

99 Mar -6 P2:57

BEFORE THE PLANNING COMMISSION KLAMATH COUNTY

IN THE MATTER OF TRACT 1359
FOR TRU-LINE/CARR, KERNS, TAYLOR, STEWART

APPLICATION

The applicant requested approval of a subdivision application depicting the division of about 12.59 +-acres into 42 lots. A hearing was held by the Planning Commission on April 27, 1999. This application was reviewed for conformance with Article 46 of the Land Development Code.

THOSE INVOLVED

The applicant and their representative, Dennis Ensor was present and testified. The Planning Department was represented by Carl Shuck. The recording secretary was Karen Burg. A quorum of the Planning Commission was present at this hearing.

LOCATION

The site is located south side of Americana Subdivision and north side of the Express Way. The site is located in a portion of section 14 of TS39, R9, being tax lot 5600.

RELEVANT FACTS

The application is for a 12.59 acre subdivision that will consist of approximately 42 lots. The lots will range in size from 7000 sq foot lot to 17,000 sq foot lot. The zoning for the site is RM(Medium density). The site is served by Fire District # 1. The access is off of Homedale Road. The subdivision will be developed in 2 phases, with phase 1 being lots 1-24.

Homedale Road is a county road and can adequately serve the type of traffic that will be generated from the proposed subdivision. Fire District #1 has required fire hydrants every 500 feet along roadways and two access points for the subdivision.

The zoning in the surrounding area is for residential use. The zoning to the north is a single family residential zone. To the west, the zone is also for residential use. To the east is EFU zoning and outside the UGB. The site has sewer and water, which is with the City of Klamath Falls.

CONCLUSIONS OF LAW

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The Planning Commission finds the proposed subdivision is supported by factual information which documents the need for the subdivision. The proposal will meet Goal 11, Public Facilities and Services. Proper notice of the application was given. The proposed subdivision is properly related to streets and to other public facilities to adequately serve the site. The proposed subdivision is physically suitable for the type of use and density. The subdivision is in conformance with the comprehensive plan and zone for residential use.

CONDITIONS:

The developer will develop the subdivision in accordance with the requirements of the Land Development Code and those requirements of Klamath County Ex D, Ex F, and 1, 2, 4, and 5 of Ex G. The above conditions speak to annexation, fire concerns, road standards, drainage study, street names and the removal of a street plug, which exhibits were made part of the record. The P/C also recommended that there be uniform fencing or landscaping next to the south side by-pass.

ORDER

The Klamath County Planning Commission based on testimony entered and upon consideration of exhibits a - k find the application in conformance with the review criteria set out in Section 46.030 of the Article 46 of the Land Development Code.

Therefore, it is ordered that the application for Tract 1359, for Tru-Line/Stewart, Carr, Kerns, Taylor is approved with above conditions and being in compliance with the review criteria as set out in the Land Development Code.

DATED this 4th day of MAY, 1999



Secretary to the Planning Commission

APPEAL RIGHTS

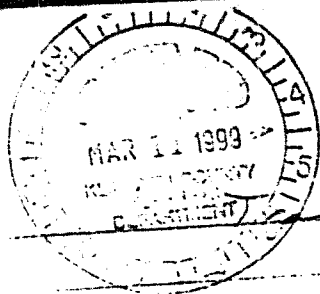
This decision may be appealed to the Board of Commissioners within 7 days following the mailing of this order. Failure to file notice of appeal within this time frame may affect your right to appeal.

REQUIREMENTS FOR FINAL APPROVAL

Tract: 1359/Carr/Kerns/Taylor/Stewart

NOTE: THIS APPLICATION WILL EXPIRE TWO YEARS FROM THE PRELIMINARY APPROVAL DATE IF A TIME EXTENSION IS NOT MADE PRIOR TO THAT DATE.

1. Final plat shall meet all requirements of Land Development Code Sections 46.090 and 46.100.
2. A preliminary title report is to be submitted with the final plat.
3. A certification signed by the subdivider that central water supply and sanitary sewer systems will not be provided and that the Department of Environmental Quality has approved the proposed method or alternative method of sewage disposal for the subdivision in its evaluation report described in ORS 454.755(!)(b).
4. Applicant shall comply with Public Works requirements outlined on Exhibit G attached..
5. KCFD #1 requires fire hydrants every 500 feet a long roadways and two access points.



17435

2-24-99

Sheet 1359 Prelim Plat Review

1. Minimum Road Standard = Std. Drawing 101.
Curbs, Gutters, Sidewalks & 35' between curbs

2. Drainage Study (Case 10 yr storm) (30 min)
a. calculate the increased flow [CFS]
that the finished development will
deliver to the 12" c/s on Homedale
b. A detention basin may be needed
if the increased runoff is significant

3. Traffic Impact study concerning Homedale
Road and especially the Homedale intersection with
Southside Expressway.

4. Provide street names. Red Fern should extend to
mid-curve between Lots 12 & 13. May need to
construct Red Fern to Liberty.

5.) ? 1' STREET Pub on Tract 1096 - AMERICANA
SOUTH END OF RED FERN LAKE - IN IT
GOING TO BE RELEASED

Return: Commissioners Journal

EX-6

State of Oregon, County of Klamath
Recorded May 6, 1999, at 2:57 AM
at the referenced page, Vol. M99.
Linda Smith, County Clerk
Fee \$

Linda Smith