



## Conditional Use Permit – Proposed Findings and Proposed Conditions

Date: May 13, 2026  
File: CUP 26-01  
To: Planning & Zoning Commission  
From: Bruce Wall, Senior Planner  
Conditional Use: Child Care Facility

### General Information

Applicant: City of Valdez  
Property Owner: City of Valdez  
Street Address: 1112 W. Klutina Street  
Legal Description: Lot 7, Evergreen Vista Addition No. 1, Plat 80-12  
Zoning District: Public Lands (P)  
Existing Land Use: Elementary School and School District Offices  
Access: Klutina Street

### VMC 17.08

"Conditional use" means a provision which allows for flexibility within this chapter by permitting certain specified uses in zoning districts where such uses are generally considered appropriate, but only after additional conditions and safeguards are applied to ensure their compatibility with permitted principal uses.

"Child care facility" means a facility providing day care to children required to be licensed under AS 47.32.

### **Project Description**

The City of Valdez is proposing a new child care facility in the prior school district offices. The applicant states in their narrative the following.

*This project was established to provide the community of Valdez with a Childcare Facility for Children Ages 0-5. Currently there is not a full-time childcare facility within the community of Valdez that provides this service for Valdez residents.*

*After several years of researching options for the location of the new Childcare Facility. The Valdez City Council and VCS School Board chose and approved to use the current VCS District Offices building as the location of the childcare facility.*

## **Proposed Findings**

### Procedural Findings

- a) On April 23, 2026, the Community Development Department received a conditional use permit application from the City of Valdez.
- b) The Community Development Department reviewed the application and determined that it was complete, in accordance with VMC 17.12.090(E)(1).
- c) A public hearing was scheduled for May 13, 2026, to consider the Conditional Use Permit.
- d) Notice of the publication was published in KVAK's e-blast newspaper on April 27, 2026 and May 4, 2026.
- e) Notice of the meeting was published on the City of Valdez website on April 27, 2026, in accordance with VMC 17.12.090(E)(5) and 17.12.160(C)(1).
- f) Notice of the meeting was mailed on April 29, 2026, to the 78 property owners within 300 feet of the parcel where the well house is proposed, in accordance with VMC 17.12.090(E)(5) and, 17.12.160(C)(2).
- g) A document holder with public notice flyers was posted on Klutina Street on April 29, 2026, in accordance with VMC 17.12.090(E)(5) and 17.12.160(C)(3).

1. **Criterion 1: Site Suitability.** The subject site shall be suitable to support the proposed conditional use and its associated structure(s) and site improvements. The Planning and Zoning Commission shall consider topography, slope and soil stability, geophysical hazards, surface and subsurface drainage, and water quality conditions on and around the subject site and the probable effects of the proposed conditional use upon these factors. VMC 17.12.090(C)(1)

- a) The narrative submitted by the applicant states, *"The site for the new Childcare Facility was found suitable to be located within the existing VCS District Offices building after a long review process by the City of Valdez and VCS School Board. All civil, architectural, and geotech consultants have evaluated all items listed within this "Criterion 1" and have addressed all these factors within the renovation design."*
- b) The proposed child care facility will be located in an existing building.

2. **Criterion 2: Utility, Sanitation, and Public Service Needs.** The conditional use and the associated site improvements shall be adequately served by utilities, emergency responders, and a sanitation facility to ensure long-term safety for its occupants and surrounding populations. The planning and zoning commission shall consider whether adequate sewer/sanitation, storm drainage, potable water, fire protection,

public safety, access, and electrical power exist to serve the proposed use and associated structures/site improvements. VMC 17.12.090(C)(2)

- a) The narrative submitted by the applicant states, *“All items included within “Criterion 2” are being addressed by the project’s design consultants, including the State Fire Marshal, to meet these “Utility, Sanitation, and Public Service Needs” requirements.”*
- b) Notice of the application was provided to the following city departments: Fire, Police, Public Works, and the Building Official.
- c) The application materials demonstrate that the utility, sanitation, and public service needs will be met.

3. **Criterion 3: Zoning District Standards.** With the exception of Planned Unit Developments (PUDs), the proposed conditional use and its associated site improvement(s) shall comply with the dimensional standards of the zone in which it is located. Notwithstanding, those zoning standards may be adjusted pursuant to a separate variance and/or administrative adjustment application. VMC 17.12.090 (C)(3)

- a) The subject property is in the Public Lands (P) district.
- b) No new structures are being proposed for the child care facility.

4. **Criterion 4: Specific Use Standards.** The proposed conditional use and its associated site improvement(s) shall comply with the applicable specific use standards pursuant to Chapter 17.80. VMC 17.12.090(C)(4)

- a) The narrative submitted by the applicant states, *“The new Childcare Facility design complies with the “Specific Use Standards” as it meets all current State of Alaska day care facilities license requirements for this specific occupancy classification. The future childcare operator for this site currently holds a current State of Alaska childcare center license and will be required to always maintain a valid current state license while operating as a childcare at this site.”*
- b) Condition of Approval Number 3 requires that the child care facilities meet all current state of Alaska day care facilities license requirements.

5. **Criterion 5: Comprehensive Plan Consistency.** The proposed conditional use and its associated site improvement(s) shall be consistent with the Comprehensive Plan's goals, policies, and maps in terms of land uses, development character, and scale. VMC 17.12.090(C)(5)

- a) The narrative submitted by the applicant states, *“The use of the new Childcare Facility being placed within the existing building location at 1112 W. Klutina St. meets the future land use requirements for being located within the “New Townsite Neighborhood” as it is classified as a school/ institutional building occupancy. All site improvements made within this project by the design consultants will comply with the dimensional standards set forth within the existing building location of “New Townsite Neighborhood” zone.”*

- b) Goal 5.1 is, *“Provide safe, equitable, and convenient access to healthcare, education, **childcare**, wellness, and social support services.”*
- c) Staff’s review of the comprehensive plan did not find any inconsistencies of the proposed use with comprehensive plan.

6. **Criterion 6: Nuisance Mitigation.** The proposed conditional use and its associated site improvement(s) shall provide mitigation measures to address potential nuisances relating to excessive noise, lighting, vibration, traffic, debris and litter, and outdoor material storage. VMC 17.12.090(C)(6)

- a) The narrative submitted by the applicant states, *“The city has employed civil, architectural, and traffic control experts as part of the design team on this project to mitigate and address within the design of this project any potential nuisances related to excessive noise, lighting, vibration, traffic, debris, litter, and outdoor material storage.”*
- b) It is not anticipated that the proposed use will create any nuisances related to excessive noise, lighting, vibration, traffic, debris and litter, or outdoor material storage beyond what can be expected by similar operations operating in the community.

7. **Criterion 7: Access and Circulation.** The proposed conditional use and its associated site improvement(s) shall provide adequate site access for motor vehicles, pedestrians, and cyclists. Applications shall not be approved where the proposed use would create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists. VMC 17.12.090(C)(7)

- a) The narrative submitted by the applicant states, *“The childcare design team is analyzing and implementing improvements within the project site to accommodate adequate access for all motor vehicles, pedestrians, and cyclists entering and exiting the site to ensure undue traffic congestion and to avoid any potential safety hazards to motorists, pedestrians, and/or cyclists.”*
- b) The proposed child care facility will be located in the prior school district offices and will be served by the current parking lot, streets, and sidewalks.
- c) It is not anticipated that the child care facility will create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.

8. **Snow Storage:**

- a) The narrative submitted by the applicant states, *“The snow lot storage and snow removal plan will not change from the building’s previous plan and remain the same as it has been for this building location.”*
- b) The applicant has submitted a snow storage plan as required by VMC 17.88.030(C).
- c) The snow storage plan was provided to various city departments along with other application materials.
- d) The snow storage plan indicates that there will not be a reduction in the available parking spaces for snow storage.

- e) The snow storage plan has been reviewed by Community Development staff, and they have determined that the plan provides adequate space to reasonably handle expected snow storage needs on the site.
- f) The existing building's roof is not designed to shed snow.

#### VMC 17.12.090(E)(7)

The Planning and Zoning Commission shall conduct a public hearing to review the conditional use application, review the staff report, hear staff, applicant, and public testimony, discuss the proposal, adopt findings of fact (from staff or establishing their own), and take action on the application. The Commission may approve, approve with conditions, or deny the application.

#### Conditions

1. The conditional use permit is for a portion of Lot 7, Evergreen Vista Addition No. 1, Plat 80-12 to be used as a child care facility.
2. The conditional use permit is effective upon approval.
3. The child care facility shall meet all current state of Alaska day care facilities license requirements.
4. The conditional use permit must be utilized within twelve months after the effective date of approval. In the event construction work is involved, it must commence within the stated period and must be diligently prosecuted to completion.
5. The use must be consistent with the submitted application, narrative, and site plan. Any substantial change to the use requires approval pursuant to VMC 17.12.090(F).

#### Staff Recommendation

Staff recommends that CUP 26-02 be approved by the Planning & Zoning Commission with the conditions recommended by staff.