



City of Longview

1525 Broadway
Longview, WA 98632
www.ci.longview.wa.us

Agenda

Appeal Board of Adjustment

Tuesday, March 12, 2024

4:30 PM

Longview Council Chambers

1. **HYBRID MEETING DETAILS**

24-00190 Please click the link to join the webinar: <https://us02web.zoom.us/j/81922908550>

Webinar ID: 819 2290 8550

Or Telephone: (253) 205 0468; or (253) 215 8782; or (346) 248 7799

2. **CALL TO ORDER**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

24-00189 Minutes from February 13, 2024

5. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

6. **DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARANCE OF FAIRNESS**

7. **PUBLIC HEARINGS**

24-00215 ABA 2024-2 SPECIAL PROPERTY USE PERMIT FOR 3609 COLUMBIA HEIGHTS RD

RECOMMEND ACTION:

MOTION TO APPROVE THE STAFF RECOMMENDATION FOR ABA 2024-2 AND GRANT
A SPECIAL PROPERTY USE PERMIT FOR THE PROPOSED PROJECT AT 3609
COLUMBIA HEIGHTS RD.

8. **OTHER BUSINESS**

9. **ADJOURNMENT**



City of Longview

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Minutes

Agenda

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Or Telephone: +1 253 205 0468 US; +1 253 215 8782 US (Tacoma);
+1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose)

2. CALL TO ORDER

The meeting was called to order at 4:30 pm.

3. ROLL CALL

*In attendance: Mark Backstrom, Chair; Roger Peters, Vice Chair; Dan Petersen; Steven Dahl; Arthur Chang
Staff: McAllister Kosar, Planner; Chris Collins, Assistant Public Works Director; Sam Barham, City Engineer; Nancy Vandehey, Admin Assistant*

4. APPROVAL OF MINUTES

24-00140 Minutes from January 29, 2024

Meeting on January 9th was rescheduled due to lack of quorum.

A motion by Steve Dahl, seconded by Roger Peters, was made to approve the minutes. This passed unanimously.

5. AUDIENCE PARTICIPATION OF CORRESPONDENCE

No written communication received.

Steve Dahl stated that the information given at the Salvation Army hearing was inaccurate. It wasn't going as well as presented. He noted two incidents. If presented with a future project, he'd expect additional information to be presented.

6. DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARANCE OF FAIRNESS

Mac Kosar read the declaration and there were no objections.

7. PUBLIC HEARINGS

24-00142 ABA 2024-1 636 California Way Special Property Use Permit

Recommended Action: Approval of ABA 2024-1 Special Property Use for 636 California Way subject to the conditions of Staff for Certificate of Occupancy.

Mac Kosar highlighted the staff report and read the findings into record. Discussion included current occupancy and working on existing conditions that need to be corrected, including a general electrical inspection from L&I.

Public hearing opened at 4:43 pm. Jeff Lam, owner spoke in favor of the application. Public hearing closed at 4:45 pm.

Steve Dahl made a motion, seconded by Dan Petersen to approve the staff recommendation and grant a Special Property Use permit subject to an approved electrical inspection by City of Longview or L&I certified inspection. This passed unanimously.

8. **OTHER BUSINESS**

9. **ADJOURNMENT**

The meeting was adjourned at: 4:50 pm.



STAFF REPORT
to the
LONGVIEW APPEAL BOARD OF ADJUSTMENT

PRESENTED BY: McAllister Kosar, Planner

HEARING DATE: March 12th, 2024

APPLICATION NO.: ABA 2024-2

APPLICANT: Columbia Heights Assembly Church, Josh McCann

PROPERTY OWNER: Assembly of God Columbia Heights

REQUEST: Special Property Use Permit (SPU) in accordance with LMC §19.12.050 to remodel 2 existing daycare pods into two duplexes (4 units) for missionaries. Religious and secular uses are a SPU according to LMC 19.20.020-1.

LOCATION: 3609 Columbia Heights Rd, Parcel 108100100

ASSOCIATED CASES:

ZONING DISTRICT: R-1

BACKGROUND AND PROPOSAL

The property is the location of the Columbia Heights Assembly of God Church for which daycare services were also provided in the rear of the property in two pod buildings. The church now seeks to remodel the pods to house missionaries as part of the mission of the church, creating two units in each pod shown in Exhibit E, 4 units total. The location of the pods is behind the church but still well served by access. Religious and secular assembly uses are permitted in all zones as a Special Property Use according to LMC 19.20.020-1. In Exhibit A you can find the application.

Neighboring land-uses include:

North – Single Family Homes

South – Single Family Homes

West – Large amounts of vacant land

East- Single Family Homes

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

In accordance with LMC §19.12.090(1), written notice of the public hearing for the Special Property Use Permit was mailed to the applicant and to the owners of all properties adjacent to or abutting this proposal on February 6th, 2024 (Exhibit C).

The property was posted with a notice of public hearing announcing the proposed special property use application. Legal notice of the public hearing appeared in the Longview Daily News (Exhibit D). No comments have been provided as of the date of this report.

SEPA DETERMINATION

Not required.

CRITICAL AREA ORDINANCE REQUIREMENTS

None.

APPLICABLE CODE SECTIONS

Section 19.20.020-1 & 19.12.050(2) 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.

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.*

With the necessary infrastructure like sidewalks, parking spaces, and the church being on a large property, the use of the pods as housing should not be an impact to the character or use of adjoining buildings or those in the vicinity. Egress and ingress of persons would be like those making use of the church.

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

As there are sidewalks and the structures have been established for a long period of time and contributing to the volume of traffic, a hazard will not be created for pedestrian or vehicular traffic. Egress and ingress of persons would be like those making use of the church or previous daycare.

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

In the attached aerial image (Exhibit B), several points of ingress and egress will be available for fire and vehicular emergency equipment.

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

Parking is available immediately at the pods as well as in the general church parking lot, overflow parking lot, and side parking lot totaling over 100 spaces, meeting the minimum requirements for parking in LMC 19.78 for both the church and dwelling units.

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.

With the necessary infrastructure like sidewalks, parking spaces, and the church being on a large property, the use of the pods as housing should not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare. Egress and ingress of persons would be like those making use of the church. Additionally, any proposed work will be reviewed and inspected as part of the building permits needed for the proposal by the City of Longview Community Development Department.

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 3609 Columbia Heights.

As of this writing, staff has received no comments regarding this proposal as a result of the notice of public hearing that was mailed to all adjoining or adjacent property owners, posted notice, or legal ads published in the newspaper.

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 Residential Zoning Code (LMC 19.20) permits Religious and Secular assembly uses subject to the 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.

RECOMMENDATION

Staff recommends that the Appeal Board of Adjustment grant a Special Property Use Permit for the proposed project at 3609 Columbia Heights Rd.

EXHIBITS

- A. Special Property Use Permit application
- B. Aerial Image
- C. Notice of Public Hearing (property owner notification)
- D. Legal Notice
- E. Building Layout

Staff Report Date: Wednesday, March 06, 2024



Special Property Use Permit Application to the Appeal Board of Adjustment

Community Development Department ♦ 1525 Broadway, P.O. Box 128 ♦ Longview, WA 98632 ♦ 360.442.5086/Fax 360.442.5953

Special Property Use Permit Application To the Appeal Board of Adjustment

LMC 19.12

Case Number: _____

Related Case Number: _____

THIS SECTION FOR OFFICE USE ONLY:

APPLICATION AND AUTHORIZING SIGNATURES

Each current property owner of record must sign the application or provide a letter authorizing an agent or representative to act on his or her behalf.

I hereby apply for the Special Property Use Permit as described in this application and certify that the information provided is accurate. I further certify that I am authorized to make the application and that there are no covenants, conditions, or restrictions that may limit or prohibit the Special Property Use Permit requested.

Property Owner: Columbia Heights Assembly Phone: (360) 578-2424
(Print All Information)

Mailing Address: 3609 Columbia Heights Rd Fax: _____
(Street or PO Box)

City: Longview State: WA Zip: 98632

Property Owner: _____ Phone: _____

Mailing Address: _____ Fax: _____
(Street or PO Box)

City: _____ State: _____ Zip: _____

Applicant: Josh McCann Phone: (360) 957-7012
(Print All Information)

Mailing Address: 148 W. Canyon View Dr Email: josh@columbiaheights.org
(Street or PO Box)

City: Longview State: WA Zip: 98632

Relationship to Property Owner: Lead Pastor

BASIC INFORMATION ABOUT THE SITE AND PROPOSAL (attach additional pages if necessary)

Briefly describe the proposed project (land use) and/or type of business you wish to conduct: We would like to convert the use of the lower portables on our property. They have been previously used as Daycare spaces, but we would like to convert them into short term housing for missionaries.

Address of Property: 3609 Columbia Heights Road Parcel No. _____

Comprehensive Plan Designation: _____ Zoning District: _____

Current Use of Property: Currently sitting empty.

Gross land area of the site to be developed: N/A Square Feet N/A Acres

Net land area (gross land area minus land dedicated for public purposes): N/A

Describe any existing structures on the site: Portable

Number and surface type of all existing driveways at the site: 2 main driveways that lead to parking lot.

Number, type and dimensions of existing signage at the site: _____

Describe signage proposed for the land use requested: _____

Existing zoning and land uses of adjacent properties (including across the street, if applicable):

North: _____ Current Land Uses: _____

South: _____ Current Land Uses: _____

East: _____ Current Land Uses: _____

West: _____ Current Land Uses: _____

Describe any Critical Areas identified on or located within 300 feet of the site: _____

Describe any private wells, septic tanks, drain fields, etc. located on the site: _____

BASIC INFORMATION ABOUT THE SITE AND PROPOSAL (CONT'D)

Proposed hours of operation: _____

Describe how parking will be accommodated for the proposed use: Tenants would be able to use the parking lot that currently exists.

Describe how the proposed use will impact traffic circulation: The proposed use should have minimal, if at all, impact on traffic on Columbia Heights Road.

To assess whether the City will need additional information and/or whether you need to obtain additional permits or applications from other departments or agencies, please answer the following questions:

Will the proposed land use:

- | | | |
|--|-----------|-----------------|
| a) Require removal or demolition of any existing structure(s)? | Yes _____ | No <u> / </u> |
| b) Affect historic structures or historically significant features? | Yes _____ | No <u> / </u> |
| c) Require a Variance from a development standard? | Yes _____ | No <u> / </u> |
| d) Involve fill or removal of contaminated soils or hazardous materials? | Yes _____ | No <u> / </u> |
| e) Involve grading/fill over an existing public storm drain, sanitary sewer or water line? | Yes _____ | No <u> / </u> |
| f) Involve land that has a slope of 15% or greater? | Yes _____ | No <u> / </u> |
| g) Require an Environmental Checklist be submitted and reviewed under the SEPA Rules (WAC 197-11)? | Yes _____ | No <u> / </u> |
| h) Be located within 300 feet of a shoreline? | Yes _____ | No <u> / </u> |

If you answered yes to any of the above, please contact the Planning Division before submitting your application.

SPECIAL PROPERTY USE PERMIT REVIEW CRITERIA AND DEVELOPMENT STANDARDS

In accordance with LMC 19.12.050, the Appeal Board of Adjustment shall exercise jurisdiction in receiving, granting or denying applications for Special Property Uses. No Special Property Use Permit shall be issued by the Board until after a public hearing, and until after the Building Official has found that all other provisions of the Longview Municipal Code have been fulfilled.

Criteria reviewed by the Appeal Board of Adjustment include:

- 1) The proposed use is consistent with the intended character of the zoning district and the operating characteristics of the neighborhood.
- 2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, or that the proposal identifies acceptable mitigation measures.
- 3) The transportation system is capable of supporting the proposed land use in addition to the existing land uses in the area. Evaluation factors include street capacity and level of service, availability of off-street parking to accommodate the proposed land use, access requirements, neighborhood impacts, and pedestrian safety.
- 4) Public services for water, sanitary and storm sewer, and to ensure that fire and police protection are capable of servicing the proposed land use and the immediate area.

Criteria that the Board utilizes to review all applications is established in LMC §19.12.050.

FILING FEES:

Public Hearing Fee: Per LMC 19.06.060

SEPA Review Fee(if applicable):..... Per LMC 17.02.070

Total Fees: _____

Comments: _____

LONGVIEW APPEAL BOARD OF ADJUSTMENT:

Public Hearing Scheduled: Date: _____4:30 PM

Comments: _____

FOR STAFF USE ONLY:

- _____ Telecommunications Facility Propagation Map provided, if applicable.
- _____ Legal Description of Property.
- _____ Copy of Deed Restrictions and Restrictive Covenants (CCR's).
- _____ One copy of the property deed; and, if the applicant is not the owner, a notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.
- _____ Title Report, if applicable.
- _____ Critical Area Permit, if required.
- _____ SEPA Environmental Checklist, if required.
- _____ Certificate of Appropriateness issued by the Historic Preservation Commission, if applicable.

Comments: _____

NOTES TO APPLICANT/OWNER:

1. If the Appeal Board of Adjustment or City Staff determine that additional and/or revised information is needed, and/or if other unforeseen circumstances arise, any dates outlined for processing the application may be rescheduled by the City.
2. All items shall be completed as determined by the Community Development Department prior to the application being deemed complete for processing.
3. All costs incurred by the City in reviewing this application shall be paid prior to any public hearings.
4. The applicant or authorized representative must attend the Appeal Board of Adjustment public hearing and be prepared to respond to any questions the Appeal Board may have.
5. **Time limitation for Special Property Uses:** 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.

Comments: _____

SIGNATURES:

I/we understand that if it is determined the application is not complete, the City shall immediately reject the application and identify in writing what is needed to make the application complete for a public hearing. No public hearings will be scheduled on this application until all outstanding issues have been resolved and the application is considered complete.

I/we agree that the City of Longview staff may enter upon the subject property at any reasonable time to consider the merits of the application, to make assessments, take photographs and to post public hearing notices.

I/we declare under penalty of the perjury laws that the information provided on this form/application is true, correct and complete.

Signature of Property Owner: _____

Date: _____

12/18/23

Signature of Property Owner: _____

Date: _____

Signature of Applicant: _____

Date: _____

(If different than property owner)



3617

3614

3615

3609

3602

Columbia Heights Rd

3599



February 6th, 2024

NOTICE OF PUBLIC HEARING

Longview Appeal Board of Adjustment

4:30 P.M. Tuesday, March 12th, 2024, for a ‘hybrid’ in-person or virtual meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/81922908550>

Or phone in for audio only: (253) 215 8782 or (408) 638 0968

Webinar ID: 819 2290 8550

Case No: ABA 2024-2

Applicant: Columbia Heights Assembly Church, Josh McCann

Location: 3609 Columbia Heights Rd, Parcel 108100100

Request: **Special Property Use permit (SPU) in accordance with LMC 19.12.050 to remodel existing daycare pods into duplexes for missionaries (2 duplexes, 4 units) as religious and secular uses are a SPU according to LMC 19.20.020-1.**

Why You Are Receiving This Notice: You own real property located adjacent to or abutting the property affected by the Special Property Use request. The Longview Municipal Code requires all property owners owning real property located adjacent to or abutting a land use proposal subject to a public hearing to be notified of the proposal and of the hearing date, place, and time. Contact: McAllister Kosar, Planner 360-442-5083

Copies of the associated documents are available for review online at mylongview.com under ‘Agendas & Minutes’ one week in advance of the Public Hearing.

Comments: If you would like to provide comments in writing on this proposal, please submit them **no later than 4:00 p.m. Tuesday, March 11th, 2024**, to the City of Longview Community Development Department, PO Box 128, Longview, WA 98632, **ATTN: McAllister Kosar, Planner**. For electronic comments, provide your comments along with full name, address, and contact information to mcallister.kosar@ci.longview.wa.us **RE: ABA 2024-2**

Public Hearing: You are invited to attend the Appeal Board of Adjustment public hearing scheduled for 4:30 P.M. Tuesday, March 12th, 2024, either in-person at Longview City Hall Council Chambers, 1525 Broadway Street, OR on the virtual meeting platform Zoom (online or phone-in).

Please contact the City Clerk’s Office at 360-442-5041 with any accessibility requests.

Property:



Notice filed by:
McAllister Kosar, Planner
Community Development Department, City of Longview

Customer Ad Proof

Publication	Daily News		
Contact	CITY OF LONGVIEW - LEGAL	PO Number	
Address 1	PO BOX 128	Rate	Legals
Address 2		Order Price	390.50
City St Zip	LONGVIEW WA 98632	Amount Paid	0.00
Phone	3604425041	Amount Due	390.50
Fax	3604425951		
Section	Legals	Start/End Dates	02/24/2024 - 03/07/2024
SubSection		Insertions	2
Category	0599 Legals	Size	57
Ad Key	60922-1	Salesperson(s)	Legals Rep
Keywords	3609 Columbia Heights SPU	Taken By	Joann Nunez
Notes			

Ad Proof

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2/2. 3/7 60922

