



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:** Michelle Mitchell, P.O. Box 1331, Coos Bay, OR 97420
Jon A. & Theodora J. Menten, 2080 Timberline Drive
Coos Bay, Oregon 97420

**SUBJECT
PROPERTY:** 0 South Marple, Coos Bay, OR (T.25, R.13, S.20BC - TL 5400)
Southwest corner of S. Marple Street & Lattin Avenue

SUBJECT: **LAND USE APPLICATION – Conditional Use #187-19-087**
Conditional Use for establishment of a Single-Family Dwelling in the
“Commercial (C) zoning district

I. APPLICANT’S REQUEST

The applicant is requesting approval to place a Single-Family dwelling on the 50’ X 100’ lot at the southwest corner of South Marple Street & Lattin Avenue. The subject property is zoned Commercial (C); 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 Commercial zone, as outlined in Coos Bay Municipal Code Chapter 17.235.

II. APPLICABLE REGULATIONS

CBMC Chapter 17.235	Commercial (C) zoning district
CBMC Chapter 17.330	Off-Street Parking
CBMC Chapter 17.347	Conditional Use

III. 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 7 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 Commercial (C). Coos Bay Municipal Code Chapter 17.235, list "Medium Density Residential" as a conditionally permitted use. Per CBMC Chapter 17.150, the definition of "Density" is defined as "The number of permitted dwelling units allowed on each acre of land or fraction thereof." "Medium Density" is defined as "Eight units per net acre minimum to 16 units per net area maximum."
- A2. The property is 50' X 100' (5,000 square feet). The lot vacant, relativity level with street frontage along Lattin Avenue and South Marple Street.

Based on the size of the lot, it can accommodate only one living unit
 $(5,000 \text{ square feet} / 43,560 \text{ square feet (acre)}) = 0.114$, multiplied by the
minimum 8 living units = 0.918 or one living unit).

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.



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.

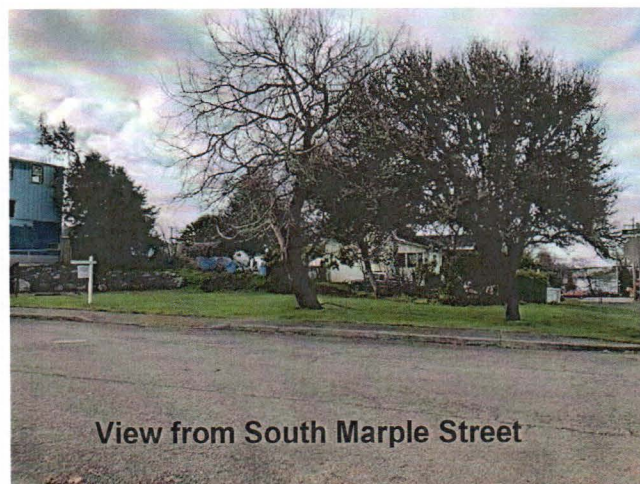
STATEMENTS OF FACT AND FINDINGS:

- B1. The property is 50-foot by 100-foot (5,000 square feet). The property is vacant and relatively level.
- B2. The property has street frontage along Lattin Avenue, which is platted to be 60-feet wide and is developed to 20-feet in width with gravel. South Marple Street is platted 80-feet wide and is developed to approximately 48-feet wide with curb/gutter and sidewalk on both sides.

There is an existing curb cut (approximately 20-feet wide) along South Marple Street near the south property.



View from Lattin Avenue



View from South Marple Street

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 lot is currently vacant. There two existing “Sanitary sewer” laterals available to the property in the South Marple Street right of way.

There are no “Storm sewer” lines in the area. Water service would need to be arranged with the Coos Bay/North Bend Water Board.



C2. As outlined in Finding “B2”, the existing streets have adequate capacity and design to serve the proposed use.

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. Any proposed development must comply with the property development standards of CBMC Chapter 17.230.030 (including Table 17.230.030 below).

Table 17.230.030 – Lot Standards

Standard	Commercial	Mixed	Single/Multifamily	
			Attached	Detached
Minimum lot width	20 feet	20 feet	20 feet	30 feet
Minimum lot depth	60 feet	60 feet	60 feet	60 feet
Minimum lot area	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	3,000 sq. ft.
Maximum lot area	N/A	N/A	N/A	15,000 sq. ft.
Maximum lot coverage	85%	85%	75%	65%
Maximum height	35 feet	35 feet	35 feet	35 feet
Minimum front setback	0 feet	10 feet	10 feet	10 feet
Min. garage setback from public street	20 feet	20 feet	20 feet	20 feet
Minimum garage setback from alley	20 feet	20 feet	20 feet	20 feet
Minimum side setback	0 feet or 10 feet abutting single-family zones	0 feet or 10 feet abutting single-family zones	0 feet attached, 5 feet nonattached	5 feet
Minimum street side setback	0 feet	0 feet	10 feet	10 feet
Minimum rear setback	0 feet or 10 feet abutting single-family zones	10 feet	10 feet	10 feet

- D2. Compliance with the Off-Street Parking standards of CBMC 17.330.010(1)(A) which requires two off-street parking space per Single-Family Dwelling, is required.
- D3. The property has street frontage along Lattin Avenue, which is platted to be 60-feet wide and is developed to 20-feet in width with gravel. South Marple Street is platted 80-feet wide and is developed to approximately 48-feet wide with curb/gutter and sidewalk on both sides.

There is an existing curb cut (approximately 20-feet wide) along South Marple Street near the south property.

- D4. The property west of South Marple Street to Empire Blvd. is zoned “Commercial (C), but primarily developed as residential with a couple blocks north and south.

The property east of South Marple Street is zoned Low-Density Residential (LDR-6) and is developed as residential.

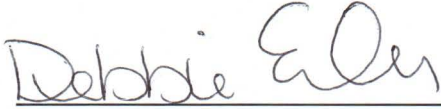


- D5. Any impacts related to building mass, parking, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety are no less (as residential) than other uses permitted in the commercial zone, without mitigation or conditions of approval.

CONCLUSION: The proposed Single-family dwelling 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.

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 #187-19-087 allowing the establishment of a Single-Family Dwelling on the subject property.



Debbie Eler, Planner 1
Community Development Department

DATE: January 7, 2020

cc: Applicant

ATTACHMENTS: A – Applicant's submittal
B – Aerial

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