

-City of Klamath Falls Planning Division  
Administrative Review

In the matter of an  
Administrative Review for:

Final Decision and Conditions: **24-DR-10**

Howard and Cindy Tompkins  
27119 Rocky Point Road  
Klamath Falls, OR 97601

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

Date: December 16, 2010

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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 applicants, Howard and Cindy Tompkins (with Rhine-Cross Group, LLC as engineer of record), propose to construct a phased mini storage project on approximately 4.03 acres of vacant property (Parcel 1 LP 51-09 & Parcel 2 LP 35-08). The four phases will include a total of 71,950 square feet of building area, 73,360 square feet of new asphalt, and 6,640 square feet of landscaped area. The site will be accessed from Montelius Street with additional emergency access provided off of Gage Road.

The property address is 2728 Montelius Street and the property can be found on tax assessor's map R-3809-019DD tax lots 00100 and 00101. The subject property is zoned Industrial and the proposed use of the property for commercial (leasable) storage is a permitted use in the existing zone.

Phasing Summary:

Phase	Land Area sq. ft.	Building Area sq. ft.	Asphalt Area sq. ft.	Open Space Area sq. ft.
1	58,265	13,200	26,000	19,065
2	29,000	13,200	13,400	2,400
3	48,316	21,950	20,400	5,966
4	40,050	23,600	13,560	2,890
<b>Total:</b>	<b>175,631</b>	<b>71,950</b>	<b>73,360</b>	<b>30,321</b>

## AGENCY COMMENTS

Planning –

1. Legal Lots & Parcels: The subject property is comprised of two legally created Parcels: Parcel 1 LP 51-09 and Parcel 2 LP 35-08. The proposed development of this property treats all portions of the subject property as one unit of land.

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 Parcel 1 LP 51-09 and Parcel 2 LP 35-08 until all CDO requirements (landscaping, parking, setbacks, lot coverage, etc.) are provided for each lot independent of the others.*

2. Public Right-of-way Improvements: This development is responsible for public street improvements on Montelius Street and Gage Street adjacent to the east and south property lines of Parcel 1 LP 51-09 and Parcel 2 LP 35-08. Those improvements include but are not limited to: pavement widening, sidewalk, curb/gutter, storm drainage, street lights, planting strip and street trees.

*The applicant shall record a Local Improvement Contract for those improvements to be made at a later determined date.*

3. Lot Coverage: Community Development Ordinance (CDO) Section 12.010 allows for a maximum lot coverage of 100% for Industrial zones provided all required landscaping, parking and setbacks are provided. The subject property is approximately 175,631 square feet in area (4.03 acres). The proposed 71,950 square feet of building area will cover approximately 41% of the subject property.
4. Setbacks: Industrial zoning allows for the following minimum setback distances: 10' for all yards that do not abut a residential zone or an arterial street. If the yard abuts a residential zone the setback is increased to 25' plus one foot for every foot the proposed nonresidential structure exceeds 28' in height. If the yard abuts an arterial street the setback is increased to 30'. The subject property does not abut either a residential zone or an arterial street. The proposed structure will have the following setback distances: 16' north, 0' east, 16' south and 16' west.
5. Parking: The applicant is showing a total of four parking spaces provided for this project. The office space is 800 square feet. CDO Section 14.010 requires 1 parking space for every 400 square feet of office space. Two parking spaces will likely not be enough for the site. The applicant proposed four spaces: one for employees, two for customers, and one ADA space. The submitted plans do not show a bike rack. A bike rack, large enough for one bike, will be required to be located within fifty feet of an entry.

*The applicant shall provide a bike rack large enough for at least one bicycle within 50' of the main entrance of the office.*

*The 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, and the van accessible space 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. All required parking lot improvements shall be completed prior to occupancy and prior to July 1, 2011 and prior to building occupancy.*

6. Landscaping: CDO Section 14.410(3)(c) requires a minimum of 3% of the space provided for vehicular circulation to be landscaped and in no case shall there be less than 200 sq ft of landscaped area. The applicant proposes to provide 6,640 square feet of landscaping; which is approximately 9% of the 73,360 square feet of new asphalt on the property. While there are much larger areas shown as “landscape & open space area” on the plan the landscaping is shown to be placed only near the driveway on Montelius Street, in front of the office building and around the stormwater detention pond. The easement areas on the west and north sides of the property are not shown as landscaped and these are not appropriate areas for landscaping. No landscaping is proposed along Gage Road; however street trees will be required along Gage Road at a minimum ratio of 1 tree for every 50’ of frontage. The landscaping along Gage Road needs to screen the residents from the mini storage. The applicant proposes to screen the property with a sight obscuring fence. In addition to the street trees, landscaping shall be placed along the southern property border to provide additional screening.

*The applicant shall submit a revised landscaping plan, for review and approval, showing the following details:*

- *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*
- *all required trees will be a minimum of 2” caliper in size; and*
- *irrigation method; and*
- *street trees along Gage Road at a minimum ratio of one tree for every 50’ of frontage; and*
- *landscaping to be placed along the southern property border to provide additional screening; and*
- *the species names of all plants.*

*All landscaping shown on the detailed landscaping plan, once approved, shall be installed by the applicant prior to July 1, 2011 and maintained in perpetuity by the property owner.*

7. Signs: The site plan does not show the placement of any new signs on the subject property. Approval of this Design Review does not constitute approval of sign placement, size, or height. *A sign permit shall be submitted, reviewed, and approved prior to installation of any sign.*
8. Fences: All trash//recycling containers larger than 50 gallons in size are required to be screened to a height of at least 6’. The site plan shows the site perimeter is to be fenced with security grade 6’ high chain link. Approval of this Design Review does not constitute approval of fence/gate placement, materials, or height. *A fence permit shall be submitted, reviewed, and approved prior to installation of any fence/gate.*

9. Validity Period of Approvals: Per CDO Section 11.094 Design Review approvals shall be valid for a period of one year. If substantial site excavation has not begun after one year the approval becomes void.

Engineering –

1. Sewer service:

- The office shall have its own sewer service line independent of the service line for parcel 2 of Land Partition 51-09. The service line shall reside completely within parcel 1 of Land Partition 51-09, tying into the City's sewer main line in the north end of this parcel per City Standard Drawing Number 5-115 & 5-115a. The cleanout shall be installed at the southern easement line, within the easement. The Engineering Division (ED) plan review and inspection fee is \$75.
- The applicant will need to submit two copies of their plumbing fixture plans along with a completed Sewer System Development Charge (SDC) Calculation Information Sheet (attached). The sewer SDC will be calculated by the City for the applicant to pay prior to receiving their Development Permit.
- The applicant shall submit the attached Commercial / Industrial Sewer Use Evaluation information sheet to City Engineering, along with the design/construction plans, to determine if there are any pretreatment requirements for this site. Please note: The signature line on page 4 of this form is to be completed by a person in charge of the facility.

2. Water Service:

- A 12 inch water main line extension from the existing 12 inch main line in Alma Alley to the existing 6 inch cast iron main line in Montelius St. shall be constructed by the applicant per this design review. The engineer of record (EOR) shall hold a pre-design meeting with City staff to work out the details of the design.

City Water Division will pay for the difference in the construction costs between an 8 inch and the required 12 inch main line extension as previously discussed with the City Water Division Supervisor. Your EOR will need to submit two itemized engineer's estimates for this project (8" & 12") to determine the anticipated cost difference.

The applicant will be required to complete and sign a Cost Recovery Agreement (attached) with the City for charges that will be based on an hourly rate for the plan review and inspection of the water main line extension. Return the original agreement document to City Engineering.

- The fee for the ED plan review and inspection of the private fire line connection is \$300.
- The City Water Division will install the service line and water meter/box, as indicated on the site plan from Montelius, for the domestic water to the office. The costs for water meter installation and water SDC's are based on meter size. These fees are to be paid prior to issuance of the Development Permit. See the attached System Development Charge & Utility Service packet (calendar year 2010 fees).
- Provide the locations, makes, sizes, and models of the irrigation and private fire suppression backflow devices.

3. The driveways, as shown, conform to the City of Klamath Falls Code 8.570 for width and number of driveways. The fee for the ED plan review and inspection is \$75 per driveway.
4. A large site grading and erosion control plan is required for this project. The fee for the ED plan review and inspection is \$450.
5. A DEQ 1200-C permit is required for this site due to more than one acre of ground being disturbed. Please submit a copy of the current permit.
6. Private storm water detention was required for the preliminary grading of this project. The plan/report and the fee (\$600) for this system were reviewed by the ED earlier this year and the detention pond has been constructed, except for the inlets and outlet. Landscaping of the pond shall meet the requirements to be addressed by the City Planning Division. No additional fees will be required.

Please submit a copy of the approved plan/report and verify that it was based on the design configuration/impermeable areas for this project. Also verify whether or not parcel 2 of Land Partition 51-09 and/or parcel 3 of Land Partition 35-08 were accounted for as part of the master storm water plan for these properties.

Klamath County Building Dept. also requires a review and permit for the private storm water system. Submit the plans to that office for review and copy their comments to the City ED.

7. All public improvements, City utility service connections, grading/erosion control, and on-site storm water detention shall be shown on a set of engineering design/construction plans that meet the requirements of the City of Klamath Falls Public Works Engineering Standards (CKFPWES) current edition. Following the pre-design meeting please submit 4 sets of the plans to City ED for review.
8. A 12 foot strip of the south boundary of parcels 2 and 3 of Land Partition 35-08, immediately north of the existing Gage Rd. right-of-way, shall be dedicated for additional public right-of-way. This process is to be finalized prior to issuance of the Development Permit for this project. Show this on the plans.
9. The applicant will be required to have a signed set of the Site Construction Permit set of drawings, from City Engineering office, prior to the issuance of the City Engineering Site Construction Permit.
10. A Transportation Analysis Letter, per section 12-5 of the CKFPWES was previously submitted for City review. Please submit a copy of the original letter, along with the unpaid \$500 fee.

#### 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.
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; and facility shall not be occupied until a Certificate of Occupancy is issued.
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 –

“With the addition of the hydrant at Gage Rd and Alma Alley KCFD No 1 is okay with the proposed development. However, in the winter there is no access to that hydrant and there is a tree on Gage Rd that makes access difficult. KCFD No 1 needs to know if Gage Rd is going to be maintained year round.”

Avista:	No comments were received.
Qwest:	No comments were received.
Charter:	No comments were received.
USBR:	No comments were received.
Pacific Power:	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. All public improvements, City utility service connections, grading/erosion control, and on-site storm water detention shall be shown on a set of engineering design/construction plans that meet the requirements of the City of Klamath Falls Public Works Engineering Standards (CKFPWES) current edition. Following the pre-design meeting please submit 4 sets of the plans to City Engineering Division (ED) for review. (The applicant will be required to have a signed set of the Site Construction Permit set of drawings, from City Engineering office, prior to the issuance of the City Engineering Site Construction Permit.) The plans shall include the following:
  - a. Sewer service:
    - The office shall have its own sewer service line independent of the service line for parcel 2 of Land Partition 51-09. The service line shall reside completely within parcel 1 of Land Partition 51-09, tying into the City’s sewer main line in the north end of this parcel per City Standard Drawing Number 5-115 & 5-115a. The cleanout shall be installed at the southern easement line, within the easement. The Engineering Division (ED) plan review and inspection fee is \$75.
    - The applicant shall submit two copies of their plumbing fixture plans along with a completed Sewer System Development Charge (SDC) Calculation Information Sheet

(attached). The sewer SDC will be calculated by the City for the applicant to pay prior to receiving their Development Permit.

- The applicant shall submit the attached Commercial / Industrial Sewer Use Evaluation information sheet to City Engineering, along with the design/construction plans, to determine if there are any pretreatment requirements for this site. Please note: The signature line on page 4 of this form is to be completed by a person in charge of the facility.

b. Water Service:

- A 12 inch water main line extension from the existing 12 inch main line in Alma Alley to the existing 6 inch cast iron main line in Montelius St. shall be constructed by the applicant per this design review. The engineer of record (EOR) shall hold a pre-design meeting with City staff to work out the details of the design.

City Water Division will pay for the difference in the construction costs between an 8 inch and the required 12 inch main line extension as previously discussed with the City Water Division Supervisor. The EOR will need to submit two itemized engineer's estimates for this project (8" & 12") to determine the anticipated cost difference.

The applicant shall complete and sign a Cost Recovery Agreement (attached) with the City for charges that will be based on an hourly rate for the plan review and inspection of the water main line extension. Return the original agreement document to City Engineering.

- The fee for the ED plan review and inspection of the private fire line connection is \$300.
  - The City Water Division will install the service line and water meter/box, as indicated on the site plan from Montelius, for the domestic water to the office. The costs for water meter installation and water SDC's are based on meter size. These fees are to be paid prior to issuance of the Development Permit. See the attached System Development Charge & Utility Service packet (calendar year 2010 fees).
  - Provide the locations, makes, sizes, and models of the irrigation and private fire suppression backflow devices.
- c. A 12 foot strip of the south boundary of parcels 2 and 3 of Land Partition 35-08, immediately north of the existing Gage Rd. right-of-way, shall be dedicated for additional public right-of-way. This process is to be finalized prior to issuance of the Development Permit for this project. The process will include the Public Works Director taking the dedication request to City Council for their approval.
- d. A large site grading and erosion control plan is required for this project. The fee for the ED plan review and inspection is \$450.
2. The driveways, as shown, conform to the City of Klamath Falls Code 8.570 for width and number of driveways. The fee for the ED plan review and inspection is \$75 per driveway.
3. A DEQ 1200-C permit is required for this site due to more than one acre of ground being disturbed. Please submit a copy of the current permit.

4. Private storm water detention was required for the preliminary grading of this project. The plan/report and the fee (\$600) for this system were reviewed by the ED earlier this year and the detention pond has been constructed, except for the inlets and outlet. Landscaping of the pond shall meet the requirements to be addressed by the City Planning Division. No additional fees will be required.

Please submit a copy of the approved plan/report and verify that it was based on the design configuration/impermeable areas for this project. Also verify whether or not parcel 2 of Land Partition 51-09 and/or parcel 3 of Land Partition 35-08 were accounted for as part of the master storm water plan for these properties.

Klamath County Building Dept. also requires a review and permit for the private storm water system. Submit the plans to that office for review and copy their comments to the City ED.

5. A Transportation Analysis Letter, per section 12-5 of the CKFPWES was previously submitted for City review. The applicant shall submit a copy of the original letter, along with the unpaid \$500 fee.
6. The applicant shall record a Deed Restriction with the Klamath County Clerk's office to prohibit the individual sale of Parcel 1 LP 51-09 and Parcel 2 LP 35-08 until all CDO requirements (landscaping, parking, setbacks, lot coverage, etc.) are provided for each lot independent of the others.
7. The applicant shall sign and record a Local Improvement Contract for public street improvements on Montelius Street and Gage Street adjacent to the east and south property lines of Parcel 1 LP 51-09 and Parcel 2 LP 35-08. Those improvements include but are not limited to: pavement widening, sidewalk, curb/gutter, storm drainage, street lights, planting strip and street trees.
8. The applicant shall submit a revised landscaping plan, for review and approval, showing the following details:
  - 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
  - all required trees will be a minimum of 2" caliper in size; and
  - irrigation method; and
  - street trees along Gage Road at a minimum ratio of one tree for every 50' of frontage; and
  - landscaping to be placed along the southern property border to provide additional screening; and
  - the species names of all plants.

➤ **General Conditions:**

9. 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.
10. The applicant shall provide a bike rack large enough for at least one bicycle within 50' of the main entrance of the office. The 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, and the van accessible space 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. All required parking lot improvements shall be completed prior to occupancy and prior to July 1, 2011 and prior to building occupancy.
11. All landscaping shown on the detailed landscaping plan, once approved, shall be installed by the applicant prior to July 1, 2011 and maintained in perpetuity by the property owner.
12. 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.
13. A fence permit shall be submitted, reviewed, and approved prior to installation of any fence/gate.
14. All trash//recycling containers larger than 50 gallons in size are required to be screened to a height of at least 6'.
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.
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; and facility shall not be occupied until a Certificate of Occupancy is issued.
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.

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 16 DECEMBER 2010

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Joe Slaughter  
Associate Planner

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