

RESOLUTION NO. 5091-12

RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR A TIGARD-TUALATIN SCHOOL DISTRICT 23J "ONLINE ACADEMY LEARNING/TECHNOLOGY CENTER" (GRADES 6-12) WITHIN THE LIGHT MANUFACTURING (ML) PLANNING DISTRICT AT 19234 SW MOHAVE COURT (TAX MAP 2S123DA, TAX LOT 2200) (CUP 12-01)

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on March 12, 2012, upon the application of Nancy Hubbard of Hubbard & Associates representing the Tigard-Tualatin School District (TTSD); and

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

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

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 6-0]; with Mayor Ogden absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated March 12, 2012, marked "Exhibit C," attached and incorporated by reference; and

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

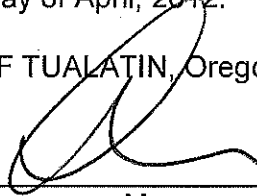
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council grants CUP-12-01 allowing a Tigard-Tualatin School District 23J "Online Academy Learning/Technology Center: (Grades 6-12) within the Light Manufacturing (ML) Planning District at 19234 SW Mohave Court (Tax Map 2S123DA, Tax Lot 2200) (CUP-12-01) with the following conditions:

1. All TTSD Online Academy student activities shall be conducted indoors within the building spaces available to TTSD.
2. Expanding the on-site facilities to other buildings in the Oak Tree Center or increasing the size of the physical school facilities to accommodate more than the expected 20 students at one time (stated in the application), shall require a revision to the conditional use approval being reviewed in this application.
3. The applicant shall comply with all applicable policies and regulations of the Tualatin Development Code (TDC).
4. The applicant shall operate the proposed use in a manner consistent with statements made in the application materials submitted on or after January 24, 2012.

INTRODUCED AND ADOPTED this 9th day of April, 2012.


CITY OF TUALATIN, Oregon

By  _____
Mayor

ATTEST:

By  _____
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

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



AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss
COUNTY OF WASHINGTON)

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

That on the 14th day of February, 2012, I served upon the persons shown on Exhibit A, attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing marked Exhibit B, attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit A are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, with postage fully prepared thereon.

Dated this 15 of February, 2012

Lynette Sanford
Signature

SUBSCRIBED AND SWORN to before me this 15th day of February 2012.

Courtney Rae Cox
Notary Public for Oregon

My commission expires: September 21, 2015



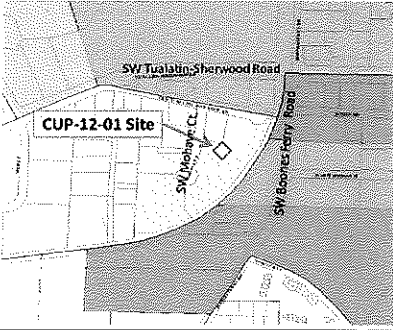
RE: CUP-12-01: A Conditional Use Permit for Tigard-Tualatin School District 23J On-Line School for Grades 6-12 at 19324 SW Mohave Court (Tax Map 2S1 23DA, Tax Lot 2200)

EXHIBIT A



NOTICE OF HEARING AND OPPORTUNITY TO COMMENT

CITY OF TUALATIN, OREGON



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

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

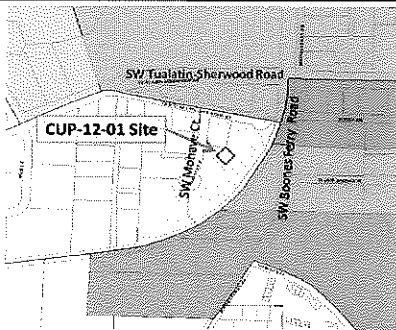
- (1) The use is listed as a conditional use in the underlying planning district;
- (2) The characteristics of the site are suitable for the proposed use;
- (3) The proposed use is timely;
- (4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits,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

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



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CITY OF TUALATIN, OREGON



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

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

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City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

A public hearing will be held before the City Council:

Monday, March 12, 2012
7 p.m.
Council Building
18880 SW Martinazzi Ave
Tualatin, OR 97062

To consider:

- A Conditional Use Permit (CUP-12-01)
- Request to allow a Tigard-Tualatin School District 23J On-Line School for Grades 6-12.
- Tualatin Development Code (TDC) 60.040(1)(o).
- Located at 19234 SW Mohave Court (Tax Map 2S123DA, Tax Lot 2200) in the Light Manufacturing (ML) Planning District and Central Urban Renewal District Block 28.

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

This meeting and any materials being considered can be made accessible upon request. For additional information, contact **Will Harper at 503-691-3027** or wharper@ci.tualatin.or.us.

PLEASE PASS THIS NOTICE ALONG TO NEIGHBORS AND INTERESTED PARTIES.



City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

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1S135CB 00800
State Oregon
4040 Fairview Industrial Dr SE
Salem, OR 97302-1142

1S135CB 00800
State Oregon
4040 Fairview Industrial Dr SE
Salem, OR 97302-1142

1S135CB 00800
State Oregon
4040 Fairview Industrial Dr SE
Salem, OR 97302-1142

1S135CB 00800
State Oregon
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Salem, OR 97302-1142

1S135CB 00800
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Salem, OR 97302-1142

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Salem, OR 97302-1142

1S135CB 00800
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Salem, OR 97302-1142

1S135CB 00800
State Oregon
4040 Fairview Industrial Dr SE
Salem, OR 97302-1142

1S135CB 00800
State Oregon
4040 Fairview Industrial Dr SE
Salem, OR 97302-1142

2S123A0 00300
Svf Hedges Creek Tualatin LLC
11818 Teller Ave #277
Irvine, CA 92612-0000

2S123A0 00400
Svf Hedges Creek Tualatin LLC
11818 Teller Ave #277
Irvine, CA 92612-0000

2S123A0 00800
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123A0 00900
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123AB 00300
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123AB 00400
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123D0 02100
J & C Tualatin LLC
19150 SW 90th Ave
Tualatin, OR 97062-7622

2S123D0 02200
T-S 90 LLC
1508 Division St #15
Oregon City, OR 97045-1583

2S123D0 02400
Zian Limited Partnership
6712 N Cutter Cir
Portland, OR 97217-3933

2S123D0 02600
Zian Limited Partnership
6712 N Cutter Cir
Portland, OR 97217-3933

2S123D0 02600
Zian Limited Partnership
6712 N Cutter Cir
Portland, OR 97217-3933

2S123D0 02900
Shane Roberts
8675 SW Old Tualatin Sherwood
Rd
Tualatin, OR 97062-7578

2S123D0 03000
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123D0 03100
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123D0 03200
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123D0 03300
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123D0 03600
Ge Capital Franchise
8377 E Hartford Dr #200
Scottsdale, AZ 85255-5687

2S123D0 03700
Covell Road Properties LLC
Po Box 19063
Phoenix, AZ 85005-9063

2S123DA 00100
Louise Piacentini
2001 6th Ave #2300
Seattle, WA 98121-2555

2S123DA 00100
Louise Piacentini
2001 6th Ave #2300
Seattle, WA 98121-2555

2S123DA 00300
Carney Investments LLC
19705 SW Teton Ave
Tualatin, OR 97062-8807

2S123DA 00400
S N H Corporation
Po Box 5348
Salem, OR 97304-0348

2S123DA 00500
Jkm Properties LLC
20135 Impala Ln
Oregon City, OR 97045-8797

2S123DA 00600
Northland Enterprises LLC
19460 SW 89th Ave
Tualatin, OR 97062-8537

2S123DA 00700
Northland Enterprises LLC
19460 SW 89th Ave
Tualatin, OR 97062-8537

2S123DA 00800
Tgoc LLC
19470 SW 89th Ave
Tualatin, OR 97062-8537

2S123DA 00900
Jvtc Explorations LLC
19463 SW 89th Ave
Tualatin, OR 97062-8537

2S123DA 01000
Oswego West LLC
15938 Quarry Rd #b-6
Lake Oswego, OR 97035-3388

2S123DA 01100
Blackstone Investment
Po Box 61601
Vancouver, WA 98666-1601

2S123DA 01200
Blackstone Investment
Po Box 61601
Vancouver, WA 98666-1601

2S123DA 01300
Tim & Suzann Kitch
6 Camelot Ct
Lake Oswego, OR 97034-7304

2S123DA 01400
Cascade Funeral Directors Inc
Po Box 3570
Tualatin, OR 97062-3570

2S123DA 01500
Fasano LLC
10129 SW Washington St
Portland, OR 97225-6947

2S123DA 01500
Fasano LLC
10129 SW Washington St
Portland, OR 97225-6947

2S123DA 01600
Creative Assets LLC
Po Box 1456
Tualatin, OR 97062-1456

2S123DA 01600
Creative Assets LLC
Po Box 1456
Tualatin, OR 97062-1456

2S123DA 01700
Jeffrey Marsh Jr.
8810 SW Tualatin Sherwood Rd
Tualatin, OR 97062-0000

2S123DA 01701
Miller Paint Co Inc
12812 NE Whitaker Way
Portland, OR 97230-1110

2S123DA 01800
J C Motors Of Tualatin LLC
19401 SW Mohave Ct
Tualatin, OR 97062-8500

2S123DA 02200
Pietka Properties LLC
Po Box 1696
Beaverton, OR 97075-1696

2S123DA 02300
Jpf Investments LLC
9275 SW Canyon Rd
Portland, OR 97225-3520

2S123DB 00100
Pacific Nw Properties Ltd Ptnshp
Po Box 2206
Beaverton, OR 97075-2206

2S123DB 00200
Frontier Communications
Po Box 619015
Dallas, TX 75261-9015

2S123DB 00300
Tualatin Valley Fire & Rescue
20665 SW Blanton St
Aloha, OR 97007-1042

2S123DB 00400
Loris Itel
12155 SW Tualatin Sherwood
Tualatin, OR 97062-6828

2S123DB 00500
Coil Properties LLC
2690 Overlook Dr
Lake Oswego, OR 97034-7518

2S123DB 00600
Pacific West Construction Inc
9360 SW Tualatin Sherwood Rd
Tualatin, OR 97062-8582

2S123DC 00100
Ag Properties LLC
Po Box 989
Eugene, OR 97440-0989

2S123DC 00200
Jspd LLC
19570 SW 90th Ct
Tualatin, OR 97062-7620

2S123DC 00300
Watumull Properties Corp
307 Lewers St #6flr
Honolulu, HI 96815-2357

2S123DC 00600
American Apartment Communities
Po Box 4900
Scottsdale, AZ 85261-4900

2S123DD 00100
Martin & Beverly Zell
1440 SW Taylor St
Portland, OR 97205-1990

2S123DD 00400
Envoy Chelan LLC
1111 Main St #700
Vancouver, WA 98660-2970

2S123DD 00502
Tigard-Tualatin School
6960 SW Sandburg St
Tigard, OR 97223-8039

2S123DD 00800
Mario Larsen
19738 SW Boones Ferry Rd
Tualatin, OR 97062-7392

2S123DD 01100
Dwayne Larsen
19770 SW Boones Ferry Rd
Tualatin, OR 97062-7392

2S123DD 02200
S N H Corporation
Po Box 5348
Salem, OR 97304-0348

2S123DD 02300
S N H Corporation
Po Box 5348
Salem, OR 97304-0348

2S123DD 02600
Martin & Beverly Zell
1440 SW Taylor St
Portland, OR 97205-1990

2S123DD 02900
Brenda Houston
19750 SW Boones Ferry Rd
Tualatin, OR 97062-7392

2S123DD 03200
Karen Tindall
8575 SW Sagert St
Tualatin, OR 97062-9115

2S123DD 00200
Martin & Beverly Zell
1440 SW Taylor St
Portland, OR 97205-1990

2S123DD 00500
Tualatin Ltc Properties LLC
4560 SE International Way #100
Milwaukie, OR 97222-4628

2S123DD 00600
Hal Fabrycki
16543 S Harding Rd
Oregon City, OR 97045-9679

2S123DD 00900
John Plaggmier Jr.
19740 SW Boones Ferry Rd
Tualatin, OR 97062-7392

2S123DD 01400
Ashley & Rebecca Lukas
19840 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 02200
S N H Corporation
Po Box 5348
Salem, OR 97304-0348

2S123DD 02400
Pumilite Building Products Inc
Po Box 5348
Salem, OR 97304-0348

2S123DD 02701
Columbia Self-Stor LLC
16225 NE Eugene Ct
Portland, OR 97230-5594

2S123DD 03000
Gregory Hartzell
8575 SW Sagert St
Tualatin, OR 97062-9115

2S123DD 03300
Plat Partition (Owners of Lots)
N/A
, 00000-0000

2S123DD 00300
Janet & Alan Zell
1440 SW Taylor St
Portland, OR 97205-1990

2S123DD 00501
Tualatin Ltc Properties LLC
4560 SE International Way #100
Milwaukie, OR 97222-4628

2S123DD 00700
Shelley Simpson
Po Box 824
Tualatin, OR 97062-0824

2S123DD 01000
Colleen Brazil
19790 SW Boones Ferry Rd
Tualatin, OR 97062-7392

2S123DD 02000
Mary McDonald
8585 SW Sagert St
Tualatin, OR 97062-9115

2S123DD 02200
S N H Corporation
Po Box 5348
Salem, OR 97304-0348

2S123DD 02500
Martin Zell
1440 SW Taylor St
Portland, OR 97205-1990

2S123DD 02800
Francisco Soltero
19760 SW Boones Ferry Rd
Tualatin, OR 97062-7392

2S123DD 03100
Richard & Tamara Caffall
8555 SW Sagert St
Tualatin, OR 97062-9115

2S123DD 03600
William Kimmer
10344 SW Broadmoor Pl
Tigard, OR 97223-0000

2S123DD 03700
Luis & Lucina Perez
8667 SW Logan Ln
Tualatin, OR 97062-7602

2S123DD 03800
Sean Stansfield
8631 SW Logan Ln
Tualatin, OR 97062-7602

2S123DD 03900
William Kimmer
10344 SW Broadmoor Pl
Tigard, OR 97223-0000

2S123DD 04000
Philip & Davena Yee
15370 SW Empire Ter
Tigard, OR 97224-5243

2S123DD 04100
William Preston
8652 SW Logan Ln
Tualatin, OR 97062-7602

2S123DD 04200
William & Patsy Kimmer
Po Box 430
Forest Grove, OR 97116-0430

2S123DD 04300
William Kimmer
10344 SW Broadmoor Pl
Tigard, OR 97223-0000

2S123DD 04400
Logan House Estates
13044 SW Broadmoor Pl
Tigard, OR 97223-1783

2S123DD 04500
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S123DD 90000
Court Condo Garden
19816 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90001
Kelly Peterson
19800 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90002
Terry Bourbonnais
19804 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90003
Jacqueline Amiel
19810 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90004
Heidi Lee Grant
19816 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90005
Janis Kistler
19820 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90006
Sheryl Young
19824 SW Boones Ferry Rd
Tualatin, OR 97062-9005

2S123DD 90007
Beverley Hammons
Po Box 206
Tualatin, OR 97062-0206

2S124BC 01708
Villas On The Lake III LLC
8900 SW Becker Dr
Portland, OR 97223-7282

2S124BC 01710
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 02800
Pardue Properties LLC
3511 SW Iowa St
Portland, OR 97221-3412

2S124BC 02900
W M B Investment Co
6795 SW 111th
Beaverton, OR 97005-0000

2S124BC 03600
Resources Northwest Inc
8415 SW Seneca St #210
Tualatin, OR 97062-6403

2S124BC 03700
David Braman
18847 SW 84th Ave
Tualatin, OR 97062-9414

2S124BC 03701
Hyun Bum Koh
18855 SW 84th Ave
Tualatin, OR 97062-9485

2S124BC 03800
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 04000
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 04100
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 04101
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 04200
Peggy Hwang
Po Box 12198
Palm Desert, CA 92255-2198

2S124BC 04300
Matthias Rick Dmd LLC
18925 SW 84th Ave
Tualatin, OR 97062-9477

2S124BC 04400
Matthias Rick Dmd LLC
18925 SW 84th Ave
Tualatin, OR 97062-9477

2S124BC 04900
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 05000
Tualatin Development Comm
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124BC 05001
Twin Cinema Tualatin
3380 Barrington Dr
West Linn, OR 97068-3631

2S124CB 00200
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124CB 00201
Century Hotel LLC
4601 NE 78th St #130
Vancouver, WA 98665-2906

2S124CB 00202
Il Wook Kim
12012 SE William Otty Rd
Happy Valley, OR 97086-9757

2S124CB 00204
Mountain Corp Copper
1 SW Columbia St #435
Portland, OR 97258-2036

2S124CB 00400
Premier Investment Options LLC
1651 Larch St
Lake Oswego, OR 97034-6027

2S124CB 00500
Harvey Clark
8460 SW Nyberg St
Tualatin, OR 97062-9457

2S124CB 00600
Harvey Clark
8460 SW Nyberg St
Tualatin, OR 97062-9457

2S124CB 00700
Harvey Clark
8460 SW Nyberg St
Tualatin, OR 97062-9457

2S124CB 00800
Harvey Clark
8460 SW Nyberg St
Tualatin, OR 97062-9457

2S124CB 00800
Harvey Clark
8460 SW Nyberg St
Tualatin, OR 97062-9457

2S124CB 00900
David Emami
3380 Barrington Dr
West Linn, OR 97068-3631

2S124CB 01000
David Emami
3380 Barrington Dr
West Linn, OR 97068-3631

2S124CB 01100
David Emami
3380 Barrington Dr
West Linn, OR 97068-3631

2S124CB 01201
Corp McDonald's
20450 NW Amberwood Dr #120
Beaverton, OR 97006-6978

2S124CB 01301
Corp McDonald's
20450 NW Amberwood Dr #120
Beaverton, OR 97006-6978

2S124CB 01400
Corp McDonalds
20450 NW Amberwood Dr #120
Beaverton, OR 97006-6978

2S124CB 01500
Portland Rose LLC
1801 NW Iowa Ave
Bend, OR 97701-1009

2S124CB 01600
Oregon Village Pizza
121 Spear St #250
San Francisco, CA 94105-1593

2S124CB 01700
S
5283 SW 201st Ave
Aloha, OR 97007-2892

2S124CB 01802
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124CB 01805
S
5283 SW 201st Ave
Aloha, OR 97007-2892

2S124CB 01900
Melbo Land & Investment Co
1115 Madison St NE
Salem, OR 97301-7862

2S124CB 01902
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124CB 02000
Jay Cee Inc
34040 SW Ladd Hill Rd
Wilsonville, OR 97070-9512

2S124CB 02000
Jay Cee Inc
34040 SW Ladd Hill Rd
Wilsonville, OR 97070-9512

2S124CB 02200
Lzcenter LLC
7845 SW Capitol Hwy #3
Portland, OR 97219-2574

2S124CB 02300
Patrick & Priscilla Cronin
5230 N Basin Ave
Portland, OR 97217-7604

2S124CB 02900
Vandolay Properties LLC
8375 SW Warm Springs St
Tualatin, OR 97062-9003

2S124CB 03200
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124CB 90000
Ben Lake Condominium (All
Owners)
N/A
, 00000-0000

2S124CC 00100
Ceres Plaza LLC
Po Box 513
Wilsonville, OR 97070-0513

2S124CC 00300
Todd Village-285 LLC
9500 SW Barbur Blvd #300
Portland, OR 97219-5436

2S124CC 90021
Kevin Lee Merriman
8346 SW Mohawk St
Tualatin, OR 97062-9123

2S124CC 90051
Kenneth & Heidi Rau
8364 SW Mohawk St
Tualatin, OR 97062-9142

2S124CC 90081
Linda & James Close
8382 SW Mohawk St
Tualatin, OR 97062-9142

2S124CC 90110
Janice Charleboix
8428 SW Mohawk St
Tualatin, OR 97062-9169

2S124CB 02700
Washington County
169 N 1st Ave #42
Hillsboro, OR 97124-3001

2S124CB 03000
Douglas & Janice Johnson
8200 SW Tonka St
Tualatin, OR 97062-6810

2S124CB 03300
Tualatin Valley Lodge #2780
Po Box 1535
Tualatin, OR 97062-1535

2S124CB 90011
Evergreen Oregon
23544 SW Gage Rd
Wilsonville, OR 97070-9721

2S124CC 00102
Kc Propco LLC
650 NE Holladay St #1400
Portland, OR 97232-2096

2S124CC 90000
Tualatin Village Condo Ph II
2105 SE 9th Ave
Portland, OR 97214-4653

2S124CC 90031
Norine Malos
8348 SW Mohawk St
Tualatin, OR 97062-9123

2S124CC 90061
Margaret Vargas
8366 SW Mohawk St
Tualatin, OR 97062-9142

2S124CC 90090
Susanne Bailey
8424 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90120
Sandra Dreyer
8430 SW Mohawk St
Tualatin, OR 97062-9169

2S124CB 02800
J Lo LLC
8340 SW Tonka St
Tualatin, OR 97062-7004

2S124CB 03100
Tualatin City
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

2S124CB 03400
Warm Springs Crossing LLC
8220 SW Warm Springs St #100
Tualatin, OR 97062-9340

2S124CB 90021
Leonard Gionet
1502 SW Montgomery St
Portland, OR 97201-2559

2S124CC 00200
Todd Village-285 LLC
9500 SW Barbur Blvd #300
Portland, OR 97219-5436

2S124CC 90011
Tracy Viteritti
8344 SW Mohawk St
Tualatin, OR 97062-9123

2S124CC 90041
Georganne Dorr
8362 SW Mohawk St
Tualatin, OR 97062-9142

2S124CC 90071
John & Maria Horton
8380 SW Mohawk St
Tualatin, OR 97062-9142

2S124CC 90100
Mary Gruen
8426 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90131
Patrick & Sherrill Shorey
860 NW Highland St
Roseburg, OR 97470-2020

2S124CC 90141
David Farahnik
8442 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90171
Betty Thomas
8456 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90201
Brian Milligan
8482 SW Mohawk St
Tualatin, OR 97062-9135

2S124CC 90232
Cherri Furness
18080 S Dillman Rd
Oregon City, OR 97045-9307

2S124CC 90261
Wilma Anthony
8494 SW Mohawk St
Tualatin, OR 97062-9135

2S124CC 90292
Dena Fairchild
8500 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90321
Martin Tobias
8506 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90352
Valladares
21091 SW Bedstraw Ter
Sherwood, OR 97140-8894

2S124CC 90381
Mitzi Oliver
8518 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90412
Anita Orsburn
8524 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90151
Janice Krusinski
8444 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90181
Bank Of New York Mellon 2007-5
400 National Way
Simi Valley, CA 93065-6414

2S124CC 90212
Ty Walker
8484 SW Mohawk St #78
Tualatin, OR 97062-9135

2S124CC 90241
Liu Properties Inc
205 Lake St S #100
Kirkland, WA 98033-6457

2S124CC 90272
Tamara Clark
8496 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90301
Dan Rees
8502 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90332
Damien Cuello Jr.
8508 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90361
Elaine Gudekunst
8514 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90392
Scott Glenn & Shelley Johnson
8520 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90421
Jenny Wong
8474 SW Mohawk St
Tualatin, OR 97062-9135

2S124CC 90161
Betty Whiteman
8454 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90192
Erin Badaracco
8480 SW Mohawk St
Tualatin, OR 97062-9135

2S124CC 90221
Christopher Chaney
8486 SW Mohawk St
Tualatin, OR 97062-9135

2S124CC 90252
Andrea & Anthony O'Connell
4633 SW Dosch Rd
Portland, OR 97239-1244

2S124CC 90281
Clark & Stephanie Eisert
10685 SW Clay St
Sherwood, OR 97140-8470

2S124CC 90312
Judy Wadley
8504 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90341
Shelley Teel
8510 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90372
Jacqueline Rokey
8516 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90401
Sherry Tucker
8522 SW Mohawk St
Tualatin, OR 97062-9170

2S124CC 90432
Victoria Perkins
8476 SW Mohawk St
Tualatin, OR 97062-9135

2S124CC 90441
Ambre Fagerquist
8470 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90472
Mindy Ahrend
8468 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90501
Christopher Saucedo
8458 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90531
Rita Vontungein
8448 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90561
Debra Mayfield
8438 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90591
June Sullivan
8432 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90621
Dobbins
8418 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90651
Carol Fanta
8406 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90681
Ronald & Katie Gallagher
8412 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90711
Martha Jeneane Dunmyer
8400 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90452
David Cornell McSwain II
8472 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90481
Amanda Thompson
8462 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90512
Sandra Miller
8460 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90541
Michelle Underwood
10807 SW Westfall Ct
Tualatin, OR 97062-8377

2S124CC 90571
Jo Ann McGeorge
8436 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90601
Sandra Mills
8414 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90631
Toni Payne
8420 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90661
Jamie Johnson
8408 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90691
Egon & Jana Mascher
8404 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90721
Stuart Jackson
8398 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90461
Sharon Lynn Dalton
8466 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90492
Lisa Senter
8464 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90521
Larry Mendenhall
8446 SW Mohawk St
Tualatin, OR 97062-9139

2S124CC 90551
Luz Hedmann
4248 Galewood St
Lake Oswego, OR 97035-2405

2S124CC 90581
Kara Baxter
8434 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90611
Elspeth Barr
8416 SW Mohawk St
Tualatin, OR 97062-9169

2S124CC 90641
Kathleen Goldsby
8487 SW Chelan Ct
Tualatin, OR 97062-9354

2S124CC 90671
Robert & Lori Garrison
8410 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90701
Kathryn Whittaker
8402 SW Mohawk St
Tualatin, OR 97062-9166

2S124CC 90731
Jackie Furrer
8396 SW Mohawk St
Tualatin, OR 97062-9166

2S124DD 00100
Edward & Denise Hobbs
19725 SW 65th Ave
Tualatin, OR 97062-8122

2S124DD 00300
Bdc Of Tualatin LLC
1331 NW Lovejoy St #775
Portland, OR 97209-2987

2S124DD 00600
Wachenberg Investments LLC
3902 Edens Edge Dr
Lake Oswego, OR 97034-7475

2S124DD 07500
Washington County
169 N 1st Ave #42
Hillsboro, OR 97124-3001

2S124DD 00200
Cic Meridian Village LLC
621 SW Morrison #800
Portland, OR 97215-0000

2S124DD 00500
Jay & Nancy Bocchi
5564 SW Prosperity Park Rd
Tualatin, OR 97062-6732

2S124DD 00700
Meridian Park Apartments LLC
12488 SW Autumn View St
Tigard, OR 97224-0723

2S124DD 00201
Warren Brown Jr.
19735 SW 65th Ave
Tualatin, OR 97062-9229

2S124DD 00600
Wachenberg Investments LLC
3902 Edens Edge Dr
Lake Oswego, OR 97034-7475

2S124DD 01000
Legacy Health System
1919 NW Lovejoy St
Portland, OR 97209-1503

**CONDITIONAL USE PERMIT
AFFIDAVIT OF SIGN POSTING**



The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain **lime green** composed of the **RGB color values Red 146, Green 208, and Blue 80**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at <http://www.ci.tualatin.or.us/departments/communitydevelopment/planning>.

As the applicant for the TUSD Online Academy project, I hereby certify that on this day, two (2) sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Department - Planning Division.

Applicant's Name: Tigard-Tualatin School District
(PLEASE PRINT)

Applicant's Signature: Nancy Hubbard, Project Manager

Date: 1-27-12

ATTACHMENT C

CUP-12-01: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 32.030 must be met if the proposed Conditional Use Permit (CUP) for a Tigard-Tualatin School District (TTSD) Online Academy for Grades 6-12 is to be granted. The Applicant prepared a narrative that addresses the CUP criteria (Attachment B). Staff has reviewed the Applicants' material and included pertinent excerpts below.

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

The Applicant is applying for a conditional use permit to allow an "On-line Academy Learning Center" (Grades 6-12) within the Light Manufacturing (ML) Planning District at 19234 SW Mohave Court (Tax Map 2S123DA, Tax Lot 2200). "Schools kindergarten through 12" is allowed as a Conditional Use in the Light Manufacturing (ML) Planning District, as stated in TDC 60.040(1)(o).

The Online Academy is "...for students in TTSD who have chosen home schooling and online classes as their primary learning experience." (Attachment B, page 1). The proposed Online Academy for TTSD students of Grades 6-12 is a "Schools for Kindergarten through 12" and allowed as a conditional use. Criterion 1 is met.

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

- Size:** The proposed TTSD On-Line Academy site is in the 3.35 acre Oak Tree Business Center development. The site is currently developed through architectural review (AR-87-23) with four one-level, multi-tenant concrete tilt-up buildings with parking, landscaping, and access on SW Old-Tualatin Road and SW Mohave Court. The TTSD intends to occupy 5,600 s.f. of the existing Building A in a space formerly occupied by Kelly-Moore Paint. There is adequate room on the site from a pedestrian and private vehicle standpoint for staff and students to access the site and use the proposed facilities in the building. Buses are not proposed. The site size is suitable for the use.
- Shape:** The shape of the subject property is an irregular rectangle and is suitable for the proposed use. Access to the TTSD Online Academy lease space in Building A is via a driveway from SW Mohave Court or alternately from SW Old Tualatin-Sherwood Road on the north side of the Oak Tree Business Center.
- Location:** The site is located on the east side of the SW Mohave Court cul-de sac street, south of SW Old Tualatin-Sherwood Road in the ML Planning District and in Central Urban Renewal Block

28. On the west, the subject site adjoins other light industrial properties, primarily automotive service, paint supply, and business services. On the south (across the Portland & Western RR and WES Line) is the Cypress Gardens and Casa de Robles Apartments. To the east (across the Portland & Western RR and WES Line) is the Plaid Pantry/Oil Can Henry's commercial center. North of the site (across SW Old Tualatin-Sherwood Road) is O'Reilly Auto Parts, Applebee's and the abutting former Goodyear Tire Center building.

Topography: The site is flat.

Improvements: The Oak Tree Business Center site is currently improved with four multi-tenant, one-story buildings, parking and landscaping improvements approved in Architectural Review AR-87-23. The proposed TTSD lease space on the south wing of Building A has the appearance of a commercial building, with large storefront windows on two sides and a formal entrance.

Natural Features: No natural features on the subject site.

The applicant states: "The site and location are ideal for the Academy because of its proximity to public transportation (Tri-met and WES service) and the availability of safe, well lit sidewalks leading to public transportation and food service and other businesses. Another attractive feature of this location is that it is geographically isolated from residential developments on the east and south by other existing business developments and the railroad tracks. The size of the space available for TTSD lease is also ideal for the proposed use allowing several different spacious areas for a variety of study areas for student learning. The proposed use of the space will not increase the number of plumbing fixtures or electrical service to the site. There will be no changes made to the exterior of the building or the existing site improvements, other than exterior signage to replace the former tenant signage (Kelly Moore Paints)." (Attachment B-Application Narrative, page 4).

The current Oak Tree Business Center tenants include a Veterinary Hospital, a Dance/Martial Arts Studio (non-conforming Conditional Use CUP-94-12), a (non-conforming) dog day care business as well as small auto service and wholesaler operations. Some tenant spaces in Oak Tree are currently vacant. None of the existing businesses have traffic volumes, parking or access needs that would appear to conflict with the proposed TTSD use. The minimum parking requirements in TDC Chapter 73.370(2) are 8 spaces (4 staff, 4 student spaces based on 20 students on site). Eight spaces adjacent to the front of the proposed leased space are available for the Online Academy with more parking in the Oak Tree Center also available. It is not expected that additional parking or access improvements will be needed to serve the On-line Academy and existing and future Oak Tree tenants.

Given the features and improvements of the subject property listed above, it is concluded the characteristics of the site are suitable for the proposed uses.

Criterion 2 is met.

3. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

The applicant states:

“This application is requesting approval to use existing space within an existing business park. The location was selected by the applicant because of the existing public transportation system and the public pedestrian related infrastructure providing well-lit, safe sidewalks to public transportation as well as to neighboring businesses. The use and location also meet some of the long range planning goals to link employers and commuters to public transportation as well as to create an active, diverse blend of public, business and retail uses in currently under utilized business centers. The proximity of this site to the Tualatin Town Center planning district will also be beneficial to the applicant’s proposed use of the space.”

(Attachment B, pg. 4)

Public sewer and water and storm connections currently exist and are adequate to serve the site and proposed use.

The site is adjacent to and takes access from SW Mohave Court, a Local Street and SW Old Tualatin-Sherwood Road which connect to SW Tualatin-Sherwood Road at one un-signalized (SW Mohave Ct.) intersection and one full signalized intersection. SW Tualatin-Sherwood Road is a Washington County facility designated by the City of Tualatin as a Major Arterial (Eb&t) (TDC11.620 Table 11-2). The submitted application included a traffic Letter (Attachment B, Kittelson & Associates, Inc. Tigard-Tualatin Online Academy Conditional Use Application - Trip Generation Comparison, February 20, 2012) that showed the 'worst case' comparison between the Online Academy and the typical light industrial park uses allowed in the Oak Tree Business Center will have a less than 1.0% increase in Average Daily Trips and a seven (7) trip increase in PM Peak trips (1.5%)(a maximum not expected for 5 years) on nearby SW Tualatin-Sherwood Road and its current or expected traffic volumes (Attachment B). (See Table Below)

Project	Site Use	ITE	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Reasonable Worst Case	Industrial Park	130	40	4	1	5	1	4	5
CUP 12-01 (Opening Year)	Online Academy	NA	80	0	0	0	2	2	4
CUP 12-01 (Potential Maximum)	Online Academy	NA	224	0	0	0	6	6	12
Net Trip Change (Opening Year)			40	-4	-1	-5	1	-2	-1
Net Trip Change (Potential Maximum)			184	-4	-1	-5	5	2	7

The Engineering Division (Attachment D-Memorandum) generally agrees with the comparisons and analysis provided in the Kittelson letter. Staff believes that traffic generation from the Conditional Use over the short term will have a relatively insignificant differential in comparison with existing uses in the vicinity and will not limit, impair or preclude surrounding properties from primary uses allowed in this Planning District.

Based on staff review and analysis of the application, the existing public facilities for the site are adequate for the proposed use and the development is timely.

Criterion 3 is met.

4. The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying planning district.

The subject property (Oak Tree Business Center) is in the ML Planning District and in the Central Urban Renewal District Block 28. Surrounding land uses are:

N:	ML	(Former) Goodyear Tire Center
	CG	Applebee's Restaurant (Across Old Tualatin-Sherwood Road)
		O'Reilly Auto Parts (Across Old Tualatin-Sherwood Road)
E:	CG	Plaid Pantry/Oil Can Henry's Retail Center (Across W&PRR)
S:	RH	Cypress Gardens & Casa de Robles Apartments (Across W&PRR)
W:	ML	Miller Paint, JC Motors, Columbia Self-storage

The properties south of the site are residential, but not directly connected to SW Mohave Court by streets due to the P&WRR tracks that separate the properties. The vicinity to the east, west and north of the proposed Online Academy site includes light industrial development with a mix of automotive service, wholesaling and small commercial. The buildings are primarily concrete tilt up with some masonry detailing, store front window systems at entries facing the street or parking lots with some landscaping.

The applicant states:

"The use of the leased space as an Online Academy providing a new educational opportunity for district middle school and high school age students will enhance the business center by providing an active use to a currently vacant space at the heart of the business center. The operating hours of the Online Academy will also provide a low impact presence over a 12-hour period of time on weekdays without creating any peak-hour traffic impacts. As mentioned in the above response, the applicant feels that their proposed use in this business center is a step toward meeting the

future goals for the area currently being explored by the long range planning committees. A large number of tenants in this space were also approved under conditional use permits, indicating a shift towards a blend of business types that results in a more active desirable business/retail environment.

The presence of the Online Academy, in fact, may enhance and/or compliment existing businesses by providing a 12-hour per weekday presence in a currently vacant space. Additionally, there are already several other tenants in the Oak Tree Business Center that provide programs and services to a youthful clientele, such as The Bat Company (baseball and softball programs), Youthful Dynamics (activities and adventures) and the June Taylor Dance Studio. Additionally, many of the existing tenants were also approved conditional uses in the business center, indicating a trend and successful blending of business uses." (Attachment B-Application Narrative, pg. 5).

The access to the site is primarily from SW Mohave Court, there is adequate parking for staff and the limited number of students on the site at one time (7 spaces adjacent to the lease space for the 4 Online Academy staff members with other parking available throughout the Oak Tree Business Center), the hours of operation are weekdays from 10:00 a.m. to 10:00 p.m.), and students will primarily arrive as pedestrians via transit or parent drop-off.

To ensure the TTSD Online Academy/Learning Center is a compatible use with other tenants of the Oak Tree center and other businesses in the vicinity, staff recommends that conducting school activities within the building minimizes a chance for problems with parking, circulation and outdoor activity related to student activity. Also, the basis for the traffic impacts, circulation and parking needs for the Online Academy relies on the proposed online school program formulation, the size and location of the proposed lease space and the expected number of staff and students. Expanding the on-site facilities to other buildings in the Oak Tree Center or increasing the size of the physical school facilities to accommodate more than the expected 20 students at one time (as stated in the application), may alter the school's compatibility with neighboring uses in the area and should require a revision to the conditional use approval being reviewed in this application.

To meet the suitability requirements of Criterion 4, staff recommends the following conditions of approval:

1. All TTSD Online Academy student activities shall be conducted indoors within the building spaces available to TTSD.
2. Expanding the on-site facilities to other buildings in the Oak Tree Center or increasing the size of the physical school facilities to accommodate more than the expected 20 students at one time (stated in the application), shall require a revision to the conditional use approval being reviewed in this application.

To ensure the proposed TTSD Online Academy remains consistent with the information presented in the application and to the standards of the Tualatin Development Code that apply at the time of the review of the Conditional Use Permit application, staff recommends the following conditions of approval:

3. The applicant shall comply with all applicable policies and regulations of the Tualatin Development Code (TDC).
4. The applicant shall operate the proposed use in a manner consistent with statements made in the application materials submitted on or after January 24, 2012.

This Conditional Use application will allow the TTSD to conduct an "online school" for students of Grades 6-12 in Building A of the Oak Tree Business Center. Based on the applicant's submitted information, review by staff, with the existing site improvements including tenant improvements to the 5,600 sq. ft. building lease area, and with the conditions of approval requiring all activities to be indoors and limiting expansion of the facilities for more on-site students without further review, it is concluded that the proposed TTSD Online Academy school will not alter the character of the surrounding area in any manner which substantially limits, impairs or precludes the surrounding properties for the primary uses listed in the underlying Planning Districts.

Criterion 4 is met.

5. The proposal is consistent with plan policies.

Staff identified one Tualatin Community Plan objectives in TDC Chapter 8 (Public, Semi-Public & Miscellaneous Land Uses) that apply to public uses such as a public school in a ML Planning District.

Section 8.040(1)(d) states, "Locate all schools providing primary and secondary education as far as possible from commercial and industrial districts..." The applicant acknowledges the school site is located in a light manufacturing area. The applicant points out the mix of commercial uses in the Mohave Court vicinity, that the proposed Online Academy for secondary school age students is primarily on-line/off-site learning with most student activity occurring off-site and a limited number of students on-site at one time, has a limited number of students expecting to use their own cars to visit the school, is conducted entirely indoors and is in an area where nearby uses are low intensity and do not present hazard or conflicts to the school use. (Attachment B-Application Narrative, pp. 1-5).

Staff agrees that a smaller, specialized school such as the proposed Online Academy can be suitably located in low-intensity light industrial park development such as the Oak Tree Business Center development on SW Mohave Court. As proposed, the TTSD Online Academy school is suitable at this location.

The proposal is consistent with plan policies.

Criterion 5 is met.

Based on the application and the above findings and analysis and with the recommended conditions of approval, the TTSD Conditional Use permit application for an Online Academy school use meets the criteria of TDC 32.030.