

City of Klamath Falls Planning Department  
Administrative Review

In the matter of an  
Administrative Review for:

Final Decision and Conditions: **2-P-10**

Swan Lake Moulding  
P.O. Box 428  
Klamath Falls, OR 97601

Adkins Consulting Engineers, Inc.  
2950 Shasta Way  
Klamath Falls, OR 97603

Date: June 3, 2010

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In accordance with the provisions of Section 10.805 and 11.705 - 11.725 of the Community Development Ordinance (CDO), the City of Klamath Falls Planning Department has reviewed this request for a Land Partition.

### NATURE OF THE PROPOSAL

The applicants, Adkins Consulting Engineers, Inc. for Swan Lake Moulding, propose to partition approximately 1.28 acres into two parcels with Parcel 1 being approximately 0.74 acres and Parcel 2 being approximately 0.54 acres. The proposed land partition is a re-plat of Parcel 1 Land Partition 22-08. Parcel 1 will abut Washburn Way and South 6<sup>th</sup> Street and Parcel 2 will abut South 6<sup>th</sup> Street only. There are three existing businesses on the subject property: Burger King, Klamath Animal Clinic and Muffler King. The property in question can be found on Klamath County Assessor's Map R-3909-003BB tax lot 01700. The property is located on the southeast corner of Washburn Way and South 6<sup>th</sup> Street and has the following street addresses: 2710, 2726 and 2730 South 6<sup>th</sup> Street. The subject property is zoned General Commercial.

### AGENCY COMMENTS

Engineering -

1. A final land partition plat shall be prepared by a Professional Surveyor registered in the state of Oregon. The property shall be surveyed and mapped in accordance with the City of Klamath Falls Community Development Ordinance Chapter 11 and Oregon Revised Statutes 92 and 209. Along with those requirements, the Surveyor of record shall submit copies of existing recorded easements and the full sized **filed surveys** and **recorded plats** that are referenced on the final plat.
2. The tentative land partition met the requirements of Community Development Ordinance (CDO) 11.715 Tentative Map Requirements.
3. The City requires that each parcel created is serviced form an individual water meter. The applicant shall either, provide proof that currently each parcel is individually serviced or apply for a water meter(s) prior to approval of the final land partition plat.
4. Wastewater review comments need to be obtained from South Suburban Sanitary District.

KCFD No.1 –

“Klamath County Fire District No. 1 would request a site plan for comments prior to any building on the proposed parcels. We have no concerns at this point for the partition.”

County Building –

“The County Building Division has no issues or concerns with the proposal at this time.”

USBR –

“In response to the City of Klamath Falls Planning Departments administrative review request for the subject applicant’s proposal to partition approximately 1.28 acres into two parcels with Parcel 1 being approximately .74 acres and parcel 2 being approximately .54 acres, the Bureau of Reclamation has no comments and/or concerns at this time. There are no Reclamation facilities adjacent to or in the vicinity of the proposed construction site.”

SSSD:	No comments were received.
Avista:	No comments were received.
Charter:	No comments were received.
PP & L:	No comments were received.
Qwest:	No comments were received.
PP&L:	No comments were received.
County Planning:	No comments were received.
County Surveyor:	No comments were received.
Opponents:	No comments were received.
Proponents:	No comments were received.

**RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND FINDINGS:**

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 11.705-11.725, regarding Land Partitioning.

- A. ***Criterion*** *The proposed partition is in conformance with the City Comprehensive Plan.*  
Facts and Analysis: The proposed partition conforms to the Comprehensive Plan and all other provisions of Chapter 10-14 with the proposed conditions.  
Findings: *The proposed partition conforms to the Comprehensive Plan with the proposed conditions. This criterion is met with conditions.*
  
- B. ***Criterion*** *The proposed partition is in conformance with all applicable provision of this Ordinance and other federal, state and county ordinances and regulations.*  
Facts and Analysis: The tentative land partition met the requirements of Community Development Ordinance (CDO) 11.715 Tentative Map Requirements.  
Findings: *The proposed partition is in conformance with all applicable provisions of this Ordinance and other federal, state and county ordinances and regulations. This criterion is met.*
  
- C. ***Criterion*** *The subject property is physically suitable for the type and proposed density of development and conforms to zoning standards.*  
Facts and Analysis: The proposed parcels meet the required minimum lot size (5,000 sq ft) for the General Commercial zone with Parcel 1 being approximately 0.74 acres (32,234 sq ft) and Parcel 2 being approximately 0.54 acres (23,522 sq ft). Both parcels are occupied by

existing commercial development. The proposed parcel size is consistent with other commercial development in the area.

*Findings: The subject property is physically suitable for the type and proposed density of development and conforms to zoning standards. This criterion is met.*

**D. Criterion *The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets or other existing or planned facilities.***

**Facts and Analysis:** The proposed parcels are laid out in a fashion to take advantage of the existing rights-of-way and parcel lines. Parcel 1 will front Washburn Way for approximately 103' and South 6<sup>th</sup> Street for approximately 181'. Parcel 2 will front South 6<sup>th</sup> Street for approximately 156'.

*Findings: The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets or other existing or planned facilities by the conditions place on this partition. This criterion is met.*

**E. Criterion *The existing sewer and water facilities and fire protection services are adequate to serve the proposed development.***

**Facts and Analysis:** The City requires that each parcel created is serviced form an individual water meter. The applicant shall either, provide proof that currently each parcel is individually serviced or apply for a water meter(s) prior to approval of the final land partition plat. There is existing sewer service to the site provided by South Suburban Sanitary District (SSSD). Any change to existing sewer service shall be coordinated with SSSD.

*Findings: The existing sewer and water facilities and fire protection services are adequate to serve the proposed development of a mini-storage facility. This criterion is met with conditions.*

**F. Criterion *Lots or parcels created through the proposed partition shall abut an improved street for the length of the lot frontage.***

**Facts and Analysis:**

Parcel 1 will abut Washburn Way and South 6<sup>th</sup> Street and Parcel 2 will abut South 6<sup>th</sup> Street only. Both streets are fully improved with asphalt paving, curbs/gutters, sidewalks and street lights.

*Findings: This criterion is met.*

**G. Criterion *The proposed partition will not conflict with legally established easements or access within or adjacent to the proposed partition;***

**Facts and Analysis:** The proposed partition does not conflict with legally established easements. The following easements currently exist on the property:

- To the City of Klamath Falls for street, road, pedestrian, and utility purposes, vol. 2007, pg. 011354.
- To Dorothy Collier and Pacificcorp, for underground electrical power line, vol. M00, pg. 37404.
- Reciprocal agreement, easement for access and parking with the adjacent property, and maintenance agreement, vol. M95, pg. 33582.
- To California Oregon Power Company for utilities, vol. 202, pg. 29.

*Findings: The proposed partition will not conflict with legally established easements or access within or adjacent to the proposed partition. This criterion is met.*

**H. Criterion *The proposed partition does not prohibit the extension of dedicated streets or roads.***

Facts and Analysis: No rights-of-way will be prohibited from extension. No other rights-of-way exist within the boundary of the proposed partition.

Findings: *The proposed partition does not prohibit the extension of dedicated streets or road. This criterion is met.*

**I. Criterion Emergency Vehicle access is adequately addressed and complies with the Uniform Fire Code, as stated in Section 8.6.**

Facts and Analysis: Emergency vehicle access will be provided from two existing driveways on South 6<sup>th</sup> Street and from neighboring property through reciprocal access easement. A “no-build” zone will be created by the plat to insure adequate building separation.

Findings: *Emergency Vehicle access is adequately addressed and complies with the Uniform Fire Code. This criterion is met.*

### **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 Final Approval**

1. A final land partition plat shall be prepared by a Professional Surveyor registered in the state of Oregon. The property shall be surveyed and mapped in accordance with the City of Klamath Falls Community Development Ordinance Chapter 11 and Oregon Revised Statutes 92 and 209. Along with those requirements, the Surveyor of record shall submit copies of existing recorded easements and the full sized **filed surveys** and **recorded plats** that are referenced on the final plat.
2. The City requires that each parcel created is serviced form an individual water meter. The applicant shall either, provide proof that currently each parcel is individually serviced or apply for a water meter(s) prior to approval of the final land partition plat.

This **Land Partition** 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 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 3 JUNE 2010

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JOE SLAUGHTER,  
ASSOCIATE PLANNER

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