

Mr. Gammon gave a Staff Report: Mr. Sasser was requesting rezoning for a real-estate office. Mr. Gammon stated that the staff felt that just for a real-estate office that the rezoning to CG was a bit intense. They felt as though it may be appropriate for CL. The neighborhood is concerned about rezoning to CG because of the various types of commercial businesses that it could attract.

Mr. Sasser stated that he was in the real-estate business and wanted to build an office. He said that he didn't have a problem rezoning to CL instead of CG. He stated that he would like to put an office building on the property in question that is conducive to the environment of the surrounding neighborhood. He also stated that he had been working with the Homeowner's Association to allow covenants to be attached to the property that was above and beyond what the CL zoning requires. A few things he had agreed upon was to try satisfying the Homeowner's Association by allowing them to attach covenants to the property that no gasoline sales nor alcohol sales be allowed and that no outdoor storage of materials or products. Site screening would be required to block the view of the residential properties. The exterior walls of the structure will be not be less than 50% brick, stone, stucco, log, timber, or log timber veneer or any other durable exterior product excluding non self-locking vertical corrugated sheet metal panels (metal barn look).

Ms. Dorrance asked if Mr. Sasser had bought the property contingent upon receiving approval for rezoning?

Mr. Sasser stated that he did not.

Ms. Dorrance asked what he would do if he didn't get the rezoning.

Mr. Sasser stated that he would just wait and one day someone else would want the area rezoned and possibly he would go in together to get it done.

Mr. Jones asked Mrs. Williams if it would be an option to be able to see a prepared covenant before any action would be taken on rezoning.

Mrs. Williams stated that she thought it would be possible to take action on this item contingent upon the covenants that was agreed to by all parties.

Mr. Brian Coon, President of the Homeowner's Association for Deer Creek Hills, stated that he had thought they could have had a written agreement in place before the meeting. However, he stated that the only thing that he and Mr. Sasser did not agree on was signing the agreement before the Planning Commission meeting. The Homeowner's were concerned about the urban type usages starting in a rural area. Mr. Bob Geary, Treasurer for the Homeowner's Association and Mr. Mark Ferguson, homeowner and member also came forward to voice their concerns.

Mr. Jones stated that he would like to see the covenants specify some type of landscaping requirements.

Some discussion was made among the board members to defer the item until the next meeting or until such time as the Homeowners Association and the applicant could agree upon the Restrictive Covenants for the property.

Mr. Roberts made a motion to defer the item for one (1) month. Mr. Jones seconded the motion. Vote taken: Dorrance – Aye; Roberts – Aye; Jones – Aye; Earnest - Aye. The item was deferred.

March 2001 and April 2001 Planning Commission Fee Fund Reports:

Mr. Gammon reported the fees collected for March 2001 were, \$8,806.70 and April 2001 fees were, \$4,159.55. Mr. Jones made a motion to receive the reports. Mr. Roberts seconded the motion. Vote taken: Dorrance – Aye; Roberts – Aye; Jones – Aye; Earnest – Aye. The motion was approved to receive the Fee Fund Reports.

Other Business:

Mr. Jones requested that the staff investigate the ongoing construction at N. Portland and Danforth.

Mr. Fenton stated that he would.

Adjournment: Mr. Earnest motioned for adjournment. Mr. Roberts seconded the motion. Vote taken: Dorrance – Aye; Roberts – Aye; Jones – Aye; Earnest – Aye.

The meeting was adjourned at 2:15 p.m.