

City of Valdez

ALASKA

Planning Department

Amberg Rezone – Proposed Findings

Date: April 13, 2022

File: Rezone 22-05

To: Planning & Zoning Commission

From: Bruce Wall, Senior Planner

General Information

Street Address: 7455 Richardson Highway
Legal Description: Lot 1C, USS 197, Plat 2007-15
Current Zoning District: Rural Residential (R-R)
Proposed Zoning District: Commercial Residential (C-R)
Property Owner: William Amberg
Size: 2.51 Acres

Project Description

On March 8, 2022 the City received a rezone request from William Amberg to change the zoning on Lot 1C, USS 197 to Commercial Residential. The official zoning map adopted by the City Council in 2021 indicates that this property is zoned Rural Residential.

Staff is recommending denial of the proposed rezone because it is not in accordance with the comprehensive plan. The future land use map designates this lot as within the Rural Neighborhood place type (Plan Valdez, page 25) and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type (Plan Valdez, page 13).

Findings

1. Procedure.

- a) On March 8, 2022 the City received a rezone request from William Amberg to change the zoning on Lot 1C, USS 197 to Commercial Residential.
- b) A public hearing was scheduled for April 13, 2022 to consider the zoning change.
- c) Notice of the meeting was published in the Copper River Record on March 31, 2022 and April 7, 2022, in accordance with VMC 17.06.060(B)(1) and VMC 17.54.040.
- d) Notice of the publication was published in KVAK's e-blast newspaper on March 28, 2022.
- e) Notice of the meeting was mailed on March 30, 2022 to the 10 property owners within 300 feet of the subject property, in accordance with VMC 17.06.060(B)(2) and VMC 17.54.040.

2. Reasons and justification for proposing such change. VMC 17.54.030(A)

- The applicant has indicated that the location of the property, availability of three phase power on the property, the existing Commercial Residential zoning adjacent to the property, and that the proposed rezone would support a better use of the property are all reasons that the proposed Commercial Residential zoning is more suited than the present Rural Residential zoning.

3. Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres. VMC 17.54.020(C)

- a) There are five parcels within the Commercial Residential zoning district in the vicinity of the subject property the proposed rezone would be an extension of these existing district boundaries.
- b) The property size is 2.51 acres.

4. The effect the rezone will have on the objectives of the comprehensive plan. VMC 17.54.030(B)

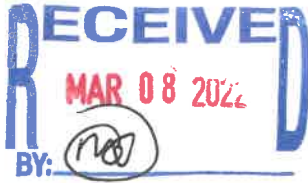
- The proposed rezone is inconsistent the objectives of the comprehensive plan. Objective 2.1.E of the Valdez Comprehensive Plan states, “Rezone parcels to align with the Future Land Use Map.” The future land use map designates this lot as within the Rural Neighborhood place type and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type.

5. Whether the public necessity, convenience, general welfare, modification of the comprehensive plan, or good zoning practice requires the rezone. VMC 17.54.050

- a) There is not anything in the record to indicate that the public necessity, convenience, or general welfare requires the rezone.
- b) On November 2, 2021 the Valdez Comprehensive Plan was modified and it designated this area as within the Rural Neighborhood place type.
- c) The current Rural Residential zoning of this property is consistent with the modified comprehensive plan.
- d) The recent modification of the comprehensive plan does not require the proposed rezone.
- e) The R-R (rural residential) district is intended to include lands where a full range of public services and utilities may not be available but topography and soil condition allow development at low population densities that can rely on on-lot water and sewer without creating a public health hazard. R-R districts are intended to protect low-density living, and to protect the rural character of the district. VMC 17.20.010
- f) The C-R (commercial residential) district is intended to allow commercial and light industrial uses of land which do not detract from the residential use of the land by introducing excess noise, increased safety hazards, air pollution or water pollution. VMC 17.26.010
- g) Good zoning practice encourages commercial uses closer to the center of towns; therefore, good zoning practice does not require the proposed rezone.

6. Whether the rezone is in accordance with the comprehensive plan. VMC 17.54.050

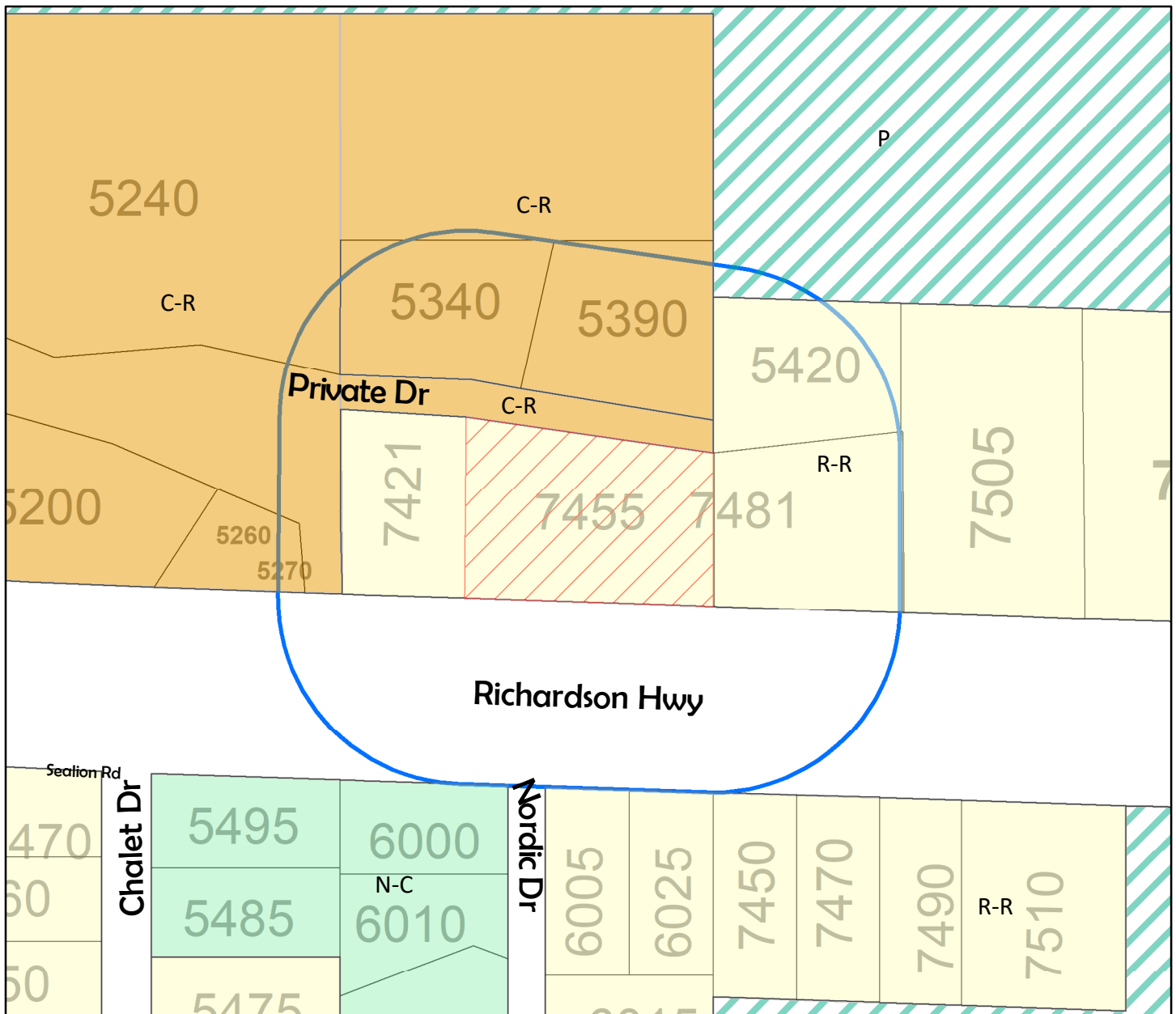
- The proposed rezone is not in accordance with the comprehensive plan because the future land use map designates this lot as within the Rural Neighborhood place type and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type.



FEE: \$50.00
SITE PLAN
WAIVED 2013 PER
RESOLUTION #12-72

CITY OF VALDEZ
APPLICATION FOR REZONE

APPLICATION NUMBER	DATE 3/1/22
NAME OF APPLICANT William Amberg	
ADDRESS OF APPLICANT	
7455 Richardson Hwy, Valdez, AK 99686	
DAYTIME PHONE	907 255-0940
LEGAL OWNER	William J Amberg
ADDRESS	HC 60 Box 40
	Copper Center, AK 99573
PHONE NUMBER	907 255-0940
LOCATION OF PROPERTY AND/OR LEGAL DESCRIPTION/STREET ADDRESS	
7455 Richardson Hwy	
CURRENT ZONING	Rural Residential
PROPOSED ZONING	Commercial Residential
DESCRIPTION OF PROPERTY, INCLUDING SQUARE FOOTAGE OR ACREAGE.	
7455 Rich Hwy, Lot 1C, Plat # 2007-15, Lot size 3 AC, Tax id 0197-030-001-3	
WHY IS THE PROPERTY MORE SUITED FOR THE PROPOSED ZONING DISTRICT THAN FOR THE PRESENT ZONING?	
1) Location, Location, Location	
2) 3Ø Power (Commercial Power) at site	
3) CR Zoning already at Adjacent Lots	
4) Better use of Property	
SIGNATURE William Amberg	DATE 3/1/22



Rezone Request to Commercial Residential

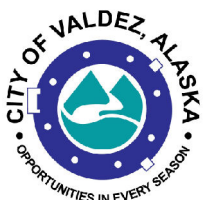
P & Z Commission Meeting

April 13, 2022



Current Zoning

- Commercial Residential (C-R)
- Neighborhood Commercial (N-C)
- Public Lands (P)
- Rural Residential (R-R)
- 300-Foot Notification Area
- Subject Property



0 125 250 500 Feet

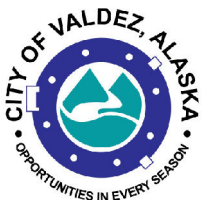
Date: 3/23/2022

Author: City of Valdez Planning



Rezone Request to Commercial Residential

P & Z Commission Meeting
April 13, 2022

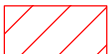


0 100 200 400 Feet

Date: 3/24/2022

Author: City of Valdez Planning



 Subject Property