



Memorandum

TO: Longview Planning Commission

FROM: Steve Langdon, Planning Manager

HEARING

DATE: March 14, 2018

TYPE OF

DECISION: Legislative

PROPOSAL: Case Number PC 2018-2. The proposal involves 13 tax parcels and Fishers Lane and Westside Highway rights-of way. The parcels are located north of Fishers Lane between the Cowlitz River and the Columbia & Cowlitz Railway. The northern extent of the area is approximately where the levee meets the rail right-of-way. Under the proposal, a comprehensive plan map amendment will be needed for the three northern parcels owned by Consolidated Diking Improvement District No. 1, a portion of the Westside Highway and a portion of a tax parcel owned by the City of Longview. The Comprehensive Plan classification would change approximately two acres from Low Density Residential to Public/Quasi-Public/Institutional. Per the proposal, a zoning map amendment would be needed for all 13 parcels and the adjacent rights-of-way. The zoning map amendment area is approximately 8.1 acres in size and involves changing the zoning designation from R-1 Residential District to Mixed Use – Commercial/Industrial District. The General Mixed Use Commercial/Industrial District allows for a wider range of land uses. The area includes the City's former water treatment plant located at 101 Fishers Lane, Longview, WA.

BACKGROUND

The City of Longview has been approached by a company proposing to lease part of the former water treatment plant site located at 101 Fishers Lane. The Fishers Lane plant property has a zoning designation of R-1 Residential District. The company wants to operate a data center and assemble server modules at the property. This use of the site is not consistent with the R-1 Residential District allowed uses. If the City Council wants to lease the site to the company, a zoning amendment is needed. At their February 22 regular meeting, the City Council directed the Planning Commission to recommend an appropriate zoning amendment to allow for the proposed and other potential uses of the

site. Subsequent to the Fishers Lane water treatment plant discontinuing operation and discontinuing consideration of using the site for horizontal collector wells, the City Council has been considering different uses for the site and attempting to market the property for redevelopment. It was anticipated that the most likely scenarios for re-use of the site were unlikely to be consistent with the R-1 Residential District allowed uses and would require a change. This company's interest in the property expedites the need for a revised zoning designation.

Most of the proposed map amendment area consists of the former water treatment plant that is owned by the City of Longview with some facility ownership interest with the Beacon Hill Water and Sewer District. The former water treatment plant site contains an industrial type building, paved areas and former water storage and treatment tanks. As the site currently exists, it is not suitable for residential use. Water treatment plants are not an allowed use in that zoning district. When the plant was in operation it was a legal nonconforming (grandfathered) use. Now that it has been out of operation for several years, it has lost its grandfathered status.

The northern 3 parcels are owned by Consolidated Diking Improvement District No. 1 (CDID #1). These lots formerly held single family homes. Those residences were accessed from the Westside Highway and needed to cross over the levee. CDID #1 bought the land to avoid having residents cross the levee to reach their homes. The CDID #1 lots are currently vacant.

The attached Exhibit A shows the proposed Comprehensive Plan Future Land Use Map amendment. Exhibit B shows the proposed Zoning Map amendment.

Ownerships

City of Longview (Beacon Hill Water and Sewer District)
Consolidated Diking Improvement District Number 1

Existing Land Uses

Former water treatment plant, vacant land, pump station on the bank of the Cowlitz River, levees, Westside Highway (SR411) and Fishers Lane

Adjacent Land Uses

East: Cowlitz River

South: Fishers Lane, single-family and multi-family housing located in West Kelso

West: Cowlitz PUD substation, a rail line, cemetery

North: rail line, levee, vacant land owned by CDID #1, single-family housing

Comprehensive Plan

The 2006 Longview Comprehensive Plan currently classifies the most of the area as Public/Quasi-Public/Institutional. The three northern parcels owned by Consolidated Diking Improvement District No. 1, a portion of the Westside Highway and a portion of a tax parcel owned by the City of Longview are classified as Low Density Residential. The

Comprehensive Plan classifications for the adjoining properties in the City of Longview are Public/Quasi-Public/Institutional and Low Density Residential.

The City of Kelso Comprehensive Plan classification for land south of Fishers Lane is High Density Residential

Zoning

The subject property is currently zoned R-1 Residential District. The zoning designations for the adjoining properties are:

East: R-1 Residential District

South: Residential Mixed Density (RMD) in West Kelso

West: R-1 Residential District

North: R-1 Residential District

The purpose statement for the Mixed Use – Commercial/Industrial District is given below (LMC 19.58.010 in part):

The C/I district is intended to allow low intensity industrial uses, including light manufacturing, warehousing and distribution, research and development, and regional commercial services. Commercial uses should be compatible to and complement low-intensity industrial uses and provide a convenient business environment for employees and visitors. High quality employment facilities are encouraged, such as corporate office headquarters and technology centers.

Availability of Utilities

Sanitary sewer, water and fire protection are available to the subject property. Any future development will require compliance with the City of Longview Storm Water regulations for retention/detention and water quality.

S.E.P.A Determination

An Environmental Checklist for the proposed Comprehensive Plan Map and Zoning Map revisions was reviewed pursuant to the State Environmental Policy Act and a determination of non-significance was issued on February 28, 2018. [E 2018-3 SEPA checklist]

The comment period for the SEPA checklist will end on March 14, 2018. SEPA documents are attached as Exhibit C.

Traffic

The traffic engineer has reviewed the proposal and has determined that the proposal will not result in any critical impacts to the adjacent roadway system.

Critical Areas

Geologic Hazards:	No mapping indicators
Shoreline Designation:	Shoreline residential
Floodplains:	Zone X – areas protected by levees from 100-year flood except along riverbank

Wetlands:	No mapping indicators
Steep Slopes:	No mapping indicators
Unstable Soils:	No mapping indicators
Soils Description:	Newberg fine sandy loam & Arents
Gradient of Soils on-site:	0-1% -steep banks on levee & river bank

Additional Information

Pursuant to Chapter 19.81 of the Longview Municipal Code, legal notice was published in the Longview Daily News on March 4, 2018 and March 11, 2018. Notice of the land-use application and public hearing was posted on the property on March 7, 2018.

Citizen Correspondence

As of this writing, the City has received no comments.

COMPREHENSIVE PLAN POLICIES AND INTENT STATEMENTS

The relevant Comprehensive Plan goal and policy and map intent statements are given below.

Goal LU-A To encourage orderly, efficient, and beneficial development of land within Longview while maintaining a balance of business and residential uses within the City.

Policy LU-A.1.5 Facilitate redevelopment of existing developed land when appropriate. Encourage infill development on vacant or underdeveloped land within the City.

Policy LU-A.1.6 Process requests for rezones together with requests to amend the Future Land Use Map, as required.

Goal LU-E To support existing businesses and provide an energetic business environment for new industrial and commercial activity providing a range of service, office, commercial and mixed uses.

Policy LU-E.1.2 Allow a mix of heavy commercial and light industrial uses either to recognize existing districts or to recognize opportunities to diversify the City's economic base in appropriate locations.

Policy LU-E.1.3 Ensure zoning regulations accommodate a range of allowable business and commercial uses in appropriate locations at the neighborhood, community and regional levels.

Intent Statements

The Comprehensive Plan Map Intent Statements for the Public/Quasi Public/Institutional and the Low Density Residential classifications are given below.

Public/Quasi Public/Institutional

This classification is merely intended to note most major facilities and tracts that are in public or quasi public ownership or are operated for a purpose benefiting

the public. It includes public parks, public schools, and the community college, the library, governmental buildings, major utility stations, cemeteries, hospitals, and golf courses. Church properties are not differentiated, although they are usually considered a public/quasi-public use.

Low Density Residential

The low-density residential classification designates areas intended primarily for single-family dwellings. Manufactured housing parks designed according to firm standards for screening, buffering, parking, recreational area, distance between units, and other matters may be appropriate when deemed compatible with adjacent property by the City or County planning commissions and local legislative bodies. Home occupations may be acceptable. The recommended density is up to 6 dwelling units per gross acre.

19.81.090 Approval criteria for site-specific rezones.

In its review of an application for rezoning, the city shall consider subsections (1) through (5) of this section. No single factor is controlling; instead, each must be weighed in relation to the other standards. The city shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested zoning designation. Rather, the city shall consider whether the entire range of permitted uses in the requested designation is more appropriate than the range of uses in the existing designation.

Staff comments: Although a specific use is being proposed for the site, the City of Longview is aware that if the rezone is approved a wide variety of commercial/industrial uses will be able to site on the property.

(1) The proposal is in accordance with the adopted city of Longview comprehensive plan, any relevant sub-area plans, and the purpose section of the proposed zoning district.

Staff comments: City staff believes the proposal is consistent with the comprehensive plan and the purpose section of the MU-C/I district. The proposal is consistent with the goals and policies listed above in this staff report. It will expand the City's commercial base and facilitate redevelopment of existing developed land as appropriate. It will encourage infill development on vacant or underdeveloped land within the City.

The MU-C/I district purpose statement says the district is intended to allow low intensity industrial uses, including light manufacturing, warehousing and distribution, research and development, and regional commercial services. The former water treatment plant site contains an industrial type building, paved areas and former water storage tanks. These types of facilities are typically found in low intensity industrial districts.

(2) The proposal must bear a substantial relationship to the public health, safety, morals, or general welfare, or protect and preserve historical and cultural places and areas. The rezone may be justified, however, if a substantial public need or purpose exists, and this is so even if the private owner(s) of the land will also benefit.

Staff comments: The publicly owned land is not being used except for some utility lines crossing the property. The rezone and comprehensive plan reclassification will allow the property to be effectively used, adding to the economic well-being of the community.

(3) The property and affected area is presently provided with adequate public facilities, services, and transportation networks to support the zoning designation, or such facilities, services and transportation networks can be adequately provided in an efficient and timely manner (or are planned to be provided within six years).

Staff comments: The subject property is within an area fully served with public facilities and transportation networks.

(4) The proposal shall not have a substantial adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive.

Staff comments: The map amendment area is relatively isolated. The CDID #1 levee and the Westside Highway and then the Cowlitz River are to the east of the area. Railroad right-of-way, a levee and CDID #1 land located outside of the levee is to the north. The rail line, steep slopes, a cemetery, and a PUD substation are located to the west. To the south, across Fisher Lane is single-family and multi-family residences. It is the housing to the south that has a greater chance of being impacted. The proposed use of the site, data center and assembly of server modules, will take place inside the existing building and behind it in an established, fenced yard area and should not generate much traffic and noise. Although, once the property is rezoned, a wide range of industrial and commercial uses would be allowed on the site. The City of Longview will still own the land nearest Fisher Lane and thus can control what uses are allowed in the area. The CDID#1 land is approximately 400 feet north of Fishers Lane. Future land uses on those properties likely will have minimal impact on the properties south of Fishers Lane.

(5) Whether conditions in the area for which comprehensive plan change/zoning amendment is requested have changed or are changing to such a degree that it is in the public interest to encourage a change in land use for the area.

Staff comments: The conditions in the area have changed. The water treatment plant is no longer operable. The housing on the CDID #1 land has been removed. The water treatment facilities are still in place and will be costly to remove. The former water treatment plant site is not conducive to residential development and CDID#1 wants to avoid having residents crossing the levee. Thus, the residential zoning designation is not suitable and the area needs to be rezoned to get effective use of the land.

STAFF DISCUSSION

Although the proposed zoning district is named Mixed Use-Commercial/Industrial District, the uses allowed in that district are primarily light industrial oriented. The type of commercial uses allowed in that district is primarily those that are oriented towards the convenience of employees and visitors to the district such as: Day care centers, athletic, health and racket clubs, recreational vehicle parks, convenience stores, restaurants, and branch banks. Large scale commercial (big box) development is also allowed in the

district but the proposed zoning map amendment area is not suitable for large scale commercial development.

City staff is recommending that the Comprehensive Plan classification for the city-owned land remain Public/Quasi-public/Institutional (PQPI) and that the CDID #1 land be reclassified to PQPI. As long as public entities own the land, elected officials have control over what uses are allowed and can avoid inordinate impacts to the neighborhood. If the City or CDID #1 decided to sell the properties to private parties, then the PQPI classification would not be appropriate and a comprehensive plan amendment would be needed along with the necessary public hearings.

The eastern portions of the properties are within shorelines jurisdiction. The Shorelines Master Program Environmental Designation is Shoreline Residential. This shorelines environmental designation does not allow for the more intense commercial/industrial uses allowed in the Mixed Use-Commercial/Industrial (zoning) District. Thus, the area within shorelines jurisdictions will be constrained in what land uses can be sited until the shoreline master program is changed or another appropriate shorelines permitting process is completed. Meanwhile, the majority of the map amendment area is outside of shorelines jurisdiction and can be developed to the uses allowed in the Mixed Use – Commercial/Industrial District.

STAFF FINDINGS

Staff has examined the merits of the petition to amend the City of Longview Comprehensive Plan Future Land Use Map and the Zoning Map for the subject properties, and has made the following findings:

1. The proposal is consistent Comprehensive Plan goals and policies listed in this staff report.
2. The existing zoning designation of R-1 Residential District does not allow for the effective use of the land in that the existing facilities are not conducive to residential development and that CDID #1 does not want residents crossing the levee. The proposed zoning designation of Mixed Use – Commercial/Industrial District will allow for the effective use of the existing facilities.
3. The map amendment area is under the ownership of government entities whose elected officials control what land uses are allowed in their properties and can avoid land uses that could have an inordinate adverse impact on the neighborhood. If the government entities wanted to sell their land to a private entity, a comprehensive plan map amendment would be needed. The amendment approval process would require public notice and a public hearing(s).

STAFF RECOMMENDATION

Staff recommends that the planning Commission forward a recommendation of approval to the City Council for the proposed Comprehensive Plan Future Land Use Map and Zoning Map amendments.

EXHIBITS

- A. Map showing proposed Comprehensive Plan map amendment
- B. Map showing proposed zoning map amendment
- C. SEPA documents.

Staff Report Date: March 7, 2018