

City of Klamath Falls Planning Division  
Administrative Review

In the matter of an  
Administrative Review for:

Final Decision and Conditions: **8-DR-09 & 3-V-09**

David Panossian  
2688 Campus Drive  
Klamath Falls, OR 97601

Amuchastegui Building  
520 Klamath Avenue  
Klamath Falls, OR 97601

Date: June 30, 2009

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In accordance with the provisions of Sections 11.050-11.094, 11.250 - 11.275 and 12.010 of the Community Development Ordinance (CDO), and the Development Standards for the Campus Planned Unit Development, the City of Klamath Falls Planning Department has reviewed this request for a Design Review and a Major Variance.

**NATURE OF THE PROPOSAL**

The applicant, Amuchastegui Building for David Panossian, proposes to build an approximately 3,482 sq ft addition onto an existing medical office building located at 2614 Almond Street. The proposed addition includes approximately 2,060 sq ft of office space on the main (ground) floor and approximately 1,422 sq ft of storage space on the bottom floor. The proposal also includes rebuilding the existing parking lot and building additional parking on the lot adjacent to the existing office. The applicant has requested a setback variance to allow for an approximately 20' setback from Campus Drive. The setback required by the Campus Planned Unit Development, Development Standards is 30'.

The subject property is currently accessed by two driveways on Almond Street. The proposed site plan shows an additional 24' driveway to be constructed, bringing the total number of driveways accessing the subject property from Almond Street to three. The applicant has requested a driveway variance to allow for the proposed driveway configuration.

The use of the property as a medical office was conditionally approved in July of 2000 (City file number 9-CUP-00). The property is zoned Neighborhood Commercial within the Campus Planned Unit Development (PUD) and this Design Review will insure that the proposed expansion meets all Community Development Ordinance (CDO) and Campus PUD Development Standards (PUDDS) for the zone except for those standards which a variance is granted. The property is located at 2614 Almond Street, can be found on tax assessor's map R-3809-020BD tax lots 03000, 03100 & 03200, and can also be described as the southerly 12' of Lot 2, all of Lot 3 & Lot 4; Block 6; Campus View subdivision.

## AGENCY COMMENTS

### City of Klamath Falls Planning Division –

1. **Permitted Uses:** The use of the property as a medical office is a conditionally permitted use in the Neighborhood Commercial portions of the Campus PUD. The site plan shows approximately 3,890 sq ft of the building to be used as “medical professional office” and approximately 1,935 sq ft to be used as “storage”. Storage is not a permitted use in the Neighborhood Commercial portion of the Campus PUD. However, storage that is associated with an approved use is permitted.

*This storage shall be limited to materials used directly in the day-to-day operations of the medical office use of the property. This area shall **not** be used for any other storage, including, but not necessarily limited to: commercial storage (space rented/leased to others for use as storage), or personal storage (storage of items not related to the business by the owner/renter of the property or anyone authorized by the owner/renter of the property without cost).*

2. **Legal Lots:** The subject property is comprised of 3 individual subdivided lots: Lots 3, 4 and a portion of Lot 2; Block 6; Campus View subdivision. The existing and proposed development of this property treats all portions of the subject property as one unit of land with the proposed building expansion encroaching into the required side yard setback between Lots 3 and 4. The proposed use of Lot 4 as a parking lot is not an approved primary use in the Neighborhood Commercial portions of the Campus PUD and therefore the parking lot can only be approved as an accessory use to a permitted primary use.

In order to meet the conditions of the approved driveway variance for the property and to meet CDO setback and approved use requirements while developing the property as proposed *the applicant shall re-plat the existing lots in one of the following configurations:*

- *The southerly 12 feet of Lot 2, all of Lot 3, and Lot 4 (leaving Lot 5 as is) prior to issuance of a Development Permit for any of the lots, OR*
- *The southerly 12 feet of Lot 2, all of Lot 3, and a portion of Lot 4; and combine the remaining portion of Lot 4 with Lot 5, OR*
- *The southerly 12 feet of Lot 2, all of Lot 3 and a portion of Lot 4 leaving the southerly portion of Lot 4 as a parcel (if possible) and leaving Lot 5 as is.*

3. **Lot Coverage:** Existing and proposed lot coverage has been reviewed using the external boundaries of the entire subject property because the proposal shows one coordinated development occupying all 3 of the subdivided lots which comprise the subject property. The Campus PUDDS allow a maximum lot coverage of 70% for Neighborhood Commercial properties. The existing medical office building has a 1,830 sq ft foot print which covers approximately 6% of the approximately 30,056 sq ft subject property. The proposed 3,482 sq ft addition will cover an additional 2,060 sq ft of the subject property and will increase the lot coverage to approximately 13%.
4. **Building Height:** The Campus PUDDS list a maximum height of 30’ for buildings in Neighborhood Commercial zones. The average elevation of the existing ground at the

four corners of the proposed addition is approximately 4264.2'. The maximum elevation of the proposed addition is 4,289.61 making the maximum building height approximately 25.41'.

5. **Setbacks:** Existing and proposed setbacks have been reviewed using the external boundaries of the entire subject property because the proposal shows one coordinated development occupying all 3 of the subdivided lots which comprise the subject property. The Campus PUDDS require a minimum 30' setback for all street frontages and a minimum 20' setback for all side and rear yards. The existing building has the following setbacks: North (side yard) approximately 16', east (Campus Dr) approximately 20', south (side yard) approximately 167', and west (Almond St) approximately 57'. Variances were approved through City file number 7-MV-00 to allow for a 15' north side yard setback and a 20' east, street frontage setback for the existing structure. The proposed addition will not change the existing north, east, or west setback distances. The south side yard setback will be reduced to approximately 121'. The proposed setback of approximately 20' from Campus Dr for the proposed expansion is consistent with the setback of the existing building. This proposed setback requires a variance from the required 30' setback distance.
6. **Driveways:** The applicant submitted a request to vary City Code Section 8.570(2) which states no more than two (2) driveways per street shall be permitted to any single commercial development. The variance was approved by the Community Development Director in consultation with the Public Works Director June 25, 2009 with the following conditions:
  - A. Prior to the issuance of a Development Permit for Lots 2 through 5, the applicant shall combine through a Partition:
    - The southerly 12 feet of Lot 2, all of Lot 3, and Lot 4 (leaving Lot 5 as is) prior to issuance of a Development Permit for any of the lots, OR
    - The southerly 12 feet of Lot 2, all of Lot 3, and a portion of Lot 4; and combine the remaining portion of Lot 4 with Lot 5, OR
    - The southerly 12 feet of Lot 2, all of Lot 3 and a portion of Lot 4 leaving the southerly portion of Lot 4 as a parcel (if possible) and leaving Lot 5 as is.
  - B. The applicant shall record a joint access and maintenance agreement between the resulting lots for the proposed 24 foot wide driveway and drive aisle; i.e., the proposed driveway shall be a shared driveway for 2614 Almond and any development occurring to the south (lots 4 and 5).
  - C. No additional driveway will be permitted for original lots 3 and 4. One additional driveway will be permitted for original Lot 5. A total of 4 driveways will be permitted from the northern tax lot line of tax lot 3100 (on Lot 2) to the southern property line of Lot 5.
  - D. The applicant shall submit a landscaping plan along with the site plan application showing landscape screening of the parking lot from Campus Drive. The plan shall be submitted as an addendum to the site plan.

7. **Pedestrian Circulation:** The Campus PUDDS Section 9 requires all uses within the PUD to provide adequate pedestrian walkways in order to afford convenient and safe pedestrian circulation. “Sidewalks shall be constructed adjacent to all streets and shall be constructed within properties as deemed necessary by the City reviewing authority.”

The proposed site plan shows the construction of new sidewalks along Almond St and Campus Dr adjacent to Lot 4 of Block 6. Lots 4 and 5 of Block 6 are the only portions along the west side of Campus Drive without sidewalks and are the only portions of the east side of Almond Street in Block 6 without sidewalks. The owner of the subject property also owns Lot 5 Block 6. While the extension of sidewalks beyond the subject property on Almond St or Campus Dr will not be a condition of this development, the owner is encouraged to consider the extension of sidewalks across all portions of Lots 4 and 5 to provide pedestrian connectivity along Campus Dr and Almond St.

*The proposed site plan shows a new concrete pedestrian walkway to be constructed along the north side of the new parking lot on Lot 4. This walkway shall be extended to the Almond St sidewalk to the west and the Campus Dr sidewalk to the east to provide convenient and safe pedestrian circulation to and through the subject property.*

8. **Parking:** The Campus PUDDS require all uses within the Campus PUD to provide off street parking in accordance with the requirements of Chapter 14 of the CDO. CDO Section 14.010 requires 1 space for every 200 sq ft for medical office use and 1 space for every 700 sq ft for storage space. The building as proposed has approximately 1,935 sq ft of storage space (3 parking spaces) and approximately 3,890 sq ft of professional office space (20 parking spaces). The total number of vehicle parking spaces required for this proposal is 23. The proposed site plan shows a total of 23 parking spaces.

CDO Section 14.046(1) requires a minimum of 1 bicycle space for every 12 required vehicle parking spaces. The 23 required vehicle parking spaces require a total of 2 bicycle spaces to be provided for the site. The proposed site plan shows a total of 2 bicycle parking spaces.

Parking areas with 1-25 parking spaces require 1 van accessible parking space for people with disabilities. The proposed site plan identifies one van accessible parking space for people with disabilities.

*The approved vehicle parking layout shall be striped with four inch-wide painted lines, wheel stops or curbing shall be installed to prevent vehicles from driving over landscaping, unpaved areas, and sidewalks. The ADA accessible spaces shall be constructed to meet all requirements of the Oregon Department of Transportation Disabled Parking Standards for width, location, striping and signage. All required parking shall be completed prior to October 31, 2009.*

9. **Signs:** Approval of this Design Review does not constitute approval of current or future sign placement or size. The existing sign along Almond Street encroaches approximately 4’ into the Almond Street right-of-way. This encroachment has been properly permitted by the City through variance proceedings (City file number 2-V-03) and a Revocable License and Encroachment Permit. The approved variance requires that the sign be brought into conformance with the current sign code by May 5, 2012. *A sign permit must be submitted, reviewed, and approved prior to installation or modification of any sign.*

10. **Fences and Trash Enclosures:** There is a screened trash enclosure on the north side of the existing building. The plans do not show the placement of any additional trash enclosures or other fences.

*Approval of this Design Review does not constitute approval of future fence placement. A fence permit (no fee) must be submitted, reviewed, and approved prior to installation of any fence.*

11. **Landscaping:** The proposed site plan does not show the location of any existing or proposed landscaping on the subject property. CDO Section 14.410 (3)(c) requires a minimum of 3% of the space provided for vehicular circulation to be landscaped for parking lots with 5 or more parking spaces. The approximately 9,020 sq ft of parking and driveway area requires a minimum of 271 sq ft of landscaping to be placed in and around the parking area.

CDO Section 14.405 (3) requires a minimum of 1 street tree to be planted for every 50 feet of street frontage. The subject property's approximately 218' of frontage along Almond St requires a minimum of 5 street trees to be provided by the applicant along the western edge of the subject property in the Almond St right-of-way. The subject property's approximately 224' of frontage along Campus Dr requires a minimum of 5 street trees to be provided by the applicant along the eastern edge of the subject property in the Campus Dr right-of-way.

*The applicant shall submit a detailed (scaled) landscaping plan to City Planning, for review and approval, showing the following details:*

- *The location, size, and species name for all existing and proposed landscaping; and*
- *all areas devoted to landscaped space shall have a minimum of one tree and two shrubs with at least one tree and two shrubs provided for every 1,000 sq ft of the total landscaped area; 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*
- *the placement of a minimum of 5 street trees to be planted along the Almond St right-of-way and the placement of a minimum of 5 street trees to be planted along the Campus Dr right-of-way; and*
- *all required trees will be a minimum of 2" caliper in size; and*
- *irrigation method.*

*All landscaping shown on the detailed landscaping plan, once approved, shall be installed by the applicant prior to October 31, 2009 and maintained in perpetuity by the property owner.*

City of Klamath Falls Engineering Division –

- 1) Based on the information provided by the applicant and using the attached Engineering flow charts, the following has been determined:

- A Site Construction Permit (SCP) is required.
  - A large site grading/erosion control plan is required.
  - A storm water site plan is required.
- 2) Any areas within the City right-of-way adjacent to this site (both properties, both street frontages) that are missing sidewalks shall be installed to the City of Klamath Falls Public Works Engineering Standards (CKFPWES) current edition by the applicant per this development review.
  - 3) Driveways (existing and proposed) shall conform to the City of Klamath Falls Code 8.570 for width and number of driveways, and to section 8-5.3.8 of the CKFPWES current edition for location and design criteria.
  - 4) Curbs/gutter shall be installed in areas of driveway construction, changes and/or elimination.
  - 5) The abbreviated Transportation Analysis Letter was reviewed by City staff and it appears the document has addressed the information requested by the City. The trip generation report will assist the City in making a future conclusion at the intersections of Campus Drive with both Dahlia and Daggett. The information seems appropriate with the type of expansion that is being proposed.
  - 6) City records indicate the existing private catch basin within the south driveway is drained by a private 4" ABS pipe which runs parallel through the city right-of-way (ROW) to the existing public catch basin in Almond St., adjacent to lot 4.

There is a Revocable License & Encroachment Permit (M01-49942) in place for this private pipe. City Engineering suggests this pipe be removed from the public ROW and reroute the storm water either to the new detention system, or directly into the same public catch basin, routed perpendicular from the property. This would eliminate/reduce future maintenance costs related to ROW construction.

- 7) Any public improvements, grading/erosion control and on-site storm water detention shall be shown on a set of engineering design/construction plans that meet the requirements of the CKFPWES current edition.
- 8) The plans will need to identify both existing and proposed water services, fire service and irrigation back-flow devices. It is the applicant's responsibility to determine whether or not the existing water main lines will supply enough water for domestic use, irrigation, and fire suppression.
- 9) Please submit 4 sets of the engineering design / construction plans and two sets of the private storm water report to the City Engineering Plans Examiner at the City Engineering Division office (upstairs at 226 South 5<sup>th</sup> St.).
- 10) Prior to City Engineering signing the design / construction plans, the applicant shall submit a construction schedule, and traffic control plan for approval.
- 11) The applicant will be required to have a signed set of the Site Construction Permit set of drawings, from City Engineering office, prior to the issuance of the Site Construction Permit.
- 12) Refer to the attached Engineering Fee Schedule to determine the fees related to this project.

13) Attached is a 2009 System Development Charge & Meter Installation Fee information sheet to be reviewed by the applicant. Any water System Development Charge (SDC) that needs to be paid prior to issuance of the Development Permit will be determined by the City, which is based on the size and number of meters.

City records indicate a 5/8" meter currently services this site. A one inch service line supplies this meter. This service line can accommodate an upgrade to a 1" meter, or an additional 5/8" meter. A meter "drop-in" fee of \$225, plus the applicable SDC fees applies to either of these scenarios.

14) The applicant will need to submit two copies of their plumbing fixture plans showing both existing conditions and any proposed changes/additions; along with a completed Sewer System Development Charge Calculation Information Sheet (attached). The sewer System Development Charge (SDC) will be calculated by the City for the applicant to pay prior to receiving their Development Permit.

15) The applicant shall submit the attached Industrial Sewer Use Evaluation information sheet and the attached Dental Compliance Survey to City Engineering, along with the design/construction plans, to determine if there are any pretreatment requirements for this site. Please note: The signature lines on these forms are to be completed by a person in charge of the facility.

Basin Transit Service –

"No Comments"

Klamath County Fire Dist No. 1 –

"KCFD No. 1 will be requesting a hydrant to be placed within 225 feet of this project. There is currently one at Daggett & Almond. There will need to be a second hydrant on Almond."

Klamath County 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.

Charter: No comments were received.  
SPOKES: No comments were received.  
Opponents: No comments were received.

Proponents: Letter dated June 5, 2009, received from Daniel O. Benson (neighboring property owner). "I support the above-mentioned addition to Dr. Panossian's office and sleep center. This will represent a wonderful addition to our environment and I find that Dr. Panossian is a wonderful neighbor."

### **RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS**

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 11.250-11.275, and 12.010 regarding Variances.

#### **Facts and Findings for Setback Variances**

- A. ***Criterion*** *The variance is in conformance with the Comprehensive Plan, all other provisions of Chapters 10 to 14 and any applicable street plans.*

**Facts and Analysis:** This development will be required to conform to the Comprehensive Plan, all provisions of Chapters 10 to 14 of the CDO, and the Development Standards for the Campus Planned Unit Development with the exception of those requirements for which a variance is approved.

**Finding:** **This proposal will conform to the Development Standards for the Campus Planned Unit Development except for those requirements for which a variance is approved. This criterion is met with conditions.**

- B. ***Criterion*** *There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the same vicinity and zone.*

**Facts and Analysis:** Lots on either side of the proposed development were developed with the benefit of setback variances. The topography on the lots in question is similar to adjacent lots. The location of these lots on a slope makes it difficult to develop the parcels in a manner that effectively uses the land while still meeting the requirements for landscaping, parking and other design features. Any setback variance approved for this property will need to insure that existing easements are protected.

**Finding:** **A setback variance will provide the applicant the ability to develop this property in a way that is comparable to other developments in the area. This criterion is met.**

- C. ***Criterion*** *A variance is necessary for the applicant to preserve and enjoy a substantial property right equal to that right possessed by other property owners under like conditions in the same vicinity and zone.*

**Facts and Analysis:** A setback variance will provide the applicant the ability to develop this property in a way that is comparable to other developments in the area. Lots on either side of the proposed development were developed with the benefit of setback variances. The topography on the lots in question is similar to adjacent lots

**Finding: A variance is necessary for the applicant to preserve and enjoy a substantial property right equal to that right possessed by other property owners under like conditions in the same vicinity and zone. This criterion is met.**

***D. Criterion The granting of the requested variance will not be materially detrimental to the public health, safety, convenience and welfare or injurious to the property improvements in the same vicinity and zone in which the property affected is located and will not be contrary to the intent of Chapters 10 to 14.***

Facts and Analysis: Notice of the requested setback variance was sent to all property owners within 250' of the subject property. No letters of opposition were received by the Planning Division. The proposed development is consistent with other developments in the area. A variance allowing a 20' as opposed to a 30' minimum street frontage setback along Campus Drive will not be materially detrimental to the public health, safety, convenience and welfare or injurious to the property improvements in the same vicinity and zone.

**Finding: The street frontage setback variance will not be materially detrimental to the public health, safety, convenience and welfare or be injurious to the property improvement in the same vicinity and zone in which the property affected is located and will not be contrary to the intent of Chapter 10 to 14. This criterion is met.**

### **DECISION**

After consideration of all staff, agency and citizen comments, and reviewing various data, the application for a **setback variance to allow for a street frontage setback of approximately 20' from Campus Drive is approved with the following condition:**

1. The approved setback variance is only valid if all conditions outlined below for the Design Review are addressed.

After consideration of all staff, agency and citizen comments, and reviewing various data, the application for a **Design Review is approved with the following conditions:**

### **CONDITIONS**

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

- 1) Based on the information provided by the applicant and using the attached Engineering flow charts, the following has been determined:
  - A Site Construction Permit (SCP) is required.
  - A large site grading/erosion control plan is required.
  - A storm water site plan is required.
- 2) Any public improvements, grading/erosion control and on-site storm water detention shall be shown on a set of engineering design/construction plans that meet the requirements of the City of Klamath Falls Public Works Engineering Standards (CKFPWES) current edition.
- 3) The applicant shall submit 4 sets of the engineering design / construction plans and two sets of the private storm water report to the City Engineering Plans Examiner at the City Engineering Division office (upstairs at 226 South 5<sup>th</sup> St.).

- 4) Prior to City Engineering signing the design / construction plans, the applicant shall submit a construction schedule, and traffic control plan for approval.
- 5) The applicant will be required to have a signed set of the Site Construction Permit set of drawings, from City Engineering office, prior to the issuance of the Site Construction Permit.
- 6) The applicant shall address and incorporate the following conditions into the engineering design/construction plans:
  - Any areas within the City right-of-way adjacent to this site (both properties, both street frontages) that are missing sidewalks shall be installed to the City of Klamath Falls Public Works Engineering Standards (CKFPWES) current edition by the applicant per this development review.
  - Driveways (existing and proposed) shall conform to the City of Klamath Falls Code 8.570 for width and number of driveways, and to section 8-5.3.8 of the CKFPWES current edition for location and design criteria.
  - Curbs/gutter shall be installed in areas of driveway construction, changes and/or elimination.
  - The plans will need to identify both existing and proposed water services, fire service and irrigation back-flow devices. It is the applicant's responsibility to determine whether or not the existing water main lines will supply enough water for domestic use, irrigation, and fire suppression.
  - KCFD No. 1 will be requesting a hydrant to be placed within 225 feet of this project. There is currently one at Daggett & Almond. There will need to be a second hydrant on Almond.
- 7) Attached is a 2009 System Development Charge & Meter Installation Fee information sheet to be reviewed by the applicant. Any water System Development Charge (SDC) that needs to be paid prior to issuance of the Development Permit will be determined by the City, which is based on the size and number of meters.

City records indicate a 5/8" meter currently services this site. A one inch service line supplies this meter. This service line can accommodate an upgrade to a 1" meter, or an additional 5/8" meter. A meter "drop-in" fee of \$225, plus the applicable SDC fees applies to either of these scenarios.
- 8) The applicant shall submit two copies of their plumbing fixture plans showing both existing conditions and any proposed changes/additions; along with a completed Sewer System Development Charge Calculation Information Sheet (attached). The sewer System Development Charge (SDC) will be calculated by the City for the applicant to pay prior to receiving their Development Permit.
- 9) The applicant shall submit the attached Industrial Sewer Use Evaluation information sheet and the attached Dental Compliance Survey to City Engineering, along with the design/construction plans, to determine if there are any pretreatment requirements for this site. Please note: The signature lines on these forms are to be completed by a person in charge of the facility.

- 10) City records indicate the existing private catch basin within the south driveway is drained by a private 4" ABS pipe which runs parallel through the city right-of-way (ROW) to the existing public catch basin in Almond St., adjacent to lot 4.

There is a Revocable License & Encroachment Permit (M01-49942) in place for this private pipe. City Engineering suggests this pipe be removed from the public ROW and reroute the storm water either to the new detention system, or directly into the same public catch basin, routed perpendicular from the property. This would eliminate/reduce future maintenance costs related to ROW construction.

- 11) Refer to the attached Engineering Fee Schedule to determine the fees related to this project.

- 12) The applicant shall provide 3 copies of a revised site plan to City Planning showing the following:

- The proposed site plan shows a new concrete pedestrian walkway to be constructed along the north side of the new parking lot on Lot 4. This walkway shall be extended to the Almond St sidewalk to the west and the Campus Dr sidewalk to the east to provide convenient and safe pedestrian circulation to and through the subject property.

- 13) The applicant shall submit a detailed landscaping plan to City Planning, for review and approval, showing the following details:

- The location, size, and species name for all existing and proposed landscaping; and
- all areas devoted to landscaped space shall have a minimum of one tree and two shrubs with at least one tree and two shrubs provided for every 1,000 sq ft of the total landscaped area; 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
- the placement of a minimum of 5 street trees to be planted along the Almond St right-of-way and the placement of a minimum of 5 street trees to be planted along the Campus Dr right-of-way; and
- all required trees will be a minimum of 2" caliper in size; and
- irrigation method.

- 14) Prior to the issuance of a Development Permit the applicant shall submit a completed Land Partition application to the City Planning Division to re-plot the existing lots into one of the following combinations:

- The southerly 12 feet of Lot 2, all of Lot 3, and Lot 4 (leaving Lot 5 as is) prior to issuance of a Development Permit for any of the lots, OR
- The southerly 12 feet of Lot 2, all of Lot 3, and a portion of Lot 4; and combine the remaining portion of Lot 4 with Lot 5, OR
- The southerly 12 feet of Lot 2, all of Lot 3 and a portion of Lot 4 leaving the southerly portion of Lot 4 as a parcel (if possible) and leaving Lot 5 as is.

Said land partition shall receive tentative approval prior to the issuance of a Development Permit.

- 15) The applicant shall record a joint access and maintenance agreement between the resulting lots for the proposed 24 foot wide driveway and drive aisle; i.e., the proposed driveway shall be a shared driveway for 2614 Almond and any development occurring to the south (lots 4 and 5).
- 16) No additional driveway will be permitted for original lots 3 and 4. One additional driveway will be permitted for original Lot 5. A total of 4 driveways will be permitted from the northern tax lot line of tax lot 3100 (on Lot 2) to the southern property line of Lot 5.
- 17) The applicant shall submit a landscaping plan along with the site plan application showing landscape screening of the parking lot from Campus Drive. The plan shall be submitted as an addendum to the site plan.

➤ **General Conditions:**

- 18) The approved vehicle parking layout shall be striped with four inch-wide painted lines, wheel stops or curbing shall be installed to prevent vehicles from driving over landscaping, unpaved areas, and sidewalks. The ADA accessible spaces shall be constructed to meet all requirements of the Oregon Department of Transportation Disabled Parking Standards for width, location, striping and signage. All required parking shall be completed prior to October 31, 2009.
- 19) This storage shall be limited to materials used directly in the day-to-day operations of the medical office use of the property. This area shall **not** be used for any other storage, including, but not necessarily limited to: commercial storage (space rented/leased to others for use as storage), or personal storage (storage of items not related to the business by the owner/renter of the property or anyone authorized by the owner/renter of the property without cost).
- 20) A sign permit shall be submitted, reviewed, and approved prior to installation or modification of any/each sign. All signs shall conform to the Uniform Sign Act found in CDO Sections 14.300 – 14.368.
- 21) All approved landscaping shall be installed prior to October 31, 2009 and maintained in perpetuity by the property owner.
- 22) Approval of this Design Review does not constitute approval of future fence placement. A fence permit (no fee) must be submitted, reviewed, and approved prior to installation of any fence.
- 23) All contractors working on or at the subject property shall maintain a valid City Business License.
- 24) Any business located on the subject property shall maintain a valid City Business License.
- 25) 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.

- 26) 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).
- 27) No work shall commence prior to plan review and issuance of the appropriate building and trade permits.
- 28) 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.
- 29) Refer to the attached Engineering Fee Schedule to determine the fees related to this project.

This **Design Review and Major Variance** 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 **Design Review and Major Variance** 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 30<sup>TH</sup> DAY OF JUNE 2009

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Joe Slaughter  
Associate Planner

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