



STAFF REPORT

Type III - Conditional Use

TO: Planning Commission

FROM: Debbie Erler, Planner
Community Development Department

HEARING DATE **Tuesday, November 12, 2019 at 6:00 p.m.**

TIME/LOCATION: Coos Bay City Council Chambers
500 Central Avenue, Coos Bay, OR 97420

**APPLICANT/
OWNER:** Abresch Family LLC (Melinda Abresch representative)
1137 26th Avenue SW, Albany, OR 97322

**SUBJECT
PROPERTY:** 209 Merchant Street, Coos Bay, OR (T.25, R.13, S.35AA - TL 400)
Lots 1-2, Block 8 of the Bay City Addition

SUBJECT: **LAND USE APPLICATION – Conditional Use #187-19-071**
Establishment of a “Bed and Breakfast” vacation rental in an
existing single-family dwelling.

I. APPLICANT’S REQUEST

The applicant is requesting approval to convert the existing one-story single-family dwelling to a “Vacation Rental” defined in the Coos Bay Municipal Code as a “Bed and breakfast house” which means a hotel in what was built as a single-family dwelling and which offers up to six bedrooms for transient guests. The existing structure has three bedrooms and a double car garage, which would require three-off street parking spaces.

The subject property is zoned Low-Density Residential (LDR-6). Coos Bay Municipal Code Chapter (CBMC) 17.220, list “Bed and breakfast house” as a conditionally permitted use.

II. BACKGROUND/HISTORY

The manufactured Home (Single-Family Dwelling) was placed in 2009. The Manufactured home is 27’ x 68’ (1,836 square feet) with an attached 24’ x 24’ (576 square feet) garage and has three bedrooms and two bathrooms.

III. APPLICABLE REGULATIONS

CBMC Chapter 17.220	Low Density Residential Districts (LDR-6).
CBMC Chapter 17.330	Off-Street Parking
CBMC Chapter 17.347	Conditional Use
CBMC Chapter 3.55	Transient Room Tax
CBMC Chapter 5.05	Business License

IV. STAFF RECOMMENDATION

Staff prepared the following report based on the applicant’s submittal, information available at City Hall and the City of Coos Bay Land Development Code (CBMC Title 17).

Staff finds there is sufficient evidence in the record upon which an approval can be based; therefore, staff is recommending approval of application #187-19-071 as found on page 6 of this staff report.

V. CRITERIA FOR SITE PLAN APPROVAL / FINDINGS AND CONCLUSION

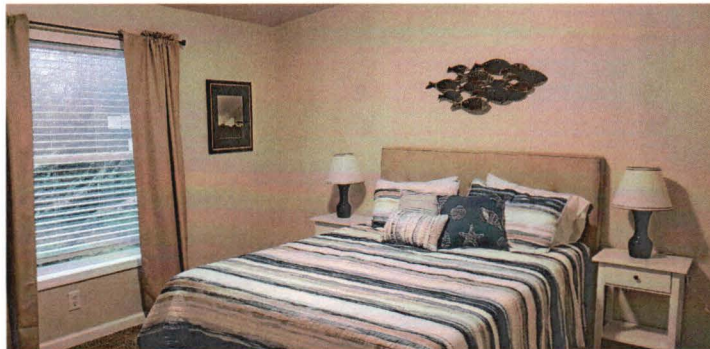
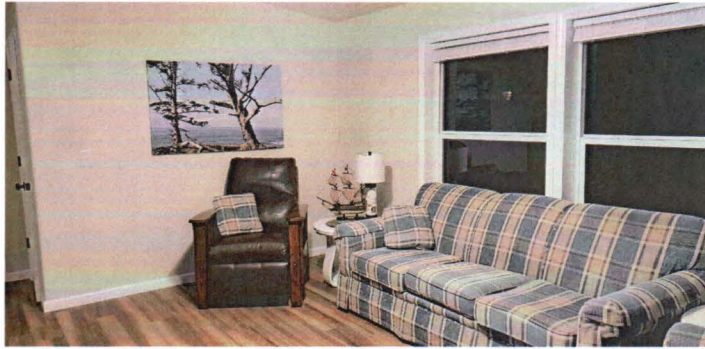
It is the responsibility of the director or designee to review each plan for compliance with the applicable provisions of this chapter and any other applicable regulations. The following is a list of the decision criteria applicable to the request as stated in Coos Bay Municipal Code, Chapter 17.347.040 (1) (a-d). Each of the criteria is followed by findings or justification statements which may be used 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 final decision.

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

DECISION CRITERION A: The proposed use complies with the applicable requirements of the zone except as otherwise approved by variance or other means consistent with this title.

STATEMENTS OF FACT AND FINDINGS:

- A1. The subject property is zoned Low-Density Residential (LDR-6). Coos Bay Municipal Code Chapter 17.220, list “Bed and breakfast house” as a conditionally permitted use. Per CBMC Chapter 17.140, the definition of “Bed and breakfast house” is a hotel in what was built as a single-family dwelling and which offers up to six bedrooms for transient guests.
- A2. The existing one-story structure is approximately 1,836 square feet with an attached 576 square-foot two-car garage, with three bedrooms and two bathrooms. The applicant will rent the structure furnished (See photos on page 3).



- A3. The change of use from Single-family dwelling to “Bed and Breakfast” vacation rental, requires continued compliance with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax requirements of CBMC Chapter 3.55.

CONCLUSION: The proposed use complies with the applicable requirements of the zone. Therefore, the decision criteria have been adequately addressed and approval of the proposal can be supported, subject to the following Conditions:

CONDITIONS: Continued compliance with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax of CBMC Chapter 3.55 is required; and a local contact person shall be maintained to handle any complaints or issues that arise from the proposed use.

DECISION CRITERION B: The site size, dimensions, location, topography, and access characteristics of the site are suitable to accommodate the proposed use and necessary mitigation of potential adverse impacts considering size, shape, location, topography and natural features.

STATEMENTS OF FACT AND FINDINGS:

- B1. The property is 100-foot by 100-foot (10,000 square feet). The structure covers approximately 24-percent of the lot. The current standard in the Low-Density Residential District allows 65-percent lot coverage. All setbacks, building height and other development standards were so met. The applicant is not proposing any change to footprint, or to the interior or exterior of the structure to accommodate the use.
- B2. Access is gained from Merchant Street, which is platted 60-feet in width and is currently developed gravel to approximately 22-feet wide.



CONCLUSION: The site size, dimensions, location, topography, and access are suitable to accommodate the proposed use. and staff found no potential adverse impacts considering size, shape, location, topography and natural features; Therefore, the decision criteria have been adequately addressed and approval of the proposal can be supported.

DECISION CRITERION C: All required public facilities (i.e., water, sanitary waste, drainage and roads) have adequate capacity and design to serve the proposed use either as they exist, or as they may be modified by conditions of approval.

STATEMENTS OF FACT AND FINDINGS:

- C1. No changes are proposed to the water service, storm water or sanitary sewer services. The property met the development requirements at the time of placement/construction and no changes are proposed.

CONCLUSION: Staff finds that the decision criteria have been adequately addressed and approval of the proposal can be supported.

DECISION CRITERION D: Any impacts related to building mass, parking, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety are no greater than other uses permitted in the zone, or can be mitigated by imposing reasonable conditions of approval which specifically address the potential impact and are intended to reduce the impact to levels consistent with other uses permitted in the zone.

STATEMENTS OF FACT AND FINDINGS:

- D1. Per CBMC Chapter 17.330.010(A) Off-Street Parking and Loading Requirements the proposed “Bed and breakfast house” requires one off-street parking space per guest room (three guest rooms). According to the applicant’s submittal, the two-car garage (2 spaces) and driveway (2 spaces) will exceed the required three (3) off-street parking spaces.
- D2. According to the applicant, no changes are proposed to the footprint of the structure and no changes are proposed to the interior or the exterior of the structure.
- D3. Access is gained from Merchant Street, which is platted 60-feet in width and is currently developed gravel to approximately 22-feet wide
- D4. The proposed “Bed and Breakfast” use will have impacts related to building mass, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety that are no greater than other uses permitted in the zone, as long as, vehicles associated with the use are limited to three and parking on-site is required.
- D5. Prior to the change of use from single-family dwelling to “Bed and Breakfast” (available to transient occupants) the structure must be verified, through a building permit, to comply with State Building and Fire Codes, including exits.

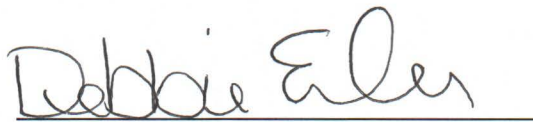
CONCLUSION: Limiting vehicles associated with the proposed use to the two required off-street spaces, which shall be accommodated on the property will minimize the impact to surrounding properties. Upon verifying compliance with State Building Codes, the use would not be detrimental to the health, safety or general welfare of residents in the area or citizens working in the area; Therefore, the decision criteria have been adequately addressed and approval of the proposal can be supported, subject to the following Conditions:

CONDITIONS: The structure must comply with current applicable building and fire code regulations, including fire and safety regulations, prior to the change in occupancy. Parking associated with the use shall be restricted to the required three off-street parking spaces.

VI. RECOMMENDATION

Based on the adopted Findings and Conclusions, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachments "A", approve land use application #187-19-071 allowing the conversion of the existing single-family dwelling to a "Bed and Breakfast House" vacation rental, subject to the following Condition:

1. The property must continue to comply with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax of CBMC Chapter 3.55;
2. A local contact person shall be maintained to immediately handle any complaints or issues that arise from the proposed use. This information must be kept current and notice of any change must be immediately provided to the City of Coos Bay, Public Works Department to update the Business License information.
3. The structure must comply with current applicable building and fire code regulations, including fire and safety regulations through a "Change of Use" building permit, prior to the change in occupancy;
4. Vehicles associated with the use is restricted to three (3) and parking shall be accommodated on-site.


Debbie Erler, Planner 1
Community Development Department

DATE: November 4, 2019

cc: Applicant

ATTACHMENTS: A – Applicant's submittal
B – Aerial

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CITY OF COOS BAY
 Public Works & Community Development Department
 500 Central Avenue, Coos Bay, Oregon 97420
 Phone 541-269-8918 Fax 541-269-8916

Permit No. **187-ZON** - _____

Date Received: _____

LAND USE DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT	PROJECT NO(S).
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Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Appeal and Review | <input type="checkbox"/> Legislative/Text Amendment | <input type="checkbox"/> Temporary Use |
| <input type="checkbox"/> Architectural Design Review | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Vacation |
| <input checked="" type="checkbox"/> Conditional Use | <input type="checkbox"/> Partition | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Estuarine Use/Activities | <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other _____ |

Pre-Application applications require a different application form available on the City website or at City Hall.

Site Location/Address: 209 Merchant St Coos Bay OR 97420	Assessor's Map No./Tax Lot(s): 25S13W35AA400
	Zoning: RES R3
	Total Land Area: 10,000 sq ft

Detailed Description of Proposal:

The proposed use for this property would be for a vacation rental. This property is located in a low density neighborhood backed up to green space on 2 sides. It is a 1814 sq ft single story manufactured home that has been recently renovated with 2 car garage. It has 3 brm 2 bath fully furnished with all amenities of a home. There is plenty of parking for guests and is on a flat 10,000 sq ft lot. It is a quiet area and guests will be told that there be not parties or animals so no nuisance to neighbors. There should be little to no impact on the area. All required facilities are in good working order and there are city roads to the property.

Applicant/Owner Name: Melinda Abresch <small>(please print)</small>	Phone: 541-730-6003
Address: 1137 26th Ave SW	Email: melindaa@remax.net
City State Zip: Albany OR 97321	

Applicant's Representative: <small>(please print)</small>	Phone:
Address:	Email:
City State Zip:	

1. Provide evidence that you are the owner or purchaser of the property or have the written permission of owner(s) to make an application.
2. Copy of the deed for the subject property.
3. Address the Decision Criteria or Goals/Standards outlined in the Coos Bay Municipal Code chapter(s) related to your request.
4. Additional information: Date construction is expected to begin; estimated completion date of the total project and of individual segments; and anticipated future development.
5. Type II requires three (3) **complete hard-copy sets** (single sided) of application & submitted documents must be included with this application. **One (1) complete set** of digital application materials must also be submitted electronically or on CD in Word format. Additional copies may be required as directed by the Coos Bay Director of Community Development.
6. Type III requires **Ten (10) complete hard-copy sets** (single sided) of application & submitted documents must be included with this application. **One (1) complete set** of digital application materials must also be submitted electronically or on CD in Word format. Additional copies may be required as directed by the Coos Bay Director of Community Development.

Per City of Coos Bay Resolution 17-03, a 5% Technology Fee will be assessed on all permit and plan review fees.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Coos Bay Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

DocuSigned by:

Melinda Abresch
 Applicant's signature

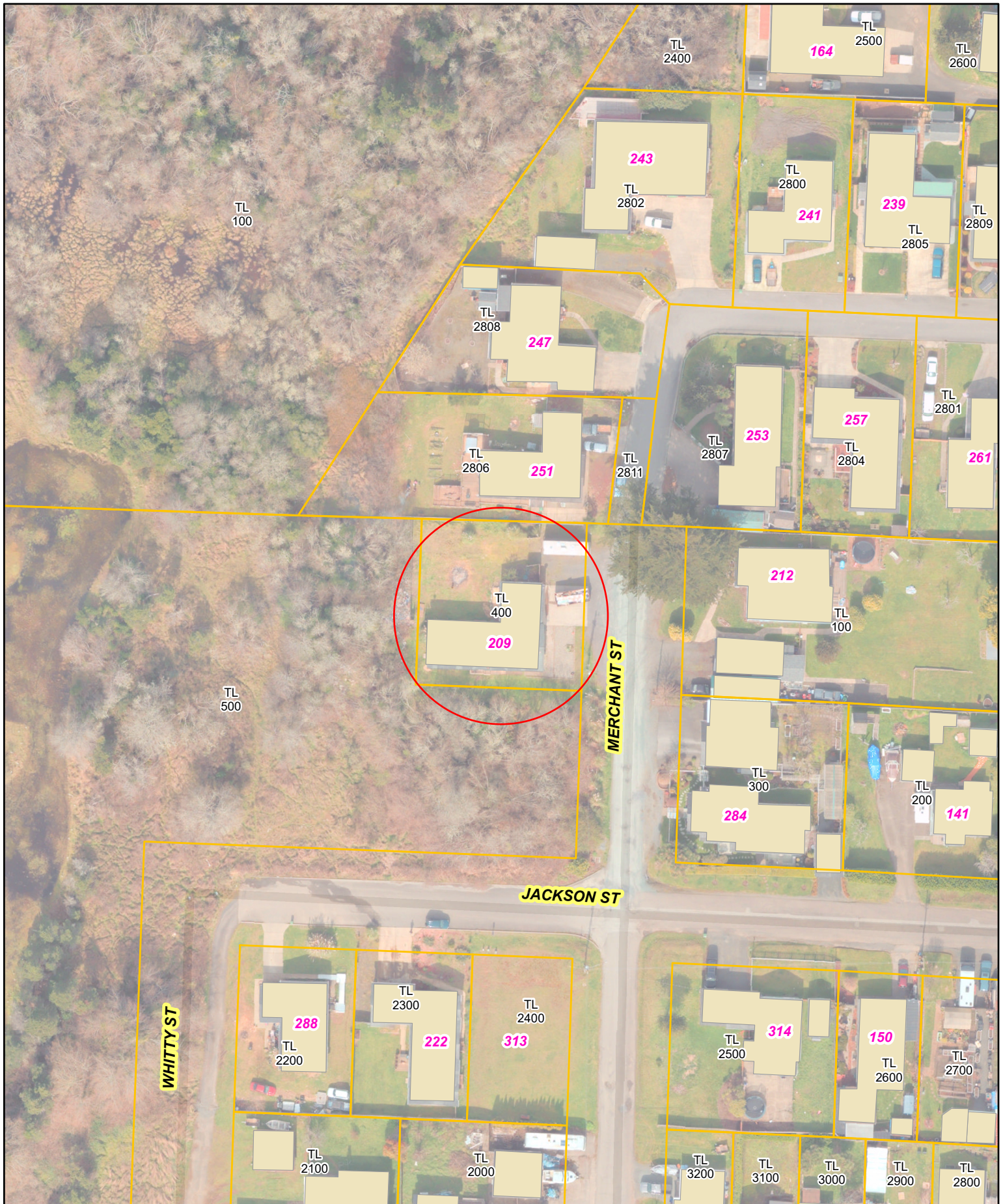
10/4/2019 |
 Date

DocuSigned by:

Melinda Abresch
 Owner's signature (required)

10/4/2019 | 10:00 AM PDT
 Date

ATTACHMENT A



Disclaimer:
 This document is produced using a Geographic Information System (GIS).
 The data contained herein is intended to be a graphical representation only
 and is by no means an official survey or legal interpretation thereof. The City
 of Coos Bay provides this data in good faith and makes no warranties,
 guarantees or representations of any kind, either expressed or implied, as
 to the content, accuracy, completeness or reliability of this data.

Date: 10/2/2019

Image Date: 3/6/2018

ATTACHMENT B



1 inch = 75 feet