

City of Klamath Falls Planning Division

Administrative Review

In the matter of an  
Administrative Review for:

Final Decision and Conditions: **13-DR-09**

Carla and James Mueller  
2345 Biehn Street  
Klamath Falls, OR 97601

Date: September 29, 2009

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In accordance with the provisions of Sections 11.000-11.010 and 12.010 of the Community Development Ordinance (CDO), the City of Klamath Falls Planning Department has reviewed this request for a Minor Design Review.

**NATURE OF THE PROPOSAL**

The applicants, Carla and James Mueller, propose to construct a 1,440 square foot addition onto an existing 1,440 square foot building, currently being used by a physical therapy business. The applicant stated that this addition should not increase client / employee trips as the addition is merely to provide for more space for the current number of employees and clientele. The proposed addition is a two story structure with a footprint of 720 sq ft measuring 30' x 24'. The first floor of the addition will contain two patient rooms, a bathroom, an office, and a reception area. The second floor of the addition will contain an office and an open area to be used for document storage. The existing facility was previously approved by the City under 21-DR-99. A similar addition was considered under Design Review 37-DR-07.

The subject property is zoned Neighborhood Commercial and comprises approximately 12,600 sq ft on two contiguous lots known as the northerly 38 feet of Lot 11 and all of Lot 12, Block 55, of the Lakeview Addition to the City of Klamath Falls. The property is also known by the following County Assessor's Tax Map and Lot identifiers: R-3809-029BA tax lots 1000 & 1100. The property is located at 2345 Biehn St. on the corner of Biehn St. and Van Ness St. Access is currently obtained from both streets with existing drives, as well as a gravel alley along the east side of the property. There are existing connections to water, sewer, power, cable, and natural gas. The existing parking lot and driveways are paved. Mature landscaping already exists on the property.

**AGENCY COMMENTS**

Planning –

1. Setbacks: The required minimum setbacks for Neighborhood Commercial zones are: 10' front yard, 5' rear yard, and 0' for both interior and exterior side yards. The existing structure has the following setbacks from the property lines: Approximately 78.5' front yard (west), approximately 17.5' rear yard (east), approximately 5' exterior side yard (north), and approximately 40' interior side yard (south). The proposed building addition will reduce the interior side yard setback to approximately 10'. All other setback distances will remain unchanged. All existing and proposed setback distances meet or exceed the minimum setback distances required for Neighborhood Commercial zones.
2. Lot Coverage: Neighborhood Commercial zoning allows for a maximum lot coverage of 75%. The existing building has a footprint of approximately 1,440 sq ft (60' x 24') and the proposed addition has a footprint of approximately 720 sq ft (30' x 24'). The combined footprint of the existing and proposed buildings is 2,160 sq ft which will cover approximately 17% of the approximately 12,600 sq ft subject property.

3. Height: The maximum allowed building height for Neighborhood Commercial zones is 45'. The maximum proposed building height is approximately 23'.
4. Parking: CDO Section 14.010 requires 1 parking space for every 200 sq ft of medical office space and 1 parking space for every 700 sq ft for storage space. The proposed addition will increase the medical office space to a total of 2,160 sq ft requiring 11 spaces for the medical office use. The proposed addition will increase the area used as storage to a total of 720 sq ft requiring 1 parking space for the storage use. The total number of parking spaces required for the existing and proposed use of the property is 12. The 512 sq ft of total building area require a total of 3 parking spaces. The site plan shows a total of 12 parking spaces.

CDO Section 14.046(1) requires a minimum of 1 bicycle space for every 12 required vehicle parking spaces. The 12 required vehicle parking spaces require a total of 2 bicycle spaces to be provided for the site. The proposed site plan shows bike racks to be installed in front of the proposed addition to accommodate a minimum of 2 bicycles.

Parking areas with 1-25 parking spaces require 1 van accessible parking space for people with disabilities. The proposed site plan shows one ADA van accessible space located in front of the entrance to the existing building. The dimensions and locations of the parking space and the access aisle shown on the site plan meet the requirements of the Oregon Department of Transportation Disabled Parking Standards. The space shall be signed and striped in accordance with said standards.

**All required parking lot improvements shall be completed by November 30, 2009. The van accessible space for people with disabilities shall be constructed to meet all requirements of the Oregon Department of Transportation Disabled Parking Standards for width, location, striping and signage.**

5. Landscaping: The proposed site plan shows the location of existing landscaping and the planned location of additional landscaping. The plan does not specify what landscaping will be placed in the area identified as "existing asphalt to be removed and replaced with landscaping" in the southwest corner of the property.

**The applicant shall submit a detailed landscaping plan for the new landscaping area in the southwest corner of the subject property, to City Planning prior to installing landscaping, for review and approval, showing the following details:**

- **The species names of all plants; and**
- **all landscaped areas not covered with trees or other vegetation shall be covered with bark mulch; and**
- **a minimum of 50% of the landscaping area shall be covered by vegetation; and**
- **permanent irrigation method; and**
- **all required trees will be a minimum of 2" caliper in size.**

**All landscaping shown on the detailed landscaping plan, once approved, shall be installed by the applicant prior to May 1, 2010 and maintained by the applicant.**

6. Fences: The site plan does not show the placement of any new fences on the subject property. Approval of this Design Review does not constitute approval of fence placement, materials, or height. **All trash containers greater than 50 gallons in capacity shall be screened to a height of six feet, by a site-obscuring fence. Trash enclosure location shall not conflict with approved parking. A fence permit shall be submitted, reviewed, and approved prior to installation of any fence.**

7. **Signs:** Approval of this Design Review does not constitute approval of sign placement or size. **A sign permit shall be submitted, reviewed, and approved prior to installation of any sign. All signs shall conform to the Uniform Sign Act found in CDO Sections 14.300 – 14.368.**

Engineering –

1. A public sidewalk curb ramp, on the corner of Biehn Street and Van Ness Street, shall be constructed by the applicant/owner to meet Federal and State Americans with Disability Act guidelines, and the City of Klamath Falls Engineering standards. A single ramp directing pedestrian traffic north and south bound on Biehn Street will be required.
2. The conceptual plan is not showing the existing location of the water meter. The engineering design/construction plans shall include that meter and the irrigation back flow device (type and model number).
3. Along with the engineering design/construction drawings; the applicant shall submit two copies of their plumbing fixture plan with a Sewer System Development Charge Calculation Information Sheet, for the proposed addition. The information sheet can be obtained at the City Engineering office.
4. When the alley immediately east of the subject property is developed/improved the existing driveway immediately east of the building on Van Ness Street shall be abandoned and the property owner shall be responsible for removing the driveway and replacing it with sidewalk, curbing, etc.
5. There is no additional fee for the driveway modification on Biehn Street as it will be covered in the Site Construction Permit and shall be shown on the engineering/design drawing. The curb and driveway approach shall be reconstructed to City Engineering Standard Drawing 8-215 (offset sidewalk). If the existing sidewalk across the driveway meets the current Engineering Standards and ADA Guidelines of a not to exceed 2% cross slope, and be can matched to the new driveway, it should be able to remain. Otherwise that portion of the sidewalk will also need to be removed and reconstructed.
6. The construction activities related to this site will be considered as a Small Site Grading/Erosion plan.
7. The preliminary findings from this review have determined that a storm drainage report and plan is not required. The engineering design/construction plans shall show existing direction of the storm water flow and any existing catch basin inlets on site. Storm water is not permitted to flow, from the site, across sidewalks in the public right of way. At the time of engineering plan review, City Engineering will determine if any modification to the storm water flow or existing catch basin inlets need to be made by the applicant/owner.
8. Based on the conceptual plan and application submitted, the City Engineering fees for plan review and inspection = \$ 475.00. The fees are subject to change based on the increase or decrease of the improvements required.

Basin Transit –

“No comments”

KC Fire Dist #1 –

“KCFD No.1 has no objections provided that the project is completed by following current State Building and Fire codes and standards.”

Building Division –

1. Building permit submittal shall include a comprehensive code evaluation, drawings, calculations, and specifications for the project. Unless waived by Building Official, all design documents shall be prepared and stamped by an Architect or Engineer licensed by the State of Oregon to practice as such.

2. Building Permit application shall include site plan and development approvals from City of Klamath Falls Planning and Engineering Divisions. Any variations to the site plan require re-approval by the City of Klamath Falls prior to issuance of building permit(s).
3. No work shall commence prior to plan review and issuance of the appropriate building and trade permits.
4. Phased construction and/or deferred submittals require approval of the Building Division and submittals for such work shall follow established policy for plan review. No work shall commence prior to review and approval of the associated project phase.

Avista:	No comments were received.
Qwest:	No comments were received.
PP&L:	No comments were received.
SPOKES:	No comments were received.
Opponents:	No comments were received.
Proponents:	No comments were received.

### **DECISION**

After consideration of all staff, agency and citizen comments, and reviewing various data, the application is **approved** as presented subject to the following conditions:

### **CONDITIONS**

➤ **Prior to the issuance of the Development Permit:**

- 1) The applicant shall submit an application for a City Engineering Site Construction Permit. The application can be obtained at the City Engineering office.
- 2) The construction activities related to this site will be considered as a Small Site Grading/Erosion plan. A Grading/Erosion control plan shall be submitted to City Engineering for review.
- 3) The applicant shall submit engineering design/construction drawings and two copies of their plumbing fixture plan with a Sewer System Development Charge Calculation Information Sheet, for the proposed addition. The information sheet can be obtained at the City Engineering office. The engineering design /construction drawings shall include the following items:
  - A public sidewalk curb ramp, on the corner of Biehn Street and Van Ness Street, to be constructed by the applicant/owner, meeting Federal and State Americans with Disability Act guidelines, and the City of Klamath Falls Engineering standards. A single ramp directing pedestrian traffic north and south bound on Biehn Street will be required.
  - The existing location of the water meter. The engineering design/construction plans shall include that meter and the irrigation back flow device (type and model number).
  - There is no additional fee for the driveway modification on Biehn Street as it will be covered in the Site Construction Permit and shall be shown on the engineering/design drawing. The curb and driveway approach shall be reconstructed to City Engineering Standard Drawing 8-215 (offset sidewalk). If the existing sidewalk across the driveway meets the current Engineering Standards and ADA Guidelines of a not to exceed 2% cross slope, and be can matched to the new driveway, it should be able to remain. Otherwise that portion of the sidewalk will also need to be removed and reconstructed.
  - The preliminary findings from this review have determined that a storm drainage report and plan is not required. The engineering design/construction plans shall show existing direction of the storm

water flow and any existing catch basin inlets on site. Storm water is not permitted to flow, from the site, across sidewalks in the public right of way. At the time of engineering plan review, City Engineering will determine if any modification to the storm water flow or existing catch basin inlets need to be made by the applicant/owner.

- 4) The applicant shall submit a detailed landscaping plan for the new landscaping area in the southwest corner of the subject property, to City Planning prior to installing landscaping, for review and approval, showing the following details:
  - The species names of all plants; and
  - all landscaped areas not covered with trees or other vegetation shall be covered with bark mulch; and
  - a minimum of 50% of the landscaping area shall be covered by vegetation; and
  - permanent irrigation method; and
  - all required trees will be a minimum of 2” caliper in size.

➤ **General Conditions:**

- 5) All required parking lot improvements shall be completed by November 30, 2009. The van accessible space for people with disabilities shall be constructed to meet all requirements of the Oregon Department of Transportation Disabled Parking Standards for width, location, striping and signage.
- 6) All landscaping shown on the detailed landscaping plan, once approved, shall be installed by the applicant prior to May 1, 2010 and maintained by the applicant.
- 7) The applicant shall pay Engineering review fees. Based on the conceptual plan and application submitted, the City Engineering fees for plan review and inspection = \$ 475.00. The fees are subject to change based on the increase or decrease of the improvements required.
- 8) When the alley immediately east of the subject property is developed/improved the existing driveway immediately east of the building on Van Ness Street shall be abandoned and the property owner shall be responsible for removing the driveway and replacing it with sidewalk, curbing, etc.
- 9) The applicant shall screen all trash containers greater than 50 gallons in capacity, to a height of six feet, by a site-obscuring fence. Trash enclosure location shall not conflict with approved parking. A fence permit shall be submitted, reviewed, and approved prior to installation of any fence.
- 10) A sign permit shall be submitted, reviewed, and approved prior to installation of any sign. All signs shall conform to the Uniform Sign Act found in CDO Sections 14.300 – 14.368.
- 11) All contractors working on or at the subject property shall maintain a valid City Business License.
- 12) All businesses located on the subject property shall maintain a valid City Business License.
- 13) Building permit submittal shall include a comprehensive code evaluation, drawings, calculations, and specifications for the project. Unless waived by Building Official, all design documents shall be prepared and stamped by an Architect or Engineer licensed by the State of Oregon to practice as such.
- 14) Building Permit application shall include site plan and development approvals from City of Klamath Falls Planning and Engineering Divisions. Any variations to the site plan require re-approval by the City of Klamath Falls prior to issuance of building permit(s).

15) No work shall commence prior to plan review and issuance of the appropriate building and trade permits.

16) Phased construction and/or deferred submittals require approval of the Building Division and submittals for such work shall follow established policy for plan review. No work shall commence prior to review and approval of the associated project phase.

This **Minor Design Review** has met the condition and scope of the City of Klamath Falls Comprehensive Plan, acknowledged by the Oregon State Land and Conservation Development Commission on May 31, 1984. In doing so, this **Minor Design Review** does address the appropriate policies encompassed in the Comprehensive Plan.

**APPLICANTS ARE ADVISED THAT THIS DECISION BECOMES FINAL TWELVE DAYS FROM THE DATE OF MAILING THIS DECISION, UNLESS WRITTEN APPEAL AND A \$200 APPEAL FEE IS FILED WITH THE CITY PLANNING DEPARTMENT.**

DATED THIS 29 SEPTEMBER 2009

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Joe Slaughter  
Associate Planner

c: Tom Del Santo, Development Coordinator  
Rick Bowman, Code Enforcement Officer