



**City of Sherwood
PLANNING COMMISSION
Stewart Senior/Community Center
855 N. Sherwood Boulevard
August 17, 1999 - 7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes – August 3, 1999**
- 3. Agenda Review**
- 4. Public Hearings:** (Hearing Disclosure Statement. Also, declare conflict of interest, ex-parte contact, or personal bias) **Public Hearings** before the City Council and other Boards and Commissions shall follow the following procedure (Resolution 98-743, adopted June 9, 1998):
 - Staff Report--15 minutes
 - Applicant--30 minutes(to be split, at the discretion of the applicant, between presentation and rebuttal.)
 - Proponents—5 minutes each (applicants may not also speak as proponents.)
 - Opponents—5 minutes each
 - Rebuttal—Balance of applicant time (see above)
 - Close Public Hearing
 - Staff Final Comments—15 minutes
 - Questions of Staff/Discussion by Body—no limit
 - Decision (Note: Written comments are encouraged, and may be submitted prior to the hearing, at the hearing, or when the record is left open, after the hearing for a limited time. There is no limit to the length of written comment that may be submitted)
 - A. SP 99-4/SUB 99-5/CUP 99-2/VAR 99-3 Fred Meyer Site Plan & Preliminary Plat – City Staff is recommending this be continued to the September 7, 1999 Regular Commission meeting.**
 - B. SUB 99-3 Woodhaven Phase 8C Preliminary Plat:** a request by Genstar for a 55-lot single family residential subdivision, lot sizes 5,000 sf to 9,603 sf in the Woodhaven PUD. Tax Lot 300, Map 2S 1 31.
 - C. SP 99-8 Cherry Woods Condominium Site Plan:** a request by Cypress Ventures for Dennis Wirt for approval of a 24-unit condo project, located at 17071 SW Edy Rd. Tax Lot 600, Map 2S 1 30AC.
- 5. Community Comments:** are limited to items NOT on the printed agenda under Public Hearings.
- 6. Other Business – Election of Planning Commission Chair and Vice-Chair**
- 7. Adjourn**

**ITEMS NOT COMPLETED BY 11:00 PM WILL BE CONTINUED
TO THE NEXT REGULARLY SCHEDULED MEETING**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
August 17, 1999

1. Call to Order/Roll Call

Vice-Chair Angela Weeks called the meeting to order at 7:10 PM.

Commission Members present:

Adrian Emery
Sterling Fox
Keith Mays
Jeff Schroeder
Ken Shannon
Angela Weeks
One (1) vacant position

Staff:

Greg Turner, City Planner
Jason Tuck, Associate Planner
Roxanne Gibbons, Recording Secretary

2. Minutes of August 3, 1999

Vice-Chair Weeks asked if there were any additions or corrections to the minutes of August 3, 1999. There were none.

Sterling Fox moved the Planning Commission accept the August 3, 1999 minutes as presented. Seconded by Keith Mays.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

3. Agenda Review

Greg Turner referred the Commission to a letter dated August 16, 1999 from Genstar requesting a twenty-one day extension to the 120-day deadline and continuance of Woodhaven Phase 8C Preliminary Plat to the September 7, 1999 Commission meeting. This will be discussed under the appropriate Agenda Item.

There were no further comments.

4. Public Hearings

Vice-Chair Angela Weeks read the hearings disclosure statement and requested that Commission members reveal any conflict of interest, ex-parte contact or bias regarding any issues on the agenda. There were no Commissioner disclosures.

4A. SP 99-4/SUB 99-5/CUP 99-2/VAR 99-3 Fred Meyer (continued from 7-20-99)

Vice-Chair Weeks announced that City Staff is recommending that this application be continued to the September 7, 1999 Regular Commission meeting.

Adrian Emery moved the Planning Commission accept the City Staff recommendation and continue SP 99-4/SUB 99-5/CUP 99-2/VAR 99-3 Fred Meyer application to the September 7, 1999 Regular Commission meeting. Seconded by Sterling Fox.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

Mr. Turner said this extension would not extend the 120-day deadline because the request was from City Staff and not the applicant. The original 120-day deadline was previously extended by 28 days at the applicant's request. The continuance tonight is a result of the last City Council meeting where they discussed some interpretation issues. The Council did not make a decision at this meeting and directed Staff to go through the normal planning process with this application. The City received a response from the City Attorney regarding the interpretation issues. This information will be included with the Staff Report for this application.

4B. SUB 99-3 Woodhaven Phase 8C Preliminary Plat

Vice-Chair Weeks referred to the letter dated August 16, 1999 from Genstar, which was entered into the record. The applicant would grant a twenty-one (21) day extension to the 120-day deadline for preliminary plat review of SUB 99-3 Woodhaven Phase 8C Preliminary Plat. With this extension, the applicant asked that this application be heard at the September 7, 1999 Regular Commission meeting.

Mr. Turner advised the Commission that the Fred Meyer application, as well as a request by Lucas Development to change a condition on a previously approved application, are scheduled for the September 7, 1999 Commission meeting.

Adrian Emery moved the Planning Commission accept the 21-day extension of the 120-day deadline and continue SUB 99-3 Woodhaven Phase 8C Preliminary Plat to the September 7, 1999 Regular Commission meeting. Seconded by Sterling Fox.

Keith Mays asked why the applicant was not in attendance and why they were asking for an extension. Mr. Turner said the Staff Report in the packets, dated August 17, 1999, recommends denial of this application at this time. The park property has not yet been dedicated to the City and the Phase 7B Final Plat has not yet gone to the City Council. The Council may not review the final plat until the first meeting in September. The Code does not call for a public hearing to review final plats. The Council asked that the final plat for Phase 7B be brought back for their review.

Mr. Turner said the Commission has the option to accept the extension or hear the application tonight and make a decision whether to approve, continue or deny.

Mr. Claus said as a point of information the 120-days is tolled the minute the Commission takes a vote. This is a final decision. Genstar has lost at LUBA to withdraw Phase 7B. The applicant cannot withdraw the appeal and there is going to be a new hearing on Phase 7B at LUBA. The Commission should just simply reject this application tonight.

The Commission briefly discussed whether to hear the application or continue it. The question was called for and the Commission voted on the motion.

Vote for Passage of Motion: 4-Yes, 2-No (Mays, Shannon), 0-Abstain

4C. SP 99-8 Cherry Woods Condominiums Site Plan

Vice-Chair Weeks called for the Staff Report. Jason Tuck referred the Commission to the Staff Report dated August 17, 1999, a complete copy of which is contained in the Planning Commission's minutes book. He identified the site on the map and noted:

- The applicant is proposing to construct a 24-unit condominium project. The site is located north of Edy Road and east of Houston Drive, Tax Lot 600, Map 2S 1 30AC.
- The site consists of 2.2 acres and is zoned Medium Density Residential High (MDRH, 11 du/ac). The proposed use is allowed outright in the zone.
- The applicant is proposing 43 off-street parking stalls to serve the development. Access to the site will be via a private driveway off of Edy Road.
- General landscaping has been provided around the perimeter of the site.
- The required findings for site plan approval have been met and are in the Staff Report.
- Regarding on-site storage, the applicant is proposing that each individual unit provide their own trash bins and place them on the private access for collection. Pride Disposal has indicated this is suitable for their needs.

In conclusion, based on a review of the applicable code provisions, agency comments and Staff review, Staff recommends approval of SP 99-8 Cherry Woods Condominiums Site Plan with the conditions contained in the Staff Report.

The Commission discussed the private driveway. Mr. Tuck said the proposal was reviewed as a multi-family project and the Code allows private driveway access. It is somewhat different than a private street. The homeowner's association would maintain the private driveway. Staff is proposing a condition which states no parking shall be allowed along the access driveway or turnaround area as well as all of the common areas in the development. The Commission discussed the length of the private driveway. Mr. Turner said it is 628 feet from the front to the rear property line.

Vice-Chair Weeks opened the public hearing on SP 99-8 Cherry Woods Condominiums Site Plan and asked if the applicant wished to provide testimony.

Mike Morse, Cypress Ventures, 5335 SW Meadows Road, Suite 350, Lake Oswego, Oregon 97035, addressed the Commission. The property owner, Dennis Wirt, and their engineer, Jim Stormo, Pinnacle Engineering, were also in attendance. He noted:

- They were pleased to present an application that is geared more towards home ownership as opposed to what the allowable use is for an apartment complex.

- You could look at this as a 24-unit apartment complex as far as the approval criteria is concerned, but the applicant would like to increase the standard by creating a home ownership opportunity. This is the purpose of the condominium project.
- The shape of the site limits the ingress and egress. They have met the criteria for a multi-family use regarding the distance from the front to the back of the property and a turnaround.
- He could paint a very different picture if they were proposing a 24-unit apartment complex. He did not believe this is what the surrounding homeowners would like to see there.

Mr. Morse said he would answer any questions. This parcel cannot be further subdivided. They will create the buildings and through the state of Oregon write a condominium plat process for the project.

Mr. Turner said if the parcel was subdivided, all of the lots would need to have frontage onto a public street. With this proposal that would not be possible.

Mr. Stormo said at this time there is no curb and sidewalk shown on the other side of the private driveway.

The Commission asked Mr. Morse several questions about parking. Mr. Morse said their plan has 4 units with single car garages and 20 units with two car garages. There is parking for two more cars behind the garages.

Mr. Tuck said he made a misstatement earlier regarding the garages. This plan provides parking in the front of the garages.

Mr. Morse showed the Commission and audience proposed elevations for the project. The floor plans range from 1300 to 1700 square feet and will be priced in the \$155,000 to \$170,000 price ranges.

Vice-Chair Weeks asked if there was anyone who wished to testify in favor of the project.

Mike Wagner, 17039 SW Edy Road, Sherwood, Oregon 97140, filled out a card as a proponent of the project, but did not wish to provide formal testimony.

There was no further proponent testimony and Vice-Chair Weeks called for opponent testimony.

Mark York, 20710 SW Houston Drive, Sherwood, Oregon 97140, addressed the Commission. Mr. York said he lives on Lot #1 as identified on the map. His main concern is privacy. One of the proposed condominium buildings looks like it will be built about 7 feet from his fence. Another concern is the increase in traffic. He asked if the two buildings could be moved further away from his lot. He asked if something could be included to state if a unit is sold it could not be rented out or become apartment complexes. Again, his main concern is privacy for adjacent residents and the location of some of the buildings in relation to his property.

John Moreland, 20720 SW Houston Drive, Sherwood, Oregon 97140, addressed the Commission. Mr. Moreland said he did not know how the complex could use the same driveway to go in and out of the project. Today he heard that the Spath property had been sold. This property is across from the proposed complex and it is going to be developed. There are going to be too many cars going in and out all the time, up and down Edy Road. They have had trouble for the last 4-5 years because people go from Edy Road to Scholls-Sherwood Road by using Houston Drive. The previous City Manager said not to worry about this traffic because Houston Drive was going to be dead-ended. They live in a private residential area and people are using Houston Drive as a short cut between Edy Road and Scholls-Sherwood Road. He lives on Lot #2.

Michael Klym, 20730 SW Houston Drive, Sherwood, Oregon 97140, (Lot #3), addressed the Commission. Mr. Klym said the privacy issue is one of his concerns also. He read the criteria for site plan approval, Item D, "The proposed development preserves significant natural features to the maximum feasible extent...". He distributed some pictures, which were taken from his back yard and his neighbor's back yards. The pictures show some of the trees that are on the adjoining property where the condominiums will be built. One of their concerns was that these trees be preserved. These are old trees and are right on the property line. The trees are one of the reasons why their homes are so livable because it is like living next to a park. Some of the landscaping in other developments in the City leaves a lot to be desired. He asked who determines what is the "maximum feasible extent"? They live in a very nice neighborhood. He is not opposed to all development, but it Houston Drive is getting busier with all of the traffic. People travel on Houston Drive like it was an open invitation for a drag strip. They would hate to see an increase in traffic. He asked how high the apartment buildings were going to be. The quality of life that has developed in their neighborhood is going to be severely impacted.

Mr. Moreland said there is a snow bird which migrates to a very large Pine Tree which is between his property and Mr. Wirt's. This has been happening since 1991 and he would hate to see this tree come down.

Gary A. Hager, 17014 SW Lynnly Way, Sherwood, Oregon 97140, (Lot #27) addressed the Commission. He identified his lot on the map. His lot abuts the applicant's property on the northwest corner. He hoped the Commission would take into consideration not just preserving the wetlands, but accommodating the surrounding homeowners. He appreciates the need for higher density. However, in looking at the plan there are only two places on the plat where there are seven-foot setbacks. He identified the locations on the map. He asked if the seven-foot setback could be increased. He thought this project was going to devalue the property values in his subdivision. He was convinced that everyone sharing the property line with this development has just incurred a \$10,000 reduction in value with this project. He was concerned about a private driveway going that far back into this project. There are a lot of kids living off of Houston Drive and some people have posted signs trying to get the cars to slow down. His lot is small and they are just getting too dense in this area. If this plan can be livable, as the developer said they are supposed to be condominiums, don't build them like apartments.

Robert J. Claus, 22211 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. Mr. Claus said the City is getting a hearings officer for exactly what is happening here. The Planning Commission does not really have many options on this application. The City does not have a condominium or townhouse code. They have housing and apartments. When you want to build condominiums, it is controlled by state law. If someone wants to build an apartment house, comply with state law and sell it as a condominium, the City has no jurisdiction over it. This is an apartment site that is legally zoned and laid out. You just own the air space with a condominium and not the real estate. Everything on the outside, including the driveway and open space is commonly owned. You have a homeowner's agreement with association dues you pay for the maintenance of the buildings, landscaping and upkeep of the common driveway. The City has no jurisdiction over the second map. This is Oregon State law. The applicant takes this to the State Agency and presents what they are going to charge the homeowners for the maintenance of the property. It is a very, very complicated matter. Is there any consolation for the neighbors? Yes, it is exactly what the zoning allows as an apartment house. The only difference is you are going to have private ownership. He discussed the real estate trends for condominiums. This project is not much different from what Tamarack is building as townhouses in Woodhaven. When land prices get to about \$200,000 an acre, you start to build condominiums. The Staff Report states the applicant has complied with the criteria for the site plan. He discussed what would happen if the City had design-review rights. He knows this project is going to distress the neighbors, but he hoped the City would get more control over condominiums in the future. He hoped the State would require an effective maintenance and upkeep agreement for this project. In response to Mr. Shannon's question, he explained how the State reviews the fees for maintenance of the driveway and common areas. There is a homeowner's board who collects the association dues and agrees how to spend it. This is contained in the Association Bylaws. The CC&R's are entirely separate. He looks at this application and says at least it is better than an apartment house. The people are going to pay a premium for the private ownership of these condominiums. What sells houses in Oregon is the price. Out of 250,000 acres within the Urban Growth Boundary, the metropolitan area is down to only 17,000 acres of developable land.

Susan Claus, 22211 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. One of the problems from a zoning standpoint is the transition from Houston Park into the higher density residential property. The neighbors are fortunate that this property will have the type of ownership which is being proposed. There is a chronic problem and that is the defacto collector that they have going through Houston Park. It is going to get worse when the ice rink is built. The Commission has to make some effort through the police department or some other way to do some type kind of traffic calming in this district. There needs to be a better way to deal with this type of problem as a City.

Mr. Moreland asked the Commission if they approved the plan, and the Spath property develops, could Houston Drive be made a dead-end street. They are getting tired of so much traffic morning, noon and night using Houston Drive as a cut-through.

Vice-Chair Weeks said Mr. Moreland would probably need to take this request to the City Council or City Manager.

Bobbie Himmel, 20750 SW Houston Drive, Sherwood, Oregon 97140, addressed the Commission. She was also concerned about the increased traffic on Houston Drive.

Mr. Hager said he had concerns about Building #3 on the plan and the seven-foot side yard setback. This setback does an undo amount of disservice to the adjoining property owners. Everyone else has a 20-foot setback.

Tracy Clark, 20740 SW Houston Drive, Sherwood, Oregon 97140, addressed the Commission. She has no fence in her back yard. She asked if the applicant could build some kind of wall of fence to address the privacy issue. Her kitchen and dining room all face this direction.

Mr. Tuck said the Code requires fencing between multi-family units and single-family residences. This is something the Commission could condition the applicant to meet.

Vice-Chair Weeks asked if the applicant wished to provide rebuttal testimony.

Mike Morse, Cypress Ventures, addressed the Commission. He thanked Mr. Claus for his testimony. He showed the audience and Commission the elevations for the Tamarack townhomes in Woodhaven. The only difference between their proposal and Tamarack is that Tamarack actually has more buildings combined together. He showed the audience and Commission the elevations for Cherry Woods. The difference is that in Tamarack you own your own lot and in Cherry Woods you own the air space around you. The value is going to be similar and the project looks similar. They could have easily built a 24-unit apartment complex and then gone to the State of Oregon and condominimized the project.

Mr. Morse addressed the setbacks. The property owner to the east does not seem to mind the 7-foot side yard setback. The criteria for multi-family housing allow 20-foot back yard setbacks and 7-foot side yard setbacks. They cannot move the building down further because there is a public utility easement. The option to move the buildings is not available. With regard to renting versus home ownership, it does not feasibly make sense for someone to buy a \$150,000 to \$175,000 condo and rent it out at the current rent rates in Sherwood.

Mr. Morse said the application package shows the existing trees. The majority of trees being removed are near the house. The plan shows the trees along the perimeter that will not be removed. He showed the proposed landscape plan to the audience and Commission. They are trying to preserve trees as well as adding other landscaping. They will also look at the location of the windows on the buildings in relation to the adjacent property owner's homes.

Mr. Wirt said all but two of the lots of the adjacent property already have fences. Mr. Morse said they do plan to fence the perimeter of the project which does not already have a fence.

Theresa York said her living space is only going to be seven feet away from one of the buildings in this project. Mr. Morse asked Ms. York if her house was not at least 20 feet from the property

line. She said she did not know. He said in order to build 24 units on the property, they needed every bit of square footage. It would not be economically feasible to build fewer condominiums. They could have proposed a 24-unit apartment complex.

Mr. Hager invited anyone interested to go look at the Tamarack Development because it does not look that good.

Vice-Chair Weeks closed the public hearing on SP 99-8 Cherry Woods Condominium Site Plan for discussion by the Commission.

The Commission discussed the setbacks and fencing along the perimeter of the property.

Mr. Shannon asked how long the Commission is going to deal with private streets. He was not in favor of a 300-foot private driveway. The Commission agreed that the language for private streets in the Code needed review.

Adrian Emery moved the Planning Commission revise Condition #8 to state, "A 6-foot high fence shall be placed along the entire property line except where fences already exist and excluding Tax Lot 500, Map 2S 1 30AC, to buffer the proposed use from the existing single family use." Seconded by Keith Mays.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

Jeff Schroeder asked if Building 3 and 4 could be rotated. Mr. Turner said the building footprint could not be changed because the hammerhead was needed to accommodate a fire truck turnaround.

Adrian Emery asked how the homeowner's association was going to be conditioned. Mr. Turner referred the Commission to Condition #7 which established the CC&R's for the homeowner's association.

Adrian Emery moved the Planning Commission add Condition #11 as follows, "No part of the Homeowner's Association's Bylaws or CC&R's may be unilaterally altered or abrogated by the applicant, its successors or assigns without the prior consent of the City. Such action on the part of the applicant shall be considered a violation of the City Zoning Code as per Section 1.101.04." Seconded by Keith Mays.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

The Commission discussed Condition #9 regarding parking.

Keith Mays moved the Planning Commission amend Condition #9 to read, "No Parking" signs shall be posted along the access driveway and in the turnaround area." Seconded by Adrian Emery.

Vote for Passage of Motion: 5-Yes, 0-No, 0-Abstain (Fox was not in room)

Vice-Chair Weeks asked if the Commission was ready to make a motion regarding SP 99-8 Cherry Woods Condominiums Site Plan.

Keith Mays moved the Planning Commission approve SP 99-8 Cherry Woods Condominiums Site Plan with the conditions as amended. Seconded by Adrian Emery.

Vote for Passage of Motion: 5-Yes, 1-No (Shannon), 0-Abstain

Vice-Chair Weeks recessed the meeting at 9:05 for a 5-minute break. The meeting was reconvened at 9:10 PM.

5. Community Comments

Vice-Chair Weeks asked if there was anyone who wished to provide comments.

Robert J. Claus, 22211 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. Mr. Claus talked to the Commission about Genstar and specifically noted:

- The 120-days has run on Phase 8C. Technically, Genstar could take the City to court and force the building permit if they could meet certain conditions. PUDs are not ways to buy zoning. *Frankland v. Lake Oswego* sets out the only five (5) legitimate reasons for a PUD.
- After Phase 6, Genstar had to meet two major conditions; they had to have a park and they had to have a road connecting to Meinecke Road. These conditions were to be met before anything else was built.
- The previous Community Development Director went to LUBA on the first hearing and the City prevailed. The City prevailed with the first hearing because a change of sequence is a minor change and the Council can approve this.
- The Commission could have rejected Phase 8C tonight and sent it to the Council for approval of a change in sequence.
- When Phase 7A went to LUBA, the Appeals Board began questioning the integrity of the City of Sherwood. LUBA is a Governor's Board. They are governed by the Oregon State Bar and the judges are direct appointees of the Governor. When you lie to the LUBA Board, you are lying to the Governor.
- He made the statement regarding Phase 7B that there had been a misrepresentation of the facts. When the ruling came down, LUBA said the issues are not moot. Mr. Dittman signed off on the issues being moot and let the appellant file a motion for dismissal. Genstar got blocked and were told by the LUBA judges that the authority would not be taken away from Sherwood.
- The City is not going to get a second chance on PUDs to make them work without the City paying a price. These PUDs, in his opinion, are wild aberrations from the idea of a PUD. They are simply a way to give away zoning and variances without doing it legally.
- He hoped the Commission looks at the next PUD very carefully including the conditions for the PUD, the reasons for allowing the PUD and the zoning allowed. The Salisbury,

Broadhurst, and Weeks properties have been undevelopable because the City allowed a PUD to come in and break the comprehensive plan.

- Mr. Morse came to Sherwood when the building boom started. He is now going to build apartments as condominiums. If this continues and the City does not watch the deviations from the comprehensive plan, frankly, Sherwood will be bankrupt.
- The City has 12 million left in the bank. If Sherwood Boulevard had a suit filed over it, the City does not have the money to put back in the bank they wrongly took out. In order to use TIFs to build Sherwood Boulevard, the City had to increase its traffic carrying capacity. The road was narrowed and this makes the use of TIFs illegal.
- What was done downtown is extremely questionable. Murdock is more questionable. The City just spent another \$1 million on the Bull Run waterline we didn't know about.
- If the City continues to allow people to do development in Sherwood without putting in the infrastructure, the City is going to be back where they were when they were bankrupt.
- Three and one-half years ago Sherwood was one of the wealthiest towns in Oregon with \$21 million in the bank. Now we have less than \$12 million in the bank and it is over-obligated.
- The City can't put in its stormwater facility until the Staff decides it is a good idea to obey the law. This is the same Staff that hit him for \$40,000 extra on a stormwater facility that should have cost \$10,000 and he can put in the best retaining wall in Oregon.
- If the City is going to have a community within a community, the next time the Commission needs to look at every condition in the PUD and make sure it is being followed.
- It is anybody's guess what the downtown sidewalks cost and on top of that the City's Building Official tells us we don't even have the correct receptacles in the sidewalk.
- He is going back to LUBA and try to delay it two weeks, but it is anybody's guess what is going to happen.
- He discussed SDCs and how they are being applied.
- Within the next six months and after all of the audits, he did not think the Commission was going to believe what has been going on in Sherwood.
- He has never seen such a willful destruction of public records in his life and yet it has occurred in Sherwood.

Mr. Mays said he appreciated Mr. Claus' comments, but he was repeating himself.

Mr. Claus said if he was repeating himself it was because he was hung out alone, ridiculed, slapped in court and the help he received was non-existent. So in the process he was probably repeating himself. He also knew that for his efforts, he was targeted, his subdivisions were shut down and he spent hours and hours getting them through. In addition, you still see things in the newspaper that are blatant inaccuracies being made by ex-employees and citizens. He would not be sitting here tonight if he did not think this had developed into crisis proportions.

Mr. Mays said he understood Mr. Claus' position and frustrations.

Mr. Claus said the applicant should be in attendance when they request a continuance. The Commission discussed whether the applicant needed to be in attendance to request a continuance.

6. Other Business – Election of Commission Chair and Vice-Chair

Adrian Emery moved the Planning Commission elect Angela Weeks as Commission Chair. Seconded by Sterling Fox.

Vote for Passage of Motion: 5-Yes, 0-No, 1-Abstain (Weeks)

Adrian Emery moved the Planning Commission elect Keith Mays as Commission Vice-Chair. Seconded by Sterling Fox.

Vote for Passage of Motion: 5-Yes, 0-No, 1-Abstain (Mays)

Mr. Mays asked if Staff could bring back information on design review criteria for apartments and condominiums and parking standards for these units. The Commission agreed that any requests to Staff should be a consensus from the Commission.

The Commission discussed when to hear the new elementary school site plan application. It was the consensus of the Commission to schedule this application for the September 21, 1999 Regular Commission meeting.

Greg Turner advised the Commission that a joint City Council/Planning Commission workshop is scheduled for August 31, 1999. Some of the items for discussion will be the Metro Functional Plan and City Comprehensive Plan.

7. Adjourn

There being no further business to discuss, the meeting was adjourned at 10:00 PM.

Respectfully submitted,

Planning Department