

City of Klamath Falls Planning Department
Administrative Review

In the matter of an
Administrative Review for:

Final Decision and Conditions: **4-P-10**

Reames Golf & Country Club
4201 Hwy 97 S
Klamath Falls, OR 97601

Rhine-Cross Group, LLC
Attn: Marc Cross
112 N 5th Street, Suite 200
Klamath Falls, OR 97601

Date: January 11, 2011

In accordance with the provisions of Section 10.805 and 11.705 - 11.725 of the Community Development Ordinance (CDO), the City of Klamath Falls Planning Department has reviewed this request for a Land Partition.

NATURE OF THE PROPOSAL

The applicant, Reames Golf & Country Club with Rhine-Cross Group as surveyor of record, proposes to partition approximately 181 acres into three parcels with Parcel 1 being approximately 120 acres, Parcel 2 being approximately 17 acres and Parcel 3 being approximately 44 acres. Parcel 1 will contain the developed portions of the Reames Golf & Country Club property and will continue to be accessed by an existing driveway on Hwy 97. Parcels 2 & 3 are undeveloped with only natural vegetation. Parcels 2 & 3 will both have frontage along Hwy 97 but the proposal does not include any additional access points along the highway. A 30' access easement is shown to provide access to Parcels 2 & 3 from the existing driveway on Parcel 1. The property in question can be found on Klamath County Assessor's Map R-3909-0800 tax lot 00800, R-3909-0700 tax lot 01500 and R-3909-1800 tax lot 00100. The property is located on the southeast corner of Hwy 97 and South Side Expressway (Hwy 140) and is addressed as 4201 Hwy 97 S. The subject property is zoned General Commercial (GC) and Planned Unit Development (PUD).

AGENCY COMMENTS

Planning –

The subject property was recently annexed to the City with a portion of the property zoned General Commercial (GC) and a portion of the property zoned Planned Unit Development (PUD). The County, the City and the applicant's agent have been unable to locate any development standards or zoning district designation for the PUD portion of the property. Therefore, it is not possible to determine what uses are permitted on that portion of the property and what the maximum allowed lot coverages, minimum setback distances, and minimum lot sizes are. The applicants will need to apply for a change of zone for those portions of the property zoned PUD prior to additional development in order to clear up these issues. The application states that the proposed uses for the property are "Residential & Golf Course." The applicant's agent has stated that the applicant plans for proposed Parcel 1 to continue to be used

as a golf course and to develop proposed Parcels 2 & 3 for residential use. The existing structures are located near where the property splits between GC and PUD zoning with some of the building located in each of the zones. As all of these structures are associated with the golf course (and are included in proposed Parcel 1) it can be reasonably assumed that when a zone change application is submitted all portions of the property containing the structures will be zoned GC. This being the case, the minimum lot size, maximum lot coverage and minimum setback distances for GC will be used to address the review criteria below.

Engineering -

1. A final land partition plat shall be prepared by a Professional Surveyor registered in the state of Oregon. The property shall be surveyed and mapped in accordance with the City of Klamath Falls Community Development Ordinance (CDO) Chapter 11 and Oregon Revised Statutes 92 and 209. Along with those requirements, the Surveyor of record shall submit copies of existing recorded easements and the full sized **filed surveys** and **recorded plats** that are referenced on the final plat.
2. Per CDO 11.715(1n) there is missing data: ...and distance from existing and proposed property lines.
3. Per CDO 11.723(5) the applicant has not provided the water and sewer connection reports to respond on City utility serviceability for this land partition. If the applicant has a development plan in place for this site, then the connection reports shall be submitted prior to the Tentative Plan approval; if there is no plan in place then water and sewer serviceability will be addressed at the next land use application submitted to the City.
4. The Surveyor of record shall set all monuments on the exterior boundary and all parcel corner monuments on this partition.
5. Prior to Tentative Plan approval, above items 2 and 3 shall be addressed.

USBR –

“In response to the City of Klamath Falls Planning Departments administrative review request for the subject applicant’s proposal to partition approximately 181 acres into three parcels with Parcel 1 being approximately 120 acres, Parcel 2 being approximately 17 acres and Parcel 3 being approximately 44 acres, 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.
PP & L:	No comments were received.
Qwest:	No comments were received.
ODOT:	No comments were received.
KCFD No 4:	No comments were received.
County Surveyor:	No comments were received.
Opponents:	No comments were received.
Proponents:	No comments were received.

RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND FINDINGS:

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 11.705-11.725, regarding Land Partitioning.

A. Criterion *The proposed partition is in conformance with the City Comprehensive Plan.*

Facts and Analysis: The proposed partition conforms to the Comprehensive Plan and all other provisions of Chapter 10-14 with the proposed conditions.

Findings: *The proposed partition conforms to the Comprehensive Plan with the proposed conditions. This criterion is met with conditions.*

B. Criterion *The proposed partition is in conformance with all applicable provisions of this Ordinance and other federal, state and county ordinances and regulations.*

Facts and Analysis: The tentative land partition has met most of the requirements of Community Development Ordinance (CDO) 11.715 Tentative Map Requirements and will meet the remaining requirements through the conditions listed below.

Findings: *The proposed partition is in conformance with all applicable provisions of this Ordinance and other federal, state and county ordinances and regulations. This criterion is met with conditions.*

C. Criterion *The subject property is physically suitable for the type and proposed density of development and conforms to zoning standards.*

Facts and Analysis: All City zoning types allow for a minimum lot size of 5,000 square feet with the exception of Single Family Residential zones which require a minimum lot size of 7,000 square feet and Special Reserve zones which require a minimum lot size of 20,000 square feet. Proposed Parcel 1 is approximately 120 acres, proposed Parcel 2 is approximately 17 acres and proposed Parcel 3 is approximately 44 acres. The Portions of proposed Parcels 2 & 3 contain relatively steep slopes that will limit the amount of density possible. The size of the proposed parcels makes them suitable for the types of densities and developments the applicant proposes: Residential for Parcels 2 & 3 and Golf Course for Parcel 1.

Findings: *The subject property is physically suitable for the type and proposed density of development and conforms to zoning standards. This criterion is met.*

D. Criterion *The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets or other existing or planned facilities.*

Facts and Analysis: The size and shape of these parcels was determined by separating the undeveloped portions of the existing tract of land (Parcels 2 & 3) from that portion already developed as a golf course and country club (Parcel 1). The only frontage the existing tract of land has is along Highway 97 to the west. The existing tract of land is accessed by a driveway on Hwy 97. The proposed parcels would all access from this existing driveway and an easement has been created through this partition to provide access to Parcels 2 & 3 from this driveway.

Findings: *The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets or other existing or planned facilities by the conditions place on this partition. This criterion is met.*

E. Criterion *The existing sewer and water facilities and fire protection services are adequate to serve the proposed development.*

Facts and Analysis: Per CDO 11.723(5) the applicant has not provided the water and sewer connection reports to respond on City utility serviceability for this land partition. If the applicant has a development plan in place for this site, then the connection reports shall be

submitted prior to the Tentative Plan approval; if there is no plan in place then water and sewer serviceability will be addressed at the next land use application submitted to the City. *Findings: The existing sewer and water facilities and fire protection services are adequate or can be made adequate (at the cost of the developer) to serve future development on the parcels. This criterion is met with conditions.*

F. Criterion Lots or parcels created through the proposed partition shall about an improved street for the length of the lot frontage.

Facts and Analysis:

The only frontage the existing tract of land has is along Highway 97 to the west. The existing tract of land is accessed by a driveway on Hwy 97. The proposed parcels would all access from this existing driveway and an easement has been created through this partition to provide access to Parcels 2 & 3 from this driveway.

Findings: Lots or parcels created through the proposed partition will about an improved street for the length of the lot frontage. This criterion is met.

G. Criterion The proposed partition will not conflict with legally established easements or access within or adjacent to the proposed partition;

Facts and Analysis: The proposed partition does not conflict with legally established easements.

Findings: The proposed partition will not conflict with legally established easements or access within or adjacent to the proposed partition. This criterion is met.

H. Criterion The proposed partition does not prohibit the extension of dedicated streets or roads.

Facts and Analysis: No rights-of-way will be prohibited from extension. No other rights-of-way exist within the boundary of the proposed partition.

Findings: The proposed partition does not prohibit the extension of dedicated streets or roads. This criterion is met.

I. Criterion Emergency Vehicle access is adequately addressed and complies with the Uniform Fire Code, as stated in Section 8.6.

Facts and Analysis: Emergency vehicle access will not be changed by this land partition. The existing roads on the property will remain. Emergency vehicle access will have to be considered at the time of future development.

Findings: Emergency Vehicle access is adequately addressed and complies with the Uniform Fire Code. This criterion is met.

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 Tentative Plat Approval**

1. The applicant shall re-submit the tentative plan addressing the following items:
 - Per CDO 11.715(1n) there is missing data: ...and distance from existing and proposed property lines.

- Per CDO 11.723(5) the applicant has not provided the water and sewer connection reports to respond on City utility serviceability for this land partition. If the applicant has a development plan in place for this site, then the connection reports shall be submitted prior to the Tentative Plan approval; if there is no plan in place then water and sewer serviceability will be addressed at the next land use application submitted to the City.

➤ **Prior to Final Approval**

2. A final land partition plat shall be prepared by a Professional Surveyor registered in the state of Oregon. The property shall be surveyed and mapped in accordance with the City of Klamath Falls Community Development Ordinance (CDO) Chapter 11 and Oregon Revised Statutes 92 and 209. Along with those requirements, the Surveyor of record shall submit copies of existing recorded easements and the full sized **filed surveys** and **recorded plats** that are referenced on the final plat.

➤ **General Comments**

3. The Surveyor of record shall set all monuments on the exterior boundary and all parcel corner monuments on this partition.
4. The applicants will need to apply for a change of zone for those portions of the property zoned PUD prior to additional development in order to determine the allowed uses and development standards for those portions of the subject property.

This **Land Partition** 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 11 JANUARY 2011

JOE SLAUGHTER,
ASSOCIATE PLANNER

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