City of Klamath Falls Planning Division

Administrative Review

In the matter of an Administrative Review for:

Final Decision and Conditions: **9-DR-10**

Darren Bogatay
680 Loma Linda Drive
Klamath Falls, OR 97601

William Fridinger
1692 Cove Point Road
Klamath Falls, OR 97601

Rhine-Cross Group, LLC
112 N. 5th Street
Klamath Falls, OR 97601

Date: May 18, 2010

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, Rhine-Cross Group, LLC for Darren Bogatay, proposes to construct a new 14' x 26' (364 sq ft) coffee kiosk with associated asphalt drive thru, parking and landscaping. The property will share existing access with the neighboring Taco Time restaurant. The subject property is currently mostly undeveloped with a portion of the existing Taco Time driveway and parking lot located on the subject property.

The subject property is zoned Neighborhood Commercial within the Campus Planned Unit Development (PUD) and comprises Lots 1 & 2, Block 1 of Replat #1 Sunnyside Addition. The property is approximately 33,977 sq ft (0.78 acres) in area. The property is addressed as 2750 Campus Drive and can be found on Klamath County Assessor's Tax Map R-3809-022CA, tax lots 00200 & 00300.

AGENCY COMMENTS

Planning –

1. Permitted Uses: The proposed use of the property as a restaurant is a conditionally permitted use in the Neighborhood Commercial portions of the Campus Planned Unit Development (PUD). A conditional use permit was granted in 1995 (18-CUP-95) to build two restaurants on tax lots 3809-022CA-00200, 00300, 00400, 00500 & 00600 (Lots 1-5, Block 1, Replat #1 Sunnyside Addition). A Design Review was approved for the construction of the Taco Time restaurant on tax lots 00400, 00500 & 00600 in 1995 (19-DR-95). A second restaurant was not constructed at that time. The applicant proposes to construct a second restaurant on a portion of the original subject property which is now under separate ownership.
2. Legal Lots: The subject property is comprised of 2 individual lots: Lots 1 & 2, Block 1 of Replat #1 Sunnyside Addition. The proposed development of this property treats all portions of the subject property as one unit of land with the proposed parking lot and driveway encroaching onto Lot 1.

Since the applicant is proposing to use the subject property as one continuous development this review will use the external boundaries of the entire subject property when reviewing setbacks, lot coverage, driveways, etc.

The applicant shall record a Deed Restriction with the Klamath County Clerk's office to prohibit the individual sale of either Lot 1 or Lot 2 until all CDO requirements (landscaping, parking, setbacks, lot coverage, etc.) are provided for each lot independent of the other.

3. Lot Coverage: The Campus PUD Development Standards (PUDDS) allow a maximum lot coverage of 70% for Neighborhood Commercial properties. The proposed coffee kiosk will cover 364 sq ft or approximately 1% of this approximately 33,977 sq ft subject property.

4. Building Height: The Campus PUDDS list a maximum height of 30' for buildings in Neighborhood Commercial zones. The maximum height of the proposed structure is 17'.

5. Setbacks: The Campus PUDDS require a minimum 30' setback for all street frontages and a minimum 20' setback for all side and rear yards. The proposed site plan shows the following setback distances: Approximately 24.5' west side yard, approximately 74' from the Campus Drive right-of-way (north), approximately 135' northeast side yard, approximately 142' southeast side yard, and approximately 27.5' from the Shallock Avenue right-of-way. The proposed setback distance from the Shallock Avenue right-of-way is less than the minimum 30' required by the Campus PUDDS.

   - *The setback from Shallock Avenue shall be increased to a minimum of 30'* **– or –**
   - *The applicant shall apply for a variance for the proposed setback from Shallock Avenue. If the Variance is approved the setback can remain as shown and if the variance is denied the setback shall be increased to a minimum of 30'.*

6. Driveways: City Code Section 8.570 allows for a maximum of two driveways per street for commercial developments and no more than a total of four driveways regardless of the number of abutting streets. The proposed site plan shows a total of three driveways serving the proposed development: One on Campus Drive and two on Shallock Avenue. The total number of driveways and the number of driveways per street are within the maximums allowed by City Code.

   The driveway on Campus Drive and the west driveway on Shallock Avenue are existing, shared driveways, also used by the Taco Time restaurant. These driveways were reviewed and approved in 1995 by City Staff and the Planning Commission. A "right of way easement agreement" (M00 PG36380) has been recorded to insure continued ingress/egress for the subject property.

   No additional driveways (beyond what is shown on the proposed site plan) will be permitted for Lots 1 & 2, Block 1, Replat #1 Sunnyside Addition. These lots will have two driveways on Shallock Avenue once the proposed development occurs and City Code Section 8.570 requires commercial developments abutting streets with different performance classifications to access the street with the lower classification. Campus Drive is an arterial street and Shallock Avenue in a local street.

   The existing shared driveway on Shallock Avenue is out of compliance with City Code Section 8.570 which allows for a maximum driveway width of 24' for commercial driveways. A driveway variance would need to be approved by City Planning in

coordination with City Public Works in order for the existing width to be preserved. The driveway variance would need to be supported by the required Traffic Analysis Letter (TAL) (see Engineering comments below) in order to be approved. Support by the required TAL does not guarantee approval however.

If the applicant wishes to preserve the existing width of the shared driveway along Shallock Avenue a driveway variance shall be submitted to City Planning. If the applicant does not wish to peruse a variance for the driveway width or if the variance is denied, the driveway width shall be modified to meet the maximum allowed width of 24'.

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 CDO and the City of Klamath Falls Public Works Engineering Standards both require sidewalks to be constructed along the street frontages of properties when they are developed. The proposed site plan shows new curb-tight sidewalks to be constructed along Shallock Avenue to match the existing sidewalks adjacent to the site. Sidewalks will not be required along Campus Drive for this project because there is an existing 8' wide asphalt multi-use path adjacent to the subject property. The width of the path was adequate when it was constructed by no longer meets the State's minimum width requirement for multi-use paths.

   The lengths of the blocks within the Campus PUD do not allow for convened pedestrian circulation without access across properties near the center of each block. When additional development is proposed for the subject property provisions for pedestrian circulation will be considered. A minimum 5' wide raised concrete sidewalk connecting Campus Drive and Shallock Avenue will be required. At this time a location for the path should be considered.

   To provide for convenient and safe pedestrian circulation the existing asphalt paved multi-use path on Campus Drive shall be improved to a 10-foot wide path starting at the south end of the shared driveway, north to the north property line of the subject property. Details of this design can be discussed with the Planner of record and City Surveyor.

   To provide for convenient and safe pedestrian circulation a minimum 5' wide raised concrete sidewalk will be constructed to connect Campus Drive to Shallock Avenue as a condition of future development. The site plan shall identify a tentative location for this path. If the location of the path needs to be changed for future development proposals the proposed changes must be coordinated with City Planning.

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 100 sq ft for restaurant use. The proposed 364 sq ft restaurant requires a total of 4 parking spaces, including one ADA van accessible space, per the current version of the CDO. City Planning has identified a problem with the existing parking ratios for drive-thru only restaurants in the CDO and has been working to correct this issue while revising the CDO. The new language would require drive-thru only restaurants to provide one parking space per employee and one ADA van accessible space. Using this requirement the proposed use, which will have up to two employees per shift, needs a total of

3 parking spaces. The proposed site plan shows a total of 2 parking spaces and uses the parking ratio for retail instead of restaurants. *At least one additional parking space shall be added to the plan to meet the minimum parking requirement.*

CDO Section 14.046(1) requires a minimum of 1 bicycle space for every 12 required vehicle parking spaces. The 3-4 required vehicle parking spaces require a total of 1 bicycle space to be provided for the site. The proposed site plan does not show bicycle parking. *A bike rack shall be added to the site plan.*

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 occupancy and prior to June 1, 2011.

9. Signs: Approval of this Design Review does not constitute approval of current or future sign placement or size. *A sign permit must be submitted, reviewed, and approved prior to installation or modification of any sign.*

10. 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: CDO Section 14.410 requires a minimum of 200 sq ft of landscaping be provided for a use with 3-4 parking spaces. 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 129' of frontage along Campus drive requires 3 street trees and the approximately 179' of frontage along Shallock Avenue requires 4 street trees. The proposed site plan shows landscaped areas that total more than 200 sq ft. The plan also shows the location of landscaping elements but it does not give species names.

    The Campus PUDDS Section 11 states:

    > "All property areas remaining unbuilt upon, after construction of a permitted use, shall within six months from the date of occupancy of said constructed use, be landscaped in an adequate and thorough manner; including, but not limited to, evergreen ground cover, evergreen shrubbery and evergreen trees; and in density sufficient to erosion control, in that all cuts, embankments and slopes greater than 5% shall be planted with sufficient plant materials to prevent detrimental erosion. Diagrammatic landscaping plans shall be submitted to the Planning Department with all permit applications."

    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 areas to remain unbuilt upon to be landscaped in an adequate and thorough manner; 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 3 street trees to be planted along the Campus Drive right-of-way and the placement of a minimum of 4 street trees to be planted along the Shallock Avenue 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 occupancy and prior to June 1, 2011 and maintained in perpetuity by the property owner.

Engineering –

1. Traffic Analysis Letter (TAL): Per the City of Klamath Falls Public Works Engineering Standards (CKFPWES) manual for Section 12-5 there are seven listed items that are required to be addressed. At this time a TAL has not been submitted. The applicant shall submit a TAL through the City Planning Division. The Engineering Division (ED) will need three copies along with the $500 review and comment fee.
2. Driveways: The existing driveway on Campus Drive will need to be modified to accommodate a 10-foot wide paved multi-use path with pedestrian pavement striping/markings and signage. The proposed easterly driveway on Shallock Avenue shall be constructed in accordance with City Engineering Drawing 8-210 and modified Drawing 8-245 with a 24-inch wide street cut. The existing southwesterly shared driveway on Shallock Avenue shall be reconstructed to Drawings 8-210 and modified Drawing 8-245 as described in the proposed easterly driveway. All, driveway comments are tentative until the TAL is submitted, reviewed and comments returned. If all three driveways are approved, the ED plan review and inspection fee will be $250 total (3 @ $75 each).
3. The existing asphalt paved multi-use path on Campus Drive shall be improved to a 10-foot wide path starting at the south end of the shared driveway, north to the north property line of this development site. Details of this design can be discussed with the Planner of record and City Surveyor.
4. The site plan is showing a proposed 8-inch dedicated City water main being constructed by the developer for water service to this site. Per City Engineering Standards Section 7, a 12-inch water main is required for a commercial development. The main line shall be extended 20 feet southwesterly of the southwest property line. The ED plan review and inspection fees will be handled through a Cost Recovery Agreement based on an hourly rate of $75. The applicant will receive monthly invoices from the ED. If the applicant is requesting a variance from our City Engineering Standards, they may have their Engineer of record submit a prepared variance request

with an attached exhibit map. City Engineering will require 3 copies of the Engineering Variance, along with the $250 fee, for the review and comment period. The Water System Development Charge (SDC) will be based on the size of the meter determined by the applicant. A meter drop in fee will be determined once the meter size is submitted. A water service installation fee will not be required since the developer's contractor will be installing the water main line, service line and meter box. The irrigation back-flow device make and model shall be shown on the engineering design/construction drawings. Klamath County Fire District 1 will determine the fire suppression requirements for this development.

5. A proposed sanitary sewer lateral is shown on the site plan as being serviced from the City sewer main line on Shallock Avenue. The lateral shall be in accordance with City Engineering Drawing 5-115 & 5-115a.
6. The applicant shall submit the City's Sewer System Development Charge (SDC) Calculation sheet and two sets of plumbing fixture plans for determination of the sewer SDC.
7. The applicant shall submit a Sewer Use Evaluation form that that will be reviewed by City Engineering and the City Wastewater Pretreatment Supervisor.
8. A large site grading/erosion plan, with a narrative, shall be included in the Engineering design/construction plans. The ED review and inspection fee is $450.
9. Based on the site plan, a Storm Drainage Site Plan was required but not submitted. The applicant's engineer of record should have included a preliminary storm drainage plan with the initial site plan. I would recommend prior to moving forward with the engineering design/construction plans a preliminary storm drainage concept be reviewed by the ED. The Final Private Storm Drainage Report and Plan shall be included in the submitted Engineering design/construction plans. The ED plan review and construction observation fee is $600. There was insufficient information provided as to the overall storm drainage plan on both the private and public side. Any public storm drainage improvements and/or connections may trigger a plan review and inspection fee, which is undetermined at this time.
10. Additional storm drainage comments will be provided to the Planner of record from the US Bureau of Reclamation. The results of the USBR review will be forwarded to the applicant's engineering consultant and City Surveyor. The engineering design/construction plans, Development Permit and Site Construction Permit shall not be signed until the City receives USBR's comments.
11. A traffic control plan for all work within the public rights of way shall be included in the Engineering design/construction plans.
12. Engineering design/construction plans meeting the specifications of the CKFPWES shall be submitted for plan review and comments. Contact the City Surveyor at 541.883.5365 for the number of plan sets that are required to be submitted for this project.
13. A Site Construction Permit (SCP), issued by City Engineering, will be required prior to any work commencing at this site. The SCP application will be provided to the developer at the conclusion of the first Engineering design/construction plan review.
14. The applicant will need to pick up the SCP application, (Commercial) System Development Charge & Utility Service packet, Cost Recovery Agreement and the Sewer Evaluation Form at the City Engineering Office. A complete packet will be ready for their pick up.

15. The total calculated ED fees cannot be provided to the applicant at this time until further information is supplied.

County Building –

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. The code evaluation shall address Accessibility (ADA) into the building and restroom.
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.

KCFD No.1 –

KCFD1 has no objection to the approval of the applicant's request provided all construction and related development is completed in accordance with State of Oregon Building and Fire Codes and applicable construction standards.

Avista:	No comments were received.
Qwest:	No comments were received.
PP&L:	No comments were received.
Charter:	No comments were received.
County Building:	No comments were received.
USBR:	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) A Site Construction Permit (SCP), issued by City Engineering, will be required prior to any work commencing at this site. The SCP application will be provided to the developer at the conclusion of the first Engineering design/construction plan review.

2) The applicant will need to pick up the SCP application, (Commercial) System Development Charge & Utility Service packet, Cost Recovery Agreement and the Sewer Evaluation Form at the City Engineering Office. A complete packet will be ready for their pick up.

3) Traffic Analysis Letter (TAL): Per the City of Klamath Falls Public Works Engineering Standards (CKFPWES) manual for Section 12-5 there are seven listed items that are required to be addressed. At this time a TAL has not been submitted. The applicant shall submit four copies of the TAL to the City Planning Division along with a $500 review and comment fee for City Engineering.

4) Engineering design/construction plans meeting the specifications of the CKFPWES shall be submitted for plan review and comments. Contact the City Surveyor at 541.883.5365 for the number of plan sets that are required to be submitted for this project. The plans shall include the following details:

   - Driveways: The existing driveway on Campus Drive will need to be modified to accommodate a 10-foot wide paved multi-use path with pedestrian pavement striping/markings and signage. The proposed easterly driveway on Shallock Avenue shall be constructed in accordance with City Engineering Drawing 8-210 and modified Drawing 8-245 with a 24-inch wide street cut. The existing southwesterly shared driveway on Shallock Avenue shall be reconstructed to Drawings 8-210 and modified Drawing 8-245 as described in the proposed easterly driveway. All, driveway comments are tentative until the TAL is submitted, reviewed and comments returned. If all three driveways are approved, the Engineering Division plan review and inspection fee will be $225 total (3 @ $75 each). If the applicant wishes to preserve the existing width of the shared driveway along Shallock Avenue a driveway variance shall be submitted to City Planning. If the applicant does not wish to peruse a variance for the driveway width or if the variance is denied, the driveway width shall be modified to meet the maximum allowed width of 24'.

   - To provide for convenient and safe pedestrian circulation the existing asphalt paved multi-use path on Campus Drive shall be improved to a 10-foot wide path starting at the south end of the shared driveway, north to the north property line of the subject property. Details of this design can be discussed with the Planner of record and City Surveyor.

   - To provide for convenient and safe pedestrian circulation a minimum 5' wide raised concrete sidewalk will be constructed to connect Campus Drive to Shallock Avenue as a condition of future development. The site plan shall identify a tentative location for this path. If the location of the path needs to be changed for future development proposals the proposed changes must be coordinated with City Planning.

   - Based on the site plan, a Storm Drainage Site Plan was required but not submitted. It is recommended that prior to moving forward with the engineering design/construction plans a preliminary storm drainage concept be reviewed by the Engineering Division. The Final Private Storm Drainage Report and Plan shall be included in the submitted Engineering design/construction plans. The Engineering Division plan review and construction observation fee is $600. There was insufficient information provided as to the overall storm drainage plan on both the private and public side. Any public storm drainage improvements and/or connections may trigger a plan review and inspection fee, which is undetermined at this time.

- The site plan is showing a proposed 8-inch dedicated City water main being constructed by the developer for water service to this site. Per City Engineering Standards Section 7, a 12-inch water main is required for a commercial development. The main line shall be extended 20 feet southwesterly of the southwest property line. The Engineering Division plan review and inspection fees will be handled through a Cost Recovery Agreement based on an hourly rate of $75. The applicant will receive monthly invoices from the Engineering Division. If the applicant is requesting a variance from our City Engineering Standards, they may have their Engineer of record submit a prepared variance request with an attached exhibit map. City Engineering will require 3 copies of the Engineering Variance, along with the $250 fee, for the review and comment period. The Water System Development Charge (SDC) will be based on the size of the meter determined by the applicant. A meter drop in fee will be determined once the meter size is submitted. A water service installation fee will not be required since the developer's contractor will be installing the water main line, service line and meter box.
- The irrigation back-flow device make and model shall be shown on the engineering design/construction drawings. Klamath County Fire District 1 will determine the fire suppression requirements for this development.
- A proposed sanitary sewer lateral is shown on the site plan as being serviced from the City sewer main line on Shallock Avenue. The lateral shall be in accordance with City Engineering Drawing 5-115 & 5-115a.
- A large site grading/erosion plan, with a narrative, shall be included in the Engineering design/construction plans. The Engineering Division review and inspection fee is $450.
- A traffic control plan for all work within the public rights of way shall be included in the Engineering design/construction plans.

5) The applicant shall submit the City's Sewer System Development Charge (SDC) Calculation sheet and two sets of plumbing fixture plans for determination of the sewer SDC.

6) The applicant shall submit a Sewer Use Evaluation form that that will be reviewed by City Engineering and the City Wastewater Pretreatment Supervisor.

7) Additional storm drainage comments will be provided to the Planner of record from the US Bureau of Reclamation. The results of the USBR review will be forwarded to the applicant's engineering consultant. The engineering design/construction plans, Development Permit and Site Construction Permit shall not be signed until the City receives USBR's comments.

8) The applicant shall record a Deed Restriction with the Klamath County Clerk's office to prohibit the individual sale of either Lot 1 or Lot 2 until all CDO requirements (landscaping, parking, setbacks, lot coverage, etc.) are provided for each lot independent of the other.

9) The applicant shall submit a revised site plan showing the following details:

   - The setback from Shallock Avenue shall be increased to a minimum of 30' **– or –** the applicant shall apply for a variance for the proposed setback from Shallock Avenue. If the Variance is approved the setback can remain as shown and if the variance is denied the setback shall be increased to a minimum of 30'.

- At least one additional parking space.
- A bike rack.
- The existing asphalt paved multi-use path on Campus Drive to be improved to a 10-foot wide path starting at the south end of the shared driveway, north to the north property line of the subject property. Details of this design can be discussed with the Planner of record and City Surveyor.
- A minimum 5' wide raised concrete sidewalk will be constructed to connect Campus Drive to Shallock Avenue as a condition of future development. The site plan shall identify a tentative location for this path. If the location of the path needs to be changed for future development proposals the proposed changes must be coordinated with City Planning.

10) 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 areas to remain unbuilt upon to be landscaped in an adequate and thorough manner; 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 3 street trees to be planted along the Campus Drive right-of-way and the placement of a minimum of 4 street trees to be planted along the Shallock Avenue right-of-way; and
- all required trees will be a minimum of 2" caliper in size; and
- irrigation method.

➢ **General Conditions:**

11) 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. All parking lot improvements shall be completed prior to building occupancy and prior to June 1, 2011. The ADA accessible spaces 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.

12) All landscaping shown on the detailed landscaping plan, once approved, shall be installed by the applicant prior to occupancy of the building and before June 1, 2011 and maintained in perpetuity by the property owner.

13) 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.

14) A fence permit (no fee) shall be submitted, reviewed, and approved prior to installation of any fence.

15) All contractors working on or at the subject property shall maintain a valid City Business License.

16) 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. The code evaluation shall address Accessibility (ADA) into the building and restroom.

17) 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).

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

19) 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.

20) All construction and related development shall be completed in accordance with State of Oregon Building and Fire Codes and applicable construction standards.

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 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 18 MAY 2010

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Joe Slaughter
Associate Planner

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