



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

**PRESENTED BY:** Adam Trimble, Planner

**HEARING DATE:** July 14 2015

**APPLICATION NO.:** ABA 2015-4

**APPLICANT:** Longview School District, represented by Troy Lomax, Facilities Manager

**PROPERTY OWNER:** Longview School District

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

**LOCATION:** 2742 Harding St (mailing address) 2903 Nichols Blvd. (site address) (Parcel Number: 06431).

**ASSOCIATED CASES:** None.

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

**BACKGROUND AND PROPOSAL**

The Longview School District proposes to construct a 1,152 square foot greenhouse adjacent to the Harding building at the Robert A Long High School campus which also contains the Discovery High School, an alternative high school. Exhibit A contains the Special Property Use application for the proposal. The campus has a site address of 2903 Nichols Blvd while the Harding building has a mailing address of 2742 Harding Street. The Discovery High School, an alternative high school, is located in the Harding building. Per the applicant's letter dated June 22<sup>nd</sup>, 2015 [Exhibit B], the greenhouse will be used as an educational component of the district's horticulture class. The greenhouse will be used during school hours, while school is in session. The site currently contains raised bed gardens and an undeveloped grassy area and is enclosed with a chain-link fence [Exhibit C: photos of the proposed greenhouse and site]. The property is in the R-1 Residential District, which allows schools, public and private, as a Special Property Use.

The owner of the property is Longview School District #122. This property is located within the NW ¼ of Section 32, T8N, R2W of the Willamette Meridian, in Cowlitz County.

Neighboring land uses include:

North –RA Long High School.

South – Single family residences.

East –RA Long High School campus.

West – The Harding building and Monticello Middle School.

The Comprehensive Plan classification for the property is Public/Quasi-public/Institutional.

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 greenhouse is proposed to be built on land owned by the school district and fully part of the existing RA Long high school campus. The greenhouse is an educational component intended to enhance educational opportunities for students of the school district. The greenhouse is not intended to accommodate additional students or serve to relocate students from elsewhere in the district. Outdoor gardening is occurring on the site of the greenhouse currently. Large street trees with full canopies line the road frontage of the proposed site and may provide some screening of the building from adjacent residences during leaf-on season.

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

The City Traffic Engineer has 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 site is easily accessible from Harding Street and the existing RA Long Campus provides for emergency vehicle access.

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

The greenhouse cannot accommodate additional students or staff but rather serves the existing students and staff of the district as an amenity component. No parking spaces will be lost by the construction of the greenhouse. Additional parking is not required for the construction of the accessory structure.

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 from neighboring property owners, attached as [Exhibit E]. The property owner expresses displeasure with the location of the Discovery High School at the Harding building and notes that parking in the neighborhood has been unbearable. The writer suggests the school district should be adding on-site parking instead of new buildings on the vacant land.

## **STAFF DISCUSSION**

In regards to the concerns expressed by the neighboring property owner I will note that although more parking may be desirable the school district is not being required to provide additional parking and has not proposed to do so. The construction of the greenhouse serves as an amenity for existing students of the district. No new students or staff will be added as a result of

constructing the accessory building. Thus no new parking spaces are required. The construction of the greenhouse on the existing RA Long High School campus is consistent with the historical use and performance of the property as a high school. On-street parking is available for the public to use, as long as the use is consistent with the street parking laws of the City.

The City's Building Official, Fire Marshal, and Public Works Department have had the opportunity to review the Special Property Use application for 2742 Harding Street and provided no comments or conditions of approval for the application. The applicant has submitted building plans and engineering for the construction of the greenhouse for review to ensure it will meet building and fire codes.

## **STAFF FINDINGS**

1. 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 Longview School District to construct a 1,152 square foot greenhouse adjacent to the Harding Building at 2742 Harding Street on at the R.A. Long High School campus.

## **EXHIBITS**

- A. Special Property Use Permit application
- B. Letter from Troy Lomax, Facilities Manager, dated June 22, 2015
- C. Photos of the greenhouse and site
- D. Notice of Public Hearing (property owner notification).
- E. Email from Ray Mullenix Jr., neighbor, dated June 3, 2015

Staff Report Date: July 6, 2015