1	BEFORE THE LAND USE BOARD OF APPEALS	
2	OF THE STATE OF OREGON	
3 4	GENSTAR LAND COMPANY NORTHWEST,)	
5 6 7	Petitioner,))
8 9	VS.)) LUBA No. 98-208
10	CITY OF SHERWOOD,)
11 12 13	Respondent,) ORDER CANCELING) ORAL ARGUMENT)
14 15	and))
16 17	ROBERT JAMES CLAUS, KEITH HOWE, and LAWRENCE J. ERNSTER,)
18 19 20	Intervenors-Respondent.)
21	The oral argument in this appeal is schee	duled for May 27, 1999, at 9:00 a.m., in the
22	Land Use Board of Appeals Hearing Room. On May 25, 1999, we received a letter from	
23	petitioner's attorney, stating that the city's decision that is the subject of petitioner's appeal is	
24	being addressed by the city through an amendment to the planned unit development	
25	conditions of approval. Petitioner believes that the new proceedings will render the current	
26	appeal moot.	
27	Petitioner stated that there would be little merit in proceeding with oral argument, and	
28	he stated that his opinion is shared by the city attorney. According to petitioner, the only	
29	party objecting to the cancellation of oral argument is intervenor-respondent R. James Claus.	
30	ORS 197.805 provides:	
31 32 33	"It is the policy of the Legislative Assembly that time is of the essence in reaching final decisions in matters involving land use and that those decisions be made consistently with sound principles governing judicial review."	
34	We read this to mean that extensions of time may be granted over the objections of	
35	one of the parties when the party requesting the	e extension shows that it is likely that the

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1	issues in dispute will be more expeditiously decided elsewhere. Petitioner has done so in this	
2	case. Therefore, the request to cancel oral arguments at this time is granted. Oral argument	
3	is rescheduled for July 15, 1999 at 9:00 a.m.	
4	Dated this 25th day of May, 1999.	
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10	Anne Corcoran Briggs	
11	Board Member	