



## STAFF REPORT Type III - Conditional Use

**TO:** Planning Commission

**FROM:** Debbie Erler, Planner  
Community Development Department

**HEARING DATE** **Tuesday, January 14, 2020 at 6:00 p.m.**

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

**APPLICANT/  
OWNER:** Jim Pittenger, PO Box 1688, Florence, OR 97439

**SUBJECT  
PROPERTY:** 2550 Woodland Drive, Coos Bay, OR  
(T.25, R.13, S.22CB - TL 3200)

**SUBJECT:** **LAND USE APPLICATION – Conditional Use #187-19-081**  
Change of use from medical office to “Multifamily which is medically related  
or fulfills a direct need to the district which cannot be fulfilled in other areas”  
in the Medical Park (MP) zoning district

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### I. APPLICANT’S REQUEST

The applicant is requesting approval to convert a portion of the existing medical office building to lodging which must be medically related. The north 586 square foot medical office would remain, and the remaining foot print (approximately 1,000 sq. ft.) would be converted to a two-bedroom unit with one bathroom, laundry room, living room, kitchen and dining area. The unit would be available for rent to one or more persons, seeking medical services or a traveling doctor, nurse, specialist on temporary assignment.

The subject property is zoned Medical Park (MP); Therefore, the use must have approval of a “Conditional Use Permit” to ensure the proposed use meets the intent and property devolvement requirements of the Medical Park zone, as outlined in Coos Bay Municipal Code Chapter 17.260.

## II. BACKGROUND/HISTORY

According to our records, the structure (approx. 1,600 square feet) was built in 1958 as a single-family dwelling. In July of 1991 a "Home Occupation" permit was issued for "Mental Health Service" and the garage was converted to an office. The remaining dwelling was converted to a medical office in 1996, and a number of medical services, including counseling, massage therapy, acupuncture, hypnosis and psychologist have occupied the structure.

According to the owner, the need for individual medical office space has declined and it is increasing harder to keep the space occupancy. He said there is a need in the area to provide lodging near medical facilities for cancer and dialysis treatment, since some patients come from long distances.



*West Elevation (Main entrance) & Northwest Elevation*



*East Elevation (Back entrance/parking) & Southeast Elevation*

## III. APPLICABLE REGULATIONS

CBMC 3.55	Transient Room Tax
CBMC 5.05	Business License
CBMC 17.120 & 150	Definitions & Administration
CBMC 17.260	Medical Park (MP).
CBMC 17.330	Off-Street Parking
CBMC 17.347	Conditional Use

#### 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 #187-19-081 as found on page 10 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 Medical Park (MP). Coos Bay Municipal Code Chapter 17.260, list "Multi-family which is medically related or fulfills a direct need to the district, which cannot be fulfilled in other areas" as a conditionally permitted use.
- A2. The intent of the "Medical Park" district (CBMC 17.260.010) is designed to achieve the following city objectives:
  - (1) *Encourage the centralization of Coos Bay's medical facilities.*
  - (2) *Provide space for semipublic facilities needed to complement medical facilities.*
  - (3) *Facilitate the establishment of the medical park district as an efficient regional referral center.*
  - (4) *Facilitate the planning and programming of desirable and/or needed utilities and facilities to adequately accommodate planned service level and intensity of use.*
  - (5) *Create an aesthetically pleasing, park-like environment conducive to the promotion of mental health and general well-being.*

(6) Establish and reserve appropriately located areas for desirable mixtures of medically related professional, limited complementary commercial, administrative business offices, and medically related multifamily residential uses.

(7) *Control the encroachment of medically related facilities into established or intended residential areas*

A3. The definition of a Dwelling (Per CBMC 17.150) is “A building or any portion of it which has cooking and toilet facilities and is designed exclusively for private residential occupancy by one family only. It does not include hotels, motels, boarding houses, recreational vehicles, park models, tents, yurts, pods or other similar accommodations authorized by the International Building Code for permanent dwellings.

A “Dwelling, multiple-family” is defined as “A building or portion thereof designed or used as a residence by three or more families and containing more than two dwelling units.”

A4. A “Family” is defined (Per CBMC 17.150) as “An individual or two or more persons related by blood, marriage, legal adoption, or guardianship living together in a dwelling unit in which board and lodging may also be provided for not more than three additional persons, excluding servants; or a group of not more than five persons who need not be related by blood, marriage, legal adoption, or guardianship living together in a dwelling.”

A5. 17.120.040 Interpretations.

(1) The review authority responsible for making a decision regarding a given application may interpret relevant ambiguous terms in this title in the course of or in advance of making a decision on the merits of the application.

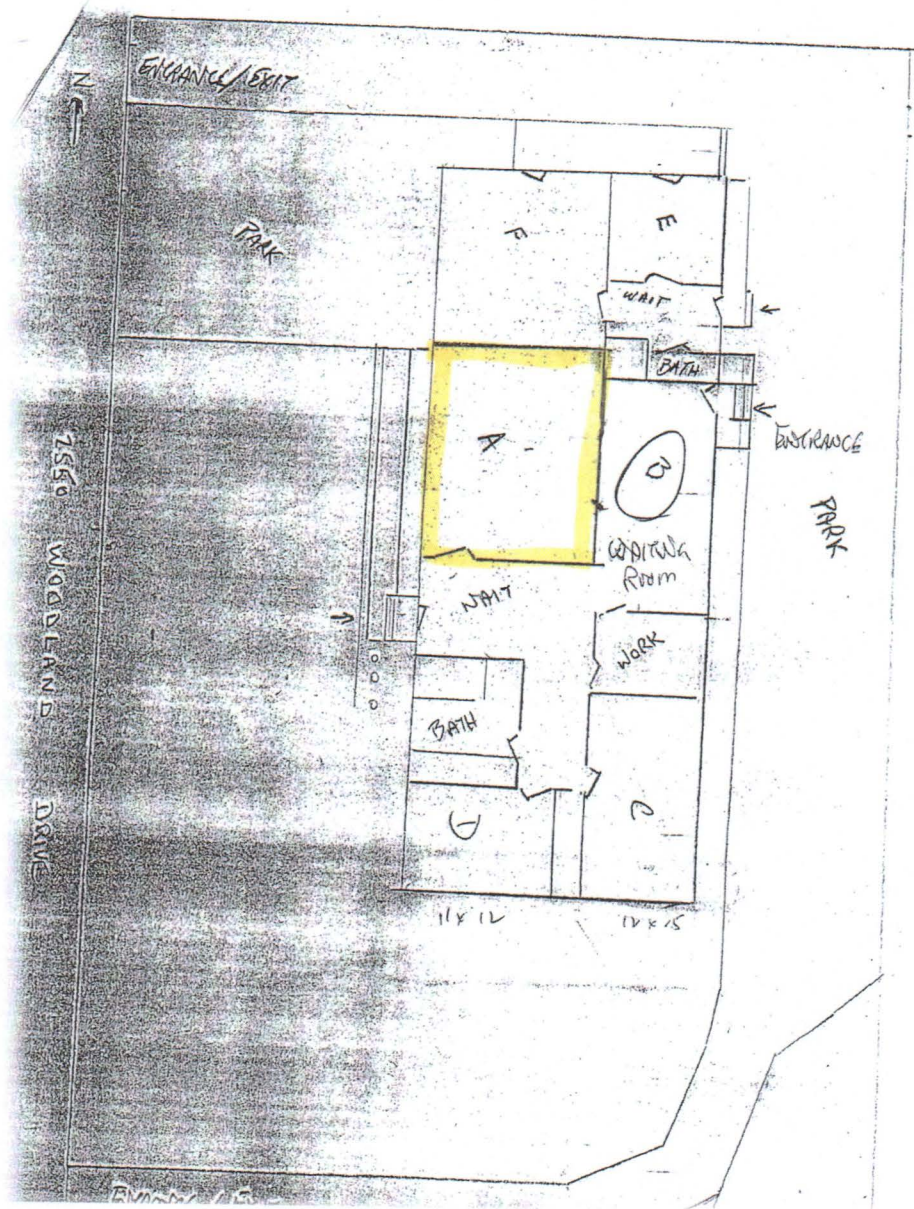
(a) If an interpretation is made in advance of a decision on the merits of an application, the interpretation shall be conducted as a Type I review and shall be included as part of the decision on the merits of the application.

(b) An interpretation may be appealed as part of an appeal of the decision on the merits of an application.

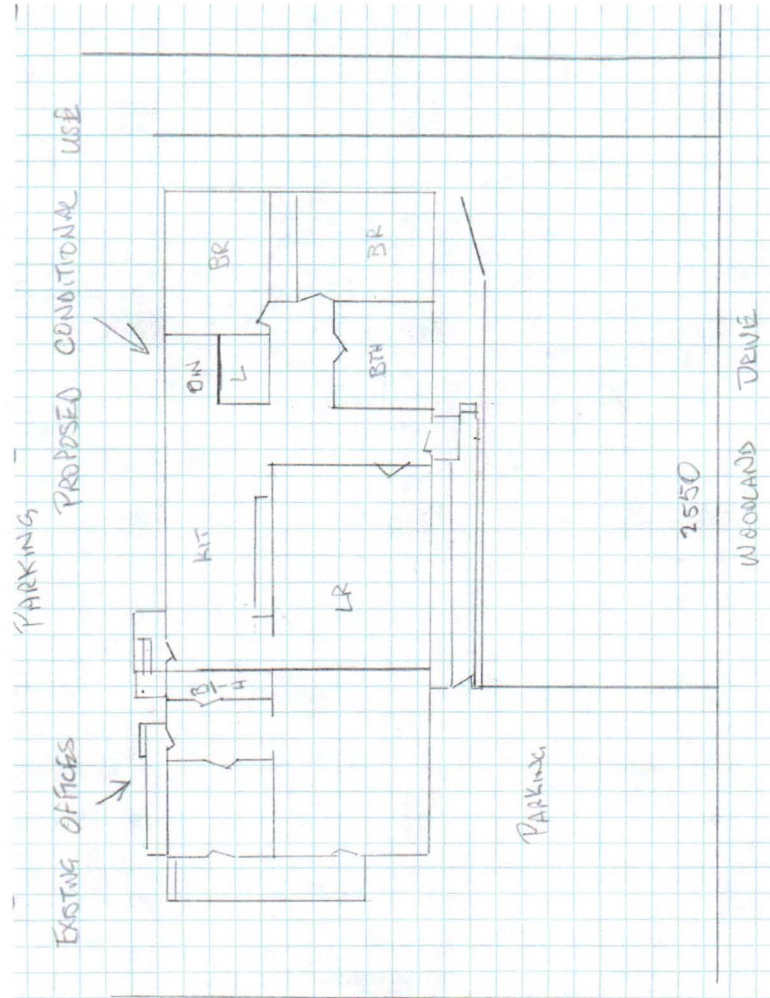
(2) A use that is not listed in any zone or district may be permitted by similar use determination pursuant to Type I process.

A6. It has been determined by the Community Development Administrator that Multiple families will have the opportunity to utilize the proposed project consistent with the intent of the Medical Park District, as noted in CBMC Section 17.260.010(6) as noted in Statement of Fact and Finding (A2) above.

- A7. The existing one-story structure is approximately 1,600 square feet with six medical offices, a work room, waiting room and two-bathrooms (2018 floor plan on page 5).



- A8. The north 586 square foot medical office would remain, and the remaining foot print (approximately 1,000 sq. ft.) would be converted to a two-bedroom (a queen bed in one room and twin beds in the other), one bath unit with kitchen and living that could be rented by multiple short-term tenants. Prospective tenant would share the common space and must be able to show that the need for lodging is medically related. Medical staff must be "Locum Tenens (traveling doctors/nurses temporarily providing coverage or training). The use cannot include local hospital or medical staff in need of housing. The occupancy cannot exceed three-months.



- A9. The proposed lodging use is subject to CBMC Chapter 3.55 Transient Room Tax and must remain in compliance at all time, including providing the required occupancy reports. The change of use also requires continued compliance with all business license requirements of CBMC Chapter 5.05.

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

**CONDITIONS:**

1. Occupancy for patients and medical professionals are limited to 90 consecutive days. Medical staff must be "Locum Tenens (traveling doctors/nurses temporarily providing coverage or training).
2. Continued compliance with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax of CBMC Chapter 3.55 is required.
3. A local contact person shall be maintained (and updated on the business license) 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 130-foot (13,000 square feet). The structure (approximately 1,600 sq. ft.) covers approximately 12-percent of the lot.

The current development standards in the Medical Park District allows up to 50-percent lot coverage. The applicant is not proposing any change to footprint or the exterior of the building. Only minor changes to the interior of the structure to accommodate the proposed use; Therefore, all setbacks, building height and other development standards are so met.

- B2. Access is gained from Woodland Drive at the north and south end of the property, through existing curb cuts. The driveway is paved and the parking lot provides 11 off-street parking spaces.

Off Street parking, as regulated by CBMC 17.330 requires one off-street parking spaces for each 250 square feet of medical office and one space for reach guest room (lodging).

Medical office (586 square feet)	= 3 off-street parking spaces
Lodging (two-guest rooms)	= 2 off-street parking spaces.

**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. The structure is connected to the City's sanitary sewer line. Water Service is provided from an existing well. Based on the current use of a six-suite medical office. It appears the impact to the sanitary sewer and water service would be reduced by the proposed use of one medical office and a three-person rental unit.

**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. The applicant does not plan to make any changes to the footprint or the exterior of the existing structure.
- D2. The submitted site plan indicates 11 off-street parking spaces can be provided. Per CBMC Chapter 17.340.010(A) Off-Street Parking and Loading Requirements "Medical Offices" require one space for every 250 square feet and for the lodging the code requires one-space per guest room.

Medical office (586 square feet) = 3 off-street parking spaces  
Lodging (two-guest rooms) = 2 off-street parking spaces.

One space must be ADA compliance for wheel chair access and the required loading area.

- D3. Access is gained from Woodland Drive at the north and south end of the property, through existing curb cuts. The driveway and 11 space parking lot is paved and marked.

CBMC, Chapter 17.260.050 Section 5(b) Property development requirements in the Medical Park zone, required all storage and trash area to be enclosed and screened from public view.

- D4. The proposed "Multiple Residential" 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 (multiple medical offices).



- D5. Prior to the change of use the structure must be verified, through a building permit, to comply with State Building and Fire and life safety Codes, including exits.



**CONCLUSION:** Upon verifying compliance with State Building Codes, the use would not have issues related 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 Condition:

**CONDITION:** The structure must comply with current applicable building and fire code regulations, including fire and safety regulations, prior to the change in occupancy.

## 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 #187-19-081 allowing the change of use for a portion of the existing structure at 2550 Wood Drive from medical offices to Multiple-Residential lodging which is medically related or fulfills a direct need to the district, in the Medical Park (MP) zoning district, subject to the following Conditions:

1. Occupancy for patients and medical professionals are limited to 90 consecutive days. Medical staff must be "Locum Tenens (traveling doctors/nurses temporarily providing coverage or training).
2. Compliance with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax of CBMC Chapter 3.55 is required.
3. 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.
4. CBMC, Chapter 17.260.050 Section 5(b) Property development requirements in the Medical Park zone, all storage and trash areas must be enclosed and screened from public view.
5. The structure must comply with current applicable building and fire code regulations, including fire and safety regulations as verified through a "Change of Use" building permit, prior to the change in occupancy;
6. It is the property owner and/or applicant's responsibility to verify that existing services are adequate to service the proposed change of use.



Debbie Erler, Planner 1  
Community Development Department

DATE: January 7, 2020

cc: Applicant

**ATTACHMENTS:** A – Applicant's submittal  
B – Aerial

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