



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda - Final Planning and Zoning Commission

Wednesday, May 12, 2021

7:00 PM

Council Chambers

Regular Meeting

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

1. [Planning & Zoning Commission regular Meeting Minutes of April 28, 2021](#)

IV. PUBLIC BUSINESS FROM THE FLOOR

V. NEW BUSINESS

1. [Approval of Temporary Land Use Permit #21-08 for C&E Car Deetz for 134 East Pioneer Drive, Lot 3 Pioneer Commercial Subdivision](#)
2. [Approval of Temporary Land Use Permit #21-09 for Harris Sand and Gravel for Six Months, for a 18,000 square foot portion of Tract S Port Valdez Subdivision, for a 15,000 square foot portion of Black Gold #1 Park Strip, and a 9,500 square foot portion of ROW on Whalen Avenue](#)
3. [Approval of Temporary Land Use Permit #21-10 for Pruhs Construction Company, LLC for Six Months, for a 30,000 square foot portion of Lot 1 Tract Q, Port Valdez Subdivision, a 5,500 square foot portion of Tract S, Port Valdez Subdivision, and a 7,000 square foot portion of Lot 19B, Block 1, Fireweed Hill](#)
4. [Approval of Recommendation to City Council Concerning the Rezone of Lot 1, Block 2, Robe River Subdivision, Plat 84-2 \(106 River Drive\) to General Commercial.](#)
5. [Approval of Recommendation to City Council Concerning an Application to Rezone Tract P, Port Valdez Subdivision, Plat 77-1 \(1105 W Egan Drive\) to Multi-Family Residential](#)

VI. REPORTS

1. [Planning Director's Report](#)

VII. COMMISSION BUSINESS FROM THE FLOOR

VIII. ADJOURNMENT



Legislation Text

File #: 21-0271, **Version:** 1

ITEM TITLE:

Planning & Zoning Commission regular Meeting Minutes of April 28, 2021

SUBMITTED BY: Sandra Mobley, Administrative Assistant

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

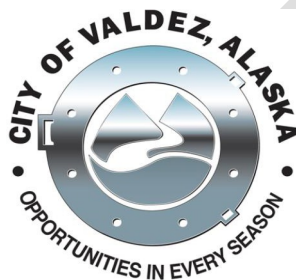
Receive and File

SUMMARY STATEMENT:

Planning & Zoning Commission regular Meeting Minutes of April 28, 2021 attached for commission review.

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes

Wednesday, April 28, 2021

7:00 PM

Regular Meeting

Council Chambers

Planning and Zoning Commission

REGULAR AGENDA - 7:00 PM**I. CALL TO ORDER**

Chair Jess Gondek called the meeting to order at 7:00 p.m. in the Valdez City Council Chambers.

II. ROLL CALL

Present 7 - Chair Jess Gondek
Commission Member Harold Blehm
Commission Member Donald Haase
Commission Member Brandon Reese
Commission Member Stephen Goudreau
Commission Member Roger Kipar - *By Telephone*
Commission Member Rhonda Wade

Also Present 3 - Administrative Assistant Sandra Mobley
Planning Director Kate Huber
Planning Technician Nicole LeRoy - *By Telephone*
Senior Planner Paul Nylund - *By Telephone*
Assistant City Manager Roxanne Murphy

III. APPROVAL OF MINUTES**1. Planning & Zoning Commission Regular Meeting Minutes of April 14, 2021.**

MOTION: Commission Member Haase moved, seconded by Commission Member Reese, to approve Planning & Zoning Commission Regular Meeting Minutes of April 14, 2021. The motion carried by the following vote after the following discussion occurred.

Mr. Haase noted the minutes didn't reflect the vote on the amendment to New Business Item 2. Ms. Huber confirmed it should be included.

Commission Member Harold Blehm mentioned Commission Member Rhonda Wade was present. Ms. Huber confirmed Ms. Wade was present.

VOTE ON THE MOTION:

Yays: 7 - Chair Gondek, Commission Member Blehm, Commission Member Haase, Commission Member Reese, Commission Member Goudreau, Commission Member Kipar, Commission Member Wade

IV. PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

V. NEW BUSINESS

1. **Preliminary Approval of Subdivision #21-01 - Alaska State Land Survey No. 2009-10. A Municipal Entitlement Selection - Mineral Creek Islands - ADL 201084.**

MOTION: Commission Member Haase moved, seconded by Commission Member Reese, to approve Preliminary Subdivision #21-01 - Alaska State Land Survey No. 2009-10 - A Municipal Entitlement Selection - Mineral Creek Islands - ADL 201084. The motion carried by the following vote after the following discussion occurred.

Mr. Nylund noted that the typical 50' public access easement required wasn't included for Ammunition Island because it is a secure facility. Following State of Alaska review the survey will be brought back to the Commission as a Final Plat.

VOTE ON THE MOTION:

Yays: 7 - Chair Gondek, Commission Member Blehm, Commission Member Haase, Commission Member Reese, Commission Member Goudreau, Commission Member Kipar, Commission Member Wade

2. **Approval of Temporary Land Use Permit #21-07 for Fat Mermaid Restaurant for 600 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision.**

MOTION: Commission Member Haase moved, seconded by Commission Member Reese, to approve temporary land use permit #21-07 for Fat Mermaid Restaurant for 600 square feet of public right-of-way immediately adjacent to Lot 1A Block 39A Harbor Subdivision with conditions. Motion carried.

VOTE ON THE MOTION:

Yays: 7 - Chair Gondek, Commission Member Blehm, Commission Member Haase, Commission Member Reese, Commission Member Goudreau, Commission Member Kipar, Commission Member Wade

VI. REPORTS

1. **Planning Director's Report**

Ms. Huber reported that City Council has approved the remodel project for Council Chambers. Beginning May 19th, meetings will be held at the Civic Center. Ms. Huber reminded commissioners of the Joint Work Session with City Council to be held in the Council Chambers April 29, 2021 at 6:00 p.m. The draft Comprehensive Plan will be presented followed by a three-week public comment period following the meeting

VII. COMMISSION BUSINESS FROM THE FLOOR

Commission member Kipar commented on inconsistencies with the response to COVID-19 around the state. He noted that Valdez seems to take it seriously and that he hopes the situation is over soon.

Commission Member Kipar asked if waiver of lease fees for this season has been considered.

Ms. Huber responded that the process for waiving fees for Temporary Land Use Permits requires a resolution by City Council, at the request of the applicant. Assistant City Manager Roxanne Murphy explained that the City of Valdez has gone to great lengths to accommodate the business community during COVID-19. Programs include marketing grants, general funding, a COVID Conscience program and assistance for Federal grant applications.

Commission Member Harold Blehm spoke about his attendance of Part Two of the AK APA P&Z Commissioner training. He expressed appreciation for the presentation by Valdez City Clerk, Sheri Pierce.

Commission Member Wade spoke about the recent events organized by the Valdez Motor Sports Club and Alaska Motor Mushers and expressed appreciation for the events of this type in Valdez.

Commission Member Goudreau thanked the staff for their work on the draft Comprehensive Plan. He talked about the commercial buildings the City is planning to demolish. He expressed a desire to have the parcels sold with the buildings in tact due to the current high cost of construction materials.

Commission Member Haase reminded people to vote next week.

Chair Gondek said he will be absent for the May 12, 2021 P&Z Meeting.

VIII. ADJOURNMENT

There being no further business, Chair Gondek adjourned the meeting at 7:20 p.m.



Legislation Text

File #: 21-0267, **Version:** 1

ITEM TITLE:

Approval of Temporary Land Use Permit #21-08 for C&E Car Deetz for 134 East Pioneer Drive, Lot 3 Pioneer Commercial Subdivision

SUBMITTED BY: Nicole LeRoy, Planning Technician & Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve temporary land use permit #21-08 from C&E Car Deetz for use of 134 East Pioneer Drive, Lot 3 Pioneer Commercial Subdivision.

SUMMARY STATEMENT:

Planning Department staff received a temporary land use permit application from C&E Car Deetz for use of City property for a car detailing business at 134 E Pioneer Drive, Lot 3 Pioneer Commercial Subdivision. The operation is proposed to take place under a temporary tent and utilize a generator to detail the interiors of vehicles. The applicant has stated no exterior detailing will be done, or wastewater generated by this use (see attached application.)

Per Valdez Municipal Code 17.48.140 B 2e, temporary land use permit requests not to exceed six months in duration may be granted by the Planning and Zoning Commission if the desired use is in conformance with the existing zoning and/or comprehensive plan. The area requested is zoned general commercial which allows for automobile service stations, including non-mechanical car washing.

Fees for temporary land use permits were established by City Council with Resolution #12-36. The resolution states "for permits not exceeding two acres in size and for a period of six months or less, the fee shall be \$250 per month."

The applicant has requested a term of six months. However, due to the primary use of the property as a snow lot, the property is only able to be utilized through September 30th. Planning staff consulted with Public Works, as the lot requested is utilized for City snow storage. Public Works Director, Rob Comstock, stated that the lot must be vacated by September 30th, and the operation not interfere with snow removal. His comments are attached.

Staff finds that this application meets the basic code requirements for a temporary land use permit

and that the lot is zoned appropriately. However, the Planning & Zoning Commission has the administrative authority in this case to determine whether or not the use of public property should be granted. Staff does have some issues to highlight for the commission's consideration.

The primary use of this public land is for snow storage. The applicant has agreed to only operate the business on this site when it is not required for snow storage. In the future, staff would like to have a conversation with the commission regarding appropriate and desired off-season uses for snow storage lots in the community.

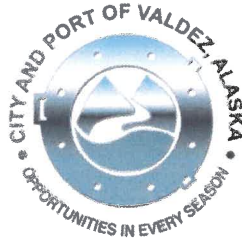
Additionally, staff would like to see businesses, albeit seasonal and temporary in nature, utilize the privately owned areas of the commercial districts in Valdez when possible. While Valdez Municipal Code does provide for the temporary use of City property for commercial uses, temporary land use permits are more commonly utilized for construction laydown yards, short term events, or use of public ROW immediately adjacent to brick and mortar businesses, or similar uses.

Per VMC 17.48.140 B2k, if the Planning and Zoning Commission chooses to approve temporary land use permit 21-08, the decision will be reported to City Council. Only upon no objection from City Council will the permit become effective after which, staff will prepare a temporary land use permit using standard language approved by City attorneys and include any conditions required by the Commission. If this application is denied, staff will provide a written explanation to the applicant.

The proposed ordinance changes related to TLUPs, recently reviewed by the commission have not yet been fully adopted. The ordinance will appear for a second reading during the City Council Meeting on May 18, 2021.

RECEIVED

By nleroy at 1:18 pm, Apr 19, 2021



**CITY OF VALDEZ
TEMPORARY LAND USE PERMIT APPLICATION FORM**

Application Fee: \$50.00 (Non-Refundable) Waived 2017 per Resolution #12-72

File No. 21-08

Date Recv'd. 4/19/2021

Directions:

1. Please type or print legibly.
2. Please submit this application form to the Office of Community & Economic Development, P.O. Box 307, Valdez, Alaska 99686.
3. Please answer all questions on this form, or put N/A (not applicable) in the spaces provided, as the answer applies.

Applicant name: C & E Car Deetz

Mailing address: P.O. Box 2764

City, State, Zip: Valdez, AK 99686

Daytime telephone: (707) 330-7724

SIGNATURE: Erin Hickok Casey Frahm

Representative name: Casey Frahm ***** Erin Hickok

Mailing address: P.O. Box 2764

City, State, Zip: Valdez AK 99686

Daytime telephone: (707) 330-7724

Legal Description of Property Affected by Application:

Located in Township _____ Range _____ Section _____, CRM
Lot/Block/Tract/Subd. 3 Plat # _____
Street Address/Other description 134 E. Pioneer
Tax # _____ Size of Property 21,830 sq. ft
PIDN 70570060030
Type of business to be placed on the property: auto detailing (interior detailing only
see attached narrative per applicant)

Size of temporary building(s) to be placed on the property: 1 10x30 ft Car
Canopy

Duration of lease requested (6 months maximum): 6 months

Special lease requirements: n/a

Submitted materials attached - The following submitted materials must be submitted when applying for a lease on City land.

- ✓ 1. Plot Plan – A drawing of the proposed lease property showing:
- _____ a. Size of lot (to scale)
 - _____ b. Placement and size of buildings, storage units, miscellaneous structures planned (to scale)
 - _____ c. Water & sewer lines, locations of septic tanks, if needed
 - _____ d. Parking spaces (numbered on the drawing with a total number indicated).
- ✓ 2. Fees – All applicable fees must be submitted prior to the execution of a lease.
- a. Application Fee (\$50.00). Covers the costs associated with processing the application (Non-refundable).

✓ 3. Liability Insurance – The Permittee shall, at its own expense, maintain and keep force during the terms of this Permit adequate insurance to protect both Valdez and Permittee against comprehensive public liability claims arising from the use of the property in the minimum limit of ONE MILLION DOLLARS (\$1,000,000) combined single limit to protect against liability for personal injury, death or property damage.

✓ 4. Financial Data – The applicant is a:

Sole proprietorship _____

Partnership _____

Corporation _____

Other (Please explain) L. L. C. _____

✓ 5. Partnership Statement – If applicant is a partnership, answer the following:

a. Date of Organization _____

b. General partnership () / Limited partnership ()

c. Statement of partnership recorded? () yes () no

Where _____

d. Has the partnership done business in Alaska?

() yes () no

When _____

Where _____

e. Name, address and partnership share of each general and limited partner. If a partner is a corporation, complete page for corporation.

Limited/ General	Name	Address	Share

f. Attach a complete copy of the partnership agreement.



6. Corporation Statement—If applicant is a corporation, answer the following:

a. Date of incorporation _____

b. Where incorporated _____

c. Is the corporation authorized to do business in Alaska?

☐ yes

☐ no

If so, as of what date _____

d. The corporation is held:

Publicly ☐

Privately ☐

e. If publicly held, how and where is the stock traded?

f. Furnish the name, title, and address of each officer and in addition, the same information for each principal stockholder owning more than ten percent of the corporation.

<u>Name</u>	<u>Title</u>	<u>Address</u>	<u>Share</u>
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g. Furnish the names of the officers specifically authorized to execute contracts and other corporate commitments under the corporate articles and/or by-laws.

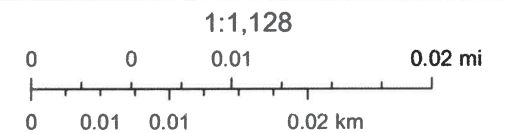
134 E Pioneer Drive



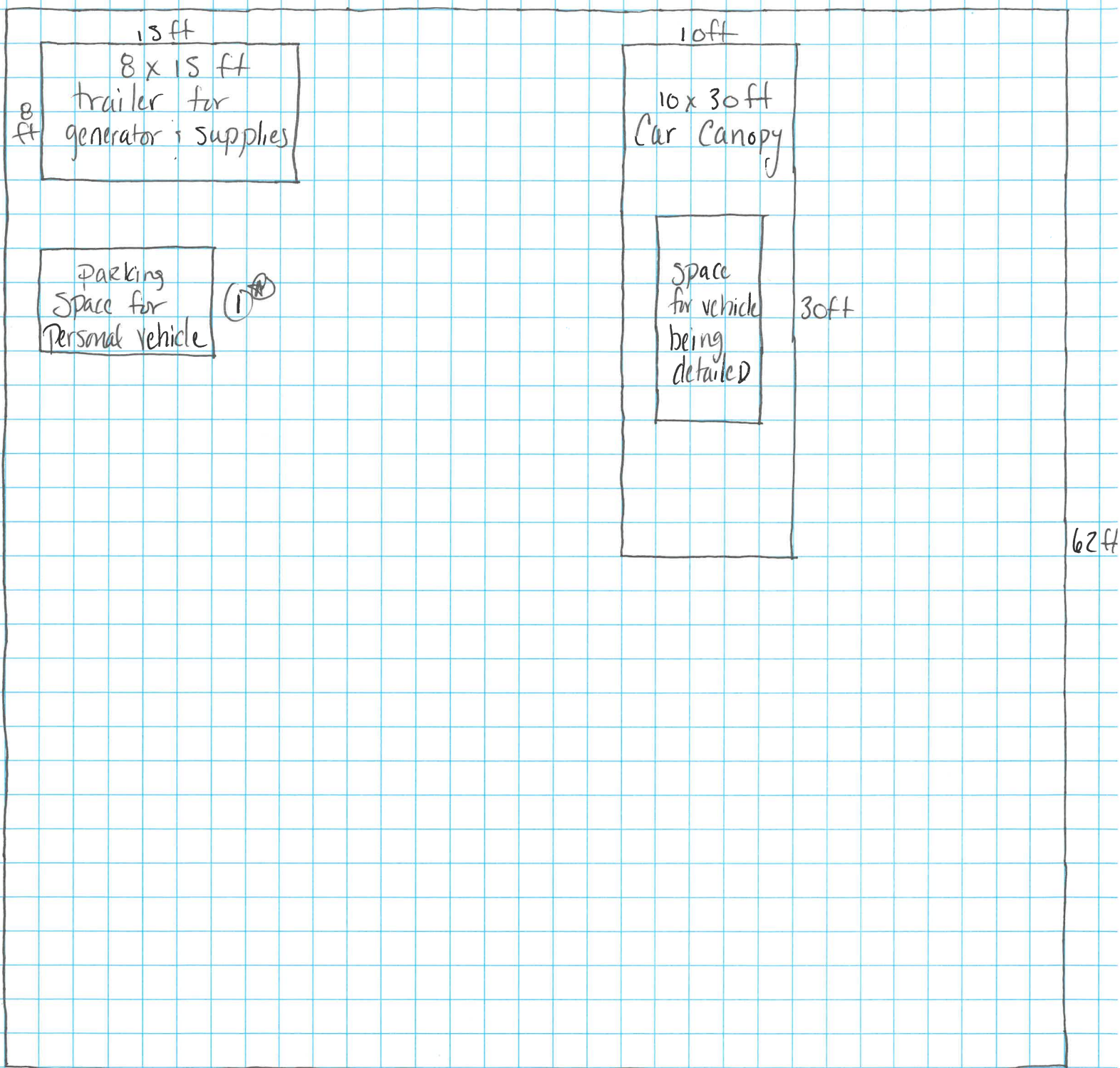
5/6/2021, 1:16:39 PM

 COV parcels

 Valdez City Limits



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,



① 1 total parking space needed in addition to space beneath canopy.

Dear City of Valdez Planning Department,

Thank you for considering our land use permit. C&E Car Deetz is an interior auto detailing business currently operating from 4:30 pm-9:30 pm no more than two days during the workweek and 10-5 on Saturdays. We would likely maintain these hours and work Mondays, Thursdays, and Saturdays if we are approved for a land use permit. We detail one car per day, so no more than three per week. Included in the detailing is vacuuming of the vehicle, spot cleaning any stained areas, disinfecting all surfaces using disinfecting wipes, steam cleaning all floor mats, and cleaning the interior of all windows. The equipment we use is a shop vac, a steam cleaner, and a small carpet shampooer. Each of these pieces of equipment is self-contained and does not release any of the waste water that accumulates. We would transport this waste water back to our residence and dispose of it appropriately. We use only shop towels when using spray cleaners so no chemicals end up on the ground.

Hi Nicole,

Public Works has a couple of issues with this application and the accompanying request:

- Valdez has historically gotten significant snowfall as late as the first week in May so the lot needs to be available to the snow removal crew through that time.
- The lot needs to be available for snow removal by October 1st.
- The lot is currently full of snow, as are the surrounding lots, making removal of the snow very expensive and therefore impractical.

So in summary: the TLUP would need to be restricted to after the first week in May and be in effect no longer than October 1st. Due to the large amount of snow currently on the snow lot, as well as surrounding snow lots, removing the snow as requested by the applicant is not practical.

Thank you,

Rob Comstock

Public Works Director

City of Valdez, Alaska

(907)835-4473

rcomstock@valdezak.gov



Legislation Text

File #: 21-0268, **Version:** 1

ITEM TITLE:

Approval of Temporary Land Use Permit #21-09 for Harris Sand and Gravel for Six Months, for a 18,000 square foot portion of Tract S Port Valdez Subdivision, for a 15,000 square foot portion of Black Gold #1 Park Strip, and a 9,500 square foot portion of ROW on Whalen Avenue

SUBMITTED BY: Nicole LeRoy, Planning Technician

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve temporary land use permit #21-09 for Harris Sand and Gravel for six months for a 18,000 square foot portion of Tract S Port Valdez Subdivision, for a 15,000 square foot portion of Black Gold #1 Park Strip, and a 9,500 square foot portion of ROW on Whalen Avenue

SUMMARY STATEMENT:

Planning Department staff received a temporary land use permit application from Harris Sand and Gravel, Inc. for use of a 18,000 square foot portion of Tract S Port Valdez Subdivision, a 15,000 square foot portion of Black Gold #1 Park Strip, and a 9,500 square foot portion of ROW on Whalen Avenue for construction staging yards in association with the Pavement Management Phase II Cottonwood Drive project.

Harris has requested a term of six months from May 13, 2021 - November 13, 2021. If an extension to this term is needed, staff will work with the applicant to amend the permit as needed.

Public Works Director Rob Comstock, Capital Facilities Director Nate Duval, and Parks and Recreation Director Nick Farline were solicited for comments on the application, and expressed no objection to the use proposed. Mr. Farline stated that he would like language in the permit to require Harris Sand and Gravel to repair any damage to the Black Gold Subdivision park strip as a result of the staging area. Per Valdez Municipal Code 17.48.140 A 6, no permanent alteration of the land shall occur and the permittee shall clear the property of any debris, litter, or other evidence of the temporary use upon expiration or termination of the permit.

Per Valdez Municipal Code 17.48.140 temporary land use permit requests may be granted by the Planning and Zoning Commission if the desired use is in conformance with the existing zoning and/or comprehensive plan. Staff believes this request meets those requirements and is in accordance with

the comprehensive plan goal to provide the maximum range of community services and facilities, especially on a short term and temporary basis.

.
Per Valdez Municipal Code 17.48.140 B, if temporary land use permit 21-09 is approved by the Planning and Zoning Commission, staff will prepare a temporary land use permit document using standard language approved by the City attorneys and include any conditions required by the Commission. Prior to the issuance of this permit, the decision will be reported to City Council at the next regularly scheduled meeting.



**CITY OF VALDEZ
TEMPORARY LAND USE PERMIT APPLICATION FORM**

Application Fee: \$50.00 (Non-Refundable) Waived 2017 per Resolution #12-72

File No. 21-09

Date Recv'd. 4/30/2021

Directions:

1. Please type or print legibly.
2. Please submit this application form to the Office of Community & Economic Development, P.O. Box 307, Valdez, Alaska 99686.
3. Please answer all questions on this form, or put N/A (not applicable) in the spaces provided, as the answer applies.

Applicant name: Bill Harris – Harris Sand & Gravel, Inc

Mailing address: PO Box 6

City, State, Zip: Valdez, AK 99686

Daytime telephone: 907-835-4756

SIGNATURE: 

Representative name: Bill Harris

Mailing address: PO Box 6

City, State, Zip: Valdez, Ak 99686

Daytime telephone: 907-835-4756

Legal Description of Property Affected by Application: See attached list and map

Located in Township X Range Section , CRM

Lot/Block/Tract/Subd. Plat #

Street Address/Other description

Tax #	Size of Property
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Type of business to be placed on the property: Temporary laydown yard for equipment during construction of the Pavement Management Phase II Cottonwood Drive project.

Size of temporary building(s) to be placed on the property: No temporary buildings are to be placed on the property.

Duration of lease requested (6 months maximum): May 12, 2021 to November 12, 2021

Special lease requirements: N/A

* * * * *

Submitted materials attached - The following submitted materials must be submitted when applying for a lease on City land.

- X 1. Plot Plan – A drawing of the proposed lease property showing:
- X a. Size of lot (to scale)
- N/A b. Placement and size of buildings, storage units, miscellaneous structures planned (to scale)
- N/A c. Water & sewer lines, locations of septic tanks, if needed
- N/A d. Parking spaces (numbered on the drawing with a total number indicated).
- N/A 2. Fees – All applicable fees must be submitted prior to the execution of a lease.
- a. Application Fee (\$50.00). Covers the costs associated with processing the application (Non-refundable).

X 3. Liability Insurance – The Permittee shall, at its own expense, maintain and keep force during the terms of this Permit adequate insurance to protect both Valdez and Permittee against comprehensive public liability claims arising from the use of the property in the minimum limit of ONE MILLION DOLLARS (\$1,000,000) combined single limit to protect against liability for personal injury, death or property damage.

X 4. Financial Data – The applicant is a:

Sole proprietorship _____

Partnership _____

Corporation X

Other (Please explain) _____

N/A 5. Partnership Statement – If applicant is a partnership, answer the following:

a. Date of Organization _____

b. General partnership () / Limited partnership ()

c. Statement of partnership recorded? () yes () no

Where _____

d. Has the partnership done business in Alaska?

() yes () no

When _____

Where _____

e. Name, address and partnership share of each general and limited partner. If a partner is a corporation, complete page for corporation.

<u>Limited/ General</u>	<u>Name</u>	<u>Address</u>	<u>Share</u>

f. Attach a complete copy of the partnership agreement.

X 6. Corporation Statement—If applicant is a corporation, answer the following:

a. Date of incorporation February 11th, 1976

b. Where incorporated State of Alaska

c. Is the corporation authorized to do business in Alaska?

☒ yes ☐ no

If so, as of what date February 11th, 1976

d. The corporation is held:

Publicly ☐ Privately ☒

e. If publicly held, how and where is the stock traded?

f. Furnish the name, title, and address of each officer and in addition, the same information for each principal stockholder owning more than ten percent of the corporation.

<u>Name</u>	<u>Title</u>	<u>Address</u>	<u>Share</u>
<u>William P. Harris - President - CEO - Secretary -Treasurer - Officer</u>			
<u>1135 Mineral Creek Drive - PO Box 1127 - Valdez, AK 99686</u>			

g. Furnish the names of the officers specifically authorized to execute contracts and other corporate commitments under the corporate articles and/or by-laws.

William P. Harris

LEGAL DESCRIPTION OF PROPERTY AFFECTED BY APPLICATION

Harris Sand & Gravel, Inc. will be using 3 separate laydown yards on City of Valdez property during construction of the Pavement Management Phase II Cottonwood Drive project.

Laydown yard #1

Address: 716 West Hanagita Street

Legal: TRACT S PORT VALDEZ

Size of property (laydown yard only): 18,000 SF

Overall size of property: 45,767 SF

Laydown yard #2

Address: 682 Copper Drive

Legal: PARK STRIP BLACK GOLD #1

Size of property (laydown yard only): 15,000 SF

Overall size of property: 300,000 SF

Laydown yard #3

Address: North end of Whalen Avenue

Legal: N/A

Size of property (laydown yard only): 9,500 SF

Overall size of property: N/A





**Kelly Michael Layman, CPCU,
AFSB**

Senior Vice President

Marsh & McLennan Agency, LLC
1031 West 4th Avenue, Suite 400
PO Box 107502 (99510-7502)
Anchorage, AK 99501
907 257 6344 Fax 907 276 6292
Kelly.Layman@marshmc.com
www.marshmc.com

April 29, 2021

Kim Varnes
Harris Sand & Gravel, Inc.
PO Box 6
Valdez, AK 99686

P&P Bond No.: **023216014**
Obligee: **State of AK, DOT & PF**
Description: **Northern Region ADA Improvements – Valdez: Hazelet Avenue,
0002494/NFWY00503**
Contract Price: **\$1,474,118.00**

Dear Kim,

Enclosed you will find the Performance & Payment Bond you requested on the referenced project. We have prepared this bond based upon the information you have submitted to us. Please note that we left contract date, bond execution date and the date on the power of attorney blank. Because we do not have the exact contract date, and the bond execution date can not precede the contract date, they will need to be completed either by you or the contracting officer upon final execution of the contract. Please be sure that all three documents show the same date.

BEFORE SUBMITTING, PLEASE CHECK THE BOND CAREFULLY to be sure that it complies with specifications; particularly the project description, number, correct date, signatures and seals. Also, be sure the proper Power of Attorney is attached and the bond amount is correct.

We will be sending you our invoice for this transaction in the amount of \$15,675.

Thank you for using Marsh & McLennan Agency for your surety needs.

Sincerely,

Kelly Michael Layman
Senior Vice President

KML/gbl
Enclosure



Legislation Text

File #: 21-0269, **Version:** 1

ITEM TITLE:

Approval of Temporary Land Use Permit #21-10 for Pruhs Construction Company, LLC for Six Months, for a 30,000 square foot portion of Lot 1 Tract Q, Port Valdez Subdivision, a 5,500 square foot portion of Tract S, Port Valdez Subdivision, and a 7,000 square foot portion of Lot 19B, Block 1, Fireweed Hill

SUBMITTED BY: Nicole LeRoy, Planning Technician

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve temporary land use permit #21-10 for Pruhs Construction for six months for a 30,000 square foot portion of Lot 1 Tract Q, Port Valdez Subdivision, a 5,500 square foot portion of Tract S, Port Valdez Subdivision, and a 7,000 square foot portion of Lot 19B, Block 1, Fireweed Hill

SUMMARY STATEMENT:

Planning Department staff received a temporary land use permit application from Pruhs Construction Company, LLC for use of a 30,000 square foot portion of Lot 1 Tract Q, Port Valdez Subdivision, a 5,500 square foot portion of Tract S, Port Valdez Subdivision, and a 7,000 square foot portion of Lot 19B, Block 1, Fireweed Hill for construction staging yards in association with the Pavement Management Phase II Cottonwood Drive project. Pruhs Construction will also place a 25' temporary office building on laydown yard location #1 (shown in the attached application.)

Pruhs Construction has requested a term of six months from May 13, 2021 - November 13, 2021. If an extension to this term is needed, staff will work with the applicant to amend the permit as needed.

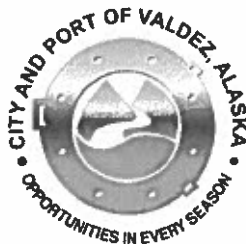
Public Works Director Rob Comstock, Capital Facilities Director Nate Duval, and Parks and Recreation Director Nick Farline were solicited for comments on the application, and expressed no objection to the use proposed.

Per Valdez Municipal Code 17.48.140 temporary land use permit requests may be granted by the Planning and Zoning Commission if the desired use is in conformance with the existing zoning and/or comprehensive plan. Staff believes this request meets those requirements and is in accordance with the comprehensive plan goal to provide the maximum range of community services and facilities,

especially on a short term and temporary basis.

.

If temporary land use permit 21-10 is approved by the Planning and Zoning Commission, staff will prepare a temporary land use permit document using standard language approved by the City attorneys and include any conditions required by the Commission. The issuance of this permit will be reported to City Council at the next regularly scheduled meeting.



**CITY OF VALDEZ
TEMPORARY LAND USE PERMIT APPLICATION FORM**

Application Fee: \$50.00 (Non-Refundable) Waived 2017 per Resolution #12-72

File No. 21-10

Date Recv'd. 4/30/2021

Directions:

1. Please type or print legibly.
2. Please submit this application form to the Office of Community & Economic Development, P.O. Box 307, Valdez, Alaska 99686.
3. Please answer all questions on this form, or put N/A (not applicable) in the spaces provided, as the answer applies.

Applicant name: J Dana Pruhs – Pruhs Construction Company LLC

Mailing address: 2193 Viking Dr.

City, State, Zip: Anchorage, AK 99501

Daytime telephone: 907-279-1020

SIGNATURE: J. D. Pruhs

Representative name: J Dana Pruhs.

Mailing address: 2193 Viking Dr.

City, State, Zip: Anchorage, AK 99501

Daytime telephone: 907-279-1020

Legal Description of Property Affected by Application: **See attached list and map**

Located in Township X Range Section , CRM

Lot/Block/Tract/Subd. _____ Plat # _____

Street Address/Other description

Tax #	Size of Property
-------	------------------

Type of business to be placed on the property: Temporary laydown yard for equipment during construction of the Pavement Management Phase II Cottonwood Drive project.

Size of temporary building(s) to be placed on the property: A temporary 25 foot office building will be placed on the laydown yard #1 property.

Duration of lease requested (6 months maximum): May 12, 2021 to November 12, 2021

Special lease requirements: N/A

* * * * *

Submitted materials attached - The following submitted materials must be submitted when applying for a lease on City land.

- | | | |
|------------|----|--|
| <u>X</u> | 1. | <u>Plot Plan</u> – A drawing of the proposed lease property showing: |
| <u>X</u> | a. | Size of lot (to scale) |
| <u>X</u> | b. | Placement and size of buildings, storage units, miscellaneous structures planned (to scale) |
| <u>N/A</u> | c. | Water & sewer lines, locations of septic tanks, if needed |
| <u>N/A</u> | d. | Parking spaces (numbered on the drawing with a total number indicated). |
| <u>N/A</u> | 2. | <u>Fees</u> – All applicable fees must be submitted prior to the execution of a lease. |
| | a. | Application Fee (\$50.00). Covers the costs associated with processing the application (Non-refundable). |

N/A 6. Corporation Statement—If applicant is a corporation, answer the following:

a. Date of incorporation_____

b. Where incorporated_____

c. Is the corporation authorized to do business in Alaska?

☐ yes

☐ no

If so, as of what date _____

d. The corporation is held:

Publicly ☐

Privately ☐

e. If publicly held, how and where is the stock traded?

f. Furnish the name, title, and address of each officer and in addition, the same information for each principal stockholder owning more than ten percent of the corporation.

<u>Name</u>	<u>Title</u>	<u>Address</u>	<u>Share</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

g. Furnish the names of the officers specifically authorized to execute contracts and other corporate commitments under the corporate articles and/or by-laws.

LEGAL DESCRIPTION OF PROPERTY AFFECTED BY APPLICATION

Pruhs Construction Company LLC will be using 3 separate laydown yards on City of Valdez property during construction of the Pavement Management Phase II West Hanagita and Ptarmigan Place project.

Laydown yard #1

Address: 560 West Hanagita Street

Legal: LT 1 TRACK Q PORT VALDEZ

Size of property (laydown area only): 30,000 SF

Overall property size: 99,186 SF

Laydown yard #2

Address: 716 West Hanagita Street

Legal: TRACT S PORT VALDEZ

Size of property (laydown area only): 5,500 SF

Overall property size: 45,767 SF

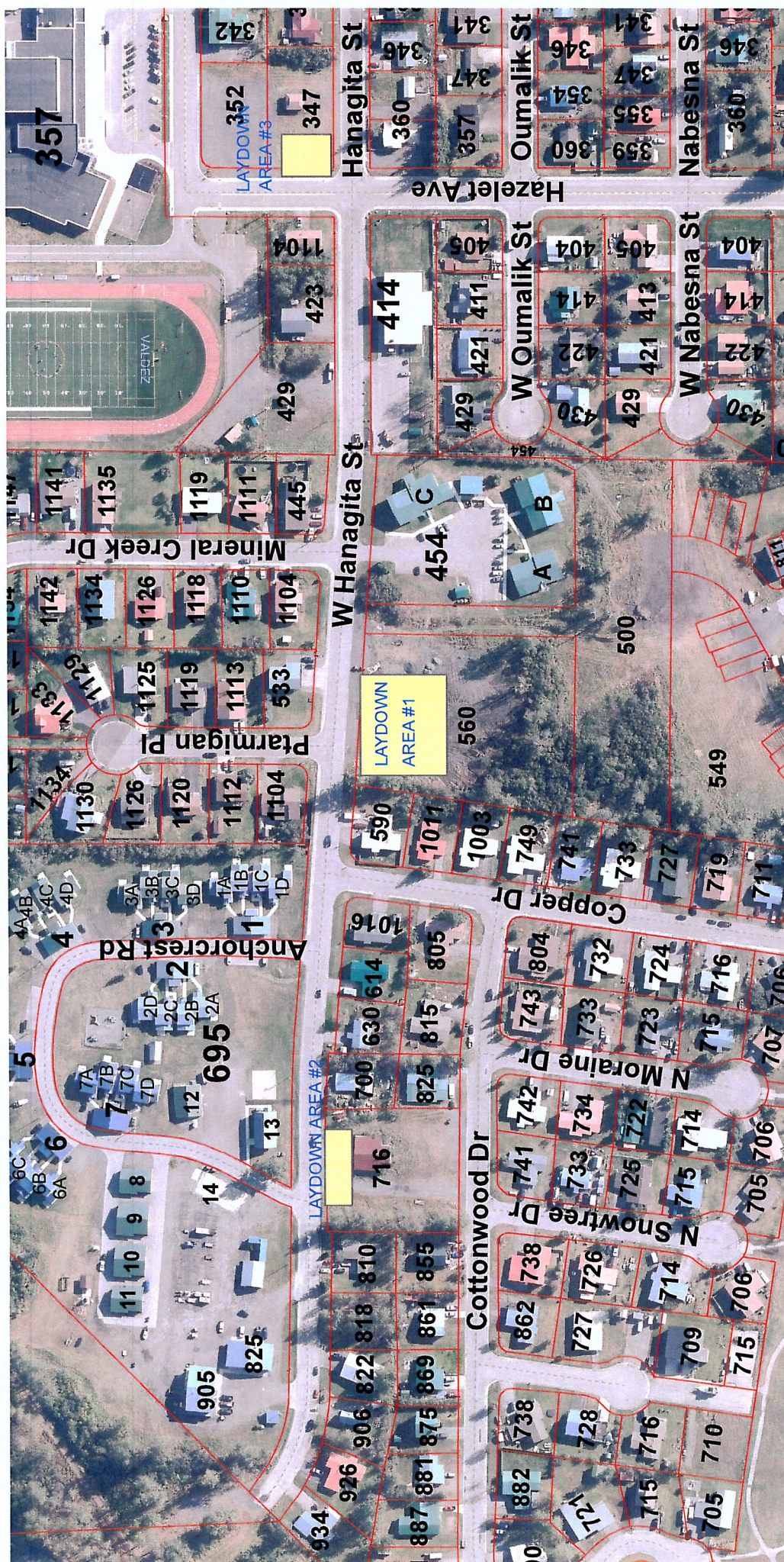
Laydown yard #3

Address: 347 Hanagita Street

Legal: LT 19B BK 1 FIREWEED HILL

Size of property (laydown area only): 7,000 SF

Overall property size: 21,998 SF





Legislation Text

File #: 21-0270, **Version:** 1

ITEM TITLE:

Approval of Recommendation to City Council Concerning the Rezone of Lot 1, Block 2, Robe River Subdivision, Plat 84-2 (106 River Drive) to General Commercial.

SUBMITTED BY: Bruce Wall, Senior Planner

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve recommendation to City Council to rezone Lot 1, Block 2, Robe River Subdivision to General Commercial (G) and adopt the proposed findings.

SUMMARY STATEMENT:

In 1987 the subject property was rezoned to General Commercial with the enactment of Ordinance 8704. Earlier this year the city adopted new official zoning maps and the subject property's zoning designation was changed to Residential Mobile Home with the enactment of Ordinance 21-02. The Planning Department has recently become aware of this error and has brought it to the attention of the property owner. The property owner agrees that the correct zoning designation should be General Commercial.



City of Valdez

ALASKA

Planning Department

Copper Valley Wireless Rezone – Proposed Findings

Date: May 12, 2021

File: Rezone 21-01

To: Planning & Zoning Commission

From: Bruce Wall, Senior Planner

General Information

Property Owner:	Copper Valley Wireless Inc.
Street Address:	106 River Drive
Legal Description:	Lot 1, Block 2, Robe River Subdivision, Plat 84-2
Current Zoning District:	Residential Mobile Home (R-M)
Proposed Zoning District:	General Commercial (G)
Existing Land Use:	Communication Tower
Access:	River Drive
Size:	0.30 Acres

Project Description

In 1987 the subject property was rezoned to General Commercial with the enactment of Ordinance 8704. Earlier this year the city adopted new official zoning maps and the subject property's zoning designation was changed to Residential Mobile Home with the enactment of Ordinance 21-02. The Planning Department has recently become aware of this error and has brought it to the attention of the property owner. The property owner agrees that the correct zoning designation should be General Commercial.

Findings

1. Procedure.

- a) The planning department has recently become aware that the subject property's zoning designation was changed to Residential Mobile Home with the enactment of Ordinance 21-02.
- b) The Planning Department contacted the property owner and they indicated that they would like the City to correct this error.
- c) A public hearing was scheduled to correct this error for May 12, 2021.
- d) Notice of the meeting was published in the Copper River Record on April 29, 2021 and May 6, 2021, in accordance with VMC 17.06.060(B)(1) and VMC 17.54.040. The initial week of publication incorrectly listed the address of the subject property, this was corrected for the second week of publication.

- e) Notice of the publication was published in KVAK's e-blast newspaper on April 26, 2021 and May 3, 2021. The initial publication incorrectly listed the address of the subject property, this was corrected on April 28, 2021.
- f) Notice of the meeting was mailed on April 30, 2021 to the five 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 change is being proposed to correct the recent error of changing the zoning designation of this property with the adoption of the official zoning maps. The recent change was done without specific notification to the property owner.

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) The property size is approximately 0.30 acres.
- b) In 1987, the subject property was rezoned from Residential Mobile Home to General Commercial.
- c) In 2002, the 5-acre adjacent property to the northwest was rezoned from General Commercial to Commercial Residential.
- d) The property is no longer located adjacent to an existing General Commercial district.
- e) In 2021, with the adoption of the official zoning maps, the subject property zoning was changed to Residential Mobile Home.
- f) The requirement for the property to be at least 2-acres or an extension of existing district boundaries is not relevant to this change in district classification because this rezone is being proposed to correct a recent error in the adoption of the official zoning maps.

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

It is not anticipated that this rezone will have an effect on the objectives of the comprehensive plan.

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

Public necessity, convenience, general welfare, and good zoning practice requires the rezone because of the following.

- a) With the enactment of Ordinance 21-02 the subject property's zoning district was inadvertently changed.
- b) This change in the zoning designation was done without specific notification to the property owner.
- c) It is in the public interest to ensure that there is due process for all land use decisions concerning private property.

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

The requirement for the rezone to be in accordance with the comprehensive plan is not relevant for this rezone because this rezone is being proposed to correct a recent error in the adoption of the official zoning maps.



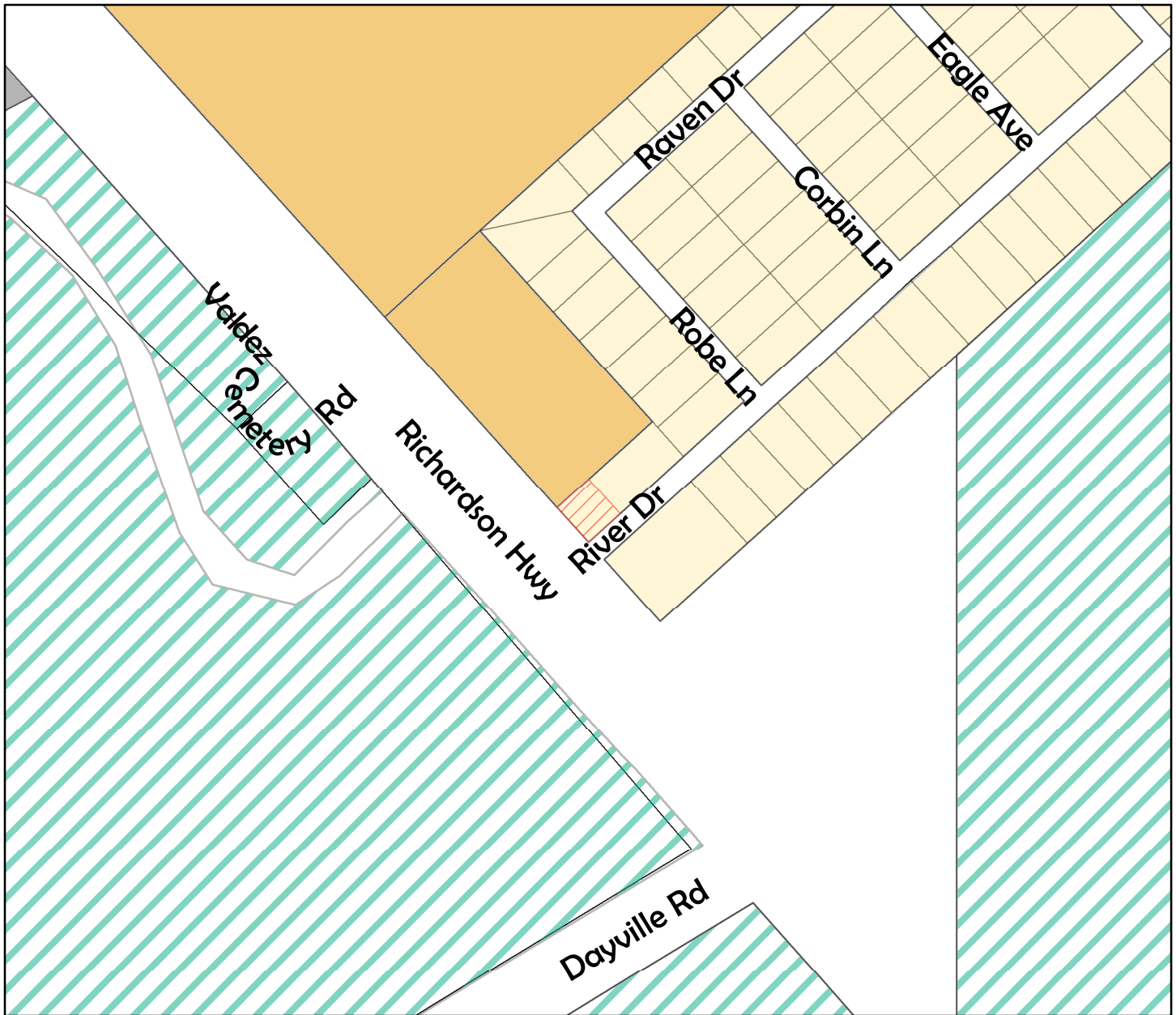
Proposed Rezone - General Commercial (G)

P & Z Commission Public Hearing - May 12, 2021
1996 Zoning Map



0 100 200 400
Feet

Author: City of Valdez Planning Date: 5/7/2021




Proposed Rezone - General Commercial (G)

P & Z Commission Public Hearing - May 12, 2021



0 200 400 800 Feet

Current Zoning

-  Commercial Residential (C-R)
-  Light Industrial (L-I)
-  Public Lands (P)
-  Residential Mobile Home (R-M)
-  Subject Property

Author: City of Valdez Planning Date: 5/6/2021



Proposed Rezone - General Commercial (G) **P & Z Commission Public Hearing - May 12, 2021** **2019 Aerial Photo**



0 100 200 400
 Feet

Author: City of Valdez Planning Date: 5/6/2021

 Subject Property



City of Valdez
ALASKA
Planning Department

PUBLIC HEARING NOTICE

April 30, 2021

«OWNER»
«MADDRESS»
«CITY», «STATE» «ZIP»

Re: Rezone - 106 River Drive

«OWNER»,

The Valdez Planning and Zoning Commission will hold a public hearing on Wednesday, **May 12, 2021** at 7:00 pm in the City Council Chambers. As a property owner within 300 feet of the subject property, you are receiving this notice.

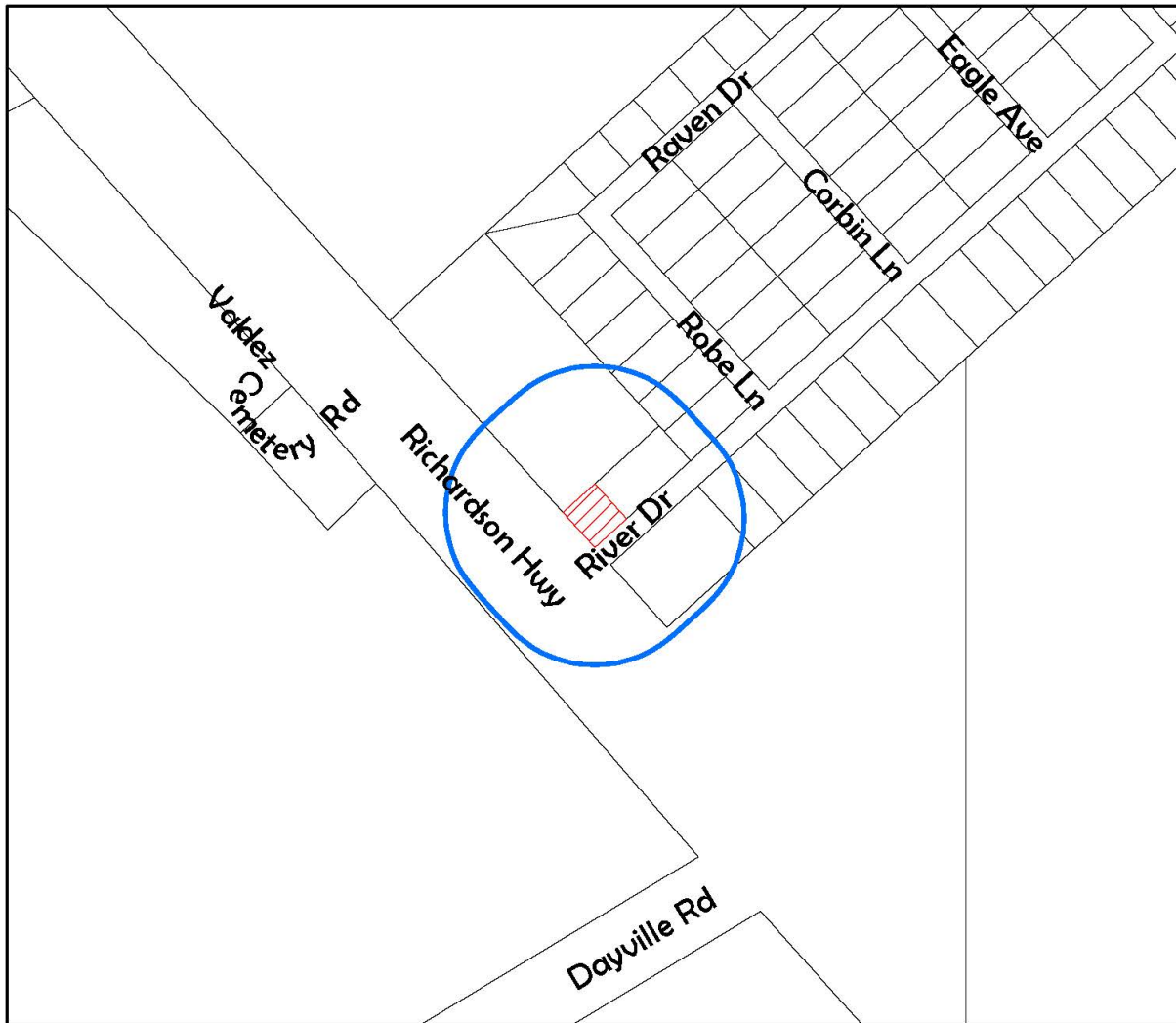
The purpose of the hearing is to take public testimony concerning the City's proposal to rezone Lot 1, Block 2, Robe River Subdivision, Plat 84-2 (106 River Drive) from Residential Mobile Home District (R-M) to General Commercial District (G). The property owner is Copper Valley Wireless, Inc. The City changed the zoning designation of this property with its recent adoption of new zoning maps. This was done inadvertently and the City wishes to correct this error.

Property Owner: Copper Valley Wireless Inc.

The public is encouraged to submit comments in writing to the Planning Department prior to the meeting. Submitted comments will be presented to the Planning & Zoning Commission. Submissions by email may be sent to: bwall@valdezak.gov. If you have questions concerning this notice, or if you would like more detailed information, please contact the Planning Department at 907-834-3451.

Sincerely,

Bruce Wall, AICP
Senior Planner
City of Valdez | Planning Department
P.O. Box 307, Valdez AK 99686
☎ 907.834.3451 | ✉ bwall@valdezak.gov






Proposed Rezone General Commercial (G) Planning and Zoning Commission Public Hearing - May 12, 2021

Legend

0 200 400 800 Feet

Author: City of Valdez Planning Date: 4/30/2021

-  300-Foot Notification Area
-  Subject Property
-  Parcels





Legislation Text

File #: 21-0272, **Version:** 1

ITEM TITLE:

Approval of Recommendation to City Council Concerning an Application to Rezone Tract P, Port Valdez Subdivision, Plat 77-1 (1105 W Egan Drive) to Multi-Family Residential

SUBMITTED BY: Bruce Wall, Senior Planner

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve a recommendation to City Council to rezone Tract P, Port Valdez Subdivision, Plat 77-1 to Multi-Family Residential and adopt the proposed findings.

SUMMARY STATEMENT:

An application for a rezone has been received from William P. Harris for Tract P, Port Valdez Subdivision. This parcel is approximately 14.41 acres with the northern portion currently zoned Multi-Family Residential and the southerly 180-foot portion, adjacent to Egan Drive, currently zoned General Commercial. The application is requesting that the entire parcel be zoned Multi-Family Residential. Therefore, the only portion of the property being affected by the rezone is the approximately 3.4 acres adjacent to Egan Drive.



City of Valdez

ALASKA

Planning Department

Harris Rezone – Proposed Findings

Date: May 12, 2021

File: Rezone 21-02

To: Planning & Zoning Commission

From: Bruce Wall, Senior Planner

General Information

Property Owner:	William P. Harris
Street Address:	1105 W Egan Drive
Legal Description:	Tract P, Port Valdez Subdivision, Plat 77-1
Current Zoning District:	Multi-Family Residential and General Commercial (adjacent to Egan Drive)
Proposed Zoning District:	Multi-Family Residential
Access:	Egan Drive and Whalen Avenue
Size:	14.413 Acres

Project Description

An application for a rezone has been received for Tract P, Port Valdez Subdivision. This parcel is approximately 14.41 acres with the northern portion currently zoned Multi-Family Residential and the southerly 180-foot portion adjacent to Egan Drive currently zoned General Commercial. The application is requesting that the entire parcel be zoned Multi-Family Residential. Therefore, the only portion of the property being affected by the rezone is the approximately 3.4 acres adjacent to Egan Drive. The application states that the property is more suited for the proposed zoning district than for the present zoning because “the front area that is commercial would be better suited to multi-family which is what Valdez needs right now”.

The City of Valdez Comprehensive Map #1 on page 74 of the Valdez Comprehensive Development Plan designates that the land use of this parcel should be Multi Family.

Findings

1. Procedure.

- a) The Planning Department received a rezone application for the subject property on April 15, 2021.
- b) A public hearing for May 12, 2021 was scheduled to consider the application.
- c) Notice of the meeting was published in the Copper River Record on April 29, 2021 and May 6, 2021, 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 April 26, 2021 and May 3, 2021.

- e) Notice of the meeting was mailed on April 30, 2021 to the 20 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 rezone application states, “The front area that is commercial would be better suited to multi-family which is what Valdez needs right now.”

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)

The proposed rezone meets the two-acre minimum requirement for rezones because the property size is approximately 14.413 acres.

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

The rezone will be implementing some of the objectives of the comprehensive plan.

- a) The Valdez Comprehensive Development Plan states, as a goal, “Provide safe, convenient, and attractive residential areas that protect and enhance property values while encouraging economies in necessary community expenditures for required community infrastructure and utilities.”
- b) The Valdez Comprehensive Development Plan states, as an objective, “Encourage residential construction and expansion in those areas of the community where necessary community facilities and utilities are already in place and/or can easily be extended.”

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

Public necessity, convenience, general welfare, and good zoning practice requires the rezone because of the following.

- c) Changing the zoning district so that the entire parcel is zoned Multi-Family Residential will be implementing the comprehensive plan by making the zoning consistent with how it is indicated on the plan’s maps.
- d) The adjacent property on the north side of Egan Drive is developed as residential rather than commercial.
- e) Changing the zoning from commercial to residential will increase the amount of land available for housing near existing city services, such as schools.
- f) Changing the zoning to Multi-Family Residential will allow an increase in the potential number of dwelling units in a location that is already served with sewer, water, and other utilities.

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

The rezone is in accordance with the comprehensive plan as detailed with the following.

- a) The Valdez Comprehensive Development Plan states, in part, “Provide a community land use pattern that is compatible with existing land use patterns in the community.” The adjacent property to the north and east of the subject property is zoned residential and changing the zoning of this property along Egan Drive will provide a community land use pattern that is compatible with existing land use patterns in the community.

- b) The Valdez Comprehensive Development Plan states, as a goal, “Provide safe, convenient, and attractive residential areas that protect and enhance property values while encouraging economies in necessary community expenditures for required community infrastructure and utilities.” The subject property adjacent to Egan Drive is already served with sewer and water; therefore, no additional community expenditures are required to provide these utilities.
- c) The Valdez Comprehensive Development Plan states, as an objective, “Encourage residential construction and expansion in those areas of the community where necessary community facilities and utilities are already in place and/or can easily be extended.” The subject property adjacent to Egan Drive is already served with sewer and water, and the property is in close proximity to other community facilities.
- d) The City of Valdez Comprehensive Map #1 on page 74 of the Valdez Comprehensive Development Plan designates that the land use of this parcel should be Multi Family.

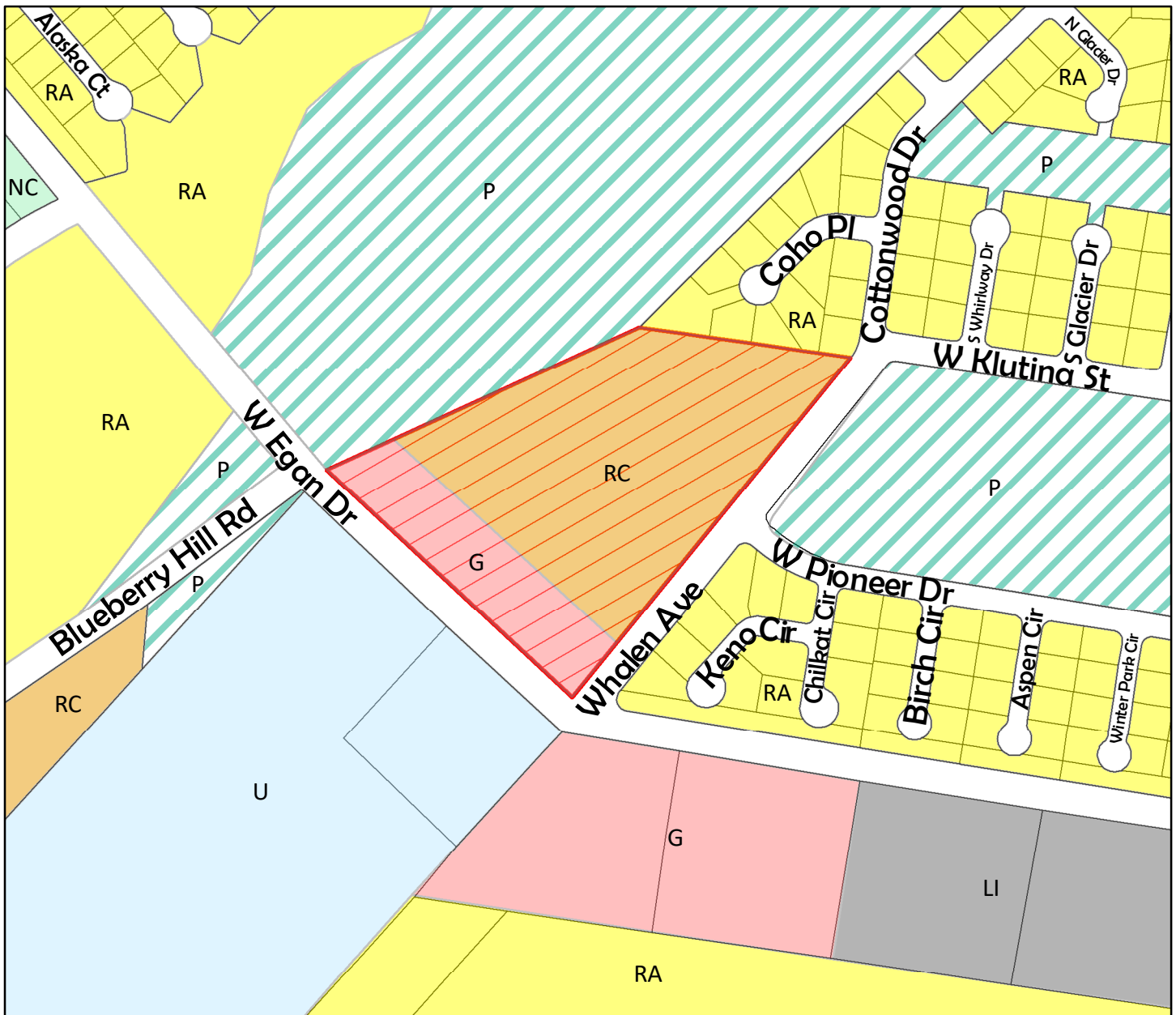


FEE: \$50.00
SITE PLAN
WAIVED 2013 PER
RESOLUTION #12-72



CITY OF VALDEZ
APPLICATION FOR REZONE

APPLICATION NUMBER	DATE
NAME OF APPLICANT	WILLIAM P. HARRIS
ADDRESS OF APPLICANT	PO BOX 1127, VALDEZ, AK 99686
DAYTIME PHONE	907-931-0287
LEGAL OWNER	WILLIAM P. HARRIS
ADDRESS	
PHONE NUMBER	
LOCATION OF PROPERTY AND/OR LEGAL DESCRIPTION/STREET ADDRESS	
1105 WEST EGAN DRIVE, TRACT P PORT VALDEZ PLAT 77-1	
CURRENT ZONING	MIXED RC AND C
PROPOSED ZONING	MIXED RC
DESCRIPTION OF PROPERTY, INCLUDING SQUARE FOOTAGE OR ACREAGE.	
NEW SUBDIVISION MIXED MULTI FAMILY, ZERO LOT LINE SINGLE FAMILY HOMES +14 ACRES	
WHY IS THE PROPERTY MORE SUITED FOR THE PROPOSED ZONING DISTRICT THAN FOR THE PRESENT ZONING?	
THE FRONT AREA THAT IS COMMERICAL WOULD BE BETTER SUITED TO MULTI-FAMILY WHICH IS WHAT VALDEZ NEEDS RIGHT NOW.	
SIGNATURE	DATE
<i>William P. Harris</i>	4/14/2021



Proposed Rezone - Multi-Family Residential (R-C)

P & Z Commission Public Hearing - May 12, 2021



0 200 400 800 Feet

Author: City of Valdez Planning Date: 5/6/2021

Current Zoning

- General Commercial (G)
- Light Industrial (L-I)
- Neighborhood Commercial (N-C)
- Public Lands (P)
- Single Family Residential (R-A)
- Multifamily Residential (R-C)
- Unclassified (U)
- Subject Property



Proposed Rezone - Multi-Family Residential (R-C)

P & Z Commission Public Hearing - May 12, 2021
2020 Aerial Photo



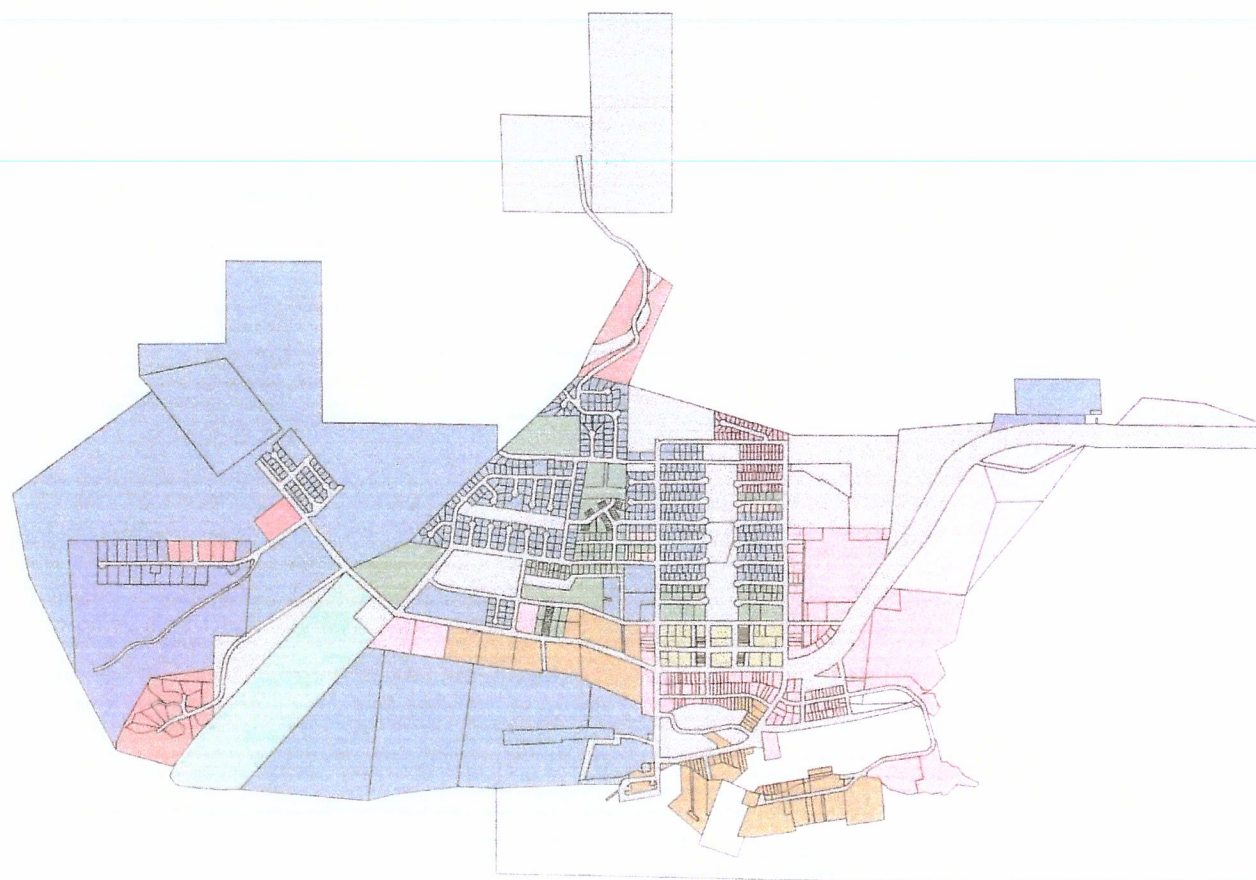
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Feet

Author: City of Valdez Planning Date: 5/6/2021

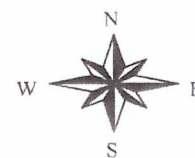
 Subject Property

CITY OF VALDEZ

Comprehensive Map #1



- Comp Use
- Public
 - Single Family
 - Single/Two Family
 - Multi Family
 - Rural Residential
 - Residential Mobile Home
 - Neighborhood Commercial
 - Commercial Residential
 - Central Business District
 - General Commercial
 - Waterfront Commercial
 - Waterfront Industrial
 - Light Industrial
 - Heavy Industrial
 - Airport
 - Conservation
 - Open Space
 - Heavy Industrial-Gravel
 - Unclassified
 - Parcels (polygons)





City of Valdez
ALASKA
Planning Department

PUBLIC HEARING NOTICE

April 30, 2021

«OWNER»
«MADDRESS»
«CITY», «STATE» «ZIP»

Re: Rezone - 1105 W Egan Drive

«OWNER»,

The Valdez Planning and Zoning Commission will hold a public hearing on Wednesday, **May 12, 2021** at 7:00 pm in the City Council Chambers. As a property owner within 300 feet of the subject property, you are receiving this notice.

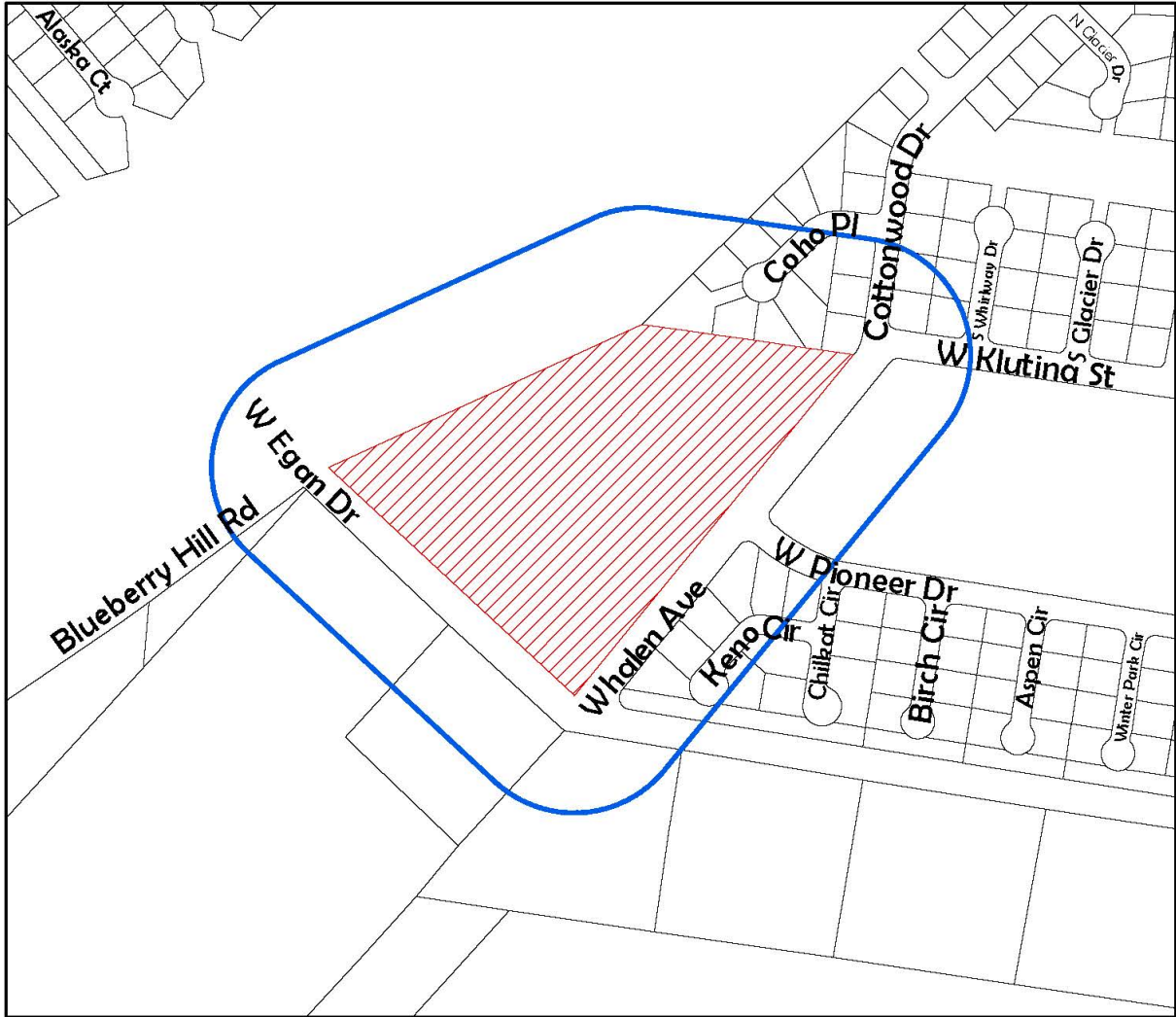
The purpose of the hearing is to take public testimony concerning an application to rezone Tract P, Port Valdez Subdivision, Plat 77-1 (1105 W Egan Drive) from a mixture of Multi-Family Residential District (R-C) and General Commercial District (G) to Multi-Family Residential District (R-C).

Applicant and Property Owner: William P. Harris

The public is encouraged to submit comments in writing to the Planning Department prior to the meeting. Submitted comments will be presented to the Planning & Zoning Commission. Submissions by email may be sent to: bwall@valdezak.gov. If you have questions concerning this notice, or if you would like more detailed information, please contact the Planning Department at 907-834-3451.

Sincerely,

Bruce Wall, AICP
Senior Planner
City of Valdez | Planning Department
P.O. Box 307, Valdez AK 99686
☎ 907.834.3451 | ✉ bwall@valdezak.gov



Rezone Request **Multi-Family Residential (R-C)** **Planning and Zoning Commission** **Public Hearing - May 12, 2021**

Date: 4/29/2021
 0 200 400 800 Feet

Author: City of Valdez Planning

Legend

-  300-Foot Notification Area
-  Subject Property





City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 21-0273, **Version:** 1

ITEM TITLE:

Planning Director's Report

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Report only.

SUMMARY STATEMENT:

The Planning Director will provide a verbal report during the meeting.