



City of Valdez

**ALASKA**

Planning Department

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## Amberg Rezone – Planning and Zoning Commission Findings

Date: May 11, 2022

To: City Council

From: Planning & Zoning Commission

### 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

### Findings and Conclusions

#### 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 and April 7, 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)

- 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.
- b) There is already a large commercial greenhouse facility and other commercial uses in the vicinity and there is adjacent property zoned Commercial Residential and Commercial Neighborhood.

#### 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 Commission finds that the proposed rezone aligns with the objectives of the comprehensive plan. Specifically, the intent of the CR (commercial residential) zoning district, as described in VMC 17.26.010, includes commercial uses that will not detract from the rural residential uses.
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 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.
  - f) There is a history of commercial uses in this area, as well as some existing commercial uses on nearby lots that currently hold the C-R (commercial residential) district .
6. Whether the rezone is in accordance with the comprehensive plan. VMC 17.54.050
- The proposed rezone is in accordance with the comprehensive plan because the future land use map designates this lot as within the Rural Neighborhood place type and the Commercial Residential zoning district is compatible with the Rural Neighborhood place type in the comprehensive plan because VMC 17.26.010 states that the intent of the Commercial Residential district is to allow commercial and light industrial uses of land which do not detract from the residential use of the land.

### Recommendation

The Planning and Zoning Commission recommends that the City Council approve the request to change the zoning on Lot 1C, USS 197 to Commercial Residential.