



City of Valdez

ALASKA

Planning Department

Conditional Use Permit - Proposed Findings & Conclusions

VMC 17.04.420 Conditional use.

“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.

Date: March 13, 2019

File: CUP #19-02

To: Planning & Zoning Commission

From: Kate Huber, Senior Planner

Conditional Use: Community building – fire station

General Information

Applicant: City of Valdez

Property Owner: City of Valdez

Street Address: 401 West Pioneer Drive

Legal Description: Lot 1, Block 6, Block 20, Mineral Creek Subdivision

Zoning District: Single-family residential

Utility Service: City of Valdez water and sewer

Existing Land Use: Snow storage and skate park

Access: Pioneer Drive and Hazelet Avenue

Project Description

The City of Valdez is seeking to construct a fire hall at this site to replace the existing Fire Station 1. The proposed site plan would leave the existing skate park intact and provide natural or structural barriers to separate the park from the ingress/egress off of West Pioneer. The current design is for a 17,750 square foot, steel framed structure with a combination of one and two story volumes and separate entrances for visitors and EMS personnel. A detached training structure will also be located on the lot, as well as room for snow storage.

Findings

Planning Department staff shall make findings on an application for a conditional use permit. The Planning & Zoning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error.

1. Is the requested permit proper according to the conditional uses allowed in the zoning district?

Yes. The single-family residential district, according to VMC 17.14, is intended primarily for single-family dwellings and allows for structures and uses required to serve other noncommercial needs of residential areas. VMC 17.40.040 permits community buildings and halls as a conditional use. Community buildings are defined as “a building or structure owned and operated by an agency or political subdivision of the United States, state of Alaska, or city of Valdez providing service to the public.”

2. Is the application complete?

Yes. The application is complete.

VMC 17.50.030 Applications—Requirements.

A. A person intending to apply for a conditional use under this section shall submit the proposed project data to the community development department. The community development department shall contact the applicable agencies and utilities to allow them the opportunity to comment. The agencies to be contacted may include but not be limited to:

1. City public works department for water and sewer and snow removal;
2. City engineering department;
3. City building inspector;
4. State Highway Department, if applicable;
5. Local electricity utility;
6. City fire department;
7. Local telephone utility; and
8. Cable TV utility.

B. It is recommended that the application be accompanied by the following materials:

1. Narrative Documentation.
 - a. A legal description of all properties involved in the projects;
 - b. A statement of the objectives expected to be achieved by the project for the consumer and the public;
 - c. A detailed description of all aspects of the project, including land use, building types and sizes, population density, parking and traffic circulation, building coverage and other information which the applicant feels would assist the planning and zoning commission in making this decision; and
 - d. The community development department shall provide the proposed findings and conclusions for consideration by the planning and zoning commission. The proposed findings and conclusions will include comments and issues presented by the reviewing agencies along with a list of any unresolved issues.
2. Site Plans and Supporting Drawings.
 - a. As appropriate, details of the proposed project showing land use layout, building location, vehicular and pedestrian circulation, open space and recreation area, parking layout, schematic sewer and water layout, and any other information necessary to adequately describe the project;
 - b. A preliminary subdivision plat showing proposed lot and dedicated street layout;
 - c. A site grading and drainage plan including existing and proposed topography; and
 - d. Utilities.

3. Does the proposed development follow the other requirements of the City of Valdez land use code?

This permit application is in conformance with Title 17, the City of Valdez land use code. Community buildings and halls, which include structures owned and operated by the City of Valdez, are an allowable conditional use in the single-family residential zoning district. In conformance with Valdez Municipal Code Section 17.06.070 (B), any conditional use, variance or exception approved by the Planning and Zoning Commission shall be conditional upon the privilege granted being

utilized within twelve months after the effective date of the approval. In the event construction work is involved, it must actually commence within the stated period and must be diligently prosecuted to completion; otherwise the approval is automatically voided. The Planning and Zoning Commission may extend the time the construction is to start if satisfactory evidence of planning progress is presented. Any substantial change to the plans or building proposal shall require resubmission to the Planning and Zoning Commission.

4. Will the proposed development materially endanger the public health or safety?

The submitted application provides detail regarding design components that will limit potential risks to public health a safety. Station-mounted visual devices will warn pedestrians and vehicle traffic of outgoing traffic from the bays onto Hazelet Avenue during emergency calls. Audible signaling will be limited to inside the facility. A soft barrier of some kind will provide physical separation between the skate park and vehicle traffic entering from and exiting to West Pioneer Drive. Emergency vehicles will only use access from West Pioneer when returning from calls. Development of the site will also include some benefit to public safety, including increased lighting for pedestrians on West Pioneer and proximity of emergency services to core residential and commercial areas of Valdez.

5. Will the proposed project substantially decrease the value or be out of harmony with the property in the neighboring area?

Proposed Fire Station 1 will provide crucial emergency response services for this area. Planned improvements for the mostly undeveloped lot will include a public plaza to highlight the installation of an historic tower bell. Surrounding parcels contain mixed uses and a variety of zoning designations, including multi-family residential, single-family residential, light industrial, and general commercial. The location of proposed Fire Station 1 sits between a core residential area of town and the central business district. It is surrounded by snow storage, a skate park, a church, an apartment complex, and a mobile home park. Some homeowners in the area have expressed the preference for this lot to be preserved for residential purposes only. Given the variety of the uses in the area, staff believes that the proposed project is in harmony with the property in the neighboring area and will benefit surrounding properties through proximity to emergency response services and a public plaza and facility.

6. Will the proposed project be in general conformity with the Valdez Comprehensive Plan or other officially adopted plans?

To staff's knowledge, the only plan governing this area is the Valdez Comprehensive Plan. The following goals and objectives are relevant to the proposed conditional use and show that the project is compatible with the Valdez Comprehensive Plan.

Valdez Comprehensive Plan - 2.2 OVERALL GOAL

To create an atmosphere that will encourage stable economic development in Valdez while enhancing the quality of life. Improvements should be made to all elements that give the community its' character. This would include enhancing the economic productivity and

*diversification of the region to assure continued economic prosperity; **providing for public safety** and the economic welfare of the community when siting future industrial, commercial, residential, and public land uses; enhancing the scenic beauty, uniqueness and historic significance of the Valdez area; and opening up new land for residential, commercial, and industrial land.*

The overall goal of the Valdez Comprehensive Plan relies on our city's ability to provide crucial services to the public and remain self-sufficient given our remote location. The residential, commercial, and industrial development of property in the City of Valdez relies on our emergency response services. Providing for public safety plays a crucial role in the success of our community.

Goal - Community Facilities and Services: Provide for the maximum range of community services and facilities in appropriate locations consistent with the community's desire and ability to fund these.

Objective – Maximize the community's investments in existing community facilities.

This project is in conformity with the comprehensive plan goal to provide community facilities and services. Staff would like to note that one objective for this goal in the plan is to maximize the community's investments in existing community facilities. There are a variety of reasons that the City Council has chosen to develop a new site for Fire Station 1, instead of renovating the existing fire hall on the north side of City Hall for this continued use. As described in the CUP application, "the existing station fails to meet basic regulatory and code requirements. The facility lacks the space and installations to properly train fire and emergency personnel. The current station is within the tsunami inundation zone and due to structural and other basic insufficiencies cannot be made to function as either an emergency operations center or dispatch." For these reasons City Council chose to pursue a new facility at this location. Council has directed staff to explore options for use of the current fire station space for after completion of a proposed new facility.

Goal - Economic Development: Encourage the development of a broad-based economy in Valdez.

Objective - Strive to create an atmosphere in the community that is conducive to commercial and industrial development.

The current Fire Station 1 is the only public emergency services facility within nearly 300 miles that is staffed with professionally trained personnel 24 hours/day, 365 days/year. The existing station was built in 1966 to serve a population of less than 1000 citizens. Since 1966, the population of Valdez has grown to nearly 4000. Commercial and industrial development has expanded significantly, including oil terminal, storage and refining infrastructure. In order to accommodate the growth that has already occurred, and to provide infrastructure that is conducive to future development, the City of Valdez requires a larger and more modern fire station facility.

7. Are any of the following criteria such to materially endanger the public health or safety: topography, slope and soil stability, geophysical hazards, surface and subsurface drainage and water quality? No.

8. Will the proposed project require the enlargement, upgrading or extending of public utilities or service systems?

The project will not require any extensive enlargement or extension of public utilities, other than on the parcel itself. The area is already serviced by City of Valdez sewer and water.

Decision of the Commission:

The Planning & Zoning Commission may, regardless of the above findings, conditionally approve or deny the permit. The commissioners' own independent review of information submitted at the public hearing and additional information requested provides the basis for the decision. The decision needs supportive findings based on factors associated with the same questions answered in staff's findings.

17.50.020 Criteria to be considered.

In considering the granting of a conditional use, the planning and zoning commission shall satisfy itself that the general criteria set forth for uses specified in this title will be met. The planning and zoning commission may consider any or all of the criteria listed in this section and may base conditions or safeguards upon them.

The planning and zoning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The burden of proof rests with the applicant. The general criteria for considering the conditions, if any, under which permission for a particular conditional use shall or shall not be granted in a district in which that use is specified in the district regulations are as follows:

- A. Topography, slope and soil stability, geophysical hazards, surface and subsurface drainage and water quality, and the probable effects of the proposed conditional use upon these factors.*
- B. Utilities and services requirements of the proposed conditional use, including sewers, storm drainage, water, fire protection, access and electrical power; the planning and zoning commission may request the assistance of public officials with knowledge of the relevant public utility and service systems in evaluating the probable effects of the proposed use of public systems, and may consider the costs of enlarging, upgrading or extending public utility or service systems for the proposed use in establishing conditions under which the use shall be permitted.*
- C. Lot or tract characteristics, including minimum lot size, minimum yard requirements, maximum lot coverage by all buildings or structures, and maximum height of buildings or structures.*
- D. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, numbers of persons, traffic volumes, off-street parking and loading facilities, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements.*
- E. Community appearance, such as landscaping, fencing and screening, depending upon the specific use and its visual impact on the community.*

Staff Recommendation:

Staff recommends that CUP #19-02 be approved by the Planning & Zoning Commission.