



**STAFF REPORT**  
**to the**  
**LONGVIEW APPEAL BOARD OF ADJUSTMENT**

**PRESENTED BY:** Adam Trimble, Planner

**HEARING DATE:** February 14, 2012

**APPLICATION NO.:** ABA 2012-1

**APPLICANT:** Valley Christian Fellowship represented by Steve Jabusch, PNE Construction

**PROPERTY OWNER:** Valley Baptist Church of Longview

**REQUEST:** Special Property Use Permit in accordance with LMC §19.22.020 to allow the expansion of a religious assembly use in the R-1 Residential district.

**LOCATION:** 2844 30th Ave & 2911 Pacific Way (Parcel Numbers: 884002, 0203001, 0203004).

**ASSOCIATED CASES:** Environmental review: E 2012-2

**ZONING DISTRICT:** R-1 Residential District

**BACKGROUND AND PROPOSAL**

Valley Christian Fellowship Church has applied for a Special Property Use Permit for a 2 phase expansion project at their existing church. In the first phase 2,444 sq. ft. will be added for two restrooms and two offices. Footings for an expansion of the sanctuary will be poured. In phase two, a new 8,800 sq. ft. sanctuary will be added onto the church. The project includes site improvements including stormwater facilities and 30 new parking spaces [Exhibit A: SPU application]. The property is in the R-1 Residential District, which allows religious assembly as a Special Property Use. The Valley Christian Fellowship Church property at 2844 30th Ave and 2911 Pacific Way currently has a 9,880 sq. ft. building, a 94 stall parking lot and a 3,000 sq. ft. church administrative office with some parking. The existing church and proposed expansions can be seen in the proposed site plan labeled as Exhibit B.

A letter from the applicants, Exhibit C summarizes the needs and desires for this expansion project. The proposed expansion will accommodate more churchgoers at one time and serve a dual purpose as a gymnasium when the chairs are removed. The church will need to combine three pieces of property into one in order to accomplish this proposal and accommodate new parking areas within the requirements of the zoning code.

The owner of the property is Valley Baptist Church of LGV. This property is located within the NE corner of Section 29 T8N, R2W and the SE corner of Section 20 T8N, R2W of the Willamette Meridian, in Cowlitz County.

Neighboring land uses include:

North – Pacific Way and single family residential dwellings.

South – Single family residences and Columbia Valley Gardens Elementary.

East – Single family residences.

West – Longview United Methodist Church and single family residences.

The Comprehensive Plan classification for the property is Low Density Residential.

In accordance with LMC §19.12.090(1), written notice of the public hearing for the Special Property Use Permit petition was mailed to the applicant and to the owners of all properties adjacent to or abutting this proposal on Wednesday, February 1, 2012 [Exhibit D].

The property was posted in two locations on Thursday, January 26, 2012 with a notice of public hearing announcing the proposed land use application. Legal notice of the public hearing appeared in the Longview Daily News on Tuesday, January 31<sup>st</sup> and Saturday, February 11, 2012.

## **SEPA DETERMINATION**

An environmental checklist for the Special Property Use Permit application was reviewed pursuant to the State Environmental Policy Act requirements and a Determination of Non-Significance was issued on January 26, 2012 [E 2012-2 SEPA checklist] [Exhibit E]. The public comment period ended on Thursday, February 9, 2012.

## **CRITICAL AREA ORDINANCE REQUIREMENTS**

There are no identified Critical Areas on this parcel. Therefore, a Critical Area Permit is not required.

## **APPLICABLE CODE SECTIONS**

Section 19.18.010(5) of the Longview Municipal Code (LMC) requires the land use proposed to receive approval via a public hearing process, and the issuance of a Special Property Use Permit by the Appeal Board of Adjustment. The specific code citations are listed below.

For Residential Zoning Districts described in 19.20 of the Longview Municipal Code, table 19.20.020 includes uses that are permitted (“P”), not allowed, or allowed through a special property use permit (“SPU”):

Table 19.20.020-1 Permitted Uses in Residential Districts

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
Religious and secular assembly uses	SPU	SPU	SPU	SPU	SPU

LMC § 19.12.050 Power of Board – Special Property Use

1. Recognizing that there are certain uses of property that may or may not be detrimental to the public health, safety, morals and general welfare, depending upon the facts in each particular case, a limited power to issue special permits for such uses is vested, by special mention in this title, in the board.
  
2. The board shall have an exercise original jurisdiction in receiving, granting or denying all applications for such special property uses as are provided for in this title and shall have the power to place in such permits, conditions or limitations in its judgment required to secure adequate protection to the zone or locality in which such use is to be permitted. No special permit shall be issued by the board until after public hearing, as hereinafter provided, and until after the building official has found that all other provisions of this code, with which compliance is required, have been fulfilled.
  
3. No such Special Property Use Permit shall be granted by the board unless it finds:
  - (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;
  - (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,
    - (ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,
    - (iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment,
    - (iv) That adequate off-street parking will be provided to prevent congestion of public streets [LMC 19.12.050].

### LMC §19.12.120 Special Property Use Permits – Time Limitation

Whenever the board by its decision authorizes the issuance of a permit for a special property use, if such building permit and/or occupancy permit is not obtained by the applicant within six months from the date of the board's decision, the board's decision shall cease to be effective.

### **STAFF ANALYSIS**

In reviewing LMC §19.12.050, which contains the criteria that shall guide the Board during their review of this petition, staff finds the following:

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

The proposed Valley Christian Fellowship sanctuary expansion project is an expansion of an existing use. The project must conform to the development standards of Residential Zoning Districts which were updated in 2010. The standards describe: maximum height limits, maximum impervious area lot coverage, required yard areas and setbacks from property lines, required facade modulation and appropriate architectural treatment, and maximum number and size of signage. Conformance to these standards is intended to ensure the use will not be detrimental to the character and use of adjoining buildings or those in the vicinity.

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

The project has undergone SEPA environmental review and no comments regarding traffic hazards were identified in review. Staff has no knowledge that the use for which this Special Property Use Permit has been applied for will create a hazard in the immediate area either for pedestrian or vehicular traffic.

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

The proposal involves removing one approach onto 30<sup>th</sup> Avenue that will no longer be necessary, and improving an approach consistent with city standards. An additional approach onto Pacific Way will continue to serve the property. [Exhibits A & B]

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

The project must comply with the off-street parking requirements contained in the Zoning Code. The site plan proposed includes approximately 30 additional parking spaces to meet these requirements. In addition, the project includes bicycle parking and the site is well served by public transit [Exhibit A]. Staff has verified that adequate property exists to accommodate the required off-street parking spaces.

LMC §19.12.050 also requires the Board to adopt the following finding if granting the Special Property Use Permit:

*(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.*

Based on review of the application and attachments and any testimony that may be presented at the public hearing, the Appeal Board of Adjustment shall adopt a finding that approval of this Special Property Use Permit will not be detrimental to the public health, safety, morals and general welfare.

As of this writing, staff has received one comment regarding this proposal as a result of the notice of public hearing that was mailed to all adjoining or adjacent property owners or the public notice posting or legal ads published in the newspaper. Mr. William L. Hallanger owns property at 2858 30<sup>th</sup> Avenue, which is surrounded on three sides by the proposal. Mr. Hallanger reported via phone message that he thinks the proposal is a great use of the space and that he supports the expansion of the church.

## **STAFF DISCUSSION**

The City's Building Official, Fire Marshal, and Public Works Department have had the opportunity to review the Special Property Use application for 2844 30<sup>th</sup> Avenue. Staff has identified that a Boundary Line Adjustment, to combine properties under the ownership of the church, will be necessary to comply with the requirement of the zoning code. Staff will recommend that a Boundary Line Adjustment be completed for the properties, as a condition of approval of this Special Property Use Permit. The applicants have met with staff to discuss the project and have worked to make the project conform to the requirements of the Longview Municipal Code.

## **STAFF FINDINGS**

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.

The R-1 Residential District permits the proposed use subject to a granting of a Special Property Use Permit by the Longview Appeal Board of Adjustment.

With a recommended condition of approval, staff finds that the use as proposed meets the criteria found in LMC §19.12.050.

## **RECOMMENDATION**

Staff recommends that the Appeal Board of Adjustment grant a Special Property Use Permit subject to the condition listed below, for the Valley Christian Church expansion project; a religious assembly use in the R-1 Residential District, located at 2844 30th Ave & 2911 Pacific Way and parcel 0203004.

Condition: The property owner shall complete a Boundary Line Adjustment to legally combine three church owned properties, parcels 884002, 0203001 & 0203004, into one property. This requirement shall be met prior to the issuance of any building permit for construction that would exceed the maximum impervious area lot coverage standard established for the zone district.

## **EXHIBITS**

- A. Special Property Use Permit application
- B. Site plan.
- C. Letter from Valley Christian Fellowship dated 1/12/12 from Steve Hixson
- D. Notice of Public Hearing (property owner notification).
- E. State Environmental Policy Act environmental checklist.

Staff Report Date: February 7, 2012