

**CITY OF KLAMATH FALLS
PLANNING COMMISSION**

**Staff Report
1-A-10**

June 28, 2010

I. TITLE

Request to annex 61.36 acres of property within the Urban Growth Boundary; 60 acres east of Lake Ewauna and west of Southern Pacific Railroad property, .64 acres adjacent to Balsam Drive and Emerald Street, and .72 acres adjacent to Flint and Emerald Streets.

II. SUMMARY AND BACKGROUND

The applicants, the City of Klamath Falls, Roger Kalar, and Anita Matys, all of who are property owners propose to annex approximately 61.36 acres of property within the Urban Growth Boundary into the City of Klamath Falls. Per CDO 13.140, if the proposed annexation is adopted the property would be assigned a similar zoning classification. The City of Klamath Falls property is zoned Heavy Industrial (IH) in the County and would become Industrial (I) in the City. Three of the Kalar lots are zoned High Density Residential (RH) in the County and would become Apartment Residential (A) in the City. One of the Kalar lots and the three Matys lots are zoned Suburban Residential (RS) in the County and would become Single Family Residential (SF) in the City.

The City property is east of Lake Ewauna, west of Union Pacific railroad, south of South 6th Street, and north of the railroad trestle that traverses the Klamath River. The Kalar property is located on the northwest corner of Balsam Drive and Emerald Street. The Matys property fronts both Flint and Emerald Streets, South of Cregan Avenue and North of Balsam Drive.

Only 2 lots (0.36 acres of the Matys property) of the total area proposed for annexation are developed with a single family home, the other 61.00 acres of property is currently undeveloped. The property owned by the City of Klamath Falls is utilized as wetlands that replaced filled wetlands at the City owned airport. The property owned by Roger Kalar is being considered for future multi-family development. The other 2 lots, fronting Flint and owned by Anita Matys are being considered for future single family homes. The Matys property with the single family home has a situs address of 3102 Emerald Street, while the other properties do not have situs (physical) addresses assigned. The City property can be found on Assessor's Map R-3909-00400, tax lots 00300 and 00301 and the Kalar and Matys property can be found on Assessor's Map R-3909-007BC, tax lots 02907, 03000, and 02700.

Referring Agency Comments:

Engineering Division:

1. An annexation boundary description shall be submitted to the Community Development Department for review and approval. The description shall be written in accordance with the Oregon Department of Revenue standards and Oregon Revised Statute 308.225.

2. At the time of a proposed future development, the applicant will need to provide the City with a Traffic Impact Study or a Traffic Analysis Letter depending on the type of development being proposed. Any traffic mitigation will be determined by the City after reviewing the study submitted.
3. At the time of a proposed future development, the applicant will be required to submit water and sewer data connection reports that would be modeled for City utility serviceability, to these sites.

Klamath County Building Division:

“The County Building Division has no issues or concerns with this 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 annex approximately 60.64 acres of land into the City of Klamath Falls, 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.”

Klamath County Fire District #1:

“KCFD1 has no objection to the proposed annexation. Thanks for the opportunity to comment. This location (Kalar and Matys) is under the jurisdiction of KCFD4.”

Oregon Department of Transportation:

“ODOT has no comment on the proposed annexations.”

Avista:	No comments were received.
PP & L:	No comments were received.
Qwest:	No comments were received.
Basin Transit:	No comments were received.
Charter:	No comments were received.
Co. Surveyor:	No comments were received.
Co. Public Works:	No comments were received.
Co. Planning:	No comments were received.
KCFD #4:	No comments were received.
State Fire Marshal:	No comments were received.
Union Pacific:	No comments were received.
SSSD:	No comments were received.
City Manager:	No comments were received.
City Attorney:	No comments were received.
Airport Operations:	No comments were received.
Code Enforcement:	No comments were received.
Police Department:	No comments were received.
City Schools:	No comments were received.
Opponents:	No comments were received.
Proponents:	No comments were received.

III. RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND PROPOSED FINDINGS

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 13.105 to 13.140, regarding Annexations.

Criterion: *The annexation conforms to the Comprehensive Plan.*

- 1) *The annexation will not encroach upon agricultural ground.*

Response

The City of Klamath Falls property is zoned Heavy Industrial (IH) in the County and would become Industrial (I) in the City. Three of the Kalar lots are zoned High Density Residential (RH) in the County and would become Apartment Residential (A) in the City. One of the Kalar lots and the three Matys lots are zoned Suburban Residential (RS) in the County and would become Single Family Residential (SF) in the City. There are no designated agriculture lands near the properties proposed for annexation.

Facts and Analysis

The proposed annexation involves land that is already approved for development within the Urban Growth Boundary. Said land is not zoned Exclusive Farm Use (EFU) and is in conformance with Oregon Statewide Planning Goal 3: Agricultural Lands, OAR 660-015-0000(3).

- 2) *The annexation will not encroach upon forestland.*

Response

There are no designated forest lands near the properties proposed for annexation.

Facts and Analysis

The proposed annexation involves land that is already approved for development within the Urban Growth Boundary. Said land is not zoned Forestry/Range (FR) and is in conformance with Oregon Statewide Planning Goal 4: Forest Lands, OAR 660-015-0000(4).

- 3) *The annexation will help conserve open space and protect natural resources.*

Response

The property owned by the City of Klamath Falls will continue to be utilized as a wetland and will remain open space as designated in the City of Klamath Falls Parks, Recreation, and Open Space Master Plan.

Facts and Analysis

A portion of said land is not zoned for Open Space or Natural Resource Preservation, but will be used for such. The annexation is in conformance with Oregon Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces, OAR 660-015-0000(5).

- 4) *The annexation will not adversely affect the quality of the community's air, water, and land resources.*

Response

The proposed annexation should not reduce land resources since the land is currently vacant and no known resources are available on the land. During future construction on the Kalar and Matys properties the City will encourage developers to use BMP measures to alleviate erosion and to minimize dust in the air. Once the land is developed, landscaping will replace the vacant fields of dirt and wild grasses, thus helping to prevent erosion and keep dust from being lifted by winds. The City owned property was developed as reclaimed wetlands, positively affecting the community's air, water, and land resources.

Facts and Analysis

The proposed annexation involves land that is already approved for development within the Urban Growth Boundary and land that is developed as wetlands. Annexation of said land will not adversely affect the quality of air, water, or land resources and is in conformance with Oregon Statewide Planning Goal 6: Air, Water, and Land Resources Quality, OAR 660-015-0000(6).

- 5) *The annexation will not endanger life or property from natural disasters or hazards.*

Response

There are no known natural hazards or disaster areas on or surrounding the property.

Facts and Analysis

The proposed annexation will not increase the probability of endangering life or property from natural disasters or hazards. Annexation of said land is in conformance with Oregon Statewide Planning Goal 7: Areas Subject to Natural Hazards, OAR 660-015-0000(7).

- 6) *The annexation will help satisfy the citizen's recreation needs.*

Response

The annexation will have no effect on the citizen's recreation needs. A park is located on Balsam Drive within close proximity of the Kalar and Matys properties allowing fulfillment of recreation needs. The City owned wetlands property is identified for the construction of a trail that connects to the OC&E trail and to the future extension of the Lake Ewauna Trail.

Facts and Analysis

The proposed annexation will not negatively affect the citizen's recreational needs. Annexation of said land is in conformance with Oregon Statewide Planning Goal 8: Recreational Needs, OAR 660-015-0000(8). The City of Klamath Falls Parks, Recreation, and Open Space Master Plan does not identify the need for an additional park within close proximity of either area proposed for annexation. The proposed trail for the wetlands property will increase the recreational opportunities for the citizens.

- 7) *The annexation will help satisfy the community's housing need.*

Response

The Kalar and/or Matys properties could provide new housing. The Matys property has a house already built across two of the four lots that are being proposed for annexation. The potential housing would increase the housing stock in that neighborhood.

Facts and Analysis

Annexation of said land is in conformance with Oregon Statewide Planning Goal 10: Housing, OAR 660-015-0000(10).

- 8) *The annexation will diversify and improve the community economy.*

Response

Development of the Kalar property to multi-family housing could increase the City's population as new housing would become available. The new residents would work and engage in commerce in the area. During the construction process, construction jobs would be generated.

Facts and Analysis

Annexation of said land is in conformance with Oregon Statewide Planning Goal 9: Economic Development, OAR 660-015-0000(9).

- 9) *The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.*

Response

The wetlands property is designed to be an offset from wetlands that were filled at the City owned airport. The removal of the wetlands at the airport was completed to help reduce airplane bird strike incidents. If the Kalar and/or Matys properties are developed, utilities could be extended from the adjacent right-of-ways.

Facts and Analysis

Annexation of said land will create a timely, orderly, and efficient arrangement of public facilities and services and is in conformance with Oregon Statewide Planning Goal 11: Public Facilities and Services, OAR 660-015-0000(11). Land being annexed would be extended the full range of general fund City services, including City law enforcement.

- 10) *The annexation will help provide a safe, convenient and economic transportation system.*

Response

The transportation system will not be affected as no new streets are proposed by either area being proposed for annexation. Basin Transit Services bus stops are located on Balsam Drive allowing residents the ability for travel to and from other areas in Klamath Falls.

Facts and Analysis

Annexation of said land will help provide a safe, convenient, and economic transportation system and is in conformance with Oregon Statewide Planning Goal 12: Transportation, OAR 660-015-0000(12).

- 11) *The annexation will aid in conserving energy*

Response

The annexation would not impact energy conservation within the Klamath Basin.

Facts and Analysis

Annexation of said land is in conformance with Oregon Statewide Planning Goal 13: Energy Conservation, OAR 660-015-0000(13).

12) *The annexation will promote an orderly and efficient transition from rural to urban land uses*

Response

Future development of the Kalar and/or Matys properties could lead to more dense housing within the Klamath Falls Urban Growth Boundary. Landscaped areas would replace dusty vacant fields and trees placed within the street right-of-way and on individual lots would increase the shade canopy in the area.

Facts and Analysis

The proposed annexation involves land that is already approved for development within the Urban Growth Boundary. The proposed annexation will promote an orderly and efficient transition from rural to urban land uses. Annexation of said land is in conformance with Oregon Statewide Planning Goal 14: Urbanization, OAR 660-015-0000(14). "Land within urban growth boundaries shall be considered available for urban development."

Proposed Finding

The proposed annexation conforms to the comprehensive plan. **This criterion is met.**

IV. DOCUMENTS ATTACHED

- Area Maps
 - 1) City of Klamath Falls Property Proposed for Annexation
 - 2) Assessor Map R-3909-00400
 - 3) Roger Kalar and Anita Matys Properties Proposed for Annexation
 - 4) Assessor Map R-3909-007BC

V. REQUESTED MOTIONS/ACTIONS

- Hold a public hearing and take testimony relative to the Criteria
- If desired, motion to modify the Findings as stated in the Staff Report
- Motion to accept the Findings
- Motion recommending approval of the annexation request to the City Council, based on the approved Findings

VI. PUBLIC NOTICE

Notice of the public hearing for June 28th, 2010 was mailed to 9 property owners on May 17, 2010 and published in the Herald and News on May 30 and June 6, 2010. No written comments were received.

Kelly O'Neill,
Planner

City of Klamath Falls Property Proposed for Annexation



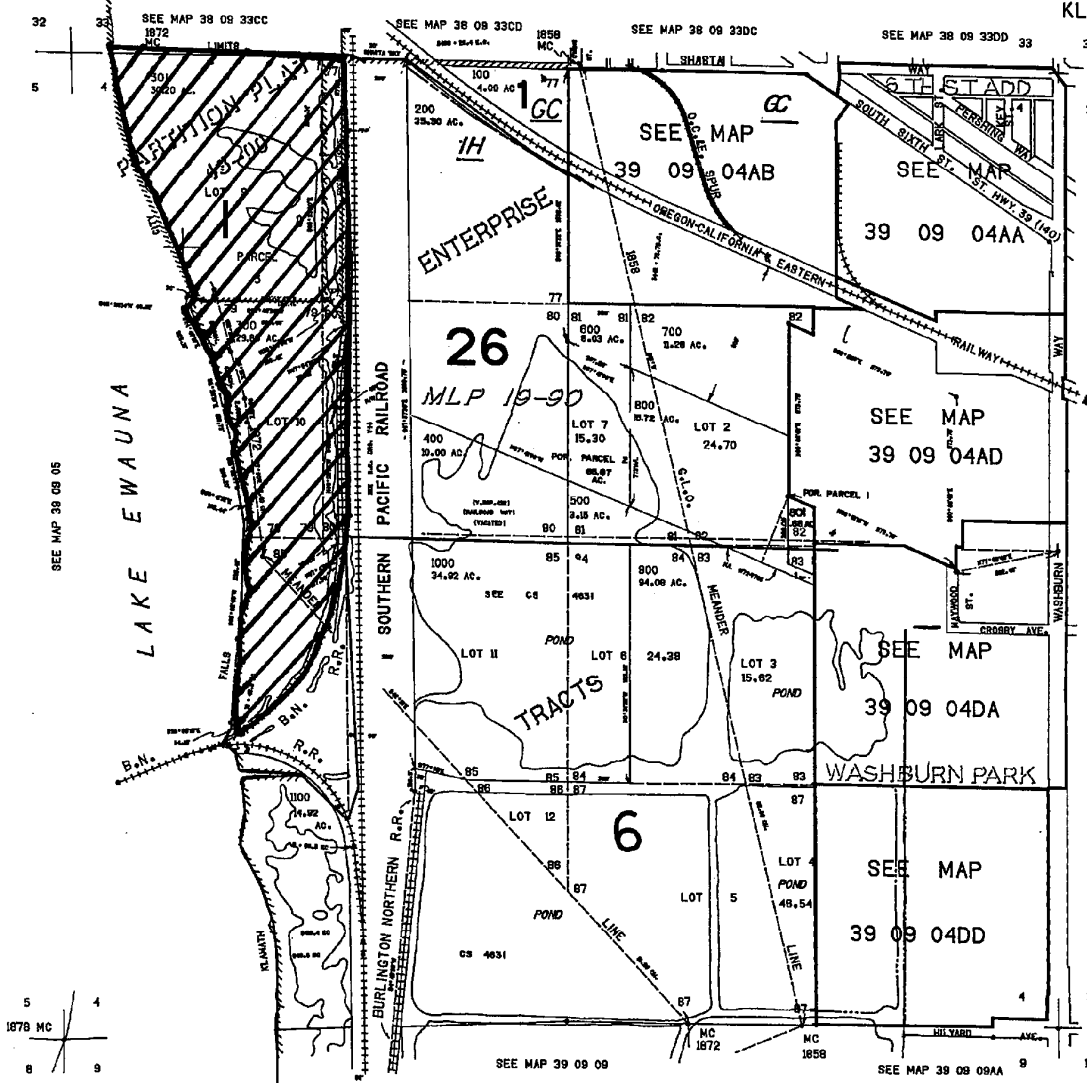
Assessor Map R-3909-00400

REVISED 1-19-10

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 04, T.39S. R.09E. W.M.
 KLAMATH COUNTY
 1"=400'

39 09 04
 & INDEX
 KLAMATH FALLS

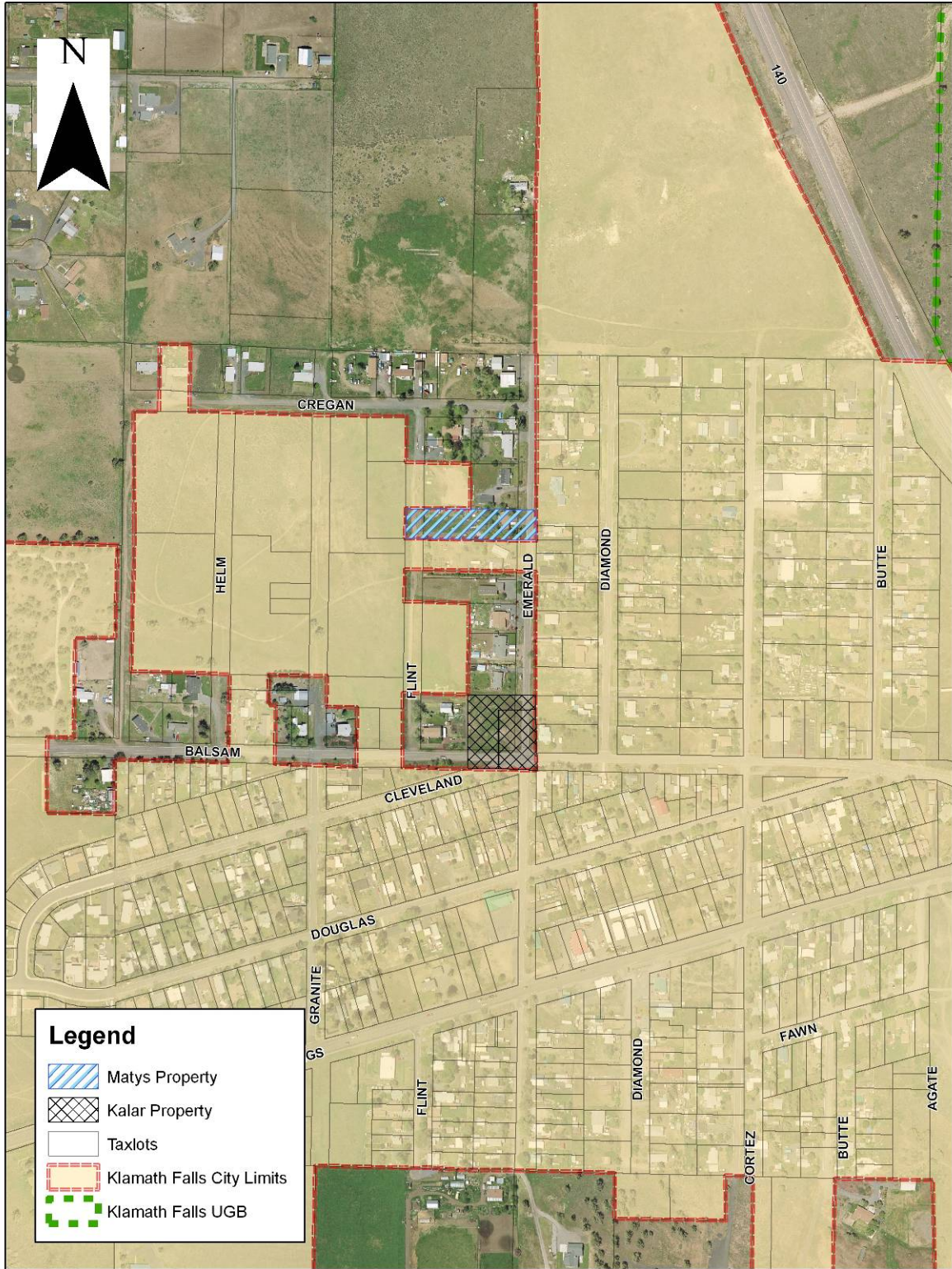


-Proposed for Annexation

39 09 04
 & INDEX
 KLAMATH FALLS

198,000

Roger Kalar and Anita Matys Properties Proposed for Annexation



Assessor Map R-3909-007BC

REVISED 1-14-10
 THIS MAP WAS PREPARED FOR
 ASSESSMENT PURPOSE ONLY

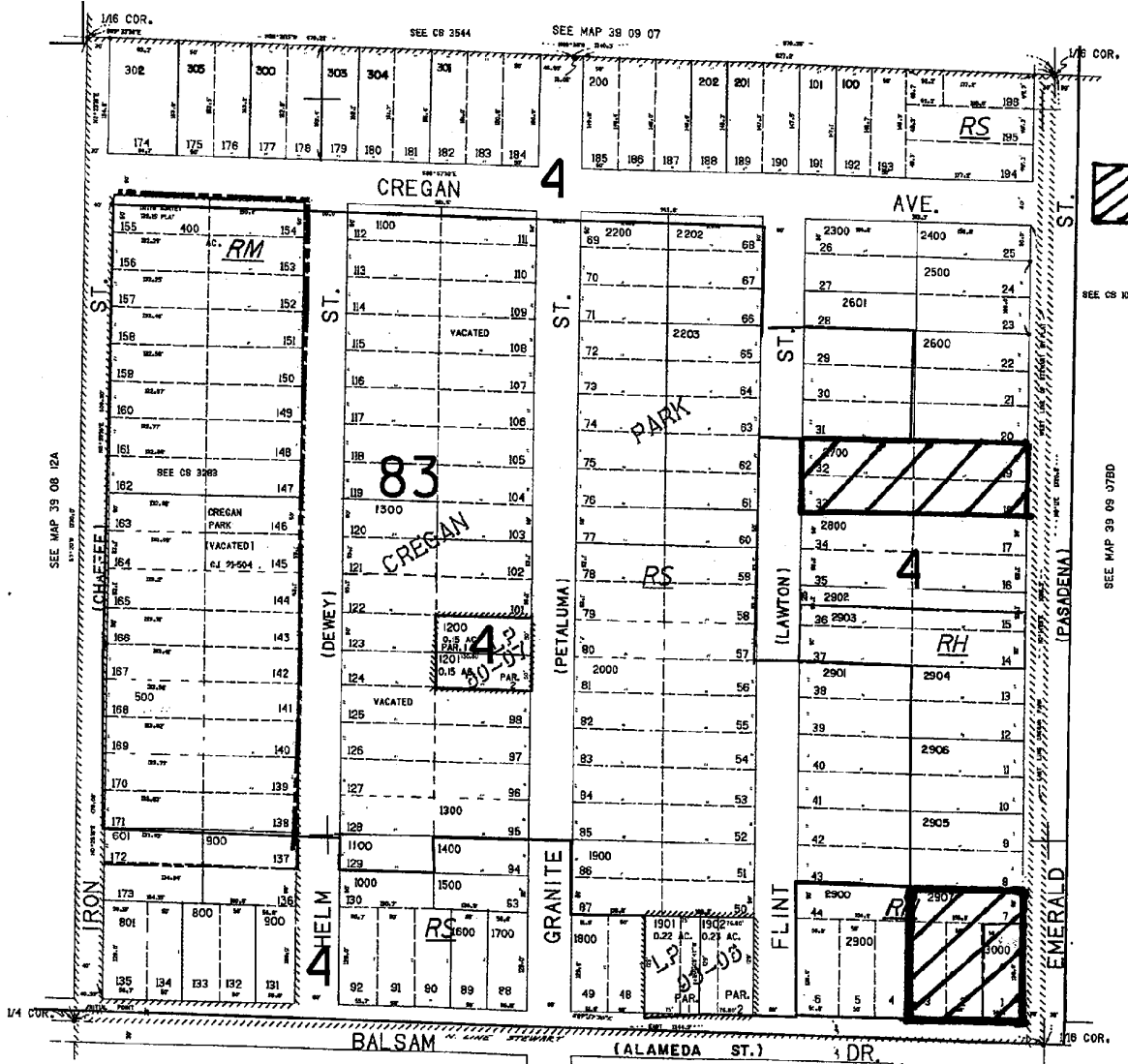
SW1/4 NW1/4 SEC. 07 T.39S. R.09E. W.M.
 KLAMATH COUNTY

39 09 07BC

1"=400'

CANCELLED NO.
 700

 - Proposed
 for
 Annexation



SEE MAP 39 08 12A

SEE MAP 39 09 07BD

194,500

SEE MAP 39 09 07CB

39 09 07BC