

JOHN DAY TITLE 5 & MEASURE 37 FEE SCHEDULE

The following fee categories and fees apply to land use and development permit applications and approvals, and appeals under Title 5 of the JOHN DAY CITY CODE "Development Code" and Measure 37 claims under Ordinance No. 04-112-2. These fees are deposits only. All persons required to file applications under Title 5 for land use and development permit applications and approvals, or file appeals under Title 5 or claims under Measure 37 under Ordinance 04-112-2 shall pay the actual cost to the City for processing said applications, appeals and claims. If the cost to the City is less than the required deposit the City will refund the difference and if the cost to the City is more than the deposit the City shall bill for the difference as authorized. Costs to the City shall include but are not limited to payment of City employee wages who are involved in processing an application or appeal at their current hourly rate, City attorney fees, City engineer fees, City surveyor fees, newspaper publication fees, postage, map creation and duplication fees, copying fees, long distance telephone call fees, facsimile fess and mileage as authorized.

FEE CATEGORY	FEE
1. Land Use District Map Change Includes but is not limited to:	
1.1 Petitions for Annexation (Type IV Review)	\$500
1.2 District Map (Zone) Changes	\$500
2. Comprehensive Plan Amendments	\$500
3. Conditional Use Permit	\$500
4. Land Use Review	\$100
5. Variance:	
5.1 Class A	\$100
5.2 Class B	\$250
5.3 Cass C	\$250
6. Code	
6.1 Interpretation	\$100
6.2 Amendment	\$500
7. Flood Plain Development or Flood Plain Permit	\$200
8. Appeals:	
8.1 To the Planning Commission	\$100
8.2 To the City Council	\$300
9. Nonconforming Use or Development Confirmation	\$250
10. Historic Building Permit, Demolition or Remodel/Alteration:	
10.1 If handled by Staff and no public hearing is held	\$250
10.2 If a Public Hearing is required	\$400
11. Property Line Adjustment and/or Lot Consolidations	\$100
12. Master Planned Development	\$1,500 plus \$25 per lot
13. Partition	\$300
14. Site Plan Review	\$300
15. Subdivision	\$1,200 plus \$25 per lot
16. Measure 37 Claim	\$ 50
17. Lot of Record Determination	\$ 50
18. Access Permit (public street)	\$ 50
19. Home Occupation exceeding the criteria in Section 5-2.2.200	\$100
20. Modification to Approval:	
20.1 Minor (Type II)	\$ 50
20.2 Major (Type III)	\$150
21. Sign Permit:	\$ 50
22. Temporary Use Permit:	
22.1 Type II	\$ 50
22.2 Type III	\$150

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CITY OF JOHN DAY

NOTICE OF APPEAL

Appeal Number CUP 21-05

An action by the City of John Day Planning Commission may be appealed to the John Day City Council by a party filing a statement of appeal with the City of John Day Planning Official, including the appropriate fee. The following statement is an:

Appeal of the City of John Day Planning Commission to the John Day City Council RE: CUP-21-05. Public hearing date: November 9, 2021, Notice of Decision Date: November 23, 2021.

This appeal is provided by: **5-4.1.040 Type III Procedure (Quasi-Judicial) Section F** by the City of John Day Development Code.

Appellant: John L. Morris
60016 Hwy 26
John Day, OR 97845
541-932-4660
jmorris@ortelco.net

Applicant: John Day/Canyon City Parks & Recreation District
845 ½ NW Bridge Street
PO Box 762
John Day, OR 97845

Demonstration of Standing:

5-4.1.040 Type III Procedure (Quasi-Judicial) Section F Appeal to City Council. Appeals from the Planning Commission on Type II Administrative Appeals and Type III decisions are heard by City Council as follows:

Who may appeal. The following people have legal standing to appeal a Type II Administrative Decision or Type III Decision from the John Day Planning Commission to the John Day City Council:

(2.) Any other person who participated in the proceeding by submitting oral or written comments. I, John Morris, the appellant, was granted standing as shown by the John Day Planning Commission minutes and the recorded proceedings of the GoToMeetings virtual platform of the City of John Day Planning Commission meeting on November 9, 2021. The recorded oral proceedings beginning 27.39 thru 30.56 and the draft minutes attached hereto and incorporated herein as part of this appeal document.

The undersigned appellant, hereby appeals to the John Day City Council the decision of the John Day City Planning Commission rendered on the 9th day of November, 2021.

Content of Notice of Appeal:

The Notice of Appeal shall be accompanied by the required filing fee, and shall contain: (3) A statement explaining the specific issues being raised on appeal.

I allege that I am the aggrieved and the above named decision was made in error for the following reasons:

(1A) Appellant alleges the decision to approve Conditional Use Permit 21-05 was biased and prejudicial. Appellant was not granted the same opportunity to provide and to complete his testimony in opposition to Conditional Use Permit 21-05 as was provided to those that presented affirmative testimony to applicant's proposal at the November 9, 2021 John Day City Planning Commission hearing. See attached sheets labeled exhibit A.

Exhibit A :

Excerpt from the City of John Day Development Code.

Conduct of the Public Hearing.

At the commencement of the hearing, the chair or convener of the Planning Commission, or his or her designee, shall state to those in attendance:

*The applicable approval criteria and standards that apply to the application or appeal;
A statement that testimony and evidence shall concern the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision;*

A statement that failure to raise an issue with sufficient detail to give the hearings body and the parties an opportunity to respond to the issue, means that no appeal may be made to the City Council or State Land Use Board of Appeals on that issue;

A statement that, at the conclusion of the initial evidentiary hearing, any participant may ask the Planning Commission for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing, and that, if the Planning Commission grants the request, it will schedule a date to continue the hearing as provided in paragraph 2 of this subsection, or leave the record open for additional written evidence or testimony as provided paragraph 3 of this subsection.

Per GoToMeeting oral recording beginning 4:55 ending 6:21, Chairman Boethin outlined the procedure he would use to conduct the hearing. He read from a prepared statement and paraphrased the Conduct of the Public Hearing as outlined above from the City of John Day Development Code. Chairman Boethin further stated: If you wish to testify, please state your name and address and what part of the criteria of the code you feel is either for or against the proposed motion.

Per GoToMeeting oral recording beginning 6:24 ending 6:52, Chairman Boethin inquired if any member of the John Day Planning Commission wished to declare a conflict of interest. No one did. Chairman Boethin inquired if any member of the John Day Planning Commission wished to declare any ex parte contact. No one did.

Per GoToMeeting oral recording beginning 7:12 ending 13:46, Chairman Boethin called upon the John Day Planning Official to go over the CUP 21-05 staff report to the Planning Commission before public comments.

Nick Green stated he was acting as City Planning Official, he would present the staff report to the Planning Commission prior to the Planning Commission taking public comment. Pools are permitted outright within lawfully established parks, this conditional use permit is largely based on the size of the proposed structure. A conditional use permit is required for Type III hearing for any accessory structure that exceed 14 feet in height, the proposed structure is 29 feet in height and for anything over 1000 square feet. Mr. Green stated another reason for the hearing, was the application is very important, he wanted to have an opportunity for public comment. Even if those criteria don't require a conditional use permit, he would have referred this conditional use permit to the planning commission for a site design review. He continued to read from the staff report the criteria, standards and conditions of approval.

Per GoToMeeting oral recording beginning at 13:48 ending 15:05, Chairman Boethin called on the applicant to speak. Lisa Weigum stated she was not the sole applicant, most of the rest of her statement was distorted.

Per GoToMeeting oral recording beginning at 15:08 ending 27:21, Chairman Boethin asked if any member of the audience wished to speak in favor of the application. The following individuals spoke in favor of the application:

Jim Spell

Sierra May

Zach Bailey

Beth Spell

Tirza Shaffer

Unidentified female

Shannon Adair

Haley Walker

Aaron L (Sr Project Manager)

Amy Franklin

Ron Lundbom

Chris Labhart

Lisa Weigum spoke again, noting additional information probably wasn't in the application and probably not relevant, 80 children enrolled in swimming lessons the last year the pool was in operation.

Dorothy Piazza

Darin Toy

All 15 citizens that spoke in support of the CUP 21-05 did NOT follow the criteria NOR the standards and conditions for approval that both Chairman Boethin and City Planning Official, Nick Green outlined. Support of the pool is NOT part of the criteria NOR the standards and conditions for approval of the application.

Per GoToMeeting oral recording beginning at 27:39 ending 30:56. Chairman Boethin asked if any member of the audience wished to speak in opposition of the application.

John Morris: Not sure if he is for or against proposal pool. He questioned who applied for the grant. He said the grant proposal states the pool will operate on land donated by the JDCCPR district. He stated he has read the guiding document from JDCCPR District and he doesn't see where the directors have the ability to buy, sell or donate land to someone else. Further, he mentioned a 4 million dollar levy that was discussed in another meeting, but nothing has been said about operation and maintenance costs. Until he knows answers to these questions, he is opposed to the proposal.

Chairman Boethin asked if he had any concerns regarding to the criteria that the planning commission is going to get to. John's response: If the proposal is done illegally, how can the planning commission... Chairman Boethin interrupted his statement and asked again, if John had any questions regarding the criteria that the planning commission shall consider whether they should grant a conditional use application. John stated he guessed not.

No one else spoke against the application.

Chairman Boethin closed the public hearing. He opened discussion between the members of the Planning Commission. Chairman Boethin stated it appeared that the criteria have been met quite well, applauded the efforts and appreciated the reports.

Commissioner Aleman asked about the ditch that would run behind the proposed pool. Engineer Hitz reported that until they get a full topo map, they can't be certain of the impact the ditch will have on the project. If the water were to potentially create a hazard, they would design accordingly.

Commissioner Aleman inquired about the sports courts in front of the lobby, response from Lisa Weigum they were short of gym space and hopeful they would build the footprint to allow for future opportunities for recreation.

Commissioner Aleman also inquired about the design of the parking area, raising concerns about egress and ingress, about traffic safety, raised sidewalks. Engineer Hitz reported raised sidewalks were not in the plan, but could be added.

Commissioner Brown asked about the bidirectional parking lot, Engineer Hitz responded it was the design provided by Walker Macy and was meant to ease congestion.

No further discussion. Commissioner Aleman moved to approve Conditional use permit 21-05 based upon the findings and subject to the conditions contained in the staff report. 2nd by Commissioner Brown & passed 3-1 with Commissioner Ledgerwood voting no.

The decision the Planning Commission made was not reached by applying relevant standards based on the evidence presented.

“I fully support the pool.” “Wonderful community amenity.” “ Safe place for people to learn water safety.” “Amenity for people requiring aquatic therapy.” are **NOT** criteria set forth in the development code. These comments are all irrelevant and immaterial. They are equally as irrelevant as Ms. Weigum’s comment “over 80 children were enrolled in swimming lessons the last year the pool was in operation,” which Ms. Weigum acknowledges was probably irrelevant. All of these comments were allowed without interference from the Commission Chairman.

Appellant was not allowed to complete his remarks before the Commission Chairman interrupted asking if he had any questions regarding the criteria.

This shows bias and prejudice on the part of the Commission Chairman.

The definition of bias: prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair; preconceived opinion that is not based on reason or actual experience; a particular tendency, trend, inclination, feeling, or opinion, especially one that is preconceived or unreasoned. Harm or injury that results or may result from some action or judgment.

The definition of prejudice: an unfavorable opinion or feeling formed beforehand or without knowledge, thought, or reason. Any preconceived opinion or feeling, either favorable or unfavorable. Unreasonable feelings, opinions, or attitudes. Preconceived opinion that is not based on reason or actual experience. Harm or injury that results or may result from some action or judgment.

Appellant argues what is required of local decision makers is "actual impartiality," the ability to make a decision based on the argument and evidence before them, rather than on prejudgment or personal interest.

That did not occur in this case, as Chairman Boethin allowed testimony in favor of the project without meeting the criteria, standards and conditions of approval as set forth in the City of John Day Development Code 5-4.4 Conditional Use Permits. The following is the Criteria, Standards and Conditions of Approval.

Existing site conditions

Site plan

Preliminary grading plan

A landscape plan

Architectural drawings of all structures

Drawings of all proposed signs

A copy of all existing and proposed restrictions or covenants

Narrative report or letter documenting compliance with all applicable approval criteria in

Section 5-4.4.040

Other information the Planning Official deems necessary to facilitate review of the proposal under the approval criteria of Section 5-4.4.040

Appellant's substantial rights to be heard, to rebut testimony and to participate in a full and fair hearing were prejudiced by the Chairman prohibiting testimony by the Appellant of the same character and nature that the Chairman allowed for proponent testimony and by not allowing Appellant to give any rebuttal testimony at hearing. Furthermore, Appellant's substantial rights to object to-- and rebut--testimony were prejudiced by the Chairman not leaving the record open for Appellant to respond to new evidence presented at the hearing by proponents.

The Planning Commission's procedural errors are grounds for reversal (Wetherell v Douglas County, LUBA 2007-133 and Muller v Polk County, LUBA 1988-775).

ORS 197.835(9)(a)(B) provides for a reversible or remandable land use decision where the local government "[f]ailed to follow the procedures applicable to the matter before it in a manner that prejudiced the substantial rights of the petitioner".

I allege that I am the aggrieved and the above named decision was made in error for the following reasons:

(1B) Appellant alleges Ron Lundbom and Shannon Adair had an ethical responsibility to remain impartial and unbiased regarding the John Day Planning Commission decision to approve Conditional Use Permit 21-05. Their testimony was biased and prejudicial against the Appellant. See attached sheets labeled Exhibit B.

Exhibit B:

Elected officials are expected to be objective and ethical. A good test is the 'trust test': would relevant others (the general public) trust your judgment if they knew you were in this situation. Trust, is at the ethical heart or core of this issue. Conflicts of interest involve the abuse, actual or potential, of the trust people have in the elected officials. This is why conflicts of interest not only injure the general public, but they also damage the whole profession of being an elected official by reducing the trust people generally have in elected officials. A definition of conflict of interest " a situation in which a public official has a personal interest sufficient to appear to influence the objective exercise of his or her official duties. The three elements to this definition are: 1. A private or personal interest; 2. Official duty-quite literally the duty an elected official has because you act in an official capacity. An elected official takes on certain official responsibilities, these obligation are supposed to out rank private or personal interests. 3. Conflicts of interest interfere with professional responsibilities by interfering with objective judgment.

An apparent conflict of interest is one which a reasonable person would think that the professional's judgment is likely to be compromised. A potential conflict of interest involves a situation that may develop into an actual conflict of interest, conflicts of interest interfere with professional responsibilities in a specific way, namely, by interfering with objective professional judgment.

Transparency (being completely open and frank) becomes important when dealing with both actual and potentially perceived conflicts of interest. Perception happens when an individual observes a behavior or activity and comes to a conclusion. Perceiving a conflict of interest does not make it a conflict of interest. The true test of verifying whether a matter is just a potentially perceived conflict of interest, or an actual conflict of interest, is disclosure. In this situation, there was no disclosure.

Integrity is revealed when people act virtuously regardless of circumstance or consequences. This often requires moral courage. Integrity is the critical connection between ethics and moral action.

While we may believe that our moral decisions are influenced most by our philosophy, in truth our emotions play a significant role in our ethical decision-making

Morals are the principles that guide individual conduct within society. And, while morals may change over time, they remain the standards of behavior that we use to judge right and wrong.

Overconfidence in our own moral character can cause us to act without proper reflection. And that is when we are most likely to act unethically.

Both Ron Lundbom's and Shannon Adair's lack of integrity and morals and overconfidence have created bias and prejudice towards Appellant's right to an unbiased and fair appeal. Ron Lundbom and Shannon Adair are not impartial or neutral.

I allege that I am the aggrieved and the above named decision was made in error for the following reasons:

(2) Appellant alleges he was at a disadvantage regarding the public meeting space and the virtual meeting. Participants have a reasonable expectation that they will be able to hear, understand and comprehend the proceedings. See attached sheets labeled Exhibit C.

Exhibit C. The Planning Commission did not introduce themselves, the citizens appearing via GoToMeeting virtual platform did not introduce themselves; except those few that gave testimony. A public meeting space was created that put the appellant at a disadvantage due to the meeting room acoustics, individuals not speaking and enunciating clearly. Appellant does not hear clearly, sometimes he is not able follow the discussion in detail. The Chairman and members of the audience did not speak nor enunciate clearly for appellant to understand the discussion; members of the audience did not speak loud enough, nor enunciate clearly in order for appellant to understand them. In most cases, the audience speaking via the virtual host, were unintelligible, indecipherable, their enunciation inadequate. For older citizens, the virtual meetings are difficult to track, not all participants are on the screen, the planning official showed the

staff report on top of the participants appearing virtual, sometimes showing slides on top of the virtual audience, making it difficult to follow what is being shown.

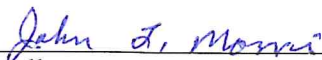
Although, Appellant did not request any special accommodations, federal and state statutes contain a long, non-exhaustive list of major life activities including self-care, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, thinking, communicating, working, interacting with others, and the operation of major bodily functions including but not limited to the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions. The impairment or perceived impairment is one that restricts one or more major life activities of the individual as compared to most people in the general population.

Appellant asserts due to age and the mental processes of perception, memory, and reasoning imitations, most of the information presented in the virtual meeting is beyond his ability to grasp.

Based on the foregoing arguments, Appellant requests a remand of the Planning Commission's decision for fair rehearing.

In the event, Appellant is the prevailing party, Appellant requests the filing fee and any associated costs be refunded.

Dated this 8th day of December, 2021



Appellant,
John L. Morris
60016 Hwy 26
John Day, OR 97845
541-932-4660

Transcript of Oral Proceedings John Day Planning Commission meeting November 9, 2021.

The clock of record of the oral proceedings was started prior to the meeting being called to order.

27: 46

My name is John Morris, 60016 Hwy 26, John Day. And I'm not sure whether I'm for or against the pool. I can't glean from the information I've received, who applied for the grant that generated 2 million dollars, the City of John Day, the parks and rec district, or Ken Boethin?

Ken Boethin: No, I didn't

John Morris: That's one question I have, another question I have, when I look at the grant proposal, it will operate on land donated by the John Day Canyon City Parks and Rec District. I've looked in their guidance document for the board of directors, I see no where in there where they have the ability to buy, sell or donate land to somebody else.

I've got questions about, and then there are further questions at one of the other meetings that I have attended here, it talked about a 4 million dollar levy proposal, in addition to these grants. Nothing has been said about the operation and maintenance costs down the road for this once it's built. Until I know what the answer to some of the questions and how it all going to gonna fit together, at this point I'm opposed to it

Ken Boethin: Any concerns in regards to the criteria the planning commission is going to get to.

John Morris: As far as the planning commission goes, if it's done illegally, how can the planning commission or... interrupted by Ken Boethin: Any questions regarding the criteria the planning commission shall consider in whether or not to grant a conditional use application.

John: I guess not.

Ken Boethin: Thank you.

**CITY OF JOHN DAY
PLANNING COMMISSION MINUTES
JOHN DAY, OREGON**

November 9, 2021

COMMISSIONERS PRESENT:

Ken Boethin, Commission Chair
Liz Aleman, Commissioner
Sarah Brown, Commissioner
Neale Ledgerwood, Commissioner
Heather Rookstool, Ex Officio Member

COMMISSIONERS ABSENT:

Tim Unterwegner, Commissioner
Tom Wilson Commissioner
Dave Holland, Ex Officio Member

STAFF PRESENT:

Nick Green, City Manager
Lindy Berry, Secretary
Aaron Lieuallen, Senior Project Manager

Don Gabbard, Fire Chief
Garrett Chrostek, City Attorney (virtual)

GUESTS PRESENT

Joe Hitz, Sisul Engineering
Lisa Weigum, John Day Canyon City Parks & Rec
Bennett Hall, Blue Mountain Eagle
Sherrie Rininger, John Day
Amy Franklin
Sierra May
John Morris, John Day
John Rowell, John Day
Susan Pearce, John Day
Beth Spell, John Day
Jim Spell, John Day
Linda Gingrich, John Day
Chris Labhart, John Day
Kris Labhart, John Day
Kimberly Hernandez
Ron Lundbom, John Day
Tirza Shaffer, Canyon City
Shannon Adair, John Day

Haley Walker, Canyon City
Zach Bailey, Canyon City
Tracey Blood
Davy Blood
Mike Zilis - Walker Macy (virtual)
Aaron Maples- Walker Macy (virtual)
CanyonMountainStudio (virtual)
Stacie Holmstrom (virtual)
Stacie Klusmier (virtual)
Bob Keefer (virtual)
Kailey Heiple (virtual)
Darin Toy (virtual)
Cosette K (virtual)
Charlene (virtual)
Louis (virtual)
9702941970 (virtual)

Agenda Item No. 1—Open and Note Attendance

Chairman Boethin called the Planning Commission meeting to order at 6:00 PM and noted there was a quorum present.

Agenda Item No. 2— Approval of Prior Minutes

The minutes from the September 1, 2021 council meeting were presented for approval.

Commissioner Ledgerwood motioned to approve the September 1, 2021 minutes. The motion was seconded by Commissioner Brown and passed unanimously.

The minutes from the October 6, 2021 council meeting were presented for approval.

Commissioner Brown motioned to approve the October 6, 2021 minutes. The motion was seconded by Commissioner Aleman and passed unanimously.

Agenda Item No. 3— Appearance of Interested Citizens

Chairman Boethin asked if any members of the public were present for items not listed on the agenda.
None appearing

Agenda Item No. 4—Conditional Use Permit (Type III) CUP-21-05: Aquatics Center

Chairman Boethin reviewed the procedures of the hearing and opened the hearing for CUP-21-05 at 6:05 pm.

Boethin asked if any member of the commission wished to declare any conflicts of interest or significant ex-parte contact. *None appearing.*

City Manager Green briefly reviewed the staff report for CUP-21-05. He explained the basis for the type of permit noting that the applicant was the John Day/ Canyon City Parks and Recreation District. The criteria being used to review the permit was Section 5-4. He reviewed the use criteria the Planning Commission would base their decision upon noting the site-specific plan was included in the packet provided to the Commission.

Chairman Boethin invited the applicant to speak.

Lisa Weigum introduced herself on behalf of the Parks and Recreation District. She noted that the project had been in progress since 2017 and they hoped to give the community an opportunity to vote on the pool.

Chairman Boethin asked if any members of the public wished to speak in favor.
Summary of comments below.

Jim Spell: Felt that all requirements appear to have been met and that the plans were well thought out.

Sierra May: Former member of the swim team. She felt that the entire community would benefit.

Zach Bailey: Local physician and parent. Agreed that the entire community would benefit. A much-needed amenity for the youth of the community as well as people requiring aquatic therapy.

Beth Spell: A pool is vital for a healthy community and for members of the community to learn to swim and to work together.

Tirza Shaffer: Voiced her full support of the pool.

Susan Pearce: Noted the importance for children in the community to learn to swim.

Shannon Adair: Voiced her full support of the pool.

Haley Walker: Applauded Parks and Rec for submitting the application and was in full support.

Aaron Lieuallen: Voiced his full support of the pool.

Amy Franklin: Voiced her full support of the pool.

Ron Lundbom: Noted that he observed unsafe swimming over the Summer and pointed out the need to provide a safe space for people to learn water safety

Chris Labhart: Voiced his full support of the pool.

Lisa Weigum added that over 80 children were enrolled in swim lessons the last year the pool was in operation

Dorothy Piazza: Voiced her full support noting the concerns she had, had been addressed by Parks and Rec and the City. A facility for swim lessons is critical for the safety of the community.

Darin Toy: A pool is a wonderful community amenity to attract young families.

Chairman Boethin asked if any members of the public wished to speak in opposition to the proposal.

Summary of comments below

John Morris: Unsure if he was for or against the pool. He inquired who had applied for the grant that generated \$2 million? He also inquired about the land donated by the John Day/ Canyon City Parks and Recreation District? He did not see any documentation allowing for the donation of land. He noted concerns about the operations and maintenance costs.

The public hearing was closed at 6:30 PM and opened for discussion among the planning commission.

Chairman Boethin noted that the design and criteria had been met. He thanked City Manager Green for the supplemental report.

Commissioner Aleman inquired about the ditch that would run behind the proposed development. Engineer, Joe Hitz answered that until they get a full **topal**, they cannot be certain of the impact. If the water were to potentially create a hazard, they would design accordingly.

Commissioner Aleman also inquired about the ball court in front of the lobby and how that came about? Lisa Weigum, Parks and Recreation answered that they were in shortage of gym space for the programs they offer. They were hopeful that they would build to the footprint to allow for future opportunities for recreation.

Commissioner Aleman inquired about the design of the parking area. She raised concerns about the ingress and egress shown on the plans. She felt that for safety, they should plan for ways to slow traffic. She suggested raised sidewalks.

Engineer, Joe Hitz answered that those were not in the plans at that had been provided, but could be added.

Commissioner Brown inquired if there was a reason for the parking lot to be bidirectional and not one way?

Engineer, Joe Hitz noted it was the design provided by Walker Macy and the design was meant to ease congestion.

Chairman Boethin asked if there was any further discussion. *None appearing.*

Commissioner Aleman motioned to approve the Conditional Use Application CUP-21-05 based on the findings and subject to the conditions of approval contained in the staff report. The motion was seconded by Commissioner Brown and passed 3-1 with Commissioner Ledgerwood in opposition.

Agenda Item No. 5—Other Business and Upcoming Meetings

No upcoming meetings.

Commissioner Aleman motioned to close the meeting at 6:40 PM. The motion was seconded by Commissioner Ledgerwood and passed unanimously.

Meeting adjourned.

Respectfully Submitted:

Nicholas Green
City Manager

ATTEST

Ken Boethin, Chairman

Date