

63148

## STAFF REPORT

**CASE NO. AND HEARING DATE:**

Conditional Use Permit 50-98  
Planning Director Rev. 7-22-98

**APPLICANT:**

Grover Rodgers  
5858 Shasta Way  
Klamath Falls, OR 97603

**REQUEST:**

Conditional Use Permit 50-98 to establish a private pre-school on property zoned CG.

**AUTHORITY:**

Article 52.4, Section 52.430(B) of the Klamath County Land Development Code.

**PROJECT LOCATION:**

3317 Cannon Avenue, northwest corner of Altamont Drive and Cannon Avenue.

**LEGAL DESCRIPTION:**

Located in Portion NE1/4 SW1/4 Sec.3, T.39S, R.9EWM; Tax Acct. 3909-3CA-2200.

**ACCESS:** Cannon Avenue and Altamont Drive

**UTILITIES:**

**WATER:** City of Klamath Falls

**SEWER:** South Suburban Sanitary Dist.

**FIRE DIST:** KCFD #1

**POWER:** Pacific Power

**EXHIBITS:**

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. KCFD No. 1 Comment 7-7-98
- E. SSSD Letter 6-26-98
- F. Env. Health Services Memo 6-19-98
- G. ODOT Letter 7-20-98

**CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:**

Notice was sent out to 21 surrounding property owners as well as to 6 agencies of concern. To date, the following agency comment has been received:

- KCFD No. 1 and the State of Oregon Fire Marshal's Office requires a site plan review and inspection.

ExA

- South Suburban Sanitary District will need additional information so a System Development Fee can be assessed for the new use. Occupancy and the number of restrooms, showers, laundry facilities, etc., will need to be made available prior to the SDC determination.

The review criteria of Section 44.030 of the Land Development Code requires that:

- A. The use complies with policies of the Comprehensive Plan.

As the requested use is a conditionally permitted use within the CG zone as adopted as part of the Comprehensive Plan, applicant is in compliance with this criterion.

- B. The use is in conformance with all other required standards and criteria

The CG zone allows as a conditional use, a school. The applicant meets this requirement as the appropriate CUP application was made and required notice was mailed.

- C. The location, size, design, and operating characteristics of the proposed use will not have a significant adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.

The parcel is of sufficient size to support the manufactured home which will be utilized as a private pre-school and required setbacks can be met. No comment has been received from any of the notified property owners in contrary of review criteria C. The agency concerns will be items for discussion at the site plan review phase of this project.

Note: The site subject to this CUP is also the location of an on-going violation case. The applicant/respondent promised the property would be cleaned up by July 31, 1998. This clean-up will be made a condition of this permit prior to site plan approval.

**RECOMMENDATION: Order:**

The Planning Director, based on the above findings and conclusions of the staff report and upon review of the exhibits on file for Conditional Use Permit 50-98, hereby approves the request to establish a school on property zoned CG subject to the following:

1. Commercial site plan review to be conducted pursuant to Article 41 of the Klamath County Land Development Code within two years of the date set out below or this permit is null and void.

26743

2. Clean-up of the site as agreed to by applicant prior to site plan approval.

Dated this 22 day of July, 1998.

Carl Shuck  
Carl Shuck, Planning Director

#### NOTICE OF APPEAL RIGHTS

The Klamath County Land Development Code provides that this decision may be appealed to the Board of County Commissioners no later than 7 days following mailing of this decision. Appeal information may be obtained at the Klamath County Planning Department.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Planning the 22nd day  
of July A.D., 19 98 at 2:47 o'clock P. M., and duly recorded in Vol. M98  
of Deeds on Page 26741

Return: Commissioners Journal

FEE

No Fee

By Bernetha G. Letsch County Clerk  
Kathleen Rose