

City of Klamath Falls Planning Department
Administrative Review

In the matter of an
Administrative Review for:

Final Decision and Conditions: **1-DR-11**

Basin Tire Services
ATTN: Mike Romtredt
3313 Washburn Way
Klamath Falls, OR 97603

Mark Holland Construction Inc
3004 Vale Road
Klamath Falls, OR 97603

Date: February 14, 2011

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 Mark Holland Construction, on behalf of landowner Mike Romtredt, proposes to replace an older existing building with a new 4,000 square foot steel building. The new building would be used for a garage work area and also for tire storage. In addition, the applicant wants to construct a 3,420 square foot canopy over an existing uncovered work area. The site currently has 5 other structures that would remain that total approximately 15,960 square feet. The subject property is approximately 50,643 square feet and borders Washburn Way for 190 feet. Basin Tire Services has an address of 3313 Washburn Way. The property can be found on Assessor's Map R-3909-010BB, tax lot 00400. The property is zoned General Commercial.

AGENCY COMMENTS

Planning:

1. **Setback & Lot Coverage:** General Commercial (GC) zoning allows for 100% lot coverage and zero setbacks unless the property abuts a residential zone. The subject property abuts General Commercial property to the north and Klamath County designated Heavy Industrial (IH) to the east and south, none of which requires a setback. **All five existing structures and both of the proposed new structures are located on the subject property which meets the setback requirements.**

With the new structures complete the subject property would have approximately 11,610 square feet of covered storage, approximately 8,940 square feet of covered garage space, and approximately 1,920 square feet of office. Adding all of the structures together the subject buildings would have a total footprint of 22,470 square feet and cover 44% of the 50,643 square feet of subject property. **The structures are conforming for lot coverage.**

2. **Building Height:** The maximum allowed building height in General Commercial zones is 45 feet. **The proposed peak building height for the new building is 15 feet and the proposed peak building height for the canopy structure is 21 feet and 6 inches.** The existing buildings on site vary in height, but no building appears to exceed about 25 feet in height.
3. **Parking:** The Basin Tire property currently has 23 parking spaces and they currently use 3 parking spaces that are located on the adjacent property to the north. Community Development

Ordinance (CDO) 14.010 requires 1 off street parking space for every 700 square feet of storage, 1 off street parking space for every 700 feet of manufacturing, and 1 off street parking space for every 400 square feet of office. With the new structures complete the subject properties would have approximately 11,610 square feet of covered storage, approximately 8,940 square feet of covered garage space, and approximately 1,920 square feet of office. The 11,610 and 8,940 square foot areas together would require 29 parking spaces and the 1,920 square feet of office would require 5 parking spaces. The entire subject site would require 34 parking spaces.

Three of the spaces that are located on the subject property need to be reconfigured as shown on the site plan just north of the subject driveway. The new configuration would reduce the three spaces to two spaces, but would eliminate the current reverse conflict. The subject site has another 6 parking spaces to the south of the subject driveway that are not counted in the above total, nor are they shown on the site plan. Reducing the 1 parking space, but adding the additional 6 parking spaces the subject property currently has 28 parking spaces. As mentioned above the adjacent property to the north has 3 additional parking spaces that are utilized by Basin Tire which brings the total number of parking spaces to 31. **To achieve the required 34 parking spaces, Basin Tire will have to add an additional 4 parking spaces to the subject site, to the adjacent property to the north, or a combination of the two possibilities. The site plan shall be required to include the 6 parking spaces to the south of the subject driveway and shall show the additional 4 parking spaces as required by the CDO.**

CDO 10.010 Parking Space Standards requires that all standard parking spaces shall have a minimum width of 9' and minimum length of 19'. Small vehicle parking spaces shall have a minimum width of 8'6" and minimum length of 14'6".

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. An asphalt area is currently installed.

Access Aisles: CDO 14.040(4) requires that access aisles which provide two-way traffic for 90 degree parking spaces shall be a minimum of 24 feet in width. The access aisle widths exceed 24 feet.

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 subject property requires 34 parking spaces, 2 parking spaces for people with disabilities is required. **The subject property currently has 1 parking space for people with disabilities, but shall add another space.** CDO 14.010(2)(b) requires that parking spaces for people with disabilities shall be located closest to the nearest accessible entrance.

CDO 14.010(2) a. requires that one in every eight accessible spaces, but no less than one space, shall be van accessible. Van accessible spaces shall have an access aisle at least 8' wide and 19' long. Since the property has 2 parking spaces for people with disabilities, 1 of those spaces shall be van accessible. 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 feet from a public entrance. CDO 14.047(4) requires that the bicycle rack(s) be anchored to the ground. **Based on 34 parking spaces, the applicant shall provide 3 bicycle spaces.** The bicycle racks shall not interfere with ADA access.

The vehicle parking layout shall be striped according to a parking plan, with four inch-wide painted lines. This shall include the parking spaces on the adjacent lot to the north.

4. **Access and Driveways:** There is one existing driveway at this site that is approximately 52 feet in width with full access turning movements. City Code Section 8.570 does not allow driveways to exceed 24 feet in width for commercial uses. The applicant would like the driveway to remain at the existing width to accommodate large vehicles, especially for 3-axle or more delivery vehicles. The Klamath County Fire District #1 would also like the driveway to remain at 52 feet in width for access. **The applicant shall submit an administrative variance request addressed to the Public Works Director and Community Development Director to keep the existing driveway at 52 feet in width. The applicant shall modify the driveway to the specifications as listed in the administrative variance findings; however, if no modifications are required per the administrative variance findings then the driveway shall remain as is. Any 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 City of Klamath Falls Public Works Engineering Standards (CKFPWES) current edition for location and design criteria.** The existing driveway shall be at least 22 feet from any other existing or proposed driveway. There is a distance of 38 feet between the subject driveway and the driveway used for Klamath Auto Wreckers.
5. **Sidewalks:** 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). **The applicant has sidewalks that meet CKFPWES.**
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 subject site has 190 feet of street frontage. The 190 feet of frontage for land along Washburn Way right-of-way requires the planting of 4 street trees. **Trees shall be approved trees from the City Street Tree List and shall be planted within 10 feet of the curb per CDO 14.405(2). The applicant shall install one additional street tree to the south of the subject driveway.**

CDO 14.405 requires that for each 1,000 sq ft of landscaped open space or fraction thereof, 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.

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. **While the City of Klamath Falls does not have the paved parking and maneuvering surface square footage or the landscaping square footage information, the 3% requirement appears to be satisfied.**

CDO 14.410(1) requires all areas set aside for landscaping to have a minimum vegetative cover of at least 50%. **The applicant shall ensure the vegetative cover requirement is being met. The existing landscaping appears to be well short of the 50% vegetative cover requirement and shall be remedied by installing additional landscaping.**

The site plan does not show an irrigation method. There is no landscaping data provided on the site plan.

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. This also requires that all weeds and grasses that exceed 8 inches in height shall be removed.

7. **Trash Enclosures and Fences:** 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). If a solid waste receptacle is provided an equal area shall be provided for recycling adjacent to or within the trash enclosure.

The subject property contains an 8 foot high chain link fence with slats that encloses a 1,844 square foot uncovered storage area. The City does not have information regarding the fence. This existing fence shall come in to conformance once the fence needs repair or replacement. 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 fences screening the trash and recycle.**

8. **Signs:** At least a 5 foot setback is required for any proposed freestanding signs. Proposed signs shall not be located within the street right-of-way of Washburn Way nor within the required sign setbacks. The subject site has two nonconforming signs as to setback, size and height. The applicant shall submit an administrative variance request addressed to the Community Development Director regarding the existing signs, or remove the signs. **A sign permit (\$25) must be submitted, reviewed, and approved prior to the installation or change of any signs.**
9. **Shared Parking Agreement:** The applicant shall record a shared parking agreement for any parking that is located off the subject site. According to the site plan three parking spaces are located on the adjacent property to the north which can be found on Assessor's Map R-3909-010BB, tax lot 00500. If more parking spaces are added to the property to the north they should also be included in the shared parking agreement and detailed on the revised site plan. **The applicant shall record a shared parking agreement and provide the City of Klamath Falls Planning Division a copy of the recorded agreement.**

Engineering:

1. There are no proposed changes to any existing City water services to the property shown per this application request. Sewer service is provided by South Suburban Sanitary Sewer District.
2. City Engineering does not anticipate any increases to existing traffic counts that would warrant a traffic analysis. From a public works position we have no concerns at this time.
3. The existing driveway on Washburn Way is approximately 52 feet wide. The driveway is out of compliance with City Ordinance 8.570(2), which permits a driveway width of 24 feet wide in a General Commercial Zone. City Engineering has a \$75 plan review and inspection fee for the driveway reconstruction. The applicant's engineering consultant and contractor can refer to City Engineering Drawings 8-100, 8-210 and 8-245. These shall be referenced on the updated site plan drawing.
4. The plans are not quantifying the excavated and fill material that will be required for this project. Based on the proposed building pads it is at least fair to require a small site grading and erosion plan be submitted. The plan review and inspection for that work is \$250 and can be shown on the updated site plan.
5. The site plan is showing a total of 6,510 square feet of new impervious area being added to this site. The quantities trigger a Storm Water Site plan to be submitted by a Professional Engineer licensed in the State of Oregon. The plan shall comply with the City's Engineering Standards in Section 4 of the Public Works manual. The area being shown as 1,844 square feet of permeable surface may possibly need to be included in the storm water plan depending on the material used

and if this is a new proposed surface. The plan review and on site storm water construction observation fee is \$600.

Building Department:

1. Building permit submittals shall include a comprehensive code evaluation, drawings, calculations, and specifications for the project. Unless waived by the 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.
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:

“KCFD1 supports the applicant’s request provided the construction is carried out in accordance with State Codes.”

Basin Transit:

“No comments.”

USBR:

“In response to the City of Klamath Falls Planning Departments administrative review request for the subject applicant’s proposal to replace an existing building with a new 50 foot by 80 foot steel building, the Bureau of Reclamation has no comments and/or concerns at this time. There are no Reclamation facilities adjacent or in the vicinity of the proposed construction site.”

Avista: No comments were received.
Charter: No comments were received.
Pacific Power: No comments were received.
Qwest: No comments were received.
SPOKES: 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) Conditions prior to obtaining a Development Permit:

- a) The applicant shall submit a revised site plan to City Planning for review and approval showing the following:
 - The western property line
 - Detail surface material in unenclosed permeable storage area
 - Eave height for all structures on the subject property
 - Additional parking spaces to the south of the driveway
 - Additional parking spaces as required by the CDO
 - The one additional van accessible parking space for people with disabilities
- b) The applicant shall obtain approval for the existing non-conforming signs to remain –OR– remove the signs by September 1, 2011.
- c) The applicant shall record a shared parking agreement for any parking that is located off the subject site. It appears according to the site plan that three parking spaces are located on the adjacent property to the north. A copy of the recorded agreement shall be submitted to the City of Klamath Falls Planning Division.
- d) The applicant shall submit a Site Construction Permit (SCP) to City Engineering.
- e) The applicant shall either obtain approval from the Public Works and Community Development Directors for the 52' wide non-conforming driveway to remain (through the administrative variance process) –OR– bring the driveway into compliance by September 1, 2011. The driveway is out of compliance with City Ordinance 8.570(2), which permits a driveway width of 24 feet wide in a General Commercial Zone. City Engineering has a \$75 plan review and inspection fee for the driveway reconstruction, if applicable. The applicant's engineering consultant and contractor can refer to City Engineering Drawings 8-100, 8-210 and 8-245. These shall be referenced on the updated site plan drawing, if applicable.
- f) The applicant shall submit plans detailing the excavation and fill material that will be required for this project. Based on the proposed building pads it is at least fair to require a small site grading and erosion plan be submitted. The plan review and inspection for that work is \$250 and can be shown on the updated site plan.
- g) The applicant shall submit a Storm Water Site plan from a Professional Engineer licensed in the State of Oregon. The 6,510 square feet of new impervious area being added to this site triggers a Storm Water Site plan. The plan shall comply with the City's Engineering Standards in Section 4 of the Public Works manual. The area being shown as 1,844 square feet of permeable surface may possibly need to be included in the storm water plan depending on the material used and if this is a new proposed surface. The plan review and on site storm water construction observation fee is \$600.

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 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.
- d) The applicant shall install 3 bicycle spaces by September 1, 2011. The bicycle rack shall not interfere with ADA access and be located no further than 50 feet from a public entrance.
- e) The applicant shall modify the existing driveway to the specifications as listed in the administrative variance findings by the date as listed and City Engineering Drawings 8-100, 8-210 and 8-245. If no modifications are required per the administrative variance findings then this condition is null and void.
- f) The applicant shall install one additional street tree to the south of the subject driveway. This street tree shall be from the approved street tree list and shall be installed by September 1, 2011.
- g) The applicant shall install additional landscaping to meet the 50% vegetative cover requirement by September 1, 2011.
- h) 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.
- i) The applicant shall modify the existing signs to the specifications as listed in the administrative variance findings by the date as listed. If no modifications are required per the administrative variance findings then this condition is null and void.
- j) The applicant shall submit for review and approval, a sign permit prior to the installation of any signs.

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 (FEBRUARY 14, 2011), 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 14TH OF FEBRUARY 2011.

Kelly O'Neill
Planner

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