

BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE REQUEST FOR)
AMENDMENT TO CLUP/ZC ORDER 79-25) ORDER
FOR EWG Development/Albertsons, Inc.)

THIS matter came before the Board of Commissioners on December 22, 1992, in the County Commissioners Hearing Room in Klamath Falls, Oregon. The Planning Department was represented by Mr. Carl Shuck, Planning Director, and the recording secretary, Karen Burq. The CLUP/ZC file and all exhibits of the application and request are incorporated into this matter.

The applicant requested to have the condition on ingress and egress off of Homedale Road changed from 320 feet back, or south of South Sixth Street, to 285 feet.

This hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code. Mr. Don Duncombe and Mr. Kraig Weider testified in behalf of Albertson's, Inc. Mr. Don Russell testified in behalf of Enterprise Irrigation District. Mr. Ted Lindow testified in opposition to request.

On December 30, 1992, the Board of Commissioners continued the request for decision and discussion with Public Works Director, Earl Kessler.

Findings of Fact:

1. The proposed site for ingress and egress is located on the east side of Homedale Road where the Enterprise Irrigation Canal crosses Homedale.
2. The applicant is requesting that a condition on ingress and egress onto Homedale Road be changed from 320 feet back from South Sixth Street to a distance of 285 feet back from South Sixth Street, which is approximately where the Enterprise Irrigation Canal crosses Homedale Road.
3. Testimony by Mr. Don Duncombe indicated that the access point of 320 feet south of South Sixth Street presently is occupied by a mobile home and mini-storage units, which makes the 320 foot access point impossible to develop.
4. Mr. Kraig Weider testified that the Albertson's project is a single commercial user versus a multiple user as indicated in the original site plan, therefore reducing traffic volumes and hazards.

5. Testimony from staff indicated that the access points off of South Sixth Street to the Safeway Store and Market Basket Store are closer than the requested 285 feet.

6. Mr. Don Russell testified that Enterprise Irrigation District was in favor of development of the proposed access point because it would clean up a strip of their canal that has been an area for garbage and trash deposit.

Conclusions:


Therefore, based on the above information and testimony given to the Board of Commissioners, the request to reduce ingress and egress of 320 feet will be reduced to 285 feet back from South Sixth Street or where Enterprise Irrigation Canal crosses Homedale Street.

Order:

Therefore the Board of Commissioners grants the request to reduce ingress and egress point from 320 feet to 285 feet south of South Sixth Street or where Enterprise Irrigation Canal crosses Homedale Road in order to develop site for access to the proposed Albertson's Store.

DATED THIS 11th DAY OF January, 1993

Approved as to Form:


Reginald R. Davis, County Counsel

BOARD OF COMMISSIONERS


ED KENTNER, CHAIRMAN


WES SINE, COMMISSIONER

NOTICE OF APPEAL RIGHTS

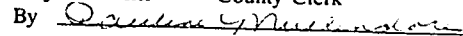
You are hereby notified this decision may be appealed to the Land use Board of Appeals within 21 days following the mailing of this order. Failure to do so in a timely manner may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 12th day of Jan. A.D., 19 93 at 10:33 o'clock A.M., and duly recorded in Vol. M93 of Deeds on Page 821.

FEE \$none

Evelyn Biehn - County Clerk

By 

Return: Commissioners Journal