 11, 2007 – New layout from residential developers on site development coordination

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4560 SE INTERNATIONAL WAY, SUITE 100 • MI
PHONE: 971.206.5100 • FAX: 97

- Sept. 12, 2007 – Meeting with architects on new layouts/options for development of the site, determined that school building in its current location and condition warranted cutting and moving the building to preserve only the top half, if possible.
- Sept. 18, 2007 – Received bid from Emmert International to cut and move Gerald Avery Building ~ $400,000
- Sept. 25, 2007 – CB2 revision to site plan to accommodate density requirements
- Sept. 26, 2007 – Layout from residential developer on balance of site
- Oct. 2, 2007 – CB2 revision to site plan. They also looked at moving the school to the north end of the site, but that was not feasible at all.
- Oct. 5, 2007 – Historical Society update meeting
- Oct. 15, 2007 – Received summary of meeting with Historical Society
- Oct. 17, 2007 – Second City of Tualatin meeting with staff on the site plan, residential developer
- Oct. 17, 2007 – Met with the school district to discuss site layout and options, including difficulty in incorporating the old school into our plans/designs
- Nov. 9, 2007 – Revised site plan with 51' setback requirement
- Nov-May, 2008 – Purchase & Sale Negotiations with the school district
- June, 2008 – Environmental and Traffic Reports initiated
- July 17, 2008 – CB2 Revised layouts after determining that current market, financial and economical issues had made saving the Gerald Avery Building unfeasible
- Aug. 6, 2008 – Third Pre-App meeting with the City of Tualatin on new site plan that indicates the inability to save the Gerald Avery Building
- Aug. 7, 2008 – Layout adjusted to incorporate existing recorded Lot 34
- Aug. 25, 2008 – Historical Society update meeting
- Aug. 27, 2008 – Another modified site plan
- Sep. 18, 2008 – Neighborhood Meeting regarding demolition application
- Oct. 6, 2008 – Email to Historical Society outlining the specific historical preservation items that Marquis is committed to preserving or reusing in the new development, within reason financially.
- Oct. 7, 2008 – Follow-up to the Pre-App meeting with the City of Tualatin
- Oct. 15, 2008 – Historical Society update meeting
- Nov. 5, 2008 – Submitted Demolition Application
- Dec. 1, 2008 – JDA Architects brought on board to rework site plan and vision
- Jan. 20, 2008 – JDA "historical character preservation" analysis and early site plans

Thank you and we hope that the information provided herein is helpful to the Council in determining the length and cost Marquis incurred to analyze and exhaust all efforts in an attempt to save the Gerald Avery Building.

Very sincerely yours,

Scott Miller
Director of Property Development
Marquis Companies, Inc.

City of Tualatin

Application for Landmark Demolition

MARQUIS
COMPANIES

1st Submittal – 11/05/08
Supplemental Submittal – January 2009

CITY OF TUALATIN
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COMMUNITY DEVELOPMENT
PLANNING DIVISION

I. PROPOSAL SUMMARY

GENERAL INFORMATION

Property Owner	Tigard Tualatin School District 6960 SW Sandburg St. Tigard, Oregon 97223
Applicant	Marquis Companies, Inc. Scott Miller 4560 SE International Way, Ste. 100 Milwaukie, OR 97222 (T) 971.206.2330
Applicant's Representative	Emerio Design, LLC Kirsten Van Loo 6107 SW Murray Blvd., Ste. 147 Beaverton, OR 97008 (T) 503.956.4180
Map and Tax Lot	TL 5000 - 2S1 23 DD
Site Location	19945 SW Boones Ferry Rd.
Size	12+ acre site
Comprehensive Plan Designation	City of Tualatin - Residential
Zoning	R-5
Pre-Application Meeting Date	August 6, 2008
Neighborhood Meeting Date	September 18, 2008
Administrative Decision issued	December 19, 2008
Request for Public Hearing Submitted	December 29, 2008
Hearing Date	February 9, 2009

EXECUTIVE SUMMARY

The site of the Tualatin Elementary School has been available to potential developers for sale for several years. The school has not been used for educating elementary students since its closure in the spring of 2004. After considerable evaluation and feasibility study, Marquis Companies, a senior housing provider, has contracted with the School District to begin the development-related land use procedures facilitating eventual completion of a project on a portion of the site.

The existing building(s) on the site served the district well for many years as an elementary school. The original building – the Gerald Avery Building – was designated as a local historic landmark in 1992 by the City of Tualatin Community Development staff. Numerous buildings/wings were added to the campus after construction of the original building in 1939/40, but those additions are not included in the historic designation.

Marquis consultants have evaluated the original school building with alternative scenarios of:

- Preserving the building and integrating it into the proposed new development,
- Relocating the building to a different position on the property and integrating it into the proposed development,
- Demolishing the building while preserving some of the construction materials and incorporating those materials – as feasible – into the new development,
- Demolishing the building and removing all materials from the site, while offering the Historic Society opportunity to have some of the building construction materials,
- Demolishing the building and disposing of all construction materials.

After considerable research Marquis has decided to proceed with demolishing the building while preserving some of the construction materials and incorporating those materials – as feasible – into the new development. This land use application is the first procedural step towards that goal.

The application was submitted and processed per the Tualatin Development Code, with an administrative decision issued December 2008. That decision was

"appealed" by the Tualatin Historic Society, and a public hearing will be held before the City of Tualatin City Council to review the administrative decision.

The TTSD (Tigard Tualatin School District) has submitted a letter to the record for the upcoming hearing, with significant documentation detailing the steps taken by the school district to evaluate the potential uses for the site, with or without the existing buildings, including the Gerald Avery Building. TTSD has worked continuously since the summer of 2004 (over 4 years) to find new uses and/or a buyer for the property. TTSD has conducted in-depth structural evaluations of the buildings, held numerous public hearings, and expended considerable effort marketing the property to potential developers. As evidenced in the submitted documentation, the existence of the Gerald Avery Building has been a deterrent to every potential developer interested in the site.

Further, the Gerald Avery building has been listed with a broker for sale since November 5, 2008, as required by the City's regulations, but there has been only a few curiosity-driven inquiries, and no serious interest.

Marquis Companies has submitted evidence to the record documenting the efforts put forth over the last 20 months to work with TTSD and the Tualatin Historic Society evaluating all possible scenarios relating to preserving, moving, reusing or otherwise incorporating the Gerald Avery building into their plans to develop 5.44 acres of the site for a "new concept" senior living community. For almost 2 years design consultants for Marquis have attempted to design a facility with and/or around the Gerald Avery Building that would meet the needs of Marquis' development scheme and save the historic structure. Significant efforts were made, but the design plans all reveal that the preservation of the Gerald Avery Building, or its wholesale relocation, is not feasible, cost effective or realistic in redeveloping the subject property.

REQUEST

The site of the Tualatin Elementary School has been available for sale to potential developers for several years. The school buildings have not been used for educating elementary students since closure in 2004. The school district has worked diligently to market the surplus land and buildings, but the existence of the historically designated Gerald Avery Building has been a stumbling block for all of the potential development scenarios.

After considerable evaluation and feasibility study, Marquis has developed a project plan and program for 5 acres of the school property, Lot 34 of the Tualatin Gardens subdivision. The buildings on Lot 34 must be removed prior to initiation of the project. The Gerald Avery Building is designated as a historic

structure on the City of Tualatin's historic building list, and as such, permission to remove the designation and demolish the building is necessary as required by Section 68.050 of the Tualatin Development Code.

SURROUNDING AREA

The area surrounding the Gerald Avery Building contains a mix of residential uses. The site is on the corner of Boones Ferry Road and Sagert Street. There are single family residences along the south side of Sagert Street. Several detached homes and a small cluster of attached dwellings abut the school district property at the SW corner, on the north side of Sagert. Boones Ferry Road is a major Arterial winding through Multnomah County, Washington County and into Clackamas County. There is a new subdivision across Boones Ferry Road containing a historic house – the Logan House. Single family homes abut Boones Ferry Road, and a condo project is located east of the Logan House Estates project, on the north side of Sagert, east of Boones Ferry Road. Multi-family development abuts both sides of Boones Ferry Road as it travels north towards central Tualatin.

Section 68.060 Demolition Criteria

(1) In determining whether or not a request for demolition of a landmark shall be approved or approved with conditions, the Community Development Director shall find that one of the criteria (a), (b), or (c) has been met. If the request meets none of the criteria, the Community Development Director shall deny the request.

(a) The landmark is no longer historically significant.

(b) The landmark is no longer architecturally significant.

Response: The original structure for the Gerald Avery Building has a secondary ranking. When the building was evaluated in 1992 it was just over 50 years old and was determined to meet seven of the twelve evaluation criteria. It is not listed on the National or State of Oregon Historic Register. Current residents of Tualatin did attend the school, and there is some documented local history associated with the structure. The building is historically significant to the current residents of Tualatin who attended school in this building. There is some historic significance attached to several of the trees/shrubs still located near the building. The building is architecturally significant as typical of the buildings constructed by the Federal Public Works Administration prior to the Second World War. The findings made in 1992 supporting the original designation of the building as "historic" are still valid today.

While the building is locally historically significant based on the evaluation criteria which caused the building included as part of the City of Tualatin inventory, it is NOT listed on any state or federal historic building inventory. Further, as documented in submittal materials from TTSD and Marquis Companies, there is little public support for preservation of the Gerald Avery Building. The public neighborhood meeting held in September 2008 resulted in very few attendees or comments received via telephone or e-mail. The invitation to that meeting was issued to residents within 500 feet of the property. Subsequent to that time the sign posted at the site offering the building for sale has likewise resulted in few inquiries/comments. Thus, while the historic significance is not in question, the current public opinion does not favor preservation of the Gerald Avery Building, especially since the retrofit preservation costs are very high, and a new use for the building/site has not been developed or supported by the City residents.

While the building is "architecturally" significant as determined by the original historic designation, it has been evaluated as structurally deficient and contains hazardous materials including lead paint, asbestos, and other substances considered harmful to health. The new grade school was constructed, and this complex abandoned, because of potential health hazards and identified

structural deficiencies. An important component of the architectural significance is the brick façade, being typical of the institutional building style of the period. The brick structure is not constructed to current structural seismic safety standards and would require significant retrofit to enable the building to be used for any type of public occupancy. The building is structurally hazardous, thus the architectural value is diminished (see seismic evaluation report produced January 2000). The fact that it is built of brick leads in part to the difficulty and/or inability of any future user to relocate the building or adapt the building for 21st century use.

In conclusion, while the building does meet the narrow definition of significance relating to these two criteria, evaluation of the building within a broader context of architectural or historic significance demonstrates that preservation of the Gerald Avery building is not warranted or mandated.

(c) The benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark.
(2) The following factors shall be used by the Community Development Director in making a decision on demolitions:
(a) The information used in the original designation of the landmark;
(b) Any evidence the applicant or property owner has provided demonstrating that there would be no reasonable, long-term economic benefit to the property owner from preservation of the landmark. In making this determination, the owner must show that all uses or adaptive uses of the landmark have been thoroughly examined. For example:
(i) The fact that a higher economic return would result from demolition than preservation on its own is insufficient to meet criterion (b).

Response: The original building for the Gerald Avery Building is designated as a local historic structure. In addition to that building there are numerous other structures/additions constructed on the 12 acre site owned by the school district. There is an addition to the original building, and four other buildings on the site, as well as three "portable" classroom structures. None of these additions are part of the historic designation.

There is no reasonable long-term economic benefit to be derived from preservation of the historic building or the entire campus structure by either the current owner or any future owner of the property because:

- The campus is designed as an education facility, without realistic opportunity for any other feasible use unless wholesale remodeling/restructuring of all of the buildings were accomplished,
- No other educational organization (private school, charter school, community college extension, etc.) has expressed interest in using the buildings or buying the campus in its current condition,
- No public service group or institution (church, house of worship, or public service agency) has expressed interest in the building(s) or campus in its current condition,
- The campus site has been for sale for several years without ANY committed interest, due to the specter of the immense cost associated with building refurbishing/demolition and contaminant abatement,
- The historic building must be completely rebuilt to meet any current structural codes, and the abatement procedures required to "clean" the building for reuse are cost-prohibitive,
- Preservation and/or relocation of the historic structure would only preserve the "shell" of brick, and perhaps some of the structural materials, while requiring removal of all of the interior portions of the building - thus preserving only the "image" of the building, while forcing great expense onto a developer with little/no benefit.

Both TTSD and Marquis Companies have submitted summaries and significant materials to this record documenting that there are NO uses or adaptive uses of

the Gerald Avery building that are feasible as part of a redevelopment design for the site. The presence of the building is of no economic benefit to TTSD. In contrast, it is a significant economic deterrent to development of any portion of the 12.75 acre campus. In spite of the strong economic climate and residential housing market that was enjoyed by Washington County developers between the years of 2000 and 2007, not one residential developer was able to successfully design a project that incorporated the Gerald Avery Building. Thus the property has been vacant for over 4 years. Marquis Companies submitted numerous design studies and cost estimates for a new senior living project crafted by three different skilled architectural firms documenting the efforts and resulting inability to resolve the conflicts inherent in attempting to re-use the Gerald Avery Building.

(ii) A lack of adequate funds to pursue potential uses or adaptive uses is insufficient to meet the criterion (i.e., selling, partially preserving, or moving the landmark are options that shall be considered).

Response: As stated above - there has been no interest in the campus in its current condition. Financial support alone is not adequate to preserve the building or campus, as there has been no community-expressed need or desire for the building. Recently the City polled its citizens in order to gauge interest in preserving the building for a public use, i.e. a new library, and little enthusiasm was expressed. In order to pursue potential new or adaptive uses for the original building for the Gerald Avery Building, a developer would be required to expend approximately $1,500,000 to:

- abate the asbestos in all of the buildings,
- demolish all of the other buildings on the site,
- move the original building to a portion of the site where it can be well integrated with other potential uses of the land,
- build a new foundation for the original building,
- complete a structural analysis and design a structural retrofit,

Further architectural work and construction (with additional costs that cannot be currently estimated) would need to be accomplished to:

- design a new interior structure,
- attempt to integrate the building shape with other uses on the site,
- and finally - completely rebuild the interior of the building for a new use.

The costs associated with the rehabilitation and reconstruction of the Gerald Avery building far exceeds the cost of a new structure and, realistically, the expense makes such endeavors commercially unviable, as evidenced by the lack of interest to-date. As noted earlier, the Gerald Avery building has been listed with a broker for sale since November 5, 2008, as required by the City's

regulations, but there has been only a few curiosity-driven inquiries, and no serious interest.

While one could argue that preservation of historic buildings should be accomplished without regard for the cost, the reality is that very few buildings – historic or otherwise – will ever be preserved without regard for cost, and the effect of such a blanket requirement will only serve to prolong disuse, deterioration, and an inefficient use of public and private resources. Therefore, it is necessary to balance a desire for preservation of any building with the costs of doing so, the realistic probability that preservation would ever actually occur, and the degree of community support for such preservation. The hard costs are significant, as noted above.

(c) Whether issuance of a Certificate of Appropriateness approving the demolition request would act to the detriment of the public welfare;

Response: The notice for the neighborhood meeting held prior to the submittal of this application included invitations to over 100 citizens/property owners in the neighborhood. The site was posted with a public notice sign informing passers-by of the meeting. Even with this level of public notice – less than 15 citizens attended the meeting or made inquiries as to the future of the buildings on-site. While a small committed group of individuals in Tualatin supports the preservation of much of Tualatin's historic past – the general population – and the surrounding community adjacent to the Gerald Avery Building – are not particularly sentimental about this building. The comments of participants at the neighborhood meeting were more focused on the vintage plants/trees on the site, and the lack of maintenance of the overall campus.

A second neighborhood meeting was held on January 8, 2009 with two invitations mailed to citizens within 500 feet of the property. While the purpose of the meeting was identified as a discussion of the potential plan map amendment for the property, citizens interested in the Gerald Avery Building status had another opportunity to meet with representatives to discuss the building status. Approximately 12 citizens attended this meeting. Their comments related to the potential new development and the opportunity for public input about the new site design. There were no comments expressing strong desire from residents to preserve the Gerald Avery Building.

There has been no community support in the form of significant financial commitment to preserve the building. Dialogue with the Historic Society has centered on preserving elements of the building (building materials) that can be reused in any future buildings/development on site. The developer has

committed to that effort to the best abilities possible - depending on the requirements/impacts of the abatement processes.

Demolition of the Gerald Avery building will not have a detrimental impact to the neighborhood or the City. The removal of an abandoned building - and construction of a new multi-million $$ senior housing complex will infuse the surrounding neighborhood with life and vitality, as well as construction jobs, long-term employment in the facility, a new sense of place and focus for this prime street-front location, and an opportunity for 100+ seniors to live in close proximity to family, public services, and the community quality that is available in Tualatin.

(d) The Economic, Social, Environmental and Energy consequences to the community of demolishing the landmark as compared to preserving it; and

Response: The original building for the Gerald Avery Building was at one time a source of pride and focus for the community. This is not the case today. The entire campus is abandoned, in poor maintenance and has become a nuisance site. Local police make regular calls to the campus to deal with vandals and inappropriate behaviors on-site. The woebegone look of the campus reflects poorly on the surrounding neighborhood, and causes concerns for nearby residents. Economically and socially it is better for the community to demolish these buildings on campus and enable a developer to proceed with new residential development, adding life and vitality to the local neighborhood. The benefit of demolishing the buildings is the opportunity afforded to a developer to work with a "clean slate", while working diligently to incorporate existing trees and recycled building materials into the new development scheme. While the original building does have history and some degree of character - there is no doubt that there is no use allowed within the residential zoning districts that can realistically reuse the historic building as part of a new development, either in its current location or relocated elsewhere on the site.

As stated by Marquis Companies in the memo dated October 6, 2008 to Yvonne Addington, the proposed development will -to the best of its abilities - preserve reusable building materials from the Gerald Avery Building in the new development. Marquis has also committed to storing reasonable quantities of the salvageable materials for use elsewhere in Tualatin, and providing opportunities and locations for public display of Tualatin Historic Society materials and exhibits for general viewing. Marquis Companies will meet the social responsibility inherent in demolishing the building by preserving a photographic record of the building, as well as preserving materials as possible, and providing for continued respect and appreciation of the historic character of the site at its new facility.

Financially the building and the adjacent school site is an economic burden on the school district and the community. The school district must spend maintenance budget dollars on continual minimal maintenance of the grounds and the building, as well as continually augmenting the physical security of the building. The Tualatin police have made calls to the site over the last 4 years in response to complaints of vandalism, loitering, illicit substance use and other public safety issues. Until the site is sold and actively managed by a new property owner, these public safety calls will continue.

The school district does not pay property taxes. The potential property tax paid by the intended developer upon completion and occupancy of the proposed senior living complex will be approximately $80,000 per year. This tax revenue will contribute to the school district, the city of Tualatin, and other publicly funded agencies for increased public services.

Environmentally and energy-related, the existing buildings are loaded with pollutants, contaminants, and asbestos. No use could be made of the buildings until these hazardous materials have been abated and removed from the site. The cost to accomplish this task, while preserving only the shell of one or more of the buildings is completely out of balance with the community value of the remaining structure.

(e) The physical condition of the landmark.
Response: The Gerald Avery Building has been altered over time. It is currently in stable but dilapidated condition, with hazardous materials in the building as discussed above. Please refer to the seismic evaluation report produced for TTSD.

(f) Whether the landmark is identified as a primary or secondary resource. Additional importance shall be accorded to preserving landmarks with a primary designation.
Response: The Gerald Avery Building has a secondary ranking. When the building was evaluated in 1992 it was just over 50 years old and was determined to meet seven of the twelve evaluation criteria.

(e) Whether the designated landmark is structurally capable of relocation.
Response: Relocation is not a feasible option for the Gerald Avery Building.

(f) Whether the proposed relocation site is an appropriate setting for the designated landmark.
Response: Relocation is not a feasible option for the Gerald Avery Building.

(g) Whether the proposed relocation site is within the City limits or preferably within the neighborhood within which it is currently located.
Response: Relocation is not a feasible option for the Gerald Avery Building.

(h) The Economic, Social Environmental and Energy consequences to the community of relocating the landmark as compared to preserving it.

Response: Relocation is not a feasible option for the Gerald Avery Building. Relocation was considered by Marquis Companies as part of their design scenario study and was rejected because of the costs attached to such a relocation effort.

Summarizing response to the Tualatin Historic Society request for review of casefile HIST-08-01

1. *a) The demolition is not necessary....*

While the proposed development requires 5.5 acres more or less, the presence of a dilapidated elementary school complex on any portion of the campus is a significant deterrent to ANY new construction. The 12.75 acres site has been actively marketed for several years, as evidenced by the TTSD submittal documentation, and no developer is interested in working "around" the Gerald Avery building.

b) *It appears that the parcel...*

Concurrently, Marquis Companies is buying one lot (Lot 34) of the campus, which is a platted lot from the original subdivision. The portion of the site proposed for development is not a specifically crafted parcel, but one of the original lots purchased for the school site. Further, whether or not Marquis' proposed project could be sited elsewhere on the 12-acre property is purely speculative and is not relevant to the demolition permit criteria. The permit criteria do not require any sort of alternatives analysis as to whether a conflicting use can be sited elsewhere in the city in order to preserve an historic structure.

2. *Although there is a continued need . . .*

As evidenced by the information in the record, in 2005 the TTSD Board of Directors determined that the school site is no longer useful to the District and the site was declared surplus. There is no state or local requirement, including the City's Historic Preservation regulations, that the District engage in any pro-active efforts to retain the site and Gerald Avery building. The City's need for sports facilities and open space also has no bearing on the demolition permit application.

3. *Although verbal discussions have occurred.....*

Please refer to the memo dated October 8, 2008 from Scott Miller to Yvonne Addington specifically enumerating the efforts Marquis Companies will make to preserve the character and spirit of the Gerald Avery building.

4. The public information process...

As documented in the application materials and further described throughout this document Marquis Companies staff and consultants have made a significant and sincere effort to contact and involve the citizens of Tualatin in the decision-making process related to the Gerald Avery building. Further, TTSD has made very significant efforts to inform and involve the citizens of the school district through its various board meetings, public notices, public input surveys, etc., as demonstrated in the submittal materials included with this record.

In conclusion, the approach proposed by Marquis Companies is the correct procedure for this campus. Preservation of materials will keep the memories and character of the original building alive while facilitating new residential development on the former school campus..

From: Scott Miller
Sent: Monday, October 06, 2008 4:08 PM
To: 'AddingtoY@aol.com'
Cc: 'Kirsten Vanloo'; 'Matt Stoffregen'
Subject: Old Tualatin Elementary School

Hi Yvonne,

I hope all is well with you! During our last meeting with the Tualatin Historical Society, we agreed to work together to preserve as much of the old school as possible. As such below is a list of the items we discussed in our meeting on August 25, 2008:

Marquis is willing to preserve the historical perspectives of the Old Tualatin School (at least what is financially reasonable) through the following efforts:

- Remove, preserve and re-use (or donate excess) as much of the gymnasium hardwood flooring as is salvageable or economically feasible
- Remove, preserve and re-use (or donate excess) as much of the douglas fir flooring in the hallways and classrooms as is salvageable or economically feasible
- Utilize some of the old school brick in landscaping, walkways, courtyards, walls, planter boxes, building accents, etc. that is architecturally pleasing and financially feasible
- Work with the Historical Society to create decorations/displays (pictures, artifacts, etc.) that can be themed in one or more to be selected common areas of the new building
- Work with the Historical Society with regard to any unused building material they would like to preserve/keep and any logistical or financial implications.
- Work with the Historical Society and the city/community as to access and use of our common area spaces and parking areas for community service purposes, events, meetings, etc keeping in mind the needs of the existing residents and the facility operations.

Thank you, Yvonne and we look forward to working closely with the Historical Society as we move forward with our project.

Thank you,

Scott Miller
Director of Property Development
Marquis Companies
4560 SE International Way, Suite 100
Milwaukie, OR 97222
www.marquiscompanies.com
Phone: 971-206-2330
Cell: 503-819-3610

From: Scott Miller [mailto:smiller@marquiscompanies.com]
Sent: Friday, September 19, 2008 3:38 PM
To: Kirsten Vanloo; Greg Elmore
Cc: Steve Fogg; Phil Fogg, Jr.; Hossaini, Kelly; Neil Fernando
Subject: Tualatin - Neighborhood Meeting
Hi All,

Below are notes of the neighborhood meeting held at the Tualatin Senior Center on Thursday at 7 PM - (Kirsten, I believe you have the names of the 7 neighbors who were in attendance?):

7:05-7:30 - meeting opened
Kirsten opened the meeting, introduced herself, Scott Miller (Marquis) and Greg Elmore (CB2 Architects). She then proceeded to explain to the neighbors the history of the negotiations with the school district, all site planning/design to date and the overall entitlement process necessary to redevelop the Old Tualatin School site into a new CCRC (Continuing Care Retirement Community).

7:30-7:45
Kirsten continued to give a very detailed explanation of the entitlement process moving forward and the rights that the neighbors have to participate in this process. Scott and Greg also elaborated more on the current project design and operations. Also, Yvonne Addington (Historical Society) spoke about the historical society's history with Marquis, its rights and its involvement in the process. Yvonne reiterated that an earlier petition movement solicited 1,200 signatures from residents wishing to preserve the school. However, Yvonne stated that the plan presented by Marquis utilizing materials, where possible, from the school in the new project is supportable. Yvonne also stated that the historical society is looking for community access to the conference room and other common areas as well as help from Marquis in locating historical viewing boxes to document the history of the school and surrounding area.

7:45-8:15 - Q/A
Question: Can you preserve the large rhododendrons on the site? Answer: We'll try to preserve/relocate, but can't guarantee survival.
Question: Can you preserve or relocate the cherry tree? Answer: We'll try to preserve/relocate, but can't guarantee.
Question: During demolition, how will you guarantee that the Asbestos will not escape and pose a problem for the surrounding community? Answer: The abatement process is an encapsulating process that mitigates this risk and in addition a health inspector from the state is required to take regular air quality samples during the demolition.
Question: How long will you be under construction and when will you start? Answer: We will likely start construction in the fall of '09 or Spring of '10 and construction will last approximately 15 months.
Question: Can you do anything right now about the dead cedar trees on the site? Answer: We will visit with the school district and the fire department/city to see if we can remove due to fire hazard.
Question: Can the school district make the grounds look nicer during our entitlement process? Answer: We will ask the school district to see what they can do.

8:20 - meeting adjourned

Thank you and should you have any questions, additions or comments, please let me know.

Scott Miller
Director of Property Development
Marquis Companies
4560 SE International Way, Suite 100
Milwaukie, OR 97222
www.marquiscompanies.com
Phone: 971-206-2330
Cell: 503-819-3610

Scott Miller

From: Barry R. Smith [barry@barryrsmith.com]
Sent: Saturday, May 19, 2007 1:02 PM
To: Scott Miller
Cc: Steve Fogg; Phil Fogg, Jr.
Subject: Re: Centex Meeting Next Thurs. officially changed to 9 AM
Attachments: MARQUIS TUALATIN 01 052007.pdf

All:

Here is a first look at a layout. From the SNF template you gave me, the long wing fits right into the existing historic school house building.

This plan shows a second story over the SNF administration wing for 15 ALF with the two back wings being two story over a daylight basement. The north block is two stories of 15 ALF over ALF common and dining. The south block is 15 ALF, the SNF main floor and parking below. The plaza would be at the SNF level with parking below.

This configuration gives you the single floor SNF template [50 beds?], 60 ALF, underground parking and ALF common areas in a daylight basement. The structured parking is more expensive than site developed parking.

With a 30ft perimeter buffer the site size is about 2.5 acres. That's before the SW Boones Ferry dedication. So Steve's idea of three acres is probably right on so long as the two story with daylight basement configuration is approvable. Some additional land might help eliminate some structured parking.

Please let me know what you think and what you would like me to do next.

Barry

Barry R. Smith, PC Architect

715 SW Morrison Street, Suite 909

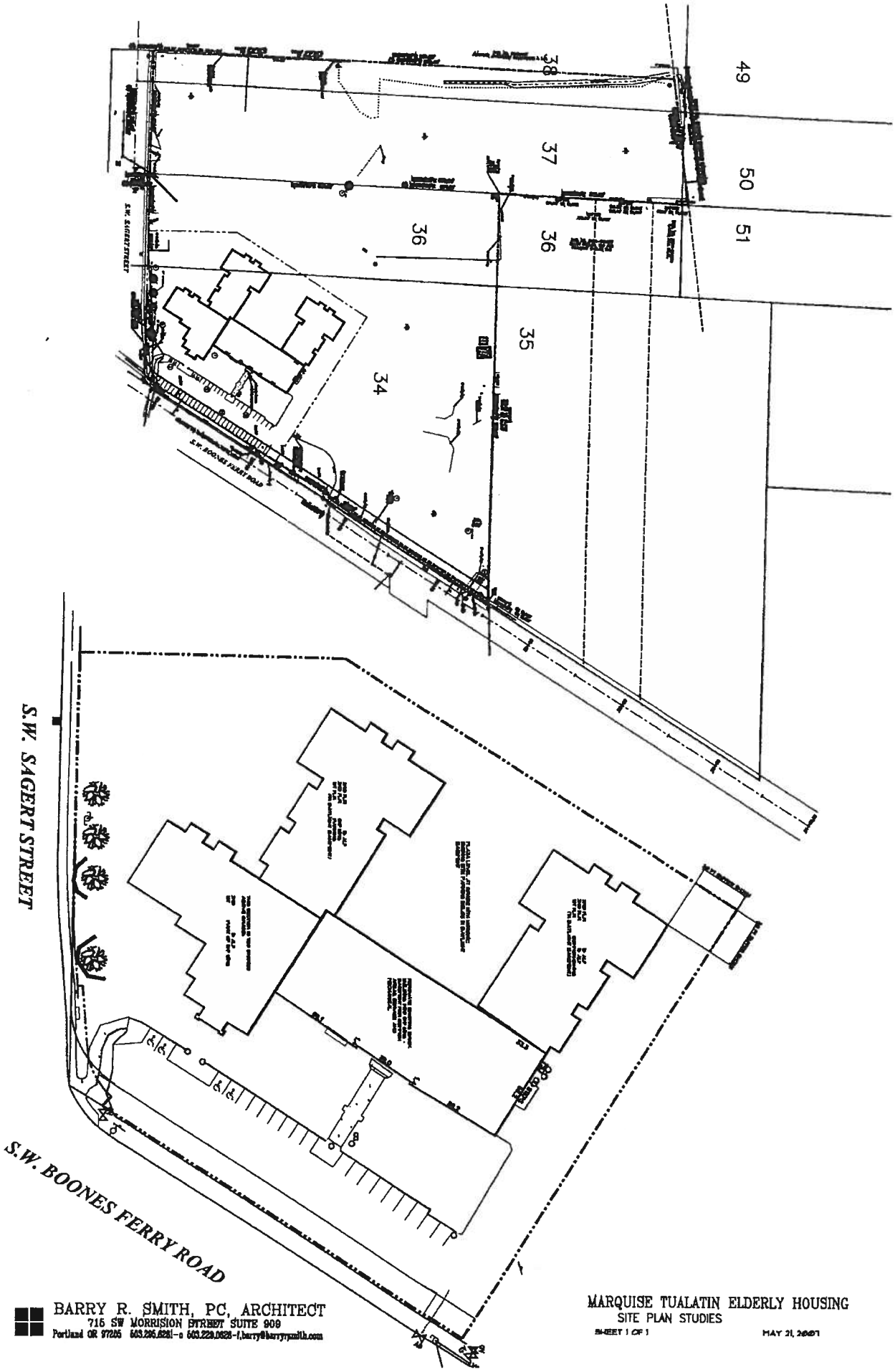
Portland, Oregon 97205

tel: 503-295-6261

fax: 503-229-0626

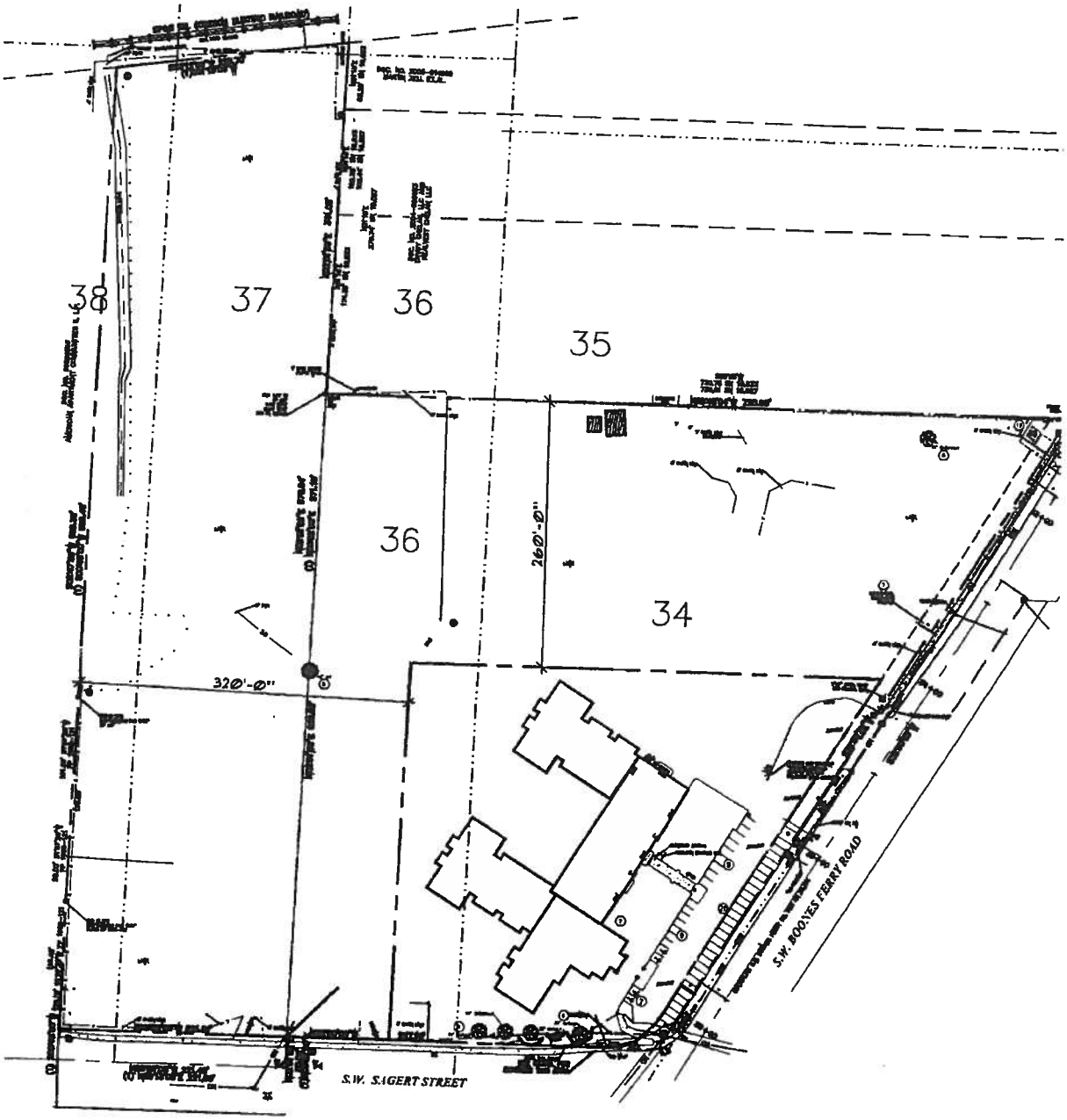
email: barry@barryrsmith.com

Scott Miller wrote:



BARRY R. SMITH, PC, ARCHITECT
715 SW MORRISION STREET SUITE 900
Portland OR 97205 503.295.6281 - o 503.228.0628 - f, barry@barrysmith.com

MARQUISE TUALATIN ELDERLY HOUSING
SITE PLAN STUDIES
SHEET 1 OF 1 MAY 21, 2007



BARRY R. SMITH, PC, ARCHITECT
716 SW MORRISON STREET SUITE 909

MARQUISE TUALATIN ELDERLY HOUSING
SITE PLAN STUDIES

LOI *Lake Oswego Insulation Co.* *Environmental Services*

0425 S.W. Iowa St. • Portland OR. 97239-3625 • (503) 245-6460 • Fax (503) 245-4201

May 29, 2007

Scott Miller
Marquis Companies
4650 SE International Way Suite 100
Milwaukie Or 97222

Re: Asbestos abatement / Old Tualatin Elementary School, Buildings for demolition

The following is our proposal to remove regulated/asbestos-containing material (ACM) from the above referenced location.

Scope of Work

This proposal is for supplying all labor, materials and safety equipment necessary to remove materials discussed, examined at the site and detailed in the drawings/documents provided.

Duties include the following:

Beatrice Cole Building:
Remove stored items to access the floors for removal. Demolish as needed the ceilings and walls to create access to the pipe insulation in the attic spaces and walls feeding the restrooms, sinks at each classroom, and heating units along perimeter walls in each room. Remove the carpet as non acm waste, remove the floor tile and mastic from the entire building. Remove the pipe insulation from the attic spaces and wall cavities.

Issac Bald Wing/ Library
Remove the tile and mastic from the floor of the building at the two entrances and the pipe fittings from the piping above the ceiling throughout the space.

Evie Andrews Wing
Remove stored items to access the floors for removal. Demolish as needed the walls and ceilings to access the pipe insulation in the wall cavities for abatement. Remove the carpet as non acm waste, remove the floor tile and mastic from the entire building. Remove the pipe insulation from the walls and attic spaces.

John Brown Wing/ Covered play structure
Remove the stored items from the building and dispose of as non acm waste. Remove the carpet and dispose of as non acm waste. Remove the floor tile and mastic from the entire building.

Duties include the mobilization, containment, removal and demobilization of all waste and abatement equipment.

All necessary notification fees, (personal) air monitoring and disposal costs are included in this proposal. All pertinent documentation including air monitoring reports, waste shipment records and project logs will be included in a post-abatement package.

Before protective barriers are removed a quality air test is performed as per Department of Environmental Quality regulations (OAR 340-248-0270 (13)).

All work will meet or exceed all federal, state and local rules, regulations, guidelines and administrative codes governing the safe handling and disposal of asbestos-containing material. All abatement work is performed by state-certified asbestos abatement workers.

Requirements

The following services to be supplied by the complex: potable water and three to six 120 volt, 15 amp electrical circuits within the vicinity of the work area.

Schedule

All work to be completed in a timely manner. Work would take place over a 30-45-day period depending on time of year and other current contract obligations.

Exclusions

Asbestos materials found in other areas are not included in this proposal.

Costs

Estimate for work described within:

Beatrice Cole, Isaac Bald, Evie Andrews, John Brown $112,500.00

The bid is valid for 30 days from the date of this proposal.

Conditions

This bid is conditioned upon the parties executing a written contract for the work included in this proposal with terms and conditions satisfactory to Lake Oswego Insulation Company.

Terms

Payment is due within 30 days of invoicing. Late payments are subject to a 1.5% interest fee per month.

If you should have any questions, please feel free to contact me.

Sincerely,

John Mayer
President

Lake Oswego Insulation Company is hereby authorized to furnish all materials and labor required to complete the work mentioned above, for which the undersigned agrees to pay the amount stated in accordance with the terms thereof.

By: _____(Print)_____(Signature)

Title: _____ Date: _____

LOI Lake Oswego Insulation Co. Environmental Services

0425 S.W. Iowa St. • Portland OR. 97239-3625 • (503) 245-6460 • Fax (503) 245-4201

May 29, 2007

Scott Miller
Marquis Companies
4650 SE International Way Suite 100
Milwaukie Or 97222

Re: Asbestos abatement / Old Tualatin Elementary School, Main building

The following is our proposal to remove regulated/asbestos-containing material (ACM) from the above referenced location.

Scope of Work

This proposal is for supplying all labor, materials and safety equipment necessary to remove materials discussed, examined at the site and detailed in the drawings/documents provided.

Duties include the following:

Gerald Avery Building

Remove stored items to access the floors for removal. Demolish as needed the ceilings to access interstitial spaces on the lower level and walls on the upper and lower level to create access to the pipe insulation in the above ceiling spaces and walls feeding the restrooms, sinks at each classroom, and heating units along perimeter walls in each room. Remove the carpet as non acm waste. Remove the floor tile and mastic from the concrete floors by scraping the floors and chemical removal of the mastic. Remove the pipe insulation from the above ceiling spaces and wall cavities on the first and second floors, and crawl space.

The floor tile on the second floor is on tongue and groove fir flooring. The installation is done by laying a black tar paper vapor barrier on the floor and applying the tile to the vapor barrier. Tile floors installed in this manner tend to be extremely difficult to remove. Typical removal methods of this type of materials often includes substantial damage to the wood floor. Since it is Marquis' intent to keep and refinish these floors if possible, we are proposing an alternative work method for this flooring system.

We will remove the tile and to the extent possible attempt to remove the felt paper underlayment in a manner that will minimize damage to the fir floor. This may include use of a terminator if the structure is adequate for the machine weight, or use of a smaller powered scraper to remove the felt.

The goal of the abatement for this portion of the work is at a minimum to remove the tile and felt or mastic from the felt to a level that makes it possible for the felt to be sanded from the floor for refinishing by non abatement personnel.

Duties include the mobilization, containment, removal and demobilization of all waste and abatement equipment.

All necessary notification fees, (personal) air monitoring and disposal costs are included in this proposal. All pertinent documentation including air monitoring reports, waste shipment records and project logs will be included in a post-abatement package.

Before protective barriers are removed a quality air test is performed as per Department of Environmental Quality regulations (OAR 340-248-0270 (13)).

All work will meet or exceed all federal, state and local rules, regulations, guidelines and administrative codes governing the safe handling and disposal of asbestos-containing material. All abatement work is performed by state-certified asbestos abatement workers.

Requirements

The following services to be supplied by the complex: potable water and three to six 120 volt, 15 amp electrical circuits within the vicinity of the work area.

Schedule

All work to be completed in a timely manner. Work would take place over a 30-45-day period depending on time of year and other current contract obligations.

Exclusions

Asbestos materials found in other areas are not included in this proposal.

Costs

Estimate for work described within: $131,000.00

The bid is valid for 30 days from the date of this proposal.

Conditions

This bid is conditioned upon the parties executing a written contract for the work included in this proposal with terms and conditions satisfactory to Lake Oswego Insulation Company.

Terms

Payment is due within 30 days of invoicing. Late payments are subject to a 1.5% interest fee per month.

If you should have any questions, please feel free to contact me.

Sincerely,

John Mayer
President

Lake Oswego Insulation Company is hereby authorized to furnish all materials and labor required to complete the work mentioned above, for which the undersigned agrees to pay the amount stated in accordance with the terms thereof.

By: _____(Print)_____(Signature)

Title: _____ Date: _____

LAND DEVELOPMENT CONSULTANTS, LLC
1862 NE Estate Drive
Hillsboro, Oregon 97124

Ryan O'Brien, Urban Planner
Office: 503-846-1095
Cell: 503-780-4061
E-mail: ryanobrien1@verizon.net

TO: Doug Rux, City of Tualatin

DATE: 7-12-07

SUBJECT: Pre-Application for development of the Old Tualatin School, Tax lot 500, Map 2S1-23DD

Attached please find a site plan for development of the subject property. The current Comprehensive Plan designation is RL, Low Density Residential. We plan to submit an application for RH, High Density Residential and develop about 200 attached residential units on the 8.66 acres and 120 retirement units on the 2.77 acres.

The primary access to the Retirement site will be the existing school access on Boones Ferry Road. The retirement center will be 3 stories and incorporate the original Tualatin School building. All other buildings will be removed. The first floor is the nursing area with 20 single occupancy rooms and 15 double occupancy rooms with 30 beds for a total of 35 rooms and 50 beds. The second and third floors will be independent living with 70 units. We request a determination from the City on the unit count. With RH Zoning, 2.77 acres is limited to 104 units at 37.5 units per acre. We assume density is determined by room count (35 nursing rooms and 70 independent units for a total of 105 units).

The residential development on the 8.66 acre portion of the site will be 3 story attached row houses. Primary access is Sagert Street with emergency access on Boones Ferry Road. No site plan has been prepared at this time. This development will be a condominium with private interior access. We request a determination from the City on transfer of density from the drainage ditch and Clean Water Services buffer. The maximum number of units without this buffer is 8.66 acres x 25 units per acre = 216 units. The natural area is 0.84 acres x 25 units per acre = 21 units. Because of the site configuration, maximum density of 237 units may not be possible. However, we would like to know our options in the preparation of the site plan.

The major issue with the Comprehensive plan Amendment is traffic. We already met with Doug Rux to discuss the Plan Amendment requirements. The primary issues for this pre-app are timing of the entitlement process, access into both sites, density and the traffic study. Please call if you have any questions of need further information.

Scott Miller

From: Rusty Young [RYoung@ElderDemolition.com]
Sent: Thursday, May 31, 2007 9:51 AM
To: Scott Miller
Cc: david.bristol@millernash.com
Subject: TE Scope.doc

Marquis Companies – Scott Miller **May 31, 2007**

Old Tualatin Elementary
DEMOLITION BUDGET QUOTE

BASE BID: $207,500.00

***INCLUSIONS*:** Demolition and removal of existing buildings including the Gym, building B, building C, Library, multi-purpose building, covered play area, covered walks, site asphalt and side walks. Concrete to be crushed and left on site. Base bid also includes cut and cap, an allowance for draining Freon for mechanical units, an allowance for erosion control. Add $30,000.00 if prevailing wages are to be required. Add $96,000.00 to gut the portion of building A that remains.

Load and hauling of demolition generated materials.
Broom clean finish.

***EXCLUSIONS*:** Demolition not specifically shown on prints (i.e. inferred demolition for new construction), site work, excavation, salvage items for reuse or return to owner, safety rails, temporary protection of surfaces to remain, covering of openings, identification and protection of underground utilities, air monitoring, temporary lighting and power, permits, shoring of existing surfaces to remain, all hazardous materials including hazardous material survey.

MOBILIZATIONS: (1)

Please do not hesitate to call if you have any questions.

Sincerely,

Rusty Young

Rusty young
Estimator

Scott Miller

From: Ryan O'Brien [ryanobrien1@verizon.net]
Sent: Monday, July 16, 2007 10:09 AM
To: Scott Miller
Cc: tom@terra-weber.com
Subject: 10 - Tualatin Site Plan No. 2

Attachments: 10 - Tualatin School Site Plan No. 2.pdf

10 - Tualatin School Site Plan...

Scott,

Attached is Sit Plan No. 2 as we discussed over the phone today. With a 30 foot set back from the existing building, the net area is 3.00 acres. With a 20 foot set back, the net area is about 2.78 acres. I think we can include this site plan with the pre-app. I can also revise the pre-app letter to discuss this second site plan. Let me know what you think. I have the e-mail address of all Tualatin staff that wil be attending the pre-app so I can send them any chnages before the meeting on Wednesday.

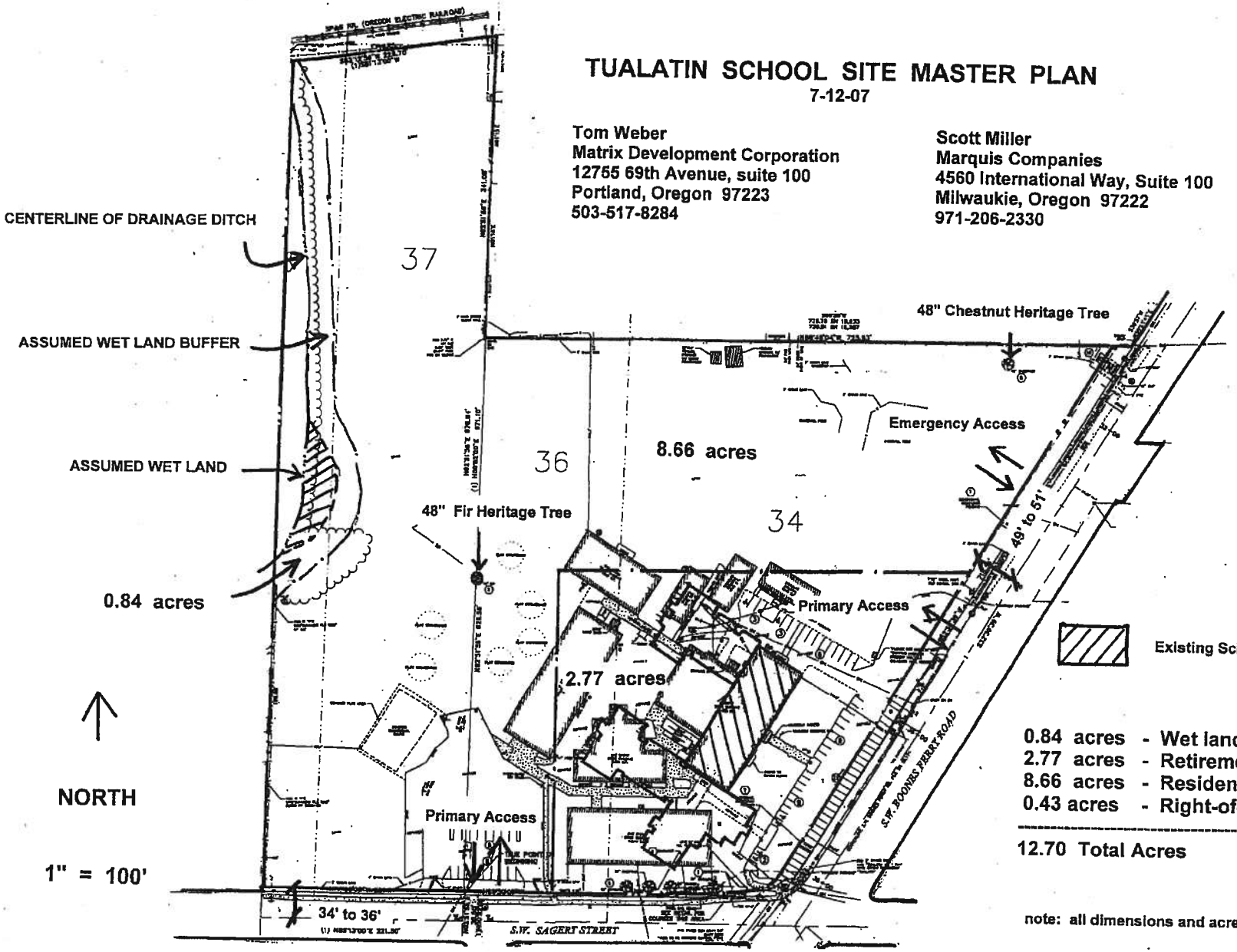
Ryan O'Brien
Land Development Consultants,LLC
1862 NE Estate Drive
Hillsboro, Or 97124
503-780-4061 cell
503-846-1095 office

TUALATIN SCHOOL SITE MASTER PLAN

7-12-07

Tom Weber
Matrix Development Corporation
12755 69th Avenue, suite 100
Portland, Oregon 97223
503-517-8284

Scott Miller
Marquis Companies
4560 International Way, Suite 100
Milwaukie, Oregon 97222
971-206-2330



Existing School Building to Remain

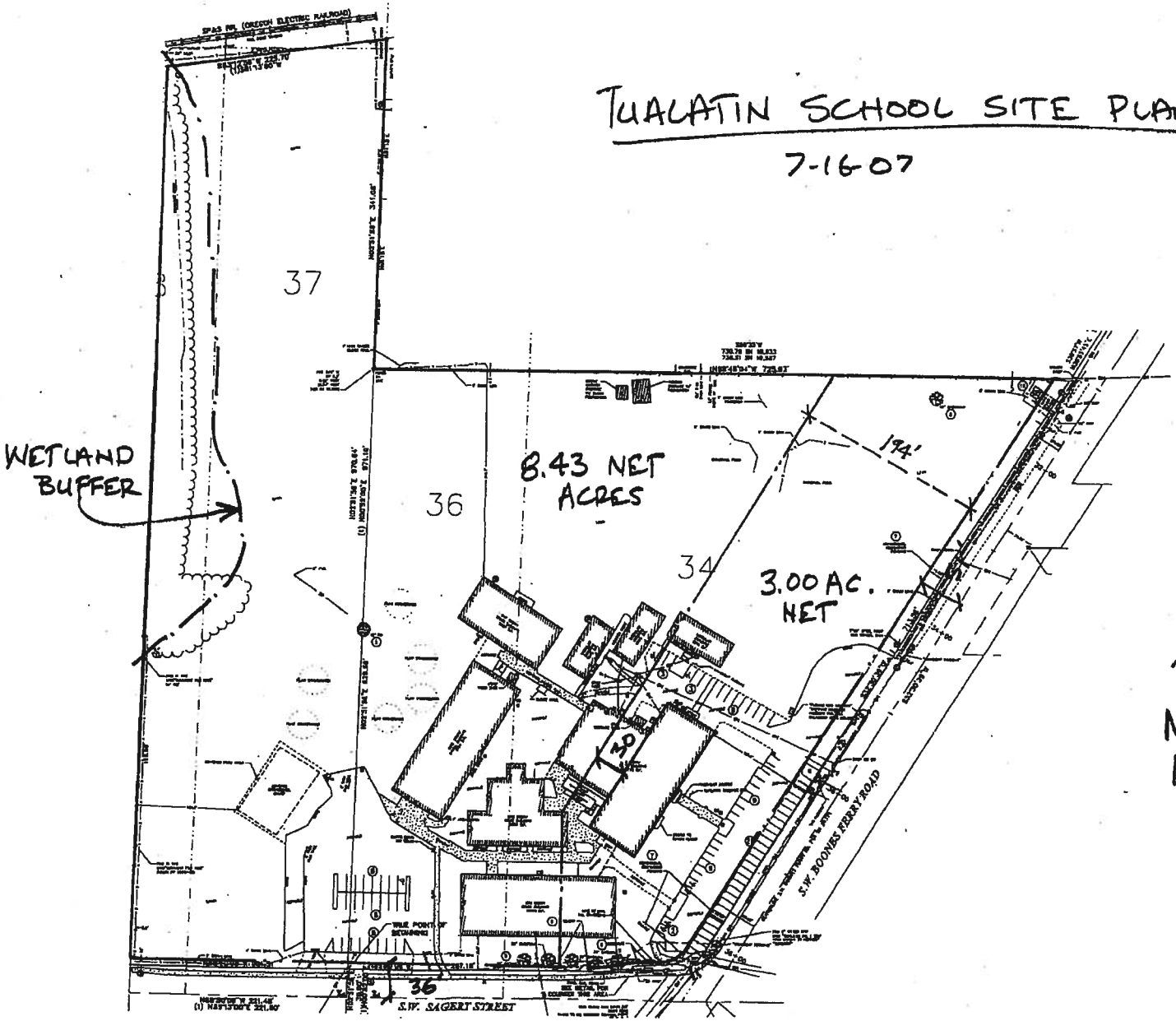
0.84 acres - Wet land and Buffer
2.77 acres - Retirement Development
8.66 acres - Residential Development
0.43 acres - Right-of-Way Dedication

12.70 Total Acres

note: all dimensions and acreages are approximate

TUALATIN SCHOOL SITE PLAN NO. 2.

7-16-07



TUALATIN SCHOOL SITE MASTER PLAN

7-12-07

Tom Weber
Matrix Development Corporation
12755 69th Avenue, suite 100
Portland, Oregon 97223
503-517-8284

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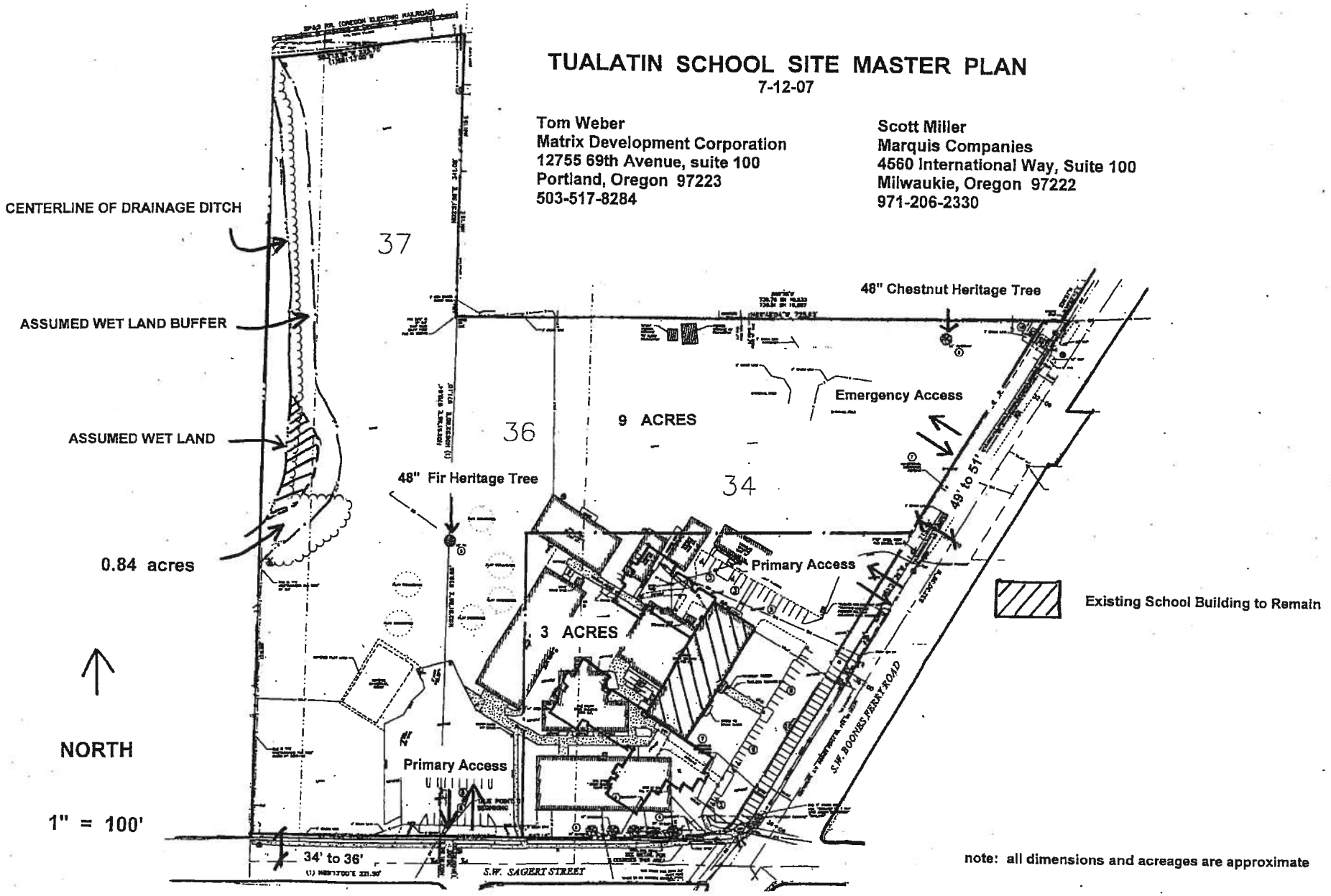
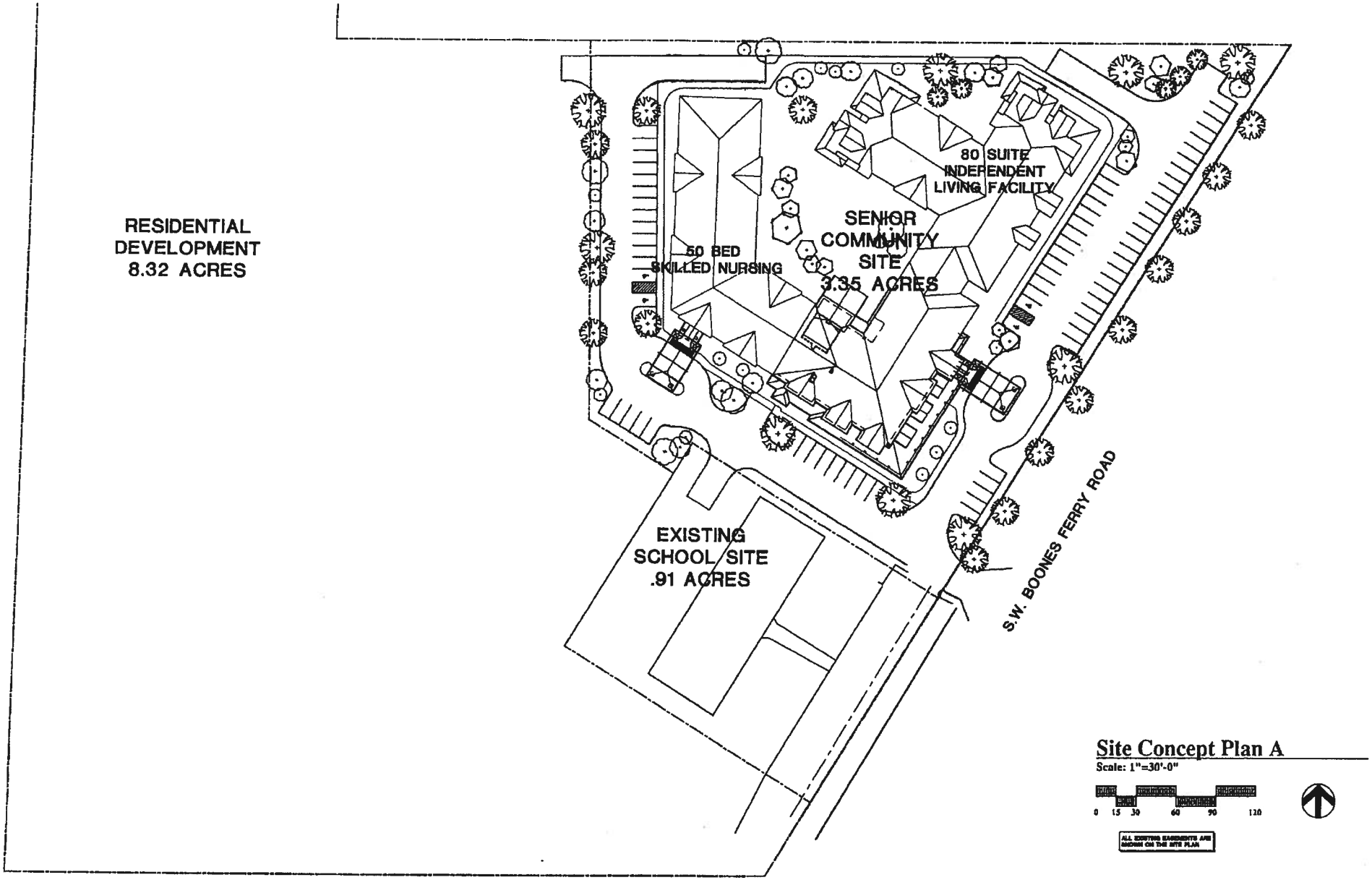




Tualatin Senior Housing

Tualatin, Oregon
August 15, 2007

CB|2 ARCHITECTS CONSTRUCTION

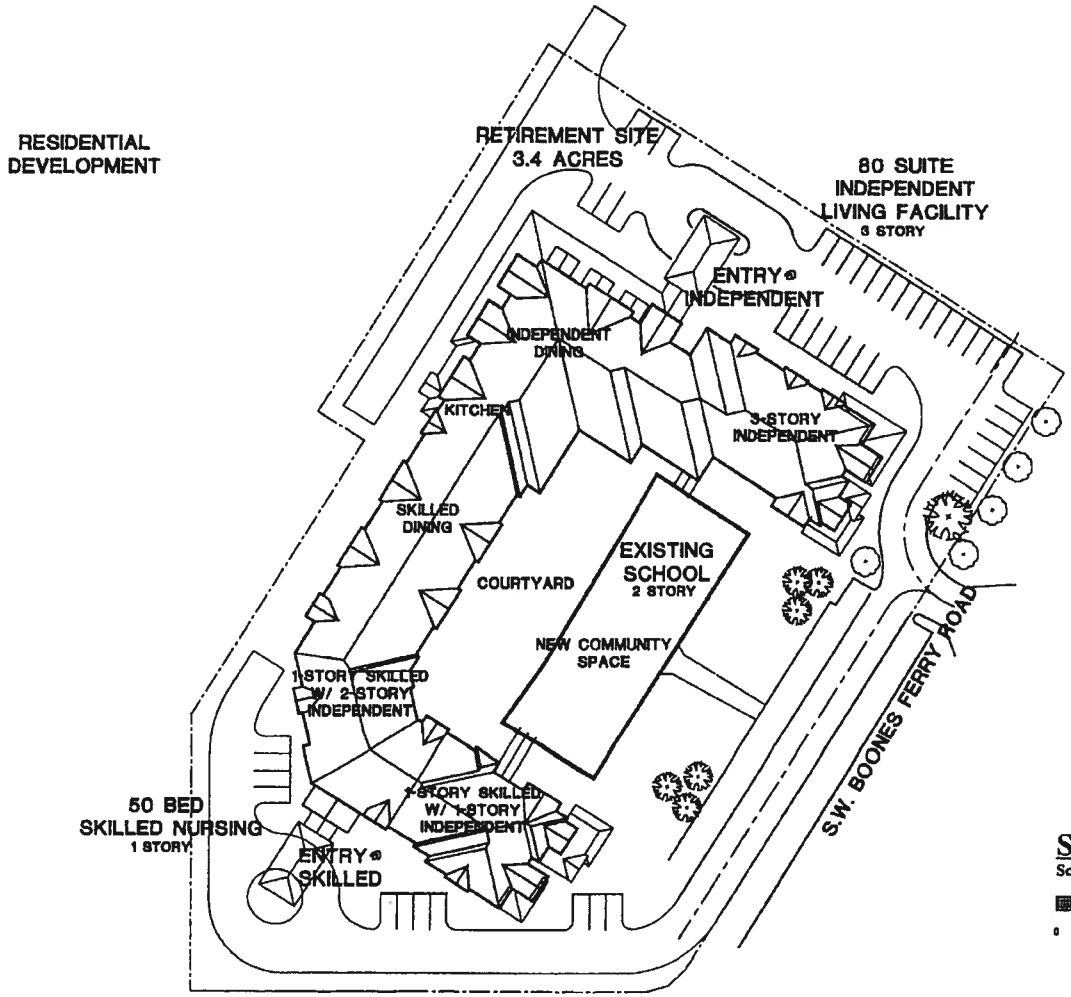
Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Tuesday, September 11, 2007 4:07 PM
To: Scott Miller
Cc: Dan Jursnick; Garth Brandaw
Subject: Tualatin site - preliminary
Attachments: site-prelim091007 site (1).pdf

Scott,
Here is the latest plan for the buildings as discussed on Friday. The sizes of the sites are noted. Please call with any questions.

Greg Elmore

CB | 2 Architects / Construction
503-480-8700



Site Concept Plan C

Scale: 1"=30'-0"

0 15 30 60 90 120

ALL EXISTING EASEMENTS ARE SHOWN ON THE SITE PLAN

Tualatin Senior Housing

Tualatin, Oregon
September 7, 2007

CB|2 ARCHITECTS CONSTRUCTION
Create Build

Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Tuesday, September 11, 2007 5:02 PM
To: Scott Miller
Cc: Dan Jursnick
Subject: RE: Tualatin site - preliminary

Attachments: site-prelim-C.pdf; site-prelim-A1.pdf; site-prelim-B.pdf

site-prelim-C.pdf (372 KB)

site-prelim-A1.pdf (397 KB)

site-prelim-B.pdf (370 KB)

Remainder of preliminary options as requested.

Greg Elmore

CB|2 Architects / Construction

2601 25th Street SE - Suite 300
Salem, Oregon 97302
503-480-8700

-----Original Message-----
From: Scott Miller [mailto:smiller@marquiscompanies.com]
Sent: Tuesday, September 11, 2007 4:53 PM
To: Greg Elmore
Subject: RE: Tualatin site - preliminary

Greg,

Could you also send me the other layouts that we looked at on Friday?
This may be helpful in sending to Matrix as well so that they see the progressions we went through.

Let me know.

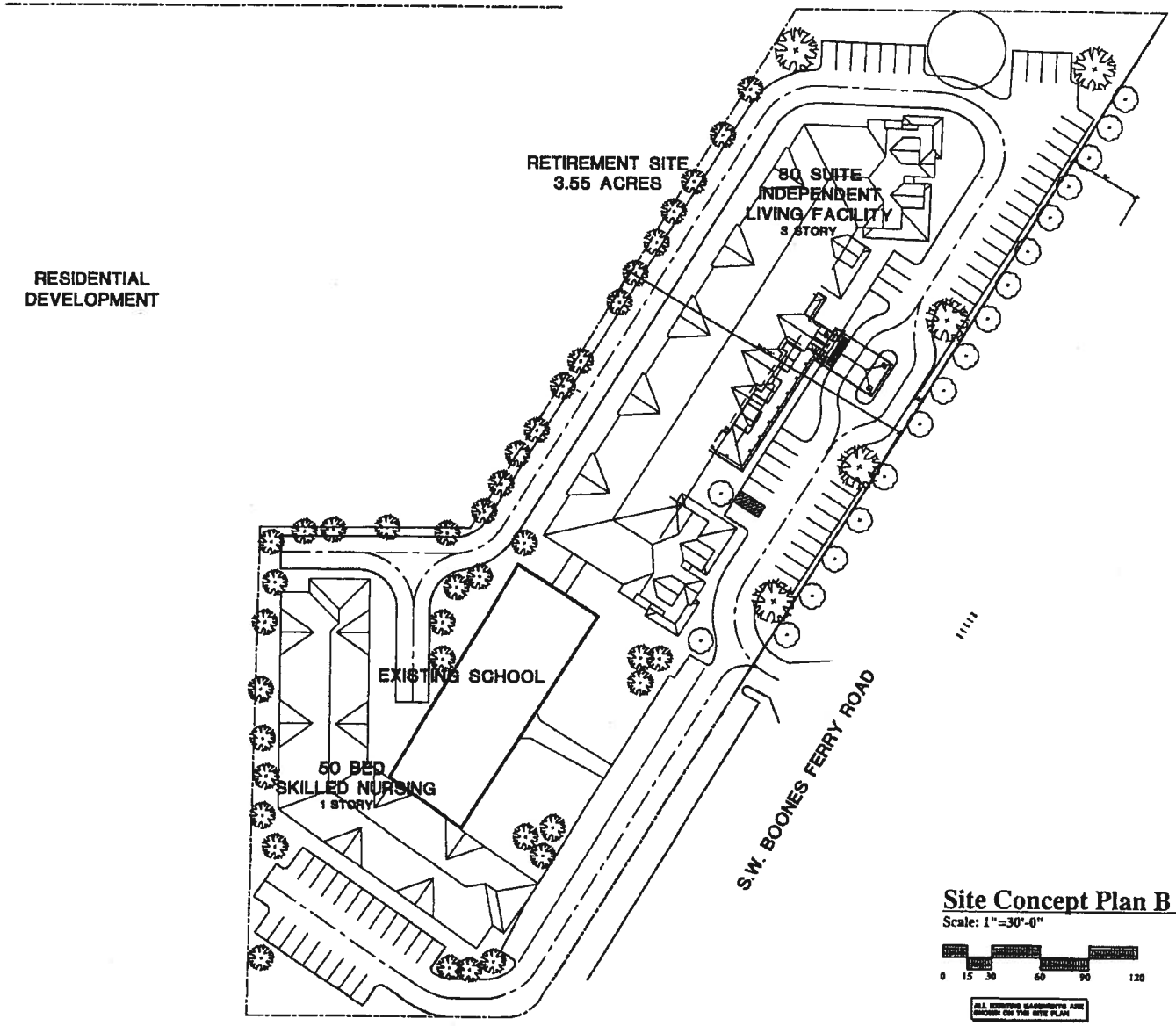
Scott
503-819-3610

-----Original Message-----
From: Greg Elmore [mailto:greg@cb2architects.com]
Sent: Tuesday, September 11, 2007 4:07 PM
To: Scott Miller
Cc: Dan Jursnick; Garth Brandaw
Subject: Tualatin site - preliminary

Scott,
Here is the latest plan for the buildings as discussed on Friday. The sizes of the sites are noted. Please call with any questions.

Greg Elmore

CB | 2 Architects / Construction
503-480-8700



Site Concept Plan B

Scale: 1"=30'-0"

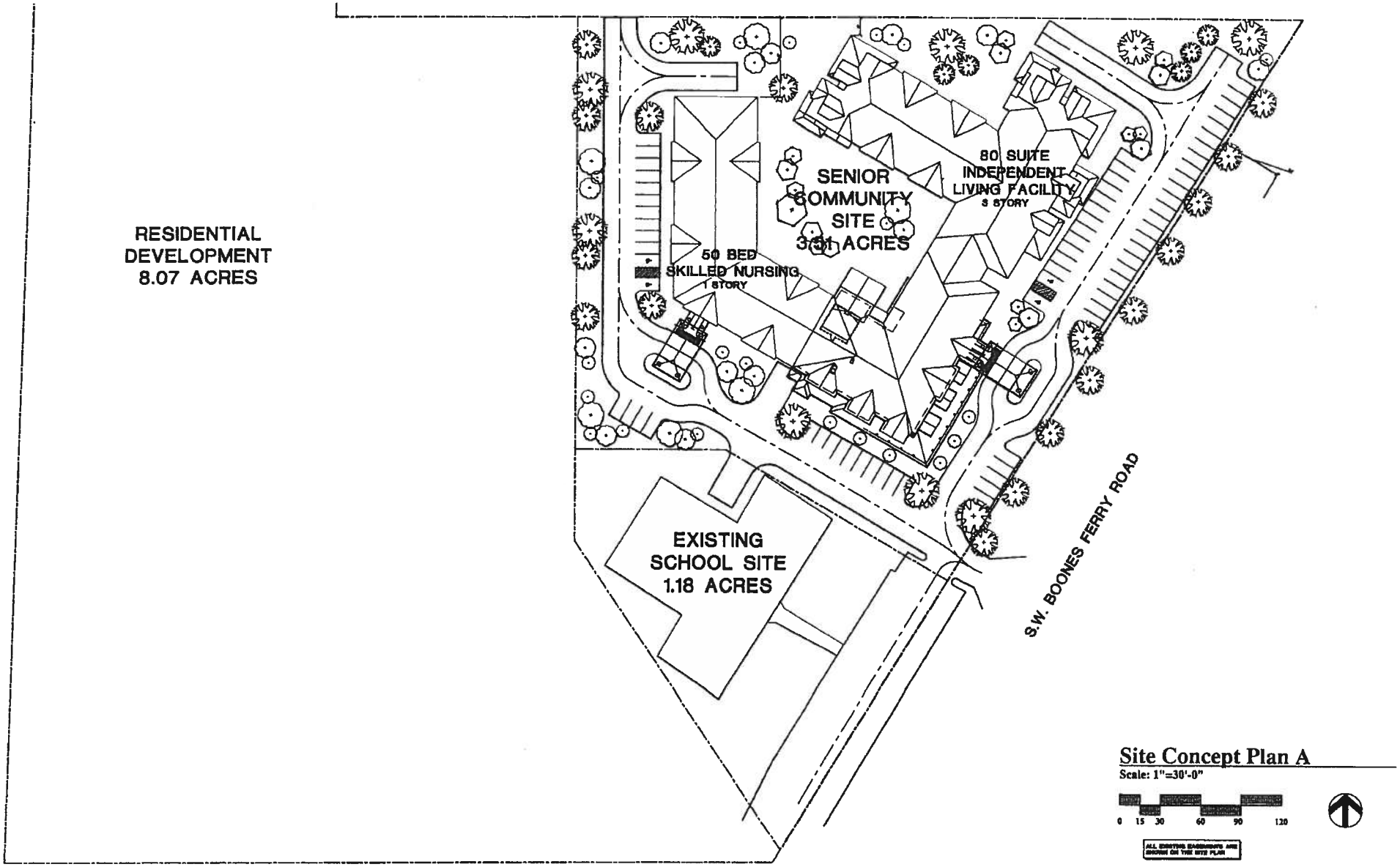
0 15 30 60 90 120

ALL EXISTING EASEMENTS ARE SHOWN ON THE SITE PLAN

Tualatin Senior Housing

Tualatin, Oregon
August 15, 2007

CB|2 ARCHITECTS CONSTRUCTION
Create Build



Tualatin Senior Housing

Tualatin, Oregon
August 15, 2007

CB|2 ARCHITECTS CONSTRUCTION

Scott Miller

From: Ryan O'Brien [ryanobrien1@verizon.net]
Sent: Tuesday, September 11, 2007 9:36 PM
To: Tom Weber; Ryan O'Brien; Scott Miller
Subject: Re: FW: Tualatin site - preliminary

Attachments: 10 - Plan 1.pdf

10 - Plan 1.pdf (179 KB)

Scott,

Attached is our plan. You wanted to meet at 2:30 tomorrow. Where is the meeting? Both Tom and I, so far , can attend. Tom will call you in the morning to confirm. The east/west dimension on Plan B is incorrect. It shows about 360 feet and it is probably 180 feet. Let me know the right dimension.

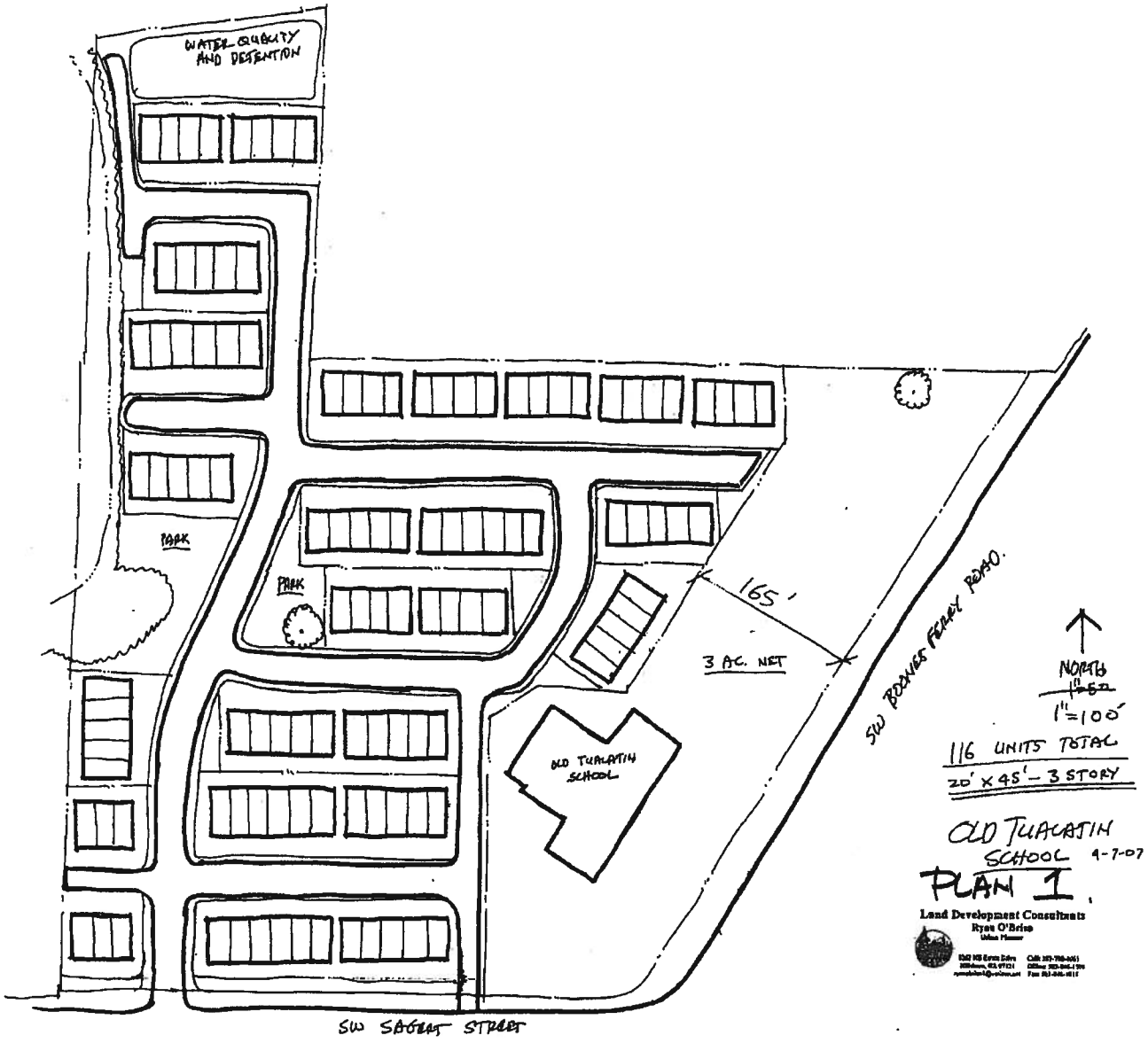
==========

From: Scott Miller <smiller@marquiscompanies.com>
Date: 2007/09/11 Tue PM 06:58:14 CDT
To: Tom Weber <tom@terra-weber.com>, Ryan O'Brien <ryanobrien1@verizon.net>
Subject: FW: Tualatin site - preliminary

Tom/Ryan,ÃÂ Attached is one layout option we are considering.ÃÂ I am expecting two or three additionalÃÂ options that we have considered as well by tomorrow morning.ÃÂ I will hopefully be able to send those to you prior to our meeting at 2:30 PM.ÃÂ Obviously, we have much to discuss and considerÃÂ at the meeting.ÃÂ Please call me at your convenience.ÃÂ Scott503-819-3610ÃÂ
From: Greg Elmore [mailto:greg@cb2architects.com]
Sent: Tuesday, September 11, 2007 4:07 PM
To: Scott Miller
Cc: Dan Jursnick; Garth Brandaw
Subject: Tualatin site - preliminary

Scott,Here is the latest plan for the buildings as discussed on Friday.ÃÂ The sizes of the sites are noted.ÃÂ Please call with any questions.ÃÂ Greg ElmoreÃÂ CB | 2 Architects / Construction503-480-8700

Ryan O'Brien, Urban Planner
Land Development Consultants,LLC
1862 NE Estate Drive
Hillsboro, Or 97124
503-780-4061 cell
503-846-1095 office
503-846-1015 fax


WATER QUALITY AND DETENTION
PARK
PARK
165'
3 AC. NET
OLD TUALATIN SCHOOL
SW BOONES FERRY ROAD
SW SAGERT STREET
NORTH
1"=100'
116 UNITS TOTAL
20' X 45' - 3 STORY
OLD TUALATIN SCHOOL 4-7-07
PLAN 1
Land Development Consultants
Ryan O'Brien

EMMERT INTERNATIONAL

PROPOSAL FOR RELOCATION SERVICE
Summary of Services

Relocate structure.....$ 395,000.00

Additional services.....$

To move building on the road with not knowing the destination price will be in the $5 hundred - thousand plus. This bid does not include detaching gym from the school, line charges, excavation, foundation, masonry work, chimney needs to be braced before lift Emmert International is not responsible for removal of the brick from the top of the windows down.

Total estimate.....$ 395,000.00
(ALL ESTIMATES ARE BASED ON INFORMATION GIVEN. ESTIMATES ARE SUBJECT TO APPROVED PLANS AND PRINTS, AND MAY CHANGE IF DIFFER. ALL ESTIMATES ARE SUBJECT TO APPROVAL BY MANAGEMENT.)

Emmert International is pleased to submit this proposal for services to assist you in your structure relocation. This proposal is valid for 30 days. If you have any questions about the contents of this proposal, please do not hesitate to contact me. Thank you for your interest in Emmert International. We look forward to hearing from you.

George Zumwalt
Project Estimator

For further information/questions, please contact:

Emmert International
11811-S.E. Hwy 212
Clackamas, Oregon 97015
(503) 655-7191 phone
(503) 722-3443 fax

EMMERT INTERNATIONAL

PROPOSAL FOR RELOCATION SERVICE

Date: September 18, 2007
Client: Tualatin School c/o Scott Miller
Address: 19945 SW Boones Ferry Rd
City/State/Zip: Tualatin, OR
Phone number: 503-819-3610 Email: smiller@marquiscompanies.com
Fax: 971-206-2330
Project address: 19945 SW Boones Ferry Rd

BASIC RELOCATION SERVICE includes:

- ☐ Deliver equipment to job site
- ☐ Prep structure
- ☐ Install beam pocket openings
- ☐ Build crib supports
- ☐ Install steel beams
- ☐ Set hydraulic jacks
- ☐ Raise structure
- ☐ Install dollies
- ☐ Relocate structure
- ☐ Spot structure at new location
- ☐ Crib and support
- ☐ Lower structure onto new foundation
- ☐ Remove steel beams and cribbing
- ☐ Clean up

Associated cost: $ 395,000.00

Exclusions to basic relocation service:

- ☐ Disconnect/reconnect utilities
- ☐ Wire charges (Emmert to obtain wire charge estimates for client)
- ☐ Plans/permits
- ☐ Moving permits (Emmert to obtain moving permits/client to pay cost)
- ☐ Dry rot repair
- ☐ Disposal of debris
- ☐ Staking new location

Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Friday, September 21, 2007 8:19 AM
To: Scott Miller
Cc: Garth Brandaw; Dan Jursnick
Subject: Tualatin site

Scott, I just wanted to let you know that we did not forget about the Tualatin site plan. We are not happy with the solutions that we have come up with at this time. Today is going to be full, but I will work this out this weekend and send you something first thing Monday.

thanks.

Greg Elmore

CB|2 Architects / Construction

2601 25th Street SE - Suite 300
Salem, Oregon 97302
503-480-8700

Scott Miller

From: Dawn Neal [dneal@emmertintl.com]
Sent: Tuesday, September 18, 2007 1:53 PM
To: Scott Miller
Subject: Relocation Proposal - Scott Miller
Importance: High
Attachments: Relocation Proposal Scott Miller Tualatin School.doc

Scott,

Please see attached, if you have any questions please let us know.

Thank you,

Dawn Neal
Emmert International
Residential Assistant/Permit Specialist
11811 SE Highway 212
Clackamas, OR 97015
503-655-7191 ext. 223
971-409-8788 cell
dneal@emmertintl.com

Scott Miller

From: Tom Weber [tom@terra-weber.com]
Sent: Saturday, September 22, 2007 12:28 PM
To: Scott Miller; Steve Fogg; Phil Fogg, Jr.; 'Dan Jursnick'; 'Garth Brandaw'; 'Greg Elmore'
Cc: 'Ryan O'Brien'
Subject: RE: Tualatin - Moving Building

Ryan, Please follow up with Scott on the various options and Scott, what do you think of copying the Sellers attorneys with this to inform them of some of
the issues?
Tom

From: Scott Miller [mailto:smiller@marquiscompanies.com]
Sent: Friday, September 14, 2007 10:11 AM
To: Steve Fogg; Phil Fogg, Jr.; Dan Jursnick; Garth Brandaw; Greg Elmore
Cc: Tom Weber; Ryan O'Brien
Subject: Tualatin - Moving Building

I met with Emmert International (George) and yes, the top half (main floor) of the building can physically be moved (approximately $250k for onsite). It could be moved offsite (much more expensive and contingent on available city land - no guarantees, etc.) or onsite (cheaper and with less overall issues). I spoke with Brenda Baden (city of Tualatin attorney) and she said that we would have to apply for a modification/movement approval but that it can be done. The most important item would be support from the historical society/community/city staff for our plan. If we have their support, the council would likely approve. It will be much easier to get approval to move it onsite vs. offsite. I also have a call in to Paul Hennon at the city for his thoughts (Community Services Director). FYI - Doug Rux is in Idaho for two weeks.

My thoughts: Look at three possible site layout scenarios: 1) redo the site layout with the building moved closer to the corner of Sagert and Boones Ferry. 2) redo the site layout with the building moved to the far north corner of the site along Boones Ferry with Marquis developing the Sagert/Boones Corner. 3) redo the site layout with the building being moved completely off-site (less likely, but we may want to start here). Also, all scenarios should assume that we are only preserving the main floor (one-story) so no need for ADA compliance, etc.

Once we have a layout that we (Marquis and Matrix) like, we can sit back down with the historical society and the city for presentation and hopefully their support of our plan. If successful, we diligently move forward with our applications and get things moving.

Suggestions and thoughts on this plan are welcome.

Thank you,

Scott Miller
Director of Property Development
Marquis Companies
4560 SE International Way, Suite 100
Milwaukie, OR 97222
www.marquiscompanies.com
Phone: 971-206-2330
Cell: 503-819-3610

Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Tuesday, September 25, 2007 4:11 PM
To: Scott Miller
Cc: Garth Brandaw; Dan Jursnick
Subject: Tualatin - preliminary site plan
Attachments: site-prelim9-25.pdf

Scott, here is a good idea of a site that we are comfortable saying will hold the unit mix we were looking for in a functional floor plan, and gives the Matrix group a good clean line for their development.

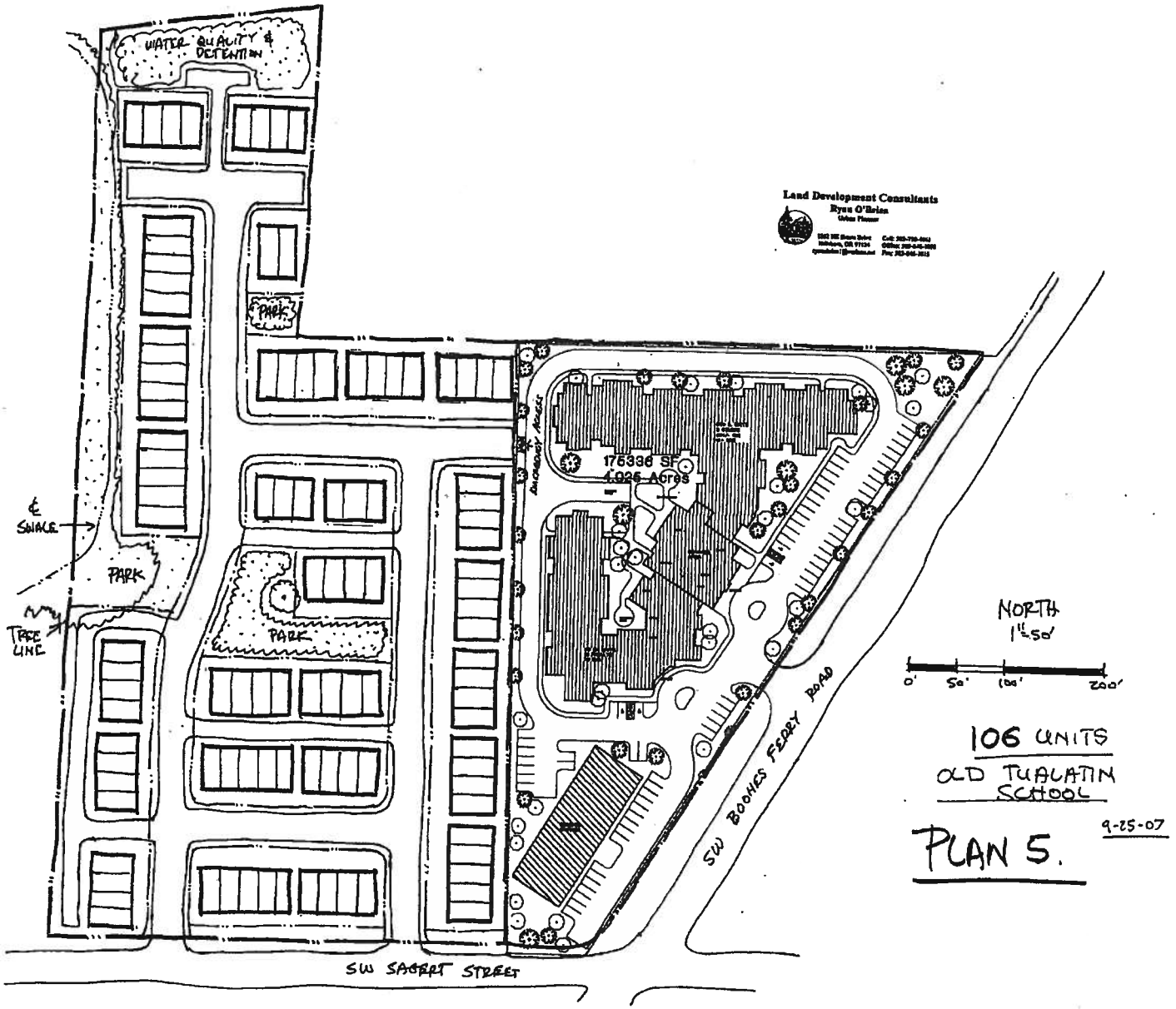
Garth will bring a full size drawing of this tomorrow for your use. I can send the CAD file for the Matrix group to use if needed.

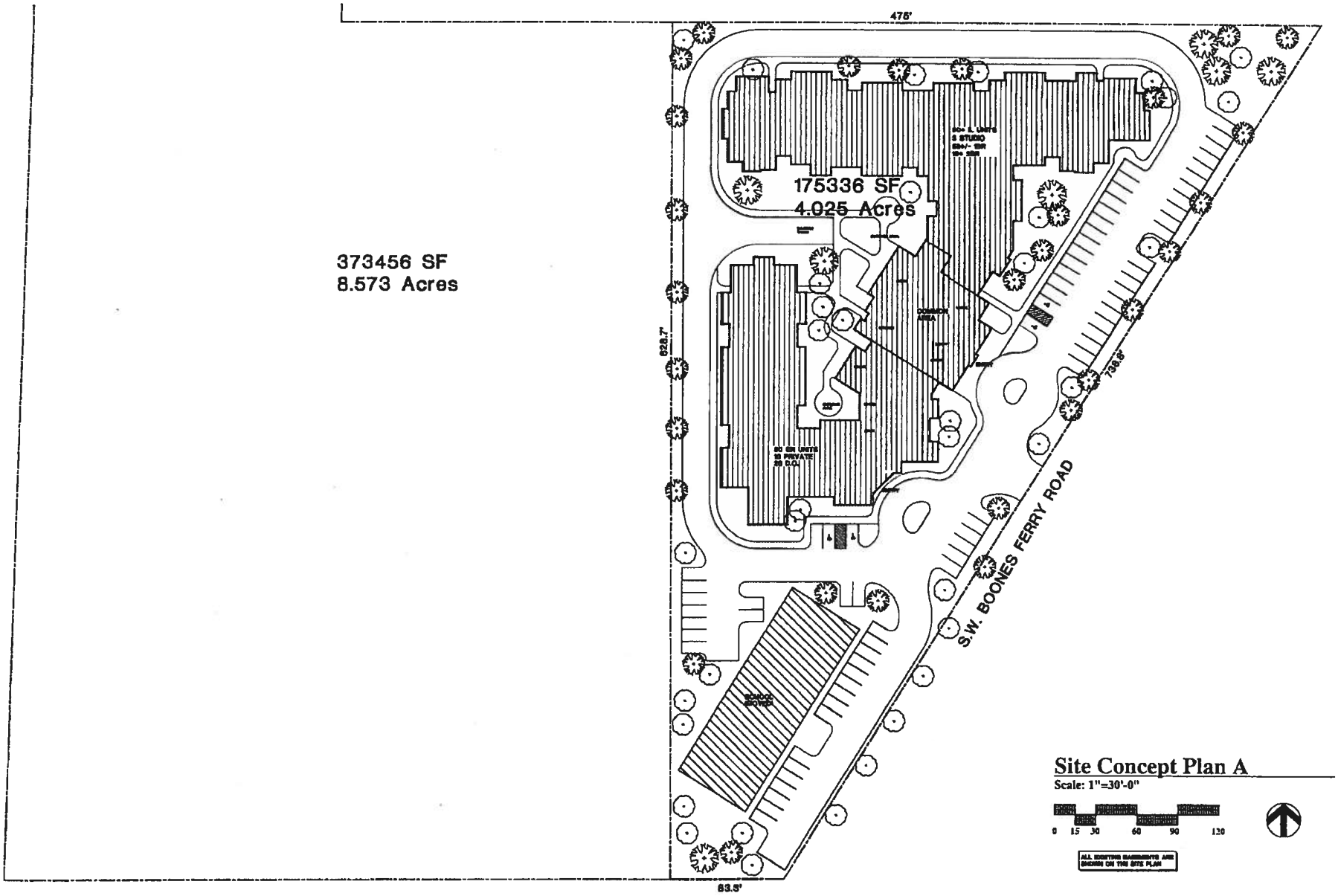
Thanks.

Greg Elmore

CB|2 Architects / Construction

2601 25th Street SE - Suite 300
Salem, Oregon 97302
503-480-8700


WATER QUALITY & DETENTION
PARK
PARK
PARK
& SWALE
TREE LINE
175336 SF
4.026 Acres
SW SAGERT STREET
SW BOONES FERRY ROAD
Land Development Consultants
Ryan O'Brien
NORTH
1"=50'
0'
50'
100'
200'
106 UNITS
OLD TUALATIN SCHOOL
PLAN 5.
9-25-07



Tualatin Senior Housing

Tualatin, Oregon
September 25, 2007

CB|2 ARCHITECTS CONSTRUCTION

Scott Miller

From: Phil Fogg, Jr.
Sent: Monday, October 08, 2007 4:06 PM
To: Scott Miller
Cc: Steve Fogg
Subject: RE: Historical Society Board Approval

We were just contemplating moving the building without any improvements. Has that changed? I would say that the cost increase should be something that the Historical Society participate in.

From: Scott Miller
Sent: Mon 10/8/2007 12:50 PM
To: Steve Fogg; Phil Fogg, Jr.; Garth Brandaw; Greg Elmore
Cc: Tom Weber; 'Ryan O'Brien'; Charles Bloom
Subject: Historical Society Board Approval

As you know, I met with the Tualatin Historical Society on Friday morning. There were 4 of 8 Board members in attendance, including the President, Norm Parker. The meeting went surprisingly well and I was informed today by Yvonne Addington that the Board met over the weekend and has unanimously approved of our revised plan to move the old school (less the gymnasium) and preserve only the first floor. They stand ready to help us "in any way that we feel would be beneficial" as we move through the approval process with the City. This is great news!

The Board did request that we strongly consider increasing the depth of the (new) foundation on one end to allow for half of the building to be used as a gymnasium and performing arts center. We could utilize the flooring from the current gymnasium in such an application. Garth/Greg, let's discuss this possibility when you have some time.

Still no confirmation from the City on a Thursday follow-up meeting this week. Will let you know.

Scott Miller
Director of Property Development
Marquis Companies
4560 SE International Way, Suite 100
Milwaukie, OR 97222
www.marquiscompanies.com
Phone: 971-206-2330
Cell: 503-819-3610

Scott Miller

From: AddingtoY@aol.com

Sent: Monday, October 08, 2007 4:31 PM

To: PHENNON@ci.tualatin.or.us; slombos@ci.tualatin.or.us; DRUX@ci.tualatin.or.us; lou.ogden@juno.com; etruax@pearsonfinancial.com; AddingtoY@aol.com; dnabarry@comcast.net; pdsaab@verizon.net; candicekelly16@msn.com; rjp@xprt.net; 4nparker@gmail.com; loycem@gmail.com; JAKNYGRD@aol.com; larry.mcclure@gmail.com; Lindy@spindesign.com; ctunstall@verizon.net

Subject: Old Tualatin Grade School-Plan Proposal

Hi Sherilyn, Paul and Doug:
I could not reach you by telephone today so thought I would E mail information about our ongoing concerns and hopes of saving the historic "Old Tualatin Grade School" and indicate our current support of a modified concept presented to the Tualatin Historical Society Board by Marquis Companies. We hope such a concept as modified with our suggestions, can be supported by the City and School District. **Feel free to share this E mail with anyone else that is involved. (I have copied the Mayor, Council President and THS Board at this time).**

Last week , Scott Milller, Director of Property Development for Marquis Companies, met with Tualatin Historical Board Members Norm Parker, Art and Diane Barry and me to discuss and obtain input regarding the THS interests in preserving the Old Tualatin Grade School. This was our second meeting, the first being with Miller and one of the co-owners Steve Fogg. Marquis is a multi-state developer and operator of senior living facilities. The owners, Steve and Phillip Fogg, are fourth generation owners of Marquis, are both former Tualatin residents and now live in the Stafford area.

Scott Miller showed us a design concept which had bad news and good news for historical purposes.
but in the end, after a "blue sky" session, we came up with what may be a good alternative. The full Tualatin Historical Society Board endorsed the modified concept this morning. since Marquis is planning to meet with city officials sometime this week or next. You may already know all of this but I wanted to repeat it for you to understand where we are coming from.

Marquis site plan proposal made to THS:
8.865 acres, a square site on the west side of the property is being studied for housing by Matrix Corp for housing. No plans were discussed for this part although it appears that all existing school buildings on that property would be demolished.
3.733 acres is being studied by Marquis Companies for three stages of senior housing.for two and three story housing on the northeast two-thirds of the site, following Boones Ferry to Sagert Street. (sort of an inverted triangle looking piece.) All present buildings on the site are proposed for demolition except the main brick building and then only the upper floor, without the gymnasium

Miller said their architects and finance people could not find any senior living use for the old brick building and had finally come up with a concept:
1. They will move brick building alone (without the gymnasium and maple flooring that was of importance to THS). to the southeast corner adjacent to Boones and Avery, very close to street, saving heritage trees on Sagert to meet historic building desires.They have estimates from Emmertto move the building. I think he said about $400,000 and then they would bring the building up to a degree of completion for proposed meeting rooms for public use. Altogether,we think they mentioned investing about $1 million in the relocation of the building. We briefly discussed that this contribution might be considered matching funds to enhance city budget funding or attractive to voters in a bond election etc.
They did not wish to own or operate the building and would seek others to do so.

2. THS asked Marquis to consider an alternative to all meeting rooms. This is our proposal which Miller seemed to think was doable and said he would take back to their architect for further study. The THS Board met this morning and approved the concept to show support to the city.

The proposed building is 9,000 square feet. Although we lose the majority of the current school site and one full floor of the building and gymnasium, our continued support of the City Historic Preservation ordinance, Futures Planning effort and City Council's intent could probably be supported as follows:

A. We asked them to consider taking half the building (or whatever is the standard for the city) to be used for a multi-purpose public performing arts center/ sports center. Both could use the historic gymnasium,maple flooring of the old gymnasium. It could be used by adults as well as children for art shows, performances, volleyball, basketball, etc- even if it was not a regulation size court (the way it has been used for years in the past). The elevations at that location might well support a lower floor level and taller ceiling for the arts/sports part. Miller said the maple flooring was in very good condition. We also discussed removal of the environmental hazards which they are very aware of.

B.Parking: Although limited parking for the "arts/sport center" part is proposed he indicated shared parking would be very possible with the senior living, especially when day staff was not using parking and when night events occurred at the arts/sport center. This might be similar to the Heritage Center/Police Department parking which has worked very well for THS.

C. Meeting rooms. We also discussed the proposal for meeting rooms which we thought would still be ample with our modifications and the availability of other meeting rooms available in the area.

D. We discussed, but did **not** take formal action, regarding the concept of including use of one or two meeting rooms for the Food Bank. There was concern by Marquis that some of the senior residents may not like the concept of a food bank in their neighborhood but when we explained the statistics that say something like 60% of the users are senior citizens and 35% are working poor (need to check actual figures) and Art, Diane and Norm explained the operation –where they volunteer- Miller came back with an idea that perhaps the seniors living in independent units and others who are capable, might actually like to volunteer there also! While we think it is a good idea, we did not want to jeopardize the other concepts we would like to see happen there so we would support this concept if the city and developer so agree in the future..

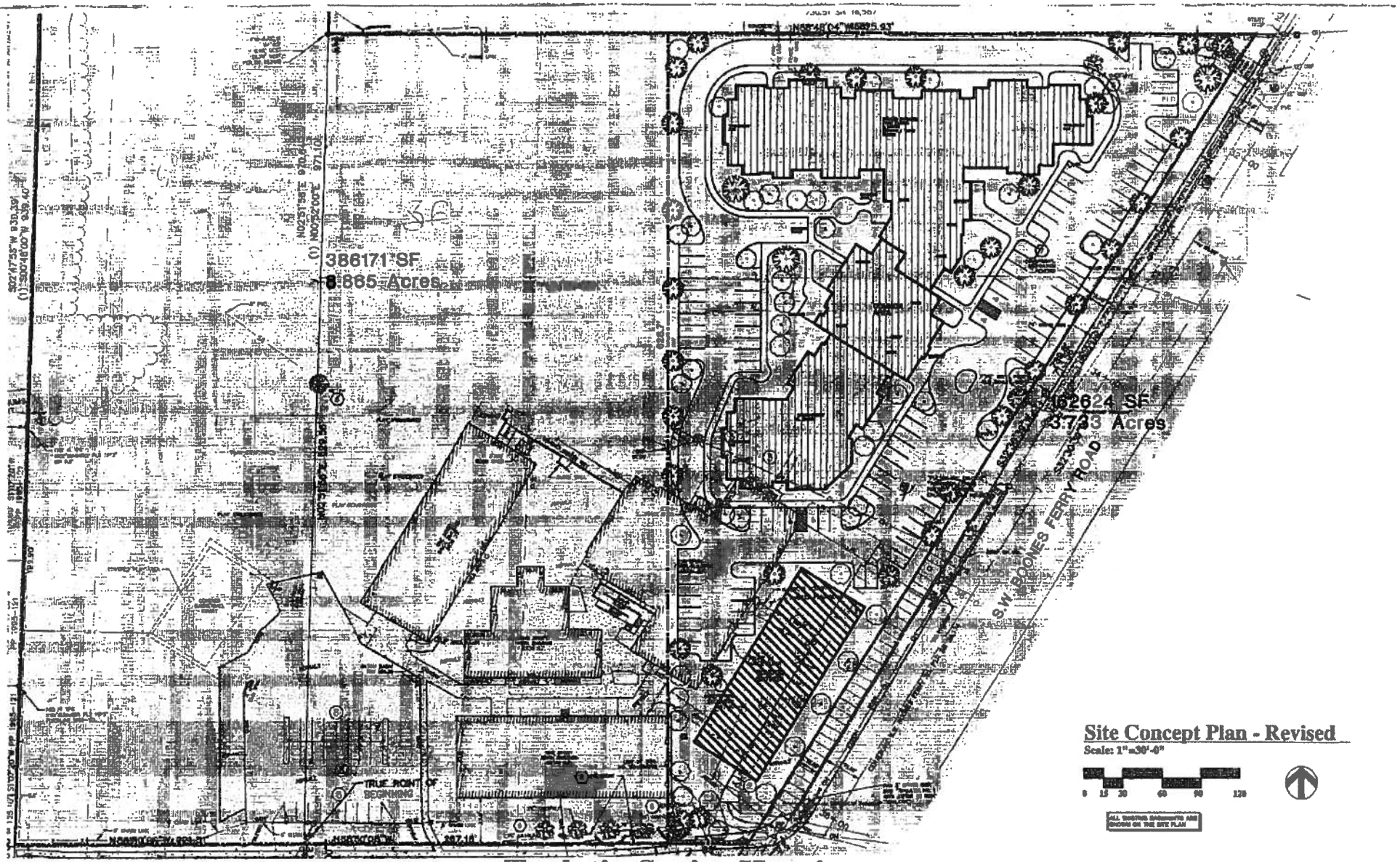
E. This proposal is several millions less than the first proposal supported by the 1200 petitioners and the THS and includes a major contribution by the developer-one that the city and/or voters may find most attractive in order to obtain such needed public uses. Marquis does not want to own or operate activities in the building so we again feel the City is the likely beneficiary of the property and would be looked at for successful operation as part of the Community Recreation activities offered to its citizens. Art Barry, also represents THS on the city's Arts Advisory Committee and so we would be willing to present such a proposal to the Arts Advisory Committee and any others needed for support.

F. We still would like to see and review concepts/plans for the rest of the site when available but we feel pretty good that we can support a modified concept by Marquis Company which we think meets 1) objectives for the brick school building to meet the historic preservation ordinance, 2) Futures planning process which identifies a big need for adult/children sports and recreation plus the arts, 3) City Council intent and 4) continued public use of a building important to the history of many people in the area.

I am certain I have not captured all of the issues discussed but wanted to get the position of the Tualatin Historical Society to the City as early as possible. We are willing to help the city and the developers to meet our mutual goals and desires for this project.

Yvonne Addington, Vice President
Tualatin Historical Society

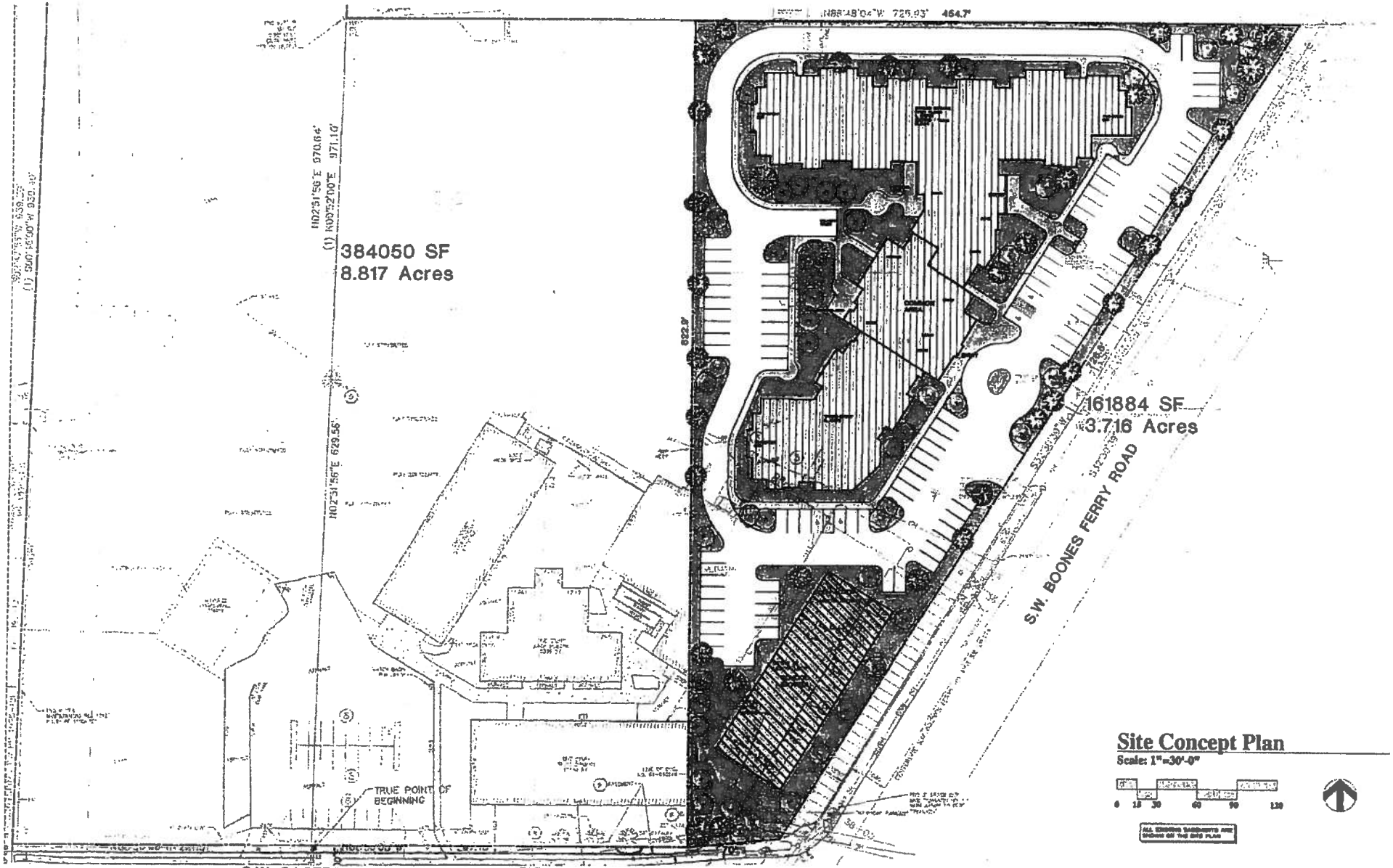
See what's new at AOL.com and Make AOL Your Homepage.

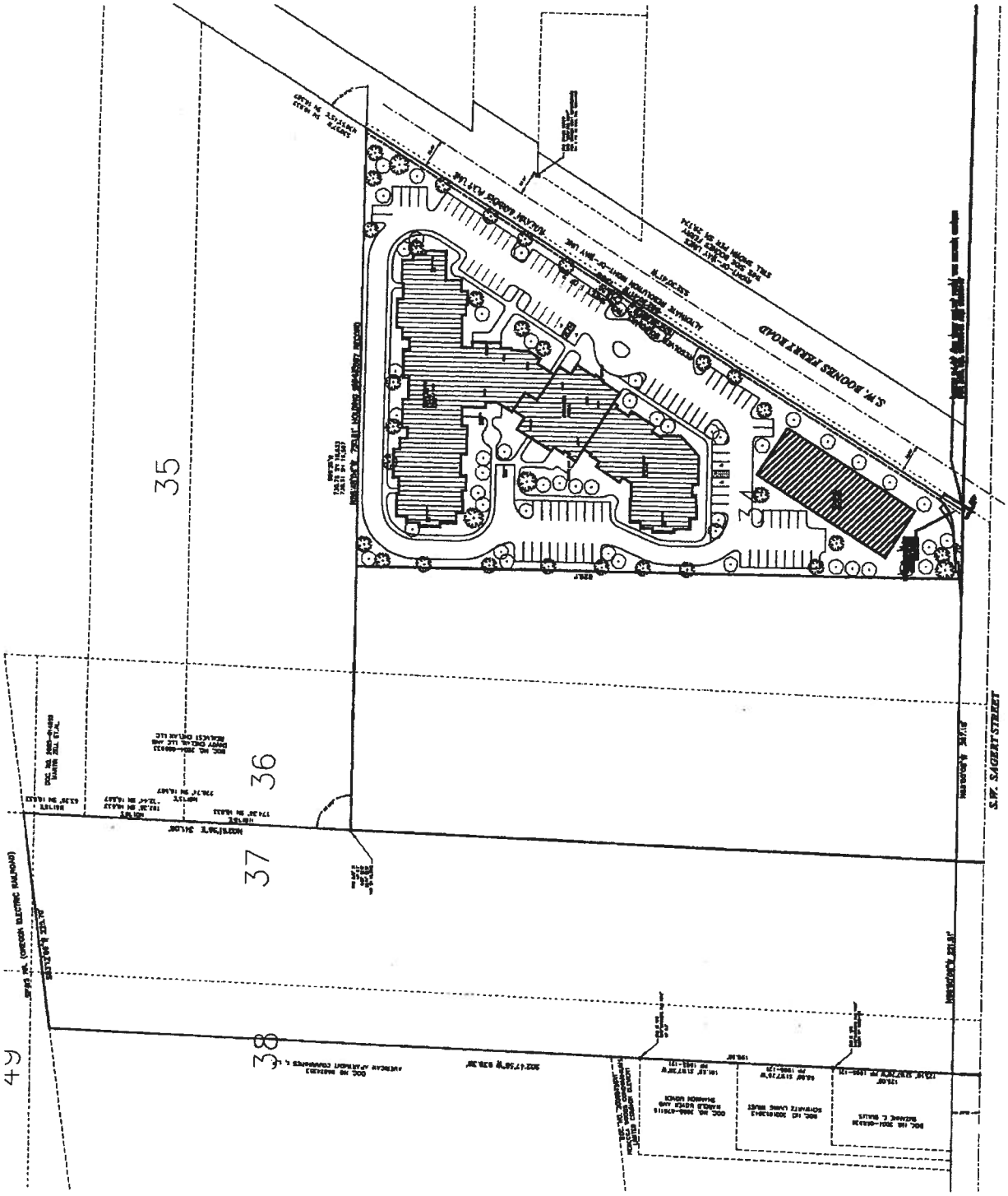


Tualatin Senior Housing

Tualatin, Oregon
October 2, 2007

CB 2 ARCHITECTS CONSTRUCTION


384050 SF
8.817 Acres
161884 SF
3.716 Acres
S.W. BOONES FERRY ROAD
S.W. SAGERT STREET
TRUE POINT OF BEGINNING
Site Concept Plan
Scale: 1"=30'-0"
0 15 30 60 90 120
Tualatin Senior Housing
Tualatin, Oregon
October 16, 2007
CB 2 ARCHITECTS CONSTRUCTION


SW BOONES FERRY ROAD
S.W. SAGERT STREET
35
36
37
38
49

Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Thursday, November 08, 2007 1:44 PM
To: Scott Miller
Cc: Dan Jursnick; Gretchen Stone
Subject: Tualatin

Scott, I don't know if you want to, or if you would like CB|2 to look into the issues on the setbacks in Tualatin, but if they are now asking for the 51' ROW dedication on Boones, then that will be an additional 21' from the information that we have been given from the start. I don't know where this information came from that Matrix sent over, but that will push the site to the West and further squeeze the remainder of usable site. Is the school property going to be required to meet this set-back?

We are looking into as much as we can, but let me know what direction you would like us to follow-up on at this time.

Thanks.

Greg Elmore

CB|2 ARCHITECTS CONSTRUCTION
Create. Build.

2601 25th ST. SE Suite 300
Salem, Oregon 97302

P: 503-480-8700

Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Friday, November 09, 2007 4:02 PM
To: Scott Miller; Ryan O'Brien
Subject: Tualatin Site - revised
Attachments: site-11-9-07.pdf; site-11-9-07.dwg

here is the revised site with the 51' setback off of Boones. please call with any questions.

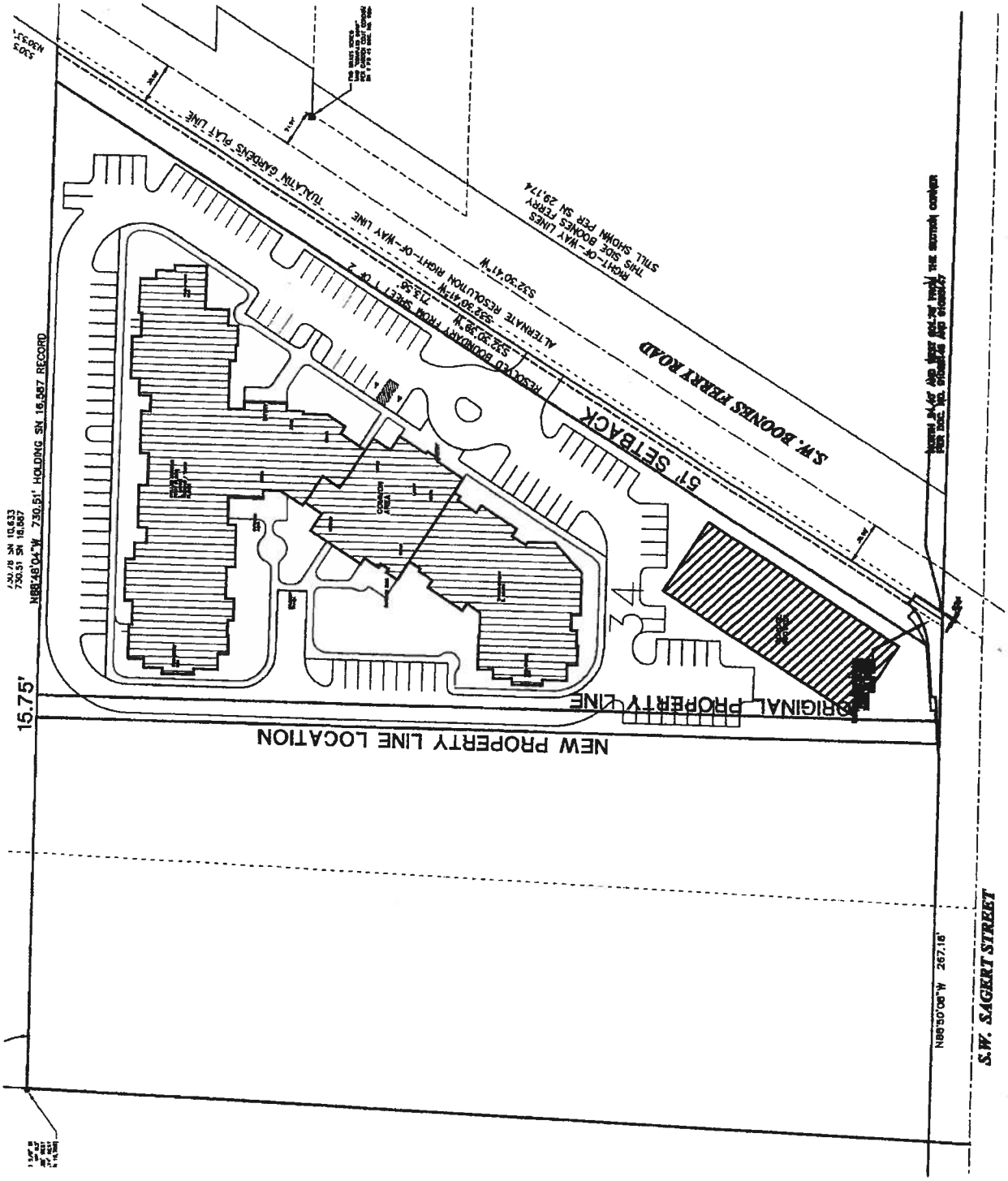
Greg Elmore

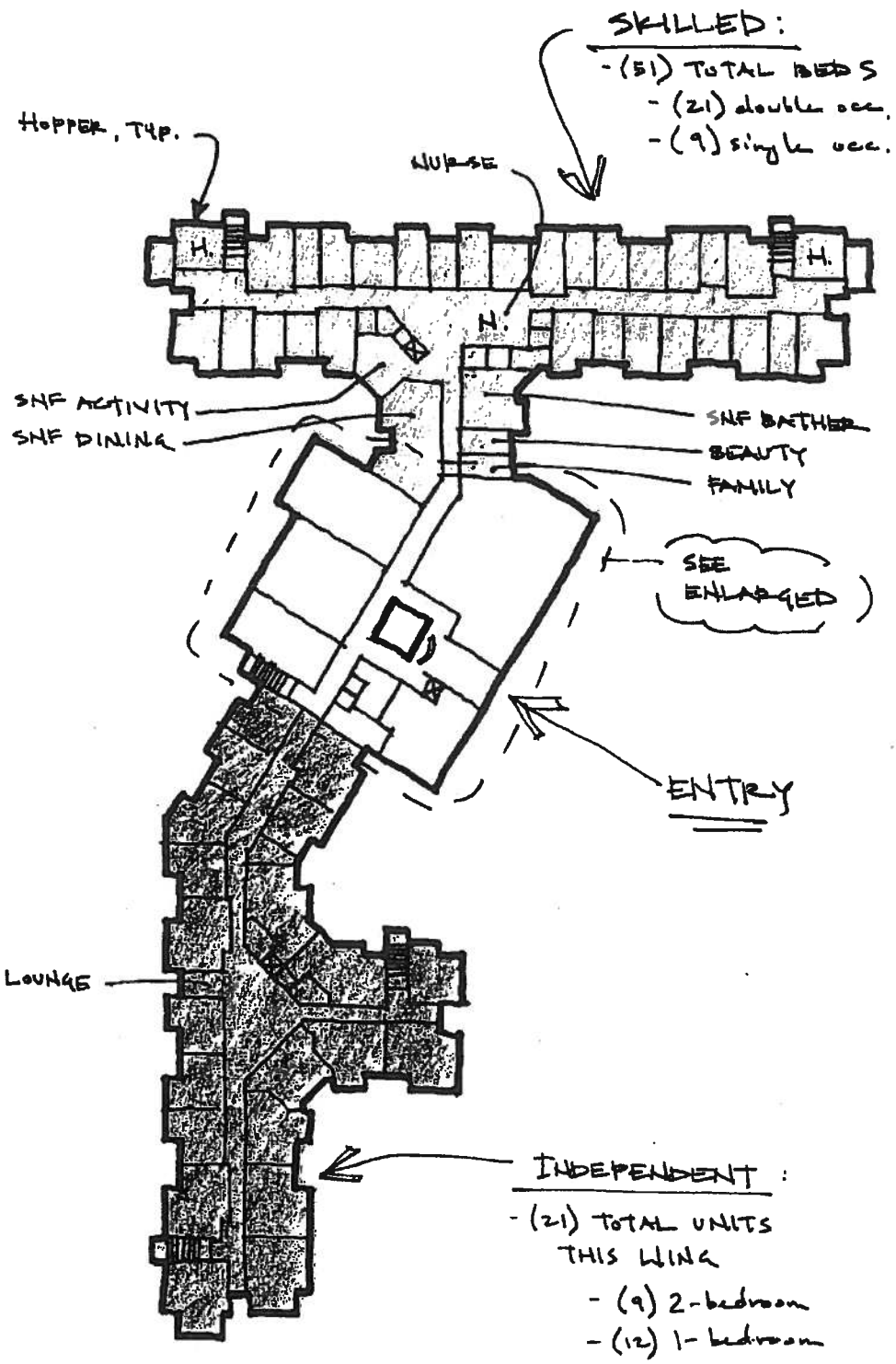
CB|2 ARCHITECTS CONSTRUCTION
Create. Build.

2601 25th ST. SE Suite 300
Salem, Oregon 97302

P: 503-480-8700

S.W. BOONES FERRY ROAD
5' SETBACK
NEW PROPERTY LINE LOCATION
ORIGINAL PROPERTY LINE
15.75'
34
S.W. SAGERT STREET
N88°30'08"W 267.18'
N88°48'04"W 730.51' HOLDING SN 16,587 RECORD

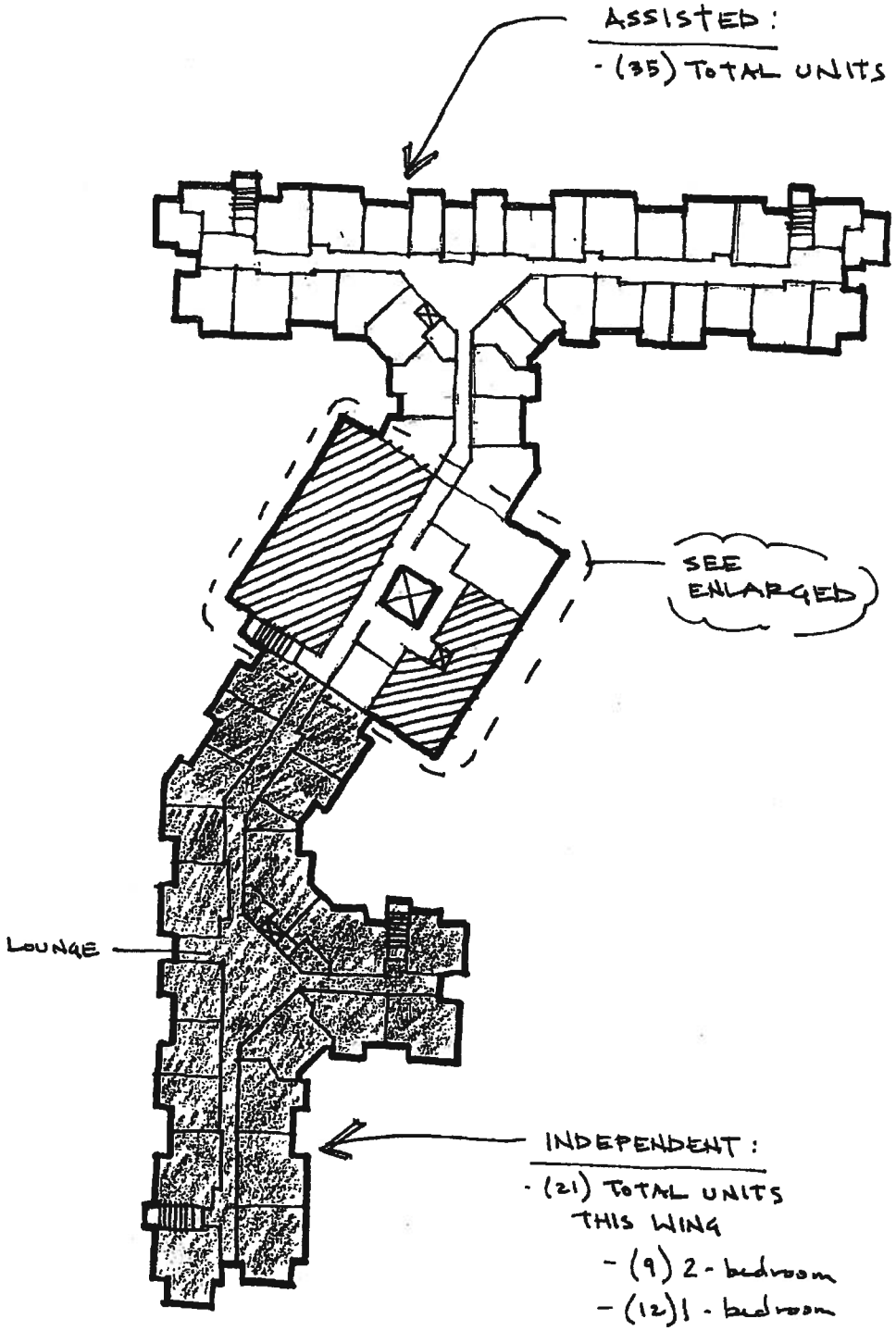

S.W. BOONES FERRY ROAD
51' SETBACK
ORIGINAL PROPERTY LINE
NEW PROPERTY LINE LOCATION
15.75'
S.W. SAGERT STREET
HOLDING SN 16,557 RECORD
ALTERNATE RESOLUTION RIGHT-OF-WAY LINE
TUALATIN GARDENS PLAT LINE
RIGHT-OF-WAY LINES THIS SIDE BOONES FERRY STILL SHOWN PER SN 29,174
COMMON AREA



FIRST FLOOR

1"= 50'-0"

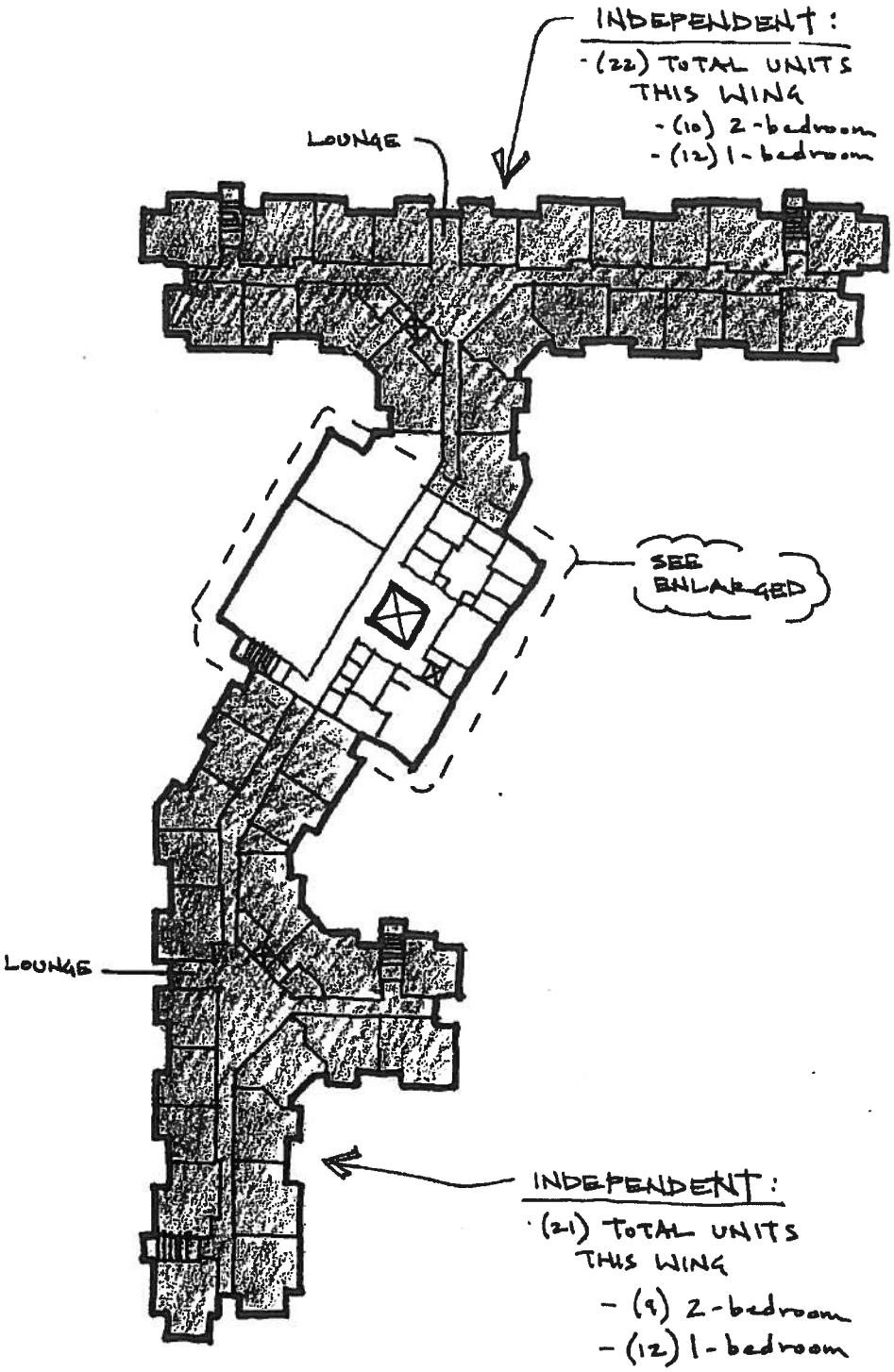
± 63,000 sf



SECOND FLOOR

1"=50'-0"

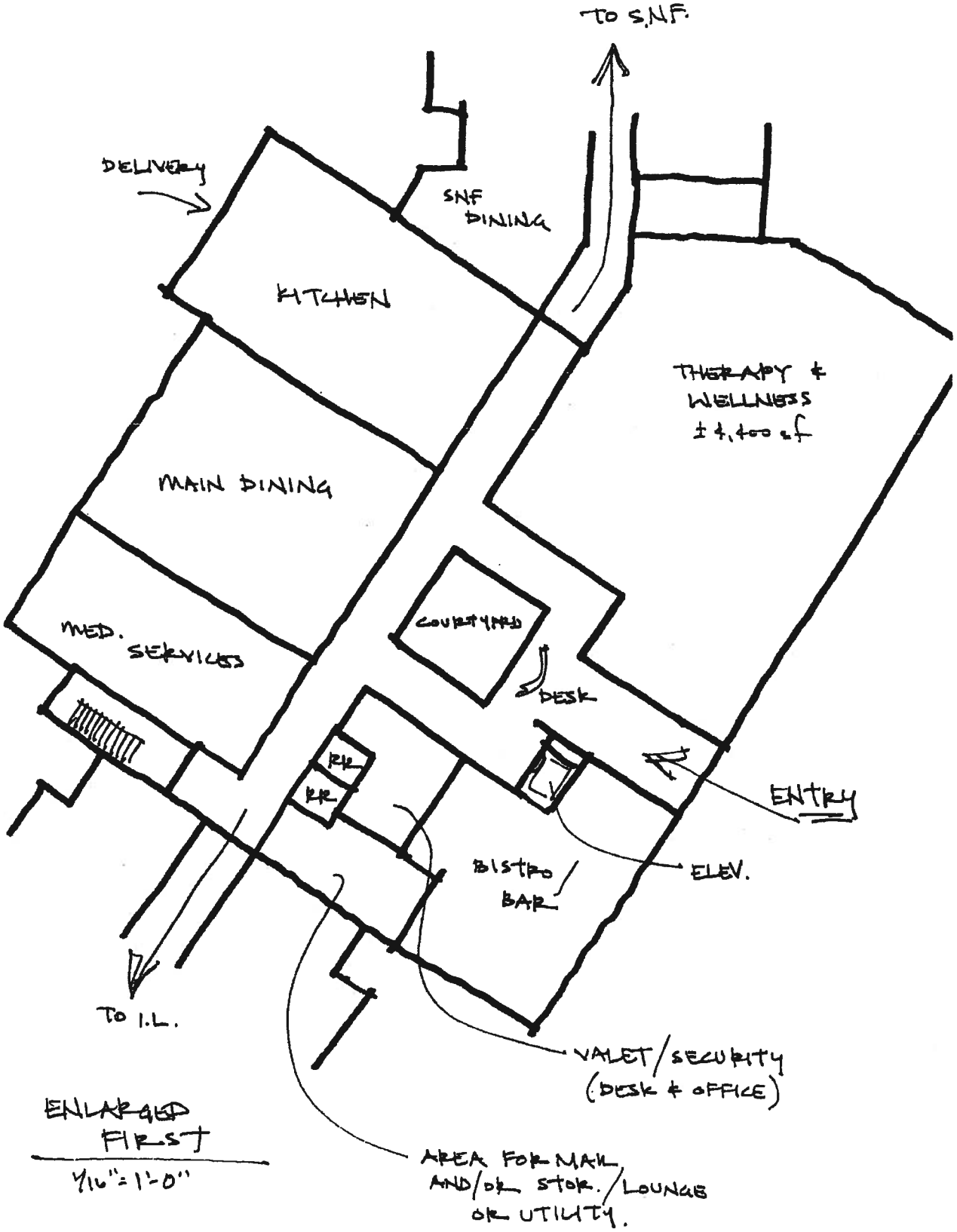
± 62,000 sf



THIRD FLOOR

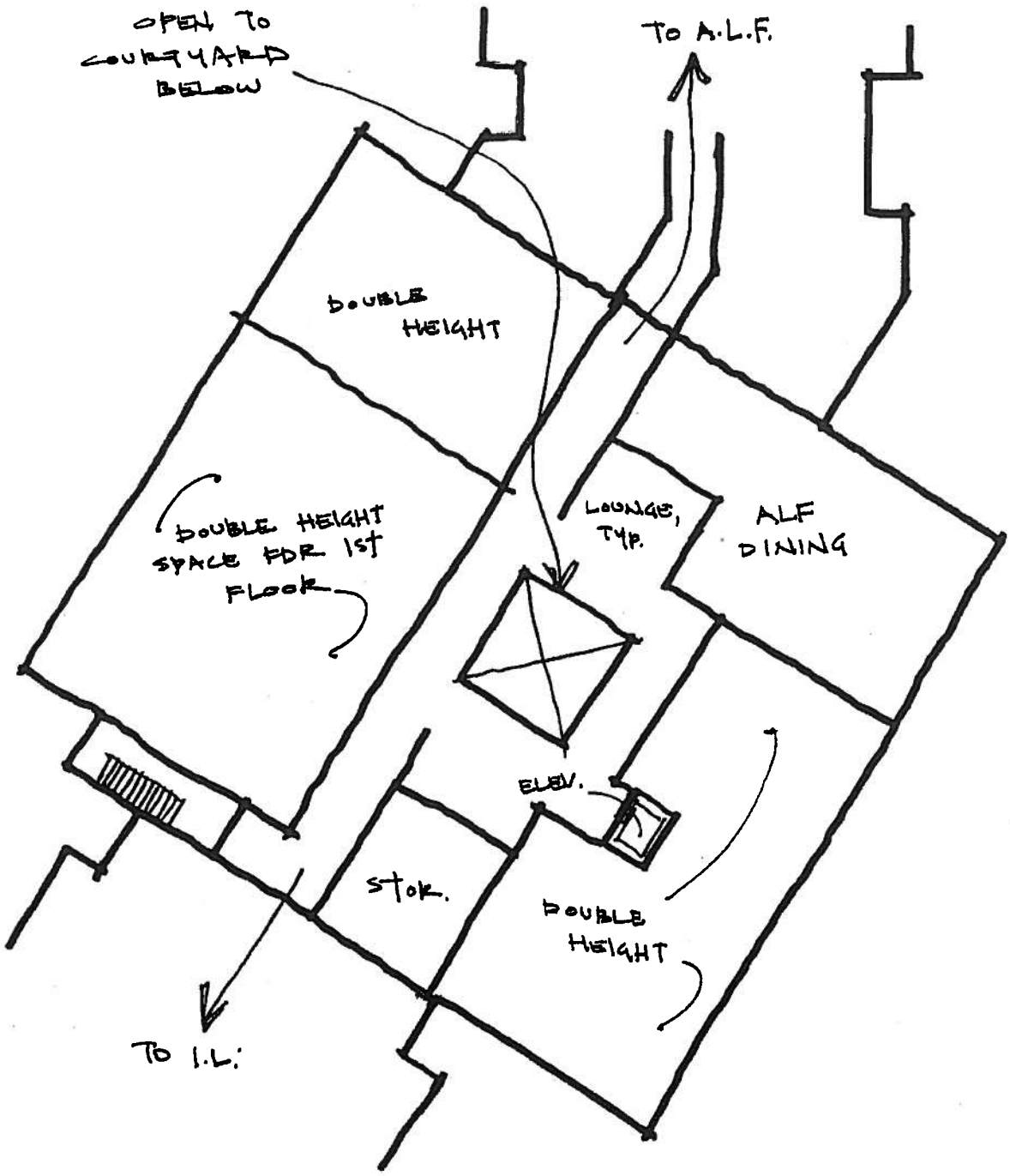
1" = 50'-0"

±60,000 sf



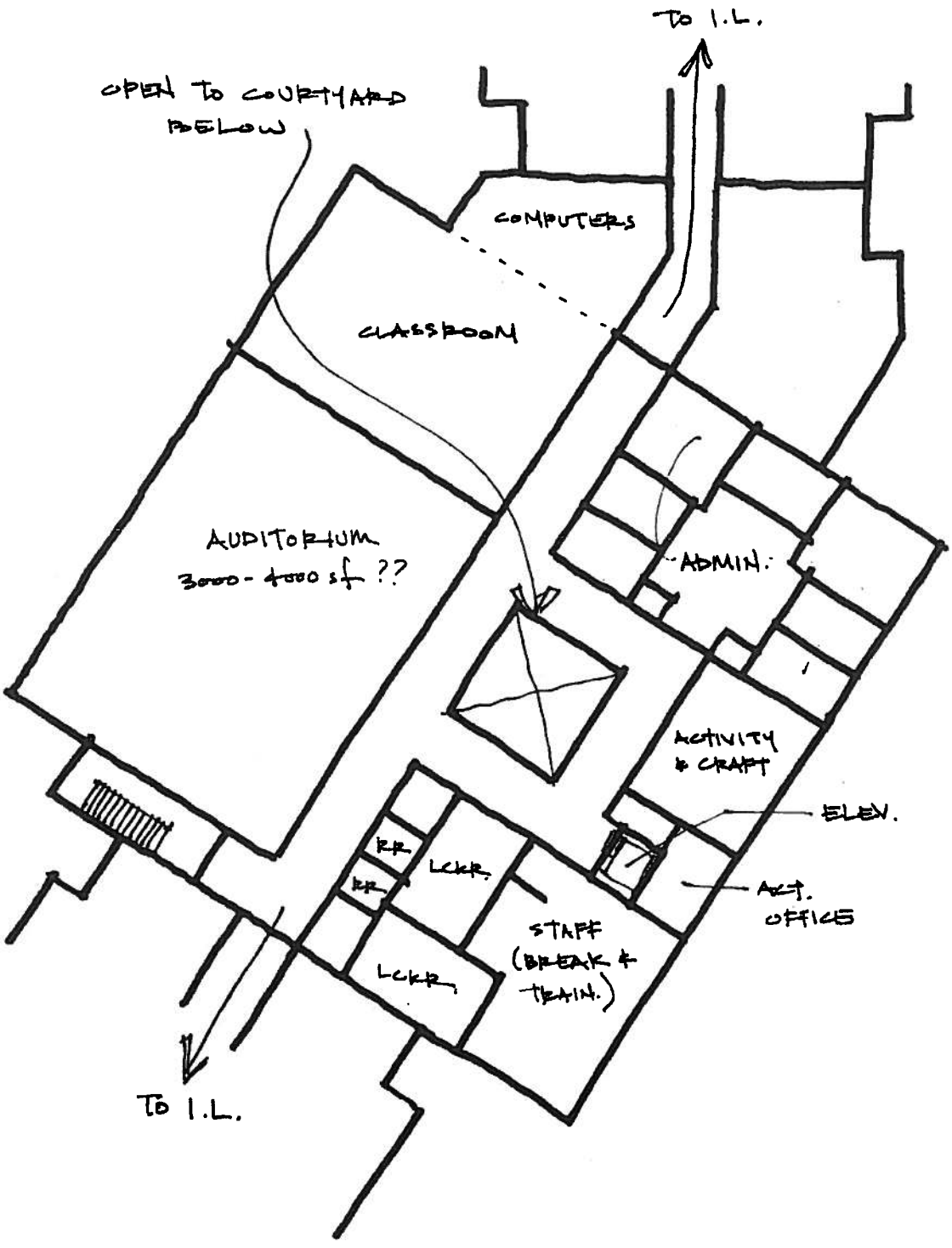
ENLARGED FIRST

1/16" = 1'-0"



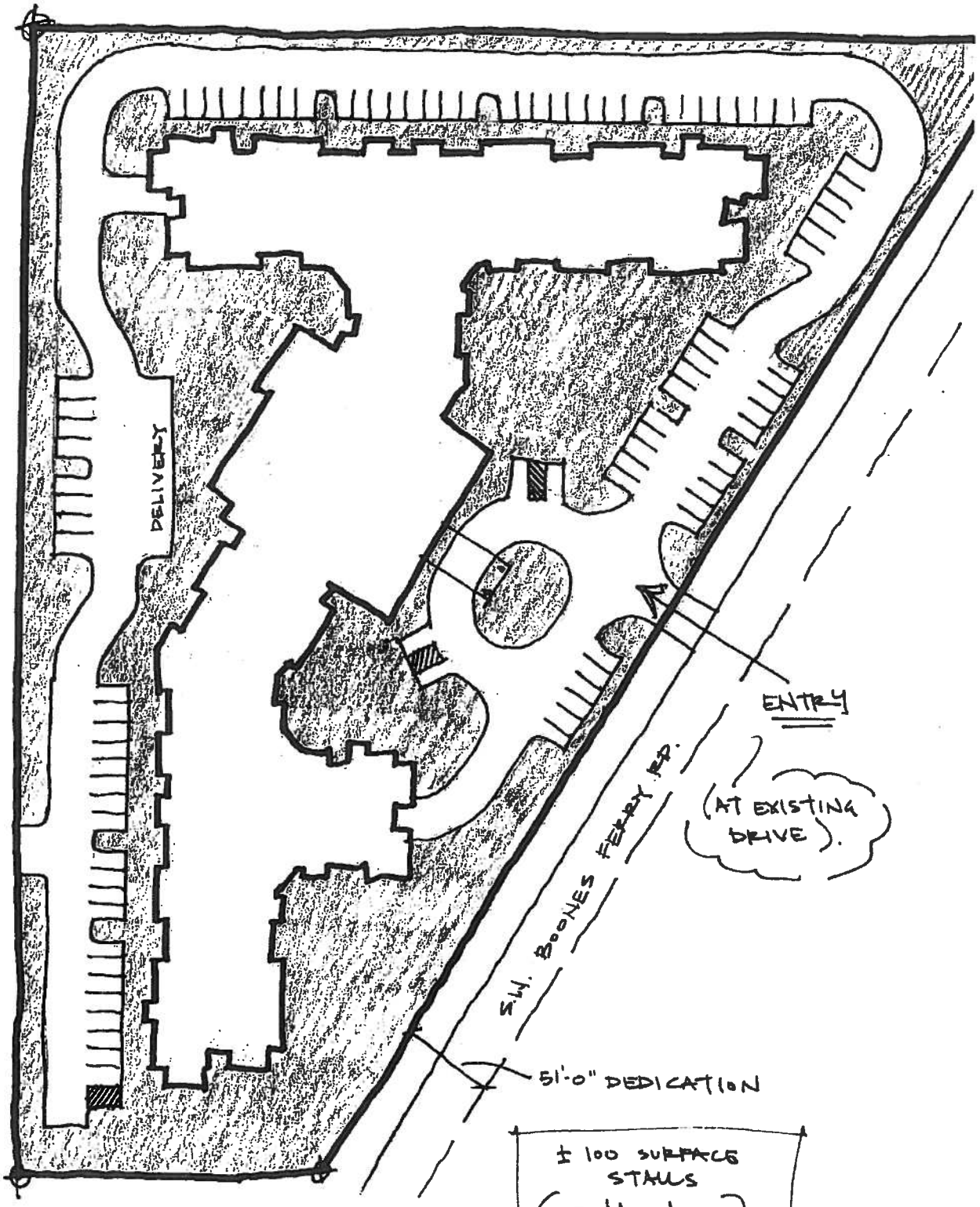
ENLARGED SECOND

1/16" = 1'-0"

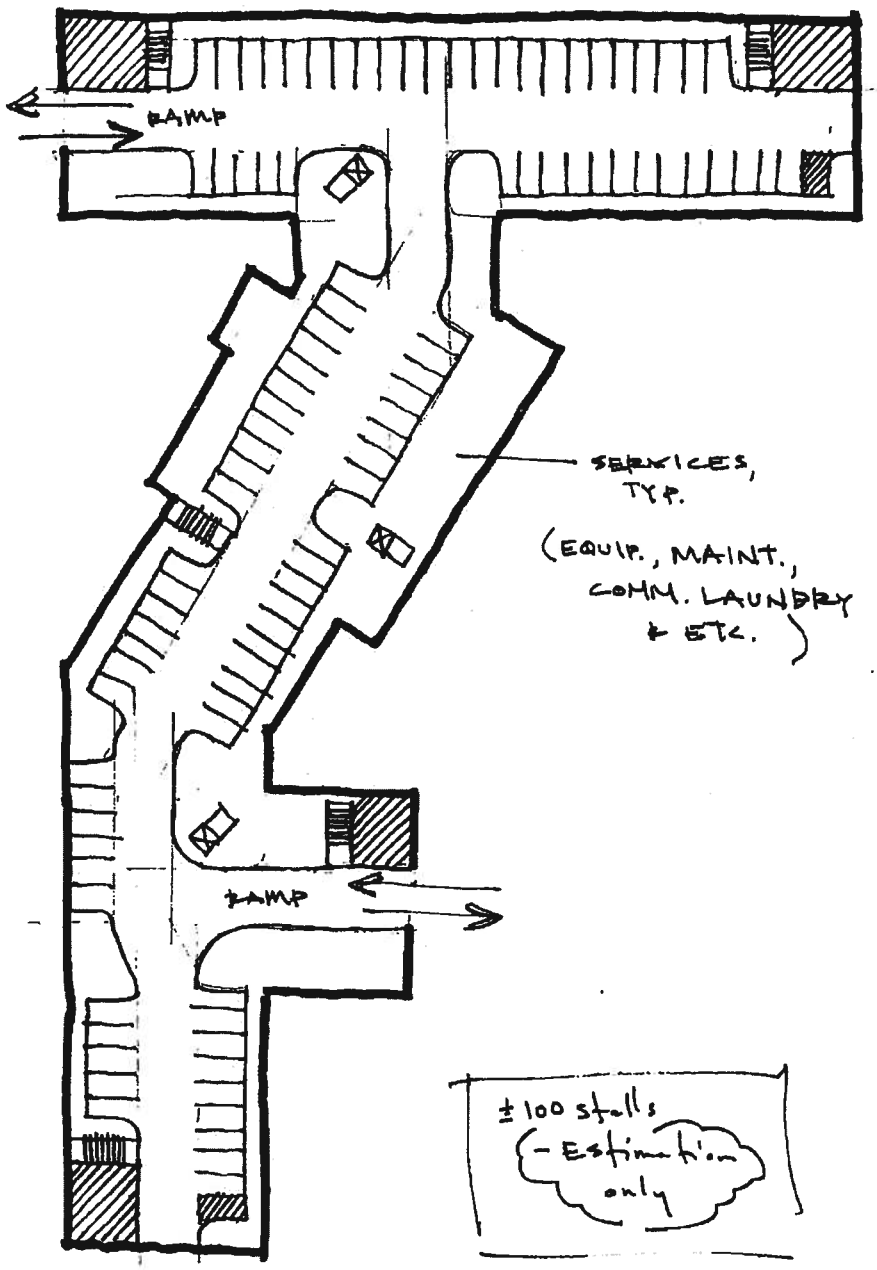


ENLARGED THIRD

1/16" = 1'-0"



SITE PLAN
1" = 50'-0"



U/G PARKING

1"=50'-0"

Scott Miller

From: Matt Stoffregen [matts@cb2architects.com]
Sent: Thursday, July 17, 2008 4:07 PM
To: Scott Miller
Cc: Greg Elmore
Subject: Tualatin Design Sketches
Attachments: Prelim Plans_07-17-08.pdf

Scott:

Here are some sketches of what we have been developing on Tualatin since our meeting last week. Based on the site configuration and zoning setbacks, the design is laying out differently than the "prototype" models that we discussed a few weeks back up at the Marquis office. Listed below are some key items to review (all based on your design comments sent July 9th):

-Only one level of underground parking is shown with this scheme - based on the preliminary layout and a quick/safe estimation, it looks like a total of 200 stalls (100 below/100 above) can be provided for the building. Two stories of underground parking probably not feasible for this triangular shaped site. With further refining of the design, we can probably increase the overall total of stalls without requiring another story of underground parking. Services (Equipment, Maintenance, Commercial Laundry, etc.) has been shown on the underground parking level - based on core design, these can be located here and not cause removal of any parking stalls. Kitchen still shown on 1st floor in order to accommodate deliveries.

-Since we are looking at "80-ish" IL units, we are assuming that the auditorium can be designed for fewer than 250 people as suggested for the larger prototype schemes. Based on this assumption, the auditorium has been designed at about 3-4k in size. Let us know if we need to resize. Also, based on site configurations, we've made the core area smaller and stacked the activity spaces on multiple floors - this places the auditorium on the "3rd floor" (technically, it is only the second level within the core).

-The bistro and bar have been combined into one space. We've provided enough space for a separate "kitchen/cooking/prep" area within the bistro - is this acceptable, or are you envisioning the main kitchen to also serve this area as well?

-For the WOW factor, we've started to create a "donut" shaped core area. Rather than making the entire building a donut (which is not feasible for a 60,000 plus S.F. building), we've added a courtyard within the core and centered it along the entry axis for a similar feel to WellSpring. Keep in mind, although the donut provides a nice entry feature, it isn't necessarily the most efficient use of circulation space. Also, just adjacent to the courtyard and reception desk is an area for a valet/security desk and offices if needed.

-The classroom area and learning center has been combined and is located adjacent to the auditorium on the "3rd floor." Let us know if this needs to be closer in location to the therapy/wellness area. The classroom has been designed so that the computer learning area is located within an alcove of the overall space. For the activity area, it has been combined with the craft room and has areas for storage. The activity office is now closer to 150-200 S.F. in size.

-The admin area is on the "3rd floor." Note that not every office within the admin wing will have windows as is shown in the current layout - although you've mentioned that it can have a "back-room" feel, are you okay with the lack of windows? The medical services area has been pulled away from the therapy space; not sure if this is acceptable. We can probably massage the core space and move the med services within the therapy space, but the total square footage would end up being around 5,000 S.F. for the entire therapy/wellness area.

-Dining/snacks can definitely be part of the lounge space.

-The exercise and strength rooms can be increased in size. The overall shape of the therapy area in this building

configuration will allow the rooms to be more centrally located.

-Due to the triangular shape of the site, the underground parking will not be able to extend much beyond the building extents. However, since the core area is wider than the residential wings of the building, services can be moved into this extra space below grade.

-We can make the locker rooms larger. In regard to the pool, it can be pulled into the building but note that it will need substantial space below for depth of pool and potential mechanical pit space. Since this building program is smaller than the prototype design, we are assuming that we can use a smaller pool (perhaps even a therapy size pool). Let us know your thoughts.

-This design currently has a total of 85 independent units, 35 assisted units (although some are a bit small), and 51 beds of skilled nursing. We may be able to increase the assisted units from 35 to 50 if we lose some of the extra independent units. On the second floor plan, we may be able to replace the IL's just below the core area with ALF's. This will need further discussion/research for implications on code requirements and operations, but it's definitely something to consider.

Matthew Stoffregen
matts@CB2architects.com

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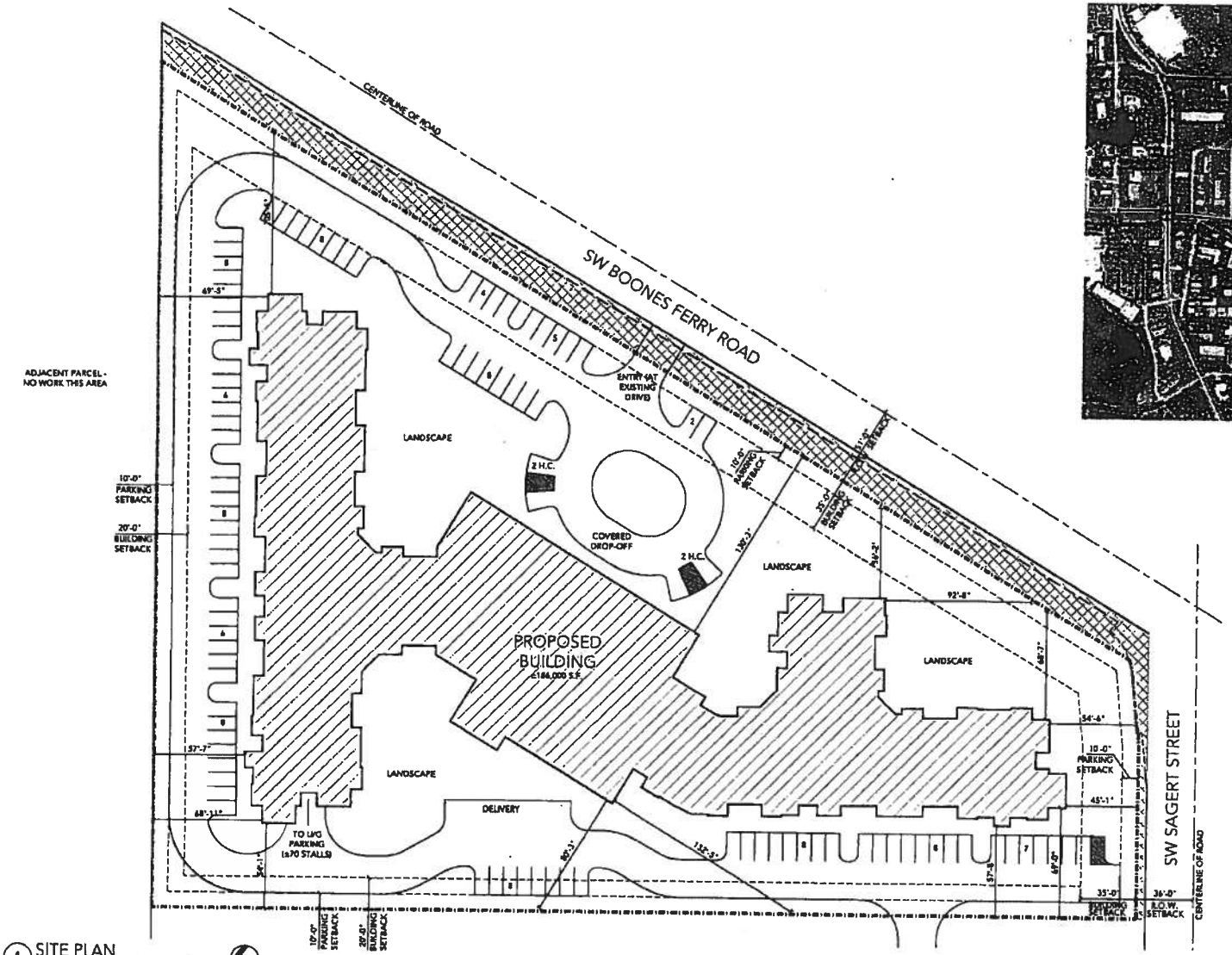
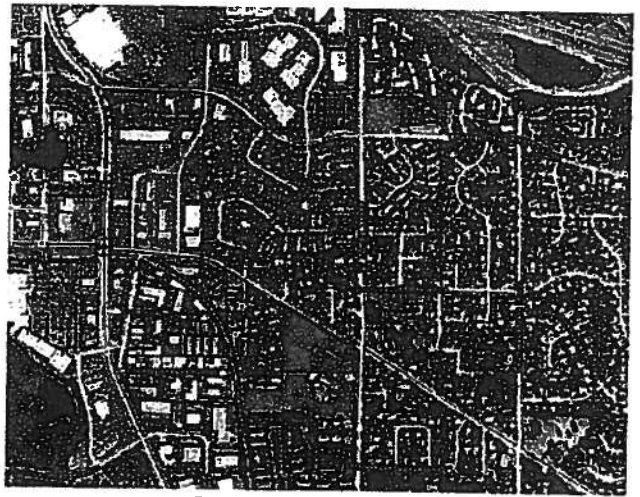
Salem, Oregon 97302

P: 503-480-8700



1 SITE PLAN
SCALE : 1" = 30'-0"



2 VICINITY MAP
SCALE : N.T.S.

SITE INFORMATION:

Total Area of Property	217,164 s.f. (4.99 acres)
Building Coverage (CCRC)	64,145 s.f. 30%
Parking Lot & Drive Coverage	58,952 s.f. 27%
Landscape/Open Area	94,067 s.f. 43%
Dedication / Right-of-Way (Not Included in Total Area of Property)	16,531 s.f. (0.38 acres)

PARKING INFORMATION:

Approx. # of U/G Stalls	66 Standard 4 H.C.	70 Stalls
Approx. # of Surface Stalls	93 Standard 4 H.C.	97 Stalls
Total # of Stalls	159 Standard 8 H.C.	167 Stalls

AREA BREAKDOWN:

Common Area / Wellness Center		25,000 to 35,000 S.F.
Skilled Nursing	50 Beds @ 500 S.F. each	25,000 S.F.
Assisted Living (Studio & 1-BR)	40-60 Units @ 850 S.F. each	34,000 to 51,000 S.F.
Independent Living (1-BR & 2-BR)	60-80 Units @ 1,175 S.F. each	70,500 to 94,000 S.F.
Total Approx. Area:		154,500 to 205,000 S.F.

MARQUIS COMPANIES

Marquis CCRC

Tualatin, OR August 6, 2008

A1

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Scott Miller

From: Matt Stoffregen [matts@cb2architects.com]
Sent: Wednesday, July 30, 2008 9:49 AM
To: Scott Miller; Greg Elmore
Subject: Tualatin Site Plan_PreApp
Attachments: A1_Site Plan.pdf

Scott:

Attached is the site plan for Tualatin - we need to send this up to our City contact prior to the PreApp, but we wanted to make you were comfortable with what we've shown at this point. Granted, we will continue to revise as the design progresses, but if there is anything you'd like us to change or add to help with the upcoming PreApp discussion, let us know. Thanks.

Matthew Stoffregen
matts@CB2architects.com

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Salem, Oregon 97302

P: 503-480-8700

Scott Miller

From: Greg Elmore [greg@cb2architects.com]
Sent: Thursday, August 07, 2008 12:14 PM
To: Scott Miller; Kelly.Hossaini@MillerNash.com
Cc: Matt Stoffregen; Gretchen Stone
Subject: Lot 34 - Tualatin
Attachments: survey-Model.pdf; A1M-SITE-current-Model.pdf

Scott,

Lot 34 is 241,167 SF (this includes the dedications that we will have to give for the ROW on both Boones and Sagert).

5.54 Acres

attached is the existing site plan that shows where that line cuts through 4 buildings, and the drawing we took yesterday over the existing lot lines.

Greg Elmore

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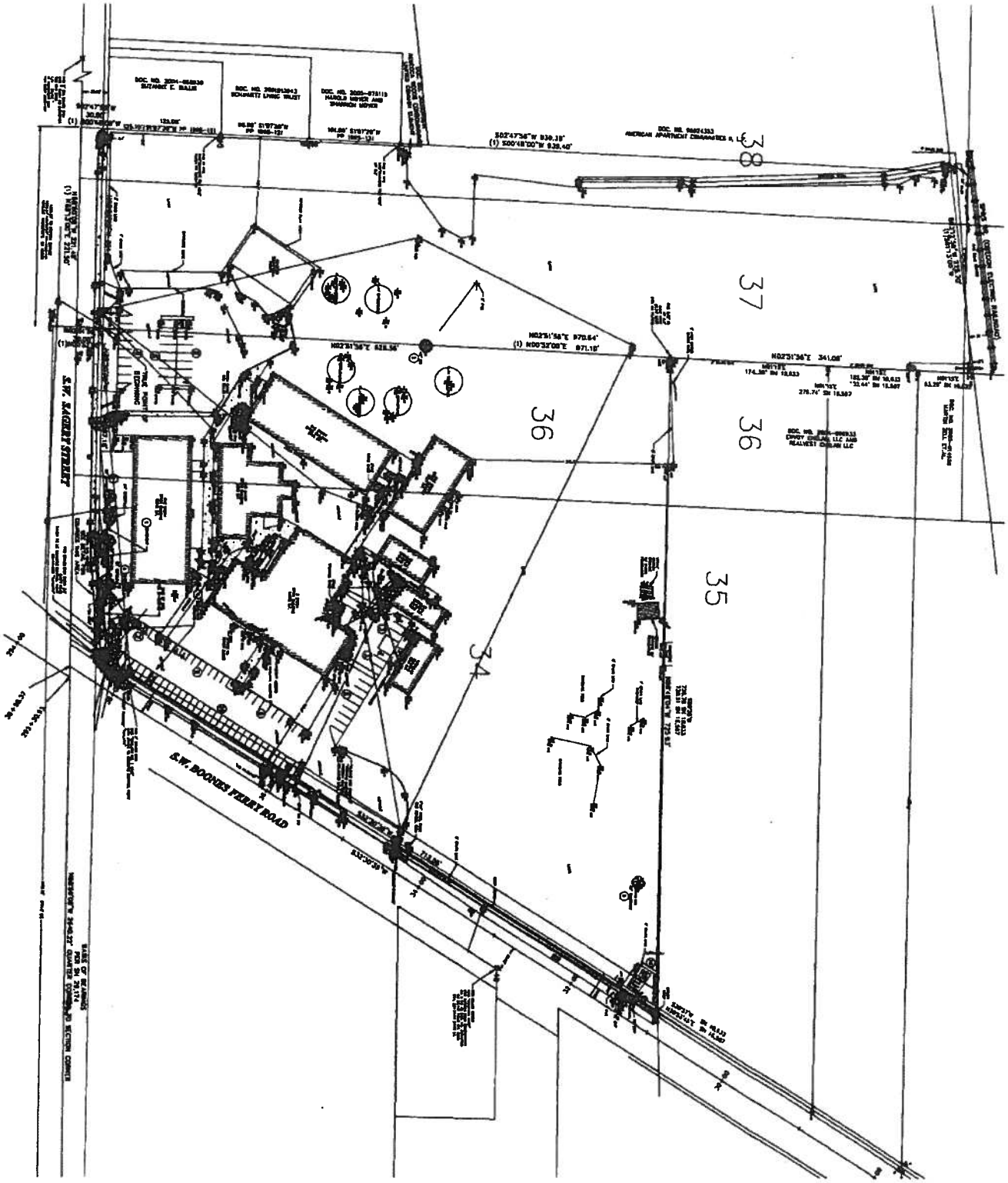
Salem, Oregon 97302

P: 503-480-8700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S.W. ASH STREET
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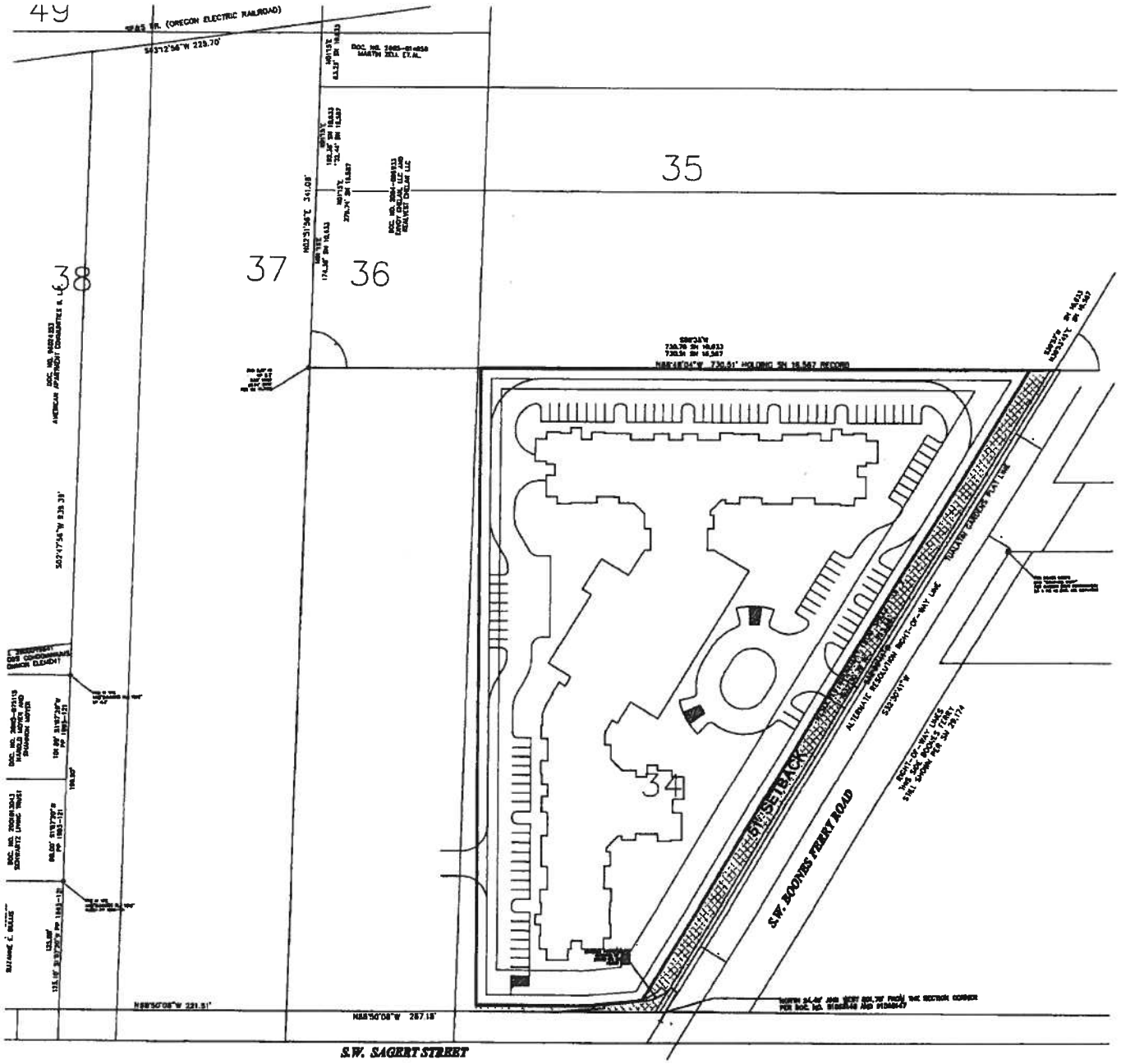
34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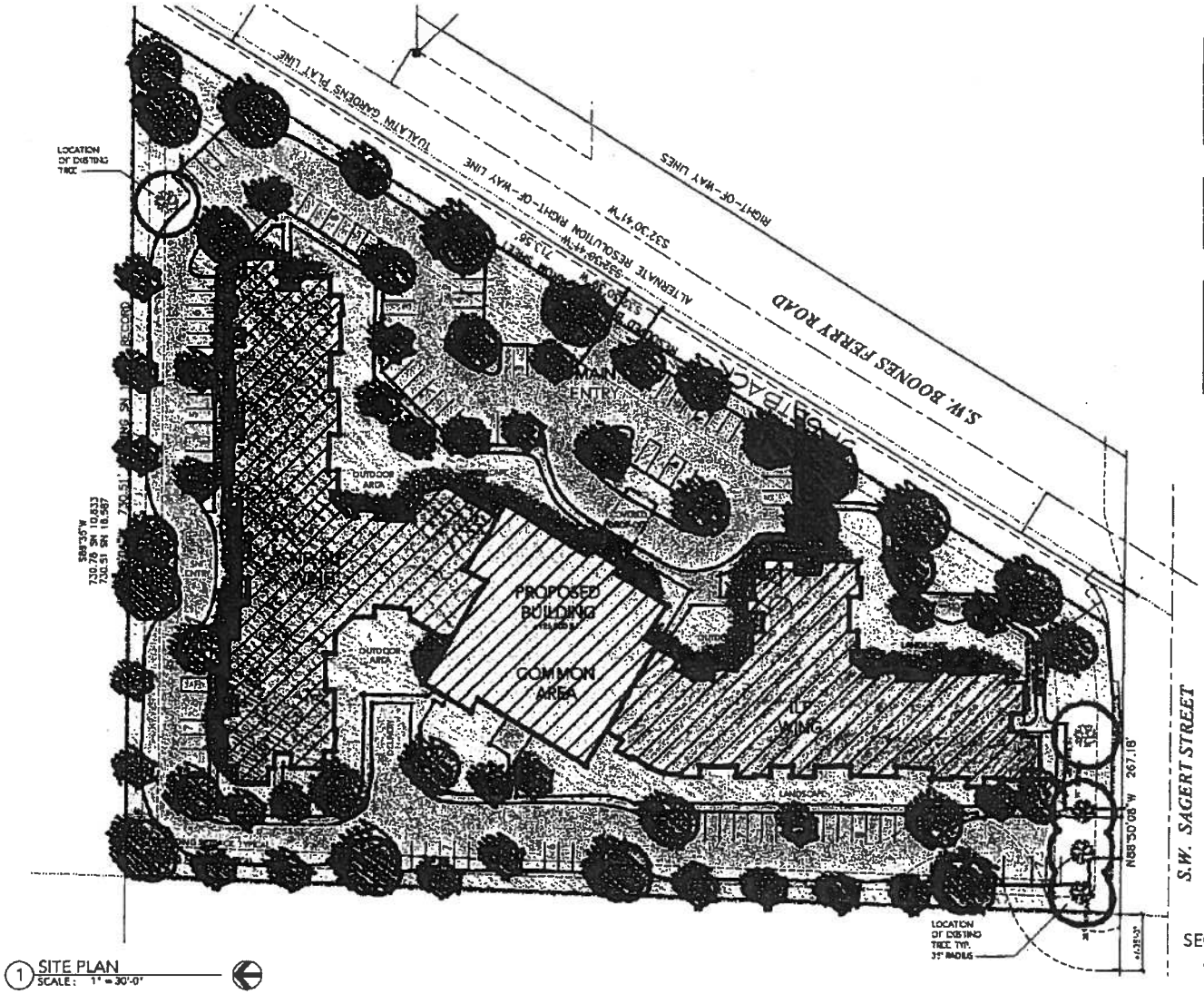
S.W. BOONES FERRY ROAD
S.W. SAGERT STREET



1 SITE PLAN
SCALE: 1" = 30'-0"

SITE INFORMATION:

Total Area of Property	241,218 s.f. 5.54 acres Verify Lot 240
Building Coverage CCRC	64,145 s.f. 27%
Parking Lot & Drive Coverage	53,784 s.f. 76%
Landscape/Open Area	113,275 s.f. 47%

PARKING INFORMATION:

Proposed # of IND Stalls	99 Standard 6 HC	70 Stalls
Approx. # of Surface Stalls	99 Standard 7 HC	106 Stalls
Total # of Stalls	155 Standard 111 HC	176 Stalls

AREA BREAKDOWN:

Common Area/ Wellness Center		25,000 to 35,000 S.F.
Skilled Nursing	50 Beds @ 500 S.F. each	25,000 S.F.
Assisted Living Studio & 1-BR	40-60 Units @ 850 S.F. each	34,000 to 51,000 S.F.
Independent Living 1-BR & 2-BR	50-80 Units @ 1,375 S.F. each	70,500 to 94,000 S.F.
Total Approx. Area		154,500 to 208,000 S.F.

Marquis CCRC

Tualatin, OR August 25, 2008

MARQUIS COMPANIES

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Scott Miller

From: Matt Stoffregen [matts@cb2architects.com]
Sent: Wednesday, August 27, 2008 9:33 AM
To: Hossaini, Kelly; Scott Miller
Subject: Marquis Tualatin
Attachments: 01_Site Plan_Secondary Access.pdf

Kelly, Scott:

Here is the latest Site Plan showing an estimated size and location for the secondary access point at the southwest corner of the parcel. We are still looking into some floor plan revisions, but these changes should not affect the access location. I reduced the file size pretty dramatically in order to send over email, so if you have trouble reading or using the file in any way, pease let me know and I can resend as needed.

Thanks,
Matt

Matthew Stoffregen
matts@CB2architects.com

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Salem, Oregon 97302

P: 503-480-8700

MEETING NOTICE

The Tigard-Tualatin School Board is holding a series of public meetings to discuss possible uses for district-owned property. The first meeting will be held:

Date: **Thursday, Oct. 6**
Time: **6:30 p.m.***
Location: **6960 S.W. Sandburg St. • Tigard 97223**
School District Administration Building

*Comments may be made in person until 7:30 p.m on Oct. 6. and in writing through Oct. 27, 2005. (Written comments may be mailed to Tigard-Tualatin School District, 6960 SW Sandburg St. Tigard, OR 97223)

The properties to be discussed on Oct. 6 include:

- **Former School District Administration** site,
  13137 SW Pacific Hwy. Tigard
  (A portion of WCTM 2S102CB, Tax Lots 100 and 200)

- **Former C.F. Tigard Elementary School Multipurpose Building,**
  12850 SW Grant St., Tigard
  (A portion of WCTM 2S102CB, Tax Lots 100 and 200)

- **Two lots on the Alberta Rider Elementary School** site located on either side of 13040 SW Bull Mountain Rd.
  (A portion of WCTM 2S109AC, Tax Lot 2100 and 2S109AD, Tax Lot 1300, located on Bull Mountain Road, east of SW 133rd and west of Greenfield Road.)

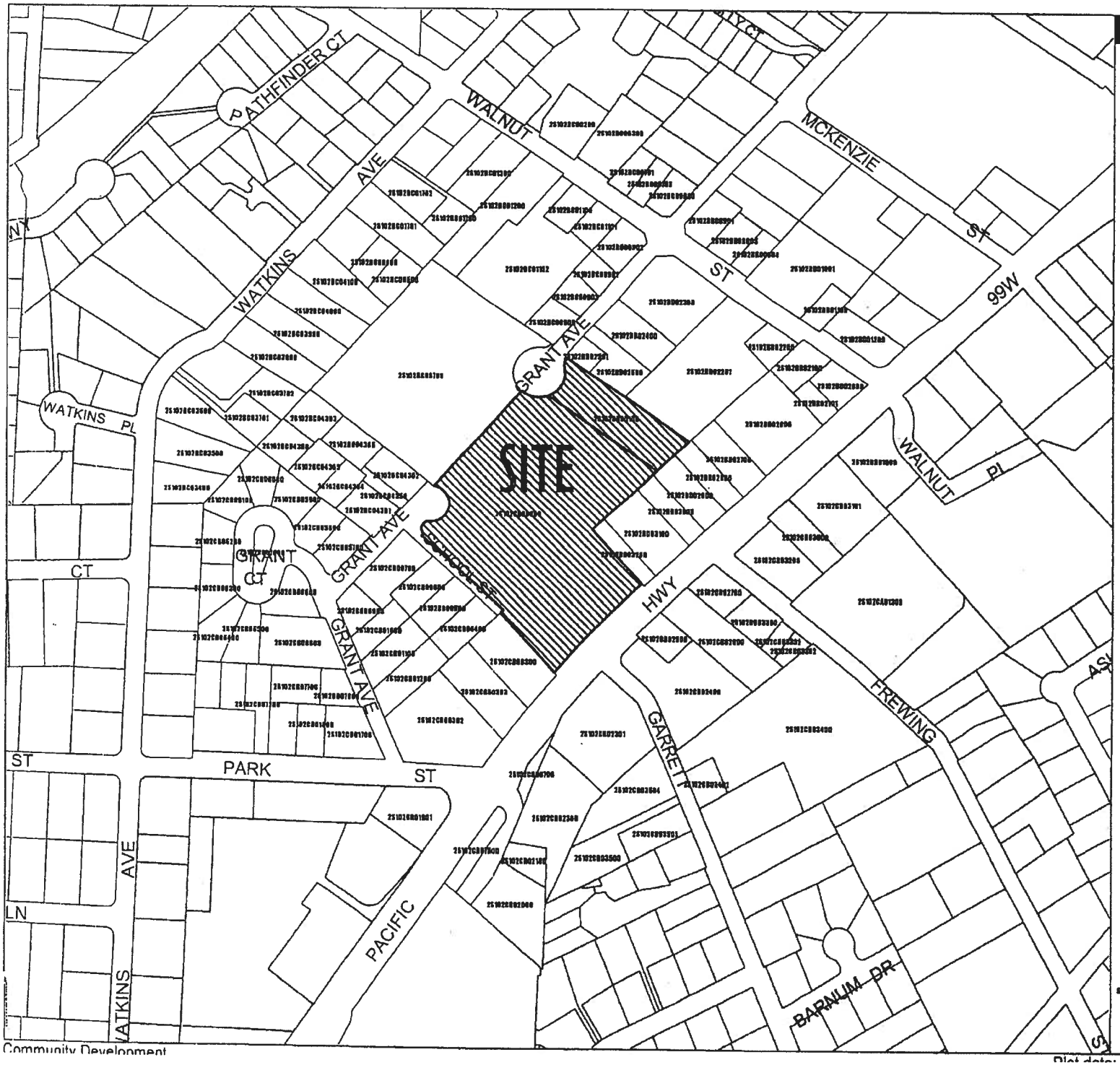
- **Former Tualatin Elementary School** site,
  19945 SW Boones Ferry Rd.
  (All of WCTM 2S123DD, Tax Lot 500)

Purpose: The school district must make a number of decisions regarding the property it owns, including but not limited to:

- Property identified for use for future district programs or facilities;
- Property to be sold to generate funds;
- Property to be used by other groups to benefit the community.

Important dates:

Written comments accepted through **Oct. 27**
Recommendation to the school board at **Nov. 3** meeting
Possible school board action at **Nov. 17** meeting



CITY of TIGARD

GEOGRAPHIC INFORMATION SYSTEM

AREA NOTIFIED (500')

FOR: Ed Murphy
(C.F. Tigard Elementary)

RE: 2S102CB; 100/200

Property owner information is valid for 3 months from the date printed on this map.

N

0 100 200 300 Feet

1"= 256 feet

City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
http://www.ci.tigard.or.us

Plot date: Sep 23, 2005; GIS\mapsIMAGIS03.APR

CITY of TIGARD

GEOGRAPHIC INFORMATION SYSTEM

AREA NOTIFIED (500')

==========

FOR: Ed Murphy
(Alberta Rider Elementary)

RE: 2S109AC, 2100
2S109AD, 1300

==========

Property owner information is valid for 3 months from the date printed on this map.

N

0 100 200 300 Feet

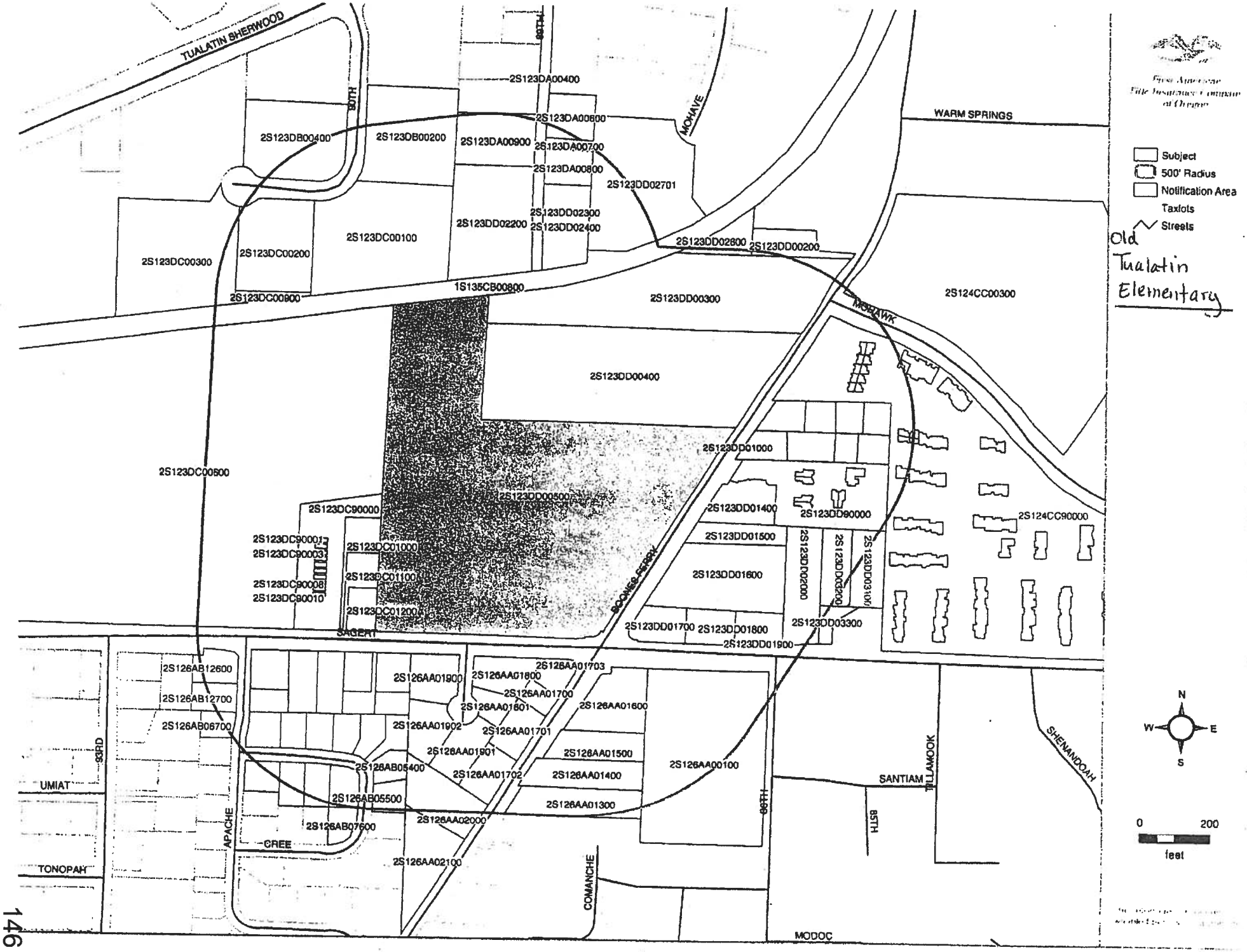
1"= 256 feet

City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
http://www.ci.tigard.or.us

Community Development

Plot date: Sep 23, 2005; C:\magic\MAGIC03.APR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2S123DB00400
2S123DB00200
2S123DA00900
2S123DA00700
2S123DA00800
2S123DD02701
MOHAVE
WARM SPRINGS
2S123DD02300
2S123DD02200
2S123DD02400
2S123DC00100
2S123DC00200
2S123DC00300
2S123DD02800
2S123DD00200
2S123DC00900
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MOHAWK
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TILLAMOOK
SHENANDOAH
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2S126AA01300
85TH
2S126AA02000
APACHE
2S126AB07600
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TONOPAH
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COMANCHE
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Notification Area
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Streets
Old Tualatin Elementary
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Welcome to this Public Meeting of the Tigard-Tualatin School District Board of Directors Thursday, October 6, 2005

Hibbard Administration Center, 6960 SW Sandburg Street, Tigard, OR 97223

Public participation on agenda items occurs at the discretion of the chair. Please indicate your interest by completing a "Public Comment Card" provided at the agenda table. Non-agenda items and public hearings are governed by the policy found at the agenda table. At 9:00 PM, the Board may take a five-minute recess, and the chair will review the agenda for possible rescheduling of items. The public meeting will not go beyond 9:30 PM without a majority vote of the board. For assisted listening/speech call 431-4002 (voice) or 431-4047 (FAX) no later than 48 hours prior to the meeting.

6:30 PM **PUBLIC HEARING**

Public Comment on Dispensation of District Property

7:30 PM **REGULAR SESSION**

I. CALL TO ORDER ..... Board Chair Caroline Neunzert

Art Rutkin (Vice-Chair), Barry Albertson, Conde Bartlett, Mark Chism (Members)

7:31 PM **II. APPROVAL OF AGENDA** ..... Board Chair Neunzert

7:35 PM **III. CONSENT AGENDA** ..... Board Chair Neunzert

A. September 22, 2005 Meeting Minutes
B. Human Resources Report/Personnel Action
C. Extended Field Trip Request for Tualatin High Crimsonnaires

7:40 PM **IV. STUDENT ENVOY REPORTS**

A. Tigard High Envoy ..... Krista Foltz
B. Tualatin High Envoy ..... Kyli Krummel

8:05 PM **V. PUBLIC COMMENT**

Discussion of non-agenda items must be approved by a consensus of the board. Discussion of specific agenda items may be deferred to the appropriate time the item is before the board as stated on the agenda or at the direction of the Board Chair.

8:10 PM **VI. REPORTS & DISCUSSION**

A. Senator Richard Devlin
B. Status of Capital Project Closeouts ..... Stephen Poage

9:00 PM **VII. ACTION ITEMS**

A. Second Reading of Board Policies GBD, GBE, GBEA ..... Randy Harvey

9:20 PM **VIII. SUPERINTENDENT & BOARD COMMUNICATION** ..... Rob Saxton

(Reports on meetings or correspondence of interest to the board).

9:30 PM **IX. ADJOURN** ..... Board Chair Neunzert

School Board Minutes

Tigard-Tualatin School District, 23J

The minutes are official after Board approval and will be posted at www.ttsd.k12.or.us.

Board Members Present:
Caroline Neunzert, Board Chair
Art Rutkin, Vice-Chair
Barry Albertson
Conde Bartlett
Mark Chism

Administration Present:
Rob Saxton, Superintendent
Randy Harvey, Human Resources/Operations Director
Roy Burling, Chief Financial Officer
Carla Randall, Curriculum & Instruction Director
Petrea Hagen Gilden, Student Services Director
Carol Kinch, ELL Director
Susan Stark Haydon, Community Relations Director
Darin Barnard, Alberta Rider Principal
Jennifer Nelson, 21st Century Schools Director
Ernie Brown, Hazelbrook Principal
Stephen Poage, Director of Capital Projects

Others Present:
Patricia Keller, Executive Assistant
Phil Wentz, Risk Manager
Al Spencer, TTEA President
Dale Hill, Staff Member
Brad Hoskins, Staff Member
Kyli Krummel, Tualatin High Envoy
Krista Foltz, Tigard High Envoy
Steve Foltz, Community Member
Jan Kittelson, Budget Committee Member
Nancy Ford, NWRESD
Dewey Hamilton, Community Member
Sharon Maroney, Broadway Rose Theater
Marian Dunlap, Community Member
Mary Kleffner, Community Member
Lee Weislogel, MITCH Charter School
Julie Russell, Community Member
Susan Cameron, Community Member
Wendy McDonnal, Staff Member
Marilyn Hassmann, Caring Closet / Staff Member
Jan Leone, Community Member
Debi Lorence, MITCH Charter School
Laurel Blanchard, Community Member
Jeff Tianer, Tualatin Baseball / Community Member
Christie Rivas, Staff Member
Linda Meholt, Tualatin School House Pantry
Juanita Muntz, Community Member
Holly Shumway, Community Member
Dan Murphy, Broadway Rose Theater
Catherine West, Tualatin Resource Center
Sydney Sherwood, Tigard City Counselor
Mike Shiffer, Tualatin School House Pantry
Katy Thielen, Staff Member
Gordon Fiddes, MITCH Charter School
Jeff Berry, Community Member
Katie Alpert, Community Member
Nathan Brandt, Community Member
Alan Anderson, Community Member
Brian Fosmaign, Community Member

6:30 PM PUBLIC COMMENT

Call to Order

Chairman Neunzert called the Public Comment Session of the Tigard-Tualatin School District Board of Directors to order at 6:32 PM at the Hibbard Administration Building, 6960 SW Sandburg St., Tigard, OR 97223. This was the first in a series of public comment sessions regarding future use of District property. Chairman Neunzert stated that the Board wants to insure that property is being used to the best advantage of the District and the taxpayers. While the Board is not required by law to solicit input from District Patrons, they wanted to understand the wishes of the community. The properties under discussion at this meeting are: The old Tualatin Elementary site, the old C.F. Tigard Cafeteria building, the old District Administration building site on Pacific Hwy and two property parcels adjoining Alberta Rider's Life Estate.

Superintendent Saxton began by describing each of the parcels beginning with the two properties adjacent to the Alberta Rider Life Estate. Each parcel is approximately .75 acres and zoned R6, residential. The former administration office property on Pacific Highway is approximately 1.37 acres and is zoned R12, medium density. The old CFT cafeteria parcel is also approximately .75 acres and is zoned R12. The last parcel under discussion is the old Tualatin Elementary site that is 12.75 acres and zoned RL, low density residential. The District owns all of the above-mentioned properties outright.

Dewey Hamilton, Tigard Resident, stated that the Board, elected by the community as stewards of the public education system, should consider the short and long-term District goals regarding property and also think long and hard before making a decision about those properties. He requested that any decision should be based on the criteria: "Is it good for Kids?"

Sharon Maroney, Broadway Rose Producing Artistic Director, and Dan Murphy, Broadway Rose General Manager, each spoke about the opportunities offered by the Broadway Rose Theater to students and the public. Sharon spoke about the many productions offered each year for the last 13 years. Dan said he is aware of the difficulty the District has with funding programs and Broadway Rose can help by offering opportunities for students to learn theater skills. They are very interested in making the old CFT Cafeteria building their new home. Sidney Sherwood, Tigard City Counselor supports that idea. She said the community wants and needs a performing arts center as part of the downtown renewal.

Marion Dunlap, Mary Klefner, Wendy MacDonnal, Christie Rivas, Laurel Blanchard and Jan Leone all support the Broadway Rose program and their utilization of the old cafeteria site. They spoke of many ways that Broadway Rose supports the community and the schools, of the training and opportunities for students, of their interest to display student art and incorporate it on the children's performance programs. Katie Thielen, staff member at Twality Middle School, supports having the educational opportunity for students to be able to attend live theater performances in the community. Juanita Muntz pointed out that taxpayers have paid for the building and it should be used for the community, in particular, the Broadway Rose Theater.

Julie Russell and Susan Cameron both urged the Board to retain the properties adjacent to the Alberta Rider Life Estate for parks or to allow for additional playground space for the small school site.

Lee Wiseloto, Chairman of Mitch Charter School Board, stated that the charter school would like to continue to use the old Tualatin Elementary site. Holly Shumway and Debie Lorence also spoke in support of Mitch Charter School's continued use of that space.

Jeff Tainer, representing Tualatin Baseball and Softball, encouraged the Board to retain the old Tualatin Elementary property to develop needed baseball/softball fields for the Tualatin Community. He said one way to accomplish that effort would be the formation of partnerships with the District, the City of Tualatin and/or Little League.

Linda Meholt, Catherine West, Mike Shiffer and Marilyn Hassmann spoke on behalf of the programs they represent and urged the Board to retain the old Tualatin Elementary site so they can have a permanent site. There are several programs currently housed there. Tualatin School Food Pantry that is connected to the Oregon Food Bank and provides food to 230-260 families each month with an emphasis on proper nutrition. The Tualatin Resource Center arranges health resources through NW Medical Teams and they provide many other services to assist families to be self-sufficient which increases a student's ability to be successful in school. The Caring Closet provides emergency clothing and hygiene supplies to students in need. Catherine West stated she would like the Resource Center to remain in Tualatin area, as there seems to be a lack of services in the city. The Caring Closet served over 400 students last year and 130 already this school year.

Chairman Neunzert closed property discussion portion of the meeting by saying the record will remain open for three weeks so that anyone who would like to submit written testimony may do so. Written testimony should be directed to Tigard-Tualatin School District Office, Attention Patricia Keller, 6960 SW Sandburg Street, Tigard, OR 97223. On November 3, 2005, the administration will present their recommendation regarding the properties discussed at this meeting with expected Board action on November 17, 2005.

The meeting was recessed at 7:43 PM for 15 minutes.

7:30 PM REGULAR MEETING

Call to Order

Chairman Neunzert called the regular session of the Tigard-Tualatin School District Board of Directors to order at 8:00 PM at the Hibbard Administration Building, 6960 SW Sandburg St., Tigard, OR 97223. Chairman Neunzert noted for the record that the executive session originally planned for this afternoon was cancelled. A session was held earlier to hear comments from the public regarding District property.

Approval of Agenda
Changes to the agenda included cancellation of the presentation by Richard Devlin that will be rescheduled next month and the addition of Item III, C: *Extended Field Trip Request for the Tualatin High Crimsonnaires.*

Consent Agenda
The Consent Agenda consisted of the September 22, 2005 Board meeting minutes, the Human Resources/Personnel Action Report, and the Extended Field Trip Request for Tualatin High Crimsonnaires. Director Albertson made a MOTION to approve the Consent Agenda as presented. Director Bartlett seconded the motion. The Consent Agenda was approved unanimously.

Student Envoy Reports
Kyli Krummel, Tualatin High Envoy, and Krista Foltz, Tigard High Envoy, attended their first Board Meeting of the 2005-06 School year. Kyli reported that Tualatin High students raised over $3,000 for Katrina relief! Krista said students at Tigard High think the new school is great! She also shared that this is homecoming week at Tigard High.

Public Comment
There were no requests for comment from the Public.

Reports and Discussion
A. Senator Richard Devlin's report will be rescheduled for one of the meetings in November.

B. Stephen Poage was asked to clarify information regarding remaining work listed in his September 15th memo that included many items at several schools. Some items are on the list as a result of things that just don't work, were requested by the Fire Marshall, etc. Mr. Poage said he is working with Brad Hoskins and Phil Wentz to resolve the health and safety issues on the list. No additional funds will be requested for the items listed. The majority of the work listed will probably be completed by the second Board meeting in November.

Action Items
A. Randy Harvey presented Board Policies GBD, Board/Staff Communications; GBE, Employee Assistance Program; and GBEA, Staff Health and Safety for second reading. Policy GBE is not required by Oregon Statute but the District has had this in force since 1990. It helps keep employees on the job. There were minor changes to these policies that Mr. Harvey pointed out as well as legal references to be updated. Director Rutkin made a MOTION to adopt Board Policies GBD, Board/Staff Communications; GBE, Employee Assistance Program; and GBEA, Staff Health and Safety as presented. Director Chism seconded the motion. The motion was approved unanimously.

Superintendent & Board Communication
- Superintendent Saxton was at Metzger when Delta Kappa Gamma gave dictionaries to all 3rd graders.
- In November the TTSD continuous improvement process with actual School Improvement Plans will be presented to the Board. Other reports to the Board throughout the year will include: ELL, Special Ed, Staffing/hiring, Literacy, District data, Mastery in Motion and TESA.
- Mr. Saxton has been attending the Tri County Tax meetings.
- A lot of work is being done within the District to prepare School Improvement Plans for presentation.
- Superintendent Saxton will be the Grand Marshall for Tigard High Homecoming Parade on Friday.
- Dr. Albertson's clinic is beginning a public employees recognition awards in the amount of $500 each.
- OSBA sent a congratulatory letter to Caroline Neunzert in recognition of the Board's dedication to public education.

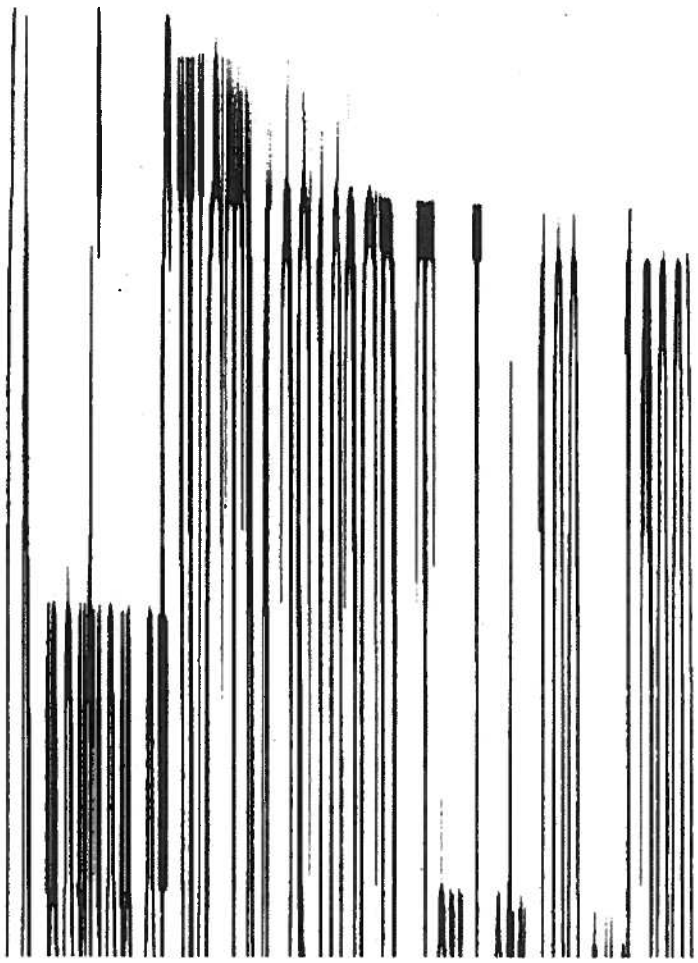
Adjourn
Chairman Neunzert adjourned the regular meeting at 9:03 PM.

APPROVED BOARD MEETING
Date: 10/17/05
Chairman:
Clerk:

2004-2005 Tigard-Tualatin School District Board of Directors:
Caroline Neunzert, Chair; Art Rutkin, Vice-Chair; Barry Albertson, Conde Bartlett, Mark Chism

[redacted] on Oct. 6 include:

- **Former School District Administration** site,
  13137 S.W. Pacific Hwy. Tigard



MEETING NOTICE

The Tigard-Tualatin School Board is holding a series of public meetings to discuss possible uses for district-owned property. The first meeting will be held:

Date: **Thursday, Oct. 6**
Time: **6:30 p.m.***
Location: **6960 S.W. Sandburg St. • Tigard 97223**
School District Administration Building

*Comments may be made in person until 7:30 p.m. on Oct. 6. and in writing through Oct. 27, 2005. (Written comments may be mailed to Tigard-Tualatin School District, 6960 SW Sandburg St. Tigard, OR 97223)

The properties to be discussed on Oct. 6 include:

- **Former School District Administration** site,
  13137 S.W. Pacific Hwy. Tigard
  (A portion of WCTM 2S102CB, Tax Lots 100 and 200)

- **Former C.F. Tigard Elementary School Multipurpose Building,**
  12850 S.W. Grant St., Tigard
  (A portion of WCTM 2S102CB, Tax Lots 100 and 200)

- **Two lots on the Alberta Rider Elementary School** site located on either side of 13040 SW Bull Mountain Rd.
  (A portion of WCTM 2S109AC, Tax Lot 2100 and 2S109AD, Tax Lot 1300, located on Bull Mountain Road, east of SW 133rd and west of Greenfield Road.)

- **Former Tualatin Elementary School** site,
  19945 SW Boones Ferry Rd.
  (All of WCTM 2S123DD, Tax Lot 500)

Purpose: The school district must make a number of decisions regarding the property it owns, including but not limited to:

- Property identified for use for future district programs or facilities;
- Property to be sold to generate funds;
- Property to be used by other groups to benefit the community.

Important dates:

Written comments accepted through **Oct. 27**
Recommendation to the school board at **Nov. 3** meeting
Possible school board action at **Nov. 17** meeting

Future Meeting Dates:

Properties to be discussed on Dec. 8 include:

- The back portion of the New Tualatin Elementary property
- Property needed for future school sites
- The Byrom/Tualatin High property

Properties to be discussed on Feb. 9 include:

- The Durham center site
- Deer Creek Elementary property
- Durham Elementary School access road

Properties to be discussed on April 20 include:

- The Transportation Center
- Fowler Middle School Property
- Templeton Elementary School access

Tigard-Tualatin School District
Public Comment on District Property
October 6, 2005

Dewey Hamilton
15625 SW Summerfield Lane
Tigard, OR 97224
503-639-63332

Sharon Maroney
Broadway Rose
PO Box 231004
Tigard, OR 97223
Cell: 503-260-7751

Marian Dunlap
Summerfield / CFT Cafeteria
15657 SW Summerfield Lane
Tigard, OR 97224
503-639-9703

Mary Kleffner
Broadway Rose
16115 SW Westminster Dr.
Tigard, Or 97224
503-646-5850

Lee Weislogel
Mitch Charter School
PO Box 230575
Tigard, OR 97281
503-639-5757

Julie Russell
CPPO4B & Friends of Bull Mtn
12662 SW Terra View
Tigard, OR 97224
503-603-9152

Susan Cameron
ARE Parent
503-590-0833

Wendy McDonnal
Art Literacy
9837 SW Pepper Tree
Tigard, OR 97224
503-639-0644

Marilyn Hassmann
Caring Closet
503-603-1576

Jan Leone
Broadway Rose
7967 SW Kingfisher Way
Durham, OR 97224
503-684-2516

Debi Lorence
Mitch
503-639-5757

Laurel Blanchard
Broadway Rose
12050 SW 121st
Tigard, OR 97223
503-579-0248

Jeff Tainer
Tualatin Baseball
11410 SW Kalispell
Tualatin, OR 97062
503-691-1090

Christie Rivas
Broadway Rose
20390 SW70th Ave.
Tualatin OR 97062

Linda Meholt
Tualatin School House
19945 SW Boones Ferry Rd.
Tualatin, OR 97062
503-691-2406

Juanita Muntz
Broadway Rose
PO Box 25
Tualatin, OR 97062
5003-692-3914

Holly Shumway
CPO
14535 SW Woodhue
Tigard, OR 97224

Dan Murphy
Broadway Rose
14070 SW Hall Blvd.
Tigard, OR 97223
503-620-5262

Catherine West
Tualatin Resource Ctr.
19945 SW Boones Ferry Rd.
Tualatin, OR 97062
503-603-1585

Sydney Sherwood
Tigard City Council
10305 SW 87th
Tigard, OR 97223

Mike Shiffer
Tualatin School House Pantry
956. SW Siuslaw Lane
Tualatin, OR 97062
503-692-3405

Katy Thielen
Broadway Rose
8825 SW Scheckla Dr.
Tigard, OR 97224
503-620-3021

Brian Fosmaign
245 Corvantos
Lake Oswego, OR

Alan Anderson
Broadway Rose
7303 N Williams Ave.
Portland, OR 97217

Jeff Berry
Property Owner
13175 SW Bull Mtn. Rd.
Tigard, OR 97224

Katie Alpert
TTSD Student Teacher
9065 SW 38th Ave.
Portland, OR 97219

Nathan Brandt
Living Savior Lutheran Church
13022 SW Timara Lane
Tigard, OR 97224

Gordon Fiddes
Mitch
10454 SW Kent St.
Tigard, OR 97224

Delivered-To: pkeller@ttsd.k12.or.us
Date: Fri, 28 Oct 2005 17:39:16 -0700 (PDT)
Subject: [Fwd: Old Tualatin Elementary School]
From: "Rob Saxton" <rsaxton@ttsd.k12.or.us>
To: "patricia" <pkeller@ttsd.k12.or.us>
X-Priority: 3 (Normal)
Importance: Normal
X-Spam-Checker-Version: SpamAssassin 3.0.4 (2005-06-05) on mx1.ttsd.k12.or.us
X-Spam-Status: No, score=-5.4 required=5.0 tests=ALL_TRUSTED,BAYES_00,
DNS_FROM_RFC_WHOIS,HTML_10_20,HTML_MESSAGE autolearn=ham version=3.0.4
X-Spam-Level:
X-Sanitizer: This message has been sanitized!

FYI

---------- Original Message ----------
Subject: Old Tualatin Elementary School
From: "Ron Moholt" <ron_moholt@msn.com>
Date: Thu, October 27, 2005 12:32 pm
To: rsaxton@ttsd.k12.or.us
docs@cnnw.net
artrutkin@aol.com
neunzert@msn.com
condebartlett@aol.com
mark@chism5.com
Cc: "Steve Wheeler" <SWHEELER@ci.tualatin.or.us>
lou.ogden@juno.com
jay@h-mc.com
mgillespie@linear.com
cbergstrom79@hotmail.com
edtruax@aol.com
chris@mustardpeople.com
bboryska@aol.com

Dear Tigard/Tualatin School District,

As the Volunteer Coordinator for the Tualatin School House Food Pantry, I would like to personally thank the Tigard/Tualatin School District and School Board for your leap of faith in allowing our Food Pantry to set up shop in the old Tualatin Elementary School. This past year has been an amazing journey for us. We have had the opportunity to serve our community and to really get to know our clients and their needs. Our mission to provide emergency food to qualified households in a welcome environment is only the first step in our journey. As a part of the Oregon Food Bank, we share in the greater mission "to eliminate hunger and it's root causes"...because no one should go hungry! Our Annual Review is attached and the numbers are shocking. We have served on the average of 220 families per month, 48% of which are children. We operate the pantry with 100% volunteers and average over 430 hours donated per month. In other words, no paid staff! Our overhead runs from $900-$1500 per month and consists of our food bill (i.e. food share from the Oregon Food Bank, Fresh Milk and Eggs), monthly phone bill and minor office expenses. We pick up perishables weekly from Hagen, Fred Meyer, Lamb's Thriftway and Trader Joes. Thanks to TTSD we don't have a monthly rent/lease payment. Freedom from that burden has allowed us to expand our mission to serve our clients more fully.
Consistently, a major concern for our clients is health and dental care. We are now able to bring Northwest Medical Teams Mobile Dental

Van to the Pantry once a month. The response has been tremendous. We just finished our 6th clinic and have served over 60 patients. The fee for the van is $300.00 per visit and has been collected through community donations. Our next goal, is to establish a Medical Urgent Care Clinic for the Un-insured in Southern Washington County. I'm happy to say that after a meeting yesterday with Washington County, Legacy Health Systems and the Essential Health Care Clinic of Hillsboro that goal could be a reality within the next 6-12 months. We are passionate about our mission and the needs in our community. Thanks to your support of social programs we have been able to establish an amazing relationship with the Tualatin Resource Center and the Caring Closet. Our three agencies have become a safe place where people know they can receive support, help and encouragement. Our hope is to remain together and build upon the foundation that we have started this past year. We believe that the Old Tualatin Elementary School is that place. You, the School Board, the City of Tualatin and our fellow citizens have the opportunity to make a significant difference to the future of Tualatin by taking a stand to save the Old Elementary School and turning it into a Multi-Use Community Center. Many of us believe that it represents an important part of our past and a very vital part of our future. In addition to the Tualatin School House Food Pantry, The Resource Center, the Caring Closet and the Mitch Charter School the property could be so much more. With green spaces in Tualatin at such a premium, the grounds would make a beautiful park with enough space for three baseball fields. The gym could be used for a number of purposes including: Theatre, Children's Rec. Center, Art shows or large meeting hall. With Tualatin Elementary School classified as one of two schools in the district that qualifies for Federal Assistance based on having over 50% of it's families as low income, the cafeteria would be perfect for the Summer Lunch Program or the After School Program. The possibilities are endless. As you complete your review of the District's available properties, I ask that you spare or put on hold a decision regarding the Old Tualatin Elementary School. Allow us two years to pull together a group of concerned citizens to fund raise the capital needed to transform the Old Tualatin Elementary School into A Multi-Use Community Center. At the end of two years if we are not able to rally enough interest, then do what you need to do. With so little open space remaining in our community, it would be a shame to sell such a valuable property. With the increasing need in our community for social services it would be a crime to displace the three services that currently serve our most needy. So please take a stand to save the Old Tualatin Elementary School and allow us to turn it into something that we can all be proud of. Thank you.

Sincerely,

Linda Moholt
Volunteer Coordinator
Tualatin School House Food Pantry
Cell# 503-869-0901
Home# 503-692-9621

--

Rob Saxton
Superintendent
Tigard-Tualatin School District
503-431-4007

untitled-1.2

2004-05Review.xls

Tualatin School House Panty
Annual Review

Month	TL. Families	Adults	Children	# Volunteers	# Hours
Sept.'05	248	499	485	120	423.5
Aug. '05	265	520	472	181	513.5
July '05	220	425	404	157	509
June '05	218	451	389	143	476.5
May '05	212	419	366	117	409
April '05	254	564	480	128	432.5
March '05	253	542	491	116	384
Feb. '05	206	468	422	129	440
Jan. '05	242	532	483	155	492
Dec. 04	247	538	498	141	501
Nov. '04	235	492	433	137	452.5
Oct. '04	44	90	80	39	133
Total	2644	5540	5003	1563	5166.5
	Ave.= 220	**52.5%**	**47.5%**	**Ave.= 130**	**Ave.= 431**

Laurie E Farquhar
19552 SW 57th Ave
Tualatin OR 97062

10-27-05P02:3?

October 25, 2005

Dear Members of the Tigard Tualatin School Board:
Thank you for this opportunity to express my support for Broadway Rose Theater's application to lease the old C.F. Tigard cafeteria.

You have already heard the many sensible, logical reasons why you should accept Broadway Rose Theater's application. They are a long-standing financially sound business in our local community. They have the infrastructure in place to do the necessary fundraising to finance the theater project and they are the 4th largest theater in the Portland Metropolitan area.

But there is more to Broadway Rose than just dollars and cents. On a personal note, Broadway Rose Theater has been a part of my family's summer for the past 14 years. Almost since their first show, my husband and I have been in the audience laughing and singing along (quietly!) with most of the great musicals they have produced. As avid theater fans, we love being able to just "drop in" to the theater at the last minute because it is so convenient to our home and parking is easy. Our daughter spent several summers at their drama camps for kids and really enjoyed hamming it up on stage during the kids' shows. About 6 years ago, I decided to make a bigger commitment to Broadway Rose and I began volunteering my time as an usher, concessions seller and envelope stuffer.

Over the years, I have watched Broadway Rose's productions go from good to great. Many of their shows are as good as or even better than the touring productions from New York City or Los Angeles and it makes me very proud to be associated with this company. Can you imagine how this kind of theater enhances the reputation of our cities as great places to work, live and raise a family?

Broadway Rose Theater has made a commitment to the communities of Tigard, Tualatin, Sherwood, etc. to provide quality family entertainment and they have kept their promise for the past 14 years. I hope that we members of the community can return the commitment by helping them find a permanent home at the old C.F. Tigard cafeteria so that they can provide first-rate productions all year round.

Sincerely

Laurie E. Farquhar

Laurie E. Farquhar

cc: Sharon Maroney, Artistic Director, Broadway Rose Theater

10-27-05P12:25 RCVD

October 25, 2005

To Tigard School Board:

We are writing as concerned Tigard citizens, business and home owners and tax payers regarding options for the four school properties under consideration in Tigard.

Please consider the following in regards to M.I.T.C.H Charter School:

1. Charter Schools are public schools.
2. Charter Schools effectively educate students as do public schools. Note that M.I.T.C.H. students have consistently scored as high or higher on achievement tests than other Tigard schools.
3. Charter Schools are expected to fund raise for their school facilities.
4. Those funds lower public funding for K-12 education. Tigard school district receives a percentage of all funds received from grants and fund raising by the Charter School.
5. Sharing excess facilities is the best use of public dollars for our school system.
6. M.I.T.C.H. Charter School is offering an alternative education to many students who would struggle in a normal Tigard school classroom.
7. M.I.T.C.H. Charter School helps to take the burden off our current overcrowded classroom settings.

In regards to the property lots at the Alberta Rider School, please please consider developing them into a park/ playground for the children of Bull Mountain. As former residents of Bull Mountain we are horrified as to what has happened to a once beautiful, country setting. There are currently no parks or places for children to play.

Thank you for your consideration,

Marilyn and Marland Henderson

11795 SW Katherine St.
Tigard, Or 97223

To Tigard School District:

Regarding: District Owned Property

I would like to start by thanking the Tigard School District for supporting the M.I.T.C.H Charter School these past four years. What a testimony to the district that they will support people and their choices by supporting a different education experience for their children. M.I.T.C.H. has shown itself to be an excellent school and certainly exceeded my expectations in providing an outstanding education for my two children.

My purpose in writing this letter today is to voice my concern regarding continuing facilities for the M.I.T.C.H. Charter School as well as for the Tualatin Resource Center, The Caring Community Clothes Closet and the Tualatin School House Pantry (the other non-profit organizations) that have shared facilities with our school. These organizations provide valuable community services that need to continue. I applaud the district in being fiscally responsible in these difficult financial times; however that responsibility must not be at the expense of an exceptional charter school and essential community organizations.

I urge the Tigard School District to ensure that the needs of MITCH Charter School and these vital non-profit organizations are well considered before any district properties or facilities are sold. What a tragic loss to the community if this excellent charter school or any of these important non-profits had to be shut down due to lack of adequate facilities.

Thanks again for your continued support of these organizations.

Janet Peterson

Janet Peterson

Broadway Rose is the hot ticket in town

Templeton Elementary students design programs covers for this summer's children's productions

By BARBARA SHERMAN
Of the Times

TIGARD — The Broadway Rose Theatre Company's children's productions this summer will feature outstanding program covers again — because local students designed them.

When "Little Red Riding Hood" opens in July and "The Little Mermaid" opens in August, the original art will hang in the lobby in the Deb Fennell Auditorium, and children who attend the performances can appreciate that the covers were designed by their peers.

The Broadway Rose and the Tigard-Tualatin School District teamed up several years ago on this annual joint venture, which is master-minded by Wendy McDonnal, the district's art-literacy coordinator, and Alan Anderson, director of marketing with the theatre company.

Each year, a different school participates, and this year it was Templeton Elementary's turn.

At a schoolwide assembly June 2, Tami Smith, Templeton's art-literacy coordinator, introduced McDonnal and Anderson to the students.

"It's a pleasure to be here," McDonnal said. "My two boys went here. The art literacy program is a wonderful way for you to participate and develop your creative side."

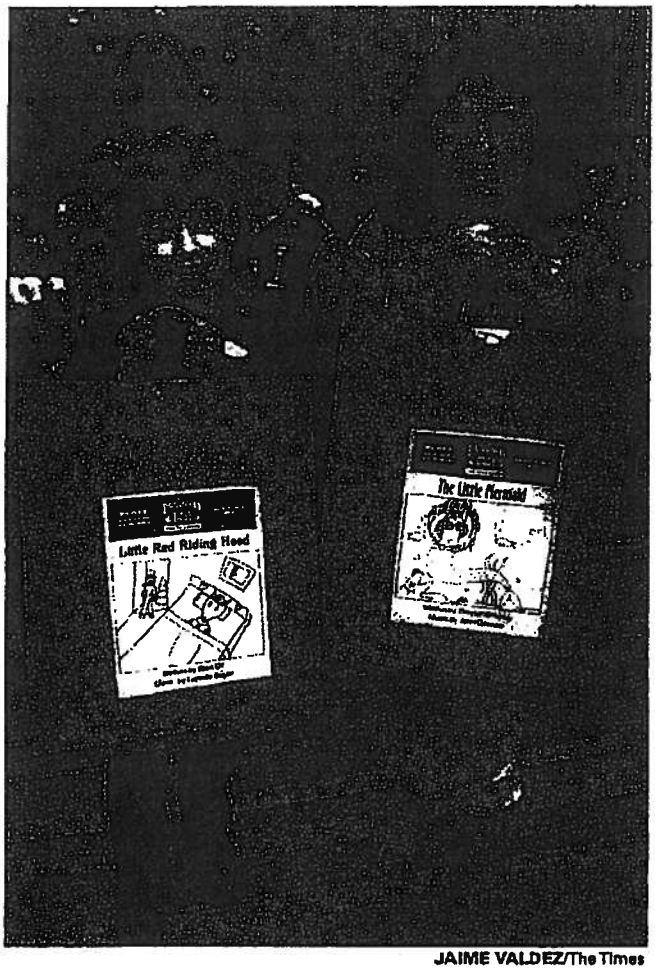
Anderson added, "Four years ago, Mrs. McDonnal decided it would be fun to create an art contest, and she decided to link up with the Broadway Rose. Every summer, we do two children's plays, and she thought it would be good for kids to design the program covers."

Judges selected 10 winners — two each from grades one through five — plus the two program design winners.

The art-literacy program provided each winner with a ribbon and big sack of art supplies plus two tickets to the play for which they designed the cover. They also will get behind-the-scenes tours.

Two students who received honorable mentions were given two tickets to a play as well.

"These are excellent illustrations," McDonnal said. "There is a lot of talent here at Templeton. It was fun to see the illustrations. It was so hard to choose from all your wonderful illustrations."



JAIME VALDEZ/The Times

TALENT TO SPARE – Templeton Elementary fourth-grader Alyssa Chamberlin's artwork (left) will grace the cover of the program for the Broadway Rose's production of "Little Red Riding Hood," and fifth-grader Becky Barnes' artwork will appear on "The Little Mermaid" program cover.

As she said, 'Now the drum roll, please," all the students started slapping their legs to create the sound before McDonnal started reading off the winners' names to come onto the stage.

The winners for "The Little Mermaid" design were Alison Kastel (first grade), Maria Cooley (second grade), Jordan Rhodes (third grade), Holly Parker (fourth grade), and Becky Barnes (fifth grade), who also drew the winning illustration for the program cover.

For "Little Red Riding Hood," the winners were Amber Smith (first grade), Andrew Nosler (second grade), Jake Biglow (third grade), Alyssa Chamberlin, (fourth grade), who also drew the winning cover, and Haley Demmin (fifth grade),

Honorable mentions went to fifth-graders Erin Matheson and Sivonne Fintzy for "The Little Mermaid."

"Little Red Riding Hood" tells the story of Little Red, who takes her granny a basket of goodies through the woods and outsmarts the wolf in his many disguises. It's an hour packed with music, dancing and great fun.

It runs July 13-16 with all performances at 11 a.m.

"The Little Mermaid" is about Ariel's adventure as she outsmarts the Sea Witch and shows how love overcomes greed. This musical adaptation of Hans Christian Andersen's original story bursts with song and dance.

It runs Aug. 17-20 at 11 a.m. each day.

The Deb Fennell Auditorium is located at Tigard High School at 9000 S.W. Durham Road. For more information or reservations, call 503-620-5262 or visit www.bwayrose.com.

October 24, 2005

BANK OF THE WEST

10-25-05P03:15 RCVD

Tigard-Tualatin School District
Board Members
6960 SW Sandburg St.
Tigard, OR 97223

Dear School Board Members,

My name is Diana Burke. I currently have the pleasure of being the board president of the Broadway Rose Theater Company (BRTC). I am writing this letter today in support of the desire of the company to obtain the use of the CF Tigard cafetorium off Hwy 99 and Walnut Street.

The potential of the BRTC to use this building for performances, classes, rehearsals, and an array of other functions, some with the possibility of direct benefit to the Tigard-Tualatin School District, is exciting! We anticipate a wonderful opportunity, not only for the theater, but for Tigard and surrounding areas.

As you are aware, the Broadway Rose currently uses the Deb Fennell Auditorium in Tigard and the auditorium in the Tualatin High School as our primary venues for performances. In surveys from our loyal audience base, they indicated they would be willing to go to another venue, especially if it were in the general Tigard-Tualatin area. Interestingly, almost 40% of the audience states they are "afraid to go downtown", especially for evening entertainment.

Broadway Rose is an integral part of the community. As the fourth largest theater group in the greater Portland area, they just finished their 14th season, with attendance continuing to climb year after year. The company has long term relationships with corporate donors and major Portland area foundations, as well as a longstanding relationship with the city of Tigard and the school district. In fact, the BRTC has employed high school interns, offers acting youth acting classes and produces children's shows during the summer.

The board of Broadway Rose is poised to accept the challenge of having our own building, enabling us to provide year round theater. We have the infrastructure in place to take on a capital campaign and fundraising. The company runs in the black and the day to day business is lead by long term administrators and employees.

As you know, the arts are an integral component of any community. In conjunction with the Tigard-Tualatin School District, we have the opportunity to put Tigard "on the map" with a decision to grant the Broadway Rose the use of the cafetorium building.

I look forward to this fantastic opportunity for the Broadway Rose Theater Company and will anticipate a positive outcome in your November meeting. Please give me a call if you wish to speak with me directly.

Sincerely,

Burke

Professional Banking
401 SW 5th Avenue 2nd Floor Portland, Oregon 97204 (503) 225-1757 FAX (503) 225-1751 Member FDIC

10-27-05P12:25 RCVD

TO: TTSD Board
FROM: Aaron & Leslie Boyce
DATE: October 27, 2005
RE: Use of TTSD Property for MITCH Charter School

Dear Board Members,

Our two youngest children started to attend MITCH Charter School this fall and we are pleased with many aspects of the curriculum, structure and parent involvement. We are glad we have the opportunity to choose this alternative for their education.

With the upcoming decision about what the district will do with the Tualatin Elementary School Property, we sincerely hope that you will allow MITCH to remain there next year. We feel that MITCH is a valuable asset to our community and commend you for allowing innovation and creativity within our district.

Sincerely,

Aaron & Leslie Boyce

Aaron & Leslie Boyce

10-27-05A09:04 RCVD

M *ulti-sensory*
I *nstruction*
T *eaching*
C *hildren*
H *ands On*

Opening K-2
2005-06 School Year

Curriculum

- *Core Knowledge*
  www.coreknowledge.com
- *Riggs Language Arts*
  www.riggsinst.org
- *Saxon Math*
  saxonpublishers.com

P.O. Box 1342
23264 SW Sherwood Blvd S
Sherwood, OR 97140

mitchsherwood@verizon.net
www.mitchcharterschool.org

503-925-8007 *Tel*
503-925-8172 *Fax*

Wednesday, October 26, 2005

Tigard-Tualatin School District Board
6960 SW Sandburg Street
Tigard, Oregon 97223

To: Rob Saxton
Superintendent TTSD
Re: TTSD PROPERTIES

The **M.I.T.C.H. Charter School** would like to express an interest in a long-term lease of the old C. F. Tigard Cafeteria Building.
The M.I.T.C.H. Charter School proposes:

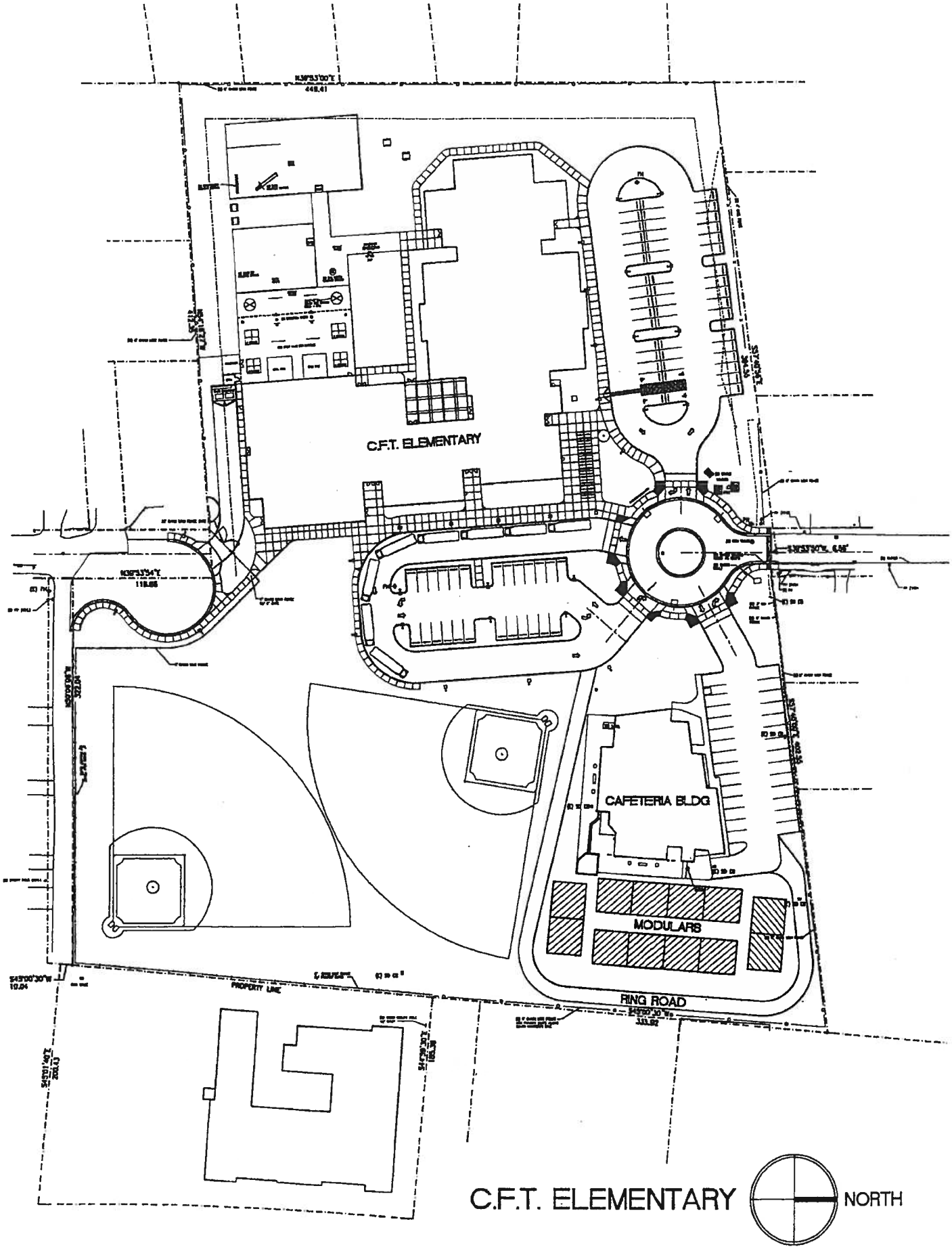
- A long term lease of the building.
- Upgrading the building as required for occupancy. This would include the Mechanical, Electrical and Fire Protection systems and other required improvements.
- Locating six double wide modular classrooms to the east of the existing Cafeteria building. See attached drawing.
- Adding a one-way ring road around the Cafeteria building to be used for parent drop off. See attached drawing.

We would like to point out that the parent drop-off is a major problem with the limited access to this site. The proposed 'ring road' would allow parents to queue up around the cafeteria building and not stack up in the new C.F.T. parking lot or on Grant Street.
M.I.T.C.H. Charter School proposes to make the Cafeteria building available for Community use and would entertain a shared use with other organizations.

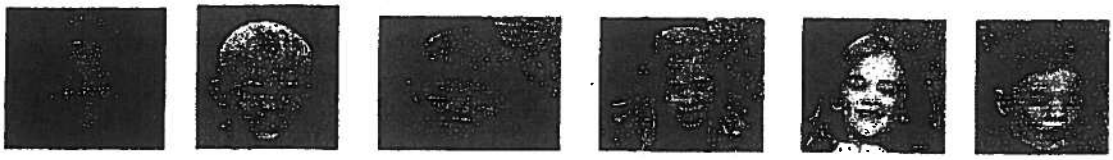
We hope that negotiations for a long term lease can be worked out and that the City of Tigard and Fire Marshal can agree on this concept. Thank you for the opportunity to meet with you. If you have any questions please call.

Sincerely,

Xavier E. Rueda
M.I.T.C.H. Charter School Board Member



C.F.T. ELEMENTARY NORTH



FACES OF OUR FUTURE

First, we want to thank you so much for giving M.I.T.C.H Charter School the opportunity to be so successful in one of the best School Districts in the State of Oregon. I think that you should be proud to have a Charter School in your District that has such a high rate of achievement. I think that the high achievement rate not only reflects M.I.T.C.H.'s standards but shows that the District is behind their one and only Charter School.

Have you ever been to a place that just feels right? One that you walk away feeling good about? That is what M.I.T.C.H represents. An extended family! People helping and caring about people.

We as parents understand financial restraints that a school district can be facing but we also know in our hearts that M.I.T.C.H. Charter School is the best fit for our children. Our concern is not only for M.I.T.C.H., our children but also the other non-profit occupants who call the Old Tualatin Elementary School home. I don't think the old Tualatin Elementary is necessarily where we need to be but some place in the District would be the best for everyone involved.

Thank you for your time

Traci Lovell

City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
TDD 503.692.0574

October 27, 2005

Tigard-Tualatin School District Board
Caroline Neunzert, Chair
Larry Hibbard Administration Center
6960 SW Sandburg Road.
Tigard, OR 97223

RE: Old Tualatin Elementary School – Surplus Property Consideration

Chair Neunzert and Board Members:

The Tualatin City Council wishes to enter the following comments, thoughts and suggestions into the record as Board members consider the future of the old Tualatin Elementary School. The City Council understands and respects the difficult task facing the School Board as it weighs different options and alternatives for the school site.

At this week's Council work session the City Councilors requested that I pass on the following recommendations to you and other appropriate District officials:

- Although we know that the District has conducted one hearing to solicit comments on the disposition of the site, we request the District continue to seek comments and input from impacted stakeholders, before deciding on disposition of this site;
- Groups such as the Tualatin City Little League, Tualatin Schoolhouse Food Pantry, Caring Closet, Tualatin Resource Center, Tualatin Historical Society and others all have a significant interest in what happens on this site. Therefore, we urge the Board members to recognize that many stakeholders are interested in partnering to some degree in a disposition process that considers their ongoing needs;
- Finally, while the site has long been a school and has a significant history as such, more than any other school in Tualatin it has had a general community-wide impact. Over the years it has hosted significant community events and has had a greater overall role in the development of our community than just educating Tualatin's children.

Again, we recognize there are many difficult issues to sort through on this disposition. We also recognize that the site is owned and controlled by the School District and it is within that framework that these thoughts are transmitted.

Sincerely,

Steve Wheeler
City Manager

c: Mayor and City Council, City of Tualatin
Doug Rux, Tualatin Community Development Director
Rob Saxton, Superintendent, Tigard-Tualatin School District

TUALATIN SCHOOL HOUSE PANTRY

An Equal Opportunity Provider

Dear Tigard/Tualatin School District, 10/27/05

As the Volunteer Coordinator for the Tualatin School House Food Pantry, I would like to personally thank the Tigard/Tualatin School District and School Board for your leap of faith in allowing our Food Pantry to set up shop in the old Tualatin Elementary School. This past year has been an amazing journey for us. We have had the opportunity to serve our community and to really get to know our clients and their needs. Our mission to provide emergency food to qualified households in a welcome environment is only the first step in our journey. As a part of the Oregon Food Bank, we share in the greater mission "to eliminate hunger and it's root causes"...because no one should go hungry!

Our Annual Review is attached and the numbers are shocking. We have served on the average of 220 families per month, 48% of which are children. We operate the pantry with 100% volunteers and average over 430 hours donated per month. In other words, no paid staff! Our overhead runs from $900-$1500 per month and consists of our food bill (i.e. food share from the Oregon Food Bank, Fresh Milk and Eggs), monthly phone bill and minor office expenses. We pick up perishables weekly from Hagen, Fred Meyer, Lamb's Thriftway and Trader Joes. Thanks to TTSD we don't have a monthly rent/lease payment. Freedom from that burden has allowed us to expand our mission to serve our clients more fully.

Consistently, a major concern for our clients is health and dental care. We are now able to bring Northwest Medical Teams Mobile Dental Van to the Pantry once a month. The response has been tremendous. We just finished our 6th clinic and have served over 60 patients. The fee for the van is $300.00 per visit and has been collected through community donations. Our next goal, is to establish a Medical Urgent Care Clinic for the Un-insured in Southern Washington County. I'm happy to say that after a meeting yesterday with Washington County, Legacy Health Systems and the Essential Health Care Clinic of Hillsboro that goal could be a reality within the next 6-12 months.

We are passionate about our mission and the needs in our community. Thanks to your support of social programs we have been able to establish an amazing relationship with the Tualatin Resource Center and the Caring Closet. Our three agencies have become a safe place where people know they can receive support, help and encouragement. Our hope is to remain together and build upon the foundation that we have started this past year. We believe that the Old Tualatin Elementary School is that place.

You, the School Board, the City of Tualatin and our fellow citizens have the opportunity to make a significant difference to the future of Tualatin by taking a stand to save the Old Elementary School and turning it into a Multi-Use Community Center. Many of us believe that it represents an important part of our past and a very vital part of our future. In addition to the Tualatin School House Food Pantry, The Resource Center, the Caring Closet and the Mitch Charter School the property could be so much more. With green spaces in Tualatin at such a premium, the grounds would make a beautiful park with enough space for three baseball fields. The gym could be used for a number of purposes including: Theatre, Children's Rec. Center, Art shows or large meeting hall. With Tualatin Elementary School classified as one of two schools in the district that qualifies for Federal Assistance based on having over 50% of it's families as low income, the

TUALATIN SCHOOL HOUSE PANTRY

An Equal Opportunity Provider

cafeteria would be perfect for the Summer Lunch Program or the After School Program. The possibilities are endless.

As you complete your review of the District's available properties, I ask that you spare or put on hold a decision regarding the Old Tualatin Elementary School. Allow us two years to pull together a group of concerned citizens to fund raise the capital needed to transform the Old Tualatin Elementary School into A Multi-Use Community Center. At the end of two years if we are not able to rally enough interest, then do what you need to do.

With so little open space remaining in our community, it would be a shame to sell such a valuable property. With the increasing need in our community for social services it would be a crime to displace the three services that currently serve our most needy. So please take a stand to save the Old Tualatin Elementary School and allow us to turn it into something that we can all be proud of. Thank you.

Sincerely,

Linda Moholt
Volunteer Coordinator
Tualatin School House Food Pantry
Cell# 503-869-0901
Home# 503-692-9621

UNION BANK OF CALIFORNIA

PACIFIC NORTHWEST ADMINISTRATION

October 20, 2005

Attn: Board Members
Tigard-Tualatin School District
6960 SW Sandberg Street
Tigard, OR 97223

Dear Board Members:

I am writing this letter in support of the Broadway Rose Theatre Company working with the Tigard-Tualatin School District to further facilitate excellent live musical theater performances within the district.

As a new member of the Broadway Rose Theatre Company board, I am very impressed with the quality and professionalism this not-for-profit organization provides in bringing outstanding musical plays and theatrical performances to our region. It is a tremendous community resource – the fourth largest theater in the greater Portland Area, and the only one of its kind in Washington County.

The Broadway Rose Theatre Company is deeply committed to providing exceptional theater to all members of our community. In addition to outstanding main stage performances, the organization offers students the opportunity to discover their own acting abilities via workshops, internships, summer camps and children's performances. Adults can feel comfortable taking their families, neighbors and friends to top-quality theater right in their own neighborhood. It truly is a prized community resource.

Please consider the tremendous local value and prestige provided by the Broadway Rose Theatre Company as you weigh the opportunities and benefits of selling the CF Tigard Multipurpose Building to the organization as a potential new theatre site. The organization has a long-standing collaboration with the City of Tigard and the School District, and can continue to be a supportive partner for the long-term if this building is offered for sale as the new theater site.

Thank you for this consideration.

Sincerely,

Nicole Smith

Nicole R. Smith
Senior Marketing Manager

407 SOUTHWEST BROADWAY, PORTLAND, OREGON 97205
503 450 1219 800 343 5345 EXT. 1219 FAX 503 229 0561

10-21-05P02:43 RCVD

Tigard-Tualatin School District
6960 SW Sandburg St.
Tigard, OR 97223

School Board,

This letter is a response to the meeting notice sent out regarding the disposition of four school properties. I can specifically comment on the Former Tualatin Elementary School site, WCTM 2S123DD, Tax Lot 500. I live less than 2 blocks from this site and have witnessed its use as Tualatin Elementary and in its current role.

In both cases, the site is an asset to the neighborhood and should remain part of school district property. The location is centrally located between several, established subdivisions and apartment communities. Children have easy access to the school and many choose to walk when weather permits. If a school with full enrollment is not feasible at the former Tualatin Elementary site, it could serve as overflow capacity for the new Tualatin Elementary due to its close proximity.

Many of the families surrounding the school use the grounds after school hours. Children play in the playground until dark on most days. I look forward to taking my daughter to the playground when she's old enough. The school provides open space amongst apartments and developments with small lot sizes for families to play baseball and soccer, which they wouldn't be able to do otherwise.

Other groups in the community and school district could certainly use the property. I have seen several churches, in the area, without permanent buildings, for example. They could rent the building to generate funds for the district. The site could be used as district offices or for community events. This wouldn't generate funds for the district, but it would avoid costs in other budget allocation areas. The costs avoided or generated could be transferred to schools for more efficient use of a shrinking budget.

Location is everything in real estate and in public buildings. The former Tualatin Elementary site is an excellent location. It is located far enough from Tualatin-Sherwood road to have decreased traffic volume, but Boones Ferry still provides easy access. Eventually the district will need to expand due to increased enrollment. It seems foolish to liquidate a site, which could be used as a school in the future to temporarily alleviate budget shortfalls. The property's value may be high now, but all property values will keep increasing. It may be difficult, if not impossible, to acquire such a prime location for district use in the future.

Sincerely,

Kathleen Cunnington

Kathleen Cunnington
9285 SW Apache Dr.
Tualatin, OR 97062

10-21-05P02:43 RCVD

Tigard-Tualatin School District
6960 SW Sandburg St.
Tigard, OR 97223

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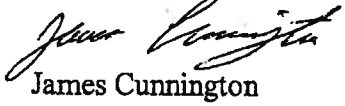
Sincerely,



James Cunnington
9285 SW Apache Dr.
Tualatin, OR 97062

Delivered-To: pkeller@ttsd.k12.or.us
To: board@ttsd.k12.or.us
Subject: Tigard-Tualatin School Board: Comment
From: Norma Bradfish <Nbradfish@aol.com>
Date: Mon, 24 Oct 2005 09:46:25 -0700 (PDT)
X-Spam-Checker-Version: SpamAssassin 3.0.4 (2005-06-05) on mx1.ttsd.k12.or.us
X-Spam-Status: No, score=-4.2 required=5.0 tests=ALL_TRUSTED,BAYES_00,
DNS_FROM_RFC_WHOIS,HTML_00_10,HTML_MESSAGE,HTML_MIME_NO_HTML_TAG,
MIME_HTML_ONLY autolearn=ham version=3.0.4
X-Spam-Level:
X-Sanitizer: This message has been sanitized!

In regard to the lots to be sold adjacent to the Alberta Rider Elementary School (A portion of WCTM 2S109AC, Tax Lot 2100 and 2S109AD, Tax Lot 1300, located on Bull Mountain Road, east of SW 133rd and west of Greenfield Road), I suggest that they be used as a park. When it becomes available, the property where Alberta's house now stands can be incorporated in the park. I realize this would mean less money for the school district, but what a gift it would be to the neighborhood!!! Norma Bradfish 15150 SW 133rd Ave. Tigard, Or. 97224

--- Text Only Version Below ---

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10-21-05 02:48 RCVD

TONKON TORP LLP
ATTORNEYS

1600 Pioneer Tower
888 SW Fifth Avenue
Portland, Oregon 97204
503.221.1440

F. JACKSON LEWIS II

503.802.2130
FAX 503.972.3830
jackson@tonkon.com

October 20, 2005

Board Members
Tigard-Tualatin School District
6960 SW Sandberg Street
Tigard, OR 97223

Re: Broadway Rose Theatre Company

Dear Board Members:

I write to voice my support for the efforts of the Broadway Rose Theatre Company ("BRTC") to work out an arrangement for long-term occupation of the CF Tigard Multipurpose Room (the "Building").

I am a BRTC board member and resident of Lake Oswego. I am delighted to be associated with the BRTC, which as the 4th largest theater in the greater Portland area, is a tremendous cultural asset to the Southwestern suburbs.

There are several important reasons to go forward with this arrangement, which will benefit all of the School Board's constituencies: parents, students and citizens of the Tigard and Tualatin School District.

Cultural Asset

BRTC is a tremendous cultural asset to the Tigard/Tualatin community. BRTC just finished its 14th Season, with its strongest attendance ever. It serves residents of the Southwestern suburbs of Portland by providing top quality musical theater productions, cabaret productions, holiday shows and children's shows. BRTC serves the community's young people by using high school interns, offering acting classes to youth, and producing children's shows during summer. Opportunities to participate in the production of professional theater are few and far between for our children. BRTC fills this need. Finally, seniors in the community are huge supporters of the BRTC. Musical theater is a type of entertainment uniquely suited to be shared across generations. With strong local, regional and national connections, BRTC has the artistic horsepower to produce wonderful family entertainment, year after year.

Fiscal Prudence

BRTC has a history of fiscal prudence and a focus on the bottom line. BRTC runs in the black and has forged long-term relationships with individual and corporate sponsors. BRTC's efforts at fiscal prudence have been recognized with funding by local foundations that recognize the importance of this bottom line orientation. BRTC receives an unusually significant amount of its operational budget from ticket sales. This keeps BRTC focused on crowd-pleasing shows and delivering quality *family friendly* entertainment. It also means that BRTC has the financial, operational, and fundraising capabilities to make occupation at the Building a huge success.

Private/Public Partnership

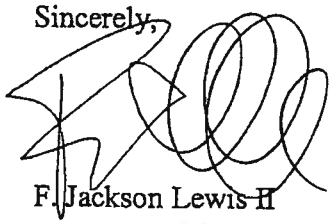
In this time of funding challenges for public schools, I imagine it is a challenge for the School Board to provide the community with arts and cultural programs: a cornerstone of an American education. Making an arrangement with the BRTC regarding the Building allows the School Board to partner with a private organization to provide tremendous cultural benefits without significant out-of-pocket economic investment. BRTC is a familiar partner: through its summer use of the Deb Fennell auditorium, BRTC has a long-term relationship with the City of Tigard and the School District.

Conclusion

I hope the School Board will give serious consideration to the BRTC's interest in the Building. As a Southwest resident, I want to see the cultural profile of our communities increase to reflect our great economic and demographic strength and growth. The BRTC's proposal gives the School Board an opportunity to give a great gift to the community, without giving a great gift of taxpayer dollars!

Thank you for your consideration.

Sincerely,



F. Jackson Lewis II

FJL/kjk

099997\31425\656846 V001

October 17, 2005

Tigard-Tualatin School District
6960 SW Sandburg St.
Tigard, OR 97223

Re: District-Owned Property

To Whom It May Concern:

We are parents of a Kindergartener and would like to express the relief that we have of being able to have our son in M.I.T.C.H. Charter School this year. It is overwhelming for us to think of him going to a school with more kids than he does now. Please know how important it is to us and the many other parents, teachers and volunteers who have worked so hard to make Charter Schools what they are today.

Thank you.

Joe and Tonia Easterly

Delivered-To: pkeller@ttsd.k12.or.us
To: board@ttsd.k12.or.us
Subject: Tigard-Tualatin School Board: Request
From: Linda Loffer <LVWLoffer@aol.com>
Date: Tue, 18 Oct 2005 22:23:48 -0700 (PDT)
X-Spam-Checker-Version: SpamAssassin 3.0.4 (2005-06-05) on mx1.ttsd.k12.or.us
X-Spam-Status: No, score=-4.2 required=5.0 tests=ALL_TRUSTED,BAYES_00,
DNS_FROM_RFC_WHOIS,HTML_00_10,HTML_MESSAGE,HTML_MIME_NO_HTML_TAG,
MIME_HTML_ONLY autolearn=ham version=3.0.4
X-Spam-Level:
X-Sanitizer: This message has been sanitized!

I volunteered for many years on bond measures as well as PTO positions within the schools and band parent groups in the Tigard-Tualatin School District. Several years ago, prior to the School Board's process beginning regarding the status of school properties, a group of Tualatin citizens and a separate group of Tualatin High School students (now alumni) looked at creating a Youth Center in Tualatin. This concept has now developed into that of a "Community Center." We request that the School Board consider the Community Center site at the existing Tualatin Elementary School building. Last week I obtained the video the former students at Tualatin High put together of what youth wanted from a youth center and I plan to review it this week. I have spoken with Katie Fidler, a Tualatin High alumni. She is contacting the former members of the Youth Advisory group that previously worked on the idea of a Youth Center. We see that an excellent Youth Center program could be put together with the help of PALS (Police Activity League) or Boys and Girls Club (that has funding from NIKE for after-school programs). As I understand it, the following groups in Tualatin have expressed interest in building use that would well occupy this site as a multi-purpose use building under the concept of a community center: Legacy Meridian Park Hospital/Kaiser for organizing and maintaining a Medical Clinic. The next nearest Medical Facility is in Hillsboro and is a long ways to go for medical clinic care for needing families and children. Four or five churches in addition to Tualatin citizens that are contributing food items and volunteer time to run the Food Pantry. The Food Pantry could remain at the current site. Additionally, the CARE Clothing center could remain in its location. Little League would like to create playing fields and maintain them in the existing playground area. The Tualatin Historical Society could assist with funding for building repair needs (i.e., earthquake, asbestos, mold) and obtain funding to preserve the historical site. We also have several real estate agents and brokers who have expressed an interest in connecting with the appropriate people in repair specialties areas to assist in this process. And there just might need to be some down-home "barn raising" efforts where those of us in the community roll up our sleeves and help defray some labor costs. We have many more groups than these that could well-use a Community Center in Tualatin, young band groups, youth artists, etc. In fact, it would be very beneficial for young and not-so-young to be in the same building for programs to build connectivity among generations. The Tualatin Elementary location is ideal because of its closeness to the middle of Tualatin, being on and close to buslines (and the future max line), and design of the building and its add-ons that would make this a wonderful Community Center. I was in attendance at Monday's meeting of Tualatin, Tigard, King City Councils and the School Board. It was the first that I was aware of the School Board's timeline regarding the Tualatin Elementary site. We would appreciate the School Board's consideration of the use of the Tualatin Elementary site as a Tualatin Community Center and working with us to pursue this for Tualatin. Linda Loffer 9721 SW Alsea Drive Tualatin, OR 97062 Phone: 503.312.4449

--- Text Only Version Below ---

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10-11-05A09:48 RCVD

NAI Norris, Beggs & Simpson
Commercial Real Estate Services, Worldwide.

tel 503 223 7181
fax 503 273 0256
www.nai-nbs.com

121 SW Morrison St.
Suite 200
Portland OR 97204

October 13, 2005

Mr. Rob Saxton
School District Superintendent
c/o Ms. Patricia Keller
Assistant to the Superintendent
Tigard-Tualatin School District 23J
6960 SW Sandberg Street
Tigard, OR 97223

Re: Potential Surplus Property

Dear Mr. Saxton:

I have been appointed by a fine national development company to locate commercial real estate parcels within the cities of Sherwood, Tigard and Tualatin. Therefore, the purpose of this letter is to inquire about potential availability of any surplus property or land within the Tigard-Tualatin School District 23J. To that end, I would appreciate if you would notify me of any of your surplus properties that may come available in the near future or during the year 2006.

I sincerely appreciate your consideration and thank you in advance for notifying me by phone, mail or e-mail (jgallagher@nbsrealtors.com) of any individual property, or list of properties or sites, that become available for purchase.

Best regards,

NAI NORRIS, BEGGS & SIMPSON

JHG/sm

Jack H. Gallagher, III
Associate Vice President

JHG/sm
saxton.doc

Tigard –Tualatin School District
6960 SWSandburg Street
Tigard, OR 97223

October 12, 2005

To whom it may concern,

I would like to take a moment to voice my opinion on the use of the Former Tualatin Elementary School Site 19945 SW Boones Ferry Rd. It has been brought to my attention that the use of the property is in discussion. I had been informed previously that it would be the site of my son's Elementary Charter School M.I.T.C.H.
This is my son's first year with M.I.T.C.H. and we are very pleased. He has learned so much and is excited about school! This is amazing because we moved here from California and until I found M.I.T.C.H my son was so unhappy about the move. We tried a local public school first and he was not happy. I had never seen him behave the way he did those two months. And I hope I never will again. Thanks to M.I.T.C.H. he comes home happy every day.
This is an amazing school family. Yes a family, it's not like anything I have ever seen. They know their students and the students listen to them because of it. They make school hands on and exciting and I pray that their school will continue on with your approval at 19945 SW Boones Ferry Rd.

Thank you for your time and consideration in this matter.

A concerned Mother of a Student in YOUR school district,

Misty Wilson
OptiLink Healthcare Management Service
13535 SW 72nd Ave Portland, OR 97211
Direct: (503) 597-1522
Main (503) 443-2102

OCT 13 2005

12-17-05A08:59 RCVD

Dear Tigard-Tualatin School District,

I am an out-of-district parent who has three children at MITCH Charter School. I am writing regarding the future of the former Tualatin Elementary School Site. I would like to request that you consider continuing to partner with MITCH by allowing our continued use of said property. I am thrilled to have this educational opportunity available to my family through your district and would hate to see it threatened by lack of facility.

Thank you.

Janet Miletta
3903 SW Marigold St.
Portland OR 97219

To : Superintendent & School Board members

You have been elected by the community to be the stewards of their public education system. This education system includes everything from the staff and the curriculum right down to the school buildings and the land they sit on. Over the last 4 1/2 years your leadership and vision has produced excellent progress against what, at times, seemed to be long shot odds.

Tonight you start ~~an almost yearlong~~ a long series of public hearings to establish priorities on various pieces of property held by the district. The fact that the public has been invited to comment on the disposition of these properties is very important . It shows your willingness to engage the public and hear both their advice and criticism.

As you consider action on each of these parcels of land you must keep a few things in mind. The future of these pieces of property must be seen through the filter of both the short and long term district goals you have recently reviewed and revised. If a piece of property is to be retained or sold the reasons for the action taken should be obvious to the community as well as the education professional.

In my view selling property to simply balance a yearly budget is not a good idea. Many district properties have accrued large amounts of capital gains since their original purchase. Spending those capital gains to fund a budget shortfall for a single year is a fools errand. I believe the vast majority of funds from the sale of any district property should be added to

funds needed for the purchase of future school sites. With prices of homes and land accelerating at rates approaching 20% per year the district could be quickly frozen out of the market when it comes time to purchase school sites needed for the children that will enter our school system in the next two to three decades.

I also believe holding a piece of property for the purpose of providing land and/ or buildings for the general use of the public outside any direct educational benefit to staff and students is not a primary function of the school district. It places the administrative staff in the role of being a landlord deciding who will have access and what they will be charged. That detracts from their primary mission of supporting staff and students in their quest for improved teaching and learning.

My advice to you is to listen and think long and hard before you decide. At the end of the day if your decision meets the criteria of "is it good for kids" then you will have made the best decision.

Thank you for your time and interest in the children of this school district.

Darcy R Hamilton

Robert S. Saxton, Superintendent
Tigard-Tualatin School District
6960 SW Sandburg Street
Tigard, OR 97223

October 6, 2005

Dear Mr. Saxton and School Board:

Tualatin Historical Society notices with interest that the District is considering the sale of Tualatin Elementary School, a landmark in our community.

This historic school, built in 1939, continues to have a valuable life providing vital community services through the food bank, family resource center, and clothes closet. Those services are a natural next step for a building that has been central to the lives of thousands of children and adults in our community for almost 70 years.

We urge you to preserve this important building in partnership with other agencies and organizations. Sadly, Tualatin has now lost most of its historic buildings. While we are in the final stages of saving the old church and converting it into the Tualatin Heritage Center, we are uncertain about the fate of the former Rich's Kitchen (1913 vintage).

It would be unfortunate for future generations in Tualatin if more of their history is lost. There is a rich tradition of preservation in other parts of the USA and certainly overseas. Here in the suburban West, we are too prone to bulldoze reminders of our past in the name of progress and development or easy money. Our recent surveys of community opinion in Tualatin show strong support for protection of these cherished places.

Please let our Society know how we can help restore the historic brick main building and find other uses that will make it a cost-effective resource for non-profit organizations meeting community needs. We will also help locate grants from federal, state and private sources that are aimed particularly at conservation and restoration.

Cordially,

Larry McClure, President

Welcome to this Public Meeting of the Tigard-Tualatin School District Board of Directors

October 17, Day, 2005

~~~ PLEASE NOTE DATE AND LOCATION CHANGE ~~~

Tualatin Police Department Building
8650 SW Tualatin Road, Tualatin, OR 97062

Public participation on agenda items occurs at the discretion of the chair. Please indicate your interest by completing a "Public Comment Card" provided at the agenda table. Non-agenda items and public hearings are governed by the policy found at the agenda table. At 9:00 PM, the Board may take a five-minute recess, and the chair will review the agenda for possible rescheduling of items. The public meeting will not go beyond 9:30 PM without a majority vote of the board. For assisted listening/speech call 431-4002 (voice) or 431-4047 (FAX) no later than 48 hours prior to the meeting.

6:30 PM **REGULAR SESSION**

I. CALL TO ORDER ..... Board Chair Caroline Neunzert
Art Rutkin (Vice-Chair), Barry Albertson, Conde Bartlett, Mark Chism (Members)

6:31 PM **II. APPROVAL OF AGENDA** ..... Board Chair Neunzert

6:35 PM **III. CONSENT AGENDA** ..... Board Chair Neunzert

A. October 6, 2005 Meeting Minutes
B. Human Resources Report/Personnel Action
C. Monthly Financial Report
D. Four Extended Field Trip Requests: Tualatin High - OASC Conference, Tigard High - OASC Conference,, Tigard High Leadership Training and Tigard and Tualatin High Speech Teams

6:40 PM **IV. PUBLIC COMMENT**

Discussion of non-agenda items must be approved by a consensus of the board. Discussion of specific agenda items may be deferred to the appropriate time the item is before the board as stated on the agenda or at the direction of the Board Chair.

6:45 PM **V. REPORTS & DISCUSSION**

A. Discussion of Specific District Properties
   a. Two Alberta Rider Parcels
   b. Old CFT Cafeteria
   c. Old Tualatin Elementary
   d. Old Pacific Hwy Administration site

7:15 PM **VI. ACTION ITEMS**

A. Tigard High School Utility Easement ..... Stephen Poage
B. Tigard High School - Right of Way Reserve ..... Stephen Poage
C. Tualatin High School Right of Way Dedication ..... Stephen Poage
D. Bid Award for Paving at Twality ..... Stephen Poage
E. Bid Award for Paving at Templeton ..... Stephen Poage

7:20 PM **VII. SUPERINTENDENT & BOARD COMMUNICATION** ..... Rob Saxton

(Reports on meetings or correspondence of interest to the board).

7:30 PM **VIII. ADJOURN** ..... Board Chair Neunzert

School Board Minutes

Tigard-Tualatin School District, 23J

The minutes are official after Board approval and will be posted at www.ttsd.k12.or.us.

Board Members Present:
Caroline Neunzert, Board Chair
Art Rutkin, Vice-Chair
Barry Albertson
Conde Bartlett

Administration Present:
Rob Saxton, Superintendent
Susan Stark Haydon, Community Relations Director
Stephen Poage, Director of Capital Projects

Others Present:
Patricia Keller, Executive Assistant
Dale Hill, Staff Member
Gretchen Buettner, Community Member
Dewey Hamilton, Community Member
Dan Murphy, Community Member
Sharon Maroney, Community Member
Maya Blackmun, *Oregonian*

6:30 PM REGULAR MEETING

Call to Order

Chairman Neunzert called the regular session of the Tigard-Tualatin School District Board of Directors to order at 7:35 PM at the Tualatin Police Department Building, 8650 SW Tualatin Road, Tualatin, OR 97062. The meeting followed the 5:00 PM joint meeting with the City Councils from King City, Durham, Tigard and Tualatin that ended at 7:20 PM. Director Chism was out of town and did not attend the meetings.

Approval of Agenda

There were no changes to the agenda but information on the paving bids at Twality and Templeton was added to the notebooks in Section VI, Items D & E.

Consent Agenda

A. The Consent Agenda consisted of the October 6, 2005 Board meeting minutes, the Human Resources/Personnel Action Report, the Monthly Financial Report and four extended field trip requests. Director Rutkin made a MOTION to approve the Consent Agenda as presented. Director Bartlett seconded the motion. Directors Albertson, Bartlett, Neunzert and Rutkin approved the motion.

Public Comment

Gretchen Buettner voiced her concern about the lack of communication between the District/Board and the community. She stated that the communication with District patrons is great but for community members in general it was not as good. She also said she would like to see minor adjustments to the school boundaries between Tigard and Beaverton School Districts so that buses from both districts didn't have to travel the same streets to pick up and drop off students.

Reports and Discussion

A. Superintendent Saxton and the Board began a discussion on specific District properties. The process began when the Board took public comments at their October 6th meeting on five separate parcels of land owned by the District: Alberta Rider east and west parcels, the old Tualatin Elementary, the old Hibbard administration site and the old CFT cafeteria. After listening to the public comments at the last meeting, The Board and Superintendent shared their thoughts regarding those properties.

   a. Director Albertson expressed interest in retaining at least the east parcel that is adjacent to the Alberta Rider Life Estate for additional space for school use. Director Rutkin echoed that sentiment. Director Rutkin also said he would like to see development of a park on the west parcel. Chairman Neunzert said that she would like to explore options with the City of Tigard, or other entity(s) for development of a park.
   b. The old CFT Cafeteria building has been mothballed since the closing of the old school. Director Rutkin said he is in support of allowing another group to make improvements to the building. Chairman Neunzert stated she would support that as long as it is cost-neutral to the District or does not negatively impact CFT Elementary. Director Albertson said it would make a great place use for a District elementary school auctions or similar events. He is not supportive of razing the building but rather that it be used in conjunction with another group.

c. Director Rutkin reiterated what he said earlier at the joint city council meeting regarding the old Tualatin Elementary campus. He is proud of the new Tualatin Elementary School that was opened last year and that closing the old building was partially due to safety concerns that were cost prohibitive to repair. He supports the programs that currently reside on the campus but stated the old building is of no value to the District for programs. Director Albertson voiced his agreement. Director Bartlett said she does not want to see the property sold and turned into apartments while Chairman Neunzert said she is in favor of selling, stating she doesn't see that the District would have use of the whole property. She would be supportive of a partnering with the City of Tualatin if they would be interested in bringing the old building up to code and perhaps the District retaining some of that site for use with District programs that currently are housed there. The cost of bringing just the Gerald Avery building up to code is estimated at $3 Million.

d. The Board members all agreed that the old Administration building on Pacific Highway should be sold.

The administration intends to make a recommendation to the Board concerning theses properties at the November 3rd Board Meeting.

Action Items

A. Stephen Poage described the Tigard High utility easement that was part of the Conditional Use Permit for the recent construction at the school. Director Rutkin made a MOTION to that the Utility Easement at Tigard High School be approved as shown in the documents that were presented. Director Bartlett seconded the motion. Directors Albertson, Bartlett, Neunzert and Rutkin approved the motion.

B. Mr. Poage stated that the Conditional Use Permit for recent work at Tigard High requires a Right-of-Way Reserve adjacent to the school campus at the corner of Durham Road and SW 85th Avenue for future public street and utility improvements along SW 85th. Director Rutkin made a MOTION that the Right-of-Way at Tigard High School be approved as presented. Director Bartlett seconded the motion. The motion was approved Directors Albertson, Bartlett, Neunzert and Rutkin approved the motion.

C. As a condition for occupancy of the new technology wing at Tualatin High the District was required to provide a Right –of-Way along Boones Ferry Road. At the time of the original construction at Tualatin High, the right-of-way was not requested by the City of Tualatin. Stephen Poage presented information describing the location of the required easement. Director Rutkin made a MOTION to that the Right-of-Way Dedication for Boones Ferry Road be approved as shown in the survey documents as presented. Director Bartlett seconded the motion. Directors Albertson, Bartlett, Neunzert and Rutkin approved the motion.

D. Mr. Poage reported that he had requested quotations from seven paving contractors for the replacement of asphalt concrete paving at Twality Middle School and Templeton Elementary. He said that on Thursday, October 13th the District received sealed quotations from two responsive bidders for the parking lot paving project at Twality Middle School. Mr. Poage recommended that the bid for the parking lot paving project at Twality Middle School be awarded to the apparent low bidder, Brix Paving Co., in the amount of $52,050.00. The Board chose not to act on this agenda item since it was not in the original budget and they requested that Mr. Poage cancel the solicitation.

E. The Board chose not to act on this agenda item and that the solicitation be cancelled by Mr. Poage.

Superintendent & Board Communication

- Superintendent Saxton gave the Board members each a copy of Ruby K. Payne's book, "A Framework for Understanding Poverty".

Adjourn

Chairman Neunzert adjourned the regular meeting at 8:54 PM.

APPROVED BOARD MEETING
Date: 11/8/05
Chairman:
Clerk:

Welcome to this Public Meeting of the Tigard-Tualatin School District Board of Directors Thursday, November 3, 2005

Hibbard Administration Center, 6960 SW Sandburg Street, Tigard, OR 97223

Public participation on agenda items occurs at the discretion of the chair. Please indicate your interest by completing a "Public Comment Card" provided at the agenda table. Non-agenda items and public hearings are governed by the policy found at the agenda table. At 9:00 PM, the Board may take a five-minute recess, and the chair will review the agenda for possible rescheduling of items. The public meeting will not go beyond 9:30 PM without a majority vote of the board. For assisted listening/speech call 431-4002 (voice) or 431-4047 (FAX) no later than 48 hours prior to the meeting.

6:30 PM **REGULAR SESSION**

I. CALL TO ORDER ..... Board Chair Caroline Neunzert
Art Rutkin (Vice-Chair), Barry Albertson, Conde Bartlett, Mark Chism (Members)

6:31 PM **II. APPROVAL OF AGENDA** ..... Board Chair Neunzert

6:35 PM **III. CONSENT AGENDA** ..... Board Chair Neunzert
- A. October 17, 2005 Meeting Minutes
- B. Human Resources Report/Personnel Action

6:40 PM **IV. STUDENT ENVOY REPORTS**
- A. Tigard High Envoy ..... Krista Foltz
- B. Tualatin High Envoy ..... Kyli Krummel

6:55 PM **V. RECOGNITION and GOOD NEWS**
- A. United Way Award ..... CPAH and Fowler Middle School

7:00 PM **VI. PUBLIC COMMENT**
Discussion of non-agenda items must be approved by a consensus of the board. Discussion of specific agenda items may be deferred to the appropriate time the item is before the board as stated on the agenda or at the direction of the Board Chair.

7:10 PM **VII. REPORTS & DISCUSSION**
- A. Senator Richard Devlin
- B. Report Card Formula Presentation ..... Rob Saxton
- C. Drop-Out / Early Leaver Report ..... Barb Proctor / Jarvis Gomes
- D. Budget Calendar and Process ..... Rob Saxton
- E. Administration's Property Recommendation ..... Rob Saxton
- F. Future School Site(s) ..... Rob Saxton
- G. Alberta Rider Elementary Update ..... Stephen Poage / Darin Barnard
- H. Tri-County School Tax ..... Rob Saxton

9:00 PM **VIII. ACTION ITEMS**
- A. Continuous Improvement Plan – 2005 Submission ..... Carla Randall / Carol Sadler
- B. Tigard-Tualatin State School Funding Resolution 0506-3 ..... Rob Saxton
- C. P.E. Uniform Fees ..... Randy Harvey
- D. Resolution 0203-10 – Amendment No. 1 ..... Randy Harvey

9:30 PM **IX. SUPERINTENDENT & BOARD COMMUNICATION** ..... Rob Saxton
(Reports on meetings or correspondence of interest to the board).

9:35 PM **X. ADJOURN** ..... Board Chair Neunzert

9:40 PM **EXECUTIVE SESSION**

Convened according to ORS 192.660 (2)(a) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing, and **ORS 192.660 (2)(e)** To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

School Board Minutes

Tigard-Tualatin School District, 23J

The minutes are official after Board approval and will be posted at www.ttsd.k12.or.us.

Board Members Present:
Caroline Neunzert, Board Chair
Art Rutkin, Vice-Chair
Barry Albertson
Conde Bartlett
Mark Chism

Administration Present:
Rob Saxton, Superintendent
Randy Harvey, Human Resources/Operations Director
Roy Burling, Chief Financial Officer
Carla Randall, Curriculum & Instruction Director
Petrea Hagen Gilden, Student Services Director
Pam Henslee, Tigard High Principal
Barb Proctor, Tigard High Associate Principal
Kevin Bryant, Tigard High Athletic Director
Jeff Smith, Tualatin High Principal
Jarvis Gomes, Tualatin High Associate Principal
Jennifer Nelson, 21st Century Schools Director
Ted Feller, Fowler Middle School Principal
Susan Stark Haydon, Community Relations Director
Stephen Poage, Director of Capital Projects

Others Present:
Senator Richard Devlin
Patricia Keller, Executive Assistant
Al Spencer, TTEA President
Dale Hill, Staff Member
Krista Foltz, Tigard High Envoy
Kyli Krummel, Tualatin High Envoy
Shannon Wilson, Community Partners for Affordable Housing
Sonja Lindsay, Staff Member
Dewey Hamilton, Community Member
Darcy Rourk, NWRESD
Jack Gallagher, Community Member
Debi Lorence, MITCH Charter School
Paul See, MITCH Charter School
Sandra Ottley, MITCH Charter School
Tawyna Krull, MITCH Charter School
Khrystia Waibel, MITCH Charter School
Lori Oppenlander, MITCH Charter School
Valerie Kaufer MITCH Charter School
Janet Peterson, MITCH Charter School
Cindy Berger, MITCH Charter School
Wayne Laird, MITCH Charter School
Theresa Vu, MITCH Charter School
Bob Bartel, MITCH Charter School
Jan & Jerry Larsen, Community Members
Janet Zider, Community Member
Maya Blackmun, *Oregonian*
Jennifer Clampet, *Times*

6:30 PM REGULAR MEETING

Call to Order

Chairman Neunzert called the regular session of the Tigard-Tualatin School District Board of Directors to order at 6:30 PM at the Hibbard Administration Building, 6960 SW Sandburg St., Tigard, OR 97223.

Approval of Agenda

There were no changes to the agenda. Additional information was provided in the Board notebooks in Section VII, C, E, H and Section VIII, B.

Consent Agenda

The Consent Agenda consisted of the October 17, 2005 Board meeting minutes and the Human Resources/Personnel Action Report. Director Bartlett made a MOTION to approve the Consent Agenda as presented. Director Rutkin seconded the motion. The Consent Agenda was approved unanimously.

Student Envoy Reports

Krista Foltz, Tigard High Envoy, reported on many events and activities at Tigard High including the Halloween Rooms event that was held on Monday and was attended by 150 Trick-or-Treaters. On Wednesday, November 9th all local Veterans will be invited to an assembly that will honor them.

At Tualatin High, Kyli Krummel reported that students are in the planning stages for many upcoming events including: Holiday gift project, senior movie night and the Men of ASB event in January. She also reported that the football team is ranked #1 in the State and they are looking forward to the upcoming State Playoffs.

Recognition and Good News

The United Way recently presented the Community Partnership Award to Community Partners for Affordable Housing (CPAH). CPAH provide comprehensive youth support services in collaboration with Fowler Middle School and Good Neighbor Homeless Shelter. The United Way-funded program served over 100 youth last year and as a result, achieved increased attendance at parent/teacher conferences for the program participants and increased school attendance. The Grant Funds after school activities, helps students to set academic and behavior goals, encourage them to join student activities, support them and make them feel connected to the school.

Public Comment

Prior to Public Comment, Superintendent Saxton shared information from a letter he received from John Stelzenmueller, City of Tualatin Building Official, which outlined several issues in need of improvement in order for students to occupy the old Tualatin Elementary building.

Dewey Hamilton said that he was at Tigard High Trick-or-Treat at Tualatin Elementary and that it was a terrific event and the District should be proud of the people who staged that event. Khrystia Waibel and Tawnya Krull, MITCH Charter School parents, both voice their wishes to have their school relocated to the old Tualatin Elementary site.

Reports and Discussion

A. Senator Richard Devlin provided the Board with a report on the 2005 Legislative session with a focus on school funding which was a significant topic during the session. Director Rutkin stressed the need for adequate and stable funding for students in our schools.

B. Rob Saxton began by saying the Oregon Report Card is intended to give parents and the community an indication of how the schools are performing. The Oregon Department of Education has developed a formula that is intended to generate a rating for each school that includes student performance, student behavior and improvement. Mr. Saxton's presentation gave the Board some insight into the nuances within the formula.

C. Jarvis Gomes, Jennifer Nelson and Barb Proctor used a Power Point presentation to explain how the dropout rate is generated/calculated and they explained the work that the District does to retain all students and help them succeed. They stressed to the Board that they know who the dropout students are and how to contact them and the high school staff continues to work year around to help all students complete their education. The Dropout/Early Leaver Report lists students who left high school before graduating and is submitted each year on October 1st.

D. Superintendent Rob Saxton outlined his proposal for the budget review process that will begin this month in preparation for the actual budget setting process that will result in the 2006-07 Budget. His goals for the process include: educating the participants about funding sources, current District spending at all levels, and current program offerings to be used to determine budgeting priorities. The scheduled meeting will begin on Tuesday, November 15th.

E. The Superintendent began with his property recommendations with Alberta Rider West and East parcels. He recommended retaining both parcels stating that he believed Mrs. Rider did not intend for those lots to be subdivided for housing. He recommended declaring the old Hibbard Administration site as surplus property and of no value for use by the District. His recommendation for the old CFT Cafeteria Building was to retain ownership and to enter into negotiations with a community group that would allow for joint use. His recommendation for the old Tualatin Elementary site was to declare the site surplus and sell the property. However, given that there has been significant public interest in retaining the original Gerald Avery Building as a community asset, he recommended that the Board take no action for up to four months. That would give groups the opportunity to come forward with a reasonable proposal for the building. He also stated that any proposal would need to be cost-neutral (no loss in sale price) to the District. This recommendation would allow for a subdivision of the property that could carve out the approximately two-acre area occupied by the Gerald Avery Building.

At 9:15 PM the Board took a 10-minute recess and reconvened the meeting at 9:25 PM.

F. Rob Saxton stated that the District is beginning a search for property for future school sites as a result of the Metro Council's addition of two 'study areas' (areas 63 and 64) to the Urban Growth Boundary that are within our District boundaries. The two areas are on southwest Bull Mountain and if developed, could add as many as 1,800 homes that would create the need for additional schools.

G. Stephen Poage gave an update on the progress of the Alberta Rider Elementary building and subsequent move-in that will take place the weekend of November 4th and 5th. He stated that everything is on-track for the Grand Opening/Dedication of Alberta Rider Elementary School that is scheduled for November 10, 2005 at 5:30 PM. The first day of class for students at the new building is November 14, 2005.

H. Superintendent Saxton has been attending meetings for the last few months regarding the concept of a Tri-County School Tax. It is a proposed personal income tax. The Board has not had the opportunity to discuss the proposal prior to this meeting. The Board was not interested in making a decision to back the issue without first reviewing poling data when it is made available.

Action Items

A. The Oregon Department of Education (ODE) created the Continuous Improvement Plan (CIP) in an effort to streamline and coordinate District planning. It incorporates the planning requirements for several state and federal programs into one document. Districts are expected to identify improvement goals based on a comprehensive self-evaluation that includes an assessment of District performance and practices. The action plan and budget outline the strategies and activities that the District will implement to achieve the improvement goals identified in the self-evaluation. Carla Randall and Carol Sadler provided a copy of the CIP to the Board for their review and approval. Director Chism stated that this was much more information than they have received in the past and he made a MOTION to approve the 2005-2006 Continuous Improvement Plan for submission to the Oregon Department of Education as presented. Director Rutkin seconded the motion. The motion was approved unanimously.

B. Rob Saxton requested Board approval of Tigard-Tualatin School District State School Funding Resolution 0506-3 to encourage legislators and education leaders across the stat to generate and agree on a funding plan for K-12 schools before convening the next legislative session. The aim of the plan is to provide K-12 schools with stable, adequate and predictable funding. Director Chism made a MOTION to adopt Resolution 0506-3 in support of a stable and adequate funding solution as presented. Director Bartlett seconded the motion. The motion was approved unanimously.

C. Randy Harvey said that the fees charged for use of P.E. uniforms was inadvertently left off of the July 6, 2005 Board adopted student fees schedule. Director Chism made a MOTION to amend the student fees adopted on July 6, 2005, to include the fees charged by the secondary schools for PE uniforms as presented. Director Rutkin seconded the motion. The motion was approved unanimously.

D. Randy Harvey stated that the District had previously approved 'sole-source' security systems, HVAC and lighting controls for Tualatin High School at their meeting on February 6, 2003. At the time, the Tech Wing had not yet been built and therefore the control systems for that part of the building were not included in the 'sole-source' documents. He requested that the installation of the security system for the new technical wing at Tualatin High School be amended to include this project. Director Bartlett made a MOTION to approve Resolution 0203-10-Amendment-1 as written adopting JCI as sole-source provider of security controls, lighting controls and HVAC controls for the Tualatin High School Tech Wing as presented. Director Chism seconded the motion. The motion was approved unanimously.

Superintendent & Board Communication

- Elementary School Improvement plans will be presented at a meeting
- The Grand Opening/Dedication of Alberta Rider Elementary School is Thursday, November 10, 2005 at 5:30 PM.
- OSBA Convention is November 11-13th.
- December 8th School Board meeting will be moved to December 15th so Superintendent Saxton can attend a conference.

APPROVED BOARD MEETING
Date: 11/17/05
Chairman:
Clerk:

Adjourn

Chairman Neunzert adjourned the regular meeting at 10:35 PM.

EXECUTIVE SESSION

Executive session was convened at 10:50 PM according to ORS 192.660 (2)(a) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing, and ORS 192.660 (2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions. Minutes of this portion of the meeting will not be made public.

Welcome to this Public Meeting of the Tigard-Tualatin School District Board of Directors

Thursday, November 17, 2005

Hibbard Administration Center, 6960 SW Sandburg Street, Tigard, OR 97223

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6:31 PM **II. APPROVAL OF AGENDA** ..... Board Chair Neunzert

6:35 PM **III. CONSENT AGENDA** ..... Board Chair Neunzert
- A. November 3, 2005 Meeting Minutes
- B. Human Resources Report/Personnel Action
- C. Monthly Financial Report
- D. Extended Field Trip Request

6:55 PM **IV. RECOGNITION and GOOD NEWS**

7:00 PM **V. PUBLIC COMMENT**
Discussion of non-agenda items must be approved by a consensus of the board. Discussion of specific agenda items may be deferred to the appropriate time the item is before the board as stated on the agenda or at the direction of the Board Chair.

7:10 PM **VI. REPORTS & DISCUSSION**
- A. Northwest Regional ESD (NWRESD) Annual Report ..... Mickey Odin / Gail Young
- B. CIP Project Summary ..... Stephen Poage
- C. Urban Renewal District Discussion ..... Rob Saxton

8:10 PM **VII. ACTION ITEMS**
- A. Board Action on Property Recommendations
- B. First Reading of Policy Section F ..... Randy Harvey
- C. First Reading of Policy JEDA (Modification) ..... Randy Harvey
- D. First Reading of Policy JFG (Modification) ..... Randy Harvey
- E. First Reading of Policy ~~JGECB~~ JFCEB ..... Randy Harvey

9:20 PM **VIII. SUPERINTENDENT & BOARD COMMUNICATION** ..... Rob Saxton
(Reports on meetings or correspondence of interest to the board).

9:30 PM **IX. ADJOURN** ..... Board Chair Neunzert

School Board Minutes

Tigard-Tualatin School District, 23J

The minutes are official after Board approval and will be posted at www.ttsd.k12.or.us.

Board Members Present:
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Art Rutkin, Vice-Chair
Barry Albertson
Conde Bartlett
Mark Chism

Administration Present:
Rob Saxton, Superintendent
Randy Harvey, Human Resources/Operations Director
Roy Burling, Chief Financial Officer
Carla Randall, Curriculum & Instruction Director
Petrea Hagen-Gilden, Student Services Director
Carol Sadler, Testing & Assessment Director
Joyce Woods, Student Services Associate Director
Susan Stark Haydon, Community Relations Director
Stephen Poage, Director of Capital Projects
Ernie Brown, Hazelbrook Principal

Others Present:
Patricia Keller, Executive Assistant
Brad Hoskins, Staff Member
Julie Neumann, TTEA Vice President
Donna Crane, OSEA Co-President
Craig Prosser, City of Tigard
Phil. Nachbar, City of Tigard
Mickey Odin, NW Regional ESD
Gail Young, NW Regional ESD
Rick Rhodes, Tigard Police
Dale Hill, Staff Member
Machelle Stephens, Staff Member
Lisa Cresap, Staff Member
Dianne Bauer, Staff Member
Sharon Mooney, Staff Member
Jim Cole, Staff Member
Lauren Walker, Staff Member
Susan James, Staff Member
Andy Ferrar, Tualatin High Student
Dewey Hamilton, Community Member
Dan Murphy, Community Member
Jennifer Clampet, *Times*
Maya Blackmun, *Oregonian*

6:30 PM REGULAR MEETING

Call to Order

Chairman Neunzert called the regular session of the Tigard-Tualatin School District Board of Directors to order at 6:30 PM at the Hibbard Administration Building, 6960 SW Sandburg St., Tigard, OR 97223.

Approval of Agenda

Under the Reports and Discussion Items section of the agenda, the Urban Renewal report was moved from agenda item *C* to agenda item *A*. The Board Chair noted the change of date for the next Board meeting. The meeting will be held on December 15, 2005 rather than December 8th, as previously scheduled.

Consent Agenda

The Consent Agenda consisted of the November 3, 2005 Board meeting minutes, the Human Resources/Personnel Action Report, and the Monthly Financial Report and one extended Field Trip Request for the Tualatin High Choir. Director Albertson made a MOTION to approve the Consent Agenda as presented. Director Bartlett seconded the motion. The Consent Agenda was approved unanimously.

Recognition and Good News

Superintendent Saxton recognized the efforts of several people who helped get Alberta Rider Elementary ready to open. Machelle Stephens, Lisa Cresap and Dianne Bauer did extra-great work ordering and setting up the furniture. Staff members from the IT Department that were recognized were Jim Cole, Lauren Walker, Sharon Mooney, Matt White and Ryan Parlee. They helped set up computers and computer desks, phones, wiring, hubs, etc. Mr. Saxton also said there were custodians and teachers from other schools, grounds personnel, floor crews, operations personnel and countless others who helped prepare the building for the grand opening.

Public Comment

There were no requests for comment from the Public.

Reports and Discussion

A. Craig Prosser, Tigard City Manager, presented the proposed Urban Renewal plan that the City of Tigard is considering for the downtown area. Mr. Prosser said the plan would be discussed at the City Council meeting on Tuesday,

November 22nd. They plan to have it on the spring ballot. Mr. Prosser said the City Council indicated that area residents are concerned that an Urban Renewal District might diminish the level of funding received by local schools. After listening to the proposal, Rob Saxton provided the Board with the facts concerning urban renewal and its negligible impact on District funding using the state school fund grant.

B. Mickey Odin, Northwest Regional ESD (NWRESD) Deputy Superintendent and Gail Young, NWRESD Board Member presented the ESD Annual Report that lists services provided to our District over the past year. They also provided information regarding the impact of the Oregon Law resulting from House Bill 3184 will have on our District and the timeline for implementation.

C. Stephen Poage, Director of Capital Projects, gave a summary of project costs including remaining budget, scope and cost of remaining scope as well as potential saving, if any. He also discussed the hard/soft cost summary. He explained that the hard cost includes construction costs for buildings, additions, renovations, site work and off-site work while the soft costs represent the cost for professional services, furniture and equipment, permits and administrative costs.

Action Items

A. At the November 3rd Board meeting District Administration made recommendations concerning five properties owned by the District. The Board made decisions/motions on the following properties: Alberta Rider East, Alberta Rider West, old Hibbard Administration Site, old CFT Cafeteria Building and old Tualatin Elementary.
   - Director Rutkin made a MOTION to retain the two Alberta Rider properties for future school use. Director Bartlett seconded the motion. The motion was approved unanimously.
   - Director Chism made a MOTION to declare the old Hibbard Administration property as surplus property and the District take appropriate action to pursue lot-line adjustment that would allow the sale or long-term lease of the property. Director Rutkin seconded the motion. The motion was approved unanimously.
   - Director Chism made a MOTION to retain the former CFT multi-purpose building for use with a partner to share the cost of building operations and maintenance. Director Bartlett seconded the motion. The motion was approved unanimously.
   - Director Chism made a MOTION to direct the administration to declare the old Tualatin Elementary property as surplus and to enter into negotiations for sale, with the caveat that the Gerald Avery Building and its associated lot would bear some further discussion, as outlined in the administrative recommendation. Director Bartlett seconded the motion. The motion was approved unanimously.

B. Randy Harvey presented Board Policy Section F for a first reading. Board members suggested some changes that will be included in the revisions for second reading. Since this was the first reading, no action was taken.

C. Randy Harvey also presented a first reading of Board Policy JEDA – Truancy. The Tigard, Tualatin and Kind City Police Departments have indicated an interest in working with the District to reduce student truancy. The plan, if supported by the Board and adopted by the cities would allow police officers to return truant students that they encounter, to their home or school. The Superintendent and Mr. Harvey will work to refine the language of the policy prior to the second reading. Since this was the first reading, no action was taken.

D. The Tigard, Tualatin and King City Police Departments have indicated an interest in working with the School District to bring search canines into the schools on a periodic basis. Prior to any implementation the Board would need to adopt a policy allowing the practice. Randy Harvey presented Board Policy JFG for a first reading. He stated that legal counsel is reviewing the policy. Again, since this was the first reading, no action was taken.

E. Mr. Harvey presented Board Policy JFCEB for a first reading stating the policy addresses the use of communication devices including picture phone, cellular telephones, PDAs, laptops, etc. He noted that given the advance of technology we need to insure that privacy is protected and that we have policy and procedures in place so that technology is use appropriately. No action was taken on this agenda item.

Superintendent & Board Communication

- The Superintendent thanked Susan Stark Haydon for all the work she has done on the Grand Opening of Alberta Rider Elementary and the publicity brochures for all the building projects.
- December 8th meeting is changed to December 15, 2005.

Adjourn

Chairman Neunzert adjourned the regular meeting at 8:58 PM.

APPROVED BOARD MEETING
Date: 12/15/05
Chairman:
Clerk:

2004-2005 Tigard-Tualatin School District Board of Directors:
Caroline Neunzert, Chair; Art Rutkin, Vice-Chair; Barry Albertson, Conde Bartlett, Mark Chism

Estate LENNA J. LARSEN

Notice to Interested Persons
(No. 060991339)

he Circuit Court of the State of
n for the County of Multnomah, Pro-
Department.
ne Matter of the **Estate of Lenna J.**
n, Deceased.
ce is hereby given that Lee Finders
een appointed as the personal repre-
tive of the above estate. All persons
g claims against the estate are re-
l to present them to the undersigned
nal representative in care of the un-
gned attorney at: 7235 N.E. Sandy
Portland, Oregon, 97213 within four
s after the date of first publication of
otice, as stated below, or such claims
e barred.
ersons whose rights may be affected
proceedings in this estate may ob-
dditional information from the records
Court, the personal representative or
ttorney for the personal representa-

and first published September 25,

LEE FINDERS
Personal Representative
FINDERS
ney for Personal Representative
N.E. Sandy Blvd.
nd, Oregon 97213
P10111903-3Mo

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ESTATE OF VENDELLA GOLDSTEIN

TICE TO INTERESTED PERSONS
Case no. C06-0442 PE

he Circuit Court of the State of Ore-
or the County of Washington, Probate
rtment.
he Matter of the **Estate of Vendella**
stein, Deceased.
ice is hereby given that E. Lawrence
has been appointed and has quali-
s the personal representative of the
s. All persons having claims against
estate are required to present their
s within four months after the date of
ublication of this notice, as stated be-
o the personal representative care of
en C. Deras, 1400 SW Montgomery,
nd, OR 97201-2557 or the claims
e barred.
persons whose rights may be affected
proceedings in this estate may ob-
dditional information from the records
court, the personal representative,
attorney for the personal representa-

d and first published September 18,

Personal Representative:
E. LAWRENCE PERRIN
1725 SE Ash St.
Portland, OR 97214-1589
ney for Personal Representative:
REN C. DERAS
SW Montgomery St.
nd, OR 97201-2557
P10111763-3Mo

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Estate RAYMOND YEKEL

Notice to Interested Persons
(No. 060991383)

the Circuit Court of the State of
on for the County of Multnomah, Pro-
Department.
he Matter of the **Estate of Raymond**
l, Deceased.
tice is hereby given that Janis E.
has been appointed as the personal
sentative of the above estate. All per-
having claims against the estate are
ired to present them to the under-
d personal representative in care of
ndersigned attorney at: 2460 NE Divi-
Gresham, Oregon, 97030 within four
hs after the date of first publication of
otice, as stated below, or such claims
be barred.
persons whose rights may be affected
e proceedings in this estate may ob-
dditional information from the records

HAAGENSEN & LLOYD LLP
Attorney for Personal Representative
1001 SW Fifth Avenue, Suite 2000
Portland, Oregon 97204-1136
P10111901-3Mo

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Estate RONALD C. HORN

Notice to Interested Persons
(No. 060791093)

In the Circuit Court of the State of Oregon for the County of Multnomah, Probate Department.

In the Matter of the **Estate of Ronald C. Horn, Deceased.**

Notice is hereby given that Mark J. Holady has been appointed as the personal representative of the above estate. All persons having claims against the estate are required to present them to the undersigned personal representative in care of the undersigned attorney at: 3000 N.W. Stucki Place, Suite 230 Hillsboro, Oregon, 97124 within four months after the date of first publication of this notice, as stated below, or such claims may be barred.

All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the Court, the personal representative or the attorney for the personal representative.

Dated and first published September 18, 2006.

MARK J. HOLADY
Personal Representative
LAURA L. SCHANTZ
Attorney for Personal Representative
3000 N.W. Stucki Place, Suite 230
Hillsboro, Oregon 97124
P10111759-3Mo

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Estate WILMER E. WATSON

Notice to Interested Persons
(No. 060991306)

In the Circuit Court of the State of Oregon for the County of Multnomah, Probate Department.

In the Matter of the **Estate of Wilmer E. Watson, Deceased.**

Notice is hereby given that Dorothy Watson has been appointed as the personal representative of the above estate. All persons having claims against the estate are required to present them to the undersigned personal representative in care of the undersigned attorney at: 5440 SW Westgate Drive, Suite 170, Portland, Oregon, 97221-2408 within four months after the date of first publication of this notice, as stated below, or such claims may be barred.

All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the Court, the personal representative or the attorney for the personal representative.

Dated and first published Sept. 18, 2006.

DOROTHY WATSON
Personal Representative
HENRY L. BAUER
HENRY L. BAUER & ASSOCIATES, P.C.
Attorney for Personal Representative
5440 SW Westgate Drive, Suite 170
Portland, Oregon 97221-2408
P10111787-3Mo

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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLACKAMAS

NOTICE TO INTERESTED PERSONS
No. P0609023

In the matter of the **estate of LILLIAN SHEARMAN Deceased.**

Notice is hereby given that the undersigned has been appointed and has qualified as the personal representative of the estate. All persons having claims against the estate are hereby required to present the same, with proper vouchers, within four months after the date of first publication of this notice, as stated below, to the personal representative at: c/o Roger P.

Spoon Thin Stewardship	Clackamas River	South Fork	250	5000	90% Skyline 10% Ground Based	December 2006
Dry Thin	Clackamas River	North Fork	250	7000	20% Skyline 80% Ground Based	January 2007
Shay Thin	Clackamas River	North Fork	200	5000	20% Skyline 80% Ground Based	January 2007

Clackamas River RD Timber Sales - Some units may use designation by description using spacing. The Elbow Thin and Spoon Thin projects will be advertised as an Integrated Resource Contract 2400-13T (Stewardship contract). Interested parties may obtain maps, designation by description specifications and any updated information by contacting Jerry Polzin at (503) 630-6861.

The final advertisement will contain final minimum stumpage rates, bidding provisions and other sale conditions.

Published Oct. 2, 2006. PF10112051-1t

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PUBLISHED FIRST TIME TODAY

Tigard-Tualatin School District Sale of Surplus Property

Tigard-Tualatin School District 23J (the "District") has declared as surplus approximately 12.75 acres of property and improvements located at 19945 SW Boones Ferry Road, Tualatin, Oregon 97062, the site of the old Tualatin Elementary School. The property is zoned Low Density Residential, "RL." Bids for purchase of the property and improvements will be accepted by the District from October 2, 2006 until 5:00 p.m. on December 1, 2006. To obtain a bid package, which includes due diligence materials, please contact Patricia Keller by telephone at 503-431-4002 or by e-mail at "pkeller@ttsd.k12.or.us." Bid packages will be available beginning October 2, 2006.

Published Oct. 2, 3, 4, 5, 6, 9, 10, 11, 12, & 13, 2006.
PF10112045-10t

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PUBLISHED FIRST TIME TODAY

BEFORE THE CUSTODIAL CIVIL SERVICE BOARD

SCHOOL DISTRICT NO. 1
MULTNOMAH COUNTY, OREGON
NOTICE OF AMENDMENT OF CIVIL SERVICE RULES

In the Matter of a Proposed Amendment to the Civil Service Rules regarding the section that defines the promotion "freezing" process for custodians (Section 4.010 - Voluntary "Freezing").

1. At its meeting to be held Fri
ber 13, 2006, at 10:00 a.m., the
Civil Service Board shall vote as
er to amend its rules with resp
promotion "freezing" proc
custodians (Section 4.010 - Vo
"Freezing").

of such notice of freezing shall be provided to the employee. Any employee having voluntarily "frozen" his or her status may become again eligible for promotion only by written notice to the District six months before such employee shall again become eligible for promotion. Any "frozen" custodian subsequently laid off by the District, or who had some other break in service of six months or longer, and who later returns to the District as a custodian, will immediately be "unfrozen" upon return and will be eligible for all promotional opportunities per the promotion eligibility rules.

4. Interested parties may submit information, views, or arguments concerning the proposed amendment of these rules in writing to Tracy Cahill, Interim Civil Service Board Secretary, in care of the Department of Human Resources, Portland Public Schools, 501 N. Dixon Street, Portland, Oregon 97227, or by mailing it to the Department of Human Resources, PO Box 3107, Portland, Oregon 97208-3107. In order to be considered, these must be received not later than October 12, 2006.

5. If interested persons wish to express their information, views and arguments orally or in writing, they must make written request for a hearing and submit their requests, along with any written comments, to Tracy Cahill, Interim Civil Service Board Secretary, in care of the Department of Human Resources, Portland Public Schools, PO Box 3107, Portland, Oregon 97208-3107.

A copy of the proposed rules may be obtained from Tracy Cahill, Interim Civil Service Board Secretary, in care of the Department of Human Resources, Portland Public Schools, 501 N. Dixon Street, Portland, Oregon 97227.

Dated this 30th day of September 2006
Custodial Civil Service Board
By Tracy Cahill, Interim Secretary
Published Oct. 2, 2006. PF10112120-1t

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PUBLISHED FIRST TIME TODAY

CITY OF GRESHAM

Sale of Surplus IBM iSeries 830

The City of Gresham is selling a used, surplus IBM iSeries 830 system for $100, OBO, to the first qualified buyer effective October 2, 2006. The equipment is sold "as-is" with no warranty expressed or implied. A qualified buyer must pay by cash, cashier's check or equivalent, handle all shipping arrangements and pick up the equipment within 5 working days.

Contact Scott Jury, Purchasing Agent, City of Gresham, 1333 NW Eastman Parkway, Gresham, Oregon 97030, 503 618-2376, scott.jury@ci.gresham.or.us.

Published Oct. 2, 2006. PF10112135-1t

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DJC, 10/2/06
Pg. 22

City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
TDD 503.692.0574

A G E N D A

MEETING OF PROSPECTIVE PURCHASERS OF THE OLD TUALATIN ELEMENTARY SCHOOL SITE

Tuesday, October 24, 2006
2:00 – 4:00 p.m.
Tualatin City Council Chambers

1. Welcome.

2. Introduction of City Staff.

3. Purpose of Meeting.
   Discuss the City's Development Requirements Using the Site Information Report as the Base Document.

4. Handouts.
   Site Information Report.
   Tualatin Heritage Tree List.
   Tualatin Historic Site Inventory Sheet.
   Tualatin Elementary School Feasibility Study by SRG.

5. Discussion.

6. Closing.

#3

SEISMIC EVALUATION REPORT

CONCERNING

Tualatin Elementary School

Tualatin, Oregon

FOR

Mr. Ron Hudson
Tigard-Tualatin School District 23J
Hibbard Administration Center
13137 SW Pacific Highway
Tigard, OR

January 21, 2000

Prepared by

GOTCHALL & ASSOCIATES
STRUCTURAL ENGINEERS

2328 SE Washington St.
Milwaukee, Oregon

In Association With

DAVID BUGNI
& ASSOCIATES

Consulting Structural Engineers

30265 S.E. Kowall Road

Estacada, OR 97023

CITY OF TUALATIN
RECEIVED

JAN 2 6 2009

COMMUNITY DEVELOPMENT
PLANNING DIVISION

SEISMIC EVALUATION REPORT

CONCERNING

Tualatin Elementary School

Tualatin, Oregon

FOR

Mr. Ron Hudson
Tigard-Tualatin School District 23J
Hibbard Administration Center
13137 SW Pacific Highway
Tigard, OR

January 21, 2000

Prepared by

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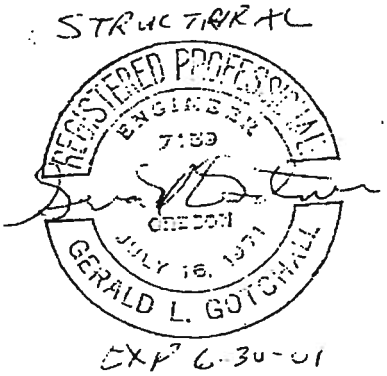
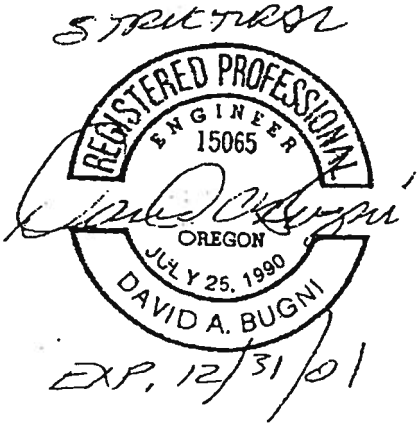
30265 S.E. Kowall Road
Estacada, OR 97023





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SEISMIC EVALUATION REPORT

I. BASIS OF REPORT

The results, opinions, and conclusions presented in this report are statements of conceptual structural engineering judgments based solely on examination of record plans, a cursory and simplistic seismic analysis, and on site walk-through observations of the subject buildings without utilization of exploratory demolition, materials load testing, or a complete structural analysis. We have assumed that the record drawings and other information provided to us are complete and accurate. This report and our services are consistent with our customary structural engineering judgment; however, they do not represent any warranty, either certified or implied, as to the existing structural state-of-repair of the building, or with respect to the performance of the building during any future seismic events.

II. INTRODUCTION AND SCOPE

This report has been prepared at the request of Mr. Ron Hudson of the Tigard-Tualatin School District 23J. The five buildings evaluated for this study (Gerald Avery Building, Beatrice Cole Wing, Isaac Ball Wing, Evie Andrews Wing, and John Brown Wing) were generally observed to be in fair to good condition, with specific areas requiring improvements as noted within this report. Please refer to Appendix D, page D-2, for a pictorial representation of the relative locations of the buildings. Based on our review of the record drawings provided, on site observations during a walk-through, and from an evaluation conducted using the NEHRP *Handbook for the Seismic Evaluation of Existing Buildings* (FEMA-178/June 1992), recommendations are provided in this report to improve seismic life safety and hazard reduction. The evaluation does not address other objectives of building code compliance, damage control, or building performance under special conditions.

Elementary schools warrant seismic safety consideration because of their special occupancy characteristics (children are at risk and are present in the school at a high occupancy density). Furthermore, the complex layout of facilities, offices, classrooms, and assembly areas and the importance of immediate and long-term earthquake disaster relief and recovery efforts should also be considered. The document "*Seismic Considerations - Elementary and Secondary Schools* (FEMA-149/1988)" lists the following guidelines as suggested performance goals for schools:

- Students and teachers inside and outside the school must be protected during an earthquake.
- Emergency systems in the school must remain operational after an earthquake.
- Students and teachers must be able to evacuate the school quickly and safely after an earthquake. Additionally, hallways and corridors that serve as the primary egress routes from the building should be safe from overturned lockers and cabinets, and from falling ceiling tiles and light fixtures.
- Rescue and emergency workers must be able to enter the school immediately after

an earthquake, encountering minimum interference and danger.

- The school must remain functional for any planned disaster response role. As such, assembly areas such as cafeterias, auditoriums, and gymnasiums should be rehabilitated to ensure that the structure is functional and that suspended mechanical systems, lighting, and other equipment hanging within the area is securely fastened and will not fall.

III. FINDINGS

The following conclusions were reached based upon a review of existing available drawings and site observations utilizing the checklists provided in the NEHRP - *Handbook for the Seismic Evaluation of Existing Buildings* (FEMA-178/June 1992). These checklists provide a series of true and false questions regarding the adequacy of the structures and their various components to resist seismic loading at the levels prescribed in the FEMA document (please refer to Appendix E). True statements identify conditions that are acceptable. The particular items noted below are false responses to the questions and are therefore items which may compromise the seismic life safety of the buildings. False answers to questions do not automatically indicate a hazardous building; therefore, for marginal structures a more detailed investigation should be required during a subsequent rehabilitation phase. In addition, FEMA-178 incorrectly classifies Western Oregon as possessing ground accelerations of 0.1 times gravity; however, based upon requirements of the State of Oregon legislature, ground acceleration parameters of 0.3 times gravity are used in this evaluation and will therefore yield increased force levels. In other words, the horizontal accelerations due to seismic ground motions are assumed to equal 30 percent of the vertical gravitational acceleration. This is consistent with, and similar to, Oregon being in seismic zone 3 according to the current edition of the Oregon Structural Specialty Code (OSSC). In accordance with the request of Mr. Hudson, these structures have been evaluated in accordance with two criteria: FEMA 178 and the 1998 Oregon Structural Specialty Code. The force and detailing requirements of the OSSC are greater (approximately 50% higher force level) and more comprehensive than those contained within FEMA 178. The OSSC is typically to be used with new construction. Unless there is a change of occupancy, a major alteration, or an addition which imposes load on an existing structure, most building authorities do not require that an existing building be rehabilitated to resist seismic loads at the current OSSC levels. As a result, many building owners will voluntarily rehabilitate only to the levels prescribed by FEMA 178.

Gerald Avery Building

A. The existing walls at the north and south ends of the auditorium have inadequate shear resistance.

B. Drag struts are required to collect loads from the classroom portions of the building and transfer them to the shear resisting elements noted in item A., above.

C. The parapet framing is not adequate to resist out-of-plane seismic loads.

D. There appears to be no reliable mechanism to transfer in-plane shear loads from the roof and first floor diaphragms to the shear resisting elements.

E. The trusses at the auditorium/gym lack adequate anchorage to their supports.

F. The anchorage of the brick veneer to the wood structure is unknown and is

probably deteriorated and at an inadequate spacing.

G. The boiler flue chimney extends about 20 feet above its point of attachment to the roof and this attachment is probably inadequate to resist seismic loads.

H. No weep holes were found in the brick veneer in several areas.

I. The first floor ceiling system below the roof at all locations possesses little, if any, diaphragm capacity.

J. No diaphragm chords were found.

K. The Relative Seismic Hazard Map of Portland locates this building (and the adjacent wings) in a high hazard zone with respect to potential effects from soil liquefaction, ground motion amplification, landslides, or a combination thereof.

L. Suspended ceilings are inadequately braced to resist seismic loading in some areas.

M. The boiler and its associated piping are inadequately braced and anchored to the structure.

N. There is limited capacity for differential movement between the building frame/cladding and the glass window system.

O. At the first floor level, the floor joist support ledgers are not sufficiently anchored to the 10x16 floor girders which are located throughout the building.

P. Many bolted connections in the gymnasium/auditorium roof trusses are loose, most likely due to wood shrinkage.

Q. The stage header beam does not appear to be connected to its supporting posts.

Beatrice Cole Wing

A. The anchorage of the brick veneer to the wood structure is unknown and is probably deteriorated and at an inadequate spacing.

B. No diaphragm chords were found.

C. To comply with the current requirements of the OSSC, two interior classroom walls which are framed along the north-south direction and located about in the middle of the building must be reinforced with plywood sheathing and connections between these walls and the roof framing must be installed.

D. There is limited capacity for differential movement between the building frame/cladding and the glass window system.

Isaac Ball Wing

A. To comply with the current requirements of the OSSC drag struts are required to collect loads along building grid lines B and K and transfer them to the shear resisting elements along these wall lines. Additional holdowns will be required at the wall extremities.

B. Tall book cases and shelving units have numerous heavy items stacked upon them.

Evie Andrews Wing

A. There appears to be no reliable mechanism to transfer in-plane shear loads from the roof diaphragm to the shear resisting elements.

B. The anchorage of the brick veneer to the wood structure is unknown and is probably deteriorated and at an inadequate spacing.

C. The interior classroom walls which could act as shear resisting elements to

transfer seismic loads from the roof and the ceiling system to the foundation lack adequate connections.

D. The ceiling systems below the roof at all locations possess little, if any, diaphragm capacity.

E. No roof diaphragm chords were found.

F. There is limited capacity for differential movement between the building frame/cladding and the glass window system.

G. There is a crack in the brick veneer located at the east wall at its north edge.

John Brown Wing

A. Additional roof-to-wall connections are required to transfer in-plane lateral loads to the foundation and to resist out-of-plane wind loads.

B. The existing roof joists have a total dead load allowance of 12 pounds per square foot. The existing dead loads present should be tabulated to verify that this allowance has not been exceeded.

C. Several cracks which are most likely the result of settlement were observed around the foundation.

D. No weep holes in the brick veneer were found.

E. The anchorage of the brick veneer to the wood structure is unknown and is probably deteriorated and at an inadequate spacing.

IV. RECOMMENDATIONS

The findings, noted above, in the existing building lead to the following list of recommended items for seismic rehabilitation.

Gerald Avery Building

A. Reinforce the north and south walls of the auditorium/gymnasium with plywood sheathing.

B. Install drag struts to collect seismic loads from the classroom portion of the building to the reinforced shearwalls in the auditorium/gymnasium as noted in item A, above.

C. Reinforce and properly attach the parapet framing to resist out-of-plane seismic loads.

D. Provide a positive load path to transfer in-plane seismic shear forces from the roof/ceiling system and the first floor diaphragm through the shearwalls to the foundation.

E. Properly anchor the auditorium/gymnasium roof trusses to their supporting posts.

F. Perform exploratory tests to determine the condition and spacing of the existing masonry veneer anchors. If inadequate, replace with new anchors.

G. Remove or rehabilitate the boiler flue chimney and properly anchor it to the building.

H. Install weep holes in the brick veneer at the proper locations where they are not located. Check the backing studs for dry rot.

I. Reinforce the first floor ceiling system at classrooms to function as a diaphragm and/or install bracing elements to transfer ceiling loads to the roof diaphragm.

J. Evaluate the roof truss sway brace assemblies to determine if they function adequately to transfer bottom chord ceiling loads to the roof diaphragm. Tighten all loose truss connections.

K. Install diaphragm chords as required.

L. Retain the services of a geotechnical engineer to determine if additional foundation requirements are needed due to the high soil-related seismic hazard potential.

M. Provide adequate bracing of the suspended ceiling system in areas found to be deficient.

N. Anchor and brace the boiler and its associated piping.

O. Install additional connecting hardware to attach the first floor joist support ledgers to their 10x16 floor girders throughout building.

P. Anchor the stage header beam to its supporting posts.

Q. Provide a reliable attachment of the partial-height concrete ground floor walls to the foundation/slab system to resist out-of-plane soil and seismic loads.

Beatrice Cole Wing

A. Perform exploratory tests to determine the condition and spacing of the existing masonry veneer anchors. If inadequate, replace with new anchors.

B. Install diaphragm chords as required.

C. If, compliance with the intent of the OSSC is desired reinforce two interior north-south classroom walls in the middle of the building with plywood sheathing and associated connections.

Isaac Ball Wing

A. If compliance with the intent of the OSSC is desired, install drag struts along building grid lines B and K. Add additional connecting hardware as required.

B. Remove heavy items stacked on top of tall book cases and shelving units. Brace or anchor tall book cases(five feet or more) which may overturn in a seismic event.

Evie Andrews Wing

A. Provide a positive load path to transfer in-plane seismic shear forces from the roof/ceiling system through the shearwalls to the foundation.

B. Perform exploratory tests to determine the condition and spacing of the existing masonry veneer anchors. If inadequate, replace with new anchors.

C. Reinforce the ceiling system to function as a diaphragm or install bracing elements to transfer ceiling loads to the roof diaphragm.

D. Install diaphragm chords as required.

E. Repoint the crack which exists in the brick veneer along the east wall at its north end.

John Brown Wing

A. Add roof to wall connections to transfer in-plane and out-of plane wind and seismic loads.

B. Analyze the existing dead load condition and determine if the total dead load

allowance of 12 pounds per square foot is adequate.

C. Install weep holes in the brick veneer where they are currently not found.

D. Perform exploratory tests to determine the condition and spacing of the existing masonry veneer anchors. If inadequate, replace with new anchors.

V. OPINION ON AN ESTIMATE OF PROBABLE COST

The costs identified below should only be used as a very rough guideline and are made without the benefit of a formalized construction cost analysis. They must be verified by a contractor and do not include allowances for asbestos, hazardous or toxic materials abatement. Before a more accurate cost estimate can be made, a formal seismic rehabilitation design program must occur.

A. Structural Systems and Subsystems

The following cost estimates are based on our experience with similar projects. Included for reference are the unit costs used to obtain the amounts for each item. Also included are estimates to rehabilitate nonstructural items and an estimate for repair of the architectural finishes that will need to be replaced after the structure is rehabilitated. As requested, estimated costs for rehabilitation to both the FEMA-178 force level and the intent of the 1998 OSSC have been provided.

Gerald Avery Building Estimated Cost Summary

Item	FEMA 178	FEMA 178	1998 OSSC	1998 OSSC
	Est. Unit Cost	Est. Total Cost	Est. Unit Cost	Est. Total Cost
Reinforce north & south walls of gym	$10.00/SF (Square Foot)	$28,000	$13.00/SF	$36,400
Install drag struts to tie classroom area to north & south gym walls for E-W EQ	$2000 LS (Lump Sum)	$2000	$3000 LS	$3000
Reinforce and attach the parapet	$75/LF (Lineal Foot)	$25,875	$100/LF	$34,500
Install blocking and connectors to transfer in-plane shear @ roof	$100/LF	$70,000	$150/LF	$105,000
Install blocking and connectors to transfer in-plane shear @ 1st flr	$100/LF	$70,000	$150/LF	$105,000
Anchor gym roof trusses	$500/EA	$5000	$500/EA	$5000
Brick veneer anchorage test program	$3000/LS	$3000	$3000/LS	$3000
Install weep holes in brick veneer	$5000 LS	$5000	$5000 LS	$5000
Reinforce first floor	$15.00/SF	$99,000	$17.50/SF	$115,500

ceiling system @ classrooms				
Tighten loose truss connections	$1000 LS	$1000	$1000 LS	$1000
Install diaphragm chords @ gymnasium	$20.00/LF	$7500	$20.00/LF	$7500
Rehab. chimney	$15,000 LS	$15,000	$20,000 LS	$20,000
Attach first floor ledgers to girders	$25.00/LF	$37,500	$25.00/LF	$37,500
Install plywood sheathing to roof & floor diaphragms	N/A	N/A	$10.00/SF	$290,000
Anchor brick veneer	N/A	N/A	$15.00/SF	$105,000
Nonstructural hazard mitigation (incl. ceiling & boiler)	$2.50/SF	$75,000	$5.00/SF	$150,000
Architectural finish repair	$10.00/SF	$300,000	15.00/SF	$450,000
Geotechnical consultation services	$5000/LS	$5000	$5000/LS	$5000
Anchor partial-height conc. ground floor walls	N/A	N/A	$100/LF	$27,300
Total	**$24.96/SF**	**$748,875**	**$50.19/SF**	**$1,505,700**

Costs not included above:

1. Replacement of any wood studs which contain dry-rot.
2. Replacement of any veneer anchors for the FEMA-178 level of rehabilitation.
3. Foundation considerations due to any recommendations by a geotechnical engineer.

Beatrice Cole Wing Estimated Cost Summary

Item	FEMA 178	FEMA 178	1998 OSSC	1998 OSSC
	Est. Unit Cost	Est. Total Cost	Est. Unit Cost	Est. Total Cost
Install blocking and connectors to transfer in-plane shear @ roof	N/A	N/A	$150/LF	$69,000
Brick veneer anchorage test program	$2000/LS	$2000	$2000/LS	$2000
Install diaphragm chords	N/A	N/A	$20.00/LF	$9200
Install plywood on two interior classroom walls in N-S dir.	N/A	N/A	$13.00/SF	$9100
Anchor brick veneer	N/A	N/A	$15.00/SF	$45,000
Nonstructural hazard mitigation	N/A	N/A	$5.00/SF	$52,500
Architectural finish repair	$2,000 LS (Brick repair)	$2000	10.00/SF	$105,000
Total		**$4000**	**$27.79/SF**	**$291,800**

Costs not included above:

1. Replacement of any wood studs which contain dry-rot.
2. Replacement of any veneer anchors for the FEMA-178 level of rehabilitation.
3. Foundation considerations due to any recommendations by a geotechnical engineer.

Isaac Ball Wing Estimated Cost Summary

Item	FEMA 178	FEMA 178	1998 OSSC	1998 OSSC
	Est. Unit Cost	Est. Total Cost	Est. Unit Cost	Est. Total Cost
Install drag struts along lines B & K & hold downs	N/A	N/A	$10,000 LS	$10,000
Nonstructural hazard mitigation (incl. book case anchorage)	$1.00/SF	$6,000	$1.00/SF	$6,000
Architectural finish repair	N/A	N/A	10.00/SF	$60,000
Total	**$1.00/SF**	**$6000**	**$12.67/SF**	**$76,000**

Costs not included above:

1. Replacement of any wood studs which contain dry-rot.
2. Foundation considerations due to any recommendations by a geotechnical engineer.

Evie Andrews Wing Estimated Cost Summary

Item	FEMA 178	FEMA 178	1998 OSSC	1998 OSSC
	Est. Unit Cost	Est. Total Cost	Est. Unit Cost	Est. Total Cost
Install blocking and connectors to transfer in-plane shear @ roof	$100/LF	$44,000	$150/LF	$66,000
Brick veneer anchorage test program	$3000/LS	$3000	$3000/LS	$3000
Reinforce ceiling system	$15.00/SF	$144,000	$17.50/SF	$168,000
Install diaphragm chords	$20.00/LF	$8800	$20.00/LF	$8800
Install plywood sheathing to roof diaphragm	N/A	N/A	$10.00/SF	$96,000
Anchor brick veneer	N/A	N/A	$15.00/SF	$92,400
Nonstructural hazard mitigation	$2.50/SF	$24,000	$5.00/SF	$48,000
Architectural finish repair (incl. repointing of cracked veneer)	$5.00/SF	$48,000	15.00/SF	$144,000
Total	**$28.31/SF**	**$271,800**	**$65.23/SF**	**$626,200**

Costs not included above:

1. Replacement of any wood studs which contain dry-rot.
2. Replacement of any veneer anchors for the FEMA-178 level of rehabilitation.
3. Foundation considerations due to any recommendations by a geotechnical engineer.

John Brown Wing Estimated Cost Summary

Item	FEMA 178	FEMA 178	1998 OSSC	1998 OSSC
	Est. Unit Cost	Est. Total Cost	Est. Unit Cost	Est. Total Cost
Install connectors to transfer loads between roof & walls	$50.00/LF	$4,500	$50.00/LF	$4,500
Brick veneer anchorage test program	$2000/LS	$2000	$2000/LS	$2000
Install weep holes in brick veneer	$4000 LS	$4000	$4000 LS	$4000
Install diaphragm chords	$10.00/LF	$3000	$10.00/LF	$3000
Anchor brick veneer	N/A	N/A	$15.00/SF	$10,800
Nonstructural hazard mitigation	$2.50/SF	$12,250	$5.00/SF	$24,500
Architectural finish repair	$5.00/SF	$24,500	10.00/SF	$49,000
Total	**$10.26/SF**	**$50,250**	**$19.96/SF**	**$97,800**

Costs not included above:

1. Replacement of any wood studs which contain dry-rot.
2. Replacement of any veneer anchors for the FEMA-178 level of rehabilitation.
3. Foundation considerations due to any recommendations by a geotechnical engineer.

B. Nonstructural elements

The following items are from the FEMA-178 checklist *Evaluation Statements for Nonstructural Elements*, which provides a series of architectural, mechanical, and electrical building systems that should be evaluated. Although these elements are not structural, their failure during a seismic event may cause serious injuries. It is not uncommon for nonstructural elements to constitute between 75 and 85 percent of the building's replacement value. As a minimum, equipment and contents which can overturn, move, or fall causing injury or blocking egress should be restrained in both the horizontal and vertical directions.

Rehabilitation of many of these items can be accomplished during normal maintenance or shutdown operations. Where possible, estimated unit costs have been provided for these items. An estimate of an aggregate cost per square foot for nonstructural hazard mitigation is shown in the table above and is assumed to include the items noted below.

NONSTRUCTURAL ELEMENTS	Cost (Estimated)
Bracing of suspended ceilings and ceiling supported lighting	$1/square foot
Bracing of mechanical fixtures	$150/unit
Separate ceiling edges from structural walls	
Brace light fixtures independently from suspended ceiling system	$50/light
Anchor tall storage racks, bookcases, and similar heavy/tall items to floors or adjacent non-clay tile walls.	$100/unit
Tie together groups of filing cabinets	$100/group
Provide cabinet drawers with latches to keep them closed during an earthquake	
Restrain breakable containers of hazardous chemicals from falling by providing latched doors or shelf lips.	
Anchor and brace large equipment to resist overturning and sliding	$500/unit
Provide adequately-sized pipe sleeve openings for large and hazardous piping penetrating exterior walls or walls between separate and adjacent buildings	$250/pipe
Brace major ductwork and electrical raceways for transverse and longitudinal movement along their entire length	$200/conn. @ 20' o.c. max.
Ducts shall not be supported by piping or other nonstructural elements.	

VI. EVALUATION

A. General Description (Gerald Avery Building)

1. Age of building

   a) The original building was built in about 1938 and is now known as the Gerald Avery Building. The architect was F.M. Stokes. The following drawings were provided: 1 through 8, inclusive, and drawing M1.

2. Building Configuration

   a) The building is two stories high (ground floor and first floor), "T"-shaped in plan and contains approximately 30,000 square feet of floor area.

3. Structural System

   a) Foundation

   Reinforced concrete spread footings and partial-height concrete ground floor walls on continuous concrete wall footings support the structure.

b) Floors

Floors are typically wood framed with 1" thick nominal diagonal floor sheathing over 2x14 and 3x14 joists at about 16" on center. Floors are supported on a combination of interior and exterior bearing walls and wood girder/post systems. The ground floor level is a concrete slab-on-grade. Its reinforcing is unknown.

c) Walls

The exterior walls are load bearing and typically framed with 1" thick nominal horizontal sheathing over 2x4 and 3x4 wood studs with a 4" brick veneer system. Interior walls are typically lath and plaster over wood stud framing.

d) Roof

The roof structure above the classroom and office areas consists of wood framing with straight 1" thick nominal wood sheathing over 2x4 and 2x6 rafters at 16" to 24" on center. These rafters are supported on the 2x12 ceiling joists below. This effectively creates a crawl space between the roof and ceiling which varies from less than one foot to about four feet in height.

The roof structure over the auditorium typically consists of 1" straight sheathing over 2x10 rafters at 24" on center which are supported by long span timber trusses. At the lower chord of the trusses, 2x8 ceiling joists at 16 inches on center support the ceiling.

e) Lateral Force Resisting System

Wind and seismic loads are transferred by the roof and floor diaphragms to the supporting interior and exterior wall systems. The walls resist these horizontal forces through shearwall behavior. Overturning at the extremities of the shearwalls is most likely resisted by the weight of the walls and the attached structural elements. The lateral force resisting system is very complex due to the involvement of the exterior wood-sheathed walls and the interior plaster walls. The building is irregularly shaped in plan. The roof and ceiling framing must work together to form a diaphragm system to transfer the wind and seismic loads to the resisting walls.

f) Miscellaneous

The chimney for the boiler system extends above its point of

attachment at the roof level approximately 20 feet. It appears to be constructed of unreinforced masonry.

B. Visual Observations (Gerald Avery Building)

1. Visual observations conducted on December 21, 1999 revealed the following:

   a) For overall appearance, the building is in fair to good condition.
   b) The majority of the structure is hidden by finishes.
   c) Minor cracks were observed in several interior plaster walls. They appear to be relatively old and have been painted over. The exterior brick veneer was repointed near the main entry.
   d) A new metal roof appears to have been installed over the auditorium in the last several years.
   e) Existing brick veneer mortar is hard, but can be scratched by a knife.
   f) There are no signs of structural distress from vertical or lateral loads.
   g) No weep holes exist in the brick veneer in a number of areas. In areas where weep holes do exist, some are not at the bottom of the brick veneer which may allow water to collect.
   h) The partial height concrete basement walls which have approximately four feet of earth against them have no obvious and reliable method of resisting the forces created by the soil pressure.
   i) No blocking was observed between the rafter and wall systems at the auditorium to transfer lateral loads.
   j) The large timber stage header beam appears to have no connection to its supporting column.
   k) The 3x6 ledgers attached to the timber girders at the first floor level which support the floor joists above the cafeteria appear to be inadequately attached to the girder.
   l) The boiler and its associated piping are not restrained to resist seismic loads.
   m) The connections between the timber truss members are loose in a number of areas, most likely due to wood shrinkage. Several splits in some of the trusses appear to have been repaired by epoxy injection.
   o) The interior classroom walls stop at the ceiling joist level and do not connect to the roof framing.

C. General Description (Beatrice Cole Wing)

1. Age of building

   a) The original building was built in about 1960 and is now known as the Beatrice Cole Wing. No construction drawings were found and the architect of record is unknown. One drawing,

however, was provided: "Proposed 8 Classroom Addition to Tualatin Grade School for Washington County School District 1C Joint" by Phillip R. Balsiger, Architect.

2. Building Configuration

a) The building is one story high, rectangular-shaped in plan and contains approximately 10,500 square feet of floor area.

3. Structural System

a) Foundation

Reinforced concrete spread footings and continuous wall footings support the structure and are assumed to be reinforced.

b) Floors

The floor is a concrete slab-on-grade. Its reinforcing is unknown.

c) Walls

The exterior walls are load bearing and typically framed with wood studs and (it is assumed plywood sheathing) with a 4" brick veneer system. Interior walls are typically lath and plaster over wood stud framing.

d) Roof

The roof structure consists of wood framing with plywood sheathing over 2x16 roof joists.

e) Lateral Force Resisting System

Wind and seismic loads are transferred by the roof diaphragm to the supporting interior and exterior wall systems. The walls resist these horizontal forces through shearwall behavior. Overturning at the extremities of the shearwalls is most likely resisted by the weight of the walls and the attached structural elements.

D. Visual Observations (Beatrice Cole Wing)

1. Visual observations conducted on December 21, 1999 revealed the following:

a) For overall appearance, the building is in good condition.
b) The majority of the structure is hidden by finishes.

c) There are no signs of structural distress from vertical or lateral loads.

E. General Description (Isaac Ball Wing))

1. Age of building

a) The original building (Instructional Materials Center) was built in about 1972 and is now known as the Isaac Ball Wing. The architect was Broome, Selig, Oringdulph & Partners. The following drawings, dated June 8, 1972, were provided: A1 through A6, ALT.2, S1 and S2, M1 through M3, and E1 and E2.

2. Building Configuration

a) The building is one story high, "T"-shaped in plan and contains approximately 6000 square feet of floor area.

3. Structural System

a) Foundation

Reinforced concrete spread footings and continuous wall footings support the structure.

b) Floors

The floor is a 4" thick reinforced concrete slab-on-grade.

c) Walls

The exterior walls are load bearing and typically framed with ½" thick plywood sheathing over 2x6 wood studs with a 1-1/4" thick "Marblecrete" cladding system.

d) Roof

The roof structure typically consists of steel framing with 1-1/2" deep metal decking over steel open web bar joists spaced at 5'-0" on center. The joists bear on the exterior stud walls and on a steel beam line which extends down the middle of the building. The framing over the mechanical room is 5/8" thick plywood sheathing over 2x10 roof joists at 16" on center.

e) Lateral Force Resisting System

Wind and seismic loads are transferred by the roof diaphragm to the supporting exterior wall system. The walls resist these

horizontal forces through shearwall behavior. Overturning at the extremities of the shearwalls is most likely resisted by the weight of the walls and the attached structural elements. The building is irregularly shaped in plan.

F. Visual Observations (Isaac Ball Wing)

1. Visual observations conducted on December 21, 1999 revealed the following:

   a) For overall appearance, the building is in good condition.
   b) The majority of the structure is hidden by finishes.
   c) There are no signs of structural distress from vertical or lateral loads.
   d) Tall book cases and shelving units have numerous heavy items stacked upon them.

G. General Description (Evie Andrews Wing)

1. Age of building

   a) The original building was built in about 1952 and is now known as the Evie Andrews Wing. The architect was Stokes & Allyn. The following drawings were provided: 1 through 13, inclusive.

2. Building Configuration

   a) The building is one story high, rectangular-shaped in plan and contains approximately 9600 square feet of floor area.

3. Structural System

   a) Foundation

      Reinforced concrete continuous wall footings support the structure.

   b) Floors

      The floor is comprised of two concrete systems: a 4" thick reinforced concrete slab-on-grade at the south half of the building and a 4" thick reinforced concrete framed slab which spans approximately 8 feet to the supporting concrete stem walls and wall footings at the north half of the building. The two systems were probably chosen due to the sloping nature of the site. A crawl space exists beneath the framed concrete slab.

c) Walls

The exterior walls are load bearing and typically framed with 2x4 wood studs with a 4" brick veneer system. Interior walls are typically lath and plaster over 3x4 wood stud framing.

d) Roof

The roof structure consists of wood framing with either straight 1" thick nominal wood sheathing or plywood (exact composition unknown) over 2x6 rafters at 16" on center. These rafters are supported at about 8 feet on center with 2x4 stud walls which bear on the 2x14 ceiling joists below. This effectively creates a crawl space between the roof and ceiling which varies from less than one foot to about eight feet in height. The roof is double-pitched.

e) Lateral Force Resisting System

Wind and seismic loads are transferred by the roof and floor diaphragms to the supporting interior and exterior wall systems. The walls resist these horizontal forces through shearwall behavior. Overturning at the extremities of the shearwalls is most likely resisted by the weight of the walls and the attached structural elements. The lateral force resisting system is complex due to the involvement of the exterior wood sheathed walls and the interior plaster walls. The roof and ceiling framing must work together to form a diaphragm system to transfer the wind and seismic loads to the resisting walls.

H. Visual Observations (Evie Andrews Wing)

1. Visual observations conducted on December 21, 1999 revealed the following:

   a) For overall appearance, the building is in fair to good condition.
   b) The majority of the structure is hidden by finishes.
   c) Existing brick veneer mortar is hard, but can be scratched by a knife.
   d) There is a veneer crack in the northeast corner of the building. The crack is diagonal in nature, appearing at both high and low points along the wall. The lower section of the crack appears to have been repointed. Cause of the crack is unknown.
   e) No blocking was observed between the rafter and wall systems to transfer lateral loads.

I. General Description (John Brown Wing)

1. Age of building and known remodels

a) The original building was apparently a covered play structure. Its date of construction is unknown but it appears to be about 1968. In about 1978, this covered play structure was enclosed with wood walls and a new concrete floor slab-on-grade was placed. The drawings provided for the remodel which enclosed the covered play area are sheets 1, 2, and 3 (prepared by Albert R. Kenney, Jr.), M-1, E-1, and E-2 prepared by Morrison, Funatake, Inouye, Andrews, Inc.

2. Building Configuration

a) The building is one story high, rectangular-shaped in plan and contains approximately 4900 square feet of floor area.

3. Structural System

a) Foundation

Reinforced concrete spread footings are assumed to support the original roof structure. When the building was enclosed, continuous wall footings (a turned-down slab edge) were provided around the perimeter of the building.

b) Floors

The floor consists of a 4" thick reinforced concrete slab-on-grade.

c) Walls

The exterior walls are not load bearing and typically framed with 5/8" thick plywood wall sheathing over 2x6 wood studs at 24" on center. The exterior plywood appears to have had a solid stain applied to it so that it also functions as the finish. The walls which surround the original post support areas for the roof framing have a brick veneer system attached to them. The wall structure at these areas is unknown.

d) Roof

The roof structure appears to consist of plywood sheathing over prefabricated open web wood joists which span to a glulam beam system. According to a memorandum written by Mr. Gerald Gotchall of Resseger/Gotchall on November 30, 1988, the existing roof system was evaluated at that time jointly by Resseger/Gotchall and the Trus Joist Corporation and found to be satisfactory to support a new ceiling and a small electrical and mechanical load allowance. The new ceiling mentioned in

the Resseger/Gotchall letter was to be placed upon removal of the ceiling placed in the 1978 remodel work. Trus Joist had determined that the roof joists had a dead load allowance of 12 pounds per square foot and a snow load allowance of 25 pounds per square foot. This light dead load allowance does not provide much capacity for any superimposed dead loads.

e) Lateral Force Resisting System

Wind and seismic loads are transferred by the roof diaphragm to the exterior wall system. The walls resist these horizontal forces through shearwall behavior. Overturning at the extremities of the shearwalls is most likely resisted by the weight of the walls and the attached structural elements. The load path integrity of the lateral force resisting system is unknown since the drawings prepared in 1978 do not indicate how the existing roof diaphragm was attached to the perimeter framing.

J. Visual Observations (John Brown Wing)

1. Visual observations conducted on December 21, 1999 revealed the following:

   a) For overall appearance, the building is in fair condition.
   b) The majority of the structure is hidden by finishes.
   c) Cracking was observed in several areas around the foundation. These are presumed to be the result of settlement.
   d) No weep holes exist in the brick veneer.

K. Relative Earthquake Hazard Map Evaluation

The most severe damage done by an earthquake is commonly concentrated in limited geographic areas. The damage in these areas is generally caused by one or more of the following phenomena:

1. Amplification of ground shaking by a soft soil column beneath the building.

2. Soil liquefaction.

3. Landslides induced by the shaking of the earthquake.

Each of these phenomena is a distinct and separate hazard, but in combination can increase the severity of the total hazard at a given site. The Relative Hazard Map, produced by the Oregon Department of Geology and Mineral Industries, is a composite map depicting the relative hazard at any site due to the combination of all three effects. It delineates into four zones (zone A is the highest, zone D is the lowest) areas that likely will experience the greatest effects from any earthquake. It should be noted that this map predicts the tendency of a site to

have greater or lesser damage than other sites in the area. It does not include information regarding the probability of damage occurring; rather, it shows that when the map area is shaken by an earthquake, the damage is more likely to occur, or be more severe, in the higher hazard areas. Furthermore, higher hazard areas should not be viewed as unsafe. Except for landslides, the earthquake effects mentioned above are not life threatening in and of themselves. What is life threatening is the way that structures respond to these effects.

Therefore, the intent of this map is to present a better understanding of those areas within the region that are more prone to earthquake effects than others, and, when used in conjunction with the evaluation of the seismic resistance of an existing building, may provide a better qualitative understanding of the total hazard which possibly exists. Greater and more abundant damage will occur in a building which is located in an area of higher hazard as opposed to an area possessing lesser hazard.

Review of the hazard map indicates that this building is located in either zone A or B and therefore is located in an area of high potential hazard. As a result, further review by a geotechnical engineer is recommended during any future rehabilitation phase to determination if any additional mitigation measures are required.

APPENDIX A.
EARTHQUAKES IN OREGON AND SOUTHWESTERN WASHINGTON

Earthquakes occur in our area because of plate tectonics. The earth is covered by rigid plates that are all moving relative to each other. Most earthquakes in the world occur at plate boundaries, where the plates interact with each other. California has very complex geology with frequent earthquakes because it is located where two plates, the Pacific Plate and the North American Plate, are sliding past each other. In the Pacific Northwest, however, the plates run headlong into each other, forcing one plate, the Juan de Fuca Plate, to dive under the overriding plate, the North American Plate, in which Oregon is embedded, along a huge fault called the Cascadia Subduction Zone that parallels the Oregon and Washington coasts. Because the nature of the contact between the plates is different in Oregon and southwestern Washington than it is in California, earthquakes happen less frequently in our area. However, they are no less dangerous than those which occur in California.

Pacific Northwest earthquakes can originate in one of three source areas:

- **Crustal earthquakes** are relatively shallow and occur along faults that can extend to as deep as 20 miles below the surface in the overriding North American Plate as it crumples against the Juan de Fuca Plate.

- **Intraplate earthquakes** occur at greater depths (about 20 to 40 miles beneath the surface) within the subducting Juan de Fuca Plate.

- **Subduction zone earthquakes** occur when the plates, which are locked against each other along the Cascadia Subduction zone, break free, releasing stored-up energy in a great regional earthquake.

1. **Crustal earthquakes**, while smaller in magnitude than the subduction zone earthquakes, are the most frequent earthquakes to occur in our area. The Scotts Mills (magnitude 5.5) and Klamath Falls earthquakes (magnitudes 5.9 and 6.0) in 1993 were both shallow crustal earthquakes. Crustal earthquakes are relatively common in the Portland area, northern Willamette Valley, and southwestern Washington, off the southern Oregon coast, in northeastern Oregon, and in scattered areas throughout southeast Oregon. For most areas east of the Cascades, most of the bedrock earthquake shaking hazard comes from crustal faults. Both the Northridge, California earthquake of January 17, 1994 and the Kobe, Japan earthquake of January 17, 1995 were crustal earthquakes with magnitudes less than 7.

2. **Intraplate earthquakes** are typically deep events, the most recent of which occurred in Washington in 1949 (magnitude 7.1) and again in 1965 (magnitude 6.5). Intraplate earthquakes occur within the remains of the ocean floor that has been subducted beneath North America. It is now believed that this type of earthquake could occur anywhere beneath the Coast Ranges or Western Willamette Valley, with 7 to 7.5 being the maximum magnitude.

3. **Subduction zone earthquakes** occur less frequently, on the average between 350 and 500 years apart. The last subduction zone earthquake occurred about 300 years ago. Evidence of past subduction zone earthquakes has been exemplified in the tsunamis they caused that left sand deposits in low lying areas, coastal subsidence that buried low lying forests and marshes, turbidites in the ocean, liquefaction resulting from strong ground shaking, and Native American legends of inundation of villages along the coast, over an area extending from Cape Mendocino, California to British Columbia. Although they occur less frequently, subduction zone earthquakes affect large geographic areas and can be quite powerful, ranging between magnitude 8 and 9, with one in Chile reaching magnitude 9.5.

Because California has had frequent but smaller earthquakes, Californians have learned to prepare for them. The state has done much to develop and implement earthquake mitigation measures and incorporate them in building codes, building practices, and emergency procedures. In Oregon and southwestern Washington, however, because our geology is different and earthquakes happen less frequently here, we have only recently become aware of the seismic threat, and a great subduction zone earthquake, though rare, has the potential to do much damage. Because many of our existing buildings are not designed to meet this seismic demand, steps typically need to be taken to mitigate the potential damaging effects.

APPENDIX B.
BUILDING CODE IMPLICATIONS

Oregon and southwestern Washington have not been historically viewed as an area with high seismic risks. As a result, most existing buildings were constructed under codes that did not provide significant seismic protection. As seismic risks have become better understood (see Appendix A.), concern for seismic safety has increased.

Over the years seismic design criteria for buildings in Oregon and southwestern Washington have gradually evolved to a higher standard. Prior to 1956, there were no requirements for seismic-resistant design for the City of Portland, and the State of Oregon did not adopt the Uniform Building Code until 1974. From 1974 to 1988, Oregon and southwestern Washington were classified in seismic zone 2. Because of new scientific data, in 1988 the same area was reclassified as seismic zone 2B, which increased seismic forces about 33%. More recently, in 1993, the classification for western Oregon was changed from seismic zone 2B to seismic zone 3 (the reclassification for southwestern Washington occurred in 1994), which again increased forces another 50% over those for zone 2B. The change from seismic zone 2B to 3 also means that the manner in which buildings are detailed or connected together becomes much more complex. Therefore, in a span of less than 10 years, buildings in western Oregon and southwestern Washington have seen seismic forces increase almost 100% since 1988, as well as a dramatic change in the manner in which buildings are designed.

With the adoption of these higher standards, serious questions have been raised about the safety of older buildings. Since they were not designed to the current code requirements, what risks exist to occupants in the event of an earthquake?

Recent earthquakes elsewhere in the world have shown the importance of appropriate building design. Both the 1994 Northridge, California and the 1995 Kobe, Japan earthquakes were crustal earthquakes with magnitudes less than 7. Due to California's long history of earthquake-resistant building requirements, only 57 lives were lost in the Northridge earthquake, with $30 billion of damage. In the case of Kobe, however, which was severely damaged during World War II and rebuilt quickly before Japan's stringent modern buildings codes were in place, over 5,000 people lost their lives, and damage was estimated at over $100 billion. These differences in number of deaths and amount of damage may indicate what could happen in Oregon or southwestern Washington if serious consideration is not given to the appropriate seismic rehabilitation of existing buildings.

Building codes are quite clear that new buildings and new additions to existing buildings are required to be designed and built to comply with the current code; however, these codes are less specific regarding the transfer of seismic loads to an existing structure or the appropriate methodology to be used when evaluating existing structures. Consider the case of the city of Portland. The state legislature's action to raise the seismic zone to Zone 3 in 1993 was interpreted by the city of Portland to make a large number of existing buildings "dangerous" within the definition of its Dangerous Building Code, contained within Title 24, *Building Regulations of the Portland City Code*. For this reason, the City of Portland's Task Force on Seismic Strengthening of Existing Buildings amended that portion of Title 24 to remove the link between it and the seismic provisions of the State Building Code and replaced the link with an interim ordinance. This ordinance requires a building owner to rehabilitate the building to the

intent of the current code only if substantial changes are made to it or if a more strict occupancy classification is required.

Therefore, as one moves from this evaluation phase to a possible rehabilitation phase, one should work closely with the local permitting authority to determine precisely what level of rehabilitation will be required. If the owner of the building is voluntarily rehabilitating it, consultation with an architect and engineer as well as the local permitting authority is recommended to evaluate the safety and economic consequences of the possible levels of seismic rehabilitation.

APPENDIX C.
DEFINITIONS AS THEY ARE USED IN THIS REPORT

Acceleration: The rate of change of velocity with respect to time. Specifically, a measure of the intensity of seismic shaking at a particular site.

Appendage: An architectural component such as a canopy, marquee, ornamental balcony or statuary.

Base: The level at which the horizontal seismic ground motions are considered to be imparted to the building.

Base shear: The total calculated lateral force (due to seismic or wind loads) at the base.

Beam: A horizontal structural member.

Bearing wall: A wall providing support for vertical loads. It may be exterior or interior.

Brittle systems: Systems that do not have a definite yield phase or plateau and that have a significant strength degradation immediately after the displacement associated with peak strength.

Chord: Element capable of resisting tension or compression at the edges of a diaphragm perpendicular to the applied lateral load.

Column: A vertical structural member.

Cornice: A molded projection which crowns or finishes the part to which it is affixed. The exterior trim of a structure at the meeting of the roof and wall; usually consists of bed molding, soffit, fascia, and crown molding.

Dangerous Building Code: A code that can be used by local authorities to identify a building as dangerous and that can be used to require the building owner to repair or demolish the dangerous building.

Detailing requirements: Those requirements utilized by a structural engineer in order to connect a structure together.

Diaphragm: A horizontal, or nearly horizontal system designed to transmit seismic or wind forces to the vertical elements of the lateral force resisting system. A floor is a diaphragm. Also includes horizontal bracing.

Drag strut/collector: Member that is provided to transfer lateral forces within a diaphragm to the lateral force resisting elements of the building.

Drift limit requirements: Those requirements stipulated in a building code or standard which limit the amount of horizontal movement of a building. Typically applied to seismic and wind loads.

Ductile systems: Systems that have a definite yield phase or plateau and a capable of being deformed or distorted before breaking or fracturing. The post-yield load-displacement relationship is stable, but when displaced with multiple dynamic load cycles, a system may have a strength less than the strength under monotonic loading.

Earthquake: A shaking or trembling of the earth's crust caused by underground volcanic forces or by the breaking and shifting of rock beneath the surface.

FEMA: The Federal Emergency Management Agency.

Frame, braced: An essentially vertical truss, or its equivalent, of the concentric or eccentric type that is provided in a building frame to resist lateral forces.

Frame, space: A three dimensional structural system composed of interconnected members, other than bearing walls, that are capable of supporting vertical loads and that also may provide resistance to lateral forces.

Grade beam: A reinforced concrete or protected steel beam that exists below grade which serves to tie adjacent footings, drilled piers or pilings together.

Grout: Is a mixture of portland cement, sand, pea gravel and water mixed to fluid consistency. It is placed in the cores of hollow masonry units to bind the steel reinforcing and the masonry into a structural system.

Hazard: A source of danger with potential to cause illness, injury, or death to people or damage to a facility or the environment. In insurance terminology, it is the existence of a condition that increases the chance of loss.

Horizontal irregularity: A type of structural irregularity considered to exist if a particular floor level is unusual in shape, or the bracing systems within the building are offset between floors, or there is a marked difference between the locations of the centers of mass and rigidity of the floor.

Infill: Material, generally masonry, that is inserted within a surrounding structural frame to create a wall.

Irregularity, horizontal: A type of structural irregularity considered to exist if a particular floor level is unusual in shape, or the bracing systems within the building are offset between floors, or there is a marked difference between the locations of the centers of mass and rigidity of the floor.

Irregularity, vertical: A type of structural irregularity in which the weight, strength, or stiffness of the building changes dramatically with each story.

Lateral force resisting system: That portion of a structure that resists the lateral loads, typically wind or seismic. This system may be comprised of walls, braces, or moment frames, either singly or in combination.

Liquefaction: The process whereby soil and/or sand behaves like a dense fluid rather than a wet solid mass during an earthquake.

Mitigation: Any action taken before an earthquake that has the potential to reduce the consequences of an earthquake.

Moment resisting frame: A type of structural frame that is stable without the need of walls or braces. Connections between beams and columns are made in such a way that rotation is restrained.

Mortar: Is a Plastic mixture of materials used to bind masonry units into a structural mass.

NEHRP: National Earthquake Hazards Reduction Program.

Nonstructural hazards: Parts of a structure, other than the gravity or lateral load carrying systems, that could fail and injure people during an earthquake. Includes parapets, exterior cladding or cornices, major mechanical equipment, hollow clay tile partitions, etc.

Oregon Structural Specialty Code: The body of Oregon regulations related to buildings designed to provide uniform performance standards by providing reasonable safeguards for safety for residents of the state who are occupants and users of buildings. It contains the Uniform Building Code with Oregon amendments.

Parapet: Rampart, low wall, or railing that is not part of the lateral force resisting system of the building and is entirely above the roof.

Redundancy: The presence of multiple lateral force resisting elements that comprise a system such that if one or several elements have substantial strength and stiffness loss, continuing lateral displacement will be resisted by the other elements of the system.

Rehabilitation: Construction actions taken before an earthquake to improve the ability of the structure to withstand an earthquake beyond its original capacity.

Repoint: Also known as tuck-pointing is the process of cutting out old mortar to a uniform depth and placing new mortar in the joint.

Retrofit: Improvement of the seismic resistance of a structure after an earthquake.

Seismic: Related to, resembling, or caused by an earthquake.

Seismic force: The force generated by an earthquake equal to the vibrating mass of the building multiplied by the acceleration produced by the earthquake.

Seismic hazard: Probability of earthquake ground motion at a given location.

Seismic risk: The potential for damage and casualties from earthquakes to the "built"

environment.

Seismic zone: A generally large geographic area within which the seismic design requirements for structures are the same.

Shear wall: A wall designed to resist lateral forces in the plane of the wall.

Spall: A chip, fragment, or flake from a piece of masonry or concrete.

Soft story: In a building, a soft story is one in which the lateral stiffness is less than 70% of that in the story above or less than 80% of the average stiffness of the three stories above. It is a particular type of vertical irregularity as defined in the Uniform Building code.

Story drift ratio: The ratio of the maximum lateral displacement of a floor with respect to the floor below divided by the story height.

Subsystems: A set of building elements that makes up a major portion of the lateral force resisting system such as diaphragms, moment frames, and shearwalls.

System, bearing wall: A structural system with bearing walls providing support for all, or a major portion of, the vertical loads and with shearwall or braced frames providing support for lateral loads.

System, building frame: A structural system with an essentially complete space frame providing support for vertical loads and with shearwalls or braced frames providing support for lateral loads.

System, dual: A structural system with an essentially complete space frame providing support for vertical loads, including a moment resisting frame that is capable of resisting at least *25%* of the prescribed lateral forces, with total resistance provided by the combination of the moment resisting frame together with shearwalls or braced frames in proportion to their rigidities.

System, moment resisting frame: A structural system with an essentially complete space frame providing support for vertical loads with moment resisting frames providing support for lateral loads.

Torsion: A twisting about an axis; a wrenching in which one part of a structure is under pressure to turn about a longitudinal axis, while the other part is held fast or is under pressure to turn in the opposite direction.

Turbidite: Sediments deposited after sudden movement of accumulated sediments down the continental slope. Often triggered by earthquakes.

Uniform Building Code: The recognized model for building codes used with Oregon amendments to be the Oregon Structural Specialty Code. The Uniform Building Code was first enacted in 1927 and has been revised and amended since that time.

Unreinforced masonry: See URM, below.

URM: A masonry building constructed with little or no reinforcement. Common types of masonry are fired clay brick, hollow clay tile, unfired clay adobe, concrete block, and stone.

Veneer: Facing or ornamentation not used to develop resistance to lateral forces that is composed of brick, concrete, stone, tile, or similar materials connected to a backup structure either by anchorage or adhesion.

Vertical elements: Subsystems in the vertical plane including shearwalls, braced frames, and moment resisting frames.

Vertical irregularity: A type of structural irregularity in which the weight, strength, or stiffness of the building changes dramatically with each story, as defines in the Uniform Building Code.

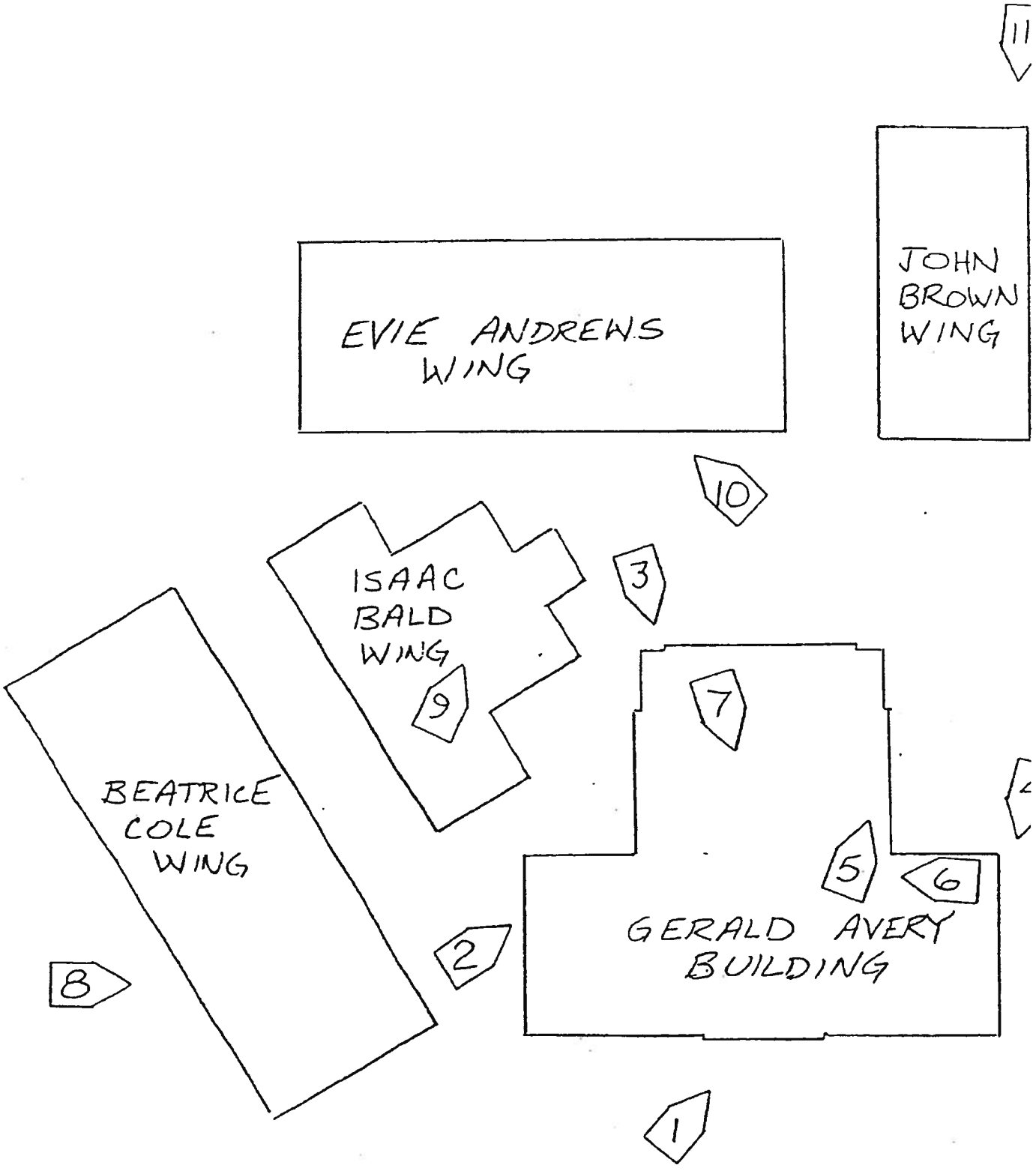
Wall, bearing: An interior or exterior wall providing support for vertical loads.

Wall, nonbearing: An interior or exterior wall that does not provide support for vertical loads other than its own weight.

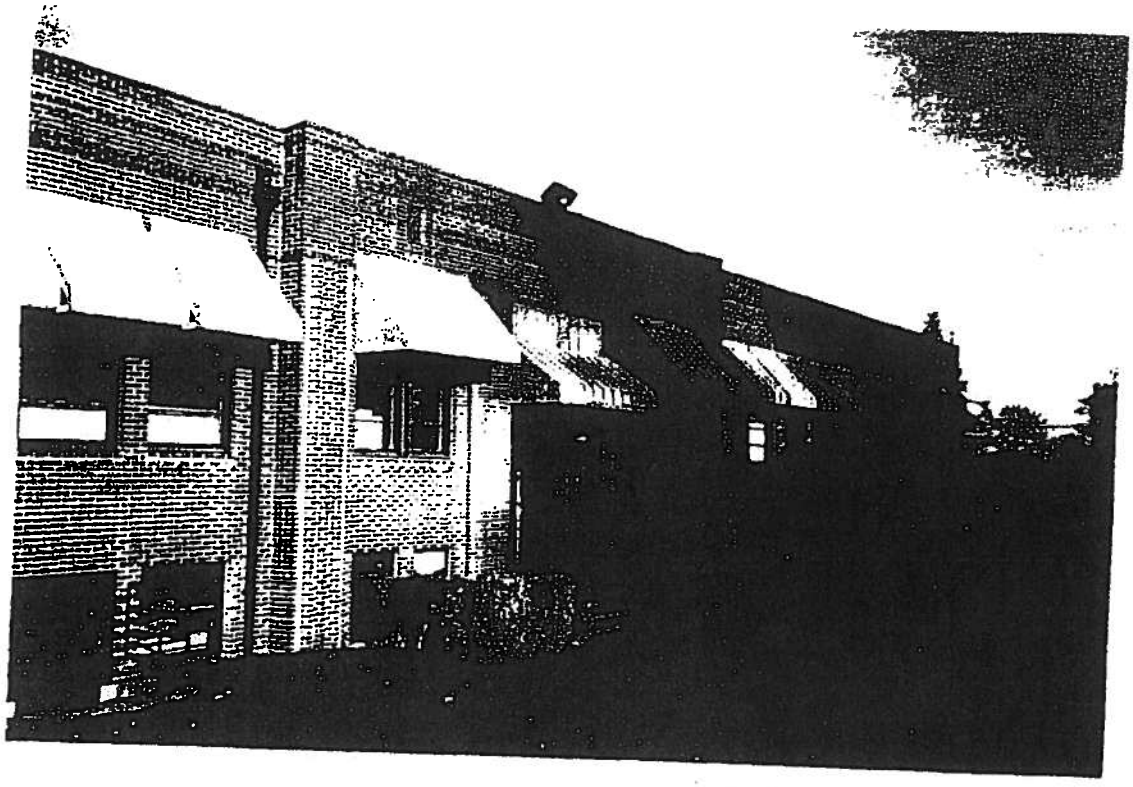
Wall, shear: A wall, bearing or nonbearing, capable of resisting lateral forces acting in the plane of the wall.

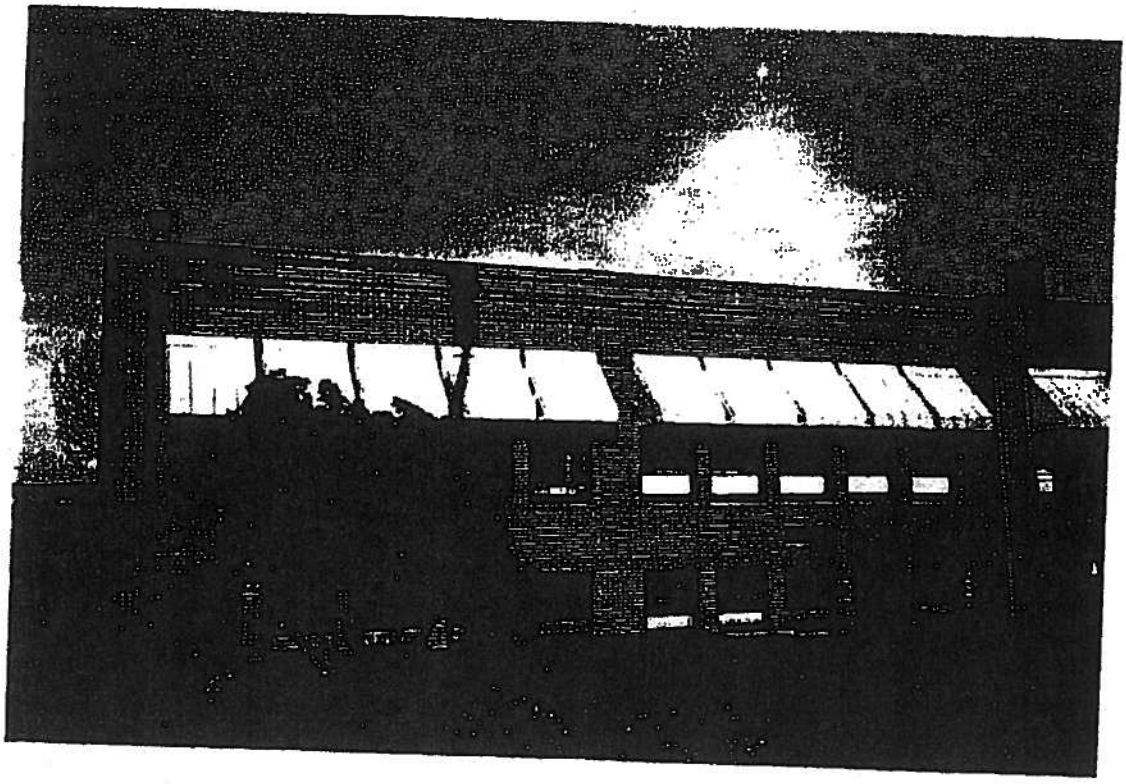
Wythe: A single layer of masonry in a wall.

APPENDIX D. PHOTOGRAPHS



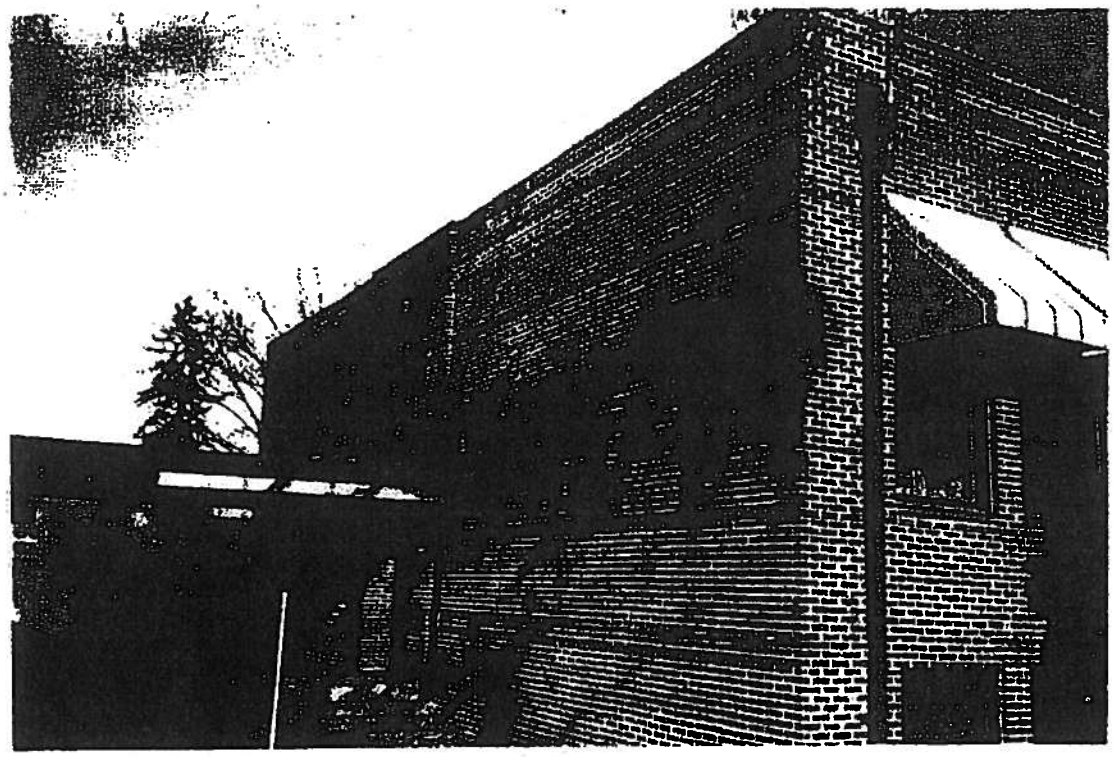
PHOTOGRAPH LOCATION MAP





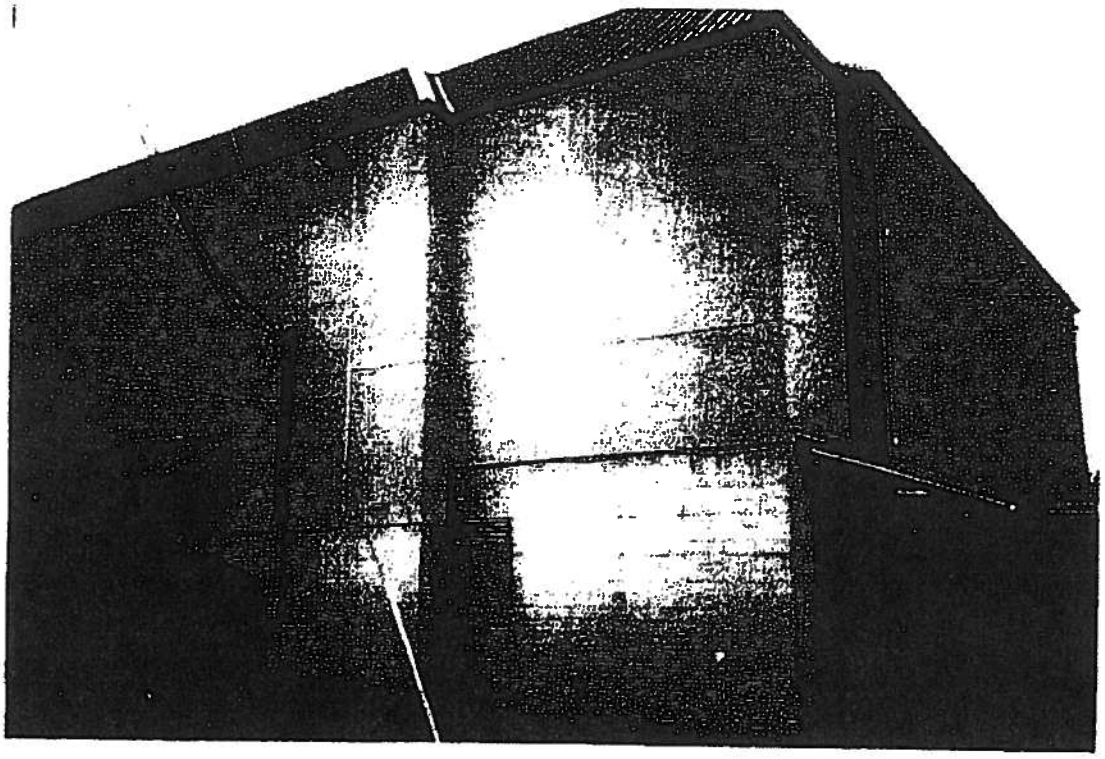
Gerald Avery Building

Photograph No. 1 East Elevation (North & South Section Views)



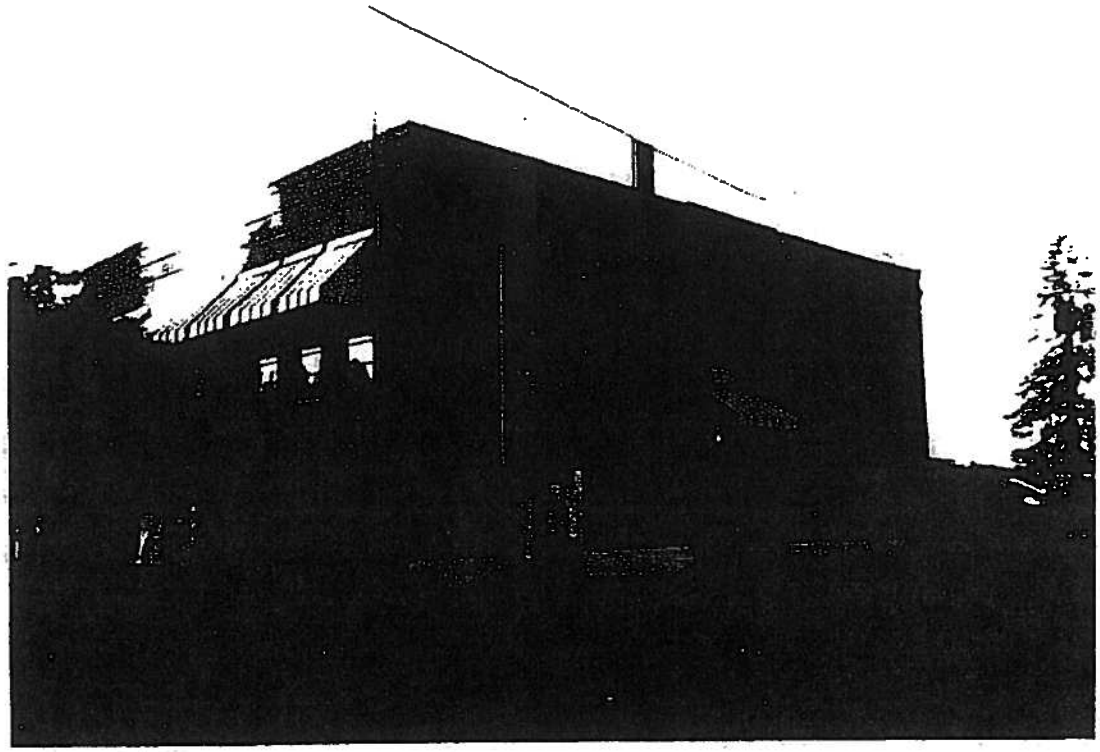
Gerald Avery Building

Photograph No. 2 South Elevation



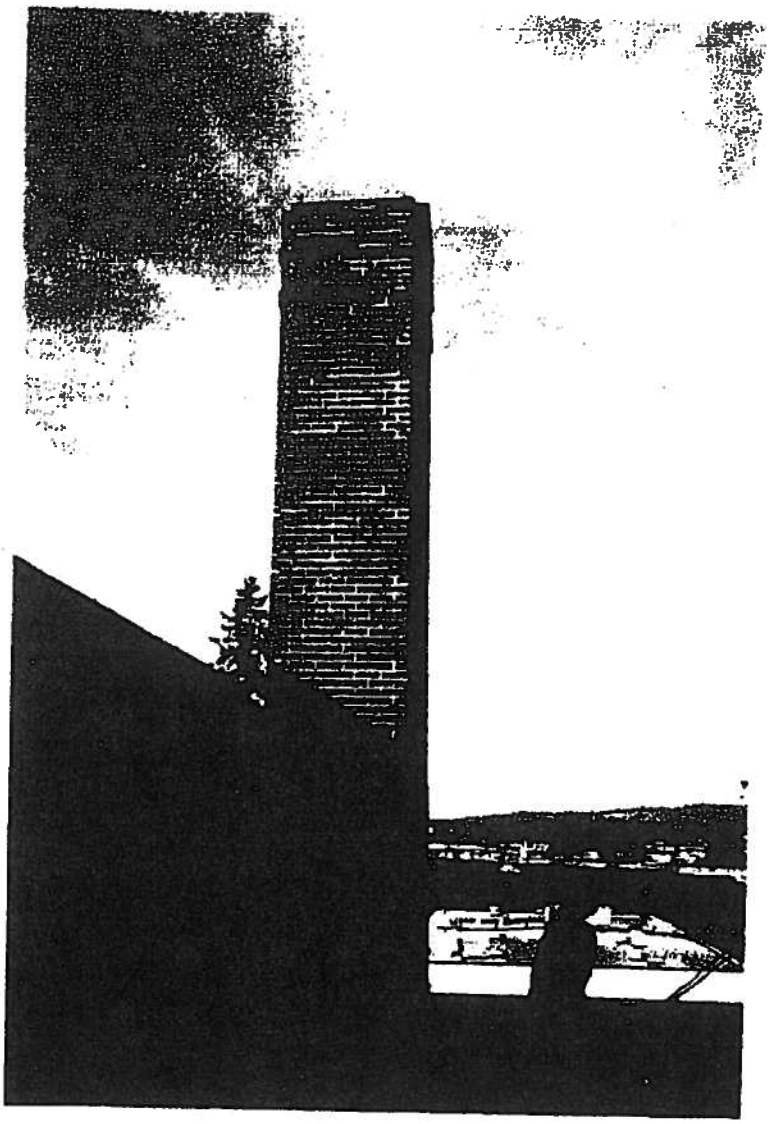
Gerald Avery Building

Photograph No. 3 Partial West & South Elevation at Gym/Auditorium



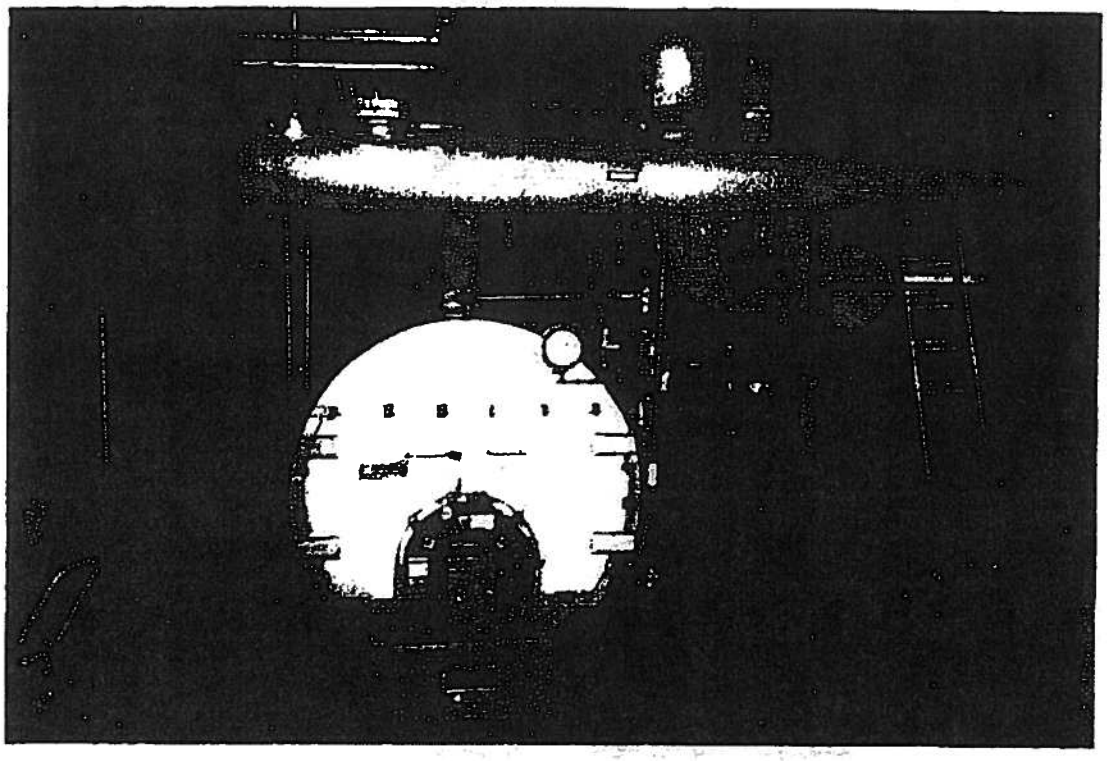
Gerald Avery Building

Photograph No. 4 Partial North Elevation



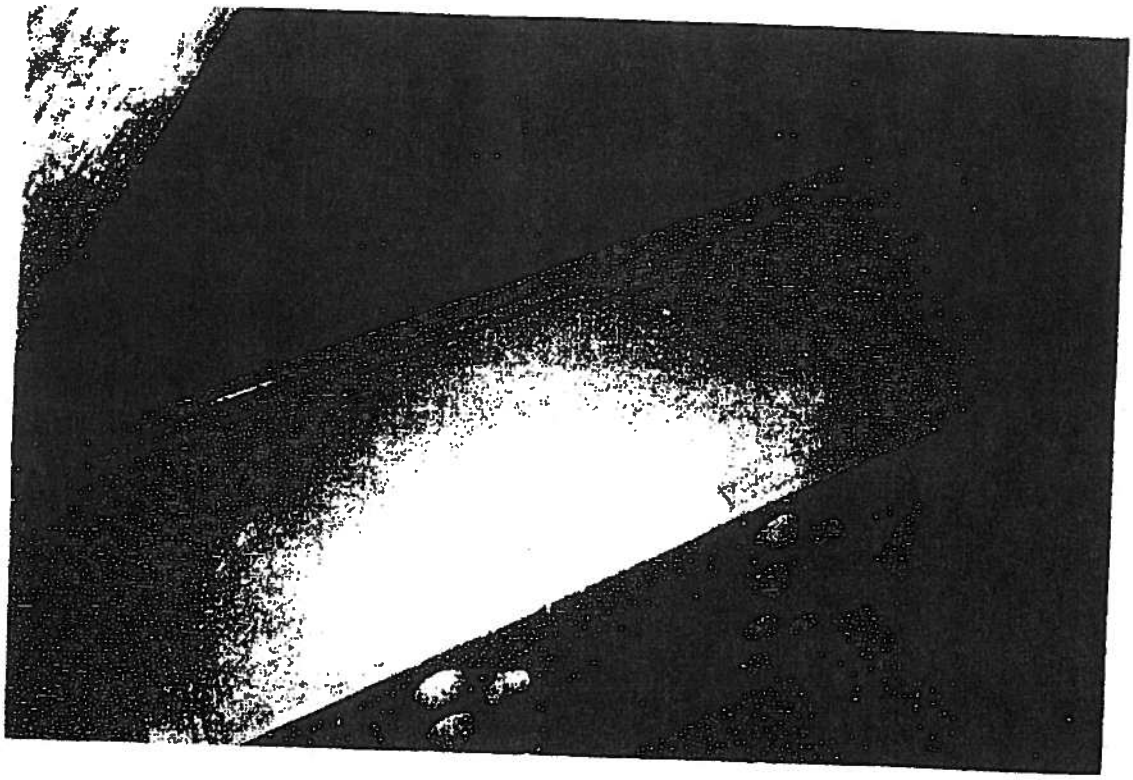
Gerald Avery Building

Photograph No. 5 Chimney



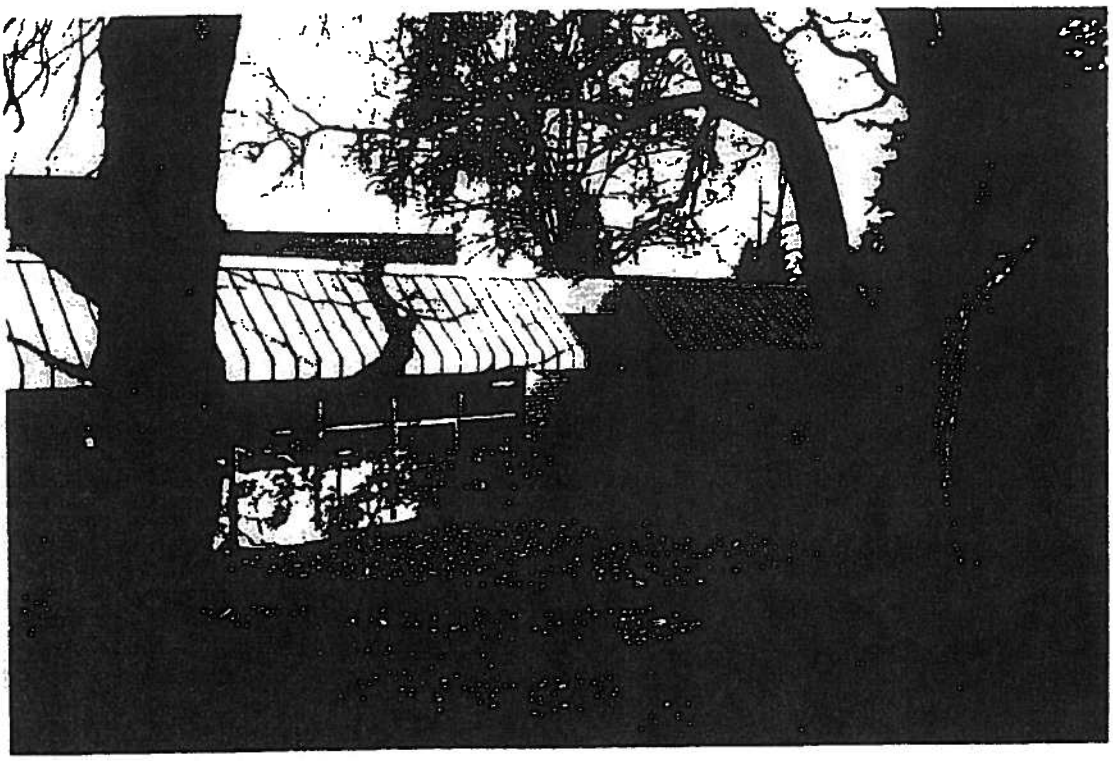
Gerald Avery Building

Photograph No. 6 Unanchored Boiler & Associated Unbraced Piping



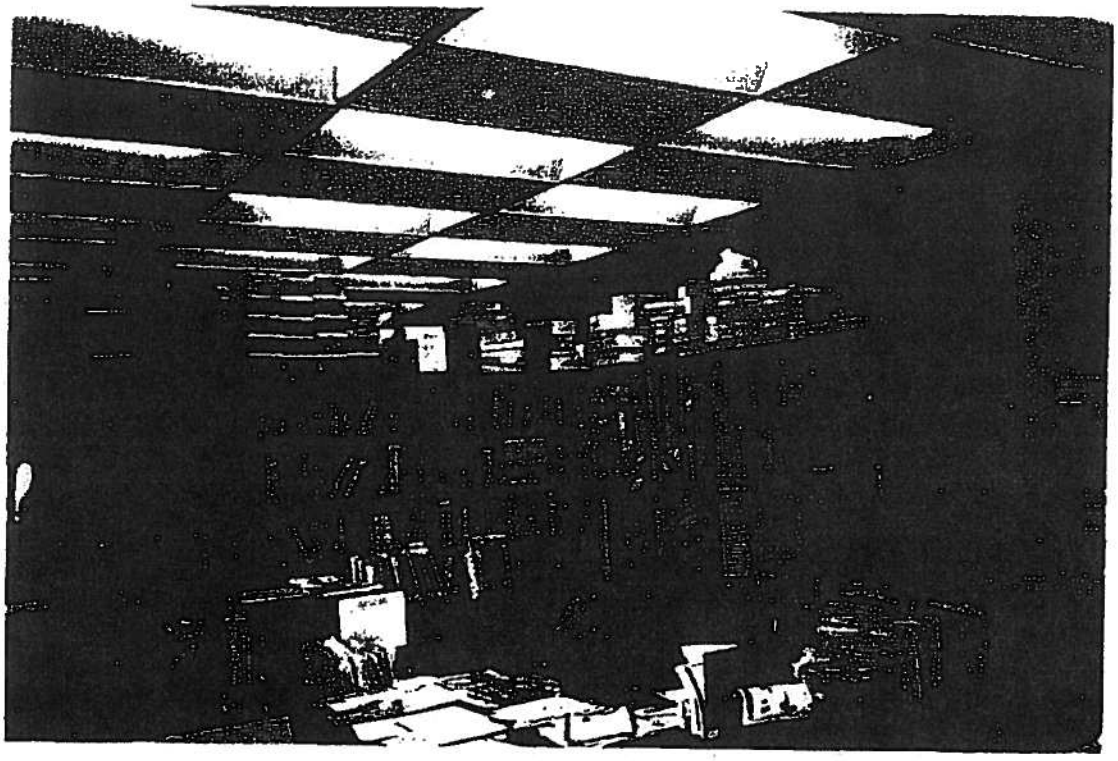
Gerald Avery Building

Photograph No. 7 Gym/Auditorium Roof Truss Splice (Note Gap Between Steel Splice Plate and Connected Wood Pieces)



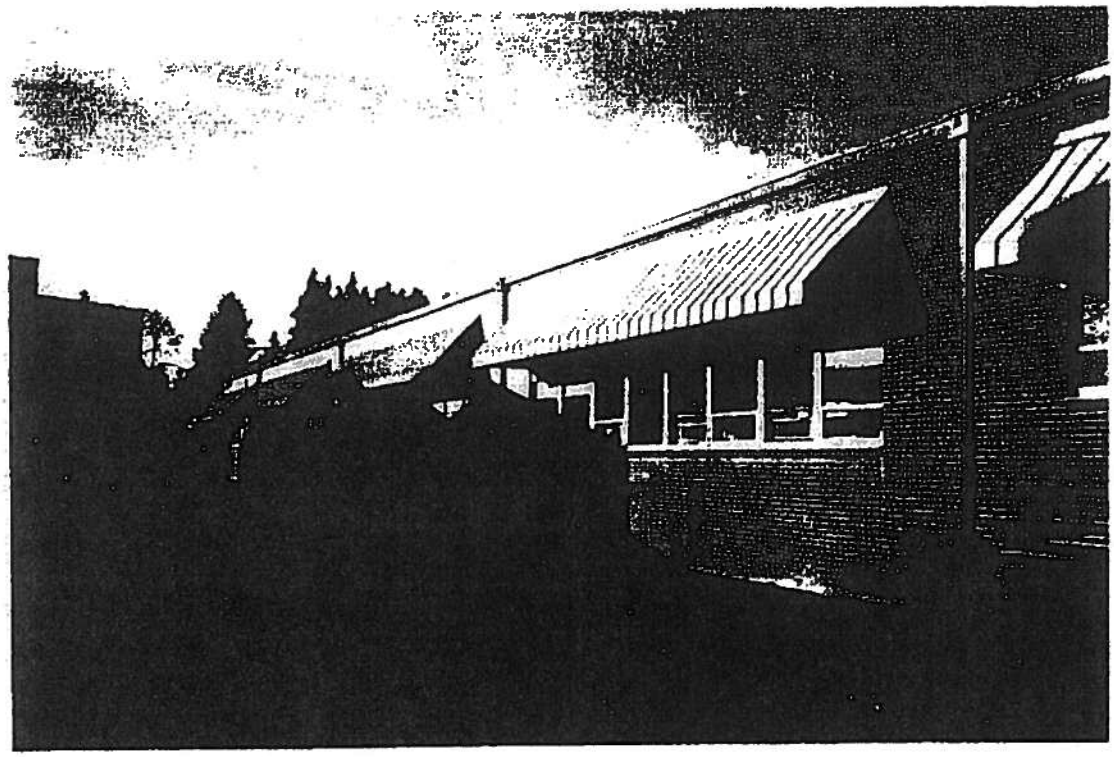
Beatrice Cole Wing

Photograph No. 8 Partial South Elevation



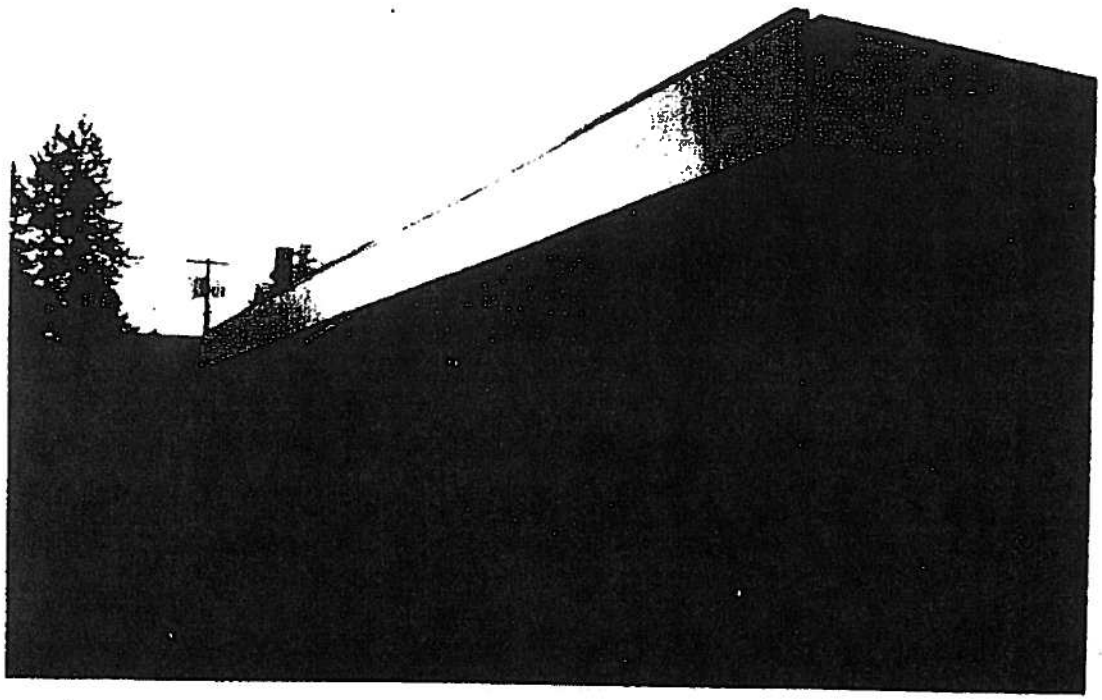
Isaac Bald Wing

Photograph No. 9 Stacking of Materials on Bookshelves



Evie Andrews Wing

Photograph No. 10 Partial East Elevation (Note Repointed Brick Veneer Mortar Joints in Lower Right-hand Corner)



John Brown Wing

Photograph No. 11 North Elevation

APPENDIX E. FEMA 178 EVALUATION STATEMENTS

APPENDIX E

DATA SUMMARY SHEET

APPROX.

BUILDING DATA

Year built: 1938 Year(s) ~~remodelled~~ additions { 1952 EVIE ANDREWS; 1960 +/- BEATRICE COLE; 1972 ISAAC BALD; 1978 JOHN BROWN }

Date of Evaluation: 12/21/99

Area, (sq. ft.) _____ Length _____ Width _____ Photo Roll No. ____

? IRREGULAR

CONSTRUCTION DATA

Rooframing: WOOD (STEEL @ ISAAC BALD)

Intermediate floor framing: WOOD

Ground floor: S.O.G. Basement: —

Exterior walls: WOOD Openings: Y

Columns: WOOD Foundations: FOOTINGS

General condition of structures: FAIR TO GOOD

Evidence of settling: YES

LATERAL FORCE RESISTING SYSTEM

	Transverse	Longitudinal
Model building type:	WOOD SRG WALLS	(WOOD SLDG FRAME @ JOHN BROWN WING)
Building period, T:	—	—

Unreduced base shear,
$V = [(0.80A_v \times S)/(R \times T^{2/3})] \times (W)$ or $V = [2.12Aa/R] \times W$

Response Modification Coefficient, R: 5.5 6.5 (AT JOHN BROWN WING)

EVALUATION DATA

A_a = 0.5 A_v = 0.3

Site soil profile type: ? Site soil coefficient, S = 1.5

REMARKS

EVALUATION STATEMENTS FOR BUILDING TYPE 2: WOOD, COMMERCIAL AND INDUSTRIAL

These buildings usually are commercial or industrial buildings with a floor area of 5,000 square feet or more and with few, if any, interior walls. The essential structural character is framing by beams on columns. The beams may be glulam beams, steel beams, or trusses. Lateral forces usually are resisted by wood diaphragms and exterior walls sheathed with plywood, stucco, plaster, or other paneling. The walls may be rod bracing. Large openings for stores and garages often require post-and-beam framing. Lateral force resistance on those lines can be achieved with steel rigid frames or diagonal bracing.

Address the following evaluation statements, marking each either true (T) or false (F). Statements that are found to be true identify issues that are acceptable according to the criteria of this handbook; statements that are found to be false identify issues that need investigation. For guidance in the investigation, refer to the handbook section indicated in parentheses at the end of the statement.

Be advised that the numerical indices preceded by an asterisk (*) in these statements are based on high seismicity ($A_a = 0.4$). Adjustments are reasonable for lower seismicity. The appropriate adjustment is not necessarily a direct ration of seismicity.

BUILDING SYSTEMS

T (F) *LOAD PATH*: The structure contains a complete load path for seismic force effects from any horizontal direction that serves to transfer the inertial forces from the mass to the foundation (NOTE: Write a brief description of this linkage for each principal direction.) (Sec. 3.1) IN-PLANE SHEAR TRANSFER @ ROOF/FLOORS IS MISSING

(T) F *REDUNDANCY*: The structure will remain laterally stable after the failure of any single element. (Sec. 3.2)

(T) F *VERTICAL DISCONTINUITIES*: All shear walls, infilled walls, and frames are continuous to the foundation. (Sec. 3.3.5)

(T) F *DETERIORATION OF WOOD*: None of the wood members shows signs of decay, shrinkage, splitting, fire damage, or sagging and none of the metal accessories is deteriorated, broken, or loose. (Sec. 3.5.1) NO WEEP HOLES IN BRICK VENEER IS A CONCERN ⇒ CHECK FURTHER

(T) F *OVERDRIVEN NAILS*: There is no evidence of overdriven nails in the shear walls or diaphragms. (Sec. 3.5.2)

SHEAR WALLS

T (F) *SHEARING STRESS CHECK*: The building satisfies the Quick Check of the shearing stress in wood shear walls. (Sec. 5.6.1) GYM IS INADEQUATE

T (F) *OPENINGS*: Walls with garage doors or other large openings are braced with plywood shear walls or are supported by adjacent construction through substantial positive ties. (Sec. 5.6.2) EXT. EAST WALL MUST BE SUPPORTED BY CANTILEVER DIAPHRAGM BACK TO CORRIDOR WALL

T (F) *WALL REQUIREMENTS*: All walls supporting tributary areas of 24 to 100 square feet per foot of wall are plywood sheathed with proper nailing or rod braced and have a height-to-depth *(H/D)* ratio of 1 to 1 or less or have properly detailed and constructed hold-downs. (Sec. 5.6.3)

T N/A F *CRIPPLE WALLS*: All exterior cripple walls below the first floor level are braced to the foundation with shear elements. (Sec. 5.6.4)

DIAPHRAGMS

T N/A F *REINFORCING AT OPENINGS*: There is reinforcing around all diaphragm openings that are larger than 50 percent of the building width in either plan dimension. (Sec. 7.1.3)

T (F) *SHEATHING*: None of the diaphragms consist of straight sheathing or have span/depth ratios greater than 2 to 1. (Sec. 7.2.1)

T (F) *SPANS*: All diaphragms with spans greater than 24 feet have plywood or diagonal sheathing. (Sec. 7.2.2)

T N/A F *UNBLOCKED DIAPHRAGMS*: Unblocked wood panel diaphragms consist of horizontal spans less than 40 feet and have span/depth ratios less than or equal to 3 to 1. (Sec. 7.2.3)

T (F) *SPAN/DEPTH RATIO*: If the span/depth ratios of wood diaphragms are greater than 3 to 1, there are nonstructural walls connected to all diaphragm levels at less than 40 foot spacing. (Sec. 7.2.4) CLASSROOM WALLS NOT ADEQUATELY ATTACHED TO ROOF/CEILING

T N/A F *DIAPHRAGM CONTINUITY*: None of the diaphragms are composed of split-level floors or have expansion joints. (Sec. 7.2.5)

T (F) *CHORD CONTINUITY*: All chord elements are continuous, regardless of changes in roof elevation. (Section 7.2.6)

CONNECTIONS

T ? F *WOOD SILLS*: All wall elements are bolted to the foundation sill at 6-foot spacing or less with proper edge distances for concrete and wood. (Sec. 8.4.7)

T ? F *WOOD POSTS*: There is positive connection of the posts to the foundation and the elements being supported. (8.4.3)

EVALUATION STATEMENTS FOR NONSTRUCTURAL ELEMENTS

Address the following evaluation statements, marking each either true (T) or false (F). Statements that are found to be true identify issues that are acceptable according to the criteria of this handbook. Statements that are found to be false identify issues that need investigation. For guidance in the investigation, refer to the handbook section indicated in parentheses at the end of the statement.

PARTITIONS (Sec. 10.5.1)

(T) F In areas of high seismicity (A_v greater than or equal to 0.2), there are no unbraced unreinforced masonry or hollow clay tile partitions.

T (F) Partitions and fixed glass are detailed to accommodate the expected interstory drift.

T N/A F Partitions at structural separations have seismic or control joints.

(T) F The tops of partitions that only extend to the ceiling line have lateral bracing.

CEILING SYSTEMS (Sec. 10.5.2)

T (F) Suspended ceilings and any ceiling-supported lighting or mechanical fixtures are adequately braced. SOME AREAS YES, OTHER AREAS NO.

(T) F Ceilings are not suspended plaster or gypsum board.

T (F) Lay-in tiles are not used for ceiling panels.

T (F) The edges of ceilings are separated from structural walls.

T N/A F The ceiling system does not extend continuously across any seismic joints.

(T) F The ceiling system is not required to laterally support the top of gypsum board, masonry, or hollow clay tile partitions.

LIGHT FIXTURES (Sec. 10.5.3)

(T) F All light fixtures are supported and braced independently of the ceiling suspension system.

(T) F Multiple length fluorescent fixtures have bracing or secondary support throughout their length.

(T) F The diffusers on fluorescent light fixtures are supplied with safety devices or some form of positive attachment.

(T) F There are no pendant fixtures.

(T) F No double-stem fluorescent fixtures are used.

(T) F Emergency lighting equipment and signs are anchored and/or braced to resist vertical and horizontal earthquake loads.

CLADDING, GLAZING, AND VENEER (Sec. 10.5.4)

T (F) All exterior cladding and veneer courses are properly anchored to the exterior wall framing for in-plane and out-of-plane lateral forces.

T (F) Masonry veneer is connected to the back-up with corrosion-resistant ties; in areas of high seismicity (A_v greater than or equal to 0.2), tie spacing is at 24 inches on center maximum with at least one tie for every $2^2/_3$ square feet.

T N/A F For moment frame buildings of steel or concrete, panels are isolated from the structural frame to absorb predicted interstory drift without collapse.

T N/A F Where multistory panels are attached at each floor level, the panels and connections can accommodate interstory drift.

T N/A F Where bearing connections are required, there are at least two bearing connections for each wall panel.

T N/A F Where inserts are used in concrete connections, the inserts are properly anchored to reinforcing steel.

T N/A F There are at least four connections for each wall panel capable of resisting out-of-plane forces.

T N/A F Welded connections appear to be capable of yielding in the base metal before fracturing the welds or inserts.

T N/A F All eccentricities in connections are accounted for.

T N/A F Connections appear to be installed properly.

T N/A F No connection element is severely deteriorated or corroded.

T N/A F There is no cracking in the panel materials indicative of substantial structural distress.

T (F) Glazing is isolated to accept predicted interstory drift without shattering.

(T) F There is no substantial ~~drainage~~ damage to exterior cladding due to water leakage.

(T) F There is no substantial damage to exterior cladding due to temperature movements.

Metal Stud Back-Up Systems, General (Sec. 10.5.4.1)

T F Additional steel studs frame window and door openings.

T F Corrosion of veneer ties, tie screws, studs, and stud tracks is minimal.

T F Stud tracks are fastened to the structural frame at 24 inches on center maximum.

Masonry Veneer with Stud Back-Up (Sec. 10.5.4.2)

(T) F Masonry veneer more than 30 feet above the ground is supported by shelf angles or other elements at each floor level.

T (F) Masonry veneer is adequately anchored to the back-up at locations of through wall flashing.

T (F) Masonry veneer is connected to the back-up with corrosion-resistant ties; in areas of high seismicity (A_v greater than or equal to 0.2), tie spacing is at 24 inches on center maximum and with at least one tie for every $2^2/_3$ square feet.

T (F) Weep holes are present and base flashing is installed. SOME AREAS YES, OTHER AREAS NO

T ? F For veneer with anchorage to back-up that does not meet the requirements for anchorage identified above, the computed tensile stresses in the veneer do not exceed the allowable for unreinforced brick as defined by ACI 530. CONDITION OF TIES IS UNKNOWN ⇒ REQUIRED BRICK SPAN IS UNKNOWN

(T) F Mortar joints in the masonry veneer are well filled, and material cannot be easily scraped out from the joints. (CAN BE SCRAPED IN AREAS)

Masonry Veneer with Concrete Block Back-Up (Sec. 10.5.4.3)

T F Masonry veneer more than 30 feet above the ground is supported by shelf angles or other elements at each floor level.

T F Masonry veneer is adequately anchored to the back-up at locations of through-wall flashing.

T F Masonry veneer is connected to the back-up with corrosion-resistant ties; in areas of high seismicity (A_v greater than or equal to 0.2), tie spacing is at 24 inches on center maximum and with at least one tie for every $2^2/_3$ square feet.

T F In areas of high seismicity (A_v greater than or equal to 0.2), the concrete block back-up qualifies as reinforced masonry.

T F The concrete block back-up is positively anchored to the structural frame at 4 feet maximum intervals along the floors and roofs.

T F Mortar joints in brick and block wythes are well filled, and material cannot be easily scraped from the joints.

Thin Stone Veneer Panels (Sec. 10.5.4.4)

T F Stone anchorages are adequate for computed loads.

T F There are no visible cracks or weak veins in the stone.

Wood/Aggregate Panels (Sec. 10.5.4.5)

T F There is no visible deterioration of screws or wood at panel attachment points.

PARAPETS, CORNICES, ORNAMENTATION, AND APPENDAGES (Sec. 10.5.5)

(T) F There are no laterally unsupported unreinforced masonry parapets or cornices above the highest anchorage level with height/thickness ratios greater than 1.5 (2.5 if A_v is less than 0.3).

T N/A F Concrete parapets with height/thickness ratios greater than 1.5 (2.5 if A_v is less than 0.3) have vertical reinforcement.

(T) F Cornices, parapets, signs, and other appendages that extend above the highest anchorage level or cantilever from exterior wall faces and other exterior wall ornamentation are reinforced and well anchored to the structural system. WE ARE CONCERNED ABOUT VENEER/STUD SYSTEM PARAPET EXTENSION ABOVE ROOF

CHIMNEYS (Sec. 10.5.6)

T (F) No unreinforced masonry chimney extends above the roof surface more than twice the least dimension of the chimney.

T ? F Masonry chimneys are anchored to the floor and roof.

MEANS OF EGRESS (Sec. 10.5.7)

(T) F Walls around stairs, elevator enclosures, and corridors are not hollow clay tile or unreinforced masonry.

(T) F Stair enclosures do not contain any piping or equipment except as required for life safety.

T (F) Veneers, cornices, canopies, and other ornamentation above building exits are well anchored to the structural system. BRICK VENEER IS A CONCERN

(T) F Lay-in ceiling boards and tiles used in exits or corridors are secured with clips.

(T) F Canopies are anchored and braced to prevent collapse and blockage of building exits.

BUILDING CONTENTS AND FURNISHINGS (Sec. 10.5.8)

(T) F Tall, narrow (height/depth > 3) storage racks, bookcases, file cabinets, or similar heavy items are anchored to the floor slab or adjacent walls.

(T) F Tall file cabinets are anchored to the floor slab or an adjacent partition wall.

T N/A F File cabinets arranged in groups are attached to one another to increase their stability.

(T) F Cabinet drawers have latches to keep them closed during shaking.

(T) F Breakable items stored on shelves are restrained from falling by latched doors, shelf lips, wires, or other methods.

T (F) Computers and communications equipment are anchored to the floor slab and/or structural walls to resist overturning forces.

T N/A F Computer access floors are braced to resist lateral forces.

MECHANICAL AND ELECTRICAL EQUIPMENT (Sec. 10.5.9)

T (F) Equipment is adequately anchored to the structure or foundation. BOILER

T N/A F Equipment mounted on vibration isolators is equipped with restraints or snubbers to limit horizontal and vertical motion.

(T) F Life-safety evacuation mechanical and electrical equipment is properly mounted to continue operation after an earthquake.

(T) F No pieces of major mechanical equipment are suspended from the structure without seismic bracing.

(T) F All electrical equipment is positively attached to the structural system.

T N/A F All equipment supported on access floor systems either is directly attached to the structure or is fastened to a laterally braced floor system.

PIPING (Sec. 10.5.10)

T (F) For fire suppression piping (e.g., sprinkler system piping including standpipes), risers are anchored and braced with flexible couplings to allow for building drift and floor movement due to building configuration or seismic separation.

T (F) Gas and oil piping is anchored and braced. BOILER PIPING ALSO!

(T) F Shutoff devices are provided at building utility interfaces to shut off the flow of gas, high temperature energy, etc., in the event of earthquake-induced failure.

T N/A F No pipes cross seismic joints without a flexible connector.

(T) F No pipes are supported by other pipes.

T (F) No pipe sleeve wall opening has a diameter of less than about 2 inches larger than the pipe.

(T) F There are no unrestrained one-side C-clamps that support major piping.

DUCTS (Sec. 10.5.11)

T N/A F Stair pressurization and smoke control ducts are braced to resist horizontal and vertical seismic loads.

T ? F Duct work in long lines is laterally braced along its entire length.

(T) F No duct is supported by piping or other nonstructural elements.

T N/A F Ducts have flexible sections crossing seismic joints.

HAZARDOUS MATERIALS (Sec. 10.5.12)

T F Compressed gas cylinders are restrained against motion.

T F Laboratory chemicals stored in breakable containers are restrained from falling by latched doors, shelf lips, wires, or other methods.

T F Piping containing hazardous materials is provided with shut-off valves or other devices to prevent major spills or leaks.

ELEVATORS (Sec. 10.5.13)

T F All elements of the elevator support system are anchored and configured to resist lateral seismic forces.

T F With the elevator car and/or counterweight located in its most adverse position in relation to the guide rails and support brackets, the horizontal deflection will not exceed 1/2 inch between supports and horizontal deflections of the brackets will not exceed 1/4 inch.

T F Snag points created by rail brackets, fish plates, etc., are equipped with guards to prevent the snagging of relevant moving elements.

T F The clearance between the car and counter weight assembly and between the counterweight assembly and the hoistway enclosure or separator beam is not less than 2 inches.

T F Cable retainer guards on sheaves and drums are installed to inhibit the displacement of cables.

T F A retainer plate is provided at the top and bottom of both car and counterweight.

T F The clearance between the faces of the rail and the retainer plate does not exceed 3/16 inch.

T F The maximum spacing of the brackets that tie the counterweight rail to the building structure does not exceed 16 feet.

T F An intermediate spreader bracket is provided for tie brackets spaced greater than 10 feet and two intermediate spreader brackets are provided for tie brackets spaced greater than 14 feet.

T F The elevator motor is restrained by the vibration isolator system.

T F The elevator control panel is anchored at top and bottom.

APPENDIX F. SUPPORTING STRUCTURAL CALCULATIONS

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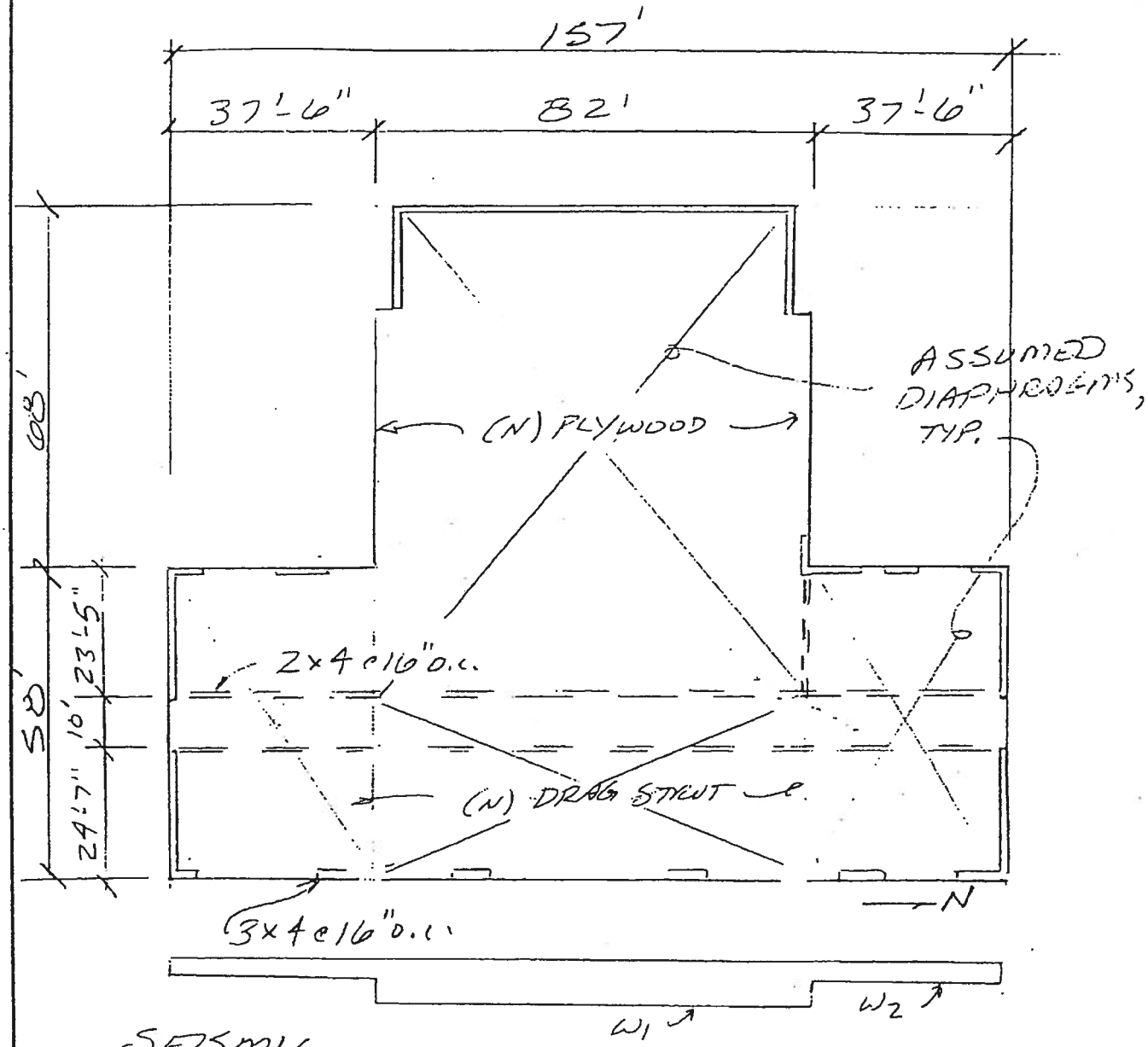
CLIENT: GOTCHALL
PROJECT: TUALATIN ELE.
CALCULATED BY: DB DATE: 1/13/00
CHECKED BY: _____ DATE: _____

Sheet: GA-1
Project No.: 99066

GERALD AVERY BLDG



SEISMIC

FEMA 178, V=0.078W
1997 UBC, V=0.164W
} SEE EVIE ANDREWS WING

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CLIENT: GOTCHALL
PROJECT: DALLAS ELE.
CALCULATED BY: DB DATE: 1/13/00
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Sheet: GA-2
Project No.: 99066

REACTIVE WEIGHTS

AUDIT/GYM,

$W = 30\ PSF\left(\frac{92'}{82'}\right) + 10\ PSF\left(\frac{19.33'}{2}\right)\left(\frac{}{82'}\right)$

$= 234,300\#$

W_1 @ AUDIT/GYM $= 0.098\left(\frac{234,300\#}{82'}\right) = 280\ PLF$

W_1 CLASSROOMS @ ROOF $= 0.098[20\ PSF(34.58') + 40\ PSF * \left(\frac{12}{2} + 5\right)]$

$= 111\ PLF$

W_2 CLASSROOMS @ ROOF $= 0.098[20(58') + 40\ PSF\left(\frac{12}{2} + 5\right)(2)]$

$= 200\ PLF$

CHECK N-S CLASSROOM EXT. WALLS,

$V = 200\ PLF\left(\frac{57.5'}{2}\right) = 3750\#$

$\therefore v = \frac{5750}{48'} = 78\ PLF$ (O.K. $\Rightarrow$ O.K. FOR UBC TOO)

CHECK N-S AUDIT/GYM WALLS,

$V = 200\ PLF\left(\frac{37.5'}{2}\right) + 280\ PLF\left(\frac{82}{2}\right) + 111\ PLF\left(\frac{82'}{2}\right)$

$V_{Roof} = 19,800\#$

$\therefore v_{Roof} = \frac{19,800\#}{48'} = 413\ PLF$ (FEMA)
$689\ PLF$ (UBC)

ADD PLYWOOD TO N & S AUDIT/GYM WALLS AND ADD DRAG STRUTS

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CLIENT: GOTCHALL
PROJECT: WALDRON ELE.
CALCULATED BY: DB DATE: 1/13/00
CHECKED BY: _____ DATE: _____

Sheet: BC-1
Project No.: 99066

BEATRICE COLE WING

SEISMIC

FEMA 178, $V = C_S W$

$$C_S = \frac{2.12(0.3)}{6.5} = 0.098\,W$$

1997 UBC, $V = \frac{2.5 C_a I W}{R}$ $\quad C_a = 0.36,\ I = 1.0,\ R = 5.5$

$$V = \frac{2.5(0.36)(1.0)}{5.5} W = 0.164\,W$$

$$\frac{V_{FEMA}}{V_{UBC}} = \frac{0.098}{0.164} = 0.6$$

DIAPHRAGM ASPECT RATIO = $\frac{165'}{63'} = 2.61$ (O.K.)

UBC → BUT, MUST UTILIZE INTERIOR X-WALLS TO MINIMIZE LATERAL DEFLECTION

TRY TO DIVIDE DIAPHRAGM IN ½,

$W = 20\ PSF(165')(63') + 2\left(\frac{12'}{2}\right)(165')(40\ PSF)$

$= 287{,}100\#$

∴ DIAPHRAGM SHEAR = $\frac{1}{4}\left(\frac{0.098}{1.4}\right)\left(\frac{(287{,}100\#)}{63'}\right) = 80\ PLF$ (O.K.)

UBC O.K. TOO.

WALL SHEAR,

$v = \frac{1}{2}\left(\frac{(287{,}100\#)(0.098)}{1.4(52')}\right) = 193\ PLF$ O.K. IF PLASTER

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PROJECT: TUALATIN ELE.
CALCULATED BY: DB DATE: 1/13/00
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Sheet BC-2
Project No. 99066

INSTALL CONNECTIONS & FRAMING AS REQ'D TO INCORPORATE (E) INTERIOR CLASSROOM WALL @ MIDDLE OF BLDG IN NORTH-SOUTH DIRECTION.

UBC →

FOR UBC, INSTALL (N.) PLYWOOD SHEATHING @ WALLS ABOVE

INSTALL (N) VENEER ANCHORS FOR UBC

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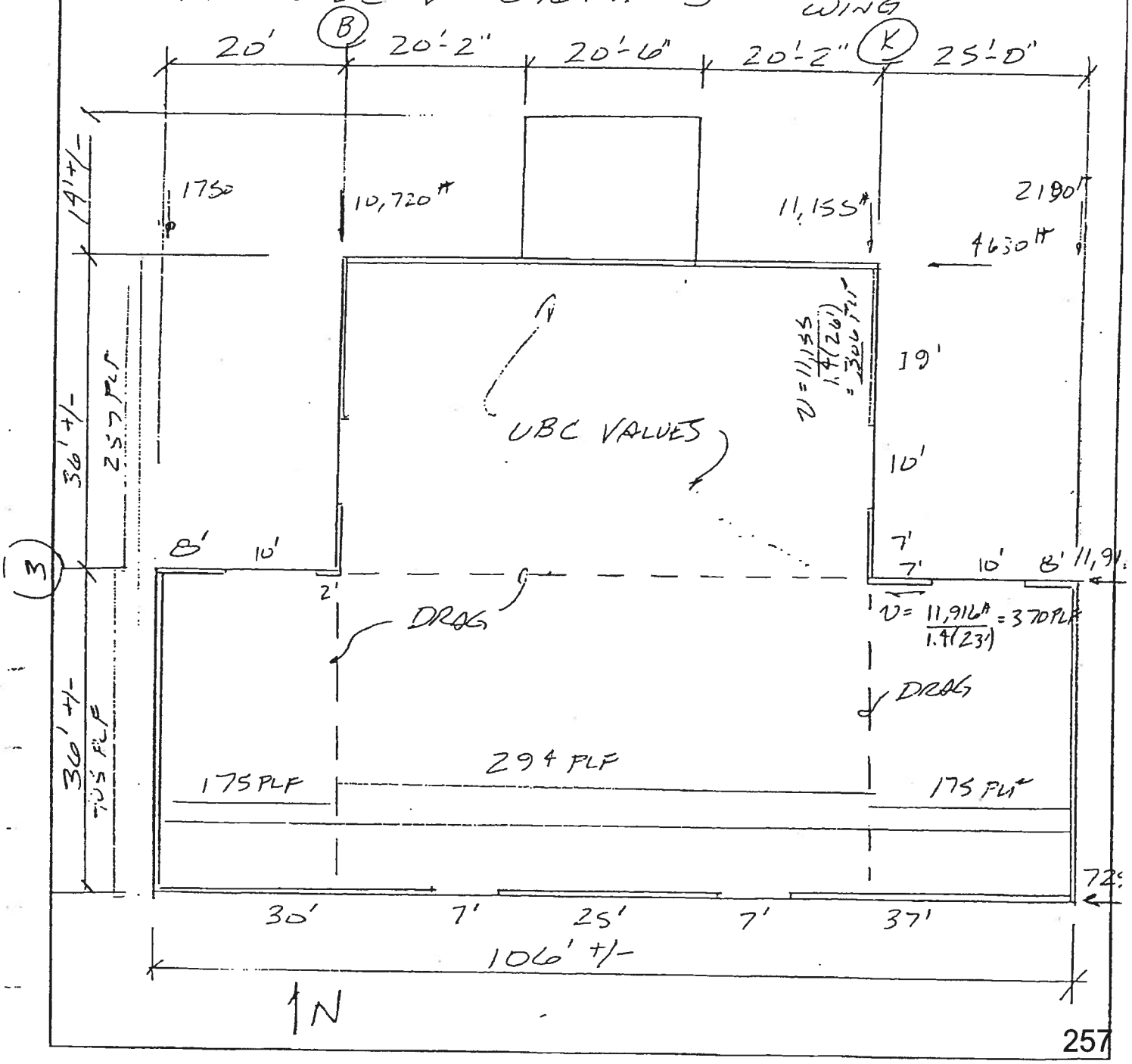
Sheet IB-1
Project No. 99066

ISAAC BALD WING

FEMA 178, V = 0.098 W
1997 UBC V = 0.164 W } SEE EVIE ANDREWS WING



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Sheet: IB-7
Project No.: 99066

$W = 20\,PSF[36'(106') + 36'(61')] + 2\left(\frac{14'}{2}\right)(25\,PSF)(106')$

$W = 157{,}340^{\#}$

FROM IB-1,

MAX. WALL SHEAR = 370 PLF (WORKING, UBC)

FROM DRWG, ½" STAGGERED

8d @ 6 & 12"

$\therefore V_{ALLOW} = 280\,PLF < V$ (N.G.)

FEMA O.K.
EDJAB ->
WALLS @ GRIDS
B, K, & 3

BLDG O.K. FOR FEMA LOADS BUT REDJAB FOR UBC LOADS. ADD DRWG STRAP IN N-S DIRECTION @ GRIDS B & K AS SHOWN. ADD HOLDOWNS AS REQ'D

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CLIENT: GOTCHALL
PROJECT: TUALATIN EE.
CALCULATED BY: DB DATE: 1/13/00
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Sheet EA-1
Project No. 99066

EVIE ANDREWS WING

SEISMIC

FEMA 178 $V = C_S W$

$$C_S = \frac{2.12(0.3)}{6.5} = 0.098\ W$$

1997 UBC, $V = \frac{2.5 C_a I W}{R}$ $C_a = 0.36$, $I = 1.0$

$R = 5.5$ (ASSUMED)

$$V = \frac{2.5(0.36)(1.0)}{5.5} W = 0.164\ W$$

$$\frac{V_{FEMA}}{V_{UBC}} = \frac{0.098}{0.164} = 0.6$$

MUST USE INTERIOR WALLS BY INSPECTION.

$W = 20\ PSF(60.5') + 2\left(\frac{15'}{2}\right)(40\ PSF)$

$W = 1810\ PLF$

TO A CLASSROOM WALL,

$V = 0.098(1810\ PLF)(40') = 7100\#$

$\therefore V = \frac{7100}{29'(2)} = 148\ PLF$ (O.K. W/LATH & PLASTER)

FEMA & UBC → WALLS O.K. FOR FEMA 178. PLYWOOD CLASSROOM WALLS FOR UBC. INSTALL ROOF-TO-WALL CONN'S TO TRANS. LATERAL LOAD THRU-OUT BLDG

INSTALL (N) VENEER ANCHORS FOR UBC

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CLIENT: GOTCHALL
PROJECT: TUALATIN DE.
CALCULATED BY: DB DATE: 1/13/00
CHECKED BY: DATE:

Sheet JB-1
Project No. 99066

JOHN BROWN WING

SEISMIC

FEMA 178, $V = C_S W$

$$C_S = \frac{2.12 A_a}{R} = \frac{2.12(0.3)}{7} = 0.091 W$$

1997 UBC, $V = \frac{2.5 C_a I}{R} W$ $C_a = 0.36$, $I = 1.0$, $R = 6.5$

$$V = \frac{2.5(0.36)(1.0)}{6.5} W = 0.138 W$$

$$\therefore \frac{V_{FEMA}}{V_{UBC}} = \frac{0.091}{0.138} = 0.66$$

REACTIVE WEIGHTS (ASSUME 20 PSF ROOF WT.)

$W = 20\,PSF(100' \times 50') + 2(10\,PSF)(100)\left(\frac{12'}{2}\right)$

$W = 112{,}000\#$

SHEAR @ WALL: $v = \frac{112{,}000}{2}\left(\frac{0.091}{1.4}\right)\left(\frac{1}{39'}\right) = 93\,PLF$ (O.K.)

DIAPHRAGM ASPECT RATIO = $\frac{100'}{50'} = 2$ (O.K.)

SHEAR TRANSFER TO WALL, (N/S WALL)

@ 34 @ 2'-6" O.C. $\Rightarrow \frac{365\#}{2.67'} = 136\,PLF > 93\,PLF$ (O.K. @ FEMA & UBC)

AT E/W WALL,

@ 35 @ 4'-0" O.C. $\Rightarrow \frac{170\#}{4'} = 43\,PLF < 93\,PLF$ (N.G.)

Roof-to-wall conn. vs. UBC / FEMA

∴ ADD SIMPSON A34 @ EAST & WEST WALLS @ 2'-8" O.C.

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PROJECT: TUALATIN EE.
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Sheet: TB-2
Project No.: 9906

OUT-OF-PLANE,

80 MPH EXP. B,

$P = 16.4(.062)(1.2) = 12.2 PSF$

$\therefore F = 12.2(6')(4') = 292\#$ (N.G.) (E-W WALLS

BUT O.K. w/ (N)-A34

$F = 12.2(6)(2.67') = 195\# < 280\#$ (N-S WALLS (O.K.)

TRUS JOIST CORPORATION

Northwest Region
10130 SW Nimbus, D3
Portland, Oregon 97223
503/620-9490

November 29, 1988

Resseger & Gotchall
2328 S.E. Washington
Hilwaukie, Oregon 97222

Attn: Jerry Gotchall

Re: Tualatin Elem. Sch. Addn.
Boones Ferry Road
Tualatin, Oregon

Dear Jerry:

This letter is in regard to the 32" deep TJL trusses at 24" on center on the above noted project. The trusses were built in July, 1968 and were designed for 25 psf live load and 12 psf ded load. There are two bays of trusses that clear span 46' 10-3/4". Each bay has 24 trusses. The trusses are top chord bearing, with standard clips, on notched glulam beams.

Our job files, prior to 1974, are on micro-film. I have enclosed a micro-film copy of the truss design and apologize for the poor quality print. I have highlighted the more important information.

Please contact Craig McManus or myself should you have any further questions.

Sincerely,

Trus Joist Corporation

Cathleen A. Kushmuk
Engineering Technician

CAK/sbt

cc: Craig McManus

MEMORANDUM

CLIENT S/L/R

PROJECT TUALATIN ELEM

ITEM ADDED CEILING @ "PLAY SHED"

TO XAVIER

BY GLG

DATE 11-30-88

ENCLOSED LETTER FROM TRUS JOIST STATES ALLOW DEAD LOAD @ TJL's IS 12 PSF —

WE CALCULATED EXIST DL AS FOLLOWS:

ROOF + RE-ROOF	4.0 PSF
5/8" PLYWD	1.8
32" TJL	2.0
BATT INSUL	0.5
5/8" GYP	3.1
ACOUST. TILE	1.0
	12.4 PSF

WE WOULD RECOMMEND REMOVING EXIST GYP BD + ACOUST TILE (4.1 PSF)

THIS WOULD ALLOW ADDITION OF A NEW CEILING SYSTEM @ ABOUT 2.8 PSF + A 1.3 PSF ALLOWANCE FOR MECH & ELEC. (TOTAL = 4.1 PSF)

NOTE MECH DUCTS SHOULD BE WELL DISTRIBUTED OVER ROOF AREA.

ATTACHMENT F

HIST-08-01: STAFF RESPONSES TO APPEAL

The Historic Landmark Demolition approval criteria of the Tualatin Development Code (TDC) 68.060 must be considered when deciding the Request for Review of the December 19, 2008 Community Development Director's Decision to approve with conditions the demolition application HIST-08-01 (Attachment B). A Request for Review of the December 19, 2008 Decision was received by the 5 p.m. December 31, 2008 deadline (Attachment A). The Request was from Ms. Yvonne Addington on behalf of the Tualatin Historical Society. Ms. Addington had submitted comments that were incorporated into the Findings & Analysis of the December 19, 2008 Historic Landmark Decision. The issues raised in the Request for Review that are relevant to the Demolition Criteria and Factors to be Considered of TDC 68.060 with a staff response are:

Reason #1 "The demolition is not necessary or essential to the development of the $35-40 million senior living center..." and development could be accommodated on other portions of the property. (Attachment A, pg. 2)

Staff Response: Reason #1 is relevant to TDC 68.060(1) Criterion #C and Factors 68.060(2)(b) & (c).

Section 68.050(1) of the Tualatin Development Code (TDC) provides that the Community Development Director and if appealed, the City Council, shall have the authority to issue a Certificate of Appropriateness regarding demolition of designated landmarks. TDC 68.060(1) requires that in determining whether a request for demolition of a landmark shall be approved, approved with conditions or denied, the Community Development Director shall find that one of the criteria (listed) are met:

(a) The landmark is no longer historically significant. *(Not an appeal issue)*
(b) The landmark is no longer architecturally significant. *(Not an appeal issue)*
(c) The benefits of demolishing the landmark and the construction of the identified conflicting permitted use(s) outweigh the value to the community of preserving the landmark

68.060(2) The following factors shall be used by the Community Development Director in making a decision on demolitions:

(a) The information used in the original designation of the landmark. *(Not an appeal issue*
(b) Any evidence the applicant or property owner has provided demonstrating that there would be no reasonable, long-term economic benefit to the property owner from preservation of the landmark. In making this determination, the owner must show that all uses or adaptive uses of the landmark have been thoroughly examined. For example [See (b)(i & ii following],

(b)(i) The fact that a higher economic return would result from demolition than preservation is insufficient to meet criterion (b).

(b)(ii) A lack of adequate funds to pursue potential uses or adaptive uses is insufficient to meet the criterion (i.e., selling, partially preserving, or moving the landmark are options that shall be considered).
(c) Whether issuance of a Certificate of Appropriateness approving the demolition request would act to the detriment of the public welfare.
(d) The Economic, Social, Environmental and Energy consequences to the community of demolishing the landmark as compared to preserving it; and
(e) The physical condition of the landmark. *(Not an appeal issue)*
(f) Whether the landmark is identified as a primary or secondary resource. Additional importance shall be accorded to preserving landmarks with a primary designation. *(Not an appeal issue)*

The development proposed by Marquis Companies is planned for the 5 acre eastern portion of the Tigard-Tualatin School District (TTSD) property, which includes the location of the existing Tualatin Elementary School (TES) buildings and the Historic Landmark Gerald Avery Building (with gymnasium)(Attachment E-Site Plans). The western 7 acres of the site is generally open meadow and except for a small maintenance building, without structure improvements.

The property owner (TTSD) decided there was no school district use for the TES site and in 2005 declared it surplus property. To sell the property to interested purchasers for redevelopment based on property appraisals and evaluations, TTSD configured it into two separate parcels, one the approximately 5 acres on the east for a senior housing development and the 7 acre western portion for a single-family residential development. The TTSD indicates that the presence of the Historic Landmark on the site was undesirable to all viable purchasers due to its condition and location on the property (TTSD Letter-Attachment D, pg. 2).

TTSD chose Marquis Companies as the purchaser of the eastern 5 acres. After exploring different options to integrate and restore the Gerald Avery Building, Marquis determined that their development plans would fit on the 5 acre parcel as offered by TTSD with the removal of the existing buildings, including the Gerald Avery Building.(Attachment E, Marquis Companies January 22, 2009 Letter). Marquis details its efforts to incorporate the Gerald Avery Building into the development plans for the proposed senior housing project. (Attachment E- Marquis Companies January 22, 2009 Letter; Executive Summary, pp.3-4)

The appellant proposes modifying the TES site sale and development parcels in a manner that would allow the Gerald Avery Building to be retained on the TTSD property. The TTSD indicates that no viable purchase proposal would retain the building due to the significant costs of repairing, reconstructing, renovating and maintaining it (Attachment B, HIST-08-01/Attachment 2 pp. 3-4)(Attachment D, pp. 1-3). The effect of retaining the building for separate sale or redevelopment will be to alter the size and configuration of the site's development area and impact the value of the property for possible or proposed redevelopment. TTSD has indicated that it does not wish to forgo

the full value of the property and as the owner, it is unable to take on the significant costs of repair, renovation and maintenance that preserving and retaining it demands.

The applicants have shown in the submittals for HIST-08-01 (Attachment B) and in responses to the appellant's Reason #1 (Attachments D & E) the 2 ½ years of efforts by the property owner and others to identify uses or adaptive uses for the Gerald Avery Building to create an opportunity for preservation of the building. Relocation of the building on the site was also explored, but no business or organization emerged with a proposal to undertake it. Despite the owner's substantial efforts, no reasonable, long-term economic benefit to the property owner from preservation of the landmark has been identified. Factor 68.060(2)(b) is satisfied and Criterion 68.060(1)(c) is met.

Reason #2 "...no pro-active efforts to retain the site and building have been conducted by the School District and they have only reacted to proposals for the sale and demolition of the buildings. This is contrary to the original comprehensive planning adopted by the City which planned to coordinate and cooperate with the School District in the cost of development of sports, facilities and other activities centrally located within walking distance of the neighborhood, for the benefit of the public." (Attachment A, pg. 2)

Reason #2 is relevant to Criterion #C and Factors 68.060(2)(b) & (c) (listed under Reason #1 above). The TTSD response letter details the School District's considerations and efforts regarding the use, sale and redevelopment of the TES property and the Gerald Avery Building (Attachment D, pp. 1-3). Based on the information cited in the December 19, 2008 Findings & Decision, (Attachment B, pp 9-11), in the School District letter (Attachment D), and in the Marquis Companies letter and analysis (Attachment E), the applicants established that Factors 68.060(2)(b) & (c) were adequately performed or considered and support a conclusion that the balance of the public interests of demolition and redevelopment vs. preservation of the building meets Criterion #C.

In regard to the City's planning for coordinating and cooperating with the School District in sharing the cost and development of school properties and facilities for public use, there are TDC objectives in the Parks and Recreation Chapter 15 of the City's Comprehensive Plan portion of the TDC that are relevant listed below:

TDC 15.020 (8) Preserve designated historic resources through public purchase or encouragement of compatible private reuse.

TDC 15.020(16) Whenever possible, locate neighborhood parks adjacent to school sites.

TDC 15.020(17) Develop joint use agreements with the Tigard School District for the joint use of school land for neighborhood park facilities.

The School District and the City of Tualatin have a history of coordination and cooperation in providing recreation and community activities using shared school land and facilities. Since 2004 and continuing to the present, the School District and the City engaged in bi-lateral and internal efforts to address the historical and public interests associated with the TES site and the historic Gerald Avery Building. The City explored uses that would provide recreation and community benefits as well as a way to preserve and maintain the historic landmark. In 2006, the City surveyed voters for a proposal to acquire the TES property for community use. The survey found inadequate support and the City Council decided not to continue discussions of a potential purchase. The objectives of TDC 15.020(8, 16 & 17) were adequately considered.

Reason #3 "Although verbal discussions have occurred, nothing exists to show that any historical preservation of any part of the building will take place if demolition is determined. No conditions for any preservation of any existing parts of the building are in writing should this developer not develop as proposed or a request for higher density be denied." (Attachment A, pg. 2)

Staff Response: Reason #3 raises the prospect of demolition of the Gerald Avery Building and Gymnasium and calls for a means of assuring that certain historic features and elements are salvaged and preserved. The historic landmark demolition criteria of TDC 68.060 do not address salvage or mitigation activities as part of evaluating the proposal. Without a criterion to apply it to, staff has not recommend a condition of approval requiring preservation of features or materials.

Marquis Companies has indicated in meetings with the City of Tualatin staff and in communications with the Tualatin Historical Society (Attachment E, October 6, 2008 Email from Scott Miller to Yvonne Addington) that as a developer, the company is willing to preserve certain elements mentioned by the THS and is willing to work with THS to preserve other salvageable materials. This intent could be a basis for an agreement between the property owner, developer and the THS to allow salvage and preservation of certain TES historic features or materials.

Reason #4 "The public information process seems insufficient and not very transparent to date in determining the need for demolition. The Historical Society was not notified by the city and only a couple hours ahead by the proposed developer, of the first neighborhood meeting held to discuss demolition. It was conducted by the developer as required but no city council or school district officials were present at the hearing. In fact, the meeting conflicted with the City Council picnic honoring volunteers in the adjacent park lands that night. The required sign posted in the Boones Ferry Road ROW advertises a demolished building for sale and indicates that it is already a 'done deal'." (Attachment A, pg. 2)

Staff Response: Reason #4 questions the "public information process" and goes on to cite issues with notice, timing and attendance of the first neighborhood meeting conducted by the developer. Marquis Companies, the applicant and developer, conducted a Neighbor/Developer Meeting for their development proposal on September 18, 2008 in accordance with the process set in TDC 31.063 (Attachment E). The meeting included discussions of the Gerald Avery Building, its potential for reuse and a proposal to apply for demolition approval. This required meeting is designed to foster communication between the developer and interested parties prior to submittal of an application. City representatives do not attend the Neighbor/Developer meetings. The timing of the September 18 meeting was independently set by Marquis Companies and was unfortunately at the same time as the volunteer meeting cited by the appellant.

The TTSD reports open house meetings, school board meetings and numerous contacts with interested parties since 2005 (Attachment D). Marquis Companies reports personal and telephone discussions with the Tualatin Historical Society representatives and other interested groups since 2007 and in the period before and after the September 18 meeting (Attachment E). Public notice and opportunity for comment were provided during the review of the Historic Landmark Demolition application HIST-08-01 and following the issuance of the Community Development Director's Decision.

STAFF REPORT
CITY OF TUALATIN

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Donald A. Hudson, Finance Director

DATE: March 9, 2009

SUBJECT: RESOLUTION TO CLOSE OUT THE CITY CENTER REMODEL FUND AND TRANSFER REMAINING FUNDS TO THE GENERAL FUND

ISSUE BEFORE THE COUNCIL:
Whether to close out the City Center Remodel Fund and transfer the remaining balance to the General Fund.

RECOMMENDATION:
Staff recommends adoption of the attached resolution.

EXECUTIVE SUMMARY:
The City Center Remodel Fund was created in fiscal year 2007/2008, by supplemental budget, to pay for the remodel of the city offices building, as part of the library expansion project. At the time the 2008/2009 budget was prepared, it was anticipated that the project would be completed by June 30, 2008, so no funds were budgeted in fiscal year 2008/2009, but the fund was not dissolved. However, as can happen with any project, delays occurred and there were expenditures that were incurred after July 1, 2008. Since there was no budget adopted in the City Center Remodel Fund, funds were expended out of the General Fund, pending closure of the City Center Remodel Fund. There remains a balance of $124,335.14. Oregon Revised Statutes (ORS) 294.475, *Elimination of unnecessary fund; disposition of balance,* states that when the necessity of a fund ceases to exist and a balance remains in the fund, the balance shall be transferred to the general fund. The resolution includes the allocation of the balance to the non-departmental Equipment and Furnishings line item. This will pay the remaining $30,000 of expenditures that have been expended in the current year related to the project, as well as $70,000 of the payment for the new telephone system, approved by the Council in December 2008. The remaining balance has been planned

to be a project contingency for both the new building, as well as the new telephone system. Unspent funds will be carried into the new budget and re-appropriated through the fiscal year 2009/2010 budget process.

OUTCOMES OF DECISION:
This action closes the City Center Remodel Fund and transfers the remaining balance to the General Fund.

FINANCIAL IMPLICATIONS:
The balance of the City Center Remodel Fund is reduced to zero and the General Fund is increased by $124,335.14.

Attachments: A. Resolution

RESOLUTION NO. 4870-09

A RESOLUTION TO CLOSE OUT THE CITY CENTER REMODEL FUND AND TRANSFER REMAINING FUNDS TO THE GENERAL FUND

WHEREAS, the City Center Remodel Fund was created to account for the capital expenditures related to the remodel of the city offices building, as part of the library expansion project;

WHEREAS, the final expenditures of the fund have been expended and the fund is no longer needed; and

WHEREAS, ORS 294.475 provides for the elimination of an unnecessary fund and the disposition of the balance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TUALATIN that:

Section 1. The remaining balance of the City Center Remodel Fund is to be transferred to the General Fund in accordance with ORS 294.475, and allocated to non-departmental Equipment & Furnishings (001-1990-511.70-01).

Section 2. This resolution is effective immediately following adoption by the City Council and signature by the Mayor.

INTRODUCED AND ADOPTED this 9th day of March 2009.

BY _____
Mayor

ATTEST:

BY _____
City Recorder

APPROVED AS TO LEGAL FORM

_____
CITY ATTORNEY

STAFF REPORT
CITY OF TUALATIN

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Donald A. Hudson, Finance Director

DATE: March 9, 2009

SUBJECT: RESOLUTION TO AUTHORIZE INTERFUND LOAN FOR VOICE OVER INTERNET PROTOCOL PHONE SYSTEM

ISSUE BEFORE THE COUNCIL:
Whether to authorize an interfund loan from the Infrastructure Reserve Fund to pay for a portion of the Voice Over Internet Protocol (VOIP) phone system.

RECOMMENDATION:
Staff recommends adoption of the attached resolution.

EXECUTIVE SUMMARY:
On December 8, 2008, the City Council authorized the purchase of a new VOIP phone system in the amount of $149,950. The funding plan presented that evening called for a portion of the balance to be paid from the remaining balance in the City Center Remodel Fund and the remaining $80,000 to be paid with an interfund loan from the Infrastructure Reserve Fund. Oregon Revised Statutes (ORS) 294.460 allows for a loan from one fund to another. The loan must be authorized by a Resolution of the Council and state the fund from which the loan is to be made, the fund to which the loan is to be made, the purpose for which the loan is to be made and the principal amount of the loan. Since the purpose of this loan is for a capital purpose, the repayment of the loan cannot exceed a period of five years and must bear interest at an annual rate equivalent to the current rate of return on moneys invested in the local government investment pool (LGIP), or any such other rate that the Council may determine. Staff is recommending a three-year loan at the current LGIP rate of 1.45%.

As was presented in December, the anticipated annual savings of the VOIP system is at least $24,000 annually. The proposed loan calls for monthly loan payments totaling $27,267 per year.

OUTCOMES OF DECISION:
This action authorizes an interfund loan from the Infrastructure Reserve Fund to pay the balance of the VOIP telephone system.

FINANCIAL IMPLICATIONS:
The Infrastructure Reserve Fund has over $3,000,000 of funds in reserve for future infrastructure project needs. Many of these funds won't be needed for more than the three-year period of the proposed loan. The funds are currently invested in the LGIP, so the fund will continue to earn interest at the current pool rate. The monthly repayment from the General Fund will be utilizing currently budgeted telephone service costs that will be savings under the new phone system.

Attachments: A. Resolution

RESOLUTION NO. 4871-09

A RESOLUTION TO AUTHORIZE INTERFUND LOAN FOR VOICE OVER INTERNET PROTOCOL PHONE SYSTEM

WHEREAS, the City Council approved the purchase of a Voice Over Internet Protocol telephone system;

WHEREAS, the financing plan includes using the annual savings of the new system to repay an interfund loan; and

WHEREAS, ORS 294.460 allows for loans from one fund to another.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TUALATIN that:

Section 1. The Infrastructure Reserve Fund shall make a capital loan in the amount of $80,000 to the General Fund for a period of three years, to be repaid monthly and pay interest at the current Local Government Investment Pool investment rate of 1.45%.

Section 2. This resolution is effective immediately following adoption by the City Council and signature by the Mayor.

INTRODUCED AND ADOPTED this 9th day of March 2009.

BY _____
Mayor

ATTEST:

BY _____
City Recorder

APPROVED AS TO LEGAL FORM

_____
CITY ATTORNEY

STAFF REPORT
CITY OF TUALATIN

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Doug Rux, Community Development Director
William Harper, Associate Planner

DATE: March 9, 2009

SUBJECT: ORDINANCE RELATING TO MONUMENT SIGNS IN THE OFFICE COMMERCIAL (CO) PLANNING DISTRICT; AMENDING, PROVISIONS AND TDC 31.060 & 38.190 (PTA-08-07)

ISSUE BEFORE THE COUNCIL:
City Council consideration regarding the request for a Plan Text Amendment (PTA) to the Tualatin Development Code (TDC) Chapter 38-Sign Regulations which would add provisions for Major Commercial Center (MCC) Directory Signs freestanding monument signs in the CO (Commercial Office) Planning District with corresponding amendments to TDC 31.060 Definitions.

RECOMMENDATION:
The Tualatin Planning Advisory Committee (TPAC) voted 5-2 on February 12, 2009, recommending that the City Council approve PTA-08-07. The two TPAC members voting NO (P. Sivley; N. Herriges) explained their reasons as follows: 1. P. Sivley questioned the need for a 2nd Monument Directory sign and was concerned where a 2nd sign would go in a campus development such as South Center; 2. P. Sivley and N. Herriges viewed a 100 s.f. sign as 3x what is currently allowed and too much signage. 3. Herriges questioned the effectiveness of a map & directory sign unless a visitor is able to pull off the street to view it.

Staff recommends that the City Council consider the staff report and supporting attachments and direct staff to prepare an ordinance granting PTA-08-07 based on the draft ordinance in Attachment A.

EXECUTIVE SUMMARY:

- This matter, which is a proposed amendment to the TDC and a decision by the City Council, is a legislative action.
- This matter is a Plan Text Amendment to the Tualatin Development Code.
- The amendment was initiated by the Community Development Department at the request of Lana Baldock and Dan Swift of Cushman Wakefield representing the South Center Tualatin business complex. South Center is a 32 acre complex of 11 office buildings (Buildings A-C; E-M) and the TriMet Mohawk Park-N-Ride facility located on six parcels in the CO (Office Commercial) Planning District (Attachment D). The complex has frontage on SW Warm Springs Street (North), SW Martinazzi Avenue (West) and SW Sagert Street (South). Interstate I-5 borders the center on the east. The center is bisected by a loop of SW Mohawk Street extending from SW Warm Springs Street to SW Martinazzi Avenue.
- The City of Tualatin Community Development Department was contacted by Ms. Baldock and Mr. Swift in July of 2008 with a request for a freestanding sign on a retaining wall at a SW Warm Springs driveway entrance to the South Center complex. The sign was intended as a large directory sign with a map of the South Center complex and a list of business tenants and locations (Attachment E). Ms. Baldock and Mr. Swift noted the lack of a map/directory in the office park complex. Currently there are signs for "South Center" located at the two SW Martinazzi Avenue entrances to the complex and several smaller monument signs associated with the individual parcels in the complex. They expressed their belief that given the recent vacancies in the center and comments by prospective tenants, the business tenants of a campus-style office park such as South Center expect a large map/directory to provide identity for tenants, services and customers. Examples of similar map & directory signs found in other large campus-style office parks in Beaverton, Hillsboro and other area locations were provided (Attachment E).
- The sign envisioned by Ms. Baldock and Mr. Swift did not meet the current standards for a freestanding monument sign or directory sign for property in the CO Planning District (TDC.38.190)(Maximum 10 ft. sign height; 32 sq. ft. sign face area). The CO Planning District is for office and office park development with development and sign standards intended for a campus-style scale and appearance. Compared to signs allowed in Central (CC) and General (CG) Commercial Districts, signs in CO are required to be smaller monument style freestanding signs and smaller sized wall signage. The proposed sign exceeded the maximum 32 sq. ft. sign area allowed for freestanding monument signs on parcels in the CO Planning District. The proposed sign also would not meet the height, area and location standards for a "directory sign" allowed in TDC 38.190(2) & 38.110(9). The only way to obtain a sign permit for the South Center sign as proposed was to obtain Council approval of either a sign variance or an amendment to the sign regulations.

- As commercial real estate brokers, Ms. Baldock and Mr. Swift believed that the size of signs allowed for South Center under the existing CO sign standards were not adequate to display the complex's map and directory listing and did not meet the expectations of prospective center tenants. Following discussions with staff, Ms. Baldock and Mr. Swift asked for a change to the sign code that would allow a sign like the sign proposed for South Center. The Administration and Community Development Departments agreed to prepare an application for an amendment to the sign code that would respond to the South Center request and from the public interest perspective: 1) have provisions consistent with sign standards in other commercial districts; 2) be focused on larger office park developments; and 3) require location away from bordering residential areas and Major Collector & Arterial streets.
- The Planning Division prepared the proposed amendment PTA-08-07 that revises the CO Planning District freestanding monument sign standards in TDC 38.190(1) to add provisions for larger monument-style signs in a Major Commercial Center (MCC) in the CO Planning District. Currently, Central and General Commercial developments [as well as Light Manufacturing (ML) Planning District properties in Central Urban Renewal Blocks 28 & 29] that are larger than 3 acres in size and have multiple buildings of a minimum size meet the definition of a MCC and are eligible for larger freestanding signage and smaller monument signs for individual parcels within the MCC. Examples of MCC developments are Nyberg Woods, Fred Meyer, BigK Mart, Martinazzi Square and Hedges Green Retail Center.
- The proposed amendment will: add the CO Planning District to the list of commercial districts eligible in the definition of a Major Commercial Center in TDC 31.060 Definitions; allow up to two freestanding monument directory signs with 100 sq. ft. sign face area in a MCC development with restrictions on location near a residential district, Major Collector and Arterial street; and allow individual buildings in an MCC development a smaller (6 ft. height/32 sq. ft. area) monument sign.
- The proposed amendment would make the South Center office park a MCC and allow up to two MCC Directory monument –style signs consistent with the sign requested. Under this proposal, the CO Planning District developments that would be eligible for a MCC designation are South Center, South Place Office Building (SW 72nd Avenue) and the Express Personnel Office Building (SW Washo Ct/SW 72nd Avenue)(Attachment D). A fourth opportunity would be the CO property located behind the BigKmart store which is currently undeveloped. Other CO developments are not eligible because of lot size (less than 3 acres), building size (minimum 30,000 s.f. or 2 buildings minimum 12,000 sq. ft. each) or frontage on a Major Collector or Arterial Street.

- A memo describing PTA-08-07 was presented at the February 23, 2009 Council work session. The Council requested that the proposed amendment include a standard for locating a MCC monument directory sign in a driveway or pullout that will allow drivers to safely pull up to and read the sign and not obstruct street or on-site traffic. The proposed language contains this standard in Section 38.190(4).
- The proposed PTA language as prepared by staff is provided in Attachment A. The Plan Amendment approval criteria are addressed in the Analysis and Findings section of this report (Attachment C).
- The applicable policies and regulations that apply to the proposal include: TDC 1.032-Amendments; TDC 6.030 Commercial Planning District Objectives; TDC 20.030-Sign Design Objectives; TDC Chapter 38-Sign Regulations. The Analysis and Findings section of this report (Attachment C) considers the applicable policies and regulations.
- Before granting the proposed PTA, the City Council must find that the criteria listed in TDC 1.032 are met. The Analysis and Findings section of this report (Attachment C) examines the application with respect to the criteria for a Plan Amendment.

OUTCOMES OF DECISION:

Approval of the PTA request will result in the following:

1. Larger CO Planning District developments such as the South Center office park will be eligible for Major Commercial Center Directory signage.
2. South Center will be able to obtain a sign permit for construction of a freestanding monument sign with a size and location consistent with the request by Ms. Baldock and Mr. Smith.

Denial of the PTA request will result in the following:

1. The current provisions of the Sign Code will remain unchanged and South Center will be unable to obtain a sign permit for signage that does not comply with current regulations.
2. To obtain a sign permit for the proposed directory sign, South Center must show the hardship criteria for a Sign Variance are met and receive Council approval.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for the City Council are:

- Approve the proposed PTA with alterations.
- Deny the proposed PTA.
- Continue the discussion of the proposed PTA and return to the matter at a later date.

FINANCIAL IMPLICATIONS:
The Applicant is the Planning Division. No fee is required. Funds have been budgeted in the Planning Division's FY 08/09 budget to prepare and process City- initiated amendments.

PUBLIC INVOLVEMENT:
The proposed amendment is a legislative amendment and no neighbor/developer meeting was held.

Attachments:
A. Proposed Text Amendment Language-TDC 31.060 & 38.190
B. Background Information
C. Analysis and Findings
D. CO Planning District Location Map
E. Photos of Proposed South Center Sign & Example Office Park Signage

ORDINANCE NO. _____

AN ORDINANCE RELATING TO MONUMENT SIGNS; AND AMENDING TDC 31.060, AND 38.190 (PTA-08-07)

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TDC 31.060 Definition of "Major Commercial Center (for signs)" is amended to read as follows:

Major Commercial Center (for signs). A development in the Central Commercial or General Commercial Planning Districts, **or in the Office Commercial and Mid-rise Office Commercial**, or in the Light Manufacturing Planning District and in the Central Urban Renewal District where additional General Commercial uses are permitted in accordance with the Tualatin Development Code (TDC 60.030), and which is on one tax lot of at least 3.0 acres and has either (1) at least one building of no less than 30,000 square feet of gross floor area, or has (2) at least two buildings with one having no less than 12,000 square feet of gross floor area.

The remainder of the definitions are unchanged.

Section 2. TDC 38.190 is amended to read as follows:

(1) No sign shall be permitted in the CO and CO/MR Planning Districts for permitted and conditional uses except the following:

(a) Monument signs are permitted. If **a Major Commercial Center Directory Sign is not** used, the following standards apply.

(i) Number: One per frontage on a public street right-of-way with a maximum of two, except in the CO/MR District where the maximum of two does not apply, and no more than one on each frontage.

(ii) Number of Sides: No more than two.

(iii) Height Above Grade: No higher than 10 feet.

(iv) Area: No more than 32 square feet.

(v) Illumination: Indirect or internal.

(vi) Location: No greater than 30 feet from the frontage property line along the public right-of-way.

(b) If a Major Commercial Center Directory Sign is used, the following standards apply:

(i) The Directory Signs shall be freestanding monument signs.

(ii) The Directory Signs are allowed in a Major Commercial Center in CO, CO/MR, Planning Districts.

(iii) A Major Commercial Center may choose to erect up to two Major Commercial Center Directory Signs for the center.

(iv) Location on Site: A Major Commercial Center Directory sign shall be located out of the public right-of-way and adjacent to a private driveway or turnout in a manner that will be visually accessible to the public street and allow a driver to safely pull up and view the sign from their vehicle. The sign shall be located no greater than 50 feet from frontage property line along the public right-of-way and shall not be located within 50 ft. of a Major Collector or Arterial Street right-of way.

(v) Location as Part of a Fence: Not permitted.

(vi) Number of Sides: no more than two.

(vii) Height of Sign: No higher than eight feet.

(viii) Sign Face Area: a Major Commercial Center Directory sign may be up to 100 square feet.

(ix) Illumination: Indirect or internal.

(x) Height of Copy: No higher than two inches, except that 20 per cent of the sign face area may have copy up to 10 inches. Map size is not restricted by this subsection.

(c) In addition to Directory Signs allowed in TDC 38.190(1)(b) above, additional monument signs are permitted for separate buildings in Major Commercial Centers of greater than 3.0 acres. If monuments signs are used, the following standards apply:

(i) Location on Site: At least 150 feet shall separate additional monument signs from each other. At least 100 feet shall separate additional monument signs from the Directory Monument signs permitted in TDC 38.190(1)(b) above.

(ii) Number: One per individual building in the Major Commercial Center.

(iii) Number of Sides: No more than two.

(iv) Height Above Grade: No higher than six feet.

(v) Area: No more than 32 square feet.

(vi) Illumination: Indirect or internal.

(d) Wall signs for one story buildings are permitted. If used, the following standards apply:

(i) Number: One on each owned or leased wall not to exceed four walls of a building.

(ii) Number of Sides: No more than one.

(iii) Height Above Grade: No higher than the height of the sign band.

(iv) Height of Sign Face: No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.

(v) Area: No more than 40 square feet.

(vi) Illumination: Indirect or internal.

(e) Wall signs for buildings with two or more building floors are permitted. If used, the following standards apply:

(i) Number: One on each wall not to exceed four walls of a building. For one building wall with a wall area greater than 4,500 square feet, three wall signs are allowed on the sign band provided the signs are separated by a minimum of 25 feet.

(ii) Number of Sides: No more than one.

(iii) Height Above Grade: No higher than the height of the sign band.

(iv) Height of Sign Face: No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.

(v) Area: No more than 40 square feet.

(vi) Illumination: Indirect or internal.

(f) Main Building Entrance wall signs for buildings with two or more building floors are permitted. If used, the following standards apply:

(i) Number: One on a main building entrance wall sign band not to exceed one entrance of a building.

(ii) Number of Sides: No more than one.

(iii) Height Above Grade: No higher than the height of the main building entrance sign band.

(iv) Height of Sign Face: No higher than two feet.

(v) Area: No more than 20 square feet.

(vi) Illumination: Indirect or internal.

(2) See TDC 38.110(5-15) for additional signage and if used, the standards of TDC 38.110(5-15) apply. [Ord. 590-83 §1, passed April 11, 1983; Ord. 960-96 §5, passed May 28, 1996; Ord. 1002-98 §3, passed April 27, 1998; Ord. 1013-99 §§3 and 4, passed Jan. 11, 1999.]

INTRODUCED AND ADOPTED this 9th day of March, 2009.

CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Approved as to Form:

_____
City Attorney

ATTACHMENT B

PTA-08-07: BACKGROUND INFORMATION

Pertinent background information obtained from the proposed PTA-08-07 and other supporting documents is summarized in this section.

The amendment was initiated by the Community Development Department at the request of Ms. Lana Baldock and Mr. Dan Swift of Cushman Wakefield representing the South Center Tualatin business complex. South Center is a 32 acre complex of 11 office buildings (Buildings A-C; E-M) and the TriMet Mohawk Park-N-Ride facility located on six parcels in the CO (Office Commercial) Planning District (Attachment D).

The City of Tualatin Community Development Department was contacted by Ms. Baldock and Mr. Swift in July of 2008 with a request for a freestanding sign on a retaining wall at a SW Warm Springs entrance to the South Center complex. The sign was intended as a large directory sign with a map of the South Center complex and a list of business tenants and locations (Attachment E). The sign envisioned by Ms. Baldock and Mr. Swift did not meet the current standards for a freestanding monument sign or directory sign for property in the CO Planning District (TDC.38.190) (Maximum 10 ft. sign height; 32 sq. ft. sign face area).

Following discussions with staff, Ms. Baldock and Mr. Swift asked for a change to the sign code that would allow a sign like the sign proposed for South Center. The Administration and Community Development Departments agreed to prepare an application for an amendment to the sign code that would respond to the South Center request.

The Planning Division prepared the proposed amendment PTA-08-07 that revises the CO Planning District freestanding monument sign standards in TDC 38.190(1) to add provisions for larger monument-style directory signs in a Major Commercial Center (MCC) in the CO Planning District. Currently, Central and General Commercial developments [as well as Light Manufacturing (ML) Planning District properties in Central Urban Renewal Blocks 28 & 29] that are larger than 3 acres in size and have multiple buildings of a minimum size meet the definition of a MCC and are eligible for larger freestanding signage and smaller monument signs for individual parcels within the MCC. Due to the 32 acre size of the development and the number and size of its buildings, the South Center office park development would qualify as a MCC.

ATTACHMENT C

PTA-08-07: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 1.032 must be met if the proposed PTA is to be granted. The Plan Amendment criteria are addressed below.

A. Granting the amendment is in the public interest.

The proposed amendment to the Tualatin Development Code (TDC) Chapter 38 Sign Regulations and related sections of TDC 31.060 Definitions adds provisions for Major Commercial Centers (MCC) and MCC Directory monument signs for the CO (Office Commercial) Planning District to Tualatin's sign code. The public interest is to: 1) allow signage that adequately identifies commercial uses and does not result in sign clutter; 2) retain an attractive visual appearance of the community by setting the standards for the height and size of freestanding signs in commercial office developments; 3) have provisions appropriate for campus-style office park development that also are consistent with sign standards in other commercial districts; 4) be focused on larger office park developments; 5) locate larger office signage away from bordering residential areas and Major Collector & Arterial streets; 6) locate a monument directory sign in a driveway or pull-out from the street for safety and to protect traffic flow.

TDC Chapter 38 is City of Tualatin's Sign regulations that are intended to implement the Sign Objectives of TDC Chapter 20, ensure orderly signage and establish reasonable regulations for sign design (TDC 38.030). The Sign Objectives are public interest policies and include an objective for signage that adequately identifies commercial uses without resulting in sign clutter [TDC 20.030(10)] and objectives to retain a quality of visual appearance, streetscape, landscaping and urban character in the City [TDC 20.030(6,7)]. The proposed amendment responds to the specific need of larger signage to identify office park developments with multiple buildings and parcels that was established by the South Center representatives Ms. Baldock and Mr. Smith. The revised sign standards allowing larger directory monument signs in a CO Planning District MCC development will be consistent with the provisions for signs in Major Commercial Centers currently allowed in CC and CG Planning Districts that have proven to be adequate for a larger development. The CO-MCC directory monument signs are limited in number and size consistent with commercial and campus-style development and are required to be separated from other signage in the development, thereby avoiding sign clutter and satisfying public interests #1, #2 & #3.

The proposed amendments respond to the need for adequate identification business tenants of a larger commercial office development by allowing a 3 acre or larger office park development in the CO Planning District to be designated a MCC and be eligible for a 75 sq. ft. freestanding monument sign. Like the existing provisions for signage in a MCC development in the CC and CG Planning Districts, this sign code change is focused on the 3 acre or larger office park developments in CO Planning Districts only and will not be available for every building or property in a CO District. This meets public interests #3 and #4.

As proposed and consistent with the request of Ms. Baldock and Mr. Smith for a larger directory sign for South Center on SW Warm Springs Street, a MCC sign in CO would be restricted from locations that border a residential development or adjoining Major Collector and Arterial Streets. This directs the visibility of larger MCC signage away from residential uses and from higher classification streets such as SW Martinazzi Avenue, SW Sagert Street and SW 65th Avenue that are commonly used by residents. This meets public interest #5.

The proposed standards for a MCC monument directory sign include a requirement that the sign be located out of the street right of way and adjacent to a private driveway or turnout. The sign must be visible from the street and be located so that a driver can safely pull up to it and view it without interfering with other traffic. This meets public interest #6.

Granting the amendment is in the public interest. Criterion "A" is met.

B. The public interest is best protected by granting the amendment at this time.

The proposed CO sign amendments respond to the Ms. Baldock and Mr. Smith request to allow a larger sign for the South Center office park development. They expressed their belief that given the recent vacancies in the 11 buildings of the center and comments by prospective tenants, the business tenants of a campus-style office park such as South Center expect a large map/directory to provide identity for tenants, services and customers. Ms. Baldock and Mr. Smith first raised the issue in July of 2008 and believe that the ability to provide the sign they have proposed is a timely issue.

If adopted at this time, the proposed amendment would allow the owners of office parks such as South Center to construct the signage they believe is necessary to attract and keep business tenants in the center. This would be consistent with business park development in other cities and consistent with signage allowed for MCC development in Tualatin's commercial areas of CC and CG Planning Districts.

The public interest is best protected by granting the amendment at this time.

Criterion "B" is met.

C. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The applicable objectives of the Tualatin Community Plan are presented below.

TDC 6.040(1) Commercial Office Planning District: "To provide areas suitable for professional office uses adjacent to or across from residential areas."

The proposed amendment will limit larger MCC directory monument signs from locations bordering residential areas and Major Collector & Arterial streets while providing suitable identification and way-finding opportunities necessary for larger CO center business tenants. The proposed amendment conforms to TDC 6.040(1).

TDC 20.030 Objectives (6) "Protect and enhance the visual appearance of the City as a place to live, work, recreate, visit and drive through." (7) "Protect and enhance the quality streetscapes, architecture, landscaping and urban character in Tualatin."

The proposed amendment will protect the appearance of the City and quality streetscapes, landscaping and urban character by allowing appropriate signage for larger office park developments with limits on the number, size and location of signs in the CO Planning District relative to nearby residential areas and higher classification streets. The proposal requires a MCC monument directory sign to be located out of the public ROW and visible to it, and in a location that allows a driver to safely pull up and view the sign without interfering with other traffic. The proposed amendment conforms to TDC 20.030(6-7).

TDC 20.030 Objectives "(10) Ensure the number, height and dimensions of signs allowed adequately identifies a business or use and does not result in sign clutter."

The proposed amendment will allow up to two directory monument style signs for a MCC in the CO Planning District with a sign face area of 75 square feet with restrictions on locations adjacent to residential development and adjacent to Major Collector and Arterial streets. In addition to the larger MCC directory monument signs, the proposed amendment will allow individual buildings in an MCC development a smaller (6 ft. height/32 sq. ft. area) monument sign with a 100-150 ft. minimum separation. The existing CO Planning District freestanding monument sign standards [TDC 38.190(1)] allowing a 10 ft. sign height, 32 sq. ft. sign face area will be retained and the internal directory sign provisions [38.110(9)] will be retained and apply to buildings and CO developments that are not a MCC.

With the addition of the MCC sign standards for CO Planning District developments, the number, height and dimensions of signs will adequately identify a center or a business within the center. The proposed standards for MCC freestanding sign number, location, separation and dimension ensure the signs are limited in number, have a size that is proportional to a 3 acre or larger office park complex and are separated by a distance that will avoid a cluttered appearance. The proposed amendment conforms to TDC 20.030(10).

The proposed amendments conform to the applicable objectives of the Tualatin Community Plan.

Criterion "C" is met.

D. The factors listed in Section 1.032(4) were consciously considered:

The various characteristics of areas in the City.

The characteristics of the area of the City affected by this amendment are the multi-building, campus-style office park developments in CO Planning Districts and the nearby multi-family and single-family residential areas and retail commercial developments (Attachment D). The proposed amendments to the CO Planning District sign regulations are intended allow a larger size of freestanding signage in a MCC development to provide adequate identity for a center and business tenants while avoiding larger commercial signage in the vicinity of residential uses and on higher classification streets.

The suitability of the area for particular land uses and improvements.

As indicated above, the proposed amendment is intended to improve the identity of way finding for MCC office parks while retaining the campus-style quality of an office park without adding a more commercial appearance for nearby residential uses.

Trends in land improvement and development.

As described in the public interest section, the trend in multi-building office park developments is to provide adequately sized signage to identify the complex and its business tenants and allow better way finding among the buildings and building tenants. The proposed revisions to the CO Planning District sign standards recognizes this trend by establishing standards that support the office commercial uses while keeping standards for appropriate signage.

Property values.

The proposed amendments will allow larger freestanding monument signs for MCC developments in the CO Planning District. Given the existing office park development and residential development in the vicinity, the signage allowed will be appropriate in number, size and location and property values of commercial or residential development should not be significantly affected.

The needs of economic enterprises and the future development of the area.

As described in the public interest section, the trend in development and management of office park complexes is to provide business office tenants and the visitors, customers and services entering a complex with a larger monument sign to identify and locate the businesses. The proposed revisions to the CO Planning District sign standards for larger MCC developments recognizes this trend by allowing the MCC freestanding monument signs while retaining a campus style appearance that is appropriate for property near residential uses.

Needed right-of-way and access for and to particular sites in the area.

The proposed sign amendments do not affect right of way and access.

Natural resources of the City and the protection and conservation of said resources.

Not applicable because the proposed sign regulation amendments do not impact or alter natural resources associated with a development.

Prospective requirements for the development of natural resources in the City.

Not applicable because proposed sign regulation amendments do not impact or alter natural resources associated with a development.

The public need for healthful, safe, aesthetic surroundings and conditions.

The purpose of the proposed amendment is to allow a MCC office park to have larger freestanding signage and retain the quality of the aesthetic surroundings for a campus-style complex and nearby residential uses. The standards for MCC monument signage will result in retaining the aesthetic surroundings in the City.

Proof of a change in a neighborhood or area.

Does not apply to revisions to the CO sign standards. There is no evidence of change in a neighborhood or area that would be relevant to the proposed amendment.

A mistake in the plan map or text.

None is alleged.

The factors listed in Section 1.032(4) were consciously considered.

Criterion "D" is met.

E. The criteria in the Tigard-Tualatin School District Facility Plan were considered.

The criteria in the Facility Plan were considered and found to not be applicable to this amendment regarding signs because it does not apply to existing school sites and does not represent a constraint or conflict with land available for future school sites.

F. Oregon Statewide Planning Goals

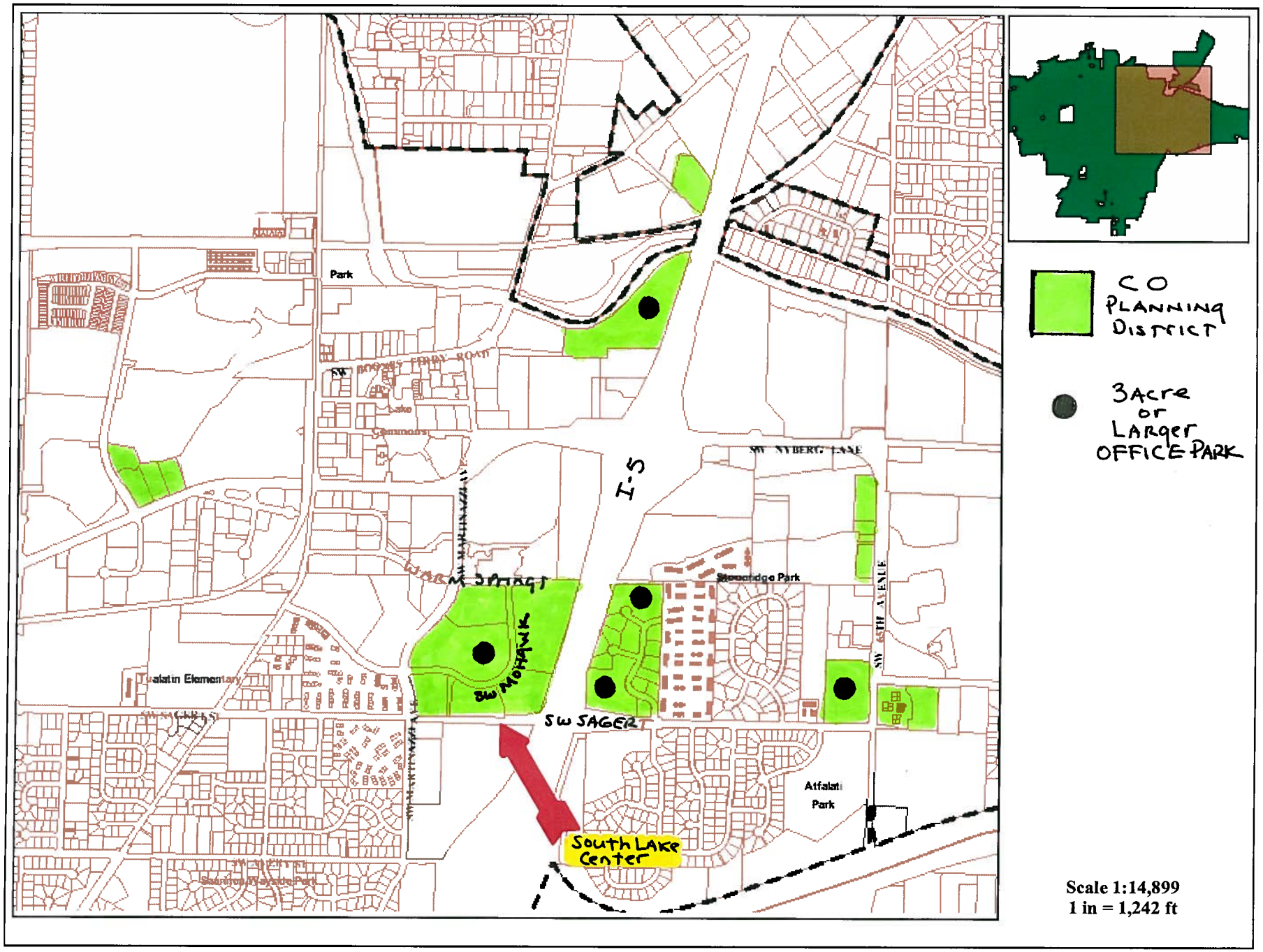
Of the 14 Statewide Goals, each of the goals were considered and found to not be applicable to this amendment regarding signs.

G. Metro's Urban Growth Management Functional Plan (UGMFP).

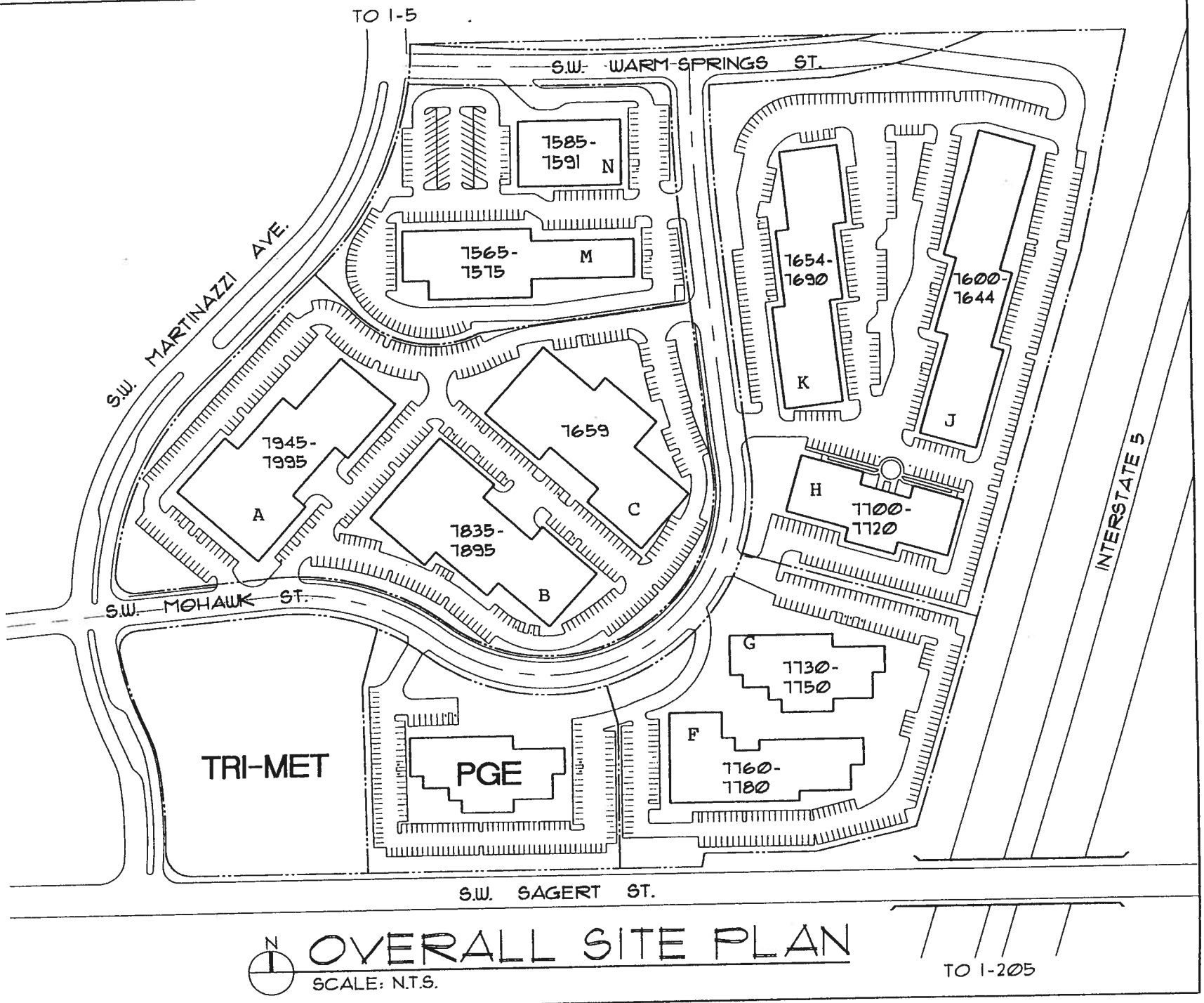
The UGMFP and TDC Map 9-4 Design Type Boundaries, identify the CO Planning District areas bordering SW Sagert Street and SW 65th Avenue as "EA Employment Area" and as "TC Town Center" on the west side of I-5 Exit 289 and at the SW 90th Avenue/Tualatin Sherwood Road intersection. The proposed amendment revising the sign standards for MCC office park developments does not affect the EA and TC classifications.

H. (Criterion 8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's Planning Area.

Criterion 8 was considered and found to not be applicable to this amendment regarding signs because it does not have any impact on Level of Service on transportation facilities.



Attachment D
CO Planning District Location Map



OVERALL SITE PLAN

SCALE: N.T.S.

ANKROM MOISAN ASSOCIATED ARCHITECTS
6720 S.W. Macadam, Suite 100, Portland, Oregon 97219. 503/245-7100

SOUTH CENTER
OVERALL SITE PLAN
S.W. MOHAWK TUALATIN, OREGON

INSIGNIA/ESG

REVISIONS

DATE 11/06/98
JOB# 985651
DWN. GF
CHK. ME

1
OF SHEETS

12 A2

Photos of Proposed South Center Sign & Example Office Park Signage

Attachment E

7.5' ↑

Attached to wall

A MONUMENT DIRECTORY - CONCEPT
Scale: 1/2" = 1'-0"

Concept Description:

Single Face Monument Directional constructed of fabricated aluminum. Push-Thru acrylic Center Identification. Tenant cabinet internally illuminated w/lexan faces. Changeable tenant panels in .030 clear lexan with PSV graphics, reverse cut. Digitally printed map on White lexan face.

Approx. size: 7.5' h x 13.5' w

SECURITY SIGNS

PROJECT MANAGER
Dennis Broekmann
DESIGNER
J. Ford

PROJECT NAME
SouthCenter
SW Warm Springs Street
Tualatin, Oregon

PAGE DESCRIPTION
Monument Directory Concept

REVISIONS
NA

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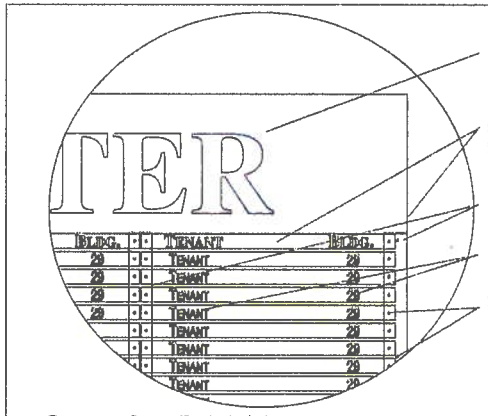
APPROVALS
Client Signature
Landlord Signature

DATE: 03/31/08
PAGE #: 1 of 1
DRAWING #: 08-JF997

PACIFIC CORPORATE CENTER
DIRECTORY
15455
15495
15350
15130
15060
6850
6640
6810
6800
7007
14945
Home Depot
14850
Interstate 5
North to Portland
PacTrust PROPERTY LEASING INFORMATION: 503-624-6300

THE COMMONS
merican Family Insurance ..... Suite 100
ornell Oaks Cafe ..... Suite 110
Wealthbridge Mortgage ..... Suite 111
Wealthbridge Mortgage Marketing ..... Suite 112
Wells Fargo ..... Suite 115
Tommy Wilson Motor Company ..... Suite 120
Staffing Now, Inc. ..... Suite 125
Dr. Ian Barr ..... Suite 130
du Horizons Electronics ..... Suite 135
Micro Focus ..... Suite 140
Sunset Forest Products ..... Suite 150
MDT Physical Therapy ..... Suite 200
Homecomings Financial Network, Inc. ..... Suite 205
Open Technol... Center ..... Suite 210
NXP Semicon... ..... Suite 230
Nerio Aesth... ..... Suite 235
Stephen ... . Suite 240
... . Suite 240
... . Suite 245
... . Suite 250
... . Suite 260
THE SUMMIT
Meridian Forest Products, Inc. ..... Suite 100
..... Suite 150
..... Suite 170
..... Suite 190
GemStone Systems, Inc. ..... Suite 200
Western Region Headquarters ..... Suite 200
..... Suite 160
cascade technical sales ..... Suite 180
RIDGEVIEW
Icon Time Systems ..... Bldg. A1
Pro Dex, Oregon Micro Systems ..... Bldg. ...
Veicon Technology, Inc. ..... B ...
Intel Corporation CO-1 .....
THE ATRIUM
Symantec ..... Suite 200
Intel Corporation CO-3 ..... Suite 270
WiMAX Forum ..... Suite 310
LSI Corporation ..... Suite 360
Bespoke Software, Inc. ..... Suite 350
Texas Instruments ..... Suite 340
PARKSIDE
Intel CO-5 ..... Suite 100-A
Alaska Timber Company LLC ..... Suite 400-B
Northwest Direct ..... Suite 430-A
GREENBRIER COURT
ABJ Online 4600
WATERSIDE
A ...
B ...
C ...
D ...
AREA MAP
N
CORNELL ROAD
NW 185TH AVENUE



Directory Sign - Exploded View

Scale: N.T.S.

Scope of Work:

Remove and dispose of existing Directory Signs. Permit, manufacture and install two (2) new single faced, internally illuminated Directory Signs.

Directory Signs:

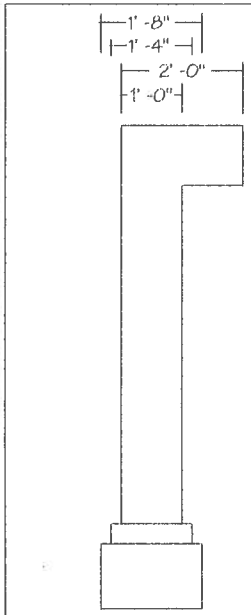
Painted aluminum sign cabinets with painted aluminum faces (to match PMS 280c)

"Parkside Business Center" to be 3/8" White acrylic push thru graphics (push thru flush with face). Parkside Business Center "Map" to be white plex face with reverse cut Light Navy (220-197) vinyl. All other graphics to be vinyl applied to the first surface (White 220-10).

"Tenant Strips" to be painted aluminum mechanically attached to sign face.

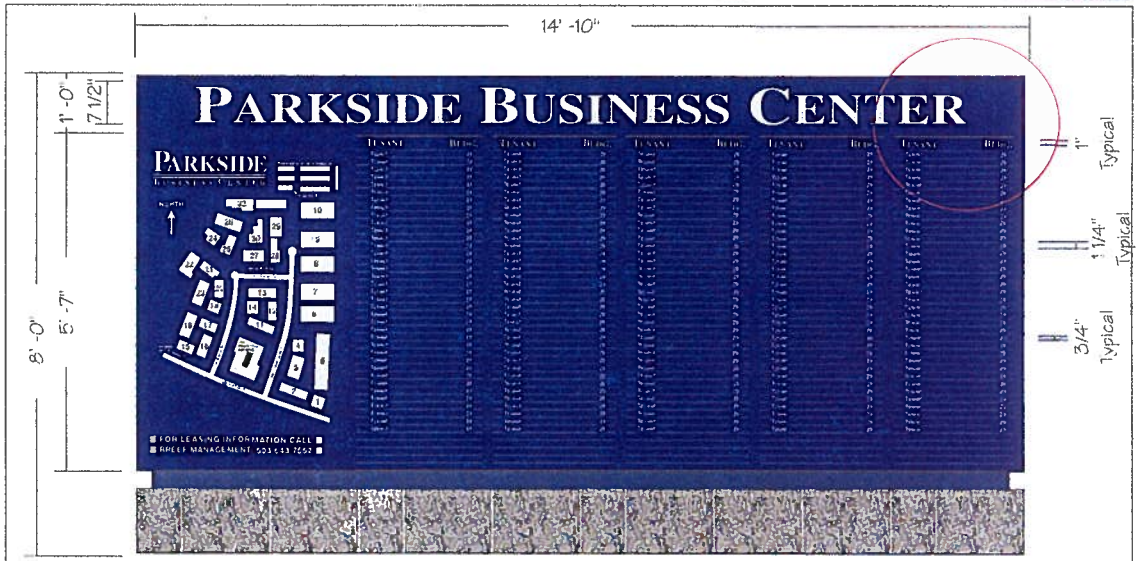
"Covers" to be painted aluminum mechanically \ attached to sign face over "Tenant Strips" - use "tamper resistant" fasteners.

Base to be painted aluminum with text coat to simulate concrete



Directory Sign - End View

Scale: ½" = 1' - 0"



Directory Sign - 97.7 Sq. Ft.

Scale: ½" = 1' - 0"

SECURITY SIGNS
QUALITY SINCE 1925
WWW.SECURITYSIGNS.COM
2424 SE HOLGATE BLVD.
PORTLAND, OR 97202
T. 503.232.4172
F. 503.230.1861
OR CCB #122809
WA SECURSI020CF

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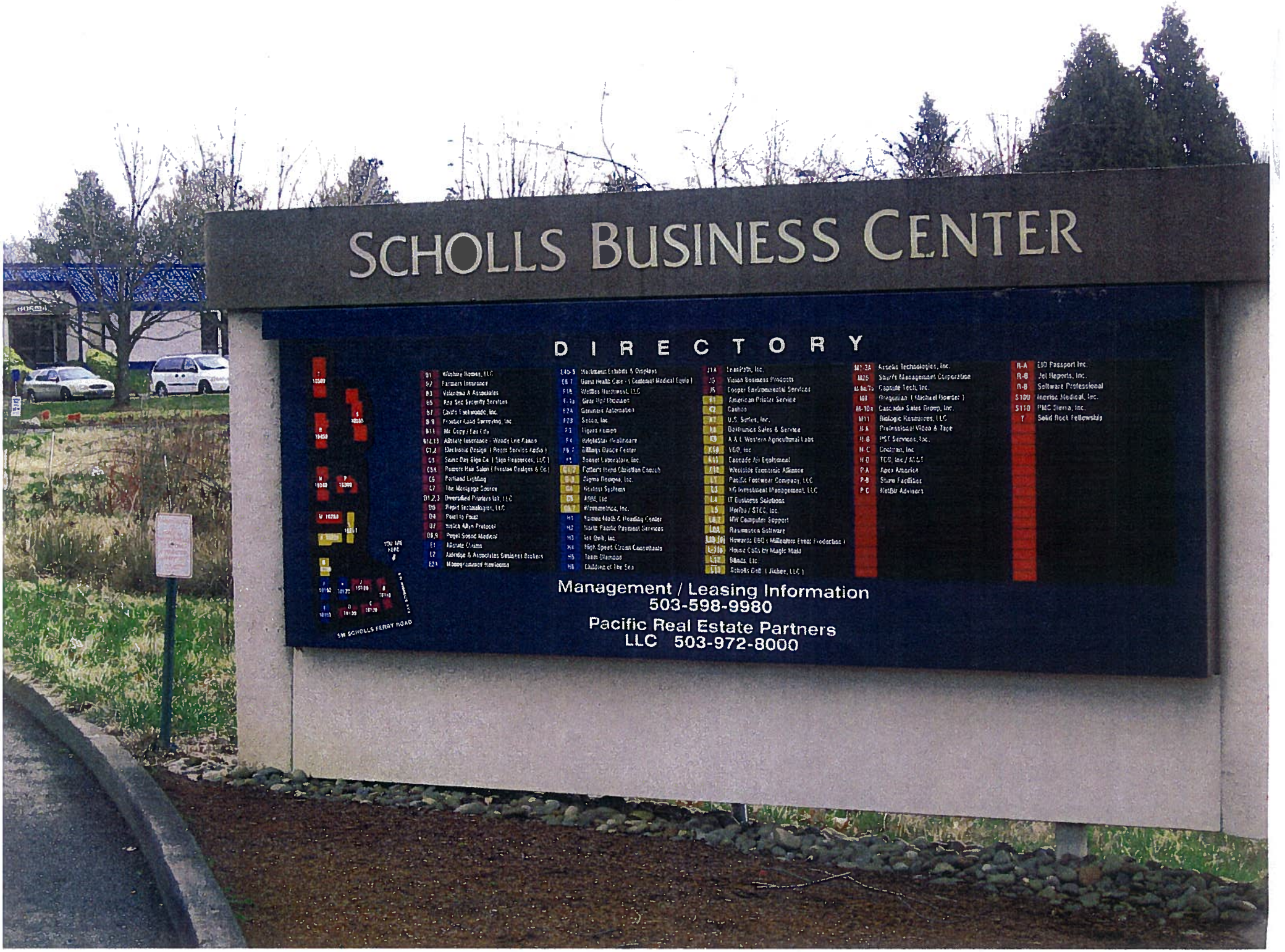
CUSTOMER AGREES BY INITIALING HERE _____

DATE 011106
DRAWING # 05-DM150R2
PAGE # 1 OF 4
PROJECT MANAGER
DYLAN MARTIN

PARKSIDE
BUSINESS CENTER
8275 SW CIRRUS DR.
BEAVERTON, OR

LANDLORD APPROVAL	CLIENT APPROVAL
PLEASE SIGN HERE	PLEASE SIGN HERE
DATE	DATE


SCHOLLS BUSINESS CENTER
DIRECTORY
Management / Leasing Information
503-598-9980
Pacific Real Estate Partners
LLC 503-972-8000
SW SCHOLLS FERRY ROAD

ORDINANCE NO. 1276-09

AN ORDINANCE RELATING TO MONUMENT SIGNS; AND AMENDING TDC 31.060, AND 38.190 (PTA-08-07)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on March 9, 2009, related to Monument Signs, and amending TDC 31.060, and 38.190 (PTA-08-07); and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on February 19, 2009, in The Times, a newspaper of general circulation within the City, which is evidenced by the Affidavit of Publication 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 a notice of public hearing was given as required by mailing to affected property owners, which is evidenced by the Affidavit of Mailing marked "Exhibit C," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on March 9, 2009, and heard and considered the testimony and evidence presented by 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 by a vote of [6-0] with councilor Truax absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated March 9, 2009, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report marked as "Exhibit D," which is attached and incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by adopting the Ordinance at this time; and the Ordinance conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended. Therefore,

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TDC 31.060 Definition of "Major Commercial Center (for signs)" is amended to read as follows:

Major Commercial Center (for signs). A development in the Central Commercial or General Commercial Planning Districts, **or in the Office Commercial and Mid-rise Office Commercial**, or in the Light Manufacturing Planning District and in the Central Urban Renewal District where additional General Commercial uses are permitted in accordance with the Tualatin Development Code (TDC 60.030), and which is on one tax lot of at least 3.0 acres and has either (1) at least one building of no less than 30,000 square feet of gross floor area, or has (2) at least two buildings with one having no less than 12,000 square feet of gross floor area.

The remainder of the definitions are unchanged.

Section 2. TDC 38.190 is amended to read as follows:

(1) No sign shall be permitted in the CO and CO/MR Planning Districts for permitted and conditional uses except the following:

(a) Monument signs are permitted. If **a Major Commercial Center Directory Sign is not** used, the following standards apply.

(i) Number: One per frontage on a public street right-of-way with a maximum of two, except in the CO/MR District where the maximum of two does not apply, and no more than one on each frontage.

(ii) Number of Sides: No more than two.

(iii) Height Above Grade: No higher than 10 feet.

(iv) Area: No more than 32 square feet.

(v) Illumination: Indirect or internal.

(vi) Location: No greater than 30 feet from the frontage property line along the public right-of-way.

(b) If a Major Commercial Center Directory Sign is used, the following standards apply:

(i) The Directory Signs shall be freestanding monument signs.

(ii) The Directory Signs are allowed in a Major Commercial Center in CO, CO/MR, Planning Districts.

(iii) A Major Commercial Center may choose to erect up to two Major Commercial Center Directory Signs for the center.

(iv) Location on Site: A Major Commercial Center Directory sign shall be located out of the public right-of-way and adjacent to a private driveway or turnout in a manner that will be visually accessible to the public street and allow a driver to safely pull up and view the sign from their vehicle. The sign shall be located no greater than 50 feet from frontage property line along the public right-of-way and shall not be located within 50 ft. of a Major Collector or Arterial Street right-of way.

(v) Location as Part of a Fence: Not permitted.

(vi) Number of Sides: no more than two.
(vii) Height of Sign: No higher than eight feet.
(viii) Sign Face Area: a Major Commercial Center Directory sign may be up to 100 square feet.
(ix) Illumination: Indirect or internal.
(x) Height of Copy: No higher than two inches, except that 20 per cent of the sign face area may have copy up to 10 inches. Map size is not restricted by this subsection.

(c) In addition to Directory Signs allowed in TDC 38.190(1)(b) above, additional monument signs are permitted for separate buildings in Major Commercial Centers of greater than 3.0 acres. If monuments signs are used, the following standards apply:

(i) Location on Site: At least 150 feet shall separate additional monument signs from each other. At least 100 feet shall separate additional monument signs from the Directory Monument signs permitted in TDC 38.190(1)(b) above.

(ii) Number: One per individual building in the Major Commercial Center.
(iii) Number of Sides: No more than two.
(iv) Height Above Grade: No higher than six feet.
(v) Area: No more than 32 square feet.
(vi) Illumination: Indirect or internal.

(**d**) Wall signs for one story buildings are permitted. If used, the following standards apply:

(i) Number: One on each owned or leased wall not to exceed four walls of a building.
(ii) Number of Sides: No more than one.
(iii) Height Above Grade: No higher than the height of the sign band.
(iv) Height of Sign Face: No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.
(v) Area: No more than 40 square feet.
(vi) Illumination: Indirect or internal.

(**e**) Wall signs for buildings with two or more building floors are permitted. If used, the following standards apply:

(i) Number: One on each wall not to exceed four walls of a building. For one building wall with a wall area greater than 4,500 square feet, three wall signs are allowed on the sign band provided the signs are separated by a minimum of 25 feet.
(ii) Number of Sides: No more than one.
(iii) Height Above Grade: No higher than the height of the sign band.
(iv) Height of Sign Face: No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.

(v) Area: No more than 40 square feet.

(vi) Illumination: Indirect or internal.

(**f**) Main Building Entrance wall signs for buildings with two or more building floors are permitted. If used, the following standards apply:

(i) Number: One on a main building entrance wall sign band not to exceed one entrance of a building.

(ii) Number of Sides: No more than one.

(iii) Height Above Grade: No higher than the height of the main building entrance sign band.

(iv) Height of Sign Face: No higher than two feet.

(v) Area: No more than 20 square feet.

(vi) Illumination: Indirect or internal.

(2) See TDC 38.110(5-15) for additional signage and if used, the standards of TDC 38.110(5-15) apply. [Ord. 590-83 §1, passed April 11, 1983; Ord. 960-96 §5, passed May 28, 1996; Ord. 1002-98 §3, passed April 27, 1998; Ord. 1013-99 §§3 and 4, passed Jan. 11, 1999.]

INTRODUCED AND ADOPTED this 9th day of March, 2009.

CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Approved as to Form:

_____
City Attorney

ITEMS REFERRED TO AS EXHIBITS IN THE FOREGOING ORDINANCE 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.

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary AUSmith

STAFF REPORT
CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Doug Rux, Community Development Director
William Harper, Associate Planner

DATE: March 9, 2009

SUBJECT: ORDINANCE RELATING TO DEFINITIONS AND PARKING STANDARDS FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT; AMENDING DEFINITIONS AND PARKING STANDARDS; AND AMENDING TDC 1.020; 31.060 & 73.370 (PTA-08-08)

ISSUE BEFORE THE COUNCIL:
City Council consideration regarding the request for a Plan Text Amendment (PTA) to the Tualatin Development Code (TDC) Chapter 31-Definitions which would provide a revised definition of the term "family" in respect to residential uses and revisions to the off-street parking standards for single-family residential development in TDC Chapter 73-Community Design Standards.

RECOMMENDATION:
The Tualatin Planning Advisory Committee (TPAC) voted 4-2 (and one abstention) on February 12, 2009, recommending that the City Council approve PTA-08-08. The abstention by TPAC member G. Olson was not explained. The two TPAC members voting NO (D. Adent; N. Herriges) explained their reasons as follows: 1. D. Adent expressed concern that the proposed definition of the word "family" was not correct and could mean any group of people in a dwelling unit. He suggested replacing use of the word "family" (in terms such as single-family residence) with another term such as "household" when applying zoning regulations; 2. N. Herriges believed that one off-street parking space is sufficient and requiring two spaces may discourage more dense or compact residential development.

Staff recommends that the City Council consider the staff report and supporting attachments and direct staff to prepare an ordinance granting PTA-08-08 based on the draft ordinance in Attachment A.

EXECUTIVE SUMMARY:

- This matter, which is a proposed amendment to the TDC and a decision by the City Council, is a legislative action.
- This matter is a Plan Text Amendment to the Tualatin Development Code.
- The amendment was initiated by the Community Development Department in response to issues and questions raised about standards for single-family residential development by the City Council.
- In 2008, the City Council addressed two matters associated with issues related to housing policy and the City's standards for single-family residential uses and development. One matter was the proposal to establish an "Oxford House" recovery home in an existing single-family house in Tualatin resulting in issues of local standards for residential uses and state and federal rules associated with housing. The second matter was the review and adoption of a Rental Housing Ordinance that applied to single-family and multi-family residences. During the discussions of both these matters, there were questions by individuals, neighbors, property owners and the Council members regarding the definition of a "family" when used with the number of un-related occupants in a dwelling, the conversion of garage space to living space, minimum on-site parking requirements and other local standards for single-family residences.
- The Federal Fair Housing Act (FHAct) and Oregon rules for fair housing and the siting of residential homes & facilities in residential areas are the legal framework for local standards for residential uses and zoning. The US Supreme Court [City of Edmunds, Washington v. Oxford House, Inc., 514 U.S. 725 (1995)] and other courts have ruled that the FHAct restricts local governments from using zoning practices that can result in discrimination in housing for a group of handicapped individuals. Local zoning ordinances that use a definition of "family" that result in maximums on the number of unrelated persons in a residence are considered discriminatory and not enforceable under the FHAct. Oregon Law requires that residential homes and facilities for housing and treatment of handicapped persons be treated the same as other residential uses in regard to permits, occupancy restrictions and development standards. In response, local governments may face the need to evaluate their definitions of residential terms such as "family" and how residential uses are treated in respect to compliance with the FHAct and Oregon Law.
- The Tualatin Development Code (TDC) allows single-family dwellings as a permitted use in the RL Planning District [TDC 40.020(1)]. Single-family dwelling is defined in the TDC as:

  > Single-Family Dwelling. A single dwelling unit detached or separate from other dwelling units. A dwelling unit not having common walls with another dwelling unit. [TDC 31.060].

Family is defined in the TDC as:

> Family. An individual, or two or more persons related by blood, marriage, adoption or legal guardianship, living together in a dwelling unit in which meals or lodging may also be provided for not more than four additional persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship. Residents and staff of a residential home as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance. [TDC 1.020 & 31.060].

Based on the Federal law and court decisions, a local ordinance is not in compliance if it sets out rules such as establishing a maximum number of un-related persons in a single residence that is a different standard from standards for other groups (such as "...persons related by blood, marriage, adoption or legal guardianship.") in the same zoning classification. The current TDC provisions for single family residential uses exhibit this problem due to the definition of "family" and the common usage of terms such as "single-family dwelling unit" and "single-family residence" in the TDC when applying regulations. Research by the Legal Department indicates that the definition of "family" in 26 Oregon cities contains language that separates and puts limits on unrelated persons in a residence, creating problems when applying residential zoning regulations. These definitions create an unenforceable standard or can result in a legal challenge when zoning is applied to residential homes and unrelated residents of single-family homes.

- The proposed amendment (Attachment A) will remove the current definition of "family" in TDC 1.020 and 31.060 and replace the definition in 31.060 with the following language:

  > "Family A person living alone or two or more related or unrelated persons living together in a single dwelling unit."

  In respect to the FHAct and Oregon Law, the proposed definition is not exclusive or limiting of unrelated residents and will not result in unequal housing opportunities when zoning is considered.

- The second issue that emerged in the Oxford House and Rental Housing Ordinance discussions to be addressed in this amendment proposal was the terms and standards for parking for single-family residences. The current language of the minimum off-street parking requirements for a "one family dwelling" in TDC 73.370(2)(a)(i) says "1.00 space per dwelling unit, in addition to garage." The City's interpretation that the parking standard and other TDC standards did not require a one family dwelling to have a "garage" and a conversion of a residential garage to living space was not a violation of the TDC was upheld in an appeal of permits issued for the Oxford House residence. The proposed amendment removes the language "...in addition to garage." in the parking standards and clarifies that a garage is not required for residential uses.

- Also, the adequacy of a minimum requirement of one (1) off-street parking space was questioned during both the Oxford House and Rental Housing Ordinance discussions. In a suburban residential community such as Tualatin where households predominantly have two or more cars and where garages are commonly used for living space or storage rather than parking for a car, more than one off street space is necessary to avoid residents parking in the public street or on front lawns. The proposed amendment (Attachment A) increases the minimum parking for single family detached residences from one off-street parking space to two and clarifies that an expansion of an existing single family residential use (such as an addition) does not subject the residence to meeting the increased parking stall standard. It also clarifies that a residential garage does not count as a required parking space unless approved in the Architectural Review process where the adequacy of the parking can be evaluated.
- The proposed PTA language as prepared by staff is provided in Attachment A. The Plan Amendment approval criteria are addressed in the Analysis and Findings section of this report (Attachment C).
- The applicable policies and regulations that apply to the proposal include: TDC 1.032-Amendments; TDC 5.030 Residential Objectives; TDC 73.370 Off-street Parking & Loading. The Analysis and Findings section of this report (Attachment C) considers the applicable policies and regulations.
- Before granting the proposed PTA, the City Council must find that the criteria listed in TDC 1.032 are met. The Analysis and Findings section of this report (Attachment C) examines the application with respect to the criteria for a Plan Amendment.

OUTCOMES OF DECISION:

Approval of the PTA request will result in the following:

1. Provide a definition of "family" in the TDC that is compliant with Federal and State law when applied to residential uses and standards.
2. Clarification that single-family residential uses do not require a garage and that a garage does not count as required off-street parking.
3. Increase the minimum parking requirement for single family residential uses from 1 off-street parking space to two.
4. Clarify that an expansion of a single-family residential use (such as an addition) does not subject the residence to meeting the parking off-street parking requirements of TDC 73.370.

Denial of the PTA request will result in the following:

1. The current provisions of the TDC will remain unchanged and interpretation and application of existing provisions regarding single-family residential definitions and uses will continue. New residential development will have a requirement for one off-street parking space, not including a garage.

ALTERNATIVES TO RECOMMENDATION:
The alternatives to the staff recommendation for City Council are:

- Approve the proposed PTA with alterations.
- Deny the request for the proposed PTA.
- Continue the discussion of the proposed PTA and return to the matter at a later date.

FINANCIAL IMPLICATIONS:
The Applicant is the Planning Division. No fee is required. Funds have been budgeted in the Planning Division's FY 08/09 budget to prepare and process City- initiated amendments.

PUBLIC INVOLVEMENT:
The proposed amendment is a legislative amendment and no neighbor/developer meeting was held.

Attachments:
A. Proposed Text Amendment Language-TDC 1.020; 31.060 & 73.370
B. Background Information
C. Analysis and Findings

Draft
ORDINANCE NO. _____

AN ORDINANCE RELATING TO RESIDENTIAL DWELLINGS; AND AMENDING TDC 1.020, 31.060, AND 73.370 (PTA-08-08)

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TDC 1.020 is amended by deleting the definition of "Family" as follows:

~~Family. An individual, or two or more persons related by blood, marriage, adoption, or legal guardianship, living together in a dwelling unit in which meals or lodging may also be provided for not more than four additional persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship. Residents and staff of a residential home as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance.~~
The remainder of TDC 1.020 is unchanged.

Section 2. TDC 31.060 the definition of "Family" is amended to read as follows:

~~Family. An individual, or two or more persons related by blood, marriage, adoption, or legal guardianship, living together in a dwelling unit in which meals or lodging may also be provided for not more than four additional persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship. Residents and staff of a residential home as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance.~~

Family. A person living alone or two or more related or unrelated persons living together in a single dwelling unit.
The remainder of TDC 31.060 is unchanged.

Section 3. TDC 73.370(1) is amended to read as follows:

(1) General Provisions.

(a) At the time of establishment of a new structure or use, or change in use, or change in use of an existing structure, within any planning district of the City, off-street parking spaces, off-street vanpool and carpool parking spaces for commercial, institutional and industrial uses, off-street bicycle parking, and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process, based upon clear findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare or that a lesser number of vehicle parking spaces will be sufficient to carry out the objectives of this section. In the Central Design District, the Design Guidelines of TDC 73.610 shall be considered. In case of conflicts between guidelines or objectives in TDC Chapter 73, the proposal shall provide a balance.

(b) At the time of enlargement of an existing **multi-family residential, commercial, institutional or industrial structure** or use, TDC 73.370 shall apply to the existing and enlarged structure or use.

(c) Except where otherwise specified, the floor area measured shall be the gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading.

(d) Where employees are specified, the term shall apply to all persons, including proprietors, working on the premises during the peak shift.

(e) Calculations to determine the number of required parking spaces and loading berths shall be rounded to the nearest whole number.

(f) If the use of a property changes, thereby increasing off-street parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.

(g) Parking and loading requirements for structures not specifically listed herein shall be determined by the Community Development Di- rector, based upon requirements of comparable uses listed.

(h) When several uses occupy a single structure, the total requirements for off-street parking may be the sum of the requirements of the several uses computed separately or be computed in accordance with TDC 73.370(1)(m), Joint Use Parking.

(i) Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site. The parcel upon which parking facilities are located shall be in the same ownership as the structure.

(j) Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business.

(k) Institution of on-street parking, where none is previously provided, shall not be done solely for the purpose of relieving crowded parking lots in commercial or industrial planning districts.

(l) Parking facilities may be shared by users on adjacent parcels if the following standards are met:

(i) One of the parcels has excess parking spaces, considering the present use of the property; the other parcel lacks sufficient area for required parking spaces.

(ii) The total number of parking spaces meets the standards for the sum of the number of spaces which would be separately required for each use.

(iii) Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying permanent use of the excess parking
area on one lot by patrons of the uses deficient in required parking area.

(iv) Physical access between adjoining lots shall be such that functional and reasonable access is actually provided to uses on the parcel deficient in parking spaces.

(v) Adequate directional signs shall be installed specifying the joint parking arrangement.

(vi) Areas in the Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or a Clean Water Services Vegetated Corridor would be better protected.

(m) Joint Use Parking. Joint use of parking spaces may occur where two or more separate developments or multiple uses in a development are able to jointly use some or all of the same required parking spaces because their parking demands occur at different times. Joint use of parking spaces may be allowed if the following standards are met:

(i) There shall be no substantial conflict in the principal operating hours of the buildings or uses for which the joint use parking is proposed. Future change of use, such as expansion of a building or establishment of hours of operation which conflict with or affect a joint use parking agreement are prohibited, unless approval is obtained through the Architectural Review process;

(ii) The joint use parking spaces shall be located no more than 500 feet from a building or use to be served by the joint use parking;

(iii) The number and location of parking spaces, hours of use and changes in operating hours of uses subject to joint use shall be approved through the Architectural Review process;

(iv) Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying the joint use parking between the separate developments. Joint use parking agreements may include provisions covering maintenance, liability, hours of use and cross easements; and(v) The City Attorney approved legal documentation shall be recorded by the applicant at the Washington or Clackamas County Recorders Office and a copy of the recorded document submitted to the Planning Department prior to issuance of a building permit.

(vi) Areas in the Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or a Clean Water Services Vegetated Corridor would be better protected.

(n) Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which accommodate a bicyclist's lock securing the frame and both wheels.

(o) Each bicycle parking space shall be at least 6 feet long and 2 feet wide, and overhead clearance in covered areas shall be at least 7 feet, unless a lower height is approved through the Architectural Review process.

(p) A 5-foot-wide bicycle maneuvering area shall be provided beside or between each row of bicycle parking. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.

(q) Access to bicycle parking shall be provided by an area at least 3 feet in width. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.

(r) Required bicycle parking shall be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which

may be provided, shall be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas.

(s) Bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.

(t) Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking.

(u) Bicycle parking areas and facilities shall be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs shall be located at the main entrance and at the location of the bicycle parking facilities.

(v) Required bicycle parking spaces shall be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This shall not preclude the operation of private for-profit bicycle parking businesses.

(w) Parking on existing residential, commercial and industrial development may be redeveloped as a transit facility as a way to encourage the development of transit supportive facilities such as bus stops and pullouts, bus shelters and park and ride stations. Parking spaces converted to such uses in conjunction with the transit agency and approved through the Architectural Review process will not be required to be replaced.

(x) Required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.

(2) Off-Street Parking Provisions.

(a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City, except for minimum parking requirements for the uses in TDC 73.370(2)(a) (Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: I, ii, iv; Commercial Amusements: I, ii; and Commercial: I, ii, xi, xii, xiv) within the Core Area Parking District (CAPD). Minimum standards for off-street motor vehicle parking for the uses in 73.370(2) (a) Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: I, ii, iv; Commercial Amusements: I, ii; and Commercial: I, ii, xi, xii, xiv in the CAPD are in TDC 73.370(2)(b). The maximum requirements are divided into Zone A and Zone B, as shown on the Tualatin Parking Zone Map, Figure 73-3. The following are exempt from calculation of maximum parking requirements: parking structures; fleet parking; parking for vehicles for sale, lease or rent; car/vanpool parking; dedicated valet parking; and user-paid parking.

Section 4. TDC Section 73.370 (2)(a) is amended to read as follows:

USE	MINIMUM MOTOR VEHICLE PARKING REQUIREMENT	MAXIMUM MOTOR VEHICLE PARKING REQUIREMENT	BICYCLE PARKING REQUIREMENT	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
Residential Uses:				
(i) ~~One family~~ **Detached single-family** dwelling, Residential home, Residential facilities (located in low density (RL) planning districts Townhouse.	~~1.00~~ **2.00 vehicle parking spaces** per **dwelling** unit, **Residential Home or Residential Facility** ~~in addition to garage.~~**(stalls or spaces within a residential garage not included, except as approved in Architectural Review).**	None	None required	N/a

The remainder of chart remains unchanged

INTRODUCED AND ADOPTED this 9th day of March, 2009.

CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Approved as to Form:

_____
City Attorney

ATTACHMENT B

PTA-08-08: BACKGROUND INFORMATION

Pertinent background information obtained from the proposed PTA-08-08 and other supporting documents is summarized in this section.

The amendment was initiated by the Community Development Department in response to issues and questions raised about standards for single-family residential development by the City Council.

In 2008, the City Council addressed two matters associated with issues related to housing policy and the City's standards for single-family residential uses and development. One matter was the proposal to establish an "Oxford House" recovery home in an existing single-family house in Tualatin resulting in issues of local standards for residential uses and state and federal rules associated with housing. The second matter was the review and adoption of a Rental Housing Ordinance that applied to single-family and multi-family residences. During the discussions of both these matters, there were questions by individuals, neighbors, property owners and the Council members regarding the definition of a "family" when used with the number of un-related occupants in a dwelling, the conversion of garage space to living space, minimum on-site parking requirements and other local standards for single-family residences.

The Planning Division prepared the proposed amendment PTA-08-08 that revises the definition of "family" in compliance with Federal and State Law, clarifies that a garage is not required for single family residential development and increases the minimum on-site parking for single family residential from one space to two spaces.

ATTACHMENT C

PTA-08-08: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 1.032 must be met if the proposed PTA is to be granted. The Plan Amendment criteria are addressed below.

A. Granting the amendment is in the public interest.

The proposed amendment to the Tualatin Development Code (TDC) definitions in TDC 1.020 Definitions and 31.060 Definitions removes the existing definition of "family" and replaces the definition in 31.060 with a definition that is compliant with Federal and State law when applied to zoning and development standards. The amendment also revises the parking standards language for single family residential uses in TDC 73.370, clarifying that garages are not required for a single family residential use and changing the minimum off-street parking standard for new residential from one space to two spaces. The public interest is to: 1) update development terms and regulations in compliance with Federal and State laws; 2) have clear and enforceable standards for residential uses and development; 3) have development standards and provisions appropriate for single family residential uses given current housing and demographic trends and community values

The Federal Fair Housing Act (FHAct) and Oregon rules for fair housing and the siting of residential homes & facilities in residential areas are the legal framework for local standards for residential uses and zoning. The US Supreme Court [City of Edmunds, Washington v. Oxford House, Inc., 514 U.S. 725 (1995)] and other courts have ruled that the FHAct restricts local governments from using zoning practices that can result in discrimination in housing for a group of handicapped individuals. Local zoning ordinances that use a definition of "family" that result in maximums on the number of unrelated persons in a residence are considered discriminatory and not enforceable under the FHAct. Oregon Law requires that residential homes and facilities for housing and treatment of handicapped persons be treated the same as other residential uses in regard to permits, occupancy restrictions and development standards.

The Tualatin Development Code (TDC) allows single-family dwellings as a permitted use in the RL Planning District [TDC 40.020(1)]. Family is defined in the TDC as:

> Family. An individual, or two or more persons related by blood, marriage, adoption or legal guardianship, living together in a dwelling unit in which meals or lodging may also be provided for not more than four additional persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship. Residents and staff of a residential home as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance. [TDC 1.020 & 31.060].

Based on the Federal law and court decisions, a local ordinance is not in compliance if it sets out rules such as establishing a maximum number of un-related persons in a single residence that is a different standard from standards for other groups (such as

"...persons related by blood, marriage, adoption or legal guardianship.") in the same zoning classification. The current TDC provisions for single family residential uses exhibit this problem due to the definition of "family" and the common usage of terms such as "single-family dwelling unit" and "single-family residence" in the TDC when applying regulations. Research by the Legal Department indicates that the definition of "family" in 26 Oregon cities (including Tualatin) contains language that separates and puts limits on unrelated persons in a residence, creating problems when applying residential zoning regulations. These definitions create an unenforceable standard or can result in a legal challenge when zoning is applied to residential homes and unrelated residents of single-family homes.

The proposed amendment (Attachment A) will remove the current definition of "family" in TDC 1.020 and 31.060 and replace the definition in 31.060 with the following language:

> "Family. A person living alone or two or more related or unrelated persons living together in a single dwelling unit."

In respect to the FHAct and Oregon Law, the proposed definition is not exclusive or limiting of unrelated residents and will not result in unequal housing opportunities when zoning is considered. With adoption, the definition is compliant with Federal & State law and contributes to clear and enforceable standards for residential development, satisfying public interests #1 and #2.

The proposed amendments respond to questions about standards for single-family residence garages, garage conversion from use as a enclosed vehicle parking to living or storage space, and how garages are considered when evaluating parking requirements. The current language of the minimum off-street parking requirements for a "one family dwelling" in TDC 73.370(2)(a)(i) says "1.00 space per dwelling unit, in addition to garage." The City's interpretation that the parking standard and other TDC standards did not require a one family dwelling to have a "garage" and a conversion of a residential garage to living space was not a violation of the TDC was upheld in an appeal of permits issued for the Oxford House residence. The proposed amendment removes the language "...in addition to garage." in the parking standards and clarifies that a garage is not required for residential uses. This is a clear and enforceable residential standard that is consistent with current residential development practices and appropriate for single-family residential uses given current housing and demographic trends and community values. This meets public interests #2 and #3.

In a suburban residential community such as Tualatin where households predominantly have two or more cars and where garages are commonly used for living space or storage rather than parking for a car, more than one off street space is necessary to avoid residents parking in the public street or on front lawns. The proposed amendment (Attachment A) increases the minimum parking for single-family detached residences from one off-street parking space to two and clarifies that an expansion of an existing single-family residential use (such as an addition) does not subject the residence to

meeting the proposed two parking space standard. It also clarifies that a residential garage does not count as a required parking space unless approved in the Architectural Review process where the adequacy of the parking can be evaluated. This is consistent with current residential parking practices and is appropriate for single-family residential uses given current housing and demographic trends and community values, meeting public interest #3.

Granting the amendment is in the public interest. Criterion "A" is met.

B. The public interest is best protected by granting the amendment at this time.

The proposed amendments respond to issues and questions raised about standards for single-family residential development by the City Council during the recent (2008) discussions of the Oxford House matter and the Rental Housing Ordinance. It is important both for those matters as well as the City's overall policies and regulations that the TDC terms and standards be consistent with Federal and State law, be clear and specific in regard to residential requirements and be current with the community's residential values.

If adopted at this time, the proposed amendment would meet the pubic interest for a timely response to these issues.

The public interest is best protected by granting the amendment at this time.

Criterion "B" is met.

C. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The applicable objectives of the Tualatin Community Plan are presented below.

> TDC 5.030 (1) Provide for the housing needs of existing and future City residents.
> TDC 5.030 (2) Provide housing opportunities for residents with varied income levels and tastes that are aesthetically and functionally compatible with the existing community housing stock.

The proposed amendment will keep residential standards consistent with housing needs and provide housing opportunities without unlawful restrictions on the number or relationships of individual single-family dwelling residents. The proposed amendment conforms to TDC 6.040(1).

The proposed amendments conform to the applicable objectives of the Tualatin Community Plan.

Criterion "C" is met.

D. The factors listed in Section 1.032(4) were consciously considered:

The various characteristics of areas in the City.

The characteristics of the area of the City affected by this amendment are the residential areas primarily in the RL Planning Districts. In these areas, detached single family homes are typically developed with wide single and double garages. The residential garages are typically used for storage or other purposes than vehicle parking. Parking typically occurs outside on the driveway. The proposed amendments to residential definitions and standards for are intended to bring the TDC into conformity with Federal and State law, to clarify the standards for residential garages and to increase the minimum single family residential parking standard to two spaces.

The suitability of the area for particular land uses and improvements.

As indicated above, the proposed amendment is intended to update and clarify the terms and standards for residential uses. The RL Planning District areas are suitable for single-family residential development.

Trends in land improvement and development.

As described in the public interest section, the trends in housing and demographics result in increased numbers of households occupied by un-related persons, increased auto ownership on a per household basis, and Federal and State mandates to limit any residential zoning practices that discriminate against the handicapped or residential homes. The proposed amendment responds to the residential use and parking issues.

Property values.

The proposed amendments will require new residential development to have a minimum of two parking spaces. Existing residential uses are not subject to the two space requirement. Given the long-term trend in Tualatin residential development to have on-site parking for 2-3 cars, plus garages, the additional parking will be unlikely to have an effect on property values.

The needs of economic enterprises and the future development of the area.

The proposed amendment does not affect the needs of economic enterprises and will not have a significant effect on future development.

Needed right-of-way and access for and to particular sites in the area.

The proposed sign amendments do not affect right of way and access.

Natural resources of the City and the protection and conservation of said resources.

Not applicable because the proposed sign regulation amendments do not impact or alter natural resources associated with a development.

Prospective requirements for the development of natural resources in the City.

Not applicable because proposed amendments do not impact or alter natural resources associated with a development.

The public need for healthful, safe, aesthetic surroundings and conditions.

One purpose of the proposed amendment is to have an appropriate off-street parking standard for single family residential that will be more appropriate for current vehicle ownership trends (2 or more per household) and help reduce spill-over parking in yards and on-street that impact the neighborhood aesthetics.

Proof of a change in a neighborhood or area.

The trends in a neighborhood or area noted in this amendment are the result of larger housing, car ownership and demographic trends that are general in nature to suburban development. These represent trends, and are not "change" to the general character of a residential area.

A mistake in the plan map or text.

None is alleged.

The factors listed in Section 1.032(4) were consciously considered.

Criterion "D" is met.

E. The criteria in the Tigard-Tualatin School District Facility Plan were considered.

The criteria in the Facility Plan were considered and found to not be applicable to this amendment because it does not apply to existing school sites and does not represent a constraint or conflict with land available for future school sites.

F. Oregon Statewide Planning Goals

Of the 14 Statewide Goals, each of the goals were considered and only Goal 10 was found to be applicable to this amendment.

Goal 10: To provide for the housing needs of citizens of the state.
As discussed earlier in this document, the public interest is best protected by granting the proposed text amendment, because the amendment brings the City's residential standards into compliance with Federal and State Law, and serves to ensure the housing needs of all citizens of the state are enabled. Revising the definition of family ensures the application of TDC standards is complaint and avoids discriminatory applications. Clarifying that a "garage" is not required allows additional opportunities for residential living space. Requiring a minimum of two on-site parking spaces per single-family residence helps ensure adequate parking in today's residential areas and

reduces the impacts of vehicles parking in yard and on the street for neighboring residences

The proposed amendment is therefore in conformance with the intent of Goal 10, which is to provide for the housing needs of citizens of the state.

The proposed amendment is consistent with the applicable Statewide Planning Goals and applicable Oregon Administrative Rules.

G. Metro's Urban Growth Management Functional Plan (UGMFP).

The UGMFP and TDC Map 9-4 Design Type Boundaries, identify the RL Planning District areas as "IN Inner Neighborhood" and as "ON Outer Neighborhood". IN are "Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods". ON are "Residential neighborhoods farther away from large employment centers with larger lot sizes and lower densities are outer neighborhoods." The recommended capacities and densities are13 and 14 du/acre respectively. The proposed amendment will not decrease Tualatin's existing or future density and is compliant with UGMFP 3.07.

Table 3.07-2 is the Regional Parking Ratios recommended in the Functional Plan and lists a minimum of 1 parking space per single-family residential unit and no maximum. The proposed amendment is complaint with UGMFP 3.07

The proposed amendment is consistent with the UGMPF.

H. (Criterion 8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's Planning Area.

Criterion 8 was considered and found to not be applicable to this amendment regarding single-family residential definitions and parking standards because it does not have any impact on Level of Service on transportation facilities.

ORDINANCE NO. 1277-09

AN ORDINANCE RELATING TO RESIDENTIAL DWELLINGS; AND AMENDING TDC 1.020, 31.060, AND 73.370 (PTA-08-08)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on March 9, 2009, related to Residential Dwellings, and amending TDC 1.020, 31.060, and 73.370 (PTA-08-08); and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on February 19, 2009, in The Times, a newspaper of general circulation within the City, which is evidenced by the Affidavit of Publication 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 conducted a public hearing on March 9, 2009, and heard and considered the testimony and evidence presented by 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 by a vote of [6-0] with Councilor Truax absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated March 9, 2009, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report marked as "Exhibit C," which is attached and incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by adopting the Ordinance at this time; and the Ordinance conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended. Therefore,

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TDC 1.020 is amended by deleting the definition of "Family" as follows:

~~Family. An individual, or two or more persons related by blood, marriage, adoption, or legal guardianship, living together in a dwelling unit in which meals or lodging may also be provided for not more than four additional persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship.~~

~~Residents and staff of a residential home as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance.~~
The remainder of TDC 1.020 is unchanged.

Section 2. TDC 31.060 the definition of "Family" is amended to read as follows:

~~Family. An individual, or two or more persons related by blood, marriage, adoption, or legal guardianship, living together in a dwelling unit in which meals or lodging may also be provided for not more than four additional persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship. Residents and staff of a residential home as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance.~~

Family. A person living alone or two or more related or unrelated persons living together in a single dwelling unit.
The remainder of TDC 31.060 is unchanged.

Section 3. TDC 73.370(1) is amended to read as follows:

(1) General Provisions.

(a) At the time of establishment of a new structure or use, or change in use, or change in use of an existing structure, within any planning district of the City, off-street parking spaces, off-street vanpool and carpool parking spaces for commercial, institutional and industrial uses, off-street bicycle parking, and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process, based upon clear findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare or that a lesser number of vehicle parking spaces will be sufficient to carry out the objectives of this section. In the Central Design District, the Design Guidelines of TDC 73.610 shall be considered. In case of conflicts between guidelines or objectives in TDC Chapter 73, the proposal shall provide a balance.

(b) At the time of enlargement of an existing **multi-family residential, commercial, institutional or industrial structure** or use, TDC 73.370 shall apply to the existing and enlarged structure or use.

(c) Except where otherwise specified, the floor area measured shall be the gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading.

(d) Where employees are specified, the term shall apply to all persons, including proprietors, working on the premises during the peak shift.

(e) Calculations to determine the number of required parking spaces and loading berths shall be rounded to the nearest whole number.

(f) If the use of a property changes, thereby increasing off-street parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.

(g) Parking and loading requirements for structures not specifically listed herein shall be determined by the Community Development Director, based upon requirements of comparable uses listed.

(h) When several uses occupy a single structure, the total requirements for off-street parking may be the sum of the requirements of the several uses computed separately or be computed in accordance with TDC 73.370(1)(m), Joint Use Parking.

(i) Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site. The parcel upon which parking facilities are located shall be in the same ownership as the structure.

(j) Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business.

(k) Institution of on-street parking, where none is previously provided, shall not be done solely for the purpose of relieving crowded parking lots in commercial or industrial planning districts.

(l) Parking facilities may be shared by users on adjacent parcels if the following standards are met:

(i) One of the parcels has excess parking spaces, considering the present use of the property; the other parcel lacks sufficient area for required parking spaces.

(ii) The total number of parking spaces meets the standards for the sum of the number of spaces which would be separately required for each use.

(iii) Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying permanent use of the excess parking
area on one lot by patrons of the uses deficient in required parking area.

(iv) Physical access between adjoining lots shall be such that functional and reasonable access is actually provided to uses on the parcel deficient in parking spaces.

(v) Adequate directional signs shall be installed specifying the joint parking arrangement.

(vi) Areas in the Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or a Clean Water Services Vegetated Corridor would be better protected.

(m) Joint Use Parking. Joint use of parking spaces may occur where two or more separate developments or multiple uses in a development are able to jointly use some or all of the same required parking spaces because their parking demands occur at different times. Joint use of parking spaces may be allowed if the following standards are met:

(i) There shall be no substantial conflict in the principal operating hours of the buildings or uses for which the joint use parking is proposed. Future change of use, such as expansion of a building or establishment of hours of operation which conflict

with or affect a joint use parking agreement are prohibited, unless approval is obtained through the Architectural Review process;

(ii) The joint use parking spaces shall be located no more than 500 feet from a building or use to be served by the joint use parking;

(iii) The number and location of parking spaces, hours of use and changes in operating hours of uses subject to joint use shall be approved through the Architectural Review process;

(iv) Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying the joint use parking between the separate developments. Joint use parking agreements may include provisions covering maintenance, liability, hours of use and cross easements; and(v) The City Attorney approved legal documentation shall be recorded by the applicant at the Washington or Clackamas County Recorders Office and a copy of the recorded document submitted to the Planning Department prior to issuance of a building permit.

(vi) Areas in the Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or a Clean Water Services Vegetated Corridor would be better protected.

(n) Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which accommodate a bicyclist's lock securing the frame and both wheels.

(o) Each bicycle parking space shall be at least 6 feet long and 2 feet wide, and overhead clearance in covered areas shall be at least 7 feet, unless a lower height is approved through the Architectural Review process.

(p) A 5-foot-wide bicycle maneuvering area shall be provided beside or between each row of bicycle parking. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.

(q) Access to bicycle parking shall be provided by an area at least 3 feet in width. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.

(r) Required bicycle parking shall be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, shall be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas.

(s) Bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.

(t) Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking.

(u) Bicycle parking areas and facilities shall be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs shall be located at the main entrance and at the location of the bicycle parking facilities.

(v) Required bicycle parking spaces shall be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This shall not preclude the operation of private for-profit bicycle parking businesses.

(w) Parking on existing residential, commercial and industrial development may be redeveloped as a transit facility as a way to encourage the development of transit supportive facilities such as bus stops and pullouts, bus shelters and park and ride stations. Parking spaces converted to such uses in conjunction with the transit agency and approved through the Architectural Review process will not be required to be replaced.

(x) Required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.

(2) Off-Street Parking Provisions.

(a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City, except for minimum parking requirements for the uses in TDC 73.370(2)(a) (Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: I, ii, iv; Commercial Amusements: I, ii; and Commercial: I, ii, xi, xii, xiv) within the Core Area Parking District (CAPD). Minimum standards for off-street motor vehicle parking for the uses in 73.370(2) (a) Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: I, ii, iv; Commercial Amusements: I, ii; and Commercial: I, ii, xi, xii, xiv in the CAPD are in TDC 73.370(2)(b). The maximum requirements are divided into Zone A and Zone B, as shown on the Tualatin Parking Zone Map, Figure 73-3. The following are exempt from calculation of maximum parking requirements: parking structures; fleet parking; parking for vehicles for sale, lease or rent; car/vanpool parking; dedicated valet parking; and user-paid parking.

Section 4. TDC Section 73.370 (2)(a) is amended to read as follows:

USE	MINIMUM MOTOR VEHICLE PARKING REQUIREMENT	MAXIMUM MOTOR VEHICLE PARKING REQUIREMENT	BICYCLE PARKING REQUIREMENT	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
Residential Uses:				
(i) ~~One family~~ **Detached single-family** dwelling, Residential home, Residential facilities (located in low density (RL) planning districts Townhouse.	~~1.00~~ **2.00 vehicle parking spaces** per **dwelling** unit, **Residential Home or Residential Facility** ~~in addition to garage.~~**(stalls or spaces within a residential garage not included, except as approved in Architectural Review).**	None	None required	N/a

The remainder of chart remains unchanged

INTRODUCED AND ADOPTED this 9th day of March, 2009.

CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Approved as to Form:

_____
City Attorney

ITEMS REFERRED TO AS EXHIBITS IN THE FOREGOING ORDINANCE 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.

STAFF REPORT
CITY OF TUALATIN

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Doug Rux, Community Development Director
Eric Underwood, Development Coordinator

DATE: March 9, 2009

SUBJECT: ORDINANCE ADOPTING CORE AREA PARKING DISTRICT TAX RATE AND CREDIT – FISCAL YEAR 2009/10

ISSUE BEFORE THE BOARD
Whether the City Council should adopt an ordinance establishing a new Core Area Parking District (CAPD) tax rate of $147.94 for Fiscal-Year 2009/10. The FY 2008/09 Core Area tax rate is $146.47 and is applied based on a formula.

RECOMMENDATION
The Core Area Parking District Board (CAPDB) met on February 18, 2009, and voted (6 to 0) recommending that the City Council adopt an ordinance for the tax rate at $147.94 and no modification to the credit formula for Fiscal-Year 2009/10.

Staff recommends that the City Council pass the attached ordinance (Attachment A).

EXECUTIVE SUMMARY:

- This request is a legislative hearing concerning the Core Area Parking District tax rate for FY 2009/10.
- This is an annual review and hearing on the CAPD annual tax rate and credit.
- The rate increase proposal is in line with the Fiscal Year 1999/00 Financial Analysis of the CAPD that identified a gap between revenues and expenditures and a need to increase the tax rate along with reducing expenditures in the District.
- City Offices have been incorporated into the District generating approximately $9,400 in additional annual revenue.
- Additional development like the Robinson Store improvements and the redevelopment of the Mashita property should have a positive impact to the CAPD budget in FY 2009/10.

- The River House development, once completed, will increase the area parking demand. This will also generate additional revenue.
- The tax rate would increase by 1%.
- The new rate will be $147.94.
- There is no proposed change in the credit formula used to calculate the tax.
- The tax rate increase is an effort to balance revenues and expenditures for the CAPD.
- Tualatin Municipal Code (TMC) 11-3-060 requires the CAPDB, prior to the beginning of the tax year, to make a recommendation to the City Council on tax rates for the upcoming fiscal year.
- There are no criteria to apply to this request. The intent is for the CAPD to remain financially stable and to generate sufficient revenue to meet operational expenses.

OUTCOMES OF DECISION:

Approval of an increase in CAPD tax rate will result in the following:

1. Bring the District closer to balancing revenues with expenditures.
2. Prevent the scaling back of program resources.
3. Eliminate the need to draw down from the reserve fund to meet parking lot maintenance and service demand.

Denial of an increase in CAPD tax rate will result in the following:

1. Establish the need to identify ways to scale back maintenance services.
2. Revenues generated would be less than proposed budget expenditures requiring drawdown of the reserve fund.

ALTERNATIVES TO RECOMMENDATION:

Alternatives analyzed to establish the proposed tax rate and credit included:

1. Scale back of parking enforcement hours. This could have an impact on parking violations for short-term parking areas. Essentially, limited enforcement could allow long-term parking in short-term spaces impacting patrons for local businesses.

   The Parking Enforcement Officer Works ½ Time.
   This scenario was raised in the '07/08 annual CAPDB tax rate meeting. After evaluation, it was determined that reducing enforcement hours could lead to conflicts of people parking in timed areas and exceeding the time limits. This situation becomes problematic with complaints from businesses in the District.

2. Reduce maintenance of parking lots, landscaping, striping, sweeping, signing & pavement maintenance.

Attempts to Revitalize Downtown
Reducing maintenance affects appearance and diminishes opportunities for redevelopment. There has been a significant capital investment in upgrading the public parking lots. Maintenance levels are at minimum levels.

3. Reduce contribution to contingency. Contingency is currently budgeted at 8% of materials and services where 10% is optimum.

Contingency Fund
The contingency is currently budgeted at 8% of materials and services where 10% is optimal.

FINANCIAL IMPLICATIONS:
Revenues support operation of the Core Area District. With the rate increase, the total estimated tax revenue for the District is $62,105 and in the proposed FY 2009/10 budget.

PUBLIC INVOLVEMENT:
The CAPDB February 18th meeting was noticed. No business within the District attended or submitted comments on the proposed tax rate and credit.

Attachments: Ordinance

ORDINANCE NO. 1278-09

ORDINANCE ADOPTING CORE AREA PARKING DISTRICT
TAX RATE AND CREDIT – FISCAL YEAR 2009/10

WHEREAS TMC 11-3-060 requires Council to establish a tax rate and credit for the annual Core Area Parking District tax, and

WHEREAS the Core Area Parking District Board recommends to Council that the tax rate be $147.94 and that the credit remain unchanged; and

WHEREAS Council finds the tax rate and credit to be appropriate.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC Chapter 11-3 Schedule A is amended to read as follows: The annual Core Area Parking District tax rate for Fiscal-Year 2009/10 is established as $147.94.

Number of on-site parking spaces provided
Gross leasable area X space factor = "A"

If "A": is greater than or equal to 1.0, the credit is 50%

If "A": is less than 1.0, the credit is ("A" x 50%)

INTRODUCED AND ADOPTED this 9th day of March 2009.

APPROVED AS TO LEGAL FORM

Brenda L. Braden
CITY ATTORNEY

CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Approved By Tualatin City Council
Date 3-9-09
Recording Secretary

STAFF REPORT
CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Paul Hennon, Community Services Department
Carl Switzer, Parks and Recreation Coordinator
Julie Ludemann, Teen Program Specialist

DATE: March 9, 2009

SUBJECT: Youth Advisory Council Monthly Report and Discussion of Mayors' Action Challenge for Children and Families

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ISSUE BEFORE THE COUNCIL:
The Tualatin Youth Advisory Council (YAC) will present its monthly report to Council and discuss Mayors' Action Challenge for Children and Families that is supported by the National League of Cities through its Institute for Youth, Education, and Families.

RECOMMENDATIONS:
The YAC seeks Council advice and direction on its involvement in this program.

EXECUTIVE SUMMARY:
The Mayors' Action Challenge for Children and Families is an initiative by mayors across the nation to highlight the importance of city leadership and innovation calling upon mayors to set bold, measurable goals to guide local action.

The Mayors' Action Challenge focuses on four principles that comprise the building blocks of what every child needs, at a minimum, to live a full, healthy, and productive life:

- Opportunities to Learn and Grow
- A Safe Neighborhood to Call Home
- A Healthy Lifestyle and Environment
- A Financially Fit Family in Which to Thrive.

In signing on to the Challenge, mayors endorse the Mayors' Action Challenge and identify specific targets in each of the four areas.

DISCUSSION:
The YAC has been working with Mayor Ogden on the Mayors' Action Challenge for Children and Families and has developed the following possible goals that are consistent with the Council's Strategic Focus Areas.

Opportunities to Learn and Grow:
- Increase recreation and cultural programming (goal 4.2)

A Safe Neighborhood to Call Home
- Explore the safe routes to schools program (goal 6.3)
- Develop a cooperative approach to safety between the Tigard-Tualatin School District and the City of Tualatin (goal 6.5)

A Healthy Lifestyle and Environment
- Update on/off street bike/pedestrian plans (goal 1.7)
- Complete the Tonquin Trail Master Plan (goal 1.9)
- Participate in metropolitan area discussion about establishment of a regional system for trails and natural areas (goal 1.10)

A Financially Fit Family in Which to Thrive
- Develop a community conversation strategy focused on educating residents about city services, growth management and finances (taxes) (goal 3.5)

The YAC is particularly interested in further developing goals in the area of Healthy Lifestyle and Environment, with possible options including the development of community garden plots, local farmer's market, and increasing food security for Tualatin's low-income families.

Attachments:
A. The Mayors' Action Challenge for Children and Families Founders letter
B. Statement of Principles and Call to Action
C. Mayors' Challenge Pledge Form

October 17, 2008

Dear Mayor:

On behalf of 26 mayors from across the nation, I am writing to invite you to join us in signing on to a new Mayors' Action Challenge for Children and Families that highlights the importance of city leadership and innovation and calls upon mayors to set bold, measurable goals to guide local action.

As original Founders of the Challenge, we know that strong cities are built on a foundation of strong families. Every day, we witness how important investments in children and families are to the vitality of our communities, as well as the immense costs when children and families fail. The Mayors' Action Challenge focuses on four priorities that comprise the building blocks of what every child needs, at a minimum, to live a full, healthy, and productive life:

- Opportunities to learn and grow;
- A safe neighborhood to call home;
- A healthy lifestyle and environment; and
- A financially fit family in which to thrive.

In signing on to the Challenge, we as mayors will commit ourselves to setting *at least one local goal or target in each of these areas*, while also sharing best practices with other communities, calling upon federal and state governments and school districts to join us as full partners, and inviting other mayors to become part of this national call to action. We plan to announce the list of mayors who have responded to the Challenge during a plenary session at the National League of Cities' 2008 Congress of Cities on Saturday, November 15, in Orlando, Florida.

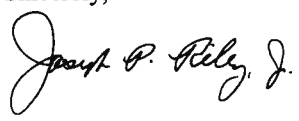
We have launched this Challenge at a critical time in our nation's history. Economic turmoil and the inadequacy of federal and state responses to the needs of struggling families and children at risk have exacerbated the problems we confront in our communities. A new Administration and Congress, along with the possibility of new governors and legislative leaders in a number of states, present an opportunity to chart a new course that prioritizes investments in children and families.

However, we cannot wait. The issues we face – from unacceptably high rates of school failure, youth homicides, and foreclosures to rising financial instability and soaring health care costs for families – must be addressed now. In recent years, municipal leaders have embarked on innovative efforts in areas such as school readiness, violence prevention, afterschool programming, access to postsecondary education, community wellness, and family economic success. With a firsthand understanding of these issues and a growing knowledge base of what policies and practices are effective, we as mayors are in a unique position to find our collective voice and build on our progress to improve the lives of children and families.

While we share many common concerns, the goals and targets we set to address them must be tailored to our unique local circumstances and needs. Whether you are focused on reducing the high school dropout rate, expanding access to prekindergarten and afterschool programs, guaranteeing college tuition, preventing youth violence, promoting healthy eating and active living, or bringing more families into the financial mainstream, we encourage you to set targets or benchmarks that bolster your agenda and make sense for your community. The National League of Cities, through its Institute for Youth, Education, and Families, stands ready to assist us in our local efforts.

Enclosed please find a statement of principles and call to action, and a form indicating your endorsement of the Mayors' Action Challenge and the specific targets you will establish in each of the four areas. We hope you will join us and other mayors across the nation in this important leadership initiative. To meet our target of having most signatures collected by November 12, we look forward to hearing from you at your earliest convenience.

Sincerely,



Joseph P. Riley, Jr.
Mayor, Charleston, S.C.

Founders of the Mayors' Action Challenge for Children and Families
Mayor Jerry E. Abramson, Louisville, Ky.
Mayor Rick Baker, St. Petersburg, Fla.
Mayor Michael Bloomberg, New York City, N.Y.
Mayor Cory A. Booker, Newark, N.J.
Mayor David N. Cicilline, Providence, R.I.
Mayor Christopher B. Coleman, St. Paul, Minn.
Mayor Richard M. Daley, Chicago, Ill.
Mayor Karl Dean, Nashville, Tenn.
Mayor Manuel Diaz, Miami, Fla.
Mayor Sheila Dixon, Baltimore, Md.
Mayor Buddy Dyer, Orlando, Fla.
Mayor Adrian Fenty, District of Columbia
Mayor Shirley Franklin, Atlanta, Ga.
Mayor George K. Heartwell, Grand Rapids, Mich.
Mayor John Hickenlooper, Denver, Colo.
Mayor-President Melvin "Kip" Holden, East Baton Rouge Parish, La.
Mayor Otis S. Johnson, Savannah, Ga.
Mayor Thomas M. Menino, Boston, Mass.
Mayor Gavin Newsom, San Francisco, Calif.
Mayor Greg Nickels, Seattle, Wash.
Mayor Michael Nutter, Philadelphia, Pa.
Mayor Joseph P. Riley, Jr., Charleston, S.C.
Mayor R.T. Rybak, Minneapolis, Minn.
Mayor Francis G. Slay, St. Louis, Mo.
Mayor Kathy Taylor, Tulsa, Okla.
Mayor Antonio R. Villaraigosa, Los Angeles, Calif.

MAYORS ACTION CHALLENGE FOR CHILDREN AND FAMILIES

I would like to sign on to the Mayors' Action Challenge for Children and Families.

Mayor:_____ Signature:_____ Date:_____

Staff Contact Name and Title:_____

Address:_____

City:_____ State:_____ Zip:_____

Staff Contact Phone:_____ Contact Email: _____

(Check one of the following boxes:)

☐ Please follow up with my staff contact as we determine our goals/targets for the following areas.

☐ My administration has already set the following, specific local targets for children and families:

- Opportunities to Learn and Grow: _____
  _____
  _____
  _____
- A Safe Neighborhood to Call Home: _____
  _____
  _____
  _____
- A Healthy Lifestyle and Environment: _____
  _____
  _____
  _____
- A Financially Fit Family in Which to Thrive: _____
  _____
  _____
  _____

Comments on our goals for children and families (for the Challenge Web site): _____
_____
_____
_____

Please return this completed form:

By mail: **National League of Cities' Institute for Youth, Education, and Families**
1301 Pennsylvania Avenue, N.W.
Washington, DC 20004

By fax: **(202) 626-3043**

For questions about the Challenge, contact Michael Karpman at (202) 626-3072 or karpman@nlc.org.