



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

**PRESENTED BY:** Adam Trimble, Planner

**HEARING DATE:** July 14, 2015

**APPLICATION NO.:** ABA 2015-2

**APPLICANT:** Big Leaf Montessori school represented by Alicia Jackson, Board President.

**PROPERTY OWNER:** St. Stephen's Episcopal Church

**REQUEST:** Special Property Use Permit in accordance with LMC §19.20.020 for a private elementary school in the R-1 residential district.

**LOCATION:** 1428 22<sup>nd</sup> Ave (Parcel Number: 00100).

**ASSOCIATED CASES:** None.

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

**BACKGROUND AND PROPOSAL**

The Big Leaf Montessori School is a new private elementary school proposing to locate in the existing St. Stephen's Episcopal church building located at 1428 22<sup>nd</sup> Ave. St. Stephen's Episcopal church was host to a pre-school in the past and the current proposal will use the existing classroom spaces. An accessible lift will be installed to meet building codes, otherwise no alterations to the building are proposed. The property is in the R-1 Residential District, which allows schools, public and private, as a Special Property Use. [Exhibit A: SPU application].

According to the applicant, the need for the school has grown from parents and students in Cowlitz County who have attended an existing Montessori pre-school operating at 3137 Columbia Heights Road in Longview, called Montessori Children's House. The Big Leaf Montessori School will serve a maximum of up to 45 students in two classrooms. As of the writing of this report the school has 10 students enrolled and 3 staff. It is anticipated that students will be driven to school and dropped off and picked up each day. Some staggering may occur as

before and after school child care programs will be offered. The applicant provided a letter [Exhibit B: letter dated May 6, 2015] detailing the school's plans for drop-off and pick-up rules, times and vehicle circulation proposal.

About 900 square feet of class rooms in the existing church building will be used by the private school. The applicant has proposed making use of Vandercook Park, located 200 feet from the church for outdoor play time on occasion. The Montessori education model calls for frequent field trips which will take the place of play time on some days. The church has 26 parking stalls in the rear of the building accessible by the alley. When not occupied the parking area may serve as a place for parents to pull out of the alley for loading and unloading. In addition street parking is available on Louisiana and 22<sup>nd</sup> Ave. [Exhibit C: aerial photo].

The owner of the property is St. Stephen's Episcopal Church. This property is located within the NW ¼ of Section 33, T8N, R2W of the Willamette Meridian, in Cowlitz County.

Neighboring land uses include:  
North –Single family residences.  
South – Single family residences.  
East –Single family residences.  
West – 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, July 1, 2015 [Exhibit D].

The property was posted on Wednesday, July 1, 2015, 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 Sunday, July 5, 2015 and Sunday July 12, 2015.

## **SEPA DETERMINATION**

A State Environmental Policy Act checklist was not required for this application or scope of work.

## **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
Public or private schools	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 private elementary school use is similar to a previous use of the site by a pre-school. The existing church building will accommodate the use with the addition of a mechanical lift for accessibility. The church property provides adequate parking for both school and church staff during non-church times, and the alley parking area is available for parents to drop-off and pick-up children.

The past use of the property as a pre-school demonstrates that the neighborhood will not experience impacts that would be detrimental to the character and use of adjoining buildings.

The alley proposed to be used for student drop-off and pick-up serves 7 houses in addition to the church. Of the seven homes, 4 currently make use of the alley for garage or parking access. A typical alley in the neighborhood serves between 15 and 18 homes with more than ½ having alley access. Blocking of the neighboring properties alley access can be avoided through instructions for vehicle loading and unloading to parents as the applicant has proposed.

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

The City Traffic Engineer has evaluated the site and the traffic circulation plan proposed by the applicant and found the project 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.*

The property is a corner lot with nearly 400 feet of road frontage, providing ample access for emergency response.

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

The property will provide more than adequate parking for the proposal. For elementary and junior high schools, public, private or parochial, the zoning code requires: *One parking space for each employee and each faculty member.* In addition the code allows; *“Where parochial schools and churches are located on the same site, the required*

*church parking facilities may also be used as required school parking facilities;" LMC19.78.100 (12). The site is also well served by public transit.*

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 no comments from neighboring property owners.

## **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 1428 22<sup>nd</sup> Ave. 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**

1. With a vehicle loading and unloading plan approved by the City Traffic Engineer and instructions to parents regarding student pick-up and drop etiquette as the applicant has proposed, 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.
2. 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.
3. 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 for the Big Leaf Montessori elementary school, and permit the establishment of a private elementary school at 1428 22nd Ave.

## **EXHIBITS**

- A. Special Property Use Permit application
- B. Letter from Alicia Jackson, Board President, Big Leaf Montessori dated 7/6/15.
- C. Aerial photo.
- D. Notice of Public Hearing (property owner notification).

Staff Report Date: July 6, 2015