

- I. Call to Order: December 6, 2012; 7:09 pm
- II. Administration:
 - a. Roll Call:
Planning Commission: Joanne Siler, Richard Clappé, Hal Grimnes, Terri Michelsen, Dan Ayers
Staff: City Manager Jeff Aprati, City Planner Sabrina Pearson
Virgil Staben has requested an excused absence.
 - b. Minutes: Thursday, November 1, 2012:
Motion to Approve as written: Hal Grimnes; 2nd: Terri Michelsen; Unanimous approval
 - c. Visitors: None
 - d. Correspondence: None
 - e. Non-Agenda Items:
1. Building Height:

Planning Commission President, Dan proposes a height affidavit for signature, similar to the Tillamook County affidavit required to be signed. In most cities if the height comes into question, the property owner has to pay to ensure, even if it is by survey, that the structure is consistent with the building height. Sometimes even setbacks require a foundation survey to ensure that the setbacks are met.

City Manager Jeff Aprati recommends a sentence be added to the application form. Jeff states that it is his opinion that he can add the affidavit as an administrative action and supports the addition of the affidavit to the application process. Jeff will discuss the issue with the City Attorney with Joel Sacks.
2. Expiration of Approvals:
 - a. Right-of-way permits: Right-of-way permits do not have an expiration period. The right-of-way ordinance dictates that permits shall be designed by the City Council. Jeff will be submitting a recommendation to change the right-of-way permit through the City Council process.
 - b. Design Review: Design Review does not have an expiration period. The expiration will need to be added only after it successfully is approved through the post acknowledgement plan amendment process. Add item to the next zoning ordinance text amendments discussion.
3. Term Limits: Planning Commissioner Terri Michelsen wants to change the term length for the Planning Commissioner to be two years instead of four years. She recommends that it will improve stability for new members. Joanne Siler supports it to encourage participation. Richard Clappé likes the four year term, a longer term to protect his right to serve. Hal Grimnes would rather be able to resign that risk losing his position multiple times. Discussion tabled.
4. CPA 2012-02 Vision Plan Adoption Amendments:

Hal Grimnes: Concerned about the interpretations adopted. How is the developer going to be assured that he would get approval of each additional 10 units? City Manager Jeff Aprati explains

that the Council adopted interpretations amended by staff after their workshop. Jeff will send out the modified interpretations from the City Council to the Planning Commission.

III. Unfinished Business:

- a. City of Wheeler Zoning Map: This is an administrative update to the existing zoning map. The update has not yet been prepared.
- b. Planning Commissioner Trainings: Tabled for discussion until January 9, 2012.
- c. Wheeler Comprehensive Plan Background Report; Update Table of Contents:
This is an administrative update to the Table of Contents. The update has not yet been prepared.
- d. Any other unfinished Business: None

IV. New Business:

- a. Discussion of Council decision regarding structure being built at 117 Ridgeview Ct.

City Manager Jeff Aprati: The Laszlo garage is over height. The interim City Manager Don Otterman approved the structure without requiring the applicant to sign the correct application form and did not require compliance with the height criteria. The other issue is the geologic hazard issue. A geologic hazard report specific to the garage is required and was not submitted prior to permit approval. City Manager Jeff Aprati negotiated with the property owners to have a geologic hazard report specific to the garage written. City Manager Jeff Aprati was able to work out a negotiation for the city to pay 50% of the \$600 hazard report cost which cost the City \$300. It is the City Manager's opinion that the City is in a better position for safety and that is the most important thing at this point. Jeff knows Don personally and finds Don exceptionally skilled; this was just a mistake but a big one.

Dan Ayers: Planning Commission President Dan Ayers excuses himself from the Planning Commission to speak as a citizen. Richard Clappé, Planning Commission Vice President, takes over as chair. Dan speaks as a citizen. He thinks it is fair that each applicant pays for their own development. Dan says that he was designing the project as a designer. He says that he told the Laszlo's that their structure would be over height and that they would need a variance. He says thinks it is unfair that just because Don Otterman did not have them sign the correct form does not excuse them from their responsibility. The City Attorney is protecting the City. Dan is here representing the citizen viewpoint. We, as the public, got ripped off because we never had the opportunity to hear the testimony.

City Planner Sabrina Pearson: Requests for enforcement need to be directed to the City Council; by ordinance it is their responsibility. Even after a decision has been rendered by the City Council citizens are always welcome to bring these issues to the City Council. Wheeler has a well-designed thorough application process that was worked out together with the Planning Commission and City Council and Wheeler now has full time staff to administer the ordinance and process. It is unlikely that this type of mistake would be repeated.

Item closed.

Planning Commission President Dan Ayers rejoins the Planning Commission.

b. Any other New Business: None

V. Upcoming Meetings; Commission Manager, Planner, and Staff Comments:

a. Upcoming Meetings:

Motion: Planning Commissioner Terri Michelsen motion to move January 2013 Meeting to Wednesday January 9, 2013; Hal Grimnes 2nd: Unanimous Approval

January 9, 2013 Agenda: Election of Officers; Background Report Table of Contents; Update on Zoning Map; Update on Vision adoption Ordinance; Planning Commissioner; Schedule of Planning Commission Meetings.

b. Commissioner Comments:

Planning Commission Vacancies:

Mike Anderson is applying to be a new planning commissioner for the open four year term. There are 2-3 open positions depending on whether Virgil Staben accepts his Council seat.

c. City Manager Comments: None

d. City Planner Comments: None

e. Staff Comments: None

VI. Adjournment: 8:37 pm

Dan Ayers, Planning Commission President

ATTEST: Jeff Aprati, City Manager