

REVISED STAFF REPORT

Site Plan & Architectural Review and Conditional Use Permit

Notice is hereby given that a public hearing will be held by the City of Coos Bay as follows:

HEARING BODY: Planning Commission
DATE & TIME: **February 9, 2016 at 6:00 p.m.**
LOCATION: City Council Chambers, City Hall, 500 Central Avenue, Coos Bay
APPLICANT: Betty Ewing
17720 Pond-DE Rosa Lane, Prunedale, California
OWNER: Elrod Avenue Investments, LLC
P.O. Box 1833, Paso Robles, California
LOCATION: 465 Elrod Avenue, Coos Bay, Oregon
T. 25S, R. 13W, S. 35BB, Tax Lot 7000
SUBJECT: **Site Plan and Architectural Review (SPAR) and Conditional Use Permit (CUP) #187-ZON15-043 for the conversion and use of an existing building for a children's learning academy, as revised**
STATUS: **This item was continued from the January 12, 2016 hearing to allow a more detailed site plan to be submitted, a detailed circulation plan with drop-off and pick-up parking identified, and to better delineate the outdoor play area and any associated improvements.**

I. APPLICANT'S REQUEST

The applicant has requested, as the prospective operator of the Coos Bay Children's Academy (CBCA), approval of a Site Plan and Architectural Review application to make tenant improvements on 6,082 square feet of the lower level of an existing building for a full-time, educational based child care facility. Improvements to the facility will be the installation of a kitchen area and an outdoor playground area adjacent to the building. Otherwise, the applicant states that no other tenant improvements are necessary for conversion to the proposed use. The site is located in the R-4P (Residential/Professional District) zoning district which necessitates a Conditional Use Permit when a child care facility requires licensure or certification from the State of Oregon and provides services for more than 13 children. The CBCA is proposing an enrollment of up to 90 children and would operate Monday through Saturday.

II. BACKGROUND

The subject property is developed within an office building, constructed in 1972, and contains some 12,036 square feet of finished area. The property is designated as Residential/Professional District (R-4P) on the Zoning map and Residential - High Density (R-H) on the Comprehensive Plan

map.

Surrounding zoning patterns include R-4P to the northeast, north and west side of the subject site and C-2 (General Commercial) to the southeast and south sides. Land use patterns include single-family residential and a surface parking lot to the west, a City fire station to the north, an office building and associated parking to the east, and a post office to the south.

III. APPLICABLE REGULATIONS

Coos Bay Municipal Code Chapter 17.50 Residential/Professional District (R-4P)
Coos Bay Municipal Code Chapter 17.170 Utilities and Public Facilities
Coos Bay Municipal Code Chapter 17.175 Drainage Facilities
Coos Bay Municipal Code Chapter 17.180 Transportation Standards
Coos Bay Municipal Code Chapter 17.200 Off-Street Parking and Loading
Coos Bay Municipal Code Chapter 17.230 Signs
Coos Bay Municipal Code Chapter 17.345 Site Plan & Architectural Review
Coos Bay Municipal Code Chapter 17.355 Conditional Use Permit

IV. STAFF RECOMMENDATION

Staff prepared the following revised report based on the applicant's submittal, City of Coos Bay Land Development Code, City of Coos Bay Transportation System Plan, and City of Coos Bay Comprehensive Plan. These findings shall be used by the Commission to justify their final decision.

Staff finds there is sufficient evidence in the record upon which an approval can be based; therefore, staff is recommending approval of #187-ZON15-043 with conditions as found on page 8 of this staff report.

V. Section 17.345 SITE PLAN AND ARCHITECTURAL REVIEW: FINDINGS AND CONCLUSIONS

The following is a list of the decision criteria applicable to the request as stated in Coos Bay Municipal Code, Chapter 17.345. Each of the criteria is followed by findings or justification statements which may be adopted by the Planning Commission to support their conclusions. Although each of the findings or justification statements specifically applies to one of the decision criteria, any of the statements may be used to support the Commission's final decision.

Based on their conclusions the Commission must approve, conditionally approve or deny the application. Conditions may be imposed by the Commission in order to address concerns about the compatibility of the proposed use.

DECISION CRITERION #1: The location, size, shape, height, spatial and visual impacts and arrangements of the uses and structures are compatible with the site and surroundings.

STATEMENTS OF FACT AND FINDINGS:

- 1a. The site of the proposed use is an existing dual level building that fronts along Elrod Avenue and then drops on its south side to where a sub-grade second floor is located. From the street view, it appears to be a one-story building. The CBCA use will occur on the lower floor and essentially face south, away from Elrod Avenue. Due to this limited use of an existing building that has other tenants in it, very little architectural elements can be reviewed. The more pertinent elements of review concern the criteria for the CUP.

The surrounding area is a mix of uses generally found in the R-4P district. Directly across from the site, to the north, is the City of Coos Bay's new Fire Station #1. To the west are a parking lot and two single-family residences. Abutting the site to the south is the Coos Bay post office, and an office building with an associated parking lot is on the east side.

CONCLUSION: Staff recognizes that the location, size, and height of the building is in accord with the neighborhood and the additional use should have minimal impact on surrounding properties. This decision criterion can be adequately met without any exterior modifications.

DECISION CRITERION #2: The public and private sewerage and water facilities provided by the development are adequate in location, size, design, and timing of construction to serve the residents or establishments. These facilities meet city standards and relevant policies of the comprehensive plan and provide adequate fire protection.

STATEMENTS OF FACT AND FINDINGS:

- 2a. Water: Comments from the Coos Bay-North Bend Water Board (Water Board) indicates that there is existing water service to site. However, the applicant is asked to confirm plumbing fixtures with the Water Board to ensure that the meter is properly sized and to identify any cross connection hazards.
- 2b. Sanitary Sewer: There is no significant impact to the public sanitary sewer capacity as a result of this project, according to comments from the City's Engineering Division. All connections require permits through the City. Laterals and service connections shall conform to both local and state requirements.
- 2c. Fire Protection: A fire, life, and safety plan review will need to be performed prior to the issuance of building plans. The review will verify compliance with all current Building and Fire Code requirements, including emergency exits, fire apparatus access, hydrant location and flows.

CONCLUSION: The various public facilities to service this proposed use can be sufficiently satisfied through existing facilities and any upgrades, if required. This decision criterion has been adequately met provided that a fire, life, and safety plan is approved by the City's Fire Chief or the designated reviewer.

DECISION CRITERION #3: The grading and contouring of the site and how site surface drainage and/or on-site surface water storage facilities are constructed to insure that there is no adverse effect on neighboring properties, public right-of-way, or the public storm drainage system; and that the site development work will take place in accordance with City policies and practices.

STATEMENTS OF FACT AND FINDINGS:

- 3a. The applicant's development submittal indicates that there will be no changes or alterations to the site's surface drainage associated with the use and staff concurs based on the submitted plans, with this statement. The City's Engineering Department had no concerns regarding storm drainage flows onto

or through the property. There are two stormwater drains in the lower parking lot. No information was provided by neighbors or reviewing agencies that would be contrary to this statement.

CONCLUSIONS: This decision criterion has been adequately met.

DECISION CRITERION #4: Based on anticipated vehicular and pedestrian traffic generation, adequate rights-of-way and improvements to streets, pedestrian ways, bikeways, and other ways are provided to promote safety, reduce congestion, and provide emergency equipment access.

STATEMENTS OF FACT AND FINDINGS:

- 4a. An evaluation of trip generation was provided by Greenlight Engineering. The average daily trip impact is expected to be 450. In order to accommodate student drop-offs and pick-ups, parents will park in established parking stalls and accompany children to and from the building so that there is no stacking in the drive aisles. According to the statement of the traffic engineer, students will not be allowed to enter or exit the building unaccompanied.

CONCLUSION: This criterion has been satisfied based on information dated January 23, 2016 by Rick Nys, P.E., PTOE, Principal Traffic Engineer for Greenlight Engineering and the consultant of the applicant.

DECISION CRITERION #5: There are adequate off-street parking and loading facilities provided in a safe, well designed, and efficient manner.

STATEMENTS OF FACT AND FINDINGS:

- 5a. Parking: At a ratio of one teacher per 10 preschool students, as required according to the State of Oregon Licensing Standards for Daycare Centers, 18 parking spaces are required for the CBCA use for the 90 students. In addition, since the building contains 12,036 square feet of usable space and with CBCA's allotted 6,082 square footage subtracted out, the required parking for the office use of the building would also be 18 spaces for a total of 36 spaces.

The traffic engineer consultant for the applicant states that 62 parking spaces are available and 14 of those will be lost to the play area which leaves 48 spaces. In order to ensure adequacy of off-street parking, an assured parking agreement, either through a deed restriction or a long-term lease agreement (at least for the duration of the day care use), is needed so that the CBCA use can be able to meet its parking requirement. Proof of this dedicated parking must be provided since spaces are located on separate tax parcels.

- 5c. Proposed handicap parking spaces shall comply with federal standards.

- 5d. Landscaping and Screening: The site has well-established landscaping around the perimeter parking areas and along the building's edge except on the south side that abuts the post office property. There, except for a few trees, the landscaping tract is simply covered with grass with a few low-growth plantings. There is a security fence along the south property line. This fence and landscaped area provide a barrier but do not screen the play area from view

along this south edge. Providing a sight-obscuring portion to the fence would provide less visual exposure to the CBCA's play area from what currently exists and should be considered by the applicant. However, it is not required as part of this review.

CONCLUSION: Demonstrating that sufficient on-site parking spaces will be permanently available for the use can satisfy the off-street parking requirement. This criterion can be met by satisfying the parking concern discussed above and would be subject to an associated condition of approval.

DECISION CRITERION #6: Adequate dedication or reservation of real property for public use, as well as easements and right-of-entry for construction, maintenance, and future expansion of public facilities are addressed.

STATEMENTS OF FACT AND FINDINGS:

6a. No additional dedication or reservation needs have been identified for this proposal.

CONCLUSION: This decision criterion has been met.

DECISION CRITERION #7: The structural design, location, size, and materials used for buildings, walls, fences, berms, traffic island, median areas, and signs serve their intended purposes.

STATEMENTS OF FACT AND FINDINGS:

7a. The physical aspects of the existing building were discussed under Decision Criterion #1, above.

7d. No sign information was provided with this proposal. Sign permits from the City of Coos Bay are required prior their installation.

CONCLUSION: This decision criterion can be sufficiently satisfied.

DECISION CRITERION #8: Other property development requirements of the zoning district are satisfied.

STATEMENTS OF FACT AND FINDINGS:

8a. The subject property is located in the Residential/Professional (R4-P) zone. Under CBDC 17.50.030, a Child Care Facility requires a Conditional Use Permit.

8b. The development standards for non-residential development in the R4-P zone, as outlined by Chapter 17.50.050 of the CBDC, are as follows:

1. Minimum lot area: 5,000 square feet
2. Building Coverage: Shall not exceed 50 percent.
3. Building Height: Shall not exceed 35 feet.
4. Yards: Five feet from interior side and rear lot lines, ten (10) feet from any street frontage.

- 8c. Compliance with State Building Codes will be determined by Building Codes at the time complete building plans are submitted for review and are not tied to the current review.

CONCLUSION: As an existing development that is not proposing to add building area, the development standards are not impacted. This decision criterion is therefore satisfied.

VI. Section 17.355 CONDITIONAL USE PERMIT: FINDINGS AND CONCLUSIONS

The following is a list of the decision criteria applicable to the request as stated in Coos Bay Municipal Code, Chapter 17.355. Each of the criteria is followed by findings or justification statements which may be adopted by the Planning Commission to support their conclusions. Although each of the findings or justification statements specifically applies to one of the decision criteria, any of the statements may be used to support the Commission's final decision.

Based on their conclusions the Commission must approve, conditionally approve or deny the application. Conditions may be imposed by the Commission in order to address concerns about the compatibility of the proposed use.

DECISION CRITERION #1: The site for the proposed use will satisfy the specific conditions and intent set forth in Division IV of this title, if applicable.

STATEMENTS OF FACT AND FINDINGS:

- 1a. Looking over the listings of Division IV of the Development Code, there is nothing that pertains to the CUP that is not reviewed, in greater detail, in the SPAR section above.

CONCLUSION: This criterion is sufficiently satisfied as discussed in previous sections of this review.

DECISION CRITERION #2: The site for the proposed use is adequate in size and shape to satisfy any other property development requirements of the district in which it is located, in addition to any requirements that may be imposed by Division IV of this title.

STATEMENTS OF FACT AND FINDINGS:

- 2a. As a new use in an existing building without the need for exterior alterations, there is limited applicability of this criterion. The proposed children's academy is deemed to be an appropriate use for the site; it is required to be licensed by the State of Oregon. If the State is unwilling to certify the use (which has not occurred at this point) then satisfaction of this criterion is an unresolved situation outside the purview of this review.

CONCLUSION: The mix of uses in the surrounding neighborhood and the nature of pre-existing circumstances on the site would support the satisfaction of this criterion.

DECISION CRITERION #3: The site for the proposed use is served by streets and highways which are adequate in width, construction, and placement to safely carry the quantity and

kind of traffic generated by the proposed use.

STATEMENTS OF FACT AND FINDINGS:

- 3a. Elrod Avenue is classified as a Neighborhood Route in the adopted Coos Bay Transportation System Plan. The improved street section of Elrod Avenue where the building is located is 60 feet wide, sidewalk to sidewalk.

CONCLUSIONS: The inclusion of a condition of approval, as directly associated with off-street parking requirements, would allow this criterion to be satisfied.

DECISION CRITERION #4: The proposed use will not have an adverse physical effect on the development or use of abutting property.

STATEMENTS OF FACT AND FINDINGS:

- 4a. It would appear that the proposed use is compatible with surrounding uses. No testimony or information has been provided that specifically cited any adverse physical effects on other properties or the subject site.

CONCLUSION: This criterion can be satisfied.

VII. STAFF RECOMMENDATION

Based on the Findings, Conclusions and Conditions, as supported by the applicant's revised site plan, attached hereto and incorporated herein by reference as Attachments A1, approve Site Plan & Architectural Review and Conditional Use Permit #187-ZON15-043, allowing the use of 6,082 square feet of an existing building to provide a children's learning academy at 465 Elrod Avenue, subject to the following Conditions:

1. The applicant shall secure all building and structural permits, as required, from the City of Coos Bay or the State of Oregon including (if necessary) a fire, life, and safety plan approved by the City's Fire Chief or the designated reviewer.
2. It is the responsibility of the applicant to obtain any necessary approvals from the Coos Bay-North Bend Water Board and to confirm that plumbing fixtures are adequate, the existing meter is properly sized, and to identify any cross connection hazards.
3. Compliance with ADA parking standards is required and shall be provided prior to issuance of any certificate of occupancy.
4. The applicant shall provide a copy of a recorded agreement that commits the parking lot or lots located adjacent to the CBCA site to be used by all the tenants of 465 Elrod Avenue and shall continue to be used as a parking lot during the occupancy of the children's academy.
5. Applicant shall obtain sign permits from the City of Coos Bay prior to installation of any primary signage.

EFFECTIVE DATE OF PERMIT APPROVAL:

Approval shall be withdrawn if the authorized construction or use is not commenced within one year or is not pursued diligently to completion; or, if authorized occupancy or use has been discontinued for

over 120 consecutive days.

The effective date of the permit may be delayed if substantive conditions are attached to the approval. The Commission may grant an extension of time for a period not to exceed one year if circumstances beyond the control of the applicant cause delays.



DATE MAILED: January 29, 2016

Tom Dixon, Planning Administrator

cc: Betty Ewing, Applicant
Marty Poston, Representative
Dave Perry, DLCD

ATTACHMENTS: A1. Traffic analysis and revised Site Plan



January 23, 2016

Betty Ewing
 Coos Bay Children's Academy
 465 Elrod Avenue
 Coos Bay, OR 97420

Dear Ms. Ewing,

Greenlight Engineering has evaluated the transportation impacts of the proposed Coos Bay Children's Academy to be located in Coos Bay, Oregon. The academy, which provides day care and preschool services, will serve up to 90 students from ages two to four. It is anticipated that there would be approximately six staff members on-site during typical operations. The site is bounded by Elrod Avenue to the north, 4th Street to the east, Golden Avenue to the south and 6th Street to the west. The school will be housed within a portion of an existing building in approximately 6,028 square feet.

Trip Generation

Section 17.180.020 of the City of Coos Bay Municipal Code (“CBMC”) requires that developments that “generate 500 or more daily trip ends shall evaluate the transportation system impacts in a transportation impact study (TIS)”.

To estimate the number of trips that will be generated by the proposed development, trip rates from the *Trip Generation Manual*, Ninth Edition, published by the Institute of Transportation Engineers (ITE), were used.

As established below in Table 1, the proposed school is anticipated to generate 450 daily trips. Therefore, the projects does not require a full transportation impact study.

During the weekday AM peak hour, the school will generate approximately 74 trips, with 39 vehicles entering and 35 vehicles exiting during the hour. During the weekday PM peak hour, the school will generate approximately 75 trips, with 35 vehicles entering and 40 vehicles exiting during the hour.

Table 1. Trip Generation of Day Care Center

Size (square feet)	Daily Traffic	Daily Rate (Trips/KSF)	Weekday									
			AM Peak Hour			PM Peak Hour						
			Total	Enter	Exit	AM Trip Rate (Trips/KSF)	Total	Enter	Exit	PM Trip Rate (Trips/KSF)		

Site Circulation

Section 17.200.050 of the CBMC requires that “[a]ll schools having a capacity of 25 or more students shall have a driveway designed for a continuous flow of passenger vehicles for the purpose of loading and unloading students”. The proposed daycare is not like a typical school where parents drop off students at the front door. The proposed development will meet this standard as all loading and unloading of students will occur from parking stalls.

The Planning Commission raised concerns about the traffic circulation of the site. As mentioned previously, the school will be housed within an existing building. The existing drive aisles will remain. The sign-in procedures that will be implemented by the school will require parents to enter the building with their children. For security and safety, students will not be permitted to enter the building unaccompanied. It is estimated that the drop-off and pick-up process will take between five and ten minutes for each child. Drop-off and pick-ups from the drive aisles will not be permitted. As a result, traffic will not back onto Elrod Avenue, 4th Street, or 6th Street and continuous traffic flow will be provided.

The site plan is included as an attachment to this report. The site is currently served by 62 parking stalls that also serve the remainder of the tenants at 465 Elrod Avenue. 14 of those 62 parking stalls will be removed to construct a playground for the school. The school has a shared parking agreement with the owner of taxlot 6900. The other tenants of 465 Elrod may also utilize the parking area on taxlot 6900. Taxlot 6900 contains 24 parking spaces. Entrances to the day care will be provided from both parking areas.

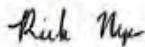
If parking demand exceeds the parking capacity of the site, parents may utilize any available on-street parking spots, of which there are several near-by on Elrod Avenue, 6th Street and 4th Street. Again, under no circumstances, will parents be allowed to drop off within the drive aisles due to safety concerns.

Conclusion

Based on this study, all transportation related criteria of the City of Coos Bay can be met and no mitigation is required.

Should you have any questions, feel free to contact me by phone at 503-317-4559 or by email at rick@greenlightengineering.com.

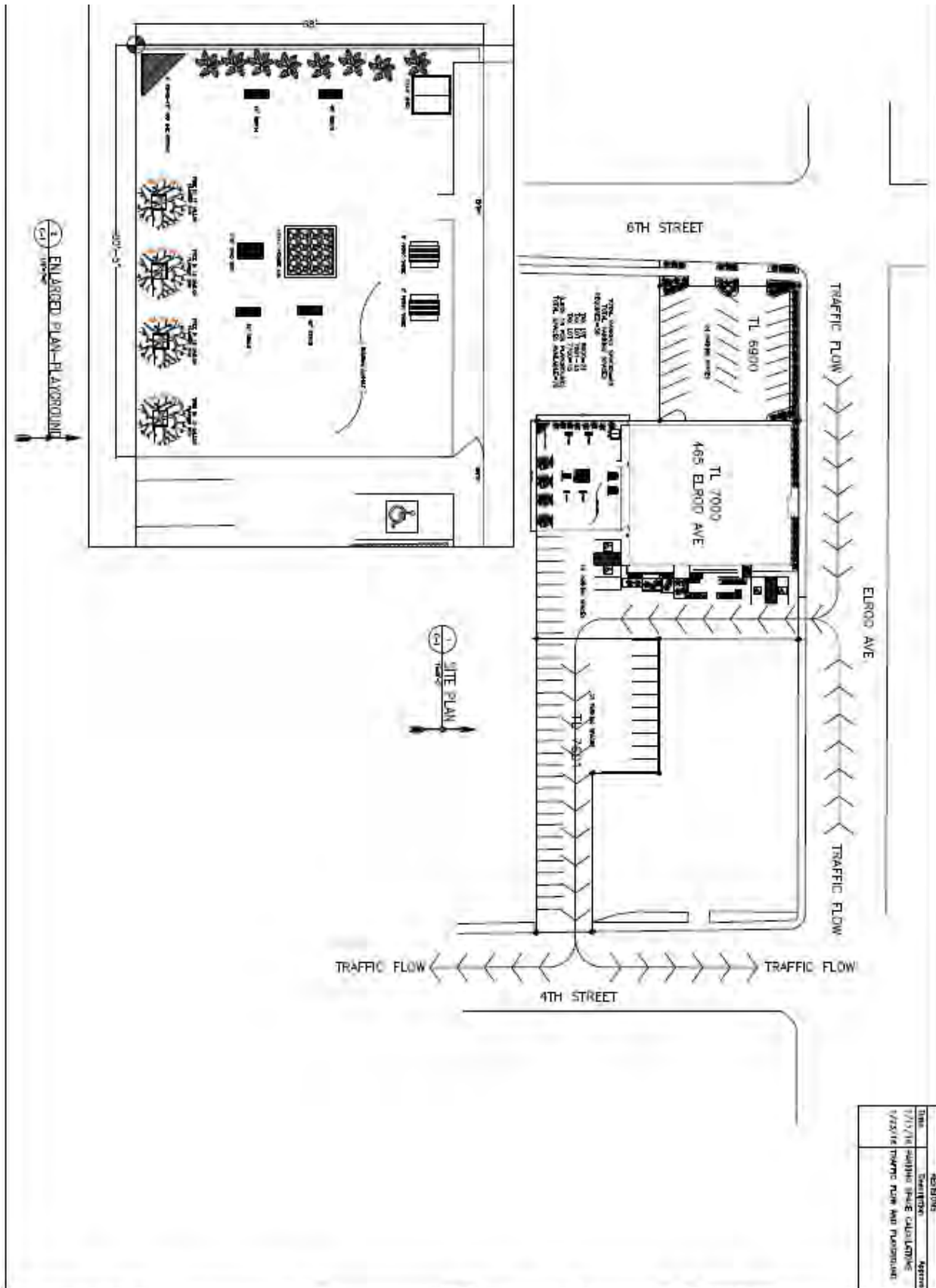
Sincerely,



Rick Nys, P.E., PTOE
Principal Traffic Engineer



EXPIRATION DATE: DEC. 31, 2014



	Designer: Marty Poston 336 Tiffin St. Greenfield, Ohio 45531 602-240-4700 martyposton@gmail.com	Distributor:	Landed: MIXED PROPERTY MANAGEMENT 1508 OLIVE ST RENO, NEVADA, CA 93440 805-238-1739 RENO@MIXED.COM	Cook Bay Children's Academy 465 Elrod Ave. Cook Bay, OH 47620		Title: Scale: 1/2" = 1'-0"
				SITE PLAN	Drawn: MLP 1/23/18 Checked:	Date: 1/23/18 File No.: Sheet No.: 0-1