

**CITY OF KLAMATH FALLS  
PLANNING COMMISSION  
MEETING MINUTES**

**December 13, 2010  
7:00 p.m.**

**CITY COUNCIL CHAMBERS  
500 KLAMATH AVENUE**

**COMMISSIONERS PRESENT:**

Chairman Neupert  
Commissioner Williams  
Commissioner Frei  
Commissioner Smith  
Commissioner Henderson  
Commissioner Fitz Gerald

**COMMISSIONERS ABSENT:**

Commissioner Chase

**CITY STAFF PRESENT:**

Erik Nobel, Planning Manager  
Kelly O'Neill, Planner  
Kristina West, Meetings Assistant

**COMMISSIONER FREI MOVED TO EXCUSE ABSENT  
COMMISSIONER CHASE.**

**COMMISSIONER HENDERSON SECONDED. THE MOTION  
CARRIED UNANIMOUSLY WITH ALL COMMISSIONERS PRESENT  
VOTING AYE.**

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## APPROVAL OF MINUTES:

**Chairman Neupert** asked for approval of the minutes from the October 24, 2010 Planning Commission Meeting.

**Commissioner Henderson** referenced page 3 of the October 24 meeting minutes and his comment regarding evidence of a deed with regard to the OC&E Trail. He explained he was not inquiring whether the City was taking ownership but rather if there was any instance of ownership.

**Commissioner Williams** referenced page 3 of the October 24 meeting minutes and a typographical error in Commissioner Fitz Gerald's testimony where the word "feel" should be changed to "fell."

**COMMISSIONER FITZ GERALD MOVED TO APPROVE THE MINUTES FROM THE OCTOBER 25, 2010 PLANNING COMMISSION MEETING AS MODIFIED.**

**COMMISSIONER HENDERSON SECONDED. THE MOTION CARRIED UNANIMOUSLY WITH ALL COMMISSIONERS PRESENT VOTING AYE.**

## QUASI-JUDICIAL MATTERS:

**Erik Nobel** read the City Attorney's statement advising all parties of their rights and responsibilities.

**5. VACATION 2-V-10 for David and Sylvia Martin (Recommendation to Council).** The applicants propose to vacate the westernmost 59.8 feet of alley adjacent to 624 Nosler Street. The alley runs west of Berkeley Street between Nosler Street and Pelican Street.

**Chairman Neupert** asked if there were any abstentions, conflicts of interest, or significant ex-parte contacts, which includes site visits or discussion about the matter.

**Commissioner Williams** stated he had made an individual site visit.

**Planner Kelly O'Neill** reviewed his written report.

**Commissioner Neupert** asked if the property is vacated and the property

owner chooses to build on it, is it buildable given setbacks to the property across the alleyway. **Mr. O'Neill** responded in the affirmative and stated it would be possible if they were to expand the shed as referenced in the photograph in the Commission's packets, as long as it met property setback requirements.

**Chairman Neupert** opened the public hearing.

**Sylvia Martin, 624 Nosler Street, Klamath Falls, OR.** Ms. Martin stated they purchased the property 14 years ago with no thoughts of acquiring the alley. At this time, they wanted a bigger garden and yard all around. She noted their neighbors are fine with it and the alley goes nowhere/does not continue through to anywhere. She reiterated they had no plans to build on the property, just for a larger yard and garden.

Hearing or seeing no one further, **Chairman Neupert** closed the public hearing.

**COMMISSIONER FITZ GERALD MOVED TO APPROVE THE PROPOSED FINDINGS AS STATED IN THE STAFF REPORT.**

**COMMISSIONER FREI SECONDED. THE MOTION CARRIED UNANIMOUSLY WITH ALL COMMISSION MEMBERS PRESENT VOTING AYE.**

**COMMISSIONER FREI MOVED TO RECOMMEND APPROVAL OF VACATION 2-V-10 TO CITY COUNCIL BASED ON THE PROPOSED FINDINGS.**

**COMMISSIONER SMITH SECONDED. THE MOTION CARRIED UNANIMOUSLY WITH ALL COMMISSION MEMBERS PRESENT VOTING AYE.**

### **OTHER MATTERS**

**Project Update:** Planning Manager Erik Nobel reviewed his project update which includes:

- Four current planning projects:
  - Pacific Pride station on Highway 97 north of town. The applicant is proposing to add a canopy to that facility and that decision was approved and released. There was a condition

- for some driveway work for them to do, some curbing, etc.
- Application for storage units at the corner of Gage and Montelius Street. The project was going through the construction phase.
  - Sign variance to Council December 20<sup>th</sup>. Pelican Pointe assisted living facility zoned Apartment Residential, which allows for a six-square-foot sign and they want a 32-square foot sign added to their property while keeping their existing sign located by their driveway. Staff reviewed it and the recommendation will be to grant a variance but limit the property to only two freestanding signs.
  - Design Review for Klamath County Mental Health. They are asking for a gazebo and a small storage shed. Staff will be working with this property for the first time because the facility was originally approved through the County.

#### **CDO process:**

**Planning Manager Erik Nobel** stated staff hoped to bring a packet before the Commission with the draft Community Development Ordinance (CDO); however, staff was in the process of working with the City Manager and City Attorney to fine-tune the language within the document.

#### **Expiring Subdivisions Update:**

**Planning Manager Erik Nobel** stated there were no official requests to extend the subdivisions; however, staff had some conversations with individuals who said they were going to bring the City a letter to request more time. Technically, they were already expired and it would be outside the CDO, which would move the matter straight to Council. He noted it would be staff's position to recommend denial as many have been out five years since the original decision and it was still another two-to-four years out before anyone starts building a subdivision again.

#### **County Updates to Transportation and Comprehensive Plans:**

**Chairman Fitz Gerald** stated there is an absence of both a Transportation and Comprehensive Plan at the County. The individual who was tasked with updating both documents has resigned and he was not sure what the City's options or choices are, but much of what the City hoped to accomplish over the coming years is contingent on those plans being made available and updated. **Planning Manager Erik Nobel** stated staff agrees the County's plans need to be updated; however, he was unsure

what part the City would play in the updates. **Commissioner Williams** asked if the role is open now with County, would it be appropriate to discuss cooperation (contract, etc.) to help the City reach its goals. **Chairman Neupert** stated the more collaboration the better for the City. **Mr. Nobel** stated there has been good communication between the County and City and there is a good working relationship with the County and they are supportive of the work City staff is doing. The County has urban and rural planning and the City only has urban planning. The County has a more complex role because there are six other cities within our County and they have an active role within those cities as well. He further stated the County has a different scope of work than the City does so City staff would collaborate with them as much as possible. **Mr. Nobel** stated a Council/Planning Commission Work Session could be scheduled to discuss the issue or staff could discuss it with the Mayor first. Staff would report back to the Commission on options.

### **ADJOURNMENT**

The meeting was adjourned at 7:31 p.m.

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Kristina West  
Meetings Assistant