



STAFF REPORT
to the
LONGVIEW APPEAL BOARD OF ADJUSTMENT

PRESENTED BY: Adam Trimble, Planner

HEARING DATE: July 17, 2018

APPLICATION NO.: ABA 2018-2

APPLICANT: House of Prayer for All Nations

PROPERTY OWNER: House of Prayer for All Nations Longview

REQUEST: Special Property Use Permit in accordance with LMC §19.20.020 for an expansion of an existing church in the R-4 zone.

LOCATION: 870 9th Ave (Parcel Number: 08624).

ASSOCIATED CASES: None.

ZONING DISTRICT: R-4 Residential

BACKGROUND AND PROPOSAL

The House of Prayer for All Nations (church) has proposed to construct a 480 square foot, 16' x 30' addition to the rear of the existing church along with 3 parking spaces off the alley. The addition is for an office and children's classroom. Churches are allowed in the R-4 Residential district as a Special Property Use. The building permit will include an interior remodel of the church, replacement of the roof, reconfiguration of the entry ramp and patio, and reconfiguration of the restrooms for handicap accessibility. [Exhibit A: SPU application, site plan].

The church is a corner lot on the intersection of 9th Avenue and Delaware Street. [Exhibit B: aerial photo, site photos].

The owner of the property is House of Prayer for All Nations Longview.

Neighboring land uses include:
North –Multi-family apartments.

South – Two single family homes and five-plex residences.
East – Multi-family apartments.
West – Victoria Freeman Park

The Comprehensive Plan classification for the property is High 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 Thursday, April 28, 2016 [Exhibit C].

The property was posted on Tuesday, July 3, 2018 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 8, 2018 and Sunday July 15, 2018.

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 existing church is expanding to provide space for an office and classroom which will not intensify the use, but better serve the existing church attendees. The addition is not proposed to exceed the existing roof height. Three new parking spaces will be provided on the church property for additional parking for the use.

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

The expansion to the existing church will not create a hazard; 37 feet will remain open between rear of the building and the alley, thus not impacting visibility for cars entering or exiting the alley.

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

The property is a corner lot.

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

The property currently provides no on-site parking but will add 3 spaces on site as part of the project. Additionally, the property is a corner lot with both public streets allowing parking on both sides and ample on street parking exists along Victoria Freeman Park.

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 at 870 9th Ave and have no comments for the special property use review. Since building permits are being applied for, any concerns will be addressed in the plan review.

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-4 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 House of Prayer for All Nations church at 870 9th Ave.

EXHIBITS

A. Special Property Use Permit application, Site Plan

B. Aerial photo, Site photos

C. Notice of Public Hearing (property owner notification).

Staff Report Date: July 10, 2018