



City of Longview

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

Agenda

Planning Commission

Wednesday, September 4,
2024

7:00 PM

City Hall

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

Please click the link below to join the webinar:

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International numbers available: <https://us02web.zoom.us/j/82348037864>

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

24-00686 Minutes of May 1, 2024

3. **AUDIENCE PARTICIPATION OR CORRESPONDENCE**

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

5. **PUBLIC HEARINGS**

6. **NON-PUBLIC HEARING ITEMS**

24-00687 Interim Zoning Regulation

- Recommended Action: Hold a public hearing September 25, 2024 to consider zoning changes.

24-00688 101 Fishers Lane Rezone Discussion

- Recommended Action: None required. Staff to bring research, findings and lead a discussion of possible zoning changes for 101 Fishers Lane, parcel numbers 10397, 10401, and 10613.

24-00689 2262 46th Avenue Zoning Change

- **Recommended Action:** Hold a public hearing October 2, 2024 to consider zoning changes.

24-00690 The Vale at Overlook

Consider a request for a 2-year extension of the preliminary plat approval.

- **Recommended Action:** Review the extension request. If approved by the Planning Commission, then forward to City Council for consideration at its September 12, 2024 meeting.

7. OTHER BUSINESS**8. PLANNER'S REPORT****9. ADJOURNMENT**



City of Longview

1525 Broadway
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Minutes

Agenda

Planning Commission

Wednesday, May 1, 2024

7:00 PM

City Hall

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1. **ROLL CALL**

Chairman Collins called the meeting to order at 7:00 p.m.

Present: Member Craig Collins, Member Trey Davis, Member Ramona Leber, Member Joanna Lee, Member Amy Norquist, Member Alison Moss

Excused: Member Jeff Rauth

Staff Present: Mac Kosar, Planner; Sam Barham, City Engineer; Lisa Vertrees, Administrative Assistant

2. **APPROVAL OF MINUTES**

24-00376 PC Minutes of April 3, 2024

A motion was made by Member Amy Norquist, seconded by Member Joanna Lee, to approve the minutes of the April 3, 2024 regular meeting minutes. The motion passed unanimously.

3. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

None at this time.

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

Waived

5. **PUBLIC HEARINGS**

None at this time.

6. **NON-PUBLIC HEARING ITEMS**

Mr. Kosar recommended deferring setting any public hearings on the items at hand, as he announced his resignation from the City of Longview.

Discussion centered around the separating of data center and crypto currency mining into two separate ordinances;

review of findings, research with the City of Prineville; inclusion of referencing the International Building Code in the data center ordinance; future work on the Off-Street Parking zoning code update, specifically the property line setbacks; future work on the Mobile Vendors/Temporary Use Permit zoning code update.

24-00389 DATA CENTERS MINIMUM STANDARDS ORDINANCE

RECOMMENDED ACTION: HOLD A PUBLIC HEARING JUNE 5, 2024 TO CONSIDER FORWARDING LANGUAGE TO CITY COUNCIL & TAKE PUBLIC FEEDBACK

24-00390 CRYPTOCURRENCY MINING ORDINANCE

RECOMMENDED ACTION: HOLDING A PUBLIC HEARING JUNE 5, 2024 FOR CONSIDERATION OF RECOMMENDING TO CITY COUNCIL AND TO RECEIVE PUBLIC FEEDBACK

24-00391 OFF-STREET PARKING ZONING CODE UPDATE

RECOMMENDED ACTION: NONE REQUIRED, STAFF TO BRING RESEARCH AND FINDINGS AT FUTURE MEETING(S) ON CURRENT OFF-STREET PARKING CODE AND POSSIBLE CHANGES

24-00392 MOBILE VENDORS/TEMPORARY USE PERMIT ZONING CODE UPDATE

RECOMMENDED ACTION: NONE REQUIRED, STAFF TO BRING RESEARCH AND FINDINGS AT FUTURE MEETING(S) FOR DISCUSSION AND POSSIBLE CHANGES

7. COMMISSIONER'S COMMENTS

Member Ramona Leber updated the Commission on the cannabis signage. It will most likely come back to the Legislature, but the Liquor and Cannabis Control Board has no interest in regulating advertising at the local level. Member Alison Moss asked about any updates on the Fishers Lane property. Mr. Kosar did let Department Heads know of the Planning Commission's offer to provide help and information if needed.

8. OTHER BUSINESS

An application for a re-zone at 46th Ave. has been received.

9. PLANNER'S REPORT

Staff report on items below.

24-00386

- **Campus Towers - Campus Cottages Completion - 2004 Olympia Way**
- **Construction plans received for Olive Way townhomes development**
- **Comprehensive Plan Periodic Update Beginning Soon**

10. ADJOURNMENT

The next regular Planning Commission meeting is scheduled for June 5, 2024.

With no further business to discuss, Chairman Collins adjourned the meeting at 7:27 p.m.

Lisa Vertrees, Recorder



Memorandum

TO: Longview Planning Commission

FROM: Ken Hash, Interim CED Director

MEETING DATE: September 4th, 2024

SUBJECT: Case No. PC 2024-4 – Interim Zoning Regulation

At the August 23rd, 2024, regular meeting, the Longview City Council enacted ordinance no. 3541, attached, which temporarily changed two zones in the Highlands neighborhood from R-4 to R-1.

The interim zoning map is attached.

Concerning the interim zone change:

- The interim zoning code amendments adopted by this ordinance shall remain in effect for a period of six months from the effective date and shall automatically expire unless the same are extended as provided in RCW 36.70A.390 and RCW 35A.63.220 prior to that date, or unless the same are repealed or superseded by permanent amendments prior to that date.
- A public hearing on the interim amendments shall be held on or about September 30, 2024, but no later than sixty days following the effective date of this Ordinance.
- Following the public hearing the City Council may take action to amend this ordinance, including the making of additional findings.

Staff Recommendation:

Staff is recommending the Planning Commission schedule a special meeting for the sole purpose of holding a public hearing on this topic on Wednesday September 25, 2024, at 7:00 pm. Which is within the 60 days as specified in the ordinance.

Motion: to set a public hearing on the topic of the interim zone regulation for Wednesday September 25, 2024, at 7:00 pm.

Attachments:

- A. Ord no 3541 Interim Zoning Regulation
- B. Highlands_Mor_Zoning

Legend

	R-4 to R-1
	R-1
	R-2
	R-3
	R-4
	NC
	GC
	LI-A
	LI-B
	MU-C/I
	HI

Exhibit Map



ORDINANCE NO. 3541

AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON, ADOPTING FINDINGS OF FACT; ADOPTING INTERIM ZONING REGULATIONS; AMENDING THE OFFICIAL CITY OF LONGVIEW ZONING MAP; PROVIDING FOR THE DURATION OF THIS ORDINANCE AND PUBLIC HEARING; PROVIDING FOR SEVERABILITY, EXPIRATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Longview is authorized to impose interim land use controls pursuant to RCW 36.70A.390 and RCW 35A.63.220; and

WHEREAS, interim zoning controls enacted under RCW 36.70A.390 and RCW 35.63.220 both authorize the enactment of an interim zoning ordinance, or interim official control without holding a public hearing as long as a public hearing is held within at least sixty days of its enactment; and

WHEREAS, on July 9, 2024, the City Council gave direction on a proposed amendment to the zoning regulations for the residential area of the City known as the “Highlands” in response to concerns with regards to the heightened zoning permitted in this area; and

WHEREAS, the City Council received feedback from the public pertaining to the R-4 zoning designation for the residential area of the City known as the “Highlands” in two areas, the first between 26th Avenue and Oregon Way, and Industrial Way and Beech Street, and the second between Douglas Street and Beech Street, and between 32nd Avenue and Industrial Way, as depicted on Exhibit Map hereto and incorporated herein by this reference; and

WHEREAS, based on feedback and staff review, the City Council finds that the current zoning designation of R-4 for this area is incompatible with the neighboring residential areas, and requires additional analysis with regards to the adequacy of infrastructure to support the heightened density in this area; and

WHEREAS, the City Council finds that amending the zoning designation for this area from R-4 to R-1 will alleviate the concerns addressed herein, while allowing the City time to review and analyze the long-term needs of this area; and

WHEREAS, the City Council desires to hold a public meeting on this interim zoning ordinance within 60 days of enactment, and to continue to evaluate the long-term needs of this area; and

WHEREAS, the City Council finds that health, safety and welfare is addressed in the proposed interim zoning map amendment for these areas; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

NOW THEREFORE, The City Council of the City of Longview do ordain as follows:

Section 1. Findings. Pursuant to RCW 36.70A.390, the City Council hereby adopts the recitals expressed above as findings of fact justifying the adoption of this ordinance.

Section 2. Purpose. The purpose of this interim zoning ordinance is to enact for the term of this ordinance an amendment to the Longview Zoning Map, thereby modifying the zoning for the area depicted on Exhibit A from R-4 to R-1.

Section 3. Authorization. The City Manager and his designees are authorized to effectuate amendment as part of the official Longview Zoning Map, as well as to take all actions necessary to effectuate the implementation of the amendments set forth herein.

Section 4. Duration of Interim Zoning Regulations/Public Hearing. The interim zoning code amendments adopted by this ordinance shall remain in effect for a period of six months from the effective date and shall automatically expire unless the same are extended as provided in RCW 36.70A.390 and RCW 35A.63.220 prior to that date, or unless the same are repealed or superseded by permanent amendments prior to that date. A public hearing on the interim amendments shall be held on or about September 30, 2024, but no later than sixty days following the effective date of this Ordinance. Following the public hearing the City Council may take action to amend this ordinance, including the making of additional findings.

Section 5. Copy to Commerce Department. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of this ordinance to the State Department of Commerce for its files within ten (10) days after adoption of this ordinance.

Section 7. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 8. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

Passed by the City Council this ___ day of _____ 2024.

Approved by the Mayor this ____ day of _____ 2024.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

Published: _____



Memorandum

TO: Longview Planning Commission

FROM: Ken Hash, Interim CED Director

MEETING DATE: September 4, 2024

SUBJECT: Case No. PC 2024-5 – 101 Fishers Lane rezone

At the June 13, 2024, regular meeting, the Longview City Council referred to the Planning Commission the matter of determining use restrictions through zoning or rezoning of the subject property.

Property history

- The city's water treatment facility was constructed at 101 Fishers Lane in 1946.
- The Fishers Lane water treatment facility was decommissioned in 2013.
- In 2024 the Fisher's Lane water treatment was demolished.
- On January 25, 2024, the City held a community roundtable to discuss the community's wishes for the property with a large turnout.
 - Many great suggestions ranging from a large office building to a giant Ferris wheel were put forward. The top five results were:
 - Multi-family housing with mixed use commercial
 - Upscale restaurant and commercial center
 - River view condominium complex
 - Youth sports complex
 - Hotel
 - Other suggestions were:
 - Office Space
 - Distribution Center
 - Micro-Brewery
 - Community Garden
 - Aquatic Center
 - Storage
 - Fast Food/ Coffee
 - Dog Park
 - Event Center
 - Undesired uses expressed at the community forum:

- Unhoused camp
- Park or outdoor activities
- Industrial Activities
- Tire shop
- Quick lube shop
- Equipment or truck storage
- Marijuana growers
- Don't waste river front property.

Current zoning: Mixed Use Commercial/Industrial

Permitted uses in existing residential, commercial, and industrial zones are attached LMC chapter excerpts.

Questions for the Planning Commission.

- Will the outcomes from the community roundtable fit neatly into current mixed use commercial industrial zoning?
- Will the outcomes from the community roundtable fit neatly into another existing zone?
- Should a new zone be created?
- Should we employ the use of a zone overlay?
- Should the City use deed restrictions instead of zoning to achieve the community roundtable outcomes?

Looking for further direction for staff.

Staff Recommendation: None.

Motion: None

Attachments:

- A. Fishers Lane PowerPoint
- B. Current zoning map
- C. Residential zoning districts
- D. Commercial zoning districts
- E. Industrial zoning districts

LMC 19.80.160 Final plat procedure

(4) Review by City Engineer. The owner shall submit the original drawing of the proposed final plat and supplementary information stipulated in this section to the department of community development for review. The city engineer shall:

- (a) Inspect the detail and computations of the final plat for conformance with the specifications and standards of this chapter;
- (b) Inspect the final plat for conformance with the preliminary plat approved by the city council and conditions made a part of such approval;
- (c) Determine either that all required improvements have been installed or that certain improvements may properly be deferred under LMC 19.80.210; and
- (d) When the city engineer is satisfied with the detail and computations of the plat, determines that the plat conforms to the preliminary plat and conditions and approves the subdivision, he/she shall signify their approval by signing the original and Mylar copies of the final plat. If the city engineer is not satisfied with the detail and computations of the final plat, and finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he/she shall withhold their signature until the matter is corrected or resolved by the applicant to the satisfaction of the engineer. Prior to approval of the final plat by the city engineer, all engineering review fees shall be paid in accordance with Chapter 19.06 LMC.

(5) Review by the Community Development Director. When the director is satisfied with the details of the plat, determines that the plat conforms to the approved preliminary plat and conditions set thereon, and determines that improvements either are complete or may properly be deferred, he/she shall forward the plat to the planning commission for review. If the director is not satisfied with the detail of the final plat, finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he/she shall return the plat to applicant until the matter is corrected or resolved by the applicant to the satisfaction of the director.

(6) Review by the Planning Commission – Subdivisions. After the inspection by the community development director, the planning commission shall review the proposed final subdivision for conformance with the preliminary plat and conditions approved by the council. Such review shall take place at a regular public meeting.

- (a) If the planning commission finds a final plat to be conforming, the commission chairman shall signify the commission's approval by signing the original drawing and Mylar copies, then shall forward them to the city clerk-treasurer for consideration by the council.
- (b) If the commission finds that a final plat contains significant divergences from the approved preliminary plat, it shall withhold its approval, return the plat sheets to the applicant, and provide a statement indicating the reasons for the withholding of approval and the changes necessary. If the applicant does not modify the proposed final plat to the commission's satisfaction, the city's approval of the preliminary plat shall become null and void. To be reactivated, the plat must be resubmitted as a new preliminary plat subject to the provisions of this division, including payment of preliminary plat review fees.

(7) Review by the City Council – Subdivisions. The city council shall review final plats at a public meeting considering the factors set forth below. The council review shall occur after the director and planning commission have completed review. The council shall determine whether:

- (a) The final plat substantially conforms to the approved preliminary plat and conditions set thereon;
- (b) The public uses and interest will be served by the subdivision and the final plat meets the requirements of Chapter 58.17 RCW and of this chapter;
- (c) Improvements have been completed or properly guaranteed to be completed in accordance with LMC 19.80.210;
- (d) The required dedications, certifications and acknowledgments and signatures required by this chapter have been duly stated and obtained;
- (e) Inspection and street sign fees have been paid;
- (f) Proposed covenants are in satisfactory form and ready for recording with the final plat; and
- (g) Any other supplementary materials required by this division or by the council have been satisfactorily completed. If the council affirmatively makes the above determinations, the mayor shall inscribe and execute the council's will on the face of the original drawing and Mylar copies of the final plat. If the council withholds approval, it shall return the plat sheets and supplementary material to the applicant and provide a statement of reasons for its decision and of the changes necessary to permit granting approval. (Ord. 3090 § 2, 2009).

An aerial photograph of a city area. A large river flows from the left towards the center. A bridge crosses the river. To the right of the river is a residential neighborhood with houses and trees. In the foreground, there is a large, dark, irregularly shaped area that appears to be a construction site or a large pond. The sky is overcast with grey clouds. The text "Fishers Lane" is overlaid in white, sans-serif font in the center of the image.

Fishers Lane

3.28.2024

Chris Collins, Assistant Public Works Director
Ann Rivers, Community Development Director/ Assistant City Manager



Old Fishers Lane Water Treatment Plant (FLWTP)

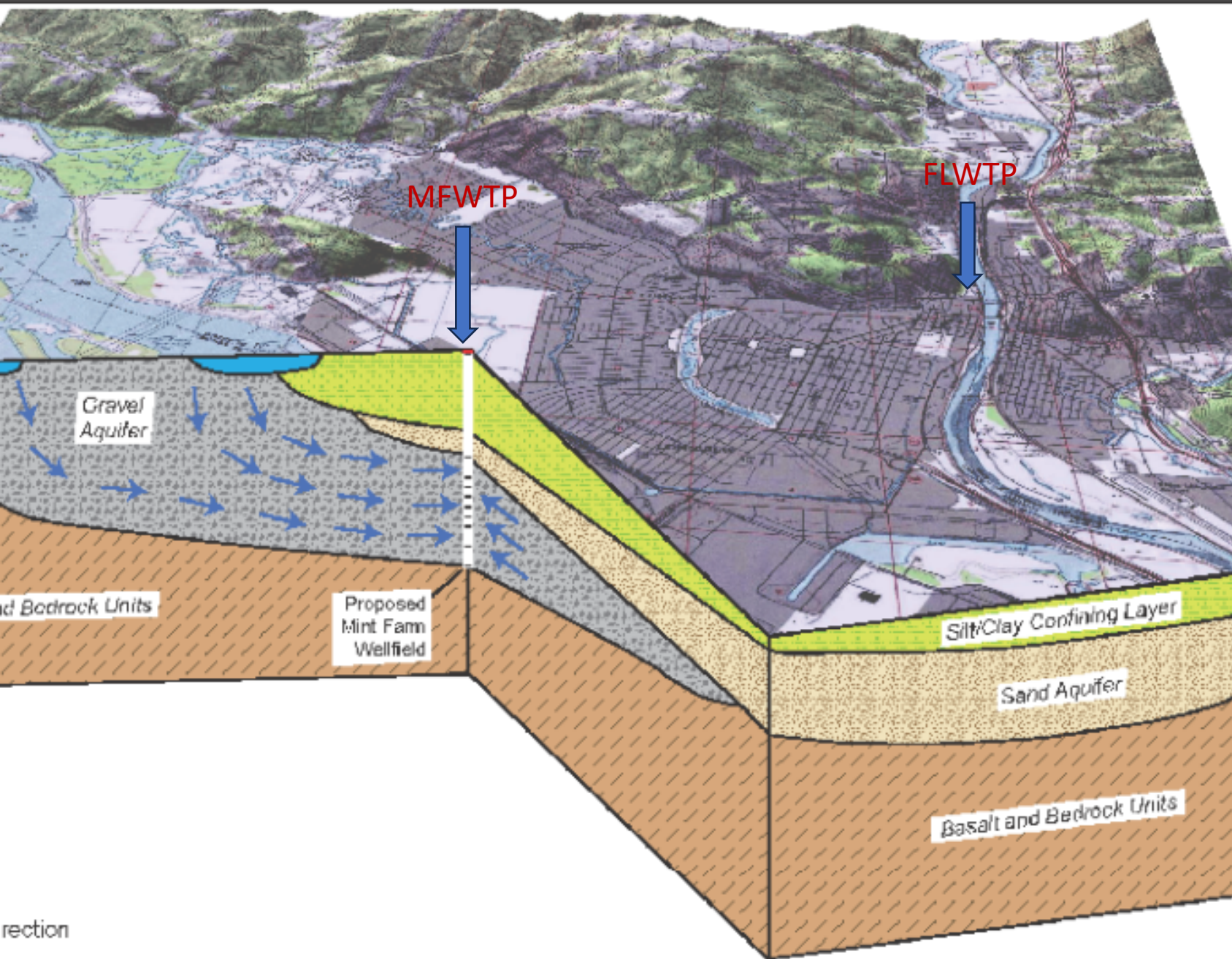
A Little History

- The plant was constructed in 1946
- Capacity Upgrades in 1960 and 1980
- Regulatory upgrades in 1998
- Served our community for 67 years

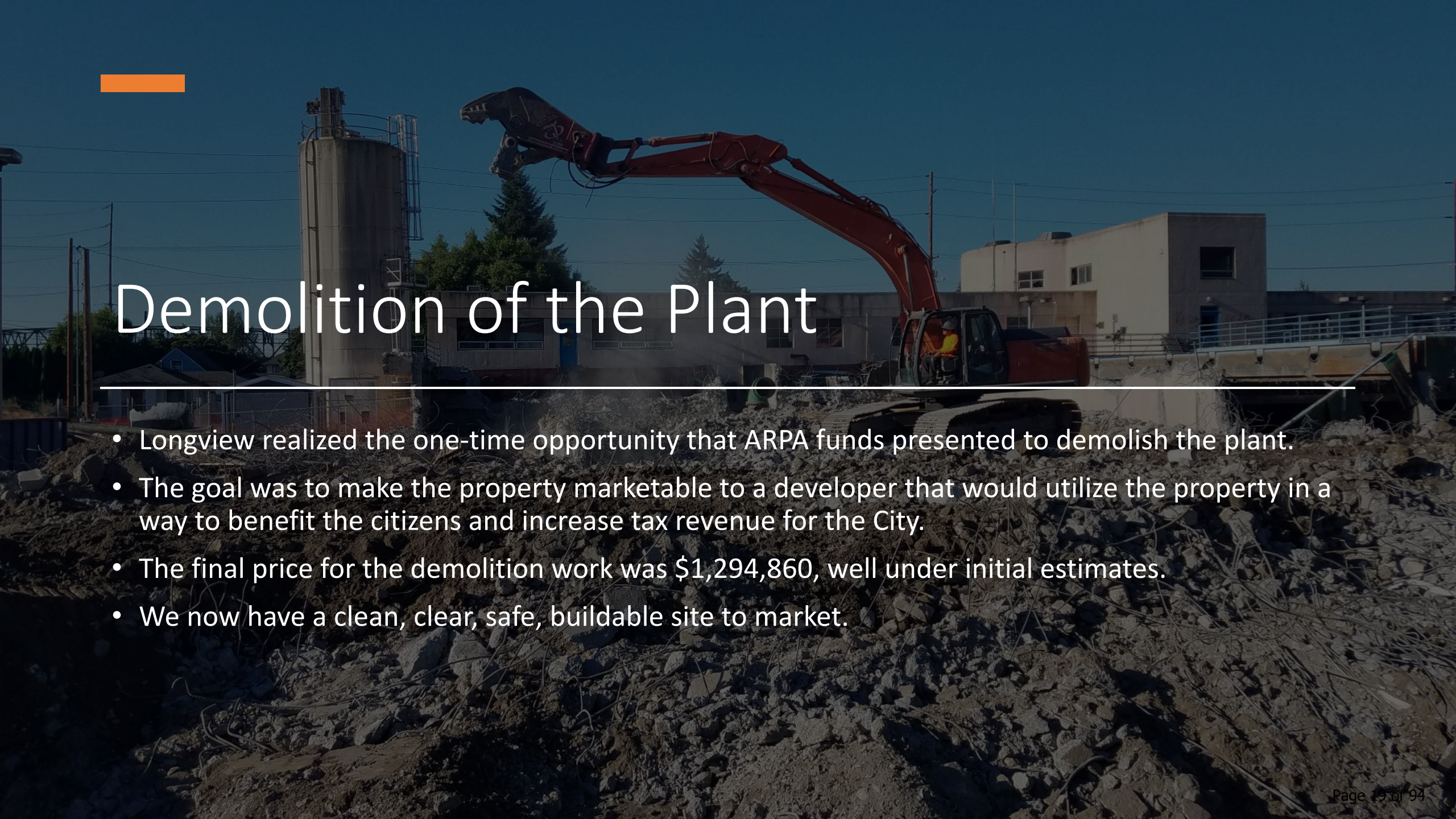


Why We Moved

- Damaged and failing equipment
- Extremely turbid water
- Cost to rebuild was 18 million more than the new plant
- Sand and silt in the Cowlitz
- Alternatives were unfeasible based on cost or water quality
- Why the Mint Farm?



Classification	Hardness (milligrams per liter)
Soft	0 to 60
Moderate	61 to 120
Hard	121 to 180
Very Hard	Greater than 180



Demolition of the Plant

- Longview realized the one-time opportunity that ARPA funds presented to demolish the plant.
- The goal was to make the property marketable to a developer that would utilize the property in a way to benefit the citizens and increase tax revenue for the City.
- The final price for the demolition work was \$1,294,860, well under initial estimates.
- We now have a clean, clear, safe, buildable site to market.

Fishers Lane Property Use Forum

- Public engagement is a vital role in deciding what would best fit the community needs and address the concerns of the residents adjacent to the property.
- On January 25, 2024, the City held a community roundtable to discuss the community's wishes for the property with a large turnout.
- Many great suggestions ranging from a large office building to a giant Ferris wheel.



Results from the Community Forum

1. Multi family housing with mixed use commercial
2. Upscale restaurant and commercial center
3. River view condominium complex
4. Youth sports complex
5. Hotel

Office Space

Community Garden

Fast Food/ Coffee

Distribution Center

Aquatic Center

Dog Park

Micro Brewery

Storage

Event Center

Undesired uses expressed at the community forum

Unhoused camp

Park or outdoor activities (the roads are too busy).

Industrial Activities

Tire Shop

Quick lube shop.

Equipment or truck storage.

No marijuana growers.

Don't waste river front property.

Challenges identified at the community forum



NOISE



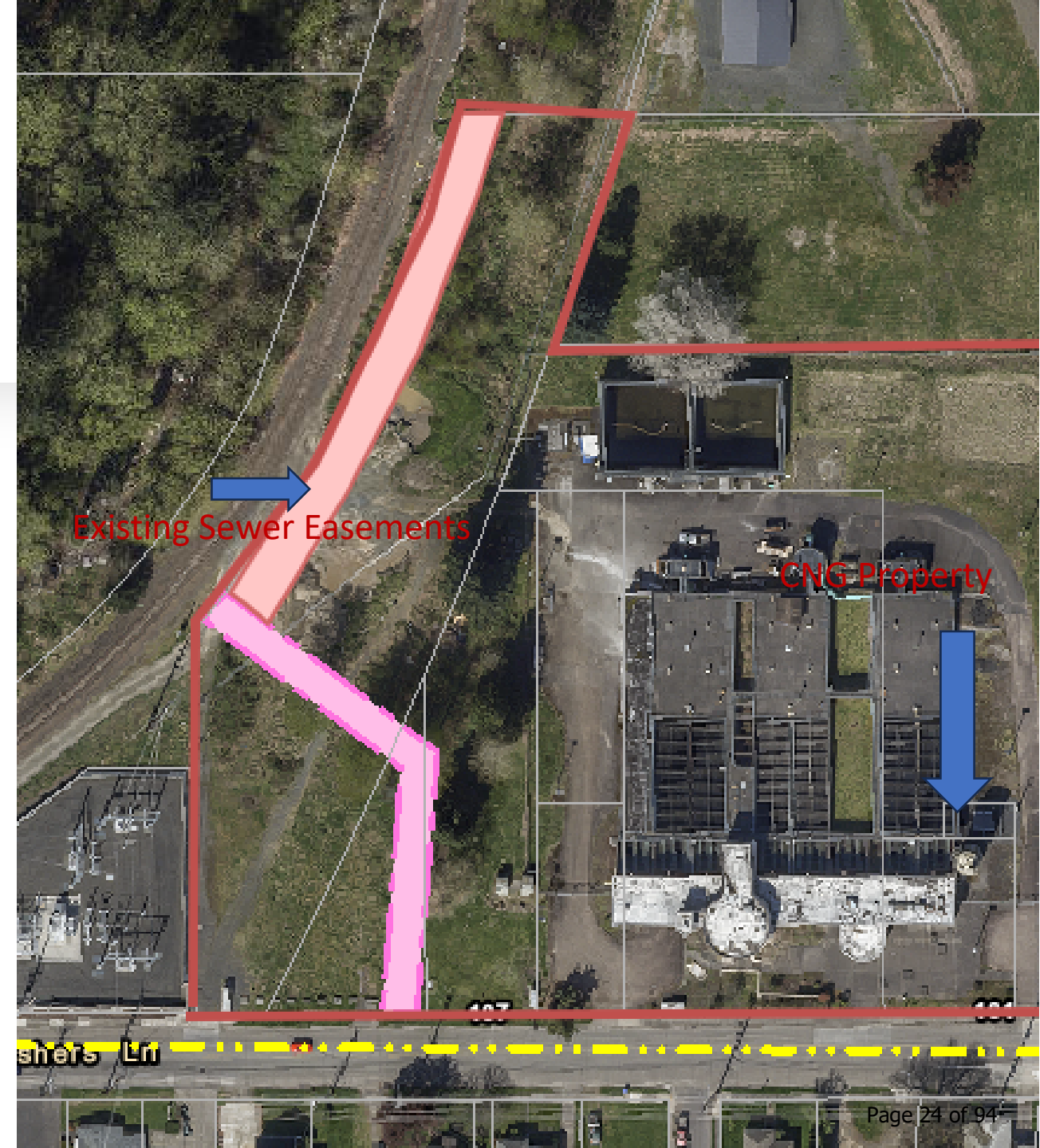
TRAFFIC



CHANGES TO AREA
PROPERTY TAXES/ VALUES

Zoning/ Restrictions

- Mixed Use Commercial/Industrial
- Currently zoned for all activities identified in the community forum
- Some activities may need Special Property Use Permit
- Council may choose to place deed restrictions on the property to limit future use



Next Steps

Current BLA needs to be completed.

A drain line that goes through the dike into the Cowlitz needs abandoned.

City has determined the property is no longer required for providing water.

RCW 35.94.040 requires a public hearing be set and held prior to the 8 lots being disposed as surplus.

Any deed restrictions will need to be established and recorded prior to surplus

An appraisal needs to be completed prior to a surplus resolution is brought to council.

We must receive 100% of fair market value for the property. Unless the sale meets the requirements of RCW 39.33.015 disposal for affordable housing.

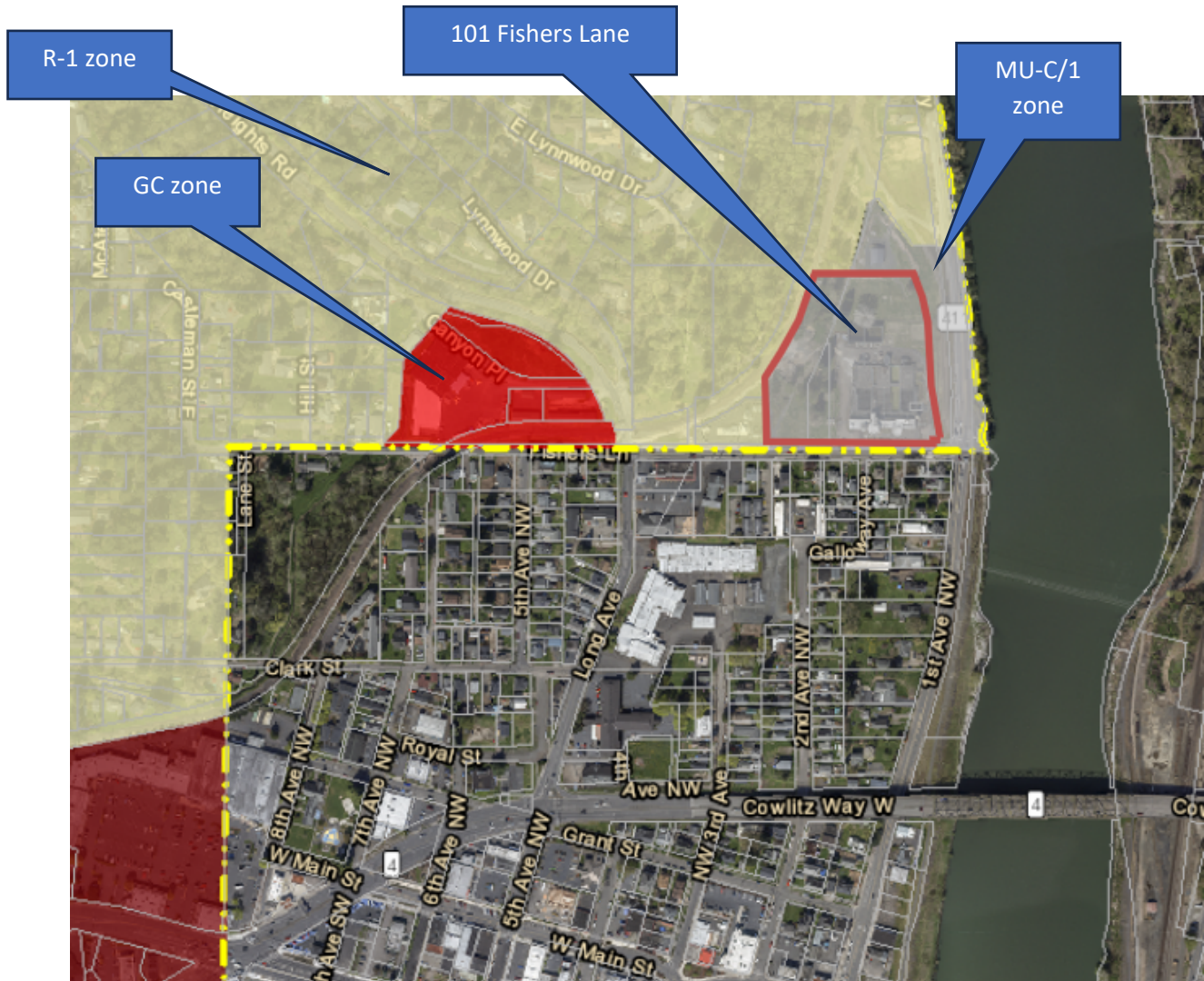
Retain a real-estate broker to market and sell the property.



Questions?

Thank You.

101 Fishers Lane Zoning Map



- (3) Designate land for the range of housing types and densities needed by the community, including owner-occupied and rental housing;
- (4) Provide flexible lot standards that encourage compatibility between land uses, efficiency in site design, and environmental compatibility;
- (5) Provide for compatible building and site design at an appropriate neighborhood scale; provide standards that are in character with the landforms and architecture existing in the community;
- (6) Apply the minimum amount of regulation necessary to ensure compatibility with existing residences, schools, parks, transportation facilities, and neighborhood services. Reduce reliance on the automobile for neighborhood travel and provide options for walking, bicycling, and transit use; and
- (7) Provide direct and convenient access to schools, parks and neighborhood services. (Ord. 3122 § 14, 2010).

19.20.020 Uses.

Table 19.20.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, the use is not allowed in that particular zone. A field that is marked with a “P-PUD” symbol is only permitted if allowed via an approved planned unit development (PUD) and preliminary plat (as required) in accordance with Chapter [19.66](#) LMC. Approval of a PUD is discretionary and is not appropriate for development of a single residence on a single existing lot. Note that more specific development standards may apply to various uses as set forth in LMC [19.20.040](#), [19.20.050](#), [19.20.060](#) and [19.20.070](#).

Table 19.20.020-1 Permitted Uses in Residential Districts

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
Single-family dwelling ¹ (including manufactured homes per Chapter 16.38 LMC)	P	P ²	See note 1	See note 1	P
Duplex (two-family dwellings)		P ²	P	P	
Triplex (three-family dwellings)		P ²	P	P	
Fourplex (four-family dwellings)		P ²	P	P	
Multifamily dwelling		P-PUD	P	P	
Townhouse (single-family attached dwelling)	P-PUD	P	P	P	P-PUD

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
Townhouse (two attached townhouses only per zero lot line provisions)					P
Accessory dwelling unit ⁵	P	P	P	P	P
Home occupation	P	P	P	P	P
Accessory structure	P	P	P	P	P
Manufactured home park	P ⁷				
Day care, family home with 12 or fewer children	P	P	P	P	P
Day care center (exceeding 12 children)		SPU	SPU	P	
Adult family home	P	P	P	P	P
Residential treatment facilities other than adult family homes and those listed elsewhere in the use table				SPU	
Congregate care, assisted living and continuing care facilities and nursing homes for elderly individuals; including accessory services to the above uses			SPU	P	
Hospitals, medical clinics, health care providers as they are defined in RCW 48.44.010 (10) and (15) as presently enacted or hereafter amended; including accessory services to the above uses				P ⁶	
Office buildings, office uses				P	
Home gardens and gardening of vacant land ³	P	P	P	P	P
Public or private schools	SPU	SPU	SPU	SPU	SPU
Parks and public playgrounds, including public facilities for athletic events	P	P	P	P	P
Religious and secular assembly uses	SPU	SPU	SPU	SPU	SPU
Public utility structures ⁸	SPU	P	P	P	SPU
Cemeteries, funeral homes and associated uses	SPU	SPU	SPU	SPU	SPU

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
Agricultural activity per LMC 19.20.070 (2)	P				P
Wireless facilities ⁴	See note 4	See note 4	See note 4	See note 4	See note 4
Public safety facility ⁶	SPU	SPU	SPU	SPU	SPU
Transitional housing	P	P	P	P	P
Permanent supportive housing per LMC 19.22.060	P	P	P	P	P
Cottage housing per Chapter 19.23 LMC	P	P	P	P	P
Notes: 1. New single-family dwellings are only permitted within the R-3 and R-4 zones on lots existing at the time of the initial enactment of the ordinance codified in this chapter. 2. Only one single-family dwelling, duplex, triplex or fourplex shall be located on a legal lot unless otherwise approved via a planned unit development in accordance with Chapter 19.66 LMC. This note is not intended to prohibit accessory dwelling units. 3. For gardening on vacant land, no buildings are allowed except for one garden shed not to exceed 100 square feet in size and with a height not to exceed 10 feet. The garden shed is subject to the setback requirements of a primary building. 4. Please see Chapter 16.75 LMC for wireless communication locations, standards and requirements. 5. Detached accessory dwelling units are not permitted in townhouse, zero lot line detached housing, or attached zero lot line housing developments. 6. An ambulance service facility is only permitted when integrated with a public safety facility such as a fire station. 7. Subject to the approval processes as given in Chapters 19.28 and 19.90 LMC. 8. City water, sewer, and drainage pump stations are permitted outright in all residential districts and are not subject to setback requirements of this chapter.					

(Ord. 3506 § 2, 2023; Ord. 3450 § 2, 2021; Ord. 3362 § 1, 2017; Ord. 3358 § 3, 2017; Ord. 3297 § 6, 2015; Ord. 3268 § 2, 2014; Ord. 3182 § 2, 2011; Ord. 3122 § 14, 2010).

(8) To protect commercial areas from harmful encroachment by incompatible uses and to ensure no land shall be usurped by inappropriate uses. (Ord. 3450 § 7, 2021; Ord. 3202 § 14, 2012).

19.44.020 Uses.

Table 19.44.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that particular zone.

Table 19.44.020-1. Permitted uses in commercial zones.

Use						
Retail Sales and Service	D-C	CBD	RC¹	NC²	GC	O/C
Sales oriented: stores selling, leasing, or renting consumer, home and business goods	P	P	P	P	P	P ¹⁰
Personal service oriented: financial, insurance, real estate, professional outlets and offices, and beauty/barber shops	P	P	P	P	P	P
Health care providers ³	P	P	P	P	P	P
Repair oriented: repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop-off; quick printing; tailor; locksmith; and upholsterer	P	P		P	P	P
Stand-alone liquor store		P ⁸	P		P	
Recreational marijuana retail outlets per LMC 19.44.100		P	P		P	P
Eating and Drinking Establishments	D-C	CBD	RC¹	NC²	GC	O/C
Restaurant	P	P	P	P	P	P
Restaurant, with incidental consumption of alcoholic beverages	P	P ⁸	P	SPU	P	P
Bars, taverns, and nightclubs	P	P ⁸	P		P	
Restaurant, with drive-through facility	P	P	P		P	P
Restaurant, with seating in the public right-of-way	P	P		P	P	P

Use						
Walk-up food establishment with no indoor seating	P	P		SPU	P	SPU
Brewpub	P	P	P ⁹		P	P
Lodging, temporary stay	D-C	CBD	RC¹	NC²	GC	O/C
Hotels, motels and lodges	P	P			P	P
Recreational vehicle (RV) parks per Chapters 19.65 and 19.90 LMC					P	
Bed and breakfast inns	P ⁴			P		
Vehicle sales, renting, service, and storage	D-C	CBD	RC¹	NC²	GC	O/C
Vehicle repair and service of consumer motor vehicles, including motorcycles, all-terrain vehicles and light and medium trucks		P			P	P
Automobile, light and medium truck dealers		P			P	P ¹⁰
Bus, heavy truck, RV, travel trailer or other large vehicle dealers						
Bicycle, motorcycle, all-terrain vehicle dealers	P ⁵	P	P		P	
Boat or marine craft dealer					P	P
Vehicle storage, outdoor					P	
Vehicle washing					P	P
Vehicle renting and leasing		P			P	P
Vehicle fueling station		P	P ¹¹	P ¹²	P	P ¹⁰
Amusement/Cultural	D-C	CBD	RC¹	NC²	GC	O/C
Indoor continuous entertainment activities such as bowling alleys, skating rinks, game arcades and pool halls	P	P	P		P	
Outdoor continuous entertainment activities such as miniature golf and skateboard facilities	P				P	

Use						
Theaters, indoor	P	P	P		P	
Drive-in theaters, stadiums and arenas					P	
Museums, botanical and zoological gardens, public plazas, performing and cultural arts studios	P	P			P	
Athletic, health and racket clubs	P	P	P	P	P	P
Circuses, carnivals, or amusement rides		SPU			SPU	
Membership clubs such as fraternal organizations	P ^{6, 14}	P			P	
Gambling casinos, card rooms, bingo parlors, pari-mutuel betting parlors, and video arcades		SPU ⁸				
Residential	D-C	CBD	RC¹	NC²	GC	O/C
Residential dwellings above the first story of commercial buildings	P	P		P	P	P
Mixed-use multifamily residential/commercial developments per LMC 19.46.015	P ¹⁴				P	
Congregate care, assisted living and continuing care facilities and nursing homes for elderly individuals; including accessory services to the above uses					SPU	SPU
Existing residences without any increase in density			P			
Permanent supportive housing	P	P	P	P	P	P
Transitional housing	P	P	P	P	P	P
Emergency shelters per LMC 19.44.110	P	P			P	P
Emergency housing per LMC 19.44.110	P	P			P	P
Residential care facilities per Chapter 19.17 LMC	P	P	P	P	P	P
Education	D-C	CBD	RC¹	NC²	GC	O/C

Use						
Schools that meet state requirements for elementary, secondary or higher education, public or private	SPU					
Vocational or technical institutions and colleges	SPU	P			P	P
Dance, music or art schools or studios; athletic, sports-training or martial arts facilities or schools	SPU	P		SPU	P	P
Driving school	SPU	P			P	P
Miscellaneous	D-C	CBD	RC¹	NC²	GC	O/C
Day care facilities for the care of more than 12 children	SPU	P		P	P	P
Commercial off-street parking lots and garages	SPU	P			P	P
Temporary uses per Chapter 19.41 LMC	P	P	P	P	P	P
Sidewalk businesses in accordance with LMC 12.30.090 through 12.30.140	P	P		P	P	P
Funeral parlors		P			P	P
Basic utility facilities, non-building structures ¹³	SPU	SPU	SPU	SPU	P	SPU
Self-service storage (mini warehouses)					P	SPU
Convention centers	SPU	P	P		P	P
Bus terminals and stations, transportation and transit facilities	SPU	P	P	P	P	P
Drive-in and drive-through facilities associated with an allowed use	SPU	P	P		P	P
Telecommunications structures and equipment, subject to the provisions of Chapter 16.75 LMC		P	P	P	P	P
Small animal clinics or veterinary hospitals	P ⁷	P ⁷			P ⁷	P ⁷
Pet grooming	P	P	P	P	P	P

Use						
Boat marinas						P
Microbrewery/microwinery/craft distillery		SPU			P	
Religious assembly and institutions, community centers	p ⁶	P			P	P
Public safety facility		P	SPU		SPU	P

1. See LMC [19.44.050](#) for further clarification on what is a permitted use within the regional commercial district.
2. See LMC [19.44.040](#) for further clarification on what is a permitted use within the neighborhood commercial district.
3. Providers of ambulance services need a special property use permit.
4. Bed and breakfast inns must be located above the first floor in the D-C district.
5. No outdoor display of motorized vehicles is allowed.
6. In the D-C district any property use intended to primarily provide meeting areas for secular and nonsecular uses without an ongoing active ground floor use is prohibited. An “active ground floor use” means a retail, business, or entertainment use where persons come and go on a constant and frequent basis.
7. The medical care and services administered to animals shall occur only within the confines of the principal building located on the premises.
8. These uses are not allowed within 700 feet of the centerline of the west end of the city street named Mark Morris Court.
9. Brewpubs are permitted outright only in conjunction with LMC [19.44.050](#)(4), sit-down restaurants with a minimum enclosed floor area of 5,000 square feet.
10. These uses are only allowed in the O/C district if they are located west of 12th Avenue, except Assessor’s Parcel Number 08749 is allowed to have these uses also.
11. Per LMC [19.44.050](#).
12. Per LMC [19.44.040](#).
13. City water, sewer, and drainage pump stations are permitted outright in all commercial districts and are not subject to setback requirements of this chapter.
14. In the D-C zone, these uses may only be located on lots with frontage on 12th and 14th Avenues.

(Ord. 3461 § 1, 2022; Ord. 3450 § 7, 2021; Ord. 3442 § 4, 2021; Ord. 3425 § 2, 2020; Ord. 3421 § 2, 2020; Ord. 3395 § 3, 2019; Ord. 3362 § 2, 2017; Ord. 3358 § 1, 2017; Ord. 3297 § 7, 2015; Ord. 3268 § 3, 2014; Ord.

Table 19.58.020-1. Permitted uses in industrial zones.

Use			
	LI-A & B	HI	C/I
Light manufacturing and fabrication	P	P	P
Warehousing and storage including cold storage	P	P	P
Wholesale distribution	P	P	P
Wholesale trade of durable goods including but not limited to: motor vehicle parts and supplies; furniture and home furnishings; lumber and other construction materials; professional and commercial equipment and supplies; metal and mineral (except petroleum); electrical goods; hardware, and plumbing and heating equipment and supplies; machinery, equipment, and supplies	P	P	P
Wholesale trade of nondurable goods including but not limited to: druggists' sundries; apparel, piece goods, and notions; groceries and related products; beer, wine, and distilled alcoholic beverages; paint, varnish, and supplies	P		P
Wholesale trade of paper and paper products	P	P	P
Product processing and packaging	P	P	P
Industrial and commercial machinery and equipment rental and leasing	P		P
Industrial and commercial machinery and equipment repair and maintenance	P	P	P
Industrial and commercial support services	P		P
Construction and contracting operations	P	P	P
Parcel delivery services	P	P	P
Feed and seed stores	P		P
Building material wholesale and retail sales, including incidental sales of white goods	P	P	P
Research, development, and testing services	P	P	P
Data centers	P	P	P
Veterinary offices and clinics requiring outside animal runs and dog kennels/boarding	P		P
Offices and institutions serving industrial workers	P		P

Use			
	LI-A & B	HI	C/I
Energy production		P	
Manufacturing and fabrication with significant operations in an unenclosed area	SPU	P	
Corporate office headquarters	P	SPU	P
Offices, operation and/or maintenance facilities for utility providers	P	P	P
Marine/port industrial related activities including but not limited to: cargo handling of vehicles, forest products, steel and other bulk, non-bulk commodities; grain terminals; vehicle processing and storage; truck, marine and air freight terminals and dispatch centers		P	
Railroad yards		P	
Railroad service	P	P	
Caretaker dwelling	SPU		SPU
Day care centers	SPU	SPU	P
Vocational schools	P	SPU	P
Parks and public playgrounds, including public facilities for athletic events	P	P ⁴	P
Athletic, health and racket clubs	P		P
Religious and secular assembly uses			SPU
Public utility structures ⁷	P	P	P
Recreational vehicle park per Chapters 19.65 and 19.90 LMC		P ⁵	P
Manufactured home sales	P		P
Mini-storage and RV storage	P		P
Heavy equipment and truck sales, service, and repair	P	P	P
Motor vehicle dealers, new and used, including auto, motorcycle, truck trailer, boat, recreational vehicles and equipment			P
Vehicle towing and storage services	P		P
Motor vehicle rental, repair or service including auto, motorcycle, truck trailer, boat, recreational vehicles and equipment including charging stations for electricity-powered vehicles	P		P
Service stations for vehicle fleets including retail cardlock facilities	P		P
Mortuaries			P

Use			
	LI-A & B	HI	C/I
Office equipment and home appliance sales, rental, service, and repair			P
Printing, publishing and lithographic shops	P		P
Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services			P
Services to buildings (including dwellings), cleaning and exterminating	P		P
Incidental retail sales of durable products fabricated on site	P	P	P
Convenience store, restaurant, branch banks (drive-up and drive-through service is allowed)			P
Temporary uses – mobile food vendors	P		P
Large scale commercial development per LMC 19.58.090			P
Legally existing commercial and industrial uses and structures	P	P	P
Outdoor agriculture activities		P	
Indoor crop production (e.g., hydroponics business, plant nursery)	P	P	P
Recreational marijuana retail outlets per LMC 19.58.120			P
Recreational marijuana producers and processors per LMC 19.58.120	P	P	P
Adult entertainment establishments	P – See note 1	P – See note 1	P – See note 1
Wireless facilities ²	See note 2	See note 2	See note 2
Vehicle wrecking yards licensed per Chapter 46.80 RCW and junkyards ³	SPU in LI-A	P	
Brewery/winery/distillery	P	P	
Microbrewery/microwinery/craft distillery	P		P
Brewpub only in conjunction with a full-serve sit-down restaurant	P		P
Indoor shooting range subject to LMC 19.58.110	P	P	P
Bowling centers with a minimum of 32 indoor lanes ⁶			P
Public safety facility	P	P	P
Outdoor continuous entertainment activities such as miniature golf and skateboard facilities			P

Use			
	LI-A & B	HI	C/I
Multifamily			SPU ⁸

Notes:

¹Adult entertainment establishments are only permitted if they meet the criteria and standards contained within Chapter [19.70](#) LMC.

²Please see Chapter [16.75](#) LMC for wireless communication locations, standards and requirements.

³Vehicle wrecking yards and junkyards must meet the criteria and standards given in LMC [19.58.100](#).

⁴Only public parks and playgrounds in existence as of January 1, 2015, are permitted.

⁵Only recreational vehicle parks that are associated with a public park are permitted in the heavy industrial district.

⁶Allowed uses accompanying the bowling center include a restaurant/bar, game arcade, other play areas and outdoor activities such as miniature golf.

⁷City water, sewer, and drainage pump stations are permitted outright in all industrial districts and are not subject to setback requirements of this chapter.

⁸Subject to the standards established in the SPU permit by the Longview appeal board of adjustment, LMC [19.12.050](#), Power of board – Special property use.

(Ord. 3503 § 1, 2023; Ord. 3445 § 2, 2021; Ord. 3442 § 5, 2021; Ord. 3425 § 3, 2020; Ord. 3395 § 4, 2019; Ord. 3377 § 1, 2018; Ord. 3362 § 3, 2017; Ord. 3329 § 1, 2016; Ord. 3293 § 1, 2015; Ord. 3268 § 4, 2014; Ord. 3267 § 1, 2014; Ord. 3262 § 4, 2014; Ord. 3254 § 3, 2013; Ord. 3202 § 16, 2012; Ord. 3175 § 9, 2011).

19.58.030 Dimensional standards.

Table 19.58.030-1 provides the density and dimensional standards for each zone. No building, structure or use shall hereafter be erected, constructed or established on a lot that does not meet the requirements for lots as contained in this chapter and for the district in which said lot is located, except for nonconforming lots of record as defined in Chapter [19.09](#) LMC.

Table 19.58.030-1. Dimensional standards by zone.

An aerial photograph of a city area. A large river flows from the left towards the center. A bridge crosses the river. To the right of the river is a residential neighborhood with houses and trees. In the foreground, there is a large, dark, irregularly shaped area that appears to be a construction site or a large pond. A road with several cars runs along the left side of this area. In the background, there are mountains and a city skyline under a cloudy sky.

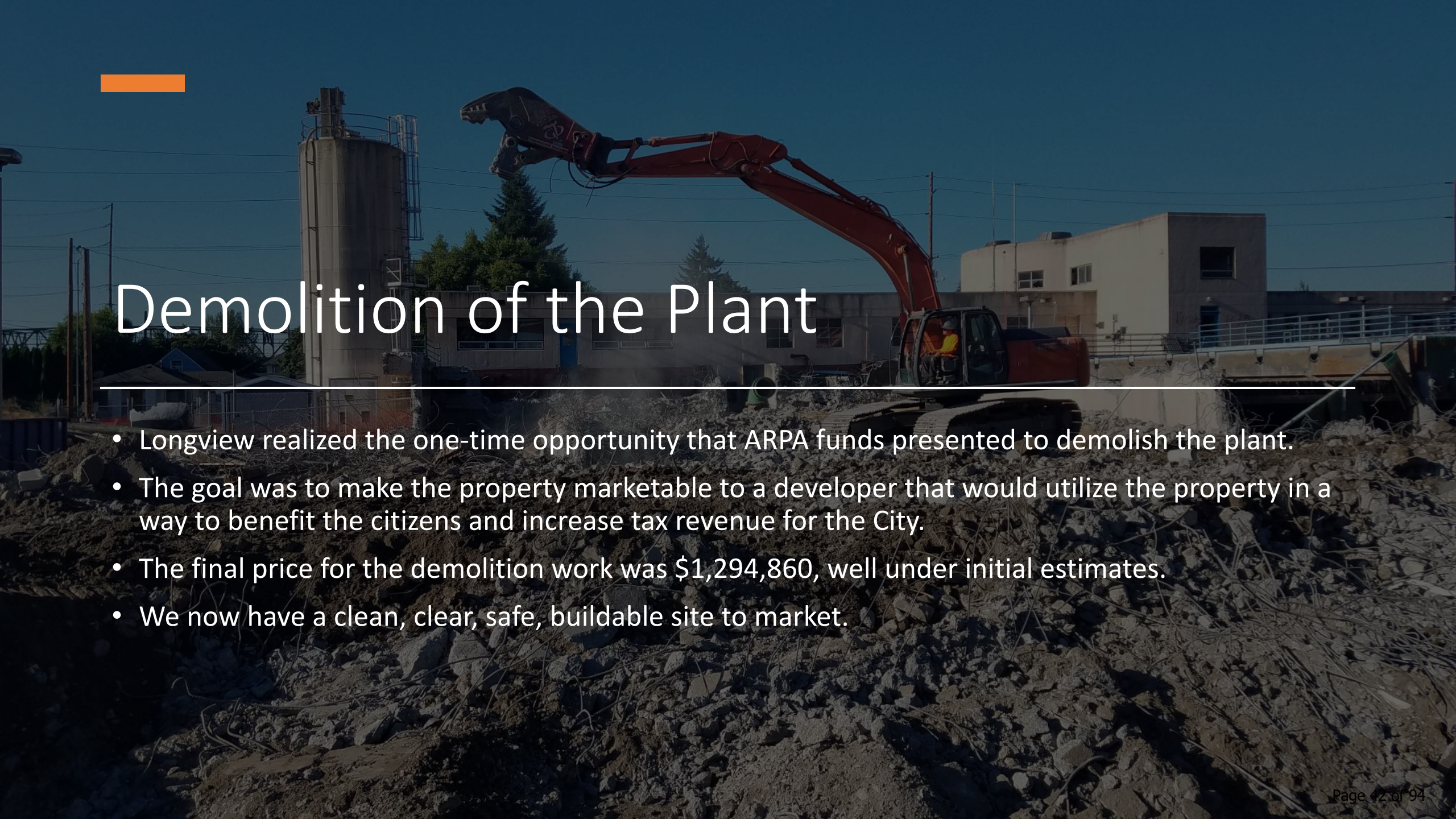
Fishers Lane

6.13.2024

Chris Collins, Public Works Director/Assistant City Manager



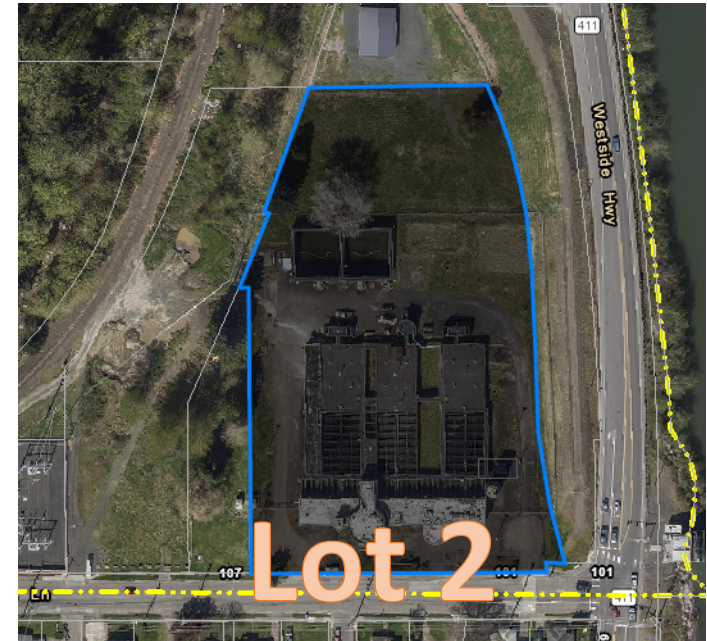
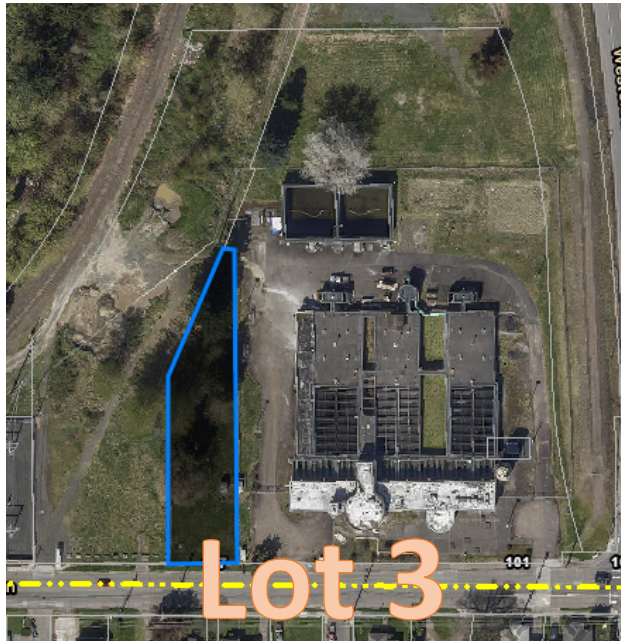
Old Fishers Lane Water Treatment Plant (FLWTP)



Demolition of the Plant

- Longview realized the one-time opportunity that ARPA funds presented to demolish the plant.
- The goal was to make the property marketable to a developer that would utilize the property in a way to benefit the citizens and increase tax revenue for the City.
- The final price for the demolition work was \$1,294,860, well under initial estimates.
- We now have a clean, clear, safe, buildable site to market.

Total appraised value \$680,000



Dean M. Meyer, MAI
Senior Valuation Services Director

Fishers Lane Property Use Forum

- Public engagement is a vital role in deciding what would best fit the community needs and address the concerns of the residents adjacent to the property.
- On January 25, 2024, the City held a community roundtable to discuss the community's wishes for the property with a large turnout.
- Many great suggestions ranging from a large office building to a giant Ferris wheel.



Results from the Community Forum

1. Multi family housing with mixed use commercial
2. Upscale restaurant and commercial center
3. River view condominium complex
4. Youth sports complex
5. Hotel

Office Space

Community Garden

Fast Food/ Coffee

Distribution Center

Aquatic Center

Dog Park

Micro Brewery

Storage

Event Center

Undesired uses expressed at the community forum

Unhoused camp

Park or outdoor activities (the roads are too busy).

Industrial Activities

Tire Shop

Quick lube shop.

Equipment or truck storage.

No marijuana growers.

Don't waste river front property.

Challenges identified at the community forum



NOISE



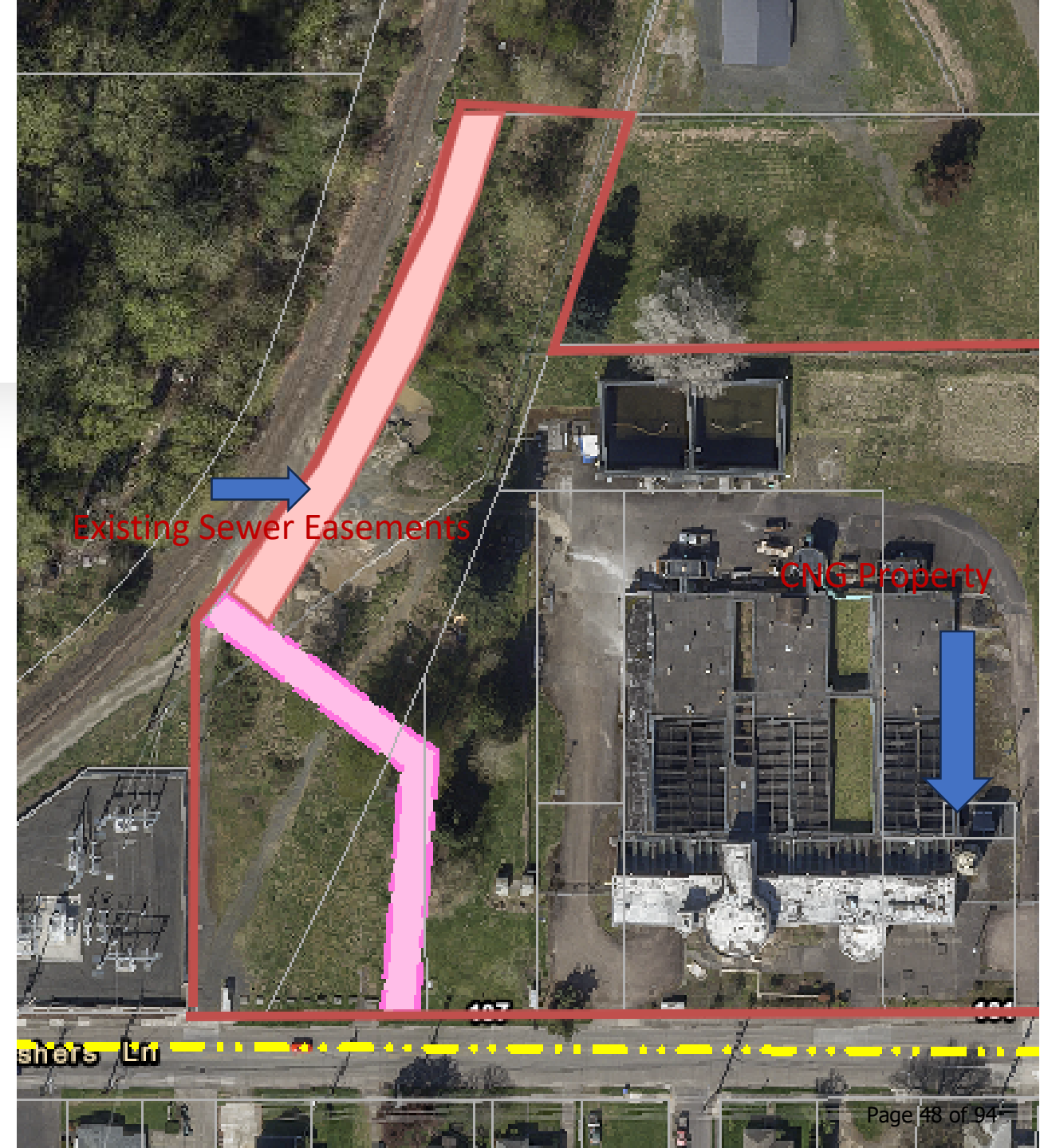
TRAFFIC



CHANGES TO AREA
PROPERTY TAXES/ VALUES

Zoning/ Restrictions

- Mixed Use Commercial/Industrial
- Currently zoned for all activities identified in the community forum
- Some activities may need Special Property Use Permit
- Council may choose to place deed restrictions on the property to limit future use



Next Steps

A drain line that goes through the dike into the Cowlitz needs abandoned.

City has determined the property is no longer required for providing water.

RCW 35.94.040 requires a public hearing be set and held prior to the 8 lots being disposed as surplus.

Any deed restrictions will need to be established and recorded prior to surplus

We must receive 100% of fair market value for the property. Unless the sale meets the requirements of RCW 39.33.015 disposal for affordable housing.



Questions?

Thank You.

August 14, 2024



Memorandum

TO: Longview Planning Commission

FROM: Ken Hash, Interim CED Director

MEETING DATE: September 4th, 2024

SUBJECT: Case No. PC 2024-3 – 2262 46th Avenue re-zoning

The owner of 2262 46th Avenue has requested the re-zoning of this property from R-1 to R-2.

Rezone Request Application is attached.

SEPA CDNS is attached.

Staff Recommendation:

Staff is recommending the Planning Commission schedule a public hearing on this topic either at the Wednesday September 25, 2024, Special meeting, or at the regular Planning Commission meeting scheduled for October 2, 2024.

Motion: to set a public hearing on the topic of the zone change.

Attachments:

- A. 2262 46th Ave Rezone Application
- B. 2262 46th Ave Title Report
- C. Statutory Warranty Deed
- D. Title ownership policy
- E. SEPA CDNS



Rezone Request Application

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

Application to Rezone Property

LMC 19.81.040

Case Number: PC 2024-3

Related Case Number: _____

THIS SECTION FOR OFFICE USE ONLY:



To the City of Longview Planning Commission and City Council:

We, the undersigned, hereby petition to **Rezone** and/or change the **Zoning District** for the following property or properties:

From: R-1 To: R-2
Present Zoning District Requested Zoning District

Applicant: Wallin Solo 401 K Plan Trust Phone: 360-560-3636
(Print All Information)

Contact Name: Michael Wallin, Trustee Fax: _____

Mailing Address: PO Box 2191
(Street or PO Box)

City: Longview Email: michaelwallin @

State: WA Zip: 98632 hotmail.com

Address of Property/Properties: 2262 46th Ave. Longview, WA 98632

Assessor's Parcel Number(s): 02951

Description of Property: Legal Description Attached

Name of Subdivision: _____ Lot(s): 1

Block(s): _____

Location: Section _____ Township & Range _____ Willamette Meridian
(Attach additional sheets as necessary)

REQUIRED SUBMITTAL MATERIALS

Have you had a pre-application conference with City staff? Yes Date: 04/31/2024

- ☒ Maps or Plans Showing Affected Property.
- ☒ Completed Environmental Checklist (SEPA).
- ☒ Narrative Explaining Reason for Zone Change Classification Requested (below).
- ☒ Legal Description of Property.
- ☒ Acceptable Proof of ownership such as notarized petitions, deed, or title report.
- ☒ 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.
- ☐ NA Certificate of Appropriateness issued by the Historic Preservation Commission, if applicable.

Comments: _____

Explain the reason(s) for the Zone Change Classification Requested: _____

The preferred development vision is a mixture of One-Level Accessible Detached Single Family Homes and Attached Single Family (Duplexes/possibly condos) housing with garages, Quality planned neighborhood with neighborhood park area, playground, dog park and garden space. R-2 would allow one "duplex" per lot in addition to the single family homes.

(Attach additional sheets as necessary)

GENERAL SITE CHARACTERISTICS

Property Size: Gross Acres: 1.4915 Square Feet: 64,970

Comprehensive Plan Designation: Low Density Residential

Does this Rezone also require a Comprehensive Plan Designation change? Possibly.

Low Density to Med Density MAP Change.

Is the site vacant? Vacant, Raw Land.

Current Use of the Land

Describe geographical features and note any structures: _____

Mostly flat, level, raw land abutting 46th Ave to the West and CDID Cut Off Slough to the East.
Water and Sewer stubbed in Fall of 2023

Lot corners survey and marked Spring of 2024

Lot cleared of boats, trash, debris, rubbish, dangerous trees and brush Spring 2024.

Current Sewerage System: City Sanitary Sewer On-Site. Also, City Water Supply is On-Site.

Street System serving area: 46th Avenue.

ZONE CHANGE PETITION

The owner or owners of any property located within the City may submit a request for a change of zoning classification on that property. This request will be considered by the Planning Commission. The change in the zoning classification of a property or properties must be signed by the owner or owners of not less than fifty-one (51%) percent of the area of property for which a change in zoning classification is sought.

[Photocopy this page and attach as many pages as is needed]

Name: <u>Michael Wallin, Trustee</u> <u>Wallin Solo 401 K Plan Trust</u> (Please Print All Information) Mailing Address: <u>2262 46th Ave.</u> (Street or PO Box) City: <u>Longview</u> State: <u>WA</u> Zip: <u>98632</u> Phone: <u>360-560-3636</u>	Description/use of Property: _____ <u>Vacant, Raw Land.</u> _____ _____ _____ _____
Name: _____ (Please Print All Information) Mailing Address: _____ (Street or PO Box) City: _____ State: _____ Zip: _____ Phone: _____	Description/use of Property: _____ _____ _____ _____ _____
Name: _____ (Please Print All Information) Mailing Address: _____ (Street or PO Box) City: _____ State: _____ Zip: _____ Phone: _____	Description/use of Property: _____ _____ _____ _____ _____
Name: _____ (Please Print All Information) Mailing Address: _____ (Street or PO Box) City: _____ State: _____ Zip: _____ Phone: _____	Description/use of Property: _____ _____ _____ _____ _____

FILING FEES:

Public Hearing Fee:.....	\$2,173.00
SEPA Review Fee:.....	\$543.00
Total Fees:.....	\$2,716.00
Comments: _____	

NOTES TO APPLICANT/OWNER:

1. Community Development Staff will review this application for completeness and will contact you if additional information is needed. Incomplete applications will not be scheduled for a hearing before the Planning Commission.
2. If the City Council, Planning Commission or Community Development 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.
3. All items shall be completed as determined by the Community Development Department prior to the application being deemed complete for processing.
4. The applicant may be required to conduct studies, such as a traffic study, and have the studies reviewed by the City prior to any public hearing on the application. The cost of all required studies shall be borne by the applicant.
5. All fees required by the City in reviewing this application shall be paid prior to any public hearings.
6. The applicant or authorized representative must attend the Planning Commission and City Council public hearings.

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: John A. Walker, Trustee Date: 5/1/2009

Signature of Applicant: John A. Walker, Trustee Date: 5/1/2009

Below is for Staff Use Only:

Longview Planning Commission:

Public Hearing Scheduled: _____ Date: _____
_____ 7:00 pm

Comments: _____

Longview City Council:

Public Hearing Scheduled: _____ Date: _____
_____ 7:00 pm

Comments: _____



Order No.: **CTL20491**

**Michael K. Wallin
P.O. Box 2191
Longview, WA 98632**

Property Address: **2262 46th Ave
Longview, WA 98632**

ENCLOSED IS YOUR FINAL TITLE INSURANCE POLICY

OUR SINCERE THANKS FOR CHOOSING
Cascade Title Company of Cowlitz County
FOR YOUR TITLE AND ESCROW CLOSINGS.

**1425 MAPLE STREET
Longview, WA 98632
Phone: 360-425-2950
Fax: 360-425-8010**

Quality Staff, Exceptional Service and Local Decision Making

EXHIBIT "A"

THAT PORTION OF LOT 2, BLOCK 32, COLUMBIA VALLEY GARDENS NO. 3, AS RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF COWLITZ COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

**BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 32, COLUMBIA VALLEY GARDENS NO. 3, AS RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF SAID COUNTY;
THENCE SOUTHERLY ALONG THE EASTERLY LINE OF 46TH AVENUE 146.01 FEET;
THENCE EASTERLY ALONG A LINE PARALLEL TO AND 146.01 FEET SOUTHERLY FROM THE NORTHERLY LINE OF SAID LOT 2 TO THE EASTERLY LINE OF SAID LOT 2;
THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2 TO THE NORTHEAST CORNER THEREOF;
THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.**

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON



CascadeTitle

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



P.O. Box 128
Longview, WA 98632-7080
www.mylongview.com

Final SEPA Threshold Determination (DNS)

Date of determination: July 24, 2024

Lead agency: The City of Longview

Agency Contact: Ken Hash, Director of Community Development,

ken.hash@ci.longview.wa.us, 360.442.5202

Responsible Official: Ken Hash, Community Development Director, ken.hash@ci.longview.wa.us
360-442-5202

Agency File Number: 2024-5

Applicant: Michael Wallin, Trustee, Wallin Solo 401 K Plan Trust

Phone: 360-560-3636

Location of proposal: 2262 46th Avenue, Parcel Number(s) 02926, Longview, WA 98632.

Dear Mr. Wallin,

The City of Longview Community Development Department has completed the environmental review for your proposal. The proposed project that is covered under this SEPA application is to rezone the parcel from R-1 to R-2.

After review of the SEPA Environmental Checklist, the City as lead agency, issued a determination of non-significance (DNS) with a 14-day review period on July 9th, 2024. The agency comment period concluded on July 23rd, 2024.

Under the SEPA Rules, the responsible official is required to consider all timely comments received on a DNS. The lead agency may then choose to retain the DNS, issue a revised DNS, or – if significant adverse impacts have been identified – they may withdraw the DNS and issue a determination of significance (DS).

The City did receive comments the Department of Ecology, and one concerned citizens and they are attached as “E 2024-5 2262 46th Ave rezone comments”.

Please be aware that the SEPA Environmental Checklist submitted is for only the proposal identified in the Environmental Checklist. Additional proposals or future developments on this site may require additional environmental review under the SEPA rules, and submittal of another Environmental Checklist for agency review.

The City, via this letter, is issuing a final (Confirmation of) determination of non-significance (CDNS) SEPA threshold determination for the project identified in the Environmental Checklist application E 2023-3. Environmental Review under SEPA for the project identified in the Environmental Checklist is complete.

An environmental impact statement (EIS) is not required under RCW 43.21C.030.

Appeal process: RCW 43.21C.060 allows an appeal to a local legislative body of any decision by

a local nonelected official conditioning or denying a proposal under authority of SEPA. 17.20.220 Substantive Authority (5) Except for permits and variances issued pursuant to LMC 17.60.010, adopting the Cowlitz County Shoreline Management Master Program, when any proposal or action not requiring a decision of the city council is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the city council; provided, however, that for those actions involving a city sponsored project or city owned land, the decision shall be appealed to the hearing examiner. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the responsible official within 10 days of the decision being appealed. Review by the city council or hearing examiner shall be on a de novo basis. (Ord. 3364 § 1, 2017; Ord. 2786 § 1, 2000).

Please contact me at (360) 442-5202 if you have any additional questions regarding the SEPA process for this proposal.

Ken Hash,
Community Development Director

Signature  Date 7-24-24
(Agency Contact)

Signature  Date 7-24-24
(Responsible Official)

3739070

08/16/2023 11:26:31 AM Pages: 2 \$204.50
Deed
CASCADE TITLE COMPANY OF COWLITZ COUNTY
eRecorded at Cowlitz County, WA

When recorded return to:

Wallin Solo 401 K Plan Trust
P.O. Box 2191
Longview, WA 98632

\$2,902.50 EXCISE TAX
AFFIDAVIT NO: 33634
COWLITZ COUNTY TREASURER
08/16/2023 DEPUTY JD

STATUTORY WARRANTY DEED

CTL20491

The Grantor, **John William Patterson Jr.**, an unmarried man, individually and as the surviving spouse of **Rhoda A. Patterson, deceased**, for and in consideration of **Ten Dollars and other valuable consideration** in hand paid, conveys, and warrants to **Wallin Solo 401 K Plan Trust**, * the following described real estate, situated in the County of Cowlitz, State of Washington:
* *Michael K. Wallin, Trustee of the Solo 401K Plan Trust*
See attached for legal description

Abbreviated Legal: **CVG 3 BLK 32 LOT 2A**
Tax Parcel Numbers(s): **02951**

SUBJECT TO covenants, conditions, restrictions, reservations, easements and agreements of record, if any.

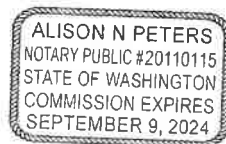
Dated: **8/15/2023**


John William Patterson Jr.

STATE OF WASHINGTON
COUNTY OF COWLITZ

) ss.

This record was acknowledged before me on 8/15/2023 by John William Patterson Jr..




ALISON N. PETERS
Notary Public Residing: Castle Rock
My commission expires: 9-9-2024

Exhibit A

**THAT PORTION OF LOT 2, BLOCK 32, COLUMBIA VALLEY GARDENS NO. 3, AS
RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF COWLITZ COUNTY,
WASHINGTON, DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 32, COLUMBIA VALLEY
GARDENS NO. 3, AS RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF SAID
COUNTY;
THENCE SOUTHERLY ALONG THE EASTERLY LINE OF 46TH AVENUE 146.01 FEET;
THENCE EASTERLY ALONG A LINE PARALLEL TO AND 146.01 FEET SOUTHERLY FROM
THE NORTHERLY LINE OF SAID LOT 2 TO THE EASTERLY LINE OF SAID LOT 2;
THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2 TO THE NORTHEAST
CORNER THEREOF;
THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF
BEGINNING.**

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON

**TITLE RESOURCES GUARANTY COMPANY
ALTA 2006 STANDARD OWNERS POLICY**

SCHEDULE A

FILE NO.: **CTL20491**

POLICY NO.: **2388-O-CTL20491**

ADDRESS

REFERENCE: **2262 46TH AVE
LONGVIEW, WA 98632**

AMOUNT OF

INSURANCE: **\$215,000.00**

PREMIUM: **\$904.00**

DATE OF POLICY: **AUGUST 16, 2023 AT 11:27 AM**

1. NAME OF INSURED:

MICHAEL K. WALLIN, TRUSTEE OF THE SOLO 401K PLAN TRUST

2. THE ESTATE OR INTEREST IN THE LAND WHICH IS COVERED BY THIS POLICY IS:

FEE SIMPLE

3. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS VESTED IN:

THE NAMED INSURED

4. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

5. THIS POLICY INCORPORATES BY REFERENCE THOSE ALTA ENDORSEMENTS LISTED BELOW:

NONE

This policy valid only if Schedule B is attached.

**TITLE RESOURCES GUARANTY COMPANY
ALTA 2006 STANDARD OWNERS POLICY**

FILE NO.: **CTL20491**

POLICY NO.: **2388-O-CTL20491**

SCHEDULE B

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE, AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES THAT ARISE BY REASON OF:

General Exceptions:

- A. RIGHTS OR CLAIMS DISCLOSED ONLY BY POSSESSION, OR CLAIMED POSSESSION, OF THE PREMISES.
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.
- C. EASEMENTS, PRESCRIPTIVE RIGHTS, RIGHTS-OF-WAY, STREETS, ROADS, ALLEYS OR HIGHWAYS NOT DISCLOSED BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR CONTRIBUTIONS TO EMPLOYEES BENEFIT FUNDS, OR FOR STATE WORKERS' COMPENSATION, OR FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, ALL AS IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. UNDERGROUND EASEMENTS, SERVITUDES OR INSTALLATIONS OF WHICH NO NOTICE IS OF RECORD.
- F. GENERAL TAXES NOT NOW PAYABLE; MATTERS RELATING TO SPECIAL ASSESSMENTS AND SPECIAL LEVIES, IF ANY, PRECEDING THE SAME BECOMING A LIEN.
- G. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY, NATURAL GAS OR OTHER UTILITIES OR GARBAGE COLLECTION AND DISPOSAL.
- H. RESERVATIONS OR EXCEPTIONS IN UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
- I. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING EASEMENTS OR EQUITABLE SERVITUDES.
- J. WATER RIGHTS, CLAIMS OR TITLE TO WATER.

This policy valid only if Schedule A is attached.

**TITLE RESOURCES GUARANTY COMPANY
ALTA 2006 STANDARD OWNERS POLICY**

FILE NO.: CTL20491

POLICY NO.: 2388-O-CTL20491

SPECIAL EXCEPTIONS:

1. EASEMENT AND RIGHT OF WAY FOR DIKE AND DRAINAGE ACQUIRED BY COWLITZ COUNTY FOR THE BENEFIT OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, BY DECREE ENTERED NOVEMBER 16, 1923, IN COWLITZ COUNTY SUPERIOR COURT CAUSE NO. 5362.
2. ANY CHANGE IN THE BOUNDARY OR LEGAL DESCRIPTION OF THE REAL PROPERTY, OR TITLE TO THE ESTATE INSURED, THAT MAY ARISE DUE TO THE SHIFTING AND CHANGING IN THE COURSE OF THE SLOUGH.
3. RESERVATIONS, RESTRICTIONS AND CONDITIONS AND CONDITIONS CONTAINED IN THE DEDICATION OF THE PLAT OF COLUMBIA VALLEY GARDENS NO. 3, REFERENCE TO WHICH RECORD IS MADE FOR FURTHER PARTICULARS; AMENDED UNDER AUDITOR'S FILE NOS. 544163, 544247 AND 854114. INTERNATIONAL PAPER COMPANY RELEASED, WAIVED, RESCINDED AND RELINQUISHED ANY RIGHTS IT MAY HAVE IN SAID PLAT RESTRICTIONS BY INSTRUMENT RECORDED JANUARY 20, 1993, UNDER AUDITOR'S FILE NO. 930120100.
4. BUILDING LIMIT LINES AS DELINEATED ON THE FACE OF THE PLAT OF COLUMBIA VALLEY GARDENS NO. 3.
5. RESTRICTIONS IMPOSED BY INSTRUMENT RECORDED ON AUGUST 7, 1935, UNDER AUDITOR'S FILE NO. 133108.

END OF SCHEDULE B EXCEPTIONS.

DD/MC

This policy valid only if Schedule A is attached.

EXHIBIT "A"

**THAT PORTION OF LOT 2, BLOCK 32, COLUMBIA VALLEY GARDENS NO. 3, AS
RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF COWLITZ COUNTY,
WASHINGTON, DESCRIBED AS FOLLOWS:**

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THE NORTHERLY LINE OF SAID LOT 2 TO THE EASTERLY LINE OF SAID LOT 2;
THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2 TO THE NORTHEAST
CORNER THEREOF;
THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF
BEGINNING.**

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON

2262 46th Ave
Parcel 02951
Land Use Zoning Options

Project Location

- The subject property is located at 2262 46th Avenue in Longview, up 46th Avenue just North of Cole's Appliances, Exxon Gas /Short Stop Mini Mart up 46th Avenue from Guadalajara Grill and Cantina Restaurant.
- The parcel is # 02961, it's a 1.46 acre parcel.
- The site is bounded by Lower Columbia CAP's Single Family Residential Windermere Street Subdivision to the North, 46th Avenue to the West, CDID Cut Off Slough / Coal Creek Slough to the East and Singe Family Residential Homes as well as a Commercial Auto Related Storage Facility to the South.



Existing Conditions

- Water and Sewer stubbed in Fall of 2023
- Lot corners survey and marked Spring of 2024
- Lot cleared of boats, trash, debris, rubbish, dangerous trees and brush Spring 2024.

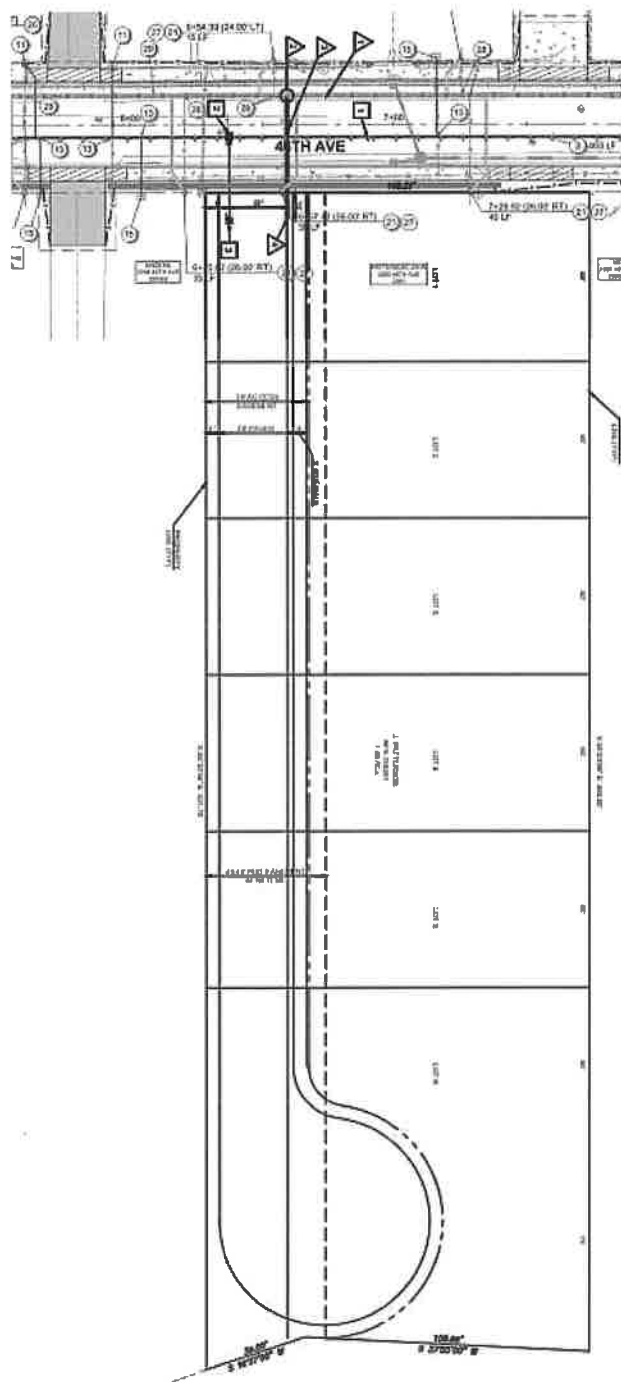


Preferred Vision

- A mixture of One-Level Accessible Detached Single Family Homes and Attached Single Family (Duplexes/possibly condos) housing with garages,
- Quality planned neighborhood with neighborhood park area, playground, dog park and garden space.

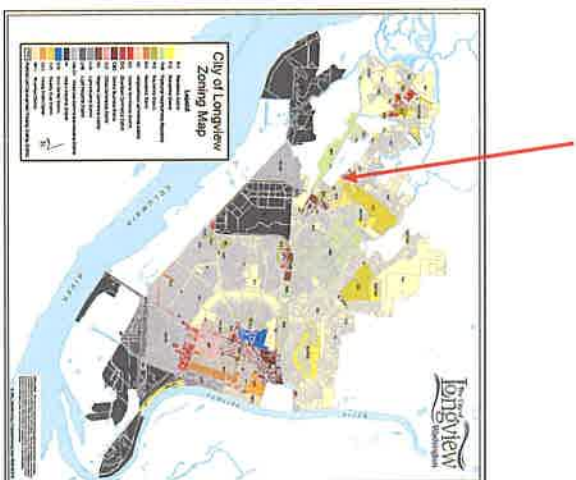


Possible Future Subdivision Concept



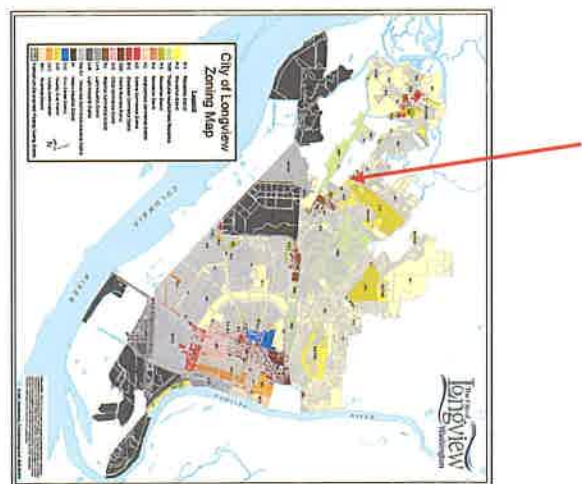
Current Land Use Planning

- Currently Longview Comprehensive Plan Low Density Residential Designation
- Near Future High Density Residential and Community Commercial Designation
- Currently R-1 Zoning, Abuts R-1 Zoning, Near R-2 and R-3 and near TNR Zoning.



Requested Land Use Planning

- Re-Zone to R-2
 - R-2 would allow one “duplex” per lot in addition to the single family homes.



Wallin Sewer & Water Extension

Located in the NE 1/4 of Section 24, T8N, R3W, W.M.
Longview, Washington

SITE



GENERAL NOTES

DEVELOPER:
Mike Wallin
PO Box 2181
Longview, WA 98832

ENGINEER:
Three Rivers Land Services
Contact: Tim Wines, PE
2252 46th Avenue
Kenai, WA 98828
PH: (206) 431-8868
tim@three.lv.com

SITE LOCATION:
Located at the east side of 48th
Avenue approximately 200' south
of the intersection with
Hillside Street
Latitude: 46.445201
Longitude: -122.898886
GPR: N46°55.75"
WT22°59.56"

SITE ADDRESS:
2252 46th Avenue
Longview, WA 98832
Parcel Number: 02851
Section: 24, T8N, R3W,
W.M. Longview, WA

WATER NOTES

1 EXISTING 12" DI WATERLINE
2 INSTALL 12" DI WATER SLEEVE WITH
3 1/2" DI CPVC (60')
4 INSTALL 12" DI CPVC (60')

5 EXISTING 12" DI WATERLINE
6 INSTALL 12" DI WATER SLEEVE WITH
7 3/4" DI CPVC (60')

8 EXISTING 12" DI WATERLINE
9 INSTALL 12" DI CPVC (60')

10 EXISTING 12" DI WATERLINE
11 INSTALL 12" DI CPVC (60')

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64 EXISTING 12" DI WATERLINE
65 INSTALL 12" DI CPVC (60')

66 EXISTING 12" DI WATERLINE
67 INSTALL 12" DI CPVC (60')

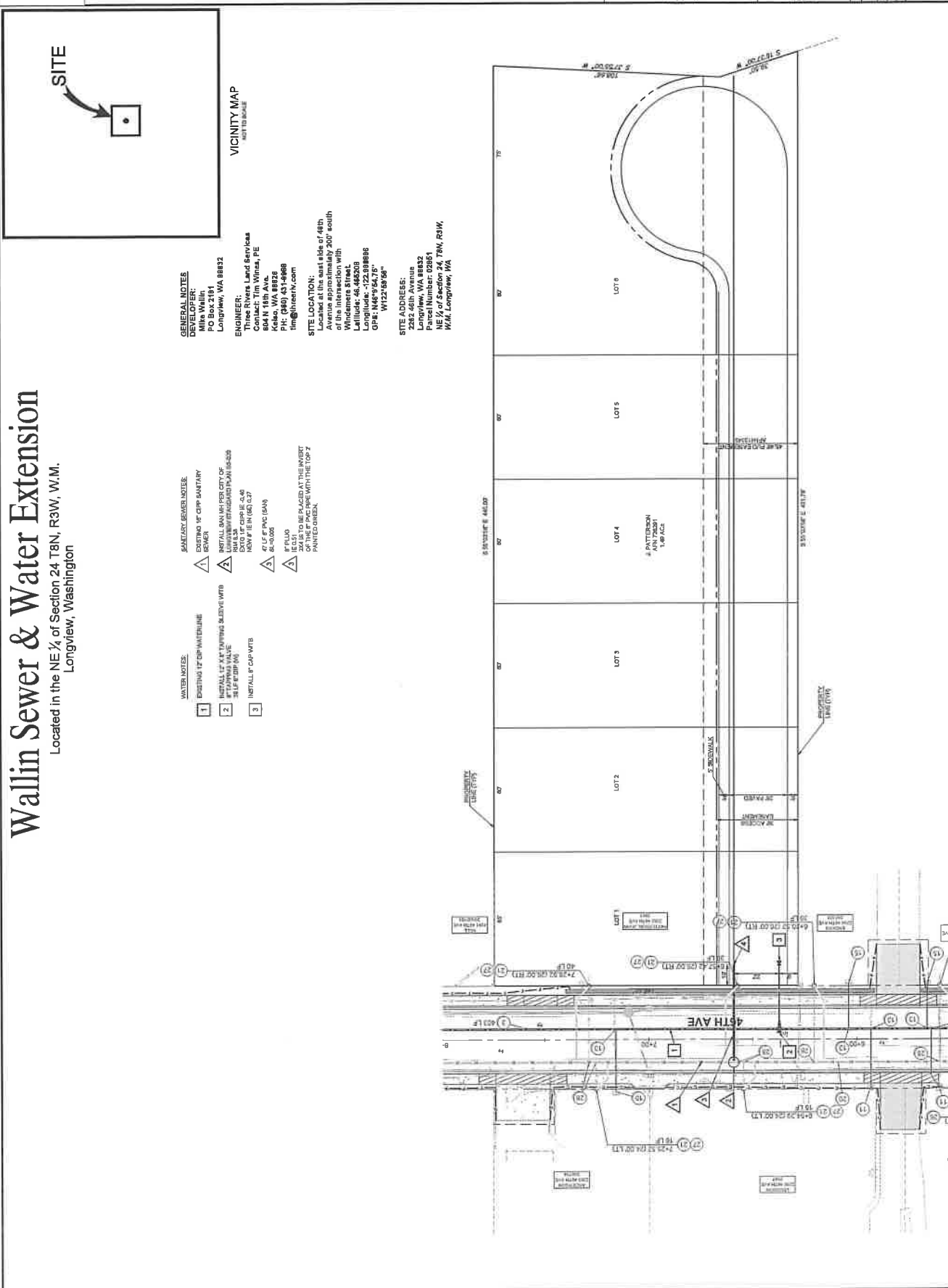
68 EXISTING 12" DI WATERLINE
69 INSTALL 12" DI CPVC (60')

70 EXISTING 12" DI WATERLINE
71 INSTALL 12" DI CPVC (60')

72 EXISTING 12" DI WATERLINE
73 INSTALL 12" DI CPVC (60')

74 EXISTING 12" DI WATERLINE
75 INSTALL 12" DI CPVC (60')

76 EXISTING 12" DI WATERLINE
77 INSTALL 12" DI CPVC (60')





Memorandum

TO: Longview Planning Commission

FROM: Ken Hash, Interim CED Director

MEETING DATE: September 4th, 2024

SUBJECT: Case No. PC 2024-6 – The Vale at Overlook

At the September 12, 2019, regular meeting, the Longview City Council approved the preliminary plat for The Vale at Overlook, Phases I-II. (approval letter is attached) The approval of this preliminary plat is set to expire on September 12, 2024.

Longview Municipal Code (LMC) 19.80.130 Approval Criteria, in part, provides for length of the preliminary approval and for a two-year extension of that approval if certain criteria are met.

LMC 19.80.130 Approval Criteria

(5) Length of Preliminary Approval. Approval of a preliminary plat shall be effective for five years from the date of city council approval. Upon recommendation of the planning commission, the city council may grant one two-year extension provided the following criteria are met:

(a) The applicant shall request the extension in writing not less than 90 days prior to the expiration of the preliminary plat;

(b) In such written request, the applicant shall state the reasons for the request, describe progress made in installing improvements and provide a schedule for completing the final plat;

(c) The applicant shall demonstrate to the planning commission that it has acted in good faith and made substantial progress in complying with the conditions of the preliminary plat and that it would be inequitable to require the applicant to reapply for a new preliminary plat approval;

(d) In considering the grant of any extension, the planning commission may recommend the imposition of additional conditions for final approval that are consistent with city-adopted standards and policies existing at the time the extension request is considered; and

(e) Requests for extension shall be considered first at a public meeting of the planning commission. The planning commission shall then forward its recommendation to the city council. Disapproval of a request for an extension shall result in the expiration of preliminary

plat approval. Expired preliminary plats, or expired phases of preliminary plats, must be the subject of new land use applications and shall not be permitted as amendments or revisions of the original expired preliminary plat. (Ord. 3351 § 15, 2017; Ord. 3090 § 2, 2009).

Discussion of the 5 points reference above.

(a) The applicant shall request the extension in writing not less than 90 days prior to the expiration of the preliminary plat.

The initial inquiries into an extension were by e-mail from Steve Seward of Homesite Development Group to Mac Kosar, City Planner on January 19, 2023. The official request was made in an e-mail to Ken Hash, Interim CED Director on July 15, 2024 (attached.) While this is well after the 90-day cutoff mentioned above, there are extenuating circumstances. Ninety-days prior to expiration (June 14th) is shortly after both the City's planner and the CED Director tendered their resignations. For a period in June and early July it was not uncommon for customers to be confused as to who was processing planning requests at the city.

(b) In such written request, the applicant shall state the reasons for the request, describe progress made in installing improvements and provide a schedule for completing the final plat.

(c) The applicant shall demonstrate to the planning commission that it has acted in good faith and made substantial progress in complying with the conditions of the preliminary plat and that it would be inequitable to require the applicant to reapply for a new preliminary plat approval.

Applicants' response to (b) and (c).

In response to (b) and (c) regarding an extension, our response as follows:

Our engineering approval got caught up during the covid pandemic. Consequently, we lost two seasons to contractors that couldn't field a full crew, plus a two and a half year nightmare involving the infection, year and a half hospitalization, slow recovery and possible amputation of both feet.

My health is within a month of being fully healed and we have the resources to get this project done.

Sales have been challenging of late within Longview and we have record phone calls from builders looking for homesites and when ours will be online. We entertained selling the project and getting a larger builder to bring the project to fruition. However, lenders are lending on new projects and few builders are buying raw projects in this economy. To thwart these issues, we have partnered with others who have the resources we need to complete the project. We plan to complete the project into the two phases initially approved. It would be an incredible hardship and economic loss to reapply, redesign and

resubmit a new plan, not to mention the delay and timing to builders and the Longview tax base.

We plan on having the first 32 lots done in 2025. We plan to file, bond and pre-sell these lots concurrent with the installation of the infrastructure.

(d) In considering the grant of any extension, the planning commission may recommend the imposition of additional conditions for final approval that are consistent with city-adopted standards and policies existing at the time the extension request is considered.

Staff is recommending the following additional conditions:

Construction plans need to be approved and a Public Improvement Permit obtained by December 31st, 2024.

(e) Requests for extension shall be considered first at a public meeting of the planning commission. The planning commission shall then forward its recommendation to the city council. Disapproval of a request for an extension shall result in the expiration of preliminary plat approval. Expired preliminary plats, or expired phases of preliminary plats, must be the subject of new land use applications and shall not be permitted as amendments or revisions of the original expired preliminary plat.

After receiving the request on July 15, 2024, the first public meeting of the Planning Commission was scheduled for September 4, 2024. If approved by the Planning Commission, this request will be forwarded to City Council for their consideration at their September 12, 2024, meeting.

Staff Recommendation:

Currently, Staff is recommending a two-year extension of the preliminary plat for The Vale at Overlook, Phases I-II.

Motion: To recommend approval of a two-year extension of the preliminary plat for The Vale at Overlook, Phases I-II and to forward final approval of the two-year extension to City Council at their September 12th regular meeting.

Attachments:

- A. The Vale at Overlook – Preliminary plat approval
- B. Initial request
- C. Extension request
- D. Response to extension
- E. 2nd response to extension
- F. Extension request 2



September 17, 2019

P.O. Box 128
Longview, WA 98632-7080
www.mylongview.com

Lee Piculell
Homesite Development Group, LLC
1906 Belmont Loop
Woodland, WA 98674

Latta Engineering PLLC
Neil Latta, PE
5970 Birch Point Rd
Blaine, WA 98230

Re: Notice of Decision for The Vale at Overlook preliminary plat, Phases I-II,
Case No. PC 2019-3

Dear Mr. Piculell

At their September 12, 2019 regular meeting, the Longview City Council considered the recommendation of the Longview Planning Commission and voted unanimously to approve your application preliminary subdivision plat subject to the following 14 conditions and accompanying findings of fact:

Conditions of Approval

1. The phases shall be developed in the sequence presented on the preliminary plat; unless approved per LMC §19.80.190: Modifications to approved preliminary plats.
2. Community mailboxes (or mail service as approved by the USPS) shall be provided by the developer prior to final plat approval or bonded.
3. Corner lots abutting the dead-end streets (Calley Ct., Easeman Ct., Fahrback Ct.) shall have vehicle access (driveways) from the dead-end streets as opposed to the through street (Eliana Lane). The driveways shall be located as far as feasible from the intersections with the through street. The final location of the driveways must be approved by the City Engineer.
4. The developer shall design and construct the stormwater facilities in accordance with Section 17.80 of the Longview Municipal Code.
5. Public water, sewer, and storm drain main lines shall be installed in street rights-of-way. The City Engineer may allow limited main lines to be installed in side or rear yard easements provided there are no services connected to the mains and adequate

access via all-weather access roads can be provided for future operation and maintenance. Water and sewer services for the homes shall be connected to mains installed within the street rights-of-way. No services will be allowed to connect to water or sewer lines within side or rear yard easements.

6. The developer shall grant additional right-of-way or easements outside the proposed 60' street right-of-ways for any cuts or fills necessary to construct the streets.
7. All required streets, sidewalks, street lighting, sanitary sewer, water and storm drainage systems shall be constructed to City of Longview standards in effect at the time construction plans are submitted for review. Plans for construction for the above improvements shall be reviewed and approved by the City Engineer prior to construction. Concerns regarding specific construction details will be addressed during the plan review for each subdivision phase. The details included in the developer's proposal are considered conceptual in nature. A lighting analysis will be required.
8. Roadway cuts, fills, retaining walls, and street subgrade, base, and surfacing preparation requirements shall be designed by a qualified Geotechnical Engineer and shall be not less than the City of Longview standards in effect at the time construction plans are submitted for review.
9. The developer shall plant trees within the street right of way in accordance with Park and Recreation Department specifications and the standards of LMC 19.80.130 (4) (e)
10. The Developer must provide a subdivision improvement bond for completion of sidewalks and street trees if those items are not constructed prior to final plat approval.
11. The developer shall provide utility easements in accordance with Cowlitz PUD requirements. The easement areas are for the installation, operation, and maintenance of underground utilities. The plat covenants shall show that all utility agencies, their successors and assigns, shall have a continuing right of ingress and egress over, across, along and upon the easement area involved at any and all times.
12. The storm drainage system shall be designed such that runoff generated from the lots will not discharge onto adjacent lots except where defined drainage courses currently exist.
13. The applicants shall submit to the City's Engineering Department an Erosion Hazard Assessment per LMC Chapter 17.12.050. The report must be submitted before or concurrently with the submittal of construction drawings.
14. The developer shall design and install a moderately developed nature trail in the open space consisting, at a minimum, of a single-wide, treed, limbed and cleared trail for walking, with a discernable path of material such as rock or imported bark

or soil, for use by the public. Signage identifying the trail amenity and the private ownership shall be provided at all entry points.

FINDINGS

- A. The proposed development is consistent with the Overall Development Plan for View Ridge Estates No. 2 PUD that was approved by the City of Longview in 1991.
- B. The developer will design and construct stormwater and erosion control facilities acceptable to the City Engineer that ensures land stability and provides drainage protection for the development and neighboring properties. All stormwater and erosion control facilities will comply with the City's Stormwater Runoff and Erosion Controls Chapter 17.80 LMC.
- C. The proposed development of the property in a manner depicted on the preliminary site development plans will not be detrimental to the public welfare and is in keeping with the general intent of the Planned Unit Ordinance.

Thus, the preliminary plat for The Vale at Overlook phases I-II has been approved by the City subject to the conditions given above. The approval was effective on September 12, 2019. Attached is an application for Final Plat approval. A final plat and application shall be submitted within five years of the preliminary plat approval date. Please don't hesitate to contact City staff regarding Final Plan submittal requirements and City of Longview standards.

If you have any questions or concerns regarding this matter, please contact Adam Trimble, Planner or me at (360) 442-5092.

Sincerely,



John Brickey
Director

AT

cc: Jim McNamara, City Attorney
Ken Hash, City Engineer
Brandy Branch, Engineering Specialist
File copy: PC 2019-3

Ken Hash

From: Sam Barham
Sent: Tuesday, July 23, 2024 3:31 PM
To: Ken Hash
Subject: FW: The Vale at Overlook

Sam Barham, P.E.
City Engineer
360-261-8983



Please consider the environment before printing out this email. Thank you.

This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, immediately advise the sender by reply email and destroy this message.

From: Erik Byman <erik.byman@ci.longview.wa.us>
Sent: Monday, January 23, 2023 8:21 AM
To: Ann Rivers <Ann.Rivers@ci.longview.wa.us>
Cc: Sam Barham <Sam.Barham@ci.longview.wa.us>
Subject: RE: The Vale at Overlook

It sounds like it is in Sam's court...

Erik Byman
Building Official
Building Inspector
City of Longview
360-442-5084

From: Ann Rivers <Ann.Rivers@ci.longview.wa.us>
Sent: Monday, January 23, 2023 8:17 AM
To: Erik Byman <erik.byman@ci.longview.wa.us>
Subject: Re: The Vale at Overlook

Is Mac letting them know?

Get [Outlook for iOS](#)

From: Erik Byman <erik.byman@ci.longview.wa.us>
Sent: Monday, January 23, 2023 7:44:36 AM
To: Ann Rivers <Ann.Rivers@ci.longview.wa.us>; Mac Kosar <McAllister.Kosar@ci.longview.wa.us>
Subject: RE: The Vale at Overlook

Ann,

I would agree with Steve Seward that they have a full 5 years on the preliminary plat, with the possibility of one 2-year extension if the criteria below are met.

19.80.120 Approval criteria.

(5) Length of Preliminary Approval. Approval of a preliminary plat shall be effective for five years from the date of city council approval. Upon recommendation of the planning commission, the city council may grant one two-year extension provided the following criteria are met:

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- (c) The applicant shall demonstrate to the planning commission that it has acted in good faith and made substantial progress in complying with the conditions of the preliminary plat and that it would be inequitable to require the applicant to reapply for a new preliminary plat approval;
- (d) In considering the grant of any extension, the planning commission may recommend the imposition of additional conditions for final approval that are consistent with city-adopted standards and policies existing at the time the extension request is considered; and
- (e) Requests for extension shall be considered first at a public meeting of the planning commission. The planning commission shall then forward its recommendation to the city council. Disapproval of a request for an extension shall result in the expiration of preliminary plat approval. Expired preliminary plats, or expired phases of preliminary plats, must be the subject of new land use applications and shall not be permitted as amendments or revisions of the original expired preliminary plat. (Ord. 3351 § 15, 2017; Ord. 3090 § 2, 2009).

The PIP however seems to only have a 2 year window as spelled out in 12.10.010 subsection 11

12.10.010 Public improvements on public/private property – Construction procedure.

(11) Public improvements that have a design approval over two years old shall be redesigned to meet the most current standards and specifications. Plans and specifications for such public improvements shall be resubmitted for approval prior to starting construction.

Erik Byman
Building Official

**Building Inspector
City of Longview
360-442-5084**

From: Ann Rivers <Ann.Rivers@ci.longview.wa.us>

Sent: Monday, January 23, 2023 6:08 AM

To: Erik Byman <erik.byman@ci.longview.wa.us>; Mac Kosar <McAllister.Kosar@ci.longview.wa.us>

Subject: FW: The Vale at Overlook

You have likely spent some brain cells on this – Erik – has the code changed since vesting? By your read, do they get 5 years? ~ a

Ann Rivers

Director, Community Development

City of Longview

Desk 360.442.5080

Cell 360.916.6317

From: Hailey Sattler <Hailey.Sattler@ci.longview.wa.us>

Sent: Thursday, January 19, 2023 5:25 PM

To: Ann Rivers <Ann.Rivers@ci.longview.wa.us>

Subject: RE: The Vale at Overlook

September 12, 2019 is the date their preliminary plat was vested. (See attached.)

Levi/Ken/Karl are discussing the approved PIP design from 2019 and how to move forward.

I don't know that the code supports that the approved PIP design is vested for 5 years. I cannot find any evidence to show they applied for Final Plat after the PIP approval, so I'm leaning toward they never picked up the PIP.

If they did not pick up the PIP we may be able to rescind our approval of the construction design due to updated standards. They would submit new construction drawings, gain approval, and then apply for Final Plat. That is all part of the discussion in PW.

They would still only have 5 years from the vested date in which to apply for Final Plat no matter how the cookie crumbles.

Thank you!



Hailey Sattler

Community and Economic Development Specialist

hailey.sattler@ci.longview.wa.us

360-442-5087 | 360-442-5086

From: Ann Rivers <Ann.Rivers@ci.longview.wa.us>

Sent: Thursday, January 19, 2023 4:42 PM

To: Hailey Sattler <Hailey.Sattler@ci.longview.wa.us>

Subject: Fwd: The Vale at Overlook

When did this vest? - ann

Get [Outlook for iOS](#)

From: Mac Kosar <McAllister.Kosar@ci.longview.wa.us>
Sent: Thursday, January 19, 2023 4:06:09 PM
To: Karl Enyeart <Karl.Enyeart@ci.longview.wa.us>; Ken Hash <Ken.Hash@ci.longview.wa.us>; Levi Lindeman <Levi.Lindeman@ci.longview.wa.us>
Cc: Hailey Sattler <Hailey.Sattler@ci.longview.wa.us>
Subject: FW: The Vale at Overlook

Forwarding the message Steve Seward sent me shortly after our call.

I passed on Steve's contact to Karl to brief Levi on. Please let me know how I can be of assistance.

Thank you,

McAllister (Mac) Kosar
Planner, Community Development, Longview WA
McAllister.kosar@ci.longview.wa.us
W 360-442-5083

From: Steve Seward <sseward@homesitedevelopment.com>
Sent: Thursday, January 19, 2023 4:04 PM
To: Mac Kosar <McAllister.Kosar@ci.longview.wa.us>
Subject: The Vale at Overlook

McAllister,

Thank you for taking the time to acquaint yourself with myself and The Vale at Overlook project in Longview. During our call, you mentioned needing to discuss with other staff what is required for us to pay for and pick up the PIP so we can begin construction. I'm sure that you just are ensuring everyone is on the same page, but wanted to remind you and the other staff that this project was approved, and, per LMC 19.80.120, subsection 5, we have 5 years before that approval expires. We are still within that 5-year period. I'm aware that the City has had some folks leave and new staff was hired, but also want to be sure that due to this project being vested, no other changes or conditions of approval from the City are allowed, and that any remaining conditions of approval would be published as part of the final plat. Please feel free to reach out to me via email or phone if you have any questions.

Thanks,

-Steve Seward-
Operations Manager
Homesite Development Group, LLC
1906 Belmont Loop
Woodland, WA 98674
(360) 553.8988 (direct)

This message is intended for the sole use of the individual(s) to whom it is addressed. It may contain information that is privileged, confidential or exempt from disclosure under applicable laws. If you are not the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone, this message or any information contained within this message. If you have received this message in error, please immediately advise the sender by replying to this email and delete this message.

Ken Hash

From: Information Sales <homesitedevelopment@gmail.com>
Sent: Monday, July 15, 2024 9:09 AM
To: Ken Hash
Subject: Vale at Overlook Extension

Ken,

We would like to request an extension to the preliminary plat of The Vale at Overlook PUD. we are currently in negotiations to sell the project and need to get the extension as it is too late to start construction for this season.

Thank you,

Lee Piculell

Ken Hash

From: Ken Hash
Sent: Tuesday, July 16, 2024 6:45 AM
To: Information Sales
Subject: RE: Vale at Overlook Extension

Here are the rules regarding an extension.

I think I can talk my way through bullet (a) with all of our extenuating circumstances.

You will need to answer bullets (b) and (c) in writing.

You should plan on being at our Zoom meeting call for Planning Commission.

(5) Length of Preliminary Approval. Approval of a preliminary plat shall be effective for five years from the date of city council approval. Upon recommendation of the planning commission, the city council may grant one two-year extension provided the following criteria are met:

- (a) The applicant shall request the extension in writing not less than 90 days prior to the expiration of the preliminary plat;
- (b) In such written request, the applicant shall state the reasons for the request, describe progress made in installing improvements and provide a schedule for completing the final plat;
- (c) The applicant shall demonstrate to the planning commission that it has acted in good faith and made substantial progress in complying with the conditions of the preliminary plat and that it would be inequitable to require the applicant to reapply for a new preliminary plat approval;
- (d) In considering the grant of any extension, the planning commission may recommend the imposition of additional conditions for final approval that are consistent with city-adopted standards and policies existing at the time the extension request is considered; and
- (e) Requests for extension shall be considered first at a public meeting of the planning commission. The planning commission shall then forward its recommendation to the city council. Disapproval of a request for an extension shall result in the expiration of preliminary plat approval. Expired preliminary plats, or expired phases of preliminary plats, must be the subject of new land use applications and shall not be permitted as amendments or revisions of the original expired preliminary plat.

Ken Hash
Interim Community Development Director



From: Information Sales <homesitedevelopment@gmail.com>
Sent: Monday, July 15, 2024 9:09 AM
To: Ken Hash <Ken.Hash@ci.longview.wa.us>
Subject: Vale at Overlook Extension

Ken,

We would like to request an extension to the preliminary plat of The Vale at Overlook PUD. we are currently in negotiations to sell the project and need to get the extension as it is too late to start construction for this season.

Thank you,

Lee Piculell

Ken Hash

From: Ken Hash
Sent: Tuesday, July 23, 2024 1:37 PM
To: Information Sales
Subject: RE: Vale at Overlook Extension

The next Planning meeting is September 4, 2024; 7:00pm

I will need responses to (b) and (c) below by August 19 so that I can assemble a report to the Planning Commission

Ken Hash
Interim Community Development Director



From: Ken Hash
Sent: Tuesday, July 16, 2024 6:45 AM
To: Information Sales <homesitedevelopment@gmail.com>
Subject: RE: Vale at Overlook Extension

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I think I can talk my way through bullet (a) with all of our extenuating circumstances.

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Ken Hash
Interim Community Development Director



From: Information Sales <homesitedevelopment@gmail.com>
Sent: Monday, July 15, 2024 9:09 AM
To: Ken Hash <Ken.Hash@ci.longview.wa.us>
Subject: Vale at Overlook Extension

Ken,

We would like to request an extension to the preliminary plat of The Vale at Overlook PUD. we are currently in negotiations to sell the project and need to get the extension as it is too late to start construction for this season.

Thank you,

Lee Piculell

Ken Hash

From: Information Sales <homesitedevelopment@gmail.com>
Sent: Monday, August 26, 2024 1:02 PM
To: Ken Hash
Subject: Re: Vale at Overlook Extension

Ken,

I thought this had gotten to you much sooner as weve had a cell tower issue at the health facility I'm at.

In response to (b) and (c) regarding an extension, our response as follows:

Our engineering approval got caught up during the covid pandemic. Consequently, we lost two seasons to contractors that couldnt field a full crew, plus a two and a half year nightmare involving the infection, year and a half hospitalization, slow recovery and possible amputation of both feet.

My health iw within a month of being fully healed and we have the resources to get this project done.

Sales have been challenging of late within Longview and we have record phone calls from builders looking for homesites and when ours will be online. We entertained selling the project and getting a larger builder to bring the project to fruition. However, lenders are lending on new projects and few builders are buying raw projects in this economy. To thwart these issues, we have partnered with others who have the resources we need to complete the project. We plan to complete the project into the two phases initially approved. It would be an incredible hardship and economic loss to reapply, redesign and resubmit a new plan, not to mention the delay and timing to builders and the Longview tax base.

We plan on having the first 32 lots done in 2025. We plan to file, bond and pre-sell these lots concurrent with the installation of the infrastructure.

Thank you,

Lee Piculell
Managing Member
Homesite Development Group, LLC

On Tue, Jul 23, 2024, 1:36 PM Ken Hash <Ken.Hash@ci.longview.wa.us> wrote:

The next Planning meeting is September 4, 2024; 7:00pm

I will need responses to (b) and (c) below by August 19 so that I can assemble a report to the Planning Commission

Ken Hash

Interim Community Development Director