



**STAFF REPORT
To The
LONGVIEW PLANNING COMMISSION**

PRESENTED BY: Steve Langdon, Planning Manager

REVIEW DATE: October 14, 2015

APPLICATION NO.: PC 2015-7

APPLICANT: Body Rock Dance Space, Amelia E. Nesbit

PROPERTY OWNER: Steve Kiser

REQUEST: Special Property Use Permit in accordance with LMC §19.44.020 Table 19.44.020-1 to allow “Dance, music or art schools or studios; athletic, sports-training or martial arts facilities or schools.”

LOCATION: 1317 Hemlock Street (Assessor’s parcel number 00578)

ASSOCIATED

CASES: None

ZONING DISTRICT: Downtown Commerce District

TYPE OF ACTION: Quasi-judicial (City Council to hold public hearing)

BACKGROUND AND PROPOSAL

The applicant wants to locate her business “Body Rock Dance Space” at 1317 Hemlock Street. The business is a drop-in dance studio for adults (16+) offering a variety of dance styles. The applicant plans on initially operating Monday through Thursday from 5:00 p.m. to 9:00 p.m. and then hopes to expand the hours to include some weekday late morning/early afternoon classes and Friday nights and Saturday mornings.

The single-story building is located on the southeast corner of the 14th Avenue/Hemlock Street intersection. The legal description of the parcel is Longview 2, Block 88, Lots 23 & 24. The Assessor’s parcel number is 00578 and the parcel size is 12,000± square feet. Body Rock Dance Space will occupy one of six possible lease spaces in the building. Two of the lease spaces are occupied by a package store, one space by a beauty shop, and another by a tax and bookkeeping business. One space appears to be vacant. The site is not on any historic register.

Neighboring land uses:

South – Kinderland playground, law offices

East – alley, commercial building with several spaces for lease

North – Hemlock Street, City-owned public parking lot (Lot 87)

West – 14th Avenue, Cowlitz County Title Company

The Comprehensive Plan classifies the subject property as Central Business District. The parcel is within the Downtown Commerce (zoning) District.

The subject building has a 24-space parking lot located behind (south) of the building. There is a publicly-owned parking lot located north of the building across Hemlock Street.

The application is attached as Exhibit A.

SEPA DETERMINATION

Per Washington Administrative Code (WAC) 197-11-800(6)(a) this proposal is categorically exempt from threshold determination requirements. Thus, the applicant does not need to undergo the State Environmental Policy Act (SEPA) process.

APPLICABLE CODE SECTIONS

19.44.010 Purpose.

The paragraphs in the purpose section of Chapter 19.44 Commercial Zoning Districts relating to the Downtown Commerce District are given below:

This chapter accommodates a range of commercial land uses in the community in five commercial districts and one mixed use district. All of these districts are intended to provide for land use compatibility while providing a high-quality environment for customers, businesses and employees.

The downtown commerce (D-C) district is a part of the overall central business district identified in the comprehensive plan. The D-C district has the same purpose as the CBD zoning district [*see below*] but is designed to reflect its unique historical heritage. Pedestrian, bicycle, and transit access is emphasized to ensure that this area is walkable. Active storefronts are vital to maintaining a walkable ambiance for the downtown area.

The central business (CBD) district is the commercial area which is, shall be maintained, promoted as, and redeveloped as a major retail, service, financial, professional, and cultural center if not also the regional retail trade center for the Longview-Kelso urban area and vicinity. This area shall be developed and redeveloped with a dense, highly intensive land use pattern focusing on high-quality, urban style of development and architecture.

Staff comment: Locating a dance studio in the Downtown Commerce District is consistent with the description of the Central Business District and Downtown Commerce District as being an area identified as a cultural center.

19.44.030 Downtown commerce district – Special property use.

In the downtown commerce district special property use permits are granted by the city council. Per LMC 2.03.060, the city council shall conduct an open-record public hearing prior to their decision. Per LMC 2.27.070, the planning commission shall make recommendations to the city council for the granting or denial of such permits.

Staff Comment: Per the above section, only the City Council holds a public hearing on the application. Thus, the Planning Commission cannot take testimony on the application.

2.27.070 Recommendations on special property use permits in the D-C district.

The planning commission shall make recommendations to the city council for the granting or denial of such permits. The planning commission shall be guided by the provisions of LMC 19.12.050(3) in making its recommendations. In making its recommendations to the city council, the planning commission shall make findings of fact in support of such recommendations. Per the appearance of fairness doctrine, planning commission members shall not receive any testimony or recommendations except from city staff.

Staff comment: The provisions given in Subsection 19.12.050(3) are given in the staff analysis section below.

COMPREHENSIVE PLAN

The Comprehensive Plan Goals, Objectives and Policies for the Downtown area attached as Exhibit C.

Staff comment: Staff found no specific guidance from the goals, objective and policies regarding this application. In general, there does not appear to be significant inconsistencies with the Comprehensive Plan.

LONGVIEW'S DOWNTOWN PLAN

The proposed land use map on page 22 of the November 2001 Downtown Plan shows the subject property with a proposed land use category of “Government, medical, housing infill and parking.”

Staff comment: A dance studio does not fit within the proposed land use category of government, medical or housing infill facility; although it is consistent with the parking category in that half of the building site consists of parking. The building cannot be used for housing infill because the building is one-story and ground floor residential is not allowed in the Downtown Commerce District. The building has no extensive history of containing medical and government land uses.

LONGVIEW DOWNTOWN ADVISORY COMMITTEE

The Longview Downtown Advisory Committee will be discussing the application at their October 12, 2015 meeting. Their recommendation will be given to the Planning Commission at their October 14 special meeting.

STAFF ANALYSIS

The criteria for evaluating a special use permit are given below followed by staff comments.

(a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare.

Staff has no indication that the proposed business will cause anything that is significantly detrimental to public health, safety, morals and general welfare.

(b) In making such determination the board shall be guided by the following considerations and standards:

(i) That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity.

Staff has no indication that the proposed business will be significantly detrimental to the character and use of adjoining buildings and in the vicinity.

(ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic.

The City Traffic Engineer reviewed the applicant's site plan and found no known significant hazards.

(iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment.

The proposal is to site a dance studio in a building on a corner lot. Fire and other vehicular emergency equipment can access the building from two streets and an alley. There is nothing in the proposal that affects ingress and egress for emergency equipment.

(iv) That adequate off-street parking will be provided to prevent congestion of public streets.

The proposal is located in the City's Downtown Commerce District. Per LMC 19.78.105, "There is no minimum number of off-street parking spaces required for the Downtown Commerce District."

Even though off-street parking is not required, the building that the business will be located has a 24-space parking lot. Also, a public parking lot is located directly across Hemlock Street from the subject building.

STAFF DISCUSSION

None

STAFF FINDINGS

1. Because the proposed use is a dance studio, a special use permit is needed.
2. The use for which such permit is sought will not be detrimental to the public health, safety, morals and general welfare.
3. The proposal is consistent with the purpose section of the commercial zoning chapter (LMC 19.44.010) and there is no conflict with the general provision provided in LMC Section 19.44.090.
4. The proposal meets the criteria given in LMC Subsection 19.12.050(3).

RECOMMENDATION

Staff recommends that the Planning Commission recommend to the City Council that they grant a special property use permit to site Amelia E. Nesbit doing business as Body Rock Dance Space at 1317 Hemlock Street.

EXHIBITS

- A. Special Property Use Permit Petition with applicant's narrative including applicant's site plan
- B. General Provisions (LMC 19.44.090)
- C. Comprehensive Plan Goals, Objectives and Policies for Downtown