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City of Port Orchard
Permit Center
720 Prospect St.
Port Orchard, WA 98366

Conditional Use Permit Application Decision Criteria Statement

Bair Property Development
Gravity Coffee
731 Bethel Avenue

Hearing Examiner Findings. The hearing examiner shall not grant a conditional use permit unless the hearing examiner finds that the request meets all of the following criteria and the hearing examiner makes written findings to that effect:

- (a) That the conditional use is consistent with the objectives of the zoning code and the purpose of the zoning district in which the subject site/property is located;

The parcel is located in the CMU zone which is intended to accommodate a broader range of residential and nonresidential activity than neighborhood mixed use. While auto centered uses are discouraged, drive-through facilities may be conditionally permitted; restaurants and food trucks are permitted in the zone. The proposed building will house a Gravity Coffee shop serving walk-in customers and inviting pedestrian activity in the zone. The drive-through style service option is located behind the pedestrian oriented frontage. The type of proposed business and the site design allows this drive-through style service to be consistent with the objectives of the zoning code.

- (b) Granting the conditional use will not have a substantively greater adverse effect on the health, safety or welfare of persons living or working in the area and will not be substantively more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the zone. Among matters to be considered are traffic flow and control, access to and circulation within the property, off-street parking and loading, refuse and service area, utilities, screening and buffering, signs, yards and other open spaces, height, bulk, and location of structures, location of proposed open space uses, hours and manner of operation, and noise, lights, dust, odor, fumes, and vibration;

The proposed drive-through service option will have no more impact on the surrounding area than other permitted uses. If the site were to be developed as multi-family, noise impacts would be greater. The proposed development includes a relatively small and well-detailed coffee shop with ample landscaping area and pedestrian ways. Space for parking, landscaping, refuse and interior circulation has been included in the site design.

- (c) The proposal is in accordance with the goals, policies, and objectives of the comprehensive plan;

The 2018 comprehensive plan map illustrates commercial use designations for the parcel and parcels to the north, south and west. Property to the east is designated high density multi-family. The property is not located within a Center. The proposed development is consistent with the comprehensive plan and comprehensive plan map.

- (d) The proposal complies with all requirements of this title;

The proposal complies with all requirements of title 20.50 Conditional Use Permits to the best of our knowledge.

- (e) The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area, or conditions can be established to mitigate adverse impacts on such facilities;

The proposed drive-through will comply with development regulations and storm water requirements. It will not adversely affect public services to the surrounding area.

- (f) Existing conditions of approval required as part of a prior land division or permit shall be met.

If existing conditions of approval required as part of a prior land division or permit are found, they will be met.