

City of Klamath Falls Planning Department  
Administrative Review

In the matter of an  
Administrative Review for:

Final Decision and Conditions: **33-DR-08**

City of Klamath Falls  
500 Klamath Avenue  
Klamath Falls, OR. 97601

Pedersen and Pedersen Architects  
409 Pine Street, Suite 300  
Klamath Falls, OR 97601

Date: December 22, 2008

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In accordance with the provisions of Sections 11.050-11.094 of the Community Development Ordinance (CDO), the City of Klamath Falls Planning Department has reviewed this request for a Design Review.

### NATURE OF THE PROPOSAL

The applicant, City of Klamath Falls proposes to re-develop a site for non-profit agency office space. The site was most recently occupied by the Klamath County Chamber of Commerce and Travel Klamath for a visitor center, by the City of Klamath Falls for storage, and by Anderson Builders for an office and storage for construction equipment. The existing site (on Riverside Drive) shall meet current City standards including landscaping, parking, site access and sidewalks. An addition of approximately 162.54 square feet on the front (south) of the building is proposed for a vestibule area. The property is zoned General Commercial and the proposed office use for the property is permitted outright in this zone designation. The property is addressed as 205 Riverside Drive and 125 Riverside Drive (Anderson Builders) and can be found on Assessor's Map R-3809-032CA tax lots 02100, 02200, 02300, and 02400. The proposed visitor center will occupy three lots and a portion of one lot (Lots 5, 6, and 7, and a portion of lot 4, Block 3, West Klamath Falls). The northeast corner of lot 7 will have a stormwater detention pond and a bioswale developed that connects to existing wetlands. The northern portion of the structure on tax lots 02100 and 02200 (on Lots 3 and 4, Block 3, West Klamath Falls) is occupied by Anderson Builders. All 5 lots front approximately 374.00 feet of Riverside Drive right-of-way.

### AGENCY COMMENTS

Planning:

1. **Setback & Lot Coverage:** General Commercial zoning allows for 100% lot coverage and zero setbacks unless the property abuts a residential zone. The subject property does abut a residential zone (west of Riverside), but the property line does not abut property with a residential zoning designation because the Riverside Drive right-of-way is between the properties. CDO 12.010 requires General Commercial to have a 15 foot setback from the yard abutting the residential zone. In this case the yard (property line) abuts the street right-of-way, not the residential property line, thus the 15 foot setback is not required.

The existing building is setback approximately 12'1" from the west property line, 27'11" from the east property line, 40'5" from the south property line, and 1'10" from the north property line. The building (containing the proposed South Portal and Anderson Builders) has an existing footprint of approximately 14,400 sq ft and covers approximately 21.36% of the approximately 67,408 sq ft of lots 3, 4, 5, 6, and 7. The proposed addition is 8' by 20'4" and will add approximately 162.54 sq ft. The addition will make the building footprint approximately 14,562.54 sq ft and will cover approximately 21.60% of lots 3, 4, 5, 6, and 7.

The South Portal building including the proposed addition will have a footprint of approximately 9,762.54 sq ft and the existing Anderson building has a footprint of approximately 4,800 sq ft.

2. **Parking:** The Community Development Ordinance (CDO) 14.010 requires 1 off street parking space for every 400 sq ft of professional office and 1 off street parking space for every 700 sq ft of storage. The 9,762.54 sq ft of the South Portal building and the 2,000 sq ft of office space in the Anderson Builders building will require 30 parking spaces. The 2,800 sq ft of storage space in the Anderson Builders building will require 4 additional parking spaces. The minimum number of parking spaces for the South Portal building (including Anderson Builders) shall not be less than 34 spaces. CDO 14.010(4) allows for a maximum number of parking spaces equal to 110%. **The South Portal building can have a maximum of 38 parking spaces.** The applicant proposes 19 standard parking spaces (2 ADA) and 3 pull-thru Recreational Vehicle (or for vehicles with trailers) spaces for a total of 22 parking spaces. **An updated site plan shall show at least 34 parking spaces. Some of the additional parking spaces shall be on lots 3 and 4 to accommodate the existing business.** CDO 14.040(1) requires that all areas used for parking and maneuvering of vehicles, including driveways and truck loading areas, to have either a concrete or asphalt surface. The site plan shows that an asphalt area will be developed.

CDO 10.010 Parking Space Standard requires that all standard parking spaces shall have a minimum width of 9' and minimum length of 19'. **An updated site plan shall show each space at least at 9' by 19', instead of some at 9' by 18' as currently shown, or labeled as compact parking spaces. CDO 14.040(7)b. requires that compact spaces only satisfy up to 30 percent of the spaces required.**

CDO 14.040(4) requires that access aisles which provide two-way traffic shall be a minimum of 24 feet in width. The applicant shall provide two-way traffic for the vehicle access aisles. CDO 14.040(6) requires that directional signs and pavement markings be used to control vehicle movement within parking and loading facilities.

**Parking for people with disabilities:**

CDO 14.010(2) requires 1 parking space for people with disabilities for every 25 parking spaces. Parking spaces for people with disabilities shall be at least 9' wide by 19' in length. Since the proposed South Portal building shall have 34 parking spaces, 2 parking spaces for people with disabilities are required. CDO 14.010(2)(b) requires that parking spaces for people with disabilities shall be located closest to the nearest accessible entrance. **The applicant proposes 2 spaces for people with disabilities.**

CDO 14.010(2)c. requires at least a 6' wide by 19' long parking access aisle adjacent to each parking space for people with disabilities. Van accessible spaces shall have an access aisle at least 8' wide and 19' long. CDO 14.010(2) a. requires that one in every eight accessible spaces, but no less than one space, shall be van accessible. **The applicant shall have 1 van accessible access aisle for people with disabilities.** Per ORS 447.233(2)d. the access aisle shall be located on the passenger side of the parking space except that two adjacent accessible parking spaces may share a common access aisle.

**Bicycle parking:**

CDO 14.046(1) requires a minimum of 1 bicycle space for every 12 required vehicle parking spaces and CDO 14.046(2) requires the bicycle parking facility to be located no further than 50' from a public entrance. **The 34 vehicle parking spaces require a total of 3 bicycle spaces be provided. The applicant proposes 4 bicycle spaces.**

**The approved vehicle parking layout shall be striped according to a parking plan approved by the Planning Division, with four inch-wide painted lines, wheel stops or curbing shall be installed (CDO 14.040(3)) to prevent vehicles from driving over landscaping, unpaved areas, and sidewalks, and the ADA van accessible space shall be constructed to meet all**

**requirements of the Oregon Department of Transportation Disabled Parking Standards for width, location, striping and signage.**

3. **Building Height:** The maximum allowed building height in General Commercial zones is 45'. **The peak building height for the South Portal building will remain at 23'.**
4. **Access and Driveways:** There are currently three driveways from lots 3, 4, 5, 6, and 7 that access Riverside Drive. The applicant shall install curbs in areas of driveway construction, changes and/or elimination. The most southern driveway with existing paved access from lot 7 shall be removed.

The primary driveway that has access from lot 5 shall not have wraparound curbs as indicated on the site plan. If the applicant believes wraparound curbs are necessary, an administrative variance shall be requested. Driveway access from lot 4 for Anderson Builders, Inc. must conform to Engineering standards and the Klamath Falls Code.

**The existing and proposed driveways 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.**

5. **Signs:** During a recent site visit three signs with commercial messages were noted on the subject property. A banner sign on the south wall of the building (Message: Visitor Information City Center Exit), 3' by 16' was approved by City Sign Permit 49-S-08. A smaller projecting sign on the west wall of the building (Message: Oregon Visitors Information), 3' by 2' was approved by City Sign Permit 51-S-05. A wall flush sign above the bay door on the Anderson Builders building (Message: Anderson Builders, Inc), approximately 9' by 2' is not on record as having approval through a sign permit. Existing and proposed signs to be located on the subject property must meet the requirements of the uniform sign code found in CDO sections 14.300-14.368. Any proposed signs shall not be located within the street right-of-way of Riverside Drive nor within the required sign setbacks.

**A sign permit must be submitted, reviewed, and approved prior to the installation or change of any signs. All existing signs shall be made to conform to the uniform sign code found in CDO Sections 14.300-14.368.**

6. **Landscaping:** CDO 14.405(6) requires mulch consisting of wood chips, bark, or similar organic materials, to be installed and maintained no less than three inches in depth within the drip-line of required trees. CDO 14.405(3) requires that a minimum of one tree be planted for every 50 feet of frontage along each street. **The 374' of property along Riverside Drive requires the planting of at least 8 street trees.** CDO 14.405 requires that for each 1,000 square feet of landscaped open space, a minimum of 1 tree and 2 shrubs shall be planted.

The City does not support placing rock in the right-of-way. Also, rock placed around lawn areas can create problems with properly maintaining and grooming those lawns.

Landscaping needs to be added to all sides of the parking areas in order to satisfy the requirements of CDO 14.410(1). CDO 14.410(4)(b) requires that parking lots shall have landscaped islands at the ends of parking rows to facilitate movement of traffic and to break large areas of parking surface. As indicated on the site plan, the applicant shall install landscaping areas at the ends of all parking rows landscaped in a similar manner to the other vegetation strips.

CDO 14.410 (4)(c) requires a minimum of 3% of the space provided for vehicular circulation such as driveways, driveway easements or open parking areas shall be landscaped which shall be evenly distributed throughout when the parking area contains five or more spaces. **The applicant proposes approximately 7,100 sq ft of landscaping or 10.53% of the 67,408 sq ft lot.**

CDO 14.410(1) requires all areas set aside for landscaping to have a minimum vegetative cover of at least 50%. The applicant shall insure that this requirement is met.

The site plan does not show an irrigation method. The landscaping data provided on the site plan is inadequate and is not approved.

**The applicant shall submit a detailed landscaping plan on 11" x 17" paper, for review and approval, showing the following on lots 3, 4, 5, 6, and 7:**

- **Name of plant material, the number of each species of plant that will be used, and the location of the different plant material**
- **A minimum of 1 tree and 2 shrubs for every 1,000 square feet of landscaping**
- **All landscaped areas not covered with trees or other vegetation shall be covered with a 3 inch layer of bark mulch**
- **A minimum of 50% of the landscaping area shall be covered by vegetation**
- **All required trees shall be a minimum of 2" caliper in size**
- **An irrigation plan**
- **All shrubs shall be planted from a 5 gallon container**
- **Trees planted at a minimum of every 50 feet along Riverside Drive. A minimum of 8 street trees along Riverside Drive.**

**The applicant shall install and maintain the required landscaping as part of this Design Review. This requires that any existing lawn areas shall be brought into compliance or replaced.**

7. **Fences and Trash Enclosures:** All trash containers greater than 50 gallons in capacity shall be screened to a height of six feet by a sight-obscuring fence per CDO 14.150(1). **The applicant shall place the trash container(s) in a screened trash area.**

**If a common solid waste receptacle is provided an equal area shall be provided for recycling adjacent to or within the trash enclosure.** The trash and recycle containers shall be placed in an area as indicated on the site plan.

**The property currently does not contain any fence and the proposed site plan does not include the addition of a fence except for the trash enclosure.** 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, including the fence screening the trash and recycle area.**

8. **Sidewalks:** The City of Klamath Falls Public Works Engineering Standards (CKFPWES) requires that sidewalks or curb ramps are installed in any areas within the City right-of-way adjacent to this site that are missing sidewalks or public sidewalk curb ramps (ADA ramps).
9. **Wetlands:** The northeast corner of lot 7 will have a stormwater detention pond and a bioswale developed that connects to existing wetlands. Storm water drainage to the adjacent wetlands requires Division of State Lands approval. The applicant shall contact the Oregon Department of State Lands (DSL) (OAR 141-085-0126 through 0660) and the U.S. Army Corps of Engineers (Corps) whenever authorized activities result in permanent impacts to wetlands. **The applicant shall provide the City Planning Division and City Engineering with proof of correspondence with DSL and the Corps for the connection of the bioswale to the wetlands.**

Engineering:

1. Based on the information provided by the applicant, 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. A DEQ 1200-C permit may be required for this site, if more than one acre of ground is being disturbed. Please verify.
  3. Storm water drainage to the adjacent wetlands requires Division of State Lands approval. Supply documentation to City Engineering.
  4. Neither the stormwater detention pond nor the bio-swale shall be constructed over, or within close proximity (8 feet) to the existing sanitary sewer main line.
  5. The existing buried sanitary sewer manhole shall be brought to final grade per this development review.
  6. Supply City Engineering with a copy of the easement for the existing sanitary sewer main line / manholes which reside within this property. If an easement does not exist, one shall be created per this development review.
  7. Any areas within the City right-of-way adjacent to this site that are missing sidewalks or public sidewalk curb ramps (ADA ramps) shall be installed to the City of Klamath Falls Public Works Engineering Standards (CKFPWES) by the applicant per this development review.
  8. 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.
  9. Curbs shall be installed in areas of driveway construction, changes and/or elimination.
  10. Provide the City with 3 copies of a transportation analysis letter that meets the requirements of the City's Engineering Standards Section 12-5, items # 1-3, along with the \$250 review fee. Based on the content of this letter comments relating to driveways may be subject to change.
  11. 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.
  12. 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 line will supply enough water for domestic use, irrigation, and fire suppression.
  13. Please submit 3 sets of the engineering design / construction plans and 3 copies of the private storm reports to the City Engineering Plans Examiner at the City Engineering Division office (upstairs at 226 South 5th St.).
  14. Prior to City Engineering signing the design / construction plans, the applicant shall submit a construction schedule, and traffic control plan for approval.
  15. 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.
  16. Refer to the attached Engineering Fee Schedule to determine the fees related to this project.

17. 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.
18. The applicant shall submit the attached Industrial Sewer Use Evaluation information sheet to City Engineering, along with the design/construction plans, to determine if there are any pretreatment requirements for this site. Please note: The signature line on page 4 of this form is to be completed by a person in charge of the facility.
19. The City Water Division shall abandon the existing water meter for a fee of \$500.
20. The applicant shall receive a water SDC credit of \$5,865.00 for the existing 1 inch meter to be abandoned. The SDC for a 1.5 inch meter is \$11,730. Therefore, the SDC to be paid to the City is \$5,865.
21. The following are additional comments based on the plans submitted. Upon receipt of full plan / document submittals, additional comments may arise:
  - a. Reference City Standards for all City infrastructure, erosion control, and private stormwater.
  - b. The fire line shall tie into the existing City water main line via a “hot tap” using a Romac SST tapping sleeve, not a cut-in tee.
  - c. The fire line will cross four sanitary sewer lines. Two of the four are shown above the fire line. Supply City Engineering with the current OAR’s regarding municipal water / sewer line crossings and how they are to be dealt with. Show this methodology on the design / construction plans.
  - d. Show the 6 inch gate valve on the fire line within the right-of-way, at the eastern edge of the right-of-way, on the plan view.
  - e. Both driveways shall be shown on the plans, per City Standard Drawing Number (CSDN) 8-215 (no wraparound curbs within the right-of-way).
  - f. Driveway approaches and public sidewalks running through driveways require 8 inch thick reinforced concrete.
  - g. Reference CSDN 8-245 for curb replacement, with a 24 inch cut into the street.

Building Dept.:

1. Building permit submittals shall include a comprehensive code evaluation, drawings, calculations, and specifications for the project. 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 departments. 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.

KCFD#1:

“Klamath County Fire District #1 has no issues with access or water supply.”

SSSD:	No comments were received.
Avista:	No comments were received.
PP & L:	No comments were received.
Charter:	No comments were received.
Qwest:	No comments were received.
Proponents:	No comments were received.
Opponents:	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**

#### **1) Prior to the issuance of the Development Permit:**

- a) The applicant shall submit the following to the City Engineering Division:
  - A Site Construction Permit is required.
  - A large site grading/erosion control plan is required.
  - A storm water site plan is required.
- b) The applicant shall submit a Department of Environmental Quality (DEQ) 1200-C permit, if more than one acre of ground is to be disturbed. Please clarify areas to be reconstructed vs. overlaid, as well as existing permeable ground to be disturbed.
- c) The applicant shall receive approval from the Division of State Lands for storm water drainage to the adjacent wetlands. Submittal documentation shall be given to City Engineering and City Planning.
- d) The applicant shall supply City Engineering with a copy of the easement for the existing sanitary sewer main line / manholes which reside within this property. If an easement does not exist, one shall be created per this development review.
- e) The applicant shall submit 3 copies of a transportation analysis letter that meets the requirements of the City’s Engineering Standards Section 12-5, items # 1-3, along with the \$250 review fee. Based on the content of this letter comments relating to driveways may be subject to change.
- f) The applicant shall show any public improvements, grading/erosion control, and on-site storm water detention on a set of engineering design/construction plans that meet the requirements of the CKFPWES current edition.
- g) The applicant shall 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 line will supply enough water for domestic use, irrigation, and fire suppression.
- h) The applicant shall receive a water SDC credit of \$5,865.00 for the existing 1 inch meter to be abandoned. The SDC for a 1.5 inch meter is \$11,730. Therefore, the SDC to be paid to the City is \$5,865.

- i) The applicant shall submit 3 copies of the engineering design/construction plans and 3 copies of the private storm reports to the City Engineering Plans Examiner at the City Engineering Division office (upstairs at 226 South 5th St.).
- j) The applicant shall submit a construction schedule and traffic control plan for approval prior to City Engineering signing the construction plans.
- k) The applicant shall submit a signed set of the Site Construction Permit set of drawings, from the City Engineering office, prior to the issuance of the Site Construction Permit.
- l) 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 will be calculated by the City for the applicant to pay prior to receiving their Development Permit.
- m) The applicant shall submit the attached Industrial Sewer Use Evaluation information sheet to City Engineering, along with the construction plans, to determine if there are any pretreatment requirements for this site. Please note: The signature line on page 4 of this form is to be completed by a person in charge of the facility.
- n) The applicant shall submit a revised site plan to City Planning for review and approval showing the following:
  - Lots 3, 4, 5, 6, and 7, Block 3, West Klamath Falls.
  - 34 standard parking spaces on lots 3, 4, 5, 6, and 7.
  - Asphalt improvements on lots 3 and 4.
  - Landscaping improvements on lots 3 and 4.
  - Driveway entrance/exit on lots 3 and 4.
- o) The applicant shall submit a detailed landscaping plan, to City Planning for review and approval, showing the following details on lots 3, 4, 5, 6, and 7:
  - Name of plant material, the number of each species of plant that will be used, and the location of the different plant material
  - A minimum of 1 tree and 2 shrubs for every 1,000 square feet of landscaping
  - All landscaped areas not covered with trees or other vegetation shall be covered with a 3 inch layer of bark mulch
  - A minimum of 50% of the landscaping area shall be covered by vegetation
  - All required trees shall be a minimum of 2" caliper in size
  - An irrigation plan
  - All shrubs shall be planted from a 5 gallon container
  - Trees planted at a minimum of every 50 feet along Riverside Drive. A minimum of 8 street trees along Riverside Drive.
- p) The applicant shall expect that upon receipt of full plans/documents, the following additional comments may arise:
  - Reference City Standards for all City infrastructure, erosion control, and private stormwater.
  - The fire line shall tie into the existing City water main line via a "hot tap" using a Romac SST tapping sleeve, not a cut-in tee.
  - The fire line will cross four sanitary sewer lines. Two of the four are shown above the fire line. Supply City Engineering with the current OAR's regarding municipal water / sewer

line crossings and how they are to be dealt with. Show this methodology on the design / construction plans.

- Show the 6 inch gate valve on the fire line within the right-of-way, at the eastern edge of the right-of-way, on the plan view.
- Both driveways shall be shown on the plans, per City Standard Drawing Number (CSDN) 8-215 (no wraparound curbs within the right-of-way).
- Driveway approaches and public sidewalks running through driveways require 8 inch thick reinforced concrete.
- Reference CSDN 8-245 for curb replacement, with a 24 inch cut into the street.

**2) General Conditions:**

- a) All contractors working on this job shall maintain a valid city business license.
- b) The applicant shall obtain a building permit and a new certificate of occupancy prior to the new use moving in to the new building.
- c) The City Water Division shall abandon the existing water meter for a fee of \$500.
- d) The applicant shall verify that neither the stormwater detention pond nor the bio-swale be constructed over, or within close proximity (8 feet) to the existing sanitary sewer main line.
- e) The applicant shall upgrade the existing buried sanitary sewer manhole to final grade per this development review.
- f) The applicant shall install curbs in areas of driveway construction, changes and/or elimination.
- g) The applicant shall install sidewalks or curb ramps in any areas within the City right-of-way adjacent to this site that are missing sidewalks or public sidewalk curb ramps (ADA ramps) to the City of Klamath Falls Public Works Engineering Standards (CKFPWES) per this development review.
- h) The applicant shall verify that driveways (existing and proposed) 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.
- i) The applicant shall submit building permits, including a comprehensive code evaluation, drawings, calculations, and specifications for the project. All design documents shall be prepared and stamped by an Architect or Engineer licensed by the State of Oregon to practice as such. Building Permit application shall include site plan and development approvals from City Of Klamath Falls Planning and Engineering departments. Any variations to the site plan require re-approval by the City Of Klamath Falls prior to issuance of building permit(s).
  - No work shall commence prior to plan review and issuance of the appropriate building and trade permits.
- j) The applicant shall re-stripe the parking lot according to the approved plan, with four inch painted lines and install wheel stops or curbing to prevent vehicles from driving over landscaping or sidewalks, the placement of approved bicycle parking, and installing signs identifying ADA spaces. All required parking lot improvements shall be completed prior to September 1, 2009 or issuance of Certificate of Occupancy.
- k) The applicant shall install all required landscaping prior to September 1, 2009.

- l) The applicant shall pay all Engineering fees related to this project. Please refer to the attached Engineering Fee Schedule to determine the fees.
- m) The applicant shall submit for review and approval a fence permit (no fee) prior to installation of any fence or any stand alone trash enclosure.
- n) The applicant shall submit for review and approval, a sign permit prior to the installation of any signs. All existing signs shall be made to conform to the uniform sign code found in CDO Sections 14.300-14.368.

This **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 **Design Review** does address the appropriate policies encompassed in the Comprehensive Plan.

**APPLICANTS ARE ADVISED THAT THIS DECISION IS FINAL AS OF THE DATE OF MAILING THIS DECISION (DECEMBER 22, 2008), UNLESS WRITTEN APPEAL AND A \$200 APPEAL FEE IS FILED WITH THE CITY PLANNING DEPARTMENT WITHIN 12 DAYS OF THE DATE OF MAILING.**

DATED THIS 22ND OF DECEMBER 2008.

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Kelly O'Neill  
Planner

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